

MR. DEPUTY SPEAKER : I shall now put the amendments made by Rajya Sabha to vote.

Clause 7

MR. DEPUTY SPEAKER : The question is:

"That at page 6, after item (c) of the first proviso to sub-clause (2), the following item be inserted, namely :

"(d) that the foreman had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five years has elapsed since his release."

The motion was adopted.

Clause 16

MR. DEPUTY SEPAKER : The question is :

"That at page 9, For sub-clause (3), the following sub-clause be Substituted, namely:

(3) Where any draw was not conducted on the ground that two subscribers required to be present at a draw under sub-section (2) were not present or on any other ground, the Registrar may, on his own motion or on an application made by the foreman or any of the subscribers, direct that the draw shall be conducted in his presence or in the presence of any person deputed by him".

The motion was adopted.

SHRI JANARDHANA POOJARY : Sir, I beg to move:

"That the amondments made by Rajya Sabha be agreed to".

MR. DEPUTY SPEAKER : The question is :

"That the amendments made by Rajya Sabha be agreed to."

The motion was adopted.

14.08 hrs.

DISCUSSION ON THE REPORT OF THE BACKWARD CLASSES COMMISSION, 1980

MR. DEPUTY SPEAKER : Now we come to the discussion under Rule 193. Shri Ram Vilas Paswar.

(Interruptions)

PROF. MADHU DANDAVATE (Rajapur) : Sir, this is such an important subject that affects vast sections of the population of the country and I am surprised to find that there is no quorum in the House. Sir, I formally raise the question of quorum.....

(Interruptions)

SHRI RAM VILAS PASWAN (Hajipur): All our Ministers belong to the upper castes.

(Interruptions)

MR. DEPUTY SPEAKER : Prof Dandavate, there is quorum in the House. I have counted. There is quorum.....

(Interruptions)

SHRI SOMNATH CHATTERJEE (Jadavpur) : I am happy that Shri Shiva Shanker is present.

MR. DEPUTY SPEAKER : These things happen sometimes. There are more people here sometimes and sometimes there are more people on this side. I can only take care of quorum; I cannot ask everybody to come. Prof Dandavate raised the question of quorum and I say there is quorum.

SHRI SOMNATH CHATTERJEE: There is quorum because of the presence of the Opposition Members. That should be noted.

THE MINISTER OF DEFENCE AND HOME AFFAIRS (SHRI R. VENKATARAMAN): There is no role of procedure that the quorum should be only of this side. It is the quorum of the House.

SHRI RAM VILAS PASWAN : Sir, you are also one of the Members of the backward classes and you are the champion for the cause of the backward classes. You must realise....

MR. DEPUTY SPEAKER : I am here as a Member of Parliament elected from the Madras City North.

SHRI CHANDRAJIT YADAV : (Azamgarh): Sir, I am on a point of order

MR. DEPUTY SPEAKER : What is your point of order? You ask for clarification.

श्री राम विलास पासवान : उपाध्यक्ष महोदय, मैंने इसीलिए उस दिन कहा था (ब्यवधान).... नहीं नहीं, अभी मैं प्वाइन्ट ऑफ आर्डर पर हूँ। (ब्यवधान)..... अंडर रूल 376 मेरा प्वाइन्ट ऑफ आर्डर है। मेरा यह कहना है कि मैंने उस दिन आबजेक्शन उठाया था और प्रमेंडमेंट दिया था। मैंने उस दिन कहा था कि मंडल कमीशन को आप नियम 184 के अंतर्गत लें, उसमें मेरा उद्देश्य यही था कि उस के अंतर्गत यह मोशन के रूप में आएगा और तब एमपीज बाउण्ड रहेंगे यहां पर प्रजेन्ट रहने के लिए, गवर्नमेंट को भी डर रहेगा कि वोटिंग हो सकती है, लेकिन उस दिन विश्वास दिलाया गया था कि इस को उतनी ही गंभीरता से लिया जाएगा जितना 184 में। आज हमको लगता है कि जानबूझकर सरकारी पक्ष के लोग चले गए हैं, केवल पांच सात मੈम्बर्स को छोड़कर सभी हरिजन एवं पिछड़ी जाति के सदस्य हैं। इस का मतलब है कि यदि शेड्यूल्ड कास्ट्स, शेड्यूल्ड ट्राइब्स और बैकवर्ड क्लासेज पर बहस होगी तो सिर्फ उसी क्लास के लोग यहां पर रहेंगे? यह ट्रेजरी बँचवैज का ट्रेन्ड दिखाई पड़ता है, मैं इस के खिलाफ अपना प्रोटेस्ट रजिस्टर करता हूँ। संसद कार्य मंत्री जी बैठे हुए हैं, क्या उन की जिम्मेदारी नहीं थी

कि बहिष्प जारी करते और अपने लोगों को यहां रहने के लिए कहते? इतना इम्पार्टेन्ट इश्यू लिया जा रहा है, उन को अपने मैम्बरों को यहां रहने के लिए कहना चाहिए था।

MR. DEPUTY-SPEAKER: Mr. Paswan, I do not want another discussion here. He has raised some point. The Business Advisory Committee report has already been debated by the House. You have to raise a debate under 193. It has been accepted by the House. According to the Business Advisory Committee Report, I am asking Shri Paswan to raise a discussion on the report of the Backward Classes Commission 1980-81 laid on the table of the House on 30th April, 1982.

श्री जगपाल सिंह : इस पर प्रधान मंत्री जी को भी यहां मौजूद होना चाहिए था।

SHRI CHANDRAJIT YADAV : I am on a point of order. Under the Constitution, Article 340 (2) and (3), I will just remind you that there is a proviso also. A privilege motion is pending before the House. Perhaps it was moved by our colleague Pro. Dandavate and Shri Paswan also. I am sure you will agree with what I say. You know that this is a constitutional provision that the Backward Classes Commission will be appointed because the founding fathers of the Constitution knew our Indian Society. There is another clause also which needs special help and Special assistance for the upliftment of these people. Article 340 was made a part of the Constitution. Otherwise any kind of an aid, help or assistance or programme may be made for any section of the people. But, this is a constitutional provision pending on the Government to appoint this Commission. It is unfortunate that after 32 years of the Indian Constitution having come into existence, the Government has shown, I should say, a total criminal negligence, callous attitude towards this class of the society which constitutes 52% of our population. Mandal Commission has done one good work besides other

things. I have not gone into details, They have made the country know that the other backward classes constituted 52 percent of our population.

Sir, the first report was made. You know the fate of it. It was not even allowed to be discussed in this House. This is the attitude of the Government towards this major section of our society. Now, the Second Commission submitted its Report one and a half years ago. After that the Government had enough time to study the recommendations of the Commission and ask for the reports from the State Governments if they so desired and take certain effective measures for the upliftment of the backward classes.

Sir, the Constitution makes it binding on the Government and I quote Article 340 (2):

“A Commission so appointed shall investigate the matters referred to them and present to the President a report setting out the facts as found by them and making such recommendations as they think proper.”

This work has been done by the Commission. Now sub-clause (3) says :

“The President shall cause a copy of the report so presented together with a memorandum explaining the action taken thereon to be laid.....

On that Report which has been presented to the President of India what the Government has done on the recommendations. That is binding here on the Government.

..before each House of Parliament.”

Sir, I will just remind you when this Report was presented here and it had been presented because all sides of the house so desired. They wanted that it being an important Report it should be presented before this House. I must thank the Speaker also because he also showed lot of interest and he saw to it that this Report was presented. Now, this Report has

been presented. But at that time it was considered that if we really speaking raised this point at that time the Government will further delay the presentation of the Report. So we did not press it at that time. I would also like to say that many hon. Members of this House from both sides met the hon. Prime Minister and she took personal interest and asked the Home Minister at that time to make the statement in both Houses that reports have been called for from the States and as soon as possible Government will take necessary steps on that. It was last Session when the Report was placed. The Government had enough time if the Government was sincere and serious for the implementation of those programmes and steps to be taken in the interest of backward classes of the country. But I am sorry to say that Government has failed to fulfil its responsibility and Government is leaving these matters to State Governments and most of them are sleeping on that. (*Interruptions*).

Sir, I am saying you come from one of a very important southern States and most of the southern States I must say have done their duty in this respect but most of the northern States are guilty for not taking any steps in this direction. Therefore, I want to know from the Home Minister what are the circumstances that even after more than one and a half years Government has not been able to take steps and also have not been able to take certain decisions and if those decisions had been placed before the House the discussion would have been much more meaningful. This is my point of order. So, I request you that before Mr. Paswan speaks let the Home Minister explain to this House why Government has failed in its primary and important duty towards this important section of the society.

MR. DEPUTY SPEAKER : You have raised an important point but this is not a point of order. Anyhow when the Minister replies to this he can deal with all the points that you have raised.