

दूसरी बात—आप बीस-बीस साल तक रायल्टी देते हैं। उस को कम करना चाहिए। उस में मजदूर का कितना फायदा हो सकता है? आप ने और कोयला खानों के लिए कानून बहुत अच्छे बनाये हैं। लेकिन इस में बीस वगैरा के बारे में उल्लेख नहीं किया। आप ने एक बात और कही है। आप ने अधिकार दिया है कि समिति का अध्यक्ष केन्द्र तय करेगा। मेरा उससे विरोध है। आप सलाह दे सकते हैं। परन्तु आप तय करेंगे मैं इस को स्वीकार नहीं करता, मेरा दल भी स्वीकार नहीं करता। आप सलाह दीजिए। लेकिन राज्य सरकार को अधिकार दीजिए कि वह अध्यक्ष चुने और ग्रन्थक बनाये। आप की सलाह पर्याप्त है। इसके अलावा जहाँ तक बाकी खानों की बात है आप ने जो आंकड़े लगाए हैं 55 हजार के उस से आगे मेरा कहना है कि बाकी जो खानें मैंने बताई हैं उन में डेढ़ लाख मजदूर सारे देश में काम करते हैं। आप 55 हजार आदमियों पर लागू करना चाहते हैं, मेरा कहना है कि डेढ़ लाख लोगों को मत छोड़िये, उन को भी इस में शामिल कीजिए, इससे उनको काफी लाभ होगा।

1503 hrs.

आपने इस में कहा है कि हम बहुत जल्दी एक शक्तिशाली कानून बनायेंगे, लेकिन यह नहीं कहा कि आप कब बनाने जा रहे हैं। जब भी आप विशेष कानून बनायें, कम से कम सदन के सदस्यों को विरवास में लेकर कानून बनायें।

MR. DEPUTY-SPEAKER: Shri-kishan Modi—absent. The Minister.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): Mr. Deputy-Speaker, Sir, the hon. Member has made two points. But I have already conceded that manganese remains to be covered. He has made another suggestion that stone quarries and others should

be covered. We will consider it. I would like to take up this matter when the Mines Bill which is now before the Joint Committee comes before the House. It is a very comprehensive legislation.

Then the other point he mentioned was that so many workers are not yet covered. I am conscious of it. Mr. Sharma referred to certain figures. I gave some figures. They are approximately correct. A number of workers still remain to be covered, but there also, we are taking steps to see that the workers are protected against malpractices, exploitation, etc. On certain other measures like contract regulations and others, I do not wish to say anything now. (Interruption.)

MR. DEPUTY-SPEAKER: That question is:

"That the Bill be passed."

The motion was adopted.

15.03 hrs.

MOTION RE. NINETEENTH REPORT OF COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES FOR 1969-70.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): Mr. Deputy-Speaker, Sir, I beg to move:

"That this House do consider the Nineteenth Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1969-70, laid on the Table of the House on the 22nd December, 1971."

At the outset, I would like to express my regret to the House at the delay in the submission of the report. This report was received by the Ministry on the 1st July, 1970, but as a result of delays in the printing of the Hindi translation of the report, particularly because of the emergency with which the country was faced last

[Prof. S. Nurul Hasan]

year, the report in its English and Hindi version was received from the press very much later in the year 1971, and it was placed on the Table of the House on the 22nd December, 1971.

Then, during the budget session, as the hon. Members would recall, I had tabled a motion for the consideration of this report. But, unfortunately, I was not able to get the time, and then in the last session again, there was a feeling that more time would be needed by the House for considering this report, and therefore, it is now being considered at this rather late stage.

Sir, since notice of this motion was given by me, the 20th report for the year 1970-71 has also been submitted, and it is now in the process of being translated and printed. I hope to place this report on the Table of the House as soon as I am able to get it. I do not know whether that will be possible before the end of this session, but as soon as it comes, I will take the earliest opportunity of placing it before the House.

I do not wish to make a very long statement at this stage but I feel that there are certain aspects of this whole question which require to be considered so that the problem is examined in proper perspective. It is true that a great deal has been done for the amelioration of the conditions of the tribal people as well as the Scheduled Castes. It is equally true that what remains to be done is very much more. It is a matter of deep regret that in the course of the general development that has taken place in the country we still are faced with a situation in which special measures need to be taken for the welfare of Scheduled Castes and Scheduled Tribes.

To put the record straight I should like to mention some of the actions which the Government of India and the State Governments have taken in this connection. The Central and the

State Governments spent about Rs. 275 crores under the Plans on the welfare of backward classes; on Scheduled Tribes alone a sum of Rs. 153 crores was spent upto 1969 or so and Rs. 115 crores on economic development. Expenditure on educational schemes was of the order of Rs. 104 crores and on health, housing and other schemes, Rs. 53 crores. An amount of Rs. 100 crores had been spent from non-plan budgets of the different States. A provision of Rs. 142 crores was made in the Fourth Plan of which more than Rs. 76 crores had been utilised in the first three years and the balance will be utilised by the end of the current plan period.

श्री शम्भूनाथ (सैदपुर) : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैं बड़े प्रश्न से आपकी भारफ्त मिनिस्टर साहब से प्रश्न करना चाहूंगा कि जब जब पहले शेड्यूल्ड कास्ट रिपोर्ट पेश होती थी तो उसके साथ गवर्नमेन्ट द्वारा "एक्शन-टेकन-रिपोर्ट" भी सबमिट होती थी और मेम्बरान को उसके जरिये यह मालूम हो जाता था कि सरकार ने क्या क्या एक्शन लिये हैं, लेकिन अब पिछले कुछ सालों से यह रिपोर्ट पेश नहीं की जा रही है। अभी मंत्री महोदय ने कुछ बताने की कोशिश की है कि फलां फलां एक्शन लिया गया है, लेकिन मैं जानना चाहता हूँ कि वह रिपोर्ट पेश क्यों नहीं की गई। सरकार ने जो जो एक्शन लिये हैं उसका क्वैरिफिकेशन हमारे सामने भ्राना चाहिए था। मैं आपके जरिये मंत्री महोदय से कहना चाहता हूँ कि एक्शन टेकन रिपोर्ट इसके साथ भ्राना चाहिए ताकि हमको सही बात का पता लग सके।

MR. DEPUTY-SPEAKER: Order, please. You have made your point. (Interruptions)... It is not a point of order. You have made a submission and the Minister may reply if he wants. There is no point of order.

SHRI SHAMBHU NATH: It has all along been the practice in this House that the action taken report is submitted along with the main report.

MR. DEPUTY-SPEAKER: Government can make available to the Members any papers that are at their disposal for the use of the Members; this is not a point of order; it has nothing to do with the Order of the House. I have said that if the Minister wants to reply to that point in his speech, he may do that.

श्री रामधन (लालगंज) : उपाध्यक्ष महोदय, आज हम किस बात की बहस कर रहे हैं। जब एक्शन-टेकन रिपोर्ट ही नहीं है तो किस विषय के बारे में हम बहस करेंगे।

MR. DEPUTY-SPEAKER: I have given my ruling. Order, please . . .

(Interruptions).

श्रीधरी रामसेवक (जालौन) : श्रीमान् जी, यह कोई नई बात नहीं है। 1966 के बाद से कोई भी एक्शन-टेकन रिपोर्ट पेश नहीं की गई है। सरकार के लिये यह नई बात नहीं है।

PROF. S. NURUL HASAN: If the hon. member had not been so impatient, I was going to deal with this problem. However, since he has raised it, I will stop my other points and deal with this.

SHRI SHAMBHU NATH: Why has this report not been put before the House?

MR. DEPUTY-SPEAKER: Would you sit down? I have said it has nothing to do with the order of the House. It is not a point of order. You have made a submission and I have requested the minister to reply. Why not have some patience?

श्री अम्बेश (फिरोजाबाद) : उपाध्यक्ष महोदय, प्रश्न यह है कि अगर इसके साथ एक्शन टेकन रिपोर्ट इस सदन में प्रस्तुत नहीं की गई है तो यहाँ पर बहस करने का

उपयोग क्या होगा, यहाँ पर हमारे विचारों को प्रस्तुत करने का लाभ क्या होगा क्योंकि हमें कुछ पता नहीं है कि सरकार ने उस पर क्या क्रिया है। इस बात पर हम आपकी कृपित चाहते हैं। . . . (अव्यवधान) . . .

MR. DEPUTY-SPEAKER: Let us hear the minister.

PROF. S. NURUL HASAN: He wants a ruling from you, not my explanation.

MR. DEPUTY-SPEAKER: I have given my ruling. You can give your explanation.

PROF. S. NURUL HASAN: I think it would be best if I were not to take the time of the House, because the members are very impatient to make their own contribution. I am also very keen to know the views of the hon. members.

PROF. MADHU DANDAVATE (Rajapur): They only say that you have violated the accepted procedure.

MR. DEPUTY-SPEAKER: As far as I know there has never been such a procedure that along with the report of the Commissioner for Scheduled Castes and Scheduled Tribes Government also must submit a report on the action taken on those recommendations. Even so, I am trying to check from my office whether this has been the practice in the past. As far as I know this has not been the practice. Let us see.

PROF. S. NURUL HASAN: As far as I am aware, since 1966 this practice has not been there and I understand that the reason was that when the parliamentary committee on scheduled castes and scheduled tribes was appointed, then all these points were examined first by the parliamentary committee. However, since I see that the hon. members would like the report on action taken to be presented to the House, I will be very glad to do so. But considering the delay in getting the reports from the State Govern-

[Prof. S. Nurul Hasan]

ments, because most of the points deal with the State Governments, I venture to suggest, if it is agreeable to hon. members that the action taken report should be submitted for the previous year so that there is no further delay in the submission of the report of the succeeding year. Even now I have got a cyclostyled report with me, but it is far from complete. Many of the States have not replied to important points. That was why I thought it would not be in the fitness of things to submit an incomplete report to hon. members.

SHRI SHAMBHU NATH: I want to seek your protection, Sir. यह रिपोर्ट

1969-70 की है और अब 1972 है, दो साल से ज्यादा बीत गये हैं। आज तक स्टेट गवर्नमेंट्स से पूरी इम्फार्मेशन नहीं आई है। इससे बेहतर तो यह होगा कि वह रिपोर्ट आ जाती तभी बहस होती। दो वर्ष बीत जाने के बाद भी स्टेट गवर्नमेंट्स की तरफ से सोशल वेलफेयर डिपार्टमेंट को जवाब नहीं दिया गया इसी से आप समझ सकते हैं कि हमारा जो पुराना प्रोसीजर था उसकी किस तरह से अबहेलना की जा रही है। आखिर क्या बजह है कि दो साल हो गये फिर भी सारा मैटीरियल हमारे सामने नहीं आया। इस सम्बन्ध में हम आपकी प्रोटेक्शन चाहते हैं।

PROF. S. NURUL HASAN: The hon. Member is entitled, as everybody is entitled, to protection from the chair. But I would like one point to be very clearly understood. What is the principal function of the Parliamentary Committee on Scheduled Castes and Scheduled Tribes? I was under the impression that one of the most important functions of this committee precisely is to see what action has been taken on the recommendations in the report of the Commissioner for Scheduled Castes and Scheduled Tribes. It can get the information from whomsoever it

likes. Therefore, it is not as if this matter has not been taken up. But I thought it was one of the most important functions of that Committee.

SHRI R. D. BHANDARE (Bombay Central). May I say.

MR. DEPUTY-SPEAKER: He should confine himself to this point

SHRI R. D. BHANDARE: I am confining myself to this point. The point raised by Shri Shambhu Nath is quite clear. He said that since there has already been delay, it would be far more better if we can discuss the Report along with the action taken report of the Government. That is his simple point. The argument about delay has little relevancy in the sense that so long as the action taken on the report is not known, there is no point in merely discussing the report.

The hon. Minister referred to the functions of the Committee on Scheduled Castes and Scheduled Tribes. It is a parliamentary committee to look into the grievances of people belonging to Scheduled Castes and Scheduled Tribes, to consider to what extent they are redressed, to what extent the principle of reservation is implemented and so on. The terms of reference of this Committee have nothing to do with going through the recommendations of the Commissioner. It is true that this Committee will look into the recommendations made by the Commissioner but that is only one of the terms. So, let us not equate it with the action-taken report of the Government on the report of the Commissioner. So far as that parliamentary committee is concerned, under its terms of reference it will make some suggestions to the government. In that event government must report back to the Committee and Parliament what action they have taken on the recommendations of this parliamentary committee.

MR. DEPUTY-SPEAKER: Let us discuss this point as calmly as possible. There are two or three points. The first point is whether it has been the practice or procedure that the action taken report should be submitted along with the report of the Commissioner and they should be discussed together. As far as I remember, that is not the practice. I have sought the help of office to verify whether it is correct or not. They are not able to help me till now, which shows that they also are not sure about that point. Let us be clear about that point....

SHRI R. D. BHANDARE: I want to say something about that.

MR. DEPUTY SPEAKER: I will hear you again. I will not give my ruling now. Let us be clear about it.

SHRI R. D. BHANDARE: Before you give your ruling, I want to make a submission on this point.

MR. DEPUTY-SPEAKER: I will not give a ruling now. I am trying to clarify the position before we come to a decision. That is the first point.

The second point that you have raised is about the Action-Taken Report. Who is to submit the Action-Taken Report to the House? It is the Committee of the House. We have the parallel of the Estimates Committee and the Public Accounts Committee. They present the Report to the House. There is the Action-Taken Report. It is given by the Government. Whether that is accepted by the Committee or not, the Committee reports to the House. I think, we should follow this procedure. It should have been the duty of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes to ask the Government what action they have taken and report to the House. That is what I can think of.

Now, this suggestion has been made. It is only a suggestion at this stage unless and until it comes in the form of a motion to adjourn the debate. I will not recognise it now. It is only a suggestion made by the hon. Member that there cannot be any meaningful discussion on this Report unless and until the House is aware of what action the Government has taken on this Report. His suggestion is that the debate may be adjourned.....

SHRI SHAMBHU NATH: It is not for adjournment. (*Interruptions*).

MR. DEPUTY-SPEAKER: Order, please. Let me clarify the position. That is why I could not understand him.

In the first place, I am not very clear about the procedure. The office has not been able to help me. Secondly—I am very clear in my mind—if the Action-Taken Report is to be brought before the House, it must be brought by that Committee in that form. You may find fault with the Minister. He has tried to explain that all these actions are to be taken not only by the Central Government but also by State Governments and that the reports of State Governments have not been coming and, therefore, it is incomplete. It is not that we find fault with that Committee. If the Committee has not submitted the report, then that Committee has delayed in the matter or whatever it is. This is the position as far as I understand. (*Interruptions*).

SOME HON. MEMBERS rose—

MR. DEPUTY-SPEAKER: One by one, please. If you want to discuss this, let us take a little time. Let us discuss it calmly. You make some concrete suggestions. I am open to those suggestions.

SHRI DASARATHA DEB (Tripura East): It is true that the Action-Taken Report should be submitted by the Committee on the Welfare of Scheduled Castes and Scheduled Tribes. But

[Shri Dasarath Deb] the difficulty is that we have never discussed the Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes in this House....

MR. DEPUTY-SPEAKER: Nothing prevents you. You can bring a motion on that.

SHRI DASARATHA DEB: We have never discussed it. This can only be used by Members when there is a discussion on the Report of the Commissioner for Scheduled Castes and Scheduled Tribes. I am making that position clear.

SHRI R. D. BHANDARE: So far as I can read the mind of the Members of this House, they do not want to postpone the discussion of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes. All that the Members want is this. The convention had been established to place the Action-Taken Report on the recommendations made by the Commissioner of Scheduled Castes and Scheduled Tribes on the Table of the House, to be discussed along with the Report. That practice must be restored.

MR. DEPUTY-SPEAKER: That Action-Taken Report is to be submitted by whom?

SHRI R. D. BHANDARE: By the Government. That should be discussed along with this Report. Thousands of recommendations have been made so far by the Commissioner of Scheduled Castes and Scheduled Tribes. Nobody knows whether they have been implemented or not. Therefore, that is the suggestion.

PROF. MADHU DANAVATE: There is one confusion. When one hon. Member asked why the report on action taken was not there and when you asked a categorical question whether he wanted the discussion to be adjourned....

MR. DEPUTY-SPEAKER: I did not ask him. I was only trying to find out....

PROF. MADHU DANAVATE: You were trying to find out whether he was suggesting that the discussion should be adjourned.... (Interruption) Generally, when an Adjournment Motion is moved, there is an element of censure. The honourable Member fears that his suggestion may involve an element of censure....

MR. DEPUTY-SPEAKER: Prof. Madhu Danavate is labouring under an illusion....

PROF. MADHU DANAVATE: I am not labouring under illusion, Sir; I thought he was labouring under an illusion.

MR. DEPUTY-SPEAKER: If you do not have that illusion, then it is allright.

PROF. S. NURUL HASAN: I would like to understand the position. The motion which was adopted by Lok Sabha on 16th June, 1971 and concurred in by Rajya Sabha on 27th July 1971 spells out the functions of the Committee on the Welfare of Scheduled Castes and Scheduled

Tribes as follows: (1) to consider the report submitted by the commissioner for Scheduled Castes and Scheduled Tribes under article 338(2) of the Constitution and to report to both the Houses as to the measures that should be taken by the Union Government in respect of matters within the purview of the Union Government, including the Administrations of the Union Territories. Sir, it was in view of this that my Ministry was under the impression... (Interruption) This is the motion which was adopted by this House....

AN HON. MEMBER: You read further.

PROF. S. NURUL HASAN: If you like, I would read out.

"(2) To report to both the Houses on the action taken by the Union Government and Administrations of Union Territories on the measures proposed by the Committee."

As I understand, it was for the Committee to give this report.

SHRI R. D. BHANDARE: Eleven reports have been given... (Interruption).

PROF. S. NURUL HASAN: That report has already been given and that report can form the basis of discussion in the House. However, as I made a submission earlier, if it is the wish and desire of the House, then I will have no objection whatsoever to submit the report. We can make a time schedule that the report of one year should be presented to the House along with the action taken on the previous year's, because my fear is that if we have to place the action-taken report at the same time, then the submission of the report will be unduly delayed in future. This was the submission I was making. I am in the hands of the House; whatever is the wish of the House, I will have no hesitation in carrying out the wish.

SHRI B. K. DASCHOWDHURY (Cooch-Bihar): I think, some misunderstanding is going on between the Committee on the Welfare of Scheduled Castes and Scheduled Tribes and the statutory Commissioner for Scheduled Castes and Scheduled Tribes whose report must be submitted to President under article 338 of the Constitution. There are two parallel bodies to look into the grievances of Scheduled Castes and Scheduled Tribes. One is under the Constitution. Having gone through years and years the Commissioner's reports and the Government's actions or, in some cases, inactions thereon, almost all hon. members of Parliament submitted their grievances to

the Government that these measures were not enough and that a Parliamentary Committee should be formed. And a Parliamentary Committee has been formed. You were also associated, for some time, with this Committee and you know very well the functions of this Committee. One of the functions of this committee as laid down in its terms of reference is that it should consider the action taken on the report submitted by the Scheduled Castes Commissioner. That is not there. Even beyond that, this Parliamentary Committee on the Welfare of Scheduled Castes and the Scheduled Tribes may go to consider so many things within its terms. As a matter of fact, the Committee submitted its recommendations, sent them to the Government and the Government sent back the proposals and recommendations which were accepted and which were not. The Committee submitted the Action-Taken Report to the Parliament on various occasions.

Now one responsibility of the Government is that you submit this Action-Taken Report on the basis of the report of the Scheduled Castes Commissioner. I think the two things are distinct. Both these things should not be merged together. As a matter of fact, no blame should lay on the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes. It is only the lapse on the part of the Government... (Interruptions) So far, no action-taken report has been submitted to this House.

SHRI S. M. SIDDAYYA (Chamarajanagar): I have been in this Parliament in the Lok Sabha, for the last 15 years since 1957. Every time, upto 1966, it was a practice, almost a convention, to submit the Action-Taken Report on the recommendation made by the Commissioner regarding the previous year, not for the same year. For example along with the report of the Commissioner for 1969-70, they used to give the Action-Taken Report for the previous year,

[Shri S. M. Siddayya]

viz., 1968-69. That was the practice, it continued upto 1966. On one occasion the discussion could not be taken up because the Action-Taken Report was not presented. On the same day the report was presented and discussion took place. As a matter of fact, to one of my questions, the reply given was that because the Action-Taken Report was not ready, they could not take up the discussion. Therefore, that was the practice.

There seems to be some confusion between the report of the Parliamentary Committee for the Welfare of the Scheduled Castes and Scheduled Tribes and the report of the Commissioner. The point is: one of the terms of reference for this Parliamentary Committee is to consider the recommendations made by the Commissioner and the action taken by the Government. So, unless the Government make it a point to give the Action-Taken Report, how can the Parliamentary Committee take up this question? I want to know that.

Secondly, the most important point is that this Parliamentary Committee can take up only questions relating to the Central Government and its administration and not the State Governments. But, actually, the Commissioner's report deals with every State. Therefore, even if it is limited to this Committee, the action taken on the recommendations made with regard to the State Governments will be left out. Therefore, it is incumbent on the part of this Government to come forward with the Action-Taken Report on the recommendations made by the Commissioner.

As a matter of fact, in 1957, when I came to Lok Sabha for the first time, a big cyclostyled copy of the Action-Taken Report was circulated to every Member. Afterwards the Government lost interest in it and they placed only one copy in the library and the Members were asked to go

and look into it. That too is now discontinued and now we face this situation... We do not know what is the action taken by the Government when we discuss the report. I tell you it is meaningless to discuss without the action taken report. If you want to have a fruitful discussion, you must have actually the Action-Taken report at least for the previous year if not for this year. That should be continued.

MR. DEPUTY-SPEAKER: I think we should conclude this discussion now....

श्री शम्भूनाथ : 1965-66 में जब मेम्बरों ने जिद की कि एक्शन-टेकन रिपोर्ट भी साथ आनी चाहिए तो इस रिपोर्ट को दो भागों में विभाजित किया गया, एक तो सोशल वेलफेयर डिपार्टमेंट की तरफ से रिपोर्ट दिये जाने की बात कही गई और दूसरे यह कहा गया कि होम मिनिस्ट्री से आनी चाहिए क्योंकि होम मिनिस्टर का डायरेक्ट सुम्बन्ध इससे होता है। मैं इसको पढ़ देना चाहता हूँ। पेज दो पर यह लिखा हुआ है :

"On page 2 of the Memo on the action taken etc. on the Commissioner's Report for 1965-66 it is stated:

"The Ministry of Home Affairs will separately lay before both Houses of Parliament a statement showing the action taken by them on the recommendations of the Commissioner in so far as they are concerned."

MR. DEPUTY-SPEAKER: What is the date? At least tell me the year.

SHRI SHAMBHU NATH: 1965-66 page 2....(Interruptions).

MR. DEPUTY-SPEAKER: Order please. I have got certain figures (Interruption). Order please. I have ascertained from the office that the report for the year 1961-62 of the Commissioner was laid on the Table of the House on 18-8-68. The Action-taken Report by the Government

was laid on the Table of the House on 10-12-64. That is about one report

For the second time, the report for the year 1964-65 was laid on the Table of the House on 30-3-67; the Action-taken Report was laid on the Table of the House on 22-12-67, that is, 9 months later. The 1965-66 report was laid on the Table of the House on 8-6-67 and Action-taken report was laid on the Table of the House on 21-12-67. These are the figures which I have got. Obviously,....

SHRI G. VISWANATHAN (Wandrivash): There was no report after 1967.

MR. DEPUTY-SPEAKER: The Committee for the Welfare of Scheduled Castes and Scheduled Tribes was formed in December, 1969, for the first time. And after that, I don't think there has been any report from the Government on action taken. They are checking up but they are not quite sure. But in any case, a point has now been made. There is obviously some confusion in the whole matter.

SHRI G. VISWANATHAN: Why do you say confusion. Sir? It is a deliberate failure.

MR. DEPUTY-SPEAKER: Obviously, in the terms of reference of the Parliamentary Committee there is such a thing that the Committee will report to the House on action taken by the Government. There might have been some confusion in the matter. Even then the Minister has shown a spirit of accommodation. He says, if it is the wish of the House, from now on, along with the report of the Commissioner, the report of action taken also could be laid on the Table of the House. He is quite prepared to do that, but he has said, the action-taken report can be only relating to the previous year; it cannot be on the report of the current year, that is, the current re-

port. I think, with this assurance from the Minister, we should proceed with the discussion.

SHRI G. VISWANATHAN: The last report on action taken was in 1967. After that nothing has come out. What has happened during the last five years? Why was no such report given for the last five years?

MR. DEPUTY SPEAKER: He will reply to that point. Let him go on.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BHADUR): I am sorry I was not in the House when this Committee was set up for the first time and I do not claim any personal knowledge, but I can say this from whatever recollection I have got. There was some feeling then that enough action was not taken or prompt action was not taken on the reports of the Commissioner for Scheduled Castes and Scheduled Tribes submitted from time to time, and if a committee of the House itself works as the guardian angel and scrutiniser of those recommendations and implementations thereof, that would be better. This is reflected in the terms of reference of the Committee itself and it is obvious to me as I hope it should be to every hon. Member. This question of functions can be divided into two parts. One of these two is and I quote: "The function of the Committee shall be to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes, under Art 338(2) of the Constitution. They can also report to both Houses as to the measures that should be taken by the Union Government in respect of such matters." (*Interruption*) My desire is to help hon Members. I am in their hands. If hon. Members think that I should not help them, I do not mind. But they should know the actual position. Then, the other function of the committee is:

"To report to both Houses as to the measures that should be

[Shri Raj Bahadur]

taken by the Union Government in respect of matters within the purview of the Union Government including the administrations of the Union Territories".

This means that apart from the Union Government themselves considering the recommendations of the Commissioner, the committee will also do the same and give their own views on the measures that the Union Government should take in respect of the individual or collective recommendations of the Commissioner. That is quite clear.

Now, the question is about the action-taken report which has not been submitted for some reasons since 1967, which reasons I do not know just now. The question is whether we should wait for the action-taken report and postpone the discussion. If that is not the intention, I want to be clear about it. If that is not the intention, then the other part is still open, namely that the report has to be considered by this House also so that the House may also give its views. There are three elements in this. Firstly, Government should consider the report and take action. Secondly, the Committee on Welfare of Scheduled Castes and Scheduled Tribes should also consider and submit its report, and thirdly, this House can also consider it. After so many discussions this House has chosen to allot ten hours to itself for discussing this report. I think that there is nothing wrong in discussing this report. So I think the discussion should start now. All the three levels are there and all the three are working in concentric circles.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): The parliamentary committee was appointed in 1960. But from what has just been read out by you, Sir, it is clear that Government did not submit the action-taken report since 1967. How can the Gov-

ernment justify the non-submission of the report? There has been a clear failure on the part of the Government.

SHRI RAJ BAHADUR: There has been no failure.

SHRI ATAL BIHARI VAJPAYEE: I would like the House to discuss the report, but let the hon. Minister stand up and say that Government have failed to submit the report after 1967.

SHRI RAJ BAHADUR: No, no.

SHRI ATAL BIHARI VAJPAYEE: It was incumbent upon the Government to have submitted the report.

MR. DEPUTY-SPEAKER: It is the same point which he is mentioning. No conclusion should be taken from this. I have mentioned to the House the figures that I have got from my office; up to 1967, that is the position. They are not quite sure themselves, and they are looking into this to see whether there has been any report on action taken by Government after 1967.

SHRI G. VISWANATHAN: Can the Government not say it?

SHRI ATAL BIHARI VAJPAYEE: Government can say that.

MR. DEPUTY-SPEAKER: Whatever they have to say, they will say. The hon. Member has mentioned it very clearly, and he has also brought a charge against the Government on this, and the hon. Minister could reply to this point. But let it not be taken that because I have quoted only these figures, therefore the conclusion is that the Government have not submitted any report after 1967. That is yet to be verified and checked.

SHRI G. VISWANATHAN: They are silent. Let them contradict.

MR. DEPUTY-SPEAKER: The Government is there to reply to this charge.

I think that nobody has suggested that this debate should be adjourned. The hon. Members have only highlighted certain things at this time.

SHRI G. VISWANATHAN: We want a fruitful discussion.

MR. DEPUTY-SPEAKER: The hon. Minister has also agreed to that point of view and he has said that if the House so desires....

SHRI G. VISWANATHAN: Let him reply to this point.

MR. DEPUTY-SPEAKER: He will reply. He has only stated to move the motion, but if hon. Members do not allow him to move the motion and to reply to those points....

SHRI SAMAR GUHA (Contai): On a point of order, Sir....

MR. DEPUTY-SPEAKER: A point of order on my being on my legs? First of all, let Shri Samar Guha sit down.

Order, order. There should be parliamentary etiquette. One of the things that should be done is that no member should come between the Chair and the speaker and secondly, his back should not be shown to the Chair.

As for Shri Samar Guha, if his point of order is that when I am on my legs, I must sit so that he may stand up, that is not a point of order.

Now, I think the Minister has agreed to this that next time if you want it, it would be done, but only a report of action taken on the previous report would be placed. He has said it. If you all agree to continue the discussion, the Minister can continue with his Motion.

श्री जी० लोहान्जव (कलेलबाग) :
मगर कोई टाइम तो निर्धारित होना चाहिए
कि वह रिपोर्ट कब आवेगी ।

MR. DEPUTY-SPEAKER: That is all right.

SHRI SAMAR GUHA: Already the Government has submitted the 10th Report of the Commissioner for Scheduled Castes and Scheduled Tribes. But I do not know what charges we can make on account of the failure of Government, on account of their faults or speak about the merits. It will be just a theoretical discussion.

MR. DEPUTY-SPEAKER: This is no point of order

SHRI SAMAR GUHA: We are talking of *garibi hatao* and socialism. Socialism in India means the upliftment of the backward communities belonging to the Scheduled Castes and Scheduled Tribes. But this dis-

ussion will be absolutely meaningless and fruitless, without objective and without purpose as it will not give us an opportunity to pinpoint the Government's failure....

MR. DEPUTY-SPEAKER: That point has been made.

SHRI SAMAR GUHA: Without a report of action taken by Government, it will be absolutely meaningless, without objective and without purpose to discuss this Report. Therefore, I submit it will be absolutely wrong to discuss this Report without the action taken report before us, without knowing what action they have taken, what action they failed to take, what action they will take.

MR. DEPUTY-SPEAKER: Let us finish the point. Shri Samar Guha has said very clearly, if I understood him rightly, that there is no meaning in discussing this Report, now. Does he mean to say that discussion on this Report should be adjourned?

SHRI SAMAR GUHA: Yes.....

MR. DEPUTY-SPEAKER: I have got your point. I am only ascertaining from you what is in your mind.

SHRI SAMAR GUHA: Till the report of action taken on the Report is placed before us, we cannot discuss. But if within one hour from now the report is placed before the House, we can begin discussion now, or as soon as the report is placed before us, the discussion should start.

MR. DEPUTY-SPEAKER: I am only ascertaining from him what he wants to say. If he wants that to be done, he has got to move a formal motion under rule 340 and I will put it to the House.

SHRI SAMAR GUHA: If you permit, I will do it.

MR. DEPUTY-SPEAKER: He can move a formal motion, if he likes. *(Interruptions)*.

SHRI SAMAR GUHA: May I be permitted to move it?

MR. DEPUTY-SPEAKER: He could pass it to me.

The point is only this, whether we should continue with the discussion of the Report or as Shri Samar Guha, wants to move, discussion on this should be adjourned, until the Government is able to place the action taken report before the House....

SOME HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: Order, order.

श्री शम्भू नाथ : उपाध्यक्ष महोदय, कुछ मिनट पहले जब श्री वाकभेयी बोल रहे थे, तो आप ने यह व्यवस्था दी थी कि इस का उत्तर मंत्री महोदय देंगे। इस से पहले कि आप इस प्रश्न को हाउस के सामने रखें, जो प्रश्न माननीय सदस्यों ने किये हैं, मंत्री महोदय के बारे में जानकारी दें।

MR. DEPUTY-SPEAKER: Order, order. I have not given any ruling so far on this. I have only tried to clarify the position.

श्री शम्भू नाथ : उपाध्यक्ष महोदय, यह क्लीयर है कि मिनिस्टर साहब ने अभी एम्प्योरेंस दिया कि ऐक्शन टेकन रिपोर्ट चूं कि हाउस चाहता है इसलिए गवर्नमेंट की तरफ से आएगी। अब सवाल यह नहीं रह जाता कि हाउस को ऐडजर्न कर दिया जाये। इस पर तो बहस होनी चाहिए...

MR. DEPUTY-SPEAKER: Not the House, the discussion.

श्री शम्भू नाथ : मेरा कहना है कि डिस्कशन को कांटीन्यू करना चाहिए। लेकिन जहां तक मिनिस्टर साहब का एम्प्योरेंस है मैं उन से यह उम्मीद रखता हूं कि जल्दी से जल्दी डेफिनिट पीरियड वह बता देंगे कि उस के अन्दर ऐक्शन टेकन रिपोर्ट हाउस में सबमिट कर देंगे। यह मैं उन से प्रार्थना करना चाहता हूं।

SHRI G. VISWANATHAN: Sir, let the Minister reply first. *(Interruption)*

MR. DEPUTY-SPEAKER: Order please. The Minister will reply to all your points if he is given the right to reply.

Now, there are two opinion in this House. One is, despite all these short-comings, the discussion must go on. That appears to be the overwhelming opinion in the House. The other thing is this. The hon. Member is giving a formal motion about it.

SHRI RAMAVATAR SHASTRI (Patna): What is that?

MR. DEPUTY-SPEAKER: Order please. You do not allow me to finish what I am going to say. There is an opinion that this discussion must be adjourned. The House is to decide.

SHRI R. D. BHANDARE: Under what rule he has given the notice?

MR. DEPUTY-SPEAKER: I am going to tell you. He has written to me. I will read out to the House what Shri Samar Guha has written.

"That the discussion on the Nineteenth Report of the Commissioner for Scheduled Castes and Scheduled Tribes be postponed till the report on the action taken is simultaneously placed for consideration of the House."

This is the motion he has given. He has not mentioned the rule. But Rule 340 allows such a motion. So, that motion is treated as moved.

SHRI JAGANNATHRAO JOSHI (Shajapur): What is the reply of the Minister? We cannot say 'yes' or 'no' unless and until we hear him.

MR. DEPUTY-SPEAKER: Will you please sit down? When the Minister is allowed to reply he will reply to all your points. I will put Mr. Guha's motion to the House. The rules allow that. (*Interruption*) If I allow the Minister to go on, that means the House has given the ruling that the discussion must go on. But the point to be clarified first is whether it should be discussed. I think it is a simple matter. I will put the motion of Shri Samar Guha before the House.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): It is superfluous.

MR. DEPUTY-SPEAKER: Let me see how it is superfluous.

SHRI B. SHANKARANAND: The whole agitation is going on on the non-submission of the report on action taken. But I should say there are 11 reports before this House given by the Committee. 11 reports are there, and they have discussed in these reports as to what the Government have done and what has not been done. The question of submitting action taken report does not arise in this case. (*Interruption*).

MR. DEPUTY-SPEAKER: Order please. I will put the motion to the House.

SHRI G. VISWANATHAN: Sir, on a point of order.

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI G. VISWANATHAN: Mr. Deputy-Speaker, the Deputy Minister of Parliamentary Affairs is deliberately misleading this House.

MR. DEPUTY-SPEAKER: This is no point of order.

SHRI G. VISWANATHAN: You had said that the report was submitted to this House in 1967. He did not contradict this. It means that your point was correct. For the last five years, the Government or the Commissioner has failed to submit the action taken report to the House.

MR. DEPUTY-SPEAKER: This is no point of order.

SHRI RAJ BAHADUR: Sir, you in your wisdom have made certain remarks. We have respectfully taken note of them. You are now putting the motion moved by Mr. Samar Guha for the consideration of the House. You made an observation that there have been shortcomings on the part of the Government and therefore, my colleague rose to say that the action taken report does not only depend upon the Government of India but it also depends upon the State Governments' action taken on a particular report. And all the Governments do not belong to the party that is in power here at the Centre. During the period from 1967 to 1971, there were so many, what you call, "*samvād sarkars*" or so many State Governments for which we are not entirely responsible. (*Interruptions*). Please let me have my say; I would not like it to go on record that there were shortcomings on our part. With due respect, so far as the Union Government is concerned it has been reporting from time to time to the Committee of this House known as the Committee on Welfare of Scheduled Castes and Tribes and on its part the Committee has been submitting reports—eleven reports, as my colleague the Deputy Minister tried to invite the attention of the House to,

गुरु किया, फिर पंजाब के ने किया—

श्री छटल बिहारी बाजपेयी : मध्य प्रदेश में हुआ है।

अध्यक्ष महोदय, अगर आप इजाजत दें तो मैं एक छोटा सा सवाल पूछता चाहता हूँ आप प्रिजाइडिंग आफिसर्स कान्फ़ेंस के अध्यक्ष हैं। आप इस समय किस का तमिन्नाडु का स्पीकर मानते हैं।

अध्यक्ष महोदय : मुझे पता नहीं है अभी तक। पता लगेगा तब बताऊंगा कि कौन है।

PAPERS LAID ON THE TABLE

PREVENTION OF FOOD ADULTERATION (SECOND AMENDMENT) RULES

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. KISKU): On behalf of Prof. D. P. Chattopadhyaya, I beg to lay on the Table a copy of the Prevention of Food Adulteration (Second Amendment) Rules, 1972 (Hindi and English versions) published in Notification No. G.S.R. 436(E) in Gazette of India dated the 10th October, 1972, under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954. [Placed in Library. See No. LT-3891/72.]

STATEMENT RE: CENTRAL GOVERNMENT MARKET BORROWING

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): On behalf of Shri K. R. Ganesh, I beg to lay on the Table a statement (Hindi and English versions) indicating the result of the Central Government Market Borrowing in December, 1972. [Placed in Library. See No. LT-3891/72.]

FRUIT PRODUCTS (AMENDMENT) ORDER, AND ANNUAL REPORT OF U.P. STATE AGRO-INDUSTRIAL CORPORATION, LTD.

THE MINISTER OF STATE IN
THE MINISTRY OF AGRICULTURE
(SHRI ANNASAHEB P. SHINDE):
I beg to lay on the Table—

(1) A copy of the Fruit Products (Amendment) Order, 1972 (Hindi and English versions) published in Notification No. S.O. 3537 in Gazette of India dated the 4th November, 1972 under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-3892/72.]

(2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Annual Report of the U.P. State Agro Industrial Corporation Limited, Lucknow, for the year 1969-70 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-3893/72.]

(ii) Annual Report of the U.P. State Industrial Corporation Limited, Lucknow, for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-3894/72.]

ANNUAL REPORT OF INDIAN SCHOOL OF MINES, DHANBAD

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND
SOCIAL WELFARE AND IN THE
DEPARTMENT OF CULTURE (SHRI
D. P. YADAV): I beg to lay on the