

[Mr. Chairman]

are no amendments. So, I put all the Clauses together. The question is :

"That Clauses 2 to 34, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 to 34, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI CHAND RAM : I move :

"That the Bill be passed."

MR. CHAIRMAN: The question is :

"That the Bill be passed."

The motion was adopted

17.32 hrs.

MOTION RE. TWENTIETH, TWENTY-FIRST AND TWENTY-SECOND REPORTS OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES AND DISCUSSION ON EMPLOYMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES IN SERVICES AGAINST RESERVED QUOTA—
contd.

MR. CHAIRMAN : The House will now take up further consideration of the following motion moved by Prof. Madhu Dandavate on the 28th July, 1977, namely :-

"That this House do consider the Twentieth, Twenty-first and Twenty-second Reports of the Commissioner for Scheduled Castes and Scheduled Tribes for the years 1970-71, 1971-72 and 1972-73 and 1973-74, laid on the Table of the House on the 11th May, 1973, 28th August, 1974 and 5th May, 1976, respectively."

and substitute motions moved on the 28th July, 1977, and further discussion on the employment of Scheduled Castes and Scheduled Tribes in services against reserved quota.

SHRI T. BALAKRISHNIAH (Tirupathi) : Mr. Chairman, Sir, I would like to speak on the reports of the Commissioner for the Welfare of Scheduled Castes and Scheduled Tribes under

Article 338. Nearly 1/5th of the total population of the country consists of the Harijans and girijans. As per 1971 census the population of the Scheduled Castes communities is about 12 crores. They are the most neglected depressed section of the people in the society from ages. They have got innumerable problems. The main problem of the Harijans is a socio-economic problem. They are socially oppressed and economically exploited. Even earlier to Mahatma Gandhi the cause of the down trodden millions of this historic country was taken up and fought out for their emancipation by the most respected religious Gurus like Ramanujacharya, Sankaracharya and others.

One of the preceptors of Shri Ramanujacharya was a Harijan. His name was Thiruppanawar. He was very much liked by Ramanujacharya. Ramanujacharya called the untouchables as "Thiru Kulathar" meaning people of noble descent. When Ramanuja escaped from Srirangam afraid of persecution by Saiva Chola kings, he was taken care of and looked after by the Chandalas in Nilagiri forests.

The great Sankaracharya was tested by a Chandala and the former surrendered to the latter from whom he got spiritual enlightenment. He said that a Brahmin can learn from a Chandala who is learned in Vedas with due obedience and respect to the preceptor.

These incidents indicate to us that the evil of untouchability in Hindu Society had been fought out from time immemorial by the great men of this country. But unfortunately the caste structure in this country created untouchability among the caste Hindu people. The unfortunate people of this country numbering about twelve crores are subject to the stigma of untouchability and they are treated worse than animals. Why I quoted religious Gurus like Ramanujacharya and Sankaracharya is that these two Gurus are the great Gurus of Vaishnavites and Saivaites.

Recently I read a news item on page 1 of the 11th July, 1977 issue of the National Herald under the caption "Land dispute or war on Meerut Harijans". In this it is said :

"Mr. Bains said that the dispute between the Harijans and the influential people was basically a social problem because somehow the Harijans were not acceptable as standard human beings to the rural rich."

To convince those people that the Harijans are in no way inferior to other caste people, I quoted the preaching of these religious Gurus. Ramanujacharya called the untouchables as "Thiru kutathar" meaning people of noble descent. You can understand from that what respect was given for Harijans. But unfortunately some people in this Northern part have given inhuman treatment to these Harijans. It is most regrettable.

PROF. P. G. MAVALANKAR (Gandhinagar) : Mr. Chairman, Sir, there is no quorum. There is no Minister of Cabinet rank.

MR. CHAIRMAN : Five Ministers are there.

PROF. P. G. MAVALANKAR : The point is that we are discussing a very important issue. In the last session, the House decided to discuss this matter even in this session. It is true that the discussion came up at this hour. But there is no quorum and no Minister of Cabinet rank. It is not fair. Indeed this complaint was made against the previous Government. Let us not have the same difficulty about the new Government.

MR. CHAIRMAN : When there is no quorum, let the quorum bell be rung—the bell is being rung.

MR. CHAIRMAN : Now there is quorum.

SHRI T. BALAKRISHNIAH : In the 20th century, Mahatma Gandhi who met inhuman treatment at the hands of white people in South Africa returned to India and took up the cause of the Scheduled Castes and Tribes. He named them as Harijans and since then they are called Harijans. Mahatma Gandhi protested against the award of the British Prime Minister for separate electorate for Harijans. He undertook a fast unto death and he did not agree to give up his fast unless the move came from a Harijan leader. Then Dr. Ambedkar who fought for separate electorate for the Harijans yielded at last to save the life of Gandhiji. You know what Gandhiji said at that time :

"I will get Swaraj and your rights will be written in golden letters in the Constitution that we are going to frame for this country."

True to his promise the rights of the Scheduled Castes are guaranteed under the Constitution which was drafted under the chairmanship of a Harijan, Dr. Ambedkar. One such guarantee is given in article 46 :

"The State shall promote with special care the educational and economic interests of the weaker sections of the people and in particular, of the Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation."

Quite contrary to this the party in power is violating this provision; not only that; it is also encouraging people to commit atrocities on Harijans. The lands given to Harijans earlier by the previous government were being taken away forcibly by the feudal lords and the rural rich. What step have you taken to give them protection? Are you sticking to this constitutional provision?

I read a newsitem on page 4 of Patriot dated 1-8-1977 under the caption : "Region of terror on H. P. Harijans." And it said :

"Land lords in Himachal Pradesh have let loose a reign of terror on Harijans and tenants since the recent elections and have resorted to destruction of their immovable property and standing crops in Hamirpur district. It is also alleged that the perpetrators of the incidents got an impetus from the contradictory statements issued by the Janata ministers on land reforms."

I want to quote what the Janata Minister of the Himachal Pradesh government has said. I read in the papers a statement by the Prime Minister that the economic committee of the Janata Party had discussed land reforms and had fixed a three year period to implement them. I do not know why they should take three years and why they cannot do it immediately. After all they have taken enough time to discuss so many other items. Why cannot they take up this item which will go a long way to serve the poor, starving millions in our country?

This is what the Janata Minister of Himachal Pradesh Government has said. "The first statement of Revenue Minister, Jagdev Chand conferred on the landlords the right to eject tenants from lands falling within the ceiling limit of ten acres." A Minister, who is supposed to be responsible, can he make this type of statement? If a Minister makes this type of statement, how can you expect that the Harijans will live peacefully? How can

[Shri T. Balakrishniah]

you expect that the harijans will hold the lands and live peacefully? Why I say that the party in power is not interested in the welfare of Harijans. The moment the Janata Party came into power, it is said, that the feudal lords thought that they can do whatever they wanted against the harijans who are innocent people. It is further said that the district authorities were feeling helpless. In taking action against the landlords, the district authorities were helpless because the landlords enjoyed the sympathy and patronage of the ruling party. Very recently, the Prime Minister, Shri Morarji Desai said "banish fear" from the minds of the people. It is good. But I quote here from *Span* dated August 1977 page 10 & 11 — "Speaking on April 7, before a meeting of non-aligned Nations in New Delhi he said — We learn from Gandhiji that there is no nobler quest than work for justice and better life for one's fellow brethren. There has to be a moral and spiritual base for development along with its materialistic content. Freedom from want and freedom from fear have to be secured to make that base. We have dedicated ourselves to the task of achieving these freedoms along with right to liberty." But quite contrary to what the Prime Minister has said, today, one hundred millions of the country who are Harijans are not free from the fear of hunger, the fear of torture and the fear of caste feeling and prejudices. Out of the total population of the world, 400 million people are suffering from hunger and poverty. But in our country out of 600 million people, 100 million people who are Harijans are suffering from poverty and hunger and they are subject to torture and humiliation. Poverty and hunger are common in other countries, but the torture and inhuman treatment are not common in other countries. I want to ask, have you banished fear from the minds of the feudal lords to torture Harijans? What for fear has been banished? Is it to torture and ill-treat Harijans? There are commissions to probe into small individual offences, like Sundarkali enquiry. Sundarkali is an elephant which died. The Central Government has appointed a Commission to probe into the 'fall of the elephant, but no commission has been appointed to probe into Belchi murder and for all these things, they say, it is *sub-judice*, and it is a matter to be dealt with by the State Government. Where is justice? Is the Government giving any assistance to the poor people? You are appointing Commissions after commissions for individual offences and broadcasting to the nation through the radio and TV misusing the radio and the mass-media and you criticise somebody for having misused the mass media. Why are you doing so? The

papers are not giving publicity, the radio is not giving publicity about the atrocities on Harijans. Is this the way the Government is going to protect the Harijans and the interests of Harijans? It is very regrettable.

I want to know whether fear has been banished from the minds of the people or from the minds of the rural rich to commit atrocities on Harijans who are innocent, helpless and dejected.

In this connection, I want to quote one proverb: "Durbalasya Balam Raja"—Raja is the strength for the weak people. If the king fails to protect people from injustice, whom shall they approach? The C.B.I. has reported that the more the Scheduled Castes and Scheduled Tribes people are conscious about their rights, the more are the brutal resistances and the village oligarchy of the upper castes are resisting the economic and educational progress of the Scheduled Castes and Scheduled Tribes out of fear of losing their age old, but respectable positions.

In this connection the Home Minister on more than one occasion in this august House has given figures. About what? About the atrocities committed during the previous regime and also the atrocities committed during the last eight months. But I am not interested in these figures. The number would have been larger, but he cannot say that 'I should reach the target'. Does he want us to wait till he reaches the target on committing atrocities or does he want to take prompt action to put an end to these atrocities?

"Indian situation makes it impossible to stop caste crimes. The Police men and officers themselves are corrupted and full of caste prejudices." The elite of this situation are not yet aware of this situation. They are found to come out with organised protests against barbarities in other countries. They are completely silent about the worst type of Indian barbarity against humanity.

Because of the inhuman treatment, many got converted into Islam and fought against the Hindus. Many got converted into Christians and enlarged their strength in India to support the Britishers.

Coming to recruitment (Article 335)—the number of officers under Central Government belonging to Scheduled Castes and Scheduled Tribes in various grades—there is no adequate representation. You know what is the reason? Under Article 335 it is said that they can be given proper

representation subject to suitability. In all the advertisements they say that if 'suitable' candidates are not forthcoming from the Scheduled Castes and Scheduled Tribes, the vacancies will be filled* by candidates belonging to other communities. So, whoever comes from the Scheduled Castes and Scheduled Tribes, they say they are not suitable. I will give you one instance. Very recently we had been to Madras to see the recruitment position for Harijans and Girijans. We took up and examined the recruitment position in the Central Excise Department. There one lady candidate appeared for interview for the post of UDC. She is a graduate. She got 50 per cent marks in English, 70 per cent marks in Arithmetic and 20 per cent marks in General Knowledge. But she was not selected. The Finance Department issued a G. O. saying that the aggregate marks are not to be taken into consideration, but for each subject the candidate must get 40 per cent. You see how they are circumventing the situation and how they are preventing the Harijans from getting jobs. I say that among candidates of Scheduled Castes and Scheduled Tribes who appeared for this selection or recruitment, you must take their aggregate marks into consideration and on that basis select them for the vacancies reserved for them. But why do you prevent them from getting the posts reserved for them? When so many posts are reserved for the Scheduled Castes and Scheduled Tribes, they are doing like this for many years. For three years they do like this and then the officer concerned writes to the Central Government that "suitable candidates are not forthcoming. These should go to the General Pool." Then the vacancies will go to the General Pool. In this manner, reservations were not being properly implemented, and the vacancies not properly filled by scheduled castes and scheduled tribes candidates. This is the justice done by officers and by government. If this type of things continues, do you expect that the educated Harijan youth will get employment? They have no land to plough and no money to do business with. They get only education at the cost of the government. Do you want them to turn into robbers, thieves or vagabonds? It is a shame that Government should have issued this type of a G.O. and not taken action against the officers who issued it. The vacancies should be filled according to merit only among the SC and ST candidates. This demand had been denied all these years. Is it going to be denied in future also?

Now about promotion from posts like Deputy Superintendents to IPS, Deputy Collectors to IAS, constables to head

constables and SIs to Inspectors. The promotion given is nil. If a Harijan is recruited as a deputy collector, he will remain so, because his personal file is not good. Similar is the case with Central Government employees. Promotion is nil, because the superior officers are not well disposed towards their Harijan subordinates. I will read out some figures.

In Class I posts, out of a total of 1255 posts, Scheduled Castes' share is 2.36% and that of STs. 0.4%; in Class II posts, the total is 2578 and the share of SCs is 3.84% and of STs. 0.4%; in Class III posts, the total number is 1,95,091 and the share of these communities is 9.9% and 1.47% respectively; in the case of Class IV posts, the total number is 2,78,107 and the share is 22.30% and 3.4% respectively.

In the case of IAS officers, the number is only 363; and the number of IPS officers is 171. This is the position obtaining in June 1974.

Speaking on the standard, the Prime Minister had said in Parliament that there were no qualified people among the SCs and STs, i.e. people coming up to the standards prescribed. What is the yardstick to measure their capacity? When Britishers came to India, they said that Indians were fit only to be sergants and chaprasis. But to-day, Swaraj has helped caste Hindus to get good jobs and good business, and has enabled them to increase their richness and wealth. But Swaraj has not helped the poorman and the Harijan. The Harijan is a Harijan whether he is a Minister, Collector or a Member of Parliament. That is the position to-day.

During the first Five-Year Plan, i.e. between 1951 and 1956, the allotment of expenditure towards Scheduled Castes was about Rs. 30.04 crores. I will now give the total expenditure of the Government of India, and the expenditure towards the welfare of the Scheduled Castes and Scheduled Tribes, for the years 1976-77 and 1977-78. The total expenditure for 1976-77 is about Rs. 8554 crores. For 1977-78 the total expenditure is Rs. 9,487 crores. The expenditure on the welfare of Scheduled Castes and Scheduled Tribes as percentage of the total expenditure is .017 for 1976-77 and .016 for 1977-78. If this trend continues, I do not know how there can be economic development for the Scheduled Castes and Scheduled Tribes.

18 hrs.

During the elections the Janata Party carried a propaganda among the caste

[Shri Balakrishnaiah]

Hindus voters that the Congress Government was spending money, giving lands and protection only to the harijans. Now they plead that the erstwhile Government did not do much for the harijans. So they are contradicting their own statements made during the elections. At the same time, we find that the money allotted for the welfare of the Scheduled Castes and Tribes is going down.

I would suggest that there should be a separate Ministry dealing with the welfare of Scheduled Castes and Scheduled Tribes. It should not be under the Home Minister but should be under an independent Minister. The Janata Party Government should come out with a programme for economic and social development of the Scheduled Castes and Tribes.

Finally, I want to state that Shri Ram Dhan, M.P. in his letter has deplored and

regretted the atrocities committed on Bihar harijans and the failure of the Bihar Government to give any protection to the harijans. Government should take action against those who are found guilty.

श्री कज्जलाल हेमराज जैन (बालाघाट)
सभापति महोदय—

MR. CHAIRMAN : He can continue his speech tomorrow.

18-02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 17, 1977 Kartika 26, 1899 (Saka)