

MR. DEPUTY SPEAKER: The Question is :

"That this House do agree with the Thirty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 11th May, 1994."

The motion was adopted

15.33 hrs.

RESOLUTION RE :
RESERVATION IN EDUCATIONAL
INSTITUTIONS, ETC. FOR OBC
(CONTD.)

[English]

MR. DEPUTY SPEAKER : The House shall now take up further discussion on the resolution regarding reservation in educational institutions etc. for OBC, moved by Shri Ramamurthee, Shri Gangwar may please speak.

[Translation]

SHRI SANTOSH KUMAR GANGWAR (Bareilly) : Mr. Deputy Speaker, Sir, through you I would like to thank and congratulate Shri Ramamurthy for moving this important resolution telling some major points about it. Several hon. Members have also mentioned it. As you also know that the issue regarding removal of shortcomings found, in the provision made for providing reservation for people belonging to backward castes, has been raised time and again throughout the session. Yesterday and today, in reply to this issue, it has been said that the Government will take decision on it.

It is correct that Central Government

has implemented the recommendations of Mandal Commission, which can be called the main chapter of Social Justice through a notification in September 1993, after making certain amendments into it.

Though, the referred notification was in accordance with the ruling of the Supreme Court. Yet, this debatable announcement has proved to be a matter of injustice to the whole backward community and a stumbling block in the way of creating uniformity in the Indian Society due to the disparities created by the Government.

The Government has been providing emotional protection like creating educational facilities for them and launching programmes to make them aware of these facilities etc. for essentially incarnating the concept of reservation. As these programmes take a long time to borne fruit and become victims of prejudiced thought of legal institutions, So in the form of urgent relief some other protectional relief like relaxation in age and chance, exemption from fee and relaxation in minimum educational qualification etc. are given. In the absence of these facilities it is really impossible to fill up the reserve vacancies for any class. Central Government has completely banned these facilities in the notification released for providing 27% reservation for backward classes.

In its notification, the Government has already excluded the affluent people of backward classes through the concept of ecreamy layer. The remaining people fo this class are lacking in social, economic and educational sphere of life like Scheduled Castes. After 45 years of Independence, with all these facilities we are not able to fill up the quota fixed for Scheduled Castes, then how we can accept that this 27% quota fixed for other backward classes can be filled in the absence of these facilities. Due to their

poor social and economic background, the students belonging to backward classes, start education late and thus, they just complete their higher education at the age fixed for the competitive examinations. Then how they can be definite about their participation in these exams. Therefore candidates belonging to these classes should be given 5 years relaxation in age for Central Government services and provision for limited chances to take part in IAS exams should be abolished for this class.

Sir, the announcement regarding the implementation of Mandal Commission recommendations was made by the then National Front Government after August 13, 1990. But actually it was implemented after three years as it was under consideration with the Supreme Court.

Supreme Court has declared valid the announcement of 13.8.90, made by the then Government hence the candidates are rightfully eligible for reservation under discussion. Keeping in view the limited chances for competing in IAS and IFS exams, the Government should provide relaxation in age and chances for them and this reservation facility should be given in appointments and vacancies created during 13.8.90 to 7.9.93. In its decision regarding Mandal Commission (Indira Sahani *Versus* Government of India) the hon. Supreme Court has clearly mentioned in para 549 of the decision that candidates belonging to backward classes should be given relaxation in age limit, additional chances to take part in competitive exams, exemption from examination fees and additional training, and these facilities are the part of fundamental rights. Demonstrations are being organised at various stages in support of these demands and memorandas are given to this effect, so I request the Government to think over it again and because the Hon. Minister respects

the feelings of the House, hence announcement should be made in this regard. The month of June is approaching but the forms of people are being rejected on this basis. I request the Government to think over it. The main thing is that Government has provided reservation but where are the jobs? Today the Government is adopting the policy of privatisation and number of Public Undertakings is increasing then how people will get employment through the provision made for reservation. We will not be able to achieve the target unless arrangements for reservation is made in Public Undertakings also. Therefore, I request the hon. Minister to increase the number of opportunities, give five years relaxation in age limit and announce that the Public Sector undertakings or the establishments of Central Government should fulfill the quota of 27 per cent reservation without fail. Then only we will achieve our targets of uniform development and upliftment of society. Therefore, as my friend has also pointed out, I would like to say that wholebody should get nourishment and not one part only. Otherwise, it will fall sick. The future of the country will not be well and healthy, if this 52 per cent will be segregated from the society. The development in the country will not be smooth and uniform and country can be moved in a correct direction. So I request the hon. Minister to accept the resolution moved by our colleague without hesitation. The issue has been deated for a long time and it will be good for our society. So I request you to make announcement that Government has accepted the resolution moved by Shri Ramamurthy. I thank you for allowing me to speak.

SHRI TEJ NARAYAN SINGH (Buxar) :
Mr. Speaker, Sir, I support this resolution and would like to say that Constitution of India has a provision of reservation for social equality and not for economic equality the word economic has not been mentioned

anywhere in the Constitution for reservation in Article 14, 16, 340 or 332 and I do not know why the issue is being dragged when it is not mentioned in the constitution. People who framed our constitution had an intention of removing social disparity. In our society some people are not treated socially equal and thus reservation was given importance. It is correct also, social status of a person rises with the reservation given to him in accordance with the provisions of the Constitution. If a person belonging to backward class gets a post of Collector and goes to some village he will not be maltreated by villages for his caste and everyone pays respect to him but on the other hand if a person belonging to backward caste, howsoever rich he is not be given equal social status, if he is not holding any post. Therefore, I support this provision of reservation and request for its earliest implementation. Reservation brings social equality in the society.

15.41 hrs.

(SHRIMATI SANTOSH CHOWDHARY *in the Chair*)

It is also essential to take care of its implementation because earlier also the Government had not implemented the provision made in the Constitution of India regarding reservation for certain classes of the society. After a much hue and cry throughout the country, V. P. Singh Government formulated a policy on this issue in 1990 and presented it in the House, which created a turmoil in the whole country. The matter was taken to Supreme Court later on. Now Supreme Court has issued an order in this regard. Whether we accept the order of the Supreme Court or not, that is a constitutional matter, but I demand of the Government to immediately implement the order issued by them. I feel, had this order

been implemented earlier, all the reserved vacancies would have been filled up by now. Though the Constitution ensures 22.5 per cent reservation for people belonging to scheduled castes and scheduled tribes yet I regret to say that in actuality if we scrutinize the official data we will find that after years of Independence only 13.6 per cent posts have been filled up by people belonging to the scheduled castes and the rest have been filled up by other castes who have no right to be appointed on these posts. It is shown in papers that scheduled caste adivasis are not available but I would like to say that a large number of youngsters belonging to scheduled castes having B. A., M. A. degrees, some even having honours' degree, are roaming around unemployed. I demand the Government to announce that all those adivasi youngsters having B.A., M.A. degrees etc. are only required to apply for the reserved vacancies, then, they will be given employment. At present they do not get employment even after applying for it. I demand of the Government to immediately fill up the 2.25 per cent quota reserved for adivasis.

So far as the filling up of other posts is concerned, these should also be filled up at the earliest. The people belonging to backward classes should be given 27 per cent reservation in employment when creamy layer is discussed here, I need to stress that this country does not require the creamy layer. Since this order has been issued by the Supreme Court, I do not oppose or criticise it but the intention behind the reservation fixed in the Constitution does not require the creamy layer for this country because this intention aims to do away with social inequality and does not advocate economic equality. Had it been for economic equality only, then, the question of creamy layer would have arisen and considered but the Constitution looks for social equality. Thus, according to

the provisions made in the Constitution, there is no need to select anybody on economic basis.

That is why, I would like to demand from the Government that the people belonging to backward classes should be given 27 per cent reservation in educational institutions and other places on the basis of reservation provided for Harijans and Adivasis and all the vacancies must be filled up at the earliest. Besides, the people belonging to backward classes should be given five years' relaxation in age so that no seat remains vacant in the 27 per cent quota reserved for people belonging to scheduled castes and 22 per cent quota reserved for people belonging to scheduled tribes.

Madam Chairman, with these words I support this Bill and urge upon them to immediately fill up the reserved seats. I thank you for allowing me time to speak.

[English]

SHRI YAIMA SINGH YUMNAM (Inner Manipur): Madam, in response to the demand of the people and also in consideration of the recommendation of the Mandal Commission, the Central Government has now started implementing the recommendations of the Mandal Commission. It is in the interest of the nation. A section of the people has been classified as 'OBC', Other Backward Classes. This class is besides the classes of Scheduled Caste and Scheduled Tribe. This class forms a great proportion of the population in this country. Giving approval to this class of people is largely in the interest of the nation because the nation as a whole must be made very healthy. By giving this special consideration for the welfare of this class of people, I think, the nation will be promoting its healthiness.

Now, I support the Resolution of Shri Ramaurtheeji. His Resolution is in two parts. The first part deals with the reservation of 27 per cent in the academic institutions, in the institutions meant for education. Now the problem for getting admission in the academic institutions is very great. In many Central Schools, it is very difficult to get an admission and it is open to competitions, then the Other Backward Classes people are not getting their chances. So, it is very correct or purposeful to propose for the reservation of this 27 per cent also in respect of admissions in the institutions under the Central Government. It is very difficult for these OBC people to get the admission in the Central School. Not only that, for certain education, say technical education, medical education or engineering, it is very difficult for these people, who are classified as OBC, to get the admission. If certain quota or reservation is provided to these people, then for those reserved seats, they can compete among themselves and the better, according to the merit, can be admitted. If they are allowed to compete with the general category of people, then they are not getting their chances.

So, I support this Resolution wholeheartedly because it will provide good opportunity to the people of Other Backward Classes.

The second part deals with the relaxation of five years in the upper age-limit for employment in the services under the Central Government. It is also, I think, purposeful and in the interests of the nation. Moreover, it will give incentives to the people of Other Backward Classes.

Thirdly, I propose for the relaxation of five years for all the candidates belonging to the Other Backward Classes for the examinations conducted by the UPSC. At the moment, it is not being considered. So, I

strongly recommend this proposal for consideration by the Government.

With these few words, I support the Resolution.

[Translation]

Dr. S. P. YADAV (Sambhal) : Madam Chairman, first of all, I would like to thank the hon. Members Shri Ramamurtheji for presenting this Private Members' Bill in the Parliament. We had been elected to Lok Sabha in 1989 and the then Prime Minister, Shri V. P. Singh had made an announcement on 7th August, 1990 to implement the recommendations of the Mandal Commission.

The long-awaited justice provided under the constitution to the people belonging to the backward classes yet denied in actuality even after so many years of independence, was declared by the V. P. Singh Government. The above declaration caused a furore everywhere and several incidents took place but the Government remained adamant. The Janata Dal Government took the initiative of implementing the recommendations of Mandal Commission. The report of the Mandal Commission was hotly debated after its implementation but Shri V. P. Singh was not deterred.

Some opposition parties challenged the report of the Mandal Commission in the Supreme Court. They tried to prevent the implementation of the Mandal Commission report. But the Supreme Court upheld the order issued by Shri V. P. Singh on 7th August, 1990.

Now, the question arises that Mandal Commission was implemented by why was a new clause regarding creamy layers added? I would like to say that this clause should be

done away with. The provision should have been made to give a chance to the people belonging to backward classes for the next ten years after the implementation of Mandal Commission Report. Many people would not have got any opportunity and only those people would get chance who were yet to be qualified. That is why the Mandal Commission Report is yet to be fully implemented. A provision has been made for a period of five years. These people should get a reservation in educational Institutes, medical, engineering and other Institutes imparting technical education. A relaxation should be given for a period of five years. It has not been provided. Shri D. P. Yadav had raised this question in the House on the day before yesterday. I agree with him. The newspapers have also given it a wide coverage. I, therefore, demand of the Government to provide five years' relaxation in age limit to the students to enable them to receive technical education. These days very few people are able to receive it. Since the competition has become very tough, the people belonging to backward classes are not able to get admission.

I support this Resolution and thank Shri Ramamurthy that as a congressman he thought on these lines and supported Mandal Commission. He introduced a Private Member Bill in the House also to support it. With these words I conclude.

SHRI KASHIRAM RANA (Surat) : Mr. Chairman, Sir, I rise to support the Resolution introduced by Shri Ramamurthy. This Resolution ought to have been introduced very earlier. After the independence the Government should have considered the implication and implementation of this Bill. I hope that today the Government would take certain concrete measures to implement it.

I would like to raise one or two points here. The Government perhaps has

announced to provide 27 per cent quota for the OBC. Had the recommendations of the Mandal Commission been passed sooner after submitting the report before the Government, the educated youth belonging to the OBC would have got the jobs. Since the Government jobs have been partially banned, how can they be implemented now? The Finance Commission of Gujarat has also stated it categorically that henceforth these should be no fresh recruitment.

On the one hand the Government claims that it has provided 27 per cent reservation for the OBC candidates in Government jobs, on the other hand there is no vacancy at all. Dr. Yadav has stated that the then Prime Minister had made his utmost efforts to implement the Mandal Commission recommendation, I demand that the Government should take concrete steps to implement the 27 per cent reservation in Government services.

16.00 hrs.

It has been our experience that the Government has accepted the resolution for the Scheduled Caste and Scheduled Tribe Candidates but it is not being implemented properly and even today the educated youth belonging to be Scheduled Castes and Scheduled Tribes do not get jobs in time. Besides this, they are subjected to gross humiliation while providing them jobs. They are well-qualified, well-educated, yet they do not get Government jobs.

I am afraid that if the 27 per cent reservation meant for the OBC is not implemented sincerely it will be a cruel mockery with the OBCs and they will be deeply hurt. Then the country will not utilise their capability and there is all likelihood of the diversion of their capability. The OBCs have been tolerating injustice for ages and

centuries and they do not get job even if they are well educated.

Therefore, for the prosperity of the country the Government should provide 27 per cent reservation for them. It should by all means be implemented properly in each and every states. A proper monitoring arrangement should be made therefor. I want that the hon. Minister must take certain concrete steps in this direction.

I would like to raise one more issue. As my predecessor has rightly stated that the OBC do not get proper study facilities immediately. Their domestic plight is so miserable that they have to start their studies late. Therefore, they should be provided relaxation in their upper age limit. I hold that the demand for age relaxation of five years must be fulfilled. When they do not get their job in time, they have to waste several years. When they set out in search for a job after doing their graduation or any other higher degrees, they do not get jobs immediately. As I have mentioned earlier, in spite of their good capability, they spend many years in search of jobs. Therefore, they should be provided 5 years age-relaxation so that they may get benefit from the reservation announced by the Government easily. The candidates belonging to the Scheduled Castes and Scheduled Tribes get benefit in promotion also. The people belonging to the OBC should also enjoy the similar facility in promotions. During the freedom struggle while calling the people to keep themselves ready, Gandhiji used to state that our country would certainly get freedom. He added that he wanted to free the country only because he would like to work first for those backward people who are back-benches and who do not have food or clothes. He told that it would become the first and foremost duty of the Government after the country becomes free. But the stance of the Government since the

Independence has been such as the condition of lot of those unprivileged people have not been ameliorated not at all. Moreover, their condition grew worse from bad. Madam Chairman, I would like to submit that the associates of Gandhiji in the freedom struggle had the intention that first of all the people belonging to the disprivileged class should be uplifted first. But the policy of the Government is such as it uplifts those people who have already been prosperous. The schemes are chalked out for the sake of those privileged people and they alone become the beneficiaries of these schemes. The under privileged people do not get any benefit. I, therefore, would like to state that the backward class people should get benefit from the Government schemes and they should be given top priority so that they may have an opportunity to uplift because injustice has been done to them and they have been oppressed from ages and centuries till now.

Shri Ramamurthee has introduced this Resolution with this very intent. If the 55 or 66 per cent population of the country is not provided 27 per cent reservation they would rise against the Government and it may have grim and dire repercussions. I, therefore, would like to submit the Government that it is a very good Resolution and I expect of the Government to implement the recommendations of the Mandal Commission. I would like to submit that nobody should hinder the process of the implementation of the reservation. The Governments should implement them in a determined manner.

I hope that the hon. Minister would be mindful to this issue and fulfill the demand for providing 27 per cent reservation and the giving facility of promotion and age relaxation. I hope the Government will discharge its duty of ameliorating the lot of backward class people. With these words I express my thanks and conclude.

[Translation]

SHRI NAVAL KISHORE RAI :
(Sitamarhi): Madam, Chairman, I rise to support the resolution moved for consideration by Shri Rammurthiji. Along with it, I would like to congratulate him and through you I would like to remind the Government about the assurance given by the hon. Minister of Welfare and today he is present here.

16.10 hrs.

(Shri Nitish Kumar in the Chair)

The assurance is not yet fulfilled. Later on this issue was raised many times in the House and the O.B.C. Students and youth organisations had led many agitations several times in Madras, Bombay, Allahabad and Delhi. They have also met the hon. Minister. As per the recommendations of the Mandal Commission, 27 per cent the recommendations of the Mandal Commission. 27 per cent reservation is to be given and notification has been issued in this regard. I am happy that this time the applications were invited for the I.A.S. and U.P.S.C. exams from O.B.Cs but I am sorry to say that this Government is not fair in respect of reservation. The intention of the Government is malafide. While it gives reservation on one hand it takes it back in another hand.

Sir, I would like to submit that the people of SC, ST and O.B.C. have been exploited for the last 500 years. There are so many such examples. I would like to quote a stanza:

"Shambuk Ved Padhey, Eklavya
Shastra ka Gyata Ho, Ram-Drone
Yah Sah Na Saka, Chahe
Dwapar Ya Treta Ho."

Even during the Ramayan and Mahabharat period, those people who favour *status quo* in society exploited the S.C., S.T. people. Even Ram hatched the conspiracy to kill one who belongs to SC but read the Vedas, likewise, it is a historical fact that Dronacharya had asked for thumb from Eklavya who belonged to the most backward community, Dhiwar. After Independence, a provision of special opportunity was made in our Constitution for the S.C., S.T. people along with the persons belonging to backward classes. Kaka Kalekar had recommended 52 per cent reservation for them but those people who favour status quo in society are still trying to snatch their rights. We would like to thank the then Prime Minister Shri V. P. Singh for accepting the long standing demand and providing 27 per cent reservation to the backward classes on 13th August, 1990 but the people who believed in *status quo* tried to suppress them. Therefore, this matter was dragged to the court and again as per the verdict of the Supreme Court it was notified by the Government in 1993, but again the ifs and buts were raised.

Mr. Chairman, Sir, I would like to submit that a declaration to this effect was made on 13th August, 1990, at that time some students were to appear in U.P.S.C. exams and after they were kept hanging in abeyance for three years. Would it be justified that they are not being given age relaxation now? I would like to submit through you to the Government that those who were deprived of their rights for the last three years are leading the agitation on the roads today, therefore they should be granted permission to appear in the U.P.S.C. exams.

Sir, the hon. Minister had given assurance and we too urge upon him through you that the backward class people are being exploited for the last 5000 years, The hon. Minister should accept this resolution and

this House should create History by passing this resolution unanimously so that the students of O.B.C. may be given age relaxation by 5 years in U.P.S.C. and other examinations and they can be granted permission to avail three chances to appear in the U.P.S.C. and other examination as in the case of the Scheduled Castes and Scheduled Tribes students. We urge upon the hon. Minister through you that the hon. Minister should declare it today so that the students of O.B.C may get the benefit of those declarations.

I would like to submit one thing regarding reservation in educational institutions. It is right that O.B.C. candidates have been given 27 per cent reservation in jobs but as long as these are not given reservation in medical, engineering, technical and non-technical educational institutions, how will they take advantage of reservation in jobs? How will they get special opportunities to have the right of equality in the society. So, if the Government want to give the benefit of Mandal Commission to the Backward class people, they should be provided the facility of reservation in nomination/ admission in technical and non-technical institutions. Otherwise the youth of the backward class in taking the path of agitation on today and the country and the Government will have to face an agitation Therefore, I urge upon the Government to provide 27 per cent reservation in the admission in the educational institutions to the people of backward class community.

I would like to draw the attention of the House towards one more thing. These who believe in *status quo*, have exploited the OBC people continuously for the last 5000 years. When the question of providing special opportunities to these exploited people came up under our constitution, the report of Kaka Kalekar was thrown to the dustbin, Later on the report of Mandal Commission was hushed

up for 12 years, Shri V.P. Singh, deserves our thanks, who after coming to the power implemented these recommendations, But today I would like to make it clear, what the Government is going to do. After accepting the recommendations of the Mandal Commission on one-hand the Government have given 27 per cent reservation in jobs to the people of OBC, and on the other hand the public sector is going to be privatised under the new economic policy, which will bring down the number of Government jobs. This is a sort of conspiracy by those who believe in *status-quo*. Mr. Chairman, Sir, I would like to warn this House and the country through you that this new economic policy and the GATT agreement is against the SC, ST and OBC reservation policy. The hon. Minister is present here and he should declare here that in public sector, private sector as well as in the institutions of multinational companies the reservation of 27 percent shall be given. I would like to submit that the resolution of Shri K. Ramamurthy should be passed. With these words I conclude.

[Translation]

MR. CHAIRMAN : The time fixed for this resolution is coming to an end therefore, one hour time should be extended.

MANY. HON. MEMBERS : Yes Sir.

MR. CHARIMAN : The time for discussion on this resolution is extended by one hour.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Chairman, Sir, I will be very brief. At the outset, I would like to thank you for calling me to speak. I congratulate and also thank our friend Shri K. Ramamurthee Tindivanam for having brought forward this

Resolution which provides an opportunity to have a discussion on this matter.

Sir, there is a famous saying that when winter has come, can spring remain far behind. After the advent of the winter, spring is bound to follow. When the Mandal Committee report has been accepted and also acted upon by this Government providing for job reservation for the OBCs in addition to the Scheduled Castes and the Scheduled Tribes, some other concessions as in the case of admission into the educational institutions etc. will naturally follow. This Resolution has two aspects. One is about age relaxation and the other one is about the admission into the educational institutions of children belonging to OBCs with a certain quota of reservations. It seems that this matter is under active consideration of the Government. Several times, it has been raised in the House in different forms. Today also was no exception to this. Today also, during the Zero Hours, it figured. I think Shri Srikanta Jena or some other Member was referring to a discussion. Some hon. Members had a talk with the Prime Minister also yesterday about it. So, this is under active consideration. In what form it will come, how it will come—these details are probably under examination.

It needs to be carefully gone through. India is a large reservoir of talents. We may be a poor country, but internationally, in the world, we have this credit of being a country possessed with scientific talents; technocrats are there in large number. Our scientists who could not find proper opportunities here, go abroad and shine there, inasmuch as, they discover new things; they become entitled to Noble Prizes. This is what is happening now. That is why we have to create new situations for them.

Let me make it very clear that we have

to fight back all sorts of inequalities. As far as possible, it should be a balanced society where opportunities are available for the weaker sections to build their fortune. I am very clear about it. Of course, I would have been very happy if we could work, strive for a classless society, a casteless society, a society free from exploitation, free from inequalities. But that is a far-fetched dream. Now a situation has arisen wherein caste system is going to be perpetuated; whether it is a good thing or a bad thing, only the future can tell us about it. But wherever poverty remains, we have to fight back; we have to fight back inequalities. It should be our endeavour to create a levelled play field.

Till now, only SC/ST castes were being recorded in the Census Report. Hence forward, everybody's caste will be recorded; whether it is a progressive step or a retrograde step, that is for everybody, not only in India out outside also, to watch. Anyway, poverty should not be there. Even the Commission appointed for this purpose was of the view that the "creamy layer" should be excluded from this. The Supreme Court, in their wisdom, differed from it or something like that anyway. I am not going to comment upon it.

So far as education is concerned, I would like to say one thing. Every child born in this country is entitled to receive education. It is a fundamental right although it is not included in Article 3 of the Fundamental Rights. The other Article dealing with the Directive Principles of State Policy makes some provision about it. But we have not been able to achieve that. There is a Declaration saying "Education for All by 2000 AD". It is time that we have to universalise our education: elementary as well as primary education. At the same time, we will have to vocationalise education at the secondary state. I believe and it is my firm opinion that

so far as higher education is concerned, it should not be free for all. I was in-charge of Education Department in Orissa for a certain time. What is happening today? As everybody knows, the type of examinations that we are having in this country is a matter of anxiety. It looks like *sainya chhawani*, with a large deployment of police force in the universities and colleges where they simply stand idle. But what is happening inside?

Violence has also been resorted to; teachers are being assaulted; they are holding out threats in many centres throughout the country. I could say that examination has become a farce.

MR. CHAIRMAN (SHRI NITISH KUMAR): Please come to the subject.

SHRI SRIBALLAV PANIGRAHI : Yes. This is the subject matter, very much, Sir. This is on education.

MR. CHAIRMAN : The subject is 'reservation in educational institutions' and not about the standard of education.

SHRI SRIBALLAV PANIGRAHI : Yes. I need not be educated on this. I know, how this is coming from within.

Then, I would say that the higher education should be restricted; there should be an aptitude test right from the stage of class-2, where it should be vocationalised. There should be an aptitude test. Why I am saying this is, there should not be any wastage of talents. We have limited number of seats; and now, the question of reservation comes in. The talented people also should not suffer on account of this. Let the backward class people, neglected people get the entry; they get an opportunity to qualify themselves and get jobs meant for them or reserved for them. But, at the same time, the reputation that we

have of being one of the largest reserves of talents in the world, not vanish. Any wastage of talent will be a national wastage, I tell you Mr. Chairman.

Therefore, there should be a careful study about it and accordingly the seats should be increased and the capacity should be increased. I would say that the people belonging to other castes may not get jobs; but let them get the benefit of education and thereafter they will stand on their own legs. But, you cannot deny the opportunity to them. It may create certain reactions, that much I would say.

MR. CHAIRMAN : Please try to conclude. You have taken 12 minutes.

SHRI SRIBALLAV PANIGRAHI : The next point that I would like to say is that the present educational system needs reforms on priority. We all should address ourselves to this sort of changing situations and also necessary action should be taken in this regard.

Mr. Chairman, Sir, you may be interested to know as to what is happening in Orissa today. Unfortunately, there are clashes between SCs and STs. It started over the entry into a temple by SCs. It was resisted by STs; and following the clashes, a large number of people have lost their lives in the districts of Phulbani and Nayagarh.

MR. CHAIRMAN : How is it related to the present subject?

SHRI SRIBALLAV PANIGRAHI : The State Government is callous and indifferent.

MR. CHAIRMAN : How is it related? You are just speaking for the sake of speaking.

SHRI SRIBALLAV PANIGRAHI : CBI

should enquire into this. I request the hon. Minister here to do this. It is not a good thing for social amity.

MR. CHAIRMAN : If you have no new points, please conclude.

SHRI SRIBALLAV PANIGRAHI : This is absolutely a new point, Sir, which is about social amity and social cohesion. They are the prime need in our society. Therefore, I would urge upon the hon. Minister, there, through you, Sir, not directly, but through you, Mr. Chairman, that...

MR. CHAIRMAN : You may urge upon the hon. Minister directly outside the House.

SHRI SRIBALLAV PANIGRAHI : Sir, we have the SC/ST Commission; it should go to the affected places in Orissa and make a study of the situation; let them also try for reconciliation. This confrontationist attitude must go; and SCs, STs, OBCs and other general people must live in peace and friendship among themselves. Thank you.

[Translation]

SHRI DATTATRAYA BANDARU (Secunderabad): Mr. Deputy Speaker, Sir, I support the resolution moved by Shri Ramamurthiji in the House. After presentation of the Mandal Commission Report in 1980 it was made public in 1990. Even after the historical verdict of the Supreme Court in 1992, the 27 per cent reservation under Mandal Commission is not being given to the backward classes. Therefore, there is resentment among the backward class people.

Today, there is a provision of 27 per cent reservation in the educational institutions in this Bill. They do not get basic facilities since childhood and that is why they can not

compete in future. Therefore, more and more facilities should be given to the backward class people, so that they can compete to get jobs. Therefore, reservation in educational institution is of much importance. There are lot of backward classes people in Andhra Pradesh. One can find two or three backward class persons in I.A.S., and I.P.S. cadre. The main reason of it is that they do not have basic facilities to compete in I.A.S. exams. Therefore, the reservation facility should be provided to them. The States which have not conducted survey for identifying backward classes should be given direction to take up this task immediately. The backward classes have not been identified even in the states like Rajasthan and Delhi. The Kaka Kalelkar Commission had recommended 30 per cent reservation for the backward classes, but the Supreme Court made it 27 per cent, but on the issue of the number of backwards in our country, there is a dispute. The people claim it to be 52 percent.

[English]

Fifty-two percent is the population of the backward classes. That is the feeling of many sections of the people in the country. Now, even the reservation of 27 per cent has become a big problem for the BCs. That is why, first of all, you fix the entire population of the BCs. According to their population, you give the reservation to the BCs. Then only, the BCs will definitely get satisfied.

[Translation]

Unless the data are made clear, there will be resentment in the backward classes.

Just now, Ramamurthiji had said that apart from the educational institutions, they should be given 5 years relaxation in age also. The Centre Government is not doing so but some State Governments have done so.

People are on agitation in many States and it is being done in Andhra Pradesh also. The Supreme Court in its judgement has made a mention of 5 years, relaxation to them under Mandal Commission. Why do the Government delay it? The Centre Government should come forward on it, and it should make it clear why it is not ready to give age relaxation of 5 years and why it is being delayed. We do admit that today this issue has been raised through a private resolution and we are discussing it. The point of relaxation in education standard has been raised and relaxation is not given to some B.C. and Tribal people in police, military and C.R.P.F. while we all are aware of the fact that in some of our states people do have short stature. Apart from reservation in recruitment they should be given exemption in height also, height should not be an obstacle in their way. I would like to submit that the Government should give 2-3 inches of exemption in height to the people of B.C. for the recruitment in Police, military and C.R.P.F. and this exemption should be given keeping in view, the condition of the States since each state has different physical standards. In some States people are short in height while in some States they are tall. If we have uniform recruitment rules in the whole country and if we fix 5 to 6 feet height then it will create problems. My submission is that the persons belonging to B.C. should be given exemption in height in recruitment to the police, military and C.R.P.F. If need be, the Act can be amended for it.

I would like to submit one more thing. The Supreme Court has made it clear in its verdict that the reservation should not exceed more than 50 per cent, a ceiling has been fixed which has given birth to so many problems before us. I would like to submit that the persons belonging to the other Backward classes have been given 27 per cent reservation in jobs and the candidates

belonging to the Scheduled Castes and Scheduled Tribes have already been provided 22.5 per cent reservation. Thus the total quota amounts to be 49.5 per cent. Moreover, last time there was much talk about giving ten per cent reservation to the people belonging to economically weaker section also. Through you I would like to urge the Government, if necessary to bring about an amendment in the Constitution for this so that we may be able to exceed the limit beyond 50 per cent. If the Government brings any such amendment bill then it will not face any problem to get it passed in the House because today all the parties are unanimous on this issue. No political party has opposed the recommendations of the Mandal Commission.

[English]

All the political parties supported the Mandal Commission, though we have differences in its implementation process but irrespective of their political ideologies, all the parties supported the Mandal Commission. All the political parties will support the Constitution (Amendment) Bill even if it seeks to increase the reservation beyond 50 per cent.

[Translation]

I, therefore, would like to request the Government to introduce a Constitution Amendment Bill immediately so that the ceiling on reservation prescribed by the Supreme Court may go beyond 50 per cent. Today, some of the States are not providing reservation to the other Backward classes in consistent with the verdict given by the Supreme Court.

I would also like to urge that the people belonging to the castes in the list of the Backward classes do not get loan from the

B.C. corporations even after paying them marginal money. Hurdles are being created on petty grounds to provide loans to these people. People are not given loans on the excuse of their social status. The hon. Prime Minister has assured to grant Rs. 220 crore for the Backward Corporations all over the country. Every State has backward Corporations and the number of unemployed youth is large. Some of the unemployed youth have applied seeking loan for opening a bicycle-shop, some other have applied for other purposes. They want to be self-dependent and they do not want to depend on Government jobs only. I want that the Government should issue a circular to each and every Bank that the bank should provide loan to all these people who are paid margin money from the B.C. Corporations. The banks should come forward in this regard. I would like to urge the Government this also in particular that taking the 52 per cent population of the backward classes into consideration the amount given for the backward corporation should be raised from Rs. 200 crore to Rs. 2000 crore and necessary budgetary provision should be made therefor.

Lastly I would like to submit that the Congress M.P. Shri K. Ramamurthy who has brought the Bill has pointed out two main things in his Bill —

[English]

These are; exemption of age limit and providing educational facilities to the backward class people. We must immediately implement these two provisions of the Bill.

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Chairman, Sir, first of all I would like to thank Shri K. Ramamurthy for introducing such an important Bill here. This

Private Member's Resolution is a resolution of national importance. I do not understand what the hitch the Government is feeling to adopt this Resolution. Is the Resolution not in consistent with the Constitution? Is there no justification for this Resolution?

Mr. Chairman, Sir, this Resolution is not sufficient to unite the 52 per cent population of this country, I therefore, would like to urge upon the Government that it has been stated that our country had been enslaved for a period longer than any other country of the world only because people were not united here. I do not admit it. I understand that the main reason that our country remained slave for such a long period was the existing caste system here. The 52 per cent population of the country was deprived of their opportunity to comes into the mainstream of the country. Therefore, the Resolution is of great national importance. Regarding the people who have been suppressed for thousands of years and who have been socially and educationally backward. It has been categorically stated in the Articles 15(4) and 16(4) of the Constitution that

16.47 hrs.

(SHRI P.C. CHACKO *in the Chair*)

The constitution of India has categorically expressed the theory of special opportunities for them. I have therefore, mentioned that this demand for upper age relaxation for five years to the persons belonging to other Backward classes in educational institutions is constitutionally justified. At present reservation is provided to 9 categories and age relaxation would also be provided to those categories then why not to tenth category? Why the other backward classes should be deprived of this benefit ?

Mr. Chairman, Sir, the facility of age relaxation has been given to the persons belonging to this category in our State services also. Then why this facility cannot be provided in Central Government Services ? distressed to quote a great social thinker Dr. Ram Manohar Lohia who stated 20 years back that we had not established cordial relations with the backward classes, rather we had accumulated jealousy for them. But I do not appreciate this pessimistic outlook and rather I would like to appreciate the situation after 20 or 25 years when the backward castes will resort to bloody seuffle. There is no question of violence in it. The implication here is that the people belonging to the backward classes also should be given equal opportunity and they should enjoy the right to equality. This is what he meant to speak.

Mr. Chairman, Sir, I mentioned here the condition of the 52 per cent people of this country. They are people associated with labour, land and agriculture. They work hard and feed the people all over the country. If they do not get their rights in the Constitution and do not participate in the Government, it is not justified. Even after 46 years of the Independence, they did not taste the fruit of independence. The provisions 15(4) and 16(4) of the constitution also manifest this concept.

Some people link this, issue with economic criteria. The creamy layer was just mentioned. I would like to refer to it because it is under the consideration of the Supreme Court. I think the people who work in fields cannot be said as socially advanced people.

I doubt the intention of the Government because it took a long time to settle the creamy layer issue. The recommendation if the Mandal Commission were announced to be implemented in this very august House on

August 7, 1990. There after the executive issued orders in this regard on 13th August, 1990. Then the case was referred to the Court and on November 16, 1992 the Court gave a verdict to provide 27 per cent reservation in the jobs.

Be it the U.P.S.C. examination or other competitive examinations, the Government did not provide age relaxation in Upper age limit.

I would like to state that the Government should make its intention clear on this Private Members Resoulution. I had raised a question in the House regarding creamy-layer . The hon. Walfare Minister gave an assurance. All the Members belonging to different parties once again supported it unanimously. I would like to say that it is the responsibility of the Government to fulfil the assurance given in the House. The Government should see that noobstacle should come in its way. If the notification is not amended appropriately and the orders of the Government fail, then an iron filter gate policy will have to be adopted this time.

Dr. Yadav had stated that this is just like giving by one hand and taking back by another hand. I agree with him. I would like to say that there should be relaxation of five years in the prescribed age limit.

The Civil Services Entrance Examinations are going to be held on 26th June, 1994. I would like to say that if this notificaion is not amended before this date, people belonging be backward classes will definitely be deprived of the benefit. At the time of filling up of froms, the High Court delivered a verdict that such candidates should be allowed to fill up the froms. But today, their forms are being rejected on the excuse of over-age. The candidates are getting rejection letters. In justice is being

meted out to them deliberately. The Supreme Court had issued directives to implement the verdict with immediate effect. This provision also exists in the constitution. The Supreme Court's verdict is always considered a law. Therefore, the Government should withdraw these letters and all the candidates should be allowed to appear in examinations.

As a matter of principle, I am of the opinion that there should not be any age-limit for giving employment or sitting in the examinations. The Government may fix the age of superannuation but there is no need to prescribe any age limit for seeking a job.

The new economic policy brought forward by the Government is likely to prove a danger to the present and the future of this country. The Government has brought the Dunkel proposals to keep Mandal at back seat. Today about 4600 castes come under Mandal Commission recommendations. Out of these, only four per cent people have been able to get Clas-I officers posts since independence. If they are not given any relaxation, the target of 27 per cent reservation quota cannot be achieved. The law also provides that there should be a certain limit for reservation. Reservation means—minimum and not maximum. They must get 27 Per cent reservation at the minimum. However, today the definition of reservation is being Misinterpreted in the country.

17.00 hrs.

Even 46 years after independence, the backward classes have got only four per cent participation. After signing the Dunkel agreement, All employment opportunities will be lost. That is why, I expressed my apprehension on your intention. If your intention is bona-fide, you should accept this Resolution sincerely. The rejection letters,

which were issued to the OBC candidates, should be withdrawn immediately so that these people could get the benefit of 27 per cent reservation. Further, relaxation in the age-limit for five years must also be given through this Resolution so that an egalitarian society could be established. It is our social responsibility to establish an egalitarian society. These people must have participation in power and the Government service. 52 per cent people of this country, who are socially and educationally backward, must get the benefit of reservation, special employment opportunities and relaxation in age-limit.

[English]

SHRI K.P. KEDDAIAH YADAV (Machhlipatnam) : Mr. Chairman, Sir, I must thank Shri K. Ramamurthee Tindivanam for having brought this Resolution before the House for the support of all the parties in the House.

Sir, now the nation has to come to general agreement for the implementation of Mandal Commission recommendations without any ambiguity. It is a historic necessity because after independence the unfortunate lot of the backward classes and the Muslims — these two major sections of the society — were left out from the participation in the administration as well as the industrialisation of the country.

If we look at the situation, there are so many arguments why at the State level and at the Central level the reservation of 27 per cent for IAS and IPS officers, etc. has not been implemented. I want to bring to the notice of the House the plight of these unfortunate sections, that is, the Muslims and the backward classes.

In the first instance when we opted for the licensing raj that is, issuing of industrial

licences etc., the entire backward classes could not participate in the industrialisation of the country. The well-to-do people who could afford to come to Delhi, Hyderabad or Lucknow used to get all the licences and set up the industries. The backward classes lost those opportunities for all these 40 years.

In the matter of job reservation also in the administration nearly 60 to 70 per cent of the Budget allocation of the Central Government as also at the State level was being spent towards the salaries and the wage bill of the employees. Even though 60 to 70 per cent of the budget allocation was being spent on the employees, as the other hon. Member has mentioned, in Andhra Pradesh, there is not even a single IAS or IPS officer from the backward classes or the Muslims. Therefore, we had lost the share during all these 45 years. It has thus become a historic necessity now.

The Mandal Commission Report should be implemented without putting any obstacle. After independence, we have to implement the reservations for the Scheduled Castes and Scheduled Tribes for the last ten years. Ten years after ten years we have been extending the reservations till the fifth round. During the implementation of the Scheduled Castes and the Scheduled Tribes reservations, there were no pre-conditions. Therefore, likewise, I request this hon. House to implement the Mandal Commission reservations without any creamy layer condition, without allowing the age extension in the examinations and recruitment at least for the first ten years.

Now I would like to clear the doubts expressed by the hon. Members, who wanted to know the difference between socially and educationally backwardness. Sir, the son of backward class person may be having Rs. ten crore or more but he may not be educationally

equal to other persons. But he may be having money. One thing I can agree. But the children of those backward class persons, who are lawyers or engineers or Class I officers, can be categorised as creamy layer. But because of the economic standards, they can never be put under 'creamy layer'. This is the distinction. We have to differentiate between the 'creamy layer' of a wealthy and an economically strong person and educationally advanced person. We have to remember this.

The hon. Members from Janata Dal have expressed one point. We are not denying any man for the last 40 or 45 years and he is trying to get the due share to the backward class people. Like that, Shri V.P. Singh had also tried and had done some contribution to the backward class people. We are not denying that. But the fact is that the present Prime Minister, Shri P.V. Narasimha Rao, by his able administration and statesmanship and ability, could be able to convince the nation and to implement the first Mandal reservation in this country. I agree that Shri V.P. Singh had tried to implement it. But, how? He had not involved the nation in the negotiation. And that is why, he entirely failed and put the country into flame. That is the difference between the Government headed by Shri P.V. Narasimha Rao and the Government headed by Shri V.P. Singh. Our Prime Minister, Shri P.V. Narasimha Rao, is involving all sections of the society and democratically negotiating with all walks of life and he will definitely implement the Mandal Commission Report without any obstacle. I have got confidence on him. And there is no much resistance from the society.

Regarding the Census, during the Britishers' regime, there was a Backward Class Commission. And the Census figures were already available. If you look at the rate

of growth of backward class people or Muslim or Scheduled Castes or Forward Caste, the rate of growth is almost same. If you take the Census of the Britishers' regime, we can arrive as to what is the strength of the backward class people of the country. It is unfortunate to note that the backward class people are denied of their participation in the economic growth. And in the educational field, in the industrial field and on all fronts, they are left as it is. And these 52 per cent of the backward class people are the basic tools for the creation of the wealth in this country. And the wealth created in this country was cornered by a very few, one per cent of the upper strata of the society. This is the reality.

Now, the country is facing multi-faceted problems. In every corner, among the minorities and the backwardness, there is some sort of a feeling that they are not involved or they are not the partners in the administration of the country.

Therefore, that has to be removed to integrate the country. The gap between have and have nots in increasing and thereby integration is threatened. Therefore, this is the need of the hour. I am sure our hon. Prime Minister is working on these lines to minimise the gap between have and nots. He is trying his level best during all these years to minimise the gap between the rich and the poor.

Our hon. Member, Shri Nawal Kishore Rai has said that because of the acceptance of the Dunkel proposals by the Government, we are going to lose job opportunities. I can only say that this is a mistaken idea. They are only telling the theories. But they are not providing any alternative solutions. Technology is the only answer for all the problems in this country.

Sir, when I was ten year old, we used to produce 10 bags of paddy per acre. But now we are producing 30 to 40 bags per acre with the same land. How is it possible? I think, it is possible only with the technological advancement. So, unless we import technology, we cannot solve the problems in this country. So, I am asking my hon. Members to provide a solution. The land is the same, the irrigation facilities are same, the fertilizer is same. So, I think, the production will be the same. Now, the population is 90 crore and it may cross even 100 crore or 120 crore. Where is the solution? The solution lies with the technology deployment. We have to import technology and increase our production.

Lastly, I would like to say that on 8th May we had an All-India Backward Classes Convention at Vijayawada. I think, eight lakhs of people participated in the rally, They have unanimously resolved that Mandal Commission report should be implemented without any creamy layer insistence and allowing age exemption for examinations and recruitments. The same percentage of reservation in the educational institutions should also be provided.

With these few words, I thank you very much for giving me an opportunity to speak.

[*Translation*]

PROF. RASA SINGH RAWAT (Ajmer):
Mr. Chairman, Sir, I would like to put my views within two minutes. I support this Resolution moved by our hon. Member Shri Ramamurthee. If we want India to be a united, strong, prosperous and all powerful country, we will have to take up a comprehensive and coordinated development of the people belonging to every class. It is with this view that the backward people should get reservation in educational

institutions as well as in Government services. I support the provision of five years relaxation in age-limit in Government services. These people can reap the benefit only when they will be given the facility of reservation in educational institutions. From there, many of them would come out as engineers, doctors, technocrats and bureaucrats and thus they will be able to reach in higher posts. As they are educationally and socially backward, they must be given reservation in educational institutions. There should also be a provision for imparting pre-coaching or pre-training to those people who are appearing in IAS or IFS examinations, as is provided in the case of SC and ST candidates.

I want say one more thing. Some vested interests are trying to divide the country in the name of giving reservation to backward classes. It is not a good sign. Today, there is a need to unite the country and nurture a feeling of egalitarianism in the society. Further, there is a need to bring harmony and create a feeling of affection among the people. It is only then India can become a prosperous country. If we would think of the interests of only our own caste within the parochial approach of casteism and ignore the interests of other castes or try to spread the hatred, its repercussion will be far-reaching. India, which is known as a museum of castes, would thus disintegrate. Therefore, our party is of the opinion that along with SCs and STs, backward classes should also be given reservation. However, amelioration of dalits, exploited lot and poor should be given priority and they should be given equal opportunities. Simultaneously, under the provision of creamy-layer, poorer class people among backward classes should at least be given reservation in educational institutions. It would definitely help in producing new talents amongst 52 per cent population of the country and they would work for uniting the society.

I would like to say that today, we should discuss about reservation with broad-mindedness. Otherwise, in certain States, only some castes would reap the whole benefit in the name of politics and other backward classes will be left behind. This kind of practice will not augur well for the country. Therefore, through you, I would like to request the Government that it should think about the welfare of all classes. The nation's interest in above all and its welfare is the welfare of all. Further, nation's development is our own development. as Maharishi Dayanand Saraswati had said that one should not be complacent with one's achievements. Rather, one should consider his achievements among the achievements of all. We have to think about the whole country, strengthening the whole society and amelioration of downtrodden people.

Sir, today is 'Akshya Tritiya' (Akha Teej). On this day, due to illiteracy among backward classes, lakhs of child marriages are performed in Rajasthan, Madhya Pradesh and Gujarat. Thus, the Child Marriage Restraint Act is openly violated. We should encourage social organisations to remove this backwardness. Further voluntary organisations should also come forward in this effort. the practice of exploiting dalits in the name of vote should not be allowed. I would also like that economically backward people among high castes should also be given reservation. Our party support the reservation to backward classes but simultaneously, we want that the poor, in some other classes should also get reservation facility. I would like to say one more thing that first of all, we are human-being and Indian later on. If Indian would become Indians in true sense, consider themselves the progeny of mother Indias, try to uplift the weaker sections and educate their breather, only then something can be expected. Therefore I say:

"Baha Do Prem Ki Ganga, Dilon Mein Prem Ka Sagar,
Hamein Apas Mein Miljul kar Prabhu Rahana Sikha Dena."

We should inculcate such awareness and this will be possible only when they could be uplifted socially. Thank you.

[English]

MR. CHAIRMAN : The time allotted for this Bill is over.

SOME HON. MEMBERS : You extend the time, Sir.

MR. CHAIRMAN : We will extend the time for this Bill up to 6 p.m. Two more hon. Members are to participate and then the Minister will intervene before the mover of the Motion replies.

[Translation]

DR. G.L. KANAUIA (Kheri) : Mr. Chairman, Sir, I am grateful to you for giving me an opportunity to speak. I am also thankful to Shri Ramamurthee for bringing this Bill in the House, in which he has sought reservation for backward classes in educational institutions and relaxation in age-limit.

Mr. Chariman, Sir, at the outset, I would like to say that 27 per cent reservation, recommended under Mandal Commission, in Government services is very low in comparison with their population. In this connection, I would like to inform the House that most of the Children of backward classes live in rural areas and their education starts comparatively 2-3 years later than their counterparts in Urban areas. In cities, a child is admitted in the school at the age of 3 years, whereas in rural areas, the child starts going to school at the age of 5 years years. Thus

from the very beginning the difference of 2-3 years goes on. Moreover, in villages, education used to be imparted upto middle school level and it was considered sufficient. In this way, it is also one of the reasons for a big gap between the children of rural areas and urban areas.

Under these circumstances, I fully support this Bill and request that giving relaxation of 5 years in the age limit for the candidates of backward classes seeking Government jobs is very essential. The second point is that that is also essential that the children of backward classes should be given reservation in educational institutions. If the children of these classes, who comes from rural areas, are not given age relaxation in Government services, they would not be able to face competitions. When State Governments have accepted this demand, why cannot the Central Government accept this demand? If the Government wants to do justice to the people of backward classes, it would have to accept their genuine demands. I would also request that similar reservation facility should also be provided in private institutions and corporations etc.

With these words, I conclude and support this Bill.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K.V. KHANGKA BALU) : " Mr. Chairman, Sir, I have heard with rapt attention the points made by the hon. Members of this august House. About 23 hon. Members of this House - 24 Members if we take Shri Ramamurthee also - have participated and I very much appreciate the sentiments expressed by the hon. Members and also the concern of them towards the welfare of the O.B.Cs.

As the House is aware, this Government, under the leadership of Shri P.V. Narasimha Rao, on the 8th of September, 1993, provided 27 per cent reservation of vacancies in civil services and posts under the Government of India for the O.B.Cs.

This is one of the historic achievements of this Government in this direction of other Backward Classes. Our Government have also notified the List of other Backward Classes for 14 States and is also taking steps to notify the List of Other Backward Classes for other States and Union Territories. Procedural instructions have been issued to all the concerned authorities for implementing the reservation policy. All Ministries, departments, public sector undertakings and financial institutions have been addressed for making necessary reservations and provisions for the reservation of the Other Backward Classes, in fulfilment of our order of 8th september, 1993.

Sir, this House is also aware that the Minister of Welfare took the lead in making the first appointment for other Backward Classes under the reserved category. On the 20th February, 1994, Shri Rajasekhara Achari Joined the National Backward Classes Commission as Assistant Manager under the reserved category of Other Backward Classes as the first appointee.

In the forthcoming major examinations being conducted by the Union Public Service Commission such as Civil Services Examination and Forest Service Examination and examinations conducted by the Staff Selection Commission for appointment of Stenographers, Assistants etc., the reservation for Other Backward Classes have been provided. Thus, in the coming years the Other Backward Classes will be having their larger participation and an important

role to play in the Governance of the country and also in the process of nation building.

Sir, in this background, I would like to react to issues raised by the hon. Member Shri Ramamurthee and other colleagues on this Resolution. A point has been made that there should be reservation by the Central Government in its educational institutions. I am happy to inform the House that this matter is under the serious consideration of this Government.

The second point made by the hon. Member is the age relaxation for Other Backward Classes as in the case of the Scheduled Castes and the Scheduled Tribes for the direct recruitment in the central Services. While the Other Backward Classes are to be given enough opportunities to make them at par with the other educationally and socially developed sections of the society, we should also bear in mind that there is no identical equation between and position of Other Backward Classes and the Scheduled Castes and the Scheduled Tribes. The Scheduled Castes have suffered the stigma of untouchability. The Scheduled Tribes have an existence of isolation for several centuries. Hence, they have been given age relaxation up to five year, As I have already stated, the Other Backward Classes need to be given all the necessary facilities to ensure that they become at par with the already developed society. The Government is seized of this fact and hence all issues such as age relaxation to be given to the Other Backward Classes are under the consideration of this Government.

As the hon. Members are aware, in the case of SCs and STs. these relaxation and concessions were given over a period of time. I would assure this House that our examination of all pertinent issues with reference to OBCs would be done as

expeditiously as possible. All necessary measures for their upliftment will be taken very early.

Mr. Chairman, Sir, I would like reiterate that this Government is committed to the cause of the upliftment of the weaker sections of the society including the OBCs. It is with this aim in mind that reservation in services have been provided to the OBCs. An exclusive Corporation for the Backward Classes, namely National Backward Classes Finance and Development Corporation has already been set up and is functioning for the past two years for promoting economic and developmental activities for the benefit of the Backward Classes. In 1992-93, this Corporation has sanctioned loans amounting to Rs. 34.40 crores. In 1993-94 this quantum of funds further increased to Rs. 105 crores. In 1994-95, we expect that around Rs. 200 crores would be disbursed to OBCs for their economic development.

The issue of improving the lot of the OBCs is a major task of social and economic revolution which can be achieved only by concerted efforts on the basis of a national consensus. We are moving towards the goal in a steady manner and we are sure that we will succeed in achieving the goal and carry all sections of the society along with us. I call upon all the hon. Members of this august House of help us in our great endeavour.

I am sure, the hon. Members are fully satisfied with action taken by the Government and will appreciate that we are making constant efforts with the cooperation of all the hon. Members of this august House and all others concerned for the welfare of weaker sections of the society, particularly OBCs.

I, therefore, request the hon. Member, Shri Ramamurthee to withdraw the Resolution.

[Translation]

SHRI DEVENDRA PRASAD YADAV : Sir, the hon. Minister has said that positive approach is being taken in this regard and the Government is considering this issue. I would like to say that when the point of filling up the forms for preliminary examination of Civil Services was raised, the candidates of OBC had gone to the High Court. The High Court had directed that these candidates should be allowed to fill up the forms and the Government should take a decision till examinations start. Since then, two to three months have passed but the Government has not yet taken any decision in this regard. As a result thereof the Union Public Service Commission has issued rejection letters to about two hundred candidates belonging to backward classes. The Commission has taken the excuse of overage. However, this issue has been pending in the court for a long time. I would like to know from the hon. Minister that now he is examining the issue, he should certainly order for withdrawal of rejection letters and allow the candidates to sit in the examinations to be held on 26th June.

SHRI SANTOSH KUMAR GANGWAR : Mr. Chairman, Sir, the honourable High Court, Madras has given a clear verdict and the honourable Minister has also assured to examine the case. Now the relaxation in the age limit should be given. It has also been said that it should have been implemented since 1990. There is no fault of the candidates. Rather it is a fault of the Government that it has delayed its decision. Therefore, through you, I would request the hon. Minister that he should make a declaration that the forms will not be rejected.

SHRI NAWAL KISHORE RAI : Mr. Chairman, Sir, before the reply of the hon'ble Minister, the hon. Welfare Minister had also

admitted in this House that the demand for relaxation in age-limit and three opportunities for sitting in the examinations has been made. What Shri Yadav and Shri Gangwar have said, I support that. I would like to say that the hon. Prime Minister has declared during the time of issue of 13 August, 1990 notification that now it was the responsibility of the Government to implement it. At that time, as per the directive of the High Court, the candidates applied for the examinations to be held on 26th June. Now, I would like the hon. Minister to make a declaration that those candidates, who have applied for this examination, will not be deprived of sitting in this examination. Simultaneously, a demand for relaxation in age-limit and three opportunities has also been made. Recently, Shri Sita Ram Kesri has also assured in this regard but it is apprehended that it may not be get delayed. Therefore, I would like the Government to make a declaration in this regard immediately.

[English]

MR. CHAIRMAN : Please do not repeat like this. All the three members raised the same question. Is there any other question ?

SHRI DATTATRAYA BANDARU : I have got different question. All the parties, including the ruling party, have welcomed this Bill.

MR. CHAIRMAN : The mover of the Resolution has to reply. The discussion is still on.

SHRI DATTATRAYA BANDARU : The Minister should give a categorical assurance. There are two points. About the reservation in educational institutions, he is saying that the Government is seriously considering it.

MR. CHAIRMAN : If you have got any point of clarification to be put to the hon.

Minister, you can do that.

SHRI DATTATRAYA BANDARU : Regarding the BC Corporation, the Minister has said that margin money is given by the BC Corporation. But the banks are not coming forward to give loans. A lot of unemployed youth are suffering in this regard. I would like to know whether the Minister will issue a circular to all the banks in this regard.

MR. CHAIRMAN : He has noted your point.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada) : Thank you for giving me this opportunity. I am seeking a clarification because I was not here. I want to have some clarification. The hon. Minister is here. I would like to know whether he is aware of the fact that in several University hostels, a lot of tension is brewing among some sections of the students because of the difference in the amount that is given as scholarship or hostel charges or mess charges. At that infant age, they do not tolerate any discrimination. I want to know whether the Government is aware of this fact and if it is so whether the Government will take a decision to make the level uniforms in respect of the Government's help to the poorer boys. The level of help should be the same to pursue education, to stay in the hostel.

The number of beneficiaries may be more from a particular section because the Government has got a definite obligation to spend 15 per cent of its total expenditure on some sections and 7 per cent of its total expenditure on certain other weaker sections. We do agree with that. But the quantum of amount that is being spent should be the same. Will the Government examine this aspect?

We are very happy that ultimately, after

several decades, this Mandal Commission Report has come into being and it is being implemented now. We want to know very categorically from the Minister whether the Government has any plans to see that these benefits go to the poorest of the poor.

MR. CHAIRMAN : That point has already been answered.

SHRI SOBHANADREESWARA RAO VADDE : Even in our IRDP Schemes, in a village, when we select the beneficiaries, the benefit is expected to go to the poorest of the poor. In the same way, will the Government take necessary steps to see that these benefits also go to the poorest of the poor?

MR. CHAIRMAN : Would the Minister like to reply to these points now?

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K.V. THANGKAGALU) : I have already replied to all the necessary points during my intervention. We are taking into consideration all the aspects of these issues which were raised by the hon. Members. We are considering them very seriously. We sincerely want to see that these issues are sorted out quickly. That is why, at various levels, we are taking up these matters to see that these issues are sorted out quickly. And in future, no member of the OBC community would be in trouble. One hon. Member was saying that the banks were not cooperating with the Corporation. In this regard, we have given special guidelines to all the banks and its Chairmen through the Finance Ministry. And if there are any specific instances where they are not cooperating, please let me know so that we will take up those issues and sort out the matters. The very purpose of this National Backward Class Finance Corporation is to help the poorest among the poor. Those people who are below the poverty line and

the down-trodden people are given importance, are given priority in their taking advantage of these loans. That is why, this section will not face any difficulty. I want to assure the House that if there is any problem anywhere, the hon. Members are having the right to inform us and we will do our best to sort out those issues.

[Translation]

SHRI G.L. KANAUIA : I call an assurance from the Government to instruct the UPSC to allow the students to appear at their examination and who have already been allowed by High Court. The examination is likely to commence on the 26th June...*(Interruptions)*

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur) : My question has not been replied to...*(Interruptions)*...

[English]

MR. CHAIRMAN : Are you going to repeat the same points ? What ever you have said have been very well understood by the House and also by the Minister. If you are not satisfied with the answer, it cannot be helped.

(Interruptions)

MR. CHAIRMAN : Please do not repeat it. Your question was very clear and it was understood by the Minister. He has given his answer. Now you have to be satisfied with it.

(Interruptions)

MR. CHAIRMAN : Please resume your seats.

[Translation]

SHRI DEVENDRA PRASAD YADAV :

My question was very simple that the Civil Services Preliminary examination is likely to commence on the 26th June. The candidates belonging to the Other Backward Classes have already filled up their forms. While filling up the forms, as per the instructions it was stated that it was incumbent upon the Government to settle it in the meantime. But now the Government procrastinate its decision on this issue due to which the rejection letters are being issued from the UPSC. Would the Government like to deprive these students of the opportunities to appear at the examination or would he allow them to take their exams ? The Government is committing the contempt of the Court also. Justice Sawant has issued orders in this regard. Then why the orders are being violated ? why the hon. Minister is not giving any reply ? ...*(interruptions)*...

[English]

Mr. Chairman : For certain specific issues, you cannot extract an answer from the Minister in this form. You have made your well. The Minister may please note down the point. Mr. ramanurthee can speak...*(interruptions)*...

[Translation]

SHRI DEVENDRA PRASAD YADAV : I would like to know whether those candidates will be deprived of their opportunity to appear at their examination. We seek your protection in this regard. But it seems that the hon. Minister is not understandingly taking stock of the seriousness of the situation.

SHRI NAVAL KISHORE RAI : Would the students be able to take their examination or would they be prevented from doing so in spite of the orders issued from the court?...*(Interruptions)*

[English]

MR. CHAIRMAN : You have made a genuine point. Please be satisfied with that.

(Interruptions)

[Translation]

HRI DEVENDRA PRASAD YADAV :
Mr. Chairman, Sir, you hold the office of the judge of this august House. Please resolve this crisis. It is a very sensitive issue. The hon. Minister is not understanding its implications. Today thousands of people from Allahabad, Madras, Tamil Nadu etc. have come to demonstrate on the roads of this capital metropolc, here! The situation is very critical here. We must be given the Government protection. The Government must regulate to allow the students to appear at the examinations. Our delegation has met the hon. Prime Minister in this regard. The delegation consisted of Shri Nitish Kumar, Shri Somnath Chatterjee and some other hon. Members representatives of all the political parties were included in it....(Interruptions)

[English]

MR. CHAIRMAN : It is not necessary to repeat all these things. This has ben raised in the House many times. You have also raised this issue today. There is every right to raise this issue. But, please be satisfied with that. It is not possible to do it the way you like... (Interruptions)

[Translation]

SHRI DEVENDRA PRASAD YADAV :
Now it is the property of the House. We thank Shri Ramanurthy for introducing this Bill; but

this private Members Bill has now become the property if the entire House and we are entitled to know about it. The hon. Minister is not replying satisfactorily. It appears that all those students will be prevented from taking their examination. What will be their future ? The Government does not understand this sentiment.

[English]

MR. CHAIRMAN : You have got sufficient protection; you have got have ample time in projecting your point. You have raised the issue and you should be satisfied with that. You cannot expect an answer like that. You are raaising a very specific issue and you cannot expect an answer like that. You have made your point and you should be satisfied with that. Mr. Ramamurthee.

(Interruptions)*

MR. CHAIRMAN : This will not go on record

(Interruptions)*

MR. CHAIRMAN : Please be stated.

(Interruptions)*

MR. CHAIRMAN : Will you please resume your seat ? I have allowed you to speak and I have given you enough time.

(Interruptions).*

MR. CHAIRMAN : This will not go on record. Mr. Ramamurthee please.

(Interruptions)*

MR. CHAIRMAN : Please resume your

seats. Nothing will go on record. Please understand that. Mr. Ramamurthee may start.

HRIK. RAMAMURTHEE TINDIVANAM (Tindivanam) : Sir, I am extremely thankful to all the 24 hon. Members of this august House who have taken the maximum interest and participated in the discussion on the Resolution of mine.

Sir, it is not only the case of 24 hon. Members of this House. Almost all the hon. Members belonging to all the States in India whether they are from the South or from the North or from the West or from the East or from the middle part of India, have shown considerable consideration on this particular Resolution. They have voiced their concern and their points of view.

Apart from this, cutting across party lines, I find that all the hon. Members have given their fullest support to this Resolution. Maybe, when they made their emotional support for this Resolution, the delay that has caused in implementing the Mandal Commission Report or the delay that has taken to arrive at this point, has necessitated them to have a look at it from a political view also.

That cannot be avoided. But beyond that, we could finally see the special interest. If we have a concern, let us remember this resolution.

I am further happy that the move which started several years back has taken several forms, several agitations. Several resolutions have been moved in this august House. And one or two amendments to the Constitution were brought in which resulted in today's resolution. Today, the Mandal Commission report has been implemented, it is because of the services that have been rendered to the upliftment of the backward classes by the

leaders of our nation, by the people who framed the Constitution and who wanted to see that the affected sections of the society are attended to.

Today, I am happy that the Minister has come forward to accept the resolution on principle. I want to say that I am fully satisfied with the reply given by the Minister. But still on principle, this House is able to impress upon the Minister concerned. This House is able to prevail upon the Minister concerned. They have expressed their anxiety to see that some of the points raised in the discussion are attended to.

The Minister has said in his own way that the reservation in educational institutions is under serious consideration of the Government. There are two ways of looking at the promise, I take it literally. As a member of the ruling party, I am thankful to the Minister for the assurance given. At the time, when the Government given an answer saying that it is under serious consideration, it takes years.

Now, I should impress upon the Minister that this is a time when the Government should very seriously attend to this problem because there is no section in this House which is against this resolution.

SHRI DEVENDRA PRASAD YADAV :
What about age relaxation ?

SHRI K. RAMAMURTHY (Tindivanam) : I am coming to it. There is no section in this House which is not giving a helping hand for the implementation of this resolution and so also about the age relaxation. I felt sorry when the Minister equated this problem saying that there is a difference between the OBC and SC and ST reservation. The relaxation given to SCs and STs is from a different angle. I am sorry that the Minister

has misunderstood the very object because it is not as a rivalry that OBC exemption in age is being asked for. It is because of the way in which the backward classes are being treated in the society. That is why many of the Members belonging to the ruling party and to all the other political parties expressed the views that there are two standards of education in this country today. Can the Government deny that? What is the education that we are getting in the metropolitan cities? What is the education that we are getting in the municipal cities? What is the education that we are getting in the villages? Can it be equated? Where do the backward classes people and the backward communities live? Today, education is being officially sold, authoritatively sold. You have to pay for your children's education. According to your payment, you get the education. The Members may not mistake me if I reveal certain things. In Tamil Nadu, Hindi education is banned. But there are children who go to nursery schools. Even people which led the anti-Hindi agitation get Hindi education in the private schools by paying for it.

So also in the North, people who turn firmly against English, send their children to the nurseries where they are taught in the English language. And, when they come for competition, can the village students come on par with them? Is this the way to treat the children? What is the condition of the schools in villages? There are schools without teachers. My friend gave a detailed version of it. Under these circumstances, it has become necessary for us to ask for the age relaxation. If the Government is not in a position to comply with it, we may at least be told the difficulty in accepting this suggestion. I would request the Government not to colour it. Please do not give a different direction to it because indirectly this will result in the creation of another class of people between the Scheduled Castes and the Scheduled

Tribes and OBCs which will be for their genuine cause. so, it should not be misconstrued that way.

I am happy that 25 Members took part in the debate. I am sorry I am not able to mention about all of them here. You must understand one thing that the people who have the rightful authority to ask for 52 per cent reservation are being given only 27 per cent reservation. At the same time there is a problem in the States where the percentage of population is not the same. There is no equal distribution of population in all the States throughout the country. In certain States the percentage of OBCs is much more than one can imagine. In certain other States the percentage of the Scheduled Castes and the Scheduled Tribes is much more than one can imagine. So, there is a wide variation among different States.

The Supreme Court has done two things. One is, when a boy went to the Supreme Court saying that he is unable to pay for his education as self-financing institutions are charging heavily, the Supreme Court gave the verdict by which an average student today is paying much more fees than he used to pay before the boy went to the courts. This is the Supreme Court's verdict.

About reservation in Tamil Nadu, it has taken a different turn. The backward classes' agitation is the result of about one-hundred years of work. Every leader of Tamil Nadu was involved in it. Every political party was involved in it. Today, there is 69 per cent reservation for the OBCs in Tamil Nadu. There is compartmentalisation; backward, most backward and others. There is a constitutional crisis today, The Supreme Court says that it should not be more than 50 per cent. The Government says that it has passed a Resolution in the Legislative Assembly saying that 61 per cent reservation

should be there and that the Government will implement it. So, this is the time when the Central Government and the State Government should discuss the matter and solve the problem, instead of being led to a crisis by which the admission of children will get spoiled. It is high time that the problem is solved fully. If necessary, the Centre can once again go to the Supreme Court with facts and make the reservation flexible according to the percentage of population of the State concerned.

My friend, Shri Panigrahi mentioned about the census and recording of different castes. We are not making a record of it today.

18.00 hrs.

Can any hon. Member tell me that the caste oppression is not there today? Can any hon. Member tell me that Caste difference is not there today? Can any hon. Member tell me that everyone is entering into inter-caste or inter-community or inter-religious marriages? Everyone is nursing his community. Let us not be in fallacy. Let us not cheat ourselves that this will involve this and that.

So, Sir, a census should be conducted. Then only the Government can have an accurate figure of the backward classes in each and every State. If it is done then only the Government can do something to protect the interests of the backward classes.

I am happy and I am once again thankful to each and every Member, to each and every political party in this House who have participated and supported my Resolution. I am also thankful to the hon. Minister, Mr. Thangka Balu and our Prime Minister who had given him the strength for giving as assurance of this kind.

o, with the best hope, with the fond that the Government will take this into consideration seriously, I may be permitted to withdraw my Resolution.

[Translation]

SHRI DEVENDRA PRASAD YADAV : Mr. Chairman, Sir, the Government has not given any positive answer on such an important issue..(Interruptions)

[English]

R. CHAIRMAN : Now, I am allowing one of you to putforth your point clearly as to what exactly you want. Why all of you are standing like this? As a special case, I am allowing one of you to putforth your point clearly. I have already given you sufficient time.

(Interruptions)

[Translation]

SHRI DEVENDRA PRASAD YADAV : I have a very simple question that the examination due to commence on the 26th June....(Interruptions)...

[English]

MR. CHAIRMAN : You please sit down. You have already raised that point.

[Translation]

SHRI DEVENDRA PRASAD YADAV : I have a very simple question that the examination due to commence on the 26th June...(Interruptions)

[English]

MR. CHARIMAN : Please resume your seat. This is very unfortunate. We are

discussing a very basic issue in this House viz., the question of reservation. What you are raising is an issue which had happened very recently. The judgement of the Court is important. I am not saying that it is unimportant. This House, as a whole, is discussing the basic question of reservation and the attention of the whole country is on this issue. The basic question is that we all should be happy that they are doing something. I told you many times that you cannot extract an answer like this. So, now, I am allowing the Mover of the Resolution to withdraw his Resolution.

[*Translation*]

SHRI DEVENDRA PRASAD YADAV : It has a direct bearing on future of the 52 per cent people of our country ... (*Interruptions*)...

[*English*]

MR. CHAIRMAN : This is not going on record.

(*Interruptions*)*

18.03 hrs.

(*Then Shri Devendra Prasad Yadav and Some other hon. Members left the house.*)

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : Sir, the time of the House may be extended till the disposal of the Resolution and also passage of the next Bill.

MR. CHAIRMAN : That we have already done. Till the passage of this Resolution or till the adoption or negation of this Resolution,

the House will sit.

SHRI MALLIKARJUN : I am just seeking the permission of the House that the item of the House should be extended not only till the disposal of this resolution but also till the passage of the next Bill.

MR. CHAIRMAN : All right.

For this Resolution we had extended the time up to 6 o'clock. Now, the Minister of Parliamentary Affairs has raised a very important issue. I request all the hon. Members of the House to allow the extension of this Resolution. First let us dispose of this Resolution. After this Resolution, we may take up the Private Members Resolution of Mr. Kashiram Rana and then we will take up the next Bill.

It is the pleasure of the House that the Resolution moved by Shri K. Ramamurthee Tindivanam be withdrawn ?

SEVERAL HON. MEMBERS : Yes.

The Resolution was, by leave, withdrawn.

[*Translation*]

DR. LAXMINARAYAN PANDEYA : The assurance of the hon. Minister cannot be trusted. But since the mover himself has withdrawn the Bill, the hon. Minister should fulfill his assurance.

18.06 hrs

Motion Re : ALLOCATION OF GAS TO GUJARAT

[*Translation*]

SHRI KASHIRAM RANA (Surat) : Mr.