

[Shrimati Sushila Rohatgi]

- (5) A copy of the Audit Report (Hindi and English versions) on the affairs of the Andhra Pradesh State Financial Corporation for the year 1971-72, published in Andhra Pradesh Gazette dated the 30th August, 1973 under sub-section (7) of section 37 of the State Financial Corporations Act, 1951, read with clause (c) (iii) of the Proclamation dated the 18th January, 1973, issued by the President in relation to State of Andhra Pradesh. [Placed in Library. See No. LT-5863/73].

TEXTILES COMMITTEE (AMDT.) RULES UNDER TEXTILES COMMITTEE ACT, 1963 AND A STATEMENT

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): I beg to lay on the Table:—

- (1) A copy of the Textiles Committee (Amendment) Rules, 1973 (Hindi and English versions) published in Notification No. G.S.R. 629 in Gazette of India dated the 16th June, 1973, under sub-section (3) of section 22 of the Textiles Committee Act, 1963.
- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification.

[Placed in Library. See No. LT-5862/73].

12.58½ hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Thursday, the 29th November, 1973, adopted the following motion in regard to

the presentation of the report of the Joint Committee of the Houses on the Indian Penal Code (Amendment) Bill, 1973:—

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Indian Penal Code (Amendment) Bill, 1972 be extended up to the first day of the last week of Eighty-ninth Session of the Rajya Sabha".'

12.59 hrs.

ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I also lay on the Table following two Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 13th November, 1973:—

- (1) The Foreign Awards (Recognition and Enforcement) Amendment Bill, 1973.
- (2) The State Bank Laws (Amendment) Bill, 1973.

13.00 hrs.

STATEMENT RE. WELFARE AND DEVELOPMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES

MR. SPEAKER: The statement by Shri Ram Niwas Mirdha regarding Harijans is a long statement—14 pages.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): It should be laid on the Table of the House. You also please allow a short duration discussion on this.

MR. SPEAKER: I think it is all right. You can lay it on the Table. I shall put it to the Business Advisory Committee.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSON-

NEL (SHRI RAM NIWAS MIRDHA): I beg to lay on the Table a Statement on the Welfare and Development of Scheduled Castes and Tribes with special reference to Haryana, Delhi and U.P.

#### Statement

The Central Government has achieved a considerable amount of success in looking after not only the welfare but the development of Scheduled Castes and Scheduled Tribes. It should however be appreciated that the problems faced by these communities are complex and varied. The leeway of centuries has to be made up. The population of the Scheduled Castes is 80 million and that of the Scheduled Tribes is 38 million according to 1971 Census. This is a vast population and comprises 22 per cent of the total population of the country. They are spread over the length and breadth of the country. It is obvious that the task of uplifting these people is a gigantic one. Concerted efforts have been made and special programmes for these classes have been taken up under each of the Five Year Plans. The total investment on these special programmes is as follows:—

	Expenditure (Rs. in crores)
I Plan	30.00
II Plan	79.40
III Plan	100.40
1966-1969	69.00
IV Plan	142.40
	421.20

In addition, considerable expenditure was incurred by the State Governments under their non-Plan budgets. The special programmes mentioned above are supplemental to general sectoral programmes of development. The programmes undertaken for the welfare of backward Classes include all facets of development e.g. improvement of educational standards, development of agriculture and other voca-

tions, provision of housing, training for entry into Government services etc. The various programmes undertaken for the welfare of the Scheduled Castes and Tribes are discussed in Parliament at the time of presentation of the Budget and during the discussions on the Annual Reports of the Commissioner for Scheduled Castes and Scheduled Tribes. The twentieth Report of the Commissioner was discussed recently in the Rajya Sabha, and is also likely to be discussed in the current session in the Lok Sabha. Prompt action is taken in cases of harassment of Scheduled Castes and Tribes. Special cells have been constituted in a number of States for this purpose. It is proposed to make the provisions of Untouchability Offences Act more stringent.

So far as the allotment of land for cultivation and homestead purposes is concerned, the subject falls within the sphere of the State Government. The Union Government has however laid down the general framework of land reforms for consideration of the State Governments who takes necessary legislative as well as administrative action. The Prime Minister has also written to all the Chief Ministers in June, 1970 urging strongly that action should be expedited with reference to security of tenure and fair rents, strict enforcement of ceiling and distribution of land to the landless with special reference to Scheduled Castes and Scheduled Tribes.

As a result of land reforms and abolition of intermediary tenures considerable areas of cultivable wasteland and private forests came under the control of the State. According to the Commissioner for Scheduled Castes and Scheduled Tribes (Reports for 1969-70 and 1970-71), upto 1970-71, 14.5 million acres of land had been distributed among the Scheduled Castes and Scheduled Tribes. Further, several legislative and executive measures have been undertaken in various States for making land available to Scheduled Castes discussed briefly in Appendix XXXV of Commissioner's Report for 1970-71.

As regards Haryana, Uttar Pradesh and Delhi, the position relating to allotment of land is as follows:—

[Shri Ram Niwas Mirdha]

### Haryana

Under the programme of consolidation of land holdings, house-sites were set apart and allotted to Harijans. The Punjab Security of Land Tenure Act, 1953 provides for the allotment of surplus land to ejected and ejectable Harijan tenants. Banjar land is also allotted to the Harijans under the Punjab Utilisation of Land Act, 1949.

### Uttar Pradesh

Provision exists for the reservation of Abadi sites for Scheduled Castes and also allotment of surplus lands under section 27 and 28 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960. Uptil 1971-72, a total area of 65000 acres was allotted to Scheduled Castes for cultivation. As regards housing sites the targets under the Jayanti Scheme were 13,07,634 house sites to Harijans and other landless artisans and labourers and to cover 91121 villages. 64 per cent of the target has been met in respect of House sites and 78.5 per cent in respect of villages.

### Delhi

In Delhi under the Delhi Land Reforms Act, 1954, Gaon Sabha lands can be allotted to landless labourers and in making allotments preference is given to Scheduled Castes. 1330 acres of cultivable land was allotted to Harijans and other landless labourers over the last three years. In the current year, by 31st March, 2142 acres of land is likely to be allotted to 2000 families in 19 villages.

As regards house sites, 4615 plots were allotted during the period 1952—1970, 1678 plots have been allotted ever since in 28 villages. The plan in the current year is to give 2800 house sites in thirty-one villages.

As regards the agitation started by the Harijan Sanghrash Samiti from Haryana, with effect from 27th August, 1973, the facts are given below:—

According to the State Government's report a total area of about 3000 acres of land in villages Sunarwala and Chuchak

was ordered to be allotted to the Harijans Cooperative Farming Society. However, out of this an area of 138 acres was originally earmarked for establishing sainik school. Subsequently, the requirement of land for the Sainik School was increased to 250 acres. On a representation from the Harijan members of the Society, Government decided, in respect of the remaining land, to transfer and allot the land to the individual cultivating Harijans. It is learnt that this process has been more or less completed. In respect of the 250 acres of land meant for the eventual setting up of a Sainik School, the State Government decided to give it on casual and temporary leases for one year at a time with the provision that it could be resumed by Government at any time for a public purpose. One hundred fifty one families involved in the cultivation of the said area were dispossessed in July 1973 of the land which the State Government decided to use for setting up a Seed farm. According to the State Government the question of eventually opening a Sainik School on this land is still a live issue.

The matter was taken up with the State Government who have now given an assurance that all the 151 affected Harijan families would continue to be allowed to cultivate the land in Village Sunarwala until it is possible to provide them with alternative cultivable land on the basis of permanent ownership rights.

Although according to the assurance given by the State Government that no Harijan families are to be deprived of cultivable land, the agitation has not been called off. On 28th November, 1973, after demonstration and speeches at the Boat Club lawns, 2555 persons courted arrest by violating prohibitory orders under Section 144 I.P.C. in crossing Rafi Marg. They were arrested and produced before a Judicial Magistrate. They were tried and sentenced by the Judicial Magistrate to one month's simple imprisonment.

The honourable members will appreciate that the State Government of Haryana has done all its best to safeguard the interests of the Scheduled Castes and to meet the legitimate demands of the members of the

Harijans Cooperative Farming Society. This was an issue which could have been settled amicably within the State. Instead, an agitational approach was adopted and a campaign was started in Delhi. Once the objective of preventing displacement of the 151 families had been achieved, there was little justification in continuing the agitation. When the prohibitory orders were violated, the Administration had no alternative but to arrest the offenders and prosecute them in a Court of Law.

It may be added that a number of steps have been taken by the State Government of Haryana, to ensure prompt and efficient investigation of offences against Harijans and to ameliorate their conditions. In order to review the overall performance of the Department of Scheduled Castes and backward classes, a State level Cell has been constituted under the Chairmanship of the Chief Minister. It reviews the progress on various welfare schemes, land allotment to Harijans, representation of the Scheduled Castes-backward classes in State services. A Committee consisting of 9 sitting members of the Haryana Vidhan Sabha on the welfare of Scheduled Castes and Tribes has been constituted for watching the interests of these communities. A State Government undertaking by the name of Haryana Harijan Kalyan Nigam Ltd. has been established with the sole object of giving financial assistance to the Harijans for their socio-economic uplift. Most of the surplus evacuee land is sold to Harijans in restricted actions. This is in addition to concessional allotment of Nazul land/inferior evacuee land and 1.8 of Shamlat land. Steps are afoot for ensuring drinking water supply and street

lights in every Harijan Mohalla in the State.

In regard to Government Services, 15 per cent of the vacancies under the Central Government are reserved for the Scheduled Castes and 7½ per cent for the Scheduled Tribes. The percentage of reservations in direct recruitment on an All India basis otherwise than by means of competitive test are 16-2/3 per cent and 7½ per cent respectively. As far as direct recruitment to Class III and Class IV posts which normally attract candidates from a locality or region are concerned, the reservation is according to the proportion of population of Scheduled Castes and Scheduled Tribes in the respective States.

2. The Department of Personnel and Administrative Reforms sees to the implementation of the instructions relating to reservations for Scheduled Castes and Scheduled Tribes. In the light of experience a number of concessions and relaxations have been made in order to ensure that candidates from these communities qualify for the posts reserved for them. Reservations have also been made in promotions. A High Power Committee presided over by the Prime Minister reviews the progress of implementation of instructions relating to reservations etc. In pursuance of the decisions taken by the High Power Committee suitable instructions are issued to the Central and State Governments. The Commissioner for Scheduled Castes and Scheduled Tribes examine in the Annual Report the observance of those provisions and points out the shortfalls.

3. As a result of the steps taken from time to time to ensure the increased recruitment of Scheduled Castes and

[Shri Ram Niwas Mirdha]

Scheduled Tribes, steady increase occurred in their proportion in Central Government services, as may be seen from the figures for 1962 and 1971 shown below:-

Class	Total number of employees	Scheduled Castes		Scheduled Tribes	
		Number	Percentage	Number	Percentage
As on 1-1-1962					
I	14,119	179	1.27	38	0.27
II	25,747	672	2.61	102	0.40
III	9,16,347	70,927	7.74	8,946	0.98
IV (excluding sweepers)	9,47,036	1,64,188	17.34	28,425	3.11
TOTAL	19,03,249	2,35,968	12.40	38,511	2.02
As on 1-1-1971					
I	28,679	741	2.58	117	0.41
II	44,204	1,794	4.06	192	0.43
III	14,20,622	1,36,259	9.59	23,732	1.70
IV (Excluding sweepers)	12,04,443	2,21,248	18.37	43,916	3.65
TOTAL	26,97,948	3,60,042	13.35	67,957	2.52

Increase in the representations of these communities has also been registered in the services under the control of the State Governments.

4. Steps have also been taken to improve the suitability of Scheduled Caste/Tribe candidates for Government jobs. Pre-examination Centres and Coaching-cum-guidance Centres have been established which prepare candidates of these communities for competitive examinations and interviews held for appointments.

5. It may be pointed out that reservations have been provided as a proportion of the vacancies arising from time to time and not in relation to the total strength of any cadre or service. Further the number of Scheduled Castes and Scheduled Tribes candidates among

persons recruited before the reservation orders came into force had been small. It would not, therefore, be correct to expect that the strength of Scheduled Castes and Scheduled Tribes would bear the same percentage as has been prescribed for them in vacancies filled by direct recruitment.

6. The following statement gives the figures of proportion of Scheduled Castes to the total number of employees in Haryana State as on 1.1.71.

Percentage of reservation in State Services:—

Scheduled Castes &	20 per cent
Scheduled Tribes	
Other Backward Classes	2 per cent

Class	Total number of employees	Scheduled Castes		*Scheduled Tribes	
		Number	Percentage	Number	Percentage
I	652	25	3.83		
II	2,620	48	1.83		
III	78,919	5,108	6.47		
IV	17,015	4,019	23.62		
(excluding sweepers)					

\*There are no Scheduled Tribes in Haryana.

7. The figures in respect of Delhi Administration as on 1-1-72 and 1-1-73 are given below.

Class	Total number of employees	Scheduled Castes & Scheduled Tribes*	
		Number	Percentage
As on 1-1-72			
I	813	14	1.6%
II	869	19	2.2%
III	39,407	3,023	7.6%
IV (excluding sweepers)	7,791	2,457	31.5%
As on 1-1-73			
I	865	25	2.9
II	776	55	4.5
III	43,591	3,398	7.8
IV (excluding sweepers)	8,278	2,707	32.7

\*No Scheduled Tribes have been recognised in the Union Territory of Delhi. The number of Scheduled Tribes working in Delhi Administration is very small. No separate information is, therefore, available regarding Scheduled Castes and Scheduled Tribes.

[Shri Ram Niwas Mirdha]

8. The position relating to Uttar Pradesh as on 1-1-1970 is given below.

Class	Total number of employees	Scheduled Castes	
		Number	Percentage
I	856	*64	2.20
II	4,918	*54	1.01
IV (including sweepers)	1,61,333	10,915	14.90

\*(Separate figures for Scheduled Caste employees in Class I and II are not available. Similar, separate figures for sweepers are also not available.)

In Uttar Pradesh the State Government have recently organised a drive for increasing the representation of Scheduled Castes and Scheduled Tribes in the Services. Directives have issued that till the end of the current financial year 50 per cent of all vacancies will be filled by appointment of candidates from these communities. Special recruitment committees are to be constituted for the purpose in each district with the District Magistrate as Chairman and Employment Officer Harijan Welfare Officer and a Harijan nominee as members.

9. I need hardly add that the improvement of the socio-economic conditions of the Scheduled Castes and Scheduled Tribes is a national problem and both Central Government and State Governments are fully conscious of the great need of doing all that is possible to raise the conditions of these classes to the level of general population. In the Fifth Plan more vigorous measures are being proposed and in the general sector schemes it is also being laid down that the eligibility conditions will be so evolved that the more backward among the population will receive greater benefits. The Scheduled Castes and Scheduled Tribes will be the major beneficiaries of the Minimum Needs programme. Development of the Scheduled Tribes will be taken up on Integrated Area basis.

#### **Constitutional safe-guards for the scheduled Castes and Scheduled Tribes**

I shall now deal with Government's Constitutional obligations towards the

Scheduled Castes and Tribes, a reference to which has been made by Shri Atal Behari Vajpayee.

The Constitution has provided special safe-guards for the Scheduled Castes and Scheduled Tribes in the social, political, economic and other fields.

Keeping in view the special disabilities of the Scheduled Castes and Scheduled Tribes, Article 15(4) of the Constitution contains a special provision enabling the State to make special provisions for the advancement of any socially and educationally backward classes or citizens and for the Scheduled Castes and Scheduled Tribes.

In addition, Article 46 of the Constitution contains the Directive Principle that 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 Tribes. All the planning efforts which has been made in the last two decades has been in pursuance of this Directive Principle.

Politically, Articles 330 and 332 of the Constitution provide for reservation of seats in the House of the People and the State Legislative Assemblies on the basis of their population.

An important safeguard is in regard to the reservation in Government services. Article 335 specially lays down that the claims of the Scheduled Castes and Sched-

cluded Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in making appointments to Government services. This provision is supported by Article 16(4) which permits a State to make reservations in services for these classes.

In order to watch over the implementation of the various Constitutional safeguards, Article 338 has provided for the appointment of a Special Officer to investigate all matters relating to these safeguards. This Special Officer is known as the Commissioner for Scheduled Castes and Scheduled Tribes and his Annual Reports are laid before Parliament and discussed.

As indicated earlier,—Government has been fulfilling all these Constitutional obligations. The Harijans from Haryana were arrested in Delhi not because they were protesting against eviction, but because they had violated prohibitory orders.

13.01 hrs.

#### BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 3rd December, 1973, will consist of:—

- (1) Consideration of any item of Government Business carried over from today's Order Paper.
- (2) Discussion on the Resolution seeking disapproval of the Central Excises and Salt (Amendment) Ordinance, 1973 and consideration and passing of the Central Excises and Salt (Amendment) Bill, 1973.
- (3) Further consideration and passing of the Code of Criminal Procedure Bill, 1972 as passed by Rajya Sabha.
- (4) Discussion on the 22nd Annual Report of the Union Public Service Commission.

(5) Consideration and passing of the following Bills as passed by Rajya Sabha:

- (a) The Navy (Amendment) Bill, 1973.
- (b) The Cinematograph (Second Amendment) Bill, 1973.
- (c) The Prevention of Water Pollution Bill, 1969.

MR. SPEAKER: Please excuse me. I have to go and receive the British Delegation.

13.02 hrs.

[SHRI S. A. KADER *in the Chair*]

SHRI VAYALAR RAVI (Chirayinkil): I request the Minister of Parliamentary Affairs to include a discussion on the inordinate delay in the establishment of the newsprint plant in Kerala. There is a national crisis due to newsprint shortage and the Government is very much concerned. The Hindustan Paper Corporation is going to establish the plant in Kerala in technical collaboration with NIDC. The Chairman of NIDC announced that the plant will come up in 1978 while the Minister said it will come up in 1976. The delegation of Hindustan Paper Corporation which went to Canada came back with much disappointment. There is a strong Canadian lobby under H. S. Siemens & Co. which is responsible for delaying the establishment of this project in Kerala. This delay means a loss of Rs. 28 crores in foreign exchange to the Government of India. So, this House must discuss this question. The Minister of Industrial Development must come forward with a statement that the plant will be established in time.

In Tamilnadu, the students have been attacked by hired goondas and the police did not give any protection. It is a serious matter. I know it is law and order, but the State Government has not maintained law and order. The CPM has been allowed to raise the law and order situation in West Bengal in this House. So, the