

(a) whether the Government have any plan to set up technical colleges/institutes in various States during Eighth Five Year Plan period ; and

(b) if so, locations identified so far?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE KUMARI SELJA): (a) and (b). Setting up of technical colleges/institutes depends upon the academic and financial viability and realistic manpower demand etc. It is proposed to set up an Indian Institute of Technology at Guwahati in Assam.

12.00 hrs.

RE: SUPREME COURT'S JUDGEMENT ON RESERVATIONS IN PROMOTION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

[*Translation*]

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, with your kind permission, I would like to draw the attention of the august House towards a very important matter related to Scheduled Castes and Scheduled Tribes which was raised by me in the House on 4th December with your kind approval. The Supreme Court gave a judgement in connection with the Mandal Commission. It is about the backward classes. As per the judgement reservation in promotions should be scrapped, after such a long period. This provision is meant for backward classes but I am distressed to say that on this pretext many state Governments are withdrawing reservation in promotions in the case of Scheduled Castes and Scheduled

Tribes.

Just now, Shri Fotedar left the House. Today a list of 108 candidates for DM and MCH courses in the All India Institute of Medical Sciences has appeared but not a single candidate among them belongs to Scheduled Castes and Scheduled Tribes. The reason is that reservation was withdrawn in pursuance of the the 16th November judgement of the Supreme Court. I took up this matter with Shri Ghulam Nabi Azad on the 4th instant, eighteen days ago from today. We raised this issue in the House and hon. Members from all parties supported it and demanded that the Government should clarify that the judgement on the Mandal Commission is meant for backward classes only. Shri Somnath Chatterjee and all other senior colleagues had intervened at that time demanding that the Government should state clearly that it would not affect the interests of Scheduled Castes and Scheduled Tribes in any case. If they are going to be effected, then the Government should immediately issue a circular that it would not be made applicable to them. (*Interruptions*) At present nowhere Departmental Promotion Committees (D.P.C.) are sitting. They are all waiting for the Parliament session to come to an end. The session of the House ends on 23rd and the D.P.Cs. will sit from 24th to 30th. Reservations in promotions in their case will be withdrawn. It is not a questions concerning any particular party. The men in the Administration are trying to sabotage this constitutional provision which has been in force in the country for the last 45 years. In the wake of this judgement. Therefore, we want the Government to make an announcement to the effect that the present system would continue. We want to know it through you from the Government. We also raised this point in the Business Advisory Committee. The Government should not say that it would consult the Home Minister, State Governments and the concerned Ministry. The session of the House comes to an end

tomorrow. Therefore, we seek your protection for this constitutional provision and the Government should clarify its position today in this regard.

SHRI CHANDRA JEET YADAV (Azamgarh): Mr. Speaker, Sir, Shri Ram Vilasji has raised a very important question in the House. Sir, this whole episode is related to the reservation policy. I feel that till now the Government has not made up its mind on this question of national importance. After such a long period this question has again come up before the nation and it is boggling the minds of people. The Government should, therefore, understand its importance and take it seriously. If no timely decision is taken on this question, the nation will have to face another agitation and its consequences. The bureaucracy in the country is still in the grip of the people who do not want to devolve power and administration to the poor and the weaker sections of the society. Some provisions have been made in our Constitution for this purpose. I would like to request Ghulam Saheb to kindly pay attention to it because none other than him is present here. They always go to the Lobby. Then whom should we address.. (Interruptions) to whom should I say, if there is nobody on the ruling benches to hear us. Then what is the use of speaking here.

[English]

MR. SPEAKER: Everything you say is recorded. Please continue.

(Interruptions)

[Translation]

SHRI CHANDRA JEET YADAV: Shri Jaxhar is also not paying attention. Whenever a matter is raised in the House, the Cabinet Minister should pay attention to it. Whenever a serious matter is raised in the House, it is not taken due note. This attitude

of the Government is responsible for the devastation taking place in the country.

Today, I am once again raising this serious question. The provisions made in the Constitution are being diluted and it is being done by the people, who are responsible for running the Government. The issue raised by Shri Ram Vilas Paswan is very important. Everybody knows that Scheduled Castes and Scheduled Tribes have been granted reservation in the Constitution but after such a long time ever 8 percent reservation is not completed and no efforts are made in this direction. Whenever this question is raised in the House, it is said that the Government is concerned about it and taking serious steps, going to take steps, but in fact nothing is done in this regard. I shall say a few words about Mandal Commission later, but first of all I would take the issue of taking away the rights of reservation of Scheduled Castes and Scheduled Tribes in promotions, on the basis of judgement on the Mandal Commission. They used to get benefits of reservation in promotion also.

When this was published in the newspapers, it was said that the cases of promotions of Scheduled Castes and Scheduled Tribes would be affected by it. I talked to the hon. Law Minister over phone the same day. Unfortunately he is not present here. He told me that Supreme Court was only considering the correctness of notification issued by the Janata Dal Government vis-a-vis the Congress Government. It took a decision that the notification issued during the period of V.P. Singh Government is correct and the notification of Congress Government is incorrect. The decision of the Supreme Court in no way affects reservation in promotion for the Scheduled Castes and Scheduled Tribes.

On the one hand the Law Minister says this and on the other hand a conspiracy is being hatched all over the country to withdraw reservation in promotion for Scheduled

Castes and Scheduled Tribes, on this pretext. I feel, this will be a very serious matter. Tomorrow, before adjourning the House the Government should make a statement that the right of reservation to Scheduled Castes and Scheduled Tribes in promotion would continue and it would not be affected by this judgement. The Government will have to take steps accordingly in this regard.

Mr. Speaker, Sir, with this, I would like to say a few words on Mandal Commission for which I had given a notice. The Supreme Court in its judgement on Mandal Commission has justified the provisions of reservation for backward classes and directed the Government to expedite its implementation. Before the House adjourns tomorrow, the Government should make a detailed statement as to how it is going to implement the recommendations of the Mandal Commission in the Country.

[*English*]

SHRI MUKUL BALKRISHNA WASNIK (Buldana): Mr. Speaker, Sir, even after 45 years of independence and even after implementing the policy of reservations for Scheduled Castes and Scheduled Tribes in jobs and promotions, till today we have a very huge backlog of Scheduled Castes and Scheduled Tribes in Class I and Class II jobs in the Central Government and State Government services.

Even when we have a policy, the condition today is such that the Scheduled Castes and Scheduled Tribes do not get the benefit of such a policy and it is because of this, we can imagine what can be the repercussions on the Scheduled Castes and Scheduled Tribes after the Supreme Court judgment which said that there would be no reservation in promotions for Scheduled Castes and Scheduled Tribes. (*Interruptions*)

SHRI RAM VILAS PASWAN: It is being

interpreted.

But that is not there.. (*Interruptions*)

SHRI VISWANATH PRATAP SINGH (Fatehepur): That is not there. (*Interruptions*)

SHRI MUKUL BALKRISHNA WASNIK: I Understand that But Sir, the repercussions will be extremely serious. With due respect to the Supreme Court, I feel that when the matter concerning the Mandal Commission was referred to the Supreme Court, such a mention should not have found place. Therefore, I would share the feelings expressed by Shri Ram Vilas Paswan and Shri Chandra Jeet Yadav. I would join with them in demanding from the Government to immediately notify to all the concerned Departments and the State Governments so that they do not make wrongful interpretation and put the Scheduled Castes and Scheduled Tribes in a difficult situation.

I would like to inform the Government that by a simple notification, the job would not be over. Rather the Government should come forward with a Constitution Amendment Bill where reservation for Scheduled Castes and Scheduled Tribes in jobs and promotions should be included in the 9th Schedule of the Constitution so that there is no possibility of any wrongful interpretation of this very important issue. If this problem is not tackled immediately, then I would like to tell the Government that there will be a very serious reaction from the Scheduled Castes and Scheduled Tribes and all those people who are interested in the upliftment of these downtrodden sections of the society.

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, it is unfortunate that in sensitive matters the Government cannot make up its mind. This was raised earlier as he said on the 4th of December.

The judgement of the Supreme Court has created some doubts whereas the doubts should not have been there because it relates only to the backward classes. Then, a large section of the people of this country, are under an apprehension. The Government's conduct is also reinforcing their suspicion and their agony. I have requested on that day the Government should make up its mind quickly and come out with a clarification that it does not apply to the Scheduled Castes and Scheduled Tribes.

Sir, when already we are having tensions of different types the country is being divided on one basis or the other—why should you add to the tensions in this country? Does the Government want another Government to be opened? The people will become restive. There will be trouble. There will be tension. We are now passing a very serious grave crisis in this country. I demand the Government - you cannot do this; you must make up your mind - to give this clarification. There is no discussion with anybody. We do not know whether the Government has felt any difficulty and they wanted to discuss with anybody. But our views had been made known earlier on the floor of the House. Therefore, I demand that the Government should come out with a categorical statement to remove the misgivings in the minds of those people and state categorically what is their interpretation of the judgement.

[Translation]

SHRI SATYNARAYAN JATIYA (Ujjain): Mr. Speaker, Sir, this issue is quite serious, though there exist provisions in the Constitution with regard to giving better treatment and securing some rights to the people of the Scheduled Castes and Scheduled Tribes, they have all along been neglected. As a result of it, these people have not been able to join the mainstream of the nation even after 40 years of independence. This is the reason that there is discontent and

remorselessness among these sections of society. Until the Government issues orders and announces a time-bound programme for securing rights enshrined in the Constitution to these people, they will not be able to enjoy these rights.

Mr. Speaker, Sir, through you, I would like to request the Government to announce a time-bound programme for the implementation of the provisions of reservations enshrined in the Constitution. "Pratibandh Lage Jeene Par, Samata Ka Adhikar Nahin, Uska Jeena Bhee Kya Jeena, Jisko Manav Ka Adhikar Nahin". I would like to submit that the Government must make every arrangement to secure right of humanity as provided in the constitution to these people.

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, though there is the provision of reservation of posts for the Scheduled Castes and the Scheduled Tribes in recruitment as per the provisions of the Constitution, yet a conspiracy is being suddenly hatched in the matter of abolition of reservations in promotions. On the plea of the Supreme Court judgement in the matter of the notification of reservation regarding the backward classes issued by the V.P. Singh Government. The issue before him was not the issue of reservation and reservation in promotion for the Scheduled Castes and the Scheduled Tribes. That is why, the judgement of the Supreme Court is not in the context of reservation for Scheduled Castes. It was in the context of backward classes. A well-planned conspiracy is being hatched to create differences between Scheduled Castes and Scheduled Tribes and backward classes of society which have developed a feeling to get the recommendations of the Mandal Commission implemented. The Government should come out with a clarification that the observation of the Supreme Court judgement regarding reservation in promotions does not apply to the Scheduled Castes and the Scheduled Tribes. The Government is delib-

erately not coming out with a clarification on this issue.

Mr. Speaker, Sir, in the month of December in all the Departments, meetings of the Departmental Promotion Committees are held. However, in all the Departments matters pertaining to the promotions of the Scheduled Castes and the Scheduled Tribes before the said Committees, will be kept in abeyance at every stage so as to create a feeling among the people of SCs/STs that since they have supported the Mandal Commission, they must suffer the consequences. This is a well-planned conspiracy. I would like to submit that we would like to raise the issue of the Mandal Commission tomorrow and I also want that the Government may make a categorical statement that the judgement of the Supreme Court in Mandal Commission case will not affect the provision of reservation in promotions and that the people of SCs/STs will continue to enjoy this benefit. The Government may State it categorically that the judgement of the Supreme Court in the Mandal Commission case will be implemented within a period of four months. *(Interruptions)*

SHRI ARVIND NETAM (Kanker) : Mr. Speaker, Sir, the entire nation has welcomed the judgement of the Supreme Court in the Mandal Commission case. I agree to the submission made by Shri Paswan. The judgement is creating a confusion in the country

(Interruptions)

MR. SPEAKER: What is the attitude of the Central Government of this judgement need not be elaborated much.

SHRI ARVIND NETAM: This is a question of interpretation. This is the responsibility of the Government of India.

(Interruptions)

MR. SPEAKER: Nobody can interpret the judgement of the court. It remains as it is.

(Interruptions)

SHRI ARVIND NETAM: It is the responsibility of the Government of India to interpret it. Some reports are being received from a number of State Governments and from the Central Government that some action is being taken which will affect the employees of SCs/STs in promotions since this judgement is there. The Government of India should clarify it. *(Interruptions)*

SHRI KARIYA MUNDA (Khunti) Mr. Speaker, Sir, the issue raised by Shri Ram Vilas Paswan is very serious. Millions of Scheduled Castes and the Scheduled Tribes people are there in Government services and it appears to them that they are also being affected by the judgement of the Supreme Court in the Mandal Commission case. However, this must not happen and the Government of India should categorically state that the facility of reservation in promotions being extended to the Scheduled Castes and the Scheduled Tribes since independence will continue to be extended to them. The announcement in this regard should be made before the session ends so that the apprehensions in the mind of people are removed.

MR. SPEAKER: Alright, you have made your point.

SHRI KARIA MUNDA: There should not be any adverse impact on the reservation in their promotions.

SHRI SURAJ MANDAL (Godda): Whenever the issue of reservations for the Scheduled Castes and the Scheduled Tribes arises.....

MR. SPEAKER: There is no need for

making lengthy speeches. You have to speak just on the judgement.

SHRI SURAJ MANDAL: These people speak on every issue. I have just got up to say something on this. I have not even started.

MR. SPEAKER: That's why I am requesting you.

SHRI SURAJ MANDAL: How do you know when I have not even started my speech that it will be quite long?

MR. SPEAKER: Please sit down.

[English]

I am watching that some of the Members when given the time, do not speak on the topic. They do not come to the point. There are other Members who want to speak and then the Members from the back benches say that they should be given time. This is not proper. You shall have to do justice to other Members also.

[Translation]

SHRI SURAJ MANDAL: I have just started and you are saying that I need not make a lengthy speech.

[English]

MR. SPEAKER: I have many other topics on the agenda.

[Translation]

SHRI SURAJ MANDAL: I would like to submit that the backlog of vacancies reserved for the Scheduled Castes and the Scheduled Tribes has not been cleared as yet. Now it is apprehended that it will not be cleared on the pretext of the Supreme Court judgement. When facilities have to be given

delay is made. When less facilities are to be given, they are given promptly. This shows the intentions of anti-reservationists and this also shows that they are quite active in Government. Therefore, I would like to make a demand that in the guise of the Supreme Court judgement, reservation in promotions should not be done away with. The Government may make its policy clear on this issue.

SHRI KALKA DAS (Karol Bagh): The Supreme Court delivered its judgement in the Mandal Commission case and held that there will be no reservation in promotions. The judgement was nothing to do with the provision of reservation in promotions for the Scheduled Castes and the Scheduled Tribes, yet, the same has been done away with. The number of persons supposed to be promoted by now have not been promoted as per reports being received from each State. It is reported that the Selection Committee is saying that there will be no reservation in promotions since the Supreme Court judgement is there. When this issue was raised in the House, Shri Ghulam Nabi Azad rose to make a clarification but instead of clarifying it, he further complicated it and made it more ambiguous. He said that the judgement of the Supreme Court will be implemented. Though we kept on emphasising that this judgement does not cover the Scheduled Castes and the Scheduled Tribes, yet it is covering them. He should let us know the policy of Government. The Supreme Court has not given any decision about the Scheduled Castes and the Scheduled Tribes. The decision was for the O.B.C. The Government has decided to apply the same decisions on the Scheduled Castes and the Scheduled Tribes. I consider it a political gimmick and it aims at penalising the Scheduled Castes and the Scheduled Tribes. It is a deplorable act. I as well as my party condemn it. Because no verdict was given regarding the SC/STs.

MR. SPEAKER: First, you ask the

Government about its attitude, then condemn it.

SHRI KALKA DAS: The verdict does not apply on the promotions of the employees of Scheduled Castes and the Scheduled Tribes. Therefore, it is wrong to infringe on their rights, Government should say it in clear terms.

SHRI SURYA NARAYAN YADAV (Sahasra): Mr. Speaker, Sir, whenever the issue of reservation is discussed, it seems as if the Government is in dilemma. Today, it is the question of the fate of Scheduled Castes and Scheduled Tribes. There is no such court verdict which may create any difficulty. The Government should make a categorical statement on it at the earliest. It should fulfill their as well as our demand. (*Interruptions*)

SHRI VIJOY KUMAR YADAV (Nalanda): Mr. Speaker, Sir, we are not being provided an opportunity. Every party has been given a chance but the C.P.I. is not being given any opportunity. It is wrong.....

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Speaker, Sir, I do not see any problem in it. The notification issued by the Government in respect of S.C. and S.T. holds good even today. Through you, I would like to ask the Government to make it clear today itself that the Government Notification regarding reservation in promotion stands today. There is no change in it. If there is no change in that why this Government is depriving the 'dalits', S.C.& and S.Ts of their rights. The Government should make it clear today without delay even for a day.

Sir, one thing is clear about the law that the decision given on a particular subject, applies only to that subject and not to any other subject. Were the Government Notifications regarding the reservation for Scheduled Castes and Scheduled Tribes under the

consideration of the Court? Only the notification regarding the reservation for backward classes was under consideration of the Court. Therefore, no pronouncement applies on reservation in promotions for S.Cs. and S.Ts. Even then the Government is creating a dispute. We should not encourage it even for a second. If any such question arises in the country, the Government should try to solve it by issuing a necessary clarification on it.

SHRI RATILAL VERMA (Dhanduka): Mr. Speaker, Sir, the House is aware that the biggest ever anti-reservation agitation was launched in Gujarat. The House has always been unanimous in the matter of reservation for S.Ss and S.Ts. On the pretext of other Backward Classes and on the pretext of the judgement of the Supreme Court, the people belonging to S.Cs and S.Ts are not being provided reservation in promotions. The worst affected State is Gujarat. The people who are on the verge of promotion have been denied the same. They would not be given any promotion till the Government clarifies the position. Through you, I would like to say that it would be injustice to the Crores of S.Cs. and S.Ts people if delay is made even for one day in announcing the necessary clarification. In this regard, the Government should make a statement today itself that the rights of S.C.S. and S.Ts people will be provided to them.

SHRI VIJOY KUMAR YADAV: Mr. Speaker, Sir, I support the views expressed by the hon. Members. No confusion should be created regarding the verdict delivered by the Supreme Court. As Shri Vishwanath Pratap Singh has just now said that the matter was about other Backward classes but even then there is a confusion throughout the country. The people who are anti-Mandal are creating confusion and distorting the facts. In such circumstances, when there is confusion all over the country the central Government should make the position clear immediately stating that this verdict does not

apply to the Scheduled casts and Scheduled tribes people.

[English]

SHRI SHARAD DIGHE (Bombay North Central) : Mr. Speaker, Sir, there are no two opinions that the reservations regarding promotion to the Scheduled Castes and the Scheduled Tribes should continue hereafter also. But I feel that there is some confusion regarding the interpretation of the judgement of the Supreme Court. If we carefully read the judgement of the Supreme Court, then I feel that the interpretation would be that it affects the promotion of Scheduled Castes and Scheduled Tribes also. So, the issue was not directly and substantially before the court and only two Notifications were to be decided whether they could be struck down or they are valid. But even then, this highest Court of this country has somehow or the other discussed this issue of promotion and if we go carefully through that Judgement, then I feel that the interpretation would be that the Supreme Court's view at present at least is that it should not apply to promotion even for the Scheduled Castes and Scheduled Tribes. Therefore, what is the remedy what I submit is that mere issuing Notification by the Government would not be the remedy at all because of such a Notification is issued, then whatever wishes we may have, the Supreme Court taking the same view may strike down that Notification also. Therefore, the remedy would be to go for review before the Supreme Court and get this clarified from the Supreme Court itself or.... (Interruptions).

Another remedy is to amend the Constitution and get it done. Merely issuing a Notification will have no effect, you will not get whatever you want.

If you really want to get whatever you wish and you desire to get, then you must follow the proper remedy. (Interruptions).

SHRI VISHWANATH PRATAP SINGH : There is no need of a Notification, there is already the existing Notification. (Interruptions)

SHRI SHARAD DIGHE: That Notification is affected by the Judgement.

MR. SPEAKER: One clarification.

(Interruptions)

[Translation]

SHRI KALKA DAS: He is confusing the matter. (Interruptions)

MR. SPEAKER: When important issues come up for discussion, one should not try to distort the facts

[English]

(Interruptions)

MR. SPEAKER: Mr. Dighe, I would like to know whether that was your own view. Was what you said your own view?

SHRI SHARAD DIGHE: My individual view is that this reservation in promotion should continue. And that is my view. What I say is that we must follow the proper remedy. Merely issuing a Notification will not be sufficient. It will not protect the promotions at all. You will have to amend the Constitution or go before the Supreme Court to achieve our objective.

[Translation]

SHRI MOHAN SINGH (Deoria) Mr Speaker, Sir, I would like to say that I agree with the views expressed by Mr. Dighe. I would also like to request my hon. colleagues to study the entire judgement delivered by the Supreme Court in this regard. After read-

ing such a confusion is bound to arise. It is true that we cannot comment upon the judgement of the Supreme Court, but I can say that the Supreme Court has given its opinion without listening to all the parties. The issue of promotions of Scheduled Castes and Scheduled Tribes was not under the consideration of the Supreme Court. The judgement given by the Supreme Court without hearing all the sides is bound to create such a confusion. I would like to emphasise the Government that the Scheduled Castes and the Scheduled Tribes should get reservation in promotions and earlier orders of the Government of India should continue to apply. Keeping in view the decision of the Supreme Court, the Government should convene a meeting of all political parties immediately and take an appropriate action after arriving at a conclusion as to how clarification is to be issued in this regard. *(Interruptions)*

[English]

MR. SPEAKER: Please understand that you are discussing a very complicated issue and supposing all of you stand up at one and the same time and speak that is not going to help. Let us try to understand what the House wants in this respect. I think, on an issue like this, without reading the judgment we should not come to any conclusion; without understanding the implication of the judgement also we should not come to any conclusion, because if we express our views without going through the judgement carefully then wrong signals will go out and that is not good. Let it be carefully studied and if necessary, the party leaders can sit together and can decide.

(Interruptions)

SHRI VISHWANATH PRATAP SINGH:
Sir, is the Government responding or not?

MR. SPEAKER: I was allowing the Government to respond, but the hon. Mem-

bers are very eager to express their views.

SHRI CHANDRA JEET YADAV: Sir, for your information I want to tell you I have read the entire judgement.

MR. SPEAKER: Very good.

[Translation]

SHRI GUMAN MAL LODHA (Pali): Mr. Speaker, Sir, I have studied very carefully the judgement given by the Supreme Court. At no stage, anything has been stated about striking down the provision regarding reservation in promotion for Scheduled Castes and Scheduled Tribes. The notification regarding reservation in promotion for Scheduled Castes and Scheduled Tribes, issued by the Government of India has also not been withdrawn. Its operation has also not been suspended. Therefore, it has become the duty of the Government of India to implement its own decision without any hesitation. If anybody wants to have some other provision implemented on the basis of that decision, he should appeal to the Supreme Court. The Government of India need not review it.

[English]

SHRI E. AHAMED (Manjeri): Mr. Speaker, Sir, the issue raised by Shri Ram Vilas Paswan is of great importance to all of us and to this country as well. Whatever benefits the Scheduled Castes and the Scheduled Tribes are enjoying now shall not be discontinued. This is a political decision taken by the Government and such a political decision cannot be wiewtled down by the hair-splitting interpretation of the legality and the constitutionality. There was no such issue before the Supreme Court. If anybody is aggrieved by the continuing of these benefits, let him approach the Court with his grievances. The Government need not go before the Court because this is a decision taken by the Government years before and

it is being continued through out the country. Such a benefit cannot be discontinued only by some observation by the Supreme Court of India. Therefore, I plead with the Government to continue with these benefits and if anybody is aggrieved by this, let him go before the Court. Then, we will have an opportunity to proceed with the case. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, Mr. Kesari, the Minister of Welfare has come. You should direct him to reply instead of Shri Azad (*Interruptions*)

THE WELFARE MINISTER (SHRI SITARAM KESARI): It is not a matter of any bravery. It is the dispute between the Mandir and the Mandal. But I regret to say.. (*Interruptions*) that the supporters of the Mandal do not support the temple issue. (*Interruptions*)

SHRI KALKA DAS: Mr. Speaker, Sir, from where the dispute of the Mandir and the Masjid has come in between the judgement of the Supreme Court? Do you want to entangle us on the issue of the Mandir and the Masjid. (*Interruptions*). When we talk of the Mandir, you get irritated.

SHRI SATYA DEO SINGH (Balrampur): You should come to the point and remove the doubts that the judgement given by the Supreme Court regarding reservation in promotions would not apply to Scheduled Castes and Scheduled Tribes. The Government should announce that there is no such direction by the Supreme Court and it is firm on its past policy that reservation in promotion for the Scheduled Castes and the Scheduled Tribes will continue to be given as per earlier policy. Why are you entangling this issue with the Mandir? It is beyond your control. The Rath Yatra was started after the pronouncement of decision on the Mandal Commission. (*Interruptions*)

SHRI GUMAN MAL LODHA: Mr. Speaker, Sir, Please don't divert the issue. (*Interruptions*)

SHRI SATYNAARAYAN JATIYA: Speaker, Sir, the hon. Minister is taking it light. Through you, I would like to request the hon. Minister to give a precise reply. (*Interruptions*)

SHRI KALKA DAS: Mr. Speaker, Sir, the Government is playing with this issue and hurting the sentiments of people. It is hurting the feelings of the people belonging to the Scheduled Castes and the Scheduled Tribes. (*Interruptions*)

SHRISATYA DEOSINGH: Mr. Speaker, Sir, the hon. Minister is accustomed to being in irrelevant matters. It has become a habit with him. I make a request, through you, that he should speak in clear terms. (*Interruptions*)

SHRI KALKADAS: Mr. Speaker, Sir, he is taking it lightly. He is playing with the issue. This Government has come into power with the help of those people and it is playing with them. (*Interruptions*)

MR. SPEAKER: None but you raised this issue, and now you are not allowing him to speak. Please let him speak. Please hear him. If you go on interrupting him, he too will remain silent.

(*Interruptions*)

SHRI NITISH KUMAR: Please don't speak the language of newspaper headlines. (*Interruptions*)

SHRI SITARAM KESRI: Mr. Speaker, Sir, nothing is spoken here which is not worthy of being published. It is regrettable that here the fight is between the issue of the Mandal Commission and that of the temple. (*Interruptions*)

Mr. Speaker, Sir, one day a special debate should be held on this issue with a view to ascertain whether the "He Ram" and the "Shri Ram" feudal and the king stood for the poor or not. *(Interruptions)*.

[English]

MR. SPEAKER: Do you want any response from the Government or not? If you want a response from the Government, then let him please complete.

(Interruptions)

MR. SPEAKER: It is not like this. You cannot stand up for everything and shut. It is not correct.

(Interruptions)

MR. SPEAKER: Let him complete first.

(Interruptions)

[Translation]

MR. SPEAKER: If you do not require response, he will take his seat. *(Interruptions)*

SHRI SITARAM KESRI: Mr. Speaker, Sir, when the sun rises, darkness disappears. *(Interruptions)*

MR. SPEAKER: Shri Kesri, he has asked the question as to what is the stand of the Government of the judgement given by the Supreme Court.

SHRI SITARAM KESRI: Mr. Speaker, Sir, so far as the judgement of the Supreme Court is concerned, we have duly welcomed it. The Government is examining its every word and trying to implement the judgement. We assure you that my Ministry has taken initiative in this connection and all State Governments are being asked to implement it. *(Interruptions)*

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, the hon. Minister was not present when the question was raised here. Therefore, Shri Ghulam Nabi Azad should be directed to apprise the hon. Minister of the questions raised in the speeches delivered here. *(Interruptions)* Mr. Speaker, Sir, please help a bit. When the issue was raised here, the hon. Minister was not present. Therefore, Shri Ghulam Nabi Azad should apprise him of the points raised.

(Interruptions)

[English]

SHRI RAM NAIK (Bombay North): I am on a point of propriety. *(Interruptions)*

SHRI RAM VILAS PASWAN: The hon. Minister was not present in the House. If the Parliamentary Affairs Minister wants to say something let him say.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): There is no question of propriety because the hon. Minister was not present in the House. That is why, he did not know what is the question. *(Interruptions)*

MR. SPEAKER: I will hear you. But then you allow me to create condition in which I can hear you. Please sit down.

SHRI CHANDRA SHEKHAR (Ballia): May I make a suggestion? It is a very sensitive matter. As has been indicated by many speakers here, the Government should form its view and make a statement tomorrow morning.

SHRI RAM VILAS PASWAN: No.

SHRI CHANDRA SHEKHAR: Please hear me. Your no, no is not going to change my mind. Mr. Speaker, it is very unfortunate that such delicate matters are raised in the

House, and on the spur of the moment, the Minister is called upon to make a statement. (Interruptions)

[Translation]

SHRI RAM VILAS PASWAN: We raised this issue on the 4th and it is being raised now after a period of 18 days. Chandra Shekharji, it is not today's issue. (Interruptions)

MR. SPEAKER: Shri Paswan, I have allowed him.

(Interruptions)

[English]

SHRI CHANDRA SHEKHAR: I shall not be guided by his information. I shall be guided by my own information. (Interruptions)

[Translation]

SHRI RAM VILAS PASWAN: Why are you misinterpreting that we are raising this issue today and demanding it today? We had demanded so 18 days earlier. In the Business Advisory Committee..... (Interruptions)

[English]

SHRI CHANDRA SHEKHAR: Mr. Speaker, I do not say that my suggestion should be accepted by the Minister or by the hon. Member. They can make hell of anything, I know. When they welcome the Supreme Court judgment without understanding its implications, even at that stage; I said that there were many implications in it and that Members should be cautious in welcoming the judgement. Even now, I am saying that the hon. Minister should not make any statement which creates further problems tomorrow. So, they should have a considered view and make a statement tomorrow.

This is my suggestion, whether you accept it or do not accept it.

SHRI RAM NAIK: I am on a point of propriety. Unfortunately, the Minister Shri Sitaram Kesri was not present when this issue started. He is not aware of what the Members have said and he is responding though it is not known to him what are the demands. So, you have tried to explain to him. He has not followed.

My point of propriety is, since he is not aware of what has happened, he should not reply and, if there is any opportunity, this is the opportunity to reprimand him that he should not reply without knowing what are the demands of the Members.

MR. SPEAKER: I appreciate his enthusiasm to participate in the discussion.

SHRI RAM NAIK: It is not a question of enthusiasm. He should be reprimanded for taking the time of the House. He should make a statement tomorrow. (Interruptions)

[Translation]

SHRI BHOGENDR JHA (Mandhubani): The judiciary is the highest justice dispensing body in our country and the judgement given by it is implemented accordingly. The judgement given by the Supreme Court of India and the notification issued during the Vishwanath Pratap Singh regime was related to the reservation for the backward classes. Those who have gone through the decisions, I too have seen that, find that nowhere any reference was made about the Scheduled Castes and the Scheduled Tribes. Moreover, the maximum time period of four months given for backward classes in that regard is not minimum, it is rather maximum limit. In the meantime, the Government has to adopt certain procedure, and measures. This session of the Parliament will be over tomorrow. Therefore, the Government should

make up its mind and indicate as to what steps (one, two or three) and norms are being contemplated to implement the decisions of the Supreme Court. Shri Chandra Shekhar has said that he had welcomed it without understanding properly. But I want to tell him that we have welcomed it after due consideration. It should be implemented now. The Scheduled Castes and the Scheduled Tribes are not referred to in it, so, it is not obligatory to cover the whole country in it. *(Interruptions)*

MR. SPEAKER: please, listen to me first. Thereafter, I shall allow you to speak. I would like to express my gratitude to Shri Chandra Shekhar and other hon. Members too, who have put forth this issue in a very balanced manner. When such issues are raised during the Zero Hour, such hindrances do naturally occur. This issue should have been raised under the prescribed procedure. If one speaks arbitrarily on such complicated issues, it has adverse effect both outside and inside the House. This fact should be taken into consideration. I respect the feelings of all of you. You raised a number of issues. Today and tomorrow, only two days are left, you wanted a discussion on this issue. We allowed it and for a pretty long time.

If necessary we will also see as to what business should we take up tomorrow. Nobody should respond to it at once. I can appreciate the feelings of Shri Kesri. He is much concerned for the Scheduled Castes and Scheduled Tribes, but it is all the more necessary to go into the matter of judgement deeply. There is need to look into it. In fact you should look into it... *(Interruptions)* Had you been here I would have asked you to respond. You were not present here. Therefore, I could not ask you. I told Shri Ghulam Nabi Azad to say something about it and discuss this matter with the Government. I will pass on the preliminary response to Shri Ghulam Nabi Azad. Thereafter, Kesri ji may

like to add something to it.

AN HON. MEMBER: This issue could not be resolved in 15 days. Can it be resolved in a day?

MR. SPEAKER: The Senior Members of this House are trying to resolve this complicated issue in a better way. Please help them.

SHRI SITARAM KESRI: Mr. Speaker, Sir, I am sorry that the hon. Members could not understand my point and reacted sharply. I was about to say some important thing. This is a serious issue and is related not only to me but also to my Government. I welcome Shri Chandra Shekhar's suggestion and also regard his order. I shall make a statement on this issue tomorrow.

[English]

SHRI GHULAM NABI AZAD: Sir, the hon. Social Welfare Minister, who is a champion of our downtrodden and poor people, has already said that he will come forward with a statement. *(interruptions)*

First of all, Kalka Das ji has said that last time when this issue was raised on the floor of this House. I had compounded the issue and complicated the issue. I think there was some confusion or there was some misunderstanding. What I said issue about the reservation of backward classes was that we would abide by the Supreme Court direction. I had not said about the promotion with regard to reservations as regards the Scheduled Castes/ Scheduled Tribes. Last time, Ram Vilas Paswan ji, some other colleagues from this side and from that side, from both the ruling party and the Opposition raised this issue on the floor of this House. Then, I took up the matter with the Social Welfare Ministry. The Ministry has taken a view on this. And meanwhile the view of the Ministry will have to be studied and the implications of

the directions given by the hon. Supreme Court will be studied by the Cabinet. After it is through from the Cabinet, we will come before the house as soon as possible. And the hon. Minister has already said that he will come up with a statement. As far as the Scheduled Castes and the Scheduled Tribes are concerned, I share the concern of the hon. members of this House both from the opposition and from the ruling party that all of us are for the upliftment, welfare and prosperity of the Scheduled Castes and the Scheduled Tribes. (*Interruptions*)

[*Translation*]

SHRI RAM VILAS PASWAN: Finally, my apprehension has proved to be true. It is not so simple a case. A meeting of all for a comprising Members of Scheduled Castes and Scheduled Tribes have submitted a memorandum to the hon. Prime minister. We would like to submit to Shri Ghulam Nabi Azad and Shri Sitaram Kasri that on the pretext of Supreme Court verdict the reservation facility to the Scheduled Castes and Scheduled Tribes in the case of promotion has been withdrawn. As per the verdict reservation may or may not be applicable in promotions. I had requested the Government to make it clear that the Scheduled Castes and Scheduled Tribes would not be affected by that order and if there is any effect, we would like to have a guarantee from the Government that it would sort out the problem with its political will and ensure that the existing reservation in promotion will continue. Meanwhile, it is the Central Government and not the State Government which has withdrawn it.

MR. SPEAKER: Paswan ji, not like this. You are trying to complicate the issue. I have given you a chance to speak. You should utilise it properly.

SHRI RAM VILAS PASWAN: What complication?

MR. SPEAKER: He is saying that he would make a statement tomorrow. Then you also make your point. I have given you a chance and also to all the hon. Members to express their views. I have also said that it is a very important issue and how to tackle it tomorrow. The Government said that it is going to make statement tomorrow. If you want you can speak whatever you like. You later, but you are bent upon speaking before that.

(*Interruptions*)

[*English*]

SHRI GHULAM NABI AZAD: Let us not make it an issue. Government is willing. (*Interruptions*)

SHRI RAM VILAS PASWAN: The Government has not said that.

MR. SPEAKER: The Government has said that

[*Translation*]

SHRI RAM VILAS PASWAN: The Government said that this issue would be taken up in the Cabinet.

[*English*]

MR. SPEAKER: Kesri ji has said it.

SHRI RAM VILAS PASWAN: Have you said that you will make a statement tomorrow?

[*Translation*]

SHRI SITARAM KESRI: I just said about it.

SHRI RAM VILAS PASWAN: Ghulam Nabi Azad ji said that this issue would be considered in the Cabinet.

[English]

MR. SPEAKER: Now it has been said on the floor of the House by one of the Ministers that they certainly consider it in the Cabinet and they will come back.

(Interruptions)

[Translation]

SHRI RAM VILS PASWAN: All right.
(Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, I would like to make a submission about the Delhi Bill. Tomorrow is the last day of this session of the House and perhaps tomorrow is also the last day of this session in the Rajya Sabha. Since 1990, Bills on Delhi are being introduced on the last day of the session. Even today you can see that Delhi Bill figures at item No. 37 in the list of Business. It is such a big agenda which can not be completed even in a week. I requested you as well as the hon. Minister of Parliamentary Affairs that the House should decide today that this Bill would be passed today itself in this House. Then only it could be passed in the Rajya Sabha tomorrow. If this Bill is not passed today by this House and we take it up tomorrow then it can't be passed tomorrow in the Rajya Sabha and the Delhi elections will be postponed again for a further period of 6 months till the next session. This is an issue relating to one crore people of Delhi. This is happening for last three years. No matter whether this party or that party came to power, all Governments follow the same policy to present Delhi Bill in the last day of the Session and as a last item in the List of Business of the House so that the bill cannot be passed.

Mr. Speaker, Sir, I would like to request the august House to have pity on the Delhiites and get this Bill passed today so that it may be passed tomorrow in the Rajya Sabha

also. Through you, I would like to have this assurance from the hon. Minister of Parliamentary Affairs.

SHRI KALKA DAS (Karol Bagh): Mr. Speaker, Sir, if the Government is really serious to hold election in Delhi ... (Interruptions)

MR. SPEAKER: You are delivering a speech. Before delivering a speech please see what is their response.

[English]

Would you like to respond?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): I do not agree with the hon. Member that we are not interested in the Delhi Bill. Rather I was the person last time who wanted this Bill to be discussed and passed. And it was at the instance of the BJP leadership that they said that that be deferred to the next session.

13.00 hrs.

Let that be clear to the House. The record should be put straight. The Government should not be blamed for everything.

This time, neither I am responsible nor the Government is responsible because, the house was not allowed to function for many days. Otherwise, it would not have been the last item and it would have been one of the first items on the agenda and it could have been discussed on the floor of the House. As far as the Government is concerned, we are ready - rather we are more keen than the BJP or anybody else - to pass it. But before that, we will have to pass today, the Supplementary Grants, President's Proclamation and Dunkel Draft and after that we can take up this issue, even before the Ordinance is taken up. I will have no objection to that. But it cannot be taken up before these three

things are passed, namely, Supplementary Demands for Grants, President's Proclamation and the Dunkel Draft.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, I request you to make it certain that the Delhi Bill would be passed today even if we are asked to sit upto 11 p.m. or 12 p.m.

SHRI GHULAM NABI AZAD: You may sit upto 1 a.m. (*Interruptions*)

[*English*]

MR. SPEAKER: There is one suggestion which I will put it to you for your approval. If you so wish, we can transact the business which is on the agenda and may be the Private Members' Business can be taken up later on and not today. If you agree, we will take it up tomorrow or depending on the time we will discuss it.

So, the agreement is, as suggested by Shri Ghulam Nabi Azad and as suggested by Shri Khurana, the business will be transacted; we may not have the Private Members' Business today. We will complete the business and only then get up for the day.

SHRI RAM NAIK (Bombay North): Shri Ghulam Nabi Azad has said that he has no objection to discuss it after the Supplementary Demands for Grants are passed.

MR. SPEAKER: You do not understand what I am saying and now you do not complicate the matter. Now please come to the Pilots' issue that you wanted to raise.

[*Translation*]

SHRI MADAN LAL KHURANA: This Bill figures as 37th item in the Agenda for today. This agenda cannot be completed even in a

week. Please say that after the first and second item it will be taken up at 8 p.m., 9 p.m. or 10 p.m.

SHRI GHULAM NABI AZAD: After these three items... (*Interruptions*)

MR. SPEAKER: Do not make complications. I said it after listening to it very carefully. He has said the matter will be taken up as per wishes expressed by both of you. Please do not make it complicated. You do not listen to carefully

(*Interruptions*)

SHRI NITISH KUMAR (Barh): Will you contest the Corporation elections (*Interruptions*)

AN HON. MEMBER: This case is related to the people of Delhi... (*Interruptions*)

[*English*]

SHRI INDER JIT (Darjeeling): I have one suggestion to make. We are always talking in terms of sitting late into the night. Why d we not try and sit a little earlier? Why do we not met at 9 o'clock tomorrow in the morning?

SHRI RAM NAIK: The Indian Airlines Pilots strike entered the 12th day today. During the last 11 days, as many flights have been cancelled. Even the contingency plan which has been prepared by Indian Airlines has failed completely. And hardly there is any flight that is going in time. It is being said that daily, the Indian Airlines is suffering a loss of Rs. 2 crore. The Airports look deserted and thousands of air passengers are put to considerable inconvenience.

On 30th November, myself, Prof. Ram Kapse and Shri Anna Joshi visited and discussed this matter with the Aviation Minister, Shri Madhavrao Scindia. It was, when the

strike notice was given, at that time, on 30th November. However, the Minister has not done anything. Instead, the Management has taken the attitude of confrontation. Several pilots have been suspended; the Executive Senior Pilots have also joined the strike.

The Indian Airlines have taken on lease the Russian planes to break the strike. Before two days, I travelled by that plane and it is hardly better than any railway coach. The confrontationist attitude should be left and I demand that there should be negotiations. It is also alleged that Air Services are being privatised by back door. The Pilots Association has termed this as an Aviation Scam.

12.04 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

So, appeal to the Government not to stand on the prestige issue and have negotiations with the Pilots Association and to arrive at an amicable solution. The Minister should make a positive statement, if possible today or otherwise tomorrow so that air passengers are not put to inconvenience and the airline is not privatised by back-door method. So the Government must make a statement.

SHRI ANNA JOSHI (Pune): I also support the statement made by Shri Ram Naik and appeal to the Government to start the negotiations and end the matter.

[*Translation*]

SHRIGEORGE FERNANDES (Muzaffarpur): Mr. Deputy Speaker, Sir, I had given notice on this issue in the morning. Sir, I want to draw your attention to the fact that this matter is not for making an appeal or holding talks only. The members of the pilot associa-

tion have agreed to resume their duties by today evening even if their demands are not fulfilled. Today, we have written a letter to the hon. Prime Minister in the morning and submitted in that letter that their three conditions are genuine. Their first condition is that their working conditions such as, their pay, their working hours, their flying hours, which are according to the previous agreements and industrial tribunal awards should not be changed. The hon. Minister wants to change it and more than that the Chairman, Managing Director of the Indian Airlines wants to ruin the Indian Airlines by becoming the ** of the private companies. So, the demands of pilots are quite genuine and fair and these should be accepted.

Secondly, they demand that those who have been charge sheeted and these who have been placed under suspension, should be reinstated, then they will resume their duties immediately. Thirdly, they allege that the new Chairman, Managing Director, whose name I will not mention, is busy bringing pilots to disrepute, ruining the Airlines and preparing to give on lease the aeroplanes of the Airlines to the private companies. He is ready to go in for a private agreement and this is the apple of discord.

Mr. Deputy Speaker, Sir, more over the Government makes statements in the Press about hand same salary of pilots for which it should feel ashamed of. I have with me the pay slips of the pilots. Does anyone know what is the salary of pilots? It is said that they draw 50 thousand 60 thousand or 100 thousand, what not is being said about their salary. The basic pay of the pilots of A-320 airbuses at the time when they have put in 20 years' service is Rs. 4015. These people talk about the salary. Their total pay including the dearness allowance, flying allowance etc. comes to Rs. 11,426 and after the deductions the take home per month salary of the

** Evicted as ordered by the Chair

pilot, Captain S.K. Kohli, who has rendered 20 years' service is Rs. 2566 and the co-pilot, who has put in 8 years' service is drawing the basic pay of Rs. 2895 and his total pay including dearness allowance etc comes to Rs. 10,000/-. His take home pay after all the deductions is Rs. 3800. Here it is publicised that they are lodged in Five star hotels, whether you lodge them in Five-star hotel or Three star hotels, you do not provide them food in the hotel. They are lodged only in a room and alongwith it, they are given the morning breakfast. They have to pay for the food and the taxi fare. What is left with them after spending that much money? And this Government has **. They intend to close down the Airlines and to hand it over to private sector.

Mr. Deputy Speaker, Sir, I am placing these figures before you, as to how many aircrafts the Airlines in India do have. The Indian Airlines has 320-18, Airbus 300-11 and Boeing 23, that totals to 52 aircrafts. To run these 52 aircrafts, you need on an average five commanders, five co-pilots including leave reserve, training and medical examination. For all this you need $52 \times 10 = 520$ to run these aircrafts and you do not have even 450 pilots. As far as the commanders are concerned, there should be 260 commanders but they have only 145 commanders Sir, these people are not in a position to run the aircrafts and that is why they are saying ** creating misunderstanding and making wrong statements. These people are selling the assets of Indian Airlines and Air India worth Rs. 10-20 thousand crore. It is being privatised from the back door, they have decided it and the same is being implemented.

Mr. Deputy Speaker, Sir, the foreign aircrafts are being used now. The day before yesterday I travelled by the Uzbek Airlines

aircraft in which there was a white pilot, white co-pilot and white girls. Even after 45 years of independence, the foreign pilots, foreign air-hostesses are running the international flights in the ** independent India. Would you .. (Interruptions)

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh): Do you want that to be stopped. (Interruptions)

SHRI GEORGE FERNANDES: I do not want anything to be stopped. I want you to stop now. You may please stop; I am not yielding to you. (Interruptions)

SHRI SRIBALLAV PANIGRAHI: What are you talking? (Interruptions)

SHRI GEORGE FERNANDES: You could not understand this. You may have to take pains to understand this. (Interruptions)

SHRI SRIBALLAV PANIGRAHI: Sir, we are not being allowed to speak, while so much time is being given to others. (Interruptions)

[Translation]

SHRI GEORGE FERNANDES: Would you get commission? (Interruptions)

Mr. Deputy Speaker, Sir, the foreign aircrafts are being brought and used here. These can fall down anywhere. There are no proper services. On the one hand, the foreign aircrafts are used and on the other hand, the private aircrafts are being run. High fare is paid for these foreign aircrafts. The fare and the salaries paid to the pilot, Co-pilot and air-hostess are all paid in foreign exchange. The aircrafts of several air-

lines like East-West Airlines and city Airlines are being hired and the Gulf money and other money is being paid to them.

Sir, there is one more issue. The hon. Minister had moved an amendment to the Air Corporation Act in the Budget session. We did not allow that amendment to be passed because that was illegal and unconstitutional. After that, two sessions have passed but an amendment to the Air Corporation Act has not been brought in the House. What have these people done? They have gone against the provisions of the Air Corporation Act and permitted some private companies to run the domestic flights by hiring aircrafts from foreign countries, which can not be done legally.

Mr. Deputy Speaker, Sir, I would like to submit that we have raised the issue of Mandal Commission and the Scheduled Castes and Scheduled Tribes just now. I would like to say that there are 22,000 posts in the Indian Airlines out of which 11,000 posts are reserved for Scheduled Castes and Scheduled Tribes and 27 percent reservation is likely to be made for the backward classes. If these 22,000 posts are abolished, then in the next 3 months the 11,000 reserved posts will also be abolished. This is the conspiracy of these people. On one hand they say that the backlog in reservation will be cleared and on the other hand, the public sector undertakings are being closed down. Sir, that is why, we have sent all the details of the situation to the Hon. Prime Minister and we want that the hon. Prime Minister may declare today itself that none of the pilots will be victimised, and their service conditions will not be changed. If he takes this action, then the flights will be resumed in the evening today itself. This is what I want to submit in the House.

Sir, before sitting down, I would like to

draw your attention to a reference made by the hon. Speaker in respect of " should be immediately removed and secondly the two judges of the Delhi High Court," If Such people continue in office, then nothing is more shameful, These two persons should relinquish their offices immediately. If they do not relinquish voluntarily, they should be removed. With these words, I conclude my speech.

(English)

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS
AND MINISTER OF STATE IN THE MINIS-
TRY OF SCIENCE AND TECHNOLOGY
(DEPARTMENT OF ELECTRONICS AND
DEPARTMENT OF OCEAN DEVELOP-
MENT) (SHRI RANGARAJ KUMAR MAN-
GALAM):

The names of the Judges should not go on record.

MR. DEPUTY SPEAKER : We will expunge it.

SHRI KANNAN MOLLAH (Uluberia):
Sir, this Government is now gradually going to close down the Indian Airlines to facilitate these Private companies. It is jeopardising the services of 22,000 employees. It will be another onslaught on the public sector. It is a backdoor conspiracy of the Government to privatise the public sector units and surrender to the conditions of the foreign banks and the IMF.

I demand that the Indian Airlines should not be closed. All steps should be taken immediately so that the services of the employees are not jeopardised, but the operations are regularised.

Mr. Deputy Speaker: Actually, Zero hour

Judgment on Reservations
has to come to an end at one o'clock. But because of the desire of all of you, it is being extended now for 15 minutes. If one were to speak for a long time, others are denied of this opportunity. They also have important issues.

(Interruptions)

SHRI SRIBALLAV PANIGRAHI : Sir, if the BJP Members would try to compensate now for their absence, then we are helpless.

(Interruptions)

They were absent. Now when they are here, should they try to take all the time?*(Interruptions)*

[Translation]

SHRI MADAN LAL KHURANA: Air Service is collapsing in our country. Flights within the country have virtually stopped. The Government should make a statement in this regard.....*(Interruptions)*

SHRI SRIBALLAV PANIGRAHI: This is really wonderful. They do not come to the House. But when they come, will they only be speaking? What is this?

SHRI RAM KAPSE (Thane): We met Mr. Madhavrao Scindia and requested him that he should intervene. *(Interruptions)* He rejected it flatly. *(Interruptions)*

SHRI SRIBALLAV PANIGRAHI: I would like to make it absolutely clear that I am for the public sector to prosper. For that matter, I want the Indian Airlines and also the Air India to prosper. There is no doubt about it. Whatever genuine problems and genuine grievances or demands that the pilots have placed, that should be looked into. But to the same time, I wonder how an hon. Member like Shri George Fernandes can speak in condemning the attitude of the pilots. The attitude of the pilots is condemnable.

SHRI RAM KAPSE (Thane): No, no.

SHRI SRIBALLAV PANIGRAHI: Okay, very good. I understand our BJP friends. *(Interruptions)*

MR. DEPUTY SPEAKER: He is explaining his opinion.

(Interruptions)

SHRI SRIBALLAV PANIGRAHI: There is also another committee. Mr. George Fernandes. How poorly are they paid in a country like India? All right. I say that whatever grievances or demands are there, these should be looked into. *(Interruptions)* What was the time of their strike? When the nation was burning, the pilots went on strike.

SHRI RAM KAPSE: They have given 20-day notice.

SHRI SRIBALLAV PANIGRAHI: Notice, of course, suited you. You wanted that. *(Interruptions)* You wanted the country to be held to ransom. You also supported the pilots at this juncture. These are no sympathies now. I again say that their genuine problems should be looked into.

But when the country was burning. They struck work and refused to operate flights. When such a situation arose, what was wrong on the part of the Government, if they tried to make some arrangement....

MR. DEPUTY SPEAKER: Please sit down. I am calling Shri Rabi Ray.

SHRI SRIBALLAV PANIGRAHI: Please be fair to us Sir. How much time did you give to Shri George Fernandes? And you have started ringing the bell already!

MR. DEPUTY SPEAKER: You please wind up.

AN HON. MEMBER: But you are not Mr. George Fernandes.

SHRI SRIBALLAV PANIGRAHI: I am what I am and I may tell you that I don't like to be George Fernandes. I know he is great for you. I know he is a great person! Sir, let me submit my points. First of all, the strike was ill-timed. It is said they have given notice. Well, even if they have given notice, looking at the situation in the country, it would have been better on their part to postpone, suspend or defer the strike. But they went ahead with their strike. Rather, they contributed to the factor of holding the country to ransom thereby. It is condemnable. And the language used by Shri George Fernandes is also condemnable. *(Interruptions)*

MR. DEPUTY SPEAKER: Mr. Rabi Ray please.

(Interruptions)

[Translation]

SHRI RABI RAY (Kerādrapada): Mr. Deputy Speaker, Sir, I never expected that Shri Panigrahi will be so much excited on hearing the question raised by our colleagues Shri Ram Naik and Shri George Fernandes. This does not be have him... *(Interruption)*.. This is the question of the prestige of the entire House and the entire country. You are presiding. You may observe that we and to face such situation. Shri George Fernandes and I had gone to Bhubneshwar. The plane by which we went from here to Calcutta was a plane of Uzbekistan being flown by a pilot of that Airline itself. Shri Kalp Nath Rai and Shri Kumaramangalam, who are at present sitting here, are aware that the Indian Airlines had a very good reputation in the world which has now substantially come down to a lower level. We never thought, or dreamt of it that we might have to fly in a plane of Uzbekistan instead of a plane of the Indian

Airline. And Shri panigral is saying that it is all right.. *(Interruptions)*.. I would like to submit the Ministers and Members of the treasury bench that we had to see such a bad day. Our pilots are nationalists and their strike is justified under the provisions of the Trade Union Act. The Government, however, declares them as anti-nationalist. When you allow foreign planes to fly, is it nationalism. I say that the Government has acted against the Constitution. It is mentioned in the Corporation Act that no-foreign plane can fly across the Indian sky. By operating foreign planes you are doing away with nationalisation and then you claim to be nationalist. It is a serious matter related to the prestige of the Parliament and the country. Yesterday my question came up but the Questional-Hour was suspended. The Government is acting against the report of the Committee comprising twelve experts. There is no guarantee of safety if you go or the Speaker goes, nobody can go, the Government is biding it, I would, therefore, like to submit that the Government may adopt a sympathetic attitude towards the striking pilots and call them for talks to find a peaceful solution to the problem. Moreover, I would like to submit that the Government should stop allowing privatisation or liberalisation, whatever it is because it will have serious consequences. *(Interruptions)*

[English]

SHRI RAM NAIK: No response from the Government on this. No statement from the Government. Government has lost its sensitivity. You make a statement tomorrow, at least.

SHRI MRUTYUNJAYA NAYAK (Pulbani): It is a very important matter. Religious monuments, cultural heritage and historical relic sovereign should be treated above partisan rights of any individual or individuals. These should be treated a national and sovereign assets in the name

of the President. in order to avoid any controversy, dilemma and prejudice, the Government should come forward and bring in a legislation as a safeguard, against their use and abuse. For the implementation of such law, a Constitutional Tribunal, comprising of luminaries and experts of various levels of jurisprudence viz. arcachlogy, geology; historical and religious facilities many case and an appeal or amnesty can be field before the President to avoid controversy or crisis between the Central and State Governments and also judiciary, This may be done in order to see tat no party can make a political capital out of religion to foster and fulfil their goal and capture power. In case of any deviation political parties can be restrained and restricted to the extent of de-registration.

I fervently urge upon our hon. Speaker and Leader of the House to respond to the situation in the greater interest of the nation.

SHRI SRIBALLAV PANIGRAHI: There should be a statement from the Government as to what steps they are taking

[*Translation*]

SHRI SARAT CHAND PATTANYAK (Bolangir): Mr. Deputy Speaker, Sir, a mother of the village Bhalumund in Bolangir Constituency of Orissa sold her child for five hundred rupees. This news appeared in a newspaper and the statements in this regard were also made by both who sold the child and who purchased it. The buyer, who is a Brahmin, has confirmed this news. Moreover, the motor has also given in writing that she really sold her child. Prior to both who, an incident of starvation death in village Parashar had also occurred. People do not have food to eat, famine has broken out, thousands of persons are going out in search of jobs. Several starvation death have taken place there. When the block-

president and others protested against it, their protest was baffled by government and they were arrested under M.S.A. I would like to submit that a Committee of the House should be constituted to investigate into this incident. Construction of a Mandir or a Masjid will not provide food to the people. People should get food so the Government should make a statement in the House as to what it is doing to provide food to people.

[*English*]

SHRI SRIBALLAV PANIGRAHI: It is a grave situation.

MR. DEPUTY SPEAKER: Shrimati Topno also shares the some view.

[*Translation*]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): I would like to draw the attention of the Government to a matter of urgent public importance. The railbridge across the Kamla river at Janjharpur in Samastipur Division of Bihar State was constructed in pre-independence days, Now the bridge is awfully damaged with the result the link not only between Jhanjharpur and district head quarter Madhubani but between border areas of North Bihar and the State Capital Patna has also been disrupted. The Communication between border areas of our country and Nepal has totally disrupted. Rail services have also been affected. I demand from the hon Minister that the bridge be repaired immediately so tat lakhs of people being adversely affected, may have link again wit one another

SHRI NAWAL KISHORE RAI (Sitamarhi): Mr Deputy Speaker, Sir, with regard to the discussion on the strike by the pilots of Indian Airlines just held, I would like to know from the Government as to what

append to the 13- point demands of the employees of Doordarshan who are also on strike as one of the demands includes the question of the implementation of the prasar bharti ? Radio and Doordarshan the two wings have been separated. Sir, since the Lok Sabha is going to be adjourned tomorrow, the Government may make a reply to it and hold talks with Doordarshan employees and try to find out a solution to their problems.

SHRI RABI RAY: Mr Deputy Speaker, Sir, for the last seven days I have been trying to raise a serious issue but only today I have succeeded in raising it. You know and the whole nation knows that 8-10 months back nearly 150 Members of Parliament had raised the issue of not signing the Dunkel proposal rising above party lines....

[English]

MR. DEPUTY SPEAKER: Mr. Rabi Ray, I think, there is a discussion on this.

[Translation]

SHRI RABI RAY: Mr. Deputy Speaker, Sir discussion on Dunkel proposal would take place tomorrow, so, I want to speak on this important issue...

[English]

MR. DEPUTY SPEAKER: The matter will be taken up today for discussion.

[Translation]

SHRI RABI RAY: My point is that 150 Members of Parliament had requested not to sign the Dunkel Draft. Thereafter, the Cabinet of the Government of India had constituted a Cabinet Sub-Committee but it could not arrive at any conclusion then the matter was left to the parliament. Mr. Deputy Speaker, Sir, you know, Dunkel Proposal

will adversely effect our agriculture, small scale industries as well as our economic sovereignty. That means, it will be 50 times more dangerous than the East India Company. 8 to 10 day back a delegation headed by the Commerce Secretary, Shri Ganeshan was sent to Geneva about which the House does not know. Sri Kurien has just come in the house. I would like to say that the international committee of Dunkel could not have its sitting in Brussels because the European Community and the U.S.A. had signed an agreement and the Committee was called at Geneva. What I precisely want to say is that there should have been a discussion on it in the House for approval / disapproval. The Parliament is Supreme but the delegation was sent to Geneva without informing the parliament. The Government of India had an opportunity to protest against the Dunkel proposal. 88 crore people of India do not know as to what would be the role of Shri Ganeshan. What sort of proposal he would place there. So, the discussion that is going to be held on it now, will prove totally ineffective. I would like to say that the Government should given an assurance much before the delegation headed by Shri Ganeshan makes any commitment in Geneva that it will not old any talk or make any commitment that would go against the economic sovereignty of India unless the entire country arrives

[English]

MR. DEPUTY SPEAKER: Actually, Zerp Hour, ought to have come to an end as per the established precedent at 1 o'clock. Hardly two days save for you to ventilate the grievances, therefore, it is being extended till 1.30p.m.

(Interruptions)

The Minister would like to respond to this.

(Interruptions)

[Translation]

SHRI RABI RAY: May be Mr. Kurien is willing to reply to the question that has been raised. (*Interruptions*)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES) (PROF. P.J. KURIEN): I would like to make very clear the Government's stand to the commitment which has already been given to the parliament that Government will formulate its view after a discussion in the house and after hearing the views from the hon. Members we will stick to that. A discussion on Uruguay Round has not taken place in the House. (*Interruptions*)

SHRI RABI RAY: We will be assured by this. (*Interruptions*)

PROF. P.J. KURIEN: I am coming to that. A discussion on the Uruguay Round is not new; it is a continuing discussion. Earlier also, a number of rounds were held and no decision was taken. So, that is a continuous process. But that discussion continues there.

Recently also, there was a discussion in which our Secretary participated. That does not mean that our views have been finalised by the Government. We have the flexibility for that. We are waiting for a discussion in the house. In fact, in the last session, we had also said in the House that there should be a discussion. But, unfortunately, the House could not discuss it due to various other perhaps more important engagements. But this is also very important. I fully agree with the hon. Member that this is an important subject. We want a discussion on this as early as possible. That is why, on the first day of the current session, I sent a

notice and the notice was included. We want a discussion on this. We want the benefit of the advice of all the Members. We are ready for a discussion. I assure the house that views of the Government will be formulated only after such a discussion. But my request is that other countries will not wait for us. So, we have to formulate our views. So, please have a discussion; and I am for it.

SHRI INDRAJIT GUPTA (Midnapore): You are saying that it is so important. But you always put it on the last day of the session, Why do you bring it on the last day of the session?

SHRI RANGARAJAN KUMARAMANGALAM: This is not correct. It is not being brought on the last day of the session. In fact, it is one of the first items of business we have put in; and it is pending in the list of Business for so long.

We know what business we have been able to do. It is only today or yesterday evening that normal government Business started transacting only after the No-Confidence Motion. Why do you say that we bring it on the last day of the session? (*Interruptions*).

MR. DEPUTY SPEAKER: Shri Anna Joshi.

SHRI ANNA JOSHI (Pune): The Survey of India is an important part of Central Science and Technology Department. To take the survey of rural and urban as well as the jungles and other lands by most modern scientific methods and prepare the maps is the most important function of this Department. It is completing 225th year of its inception. A programme to that effect was announced by the Surveyor General on T.V. on 10th April, 1992 that a special division of Pedestal survey will be started in Pune. The department is having nearly 41

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acres of land in Pune and many buildings and accommodates its office on the staff. As this office will be doing most of the work in Maharashtra, it is quite natural that the office should be in Maharashtra specially in Pune.

So, I urge upon the Prime minister through you to open this division of Pedestal Survey in Pune to mark the 225th year of its inception. (Interruptions)

MR. DEPUTY SPEAKER: It should have come to an end at 1.30 p.m. We have extended it by half an hour. So, we cannot extend it further. Tomorrow, I will give you an opportunity. Kindly excuse me today.

(Interruptions)

SHRIMATIMALINIBHATTACHARAYA (Jadavpur): On the 19th, I visited some of the localities in Gurgaon and found that, in the wake of certain unpleasant communal incidents which had happened there including an attack on the places of worship both Hindu and Muslims, the police and the administration were allegedly taking a very biased view; and they were discriminating against minority communities there, creating an atmosphere of insecurity in the region.

I also found in the course of my visit that not only people were being arrested without any cause from the minority communities, we visited Bacas, one of the villages out some women came out with tales of police torture.

Sir, in this kind of a situation, I think, that wherever there are allegations of police excesses against one particular community, the Government, both the Central and the State Government, should take a very serious view of such allegations. They must try to find out whether any communal or political elements are involved in inciting

the riots. They must try to restore security in the hearts of the minority communities.

MR. DEPUTY SPEAKER: Sorry, other hon. Members could not be accommodated. Now, we will take up papers to be laid on the Table.

13.41 hrs.

PAPERS LAID ON THE TABLE

Notification under wild life (Protection) Act, 1972 and Annual Report and Review on the working of the centre for Environment, Education, Ahmedabad for 1991-92 etc.

(English)

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D.K. THARADEVI SIDDHARTHA) On behalf of Shri Kamal Nath; I beg to lay on the Table:-

- (1) A copy of the Recognition of Zoo Rules, 1992 (Hindi and English versions) published in Notification No. G.S. R. 711(E) in Gazette of India dated the 4th August, 1992 under sub-section (2) of section 63 of the Wild Life (Protection) Act, 1972.

[Placed in Library. See No. LT-3129/92]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Environment Education, Ahmedabad, for the year 1991-92 along with Audited Accounts.

(ii) A copy of the Review (Hindi