

16.05 hrs.

MOTION RE: CONSIDERATION OF
TWENTY-EIGHTH AND TWENTY-
NINTH REPORTS OF
ERSTWHILE COMMISSIONER
FOR SCHEDULED CASTES AND
SCHEDULED TRIBES AND
FIFTH, SIXTH, SEVENTH AND
EIGHTH REPORTS OF
NATIONAL COMMISSION FOR
SCHEDULED CASTES AND
SCHEDULED TRIBES—Contd.

[Translation]

SHRI CHEDDI PASWAN
(Sasaram): Mr. Chairman, Sir, as the
number of Assembly and Parliament
seats could not be increased, I want that
the Representation of People Act should
be amended to achieve this goal.

I would also like to draw the
attention of the Government towards the
atrocities on women. Atrocities on the
Dalits have also increased. Although laws
are there, yet these are not being
implemented. A Parliamentary delegation
of Janta Dal visited Uttar Pradesh on
25.7.94 where some persons belonging
to the Samati Caste in a village gang-
raped a woman and murdered her
thereafter. Such unfortunate incidents
are taking place in this age when we are
talking of visiting moon etc. The accused
have not yet been arrested. I, therefore,
want that the Government should curb
such incidents.

Mr. Chairman, Sir, now I would like
to come to the point of untouchability.
For instance, women are considered
untouchable during first five days of their
menses. Moreover, a woman who gives
birth to a baby is considered untouchable
during her delivery period for some days
but after every thing becomes normal

and her untouchability ceases. But
untouchability against Harijans is a never
ending phenomenon. Untouchability may
be defined as the expression of hatred
by the 'haves' against the industrious
'havenats' who have brought fortune to
the formers.

The atrocities committed by the
Hindu Society against the untouchables
are very horrifying. These hapless persons
have been subjected to every kind of
injustice and torture committed by the
ruling class in the society. The Harijans
have got nothing except ignominy. The
depth, length and width of the ocean can
be measured but the maltreatment and
injustice caused to the Scheduled Castes
and Scheduled Tribes of our country are
immeasurable.

When India got independence, it
was the significant contribution made by
the single person, Dr. Bhim Rao Ambedkar
to provide quota in Parliamentary and
Assembly seats and Government jobs for
the Harijans and Adivasis. This is the fruit
of his continuous efforts, conscientious-
ness and supreme love for the poor. Had
the Harijans and Adivasis been able to
be appointed in jobs by their own, the
question of reservation in jobs might
have not arisen. But they could not do
so. Even they could have never attended
Parliament or any State Assembly.
Therefore provision of reservation was
made. The Britishers had made it a
condition for the participation of the
people of this class in administration.
Therefore, reservation was provided. The
Government has not made any grace by
providing quota for them. It was the right
of the neglected and underprivileged
class of people. It is their constitutional
right.

Mr. Chairman, Sir, with these words
I conclude.

SHRI PREM CHAND RAM (Nawada): Mr. Chairman, Sir, many hon. friends have expressed their opinion on the reports of the erstwhile Commission for Scheduled Castes and Scheduled Tribes and the reports of National Commission for Scheduled Castes and Scheduled Tribes. Fortunately, these reports have been presented here though these are being presented after 12 years. The hon. Members have expressed their opinions here rising above their party affiliation. The hon. Members were discussing how to ensure the participation of the Scheduled Castes and Scheduled Tribes people in every field of work. It is fortunate that we have reports from 1982 to 1989 in five or six volumes. After going through these reports we find that there is no doubt that nothing has been hidden anywhere. Rather it seems that the erstwhile Commissioners for Scheduled Castes and Scheduled Tribes and the National Commission for Scheduled Castes and Scheduled Tribes have studied in depth the problems of the Scheduled Castes and Scheduled Tribes. They travelled widely and covered hilly areas and rural areas and studied their problems closely, suggested the Government that the society has been divided into two classes – the affluent ('haves') and the destitute ('have nots') classes. The Scheduled Castes and Scheduled Tribes people belong to the latter category. It was suggested that all necessary arrangements should be made to bring the Scheduled Castes and Scheduled Tribes people at par with the affluent class so that the difference in the standard of living between the two classes could be minimised. Mr. Chairman, Sir, after going through these reports, one becomes enlightened. As I belong to the same class and society and I have experienced the bitterness of poverty, so

this report soothes, as people feel calmness after reading Ramayana. But 47 years have passed since the country became independent. The people within outside the country had listened the speech delivered by the Prime Minister on the 15th August from the rampart of the Red Fort. The whole world listened the speech. I do not think that his speech had any reference to the underprivileged people. If any part of our body starts decomposing, we are promptly admitted to the AIIMS or Dr. R.M.L. Hospital. But the part of a society i.e. the under-privileged or the dalit class cannot afford two square meals even after 47 years of Independence. God came to the rescue of Draupadi when she was unrobed publicly. Since Draupadi was the daughter-in-law of a king, she could not be humiliated. But the humiliation of Harijan women continues. It appears in newspapers everyday that torture and excesses are committed against Harijan women; they are raped. It is discussed here also but no action is taken in this regard. The hon. Minister is sitting here. It is heartening that he also belongs to the Scheduled Caste.

In the list of Scheduled Castes, those castes were enlisted for the purpose of ensuring their progress slowly and steadily, to make them economically sound, to provide educational uniformity to them and to remove the feeling or bitterness by controlling the social disparity. We hold discussions on Dr. Bhim Rao Ambedkar with zeal and bravery. We all respect him and the hon. Members of the other side also do so. They have installed a life size statue of Dr. Ambedkar. We praise them that at least they have set up a statue. I would like to say that kindly set up the statues of all of us because even after centuries no statues of Shambu and Eklavya have been set up. The thumb of Eklavya was

cut down so that he may not become equal to Arjuna in archery. The throat of Shambu was cut down so that the Adivasis, Asur and the Dalits may not come up to the level of other in education and the same thing is going on even today. Many laws have been enacted but there are no two opinions about the State Power that it safe guards only one class or section and in doing so it serves the purpose of a sword. They have the only power in their hands to constantly kill or exploit the other class.

Therefore, we have been continuously demanding that our participation in the administration should be ensured. We do not feel proud of being called Scheduled Caste/Scheduled Tribe and Backward Class. We will feel proud only when an equal status will be given to us in the society. The society in which the Hon'ble Members of Parliament may get required rights and powers and required respect is ensured to all is called an ideal society.

Our body has also been divided by the people and they have not left any stone unturned in doing so. Earlier the society was divided into Brahmins, Kshatriyas, Vaishyas and Shudras but when a Shudra starts becoming a Rudra, he is lured so that he may not become harmful to the other communities by turning into a terrific man. Therefore, something or the other is done for his appeasement.

16.17 hrs.

[SHRI P.C. CHACKO *in the Chair*]

Today with agony and sorrow, I have to say that we were born in independent India. We suffered classification here. When a thorn pricks

in the foot, the brain feels sensation and pain and it orders for its treatment. My submission is that the structure of our body is such that all the parts of the body work collectively. While there are all sorts of small and big parts in it – there are small fingers which have nails, and long legs but there is no discrimination and all parts of the body share pain and pangs and happiness with each other. But whether it is going on in our society?

We know that man is mortal. Many things are said here that it is the 'Mrityu Lok' and there is one 'Sawarag Lok' and if you give something in charity here, you will get the reward of it there. The priests who say so perform various types of rituals and 'yagna' but those priests are not ready to say anything about this Lok. We say that this giving and taking affair should take place here only because a man needs something to remain alive, he needs bread and it should be made available to all and they also require houses to live in. Here some persons have so many houses that they cannot even count them, they do not know about their locations and the number of rooms therein. On the other hand, 80 to 90 per cent people are such, who do not have houses to live in. The Scheduled Castes and Scheduled Tribes employees both in the Central as well as in the State Governments retire without getting the housing facility. While there are some people who get house allotment within 3 or 4 years through manipulation. All these things prick the heart and I know that we are never going to fight against it. I would like to submit that if the Hon. Members of this House have pains in their heart, they should think over it unanimously. People raise slogans to deceive others but how long will they do so? If they think in the right direction, then they will not let the society divide.

[Shri Prem Chand Ram]

Now for the sake of national integrity and unity, we want to face collectively the attacks of the foreign powers being made on us. If we want the progress of the country then the means of productivity should be made available to the Backward Class people so as to bring them in the mainstream of the country. We will continue to seek reservation in jobs but nothing is going to happen. Now, the job opportunities are no more since the exit policy is likely to be implemented. It has not been implemented as yet but something or the other is there on the cards. Lakhs of people have been retrenched. Where there are job opportunities, the people from the Scheduled Castes and Scheduled Tribes should be given appointments. Daily Bills are being introduced and passed here by us for that purpose.

Mr. Chairman Sir, I am concluding my speech but all the people are saying that some more time should be given. I am not saying, I am not going to deliver a long speech. There are other persons who can speak longer than me. There are so many persons from the Scheduled Castes who speak more than me. They become Ministers by hooting but nothing is expected from them. Recently the conveners of the SC and ST Commission have become the Members of Parliament and Ministers. There are two Ministers, Shri Mukul Wasnik and the other is Shri Arvind Netam, who speak more than me. Speeches are not going to serve any purpose but I would like to warn that it will not be suppressed like the Telangana Movement. It was the movement of the farmers. The farmers should have been given their due share but they are not getting that. They have been ruined and the riots are taking place there.

Our Hon. Home Minister is talking of emergency. Earlier they were being called extremists but now they are being called insurgents. They are being exploited and their provocation is coming out. If you pay a visit to a village, you will come to know that these things are being taken advantage of by the powers. I have toured the jungles of Ranchi and Bihar. The place where the Hatia Project has been set up, where there is coal, where the fertilizers are in abundance, the people there are living without clothes, without houses and they do not have even land. They have nothing. They live at the mercy of God, if he gives, their children will survive. How should we expect that this country is on the right path? Under the present set up, the SC and ST people who become officers they do not even get any concession. But people say that if a person of SC and ST has come what should they do? A sword is also hanging on them. If he goes against their will they will spoil his annual report and his promotion will be held up. Charges will be levelled against them. The honest officers of SC and ST are in jail and their promotions have been held up.

Therefore, my submission to you is that if the Government want to do something in this regard then a discussion should be held on it. Our submission is that it should be implemented. This beguiling will not go long. If it is not implemented then all the forces are going to stand up for fighting collectively. We did not achieve freedom to launch movement to earn livelihood in our own country. The Government should make some arrangements for the Scheduled Castes and Scheduled Tribes people for their livelihood, for their participation in production, for their education and employment so that they can lead a respectable life.

We once again urge upon the Hon. Minister that he should try to take some effective step. If need be, he should resign from the Cabinet and should participate with us in this movement. He should not merely give somebody's dictated statement. He shall we come to know that he has some kind of concern for the Scheduled Castes and Scheduled Tribes people. He should take some revolutionary steps and play his role in the changing social scenario.

With these words, I conclude and hope that some steps will definitely be taken in the interest of the Scheduled Castes and Scheduled Tribes.

[English]

MR. CHAIRMAN: Before I call upon the next speaker, hon. Members may please remember that there are thirty nine Members more to speak and the time already consumed is two hours and thirty minutes. So, kindly permit me to restrict the time strictly by ten minutes to each Member.

Now Kumari Sushila Tiriya.

KUMARI SUSHILA TIRIYA (Mayurbhanj): Mr. Chairman, Sir, I thank you for giving me an opportunity to speak on the Motion.

I am speaking on the twenty-eighth and twenty-ninth Reports of the erstwhile Commissioner for Scheduled Castes and Scheduled Tribes for the years 1986-87 and 1987-89, laid on the Table of the House on 9th May, 1989 and 29th August, 1990, respectively and the Fifth, Sixth, Seventh and eighth Reports of the National Commission for Scheduled Castes and Scheduled Tribes for the years 1982-83, 1983-84, 1984-85 and

1985-86 laid on the Table of the House on 5th March, 1986, 26th August, 1987, 4th May, 1988 and 21st November, 1988, respectively.

This Commission was set up by our beloved Prime Minister, late Shri Rajiv Gandhi. He was having a very clear perception towards Scheduled Caste and Scheduled Tribe people. He was very much thinking about the backward and illiterate people. He was kind enough to discuss this matter with the Members of Parliament and with the State Chief Ministers. Then only he came to the conclusion for setting up this Commission.

Now, through this Commission we are getting some privileges and some benefits. However, I am sorry to say that for such a long period these Reports were pending and after a long period we are coming to this House for discussing these Reports.

The setting up of this historical Commission was declared by our Prime Minister, late Shri Rajiv Gandhi on the 15th August from the ramparts of Red Fort. It was a historical announcement. I can say that because of that we are all getting the benefits of the constitutional provisions which are already there. Shri Rajiv Gandhi was hurt that in spite of the constitutional provisions for the benefits of the Scheduled Castes and Scheduled Tribes, they were not getting full privileges of the same. The privileges were not reaching to the people of Scheduled Caste and Scheduled Tribe. He was very kind enough and then only he made this announcement from the ramparts of the Red Fort for the betterment of the Scheduled Caste and Scheduled Tribe people.

[Kumari Sushila Tiriya]

Coming to the Scheduled Castes and Scheduled Tribes Commission's Reports, I would like to say one thing. We are really under-privileged and deprived class people. I am also representing that deprived class and the backward class community. When we are representing these backward people, Scheduled Castes people, Scheduled Tribes people, backward area people and illiterate people, we are not being treated at par with other Members of Parliament who are coming from the forward areas or the advanced and developed areas. So, my sincere request to this august House, through you, is that here, in this House also we should get some reservation for putting forth our thoughts and for raising the problems of our area. Since we are winning from reserved constituencies, so here also we should get some priority. Sometimes we are not getting sufficient time to raise the problems of our area. I can say that this also amounts to atrocity on Scheduled Castes and Scheduled Tribes representatives.

Another point that I would like to make is that some development works or some development projects are started in tribal areas in the name of progress or development of the area. I can say that the tribals are very much established. They have a liking for that backward area or the hilly area where they are established. Sometimes we see that when some development work or some development project is started in a tribal area, the tribals living in that area are asked to shift from there in the name of development and progress of that area. They get an assurance from the Central and State Government that though they will have to be displaced from that area but later on they will be rehabilitated at

other places. But actually it is not being done. I can quote one example. There is an irrigation project called Subamarekha Irrigation Project. The World Bank is financing that project. The local tribal people were assured that before the project was taken up, they would be properly rehabilitated. But even though the work is now going on, they have not been properly rehabilitated. There is another example of the Simlipal National Park. When it was declared as National Park, at that time the tribals were shifted from that area. Afterwards it was declared as a Tiger-project and now it has been declared as a Biosphere Sanctuary. Still an amount of about Rs. 30 lakh is lying pending in the Collector's office for the rehabilitation work but the tribals are still homeless and shelterless. They are still not rehabilitated even after ten years. So, I would say that do not subject the backward class people to this kind of torture. They should be rehabilitated even before this kind of development projects are started.

Another point I would like to make is with regard to caste certificates. In our area, those people who do not belong to Scheduled Castes and Scheduled Tribes are also demanding Scheduled Castes/Scheduled Tribes certificates from the local officials and the public representatives. Sometimes, knowingly or unknowingly, the officials and the local representatives are issuing these certificates also.

I can say that they are issuing more and more false certificates and we are harassed. We are losing the benefits of our reservation policy because many people are holding these false certificates and they are taking away the benefits. They are taking away the benefits of our reservation policy. This should be stopped. Proper enquiry should be conducted so

that proper people get the benefits of reservation policy.

Sir, the special recruitment drive is there every year in every department of public sector and private sector. The special recruitment drive is always done. This special recruitment drive is sometimes done at the State level and sometimes at the Central level. My request and my suggestion is that the tribal people are living in very distant places and far away from the cities and in very interior areas. This area is predominantly inhabited by the tribal people. So, this kind of special recruitment drive should be there at their places. Any kind of such drive should be there and they should set up such special recruitment drive centres in such places so that the poor people and the students can also enjoy the facilities of this special recruitment drive. The people from the nearby places can also get an opportunity and can avail the benefits of reservation policy.

Nowadays there are unemployed youth in rural areas. There are reservation policies; there is quota and there is special recruitment drive. But, still, the reservation policy is not properly utilised by the tribal youth. They are still unemployed. Because of this there is depression in the minds of these people. As a result, I can say that agitations like Bodoland agitation or even Jharkhand agitation are because of such depression. My request is that the deserving students should get proper benefits of reservation policy so that we can expect a little bit of economic and social change among them which is their constitutional right.

Sir, I have only two or three points more. In every public sector and private sector organisation there is one liaison

officer to look after the interests of Scheduled Castes and Scheduled Tribes. The duty of the liaison officer is not only to liaise between employees and officers but also to help the SC/ST employees. If the liaison officer is not able to sit in the selection board or interview board, he cannot solve the problems of SC/ST people. My suggestion is that the officials belonging to SC/ST in these offices should also sit in the interview boards so that they can take care of the interests of the Scheduled Caste and Scheduled Tribe candidates who are coming for the interviews or writing examinations etc.

Mostly the tribals are landless people. They are traditionally known for the activities like handloom weaving, pottery work, stone work etc. They are not going to the markets which are very far away from their native place. They should have cooperative system. The cooperative system should be there so that they can sell their products to the cooperatives. They are very good makers but they are not very good marketers. *My sincere request to the Department is that they should set up cooperative marketing system in the nearby places of manufacturing units of tribals so that they can get the full benefits.*

The Ministry of Petroleum is giving petrol pumps and gas agencies to Scheduled Caste and Scheduled Tribe people. But they are very backward and poor people. Lakhs and lakhs of rupees are required for setting up these petrol pumps and gas agencies. How can the tribal SC/ST people, who are very poor, meet this large expenditure of lakhs and lakhs of rupees unless we can provide them adequate funds as loans from the Ministry so that they can take the advantage of this reservation of petrol pumps and gas agencies?

[Kumari Sushila Tiriya]

Sir, I, being a tribal girl, may point out that tribal literacy ratio is very poor as compared to general women literacy ratio. It is only 8.04 per cent as against 24.82 per cent in general women literacy. Therefore, the Ministry should provide more and more educational facilities, namely, girl hostels, girl colleges, etc. in the tribal areas.

There is no dowry system in tribal areas and hence there are no dowry deaths also. If one girl is educated, the whole family is educated later on. Therefore, the Education Department should take care of the education in tribal areas, especially of tribal girls.

Lastly, Sir, the Scheduled Castes and Scheduled Tribes Commission was set up in 1986 to look after the interests of Scheduled Castes and Scheduled Tribes people. My suggestion is that this commission may be separated into two commissions as the problems of Scheduled Castes and Scheduled Tribes are totally different from each other. The tribal people's problems are culturally and socially different from that of the Scheduled Castes. Therefore, the problems of each community can be looked after better if the Government would set up Scheduled Castes Commission and Scheduled Tribes Commission separately. The Madras High Court has also observed the same under Articles 330, 332, 335, 341 and 342 and highlighted that the tribal situation is very different from that of the Scheduled Castes and so why two commissions could not be set up separately. As already we are spending crores and crores of rupees for the benefit and upliftment of Scheduled Castes and Scheduled Tribes people. We should do this.

With these words I thank you very much, Sir.

16.41 hrs.

MESSAGES FROM RAJYA SABHA

[English]

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Constitution (Eighty-fifth Amendment) Bill, 1994, which has been passed by the Rajya Sabha, in accordance with the provisions of article 368 of the Constitution of India, at its sitting held on the 24th August, 1994."

16.41½ hrs.

[English]

CONSTITUTION (EIGHTY-FIFTH AMENDMENT) BILL

SECRETARY-GENERAL: Sir, I lay on the Table the Constitution (Eighty-fifth Amendment) Bill, 1994, as passed by Rajya Sabha on the 24th August, 1994.
