

its implementation. The Hon'ble Speaker, while cautioning that it should not be unnecessarily politicised, had been pleased to observe that a quick decision would be welcome.

2. I consider it important to briefly recapitulate the factual position in this regard, so that the matter is seen in the correct perspective.

3. Immediately, after the Supreme Court delivered its judgement in the Mandal Case on 16th November, 1992, upholding the validity of the OM of 13th August, 1990 providing for 27% reservation in Central Government jobs for the OBCs, subject to the exclusion of socially advanced persons/sections described by the Court as 'Creamy Layer', Government initiated necessary steps to implement the directions of the Supreme Court.

4(i) An Expert Committee was constituted on 22nd February, 1993 to recommend the socio-economic criteria for exclusion of the 'Creamy Layer'. The Report of the Expert Committee was received by the Government on the 10th March, 1993. The Government accepted the Report and tabled it in both the Houses of Parliament on 16th March, 1993.

(ii) As per OM of 13th August, 1990, the lists of OBCs which are common to the Mandal Lists as well as the State Governments' lists have been prepared in respect of 14 States which had already notified the lists of OBCs for reservation in State Services. These are ready for notification.

(iii) Those States/UTs which had not notified the lists of OBCs as on the date of the judgement of the Supreme Court, have been advised to identify the OBCs so that the OBCs in those States/UTs do not get deprived of the benefits of reservation in Central Government jobs.

(iv) The National Commission for Backward Classes Act, 1993 has been enacted to provide for setting up of a Commission to entertain requests for inclusion and complaints of over-inclusion and under-inclusion in the lists of OBCs. The Commission has since been constituted.

5. It may be recalled that while the Government was ready to implement the reservation in Central Government jobs for OBCs some of the hon. Members of this House had

expressed the apprehension that the implementation of the recommendations contained in the Report of Expert Committee would result in denial of reservation to a large number of OBCs. I had assured them that Government would be willing to review the criteria for 'Creamy Layer', if, in the light of the experience gained in implementation, it came to notice that the criteria would adversely affect the interests of OBCs.

6. In view of the persistent demand from some of the hon. Members of this House and after the intervention of the hon. Speaker, I had agreed to have a discussion with the opposition parties on the issue of the 'creamy layer'. Accordingly, I wrote to the Leaders of the Opposition Parties on 11th August, 1993 and requested them to give their views in writing latest by 18th August, 1993 so that a meaningful discussion could be held with them on this issue.

7. The AIADMK sent their views on 17th August, 1993 while the Janata Dal which, in particular, seems to be quite exercised about the delay, chose to send its views on 24th August, 1993. The views of other parties are still awaited. Nevertheless, in order not to delay implementation, I intend to have a meeting with leaders of position parties in the next week.

8. From the facts it is clear that those who hold the Government responsible for the delay, have themselves delayed the implementation of the Supreme Court Order by demanding a further discussion on the Report of the Expert Committee when the need of the hour was to let the Government implement the report so as to take the first step towards providing social justice to the OBCs who are grossly under represented in Central Government jobs.

9. I take this opportunity of assuring the hon. Members that Government is keen to implement the reservations in favour of OBCs at the earliest in accordance with the judgement of the Supreme Court. While we have an open mind in regard to any suggestions for improvement in the criteria for the 'Creamy Layer', we do hope that all parties will give us necessary cooperation in this regard.

17.50 hrs.

RESTATEMENT MADE BY THE MINISTER OF WELFARE ON STEPS TAKEN TO

IMPLEMENT THE RESERVATION IN CENTRAL GOVERNMENT JOBS IN ACCORDANCE WITH SUPREME COURT'S ORDER IN MANDAL CASE

[English]

SHRI SRIKANTA JENA (Cuttack): Mr. Deputy Speaker, Sir, while making a statement, the hon. Minister has alleged that Janata Dal has not given their suggestions by 18th. Instead of 18th, they have given on 24th. In his whole statement, he has only tried to blame the Janata Dal that the Janata Dal has not given the suggestions before 18th.

May I remind the hon. Minister that he called two or three meetings? The Janata Dal leaders went to his residence and his office thrice. We have clarified our position very clearly that we do not accept this 'creamy layer' business and for heaven's sake, close it for ten years, and recruit as per the Supreme Court's decision. We are not going to accept this creamy layer business. We have categorically stated it not once but many a time to the Minister concerned. The Minister is trying to put the blame again on the Janata Dal.

Today also, on the floor of the House, the Minister should know that the Janata Dal's stand is very clear. We do not accept the Prasad Committee's recommendations. I totally reject them.

We want the Mandal Commission's recommendations, as directed by the Supreme Court, should be implemented forthwith. There should be no delay about this. There is no direction from the Supreme Court. (*Interruptions*).

I think, Mr. Kumaramangalam is making some remark while sitting there. If you go through the Supreme Court's decision, the Supreme Court has not given any clear-cut direction about that. Why are you taking the Supreme Court as a plea?

The Government is only trying to avert the implementation of the Mandal Commission's recommendations. The Government is not at all sincere to implement the Mandal Commission's recommendations which have been accepted by the Supreme Court. That is why at the fag-end of this session, the Minister is just trying to give a wrong message. I totally disagree with the position that the Government is taking.

We demand that the Mandal Commission's recommendations, as it is, should be implemented forthwith. (*Interruptions*)

MR. DEPUTY SPEAKER: Kindly resume your seats. (*Interruptions*) Whenever an hon. Minister has made a statement, there will not be any clarification on that.

(*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): We wrote to the leaders of opposition parties on the 11th August asking for their views by 18th August but you did not respond till 24th August. (*Interruptions*).

[Translation]

SHRI VIJOY KUMAR YADAV (Nalanda): The hon. Speaker had clearly said that the Government should give a clear-cut date from which the recommendations should be implemented. Contrary to that the hon. Minister has just repeated the old arguments. He has once again raised the issue of creamy layer. On this issue, there was a proposal to call a meeting of the leaders of all the opposition parties, but no such meeting has so far been convened. The hon. Minister has given an assurance to call a meeting a week hereafter, but the present session of the parliament is to be over tomorrow and then all of us will go to our respective Constituencies. What is the use of calling a meeting when the Parliament will not be in session. Had this meeting been called earlier, all the issues would have been settled. Directives of the hon. Speaker in this regard are not being followed. (*Interruptions*)

DR. LAXMINARAYAN PANDEYA (Mandour): The statement of the hon. Minister arouses only confusion and nothing is being made clear. Who will be affected is not clear. (*Interruptions*)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K. V. THANGKA BALU): Sir, the remarks made by Mr. Jena are not correct. (*Interruptions*)

MR. DEPUTY SPEAKER: The hon. Minister has made a statement. Whether you agree or discharge with it, there is a different forum to tackle this issue. You can tackle it. Now, rules do not permit any supplementary questions or clarifications and you are fully aware of it. Therefore, kindly excuse me.

(Interruptions)

SHRI SRIKANTA JENA: Sir, the Minister is trying to mislead the entire House.

MR. DEPUTY SPEAKER: Kindly resume your seat.

SRI K. V. THANGKA BALU: It is that you are misleading the House (Interruptions)

SHRI SRIKANTA JENA: We had given our views. We had met the Minister three or four times and we have already clarified our position. What kind of clarifications does the Government needs when we have already clarified our position? We have met the Minister many times personally. (Interruptions)

SHRI K. V. THANGKA BALU: What you are saying is wrong.

MR. DEPUTY SPEAKER: Let us proceed with half-an-hour discussion. Mr. Jena, if you are not happy with the statement made by the hon. Minister, you can have a recourse to get the matter examined by exercising due process of law and you are at liberty to do it. The point is, whenever any Minister were to make a statement on the floor of the House, clarifications or queries have not been allowed so far. Therefore, let us follow the rules. Now, this subject is over. Let us take up the next item, that is, half-an-hour discussion. I call Mr. Rawal to speak.

(Interruptions)

MR. DEPUTY SPEAKER: No. impossible. I will not allow it.

(Interruptions)

17.59 hrs.

At this Stage, Shri Devendra Prasad Yadav and some other hon. Members came and sat on the Floor near the Table

MR. DEPUTY SPEAKER: Please allow me to proceed with the next item. This is not

the time for you to sit on the floor. Please go to your seats.

(Interruptions)**

MR. DEPUTY SPEAKER: This should not go on record

(Interruptions)**

18.00 hrs.

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K. V. THANGKA BALU): Sir, they are trying to politicize the issue. The sort of behaviour on their part is not correct....(Interruptions)

[Translation]

SHRI NITISH KUMAR (Barh): Sir, we want to point out one thing that the Welfare Minister has given a misleading statement. (Interruptions)

SHRI SURYA NARAYAN YADAV (Sahasra): Mr. Deputy Speaker, Sir, please, at least, listen to us for a minute. (Interruptions)

[English]

MR. DEPUTY SPEAKER: Please go back to your seats. Let us take up Half an Hour discussion.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): The hon. Minister has already made an announcement that a meeting would be called next week.

He has also stated that he has request the Parties to submit their views on subject. In spite of this, you see their behaviour. (Interruptions)

MR. DEPUTY SPEAKER: Here is a suggestion given by the hon. Minister. You please allow the hon. Minister to speak.

(Interruptions)

**Not recorded.

[Translation]

SHRI DEVENDRA PRASAD YADAV: There was clear ruling from the chair in the House. (Interruptions)

[English]

MR. DEPUTY SPEAKER: You are very much agitated. Because of your demands, the hon. Minister has come out with a Statement. Now, Mr. Wasnik is coming forward with some information. Let us hear what he wants to say.

[Translation]

SHRI MADAN LAL KHURANA: What has been the action of the Government after the ruling of the hon. Speaker was issued. (Interruptions)

[English]

MR. DEPUTY SPEAKER: If you do not try to give an opportunity to the hon. Minister to reply, then that is not fair. Mr. Khurana, you kindly request your friends to get back to their seats.

[Translation]

SHRI NITISH KUMAR: The hon. Minister made a politically motivated statement today and held the Janata Dal responsible for the delay being caused. The fact, however, is that the report of the Expert Committee regarding creamy layer was tabled in the House and it was stated that the Government had accepted the report. My disagreement is with the issue of creamy layer and with the subsequent directions issued by the hon. Speaker. He held three rounds of talks with the Members of Janata Dal. We have put our point of view strongly. The hon. Speaker gave time for holding discussion on the issue of creamy layer. Even during that discussion the whole House was unanimous that the farmers and the people of class two category should be left out from the category of creamy layers. Even then, there was no reconsideration by the Government on the issue of creamy layer. Even after that the Government is delaying the process. The Government has not called an all party meeting to discuss the issue of creamy layer. The point of view of our party is already known. We want the recommendations of Mandal Commission to be implemented without the provi-

sion of creamy layer. Our party is in favour of implementing the notification issued on 13th August and implementing the decision of the Supreme Court pronounced on 16th November 1992. We are not in favour of providing relief from one hand just to withdraw that from the other hand in the name of creamy layer. This stand of our party is known to all. What the Government is doing? The matter should not be delayed and report should be implemented. Our objection is on the issue of creamy layer. If the meeting is convened by the Government, we will put the view points of our party and then we will see what could be done? (Interruptions)

We had raised this issue during zero hour since Shri V. P. Singh has gone out of Delhi in self-exile. He has said that he would return to Delhi only to garland the first man who would be appointed in the Government service after the implementation of Mandal Commission Report, otherwise only his dead body would be taken to Delhi. He has left with this resolve. His health is not good. What I mean to say is that the Government should announce a date on which the report would be implemented. The Government wants to avoid the implementation of the report some how or the other. The statement has not been made with good intention. He wants to know as to what is the plan of the Government regarding implementation of the Mandal Commission report.

SHRI MOHAN SINGH (Deoria): I am on a point of order. When any statement is made by any hon. Minister there is no debate on it. The hon. Minister has charged the opposition parties on the pretext of making a statement. If the Opposition leaders are not allowed to express their view points, that will send a wrong signal throughout the country. The Parliament Session is to be over, People will think that the C.P.I., the C.P.M. and the Janata Dal have not submitted their view points for implementing the Mandal Commission Report. I clearly remember that towards the end of the last Session the hon. Minister had called us to his chamber to discuss the matter related to creamy layer. I was also among those who went there. The Janata Dal had put its stand clearly before the hon. Minister, but making an excuse of creamy layer and also making an excuse of being ignorant of the view points of Janata Dal, the Government is delaying implementation of Mandal Commission Report. This is an excuse. I condemn it and say that the hon. Minister has misled the entire

country by making such a statement. He should also withdraw his statement and the report of Mandal Commission should be implemented in its right earnest.

SHRI SURYA NARAYAN YADAV (Sahasra): Mr. Deputy Speaker, Sir, so far as the question of creamy layer is concerned, letters have been written to all Political Parties including Janata Dal (A). We have told them in clear terms about creamy layer. The farmers should be excluded from the creamy layer because they are all poor. They are badly affected by the natural calamities like drought etc. The Government should implement the Mandal Commission report immediately. The hon. Speaker had also given a ruling on it and I also participated in the discussions on that day. The hon. Speaker, clearly stated in his ruling that the Government should come out with a categorical reply on the implementation of Mandal Commission Report because Shri V. P. Singh has gone on self imposed exile from Delhi on this issue. It appears from today's statement of the Minister that he is trying to evade this issue and making charges against the opposition. There is no conflict over this issue in any political party and they are unanimous on the implementation of this report. Then what are the reasons to call for another meeting of all political parties when all the political parties have conveyed their view points to the Government. Now the Government will call for another meeting, take opinion of the opposition parties, give its clarification and then it will be implemented. The Government should state categorically as to when it is going to implement the Mandal Commission report.

SHRI DATTATRAYA BANDARU (Secunderabad): Mr. Deputy Speaker, Sir, the Supreme court has given a historical judgement on Mandal Commission that the backward classes should get 27 per cent reservation. No party is against it but after the Supreme Court Judgement the matter of creamy layer was brought up by the Government. The matter of creamy layer was also discussed in the House. If the condition of creamy layer is accepted, the sentiments of backward classes that they would get 27 percent reservation, would not materialise.

On this issue our party leader Shri Atal Bihari Vajpayee suggested to Shri Sitaram Kesri that the ceiling should be removed. The hon. Minister had given assurance that he would think over it. Grade I and Grade II officers have also been included in the creamy

layer. If such conditions are imposed, these classes would not get 27 per cent reservation. All political parties have expressed such apprehensions. I would like to know from the hon. Minister as to how long he would continue to keep the report in the dark. Till now thousands of people would have benefited had it been implemented earlier. They have been deprived of these benefits. We agree that the poorest among the poor should be given benefits but at first the Government should implement it immediately otherwise the vested interest would do injustice to the people belonging to backward classes. Therefore, the hon. Minister should give the specific date for the implementation of the report and the condition of creamy layer should be removed. *(Interruptions)*

[English]

SHRI UMRAO SINGH (Jalandhar): Mr. Deputy Speaker Sir, we also have to express our views.

MR. DEPUTY SPEAKER: You are from the ruling party.

SHRI UMRAO SINGH: Has the member of a ruling party no right to speak?

MR. DEPUTY SPEAKER: Wait, wait. The ruling party members are expected to exercise patience and hear the views of others.

(Interruptions)

SHRI UMARAO SINGH: I am a point of order. This is such an important matter. Do you mean to say that Government has no right to speak?

MR. DEPUTY SPEAKER: The Government has got the right. You have got the right as a Member of this House. You can participate and discuss.

(Interruptions)

MR. DEPUTY SPEAKER: You have got a chance. Nobody denies your right to speak on the subject.

(Interruptions)

[Translation]

SHRI SATYNARAYAN JAITYA (Ujjain): Mr. Deputy Speaker, Sir, the way the statement

[Sh. Satyanarayan Jatiya]

made by the hon. Minister and the allegation levelled by him, is really a matter of grave concern, had he spoken about some policy matters or some specific points it would have certainly benefited the people. But the way he has levelled charges on the pretext of making a statement is really a matter of grave concern.

Sir, through you I would like to request that the charges should be expunged from the statement. The Government is already delaying the benefits and the people, who should get this benefit, are not getting it. You do not want to give benefit to them as a result of which there is resentment among the people as well as the Members of the House. Sir, through you, I would like to say that the charges that have been made should be expunged and the creamy layer bar due to which these people are not going to get benefits should be removed. The Government should declare a specific date of period for the implementation of the report so that people could be benefited.....(Interruptions).

[English]

SHRI ANIL BASU (Arambagh): Sir, I am on a point of order.

MR. DEPUTY SPEAKER: Regarding what?

SHRI ANIL BASU: We have to express our views. The Minister has said something very objectionable.....(Interruptions).

MR. DEPUTY SPEAKER: In the beginning I made it absolutely clear, the hon. Speaker had also called a meeting and if you are not satisfied you could have utilised the offices of the hon. Speaker.

Once again both the parties could come together and arrive at a just and fair decision. That course is still open. The doors are not closed.

[Translation]

SHRI VIJOY KUMAR YADAV (Nalanda): Mr. Deputy Speaker, Sir, even the ruling of Hon. Speaker is not being honoured.....(Interruptions)

[English]

MR. DEPUTY-SPEAKER: This aspect has already been indicated.

(Interruptions)

18.21 hrs.

At this stage, Shri Syed Masudal Hossain and some other hon. Members came and stood near the Table.

MR. DEPUTY-SPEAKER: I have called Shri G. Devaraya Naik.

SHRI ANIL BADU (Arambagh): Members of our party also have to be called(Interruptions)

MR. DEPUTY SPEAKER: Who says that you will not be allowed at all?

18.22 hrs.

At this stage, Shri Syed Masudal Hossain and some other hon. Members went back to their seats(Interruptions)

SHRI MUKUL WASNIK (Buldana): You have already been apprised by the hon. Minister.

SHRI NITISH KUMAR (Barh): Does the hon. Minister want the Government business to be taken up or not?.....(Interruptions) Otherwise they will be in difficulty.....(Interruptions).

SHRI V. DHANANJAYA KUMAR (Mangalore): I am on a point of order(Interruptions).

MR. DEPUTY SPEAKER: Let us hear Shri Dhananjaya Kumar's point of order.

SHRI V. DHANANJAYA KUMAR: I would like to draw the attention of the Chair to the List of Business.....(Interruptions).

I am not being permitted to make my submission also.

I would like to draw the attention of the Chair to the List of Business wherein an urgent matter of public importance, an issue regarding the payment of Dearness Allowance to the Central Government employees is listed for Half-an-Hour discussion. I would like to know at what time that will be take up.....(Interruptions).

MR. DEPUTY-SPEAKER: it will be taken up.

(Interruptions)

MR. DEPUTY SPEAKER: As hon. Members are agitated, I have allowed them to speak.....(Interruptions).

[Translation]

SHRI VIJOY KUMAR YADAV (Nalanda): Mr. Deputy Speaker, Sir, when the issue was raised in Zero Hour too, the hon. Minister gave an assurance to this effect. At the time, it was pointed out particularly that Shri V.P. Singh left Delhi only on this particular issue. Though the issue is very important it has been the thinking of the Congress Party not to take any decision on the question of reservation. We had been continuously opposed and advised not to indulge in dilly-dallying tactics. When the issue of creamy layer was raised then the recommendations of the expert committee were immediately accepted even without calling a meeting. During the current session the meeting was not deliberately convened. Now it is being said that within a week, even when the House is not in session, a meeting will be convened. The Government gave an assurance regarding implementation. However, this assurance is being reiterated since the Supreme Court delivered a judgement in this regard. The issue of creamy layer has been extensively discussed in the House. During the discussion all the parties expressed their views that the issue of creamy layer should be kept aside at the moment and the decision in this regard should be implemented first. As per practice in vogue it should be reviewed after 10 years and only on this basis further steps should be taken.

Therefore, we urge the Government to give a clearcut reply as to by what time the recommendations of the Mandal Commission will be implemented instead of giving evasive replies.

[English]

SHRI BASUDEB ACHARIA (Ban-kura): Sir, when the Expert Committee Report was presented before the House and when the Statement was made by the Welfare Minister that the Government had accepted the report of the Expert Committee, all the Opposition Parties objected to that and said that before the acceptance of the Expert Committee Report, the Government should have consulted all the political Parties and the Government should

have obtained the views of all the political Parties. An assurance was also given by the Welfare Minister that he would call a meeting of all the political Parties. That assurance was made long back, in the Budget Session of the Parliament. But no meeting was held.

Sir, there had been three meetings with the Janata Dal and the Janata Dal had already clarified their stand. In spite of that, now the Government is passing a buck on the Opposition parties and is saying that the implementation of the judgement of the Supreme Court is being delayed because the Opposition Parties are not serious about it. Whereas, we had raised this issue a number of times and the views of the Opposition Parties are very much clear. There was a consensus in this House. The Government should go by that consensus. We had already expressed our views clearly and seriously. We had objected to certain recommendation of this Expert Committee. But our views were not honoured. We were not consulted before the acceptance of this Report. Now, the Minister has said that the implementation has been delayed because of the Opposition Parties. Now, he has proposed to hold a meeting in the next week. He did not find any time during this Session. If the Government was very much serious in implementing the Supreme Court judgement, why was a meeting of all the political Parties not called during this Session itself? Just on the eve of the closing of the Session, he has announced that he is going to call a meeting.....(Interruptions).

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): I am ready to hold the meeting tomorrow.....(Interruptions).

SHRI BASUDEB ACHARIA: What we demand is that the Government should immediately call a meeting of all the political Parties today itself.....(Interruptions).

MR. DEPUTY SPEAKER: Kindly look at the statement made by the Minister. It says:

".....While we have an open mind in regard to any suggestions for improvement in the criteria for the 'Creamy Layer', we do hope that all parties will give us necessary cooperation in this regard."

(Interruptions).

MR. DEPUTY SPEAKER: Please get back to your seat. You can speak from your own seat. You cannot come forward like this. You are unnecessarily ransacking the House. Probably, you have determined not to run the House. Is it the way you want to run the House? You are expected to maintain order in the House. You are expected to maintain peace in the House.

What do you mean by this? I am very sorry.

SHRI E. AHAMED (Manjari): Sir, may I make a submission?

MR. DEPUTY SPEAKER: Not now please. There is a time for you to make submissions. You may kindly oblige by taking your seat.

[Translation]

SHRI DEVENDRA PRASAD YADAV: Mr. Deputy Speaker, Sir, the reference of the rule made by you is supreme.....(Interruptions) We doubt the sincerity of the Government on such an important issue concerning 52 per cent of the population. This issue relates to poor, downtrodden and backwards, who are to be given justice and ensured better times from social, economic, educational and all points of view. When the Supreme Court has given its judgement then why a law is not being enacted.

MR. DEPUTY SPEAKER: All the hon. members want to speak on this issue.

SHRI DEVENDRA PRASAD YADAV: The judgement was delivered on 16-11-92 but no law has so far been enacted. I would like to know whether the Government is not bound to give a positive reply instead of giving a negative reply.....(Interruptions) We are in favour of an egalitarian form of society and also favour implementation of the judgement of judiciary but instead the Government is adopting dilly-dallying tactics. This Government is opposed to giving reservation to 52 per cent of population.....(Interruptions).

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr Deputy Speaker. Sir, the Supreme Court directed the Government on 16-11-92 to constitute a Committee to take a decision in this regard. Nine months is not a short period. Though the whole House was

unanimous on the issue of farmers yet not a word has been uttered regarding land holdings in the statement. The Government should make an announcement today itself as to by what time it will be implemented.'

[English]

MR. DEAPUTY SPEAKER: Are we to run the House only in this fashion? If you all desire to run the House only in this fashion, if this is the latest mode to run the House, I think I am helpless.....(Interruptions).

MR. DEPUTY SPEAKER: Mr. Anil Basu, please take your seat.....(Interruptions).

MR. DEPUTY SPEAKER: Can I call the names one by one to have your Excellencies? Everybody has participated and you have ventilated your grievances. You have tremendously impressed the Government and Kesriji is so much tempted to call the meeting tomorrow itself. He is not prepared to spend even more than twenty-four hours.

SHRI NITISH KUMAR: Sir, he does not want to implement the Report, he wants to confuse the whole issue.

[Translation]

MR. DEPUTY-SPEAKER: Mr. Nitish Kumar, please check your utterances.

SHRI NITISH KUMAR: I will show him black flags in Patna.

SHRI G. DEVARAYA NAIK (Kanara): Sir, we are all concerned about the implementation of the Mandal Commission's Report. But unfortunately, our Opposition friends are under the impression that it is their own asset. That is not the thing. We are also equally interested and we are also equally concerned about it.....(Interruptions).

SOME HON. MEMBERS: No, no.....(Interruptions).

AN HON. MEMBER: You have no sincerity.

MR. DEPUTY SPEAKER: Does he have no right to speak? I think he has also got a right to speak. He is tuning with you. Why don't you welcome that?.....(Interruptions).

SHRI G. DEVARAYA NAIK: The people are expecting that the recommendations will be considered by the Government. We were having all the hopes. But, I am sorry to say that it has not happened. Since eighties we are discussing the Mandal Commission in this august Parliament. But the result, so far, is zero(Interruptions).

MR. DEPUTY-SPEAKER: You are encouraging the interference and preventing the speaker. Please resume your seat.

(Interruptions)

SHRI G. DEVARAYA NAIK: Sir, even after the Supreme Court judgement, we doubt whether the Government is determined to implement it or not. The people of backward classes of this country are expecting that they will get some opportunity as a constitutional right. But some people with vested interests are interfering and trying to see that these people are deprived of their chance.....(Interruptions) We were expecting that the hon. Minister will announce, before the end of the session that the notification on Mandal Commission will be issued. But we are totally disappointed by this statement.....(Interruptions).

SHRI NITISH KUMAR: This is the view of the ruling party member.....(Interruptions).

MR. DEPUTY-SPEAKER: Please resume your seat.

SHRI G. DEVARAYA NAIK: We are very much worried about this statement. I want to say that the creamy layer is only a show. People will not get any benefit from out of it. The people of the backward classes of this country are deadily opposed to this creamy layer thing.....(Interruptions) I request you to reconsider this. Otherwise your statement will do no good to the backward people of this country. Anyhow, you have failed to issue the notification before the end of the session. I make an earnest request to the hon. Minister. We will give you a chance. Within a week, by removing this creamy layer thing, you issue the notification implementing the recommendations of the Mandal Commission....(Interruptions).

SHRI A. CHARLES (Trivandrum): Sir, I want to speak on this.

MR. DEPUTY-SPEAKER: Shri Charles, you resume your seat. I will call you later.

(Interruptions).

MR. DEPUTY-SPEAKER: Now this has tremendously proved that we should give an opportunity to the Members to speak what they want to speak. In the very beginning, you made a tremendous protest. In the end, all of you have clapped, applauded and welcomed it. Therefore, kindly hear what the hon. Members are saying. Then let us consider it.

(Interruptions).

SHRI E. AHAMED: Sir, I share the views given expression to by the Members on both sides with respect to the Mandal Commission report. There is an apex court judgement in favour of it. I do not know why the Government is just showing this hanky-panky attitude. Whenever the question of this downtrodden backward classes comes before the Government, the Government will just take shelter under some excuse. This is not acceptable in this country. I really appreciate the open-mindedness of the hon. Minister Kesriji. But his Government shall not have a closed mind on this issue.

There is another matter. This reservation is a matter which we have recognised and agreed to in the spirit of the Constitution that all segments of the population should be given adequate representation. As a member of the minority community, I am very sorry to say that, the representation of this community is abysmally poor in all segments of the Government, especially in Government and quasi-government institutions. Why this Government—in spite of the statement made by the hon. Prime Minister on the floor of the House that the minorities, backward classes will also be given due consideration did not take any step in this matter? You cannot cheat the people like this. The friction on this reservation issue is the most dangerous thing in this country.

Therefore, the Government should rise to the occasion. You cannot just have no order. You must pass only the statement, the hon. Minister should pass an order, a notification, to this effect. Unless you issue a notification, we will not be able to believe in your sincerity.

SHRI K.P. REDDAIAH YADAV (Machilipatnam): Respected Deputy-Speaker, Sir, the matter is concerning 50 per cent of the people of this country. Therefore, in addressing this problem we should cross the party lines. We have to see the facts, and I am sure and I have got no doubt that the Prime Minister Shri P.V. Narasimharaoji and our hon. Minister Kesariji are very much concerned about the implementation of Mandal Commission's Report(Interruptions). Hear me. But, Shri V.P. Singh is more concerned to implement the Mandal Commission's Report. But what happened? Because of the lack of experience and statesmanship, he has utterly failed in implementing it. The country has gone into flames.....(Interruptions). Now, what has happened? They have appointed a Committee, it has given an absurd report, but it is put for discussion in the country and after hearing all the people's opinions.....(Interruptions).

SHRI SRIKANTA JENA (Cuttack): How Government has accepted it? (Interruptions).

SHRI K.P. REDDAIAH YADAV: Even today he is prepared to call and discuss. One thing is, barring the sons of agriculturists is really absurd. It shows the vested interests of the people, what is called 'guduputani'. Therefore, now give a chance to the Government. If they could not heed, if the Prime Minister could not concede our demand for removing this 'creamy layer' barrier, then we will think of what to do.

Sir, one thing is, I accept that some obstructions will be there. But the thing is, the sons and daughters of IAS and IPS officers should not be allowed any reservations. And the second thing is, the economic criterion should not be there because socially and educationally backward classes only should be given reservations; economic criterion should not be there. Sir, you remove that higher category. Immediately if the Government do not withdraw the conditions against agriculturists, it will become a nation-wide problem. With these words, I thank you, Sir.

SHRI A. CHARLES: Sir, reservation for the backward community is a very sensitive issue. It is a matter of sorrow that every political party and all Members of both sides are now playing with the backward communities, which are vote banks, during the last three years. Sir, in June 1990 when the former Prime Minister Shri V.P. Singh issued a suomotu order, the

crux of the matter is, because he did not include in it a list of communities eligible for reservation, no one has so far got the benefit. Sir, the only reason.....(Interruptions).

SHRI SRIKANTA JENA: There is the Judgement of the Supreme Court also.....(Interruptions).

MR. DEPUTY SPEAKER: Let us hear him. It is unfair. He has got a right to comment on anything on the face of earth. He has got a right. Why do you prevent him?

SHRI SRIKANTA JENA: I am on a point of order.

MR. DEPUTY SPEAKER: Mr. Jena, it is his right. It is how he has understood things. Has he not the liberty to express what he feels about it? On what he says you may not agree with him and on what you say he may not agree. There is a difference of opinion. It is not compulsory that whatever he says you should accept and whatever you say he should accept. He is at liberty to tell what he wants to say.

SHRI SRIKANTA JENA: I am on a point of order, Sir.

MR. DEPUTY SPEAKER: This is absolutely unfair.

SHRI SRIKANTA JENA: I am on a point of order.

MR. DEPUTY SPEAKER: What is your point of order?

SHRI SRIKANTA JENA: Mr. Deputy-Speaker, Sir, I am on a point of order. The hon. Member Mr. Charles says that the notification issued by Mr. V.P. Singh was wrong and he is challenging that notification which has been accepted by the Supreme Court. Can he refer to that notification which has been accepted by the Supreme Court?

MR. DEPUTY SPEAKER: Mr. Jena, if you that the expression of that type is against the existing law, is there no course of action for that? Why do you not utilise that?

(Interruptions).

Shri ANIL BASU (Arambagh): Sir, I am on a point of order. The hon. Speaker, after hearing all sections of the House, ruled that the

Government should make a statement on this issue before the end of this Session. But, Mr. Charles has raised the issue of the notification issued by Mr. V.P. Singh.

MR. DEPUTY SPEAKER: There is no point of order.

(Interruptions)

MR. DEPUTY SPEAKER: No, this is not correct. Do you think that those who have got a big voice can rule this House and those who are bestowed with a sweet, mild and polite voice should keep quiet?

SHRI A. CHARLES: Sir, I can understand the embarrassment of the Members of the Janata Dal when I exposed the truth. I never questioned any judgement. All that I said was, the former Prime Minister did not do any exercise before he issued a *suo motu* statement on this issue. At that time, Shri V.P. Singh's Government was supported both by the BJP and the Marxist Communist Party. May I, through you, ask whether those parties...
.....(Interruptions).

SHRI NITISH KUMAR: Mr. Deputy-Speaker, Sir, I am on a point of order. You have given an opportunity to express our views on the Welfare Minister's statement and not on Mr. V.P. Singh's notification.....(Interruptions).

SHRI CHARLES: Sir, the statement was issued.....[Interruptions] Sir, I also belong to a Backward Community and I am fighting for the Backward Communities. I am committed for that. Nobody can question my honesty and commitment for the cause of Backward Communities. [Interruptions]

SHRI NITISH KUMAR: You are a black spot in the Backward Community [Interruptions]

MR. DEPUTY-SPEAKER: Mr. Nitish Kumar, please take your seat.

SHRI NITISH KUMAR: Sir, you have given an opportunity to express our views on the Welfare Minister's statement and not on Mr. V.P. Singh's notification. [Interruptions]

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Mr. Deputy-Speaker, Sir, Mr. Nitish Kumar sits in the Chair also. He should not stand up and interrupt like this. [Interruptions] I am extremely sorry, Sir, I can understand the initial agitation of the Members. I also belong to a Backward Class and they know it. One can understand the initial agitation. But, while somebody who has a different view may be with you, is speaking you stand up and attack him. You stand up and interrupt him. You can get your turn. You can ask the Deputy-Speaker for a turn and speak, but you should not stand up and interrupt like this. Otherwise, this is going to be a bedlam. Then, where do we end? I think it is time that we realise that each one must hear the other.

SHRI NITISH KUMAR: Mr. Minister, what are we discussing here. You sermonized us. Are we discussing the notification of Mr. V.P. Singh's Government or are we expressing our views on Welfare Minister's statement? What are we doing here?

SHRI RANGARAJAN KUMARAMANGALAM: Sir, I think it is necessary to clarify this point. It is a point that the statement came before this House and the statement was made by the hon. Minister Shri Sitaram Kesri. After that there was reaction.

SHRI NITISH KUMAR: It is a politically motivated statement.

SHRI RANGARAJAN KUMARAMANGALAM: Sir, this is exactly what I am protesting against. While somebody is speaking, you go on interrupting him, you go on crossing and you believe there is no rule required. You may be 10 Members, but you think you can hold the House to ransom.

You are proving this. Is it a democracy? Who is speaking? The person who sits in the Chair. Is this the rule that I am to follow? I am sorry.

MR. DEPUTY SPEAKER: Let us stop at that. We should not give room for agitation unnecessarily.

SHRI RANGARAJAN KUMARA-MANGALAM : Is it your right not to allow the Member to speak ?

SHRI A. CHARLES (Trivandrum) : I will take only two minutes if I am not interrupted.

MR. DEPUTY SPEAKER : You are a senior politician. You know how to put things. You please use such language which does not give any room for agitation.

SHRI A. CHARLES : When I speak, I speak with conviction. I have 25 years of experience in the Kerala Public Service Commission and I was responsible for implementing the reservation policy of the Government of Kerala. I was also a Member of the Public Service Commission. I know how the reservation policy has to be implemented. I am sorry to say that a List of communities eligible for reservation was not included along with the orders. That was the main reason why reservation could not be given to the backward communities. [Interruptions]

MR. DEPUTY SPEAKER : Don't take the precious time of the House, by making commentaries. There is a limit. Sometimes you do agitate. But there is a limit for that. Don't go beyond that.

SHRI NITISH KUMAR : We know that he was a member of the Kerala Public Service Commission. It is in Who is Who.

SHRI RANGARAJAN KUMARA-MANGALAM : Who is Who does not say who belongs to OBC. You must withdraw it.

SHRI A. CHARLES : Coming to the creamy layer, as a Member of the Congress party, I am committed that the real benefit should go to the poorest of the poor. In Kerala, some educational concession is given to the backward communities. There is some economic barrier.

My son applied for admission in the medical college. He did not get it. But from my own community, another boy with lower marks, when he applied for admission, he got it.... [Interruptions]*

MR. DEPUTY SPEAKER : We can remove that portion.

SHRI A. CHARLES : We stand for the poorest of the poor. I want the reservation

policy to be implemented. The poorest of the poor of the backward communities should be really benefited.

SHRI NITISH KUMAR : I, on the floor of the House, has demanded exclusion of MPs and MLAs from the benefits of reservation.

SHRI A. CHARLES : I would plead in the name of crores of backward community people, let the leaders of all the Parties sit together and arrive at a consensus on the implementation of the reservation policy...[Interruptions]*

SHRI SRIKANTA JENA : There is a limit to all these things.

MR. DEPUTY SPEAKER : It will not go on record.

SHRI A. CHARLES : Instead of politicising the issue, let all leaders come together and take a decision to give the benefit to the poor section of the backward communities [Interruptions]

*Not Recorded.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada) : Sir, we feel very much disappointed. [Interruptions]

MR. DEPUTY-SPEAKER : By this kind of agitation, do we achieve anything except getting ourselves exhausted, terribly emotional? We are coming to the fag end of the Session. Please keep yourselves in good humour. You have got a wonderful cultural programme, dance and all such things.

[Translation]

SHRI SURYANARAYAN YADAV (Sahasara) : Sir, it appears as if they are wrestling.

[English]

MR. DEPUTY-SPEAKER : The TDP has not represented. The Janata Dal has represented. The Janata Dal Members have spoken and expressed their feelings. Should he be denied of an opportunity? Shri Fatmi, you should have a limitation for that. Shri Sobhanadreeswara Rao, you please put it in such a capsule that everybody digests it. [Interruptions]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED) : Sir, I am on a point of order.

MR. DEPUTY-SPEAKER : What is your point of order? [Translation]

SHRI P.M. SAYEED : The hon. Welfare Minister has made a statement. In this House, after the statement is made, as you know, there is no clarification made. I just want to know your ruling in this regard. After the statement has been made, every party is represented. The Members are speaking. Are you going to allow the hon. Minister to make a clarification? If that is so, is it going to be a precedent? I want to know your ruling on that point. You have to give me your ruling. In the other House-Rajya Sabha-when a statement is made, clarification is given. It is permitted under the rules. Members have the right to seek clarifications. Is it going to be a precedent? I want to know your ruling on this point.

[Translation]

MR. DEPUTY SPEAKER : Surya Narayan Yadavji, please take your seat [Interruptions]

[English]

MR. DEPUTY-SPEAKER : The point raised by the hon. Minister Shri P.M. Sayeed is perfectly correct. It is the established principle in this House that whenever an hon. Minister were to make a statement either on request or *suo moto*, no further clarification is allowed. So far, it has not been allowed. Even today, in the beginning also I prevented the Members from doing this. I brought this to your notice. But, unfortunately, my feeble voice could not have greater influence on your strong voice. I also told that we have definitely broken the rules and we have established such an unwanted precedent which shall not be allowed to be copied another time. I have made this point absolutely clear.

AN HON. MEMBER : The point is that it should not be copied next time. Is it so?

MR. DEPUTY-SPEAKER : Yes, it should not be copied next time.

SHRI P.M. SAYEED : Is it one time exception?

MR. DEPUTY-SPEAKER : I do not like to call it an exception. Under protest only, it is going on. Even now, I am convinced.

[Interruptions]

SHRI RAM KRIPAL YADAV (Patna) : It is an allegation on the Member of our party [Interruptions]

[English]

SHRI P.M. SAYEED : Am I to understand that it is not going to be a precedent?

MR. DEPUTY-SPEAKER : Yes, it should not be quoted as a precedent.

SHRI SRIKANTA JENA : May I remind Shri Sayeed that when he was in the Chair earlier, once this had happened?

SHRI P.M. SAYEED : I want to set the record straight. When I was presiding over the House, I had never set such a precedent. [Interruptions]

SHRI UMRAO SINGH (Jalandhar) : As per the rules here, no clarification or debate is allowed on the statement of a Minister. What has happened has happened against the rules. Anything said against the rules cannot form part of the proceedings. Therefore, I want all these things should be expunged. Against the rules, nothing can be said here. [Interruptions]

19.00 hrs.

MR. DEPUTY-SPEAKER : The point raised by our friend is also equally very important. If the subject happens to be an extra-ordinary one, then you will find everything on record.

[Interruptions]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : In the Rules Committee meeting, I very clearly remember that I myself had moved an amendment saying that let us follow the rules as provided in the Rajya Sabha. The understanding in the Rules Committee was that we need not get it written down in the rules but if necessary, it would depend on the discretion of the Chair to allow this kind of discussion. And after that, there have been so many occasions when such a thing has happened. And this is happening nowadays quite frequently. Therefore, all those questions whether they are valid or not, whether expunction should take place or not, are not relevant. [Interruptions]

MR. DEPUTY-SPEAKER : Nirmalji, in the Rules Committee, you can move an amendment and bring it to the House. Chair also will feel extremely happy; Members also will feel extremely happy. Let us await for a happy day.

[Interruptions]

SHRI P.M. SAYEED : is it a rule?
[Interruptions]

SHRI NIRMAL KANTI CHATTERJEE :
There are certain conventions [Interruptions]

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): I am on a point of order. The point of order is very simple. It is now 7 O'clock. According to the decision of the BAC, we are supposed to sit everyday upto 7 O'clock. We were supposed to take up Half an Hour Discussion at 5.30 p.m. We decided thereafter that we would give fifteen minutes more for Private Members' Business because we had spilled over initially. Now Half an Hour Discussion was required to be taken up between 5.45 p.m. to 6.15 p.m. That is also over. This one statement has dragged us from 5.45 p.m. to 7 O'clock. If we are going to sit further, we have to decide how much we are going to sit and what business we are going to do. Or are we going to continue only like this? Let us decide it. Let the House decide it. I would like to know this. But sitting beyond 7 O'clock without extension will not be correct. So, I would suggest that you take the sense of the House for extension. What is the business we are going to do? If this method is going to be adopted that a few can always enter the well of the House and insist on a discussion against the rules, against the BAC, against the system, it is for you. [Interruptions]

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): First of all, I thank you for giving me this opportunity. First of all, on behalf of the Telugu Desam Party, I express the serious exception to the statement of the hon. Minister. [Interruptions]

SHRI RANGARAJAN KUMARAMANGALAM: Ruling has to be given.

MR. DEPUTY-SPEAKER: Mr. Kumaramangalam has raised a very relevant point. We have consumed time which was allotted to different subjects. Whatever he has said really is a matter of which everyone has to think.

[Interruptions]

SHRI NITISH KUMAR (Barh): He is trying to derail the whole issue this way or that way. [Interruptions]

MR. DEPUTY-SPEAKER: He is absolutely right. Now we have got the Half an Hour Discussion and also we are expected to complete the business on Jammu and Kashmir. May I request every hon. Member to sit up to 8 O'clock and complete the business?

[Interruptions]

MR. DEPUTY-SPEAKER: Please hear me. We do not like to follow the rules; we do not like to stick to the timings and we also do not like to sit for a long time. Does it bring any glory to our status in the society?

Shri Rao, to speak now.

SHRI SOBHANADREESWARA RAO VADDE: Mr. Deputy Speaker, Sir, on behalf of Telugu Desam Party, I take serious exception to the hon. Welfare Minister's statement, in spite of our personal regard to him. Though this statement.....

MR. DEPUTY-SPEAKER: Shri Rao, on the Supreme Court's judgement, lot of discussions have already taken place. So, please tell what is your opinion.

SHRI SOBHANADREESWARA RAO VADDE: I am coming to that point.

[Translation]

DR. LAXMINARAYAN PANDEYA: Mr. Deputy Speaker, Sir, you have not clarified as to how long we have to sit.

[English]

MR. DEPUTY-SPEAKER: I have already said that we are going to sit upto 8 O'clock.

[Translation]

SHRI NITISH KUMAR: 8 O'clock is all right.

[English]

DR. LAXMINARAYAN PANDEYA: Are we taking another one hour only on this issue? [Interruptions]

MR. DEPUTY-SPEAKER: Probably, we are forgetting the rules and regulations and about the decorum in the House. I feel extremely sorry for it. I want that every individual Member should have some reservations before saying anything against the rules.

SHRI SOBHANADREESWARA RAO VADDE: Mr. Deputy Speaker, Sir, it only shows that the Government's intention is to throw the blame on the opposition rather than implementing the Supreme Court's judgement.

MR. DEPUTY-SPEAKER: Shri Rao, leave that aspect. It has been raised again and again.

SHRI SOBHANADREESWARA RAO VADDE: Sir, I will take just two minutes.

MR. DEPUTY-SPEAKER: If you take two minutes, what will be the fate of the Chair in bringing the House back, once again, to the normal condition?

SHRI SOBHANADREESWARA RAO VADDE: Please hear me, Sir. It only shows that the Government's particularly, the Congress-I party's disinterest and its failure to implement the Mandal Commission Report. It took 11 years for Shri V.P. Singh's Government to implement this Mandal Commission report. Otherwise, even now, it would not have come to this stage at all. The Report was submitted in 1980 but, the Congress Government never took it seriously to implement it because it never had the interest in the backward classes and other OBCs.

MR. DEPUTY-SPEAKER: Shri Rao, please listen to me. Otherwise, whatever you say will not go on record. I am sorry; I have been repeatedly telling you that you have to express what you feel about it?

SHRI SOBHANADREESWARA RAO VADDE: What is it you are saying, Sir?

MR. DEPUTY-SPEAKER: You are going on telling the entire story. People have got

their own limitations. I can do one thing, Shri Rao. I will call your name in the end and then you can speak for any length of time. Shall I do that?

SHRI SOBHANADREESWARA RAO VADDE: Sir, I would have completed by this time. My only submission to the Government, the hon. Minister for Welfare is that instead of taking some pretext in delaying the matter, kindly implement it without any further delay because people, especially those belonging to the backward classes, they have lot of doubts about the sincerity of this party in the implementation of this Mandal Commission's recommendations, keeping in mind the Supreme Court's judgement.

[English]

We request the Government to take up the implementation of that Report very earnestly.

[Translation]

SHRI MOHAMMAD ASHRAF ALI FATMI (Darbhanga): Mr. Deputy Speaker, Sir I am thankful to you for giving me an opportunity to speak with regard to the reference to the Government's open mind as has been claimed by the Government just now. I would like to submit as to how the Congress Party maintains an open mind on this issue. It is very much clear from the protest they are launching here. They are not ready even to listen to us. If they have clear intentions, they should not behave in this manner. They are behaving like a father who refuse to give money to his child to get a toffee on the plea that it is harmful to his teeth. The time has come when people would snatch it: Therefore, the Government should take measures to get the Mandal Commission report implemented in the right earnest as it was implemented by Shri Vishwanath Pratap Singh and as per the order of the Supreme Court. I have got an impression that the Congress party is reluctant to implement it. If it implements the report, we would give them full support. Therefore, the Government should make an immediate announcement to this effect.

SHRI MADAN LAL KHURANA (South Delhi): With regard to the allegation levelled on BJP by one of the hon. Members of the Congress party, I would like to submit that the BJP in its election manifesto in 1989 had given an assurance to implement the Mandal Commis-

[Sh. Madan Lal Khurana]

sion Report, while the manifesto of the Congress Party did not contain any such thing. I would like to remind the hon. Members about this promise. Shri Harish Rawat had said that their manifesto did contain such an assurance, I had challenged him on this issue and had brought a copy of their manifesto which did not contain any such assurance.....[*Interruptions*]....They may bring it just now.

My submission is that the point raised at present is simple that the Congress Party makes repeated promises, but is not interested in implementing the judgement of Supreme Court on Mandal Commission. the matter is being postponed deliberately. I would like to clearly point out that despite clear instructions given by the Hon. Speaker that day, the statement made by the Government is very discouraging. Had the Government been serious over the matter, it would have held a meeting of all the leaders of opposition and decided the matter.

Tomorrow, the session is going to be over. The Parliament should have apprised the public of an important decision taken in the Parliament. There would be a gap of about 3-4 months before the next session commences. Then only the Government could be asked to give the reply. Therefore, my submission is that the Congress Government is not interested in implementing the report. The matter is being delayed deliberately and allegations are being made on other political parties. This is my only submission....[*Interruptions*]...

SHRI RAJENDRA AGNIHOTRI (Jhansi): Mr. Deputy Speaker, Sir, the hon. Minister is present here and he has made a statement. The House wants the recommendations of Mandal Commission to be implemented. It is not the first instance that this matter is raised in the House, rather it has been raised from time to time during the recent past. Today, the entire country wants the recommendation to be implemented. The Supreme Court has given a clear verdict in this regard. This House wants to know what intentions does the Government have. Does it obey the law or not? It should make it clear whether it wants to give due rights to the people of Scheduled Castes and Schedule Tribes. We would fight for a social justice. Therefore, the Government should clear its intentions with regard to the implementation of the report.

[*English*]

SHRI SRIKANTA JENA (Cuttack): I want to take one minute Sir.

MR. DEPUTY-SPEAKER: Mr. Jena, my point is that it amounts to a debate.

SHRI SRIKANTA JENA: I just wanted to help Kesriji, since he has made a statement.

SHRI UMRAO SINGH (Jalandhar): I protest against the same Member speaking for the second time on the same subject. [*Interruptions*]

SHRI SRIKANTA JENA: The Minister wanted an all-party meeting. Now all the political parties have expressed their view. [*Interruptions*]

MR. DEPUTY-SPEAKER: This subject is closed. Now we take up the Half-an-Hour discussion.

[*Interruptions*]

MR. DEPUTY-SPEAKER: The hon. Minister is ready to make a statement. Kindly oblige.

[*Interruptions*]

MR. DEPUTY-SPEAKER: Otherwise, we have to sit one day more.

[*Interruptions*]

SHRI RANGARAJAN KUMARAMANGALAM: Sir, the Minister must be heard fully. Even if one person interrupts, he will sit down. [*Interruptions*]

SHRI SRIKANTA JENA: Sir, why is it so? The Minister has only brought this kind of a thing in this House. [*Interruptions*] Sir, who will control the House? [*Interruptions*]

SHRI MOHAMMAD ALI ASHRAF FATMI: Sir, the Minister cannot dictate terms. [*Interruptions*]

SHRI RANGARAJAN KUMARAMANGALAM: Sir, the Government is one; we are not dictating. Sir, the way they are doing is not correct. They cannot run the House like this. [*Interruptions*]

[Translation]

THE MINISTER OF WELFARE (SHRI SITARAM KESARI) : Mr. Deputy-Speaker, Sir, the hon. Members of various political parties have reacted to the statement made by the Government and in this regard, I would like to point out specifically that we have respect for the hon. Members irrespective of the parties to which they belong and we do have great sympathy for Shri Vishwanath Pratap Singh. I would like him to return to Delhi and not to leave the capital.

So far as the objections raised with regard to the creamy layer I am certainly ready to think seriously over it. Shri Atal Bihari Vajpayee and Shri Chandra Shekhar—when staged a walk out had proposed to hold a meeting of all political parties to decide the matter. Accordingly, we wrote letters, I do agree that the hon. Members are distressed over this issue. Whatever may be the situation but my submission is that a meeting has been convened at 10.30 a.m. on Monday. A notice to this effect has already been issued. We would review the matter of creamy layer. I do agree.....[Interruptions]...Please listen to me. I would like to submit to the hon. Members that we would obey the observations of the hon. Speaker in right earnest, and with regard to the judgement of the Supreme Court on the Mandal Commission Report. 27 per cent...[Interruptions]...

SHRI DEVENDRA SINGH YADAV (Jhansipur) : Please fix the time limit.

SHRI SITARAM KESRI : Let me speak. The last meeting which will be held....

SHRI SRIKANTA JENA (Cuttack) : Please hold it tomorrow.

SHRI SITARAM KESRI : It can be held tomorrow....[Interruptions]...

SHRI NITISH KUMAR : We have expressed our views

SHRI SITARAM KESRI : I will hold an all party meeting tomorrow. The time will be according to your convenience...[Interruptions]...

SHRI NITISH KUMAR : Let it be implemented.

SHRI SITARAM KESRI : Tomorrow will be the last meeting. After that, neither any meeting will be held, nor any implementation order

will be issued....[Interruptions]...Please listen to one more thing. Listen to me....[Interruptions]...I have said that a meeting with the opposition will be held tomorrow. The House will decide on 'Creamy layer', but, if the judgement of the Supreme Court does not uphold the provision of creamy layer we should not accept it. This is also our view. If the judgement of the Supreme Court does not uphold the provision...[Interruptions]...

SHRI NITISH KUMAR : You are again creating confusion.....[Interruptions]...

SHRI SITARAM KESRI : We are holding this all party meeting to discuss how much of it will be implemented. After this, no meeting will be held and only the provision will be implemented....[Interruptions]...

SHRI NITISH KUMAR : Nothing is clear. Our views are known, as we have already expressed. You want to postpone it and you did not say anything about the date of implementation. We, therefore, boycott the House.

19.20 hrs.

(Shri Nitish Kumar and some other hon. Members then left the House).

SHRI SURYA NARAYAN YADAV (Saharsa) : Mr. Deputy Speaker, Sir, the hon. Minister has not said anything about the time limit. We are much disappointed. While opposing it, also boycott the House with my party.

19.21 hrs.

Shri Surya Narayan Yadav and some other hon. Members then left the House. (Interruptions)

[English]

SHRI RANGARAJAN KUMARAMANGALAM : I must register my protest. This walking out after all this thing shows that it is only purely political motivation and no intention of at all getting the Mandal Commission recommendations implemented. (Interruptions)

MR. DEPUTY-SPEAKER : Now, we shall take up the next subject-half-an-hour discussion.

(Interruptions)

MR. DEPUTY SPEAKER: We have to complete it. The mover will have literally five minutes. There are four other people who have to participate.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): Sir, in the morning, Shri Atal Bihari Vajpayee had asked about the security to that advocate, Mr. Randhir Jain.

[Translation]

Shri Atal Bihari Vajpayee had asked as to how and why security was provided to him. Shri Randhir Jain has connections with Harshad Mehta, as he provides him legal service. When security was given to Shri Mehta, Shri Jain also asked for security. Accordingly, the government asked Delhi Police to provide him protection. His demand was assessed as a threat, because after the statement made by Harshad Mehta, he also told about his involvement in it and so, security was provided to him....(Interruptions)....

MR. DEPUTY-SPEAKER: No further question.

(Interruptions)

MR. DEPUTY-SPEAKER: It looks that deliberately we are not prepared to run the House as per the rules and regulations.

(Interruptions)

MR. DEPUTY-SPEAKER: Please excuse me.

(Interruptions)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(Interruptions)*

MR. DEPUTY-SPEAKER: It is a question of Chair being fair to you. You have also to be fair to the Chair. Nothing will go on record.

(Interruptions)*

MR. DEPUTY-SPEAKER: Kindly oblige me.

(Interruptions)

MR. DEPUTY-SPEAKER: We are to run the House?

(Interruptions)

MR. DEPUTY-SPEAKER: Very Sorry.

(Interruptions)

MR. DEPUTY-SPEAKER: Mr. Madan Lal Khurana, if you want to copy any other political party, I have no objection. You can copy, but I am very much inclined to follow the rules and regulations.

(Interruptions)

MR. DEPUTY-SPEAKER: In the previous case, we tremendously ruptured the rules existing in the House. Would you like to do it in the same way?

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal): No, Sir. (Interruptions)

MR. DEPUTY-SPEAKER: If you are very much inclined to break the rules, I keep quiet. You can do whatever you like.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: We are a very disciplined party. (Interruptions) Today, after your ruling, Mr. Madan Lal Khurana wanted to ask one question. He was not allowed. (Interruptions)

MR. DEPUTY-SPEAKER: Kindly take your seat.

If you get agitated in this fashion, how can the House be run? Madan Lalji, you may not agree with the statement made by the hon. Minister and you may differ with it 100 per cent.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: It will go on record.

*Not Recorded.

[English]

MR. DEPUTY-SPEAKER: Please hear me. You have made the rules that whenever an honourable Minister were to make a statement, no further clarifications can be sought. It is that you have made the rules.

(Interruptions)

[Translation]

SHRI RAJENDRA AGNIHOTRI (Jhansi): We had demanded a statement...*(Interruptions)*

[English]

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal): Sir, the Minister was wanting to reply after he made the statement and he was getting up. It was because of your direction, he sat down. Just because we are a disciplined party, should we always suffer? When you ruled that after the statement, no questions will be asked, we sat down. Now, what was happening for the last few hours? *(Interruptions)*

How does it become a national security issue. *(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS SHRI RAJESH PILOT: It was not national security. It was the Delhi Police which gave security, on his request, after assessment.

[Translation]

SHRI MADAN LAL KHURANA: How did you recommend for a wrong person like him.

SHRI RAJESH PILOT: Security has been provided to Harshad Mehta for some administrative reasons, so that facts can be found.

SHRI MADAN LAL KHURANA: This should be investigated...*(Interruptions)*...How a letter was given to that person and whether he was sent to a foreign country or not.

19.28 hrs.

HALF-AN-HOUR DISCUSSION

Treating of a Portion of Dearness Allowance as Basic Pay

[Translation]

DR. LAL BAHADUR RAWAL (Hathras): Mr. Deputy Speaker, Sir, I am to you for allowing me to speak on Half-an Hour discussion regarding treating of a portion of dearness allowance as basic pay. Some of my colleagues had put up an Unstarred Question on 30th July, 1993 regarding merger of dearness allowance with basic pay but the reply of Hon'ble Minister to that question was a routine one. He put off the question by saying that it was under consideration. This question had been raised time and again but everytime the Government put it off and did not resolve it. There are around 35 lakh employees working in the Central Government Offices and the number of State Government employees is several times more. They all have their own wage problems. And as a result of non-redressal of their problems there is great resentment among them.

They have decided to go on an indefinite strike from next month. The Central Government is not taking any interest in the redressal of their problems. No satisfactory answer is being given to them. This matter has been raised several times in the House but kept lying pending by merely saying that it is under consideration. If the staff of essential services will go on indefinite strike it would disrupt people's life in the country. Railway Board, Income tax department, Audit and Telecom departments etc. come under essential services. The wage problems of these employees should be solved at the earliest. Otherwise, these employees will go on an indefinite strike. Their National Joint Action Committee has decided to fix the date for starting indefinite strike at its meeting Schedule to be held on 8th of September.

Mr. Deputy Speaker, Sir, the demands of Central Government employees and State Government employees have been a long-standing one which have been supported by me and the leaders of my party. Their demands are definitely justified. The interim relief provided to them as a result of a constant increase in the prices is not given as per rules. The Joint Consultative Machinery, known as J.C.M. had