

tions presented to the House on
the 3rd August, 1994 '

The motion was adopted

15. 34 hrs.

RESOLUTION RE ALLOCATION OF
GAS TO GUJARAT

[English]

MR CHAIRMAN Now we shall take up further discussion on the Resolution moved by Shri Kashiram Rana on the 13th May 1994. Shri Kashiram Rana is not present.

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K V THANGKA BALU) Normally, when the Mover is not present, this is not taken up.

MR CHAIRMAN So, there is none to speak. I would request the honourable Minister to make a statement.

SHRI K V THANGKA BALU No, Sir. We have to go to the next item.

MR CHAIRMAN Nobody wants to speak. Even the Minister is not speaking.

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (CAPT SATISH KUMAR SHARMA) I am here.

SHRI K V THANGKA BALU That is not the convention, Sir. When the Mover is not there, no discussion takes place.

MR CHAIRMAN It has to be at least negated.

CAPT SATISH KUMAR SHARMA Yes, Sir. I would like to assure the House, especially the Members from Gujarat that whenever additional gas is made available for power generation and other purposes, surely we will consider the request. Already the highest amount of gas is being supplied to Gujarat, and in the past, it was Gandhar which would be fed into the pipeline of Gujarat because of the insistence of the Gujarat people. The total allocation of Gandhar gas has gone to Gujarat. Now, the question to supply the Tapti gas to Gujarat is because of the power project. The only assurance I can give at this point of time is that at this stage the entire gas is committed. There is no availability of gas for Gujarat now. So, whenever it is available, surely we will consider it, Sir.

MR CHAIRMAN The question is

"This House urges upon the Central Government to allocate sufficient quantity of gas for gas based power plants and for industrial and domestic use in Gujarat."

The motion was negated.

15. 37 hrs.

RESOLUTION RE ENLARGEMENT OF
FUNCTIONS OF NATIONAL COMMISSION
FOR BACKWARD CLASSES

[English]

MR CHAIRMAN The House shall now take up the next Resolution to be moved by

Shri R. Anbarasu. Shri R. Anbarasu
please.

mentary Committee be constituted
to consider the reports of the Com-
mission."

SHRI R. ANBARASU (Madras Cen-
tral): I beg to move:

"This House is of the opinion that
the National Commission for Back-
ward Classes be empowered to
suggest ways and means for the
overall development of and to moni-
tor various welfare schemes of the
Central Government for other back-
ward classes and that a Parlia-
mentary Committee be constituted
to consider the reports of the Com-
mission."

Mr. Chairman, Sir, I am really very
happy to address this august House, initiat-
ing an important discussion concerning the
majority of the population of this country. At
the same time, I really feel sorry that the
Members on the other side are not there. I
would be happy if they would have been
present here to participate in such an impor-
tant Resolution because it is the problem of
the backward class people. Cutting across
party lines, one has to participate if at all one
is really interested in the welfare of the
backward class people.

My Resolution is:

"This House is of the opinion that
the National Commission for Back-
ward Classes be empowered to
suggest ways and means for the
overall development of and to moni-
tor various welfare schemes of the
Central Government for other back-
ward classes and that a Parlia-

Sir, my intention is twofold. One is that
the present Backward Classes Commission
formed i.e. the National Commission for
Backward Classes Act of 1993 has no teeth
in it. Sufficient powers are not given to this
Commission. As per this Act, the Commis-
sion has the power of inclusion and exclu-
sion of the weaker sections and identifying
the backward class people. So, the Com-
mission has been constituted only for this
purpose.

In fact, there should be a National
Commission for OBCs which would have all
the powers and responsibilities in respect of
OBCs, as the National Commission for SCs
and STs formed in accordance with Article
338 of the Constitution in respect of SCs and
STs. While 27 per cent reservation has been
given to OBCs in Government service, a lot
more remains to be done to ensure that their
social and educational backwardness is
removed.

Here, I would like to point out some
problems of the backward class people.
Firstly, reservation in educational field upto
the highest level of education including the
professional courses has not been taken
care of. Even in the case of Mandal Com-
mission judgement, the Supreme Court
judges while delivering the judgement, have
not touched this issue of reserving some
seats in the educational institutions, in the
highest level of education. Therefore, this
should be taken care of. Secondly, the
opportunities for them to get scholarship to
go abroad to do higher studies like the
present scheme for SCs and STs which is in

[Sh. R. Anbarasu]

operation in the Ministry of Welfare has not been taken care of. This is another important factor to promote them or to bring the backward class people on par with the upper class people. They should be given opportunities by way of giving them scholarships, by way of meeting the expenses of those people to go abroad to acquire a good knowledge of education. So, scholarships, hostels, coaching centres for OBCs should be there, as it is now available for SCs and STs under various schemes in the Ministry of Welfare. So, these are the important measures which are to be taken, if the Minister is really interested in the welfare of the backward class. So, this point should also be taken care of.

This National Commission for Backward Classes should be fully empowered with these powers to provide adequate facilities to the backward class people. Even though 27 per cent reservation in service has been ensured for OBCs, many residual advantages such as age relaxation, fee concession, concession in the number of attempts in the UPSC Examination, etc. have not been provided. This is a very important issue. The Supreme Court Judgement of reserving only 27 per cent for OBCs itself is illogical and irrelevant. I do not know how that type of a judgement was pronounced giving effect 27 per cent only. When Mandal Commission itself has said that in the total population of the backward class people constitute 52 per cent; and in the Supreme Court Judgement also, they have admitted that the population of backward class in this country is 50 per cent. When that is so, I wonder, by which logic they have fixed this as 27 per cent. Even if

you assume that this 27 percent is correct, to implement this, there have to be certain advantages which are to be provided to the backward class people, namely, age relaxation, fee concession, concession in the number of attempts in the UPSC Examination, etc.

In many of the Offices of the Central Government Ministries, I found that they have not issued any G.O. or any such order giving effect to age relaxation, relaxation in marks, etc. Therefore, only if a National Commission is appointed with full powers to recommend various welfare measures for the people of backward class, the purpose will be served.

I am really happy to find that our hon. Prime Minister and the Ministers in the Welfare Department are very keen in taking proper action to give proper share in the process of governing the country. But, the follow up action taken by the bureaucracy is tardy and shallow.

So, discontentment is brewing among the OBCs despite the positive attitude of our Prime Minister. In order to solve all these problems to the satisfaction of the OBCs, it is better to have a Parliamentary Committee exclusively for the OBCs. Such a Committee alone will be able to put appropriate pressure on the Government and the bureaucracy to ensure social justice of OBCs.

The National Commission for OBCs, when formed on the lines of the National Commission for Scheduled Castes and Scheduled Tribes, would help as a perma-

ment advisory body of the Government regarding all problems relating to OBCs. I, therefore, demand that either the National Commission for Backward Classes Act, 1993 should be repealed or an amendment to that Act may be moved giving full powers to the Commission to take care or to recommend all possible welfare schemes for the benefit of OBCs.

I again demand that a Parliamentary Committee should be constituted to supervise the various welfare schemes announced by the Central Government and the State Governments so that these schemes are properly implemented and whether these are beneficial to the backward class people or not. I find that is most essential because a large chunk of the population of this country belongs to the backward classes.

I do not want to go into the history of how the Commissions were announced by the Government of India. The first Commission was announced by the Central Government. It was popularly known as 'Kaka Kalelkar Commission'. Though Kaka Kalelkar Commission also recommended many welfare measures for the backward class people, its report was put into the cold storage because of the vested interests of the upper class people. The main reason attributed was that the criteria followed in deciding the social backwardness of the communities were not scientifically adopted.

With much anguish and pain, I would like to state that democracy will have no meaning if the interests of a major chunk of the people are not properly taken care of. Somehow or the other, even though that report was placed on the Table of the House, but it was not at all discussed in this august House.

Then, the second Commission, popularly known as the 'Mandal Commission', was appointed. That Commission recommended 27 per cent reservation. Unfortunately, that was also challenged in the Supreme Court. When the judgement was pronounced by the Supreme Court, there were so many lacunae. I would especially like to point out to my friends from the Scs and Sts that one of the directions is that the people belonging to Scs and STs will not have the benefit of promotion after 1997. I do now know how the SC and ST people have left this point unnoticed. They should come out with a mass agitation. They should pressurise the Central Government to bring an appropriate amendment to Article 16 (4) of the Constitution for adequate representation and to remove the lacunae created by the Supreme Court. Again, there are problems about relaxation in age and also in promotions.

These things should somehow be removed by bringing a suitable amendment to article 16 (4). Sir, again, I would like to bring it to your kind attention that recently, ten days ago, there was another judgement pronounced by the Supreme Court. It really affects the people of Tamil Nadu. If people move from one State to another State, they are not eligible to have the SC, ST certificate. I really wonder how these judges pronounce the judgement. It is a wonderful judgement. It is because they belong to upper class and the upper class people do not tolerate the progress of the lower class people. That is the main reason.

THE MINISTER OF STATE IN THE
MINISTRY OF EXTERNAL AFFAIRS (SHRI
R. L. BHATIA): You should not criticise the
judiciary.

[Sh. R. Anbarasu]

SHRI R. ANBARASU: After all, the judges are also human and they also can err. After the pronouncement of the judgement, the entire progress of the community has been blocked.

We should not keep quite. We should take it up and bring proper amendment.

Sir, I want to point out again that a Supreme Court Bench comprising five judges passed the judgement. If a scheduled caste/scheduled tribe person belonging to Tamil Nadu migrates to Delhi, his children will not get the SC/ST certificate from the local authorities and the Supreme Court in its wisdom has pointed out that social mobility which accounts for the migrants of the SC, ST from state 'A' to State 'B' is an indication that they do not suffer disparities for which reservations are made. Sir, how heart-burning decisions these are. If a person goes from one State to another State, does that mean that he becomes a rich man! I do not know what is the logic behind it. It is a danger to all the people. This judgement will affect the backward class people also. I, therefore, urge the hon. Minister, who is sitting here, to set right this judgement by preferring an appeal or by way of a review petition.

This is really an extraordinary judgement. When the leave petition was moved in the Supreme Court seeking for clarification issue, the Court asked the Union Government to file the counter application and the Union Government, I do not know why, did not come forward to file any application. I do not know what has happened. I do not have to find fault with our Minister or the Union Government but they ought to have filed a petition and prevented such an injustice, which has been done to these people.

I, therefore, Sir, once again urge that only by enlarging the functions of this National Commission for Backward Classes, we cannot ensure social justice to the majority of the people of this country. Though we cannot say numerically the total number of people, nearly 70% of the population of this country belong to backward classes. Therefore, in order to protect them and bring them on par with the upper class people, we should take appropriate steps.

Sir, now Tamil Nadu is burning. All the political parties have joined together and have issued a call that they are going to have an agitation against the Central Government, if an appropriate amendment is not carried out for the reservation of 69 per cent. Sir, while thanking the Chief Minister of Tamil Nadu for having brought a legislation reserving 69 per cent for the weaker sections, I should also thank our hon. Prime Minister for giving consent to this Bill. But, Sir, this will not solve the problem, because already this has been challenged in the Supreme Court. I should also congratulate Shri Veerappa Moily, hon. Chief Minister of Karnataka for his courageous act of reserving 80 per cent for the backward classes. Unfortunately, that also has been challenged in the Supreme Court.

The people of Karnataka and Tamil Nadu are highly agitated and now this unrest may even spread to Andhra Pradesh. The entire South Belt will once again revive the agitation to protect the rights of the backward class people. Before this volcano erupts, before the people of the Southern States once again rise in revolt, I urge the hon. Welfare Minister to take immediate steps to amend the Constitution accordingly for appropriate reservation.

Though the hon. Minister is quite aware of it, before winding up, I would like to point

out that the Constitution is very clear on this aspect. Article 16 (4) says:

"Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in their opinion of the State, is not adequately represented in the services under the State."

Here, I would like to emphasise the words 'in the opinion of the State'. When a particular State consists of backward class people to the extent of 69 per cent, then the opinion of that State should be taken into consideration by the Centre and we should not merely go by the verdict of the Supreme Court. They do not know the ground realities. Nor have they adopted any scientific method of calculation to know the percentage of the backward class people or the extent of backwardness in the backward classes. They are bookworms. They only read and then give judgements. Therefore, I insist that the ground realities should be taken into consideration.

Here I would like to mention just one point. While appointing the Chairman and Members of this Commission, you should see to it that prominent politicians, eminent social scientists, persons who are always engaged in the backward class movement, persons who have the requisite experience and who know the problems of the backward classes and last but not the least, those who have the political will to do something good for these people are selected for these posts. But what do we find? Some IAS officers or some persons who are friendly with and helpful to the Minister are put in such important positions. That will not serve the purpose of social progress at all. Therefore, once again, I urge upon the hon.

Minister that if the Government is really interested in doing something good for these forgotten people of backward community, it should nominate eminent social scientists and people with political will as Chairman and members of the Commission.

Sir, here I want to place it on record that for the last four decades, Tamil Nadu has been playing a pioneering role in improving the status of the backward communities. At this juncture, I should thank Periyar for having taken up the cause of the backward classes. In fact, I should also thank late Shri Jawaharlal Nehru and late Shri Kamraj for having brought the necessary constitutional amendment in this regard. Constitution amendment was brought into for the first time at the instance of our great leader kamraj. But the action of implementing was soon forgotten. Nobody is bothered about it all these years. As far as the progress of the backward classes is concerned, it is completely sabotaged. Sufficient interest was not at all shown to ensure the progress of the backward classes.

I am very happy to state that our Prime Minister has an open mind and he is ready to help all sections of our people. In fact, I would like to suggest one formula here. If we really desire that all the sections of our society should benefit, reservation policy should be on a proportional basis. To make this a reality, I suggest that a caste-wise census should be taken. Some people may wonder and exclaim, "What is this? Why is this man talking about castes and caste-wise census when we want to establish a casteless society?" The reason is obvious. Nobody has disowned caste. Caste system is the reality in India. Can you forget your caste, when you arrange for your son's daughter's marriage? Never I may also state that the caste system, in one way or the other, is prevalent in almost all the religions,

[Sh. R. Anbarasu]

excepting one or two. Therefore, caste-wise census should be conducted and the National Commission for Backward Classes should be empowered to carry on this task.

16.00 hrs.

We can have different segments. We can think of categorising different segments of the population and the give reservations according to the numerical strength of the community. That would be wise. You give them reservation. Let them enjoy. That is democracy. What does democracy mean? The majority of the people should have a due share in the governance of the country. They should have due share in all the offices in the Government. Therefore, Sir, I demand that the hon. Minister should come forward with a fresh amendment to the Constitution to provide proportional reservation according to the numerical strength of a particular community. With these words, I thank you very much.

SHRI B. AKBER PASHA (Vellore): Mr. Chairman Sir, I rise to support the Resolution moved by my friend Shri Anbarasu who was very clear in saying that some justice has to be done to backward classes, Scheduled Castes and Scheduled Tribes. As early as in 1987, the Government had decided to vest the Commissioner for Scheduled Castes and Scheduled Tribes with more powers and to recognise the Commission for Scheduled Castes and Scheduled Tribes. The post of Commissioner for Scheduled Castes and Scheduled Tribes as National commission for scheduled caste and scheduled Tribes would be strengthened by providing him with two very senior officers. This was done by our former hon. Minister Dr. (Smt.) Rajendra Kumari Bajpai in the year 1987. The purpose of setting up this Commission was primarily to reserve posts for

Scheduled Castes and Scheduled Tribes in public services, admissions to educational institutions, land reforms, land disputes, and rehabilitation of Scheduled Castes and Scheduled Tribes displaced due to developmental projects. The Commissioner is expected to submit its annual report to the President, latest by July. A portion of the report dealing with a particular State would be forwarded to the concerned State Governor for laying it before the State Legislature. But, it is unfortunate that this has only remained on paper. Practically, even after 5-6 years, the Commissioner did not submit the report to the President of India.

Our former hon. Minister Dr. (Smt.) Bajpai also suggested to rename the Commission as National Commission for Scheduled Castes and Scheduled Tribes, which will be a National Advisory Body. The Commissioner for Scheduled Castes and Scheduled Tribes would no longer be its ex-officio Member and the total number of Members would not exceed 12. Dr. (Smt.) Bajpai also stated that the Commission would study the extent and ramification of untouchability, social discrimination, socio-economic and other circumstances leading to offences. Our revered Prime Minister late Shri Rajiv Gandhi also took keen interest and he had met the Members of Parliament from Scheduled Castes and Scheduled Tribes and suggested certain means and measures to do some justice to that.

For example, summoning and enforcing attendance of any person from any part of India and examining him on oath, requiring the discovery and production of any document, receiving evidence on affidavit, requisitioning any public record from any court or office and issuing commissions for the examination of witnesses and documents.

As my friend Mr. Anbarasu was telling the House, for too long the bureaucracy had been maltreating the Commission as well as the Commissioner for Scheduled Castes and Scheduled Tribes. The weaker sections of our people still suffer from untouchability. The drive to eliminate untouchability was started by the Father of the Nation, Mahatma Gandhi but even after forty-seven years, the untouchability continues in our country. Social discrimination based on Caste system is an evil that persists. I would quote that in Uttar Pradesh and Madhya Pradesh 650 cases of murder and 1000 cases of rape were reported in the year 1990-91, that is, in twelve months.

The welfare schemes remain on paper. Dr. B.D. Sharma, the then Commissioner for Scheduled Castes and Scheduled Tribes wrote to the Attorney General highlighting serious breaches of Constitutional safeguards and suggested setting up of a judicial Commission.

Coming to the question of scavengers, though we passed the Safai Karamchar Bill in both the Houses yet there are forty-four lakh scavengers in our country. The Government is planning to end this social malice by 1997. I am afraid that even after the end of this century this menace will continue. They have been given the sub-human status as they have to carry the night soil on their heads. This is a thing which is unimaginable.

16. 07 hrs.

(SHRIMATI SANTOSH CHOWDHARY *in the Chair*)

I happened to be in a hotel with an American. She took pride in throwing a handful of coins down from the floor where she was staying. She was amazed to see

the workers coming there and picking up those coins. She was wondering to see the condition of people living in India. Fortunately she did not see the conditions of people who carry night soil on their heads.

As against the Eighth Plan allocation of Rs.850 crore, the Government need Rs.2500 crore annually for converting these dry latrines into mobile ones. As per the programme, the Government have to convert one lakh dry latrines, annually, into mobile ones. If this is the allocation, it will take another fifty years for the Government to complete the work.

There are some legal hurdles also in this. I would dwell upon diversion of funds, meant for Scheduled Castes and Scheduled Tribes, by the State Governments to some other purpose. Our revered Prime Minister wants to help the backwards, Scheduled Castes and Scheduled Tribes and for this purpose he has created special funds. At the State level also there is a separate fund for this purpose.

But I am pained to see that Himachal Pradesh bought a helicopter with Rs.50 crore from out of the funds allotted for the rehabilitation of the Scheduled Castes and the Scheduled Tribes. Some other States pay the salaries from out of the funds allotted for the rehabilitation of Scheduled Castes and Scheduled Tribes. There have been two instalments of payments for rehabilitation of scavengers and only four States, namely, Delhi, Madhya Pradesh, Andhra Pradesh and Himachal Pradesh were able to implement it. Some States do not even avail of the facility. This is the condition and it is high time that we have done something for the upliftment of the Scheduled Castes and Scheduled Tribes as well as the Backward Classes.

[Sh. B. Akber Pasha]

I would like to join my good friend Shri Anbarasu in congratulating the Chief Minister of Tamil Nadu who had boldly established 69 per cent reservation, though it has been challenged in the Supreme Court. I also congratulate the Chief Minister of Karnataka who went a step further to declare 80 per cent reservation for the backward classes. I hope this Government will do something—the Minister for Welfare is also here—and set up a Parliamentary Committee in addition to the Commission as suggested by Shri Anbarasu.

[*Translation*]

SHRI ANADI CHARAN DAS (Jaipur): Madam Chairman, the Resolution introduced by our friend Shri R. Anbarasu the House is a very good resolution. In my opinion, since the discussion on backward classes has started, it must be discussed in detail. Today, the Members of the Opposition are not present in the august House. I do not want that the hon. Minister may reply to the debate on this Resolution without hearing their views. This topic requires comprehensive discussion. During discussion many note worthy things may come up. These may include as to how can we improve the standard of living of the backward classes of the country and what endeavours can be made for their development and upliftment. To come to any conclusion simply by eliciting the opinion of only one side of the people of the House will not be proper. We must elicit the opinion of all hon. Members of the House. It is distressing that the Opposition is not present in the House today. We want a national level discussion here. The matter should be discussed threadbare. Therefore, we do not want immediate reply to it.

All men, and women in the country are

the children of this motherland. This land is both our father and mother because it provides everything we use in our life. For instance, the clothes we don, the food we take all are produced on this very earth, irrespective of our social set up. Whoever has been born on this earth, gets his share from the motherland and therefore, he has certain duty to it. As every child of a family gets the equal share from his parents without any discrimination, every citizen of the country, whether he belongs to the Schedule Caste, the minority, the Backward class or the Scheduled tribes is entitled to enjoy equal rights of the State. In our country, even today there are certain tribes who remain without clothes. We have not yet reached the jarwa tribes in the Andaman & Nicobar islands. I saw a picture in which some people had danced with the people of this tribe.

We have certain similar communities in my area also. One of them is the Makadia community which eats monkeys. They do not build their houses. They hold that the 'Anu' i.e. the monkey destroyed their homes. They further claim that even after complaining to Lord Rama, their houses were not built. Therefore, they do not construct their houses and start living in jungles. They argue that since a monkey had destroyed their houses, they eat monkeys. You might have seen that the monkey lives on trees. It eats and sleeps there and never falls down. But seeing a Makadia it automatically falls down out of fear. A similar tribe Birohar is in Orissa. This tribe is known as Makadia in West Bengal. There are many such tribe, named Kaila whose children have never been educated. In this way, a good number of primitives live in our country. It should, therefore, be the duty of the Government Committee to work for their upliftment.

Madam Chairman, a lot of has been

done for these people. But progress made is still inadequate and we are yet to reach these tribes. In my constituency, there is a good number of educated persons also and many of them are holding M.A and B.A. degrees. But as the area remains afflicted sometime by flood, and othertime by drought or cyclone, they do not make progress. Otherwise, the people of my constituency are so much educated that like Punjabis and potatoes, they too can be seen all over the world.

Madam Chairperson, the discussion on the people belonging to the backward classes has been going on for several days and has now reached this stage. I want to submit that we must do something for their welfare. After all for whom these programmes are being launched? The programmes like the I.R.D.P. have been started for the people living in rural areas who have cultivation as their occupation. But I challenge the Government to show me at least ten such persons who have taken assistance under the I.R.D.P. and have come above the poverty line. The criterion for the income has been fixed at Rs.7500. The Government provides Rs.10,000 to them out of this amount, Rs.5,000 is subsidy. But they do not get the entire amount of the subsidy Rs.3000 to Rs. 3500 of the total subsidy is taken by the middlemen. Thus we find that this system is not functioning properly. Therefore, we should try to make it effective. I would like to know from the hon. Minister of Welfare whether he can show any such person who might have come above the poverty line after getting assistance under tribal Sub-plan or Benefit Scheme. I can say this emphatically that there is not a single such person. I have rich experience of having worked for 9 years in this field. I have been the Chairman of its committee for four years and member for eight years. It has been my duty to think about the upliftment of

the poor and work for this objective. I was born in a very poor family. I am the son of a bonded labourer. Since my childhood, I have been watching what the Government has been doing for the poor. It is with the grace of the God that I have reached here and I got the opportunity to reach here during the time of Shrimati Indira Gandhi. In my capacity as the Chairman of the Committee on Scheduled Castes and Scheduled Tribes. I had toured throughout India and I have found that money is spent on the affluents only and not on the backward people. The wealth of the affluents continues growing but would the hon. Minister of Welfare like to mention any scheme likely to be formulated for their welfare?

[English]

Can you show me a single rickshaw - puller who is above poverty line, who is able to give education to his children? Nobody.

[Translation]

We get their vote for a long term and we know its importance, we apply all tactics to get their votes but what happens ultimately? When the question of giving them their genuine share is raised, the Government first says that something needs to be done for them, but later on, it is told that it needs time for this purpose. We are the representatives of the people of India. Are we not aware of the backward people in our constituencies? If all the hon. Members give their lists of the backward class people, the required list can be prepared. Then what for a commission needs to be appointed which may take two or three years. Who will be the judges in the Commission? The judges usually happen to belong to the upper class and they work according to their own thinking. Our Community has submitted very good recommendations. Has the Government

[Sh. Anandi Charan Das]

accepted them? There are several beneficiaries who do not want that others may be benefited. That is why there is demand for such commission and the Parliamentary Committee is unable to do any work. We can sit together and discuss the matter for identifying the backward classes in our constituency. Thus a comprehensive list can be prepared. Commissions are appointed to provide funds to their members to benefit them. There have been commissions for the backward classes, and the minorities. Then there is commission on Scheduled Castes and Scheduled Tribes under Article 339. Certain other corporations have also been set up. It is a burden on the Government because a Commission has a secretary of the level of cabinet rank. He will be provided with a car. The members of the Commissions will also have cars. If such a huge amount is spent on them where would the funds for the development come from? Rs. 1100 crore is spent on a small Ministry. All the Secretaries in the corporations are of the cabinet rank and they all have cars. Now please tell me as to what work they do? Are the people getting any benefit from them? Our Constitution has already provided such a commission on the Scheduled Castes and the Scheduled Tribes and Shri Ramdhan is its Chairman. I know him very well. But what can he do in this regard? People either visit his constituency or come to him here in their cars. What report he has submitted so far? Has the National Commission submitted any report in this House since the formulation of the new law? The old report was discussed in the Rajya Sabha and it is going to be discussed here also. So far as my experience goes, setting up of the Commissions are just a subterfuge. I would like to suggest that if this concept does not serve the purpose, any other concept should be evolved. Has any other commission the

Scheduled Castes and Scheduled Tribes been set up under Article 339? I would like to submit that there is no need of setting up any commission. We can give good suggestions after discussing the problems here for two or three days. But the I.A.S officers and other bureaucrats are asked to this job.

A commission on rural labourers was set up. It is also like any other commission. Its reports and recommendations are also good. But none of its recommendations has been implemented. I am telling all this on the basis of my experience. I am putting forth my feelings before this august House. Our M.Ps do not visit villages and conduct any survey. We have many programmes for Rural Development.

Though provision of water was made yet it has not benefited all the beneficiaries. I have enquired into the matter in my constituency. There are only 21 beneficiaries out of one million people. All money was pocketed by middle men. Rupees Eight Lakhs are outstanding in the name of a bidder. I complained against him. It should be examined. I briefed Shri Patnaikji about the bungling and requested him to take action into the matter. Two Joint Secretaries went there. They examined it and submitted their report. When I was the Chairman of Committee on Scheduled Castes and Scheduled Tribes, I sent Rajmohan Gandhi to Bihar. He was not allowed to visit Bihar. Obstacles were created in his way. The canal falling on his route was disrupted and the water spread all over the road. When I raised this issue in the meeting of National Council, they asked me

[English]

Who are you? Who is the Central Government? We have our own Government. We have our own officers. We are also

elected representatives. You are nobody. It is our money, which is with the Central Government. You send it.

[*Translation*]

In the opinion of Shri Biju Patnaik, the officials in the Central Government are not intelligent. Why they are not releasing the funds? There is no agency which can get the work implemented. The Government is increasing its expenditure. A number of commissions and corporations have come up. I requested Shri Pranabji and the Prime Minister to enhance the amount earmarked under this head. Neither the Planning Commission nor any other Department come forward to allot funds for a welfare purpose where it is required utmost.

16. 32 hrs

[MR. DEPUTY SPEAKER *In the Chair*]

Mr. Deputy Speaker, Sir, the Prime Minister has sympathy for the poor. The Government constitute a commission but it do not adopt methods to uplift the poor. You must make some amendments in the Constitution to this effect. The Supreme Court will not be able to arrive at a decision in the matter of Scheduled Castes, Scheduled Tribes, backward classes and minorities. This is Government's job. There are clear cut instructions in the Constitution in this regard. The Government must make a provision in the Constitution accordingly if we want to give benefit and uplift them and provide them with equal status. What happened in 1971. In 1971 the bank people were not in favour of bank nationalisation. Secondly, the issue relating to privy purses of princely States was pending. But Indira Gandhi accepted the challenge and immediately took decisions. In the same manner I would like to suggest that the Constitution

should be amended suitably and hurdles being created by the Supreme Court, money lenders and bureaucrats could be removed in the public interest. In this regard, only the Government and the Parliament should be empowered and none else. When the Government initiates steps for the welfare of people, the Supreme Court creates obstacles in such activities by giving some different interpretation. These people should also think in such terms that every Indian is related to us as our brother, sister and so on. The sons and daughters of the Judges also share the property of their parents. After their death, their property will be divided properly among their children too. The opportunities in the country should proportionately be availed by all of us. But they believe in denying such benefits to them. Why does the Government not act accordingly? Who is creating hurdles? We observe that the Supreme Court is creating hurdles in the way of development of Scheduled Castes and Scheduled Tribes.

If a person belonging to Group 'A' and Group 'B' is given benefits of reservation why he is not given his share in reservation at the time of his promotion. It is so because the Government has not provided reservation in promotions. We approached the Supreme Court in the matter of bank-employees. But it turned it down. When they come before us they take this plea that that was a different matter and it is something else. What is this? The Supreme Court should take decisions for the welfare of the people. But it rather creates hurdles in such matters. I, therefore, would like to urge upon the Government to amend the Constitution in such a way so that the Supreme Court could not create hurdles in the welfare activities of the Government. You must be aware of the prevalent situation in the country.

The situation in respect of unemploy-

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ment is going from bad to worse. It is due to the increased number of schools and colleges, in the country. When I was a student of High School, there were four High Schools in my area whereas there are 70 graduate colleges at present. There are above one thousand students in a college and their parents face a lot of difficulties in order to make them study. After completing their education they do not get any job. These students are not to blame for this. Instead it is we who are to be blamed for this. The person who gets a class IV job today becomes clerk by promotion after some time and settles here. He does not want to go back to his native place. If officials like I.P.S., I.A.S. etc. go to villages and involve themselves in agricultural activities after taking leave of one- two days from their office, the villagers would be happy and react positively to it. But now-a-days if a person after getting education becomes an officer or even a class IV employee he does not want to go for agricultural activities. All of us are responsible for it. It has become our culture instead of doing work with our own hands, we prefer it to be done by servants. We hate cleaning our houses and clothes. Affluent people, as well as capitalists are responsible for developing this culture.

I would like to suggest that the Government should constitute a Parliamentary Committee in which every member may participate in the meeting. A questionnaire may be sent to them prior to holding its meeting and thereafter a discussion may be held. When it is materialised, the purpose would be served soon. As far as commission is concerned, its members would not be able to know the ground realities while visiting other places. There is a Minister. He comes from such a place that he does not know anything about the village life. He

must observe the village life. These people have money and on that basis they get tickets and are elected. It is not good to mention their names. I have been observing it for a number of years. It happens that an industry owner of West Bengal contests from Madhya Pradesh and gets elected. Like wise a resident of Kerala gets elected from Orissa. There are programmes like IRDP for the welfare of Scheduled Castes and Scheduled Tribes. The landless labourers have no agricultural land. The marginal farmers and bonded labour, can be termed as backwards in the villages. As far as creamy layer is concerned even half of them do not belong to creamy layer. In this regard the Government is conducting an I-survey in my constituency. But the number of people falling in this category is negligible. Most of the people live in villages and are engaged in cultivation and cattle-breeding, besides they are engaged in house hold jobs. During the regime of Shri Rajeevji, it was decided to spend Rs.8 lakh in a block. Though much money is circulated and a number of programmes are launched yet a large number of people are living below poverty line. A survey has been conducted. They have been issued cards. It is a matter of the party. Suppose, code no. has not been allotted in Orissa and when we ask the authority in this regard then the Code No. is allotted. If some one has any complaint in this regard he can go a court. As per the scheme and guidelines of the Government these things can be settled in the court. Then the people have to go to the court. Because it is the matter of the party. By going to the court people get facilities to some extent. I have no statistics at present. In my calculation, thousand s and lakhs of rupees have been spent under I.R.D.P schemes. The Welfare Ministry is well aware that Rs.75,000 crore has been spent under Tribal sub-plan, State plan and Central plan for the people belonging to the Scheduled

Castes. I mean to say that when so much money is being spent then why we are not able to make them progress. The people who complete their education get employment opportunities. It helps reducing their generation gap. If anybody gets employment opportunity he can prepare himself to be included in the next generation.

Sir, I would like to say that the area of agricultural land is being reduced, as sometimes school is constructed on the land and sometimes a little area is submerged in a river or sea. In this way, we lose sufficient area. Some area is occupied for construction of houses, which further reduces the agricultural land. In Punjab and Tamil Nadu all the poor have been displaced. These people migrated somewhere else. I realise that all these poor people are residing in Coimbatore, Madras or Delhi. They earn their livelihood there. You will find that most of the labourers working these belong to Tamil Nadu. They are brought here by big money lenders on a meagre amount of Rs.100 only. Then it becomes difficult for them to go back. That is why they are forced to live here in jhuggi-jhopries. This arrangement is a subject that harms them. Nothing has been done in this direction till now.

Sir, today also I raised a question as to what is happening after so many years of independence? These people have been fighting for their rights for so many years now but rights are not given to them. The Tehsildar and the Revenue Inspector do not give them any rights. Many people take money from them, the landlords are occupying the lands.

Their living standard is the same even today. The law provides and they have been asked to apply but they did not. But why did not the Government undertake this work and give them their rights. Many people

have been given this right but even today we can see how people live in jungles. The settlement is on at our place also. We said that—

[English]

They are in the occupation of that land.

[Translation]

The trees have grown tall there, therefore, this work should be done. They say that the Government has asked them to do that. On asking whether they have got any written order, they are left speechless.

[English]

Is there any guidelines issued by the Government? No, Sir. Verbally they have told us that do not write anything whether a person is under the occupation of that land or not. You do not mention it. This is the situation.

[Translation]

Thus injustice is being done to our poor and backward people. It must be watched:

I was talking about commerce, but money is needed for trading purposes, about Rs.40000-50000 and wherefrom will this money come? If somebody does some kind of business somehow, he incurs loss and does not succeed.

[English]

Out of hundred families, only 5 per cent of new families can come to this stream. This is my observation about 95 per cent of the new families who have joined in the business line. They are failure because they have no habit and no culture. Businessmen have some sort of culture by which they can

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earn something.

[*Translation*]

He can not join this line because he does not have enough money to establish a business. Therefore, there is a great importance of any type of Government service today, even class IV service, because people are greatly benefited by that. With the help of a job, he prepares the future generation. But what is the position of employment today? There are first class graduates, B.Sc., M.Sc. boys who are unemployed. Therefore, as regards the former corporation, a study should be conducted about how far have people benefited from it and then only some other corporation should be talked of.

This year, Rs.125 crores were earmarked for Backward Corporation recently but as on date only Chairman has been appointed, the Secretary has been appointed and office work is being carried on, survey is being conducted, paper work is on but we do not know when will the beneficiaries get its benefits; may be from next year onwards.

I suggest you to conduct the survey of the corporations entered into your list to assess the ground reality and the amount of work they are doing. They should be closed if their work is not satisfactory. There is the State Finance Corporation at our place but we see that Banks give more money than that. There will be less burden on the exchequer if these corporations are closed down or merged mutually. Through banks more money will reach the poor. By this, development works will be taken up. Schools and hospitals etc. can be opened in villages.

A 'Garibi Hatao' programme was launched during Indira Gandhi's time. It was

a social approach. Such a spirit should be inculcated and programmes for the welfare of poor launched today as well. Today in the Financial Express, it was reported that big corporations are coming up in India and are giving more money than Banks. Similarly, Stock Exchanges are giving more money even after so many irregularities. An effort should be made to carry these people on the main paths of progress in our country today. An aspirant of an agency should be granted one. Educated people who get employment under quotas get benefited. But they should be given jobs in other streams as well and it should be seen how they get benefited—be it an agency, a big business, farming or a company's share.

Recently, I came to learn that the Government is encouraging the industrialists to take up afforestation and get the wood. Even today, we import the coal tar, it is not manufactured indigenously. I urge that such trees should be planted in the jungles as give coal tar as well as paper, they can set up mills also for that. Thus, they should be encouraged for afforestation. In a statement Ram Singh ji had said that the wasteland will be given to the private company. For this, they will be given a grant of 25% and a loan of 75 per cent. It is reported in the Financial Express.

17. 00 hrs.

The banks could have granted loans. Therefore, I demanded that 200 shares of that company be given or there will not be a single tree left. I would like to give an example of it. An officer of the D.I.G. rank of Tamil Nadu came there and purchased 600 acres of land in the tribal area and planted cashewnut tree there. Earlier Ragi crop was cultivated there and the poor people got nothing to eat. I asked wherefrom will they get something to eat. The affluent also

turned poor. The grant of money, if any, made for the development of tribal area or for constructing a dam etc. was also misappropriated. What I want to say is that nothing was done for the tribal area.

Sir, I have lived with them throughout my life and have many times gone to jail. If such sale of 600 acres of land is made this way through advertisements, wherefrom will those tribal people arrange for their livelihood? Therefore, I plead that they should be given some share so that they can make their both ends meet. What will they do if affluents alone exploit all the resources. Therefore, I asked a company to give them 200 shares if they want to plant trees. Simultaneously Rs.300 should be paid per head or this can not be done. The reason is that tribal people do not get anything to eat. It will benefit both. Subsidy is being given to those living below poverty line but it reaches into the pockets of middlemen and officials. Therefore, this subsidy should be divided. The backward classes, the scheduled castes and the land less labourers should be asked to deposit Rs.15 per month in the post office and the Government should add Rs.15 more to it. It will reduce the scope of subsidy.

26 per cent bonus is granted and then there is appraisal i.e., the value is ever increasing. A friend of mine from West Bengal gave me a very good suggestion that poor people can make nothing out of Rs.10,000 assistance we give to them. Why not deposit this amount in a bank in his name so that he can earn Rs.100 per month and after retirement can get back Rs.10000 and start some business. Today, I understand the utility of that suggestion. Today if one goes to the market with Rs.10,000 moves from place to place, surveys and contacts people, he will find the whole amount spent. If kept in the fixed deposit, the same amount will fetch him Rs.100 per month and on retire-

ment can purchase land or start some other business.

As a member of the Committee, I had suggested that the poor people should be given lands instead of money but which Government is doing that today? The only scheduled caste collector in Uttar Pradesh gave them lands under IRDP. Then, some other provinces followed the suit. Our purpose is to raise the standard of living of the rural folk and make them move ahead. Who live in villages? Rickshaw pullers are found throughout India. The Government has initiated a very good programme for the scavengers. People migrate from villages to towns but this process has to be reversed. There is a saying in our village and it is also true to a great extent, that one becomes very active by rearing a cow at home i.e. it is our culture to start day's work with serving a cow. By starting our day with some other job, If we start from many other thing, we engage ourselves in some other business. I know that one woman got a bicycle but you can imagine that what would the woman living in the village do with a bicycle. Moreover, if she belongs to scheduled castes then what will be her condition? The situation is different in cities but what will be the condition of a village woman belonging to scheduled caste?

Therefore, I suggest that the Government should formulate such a scheme under which every family can at least become millionaire in a period of 10-15 years. If the Government continue to assist the people in this way, they would definitely come in the mainstream. Today, we give them subsidy to the tune of Rs. 3500 crores. It all gets wasted and the people do not get anything. I have been working for the welfare of the poor people. I have been among them and studied their life style. There are 50 families in my village. I have been doing eye-survey

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of this village continuously. I know what is happening around. The Member of Parliament know it but the bureaucrats do not know that much because some of them come from Himachal Pradesh or Orissa and some others from Tamilnadu etc. However, India comprises all the States and Union Territories but if these things are left on the bureaucrats, it would not be in anyone's interest. Today, when a private company enters the market, we would find after 2-3 years that the face value of its Rs.10 share has increased to Rs.200- Rs.300. But, why the corporations, being run by the Government are sustaining losses? Where is our money being spent? Who is its beneficiary?

All the Corporations, including those coming under your department, are sustaining losses. The Government do not look into this aspect that who is the beneficiary of this money and what should be done to streamline the system? Therefore, I suggest that we should work towards bringing them in the mainstream. Further, the funds given under JRY should be utilised effectively. The Government have allocated Rs.33,000 crore under this scheme and backward classes are supposed to be benefited by this most. Actually this money will not go in the hands of the actual beneficiaries. I would request that all such people should be provided Identity Cards who really need it. The Government can give 10 per cent interest to these card-holders. In this way, the amount thus deposited will go on increasing. Further, this money should be invested somewhere through some financial institutions like IDBI, small savings or UTI. Thus, the amount will go upto Rs. 1.5 to 2 thousand and its flow will continue to increase. This will benefit every family.

Mr. Deputy Speaker, Sir, once I met the

hon. Finance Minister and told him that the amount given in the form of subsidy was not reaching to the persons intended. Therefore, the poorest among poor should be given Indira Vikas Patra or Kisan Vikas Patra amounting to Rs.4 thousand and they should be told that the amount would become double after three years. The hon. Minister reacted that in this way, the Government would become insolvent. I told him that today as he was giving 10 per cent interest on fixed deposits, he can also give them 20 percent interest. In this way, the amount would become double in three years. This money would neither go to the market nor in the Consolidated Fund of India but it would go to the Reserve Bank of India. They will invest the money. It will be a real investment and these people will get their due.

Though the Government have extended the facility yet the money has not reached them. In this way, at least the money will reach them. It is like a father who educate his son, bring him up and when he himself becomes old, he expects his son to give him support in old age. Similarly, the amount thus deposited will go on increasing and it would be like a pension or financial support to him. I would therefore request that the Government should come out with such a scheme which would really benefit the poor. Under I.R.D.P., 100 families were selected for each year and thus, about 300 families have been benefited during the last five years. The Government should cover as much of people as it can cover. In this way, all poor people will be covered in the next 5-7 years. The money is being squandered on commissions but the Government does have no money for the welfare of the poor people. When the monitoring agencies will themselves squander the money, what will the beneficiaries get? The Government should make a comparative study and encourage those people who perform well. The guide-

lines should be easy because the Government formulates such guidelines which remain unimplemented.

In Andhra Pradesh, the fishermen comes under backward classes. [Interruptions]

MR. DEPUTY SPEAKER: You should now conclude your speech. You can discuss it with the hon. Minister on any other day.

SHRI ANADI CHARAN DAS: I hope that my suggestions will be considered. Thank you for giving me an opportunity to speak.

[Translation]

*SHRI P.P.KALIAPERUMAL (Cuddalore): Hon. Deputy Speaker, Sir, while welcoming the Resolution moved in this august House, I extend my wholehearted support and welcome the move by my esteemed colleague Shri Era Anbarasu. The Resolution moved in this august House reflects the hurt sentiments of the majority people of our Indian population. Though the backward class people are greater in number according to our population it is a pity that they remain economically and socially a weak and deprived class. Realising this as early as in 1951, Pandit Jawaharlal Nehru brought forth in this very same august House a constitutional amendment to benefit the numerically strong but economically and socially a weaker class which formed the major section of our Indian society. It was the first amendment to our Indian Constitution brought about by Nehruji because Congress took it upon itself that it is their duty to uplift the weaker sections of the society. It is only because of that constitutional amendment we find so much of seat reservations

in jobs and educational institutions being provided to the backward class people in various states. Backward class people are hence obliged and shall remember forever this kind gesture by Pandit Jawaharlal Nehru. They will gratefully cherish his memory forever.

The present Government has constituted a National Commission for the Backward Class with a committed concern to benefit the Backward Class people. It is a laudable measure. So we would like to thank this Government led by Shri P.V.Narasimha Rao for their right step in this direction. But at the same time, I cannot but point out the disappointment in the minds of the Backward Class people on finding that this Commission has not been given adequate powers.

Apart from a Commission for the Backward Class, National Commissions for the Scheduled Castes and Scheduled Tribes and the Minorities have also been set up. But when we compare the powers vested with the Commission for SC & ST and the Minorities with that of the Commission for the Backward Class, we can only come to a conclusion that they have not got an impartial deal. We feel it is a partiality.

Let me point out the role that has to be performed by the Minorities Commission:-

"The Commission shall perform all or any of the following functions namely:-

(a) Evaluate the progress of the development of minorities under the Union and States;

(b) To monitor the working of the safeguards provided in the Constitution and in

* Translation of the speech originally delivered in Tamil

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law enacted by Parliament and the State Legislatures;

(c) Make recommendations for the effective implementation of safeguards for the protection of the interests of minorities by the Central Government or the State Governments;

(d) Look into specific complaints regarding deprivation of rights and safeguards of the minorities and take up such matters with the appropriate authorities;

(e) Cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;

(f) Conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities;

(g) Suggest appropriate measures in respect of any minority to be undertaken by the Central Government or the State Government;

(h) Make periodical or special reports to the Central Government on any matter pertaining to minorities and, in particular, difficulties confronted by them; and

(i) Any other matter which may be referred to it by the Central Government."

Thus, the Commission for the Minorities has been empowered to handle so many duties to benefit the Minorities and safeguard their welfare.

Hon. Deputy Speaker, Sir, I must also bring to the notice of this august House the powers that have been provided to the

Commission for Scheduled Castes and Scheduled Tribes. It reads like this:

"The Commission shall have the power to regulate its own procedure. It shall be the duty of the Commission to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and the evaluate the working of such safeguards."

(a) To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes;

(b) To participate and advise on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and to evaluate the progress of their development under the Union or any State;

(c) To present to the President, annually and at such other times as the commission may deem fit, reports upon the working of those safeguards;

(d) To make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes and Scheduled Tribes; and

(e) To discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes and Scheduled Tribes as the President may, subject to the provisions of and

law made by Parliament, by rule specify.

I have thus explained the functions and powers that rest with these two commissions and I have brought the same to the notice of this august House. And at the same time I would like to bring to your Notice the role, functions and the power provided to the commission set up for the welfare of the Backward Class people. Chapter III of the National Commission for Backward Classes, section 9 states....

[English]

MR. DEPUTY- SPEAKER: How much time do you need?

[Translation] *

*SHRI P.P. KALIAPERUMAL: I want fifteen minutes. Section 9 says:

“the commission shall examine requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the Central Government as it deem appropriate.”

So, it now becomes clear that the Commission set up for the welfare of Backward Classes has been provided with a mere power to attend to the complaints from the Backward Class Communities as regards to the omissions and inclusions of castes in the Backward Class lists prepared by the Government. No other power is vested with this commission. Apart from this, this commission should have been provided with powers and functions to study and analyse the standard of living of the Backward class masses, their economic conditions, their

social status, and find out as to how far they have come up in the social ladder, how far they have progressed economically, how far they have benefitted from the reservations meant for them in jobs and such other things. But to our dismay, the Commission has not been entrusted with this job. Why it is so? That is my question. Why should there be a partiality like this? That is what I want to ask. Why have you not provided the same powers and similar duties to the Commissions for the backward classes like that other at commissions meant for the Minorities and Scheduled Castes & Scheduled Tribes? I would like to know the reasons for the omissions and that too to this Commission alone in particular. I would humbly request the Minister for Welfare who is present here in the House now, to explain this anomaly, during his intervention as a reply to this debate. Though the backward class people from the majority of the population, most of them live below poverty line, they live without shelter and even basic needs, they do not have education, they are far removed from the semblance of a civilised life and amenities. They lead their lives in misery, sufferings and utter poverty. I must also point out the situation and the status of reservation in Central Government services at a time when we have provided job reservation in Government Services to people from the Backward Classes. We must know as to what extent they have been empowered to form part of the Government at the Centre. I would like to present before this august House certain statistical data pertaining to this.

In Class I service posts found with the Union Government, employees from the communities of SCs and STs have 5.68% of share and the Backward Class people have a mere 4.61% of share in the top executive slot. But at the same time the Forward Communities have got 89.63 a fairly larger

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share.

As regards to Class II service, posts that lie with the Government of India, SCs & STs occupy 18.18% Backward Class people got a mere 10.63% whereas the plus of the total posts are shared by the Forward communities to the tune of 71.19%.

While we put together the Class III and Class IV service posts in the Union Government offices, Scheduled Castes and Scheduled Tribes have got a share of 24.40%. Backward Class people could manage only a meagre 18.98. But a major share of 56.62% goes to the Forward communities people.

If we work out the total of the jobs provided by the Central Government and the percentage of distribution among various communities, we find the SCs & STs get a share of 18.72% and the Backward Class gets a paltry share of 12.55 % where as the Forward Communities people get a lion's share of 68.73%. This is the present state of affairs as regards to job reservations in the Union Government services. An analysis of this data would bring to light the fact that the Backward Class people are not getting their due share and they only get much below than the other communities though the people from the Backward Class form the majority in the total population of the country. Partiality has been shown here. Hence I would like to reiterate that the Commission for the Backward Class should get additional powers. Shri B.P.Mandal has not recommended mere job reservations. The commission headed by him has come out with certain other recommendations to render social justice to the people of the Backward Class. Mandal has observed that a community may not be able to come up by mere job reservations. Such of the Communities need help in many ways to climb up

the social ladder. Having stated this Mandal has said that the Backward Class people should get 27% reservations also in Educational Institutions. He has added that Government employees from the Backward Class should also be given reservations in promotions. He further recommended that the vacancies kept reserved for the Backward Class should not be filled immediately with people from other Forward Communities in the event of such vacancies left unfilled for want of suitable Backward Class candidates. Such vacancies should not be transferred to the quota for other Communities atleast up to three years like that of the provisions that are available in the quota meant for Scheduled Castes and Scheduled Tribes. Backward Class people should also be given age relaxation as available to the candidates from the SC & ST communities. These are all the recommendations made by the Mandal Commission in its report submitted to the Government. Likewise, 'a roster system for all categories shall be adopted in the same manner as done in the case of SCs and STs.

It is not enough to stop with providing reservations in jobs and Educational Institutions. Steps should also be taken to lend them a helping hand to gain economic upward mobility. Residential schools should be started for the benefit of Backward Class people in places where they are found in majority. Special coaching centres should be set up. Mandal has also recommended that they should be helped to resort to entrepreneurial ventures and they should be provided with needed financial assistance. In order to facilitate this the Government at the centre and the States should set up suitable bodies to contribute to the economic progress of the backward class people. He has also stressed the need to usher in revolutionary changes in the field of production and productivity. He emphasized

the need to bring about Radical transformation of the existing production relationship ! It is only with a transformation of a great magnitude or a basic change in the production relationship, the Backward Class people could progress economically. Only then 52% of the population of whom the majority live below the poverty line, could be uplifted. Mandal Commission Report categorically assert this view.

But today, we remain complascent after having provided a mere 27% reservation in jobs. I do not think we can be proud of it and remain at that. But I would expect this Government to implement and give shape to all the recommendations made by the Mandal Commission. The Commission for the Backward Class should be empowered to monitor whether this Government implements those recommendations or whether there is a need to implement them and if when they are implemented whether they are implemented in a proper manner. That is what I would like to demand from this Government.

This Commission should function like an Ombudsman. Adequate powers in this regard should be provided to this Commission. Through this august House, I request the Government to attend to this urgent need of the Backward Class. I welcome the setting up of the Backward Class Economic Development Corporation. I would like to evaluate the functioning of this body. I am afraid this body has acted beyond its brief violating its own objective.

[English]

MR. DEPUTY- SPEAKER: The time allotted to this subject was two hours. It

comes to an end at 5.36 p.m. Is it the pleasure of the House that we extend it by another one hour? Two more people have to speak and the hon. Minister has to reply. So we may extend it by one hour.

SOME HON. MEMBERS: Yes Sir.

MR. DEPUTY- SPEAKER: For the time being we shall extend it by one hour and let us see afterwards. The Hon. Member may continue.

[Translation]

* SHRI P.P.KALIAPERUMAL: I would like to know whether the Backward Class Economic Development Corporation functions properly. We must ascertain whether the benefits intended in setting up this Corporation reaches the really needy of the Backward Class people. We must also ensure whether the fruits of this mission is available to the lowest of this Backward Class. But I understand that this Economic Development Corporation does not serve the needs of the economically very weak sections of the Backward class masses and they fail to reap the benefits intended for them. In Tamil Nadu, there is a Corporation on similar lines. I have gathered from the officials of Tamil Nadu Backward Class Economic Development Corporation that the poor people who approach them are turned down. They are necessitated to bring in a guarantor. They inquire whether they have any property or whether they can give personal bond. Such people who could furnish those guarantees need not go to that Corporation because they are supposed to be economically strong. I think that the Corporation challenges the very purpose of its being established because it comes forward to extend loans only to the well-off.

* Translation of the Speech originally delivered in Tamil.

[Sh. P.P. Ksliaperumal]

Through this august House I would like to request the Welfare Minister to monitor whether the Economic Development Corporation operates as per the objectives for which they have been set up.

It is said that no other country other than India has enacted so many laws aimed at rendering social justice. It is also said that no other country other than India has violated its own enactments. We have enacted hundreds of rules and laws to ensure socio-economic development. But they are not being implemented properly. They lie unattended. This is the present state of affairs. Hence it must be our foremost duty to ensure whether the laws really benefit the intended beneficiaries. I strongly feel that this power to monitor the implementation of the laws for the uplift of the backward class should be entrusted with the National Commission for the Backward Class. I request the Government to give more teeth to the Commission. I would like to know the plight of not merely the Backward Class masses but also of the Scheduled Castes and Scheduled Tribes and the Minorities. The privileges that are intended to be extended to them and the schemes meant for their upliftment do not reach them.

In my Constituency there is a hilly region called Kalrayan Hills. Lakhs of Scheduled Tribes live there, and they have written to me recently. They have complained that they do not have proper roads, basic drinking water supply, electricity and schools. Even the existing schools, according to them, are under-staffed and teachers turn up only once or twice a month. Noon meal centres are also lying closed. They have also stated that they find it very difficult to get even their community certificates from

the authorities. They have described their sufferings in their representations but to no avail. Hence I fervently appeal to the Minister through this august House to show mercy to the tribals from the Kalrayan Hills. I also request you to inspect and monitor either personally or through your department whether the schemes chalked out for their welfare have been implemented there or not.

We cannot wish away and ignore any of these Lacunae found all over. So far, I stressed to the need to give more of powers to the Backward Class Commission. I was pointing out the style of functioning of the National Commissions meant for Scheduled Castes and Scheduled Tribes and the Minorities and also about the conditions of the people belonging to those communities. Are there not people living in misery and below the poverty line and still belong to other forward communities that do not get any of these social welfare measures? Yes! they are in sizable number from among every other community. Poverty has no caste, creed, religion and state and they do not have political role too. Every sect and sections of the society has people living under poverty conditions. Hence it is imperative to extend reservation facilities to these poor people who are hard hit by their economic deprivations. I do not know why the apex court has struck down saying that it is violative of the Constitution. I am afraid it is a great sin. Even among the forward castes, economically and there-by socially weaker sections lead a miserable life. Hence, I humbly request the Union Government to bring forth a legislation amending the Constitution to provide 10% of reservation in both jobs and educational institutions to benefit the poorer among the forward communities. We give reservation to other Communities in direct proportion to their population.

Likewise it should be extended to the poorest of the poor to be identified from among the forward communities. The Government are duty bound to extend this benefit to those people also. They are also human beings. We must have a humane approach. They may belong to forward Communities but they do not get all their basic needs by virtue of it. They have to fend for themselves in a competitive world. We have a responsibility to ensure their economic upliftment. Hence, we need to have constitutional amendment to effect this social measure in all right earnestness.

Backward class people should get reservation either 69% or in proportion to their numerical strength in population. I request the Union Government to bring about suitable Constitutional amendment to ensure this. Thus the economically and socially backward sections of the society though they are in majority number, remain an *ignored and a marginalised lot. The day they get united and raise their voice is not too far. They are waiting in agony. If they unite and prefer to assert their rights anything may happen and we cannot foresee as to what would be in store for us.*

We live in a democratic country. We must listen to the voices of agony and anguish from the under-privileged sections of the society. We should not marginalise them and deprive them and treat them with a contempt. Reiterating the need to take measures to uplift them socially and economically and liberate them from the clutches of social imbalances, let me conclude my intervention in this debate.

[Translation]

SHRI LAKSHMAN SINGH (Rajgarh):
Mr. Dy. Speaker, from primeval period ,

scheduled castes and scheduled tribes have been living in our country. I would say that the history of our nation starts with scheduled castes and scheduled tribes. We have heard the story of Adam and Eve. They were inhabitants of the forest and I think they also possibly belonged to scheduled castes and scheduled tribes. The history of mankind started from there. Therefore, these castes and tribes have significant contribution in our culture and in the development of this country and it will be there in future also. The 'Ramayana' was written about five to ten thousand years ago. When Lord Ram was born, there was no discrimination. I remember the story when in 'Ramayana', Lord Ram ate defiled berries of 'Shabri'. Shabri was also an adivasi, which today comes under scheduled castes. This is the history of our nation. The evil of untouchability invaded the society later. It is our foremost duty to end this evil.

The people belonging to scheduled castes and scheduled tribes have their own culture. That culture received a severe jolt when British rule was established in our country. The British rulers unleashed the evil of discrimination and tried to do away with that adivasi culture which was flourishing in jungles at that time. When the country became Independent, our leaders' attention was drawn towards this and since then, the Government has been launching special programmes for the welfare of the people belonging to scheduled castes and scheduled tribes. During the Prime Ministership of late Indira Gandhi, special programmes and schemes were launched for the welfare of these castes and tribes. Similarly, many other programmes were also launched under Twenty Point Programme of Indiraji. I do not have the figure available with me but my other friends have quoted them in the House. The Union Government had been making its continuous efforts in this direction in the

[Sh. P.P. Ksliaperumal]

past and even today, it is thinking about the ways and means to bring the people belonging to scheduled castes and scheduled tribes in the mainstream.

Mr. Dy. Speaker, Sir, I strongly support and welcome the reservation policy of the Union Government. Though the Government launches several schemes yet these are monitored by the Governmental machinery and in this process, the assistance does not reach up to the adivasis at the lower strata. Its main reason is that the offices of the Commissions and Boards set up for scheduled castes and scheduled tribes are situated in the capital itself. We should make efforts to speed up these programmes at block level. In Madhya Pradesh, Panchayati Raj system is in vogue. Therefore, such schemes should be got implemented through Panchayats. We should also involve non-Governmental organisations as well as voluntary organisations in this process.

Mr. Deputy Speaker, Sir, though the subjects I am referring to are concerned with the states yet it is worth to mention them here. I hope that the hon. Minister, in consultation with the State Governments, look into it. In Madhya Pradesh, Tendu leaves are produced. There, lakhs of adivasis are engaged in leave plucking work. They earn their livelihood through this work. Tendu leave trade is controlled by the Government but I would suggest that the people engaged in the work of plucking the leaves should be given the right to sell these leaves in the market and the earning should be shared by them. It should be done as they work in the scorching heat and hence they should get the fruit of their labour. We get Tendu leaves every year and if it is excluded from the forest schedule, it can be implemented. If an

adivasi go to the market to sell Tendu leaves, the Government as well as the trader can buy it from him. These people face great amount of difficulty during rainy season because they do not get their wages in this season. Therefore, by selling tendu leaves they can earn some money and make a livelihood for the next few months.

Mr. Deputy Speaker, Sir, Bastar district in Madhya Pradesh is dominated by adivasis, scheduled castes and scheduled tribes. The art of that district is well known all over the world. In that area, some schemes have especially been formulated for them only but it is not possible to give jobs to all. Therefore, it is necessary to evolve some special schemes for them so that they could be benefited. It will give a boost to their art and these artistic creations could be exported to other countries. Further, some scheme for the welfare of these Adivasis can be launched with the foreign exchange earned through export of their artistic creations. Their creations can be exhibited and the earnings accrued therefrom can be deposited with the cooperative societies for the welfare of Adivasis.

Mr. Deputy Speaker, Sir, I am grateful to you for giving me an opportunity to speak. I am hopeful that the hon. Minister will look into the suggestions forwarded by me.

[English]

SHRI KODIKKUNNIL SURESH (Adoor): Mr. Deputy-Speaker, Sir, I support the Resolution brought forward by my friend Mr. Anbarasu. I appreciate his efforts in trying to get the benefits of reservations for Backward Classes, Scheduled Castes and Scheduled Tribes. He is fighting for the welfare of backward communities. This Resolution seeks to make the Government of India take necessary steps for enlarging

[Sh. Kodikkunnil Suresh]

the functions of the National Commission.

We have set up a number of Government-level Commissions and Corporations for the welfare of Scheduled Castes, Scheduled Tribes and Backward Classes. But the people of these communities are not at all satisfied with the functioning of these Commissions and Corporations. They do not at all work for the benefit of these people. Therefore, my humble request to the Minister is to ensure that these communities derive maximum benefit out of these Commissions.

The Government of India spends a lot of money on these Commissions. Besides these Commissions, we have a number of other statutory bodies but what is it that they are doing? Only some bureaucrats or a few other officials get their salaries and other facilities but the people for whom these Commissions have been set up are not getting any benefit. I strongly urge upon the Government of India to take necessary steps so that these Commissions and other statutory bodies function properly.

I would also like to say that the recommendations of these Commissions should also be implemented. We feel that no action is being taken on the recommendations made by these Commissions, with the result that these Commissions have become meaningless for the backward communities. Justice should be ensured for Scheduled Castes, Scheduled Tribes and backward communities as they expect a government will look into it seriously.

I congratulate the hon. member, Mr.

Anbarasu for bringing this Resolution before the House.

MR. DEPUTY- SPEAKER: Mr. P.C.Chacko may speak.

SHRI P.C.CHACKO (Trichur): Mr. Deputy-Speaker, Sir, I am afraid I will not be able to complete my speech within the time. Still I am grateful to you for giving me an opportunity to speak.

I would like to congratulate my esteemed colleague Mr. Anbarasu for bringing this Resolution before the House. The Resolution deals with a very important and a vital issue affecting the society. This society has become more and more conscious of the implications of this issue.

The Backward Classes Commission was constituted by an Act of Parliament but it is unfortunate that this Commission is not having sufficient powers— I would say sufficient teeth- to take any action. The intention of this Resolution is to extend the activity or the area of operation of Scheduled Castes and Scheduled Tribes Commission either by expanding or by enlarging the scope of the present Commission.

MR. DEPUTY- SPEAKER: Mr. Chacko, you may continue next time.

The House stands adjourned to reassemble on Monday, the 8th August, 1994 at 11.00 a.m.

18. 00 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 8, 1994/ Sravana 17, 1916 (Saka)