

respect of other such metropolitan cities, all of them, so that our focus may be at Bombay at the moment to provide necessary relief and to bring about normalcy at the earliest. But to anticipate therefore, the intelligence network should be very very alert. There is obviously a failure at the level of intelligence. Otherwise such a wide spread conspiracy should not have got up in this manner. I would like to caution the Government in that respect.

SHRI RAJESH PILOT: The hon. Member has said about the appeal. We share the sentiments of this appeal and share the grief of the bereaved families. The appeal can go from the House.

SHRI HANNAN MOLLAH (Wiberia) : On behalf of the whole House, you can make an appeal to the country so that peace is restored.

MR. CHAIRMAN: I think, this is the sense of the House. We make an appeal to the people of Bombay to maintain peace and tranquility and also sending consolation to the bereaved families. The House sends its sympathy to the injured ones and we hope that peace will come back very soon in Bombay so that everybody can live happily.

Now the time is past Six O'clock. Do I have the sense of the House to extend the time till the half-an-hour discussion is completed?

MANY HON. MEMBERS: Yes.

MR. CHAIRMAN: Mr. Rasa Singh Rawat.

18.08 hrs.

HALF AN HOUR DISCUSSION

MANDAL COMMISSION REPORT
(CONTD)

[Translation]

PROF. RASA SINGH RAWAT (Ajmer)
: Mr. Chairman, Sir, it has been mentioned

that the Supreme Court gave its verdict on the Mandal Commission on November 16, 1992. If the decision taken by the Vishwanath Pratap Singh Government is implemented I would like to know through you whether the Central Government has appointed any Commission after the decision of the Supreme Court regarding the Mandal Commission to collect information of the Backward castes from State Governments and enlist these castes in the category of Backward castes. If so, what was the reaction of the different States and which States have prepared the list of Backward castes, what action has been taken by them and whether any guidelines have been issued by the Ministry of Welfare on its own?

Sir, when a decision of setting up the National Commission was taken what was the criteria of choosing the "creamy layers" in backward classes for which the Government has appointed an experts Committee. It should be clarified. Sir, when was an announcement to this effect made in the newspapers or on Radio and Television.

The people who are socially, economically and educationally backward are worried that even if they have been enlisted in a particular caste in the category of backward classes which was prepared earlier, they might not find a place in the new set up under the pretext that they belong to the "creamy layer". People are very apprehensive about it. Through you, I would like to know from the Government whether it has issued certain guidelines to that expert's committee in this regard also. What will be their criteria and base for identifying the 'creamy layer'? Whether there is any possibility to review the final decision taken in this connection.

The intention of the Government seems to be malafied because the decision was given on November 16, 1992. One hundred days have passed since then, yet there is no progress. The action is being taken at a snails' pace. It should be expedited. Why it is not being expedited? Why does the Government hesitate?

[Prof. Rasa Singh Rawat]

Shri Pawan and other colleagues have rightly pointed out as to why the Government did not issue orders to provide reservations of backward castes which are enlisted in the Mandal Commission, in examinations conducted by the U.P.S.C., the Public Service Commission of the States or the Staff Selection Commission as the Government had received the judgment of the Supreme Court and it was implemented soon thereafter? Who is responsible for this?

For them saying and doing seem to be different things. All that glitters is not gold. There is a great difference between profession and practice.

'Na surat buri hai, na seerat buri hai,
Bura whai hai jishki, niyat buri hai.

Fifty two per cent population of the country was looking hopefully towards the Union Government and State Government for the facilities proposed to be provided to them under the orders of Supreme Court after going through the formality of identification etc. The congress party had promised that it would check price rise within 100 days, but it could not do so. The period of 100 days has passed, but instead of coming down, the prices have increased manifold unabatedly. Similarly the period of 100 days has passed since the judgement of Supreme Court was delivered on Mandal Commission and no action has been taken thereon. So far.

Through you, I would like to say the Government:

'Kathani tothi jagat men,
Karani uttam sar,
Kahe kabir karani sabal, utare
bhav jal par'.

Kesriji is present here. He had said forcefully and in unequivocal terms that they would implement it and no power on earth can stop or deter them from implementing it. But now, we don't know what obstructions

have come in their way or are they waiting for the announcement of elections to the Legislative Assemblies which have been dissolved. There arises a doubt that the Government perhaps want to take advantage of delaying the elections deliberately.

Therefore, through you, I would like to request the Government to expedite the process and tone up the administration for this purpose. It should also provide constitutional rights as soon as possible. An attempt is being made to create a rift among the backward classes in the name of identifying cream layer. Apprehensions are being expressed regarding promotions of SCs and STs. When I visited my constituency several delegations met me. They asked whether promotions have been banned in Railways after the verdict of the Supreme Court? I said that in this regard Kesriji had announced in the House that earlier rules would remain effective for five years and there would be no ban on promotions. But in this regard he has not said that law is very important.

The attitude of the Government on all aspects of the Supreme Court's verdict, should come before the society and the country so that people of the country may get proper guidance, their fears and doubts may be removed and people deprived of justice may get justice and their due rights.

THE MINISTER OF WELFARE (SHRI SITARAM KESRI) : Sir, today 2-3 issues have been raised here. So far as the interests of Scheduled Castes and Scheduled Tribes are concerned, the Government is committed to safeguard them. All the apprehensions expressed in this regard are baseless. Government is firm on the statement given by me in the House on 22nd December, 1992. I would like to say clearly that if anything has gone against the interests of Scheduled Tribes, the Government will find out a way to amend it.

So far as special committee is concerned, I would like to say that the committee had presented its report on 10th of this

month. The Government is examining that report and it will certainly be presented to the House, but we would first like to place it before the Cabinet. After that it will certainly be presented in the House. Apprehension being expressed in regard to creamy layer, are baseless as it is not related to any particular caste. Therefore, the report will certainly be presented in the House.

I would like to advise my colleague of the Bharatiya Janata Party they should keep their intentions clear and should cooperate with us to achieve success in this regard. Temple issue was raised after Mandal issue. The recommendations of Mandal Commission report will have far reaching impact.

Ram Vilas Paswanji has rightly said that the issue of reservation for those who are silent sufferers, has been there for centuries.

Academic discussions have been held and agitations have been launched over this issue but the credit of giving it a practical shape, no doubt, goes to the Supreme Court. Notification regarding implementations of Mandal Commissions recommendations was issued on 7th August, 1990 and the case was field in the Supreme Court on 13th August, 1990 and again it came up for hearing on 25th September, 1991. It is clear from all these things that the Supreme Courts verdict put a Stamp of confirmation on it., I again repeat my commitment that I will implement the Supreme Court's decision in letter and spirit and the Government will implement it. It is true.....[Interruptions]

SHRI RAM VILAS PASWAN: When will the Government implement it?

SHRI SITARAM KESRI: The Expert Committee has submitted it's report. In reply to your question on that day also I had said that after receiving and examining the report of the Expert Committee and after Supreme Court's verdict, it would be given practical Shape and implemented. The Government would not keep this issue pending for long.

SHRI RAM VILAS PASWAN: We have

come to know that you are being shifted to another Ministry. Therefore, implement these recommendations immediately.

SHRI SITARAM KESRI: I would like to congratulate all parties and persons who have raised this issue of reservation before the country, whether they belonged to the Constituent Assembly of 1946, or to the Lok Sabha of 1952, 1978-79, 1990 or to 1991. They all deserve to be praised because it has been a national issue, but along with it I would like to say that the Bharatiya Janata Party has been trying to torpedo it invisibly, therefore, I.....[Interruption] I agree with you. Kindly listed Gangwarji. Whatever you say, you say it from the inner core of your heart, but your colleagues always speak after giving it much thought. Though the Bharatiya Janata Party raised the issue of Mandal Commission in 1985, but it did not support it actively. It had not participated in the agitation.....[Interruptions]

PROF. RASA SINGH RAWAT: We had supported it.....[Interruptions]

SHRI SITARAM KESRI: No, no, Has it been in their heart? No, no never.

AN HON. MEMBER: It is there in our manifesto.

SHRI SITARAM KESRI: It has now been included in your manifesto. The Supreme Courts verdict is in accordance with our manifesto and it is also according to their manifesto. When they made categories like backward, more backward and creamy layer, then economic criteria automatically comes in the picture. We shall have to consider it. They have been termed socially and educationally backward. Article 15(4) has been amended. Select committee of the constituent Assembly had removed the economic criteria had provided for the social and educational criteria for reservation. We all have welcomed it when it came in the ambit of the Constitution.

Therefore, I assure the House that the Government will certainly give a practical shape to the Supreme Courts verdict.

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Kindly let us know as to when it will be implemented.

SHRI RAM VILAS PASWAN: Hon Minister, Sir, there is a confusion all over the country about the states, where list of backward classes has not been prepared, though Mandal Commission has recommended to prepare it. What action is being taken in this regard?

SHRI SITARAM KESRI: You are all right. I have written letters to these States which have not prepared the lists. List prepared in the States is common but no list has been prepared in 10-12 states. I have also written to those states to prepare list as soon as possible. A Committee should have been constituted in all states in accordance with the Supreme Courts verdict, but it has not been constituted in many states. However some states has done so and some states are the in process of preparing this list. So far as the question of the list is concerned I have given directions.....

SHRI RAM VILAS PASWAN: Why does the Government not sent the officers from

here as we had sent 14 Joint Secretaries. Notification for implementation of Mandal Commission recommendations was issued on 13th August and the Government had sent Joint Secretaries to help prepare the list with in 15 days. Why does the Government not sent Joint Secretaries in those 13-14 states on the same lines.

SHRI RAM VILAS PASWAN: Your suggestion is good. If the State Government do not send lists within 5-7 days, I shall send the officers from here.

SHRI DEVENDRA PRASAD YADAV: Will it be implemented this year or not? Will Mandal Commission's recommendations be implemented in 1993 or not? We would like to have a positive reply from you.

SHRI SITARAM KESRI: If there is provision the Government will certainly do whatever Shri Ram Vilas Paswan has suggested.

18.23 hrs.

*The Lok Sabha the adjourned till
Eleven of the Clock on Monday, March
15, 1993/Phalguna 24, 1914 (Saka)*