

culture and literature of the country. I urge upon the Government of India to set up a Development Commission for the around development and progress of the eastern districts.

- (v) Need to Start Second Channel from Kodai-Kanal from Kodai-Kanal T.V. relay station

[English]

SHRI R. RAMASWAMY (Periyakullam) : The TV Relay station in Kodoikanal does not have the facility for relaying second channel programmes. The relay station caters to nearly three crores of people. Indeed the second channel programmes are more educative, informative and enlightening. The TV relay station is at an altitude of 6000 feet above sea level. Therefore, the installation of equipment for telecasting second channel programmes from the Kodaikanal relay station will not prove costly and ineffective. I request the Central Government to consider my request favourably and do the needful.

- (vi) Need to resettle the persons displaced due to setting up of Rourkela Steel Plant

KUMARI FRIDA TOPNO (Sundargarh) : Sir I would like to raise this matter under Rule 377.

Sixty two tribals were displaced and more than 19000 acres of land were acquired for the establishment of Rourkela Steel Plant. The plant could hardly use seven thousand acres of land. Remaining twelve thousand acres of land are lying unutilized. I would request the Government to

return the surplus land to its original tenants.

The Government while acquiring lands had committed to resettle the displaced persons. But, they have been thrown out in places like Angaon, Usree, Lachhda, Jhirpane, Jadda etc. and after 36 years of being displaced they have been denied basic facilities such as road, school, medical service, electrification, drinking water, etc.

The then Steel Minister in 1975, had promised to provide jobs to at least one person from each family. Sir, many displaced people with displaced certificates in their hands have crossed the age of 40 years and are still waiting for a job in Rourkela Steel Plant. The Government of Orissa now have stopped issuing displaced certificate to the dependents of these displaced families. The irony is that the displaced certificate holders have become over-aged and the youngsters are being denied displaced certificate. I request the Government to find out a solution of the problem.

13.43 hrs.

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (SECOND AMENDMENT) BILL

[English]

MR. CHAIRMAN: The House will now take up the legislative business, Item No. : 16.

AN HON. MEMBER: Is there no lunch-break today?

MR. CHAIRMAN : There is no lunch-break. But you are most welcome to go and have the lunch in between.

AN HON. MEMBER : What about you, Sir.

MR. CHAIRMAN : I will come and be a guest of yours. Now Shri Sitaram Kesri.

[Translation]

THE MINISTER OF WELFARE (SHRI SITARAM KESRI) : Mr. Chairman, Sir, I beg to move :—

“That the Bill to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Karnataka, be taken into consideration.”

[English]

SHRI RAM NAIK (Bombay-North) : Sir, there is one point for information. We would like to listen to the hon. Minister as to what is the reason; why should we support the Bill, etc. We should get some information from him.

SHRI SITARAM KESRI : I am giving.

SHRI RAM NAIK : He should speak about this.

SHRI ANNA JOSHI (Pune) : Please explain as to why we should support the Bill.

[Translation]

SHRI SITARAM KESRI : I am on my legs.

MR. CHAIRMAN : He will definitely speak if you will give him a chance.

SHRI SITARAM KESRI : Mr. Chairman, Sir, in Karnataka State, Nayik, Naik, Beda, Bedar and Balmiki tribes had not been included in the list of Scheduled Tribes of that State, so these tribes were not getting the facilities provided under the different provisions of the Constitution. Karnataka State sent a proposal in 1984 for inclusion of all these five tribes in the list of Scheduled Tribes. The matter was scrutinised and placed before the cabinet. The cabinet took a decision on 10th April, 1991 that all these five castes will be included in the list of Scheduled Tribes. Since, Parliament was not in session those days, the ordinance for including these castes in the list of Scheduled Tribes was issued on 19th April, 1991.

The present Bill has been brought in place of the ordinance so that all these five castes are provided the facilities given to the people who are included in the Tribes. This proposal is before the House.

SHRI RAM NAIK : You have read out, what is there before you in written form.

[English]

If there is anything else, apart from this, we would like to know, so that we can support the Bill.

[Translation]

We would like to listen to anything besides what is mentioned in this memorandum.

SHRI SITARAM KESRI : I have already read out the ordinance.

MR. CHAIRMAN: Motion moved:

"That the Bill to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Karnataka, be taken into consideration."

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : I beg to move :—

"That the Bill be circulated for eliciting opinion thereon by 15th November, 1991."

DR. LAXMINARAYAN PANDEYA (Mandsaur) : Mr. Chairman, Sir, though this Bill seems to be a small one and it has been said that Lok Sabha was not in session and this subject could not be discussed in the sittings of the House that is why those castes have been accommodated through an ordinance which has been given assent by the Karnataka Government. In the same manner, the Hon. Minister got sanction last week with regard to the state of Jammu and Kashmir. With deep regret, I have to say that once you have brought amendment bill in case of Jammu and Kashmir State, second time for Karnataka State, and perhaps third time you will bring an amendment bill for Madhya Pradesh or Maharashtra and will seek our approval for that. I would like to say that a consolidated Bill should be brought in regard to this problem so that all such irrelevances could be removed wherever there is a need to provide such facilities to the Scheduled Castes and Scheduled Tribes or if a consolidated Bill is brought here after

due consideration to include the names of the States it would be better.

Through you, I would like to remind the Hon. Minister that when the States were reorganised, the borders of various states were fixed or changed on the basis of the recommendations of the commission regarding reorganisation. What was the actual position of Madhya Pradesh that time. There was exchange of border areas, which is why the present position of many states is different from the previous position. I would like to present before you the actual position of Madhya Pradesh at that time. Today some parts of Madhya Pradesh were initially parts of Rajasthan, i.e. some areas have been exchanged. That time, the castes which were known as tribals or among Scheduled Tribes were excluded from the State lists, on their shifting to Madhya Pradesh. In Rajasthan, the people belonging to Meena caste are considered under general category such as Meena Rajput, but in a particular part of Madhya Pradesh that particular caste has been included in the Scheduled Tribe. Same is the position with regard to Karnataka State. I feel that the situation must have been similar to it because of which the issue of inclusion of these castes have come up. As far as these castes are concerned Nayak community is considered a backward community in Madhya Pradesh and in Uttar Pradesh, Balmiki community is considered as Scheduled Caste, but here that community is being included in the Scheduled Tribes. Today no place in any state of India can be called as an area mainly populated or dominated by the people belong-

ing to Scheduled Caste. It is not like that. Now-a-days people go from one place to the other in large numbers. As I have already made a submission to you that, there should be a consolidated thinking which is very important, otherwise justice to the Scheduled Castes and Scheduled Tribes is impossible. I would make a submission to you that the present Madhya Pradesh is touching the borders of Maharashtra and some parts of Maharashtra have become parts of Madhya Pradesh. Some areas of Maharashtra, Vidharbha and Brar were transferred to Madhya Pradesh and some castes of these areas were known as Scheduled Tribes but when these areas were transferred in Madhya Pradesh the same castes are now being considered as common castes. The facilities which were being given to these castes should be protected there or they should be provided with some reservations or some facilities which they are not getting this time.

Sir, the way Honourable Minister brought different Bills and ordinances here it is possible that the Government may be facing a particular difficulty because of which it was necessary to bring this ordinance. In spite of this ordinance, the Minister himself said that the people of Karnataka had been demanding this. I agree that it is a long pending demand and the Government might have felt it necessary to bring this ordinance immediately on 10th April. I would like to request that if there is any such demand from other states then I would submit that it should also be taken into consideration. The Hon. Minister

may, please try to remove the disparities if any.

Since this ordinance will be replaced by a Bill and it will definitely become an Act. Otherwise, many difficulties will come up. With these words, I conclude my speech.

*SHRI V.S. VIJAYARAGHAVAN (Palakkad): Mr. Chairman. I rise to support this Bill. In fact demands are coming from various States to amend the list by including various communities therein. In this context, I would place before you the case of a few communities. At present, the community called Vira Saiva is either in the list of Scheduled Castes or Tribes. Their language is a mixture of Kannada and Telugu. This language has no script of its own. At the same time the communities like Jankam, Vira Saivaja, Andippardaram and Malapandaram which are just like Vira Saiva community are not either Scheduled Castes or Tribes. In fact all these communities belongs to the same group having the same customs and social structure. They marry into each other's family and have close kinship. Yet, these communities are not regarded as Scheduled Castes or Tribes. They are being treated as other Backward Classes in Kerala for the purpose of educational facilities only. They are extremely backward. The traditional occupation of these community is begging. Of late some of them are working as agricultural labourers, but here too they are engaged only in transplanting paddy seedling and not harvesting etc. Just a few boys have managed to get small

jobs, otherwise they have no representation in Govt. service or elsewhere. Therefore, I would request Kesari Ji to consider their case and include them in the list of Scheduled Tribes.

14.00 hrs.

Another community whose case I want to present before the Hon'ble Minister is Peruvannan in Kerala . .

Sir, the Minister is not listening. (Interruptions) . .

[English]

SHRI RAM NAIK : Sir, I am on a point of propriety.

SHRI V.S. VIJAYARAGHAVAN : Sir, I am on a very serious matter. You kindly hear me.

MR. CHAIRMAN : Are you on a point of order ?

SHRI RAM NAIK : Yes Sir. When an Hon. Member is speaking, the Hon. Minister has to be attentive. Some Hon. Member is coming and disturbing him. And the important issues which the Hon. Member is raising is not being taken note of.

MR. CHAIRMAN : The Hon. Minister has vast capability. He can hear as well as make notes. I am sure he is taking full cognizance of what is being spoken by the Hon. Member.

[Translation]

SHRI SITARAM KARSU : I am listening to the interpreted version of what the Hon. Member is saying. I am listening to his words through the head-phone on my ears. I can not neglect the Hon. Member. I am listening

attentively to the proposals and suggestions of the Hon. Members.

SHRI RAJNATH SONKAR SHASTRI (Saidpur) : The Hon. Minister has got two ears and he listens to one Hon. Member through one ear and the other Hon. Member through the other ear.

MR. CHAIRMAN (Rao Ram Singh) : When the Hon. Minister will reply, you should listen whether he has heard the Hon. Members' speech with rapt attention or not.

[English]

SHRI V.S. VIJAYARAGHAVAN : I shall repeat what I said as the Minister has not listened to me.

SHRI SITARAM KESARI : No, you do not have to repeat. I was listening to the translation.

[Translation]

SHRI V.S. VIJAYARAGHAVAN : Sir, I was saying that because there is a change in just one letter. One community is not treated as Scheduled Caste may be when the children are admitted to School, the illiterate parent mis-spelt the name. But the result is that the same community as Perumannau does not find a place in the list. They are very poor people. Both these communities are traditional washermen. Therefore the Peruvannan community should also be included in the list of Scheduled Castes.

Sir, there are many other anomalies in the list. Complaints are made from time to time that undeserving people and communities get into the

list. I know of such a person who took advantage of it and got elected to this House from my State. The facility of reservation should be made available to deserving people but the undeserving people should be weeded out. It is high time that the Govt. amended the list, and ensured social justice to these extremely poor and backward people. With these words I once again wholeheartedly support this Bill.

[English]

SHRI SYED SHAHABUDDIN (Kishanganj) : Mr. Chairman Sir, I have no difficulty with the substantive part of the Bill. But the manner in which the Government has gone about this piece of legislation raises a number of questions.

Sir, I would like to draw your attention to the memorandum of the Government under Direction 198, in which the Hon. Minister has said :

"Since the Government is anxious that this Bill should be got introduced and considered during the current session, it is requested that the period for giving notice, etc. etc. as required may kindly be waived."

Now, I appreciate the anxiety of the Government, I suppose for a good cause, for the cause of social justice. But I do not understand how the Government have taken seven long years to consider a suggestion made by the Government of Karnataka. The suggestion was made in 1984 and the Government suddenly wakes up in 1991. I know Governments have been changing in the meantime. But the Government, Mr. Chairman, is also a

continuing entity. It takes seven long years to consider the suggestion of the Government of Karnataka and suddenly promulgates an ordinance !

Now that itself raises a question. What was the need for an ordinance if the Government has taken seven long years in its anxiety to process this recommendation of the Government of Karnataka ? Why could it not have waited for another month or two, instead of using the legislative power of the executive and then coming to us for converting that ordinance into an Act ? I think, Mr. Chairman, it raises a fundamental question about the extent and scope of the ordinance making power of the Government. I would like the Hon. Minister to consider whether it was appropriate to introduce a Bill two months or a month before the House was going to be convened and then to come to this House for putting its imprint on it. This is my first question.

Second question is that there are many small groups all over the country, belonging to both Scheduled Castes and Scheduled Tribes, which have been left out of the scheme of reservation. I shall not recount their names. All of them stand deprived of the benefit of reservation. As an Hon. Minister pointed out, among these small groups there are tribal groups who move from one part of the country to the other. On such movement, on such transfer of domicile they are deprived of the benefit of reservation which they enjoyed in their original domicile.

There is, of course, another case also pointed out by Hon. Pandey ji about the transfer of territory, where a group which enjoys reservation is again deprived of it because the territory which he inhabits becomes a part of another State. We have many cases of anomalies in which the same group is considered to be Scheduled Castes in one area and is not considered SC at all or is considered as Scheduled Tribe in another part of the country.

There are anomalies; there are contradictions and there are overlaps. We had this list before us for the last 40 years and I think 40 years is long enough a time for the Government to come up with a comprehensive list after taking into account various recommendations and suggestions made from time to time either by voluntary organisations or by associations representing the deprived groups or the state government.

I, therefore, would like the Hon. Minister to tell us as to when the Government propose to come to the House with a comprehensive Bill on the subject which will take into account all the pending suggestions and recommendations about the various Scheduled Tribes and Scheduled Castes or various groups which would like to be included in the list of ST/SC.

Sir, frankly I don't know why the Minister picked up Karnataka for a special treatment. In Karnataka there might well be many other small groups which have been left out. There seems to be some motivation behind giving this very gracious and very generous

treatment to this small group and on the other hand showing non-concern about the other groups in Karnataka and similar group in other States. We would like the Hon. Minister to come before the House and to tell us the reasons for this extraordinary concern for this small group. It is not that I am against them. I would very much like them to be included but I can sense some political thinking behind it. I would, therefore, like the Hon. Minister, in his reply, to take the House into confidence and to let us know the reason for his anxiety; reason for his concern; reason for the inclusion of this group and the reason for the exclusion of other groups and other States.

Mr. Chairman. Sir, many examples can be given but I shall not go into them. I would only like to point out two because of the special concern to me. There is a small group called *Surajvanshi*. They are spread across the border of West Bengal and Bihar. In West Bengal they are included in the list of Scheduled Castes but in Bihar they are not.

MR. CHAIRMAN: Mr. Shahabuddin, it is pertaining only to Karnataka.

SHRI SYED SHAHABUDDIN: I am only illustrating the point which I made, that is, that there is a need for the Government to take an overview of the situation and not to come to us with an ordinance or two in every Session but to come to us after considering all the pending cases before them. And, I have good reasons to use this occasion to mention them since I represent that area and since

this point has been made by me in various representations also, to remind the Minister about this particular deprived group and similarly about many tribal groups from Chota Nagpur which have been deprived of the facility of reservation in Assam where they are working in large number.

MR. CHAIRMAN : It is only to regularise the ordinance which has been issued.

SHRI SYED SHAHABUDDIN : Therefore, Mr. Chairman, Sir, as I said to begin with, I have nothing against the substantive provisions of this Bill but this raises the question of methodology, a Constitutional point and also the larger point about the exclusion from urgent consideration and exclusion from the field of anxiety of the Government, whereby these excluded groups have suffered.

With these words I would like to support this Bill but I would certainly like the Hon. Minister to take the House into confidence and to give us an assurance that soon he shall come to us with a comprehensive Bill on the subject.

[Translation]

*SHRI RUP CHAND MURMU (Jhargram) : Mr. Chairman, Sir, Hon'ble Minister Shri Sitaram Kesari has moved the Constitution (Scheduled Order Second Amendment) Bill. First of all I must say that I support him whole-heartedly for this Bill.

The Gujjar, Bakarwal, Gaddi Sippi—these four tribes should be included in the list of Scheduled Tribes. Then

they also get the same benefit meant for other Scheduled Tribes. I am myself a tribe. So I feel very happy for the move. But there are various other tribes also in other states. These tribes should also be included in the list. Many tribes are becoming extinct. The duty of the Indian Government is to tackle the problem of these tribes who are gradually in the process of extinction. The Government should also take some measures so that these tribes can increase their race. There are many tribes in Andaman whose race has not been increasing. On the other hand their number is decreasing day by day. There are many tribes in the island of Andaman and Nicobar who do not have any contact with the civilized world. These tribes remain still naked and depend on hunting for their livelihood. We are so proud of our civilization. Yet there are many people around us who have not got the light of civilization till now. After getting a chance to participate in the debate I urge upon the Government to unfold our love, sincerity, affection and humanitarian feeling so as to have good relations and contacts with these backward people.

If these tribes are included in the list of Scheduled Tribes, the government owes certain responsibility so that these tribes get special benefits meant for them. Generally this assistance is economic. But this should not be confined to economic assistance only. It is very urgent to focus our attention to their culture, education, mutual friendly relation and language. The Government must take some measures to improve these aspects.

In this connection I would like to submit that mere economic assistance cannot be the only measure to improve the lot of these tribes within a short time. It is not at all possible to achieve this goal. For this continuous programmes should be adopted. Our country is being ruled by the combined power of the industrialists and landlords. These people have never tasted poverty and helplessness. Had they been placed in the same position like the Adivasis, then the substantiality of their statement could have been realized.

We know that the norms in the society depend on the productive system. The social customs behaviour are based on this system. The country where the productive system and economic policy have been influenced by the rich, will surely follow the culture adopted by the affluent. We do not want this culture to continue. We want this to be discarded. If we want to achieve this, we must develop the culture of these tribes and we must have land reform as well. Then the purpose of this Bill will be fulfilled.

Moreover the aim of this Bill will be felt only when we discard discrimination and follow the policy of equality. Even our Constitution has shown its direction to this kind of attitude. So I would like to mention the words of Rabindranath—You will be treated in the same manner by the persons who have been looked down upon by you.

With these words I conclude my speech and thank you.

91-L/B(N)403L33—15(a)

SHRI MANORANJAN BHAKTA
(Andaman-Nicobar Islands): Mr. Chairman, Sir, I support this Bill which seeks to include five castes of Karnataka in the List of Scheduled Tribes. I would like to point out here that there is no uniformity in Scheduled Tribes included in the list of Scheduled Tribes which are recognised as Scheduled Tribes in different States. In one State they fall in the category of Scheduled Tribes but in another State they are not included in the category of Scheduled Tribes. Therefore, my submission is that a uniform system should be evolved for granting recognition as Scheduled Castes and Scheduled Tribes. But the way this Bill has been brought in parts, it seems that the Government is not willing to uplift them fully. Therefore, my submission is that a comprehensive Bill should be brought forward so that all the Scheduled Castes are uniformly recognised in every state.

There are five tribes in Andaman and Nicobar Islands. In Great Nicobar there is Shompen tribals who live in forests. Then there is Nicobari tribe whom we want to uplift. The population of Andamanese which was 23 earlier has now increased to 31. Similarly, the number of Ungi Adivasis which was 90 earlier has gone up substantially. The Government is constantly trying to contact the Jadava tribe who live in forests. Banana and other things are left in the surroundings so that they could come out of their habitat and establish contact with the outside world and their hostility towards outside world could be reduced. Similarly, we do not have

any contact with the Sentalese who live in Sental island. An Hon. Member said just now that the Government is doing nothing to bring them in contact with the modern civilization. I would like to inform him that the tireless efforts are being made to uplift the Adivasis of Andaman and Nicobar Islands and such efforts are not being made elsewhere in the country. Had such efforts been made elsewhere as well the situation would have been quite different.

My submission is that the wandering tribes and other primitive tribes should not be given cooked rice or other things as food. They should be allowed to lead their own way or life. That is their culture, their civilization. The Government is therefore, making continuous efforts to provide them facilities within their own system. Team of doctors regularly pay visits and give them treatment. The primitive tribes generally live on pork or fish. They do not have any knowledge of farming. Therefore, I would urge the Hon. Minister to keep in view their lifestyles while implementing the suggestions aimed at their upliftment.

With these words, I support the Bill and hope that the Hon. Minister would bring forward a comprehensive Bill in this regard so that efforts could be made for the upliftment of these classes.

[English]

MR. CHAIRMAN : I would like to inform the Hon. Members that this Bill is only concerned with the State of Karnataka. When the Minister brings

a comprehensive Bill in future, one can express his views on this subject.

This Bill is only to regularise an Ordinance that was issued and concerns only with the State of Karnataka. Therefore, I will be grateful if the Members confine their views to the State of Karnataka and the Bill that is in front of us.

[Translation]

SHRI RAM NAIK (Bombay North) : Mr. Chairman, Sir, I want to express my views on the Constitution (Scheduled Tribes) Order (Second Amendment) Bill which has been brought before the House for consideration.

Mr. Chairman, Sir, at the beginning of the debate the Hon. Minister had said that it was in 1984 that a suggestion had come for the first time from Karnataka that these castes should be included in the list of Scheduled Tribes. It is a coincidence that one of the castes that is to be added in the list is Naik, which is my Surname also. Besides, there are other castes like the Beda, Bedar and Balmiki. It is unfortunate that it took almost seven years for the suggestion from Karnataka Government to be implemented. I would like to know the reasons for such an undue delay and inaction on the part of the Government. Earlier it was Congress Government, then came V. P. Singh's Government which made lot of hue and cry about Scheduled Castes, Scheduled Tribes and the Mandal Commission and thereafter came Shri Chandrashekhar's Government. Though Chandrashekhar Government gave some thought to it

and ultimately an Ordinance was promulgated in April 1991 when the country had decided to go to the polls. This ordinance was promulgated, so that it could be taken advantage of in the General Elections . . . (*Interruptions*).

[English]

I am keeping track of the developments.

[Translation]

The Ordinance was misused during the Elections. This was done so that candidates could get votes of that particular caste or community. I think that this game of votes should not have been played by at least that Government. Such a game should not be played in future as well. The Hon. Minister will have to give an assurance that the Scheduled Castes, Tribes or OBCs will not be used as a total in the elections. I think that if this could be done, it would be beneficial to the country and all of us and to the Scheduled Castes and Scheduled Tribes in particular.

Mr. Chairman, Sir, this Ordinance was promulgated in April, 1991 but what happened later on? When this Bill was circulated among the Members. Government did not give the required seven days notice and under Rule 19A the Government wants to pass this Bill in a haste and then . . .

MR. CHAIRMAN : This was done with the concurrence of the House.

SHRI RAM NAIK : Of course, it is a fact that it was done with the concurrence of the House. The Hon.

Minister should have got the Ordinance regularised. When ordinance was promulgated in April, 1991 and it was taken up in July when the House met for next session. Why couldn't seven days notice be given to the Members? When a Bill is introduced, two days time is allowed for giving amendment or objection on it.

[English]

The Minister wanted to dispense with that rule also.

MR. CHAIRMAN : An amendment has come. That means, sufficient time was there.

SHRI RAM NAIK : It was not so. On Friday itself actually I had given an amendment to oppose the introduction of the Bill.

[Translation]

But it came up after 4 PM. We had to catch a train the same day. The Government got an opportunity, otherwise I would have raised this objection on that very day. The Government did not want to give even two days to the Members for such an important Bill. The Bill was introduced on Friday and some of the Members had to go to their constituencies on that day. We could not give notices for amendment, because the Bill came up after 4 PM. But that is not the only question. Question is of the working of the Government that wants to do things in a hurry. The Bill for granting the status of tribes to certain castes has come to the House after seven years for approval and lot of hurry is being made now. The Government wants it to be

passed right now. I would request the Hon. Minister not to make haste in future in passing Bills.

Mr. Chairman, Sir, I thank the Hon. Minister for including the Nayak, Naik, Beda, Bedar and Balmiki castes in the list of Scheduled Tribes. Some Hon. Members gave many suggestions but Hon. Speaker said that the issue pertained only to Karnataka, I would like to say that the Government while considering such issues must also take into consideration the conditions prevailing in other States. I would like to inform that in Karnataka this has been appended to the list containing 38 items. List of Maharashtra and the old list of Karnataka are similar. Karnataka list contains 38 items and the foremost castes mentioned in it are Naikda Naik, Choli-vala Naik, Kapadia Naik, Mota Naik and Nana Naik. Similarly Maharashtra's list containing 35 items also mentions—Naikda Naik, Choli-vala Naik, Kapadia Naik, Mota Naik and Nana Naik. Why it so, because both Karnataka and Maharashtra were constituents of Bombay province earlier. After bifurcation of Bombay Province these castes are residing both side of the border areas of Karnataka and Maharashtra. That is why in 1950, these names were included in the lists of both the States. Now, when the Government is bringing an amendment in it, the State of Maharashtra has not been mentioned in it, Why? It is correct, but what is the Department of Law is doing? Department of Law or the Ministry looking after the welfare of Scheduled Castes should also extend the benefits which are being given to the Karnataka State, to the

people of Maharashtra also. Therefore, I demand that there is no need for the Government of Maharashtra to submit an independent application. I would like to add this necessary amendment.

[English]

Technically I could not give the amendment only because this is another section and this is another list.

[Translation]

Maharashtra and Karnataka have separate lists, but some castes are residing in both the States. Therefore, I would like to request the Hon. Minister to bring a comprehensive amendment on his own, so that these castes do find a place in the list of Maharashtra also.

MR. CHAIRMAN : Nothing special has been said by you.

SHRI RAM NAIK : Has anyone raised the issue in this House about inclusion of Naiks of Maharashtra in the list. The Hon. Minister of Home Affairs while seated in his seat has said that I cannot get this benefits as I am a Brahmin. It is not the issue that who is a Brahmin and who is from other caste. The point is that the benefits must be given to all the Scheduled Castes or the Scheduled Tribes. It does not matter whether this issue has been raised by a Brahmin or somebody else.

All of us are the representatives of the people and so the issue of common interest need to be debated upon in the House. Many castes came into this

category. Therefore my suggestions are before the House and I would like to conclude while citing two-three examples.

Take an example that a potter making mud pots is known as 'Praja-pati' in Gujarat, and as 'Kumhar' in Maharashtra and Uttar Pradesh. Kumhar of Uttar Pradesh is included in this List of O.B.C.'s whereas in Maharashtra, though his occupation is same as that of the Kumhar of Uttar Pradesh, but he has not been included in the list of Maharashtra. Similar is the case of 'Sunhar', who is known as 'Swarnkar'. In Gujarat they are known as 'Soni' but a caste by the name of 'Soni' in Maharashtra cannot claim the facilities enjoyed to by the name of 'Sunhar' in Maharashtra. Now again the question of border area comes up, as earlier there was one unified 'Mumbai' State. Therefore, in view of all this, I request to appoint a committee to review the functioning of the Constitution Scheduled Tribes Order, 1950. In many States there are so many castes, which are being deprived of the said facilities. A suggestion has come to bring a comprehensive Bill on this subject in the House, to extend these facilities to all those who are deprived of it at present. But my submission is that before bringing any comprehensive Bill, a parliamentary committee may be appointed and should be asked to submit a report after finding the facts about those people belonging to Scheduled Castes and Scheduled Tribes all over the country who are not getting benefits of reservation.

First of all you may appoint a parliamentary committee to review

this case. Today, there is urbanisation all over India. People are migrating from rural to urban areas. The people belonging to Scheduled Castes and Scheduled Tribes are also migrating from one State to another. For obtaining the caste certificate, people are required to furnish information regarding the place of their residence in 1950 and also to submit the certificate of village sarpanch of the native place. Anyone living in Bombay for two generations, does not have anyone living there in his native place. Since people do not have land, house, relatives back in his native place and even do not know persons of own caste at the native place, so it is difficult for them to obtain caste certificates. For lack of domicile, native place certificate—they are deprived of all the facilities, particularly educational opportunities to which they otherwise are entitled—therefore I would like to say that there is the need for reviewing the 1950 order, so as to bring maximum persons within the ambit of these benefits.

I request that the Government should bring an amendment on these lines. I hope a parliamentary committee will be constituted soon. With these words Mr. Chairman, Sir, I thank you for giving me time to speak.

SHRI RAJNATH SONKAR SHASTRI: Mr. Chairman, Sir, I welcome the Bill moved by the hon. Minister of Welfare in the House, but at the same time would also like to give few suggestions to the hon. Minister of Welfare.

As far as my knowledge goes, classification of castes was undertaken in

1952. When the survey regarding classification of castes was being done the transport facilities and job opportunities were very limited in our country.

MR. CHAIRMAN : Mr. Sonkar, please take your seat for a minute. Now the Minister of Tourism and Civil Aviation, Shri Madhavrao Scindia will make a statement.

[English]

MR. CHAIRMAN (Rao Ram Singh) : Shastriji, please sit down for a minute. Shri Madhavrao Scindia will make a statement.

(Interruptions)

SHRI RAM NAIK (Bombay-North) : Sir, I am on a point of order. It is a Statement. We have to be informed in advance, at least a note should be given to us that the Minister is going to make such and such a statement at that time because the Members can be present here at that time. Nothing has been circulated to us. We are entitled to have prior notice. I would suggest, Sir, that you can fix Three O'clock or any other time so that Members can be present at that time.

[Translation]

DR. LAXAMI NARAYAN PANDEY (Mandsaur) : Mr. Chairman, Sir this type of statement can not be given without prior notice. (Interruptions)

[English]

SHRI MANORANJAN BHAKTA (Andaman-Nicobar) : The subject matter is very important. (Interruptions).

THE MINISTER OF CIVIL AVIATION AND TOURISM (SHRI MADHAVRAO SCINDIA) : Sir, we have submitted this statement to the Speaker's office about 2 hours or two-and-a-half hours ago and I think it has been cleared by the Speaker also. I thought I could give the information just now. (Interruptions). But if the hon. Members so desire me to make the statement later, I have no problem.

SHRI RAM NAIK : You can do it at Three O'clock so that Members can come and they can have the benefit of going through it.

SHRI MADHAVRAO SCINDIA : I have no problem. (Interruptions)

[Translation]

SHRI RAM VILAS PASWAN (Rosera) : Mr. Chairman, Sir, when the both sides agree that the hon. Minister may make his statement later on then I request you to fix the time around half past three or four O'clock.

[English]

MR. CHAIRMAN : Will Three O'clock will be all right for you, because you said you will be leaving soon ?

SHRI MADHAVRAO SCINDIA : All right.

[Translation]

SHRI RAJNATH SONKAR SHASTRI : Mr. Chairman, Sir, it is now quarter to three and you ask him to make his statement at Three O'clock. So I request you to fix the time of half past three O'clock for the statement.

MR. CHAIRMAN : That is right. The hon. Minister will make his statement regarding the plane crash at 3.30 hours.

[English]

SHRI MADHAVRAO SCINDIA : Sir, I have submitted the Statement to your office. Your office may kindly circulate it beforehand, because I submitted it two hours ago.

MR. CHAIRMAN : I think it will be cyclostyled, and it must be under circulation.

(Interruptions)

[Translation]

SHRI RAJNATH SONKAR SHASTRI : Mr. Chairman, Sir, this classification of castes—Scheduled Castes, Backward Class, Scheduled Tribe, was made probably in 1950 in our country. Communication facilities were not available at that time and the employment opportunities were limited and the caste system was deep-rooted in the country. Therefore, when this country saw the dawn of independence, many people thought it better to hide their caste. Many persons belonging to the Scheduled Castes gave their introductions as Rajpoot, Khastriya while their real castes were different. Thus, a conflicting situation arose in the country and its result is discernible throughout the country.

Mr. Chairman, Sir, today we had debates here in which the Hon. Members have expressed their views. Such views are the result of that very situation. The Karnataka Bill is there and I would like to cite an example to a

particular castes in the context of that particular Bill. There is a caste, Khatik. This caste is Scheduled Caste in Uttar Pradesh and Maharashtra but the same is Backward Class in Karnataka. Suppose, there are two sisters in a family, one is married to a person of the same caste residing in Delhi or in Uttar Pradesh and the other is married to a person residing in Karnataka. The former will come into the category of the Scheduled Caste and the latter will come into the category of Backward Class. Thus a question of the difference in their social status arises. An incident took place—incidentally, I belong to that caste. I was treated as a Scheduled Caste at one place and as a Backward Class at the other place. The men of our caste who reside at Varanasi in Uttar Pradesh fall under the list of Scheduled Castes but the men of the same caste residing just three kilometres away from there in Bihar come in the list of Backward Class. This is a serious matter. This creates a lot of hurdles in marriages, feasts, social activities among them. The people of this caste in Karnataka maintain family relations with us.

I would like to say one thing more in this context. People have to face a lot of trouble on account of varying spellings of the same caste. There is a caste namely, Gond in Uttar Pradesh. This word is written as Gaund in English and as Gond in Hindi. Our Welfare Minister, Shri Kesari knows well about this. When a person belonging to that caste goes to the collector's office for taking caste certificate, he is returned from there simply because he writes Gond in his application

whereas it should be written as Gaund. I would like to cite one more example regarding varying spellings. There is a case, namely, Khatik spread all over India. This caste has 30 different names in different parts of the country. It is known by two or three names even in a single State. On that day this Bill was introduced. It is known as Bakarkasav in Jammu & Kashmir. In Karnataka where this Bill is being introduced, it is known as Khatik but the same is known as Khaateek in neighbouring state of Mysore. I would like to say something in the context of the Bill that this issue came up before the House on April 6, 1984. All sorts of discussions took place. The matter was also discussed during Question Hour and Half-an-Hour Discussion. The then Home Minister said that he was much worried over the issue and that he would bring forward an Amendment Bill after conducting a thorough study throughout the country. With regard to that issue all sorts of discussions took place. An assurance was given during discussions that the Government would ask the State Governments to submit reports about the socially Backward people. At that time we wanted to know the progress going on with regard to the correspondence between the President and the Home Minister. I had with me scores of letters from the Home Minister, which I had produced in this House. When we wanted to know as to what was going on in connection with that study, we were informed that despite repeated requests, the State Governments were not submitting their reports. The Government informed us that it wrote to the Bihar

Government, Jammu-Kashmir Government, Karnataka Government, Andhra Government but reports were not submitted by them. When we wanted to know whether any reminder was given, sometimes we were informed sarcastically but this time the number was counted and we were informed that 17 reminders were sent by the Central Government. They assured us that the moment they get reports, they would bring forward a comprehensive Amendment Bill. But that Bill could not be brought forward till today.

The Social Welfare Minister is sitting in front of us. His statement appeared recently in newspapers that the Government would bring forward an Amendment Bill soon. For that purpose, it was conducting a wide study and the names of several castes had to be revised and only after doing so the Amendment Bill would be brought forward. But that Bill could not be brought forward by now. While supporting the present Bill I would like to put two-three questions to the Social Welfare Minister. A number of letters at least 100 letters about which I know, written by different societies and all the organisations of the Scheduled Castes are lying in his office. In these letters these organisations have requested him to include several castes of the entire country in the list of the Scheduled Castes. The Government has been giving assurances from time to time to include those castes in the SC list. But at the time of elections or at a time when such issues are raised, only one or two castes are included through an ordinance and a

discussion is allowed in the House on that ordinance. Our present Minister of Social Welfare, who appears to be much interested in this matter—whatever might be the reason—but he is trying to give something to this class.

MR. CHAIRMAN : The reason is Social Welfare only. You may tell if there is any other reason.

SHRI RAJNATH SONKAR SHASTRI : I do not want to say anything about that. I think he might have understood it and the other Members of the House also might be knowing about this.

SHRI RATILAL VERMA (Dhanbhuka) : We do not know, please tell us.

SHRI RAJNATH SONKAR SHASTRI : Then listen, please. When is the Hon. Minister going to include those whom he wants to include? Will he introduce a Bill just to include one or two castes and then get an Ordinance issued. Today he should give an answer to our question in the House as to when is he going to bring forward a comprehensive Bill? Some Hon. Members had suggested for constituting a Parliamentary Committee. Will such a committee be constituted? We also support that move

Lastly, I would like to say that the students and some other persons have to face great hardship when they do not get caste certificate and grants. They feel much aggrieved on this score. Will the Government issue instructions to the District Collectors and other officers to grant caste certificates on the basis of definition of

Scheduled Castes and Scheduled Tribes or on emotional consideration on the basis of which they were included in these castes without much regard to the spellings, as I have already explained it citing an example of 'Gond' and other castes?

With these words, I conclude and support this Bill.

[English]

SHRI P.C. THOMAS (Muvattupuzha) : Sir, I welcome this Bill. The scope of this Bill is very limited. It is only to regularise an Ordinance. As it has already been stated, it is only at the time of elections such welfare measures are taken up by the Government. It is unfortunate that this was not brought earlier. Anyhow, now we have elections almost every year. So, I think these types of depressed classes will get more opportunities. But we must take it into account that these are not things to be thought of at the time of elections alone. I would feel that there are a lot of communities, classes which are to be brought into the list i.e. the Scheduled Tribes as well as the Scheduled Castes list. A lot of representations are pending before the Government. I would, therefore, urge upon the Minister to convene a Conference of the Welfare Ministers or the Ministers concerned from all the States so that they will be able to give proper thought to this matter as to which are the demands from the States which are to be included, if need be at the earliest.

At this stage, I also want to make a reference to a longstanding demand by a class i.e. the Scheduled Castes

people who have been converted to Christianity. So, there is a change of faith. These people who have been converted to Christianity or who had a change of faith though they live in the same colonies, though they have the same manner of faith, though they are treated by the society in the same manner, yet they do not get the advantages of what Scheduled Caste people get. The change is in the faith. So, I urge upon the Minister to give proper attention to this very long-standing demand which has come from almost all the States in India. I think that the Minister may convene a Conference or give opportunity to the concerned person to give more data, if any necessary. But I am sure there is no further data necessary because I am sure the previous Government also had assured that a Bill would be brought forward in this regard. I don't think any political party has got any difference on this issue. So, I once again urge upon the Minister to humbly do this.

14. 49 hrs

MR. SPEAKER *in the Chair*

SHRI RAM NAIK : We are opposed to this. We are opposing it.

SHRI P.C. THOMAS : The BJP has not opposed. I think the BJP has some objection with regard to some technical aspects. But I think that also can be sorted out. Technicalities should not stand in the way too long to deny justice to certain parts. I only say that those Scheduled Tribes who are brought in this List, are not given justice as a whole. This has been stated by some other Members also. I only

mention one particular point and conclude.

There are areas in which tribals are living in a cluster or are living together. There are very many such areas which are not at all developed. I would like to request the Minister of Welfare through you . . . (*Interruptions*).

MR. SPEAKER : This is a very limited Bill and you are making it very long. This is only for including two tribes. Why should you take so much time ?

SHRI P.C. THOMAS : Probably, this is the only opportunity when we can say something.

MR. SPEAKER : Do not misuse the opportunity.

SHRI P.C. THOMAS : I only say that the tribal areas in my constituency in Kerala . .

MR. SPEAKER : It is not relating to Kerala. It is relating to Karnataka. Let us understand that.

SHRI P.C. THOMAS : But the problem is the same. It is only a change in area. There is absolutely no difference. I do not say about Kerala. I only say that the welfare scheme such as development of the area may be taken up. I conclude my speech because of paucity of time as also the limitation of the Bill. I thank you very much for the opportunity that you have given.

[*Translation*]

SHRI RAM VILAS PASWAN (Rosera) : Mr. Speaker, Sir I shall conclude in 3-4 sentences only.

First of all I would say that this is for the first time that this Ordinance is being discussed in the House after its promulgation in order to get the opinion of the House. We all support the Bill which the Government has brought forward.

Secondly, it is a fact that the first list of Scheduled Castes and Scheduled Tribes that was prepared for the first time in the country was in consonance with the conditions obtaining at that time. But as I said the other day also, according to the survey which was conducted in view of the changed conditions in the society. 100—200 castes/tribes were identified and a list thereof prepared by the Ministry. Just now my friend Shri Naik of the BJP said that the previous Government too did not expedite this matter. In this connection I want to say that it was our endeavour to do it but at the same time we wanted to ensure that no caste/tribe was left out.

There are two procedures to do it. Under the first procedure recommendations are received from the State Government. Secondly, the approval of Registrar General of India who maintains an list of castes/tribes indicating whether a particular caste is untouchable or not or a particular tribes has a tribe character or not. The list of scheduled castes/tribes which was identified by the Government has been approved by the R.G.I. also. The number of such castes/tribes in respect of which the State Governments have made recommendations and the R.G.I. has also given his approval is about 150—200. The

list of these castes/tribes was finalized by the Ministry of Welfare during my tenure as the Minister of Welfare and I do not think the Government will face any difficulty in presenting that list in the House. This list was prepared after a deep study and it would be easily available in the Ministry. In case any castes/tribe is still left out, a Parliamentary Committee or an expert committee of the concerned Ministry can take care of that. But once the Bill is introduced in the Parliament, it would be difficult to include the castes/tribes that are left out. During my tenure, I made efforts in this direction but still some castes/tribes have been left out with the result that the Government has not been able to include other castes/tribes. For instance, the State Government of Bihar has recommended Thakur Caste for inclusion and the R.G.I. has also approved its inclusion.

The same is true of Maharashtra and other States where such castes/tribes are living. I would request that a comprehensive bill for this purpose should be brought forward as early as possible. If you could do it, you would get the credit for it. None of us has opposed this measure and none would do so in future. Steps should be taken expeditiously to include the castes/tribes which would be.

I want to tell the Hon. Minister that so far as I know the caste 'Paswan' is included in the list of Scheduled Castes in Bihar, but if a person belonging to this caste comes to Delhi, he will not be treated as

Scheduled Caste. A particular caste is Scheduled Caste in West Bengal but the same caste is not considered as Scheduled Caste in Uttar Pradesh and Bihar. In Harvana Tharu caste is Scheduled Caste, but in Bihar and Uttar Pradesh it is not like that. In order to remove these anomalies, we had prepared a paper in the Ministry making it obligatory on the State Governments to consider a person belonging to Scheduled Castes/Tribe from one State as Scheduled Caste/Tribe in another State if he comes there for employment. The Central Government does extend these facilities to the Scheduled Castes/Tribes from the States, but the State Governments do not follow the same rule in respect of the persons coming from other States. Therefore, the Government should ensure that persons belonging to Scheduled Castes and Scheduled Tribes and getting some facilities in one State should get the same facilities if they go to other States for employment. This is my suggestion, not for today, but also for future. Having said this, I hope that the Government would bring forward a comprehensive bill and pass the same as early as possible.

[English]

MR. SPEAKER : Mr. Minister.

SHRI FRANK ANTHONY (Nominated Anglo-Indian) : *rose*.

MR. SPEAKER : It is not necessary. This is a small Bill. We have many other items which we want to take up. Will you please appreciate the difficulty?

SHRI FRANK ANTHONY : I want to speak not only with regard to Karnataka but also with regard to whole of India. I had studied this matter legally, because, I have argued it in the Supreme Court. I had argued for the abolition of the castes. (*Interruptions*)

MR. SPEAKER : This is a very simple Bill. We want to pass it.

(*Interruptions*)

SHRI FRANK ANTHONY : I am saying what my friend has not envisaged. I am not against it. What I am saying is this. The Mandal Commission—I have the figures here—had put the figures at 3,747 but a Chief Minister had said that it was over 4,000. Between 1950 and 1958, the list of Scheduled Castes and Scheduled Tribes throughout India was doubled—the Scheduled Castes, 60; the Scheduled Tribes, 130. Now the question is this. What happened was, according to Mandal Commission 3,500 constituted 52 per cent of the total population of India. But, the two Supreme Court decisions say that you cannot have reservations for more than 50 per cent. So we could only ask reservations for 22 per cent that is 15 per cent for Scheduled Castes and 7 per cent for Scheduled Tribes. I do not think that my friend had studied this and he said the Mandal Commission we will forgo our claims for the rest of the Scheduled Castes and Tribes; we will bring it down from 52 per cent to 27 per cent. That is what he said. That is the position they have taken. Otherwise, you will be going against the Supreme Court decision. My friend had increased the

number of Scheduled Castes and Scheduled Tribes. But, does he also make them into backward classes. Because, there is a special Chapter—I was a party responsible for the framing of that Chapter, because it is a conjoining Chapter with my community, both for Scheduled Castes and Scheduled Tribes and Anglo-Indians.

The Scheduled Castes and the Scheduled Tribes are protected by this particular Chapter. But what happened was they were protected for ten years only. But because there are so many millions of them, it had to be extended several times, for 10 years each. I do not mind that. What I am saying is this. Do you make them into backward classes? If you make them into backward classes, you are destroying them, because you put them below the *Sudras*. That is what was happening. In Karnataka, Vokkaligas and Lingayats are backward classes but, they are the wealthiest backward classes.

[Translation]

SHRI RAM VILAS PASWAN : Had you not been an Anglo-Indian, you would not have been an M.P. for a so long a time. (Interruptions)

[English]

15.00 hrs.

SHRI CHANDRA JEET YADAV (Azamgarh) : You have also got the benefit of reservation, being an Anglo-Indian.

SHRI FRANK ANTHONY : I have lost my privileges because I had a time schedule which wasted out automatically, except for the two reserved seats. I had quotas in the

services, I had grants for the education etc.; all wasted out. But those benefits enjoyed by the Scheduled Castes and the Scheduled Tribes did not waste out.

What I am trying to say to my friend is that if he, by increasing the number of Scheduled Castes and Scheduled Tribe communities, place them at the bottom of the backward classes, he is doing a tremendous disservice. Then the top backward classes get all the reservations—the Vokkaligas and the Lingayats. Chief Ministers there have been mostly from Vokkaligas or Lingayats. Shri Hegde was the first non-Vokkaliga Chief Minister—he was a Brahmin. By increasing the number of Scheduled Caste and Scheduled Tribe classes if you put them into the backward classes along with Sudras, what will happen is that they are getting nothing now and they will get nothing in the future.

SHRI H.D. DEVEGOWDA (Hassan) : Mr. Speaker, Sir, while supporting this Bill I want to make one or two submissions for the consideration of the Hon. Minister. While moving this Bill to replace the ordinance that has been issued on 19th April 1991, he has tried to give some benefits to some of the Communities called Nayak, Naik, Beda, and Valmiki.

This matter has been pending from 1978. I am one of the persons who tried to pursue this matter by bringing a delegation belonging to these communities and submitted a memorandum to then P.M. Shri Chandra Shekharjee in January 1991. At that time nobody expected that elections

were going to be held so soon. It was not to get some benefit from the elections. Some of the communities belonging to Kashmir have also been included in this ordinance. In Kashmir there was no election. So I want to clarify the remark made by Shri Naik is not correct and that this matter has been pending from 1978.

Almost all the Members of this House know that in 1956, after the reorganisation of States took place, five-six areas from different parts of different States—from Greater Bombay or Maharashtra, from Tamil Nadu, from Andhra Pradesh and from Kerala—came into one State called the Karnataka State. Earlier it was called Mysore State.

Naik community was treated in some areas as backward tribe, in some areas as denotified tribe and in some areas as Scheduled Tribe. This is the problem the Karnataka Government used to face. We tried to persuade the Government of India from 1978 onwards to see that this anomaly should go. We said that almost all these equivalent communities should be brought under the umbrella of Scheduled Tribe and the benefit should be given to them. But unfortunately this matter prolonged from 1978 even though it was referred to Rajiv Gandhiji and later to Shri V.P. Singhjee. Representations were given continuously from the Government of Karnataka arguing that these communities should be brought under the purview of Scheduled Tribe.

In 1984 the Government of Karnataka passed an order to provide educational facilities to these communities wherein another two communities

i.e. Pariwara & Talwara have also been included. The only one point that I want to emphasize for the consideration of the Hon. Minister is that Talwara and Pariwara are two equivalent communities—they are synonyms. We wanted to see that the benefits should be given to these two communities also. They have no lands. They go to the nearest forest areas, cut firewood and sell it in the market. Whatever they get from it, they live with it. Now the forest people are going to restrict them and create all types of problems. So they prepare illicit liquor and sell it. They are also engaged in all types of anti-social activities.

Therefore under the circumstances I would like to urge upon the Minister to kindly include Talwara and Pariwara communities, which were already given certain benefits by the State Government, in the purview of this Bill. Unless a suitable amendment is brought before this House and ultimately passed by this House, we cannot give them the benefits—more so far as the Central Government benefits are concerned. Today morning when I came, I tried to give an amendment to this particular Bill; but unfortunately it was not considered because it was too late. I will only request the Hon. Minister that while giving his reply, let him give categorical assurance about these two communities i.e. Pariwara and Talwara so that the benefit is also given to these two communities.

Sir, the Government brought this Bill first to replace the Ordinance for some communities in Kashmir and

subsequently now for some communities in Karnataka. Some of MPs went and persuaded the Hon. Speaker to relax certain rules and procedures to bring a separate Bill on Karnataka.

I would like to thank the Government for having agreed to introduced the Bill. The Hon. Minister has taken some interest to see that this matter was brought before the House immediately with retrospective effect, that is from 19th April 1991. Almost all the students who are already admitted in the educational institutions would have been thrown to the streets if this Bill was not enacted. The Minister was kind enough to come before the House with this Bill for its acceptance. Almost all the Members who have spoken on this Bill have demanded that a Comprehensive Bill be brought forward so that almost all the areas would be benefited in the entire country. In the meanwhile, the benefits which are there already, should not be taken away. Hence, I would request the Hon. Minister as well as the Hon. Members to see that this Bill is passed with one modification namely that, the two equivalent communities of Talwara and Pariwara should also be included in this Bill. In case, if it is not possible, the Government should give a categorical assurance to give the benefit to the above two communities.

With these remarks, I would like to thank the Government for having brought forward this Bill.

[Translation]

SHRI SITA RAM KESRI: Mr. Speaker, Sir, I am grateful to all the

Hon. Members who participated in the discussion on this Bill. First of all I would like to tell Shri Shahabuddin that the stand which he has taken is wrong. This Bill has been brought forward with a good intention. In fact the Bill was introduced during the Chandra Shekhar Government.

Shri Ram Naik has said that such ordinances are promulgated and brought in the House for legislation with the political motive in order to fetch votes. So far as the question of fetching votes is concerned, our Government is not at all involved in it as this Ordinance was promulgated during the tenure of Chandra Shekhar Government. Since the intention to include the left out castes in the list of Scheduled Castes and Scheduled Tribes was good and the Ordinance was promulgated with this objective, I am presenting it in the House in the form of a Bill.

Secondly, Shri Ram Vilas Paswan just now told me that the Registrar General of India has given its approval to the inclusion of about 125—150 Castes/Tribes. I shall definitely consider this point.

Thirdly, I shall also consider the recommendations of the State Governments for inclusion of additional Castes/Tribes in the list of Scheduled Castes and Scheduled Tribes.

In the end, I would say that the Government would consider the cases of poor, backward and other neglected classes who demand that their Castes/Tribes should be included in

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the list of Scheduled Castes and Scheduled Tribes for the purpose of reservation benefits are under consideration and I personally feel that they should get the benefits of reservation so that their condition could improve.

With these words, I would request these Hon. Members who have given notices of amendments to withdraw their amendments to pave way for the passage of the Bill.

SHRI RAM NAIK : Mr. Speaker, Sir, I had asked whether these benefits would be extended to these caste in Maharashtra also ?

MR. SPEAKER : Please sit down, we have had enough discussion on this subject.

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : Mr. Speaker, Sir, if you could allow me two minutes' time, I would like to speak a few words.

MR. SPEAKER : No, you need not deliver a speech on the amendment.

(Interruptions)

[English]

MR. SPEAKER : No, I am not allowing.

(Interruptions)

MR. SPEAKER : On amendments, you are not allowed to speak like this. It is a very small Bill. Please consider. If time were available, I would have given you. But you should understand it.

(Interruptions)

SHRI RAM NAIK : I have a submission. (Interruptions) When others speak, you give time. (Interruptions)

MR. SPEAKER : On everything, if one Member goes on making submissions, and other do not get time, they are complaining.

SHRI RAM NAIK : But he has already given the motion. (Interruptions) He is not allowed to speak.

MR. SPEAKER : That is exactly what I am asking. (Interruptions) Are you going to withdraw ?

(Interruptions)

[Translation]

MR. SPEAKER : Under the rules, you have no right to speak on it now. Had it not been so, I would have allowed you. You may please withdraw your amendment.

SHRI GIRDHARI LAL BHARGAVA : In deference to your order I withdraw my amendment. I have never disobeyed your orders in the past nor I am doing so now.

[English]

MR. SPEAKER : Has the Hon. Member leave of the House to withdraw his amendment ?

SOME HON. MEMBERS : Yes, Sir.

The Amendment was, by leave, withdrawn.

MR. SPEAKER : I shall now put the motion for consideration of the

Bill to the vote of the House. The question is :

"That the Bill to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Karnataka, be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will now take up clause-by-clause consideration of the Bill. The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR. SPEAKER : Clause 1, the Enacting Formula and Long Title stand part of the Bill.

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI SITARAM KESRI : I beg to move :

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

WEAKER SECTIONS OF THE SOCIETY IN THE COUNTRY

[English]

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

I would like to bring to the notice of the Hon. Members that we have discussed this motion for 5 hours and 53 minutes. There is a large list of Members who want to speak on this motion. We have allotted five hours or eight hours or ten hours to Ministries also. So, we shall have to decide how much time we should give to this motion. This is an important motion no doubt. But then we have the limitation of the time also. May I request that this motion has to be completed today—may be within 45 minutes' time but not more than that.

Then, we shall take up the drought and the flood matter also which has been pending on the list for a pretty long time. The Demand of the Industries Ministry, for which eight hours were given, is being postponed. We should take up the Demands of the Ministries also. I hope the Members will understand the time constraint and will cooperate. Mr. Shyam Lal Kamal was on his feet. He may please speak.

SHRI SHYAM LAL KAMAL (Basti) : Honourable Mr. Speaker, Sir, the other day, I was dealing with the national problem of atrocities on Harijans.

25.14 hrs.

MOTION RE. ATROCITIES BEING COMMITTED ON THE SCHEDULED CASTES AND SCHEDULED TRIBES AND OTHER