

SHRIMATI MARGARET ALVA :  
How? (*Interruptions*)

SHRI CHANDRA JEET YADAV  
(Azamgarh) : You cannot dictate the Speaker like that. You are a Minister and you should at least follow the rules. (*Interruptions*)

SHRI SOMNATH CHATTERJEE : This is a very bad system. the Ministers intervening like that. It is nothing to do with their Departments. Most disturbing Ministers. (*Interruptions*)

SHRI CHANDRA JEET YADAV :  
Sir, without your permission. let the Ministers not speak like that.

MR. SPEAKER : May I ask the young, enthusiastic and very knowledgeable Ministers to address the House, through the Speaker?

SHRI SOMNATH CHATTERJEE : You should have an Orientation Course for them.

SHRI JASWANT SINGH (Chitorgarh) : Mr. Speaker, Sir. I am sure, you will appreciate the gravity of the situation wherein the Speaker of the Legislative Assembly of Meghalaya becomes the Leader of a political party and is attempting to function in a dual role simultaneously.

while, as Leader of a political party, he is exercising his functions as the Speaker and is threatening. Please let it not be considered as impertinence, if I were to suggest... (*Interruptions*)

SHRI JASWANT SINGH : It is a very unusual situation. It is so unusual, therefore, I am commenting on it. Normally, I do not. (*Interruptions*)

SHRI SOMNATH CHATTERJEE : As a Speaker of the Lok Sabha, you have to kindly give your ruling. (*Interruptions*)

MR. SPEAKER : I can understand the feelings of the Members belonging to different parties, and at the same time, supposing we discuss what happens in other Legislatures or discuss what the Presiding Officer over there is doing, then it becomes a precedent and it creates difficulties.

So, I would request the Members not to please raise it and you can do it in a different fashion, outside also. But if we discuss what is happening in other Legislatures, then it becomes a precedent.

(*Interruptions*)

MR. SPEAKER : There is nothing to clap.

(*Interruptions*)

[*Translation*]

MR. SPEAKER : If you do like this it would be very difficult for me. I am on my legs and you are speaking.

(*Interruptions*)

[*English*]

MR. SPEAKER : Let us stick to it. We are on a very important Resolution. We are all interested in knowing Shri V. P. Singh's view on this. May I request him to please come to the Motion and express his opinion.

(*Interruptions*)

17.00 hrs.

**Motion re. atrocities on the scheduled castes and scheduled tribes and other weaker sections in the country—  
contd.**

[English]

**MR. SPEAKER :** The House will now take up further consideration of the following motion moved by Shri Ram Vilas Paswan on the 13th August, 1991, namely :—

“That this House do express its concern over the atrocities being committed on the Scheduled Castes and Scheduled Tribes and other weaker sections of the society in the country and urge upon the Government to take early necessary steps to prevent their recurrence.”

[Translation]

**SHRI VISHWANATH PRATAP SINGH (Fatehpur) :** Mr. Speaker, Sir, the brutal killing of people belonging to Scheduled Castes and scheduled tribes in Tsundur village of Guntur district is certainly heart rending. But if we want to know the reason behind such incidents we may have to delve deep into the history of thousands of years. This incident is not a local incident. It is a volcano which bursts here and there. These killings are a reflection on the Government. The organs of Government like the police and others were present but they were mute spectators, as they have been for thousands of years. The Scheduled Castes are discriminated socially, politically and economically and there are cases where they were mutilated and thrown in the drains. This is all because of our system and this incident is just a reflection of that. But what is the attitude of the ruling elite. The district magistrate remained unaware of the situation for twenty four hours. The incident took place on 6th of the month and after three days when the hon. Chief Minister met the hon. Minister of Home Affairs the lat-

ter stated that he did not possess definite information. This reveals the true picture of the entire system. It was really a ruthless murder. Let us for the moment keep this system aside. The entire system is so insensitive that it did not even care to collect the details of the incident. On the other side Dr. Ravi Chandra Verma who belonged to a Scheduled Tribe and conducted the post-mortem of the dead bodies suffered such an agony that he committed suicide. What is the reaction of a particular section of the society against which injustice has been done. For them it is a great tragedy so Dr. Ravi Chandra Committed suicide. But what is the reaction of the ruling class? It is an irony that they totally remained unconcerned of what happened in the various parts of the country. On being passed the information by Shri N. T. Ramarao in the evenings of the day of the incident Shri Paswan promptly submitted a memorandum the very next day.

**SHRI BUTA SINGH (Jalore) :** It is not the ruling party but the ruling class.

**SHRI VISHWANATH PRATAP SINGH :** I am referring to the class and not levelling charges against others to acquit myself. It is a matter of great concern for all of us.

**SHRI BUTA SINGH :** You referred to the ruling party.

**SHRI VISHWANATH PRATAP SINGH :** I did not mean a party. We are all equally responsible for it. It is not a matter of making allegations and counter allegations. It is a matter of self-contemplation and it would be a good gesture if the Minister of Home Affairs visits the place. My submission is that the hon. Prime Minister

should also go there. It would be a signal to the administration that it should remain vigilant and alert. It is not an allegation, Buta Singh ji. Such happenings cause pain and when this pain crosses the stage of anguish it causes commotion. That is the situation today.

When I was the Chief Minister an incident took place. Some persons belonging to Scheduled Tribes were killed. Some persons belonging to the backward classes were also killed the same day. Police was not involved in it. But as I was holding such a responsible post, I asked myself whether I had any right to be in that place. There is no law or rule to force anybody to think on these lines. But when we are holding high positions we must ask such questions from ourselves because we are responsible for such a situation. But it is not provided in any statute book. We, who are holding high posts, will have to set some examples in public life. It is not that we do that work with our own hands. But when an untoward incident takes place, we must share the responsibility and listen to the voice of our conscience. There is no need to sacrifice life as Shri Ravi Chandra did. However, one can resign in protest. An awareness should be created so that such matters are taken seriously while importance of the role of police and Government is indisputable. It is there in this case and it is indisputable. They have a direct responsibility.

Whenever any untoward incident takes place persons belonging either to the backward or to the neglected sections of society become target. In Delhi itself houses of Shri Paswan's and Shri Anadi Charan Das who is

the Chairman of Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes were set on fire. Jatia ji also related a similar incident. Why only such people become the target? How these happenings can be checked? It is absolutely correct that the administration should take action in this regard. The demand to set up special courts is also justified. The investigation report of a judge will again have to be brought in court.

**SHRI SURAJ MANDAL (Godda):** He should also belong to the Scheduled Caste or Scheduled Tribe.

**SHRI VISHWANATH PRATAP SINGH:** I will come to that also. The previous National Front Government had decided that special courts would be set up in each district. I think that Shri Paswan's proposal of setting up an exclusive court would enable the Government to provide justice. At the same time the officials who are negligent in their duty should be awarded severe punishment which should serve as a warning to others. Those who were present at the spot, should be dismissed with immediate effect. The matter should be dealt in a proper administrative manner. However, we will have to go deep in order to find out how such incidents can be stopped. If we fail to understand the social structure we would not be able to understand these injustices. Power is misused to commit atrocities. But who possess power and strength? Those on whom they are applied definitely do not have it. Now the thing is that if they are to be saved, powers should be shared with them. Until it is done, power would continue to be used against them. The use of

power against them can only be stopped by making them partner in power. Some effective administrative measures must be taken. Until they are made partner in power, atrocities and injustice will continue to be committed against them.

Mr. Speaker, Sir, it is true that if we look at the social structure and power structure, we come across the truth that is very ugly and tragic. Those sections do not only need to have share in power at Ministerial level but in bureaucracy also which forms an important part of the power. The lower sections of the society have a little share in bureaucracy while upper sections have a lion share. The upper strata of the society enjoys more share in power structure. Now the question is how can they get their due share in power even after 40—43 years of independence. They have been deprived of it because there is none to share the power with them. They have to suffer because those who are in power are not willing to share power with them. They share it with their favourites. This is a long story of 43 years and it would take long to understand. We can not doubt anybody's intention. There are a number of people, in every party who want to do something. But in the prevailing social system, power structure, there is one or the other lacuna which creates hinderances in implementing them. What is the reason that despite various announcements various promises in election manifestos and sincerity of political parties that we have failed to do something for them. There is a lack of will-power somewhere in the entire structure. I am talking of only Ministers or Ministries but of the whole structure including political parties; the Government bureaucracy

and parties—are wheelers of power. This forms the entire structure and there is lack of will power somewhere in this structure. Those who have suffered know the agony. They have strong determination and will power. Those who have suffered, know how to retaliate. Those who have not suffered cannot retaliate. Shri Buta Singh is correct, when he says that Shri Ram Vilas Paswan can do it because he has passed through this agony. Similarly Shastri ji and Shri Ram Nihor can also do it. They know each and every thing. They all have experience of that life. This matter should be discussed extensively. I will come to this point afterwards. The element of strong will power is required to be brought in the present system, and I am not talking of only providing the facilities but of sharing the power also. The question is not that how much facilities are to be provided to these sections. Even a Member of the family cannot be happy until he is associated in the decision making process in the family. You may provide any facility but he will be happy only when he would be associated in the decision making process in the family. All the members of the family can remain happy when they all are associated in the family matters.

This is a case for their participation in Government and bureaucracy. It is my opinion that if we launch a campaign to ensure their participation in the power structure of political parties, we can effectively check the atrocities. Who are the people holding power in the present structure? Sir, this is an issue related to the working class and not to caste and class. When we raised this issue for discussion we sidelined the same terming it as an issue related to caste. Who are the people that make

labour force today? They are people belonging to Scheduled Castes and Scheduled Tribes. If a person is born in a Scheduled Caste or Scheduled Tribe family, it is ninety-nine per cent certain that he will be part of the labour force. Few exceptions may be there. Who are the people belonging to backward classes today? The producer class such as, barber, washerman, potter and milkman with small resources, mainly form our labour force. If we take the entire country into account, where do these people stand and when the issue of giving them their right place is taken up, resentment comes to the fore. Then this resentment turns into violence. As and when interference is made, we observe such incidents. Such steps are opposed also. We are acquainted with Kesariji. On the 7th August while speaking on Mandal Commission in Rajya Sabha he had courageously and boldly supported the issue and everyone had to listen to his views but at the same time it is a matter of happiness that despite the strong opposition encountered in this connection within a year various parties have begun to realise that the depressed classes should be given their due. We understand that ups and downs in elections is something immaterial but within a year it has been observed that the impact of this move is tremendous. It is an excellent sign because it is easier to break the iron shackles of bondage but concerted effort is required to change human thinking. I understand that in that direction it has shown impact on various parties and today it is a subject of discussion in society. I observe that it is an excellent move and it will be discussed further.

What remains now is the issue of

giving them a place in the power structure. Ram Vilasji had raised this issue. You have incorporated it in our Constitution but despite this the people belonging to Schedule Caste are deprived of their share. Why are they not given their place in Rajya Sabha? We speak on this subject and express our concern for the classes but when the issue of giving them their rights comes before us we withdraw. We are not sparing anyone. So much so, we are not sparing ourselves too. As such it is not a question of blaming anyone. When the issue of giving them their right place in administrative structure is under consideration what is the hitch in giving them their due in Rajya Sabha? When we can come here as elected representatives, the issue of providing them their place in Rajya Sabha is also worth consideration and it can prove to be a good move in the right direction.

The matter relates to administration. It is true that had there been people of the cadre of D.M., S.P. there, perhaps the incidents of Tsundur village would not have taken such an ugly turn and therefore we have taken to clear the backlog. Till date there is only an order or a circular to give the Schedule Castes and Schedule Tribes their share in jobs. There is no enactment. We had taken into consideration the issue of such enactment and it is justified. I would request Kesariji to introduce a Bill to provide for reservation of Scheduled Castes and Scheduled Tribes in Parliament and also for reservation of Scheduled Castes and Scheduled Tribes in Class I services. I assure you that the way we have succeeded in passing this Bill, we will also be able to pass that Bill with the support of everyone here, we will do it with joint efforts. The need has

been felt because half a century has gone by but the Scheduled Castes and Scheduled Tribes have only got 10-11 per cent reservation in class-I services whereas the target was to give them twenty two and a half per cent reservation. Justice should be done and it should be given a concrete shape. As such this enactment is necessary.

As far as the question of carry over is concerned, it happens several times that posts for Scheduled Castes and Scheduled Tribes are advertised. If a suitable candidate is not available, that post is kept vacant for some period and then filled later on. I did an experiment in Uttar Pradesh and it was a good experience. I asked that the vacancy be advertised once again and filled by a Scheduled Caste and Scheduled Tribe candidate who was considered the best. After all you will have to fill that post by a Scheduled Castes and Scheduled Tribes candidate. Suppose he is not selected at the time of interview in the first instance, the vacancy should not be filled for six months and declare that in the forthcoming interview the post will be filled by a candidate belonging to Scheduled Caste and Scheduled Tribe alone who is adjudged the best. This will prevent carry over. That experience was good. The question of backlog is different but there would be no backlog in future. Same is the case with Selection Board. We had given thought to a move to take Members of Scheduled Castes and Scheduled Tribes and minorities in the Board. We initiated it and noticed its impact. These people have a feeling that perhaps justice is not done in their case. Justice will be done to them and there will be no injustice and partiality if in the Selection Board comprising of 4-6-7 or 11 Members, some

members are from the Scheduled Castes and Scheduled Tribes also.

I want to highlight the second point which has been a subject of discussion several times here. Merit is required at this hour also but whatever happened in Tsundur recently and you are well aware of the administration. It is not that the functions of administration changes totally if a new Government comes to power. Minor changes do take place but most of the things remain the same. But now the question is what are the priorities of administration and this point should be discussed. Why is a person not allowed to reach the Zenith merely because he is a gold medalist or has scored excellent marks. Jaswant Singhji was in army, there may be many other gold medalists in army and as such he should have been above them all. But the point is that merit is not taken into consideration in many of the cases there. Merit is according to the work performed. It is not that the people running the administration are not knowledgeable or they are not informed about the happenings around them but the grievance lies in the fact that nobody is really bothered. No one is genuinely concerned. Now the person who has gone through this turmoil. Why should a person who has not suffered this agony be concerned. As such there should be someone who has experienced this pain. Therefore, I assert that when the oppressed are given a partial share in administration, I do not say that it should be 100 per cent but when they are given their share, the part which undergoes this pain will feel it and this is how it will be linked to administration. In the present times administration is not linked to the masses and the poor.

Now the question is how to link it with administration—are we administering the human material in the purview of merit. Is merit in existence? If human material is to be administered, human attachment which is a vital merit, will become nonexistent and consequently this merit will prove useless and futile. To rear a child should it be with his mother or with a nurse? The nurse has merit but when the question of bringing up a child comes the child will be given to the mother because of emotional aspect. As such a mother is a mother. Not because she is full of knowledge but because she cares for her child.

14-8-91

As such it is necessary to think and discuss about the present administrative set up and we are repeatedly trying to raise this issue. It is raised in different forms and shapes but the real issues are regarding responsive Government.

Please concentrate on only one issue. Well the discussion on Mandal Commission is different and I will not involve it now in this discussion. But when the issue of giving reservation to Scheduled Castes and Scheduled Tribes is discussed, it is often said that Paswanji and some other Members of Parliament have now become financially sound and therefore why should they be given benefit of reservation? What is the position? Your commitment was for 22½ per cent reservation. You said that this room was allotted to us. We are sitting and the room is filled only ten per cent instead of twenty two and a half. We are standing at the door step and do not allow anyone to come in and comment that they have become bulky and are occupying

the places of others. We say that the room is half filled and therefore it should be filled to its capacity. Before filling the room you are saying that they have put on weight so as to prevent people to come in. All right, you are not in favour of permanent reservation. These provisions of reservation may be dispensed with after a period of ten years when the social upliftment of these communities has been achieved. Don't snatch away the food before offering it. Watch its progress for 5-10 years, thereafter you dispense with these provisions.

We talk about labour participation in management. The labourers are on the site. But the main problem is that the labour class, mainly consists of Scheduled Castes and Scheduled Tribes and other backward classes and poor people. We can give them share in power by offering labour participation in management. We cannot give them big companies. They have absolutely no share in our companies. They have absolutely no share in our economic management, in politics and in administration. By offering labour participation in management we can give a due share to these communities in economic structure to make them feel that they have participated in the process of economic decisions. There are several small points but they are all relevant. Such as petrol pump agencies, the gas agencies and many other such agencies which are under the jurisdiction of Government. These facilities are availed by those who are influential and have money but why should they be restricted to them? If you are really concerned about their economic upliftment, give them their due share, make available to them bank loans and work for their upliftment and it is

only then that they can be uplifted.

We talk of land reforms which is good. If we look at the structure of power, we find that there are Members in all the parties which have sufficient land. If we touch this issue they will resist. To implement the land reforms there should be a tribunal consisting of the representatives of Scheduled Castes and Scheduled Tribes so as to undertake an on-the-spot enquiry for the correction of land records. Sir, land cannot be concealed. If you want to identify the owner, every labourer can tell you who is the owner of that land. Along with it the view expressed by the hon. Members that a person born in a particular caste is given benefits when he goes to reservation in one State but is denied in the other State. Paswanji had thought over this issue. I think that many excellent suggestions have come in this regard and many hon. Members have spoken keeping themselves above the party politics. In real terms, unless the society is enlightened, legislation alone is futile. A nation's destiny is not built by legislation or laws. Change was brought only by enlightening the society. If we study our culture in retrospect we find that the change is traditional. We find that Lord Vishnu was practical and a protector of status and that was the reason behind his relationship with Goddess Lakshmi and not with Saraswati. He formed alliance with Goddess Lakshmi with his *Gada* and *Chakra*. Who does the work of bringing change? It is done by Lord Shankar. He is surrounded by whom? He is surrounded by ghosts, snakes, scorpions who are detested by the society and they are the ones who bring in transformation. If you wish to bring change in real terms you should bring together the detested elements

and it is only then that change can be brought.

SHRIMATI GEETA MUKHERJEE (Panskura): Do remember that Saraswati was also the wife of Lord Vishnu.

[English]

SHRIMATI BIBHU KUMARI DEVI (Tripura-East): Mr. Speaker, Sir, with your permission, I would like to place in this august House, a land deed—a land record of a poor tribal who, according to him, is over hundred years old. His land papers show that there were three brothers. Today, the sole survivor is fighting for his rights and that of his brother's children, grand children's rights and great grand children's rights.

Sir, I am a first timer in this Parliament and may make many mistakes and, therefore, in all humility, I would like to place my views before all the Hon. Members of this House and pose a question to them. Have we really provided for the poor and needy a system which can give them justice?

This poor tribal in 1950, immediately after partition was dispossessed of his land, overnight he was reduced to a landless labourer. He was uneducated and therefore, he could not take legal action. With all due respects to my Opposition friends, particularly the Marxists in Tripura, this old man went to the then Revenue Minister of the Left Government who gave him a slip written in Bengali: apparently this uneducated old person did not find the person for whom the message was sent. He kept that piece of paper—it is also with me here at present—which happens to be an indirect guideline with regard to the

dispossession of his land. This happened in 1985.

Sir, I am compelled to believe that there is no justice for the economically and socially weak; justice is only an utopian idea for those who are poor and a political gimmick for us, the political parties. Let us be honest about this. Where is the accountability for the Government and the bureaucrats in law, legal aid for women, harijans and tribals? Is there any way a long drawn legal battle can be stopped by a poor person? How can he get justice? Land reforms, land acts and land laws say that the land belonging to SC and ST cannot be transferred to non-tribals. Yet all prime lands of the tribals have been grabbed at a pittance or have been taken without giving compensation or adequate compensation. All big projects have only ousted these poor people and driven them into the arms of bonded labour. How many hon. Members have espoused their cause singly or collectively?

We women also come under the backward class. They are in the shackles of the past either in the name of religion or social custom. We have recently heard of little Ameena but many like her have been smuggled out of this country to be sold in the flesh market. But, Sir, unitedly in this House, in one voice, no Party has joined on this national issue, which is as bad as molestation and rape cases and outrage committed against women—whether in Tripura or elsewhere. Nobody can absolve himself or herself by saying that it was not done in his or her constituency.

Through you, I would like to draw the attention of the Hon. Members of this House that justice and truth are

one and the same face of the coin. Nobody can make such national problems a prerogative of his or her Party. It is our patriotic duty to safeguard the respect and life and lives of the Harijans, backward class people, tribals and women.

I may give suggestions now. I would like to suggest that separate special courts and legal cells should be constituted to fight cases which deal with social and economic offences, particularly against women and children which include all sections of the people, whether tribals or non-tribals.

The bureaucratic accountability should be there. If the law is not implemented, it is because in many undertakings and Government departments, job reservation policies have not been implemented. I may mention here, with regard to my own State, in Tripura, in Agartala Municipality, since 1977 the tribal reservation policies have not been observed. I had written letters to the Centre, when I was a Minister in the State and I found that no action had been taken. After the tragic assassination of Mrs. Gandhi, after the riots, everybody took up the cause of the Sikhs which was very correct. But in 1980 also, we had terrible riots in our State. If you remember, little children, little tribal children, women were raped, molested and they had become handicapped for the rest of their life. Nobody thought of giving them employment.

We have big projects displacing these tribals. From Khowai Valley project, for instance, we are only getting 3 k.w. of power. The granary of Tripura covering 70 square miles of Valley have been submerged in the water. Who are getting fishing rights? It is the non-tribals who are getting the rights. We

have over one lakh Jhoomias. All these policies that are made are meant to be implemented but they will never be implemented because we are economically poor. Until we raise our voice, as Mr. Sitaram Kesari has said yesterday — “Jab tak dhanush aur teer nahein lete hain, hamari awaz sunai nahein parti” it is difficult to get. It is not a question of becoming aggressive or wanting to talk of insurgency. I would like to draw the attention of all our friends and colleagues here that the cause of the poor is not the prerogative of anyone Party or anyone individual. It is the collective cause. We do not want them to be used as pawn in the game of any politician.

Therefore, bureaucratic accountability should be there if the law is not implemented. I say this because in many Undertakings and Government Departments, job reservation policies, as I said earlier, have not been followed.

So, let us all, who are present here, the Members, be remembered as people who have stretched the imagination of the people of India.

Let us become a gateway to new horizons and visions.

That will be our achievement and our proof of sincerity.

Thank you.

PROF. UMMAREDDY VENKATESWARLU (Tenali) : Mr. Speaker, Sir, I am sure that you will appreciate the gravity of the situation in Tsundur village of Guntur district, a village which is in my parliamentary constituency.

Though I have been expressing great concern over this barbaric act and though I have raised this issue suc-

cessively on 8th and 9th of this month to draw the attention of this House and also of the government, I am really sorry to say that it is painful for me that I am unable to get a statement on this grave issue even after a week of its happening.

I have been very keenly following the debate yesterday and today and I am really puzzled that every one in this august House has been expressing great concern over the provisions that are to be extended to Scheduled Castes and the Scheduled Tribes and other weaker sections of the society and also to cater very judiciously the provisions that have been enshrined in the Indian Constitution and every one of us have been expressing that justice has not been done to the Scheduled Caste people all these years. I do not know who is accusing whom, whether the Opposition benches are accusing the Treasury benches or the Treasury benches are accusing somebody else. I do not know since I am a new entrant to this Parliament. I am really getting puzzled who actually prevented our senior leaders who were at the helm of affairs for all these years for not dispensing social justice to these Scheduled Castes and downtrodden people.

In this particular matter, two issues have taken place in Tsundur village of Guntur district. One has to condemn them that it is barbaric attitude, treacherous attitude and a shameful attitude in the contemporary society.

Having heard about this issue which had taken place on the 6th of this month — on 7th we came to know of it — and then immediately we prepared a note and we tried to draw the attention of the House and we have given a copy of the Memorandum with the particulars available on that day to the

Leader of this House requesting him to make a statement because as many as 20 Harijans were massacred in a particular village.

It is pertinent to note that nine days have elapsed but there is no statement from this House and we can very well understand the seriousness that has been attached to this particular problem. About 20 Harijans have been ruthlessly killed in a village.

On the 9th of this month, myself, Shri Ram Vilas Paswan, Shri Roshan Lal, Shri B. N. Reddy, Shri Lal Jan Basha and Shri Balayogi — six of us — have proceeded to that village. On the 10th, we went there to have the first-hand information about this incident. It is really pitiable to say that though the incident has take place on the 6th of this month till the 9th of this month the CM could not go and visit the place. This is an incident where 20 Harijans were murdered.

In this connection I would like to cite an earlier example. When there was only one Harijan who was unfortunately subjected to this type of barbaric act and murder in Necrukonda village in 1987, on the very next day the then Prime Minister of this country was there in that village. I have been hearing my friends — Shri Mukul Wasnik was also mentioning yesterday — that we should not politicise this issue. We are not politicising the issue. This is not a political issue. But we only urge upon the Government to do social justice to all the sections of society. As I was mentioning, on the very next day, the then Prime Minister of this country was there. We are really feeling sorry over one thing. Our present Prime Minister hails from my own State. We really felt very much delighted when a South Indian particularly a person

from Andhra Pradesh has been elevated to such a highest post in this country. But when 20 Harijans were murdered, the Prime Minister did not show his concern over this incident and leaving aside paying a visit to the place, he has not even come out with a Statement expressing his agony over this issue, expressing his concern over this issue, directing his State Government to take all necessary steps as far as this issue is concerned. We are really pained at this silence of the Prime Minister as far as this particular issue is concerned. Here, I am not going to narrate the inch-by-inch events that have taken place because several of my senior colleagues have expressed the events as they have taken place. I will only point out certain three or four aspects of failures on the part of the Police Administration on the part of the Revenue Administration and also more than anything else on the part of the State Government itself which has shown a lot of apathy to this incident. A lot of apathy has been shown to this particular incident. I want to tell how casually this incident has been treated by the State Government.

Sir, the events emanate right from 7th July onwards where a small quarrel has taken place.

MR. SPEAKER : It will take time. We are considering the situation in the entire country. You may make a reference but not in very great detail.

PROF. UMMAREDDY VENKATESWARLU : I am not going into the minute details. But the village comes in my Parliamentary constituency. Let me take a little bit of time and express how a twist has been given to this incident. The point is, justice is not going to be dispensed with in that village. That is what I am going to drive

home in this House. A very small quarrel has taken place on the 7th July in a theatre. If the authorities had not shown their silence over this issue, if they had not shown their indifference, the developments would not have led to this type of murders. From the 7th July onwards, prohibitory order under Section 144 was imposed in that village. What does it mean? When the Police Administration has imposed Section 144 in that village, is it not a grave situation that is prevailing in that village? Does it not mean that a situation beyond the control of anybody is prevailing in that village? When Section 144 was imposed and as many as 59 police officers were there — one Circle Inspector, eight Sub-Inspectors and fifty constables — on the sixth of this month in the village and about twenty Harijans were killed in the very presence of 59 officers. It is a clear cut failure on the part of the police officers. It was done by the people who have resorted to this type of action with the connivance of the police officers. When once this act had taken place, when once as many as twenty people had been killed, the matter was not reported to the district authorities for 24 hours. Is it such an easy act? Is it such a casual matter that is to be slept over? For 24 hours, the matter was not reported either to the District Magistrate or to the district police officer. You can very well understand as to what amount of interest has been attached to this at the police level and also at the Revenue Department's level. The District Magistrate himself has very rightly confessed that the matter has not been passed on to him. As far as official machinery is concerned, I leave it to the wisdom of this House to fix the responsibility either on the police officer or on the District

Revenue Officer or whosoever is there for their slackness in this regard.

I may say, our Hon. Minister for Rural Development also paid a visit to that village on the 9th and he said that this was a clear-cut case of failure on the part of the police administration and he also suggested that the top officers of the Police Department in the State had to be sent out or else they should resign.

On the 10th, nine bodies were recovered out of the 22 persons who were reportedly murdered. Nine bodies were handed over to the kith and kin of those persons on the 10th, after four days. It was very well known to the police that they were going to take out a procession in the village on the 10th evening. They were gathering as many as 10,000 people for that procession. Not only the kith and kin of those deceased persons but several others were also infiltrated in that. This is where, I would like to impress upon this House that the situation had gone to the hands of some anti-social extremist forces on that particular day. The situation was not under control. There was no retaliation on that particular day. There was a big procession of 10,000 people including the anti-social elements when the dead bodies were taken from Tenali to Tsundur Village, a distance of 17 kilometres. In such case, it is the normal expectation that there will be some disturbance; there will be some type of hooliganism; there will be some type of mischief played. On that particular day, though the District Magistrate was there in the village, the Deputy IG was there and also the SP was there along with 300 police officials, yet the so-called anti-social elements resorted to lot of hooliganism in which one Shri Malla

Reddy from the upper caste was also killed. This has happened because of the successive failure of the police administration as also the administration in the State. This murder took place on the 10th. The police officers were there; the revenue officers were there in the village. On 10th, one Shri Malla Reddy was killed, fifty houses were set on fire and several houses were broke open and looted. It is really very shameful to say that several women were molested on that particular day. This act was done right in the presence of the District Collector and several police officers in the village. Is it the society where we have to live in ?

Is it the society, in which everyone is now asking for social justice? The things are going from bad to worse. That is the reason why I say that there was a thorough failure not only on 5th and 6th but also on 10th and on those days the administration — the police, revenue and other agencies — had broken down, resulting in a thorough failure. That is why I say that all those officers who had been there on those days should be dragged to any extent and I want an appropriate action to be inflicted upon them. This, I would like to leave to the wisdom of either the State Government or the Central Government.

*(Interruptions)*

MR. SPEAKER : How much time would you require ?

PROF. UMMAREDDY VENKATESWARLU : I need another ten minutes.

MR. SPEAKER : If you are relating all these facts, then, it is very difficult and also nothing can be done from here. It is the State Government inter-

vening in between and all these details can be given in writing also. I have a very long list of Members who want to speak.

PROF. UMMAREDDY VENKATESWARLU : Sir, I will complete it. I have taken only 10 minutes.

MR. SPEAKER : You have taken a very long time. Ten minutes is more than sufficient. Please be brief and come to the point.

PROF. UMMAREDDY VENKATESWARLU : A very bad trend is being set in the State. We, from the opposition benches, particularly from TDP, are not trying to politicise the issue, But the issue is being politicised by the Congress Party itself. This issue is not going to be allowed to defuse and the issue is not going to end at that level. It is not new for them. On an earlier occasion also, for changing the Chief Minister of the State, communal violence has been utilised as a weapon. Now, another occasion has come and another carnage is going on and they have been trying to change the Chief Minister of the State, by taking this particular incident to their advantage. That is why, I am trying to impress this upon the House. There was also a statement made by a Congress MLA that the Chief Minister should immediately step down. *(Interruptions)* What I am trying to say is that this issue should not be politicised. *(Interruptions)* I am not telling this on my own accord. There was a statement made by the Congress MLA himself. *(Interruptions)*

MR. SPEAKER : There are other Members who want to speak. Please conclude.

PROF. UMMAREDDY VENKATESWARLU : A special court has

to be constituted, because justice delayed is justice denied. (*Interruptions*)

MR. SPEAKER: Please do not repeat it. That has already been said.

PROF. UMMAREDDY VENKATESWARLU: This court should go into the details of the incident that had happened on 6th and also on 10th. Since there were several women who were subjected to lot of insult and against whom atrocities were committed, a team of three lady Members, preferably from a judicial side should be constituted. They should go to the houses and then make enquiries as to what exactly had happened because, the social inhibitions are coming in their way to come out and to reveal the facts. The names of those persons who come out with facts, need not be revealed.

I suggest that relief measures should also be extended to all those who had suffered on 6th and 10th. Also, a peace committee be constituted so that the effect of this incident will not be spread to the neighbouring villages.

18.00 hrs

MR. SPEAKER: That is to be done by the local authorities. Please don't take time of the House on things that cannot be done by this House.

PROF. UMMAREDDY VENKATESWARLU: A directive can be given by the Central Government because the Government of Andhra Pradesh is not reacting. I am saying this from the events that happened. After the incident that happened on the 6th, the Chief Minister has come down to Delhi on the 7th. If he was

serious about it, he would have gone directly to the village. So, instead of changing the Chief Minister of Andhra Pradesh on every occasion, we demand that the State Government itself should be dismissed and a fresh mandate taken from the people.

*(Interruptions)*

18.01 hrs

#### STATEMENT BY MINISTER

**Modalities for exempting the Small and Marginal Farmers from Fertiliser Price Increase**

*(English)*

MR. SPEAKER: I have received one letter from the hon. Minister Shri Mullappally Ramachandran. I think he wants to make a Statement in this House regarding fertilizer price. May I request hon. Ministers to give me the statements a little in time? I got it at 5.15 or 5.30 p. m. Please, a little time should be given. Today, he may make the statement.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI MULLAPPALLY RAMACHANDRAN): According to the announcement of Finance Minister modalities for exempting the small and marginal farmers from the effect of price increase of fertilizers were to be evolved in consultation with the States. This exercise has since been completed and guidelines to State Governments are being issued. According to these guidelines, the States have been given a fixed amount (determined on the basis of Fertilizer use in 1990-91 and area held by small and marginal farmers) for subsidising the fertilizers for small and marginal

farmers but they would have some flexibility in developing systems of reimbursement to these farmers. However, the reimbursement would be related to identification/proof of purchase/area held/previous use and the quantity of fertilizers available in a given area for subsidised supply.

18.03 hrs.

**Motion Re. Atrocities on the Scheduled Castes and Scheduled Tribes and other Weaker Sections in the Country—**  
*Contd.*

[English]

MR. SPEAKER : We have been discussing this motion since yesterday. I think we should not keep it pending. Now we would complete the debate on this Motion at least by 7 p. m.

SHRI CHANDULAL CHANDRAKAR (Durg) : A very large number of speakers want to participate in this debate. Such subjects rarely come. Previously we discussed a Commission's Report for three days or so. This is the only time we are discussing it in length. If it is possible, please extend it for 19th, so that a large number of Members can participate in this debate.

SHRI MANORANJAN BHAKTA (Andaman-Nicobar) : These matters should not be taken casually. This is a very important subject and we want to contribute in it.

[Translation]

MR. SPEAKER : I would like to inform you that discussion on flood and drought is going on along with Budget. Ten hours have been allotted for Home Ministry. This issue can also be taken up for discussion while discussing the demands for grants of

the Ministry of Home Affairs. Would you like that the demands and Budget of Ministry of Home Affairs and other Ministries are not taken up for discussion? Guillotin is to be applied on 3rd. If you want to do so, I have no objection. But my submission to you is that even if you have to sit upto 10 O'clock today let us complete it. On 19th a discussion on floods and droughts is to be taken up. In case we take it now, time for discussion on Budget would be lost.

[English]

We shall have to adjust. I have no objections if the entire House wants that it should be adjourned. You can discuss these issues while discussing the demands for grants of the Home Ministry also. If you don't want to discuss the Home Ministry's budget and discuss this thing, I have no objection.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur) : Mr. Speaker, Sir, my submission is that a good number of M. Ps are desirous to speak on this subject and in case the time is increased by one hour, all of them will not be able to speak on it. Under the circumstances it would be better to take it up on Monday.

MR. SPEAKER : If I fix Monday, Tuesday and Wednesday for discussion you would not be able to discuss the Budget. It is your choice if you want to discuss it.

[Translation]

[English]

SHRI K. V. THANGKABALU (Dharampuri) : Sir, the subject of atrocities on Scheduled Castes and

Scheduled Tribes is a very important subject. All are interested in discussing this.

MR. SPEAKER : You can discuss it while discussing the Demands for Grants of the Home Ministry also.

SHRI K. V. THANGKABALU : It is true. But there are various other things which have to be discussed on the Demands for Grants of the Home Ministry.

MR. SPEAKER : But eight hours are available for that.

SHRI K. V. THANGKABALU : Sir, we must discuss this subject. This should be given special status.

MR. SPEAKER : I would rather go by the advice of the Parliamentary Affairs Minister on this point.

*(Interruptions)*

MR. SPEAKER : I will stop it today and I will take it up on Monday and Tuesday. But then, you should understand that when we are discussing this subject, the discussion on the flood and drought situation is also there. This time which is available to you, is the time which you can also use for discussing the Demands for Grants of the different Ministries. The choice is with you. I would rather go by the advice of the Parliamentary Affairs Minister and the Leaders in the House.

*(Interruptions)*

AN HON. MEMBER : Let us sit upto 7 O' clock. *(Interruptions)*

From Monday onwards, let us sit right up to 7 O' clock. *(Interruptions)*

MR. SPEAKER : Let the Minister speak first—not all at one and the same time. Let the Minister speak.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : Sir, it looks like that the majority of the Members wish to have a slightly longer time discussion. But we have already lost three full days, which we could have used for discussing the Demands for Grants of various Ministries. But then, ultimately it is the wish of the Members. In any event, I would request that on Monday both the discussions should be completed.

MR. SPEAKER : Okay, if this is your wish, I have no objection. Would the hon. Members like to sit here for some more time and discuss this ?

SOME HON. MEMBERS : No.

MR. SPEAKER : Upto 7 O' clock

SOME HON. MEMBERS : No.

MR. SPEAKER : Not Upto 7 O' clock today ?

SOME HON. MEMBERS : No.

MR. SPEAKER : Well, this is a contradiction in terms.

*(Interruptions)*

MR. SPEAKER : Now, I would request the Members to sit up to 7 O' clock and continue this discussion. We will continue this on Monday also. We can sit upto 7 O' clock because we cannot have both the ends meet. Now, Shri Buta Singh may speak.

*(Translation)*

SHRI BUTA SINGH (Jalore) : Mr. Speaker, Sir, you have just ordered that this issue can be discussed at the time of presentation of the demands

for grants of the Ministry of Home. We are thankful to you as well as to the Home Minister as he is taking full interest in this matter and is present here. Sir, may I request him through you to take over this portfolio under the Ministry of Home. I say this on the basis of my experience... (*Interruptions*)

*[English]*

THE MINISTER OF HOME (SHRI S. B. CHAVAN) : It is my confidence, Sir, that it is the Prime Minister who takes the decision; I cannot possibly say.

*[Translation]*

SHRI BUTA SINGH : I will narrate my experience about it. Whenever we write a letter to the Ministers for Social Welfare, the letter is not read even by Welfare Secretary, what to say of the Chief Secretaries of the State Governments. I am saying this on the basis of my own experience. I would like to give one more suggestion in this regard. Though, I know that the hon. Home Minister will say that it is beyond his control. I would like to suggest him that in the interest of the country especially about the backward classes he should take these services under his own charge. Unless and until you yourself take charge of Deptt. of Personnel and Department of Scheduled Castes and Scheduled Tribes our suggestions will not be considered at all and these will shuttle from one office to another office and from one Government to another Government and will not be implemented at all and the outcome will be zero.

I just want to cite an example here. In the Public Civil Rights Act there is a provision that every year the Home

Minister will present a report in this House regarding the cases filed under this act and actions taken in those cases. It is very unfortunate that this Act was passed in 1986 but its report was submitted in 1989, that too is an incomplete report. Sir, you as well as the hon. Members would be surprised when they come to know the contents of that Report and all of you would support my submission. Here, I would mention about four-five states only regarding this act as there is not sufficient time to speak about the all States. Mr. Speaker, Sir, do you know the ratio between the number of the cases registered and the number of cases in which challans were filed in the court? The State-wise percentage of the cases in which culprits were acquitted by the courts are 93 percent in Tamilnadu, 90 percent in Andhra Pradesh and 74 percent in Rajasthan. I would like to ask the hon. Home Minister that he may be relieved from his responsibility after two years, but what would be the fate of those cases filed by the poor. The percentage of acquittals in such cases is 90 to 94 percent. May I request him to state the reasons for all these things? Under the relevant laws charge-sheets were filed in the courts against the atrocities committed on them. But the court gave its verdict in 93 percent cases that the culprits could not be prosecuted. It became so because "Law of evidence" in India goes contrary to their interests. Such a massacre has been committed over which the whole country shudders and about which we are much concerned in this House. But, what would be the fate of all these incidents? The hon. Judge will submit his Report after three months. What happened in the case of Hashimpura? I too was the

Home Minister. But nothing could be done in this regard. I think that even hon. Chavan Saheb, who has a long experience and association with the poor and who is committed to the welfare of the poor, will not be able to do something moved for them in the situation existing at present. What were the reasons for 93 percent acquittals? Why could they not be prosecuted or was no evidences available? Did it happen because the Judges belonged to upper castes? So, I request him earnestly to take over this portfolio under the Ministry of Home Affairs.

As far as I know, Late Shri Rajiv Gandhi had formed a cell under the Cabinet Secretary, to which a full-fledged Secretary was deputed. Unfortunately we could not follow it up because we lost the mandate (elections) before we could take initiative in this regard. Yet we have had hoped that the Government which took charge after us, would accomplish the task.

Hon. Kesriji has delivered a very good speech here. He told us that he had written letters to the State Governments, in which he had given certain suggestions. He has written to the all Chief Ministers and the Chief Executives of the Union Territories.

[English]

*Minister of Welfare. Shri Sitaram Kesri, has asked them to send information regarding the incidents to the control room.*

[Translation]

Sir, are you under the impression that you will be receiving the information through the control room of the Ministry of Welfare? Is the control

room of the Ministry of Welfare equipped with the necessary instruments? But certainly your Ministry i.e. the Ministry of Home is well equipped with all the arrangements and resources through which you may collect correct information very easily. I think it is the right time to consider my suggestion that I am going to give in this regard. I heard the speech of Shri Ram Vilas Paswan. I heard the speech of Shri Vishwanath Pratap Singh also. He delivered a very ideal speech in which he said so many things. He is a respectable man and comes from a very high family. These words from his mouth appear very decent but in fact, what is the situation. In reality, the Central Government overlooks its responsibility in these cases by saying that the law and order is a state subject. Indirectly, is such a stand not a dangerous signal for the country that the State Governments at their will may freely butcher the Harijans, Adivasis and other without any fear. Is it not so?

Mr. Speaker, Sir, through you, I request earnestly the Hon. Prime Minister to call a meeting of the National Integration Council in which we should take some decisions keeping ourselves above our party affiliations. As far as the provisions of the Constitution are concerned, there are a number of Articles in it such as Articles 15.2, 16.2, 23, 25, 46, 244, 355, 338 and 339 for the weaker sections. Baba Saheb Ambedkar provided these articles for the protection of weaker sections. But could we ever protect these unarmed persons by using these articles? The statement like this that it is a state subject, which we often give in the House is not the correct approach. If we study the Article 338 seriously, we will find that the

President of India has been empowered to appoint special officer to safeguard and protect the scheduled castes and scheduled tribes. The concerned officer has to submit its report to the House. Now, going a step further we have constituted a National Commission also for that. It is a good step. But, do we ever think about the plight of that Special Officer appointed by the President? There was a time when he had regional offices under his charge and he had an important role in the disposal of these cases through the District Administrations all over the country. He used to visit the place wherever atrocities were committed and at his instance the concerned District Magistrate was bound to visit that area. His report used to be submitted to this House. But today we are totally dependent on the grace of the journalists. We have no source to know about these atrocities in case these are not published in the newspapers. The Minister of Home will not bother himself to go into these cases as these fall under the jurisdiction of the State. The Central Government does not take the trouble of initiating action except under compulsion when the news appear in the papers or some Member raises the question. The situation is the same irrespective of the party that is in power. We have no other reliable sources to know about these incidents.

Mr. Speaker, Sir, out of 20—25 reports submitted by that Special Officer hardly two or three reports have been discussed in this House whereas these should be discussed every year. According to the order of the Hon. President these reports must be laid down on the table of the House, which should be discussed in

the next Session. But it was not so.

What is the result? The powers of that Special Officer were reduced. His regional offices were closed and he was placed in a small room in R. K. Puram. Thereafter, the conveyance facility provided to him was also withdrawn.

SHRI SURAJ MANDAL (God-da) : In the same way as you and Makwana Saheb were removed from the office.

SHRI BUTA SINGH : I shall talk to you later on. You should learn something as you have come first time in the House. At present a national issue is being discussed, not just an individual. The person with whom you are sitting in this House is also a part of this House. We are talking of the whole country and about the system. I have urged for calling a special session of the National Integration Council. I think the whole House will support my demand.

We should rise above party lines. There should be a common approach, attitude towards the people of Scheduled Castes and Scheduled Tribes. We know that our society is suffering from two social evils, *i.e.*, casteism and communalism. You may go into the reasons of atrocities. Disputes generally arise over land, alienation of land or labour problem or minimum wages. I would like to cite an example. What happened in Tsundur. There was no dispute over land, there was no labour or wage problem. Harijans of Tsundur village wanted to live with respect and honour. They wanted equal status. They dared to be arrogant to a boy of high caste. They wanted to live with respect and honour. Shri Vishwanathji was just saying that there is no power or authority

with Harijans. But it is not true in this case. The Chairman of Tsundur Mandal Praja Parishad belongs to Harijan community. Then why did it happen? Unfortunately, the feelings of casteism played a role in it. The massacre took place because of casteism. A boy belonging to Harijan Community dared to sit side by side with other people of high castes in a cinema hall. Sir, I will not go into more detail. I will conclude within two minutes and would like to give some suggestions to the Hon. Minister with a request to implement them with great care and patience. All the newspapers of Andhra Pradesh have reported that tension had been building up steadily in this village for the last three months. Section 144 has been in force there for the last one month. Seven incidents took place one after the other. Every incident was an indication that some bigger incident may take place in the village any time. According to my information about 40 constables and 7 sub-inspectors were posted there.

Sir, through you I would like to ask the Hon. Minister as to how did this incident take place in the village, which has a very small population, particularly when 40 constables and 7 sub-inspectors were present there? Who has been held responsible therefor? When section 144 was in force then how the people were killed there? They were killed like a prey killed in ambush raid by hunters. They were killed by the people of three villages in ambush. Was it not pre-planned? I would not like to go into detail as judicial enquiry is going on. Judicial enquiry is like a cover which is put on every dead body. We don't have any faith in it. We know as to what is going to be the outcome of the

judicial enquiry after three months. Therefore, first of all, I would like to ask the Hon. Minister as to how a large number of people were killed despite the presence of heavy police force there. Some Reddys have also been killed in the incident, violence is going on from both sides. But what is the police doing there? The D.I.G. was present there at the time of the incident. Then, how were Reddys killed? Why were precautionary measures not taken? So if the first action has an electrifying effect then head of State police would himself feel responsible. Sometimes such a treatment is also necessary. You sack him. Then you will see that police force would be streamlined at once and would realise the consequences of negligence in duty. I would not say anything more regarding the incident. Judicial enquiry is being conducted. Our chief Minister has visited the place. I would request the Hon. Members of opposition that they should not try to draw the political mileage. I had expressed same views on that day also. Our people are indivisible. We form the parties to serve the people of the country. We do hold elections and oppose each other. We also level charges or lay blame each other. But, so far as people are concerned, they are united. We should not try to divide the people, whether they belong to Congress, or B. J. P. or others. Definitely, we should take notice of the work done by the active workers. In this particular incident persons of both sides have been killed that too in the presence of police. Police chased them for sometime but came back when they reached the killing zone. Was police not aware of it? Had it not advance information? The situation was tense for the last three months and section 144 was in force for the

last one month. Did the police not have this much of information in advance. Then what did the police do? Therefore, I request that the highest police officer should be punished so that all the high officials of the country could learn a lesson from it.

Besides, I would like to give you one suggestion. The role of district authorities in such incidents of atrocities should be discussed in the meeting of National Integration Council, whenever it is convened. Earlier a 15-Point Programme for minorities was announced. Although it was not implemented fully, yet it had its effect. Similarly, National Integration Council should issue guidelines to check atrocities on Scheduled Castes, Scheduled Tribes and backward classes and Government should implement them. District Administration, district authorities and police personnel should be made responsible for such incidents. Only then, in my opinion, we would be able to check the atrocities to some extent.

I have just mentioned the percentage of acquittal in civil riots as well as in the incidents of atrocities. A survey has also been conducted in this regard. It includes the incidents of atrocities only. Now a days, there is practice in the States that even, if a court or lower court directs the police to investigate a particular case, investigation is not done into that. If at all it is done, it is done by the officers of lower ranks such as Head Constables or A. S. L. and in those cases reports are never submitted. It has been brought to our notice that the number

of acquittals in the case initiated by State Governments or courts has been very large. It is a matter of great concern. In Andhra Pradesh, in 102 cases out of 165 cases of atrocities the guilty were acquitted. It means 62 per cent acquittal. Similarly, total number of cases of atrocities was 455 in Tamil Nadu and in 404 cases acquittal was granted. All these cases were of atrocities and not of civil riots. These were specific cases of atrocities on Harijans. Acquittal was granted in 75 per cent cases. There were 156 cases of acquittal out of 220 cases in Rajasthan which comes to 71 per cent. Today when we are discussing atrocities, I would urge upon the Hon. Minister of Home Affairs that Lok Adalats should also hear the cases of atrocities. Under the Atrocities Act, 1989, Home Ministry is empowered to enhance the punishment under C.R.P.C. There is a provision of lesser punishment. But if the same crime comes in the purview of Atrocities Act, the punishment is higher. We are not aware of the follow up action taken by the Government of India. There is one special thing. The Ministry of Home Affairs has the power to set up special courts. In all the speeches I have heard, the Hon. Members have invariably demanded time and again and again it is a national demand that special courts should be set up. These special courts should give their verdict within a stipulated period. Free Legal Aid should be provided to the poor by the Government of India. The best counsels should be engaged. We should endeavour that the case of prosecution should not be defeated in the courts. Regarding evidence, a police officer should reach the spot of atrocity immediately on receiving the information and collect evidence.

Unfortunately, there have been cases where the Police Officer did not reach even after 76 hours, what to speak of 24 hours or 30 hours. Even FIR is not lodged. In many cases it is not lodged for 2-3 months and in many more cases it is lodged even after one year. That is why the atrocities are on the increase. People become bold. They know that if they kill a Harijan, case of murder will not be filed. The case would be closed on the plea that it was a riot. The easiest way to kill a Harijan is mass killing and nobody would be charged.

Mr. Speaker, Sir, without taking much time, I would appeal to the Hon. Home Minister—he is very experienced—that a senior police officer should be deputed wherever atrocities are committed so that he could be able to save the defence. Secondly, as per the directions issued by the Govt. earlier a charge sheet should be filed within 30 days. Just now I said that many persons are acquitted in such cases. I had given some reasons and also suggestion in this regard. The Home Ministry should monitor the cases of atrocities on Scheduled Castes and Scheduled Tribes. Otherwise, these cases of atrocities against Scheduled Castes and Scheduled Tribes will continue unabated. I cannot agree with my friend's views that the persons belonging to Harijans and Scheduled Tribes should be posted as SHOs in police stations. But I would like that after scanning their confidential reports one additional SHO should be posted in every police station. He should be made responsible to only monitor cases of atrocities on Harijans and Adivasis in his area or zone under his charge. One officer should be exclusively deputed for this

work. He should not be asked to perform routine duty in the Police station.

The most important thing is that the police officers who are posted in rural areas, they are made to study Cr. P.C. and I.P.C. during the training period but they are not made aware of the problems of the poor in rural areas and the reasons for their maltreatment. This should be included in their training curricula. Police personnel are trained how to deal with the situation, particularly in areas where there is concentration of minorities. Similarly, special provisions regarding the rights and privileges of Harijans and Adivasis should also be included in the training curricula of Police Officers posted in villages.

Unfortunately, we do not have definite statistics of the atrocities being committed on this weaker section. Whenever Government tries to seek any information about any problem reply is invariably that we do not have any information. The reason is that monitoring is neither done by the police authorities nor by the administration at the district level. That is why we don't have statistics.

Mr. Speaker, Sir, I would like that a discussion should be allowed on the report of the National Commission for Scheduled Castes and Scheduled Tribes. Many good suggestions have been made in this connection. They have submitted the report after studying many cases.

Mr. Speaker, Sir, I do not want to take much time of the House. Shri Vishwanath Pratap Singh has said a few things. I would like to say a few things to put the record straight and for his information. He has rightly

said that the scheduled caste should get their due share in the bureaucracy. In 1989 we had drawn a panel of IAS officers in which there were 9 IAS and IPS officers who were unpanelled as Additional Secretary. They were selected and were on the panel. Their posting and placement was to be done. Unfortunately, Shri Vishwanath Pratap Singh became Prime Minister. That panel was reduced to 4. Had all those 9 persons, who were on the panel, been placed, I can say with confidence that today at least 4 of them would have been full-fledged secretaries. *(Interruptions)*

**SHRI RAM VILAS PASWAN** (Rosera) : I do not know what was your intention when you said this but I can say this much that the first Additional Secretary was Shri Mata Prasad and when our party came to power he became Additional Secretary after 22 years.

**SHRI BUTA SINGH** : This is not true. There have been Additional Secretaries from these categories earlier also.

*[English]*

Shri Kartar Singh retired as Additional Secretary. Shri Fateh Singh retired as Additional Secretary. Shri Kartar Singh was Additional Secretary in 1974-75. Shri Fateh Singh was Additional Secretary in Home in 1963-64.

*[Translation]*

You said he was the first Additional Secretary. You would be happy to note that today it is because of late Shri Rajiv Gandhi that there are two judges and not one, in the Supreme Court, belonging to the Scheduled Castes.

**SHRI RAM VILAS PASWAN** : Nobody became an Additional Secretary during the tenure of Shri Rajiv Gandhi or Shrimati Indira Gandhi. Please do not drag the name of late Shri Rajiv Gandhi in this controversy. *(Interruptions)*. Our party was the first to appoint an Additional Secretary, when it came to power... *(Interruptions)*  
*[Eh]*

**SHRI P. M. SAYEED** (Lakshadweep) : He is stating the facts. Why are you disturbing him ?

*[Translation]*

**SHRI CHANDRAJEET YADAV** (Azamgarh) : He is not stating the facts. Probably there was no panel for Additional Secretary... *(Interruptions)*

**SHRI BUTA SINGH** : What is true is true. There were only 2 persons in the Committee—the Prime Minister and the Home Minister. We formed the panel and persons were selected. How was the panel of 9 persons reduced to 4 ?

**SHRI RAM VILAS PASWAN** : The Hon. Home Minister is present here. I throw a challenge, let him restore the panel... *(Interruptions)* You can ask the Hon. Home Minister to give an assurance. Alright, we agree that we are to be blamed and our party did not implement it when we were in power. But how can the Hon. Home Minister give an assurance that he would restore the earlier panel of 9 persons.

**SHRI BUTA SINGH** : Why not ?

**SHRI S. B. CHAVAN** : I will first gather information. If there was such a panel, we will implement it certainly. Why not?... *(Interruptions)*

**SHRI BUTA SINGH** : I am not saying it with any intent. I am simply stating a fact regarding what Shri V. P. Singh had said about the share of scheduled castes in the bureaucracy. Similarly, there were 11 Additional Session Judges belonging to scheduled castes in Punjab. They were posted in districts. Out of these 11 judges, 10 were dismissed.

**SHRI PIUS TIRKEY** (Alipur-dwars) : How many of them were Adivasis ?

**SHRI BUTA SINGH** : You might be aware that the number of Adivasis is very small in Punjab... (*Interruptions*) I am not referring to any individual or any party. 10 of them were dismissed and charges were levelled against them. Their career was ruined when they were close to occupying the District Session judges post. Only one person was made District Session Judge. His case was recommended by the Chief Justice of Punjab High Court. Similarly, a panel of 3 judges was formed for Punjab and Haryana High Court. I would say that unfortunately Shri V. P. Singh took 2 persons from the panel but 1 belonging to scheduled castes was left... (*Interruptions*) because there was nobody to recommend the case of that poor fellow... (*Interruptions*)

**SHRI CHANDRAJEET YADAV** : Only 10 per cent vacancies have been filled... (*Interruptions*)

**SHRI BUTA SINGH** : I am talking of the person who said this... (*Interruptions*)

**SHRI CHANDRAJEET YADAV** : 22½ per cent vacancies are required to be filled whereas only 10 per cent have been filled. Therefore the remaining

posts should also be filled. We are all with you in this respect. Please make special recruitment for this purpose.

[English]

Let there be special recruitment and fill up those posts which have not been filled in 42 years. We will all support this proposal for special recruitment.

[Translation]

**SHRI RAM VILAS PASWAN** : The Hon. Minister of Home Affairs as well as all the Hon. Members are present here at the moment. When the Resolution was moved by us we tried our best to keep the standard of the debate high and avoid allegations and counter allegations. I have never criticised any Government and neither Shri Vishwanath Pratap Singh criticised any Government. I have just presented the factual situation. Bureaucracy is to be held responsible for this. Why the fixed percentage of vacancies has not been filled, we all are to be blamed for this. It is not the question of any particular party or Government. Though it was agreed that no party or Government should be dragged into this, parties and Governments are being dragged into the matter. I also possess correct information. We do know what the previous Government did during the 43 years of their rule. If this is the matter, we would unravel each and every truth. I have got the details of information in this regard...

(*Interruptions*)

**SHRI BUTA SINGH** : Mr. Speaker, Sir, the decisions that were taken during Shri Rajiv Gandhi's tenure were not pursued later... (*Interruptions*)

**SHRI RAM VILAS PASWAN** : Because of the misdeeds committed by the Congress during their 43 year rule incidents like those in Andhra Pradesh are taking place...

*(Interruptions)*

**SHRI MANORANJAN BHAKTA** (Andaman & Nicobar Islands) : Shri Ram Vilas Paswan is also a product of the Congress Party. He should remember that he was also a follower of leaders like Gandhiji and Shri Jagjivan Ram... *(Interruptions)*

**SHRI SURAJ MANDAL** : What did their party do during the forty years... *(Interruptions)*

**MR. SPEAKER** : I Will give you time to speak later. At the moment please sit down.

**SHRI BUTA SINGH** : Mr. Speaker. Sir, in what way I am to blame if somebody says that he could do in four months what could not be done in forty years. Posters like this have been stuck at various places in Delhi. 40 years versus 4 months... *(Interruptions)*... This house is not the place to hear sermons only... *(Interruptions)*

**SHRI RAJNATH SONKAR SHASTRI** (Saidpur) : Please make your own submission... *(Interruptions)*

**SHRI BUTA SINGH** : Why not. The truth is that it was only the Congress Party which did something for the upliftment of the poor Harijans and Adivasis.

**SHRI RAM VILAS PASWAN** : That is why they faced this debacle.

**MR. SPEAKER** : It would not do like this manner. I will give you a chance if you want to speak. You express your views when your turn comes

**SHRI BUTA SINGH** : Mr. Speaker. Sir, even today I would say that the ideals set by the Congress Party are the ideals of the nation. Ideals followed by Pt. Jawaharlal Nehru. Shastriji, Indiraji, Rajivji are the ideals of the country. It would be improper to consider those ideals as those of a particular party, and pass remarks against them and bring to ridicule those great leaders who devoted and sacrificed their whole life for the ideals of the Congress. How all these developments took place?... *(Interruptions)*... Do you feel that had land reforms been done no such atrocities would have taken place? Land reforms have been done in many states like West Bengal. Are atrocities not taking place in those states?... *(Interruptions)*... I should not utter anybody's name, but many persons left the Congress party when land reforms were being done. Chandra Jeet Ji, you know well...

*[English]*

**SHRIMATI GEETA MUKHERJEE** (Panskura) : For your information, atrocities on Harijans and Adivasis are not taking place in West Bengal.

*[Translation]*

**SHRI BUTA SINGH** : Who left the Congress during Shri Bahuguna's tenure? It is my misfortune that I have a rural background. Chandra Jeet Ji is silent. Land reforms is an issue through which we can check atrocities.

Land reforms were not done in Andhra Pradesh, we are also to blame for it. I do not refute this. There are leaders who despite holding Ministerial posts crossed the limits of committing misdeeds so as to protect their

land. I agree that there is no need to give sermons to anybody. Atrocities can be checked if land reforms are done, and Adivasis, and people belonging to Scheduled Castes are given land.

I would urge the Hon. Minister of Home Affairs to transfer this subject to Home Ministry with immediate effect so as to safeguard the interests of the poor. I am a great admirer of Shri Kesari. He delivered a very impressive speech and expressed his views in regard to the upliftment of poor and backward classes. But I think even he will not be able to do any justice if he fails to get proper encouragement for his efforts from the State Governments. Therefore the Ministry of Home Affairs alone can do something in this regard. Initially this subject was dealt and monitored by the Ministry of Home Affairs. Even at present only they can tackle the situation, otherwise the situation is going out of control.

**SHRI RAM VILAS PASWAN :** Who changed it?

**SHRI BUTA SINGH :** We did it. You could have transferred it. We wish that this subject should be transferred to the Hon. Prime Minister's office.

**SHRI RAM VILAS PASWAN :** Earlier it was under the Ministry of Home Affairs. When he was the Minister of Home Affairs, it was transferred to Welfare Ministry.

**SHRI BUTA SINGH :** My experience is that until the Ministry of Home Affairs takes charge of it, nothing concrete would take place.

Not taking much time of the House I would only submit that the attention of the country is focussed on this august House. If the matter is restric-

ted to bringing forward a resolution only people will say that Lok Sabha did nothing more than shedding tears once again. Our people died and nobody even take note of it. I would like to cite an urdu couplet here.

"Tassalli di gay unko ki jinhe  
dushwar tha jeena  
Arz yeh thi ki unhein marna bhi  
dushwar ho jata."

**MR. SPEAKER :** Shri Sonkar.

**SHRI RAJNATH SONKAR SHASTRI :** Time is short.

**SHRI PIUSH TIRKEY :** Members from all political parties have already spoken. At least I should be given time to speak.

**MR. SPEAKER :** You will also be given time. It will be discussed on Monday also.

**SHRI RAJNATH SONKAR SHASTRI :** Will it continue, Sir?

**MR. SPEAKER :** It will not continue. You make your submission in 10 minutes. Your time is over. Complete your speech within 10 minutes.

**SHRI RAJNATH SONKAR SHASTRI :** Only one Member of our party has spoken upto now.

**MR. SPEAKER :** No, how one person, Shri Paswan and Shri Vishwanath Pratap Singh have already spoken.

**SHRI RAM VILAS PASWAN :** I do not belong to any party because I am the mover of the Resolution.

**MR. SPEAKER :** Shyam Lalji, please make your speech. You will be given an opportunity on Monday.

*(Interruptions)*

**MR. SPEAKER :** All members will

be called. Please take your seats. I cannot call all the Members at the same time.

**SHRI RAJNATH SONKAR SHASTRI**: Sir, kindly do not commit atrocities on us.

**MR. SPEAKER**: How can he be Sonkar if he does not talk in this manner.

**SHRI RAJNATH SONKAR SHASTRI**: We see that you are not committing any atrocities.

*(English)*

**SHRI SHYAM LAL KAMAL (Basti)**: Mr. Speaker, Sir, I am throwing some light on the problem of national importance, that is, atrocities on Harijans. The atrocities on Harijans are being committed since ages but the people of this country had a hope after Bapuji's intervention and affection shown to the Harijans and the direction and leadership...  
*(Interruptions).*

**SHRI RAM NIHOR RAI (Robertsganj)**: Mr. Speaker, Sir, I am on a point of order. There is no quorum in the House.

*(English)*

**MR. SPEAKER**: Let the quorum bell be rung..

Now there is quorum. Shri Shyam Lal Kamal may continue.

**SHRI SHYAM LAL KAMAL**: I was saying that after Bapuji's affection shown towards the Harijans and the leadership of Dr. Bhim Rao Ambedkar aroused the consciousness amongst the Scheduled Caste and Scheduled Tribe people of this country who had very high hopes after independence. They hoped that the atrocities committed against them would be finished and their freedom as a true citizen of this country will be restored. This dignity of citizenship is

still a dream and the people of this country are not one with the constitutional aspiration that was conceived by the founding fathers of our constitution.

Even after independence the atrocities on Harijans are still going on, unabated. This is a serious national problem of which we are all concerned. All the Hon. Members of all the parties present here are so much disturbed and concerned that they have really demanded a right thing that there should be a special debate for some time exclusively for the annihilation and removal of these atrocities against the Scheduled Caste and Scheduled Tribe people.

The questions that are to be answered are—what the Government has done during these forty four years of Independence? Have they ensured their economic freedom? Have they restored their social status? Have these people been given their civil rights? The fact is that nothing concrete and substantial has been done which can restore their confidence in the Government and in the Constitution of the country.

If we analyse the causes of atrocities, we have to divide the subject into two parts. One is the atrocities committed against uneducated and semi-educated SC and ST by uneducated and semi-educated upper class people of our country. While dealing with the first part, the main causes to my mind, and from my own experience, are, firstly, exploitation of Harijans who constitute 95 per cent of the population by upper class people who are rich and land holders. Their due wages are not being given now even in spite of the Minimum Wages Act. In the case of village Tsundru, the local wage rate is Rs. 30 per day. But the Harijans are given much less, i.e.,

Rs. 15 for a male and Rs. 10 for a female. This was a point in issue for the last two years and that was disturbing their relationship. I am saying this because I visited that village and investigated the matter, talked to more than 500 persons of both the communities and came to this conclusion.

Sir, social discrimination is rampant. Even today, if a Scheduled Caste officer goes to the village, he is not offered, by upper class people, water in his own metal glass. Thanks to the glass tumbler which is kept exclusively for the Scheduled Caste Officers visiting the village. Water is offered to them in such glass tumblers. For maintaining their own prestige they do not make it a issue. They never come out of their feeling, nor do they report and inform the Government about prevailing untouchability in the society. Even in the parliamentary elections today that we have gone through, it is in my personal knowledge that the Scheduled Castes M.P.s and M.L.A.s were not offered water in their own glass by the upper class people. They keep a separate glasses reserved for them for such occasions. Thus there is this discrimination. Because the Scheduled Caste candidates have to take vote from them. They do not utter a word from their mouth about such type of social misbehaviour.

Sir, a labourer can live simply with dry bread and salt, but not without dignity.

*[Translation]*

उनको मान-सम्मान चाहिए

We are unable to give due dignity to

the Scheduled Castes people who are poor and ill-educated and belong to labour class in the country.

[19.00 hrs.]

Sir, I would like to bring to your kind notice the behaviour of the educated upper class officers towards the Scheduled Caste IV class employees. The sweepers are Fourth Class employees and including them, the Government claims that SC quota of 18 per cent is full. If we exclude the sweeper class, the representation will be hardly five to six per cent. Why is it so? The reason is that the Fourth Class employees are now being used by the Government officers for preparation of their food, cleaning their houses and washing their clothes. Since the Scheduled Caste IV class employees cannot touch the kitchen utensils and the food items of the upper class officers, they are not enlisted. The upper class officers want to enlist upper caste IVth class employees for their private service.

MR. SPEAKER : How much more time you need ?

SHRI SHYAM LAL KAMAL : Sir, I would like to have 15 minutes more.

MR. SPEAKER : The time is over now; you can speak on Monday. The House stands adjourned to meet again on Monday, the 19th August 1991, at 11.00 a.m.

19.02 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 19, 1991/Sravana 28, 1913 (Saka).*