

श्री हरदयाल देवगुण : उन्होंने एक पक्षीय वर्शन दिया है। यह गलत चीज है अगर आप उस को देने की इजाजत देते हैं (व्यवधान) में गवर्निंग बाडी का मेम्बर हूँ (व्यवधान) यह इस को साम्प्रदायिक प्रश्न बनाना चाहते हैं। यह बात बिल्कुल अनुचित है। इसकी इजाजत नहीं देनी चाहिए।

MR. CHAIRMAN : Please resume your seat. Mr. Bal Raj Madhok and Mr. Kanwar Lal Gupta have already made the point clear. This was raised before lunch That is over now. (Interruptions)

14.22 hrs.

SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS (AMENDMENT) BILL.—Contd.

श्री श्रीमत्प्रकाश श्यामी (मुरादाबाद) : सभापति महोदय, इस समय जो बिल आया है उस के सम्बन्ध में मैं सरकार को धन्यवाद देता हूँ कि संविधान में जो कमी थी और जो अन्याय हो रहा था अनुसूचित जातियों और आदिवासियों के साथ उस का उस ने मार्जन किया। मैं इस सेलेक्ट कमेटी को भी धन्यवाद देता हूँ जिसने सर्वसम्मति से इस बिल के सम्बन्ध में रिपोर्ट हमारे सामने उपस्थित की। आप प्राश्चर्य करेंगे कि सभी पार्टियों के प्रतिनिधि उस में थे और सभी ने सर्वसम्मति से उसकी रिपोर्ट को पास किया। लेकिन आज इस हाउस में एक अजीब वातावरण उत्पन्न करने की चेष्टा की जा रही है। मुझे तो सब से अधिक प्राश्चर्य सरकार पर आता है जो इस सेलेक्ट कमेटी की रिपोर्ट को सैबोटेज करने की कोशिश कर रही है।

आज मैं बतला देना चाहता हूँ कि आज उस के, पाप का पता चलने वाला नहीं है, केवल उसका पता चलेगा। जैसा मैं ने मेघालय बनाने के समय सरकार से कहा था कि आप यह एक पाप पैदा कर रहे हैं। इस देश में आप एक भाग जला रहे हैं, और उस भाग की

ज्वाला आज सामने आनी शुरू हो गई है। इस बिल का उद्देश्य वास्तव में उन लोगों को संरक्षण देना था जो इस देश में आर्थिक और सामाजिक दृष्टिकोण से पिछड़े हुए हैं। उन लोगों की सरकार सहायता करना चाहती थी। इससे स्पष्ट प्रकट है कि केवल आर्थिक दृष्टिकोण से पिछड़े हुये लोगों की सहायता का सवाल नहीं उठाया गया। अगर आर्थिक दृष्टिकोण से पिछड़े हुए लोगों का पवाल होता तो देश में आर्थिक दृष्टिकोण से पिछड़ेपन के नीचे ब्राह्मण, क्षत्री वैश्य आदि भी दबे हुए हैं। सभी जगहों पर आर्थिक रूप से पिछड़े हुए लोग हैं, यह किसी से छिपी हुई बात नहीं है।

एक विशेष वर्ग इस देश में ऐसा था जो एक दो साल से नहीं शाताब्दियों से आर्थिक और सामाजिक दोनों दृष्टियों से पिछड़ा हुआ था। इसलिए उस वर्ग की विशेष सहायता करने के लिए हमने विधान में प्रावधान किया था। उसमें केवल अनुसूचित जातियों का समावेश किया गया लेकिन उसमें आदिवासियों को जोड़ दिया गया। उस में यह था कि कोई भी हरिजन अथवा कोई भी अनुसूचित जाति का आदमी यदि धर्म परिवर्तन करे तो उसे सरकारी सहायता नहीं मिलेगी। लेकिन यह नियम आदिवासियों पर लागू नहीं होता था, हरिजनों पर ही लागू होता था। अनुसूचित जाति वालों को हरिजनों को इस प्रकार जो लाभ मिलना था वह मिला, जो सहायता मिलनी थी वह मिली और पूरी उन्हीं को मिली सीधे तरीके से मिली। लेकिन आदिवासियों पर यह शर्त लागू नहीं की गई। इसकी एक बहुत बड़ी हानि यह हुई कि आदिवासियों को जो सरकारी सहायता दी जाती थी, वह सहायता उन आदिवासियों को नहीं मिली जो गरीब थे, उन तक वह नहीं पहुँची लेकिन जो उन्नत लोग थे, जो धर्म परिवर्तन कर चुके वह उनको प्राप्त हो गई थी तथा और भी तरीकों से जो आगे बढ़ गये थे, उन्होंने उस तमाम सहायता का उपयोग किया।

[श्री ओम प्रकाश त्यागी]

धर्म परिवर्तन करने के पश्चात् सहायता न दी जाये, उसके पीछे गवर्नमेंट का तात्पर्य क्या था? एक विशेष यह तात्पर्य था कि आर्थिक दृष्टि से ही पिछड़ापन उनमें नहीं रह जाता है बल्कि सांस्कृतिक तथा सामाजिक दृष्टिकोण से भी जो पिछड़ापन होता है, वह नहीं रह जाता है। धर्म परिवर्तन हो जाने के बाद यह सहायता क्यों बन्द होनी चाहिये, इसके सम्बन्ध में मैं अपने विचार आपको बतलाना चाहता हूँ। अभी माननीय सदस्यों ने कहा कि पालिटिक्स में धर्म और जाति का सवाल नहीं आना चाहिये। परन्तु आज आपने विशेष रूप से विशेष जाति के नाम पर संरक्षण दिया है, विशेष अवस्थाओं के लिए दिया है। विशेष जातियों को आप विशेष सुविधायें देते हैं इसका कारण यह है कि उनमें विशेष पिछड़ापन है, सामाजिक और आर्थिक तौर पर पिछड़ापन है। इसी वास्ते कानून में इस चीज को लाया गया था। धर्म परिवर्तन के पश्चात् उसका क्या प्रभाव होता है। उदाहरणार्थ ईसाई, मुसलमान या कोई और भी धर्म वाला, आदिवासियों और अनुसूचित जातियों के लोगों को छोड़कर, यह कहने का साहस नहीं कर सकता है कि वे सामाजिक दृष्टिकोण से पिछड़े हुए हैं। सामाजिक दृष्टिकोण से पिछड़े हुये माने गये थे, केवल अनुसूचित जातियों के लोग, अनुसूचित आदिम जातियों के लोग। उन्हीं के साथ यह शब्द लगा हुआ है। अब जब कोई धर्म परिवर्तन कर लेता है तो उसके पश्चात् यह पिछड़ापन स्वतः समाप्त हो जाता है। इस वास्ते बिल का जो उद्देश्य था वह धर्म परिवर्तन के साथ समाप्त हो जाता है।

दूसरी एक और बात है। यह केवल धर्म परिवर्तन ही नहीं है। आप में से अधिकांश लोगों ने शायद जंगलों में जाकर देखा नहीं है। जंगलों में मैं रहा हूँ। आदिवासियों के बीच मैंने काम किया है, मैंने उनकी सेवा की है।

मैंने तीन साल जंगलों में गुजारे हैं। मैं जानता हूँ कि यह केवल धर्म परिवर्तन ही नहीं होता है बल्कि उनकी संस्कृति का, उनकी भाषा का, उनके नाच का, उनके गाने का, उनके रहने के ढंग का भी परिवर्तन हो जाता है। आदिकाल से जो उनकी संस्कृति चली आ रही है, वह सब परिवर्तित हो जाती है और जिन लोगों ने, जिन आदिवासियों ने धर्म परिवर्तन कर लिया होता है वे केवल नाममात्र के लिये आदिवासी रह जाते हैं। उनका सब कुछ परिवर्तित हो जाता है। मैं उदाहरण देना चाहता हूँ। भारतवर्ष में अधिकांश ईसाई लोग, नब्बे परसेंट के करीब ईसाई लोग हरिजननों में स निकले हुए हैं। मुसलमानों में भी बहुत सा हिस्सा हरिजननों में से निकला हुआ है, धर्म परिवर्तन...

श्री बलराज मधोक (दक्षिण दिल्ली) : गलत बात है, बहुत कम है।

श्री ओम प्रकाश त्यागी : मैं अपने शब्द वापिस लेता हूँ। अत्याचार के कारण तथा आर्थिक कमजोरी के कारण हो सकता है कि कुछ लोग अपर क्लासिस के भी दूसरे धर्मों में चले गए हों। लेकिन मैं जानना चाहता हूँ कि जो ब्राह्मण, क्षत्रिय या वैश्य मुसलमान बने या ईसाई बने, क्या आज भी वे सांस्कृतिक दृष्टिकोण से वहीं हैं जो पहले थे या जो मुसलमान हिन्दू या हिन्दू मुसलमान बन गये हैं क्या वे सांस्कृतिक तथा धार्मिक दृष्टिकोण से वहीं हैं जो वे पहले थे? वे चेंज हो गए हैं। उसी आधार पर इस देश में दू नेशन थ्योरी का नारा भी लगा। यह कहा जाता है कि इस देश में नब्बे परसेंट मुसलमान हिन्दुओं से सम्बन्धित हैं, हिन्दुओं की संतान हैं लेकिन आज वे यह कहने के लिये तैयार नहीं हैं कि उनकी संस्कृति वही है जो हिन्दुओं की है। अतः धर्म परिवर्तन के साथ सामाजिक पिछड़ापन, भी नहीं रह जाता है। उनकी जो मूल संस्कृति होती है, वह भी समाप्त

हो जाती है, उनका सभी कुछ समाप्त हो जाता है। आपको देखने के लिए भगवान ने आखें दी हैं। लेकिन सरकार की आंखों पर राजनीति ने ऐसा पर्दा डाल रखा है, उसकी आंखों पर मोतियाबिन्द का ऐसा जाला चढ़ा हुआ है कि कुर्सियों के अलावा उनको कुछ दिखाई ही नहीं देता है। अगर आप ने देखा हो तो आप जाकर उक्त प्रदेशों में देखिये नागालैंड में देखिये कि कहां पिछड़ापन है। वहां जाकर आप देखिये कि जिनके हाथ में शासन की बागडोर है, चाहे वह किसी भी पार्टी के हों, वे तथा उनके यहां आदमी धर्म परिवर्तन के बाद कितनी प्रगति कर गए हैं, कितने प्रगतिशील हो गये हैं, कितने ज्यादा उन्नत हो गए हैं, कितने ज्यादा सम्य हो गए हैं। वे हर दृष्टि से बड़े चढ़े हुए लोग हैं परन्तु सांस्कृतिक दृष्टि से बिल्कुल बन्ले हुए हैं सभापति महोदय, एक बार दिल्ली में आदिवासी सम्मेलन हुआ था जिसका उद्घाटन स्वर्गीय प्रधान मंत्री श्री जवाहरलाल नेहरू ने किया था ; उस वक्त उन्होंने उस सम्मेलन में कहा था कि जब हम आदिवासी क्षेत्रों में दूसरी धार्मिक, सामाजिक आदि संस्थाओं को सेवा कार्य करने का अवसर देते हैं तो एक बात का हमें डर रहता है कि वे संस्थायें सेवा की भाड़ में इन लोगों की संस्कृति को हड़प न जायें। हम आदिवासियों की संस्कृति को सुरक्षित रखते हुए उनका उत्थान करना चाहते हैं। इस दृष्टि से यह नियम पास किया था। जब धर्म परिवर्तन हो जाता है तो सम्यता, संस्कृति आदि सभी समाप्त हो जाते हैं और स्व० नेहरू जी का उक्त लक्ष्य लुप्त हो जाता है।

केवल धर्म परिवर्तन की बात हो तो हमें आपत्ति नहीं। धर्म परिवर्तन तक ही बात सीमित रहे तो कोई बात नहीं। लेकिन इस देश में कुछ ऐसे विदेशी एजेंट भी हैं जो धर्म परिवर्तन के साथ-साथ राजनीति की भी उलझन पैदा कर देते हैं अर्थात् एक पोलिटिकल षडयंत्र भी इस देश में रचा जा रहा है। करोड़ों ६० अमरीका का इस देश में पी० एल० 480 के

पैसे के रूप में जमा है साथ ही डायरेक्ट तरीके से तीन करोड़ रुपया विदेशों से हर महीने आता है। बीस परसेन्ट रुपया पी० एल० 480 का कट्टा जाता है गवर्नमेंट को कुछ पता नहीं। साढ़े 22 अरब रुपया पी० एल० 480 का है। बीस परसेंट अमरीकन एम्बेसी के द्वारा खर्च किया जा रहा है जिनमें मे अधिकांश रुपया मिशनरीज को जाता है। लाखों मन सूखा दूध कपड़े आदि मिशनरीज का बाहर से आते हैं जिनको वे यहां बांटते हैं। धर्म परिवर्तन के साथ यहां क्या होता है यह मैं आपको बतलाना चाहता हूँ। नागालैंड, मिजोलैंड जो बने यह सब अमरीकी वैटिस्ट्स मिशन का, मिशनरीज का ही काम है। ये तमाम सुविधायें धर्म परिवर्तन तक ही सीमित रहें तो बात समझ में आती है लेकिन उसके साथ-साथ एक राजनीति भी इस देश में चलाई जा रही है, एक षडयंत्र भी चल रहा है, मेघालय ही नहीं बल्कि मांग और भी बढ़ती जा रही है और छोटा नागपुर, भारखंड प्रांति आदि की भी मांग की जा रही है। न मालूम आगे और क्या-क्या मांग उठ खड़ी होगी। धर्म परिवर्तन के खेल के साथ यह और भी ज्यादा खतरनाक खेल है। जो खेला जा रहा है। संविधान की धारा 46 में यह लिखा हुआ है :

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 the Scheduled Tribes. and shall protect them from social injustice and all forms of exploitation.

इसके बावजूद अनुसूचित जातियों और अनुसूचित आदिम जातियों की गरीबी का नाजायज फायदा उठाया जा रहा है। कोन उठा रहे हैं, मैं नाम लेना नहीं चाहता हूँ। धर्म परिवर्तन के पश्चात क्या होता है। फ्री मंडीकल एंड, अस्पतालों में फ्री ट्रीटमेंट, स्कूलों कालेजों में बच्चे फ्री पढ़ें और दूसरी सहायता और ऊपर से। जो सूखा ब बाढ़ गस्त क्षेत्र होते हैं, जहां

[श्री ओम प्रकाश त्यागी]

सूखा पड़ा होता है या जहां ज्यादा पानी आ जाता है, वहां विदेशी मिशनरीज रिलीफ का काम करने को जाते हैं, वहां वे बाकायदा राशन कार्ड इश्यू करते हैं उन लोगों को जो ईसाई हैं, दूसरों को नहीं। गवर्नमेंट ने स्वयं स्वीकार किया है कि छोटा नागपुर और बिहार में जहां सूखा पड़ा था उन्होंने वहां लोगों की गरीबी का नाजायज फायदा उठाया।

मैं आप से पूछना चाहता हूँ कि जब उनको विदेशी ईसाई मिशनरियों के द्वारा एक दो रुपये नहीं, करोड़ों रुपये की सहायता मिल रही है, वह भी सहायता मिले और गवर्नमेंट की भी सहायता मिले, डबल आर्थिक सहायता जिस गरीब आदमी को मिलेगी तो मुझे बताइए कि कौन अपना धर्म नहीं छोड़ देगा? इसके साफ माने हैं, आप डिक्लेयर कीजिये कि इस देश के अनुसूचित जाति और अनुसूचित आदिम जातियों को हम नामोनिशां मिटा देना चाहते हैं, आप इस एलान के साथ आइये। छिपकर क्यों बोलते हैं? आप अपनी कुर्सी के लिए उन गरीब निस्सहाय लोगों की पीठ में छुरा क्यों भोंक रहे हैं, जो पहाड़ों और जंगलों के बीच से अपनी आवाज आप तक नहीं पहुंचा सकते आप उनके साथ घोर अन्याय कर रहे हैं। वह समय भी आएगा जब उनकी आवाज दूसरा रूप लेगी क्योंकि आपके सामने तो एक ही भाषा चलती है। आपके लिए न्याय और सत्य का तो कोई सवाल नहीं है। महात्मा गांधी का अहिंसा और सत्य का सिद्धान्त तो आपने दफना दिया है। केवल एक ही भाषा है जिसे आप समझते हैं और वह गुंडागर्दी की भाषा है, अहिंसा की भाषा नहीं, हिंसा की भाषा आप समझते हैं। मैं कहना चाहता हूँ कि इस तरह से दुहरी सहायता से आदिवासी और हरिजनों का दोनों का जीवन आज खतरे में आ गया है और उन का धर्म, संस्कृति जो कुछ भी उनकी दृष्टि से है आपकी दृष्टि से नहीं, आपकी दृष्टि में कुछ भी हो, लेकिन उनकी दृष्टि में उनका धर्म उनकी

संस्कृति जो कुछ भी है वह इस तरह से समाप्त हो जायेगी। क्या एक बात का जवाब आप मुझे देंगे? वह यह कि आपका यह कहना है कि धर्म परिवर्तन के बाद भी सहायता मिलेगी, लेकिन कब से? इस देश में 2 करोड़ के लगभग ईसाई धर्म परिवर्तित हैं, अधिकांश वही हैं। मुसलमानों में भी हो सकते हैं। वह भी अपने आप दादे का सर्टिफिकेट लेकर आ सकता है।

श्री शशिभूषण (खारगोन) : अध्यक्ष महोदय, एक बात कहना चाहता हूँ। जो हरिजन सिख हो जाते हैं उनको पूरा अधिकार मिलता है हरिजनों का लेकिन दूसरे धर्माबिलम्बियों को क्यों नहीं मिलना चाहिए? सब के लिए समान न्याय होना चाहिए।

श्री बलराज भधोक : जो सिख होते हैं वह धर्म-परिवर्तन नहीं होता, जो बौध होते हैं वह धर्म परिवर्तन नहीं होता। वह एक ही संस्कृति के एक ही धर्म के एक अंग हैं।

श्री ओम प्रकाश त्यागी : सिखों के बारे में जो उन्होंने कहा सिखों का और हिन्दुओं का धर्म एक ही चीज है। वह दो अलग अलग चीज नहीं है।

मैं यह कह रहा था कि सरकार उलझन में पड़ेगी यह बात मैं चेन्नानी के साथ मैं कहना चाहूंगा कि बड़ी उलझन में आप आएं। जहां धर्म-परिवर्तित लोगों की सहायता करना आप ने स्वीकार किया उसी समय आप के सामने एक बहुत लम्बी लिस्ट आकर खड़ी होगी कि हम भी वही थे, हम भी उन्हीं के संतान हैं। आप किस आधार पर उनको इन्कार करेंगे? आप इन्कार नहीं कर सकते। यह एक दो करोड़ का सवाल नहीं है, 15-16 करोड़ का सवाल नहीं है। एक लम्बी लिस्ट ऐसी बनेगी कि गवर्नमेंट फिर हार कर लाचार होकर उसमें परिवर्तन करने के लिए विवश हो जायेगी।

अन्त में मैं यह कहना चाहता हूँ कि आप इस समस्या को आज ही हल करने की कोशिश मत कीजिए। आज बिल आ गया है। आज ही पास हो या न पास हो, यह कोई जरूरी नहीं है। मेरी प्रार्थना है कि रौकिए इसको और गम्भीरता से विचार कीजिए इस पर इस देश में आप ने एक नया नारा लगाया है, श्रीमती इन्दरा गांधी ने एक नया नारा लगाया है गरीबों के कल्याण और उद्धार का। मैं आप से प्रार्थना करना चाहता हूँ कि अगर आप ईमानदार हैं, उस नारे में ईमानदारी है, तो इस देश के वह गरीब लोग जो इस देश के लिए एक बहुत बड़ी समस्या हैं उनका कुछ तो समाधान होना चाहिए। उनका कल्याण पहले होना चाहिए। ब्राह्मण क्षत्रिय और वैश्य का हो या न हो। उनके कल्याण को नेशन का परमधर्म मानकर वार लेवल पर उसको लीजिए और हर तरह से उनका उत्थान होना चाहिए, उनको ऊंचा उठाना चाहिए। लेकिन आज आप उनकी पीठ में छुरा मार रहे हैं। आप उनको उनकी गरीबी के कारण विवश होकर धर्म परिवर्तन के लिए विवश करना चाहते हैं। विदेशी जाल में उनको फंसा कर आप इस देश से उनको बिल्कुल मिटा देना चाहते हैं। अपनी कुर्सी के लोभ में आकर आप ऐसा कर रहे हैं एक सर्व-समस्त प्रस्ताव आप के सामने आया। 342 मेम्बरों ने आप के सामने हस्ताक्षर करके दिया। मेंजारिटी आफ दि हाउस उस प्रस्ताव के पीछे है। मैं आप से पूछना चाहता हूँ कि क्या प्रजातंत्र की ओर कोई डेफिनीशन है? 342 मेम्बरों के हस्ताक्षर से जो आप के सामने प्रस्ताव आया क्या उससे आगे कुछ और प्रस्ताव की डेफिनीशन है? लेकिन आपने प्रजातंत्र की हत्या की है इस तरह का अमेंडमेंट ला कर। मैं कहना चाहता हूँ कि इस अमेंडमेंट को न लाएं और जैसा सेलेक्ट कमेटी ने इस बिल को पास किया है उसका हमारी पार्टी समर्थन करती है। उसी रूप में इस बिल को यहां से

पास होना चाहिए।

SHRI B. SHANKARANAND (Chikodi): I am happy today to hear members of the other side getting agitated over the issue of conversion to another religion. This is a vital problem.

If one sees the Bill, one is baffled by the plethora of castes in this country particularly in one religion. May I ask who is responsible for the creation of these castes in this country and what is the solution to this problem? It is no use crying over a reality which is there. I know members like Shri Piloo Mody, Shri Lobo Prabhu and Shri Mohamed Imam are simply baffled about this conversion into another religion of the Scheduled Castes and Scheduled Tribes.

Much has been said about these poor people, the Scheduled Castes and Scheduled Tribes, being exploited. But I want to tell the House that these people are being exploited by high caste Hindus and nobody else. Let them search their hearts and realise what they have done for these castes, what they have been doing to them all these years and what they have sought to perpetuate on them.

Out of sheer love a girl marries a boy. But what a hullabaloo and agitation on that score? That do not care for the slaughter of Harijans, for the rape of Harijan girls. I have not seen members of the Opposition raising their voice when such things happen in this country.

श्री श्रीम प्रकाश त्यागी : हमने वह भी रेड किया है।

SHRI B. SHANKARANAND : I know his feelings.

Fortunately, the issue of conversion has been raised in the House. I want to go a little bit into the history of religion in this country. The 12th century, in my area of Mysore, was an era where a revolutionary, a social reformer, who was a Brahmin, saw that the high caste Hindus were exploiting the low-caste Hindus in the name of religion, nothing else. He said: 'Nothing doing. There must be a new system in this country'. He left his own religion out of sheer frustration.

[Shri B. Shankaranand]

at the behaviour of his co-religionists. These are historical facts nobody can deny. He started his own religion. He said it was going to be a universal religion. Thus came into existence the Lingayat religion.

SHRI ATAL BIHARI VAJPAYEE (Balrampur) : Now it has become a caste ?

SHRI B. SHANKARANAND : I am coming to that, how shrewd you people are. They include all religions in their castes. When Basaweshwara started this religion, all the untouchables joined his religion. There came into it the Lingayat Brahmins, Jains, Scheduled Castes and many others. He was a great man like the Buddha. He wanted to make this religion universal.

What conversion does to a man in society should be looked into. 800 years ago those who were untouchables in this country are today high-caste Hindus in Mysore State. This is what conversion is doing in this country. Now high caste Hindus want to treat untouchables as untouchables for ever. What conversion in this country has taught is that a man's status can be raised only by that means and not by any other. Very recently, in 1956, Dr. Ambedkar converted himself. My hon. friends on the other side said that joining Buddhism is not conversion. I disagree with them. Let me tell them that Buddhism is not Hinduism. Why did Dr. Ambedkar convert himself ? He said that unfortunately he was born as an untouchable but he was not going to die as an untouchable. Every one in this House knows that Dr. Ambedkar was an intellectual giant. He was also not economically backward, he was not educationally backward, he was not living in dirty environments, but still the Hindus of this country looked down upon him as an untouchable, and in spite of all his great qualities, he was just living in the lowest social rung of the country, and even an illiterate, dirty high-caste Hindu could say that Dr. Ambedkar was inferior to him. Can anybody tell me whether only education and economic uplift can help these down-trodden people to come up and have equal social status in our country.

The untouchables of yesterday who have been converted are today being treated as equals by Hindus. Once such a person sheds his dirty cloth, immediately he becomes

a man, that is the outlook of Hinduism. You have to learn to treat your own brother as your own brother. This endless talk and lecture here that Harijans are your brothers is not enough.

You have created different temples. Every caste has its own god. This is a wonderful religion. I am not decriing it, I am just stating facts. I do not think anybody can challenge me. A Brahmin has his own god, his own temple. Another man has his own god and his own temple. Even the bloody Scheduled Castes have.

श्री शशि भूषण . इस मुल्क में तो 84 लाख देवता है ।

श्री अटल बिहारी वाजपेयी : 84 लाख योनियां हैं, देवता नहीं हैं ।

श्री रघुबीर सिंह शास्त्री (बागपत) : माननीय सदस्य ने अभी कहा कि कास्ट-हिन्दुओं में कोई आदमी ऐसा नहीं हुआ या संस्था नहीं है जिसने अछूतपन को मिटाने के लिए, उसको दूर करने के लिए प्रयत्न किया हो .....

समापति महोदय : शास्त्री जी, दरमियान में उत्तर देने की प्रथा नहीं है, आप समय लेकर बोलिये ।

श्री रघुबीर सिंह शास्त्री : अगर आप पूछने देगे तो पूछूंगा ।

MR. CHAIRMAN : Inadvertantly he used the expression "bloody".

SHRI B. SHANKARANAND : I withdraw it.

When I said that this is the lot of the Harijans, this is the lot of the tribals in this country, I do not know why my hon. friends are opposed to the uplift of these people.

Why take religion ? The framers of the Constitution were really great men. They said that there should be no discrimination on the ground of religion, but what is being done today ? That very discrimination is being introduced in this. Can you support it ? The Christian tribals may be exploiting the non-Christian tribals, but that is a

different matter, but a tribal, whether he is a Christian or a non-Christian, has to be treated as a tribal, and how he is to be given the due benefits under the Constitution is the problem before us.

Why should you be so much agitated over conversion? If the Hindus cannot stop conversion, they have to blame themselves. They have not been doing anything for the uplift of these down-trodden people. If anybody says that he will help them if they join him, you say it is exploitation. I do not think Mr. Lobo Prabhu came from European countries, nor his fore fathers. I do not think that after conversion he was exploited as pointed out by the other side. Can I say that Mr. Imam is being exploited because his fore-fathers, perhaps great grand-father was a Hindu and he was converted? What is this exploitation? Exploitation has got double meaning. Perhaps Hindu religion is being exploited, not these people who want to get a higher social status in this country by embracing some other religion or having some economic avocation. They are not exploited; and the Hindu religion is being exploited. There is good reason for the high caste Hindus to be agitated over that because they do not do anything and if anybody comes to help those poor people who are down-trodden, then they say that this man is being exploited. Let me know how this man is being exploited. He knows what conversion can bring to him in this country because this is the only country where conversion is taking place from time immemorial. The Britishers converted people, then the Christian missionaries and the Moghuls and then the Buddhists. Buddhism was uprooted and it was sincere. I am not opposed to conversion. If the Constitution says to the down trodden people; if you are going to attain a higher status and improve your lot, you do anything and we are going to help, that is understandable. Does this Parliament say so? They will not say; on the other hand it says: You cannot go your own way; you must go on my way. I am raising an important constitutional issue. I am happy that so many castes had been introduced; so many tribes had been introduced because tomorrow I shall see more Scheduled Castes M. Ps in this House. I am told that about five or six crores are being added in this list; to that extent there will be more Members and I shall be happy. But there is another side of it. Is it really going to

help the Scheduled Castes and Tribes or in their name some non-scheduled castes and tribes are being introduced? If that question is not resolved, it is impossible to study all these castes and tribes and to know whether a person is really a tribal or a Scheduled Caste. If the criteria proposed by the Joint Committee is followed and castes are added, I have no objection. But I shall have serious objection if non-scheduled caste people are added. When this article was being debated in the Constituent Assembly, Dr. Ambedkar said this. The Assembly refused to make a list of scheduled Castes and Tribes; he said that they did not want to over burden the Constitution by trying to add a long list of these thing and they left it to the President. He knew that there would be some political game and the cautioned the House:

"The object of these two articles, as I stated, was to eliminate the necessity of burden in the Constitution with long lists of Scheduled Castes and Scheduled Tribes. It is now proposed that the President, in consultation with the Governor or ruler of a State should have the power to issue a general notification in the Gazette specifying all the Castes and tribes or groups thereof deemed to be Scheduled Castes and Scheduled Tribes for the purposes of the privileges which have been defined for them in the Constitution. The only limitation that has been imposed is this: that once a notification has been issued by the President, which, undoubtedly, he will be issuing in consultation with and on the advice of the Government of each State, thereafter, if any elimination was to be made from the List so notified or any addition was to be made, that must be made by Parliament and not by the President."

The last sentence is very important:

"The object is to eliminate any kind of political factors having a play in the matter of the disturbance in the Schedule so published by the President."

SHRI PILOO MODY (Godhra): On that score you fail.

SHRI B. SHANKARANAND: Mr. Mody says that we fail there. I do not mean to say that Shri Mody is correct in this. I

[Shri B. Shankaranand]

know that there is no political play in the Joint Committee's report, because, as I know, the Committee was representative of all the political parties, and all the sections of the people, and I do not think there is any political play. May be, there may be some objections to the Government amendments, because, I am also surprised to know that Government have come with a long list of amendments. Really, if these amendments had come before the Joint Committee, there would have been scope for the Committee to go through the lists and see whether these castes and tribes really deserve to be included in the lists. But I should say, having known a little of the tribes and castes, and being myself a Scheduled Caste man, that there is no such play, but I have a little hunch that some big communities are included in this, I think the Government should have done well to be more careful, because as I understand some castes and some tribes which are finding a place in the denotified tribes and nomadic tribes in the several States, are finding a place in the list of Scheduled Tribes.

I want to bring to the notice of the Government another point. There are constitutional provisions to the effect that besides the Scheduled Castes and Scheduled Tribes, the Government should make a list of the backward class people under the provisions of the constitution itself. So they can make a list of the backward class people and make schemes and plans for their development. For that matter, article 46, read with article 340, will be relevant. Under article 340, the President has to appoint a Commission for backward classes, and the House knows that a Backward Classes Commission was appointed, and they have done their job. If these people are getting the benefit, it is good.

Now, for the last one week, I have found that everyone is canvassing for the inclusion of this community or that community in the list. What is the criterion? They say, "he is also educationally backward," or "he is socially backward" and so on. This is the propaganda and the only ground on which certain communities are being sought to be included. If this is the only criterion for any community being socially or educationally backward, then under article 340 and 341 or even under article 15(4) or 16(4), the

the Government brings a backward classes benefit of these people. Instead of that, if the Government brings a backward classes list and revises it and adds to the list, and similarly adds to the list of Scheduled Castes and Scheduled Tribes, I do not think any real justice is done to the Scheduled Castes and Scheduled Tribes or to the backward classes themselves.

MR. CHAIRMAN : The hon. Member's time is up.

SHRI B. SHANKARANAND : Then there is another thing, which is very important. It is about marriage. There is a provision in the Bill that a woman who marries a Scheduled Caste man becomes a Scheduled Caste lady. I do not think it is permissible under the Constitution, because by law we cannot convert anybody. Conversion in the Hindu religion is difficult proposition, because, if I convert a person to Hinduism, there is the question of caste. That is why Hindu religion is suffering in this country. People from the Hindu religion are converted into other religions, but people from other religions are not converted into the Hindu religion, because every Hindu must belong to a certain caste; otherwise, he is nowhere. That is the difficulty with the Hindu. I should like to advise my friends to study this aspect as to why people belonging to the Hindu religion are converting to other religions and why people from other religions are not converted to the Hindu religion or any other religion, I can understand Shri Jaganath Rao hesitating over this issue.

SHRI JAGANNATH RAO JOSHI (Bhopal) : Because Hinduism does not believe in conversion. The Gita says :

स्वे स्वे कर्मण्यभिरतः संसिद्धिम् लभते नरः

It wants each and everybody meditate and follow his own path.

SHRI B. SHANKARANAND : Of all the great religions in the world, only Hinduism has created untouchables in this world.

No other religion has done it. You cannot forget this naked fact.

15.00 hrs.

SHRI SHINKRE (Panjim) : In Goa, there are Brahmin Christians, Chardo-Christians, Sudra Christians and so on. Christianity has suffered its greatest defeat in Goa, (Interruptions.)

MR. CHAIRMAN : He should conclude now.

SHRI B. SHANKARANAND : There should not be any political play in the list. If any backward classes are to be added to the list, they may not be added to the list but a separate list of the backward classes may be prepared. A separate scheme or plan may be drawn for them.

SHRI C M KEDARIA (Mandvi) : Sir, I am thankful to you for this opportunity to speak on this Bill. First of all, I congratulate the Chairman and members of the Joint Select Committee on having come forward with such a progressive Bill. But Government ought not to have to come forth with so many amendments as they have done.

This Government claims to be democratic. If this Government believes in democracy it ought to have full faith in the Joint Committee and accepted their reports as it is. But it is not so. If Government want to have its say, there is article 342, under which President has the power to specify by public notification the tribes or tribal communities and Parliament may by law include in or exclude from the list of scheduled tribes specified in that notification. This Government ought not to have come forth with so many amendments to the Joint Committee report.

For example, on page 29, the Joint Committee recommended :

"2A. Notwithstanding anything contained in paragraph 2, no person who has given up tribal faith or faiths and has embraced either Christianity or Islam shall be deemed to be a member of any Scheduled Tribe."

This is what we want. The criteria in the case of tribals are primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness. If the primitive traits are lost, the criteria for tribals disappear. If any tribal embraces Christianity or Islam, it means, they have lost their belief in tribal faith. Sometimes the tribals worship Goddesses, trees and idols also. At the time of harvest, they have their traditions of special worship. If they embrace Christianity or Islam, they are against this belief. How can we say that these converted tribals can enjoy the privileges meant for tribals ?

The framers of the constitution have also distinguished that according to the census of 1931 there are Tribal people and Indian Christians. Indian Christians are also defined in the Constitution. According to that if we see, we come to the conclusion that the converted Tribals cannot enjoy the privileges of Tribals.

Up till now, for 22 years, they have been exploited. According to the Constitution, it is the duty of the Government under article 46 that the Government :—

"shall protect them from social injustice and all forms of exploitation."

I would like to bring to the notice of Government that the hon. Member, Shri Kartik Oraon, and other Members, in the memorandum submitted to the Prime Minister, have brought out how the ignorant and backward Tribals are exploited by the converted Christians or Christian Tribals. If this is not stopped for the purpose of Tribal welfare, these privileges and special benefits will not be enjoyed by the real Tribals. So, I prevail upon the Government to think over the recommendation of the Joint Committee seriously.

Secondly, the Government is, according to me, rather against the Joint Committee. Wherever the Joint Committee has proposed that Rajgonds should be excluded from the list or that the Banjaras should not be included in the list or that some community should be included in the Tribal list the Government is against the Joint Committee's report and has rather defied the total intention or the motive of the Joint Committee. It is very bad on the part of Government. Still, they claim that they are the progressives and work for the interests of the people and the Tribal and downtrodden people. I think, if Government really wants to help the Tribal people, they should accept *in toto* the Joint Committee's report and should not include in the Tribal list such communities which do not possess the primitive traits of the Tribal people such as, the Banjaras.

Banjaras are an advanced community. They cannot claim to be the Tribal people. But if still Government says that they should be included in the list, I should say that the Government is succumbing to the political pressure of a particular community or a particular State. This community never claimed to be Tribal people.

[Shri C. M. Kedaria]

Similarly, according to the actual study of the study team, the Joint Committee has recommended that Rajgonds should be excluded from the list. It is a unanimous report. If the unanimous report is not going to be accepted by the Government, how can we say that this Government is democratic?

If they believe in democracy, Government should accept the Joint Committee's report and whatever amendments Government have submitted should be withdrawn. If the Government thinks it proper, it should accept such non-official amendments as are acceptable to it. But Government as such should not come forward with amendments; otherwise, it is embarrassing for Members belonging to their party. It will not be an open voting but it will be a sort of pressure on Members of their party. So, I request the Government to be genuine and honest and to withdraw whatever amendments they have submitted; they should accept whatever amendments from the non-official amendments are acceptable to them.

I would suggest that if the Government wants to help a particular community, say, for example, Banjaras, Rajgonds and others, they should be put in the list of backward classes and give them whatever help they want to give. Why encroach upon the privileges, rights and special facilities of the tribal people? I would urge upon the Government that if they really deserve credit and they really want to protect the interests of the tribal people they should withdraw all the amendments they have suggested.

**SHRI KARTIK ORAON (Lohardaga) :**

Mr. Chairman, Sir, I am grateful to you for allowing me an opportunity to speak on this Bill. I am here to support the Scheduled castes and Scheduled Tribes Orders (Amendment) Bill as reported by the Joint Committee.

Sir, I personally feel that the very sacred ideas of creating Scheduled Castes and Scheduled Tribes, the very intention of the framers of the Constitution, had been to help those people who had been neglected during the British regime so that the difference between the more advanced and less advanced could be cut down and those people could have an opportunity to merge into the national life of the country.

The inclusion and exclusion from the Lists is something which should have been considered very scientifically. Only such Castes and Tribes could have been included in the List who really cannot look after themselves. By including the advanced sections, you are only encouraging exploitation. Therefore, the very purpose of this Bill should be to exclude those who are advanced.

I have seen that there is no uniform policy that has been followed in bringing out the Lists. For example, in the case of inclusion of Banjaras, that was rejected in 1956 by this very House. But the Government have now come forward with it. If you go by political considerations, not by the merit, then there is no end and the real purpose for which the Lists are prepared will be defeated. Then, there is the question of the inclusion of Tea Garden Tribes of Assam who are not in the schedule. Tea Garden Tribes of West Bengal are in the list of Scheduled Tribes.

Then, there is another case of Bovis of Mysore who were in the List of Scheduled Castes but some how or other they managed to get into the list of Scheduled Tribes in the Report of the joint Committee. It is not because that particular community pleaded for being included in the List of Scheduled Tribes. In fact, they have come forward with an amendment to say that they would like to be in the list of Scheduled Castes. I am unable to understand how a community can in the morning be a Scheduled Caste and in the afternoon be a Scheduled Tribe.

**AN HON. MEMBER :** That is your political game.

**SHRI KARTIK ORAON :** Whatever it may be. That is how the things are working I would like to request the Government to guard themselves against these political considerations and pressures.

Now, I would like to concentrate my attention on a very important subject and for that the backward castes and tribes of India are holding their breath to hear what the House is going to decide. I would not like to make any special comment. But I would like to put to the Members of this House who are the judges and who will know by

themselves as to what I am saying. I am going to say that so far as the Scheduled Castes are concerned, those who were converted into Islam or Christianity have been excluded from the list of Scheduled Castes. Fortunately or unfortunately, in the case of Scheduled Tribes, those people who were converted into Islam or Christianity, not because they had the right but because they were more vocal, more advanced, and educationally and politically more conscious, they were in a position to grab the entire thing for themselves. This is a very serious thing. I would like the Members to understand that. When I went through the Constituent Assembly debates, I found that the converts belonging to the Scheduled tribes had not been in the Schedule. It is not a question of being a tribe. But it is a question as to whether a particular tribe has been scheduled or not. Now, Sir, I will say why and how they are not scheduled. I will go into the historical background.

So far as the Tribes are concerned upto 1921 they were called 'animists'. And in 1931 they were called 'primitive tribes'. In the Government of India Act of 1935 they were called 'Backward Tribes' and upto 1931, the converts to Christianity were called 'Christians' and in the 1935 Government of India Act they were called 'Indian Christians' and the definition of an Indian Christian is: 'A person who professes any form of Christian religion and who is not an Anglo-Indian or European.' That is the 'Indian Christian.'

The point here is: who were the Tribes? According to 1911 census they were called 'Animists.' Now again in the 1931 Census Report it is said:

"From the points of view or of Census, it will suffice to say that the animism is used as the name of category to which are relegated all the pre-Hindu religions of India."

According to 1931 Census, the animists have been replaced by "Tribal" to denote the religion of primitive tribes. Here, for the first time, the word 'tribe' comes.

Now we come to the stage where the framers of the Constitution sat to decide as to which of the minorities who were enjoying privileges during the British regime will continue to enjoy those privileges. The Advisory Committee on Minorities and Fundamental Rights headed by Sardar Vallabhbhai Patel classified the minorities

into three groups according to the population. This was on 27th August 1947 and according to this classification, Group A consists of Anglo-Indians, Plain Tribes of Assam and Parsis. Group B consists of Indian Christians and Sikhs. Group C consists of Scheduled Castes and Moslems. That is the position. After prolonged discussion there were some members who even opposed that Scheduled Castes should not be given the system of reservation because they were already enjoying privileges. Dr. B. R. Ambedkar argued and said that the Muslims got privileges for 60 years, Christians got privileges for 28 years and the Scheduled Castes got only in 1935. Between 1935 and 1937 there was a break and they enjoyed it only for 2 years and from 1939 to 1945 they have not been able to take full advantage of it. He said that therefore, they should be given the reservation.

As far as Scheduled Tribes are concerned Shri Thakkar asked, 'What about the Scheduled Tribes who are lower down in the scale?' Dr. Ambedkar said, 'I am prepared to give them far longer time.' Then on 11th May 1949 a resolution was passed with one dissenting voice which said that the system of reservation for minorities other than Scheduled Castes in legislature is abolished."

Then, Sir, we had a system of reservation abolished for Indian Christians also. I am particularly stressing my point on Indian Christians. I would not like to say about Muslim. Muslims from tribes are rare. In fact they have been really good Muslims.

I would like to say that this is not all. There were Acts and Orders of the Government of India. Dr. H. N. Kunzru wrote to the Prime Minister on 17th December 1950 and the reply was dated 15th February 1952 wherein the Government replied to the queries of Dr. H. N. Kunzru and 15 other Members of Parliament saying, "The Government regard it obviously necessary that the communities which were not properly classifiable as 'primitive tribes' as long ago as 1931 and who have not enjoyed any special political representation on that basis should not for the first time be given such representation as Scheduled Tribes. This means clearly a correct live to follow."

Now, the State Government of Orissa have brought one notification on 4th February, 1950 which said that only those

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who professed tribal religion would be in the list of Scheduled Tribes. A memorandum was submitted to Prime Minister, Shri Jawaharlal Nehru in this regard. To that the Minister of education gave a reply to the Tribal leader of Orissa, in which they said as follows :

"I am directed to refer to your letter No. 10 dated 26th May, 1950, addressed to the Prime Minister and to say that it appears from the name cited in your letter that they are Christians. The State Government of Bihar do not recommend Christian Scheduled Tribes as educationally backward. It is therefore, regretted that they would not be granted any Scholarships."

Then again, Sir, the Government of Kerala, the Government of Mysore and the Government of Madaya Pradesh, have similar conventions, So, you can see for yourself as to whether Indian Christians have been included in the list of Scheduled Tribes or not. My fundamental point is this that they have not been included and I am going to speak on this. In exercise of the powers conferred by Clause (1) of Art. 341 of the Constitution of India, the President issued an order under the Constitution (Scheduled Castes) Order, 1950. It says "3. Notwithstanding anything contained in paragraph 2, no person professing a religion different from Hinduism, shall be deemed to be a members of the Scheduled Caste." When at a later stage the Sikhs were to be included a subsequent notification had to be brought in to that effect. That was Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 1956. It said "Notwithstanding any thing contained in paragraph 2, no person who professes a religion different from Hinduism or Sikh religion shall be deemed to be a member of the scheduled caste." That clearly shows that the order of the President can only be amended by subsequent notification passed by Parliament. It is only Parliament that can amend the notification issued by the President as provided in Clause (1) of Art. 341 of the Constitution.

Now, coming to Art. 342 which is for the Scheduled Tribes, we shall apply a similar standard. You will find, in order to determine whether or not a particular tribe is a tribe in this Article, it shall be necessary to look to the public notification issued by

the President as provided in Clause (1). I am looking forward to that public notification which has never come. It is a fundamental mistake. So, I am left in no doubt that the Indian Christians have not been included in the list of Scheduled Tribes. It shall not be open for any person to lead evidence to establish that any particular tribe not specified in the order of the President is a part of the Scheduled Tribe. After the President has specified the Scheduled Tribes, it is only the Parliament that can amend the notification of the President.

Sir, obviously there is nothing to suggest that at any time by any subsequent notification, those who have embraced Christianity or Islam have been included in the list of Scheduled Tribes. If that had been here, I would have accepted this position, but they have not been included.

We have got some confusion about the point of interpretation of Art. 15 (1) of the Constitution. It says :

"The State shall not discriminate against any citizen on grounds only of religion, race, language, caste, sex, place of birth or any of them."

Mark the words 'only'. In order to obviate any difficulties that may crop up in the matter of helping the advancement of any socially and economically backward classes of citizens or for the Scheduled Castes and Scheduled Tribes, another amendment to Art. 15 (1) was brought. In order to give assistance to the Scheduled Castes and the Scheduled Tribes and to see that they are not discriminated under the Constitution. A new clause under Art. 15(4) was introduced and adopted in 1951. It says :

"Nothing in this Article or in Clause (2) of Art. 29 shall prevent the State from making any special provision for the advancement of any socially and economically backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

Our experience for the last 20 years has shown to us that this has worked just the other way round. Those who profess the tribal religion are being discriminated against, and that is why they have suffered. So, unless we have got a certain intention to harm them, it cannot be called discrimination. They are better off. They

can look after themselves. They are having ; if I may say so, even a parallel government. Therefore, this catch-phrase of discrimination does not apply in this case. There are many people who want to take their pound of flesh from the poor tribals who are scattered all over the country, who cannot look after themselves. It was the duty of Government to look after them, but it is rather unfortunate that Government have not been able to look after them.

The word 'scheduling' means 'to restrict the meaning of a particular noun' or 'to add additional meaning'. All along, the word 'tribe' has been there. The only thing that Government can do is to put the word 'scheduled' additionally and call it 'scheduled tribe'. It is not a question of scheduling Indian Christians. So, the term 'Scheduled Tribe' means only Scheduled Tribes and not Scheduled Indian Christians. Therefore, what is more important for the tribe is not whether one is a tribe, but whether the tribe has been scheduled. I have established by now and I am sure all the Members of Parliament would have caught my point and understood it that the tribes who have embraced Christianity have not been scheduled. I would say that according to article 342 of the Constitution of India, only some tribes have been scheduled. According to the definition given in article 342, the reference is only to tribes or tribal communities or parts of or groups with in tribal communities. I would only say about Indian Christians that this is a group which is entirely different ; those who have embraced Christianity are entirely different from the tribal group which is extremely backward and different according to the rituals connected with the three major crises in life, *i.e.*, birth, marriage, and death. Therefore, this group has not been included within that definition.

If you go according to the criteria laid down for Scheduled Tribes, then also you will find that they do not meet the requirements ; they will not be able to conform to the criteria laid down for Scheduled Tribes, because they are a community which is very much advanced and very much economically advanced too. This has been admitted by many Members. In fact, I have already referred to the opinion of the Ministry of Education on this matter. The Lokur Committee has said that the percentage of

literacy among the Christians is 44 per cent. My hon. friend Shri N. E. Horo who spoke here on the 20th said that among the Christians the percentage of literacy was only 30 per cent. I would like to tell him that the all-India figure is only 24 per cent, and the figure for the tribals is only 8.53 per cent. So, you can see for yourself whether this community is really advanced or not, compared to the tribals ; in fact, I would say that they are perhaps more advanced than even the higher caste Hindus or Mussalmans. That is why I say that even from this point of view, those who have embraced Christianity have not been scheduled and could not have been scheduled also.

But, because of our weakness, Government had taken full advantage, and therefore they had allowed us to be exploited. I would like to ask what it is which has allowed them to enjoy these privileges which rightly belong to us. I am reminded of one crime in America which is called white collar crime. This is in one sense a breach of the established law of that country in which the criminals go scot-free, because they are rich and powerful, and they can bribe the officers and judges and they can bribe the police, and sometimes, they can even bring political pressure to bear to secure their immunity. This is what has happened.

Now, I would like to put one question before the Government. I have already said that they are not entitled to enjoy the privileges meant for Scheduled Tribes. I would only like to say that Government have brought forward an amendment to this effect. This amounts to an action that an accused has stolen for twenty years and after twenty years, the police cannot arrest him, and, therefore, the theft should be legalised. This has been a constitutional error. Nobody can deny that. Therefore, I would say that they want to confirm it and say, 'All right, We shall make every illegal thing legal'. Thus, Government are making an unconstitutional act legalised. That is what they have done by bringing forward this amendment to abuse this recommendation which is calculated to bring about a social change in the tribal society. The tribal society is being broken from all sides, and this was supposed to protect the interests of the tribes. But Government

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have tried to show that their policy is not for the poor and down-trodden but it is for those who are already progressed. Therefore, I am shocked and surprised at the proposal brought forward by Government, no matter which Government.

I would like to say further that the Christians constitute 5 per cent of the total tribal population. On that basis, they should have taken only 5 per cent of the share. If I say 'No, no ; do not give them more', then you could say that I am anti Christian. But here I am saying that Government are trying to encourage anti-tribal activities, because I know they have been doing everything to destroy which is coming in the way of life of the tribals.

I have here a chart which I have prepared from information received by way of answers to questions put to Government. The information contained here cannot be wrong. Firstly, it shows how various forms of exploitation are going on. The Christians are only 16 lakhs whereas the Scheduled Tribes are 284 lakhs. According to their population, there should be only 2 Christians represented in this House. Let my Christian brethren not misunderstand me. Shri Kisku represents a constituency where there are only 10 000 Christians. Shri Horo has got 90,000 votes in a constituency of 5 lakhs. How have they come in ? Because Government want that Christians should be preferred.

SHRI N. E. HORO (Khunti) : Will he deny that he depended on Christian votes to get elected ?

SHRI KARTIK ORAON : My votes have been taken by the Christian contestants also. I have come from a predominantly non-Christian area. Therefore, nobody has got anything to say on this matter.

In the Council of Ministers here there are 2 Christian Ministers out of a total of 6 Christian MPs. Number of Scheduled Tribes MPs here is 32 ; number of Ministers in the Council of Ministers is zero.

Let us see the position in State Governments. In Bihar, though their population is 10.57 per cent, the percentage of Ministers has been ranging between 0 : 100. In A. G. Bihar, they enjoy 100 per cent privilege. In Nagaland out of a Christian population of

55.67 per cent, the Ministers are 100 per cent Christians. In Meghalaya, as against a Christian population of 44.2 per cent, they enjoy 100 per cent ministerships.

Coming to all-India privileges, Christians who form 5.53 per cent of the total Tribal population get 52 to 70 per cent in IAS, IPS, IFS, Indian Forest Service, other Class I allied Services and in overseas scholarships.

Coming to State Government privileges, in Assam with a Christian population 24.1 per cent, they enjoy 80 per cent privileges ; in Nagaland with a Christian population of 55.67 per cent, they take away 90 per cent. It is for this House to judge what is that formula they are going to adopt to lift the down-trodden people, those in the lowest rung of the ladder, up to the level of the others. I want to know what that formula is. I have been a designer. My designs have never failed in USA, UK or in this country. But I want to know what is that design which develops the developed and neglects the neglected, and yet claims to bring about a social change in this country ?

Then take the post matriculation scholarships. Five per cent Christians are taking 54 per cent of the scholarships for Christians in the whole of India. The percentage of scholarships varies between 63 to 100 in various States. The post matriculation scholarship is directly proportional to the Indian Christian population and not to the Scheduled Tribes population.

Here are figures which will open your eyes—those who have got eyes can see. The tribal population of Assam is 34.62 lakhs ; the Christians are 5.67 lakhs ; the scholarship Rs. 24.81 lakhs. In Bihar, the corresponding figures are 42.04, 4.44 and Rs. 33.55 lakhs ; Orissa 42.24, 1.04 and Rs. 3.10 lakhs ; Manipur 2.49, 1.52 and Rs. 5.96 lakhs ; Nagaland 3.43, 1.91 and Rs. 1 lakh ; West Bengal 20.54, 0.56 and Rs. 3.52 lakhs. Then comes Madhya Pradesh. Madhya Pradesh has the largest Scheduled Tribes population of 66.78 lakhs, of whom Christians are 0.97 lakhs, and they get Rs. 6.43 lakhs only in scholarships.

In pre-matriculation scholarship, Christians who are 5.53 per cent, are taking not less than 75 per cent. This is the pattern of distribution of the funds that you are giving for the development of the tribals.

You have spent Rs. 150 crores during the

last 18 years of planning for the Scheduled Tribes, out which Christians, who are only 16 lakhs in population, have received not less than Rs. 138 crores and Rs. 12 crores have gone to the three crores of these backward tribes, to whose welfare the Government always say they are dedicated.

From 1952 to 1967 the missionaries have got Rs. 278 crores from foreign countries. I do not mind what they get. They can sell your country if they want to.

There are other forms of exploitation. For instance, there is article 46 of the Constitution. Nothing can be a more glaring instance of exploitation than this as to how this article is being flagrantly violated.

Then I will come to article 27 under which public funds cannot be misappropriated for the cause or furtherance of the cause of particular religion. I will show how. The clergy and nuns are being trained with Government funds, because from this scholarship they are being trained as nuns. They are getting by way of lot of fees from the Government. That is going straight to the mission. If the salary of a teacher is Rs. 120, Government is paying Rs. 105 and Rs. 15 is paid by the mission. You cannot interfere with them. That is not all.

The point is that this is a question of misrepresentation of the tribes. You have allowed misrepresentation of the tribes in the sense that in the case of the Hindu community, you will always look forward for a Hindu to represent them, that in the case of the Muslim community you will always want a Muslim to represent them, in the case of Scheduled Castes you would always like a Scheduled Caste to represent them, but if there is a tribal, you will always look forward to a Christian to represent them. That is a fantastic thing. I cannot see the logic behind it. Why is this so? Because you have no heart or mind for the welfare of the Scheduled Tribes. That is why for 20 years the problem is not solved. I would like to warn this Government that if this process continues, there will be disintegration of the tribal society, there will be actions and inter-actions within the tribal society and there will be bloody revolution, mind you, because all the land has been alienated from the tribals, but the Christians are protected against land alienation. I do not mind, but if you cannot protect the tribals, better bring a legislation that no tribal has

a right to remain a tribal, that he must be converted. We will be very happy. I am not biased. That is the stage we have come to.

They are boasting of having a secular State, but I tell you they are not a secular State. Money is being pumped like anything into the Christian mission. What worries these Christians is not that their privileges are being withdrawn. They have not enough resources, they can look after themselves. What worries them is that the money that they are getting for conversion will not be available. In this Roman Catholic paper, *Tribune* of June, 19 0 they have said that they are not that worried about reservation and other things which will go or their seats which will go, but what worries them is that there will be obstruction in the propagation and expansion of their religion.

एक दूसरी जगह उन्होंने लिखा—

‘यह संशोधन बिल संसद की बहस के लिए रखा जाएगा और अगर बिल पास हो गया तो नतीजा बहुत बुरा होगा। ख्रिस्तीय आदिवासी छात्रवृत्ति से वंचित हो जायेंगे, सुरक्षित जगहों, सीटों, को नहीं पा सकेंगे और पाई हुई जगहों से भी हाथ धो बैठेंगे। इसका दुष्परिणाम हमारे आर्थिक और सामाजिक जीवन पर ही नहीं पड़ेगा, लेकिन मसीही जीवन पर भी गहरा घक्का पड़ेगा। मसीही धर्म प्रकाशन या प्रसारण में भी अवरोध होगा।’

Is the propagation and expansion of a Christian religion the objective of Scheduling of Tribes for Constitutional privileges?

This is the crux of the problem.

I say that it is the crux of the problem. You have always been talking of secularism. If you are going to defeat this Bill and this recommendation, there will be large-scale conversions; the Christian missionaries will think that they have got a licence for conversion and that the Government is behind them and no attempt afterwards, whatsoever, will be able to detract them from the conversions. I am saying this, not because I am against Christians or anybody. Take five per cent, it is okay. But what is the fun in giving five per cent to the ninety-five per

[Shri Kartik Oraon]

cent to the ninety-five per cent? What is the logic? Who calculates this formula. That is why I say that we are almost collapsing. I thank you, Mr. Chairman, for having patience.

I now want to say one thing about the position of the recommendation.

15.42 hrs.

[Shri Vasudevan Nair *In the Chair*]

It has the force of justice of the land. I am grateful to the Members of Parliament who have without any difficulty signed the memorandum addressed to the Prime Minister: their number is 322. 322 Members of Parliament have signed it. What is the standard of those Members? I hold that they reached the commanding heights from where they could see the position of the tribals. I address them: you have done it rightly; you have done it aptly; why should you go back? Ours is a democratic country. In that case there is no point in this amendment; of the Government, Government would not have thought of bringing such amendment and they should not have thought of this course of action. I should say that there has been a constitutional trespass. A thief has been stealing for twenty years; when you get an opportunity to detect will you say for your failure to arrest him, the theft should be legalised? There has been a constitutional error. This was realised by the Members; almost unanimously the Joint Committee on Scheduled Castes and Tribes adopted the amendment in this Bill. Besides, it has got the democratic sanction behind that because the memorandum was supported by 322 Members of Parliament, of the Lok Sabha, and sent it to the Prime Minister, Shrimati Indira Gandhi. I am telling you one thing. We are not being heard because we are poor. We have been robbed for twenty years. You want to rob us for another ten years? And that is why you are higgledy-piggledy? We are poor; we have been robbed of everything.

This fellow, Mr. Kisku got 10,000 from the Roman Catholic Mission for this. But then you are trying to strengthen them ...  
(*Inter raptions.*)

AN HON. MEMBER: Can he call him a 'fellow'.

SHRI KARTIK ORAON: I must say that you have got the interests of the tribals of India in heart, if you have progressive policies and want to help the down-trodden people, you must withdraw your amendment. Otherwise, I will have to tell you of the trouble it will create. Martin Luther King is dead; he sacrificed his life for what he considered to be worthy. He said, "If a man has not found out something for which he has to die, his life is not worth living". I believe in that truth.

If you are thinking of going forward with your amendment, you will be hurting the tribals all over the country, 285 lakhs of them, and you will be giving them cause to create nuisance and they will not be hiding in their kitchen but will come forward to demand from the Government what the Constitution has justly given them. When they start that trouble, it is not possible to control them. You must take note of that. I shall tell you once again. You have abolished the privy purses.

What were these Maharajas getting? Rs. 4 crores or Rs. 5 crores. and in 10 years, Rs. 100 crores. In 20 years, the money diverted to Christian missions at the rate of 75 per cent of Welfare Fund is Rs. 138 crores. Do you want to continue these privy purses? What is this? You must abolish this extraordinary privy purse, I will also be prepared to say that these people, according to the population, must be helped. They must be helped. It would be unethical and wrong on the part of the Government to withdraw what they are giving. Let them be given anything they want, for about five per cent of the population. But let them not mix up the issue and give in the name of the Scheduled Tribes something and divert everything into the missions. That sort of thing should be stopped. If you mean vigilance, if you have really got a heart to serve the poor and the down-trodden, you must come to senses, and your Government must come to senses. That is what I am saying.

I am grateful to the Members of Parliament, no matter what happens to me. I am here to say that I am always paralysed. Mahatma Gandhi, when he was preaching

for the Independence of the country, used to say, "When I am trying to fight for the right thing, I cannot get an answer. It is my duty and my right to fight for Independence, and the Government is not hearing." He used to get paralysed. He said, "I need the sympathy of all the people of the world." I feel myself to be in a similar position. But the difference is, I am asking from the Government which always says that it is dedicating itself to the cause of the tribals in India, That is the difference. Therefore, I need the sympathy—not only myself, but all the people in the country need the sympathy—of this august body, the Members of Parliament who have signed, who have offered, to support this cause. I would like to appeal to the Members of Parliament to rise to that commanding height which they are expected to. We want the Members of Parliament to do justice to the poor tribal people of our country.

I have almost finished. I will finally say that this is the situation. We have to think very seriously about it. Let me say that I am not opposed to any particular community. Secularism was meant to create communal harmony in this country. This secularism, however, has been misinterpreted because some people think that they have every right to go in the direction they want to. They want to propagate their religion. If I say that this is wrong and the Government should not allow, they say, "he is anti-Christian." I am not. I am very sorry, for, when I am fighting, asking, for the rights of tribals they say that I am an anti-Christian. But they are indulging in anti-tribal activities. Go to Bihar. All the tribal places of worship are being converted into graveyards.

SOME HON. MEMBERS : Shame, shame.

SHRI KARTIK ORAON : It is not a question of "shame." It is a question which we have to think of very seriously. What is the use of some merely saying "shame" and others not appreciating it? That will not help anyone. Every Member of Parliament,—if they are really Members of Parliament—must join hands in this task and judge it on merit alone. The Government have issued a whip. I am surprised to see that. At least this Government should not try to hammer the tribals like this. They have had enough.

If they have brought in these amendments, they could have at least given the right to the Hon'ble Members to act according to their own free will. That has not been done.

Finally, I want to say this. If you are going to get this recommendation of the Joint Committee defeated, in that case, I would protest, and very strongly protest against this illegal, unconstitutional, undemocratic, inhuman, unsecular and unbalanced decision of this Government. (Interruptlon.) Yes ; it is unbalanced.

Now, whatever happens to me, one thing is certain. These Members of Parliament,—322—not in the distant future will have to observe condolence in this house, because I am prepared to go to that extent ; I will go on hunger strike. I have no right to die, but if I die at least that will generate enough energy within the tribes of India, so that they can look after themselves they may sink or swim. Don't boast of about your welfare programmes for the tribals. If I survive, I will serve the society to which I belong. I need your assistance. Sir, I need the assistance of all the Members of Parliament.....

SOME HON. MEMBERS : To survive ?

SHRI KARTIK ORAON : Not to survive. You cannot survive with this Bill. This Government cannot survive with this Bill. Therefore, you must come to some sort of solution. If you want to please the people of Meghalaya and Nagaland, do so all by all means. But why cut our throat? You do everything in a way by which you can create a better image in Meghalaya and Nagaland, but do not disappoint the tribal people of this country.

With these words, Sir, I thank you and the Minister. I hope the Minister will do something.

SHRI BAL RAJ MADHOK : May I appeal to the Minister—after all these pleadings, for God's sake, stick to the report of the Joint Committee and do not bring your amendments.

श्री रघुबीर सिंह शास्त्री (बागपत) : समापति महोदय, इस बिल के सम्बन्ध में मेरा पहले तो बोलने का विचार नहीं था लेकिन

[श्री रघुवीर सिंह शास्त्री]

आज जब मैं लंच के बाद आया तो कांग्रेस पार्टी के एक सेक्रेटरी श्री शंकरानन्द का भाषण हो रहा था और उस भाषण के पश्चात् मैंने आवश्यक समझा कि मुझे भी कुछ अपने विचार प्रकट करने चाहिए। बड़ी खेद की बात है कि कांग्रेस संगठन के एक इतने जिम्मेदार पद पर रहने वाले व्यक्ति ने पार्लमेंट के मंच को इस प्रकार के विचार व्यक्त करने का एक माध्यम बनाया। शंकरानन्द जी हिन्दू धर्म के विरुद्ध जो कुछ भी कह सकते थे, हिन्दुओं के देवी देवताओं के विरुद्ध जो कुछ भी कह सकते थे वह उन्होंने कहा। मुझे उसमें कोई ज्यादा विवाद नहीं है। अधिकांश में मैं इस बात से सहमत हूँ कि हिन्दू जाति की कमजोरियाँ हैं और उन कमजोरियों के कारण हिन्दू जाति का जो अपना पाप है वह उसे भुगतना पड़ रहा है। लेकिन बावजूद उसके जो कुछ उन्होंने कहा, भेरे साथी, मेरे मित्र जो मेरे पास बैठते हैं, श्री शशि भूषण जी, जब मैं बोलने खड़ा हुआ तो मुझे आश्चर्य यह हुआ कि उन जैसा व्यक्ति जो अपने आपको प्रगतिवादी भी कहते हैं, जो कि हिन्दुस्तान से टर्की तक दौड़ गए और वे यंग टर्क कहलाते हैं उन्होंने मेरी जाति पूछी। मैं उनसे कहना चाहता हूँ और सभी से कहना चाहता हूँ कि अगर जाति की बात है तो मेरी जाति भी शशि भूषण जी की जाति के हाथों पिड़ित है। शशि भूषण जी की जाति के लोग जो कि ब्राह्मण कहलाते हैं वे आज तक मेरे हाथ का पानी नहीं पीते और मेरे घर का खाना नहीं खाते। वे मुझे भी शुद्र समझते हैं। ... (व्यवधान)... उन्हें जहाँ भी लिखने का मीका मिला है उन्होंने मुझे भी शुद्र लिखा है। मैं अब वह बात भूल चुका हूँ कि जब मैं संस्कृत पढ़ने जाता था तो ब्राह्मण पण्डित ने हमें संस्कृत पढ़ाने से इन्कार कर दिया था। हम भी उसी श्रेणी में थे कि हमारे कानों में अगर वेद मंत्र पढ़ जाये तो हमारे कानों में शीशा भरवा देना चाहिए। दूसरे जिस संस्था से मेरा संबन्ध है,

मैं बड़े गर्व के साथ कह सकता हूँ कि शशि भूषण जी ने उस संस्था का नाम भी लिया। श्री शशि भूषण इसका स्वागत कर सकते हैं कि श्री शंकरानन्द यहाँ खड़े होकर लगायत धर्म का प्रचार करें और कहें कि लगायत जैसे समाज सुधारक और प्रगतिशील इस देश में पैदा नहीं हुए। लेकिन उन्हें यह सद्दा नहीं हुआ कि मैं कुछ कहूँ। उन्होंने भ्रष्ट से मेरे लिए कहा कि मैं आर्य समाज का प्रचार कर रहा हूँ। मैं उस आर्य समाज का प्रचार कर रहा हूँ जिसको यह गर्व है कि भारत में स्वामी श्रद्धानन्द जी जैसा व्यक्ति उस समय अछूतोद्धार का तूफान चला रहा था जब हमारे राजनीतिक नेता अछूतों की तरह से बिल्कुल सोये पड़े थे। मेरा उस संस्था से सम्बन्ध है। श्री शंकरानन्द जी ने यह भी कहा कि किसी गैर-हिन्दू को यह अधिकार नहीं कि वह हिन्दू धर्म में आ जाये। मेरा उस संस्था से सम्बन्ध है जिसमें दर्जनों महापुरुष हुए जिन में स्वामी श्रद्धानन्द भी हैं, जिन्होंने केवल इस अपराध के लिए गोलियाँ और छुरे खायें कि दूसरे मजहब के लोगों ने समझ लिया कि वह हिन्दुओं से कहते हैं कि हिन्दुओं में दूसरे लोग आ सकते हैं, दूसरे धर्मों के लोग हिन्दू बन सकते हैं। इस अपराध में उन्हें गोलियाँ मारी गईं, छुरे मारे गये। शायद मूसूर के वह भाई शेष भारत के विषय में कुछ जानते नहीं और बिना जानकारी के यहाँ पर बोले। इसी लिए मुझे यह सब कहना पड़ा।

उन्होंने जाति भेद के बारे में भी कहा और हिन्दू जाति को बहुत कोसा। मैं भी कहता हूँ कि पिछले समय की यह बड़ी दूषित प्रथा है और इसका फल हिन्दुओं को भोगना पड़ेगा। यहाँ उन्होंने दावा किया और कहा कि संसार में कहीं भी जाति भेद नहीं है। अगर आज मुसलमानों में राजपूतों का जाति भेद है तो कहते हैं कि चूँकि वह हिन्दुओं से आया है इस लिये है। लेकिन मैं कहना चाहता हूँ कि मुसलमानों में चार जातियाँ ऐसी हैं जो यहाँ बाहर से आईं

हैं मुगल, पठान, शेख और सैयद। आज भी उनमें इसी तरह आपस में जाति भाव है और आज भी उसी तरह का अहंकार है तथा आज भी सैयद अपने को सबसे ऊंचा समझते हैं। सैयद की शादी किसी दूसरी जाति में नहीं हो सकती। मैं पूछना चाहता हूँ कि जर्मनी में, अफ्रीका में, अमेरिका में भी क्या हिन्दू चले गये थे, जहाँ पर गोरे लोग जो हैं वह काले लोगों से कहते हैं कि तुम उन बाजारों में नहीं जा सकते जहाँ गोरे रहेंगे और उन बस्तियों में मकान नहीं बना सकते जहाँ गोरे रहेंगे। वहाँ भी क्या कोई हिन्दू प्रचार करने के लिए गया था? वहाँ भी क्या कोई ब्राह्मण प्रचार करके आया था? अमरीका जैसे देश के लोग जो अपने को प्रगतिशील कहते हैं...

एक माननीय सदस्य : आप रंगभेद की बात कह रहे हैं।

श्री रघुवीर सिंह शास्त्री : चाहे रंग भेद कहिए या खून भेद कहिये। मैं कहना चाहता हूँ कि खून तो अन्दर है वहाँ रंग के कारण लोग भेद करते हैं और हम खून के कारण भेद करते हैं। खून तो देर में दीखता है, रंग तो ऊपर दिखाई दे जाता है। अगर आप को रंग भेद नहीं अखरता तो खून भेद क्यों अखरता है, क्यों आप चमक जाते हैं?

मैं कहना चाहता हूँ कि वह समय नहीं है कि किसी को गाली दी जाये। आज यह समय नहीं है कि किसी को बुरा मला कहा जाये। समाज में जो बुराईयाँ हैं वह सबके सामने हैं। गाली देने से वह निकल नहीं सकती। गाली देने से कोई लाभ नहीं है। मैं आप को मिसाल दूँगा कि हमारे यहाँ दो अछूत जातियाँ हैं : चमार और भंगी। हमने एक जगह कुआँ चमारों के लिए खुलवाया। वहाँ भंगी आ गये, चमार नहीं आये। हमने चमारों को बुलाया और पूछा कि तुम क्यों नहीं आये तो कहने लगे कि जिस कुएँ पर भंगी जायेगा उस पर हम

नहीं जायेंगे। क्या यह भी ब्राह्मण का कुसूर है? मैं उस संस्था में पड़ा हूँ, उस गर्भ में पैदा हुआ हूँ और उस समय हुआ था जब श्री शंकरानन्द जी का जन्म भी नहीं हुआ होगा, जहाँ जाति पांति नहीं है, जहाँ छुआ छूत नहीं है। इस लिये वह इतना बड़ा दावा न करें। मेरे साथ ऐसे लोग पढ़े हैं जो यहाँ हाउस में हैं और पंडित कहलाये, मेरे साथी ऐसे लोग हैं जो जन्म से अछूत रहने पर भी पंडित कहलाते हैं और सारे घरों में जाते हैं।

एक माननीय सदस्य : आप आर्य समाज की बहुत बात करते हैं। लेकिन बेटी किसी को नहीं देते।

श्री रघुवीर सिंह शास्त्री : बेटी दे रक्खी है आप यहाँ के मेम्बरों से पूछिये। श्री नरदेव स्नातक यहाँ के मेम्बर हैं, जो ऊंची जाति के व्यक्ति नहीं थे उन्हें ऊंची जाति वालों ने अपनी बेटी दे रक्खी है। आर्य समाज ने उन्हें पढ़ाया है। हम नहीं जानते थे कि वह अछूत हैं लेकिन कृपा इस राजनीति की कि उनको भी एलेक्शन में जाकर अछूत बनना पड़ा और फार्म में लिखाना पड़ा कि मैं चमार हूँ जो लोग जाति भूल गये थे। आप की कृपा से उन्हें रेकार्ड में लिखाना पड़ा कि हम अमुक अमुक जाति के हैं। आप क्या बात करते हैं? हमको ढकोसला कहते हैं। अपने आप लोग ढकोसला बना रहे हैं और दूसरों को बदनाम करते हैं। मेरा उस संस्था से सम्बन्ध है जिसने अछूतों की सेवा की लेकिन राजनीतिक स्वार्थ से प्रेरित होकर नहीं की, वोट लेने के लिए नहीं की। लेकिन आज यहाँ क्या हो रहा है? दो दिन से लोगों के बीच में भेद बढ़ाया जा रहा है और यह सोचा जा रहा है, हिसाब किताब लगाया जा रहा है कि अगर उस जाति को अछूतों में नहीं लिया या लिया गया तो राजनीति पर क्या प्रभाव पड़ेगा या भारत के भविष्य पर क्या प्रभाव पड़ेगा। इस तरह से इन लोगों को एक्सप्लायट किया जा रहा है। आखिर उनसे बड़ा ढकोसला कहाँ है और हमको कहते हैं कि हम ढकोसला कर रहे हैं।

[श्री रघुवीर सिंह शास्त्री]

16 hrs.

हम लोग वह हैं जिन्होंने निष्काम रूप से, जो हमारा विश्वास था उसके अनुसार सेवा की। उस विश्वास के अनुसार हमने सुधार किया। कभी भी उन सुधारों से राजनीतिक लाभ या अधिक लाभ उठाने का यत्न नहीं किया। आप हमारे लिए ढकोसला कहते हैं।

एक माननीय सदस्य : मेरठ में हरिजनों को वोट नहीं डालने दिया चौधरी चरण सिंह ने।

श्री रघुवीर सिंह शास्त्री : इसका जबाब फिर दंगा। जब उस पर बहस करेंगे तों बता दूंगा। आज जो मैं कह रहा हूँ वह यह कि हम ऐसे मौकों का लाभ न उठाये आपस में गाली गलौज करके वा आपस में एक दूसरे की निन्दा करके या एक दूसरे का ऊँचा नीचा कह कर। जैसा समाज है, गला है, सड़ा है भला है, बुरा है, उसमें सुधार लाना है, उसमें परिवर्तन लाना है। पहले जो कुछ हो गया वह हो गया, अब आगे का रास्ता देखिए कि इस समाज को कैसे ठीक करना है। अगर एक दूसरे को गाली देने में उलझ जायेंगे तो जो आप का वास्तविक उद्देश्य है उससे भटक जायेंगे।

इस हाउस में जो चीज बड़ी चर्चा का विषय है वह यह कि सारे देश में जो धर्म परिवर्तन कर लें, हिन्दू के अतिरिक्त दूसरे धर्म में चला जाये, उसको वह सुविधायें रहेंगी या नहीं। इसके सम्बन्ध में मेरा कहना यह है कि हिन्दू धर्म में रहने वाले जो लोग हैं उनको आप सुविधायें इस आधार पर दें कि हिन्दू धर्म में ऊँच नीच की बात है, वहाँ पर उन को सुविधायें नहीं हैं, हिन्दू धर्म में जाति-पाति की बात है, लेकिन जब एक आदमी ईसाई बन जाता है, तो ईसाइयों में तो कोई जाति पाति की बात नहीं, ईसाइयों को इस बात में विश्वास नहीं। इसको देखते हुए सोचना चाहिये कि उनको कोई विशेष अधिकार देने की आवश्यकता है या नहीं। कुछ दोस्तों ने याद भी कराया कि ईसाइयों के लिए विदेशों

से रुपया आ रहा है, लेकिन वह केवल ईसाइयों पर खर्च कर रहे हैं, ईसाइयों के उत्थान के लिये, शिक्षा के लिये, उनके कल्याण के लिये खर्च कर रहे हैं। कहने का अभिप्राय यह है कि जो लोग हिन्दू से दूसरे धर्मों में चले जाते हैं उनकी सारी पोजीशन बदल जाती है इस लिए उन लोगों को किसी भी रूप में इस सुविधा का लाभ नहीं होना चाहिये। अगर यह सुविधा आप सबके लिए खोल देंगे तो आप का जो असली मंशा है वह खत्म हो जायेगा और जैसा श्री औरांव ने कहा कि जो लोग अधिकारी नहीं हैं, जो नहीं हैं, पात्र जिनको आवश्यकता नहीं है, वह लोग आगे आ जायेंगे और जो वास्तविक अधिकारी हैं, वास्तविक जरूरतमन्द हैं उन पर असर पड़ेगा और उन बेचारों के अधिकार, उनके स्वत्व और उनकी आवश्यकताओं पर बुरा असर पड़ेगा। इस लिये मेरा निश्चित मत है कि जो लोग मत-परिवर्तन कर लेते हैं उनके लिये इन सुविधाओं के द्वार नहीं खोलने चाहिये। क्योंकि जिन सिद्धान्तों के ऊपर इन सुविधाओं के द्वार खोले गये थे उनके अनुसार वह केवल उन लोगों के लिये थे जो समाज का पिछड़ा वर्ग है, जो हजारों वर्षों से पिछड़ा हुआ है और जिसको आगे ले जाना है। हमें इस और ध्यान देना चाहिये और वह सुविधायें उन्हीं लोगों को देनी चाहिये जो वास्तविक रूप में पिछड़े हुये लोग हैं। ऐसा न हो जाय कि पिछड़े लोगों के नाम पर दूसरे लोग आगे आ जायें।

एक जाति की चर्चा भी उधर से बहुत चल रही थी। अर्थात् बन्जारा जाति। मैं नहीं चाहता था कि इस पर बहुत कुछ कहूँ, लेकिन कहना पड़ा क्योंकि जिस गांव में मैं रहता हूँ उसमें दो चार घर बन्जारों के भी हैं और उसके आस पास के गांव में भी दो-दो चार-चार घर बन्जारों के हैं। वह बन्जारे बेचारे दो चार सालों से आ कर रहने लगे हैं। पहले वह घूमते रहते थे और मैं कह सकता हूँ कि जिन अर्थों में हम लोगों को ट्राइबल कहते हैं, जिन अर्थों

में घूमने फिरने वाली जाति कहा जाता है उन ग्रहों में अग्रर बन्जारा जाति नहीं आ सकती, तो शायद ही कोई जाति आ सकती हो। यदि हमने किसी घूमने फिरने वाली जाति के दर्शन किये तो वह केवल बन्जारा जाति है। यह बात दूसरी है कि दूर जंगलों में जाकर देखें तो कुछ जातियों की बुरी हालत है, लेकिन अपने प्रदेश में अगर मैं किसी घुमन्तू जाति से परिचित हूँ, जो चलकर सौराष्ट्र से और सिंध से पैदल कलकत्ते तक पहुँचती है, तो वह बन्जारा जाति है। वह इधर उधर रात दिन पड़ाव डाला करते हैं इधर उधर की बस्तुएं बेचते और खरीदते रहते हैं। अगर उनको इसमें नहीं रखा जायेगा तो उनके ऊपर बड़ा अन्याय हो जायेगा और उनकी बड़ी भारी उपेक्षा हो जायेगा।

इस लिए मेरा आप से यही कहना है कि बन्जारा जाति को भी इसमें रखना चाहिए। उनको लवाना बन्जारा कहें चाहे मथुरा बन्जारा कहें, कंधेरा बन्जारा कहें, सिकरी-बन्द बन्जारा कहें या वृजवासी बन्जारा कहें। जो कंधे बेचने का व्यापार करते हैं उनको कंधेरा कहा जाने लगा, जो सिर्की बनाने का घन्घा करते हैं उनको सिर्कीबन्द कहा जाने लगा।

सिरकी बन्द का साफ अर्थ ही यह है कि जो जंगलों में सिरकियां बनाकर रहते हैं, जिनके पास घर नहीं होता है, जिनको घर नहीं मिलता है। मेरा जोरदार अनुरोध है कि आप सूची में बन्जारों को भी शामिल करें और उनकी यह मांग बहुत पुराने जमाने से चली आ रही है। उनकी तरफ अभी तक समुचित ध्यान नहीं दिया गया है। उस पर भी हमें ध्यान देना चाहिए।

मैं हाउस के सभी लोगों से, सभी विभागों से सभी विचारों के लोगों से अपील करना चाहता हूँ कि अगर सचमुच में पिछड़े हुये लोगों की हम कोई सहायता करना चाहते हैं, उनकी सेवा करना चाहते हैं, उनको ऊपर उठाना चाहते हैं, तो उत्तेजना फैलाने से या कटुता या घृणा फैलाने से या गाली गलौज से यह काम नहीं होगा। जिस वर्ग की हमें सेवा करनी है, उसकी सच्ची सहानुभूति के साथ, सच्चे हृदय

से करें और दूसरों को भी इस काम में लगायें।

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI A. K. KISKU): Mr. Chairman, Sir, I would like to speak only on two points. My first point is on the amendment as has been reported by the Joint Select Committee—Sec. 2 A, para 2, page 29, lines 38-41 and No. 2. I would like to speak on those Adivasis who have gone from Madhya Pradesh, Bihar, Orissa and West Bengal areas about 100 years ago to Assam where they are not recognised as tribes. I would like to make my second point first and my first point second.

About the Adivasis who are mostly Santals, Mundas, Oraons, so on and so forth who have gone to Assam to nurture the tea industry of our country. But during the last 20 years, they were denied the privilege of the constitutional protection and recognition as scheduled tribes. It is very unfortunate that these people who were scheduled by the Government of India Act of 1935 as Tea garden coolie tribes, as soon as India became independent, the Assam Government had de-scheduled them and ever since that time they were denied the privilege. These people are our people, our blood relations and our kith and kin. In the tea gardens of West Bengal in Jalpaiguri areas these people are Scheduled Tribes whereas across the boundary when they go into Assam, they are not. I had been to Assam to meet our people there twice during the last three years. I have seen tears and fire in their eyes.

I am glad that the Joint Select Committee, after very careful consideration, have recommended for their scheduling and I do hope that the Government will now undo the injustice that was done to our people there. They satisfy all the criteria of scheduling. In their primitiveness, their district culture their shyness, their backwardness and in every respect, these people are tribes.

Assam is part of India. To deny these privileges to them would be inhuman. I have seen that they have been living like slaves. Therefore I appeal to all hon. Members of this House, and to my Government especially, that they should reconsider their decision and come forward for scheduling

[Shri A. K. Kisku]

these Adivasis in the Tea garden and ex-tea garden areas of Assam.

I come to my second point. We have heard different points of view and I appreciate the way our brother, Mr. Kartik Oraon has raised a very fundamental point. I join him in sharing the view that there is a mass of our tribes who are not being taken care of properly and looked after. On this issue I am one with him. But I have a difference in the angle of vision. I do not agree with him where he thinks that those who been converted to Christianity are exploiters. I differ with that view.

Before I come to that point, I would like to explain and discuss some of the very wordings of the Joint Committee Report. In that amendment there are these words. It says: "Any person who has given up his tribal faith or faiths and have accepted either Christianity or Islam." Here lies the crux of the whole controversy.

If you go through the Note of Dissent brought forward by Mr. Emongsing M. Tangma in the Report (See X, page XLII) you will find that this amendment was brought forward on 5th November, 1969 and on this day the Joint Committee had rejected this amendment. On the very next day, on 6th November, with slight modifications, but without change in the spirit of the amendment, this was again brought and which was accepted by the Joint Committee. If I have read the mind of the Joint Committee, it seems to me, Sir, that the Joint Committee itself could not make up its mind on this particular amendment. In their wisdom, they passed it on to Parliament for a final decision.

Now, Sir, let us study these very words—'those who have given up their tribal faith or faiths'. In this connection I would like to go into the Census Report and I would like to illustrate the type of picture that emerges out of it. In the Census report of 1961 we find the number of tribals as shown religion wise. The figures are like this. Those who profess tribal religion as mentioned in the Census Report, comes to about 4.19 per cent of the entire tribal population. Those who have recorded themselves as Hindus come to 89.39 per cent. The number of tribal Christians, is shown as 5.3 per cent. In the case of Muslims, it is

0.21 per cent; in the case of Buddhism, it is 0.25 per cent and in the case of other religions, it is 0.44 per cent. The point is that if we accept the phrase 'those who have given up their tribal faith or faiths', then according to the census report, what comes out is this: that only those tribals who have recorded themselves as tribals, I mean, by faith, or religion, then number is only 4.19 per cent, and only they remain as scheduled tribals and all others get eliminated. It is a very important point.

Then, if we study the tribals pockets regionally, what comes out is this. We find that in the Laccadive Islands, the Muslims who form about 100 per cent of the population and are now Scheduled Tribes will be eliminated. Then, in Assam hills region where the Christians form about 24.01 per cent of the total tribal population, they will cease to be Scheduled Tribes. Similarly in Nagaland where they are 55.2 per cent, they will cease to be tribals. In all the areas, as I have already said, if we accept this principle namely 'those who have given up tribal faith or faiths', and who have been recorded—rightly or wrongly, as Hindus then 89 per cent of the tribals become de-scheduled. This will defeat the whole purpose of scheduling.

Then, the other phrase is 'who have embraced either Christianity or Islam'. Here, in the amendment itself, there has been a discrimination on the Christians and Muslims on the one hand and the Hindus and Buddhists etc. on the other. Can we accept any amendment that discriminates between religion and religion? Sir, we have to be very cautious, and we must think very carefully and coolly over this matter. If we introduce a religious factor or criterion in determining these major issues, this is not going to affect the tribals only, but it will have much greater repercussion in wider areas also.

I would like to say that this criterion of religion has a good amount of the element of communalism in it. If we in one case actually carry it through here, it will have its most disastrous effect almost everywhere, not only in the case of the tribals themselves, but in other religions and in other communities also. Therefore, we also have to remember that India as a secular country

has a stature all over the world. How do we stand before the other countries of the world, especially when we come to think about those countries where there are quite a large Christian populations or big Muslim populations. Therefore, these are the things we have to be very careful about.

SHRI P. R. THAKUR (Nabadwip) : May I ask one question ? Is the hon. Minister sure that 89 per cent of the Scheduled Tribes call themselves Hindus ? Can he show that from the census report ?

SHRI A. K. KISKU : That is what the census report says.

SHRI P. R. THAKUR : They call themselves Hindus, but Shri Kartik Oraon would not call themselves so.

SHRI A. K. KISKU : I am quoting from the census report.

SHRI P. R. THAKUR : This is the first time that I am hearing this.

MR. CHAIRMAN : The hon. Member can refer to the census report himself.

श्री शम्भूनाथ (सैदपुर) : एक बात में जामना चाहूंगा, अभी आप ने कहा कि हिन्दू द्राइबल्स हैं, मुस्लिम द्राइबल्स हैं, क्रिश्चियन द्राइबल्स हैं, लेकिन जो बेनिफिट दी गई उसमें क्रिश्चियन द्राइबल्स ने कितना लिया मुस्लिम द्राइबल्स ने कितना लिया और हिन्दू द्राइबल्स ने कितना लिया ?

SHRI A. K. KISKU : As I said at the very beginning, I share the feelings of our down-trodden people. If we want to solve this problem on a religious criterion, probably we are going to create more problems than we are going to solve.

This angle of vision, that the Christian tribals are exploiters, is something we have to consider very carefully. Probably the word 'Christian' some how clouds one's judgment in this respect. I would like to say that Christians are as loyal as anybody else. They have no political motive whatsoever. They want to do one thing only, that is to serve the country with sacrifice. If today we look around the whole of India—and it is

true all over the world also—we find that the Christians have established the most excellent hospitals in our country, they have set up wonderful leper asylums, schools, and colleges. They are here to serve all communities irrespective of caste, creed or religion.

SHRI O. P. TYAGI : What about Nagaland and Mizoland ?

SHRI A. K. KISKU : Before Nagas accepted Christianity, three missionaries were devoured by the Nagas. That was how by giving their lives they have gone to the farthest corners of the country to serve the people.

SHRI O. P. TYAGI : Christian Nagas are cent per cent rebels. Does he admit it ?

SHRI A. K. KISKU : No, I will never admit it.

SHRI O. P. TYAGI : Is it not true ?

SHRI A. K. KISKU : Christians are as loyal as, and even more loyal than, anybody else.

SHRI BABURAO PATEL (Shajapur) : What nonsense are you talking ? They cannot be more loyal than Hindus.

MR. CHAIRMAN : The hon. member should not use such terms in this House. I am very sorry.

SHRI BABURAO PATEL : Christians cannot be more loyal than anybody else.

MR. CHAIRMAN : He can express his opinion, but in decent language.

SHRI BUTA SINGH (Rupar) : Will you please ask him to withdraw it ?

MR. CHAIRMAN : Let us leave it at that. I have already said that he should not have used such indecent language.

SHRI BABURAO PATEL : May I know what is the indecent word I have used ?

MR. CHAIRMAN : If he has such cross talk with another member in such language, I cannot allow it.

**SHRI BABURAO PATEL :** I am asking what is the indecent word I have used. 'Indecent' has a definite meaning in the English language.

**MR. CHAIRMAN :** If he want to have a discussion on it, I am not prepared for it.

**SHRI BABURAO PATEL :** I yield to the Chair. But the word 'indecent' has a definite meaning and I don't see how it after here.

**SHRI A. K. KISKU :** It is very unfortunate that the Christians in this country are taken to be some foreigners. As soon as India became independent, Christians have been trying to Indianise the Church.

It was a difficult task, but I am very happy to tell you that on the 29th November, of this year a new Church is going to emerge in India, the Church of North India, in Nagpur. This Church is going to be manned, is already being manned, by Indian themselves. As a Church we condemn any conversion with economic motivation, but will you debar us from serving the country, serving the people and the most down-trodden and the most neglected? Therefore, let not the Church be misunderstood or misinterpreted. We are as national, as loyal, to our country, as anybody, and even more.

From the facts that have been presented by our friend Shri Oraon, I personally feel that there has been some mismanagement in the administration, especially in the matter of Scholarship and stipends. Because these educational facilities it was expected, will give an opportunity to our people and they would come forward more and more to enjoy modern life and privileges. It was the Church, it was the Christians, who had worked from traditionally old times among these people, and probably there has been a historical and a social condition which has enabled some of the tribal Christians to get them. But to say that they have deprived their fellow tribals is rather cruel and divisive. Therefore, I would ask the Government to go deeper into the matter of administration at the Central level, State level, district and block level to find out where the error lies, and so administer Government funds that they reach our people in time and are also equitably distributed. But to divide the entire

Scheduled Tribes on the ground of religion is something we must be very careful about.

As I said, this is a matter which is very touchy, very delicate, and we have to think very cautiously, but I would say that this amendment has created a great cry in our tribal homes. If you go to Santhal Parganas, you will find the mothers today are crying with a song :

धर्म रेया, लड़ाई झारहों, रकब लेनखन बाबा,  
सोना लेकन दिसोम बाबा, हुबाऊ तबोन ।  
हीरा लेकन पोर जाको छिन छतुरो,  
होपोन कोआ मायाम बाबा, डिग डबुरो ।

It means that if you introduce this controversy of religion into this classless and casteless tribal society, you will destroy the golden country. The people of India who are living in this country are like bowlful of diamonds will be scattered and the children will be swept in blood. This is the cry. Therefore, I would say that religion is irrelevant. Tribals are tribals by virtue of their language, culture, traditions, social habits and mores primitiveness and backwardness.

**SHRI KARTIK ORAON :** In a secular State, there should be no State-aided religion.

**SHRI A. K. KISKU :** Hence I would say that the issue has to be considered very cautiously and carefully.

Finally, may I remind this House of a story which probably all of us have read in our school days. Two mothers had been quarrelling over the ownership of one and the same child and they came to the king who was a great judge and he had an insight into the motivation of these two women. He suggested that in view of the quarrel the child should be divided into two and distributed. One of the mothers agreed and said : yes, while the other mother said : please do not divide, let that child live. This is an august House, I should like to say, where all Members are sitting in a seat of judgment I would only plead with you. "Please do not divide the child the tribals."

**SHRI KARTIK ORAON :** It is already divided.

SHRI A. K. KISKU : Let the child live.

SHRI J. N. PRAMANIK : (Balurghat) : Mr. Chairman I have given an amendment. My amendment is a simple one. The necessity has arisen as we are given to understand that the Rajbanshis who are now included in the State of West Bengal by Behar-West-Bengal Transference of Territories Act 1956, are now to be treated as such. Myself being a Rajbanshi from West Bengal State, have our matrimonial connections with the Rajbanshis of Behar. So there should not be any discrimination as such. Only to remove this misunderstanding I have brought this amendment to embody the same in the Schedule so that the misunderstanding may never arise at all. This is only a clarification of fact as it is. My amendment runs as follows "in page 20, line 49, first Schedule add at the end (including Rajbanshis from Behar)". I request the hon. Minister to accept my simple amendment, which reads as follows :

Page 20, line 49,—

add at the end "(including Rajbanshis from Behar)"

SHRI G. Y. KRISHNAN (Kolar) : Sir, while speaking on this Bill, I shall restrict myself to some points. Some of my friends mentioned about the inclusion and exclusion of certain classes in the list at Mysore based on. Untouchability and backwardness fixed as criteria. The Joint Select Committee had decided that certain communities in Mysore State were not being treated as untouchables. In respect of that much evidence was taken in the Joint Committee. Still in their wisdom they have decided to keep them under the Scheduled Tribes. These classes are : Bhovis, Banjaras, Handi Jogis, Hakki picki, Shillekyata, Sudugadusidda, Korama, Koracha, etc. Going through the authoritative books by Edgar Thurston and L. K. Anantakrishna Iyer on castes and tribes in Southern India what do we find ? These will show that the Odda or Vodda People or the Oddars migrated from Oddadesam in Orissa. They migrated from Orissa in search of work and bread. They were tribals when they were living there. On migration from Orissa, they have scattered themselves in all the southern parts of India, that is, Mysore, Maharashtra,

Andhra Pradesh and Madras. They picked up hard labour and these people have no permanent abode or residence anywhere even now. Those who settled picked up the sweeping and scavenging work in all the municipalities of Mysore State. A major portion of this community consists of two groups which are called Kalluvaddars and Mannuvaddars. The Kalluvaddars are no other than stone quarrying workers or stone-cutting people. The Mannuvaddars are earth-diggers. These people can be found wherever we go on the streets working on projects; and they roam from place to place and go from rock to rock. They have, as I have already said, no permanent abode or residence. They reside in temporary conical shaped huts.

About their characteristics and customs, they are primitive, and they are ludicrous. They are addicted to drinks and they sacrifice animals to goddesses as stated in the authoritative books by Edgar Thurston and Anantakrishna Iyer. Even to this day, we can see that womenfolk of this community do not wear cholis that is, their upper vests, and they wear brass bangles which are primitive ornaments, as described in authoritative books on tribes.

About their customs, they are still living in the same old age and are living the same old life. They are wandering from place to place like clans with the guidance of their chieftain called Pedda or Yajamanudu. Pedda is a Telugu word and Yajamanudu is also a Telugu word. He is the only priest allowed in their families to conduct marriage and rituals.

In Mysore State, to whatever house you go, if a boy or a child or an elderly man is dirty, and if he is not liked by anybody, he will be called as Odda. This has become a common word in almost all the houses in Mysore State. Because of this ill-feeling derogatory and humiliating meaning in respect of the word Odda, all these Odda people convened a convention during 1946 at Hubli and resolved to call themselves as Bovi. The same resolution has been passed on to the State Government. The State Government, in their G. O. No. M/8143/206/GM/2044/50 dated 2nd February, 1946, have approved this change in the name from Odda to Bovi. I am quoting this just because this Bovi community was not there earlier. That is why it has arisen from 1946. These Bovi

[Shri G. Y. Krishnan]

people are nobody else, or no other than the Odda community found in authoritative books like those of Edgar Thurston and Anantakrishna Iyar. I also want to refer judgement of the Supreme Court in Civil Appeal No 401 of 1964, which was also in respect of a litigation by an aggrieved party who contended that this Vodda community was different from that of Bhovi. Now there is an amendment by Mr. Kartik Oraon, No. 24, seeking to delete Bhovi and Bovi from the list of tribes. I request him through you Sir, to withdraw this amendment.

Similarly, there are 7 other communities in Mysore which are very neglected. They are Koracha, Korama, Hakkipikki, Handi Jogi, Ghantichora, Shille kyara and Sudugadu Sidha. As their names indicate, Kercha and Korama are people who knit baskets and mats from bamboos. The occupation of Handi Jo is rearing of pigs. Ghantichoras are, as the name indicates, *choras*. Shille kyara is a hunter of birds, taking the protection of the cow. He follows the cow so that the birds may think that he is not coming catch them. That is his profession and we can imagine his status. Sudugadu Sidha keeps watch over the cremation ground. The Joint Committee in their wisdom have included these communities under scheduled tribes. They actually live away from towns and cities, in the jungles. That is why I request Mr. Kartik Oraon to withdraw his amendment so that the Joint Committee decision may be carried through for safeguarding the minorities.

There was another doubt expressed by Mr. Kartik Oraon that the Bhovi community is pressing to be under scheduled caste. I really respect the wisdom of the Joint select Committee for having included this community under scheduled tribes by taking into consideration their primitive trails and customs unanimously. They have said "Bhovi, Bovi". In support of the inclusion of this community under scheduled tribes, I have already quoted from the book of Edgar Thurston and Anantakrishna Iyer and also the resolution of the Bhovi Convention and the approval of the Mysore Government. There are 14 synonyms for the inclusion of which I have moved an amendment, No. 120 to the Second Schedule. I request the Government to accept this amendment to avoid further

complications, litigation and administrative difficulties.

MR. CHAIRMAN : We want the first reading to be concluded today but I wonder whether it is possible because I have got a large list of Members with me still.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND IN THE DEPARTMENT OF SOCIAL WELFARE (SHRI JAGANATH RAO) : We have no objection. Members can speak the whole day today and the reply can take place tomorrow.

MR. CHAIRMAN : Since the list is quite large, I should like Members to be brief.

SHRI SHIVAJIRAO S. DESHMUKH (Parbhani) : I have given notice of about 40 amendments ; I should be given at least 4 minutes.

MR. CHAIRMAN : I do not see your name in your party's list.

SHRI SHIVAJIRAO S. DESHMUKH : I have forwarded it through my party as well.

MR. CHAIRMAN : Let us see.

SHRI BABURAO PATEL : May I know whether there will be voting today ?

AN HON. MEMBER : No.

SHRI HIMATSINGKA (Godda) : Mr. Chairman, I have gone through the recommendations of the Joint Committee and am glad to find that in the Second Schedule they have provided paragraph 2A which will go to help these communities to a very large extent. This provision, namely, :

"Notwithstanding anything contained in paragraph 2 no person, who has given up Tribal faith".

shall be included in the list, is a very salutary provision in view of the fact that whatever money is made available and whatever grants are given by Government for education and other purposes are mostly

utilised by the Christian missionaries who have been very influential from the time of the British and no money is left for the ordinary Tribals who do not belong to that faith, as a result of which a small portion of the people are getting the benefits in all respects of employment and other things. Therefore, if a member of the Tribe is educated, and becomes advanced and adopts the faith of Christ or Islam there is no reason why he should still continue to be included among the Tribes.

You know our friend, who was a Member of Parliament for so many years, late Shri Jaipal Singh. He was included as a Tribal but, I think, he was much more educated and advanced than most of the other Members so far as education and other qualifications were concerned. Therefore what I feel is that this provision that has been recommended by the Joint Committee should be allowed to stand.

I am surprised that Government has thought it fit to send in an amendment to this provision. As a matter of fact, it has always been the practice that Government does not interfere in the recommendations of the Select Committee or the Joint Committee unless something has come in by mistake. But here, I take it, it has been put in after due consideration by the majority of the Members, if not unanimously. Therefore, a salutary provision, which has been introduced in the Second Schedule, should not be disturbed and at least Government should not take sides in removing that provision. That is how I feel and that is why I felt tempted to speak.

Some Members have spoken about the judgement of the Supreme Court. If this provision were not there, certainly the judgment of the Supreme Court would be relevant and would be to the point. But when this provision is there, that Supreme Court judgement will have no force. Because a provision of this kind was not there, the courts interpreted the law as it stood then and rightly decided that even if a Tribal changed his religion, he continued to be a Tribal.

**SHRI OM PRAKASH TYAGI :** There is no judgement at all.

**SHRI HIMATSINGKA :** That has been mentioned by some Members and some

copy of a judgement has been distributed. But even if that judgement is there, when this provision is there, the effect of that judgement will go. Therefore, I feel, it is a very salutary provision that has been introduced.

You will also notice, unfortunately, on account of influence that has been exercised on such people, that the moment a tribal adopts Christian religion—at least that is a feeling amongst the majority of them—he begins to think that he is someone different from an Indian. That has been the feeling so long. I do not know whether there is now any salutary change in their attitude. I feel, the tribals are being given certain advantages because they are backward and neglected. Those who have got enough education and who are getting help otherwise for becoming Christians should be excluded from the list of tribals.

That is one point that I wanted to make. In any event, the Government should not take up the attitude of going against the recommendations of the Joint Committee and the Government should not press their amendment so far as that is concerned.

The provisions in articles 14, 15 and 16 of the Constitution have no place so far as the listing of castes or tribes in this Schedule or that Schedule is concerned. These provisions only say that no one should be discriminated against on account of a particular religion that they follow. That does not deprive the Parliament or the Government to include or exclude certain categories of persons in a particular list for the purpose of giving any advantages or additional help to them.

**SHRI S. KUNDU (Balasore) :** Mr. Chairman, Sir, this occasion provides us an opportunity to look into the effectiveness of this Bill and also the constitutional provisions. What I mean by "effectiveness" is that when this provision was introduced in the Constitution, the concept was that we would gradually try to assimilate into the mainstream of the development of our country our forgotten, under-privileged and down-trodden people of society. The concept was that we must give them certain advantages so that they can also have some economic viability and also educational opportunities to take up the responsibility in the development of this country in

[Shri S. Kundu]

various spheres. I think, there was no other concept than this.

What I am sorry to find is this. Many hon. Members have made a lot of remarks. They want one thing to be included in the list and another thing to be excluded from the list. The vital point is always missed. I would like to ask the hon. Members whether by adding one community in the list or by omitting one community from another list, the conditions of about 60 per cent of the people belonging to Adivasis and Harijans will be ameliorated. I personally feel that cannot be done if you simply go on the same beaten track for years to come. The most important problem is their social problem and also their economic problem.

I would like to draw the attention of the hon. Member to one thing. Even 1 per cent of the total amount of money that has been spent on all these Plans to the tune of about Rs. 30,000 crores has not really gone into the development of these people. Our people in different forms have eaten up the money and the money that has been earmarked for them has been diverted by different States to other works. The question, therefore, is how quickly you are going to develop this community. I see the feelings in Mr. Kartik Oraon's exhortations and anger. But I do not know whether even if you put a limit and say that those who embrace Christianity will not get the advantage that will solve the problem, the basic problem of economical, social and educational development of this community.

I entirely agree with him that in the name of religion, certain missionaries have also spent a lot of money and this money is sometimes used for other purposes. And thereby also these people take certain advantage.

We should also understand another social problem. People have been stagnating under suppression and repression of certain communities and under certain feudal system for years and years. They feel frustrated. They want to be released and they were sick of it. They want to be free. They feel that perhaps if they go to Christianity, they will be considered as civilised humanbeings. They are offered a chair and they are treated as gentlemen. They want to run away from Hinduism.

Hinduism with all its Varnas and castes has completely failed. This is a challenge to all of us. A Hindu, if he wants salvation, has to go and make some sacrifice and throw some coins into the river, Ganga, and he gets salvation. Hinduism has been so much polluted except perhaps two great men who have given universal faith to Hinduism. One is Swami Vivekananda and the other is Buddha, who, although he believed in Buddhism, gave a universal outlook to this entire religion. I do not find anybody else. Everybody is taking shelter in the castes. I sometimes feel ashamed to call myself as a Hindu because the challenges are so much and if you do not get ready to meet them, I don't think people are going to take things lying down.

The world over, the concept of violence is changing. No more people are thinking that violence means firing a gun or throwing a bomb. Violence means rebellion against this sort of injustice in different ways. When a rich man or a rich woman with costly apparel worth thousands of rupees on his or her body is looking down on a man who is dying in the street who has no food or shelter, this into action of the wealthy man or woman is considered outrageous and people call it as a violence to the present society. Therefore, I would ask the Members to look more and more into the basic issues. I would also appeal to the hon. Minister that when he replies, he may give an indication how to solve this basic issue. The point looks very fantastic. I am told there is an infrastructure in the country. More than that, the infra-structure of the man has to be built up. Unless you build it, no development is possible and all the money you pump out from Delhi will go to certain sectors only which will become rich quickly because the receptive power of the man is not there. The young Adivasi does not know how to get money from the bank.

Gandhiji had certain ideas in his own way. Sir, I see a horrible situation in my own State. There is a community called Bonda where a man is also treated like a cow or bullock because to repay the debt taken by his forefathers, say a kilogram of rice his forefathers took from the Zamindar, he has to work for the Zamindar as a slave for his life. That 1 kg. of rice

taken by his forefathers has mounted into hundreds and thousands over the years and this man has just to repay it by hard labour. Sir, unless we do something positively, by simply including certain communities and excluding some others we are not going to solve this problem. I agree you pump a lot of money for their amelioration and some Scheduled Castes and Scheduled Tribes take advantage of that. If the Minister who is a Scheduled Caste man sends his child to a public school in Darjeeling, that should not be an occasion or give him any moral right to get special protection for his son to get into IAS or any other All India Service. If a poor Brahmin who does not get any income and has no father comes for help, I will support him. We have to look into the entire thing in a different concept and I think for all these 23 years we have missed the bus.

Let us not miss the bus again. We were mis-directed and whenever we come back to this point, we have thought of different things than what is the real thing which is needed. This is a fundamental and important question and whenever such question crops up, they have to be considered and decided from the social, political and economic angle. Unless and until this is done, there will be no future, no betterment, no development for this community.

17.00 hrs.

Coming to another point, I wish to say this. This list has been drawn up, it seems to me, with a little bit of politics. At the time of the Elections, this List gets inflated and then after the Election is over, this list is cut down. And then, there is no criterion also. Let me ask: What is the criterion laid down? What is the concept laid down? Why should not some criterion, some concept, be there? That concept, that criterion, is not there. Certain criterion and concept should be laid down.

AN HON. MEMBER: The criterion is untouchability.

SHRI S. KUNDU: Ad vasis are not untouchables. Harijans are there. Some of the Scheduled Castes are not untouchables like Dhobies, for instance. Even fishermen are not untouchables. So, that is not the criterion.

There is one amendment which I have given notice of. This is about the poor fishermen community. Even I would go to the extent of saying that if the fisherman is wealthy, you should not include him. There are certain communities and they are in the Scheduled Castes list in Midnapur district in Bengal. If they cross 5 miles in my constituency in Orissa, they will not be in the Scheduled Castes. Is this not fantastic? In Assam, certain communities are in the Scheduled Castes list. If they come to Orissa, they are not. Is this not fantastic?

SHRI S. M. BANERJEE: In U.P. fisherman is untouchable, but fish is touchable.

MR. CHAIRMAN: Everywhere fish is touchable.

SHRI S. KUNDU: My hon. friend has correctly said that fisherman is untouchable, but fish is touchable. Therefore, we have given an amendment and I request Mr. Rao to accept it. I hope and trust that they would accept the amendment because it is in their favour, for the communities keuta and kaibarta to be included in the list of Scheduled Castes.

I do think that much more deeper thinking is necessary in regard to this problem and we have to see the real issues involved.

श्री शशि भूषण: सभापति महोदय, इस प्रश्न को जिस रोशनी में हमारे कुंदू साहब ने रखा है, उसका मैं स्वागत करता हूँ। यह बड़े दुर्भाग्य की बात है कि हमारा देश समाजवाद की दिशा में जा रहा है लेकिन उसके साथ-साथ हम इतने अग्रगण्य में बिरादरियों, जातियों में बंटते चले जा रहे हैं कि सब अग्रगण्य में जोड़ना मुश्किल हो रहा है। जब तक इस देश में सामाजिक क्रांति नहीं होती है, कोई आर्थिक क्रांति नहीं हो सकती, कोई समाजवाद नहीं आ सकता है। अगर हम इसी तरह से बंटते चले जायेंगे तो समाजवाद का लाना संभव नहीं होगा। यही दुर्भाग्य की बात है। लेकिन पिछड़े वर्ग के लोगों को कुछ आर्थिक तौर पर आगे लाया जाता, सामाजिक तौर पर

[श्री शशि भूषण]

आगे लाया जाता इसलिए यह कुछ सुविधाएं दी गईं। लेकिन वह सुविधाएं उन तक कम पहुंची हैं और वह विवाद का प्रश्न अधिक बन गई हैं। आज अभी श्री कार्तिक श्रोत्रां व ने यह सवाल रखा कि क्रिश्चियन्स जो कन्वेंट हो गए हैं उनको आदिवासियों के अधिकार नहीं दिये जाने चाहिए। मेरे भी क्षेत्र में आधे से ज्यादा आदिवासी हैं। मैं उन को शकल से उनके चेहरे के कटाव से पहचान सकता हूँ। अभी श्री किष्कू जी हमारे बैठे हैं, जो यह कुछ भी बन जाय आदिवासी तो लगेंगे ही। जिस जगह रहते हैं, जिस आबोहवा में रहते हैं, पलते हैं वह अंतर बराबर रहता है। रहा यह कि क्रिश्चियन्स को सब से ज्यादा स्कालरशिप मिलती है उस एरिया में तो मैं यह कहना चाहता हूँ कि इस देश के जितने प्राइमरी स्कूल हैं, मिडिल स्कूल हैं या यूनिवर्सिटीज हैं, चाहे ब्रह्म सनातन धर्म के नाम से चलती हों, आर्य समाज के नाम से चलती हों, या क्रिश्चियन्स के नाम से चलती हों, उनका पूर्णतया राष्ट्रीयकरण होना चाहिए। क्योंकि बात यह है कि अधिष्ठा सबसे बड़ा रोग है।

सभापति महोदय : कृपया आप बिल पर बोलिए।

श्री शशि भूषण : मैं बिल पर ही बोल रहा हूँ। जो इस ढंग से बोलते हैं कि क्रिश्चियन्स 5 परसेंट हैं और वह ज्यादा स्कालरशिप ले जाते हैं, बाकी नहीं ले जाते हैं वह भी बिल पर ही बोलते हैं। जो धार्मिक तौर पर माइनारिटीज के खिलाफ हैं, जिनका धर्म का व्यापार है, राजनीति में धर्म का व्यापार और वह बरत-व्यवस्था को भी जो लोग बेचते हैं राजनीति में, यह मुसलमान ले गया, यह क्रिश्चियन ले गया, यह सिख ले गया, इस ढंग की बात करते हैं... (व्यवधान)...

श्री जगन्नाथ राव जोशी : वगुं-व्यवस्था

को न मानें तो कोई जाति सिद्ध नहीं होती। फिर हरिजन हरिजन नहीं बनता, आदिवासी आदिवासी नहीं बनता।

श्री हरदयाल देवगुण (पूर्व दिल्ली) : कई लोग हैं जो अपने आप को बेचते हैं।

श्री शशि भूषण : सभापति महोदय, मैं आप से प्रोटेक्शन चाहता हूँ। मेरा कहना यह है कि अगर कोई समान व्यवस्था लागू हो, जैसे हरिजनों के लिए है, हरिजन सिख बन जाय तो उस सिख को हरिजनों के पूरे अधिकार मिलते हैं। हरियाने से हरिजन चले और जलंधर में आकर पहुंच जाय, वहां पर आकर कहे कि आज मैं सिख हो गया, चाहे दाढ़ी भी नहीं बढ़ी हो तो भी वह सिख इन्फेन्ट्री में भर्ती हो सकता है और यहां हरियाने में हरिजन रह कर नहीं हो सकता।

मेरा कहना यह है कि हरिजनों को सिख बनने पर उन्हें बड़ी सुविधाएं दी जाती हैं तो मेरी समझ में नहीं आता कि मुसलमान बनने पर या आदिवासियों के क्रिश्चियन बनने पर क्यों नहीं दी जाती? मैं यह कहता हूँ कि किसी को सुविधा नहीं देनी चाहिए, और देते हैं तो सबको देनी चाहिए। आप कहें कि बौद्ध नहीं ले सकता, कोई आदिवासी या हरिजन बौद्ध बन जाय तो उसको वह सुविधाएं नहीं मिलेंगी या क्रिश्चियन हो जाय तो उसको नहीं मिलेंगी, केवल सिख को ही मिलेगी तो यह न्याय नहीं कहता। सामाजिक न्याय यह कहता है कि या तो सब को बराबर मिले या किसी को भी न मिले। यह बड़ी भारी दुविधा है जो हमारे सामने उपस्थित हुई है। इसको धार्मिक दृष्टिकोण से न देखते हुए जाँ उन का प्रश्न है उसको मौलिक रूप में देखना चाहिए और जो श्री कार्तिक जी ने कहा कि क्रिश्चियन्स को विशेष अवसर मिलते हैं, उनको ज्यादा आदिवासियों में बढ़ा

पर सुविधाएं मिलती हैं शिक्षा की तो उसके लिए एक ही इलाज है कि जितने भी धर्म के नाम पर शिक्षण संस्थाएं हैं उनका राष्ट्रीय-करण कर दिया जाय चाहे हिन्दू यूनिवर्सिटी हो, मुस्लिम यूनिवर्सिटी हो या क्रिश्चियन यूनिवर्सिटी या स्कूल हो, कोई ही शिक्षा तो राष्ट्रीय स्तर पर ही होनी चाहिए। तब जाकर इसका हल हो सकता है। बड़ों को भी त्यागना पड़ेगा, छोटों को भी त्यागना पड़ेगा, तब हम एक राष्ट्रीय स्तर देश में बना सकेंगे। आज इतनी विडम्बना है, एक ओडिस कम्युनिटी है राजस्थान से आई और उन्होंने पंजाब में बड़े-बड़े जंगल तोड़े, बड़ी मेहनती कीम है। वह बेघारे जब आते हैं राजस्थान में तो राजपूत हैं, फौज में भर्ती हो सकते हैं। हरयाने में हरिजन हैं। मध्य प्रदेश में हरिजन हैं, दिल्ली में राजपूत हैं। सारी बिरादरी की एक बड़ी सभा हुई। उन्होंने कहा कि हम क्या करें ? न हम हरिजन रह सकते हैं, न सवर्ण रह सकते हैं। तो यह बिरादरी में टकराव बढ़ना नहीं चाहिए। जैसे अभी एक माननीय सदस्य ने कहा कि अगर एक बिरादरी को कहा गया है कि उस को अनुसूचित रखना चाहिए तो सब जगह रखना चाहिए। मैं घोबियों की बात करता हूं। एक घोबी होता है जिसके पास कम पैसे होते हैं, वह गधा इस्तेमाल करता है। एक घोबी होता है जो बैल इस्तेमाल करता है। आप तो जानते हैं बैल की पूजा करने वाले हैं। तो जो बैल इस्तेमाल करता है उसको तो समझा जाता है कि यह अस्मृत नहीं है और जो गधा इस्तेमाल करता है उसको छुआ नहीं जा सकता। अलग कम्युनिटी बन गई। एक गधा घोबी, एक बैल घोबी। आदिमियों से जाति बिरादरी बनती है, जानवरों के लगाव से भी बनने लगी। खैर, पता नहीं, कैसे यह जाति बिरादरियां बनीं। आप समझ सकते हैं इसको, लेकिन हम यह चाहते हैं कि यह दोनों चाहे गधा इस्तेमाल करें, चाहे बैल इस्तेमाल करें, वह सब एक प्रकार के कपड़े धोते हैं, मुर्द का

कफन भी धोते हैं बच्चे पैदा होते हैं वह कपड़े भी धोते हैं, वह सब के गन्दे कपड़े धोते हैं, भंगी के भी कपड़े धोते हैं, चणार के भी कपड़े धोते हैं तो चूँकि बैल इस्तेमाल कर लिया तो वह बैल घोबी हो गया और वह छूत हो गया और दूसरे ने गधा इस्तेमाल कर लिया तो वह अस्मृत हो गया, यह सब दुराव जिसने भी पैदा किया, शायद ब्रह्मा को भी याद नहीं रहा होगा कि उसने इतनी बिरादरियां कैसे बना दीं लेकिन जिसने भी बनाया हो, उसके सामने आज के जो ब्रह्मा हैं, हमारे कानून मन्त्री जी उन से मैं कहना चाहता हूँ कि यह जो आपस में टकराव है उसको कम करना चाहिये। ... (व्यवधान) ... आजकल नये राजनैतिक ट्राइब्लम भी बन गए हैं। सी० पी० आई० (एम) और नक्सलाइट अज भी पाषाण युग के ट्राइबलम की तरह लड़ते हैं, तो क्या उनको भी हम ट्राइबल मानेंगे ? यह जो नये राजनैतिक ट्राइबल हैं यह इनमें और मन-मुटाव पैदा कर रहे हैं। कोई कहता है कि यह जन्म से जातियां हैं, भगवान ने पैदा किया है कोई कुछ कहता है। हम समझते हैं कि हमारे समाज ने, हिन्दू सोसाइटी ने यह सारे दुराव पैदा किए हैं। अगर उसमें क्रांतिकारी परिवर्तन आए, सामाजिक क्रांति आए तो यह चीज दूर हो सकती है और अटल बिहारी जी भी सामाजिक क्रांति लाएंगे तो शायद वह हमारे साथ होंगे।

SHRI P. R. THAKUR : This is a very controversial Bill. I request Government to withdraw it and re-commit it to a Joint Committee.

SHRI BAKAR ALI MIRZA (Secunderabad) : Essentially, this Bill deals with delimitation. The other thing I have to say is that the fisherman community of Andhra Pradesh, Besta, Gangaputra and Gudla should be included. There are two or three amendments to this effect. I hope Government will accept them.

Many other things have been said about Buddhism, Islam, Christianity and so on.

[Shri Bakar Ali Mirza]

That requires little comment from me. We have to consider what is the basis or criterion of protection of the Scheduled Castes and Scheduled Tribes. Is it on the basis of poverty? Is it because they are poor, that they are protected? Is it because they are being persecuted that they are protected?

Or is it because the society was such that they were under-privileged and that disability has to be removed and they should be given equality of status. The point is regaining of status in society because a Harijan is as good as a Brahmin or a Muslim. That has been missed completely by our Government and Government policy. If the question of status comes in, once you acquire that status, you should be removed from the Scheduled Castes and Scheduled Tribes.

They talk about Islam, Christianity and Buddhism. As far as I understand Hinduism, a Muslim, a Buddhist or a Christian can be a Hindu because the essential principle of Hinduism is that salvation is through many ways, unlike Islam or Christianity whose conception is that salvation is through only one way. Once they accept that principle, then every religion can be within the Hindu fold.

Now, the social structure is quite different. Once status is gained, the problem is solved, and for that Government has not tried. I know a gentleman, Dr. Mandal who applied for a job to the UPSC and he was not selected, but he was offered a job under the Scheduled Castes Lists. He said he did not want that, that he wanted to compete on an equal basis. He did not accept that job. But today there is a race not to get out of these Scheduled Castes and Scheduled Tribes, but to get in. Is that the success of our whole policy. A man like Shri Jagjivan Ram or my friend Shri Krishna can compete with a candidate of any caste and win an election in any place.

SHRI P. R. THAKUR : They are rare exceptions.

SHRI BAKAR ALI MIRZA : There are hundreds of people like that. But these people never think of fighting on a general ticket.

AN HON. MEMBER : They will be defeated.

SHRI SURAJ BHAN ; Mr. Sanjivayya was defeated.

SHRI BAKAR ALI MIRZA : There is a history behind it.

AN HON. MEMBER ; Dr. Ambedkar was defeated.

SHRI BAKAR ALI MIRZA : You talk of Ambedkar, Ambedkar was the only man who considered the Welfare of Scheduled Castes, on the real issue and he made the whole community accept Buddhism and renounce all the privileges, scholarships and other benefits that the Scheduled Castes got. That is the real movement.

SHRI P. R. THAKUR : Dr. Ambedkar could do it, we cannot.

SHRI BAKAR ALI MIRZA : His followers did. There is Shri Bhandare.

So, the approach is different. Even the status you get not by becoming Minister or IAS Officer, but more by becoming a Governor. Once you make a person a Governor, he goes everywhere, invitations are there, they have to eat with him and so on. Not a single Governor has been appointed from among Scheduled Castes or Scheduled Tribes. Therefore, the approach of the Government is not correct in spending money, though that helps in getting votes for a particular party, but the real service to the Harijans is to make the people of India, whether they are Harijans or Muslims or Buddhists or Christians, feel that they have equal status, to hold their heads high and fight on the basis of being a man and not on the basis of being a Harijan or a Muslim. Therefore, trying to get privileges all the time, grabbing, is not how nations are made. The nation is made by making every person in the country conscious that he is equal to others and can hold his head high not only in his country but in the world.

SHRI P. R. THAKUR : I do not want to make a long speech. I am displaced person from East Bengal, You know very well that lots of refugees are coming from East Bengal and have been dispersed to different places in India. In this Bill some sort of a provision has been made to extend the privileges that are given to the Scheduled

Castes in all the States ; only in the Andamans I think, in the absence of a notification by the President, a list of such castes has not been prepared. I tried very much to rectify this great injustice and requested the Government to have the notification issued from the President in order that the Scheduled Castes that have gone over there might be included in the list. Government turned a deaf ear to that. I am sorry for this attitude. I now expect justice from Parliament. In my notice or amendment I have suggested a modification for this purpose. I hope the House will approve of it. Besides this, there is one caste, Scheduled Caste, Namasudras, in Orissa. Unfortunately this time, it has been omitted from the list. I do not know why. There are lots of refugees belonging to this community who have gone over there and have been rehabilitated there ; but they have been all thrown out from the list. I still expect the Government to take this into serious consideration and set things right.

But why the Scheduled Castes ? How long shall we go on extending our reservation for these people ? If the Government had earnestly worked for the improvement of the Scheduled Castes and Tribes, I think all these questions would have been needless, even this period of ten years of extension of reservations for them. But the Government is not doing that, and that is pretty bad.

My friend on the right says that every Scheduled Caste should come to the same footing as that of other human beings. That is impossible. ( *Interruptions.* ) You know very well what happened recently. One ICS Officer belonging to the Scheduled Castes was recently made the Chief Secretary in West Bengal ; in two or three months he was considered unfit and unsuitable. Why is it ? Another ICS man has been taken in his place. I do not understand why he has been considered unsuitable. In that way the Government has inflicted capital insult on the Scheduled Castes of West Bengal. Government should take these things seriously ..

SHRI BAKAR ALI MIRZA : Fight that injustice ..

SHRI P. R. THAKUR : The Scheduled Castes are considered as sub-human beings ; that is why they want some weightage.

SHRI BAKAR ALI MIRZA : Once a person becomes a Muslim his status differs. Treat him differently. Nobody is untouchable.

SHRI P. R. THAKUR : You do not know ; you have never suffered from untouchability. ( *Interruptions.* ) I was a Member of the Joint Committee. I tried my level best to see that justice was done to these people ; I think we have failed. There are lots of defects in it. It should be sent back to a new Joint Committee. I request the Government to do it and I hope the Government will agree to it.

श्री सूरज भान (अम्बाला) : सभापति महोदय, इस बिल पर बोलने के लिये आप ने मुझे जो समय दिया है, उसके लिये मैं आपको धन्यवाद देता हूँ। मैं इस मौके पर सिर्फ एक-दो बातें सरकार के नोटिस में लाना चाहता हूँ। इस बिल को लाने के लिये सरकार की नीयत कभी भी साफ नहीं रही। 1965 में सरकार ने एक कमेटी बनाई थी, जिसका नाम लोकुर कमेटी था। उसने कुछ सिफारिशें दी थीं, उन सिफारिशात में गवर्नमेंट का नजरिया यह था कि रिजर्वेशन ऐसे खत्म नहीं होगा, क्योंकि यहां पर कोई भी आदमी डेअर नहीं कर सकेगा कि रिजर्वेशन के खिलाफ बोले, इस लिये उस नजरिये के तहत कुछ ऐसा किया जाये कि इसमें से कुछ कास्ट्स को काट दिया जाये ताकि वे औटोमेटिकली खत्म हो जाये और उस कमेटी ने ऐसी ही सिफारिशात दीं उस रिपोर्ट के पेज 9 पर लिखा था— Report on the desirability on the revision of the list of Scheduled Castes and Tribes :

"We regret to note that the listing of these Castes and Tribes has more or less created vested interests."

ये इनके अलफाज हैं कि वेस्टेड इंटेस्ट्स क्रिएट हो गए हैं, अनटचेबिलिटी इनके सामने नहीं आती है। वह लिखते हैं :

"Their inclusion in the list is regarded more as a coveted prize than as a reflection of backwardness."

[श्री सूरज भान]

आगे कहते हैं :

"The Constitution does not provide for total liquidation of these lists..."

अगर प्राविजन होता तो शायद वह यही रेकमेन्ड करते। वे कहते हैं :

"The Constitution does not provide for total liquidation of these lists at any time, but prominent social workers and political leaders outside the fold of Scheduled Castes and Scheduled Tribes..."

आगे कहते हैं :

"...and a large number of officials whom we met in the course of our enquiry, asserted that in the interests of national integration..."

लफ्जों का जाल बिछाकर उनकी गर्दन पर छुरी चलाना चाहते हैं :

"...the time has come to do away gradually with the privileged classes..."

इनको प्रिविलेज्ड क्लास के नाम से बुलाया जाता है। आगे कहते हैं :

"...In any case, the consensus of opinion expressed before us is that emphasis should be on the gradual elimination of larger and more advanced communities."

उसके साथ यह अलफाज जोड़ दिये ताकि बुरा न लगे—लार्जर ऐंड मोर एडवान्स्ड कम्युनिटीज़। यानी गवर्नमेंट की इन्टेन्शन थी कि इनको लिक्वीडेट कर दिया जाये, लार्जर कम्युनिटीज़ को उसमें से निकाल दिया जाये ताकि बाकी रहे लोग आवाज न उठा सकें और रिजर्वेशन खत्म हो जाये। लेकिन गवर्नमेंट इसमें फेल हो गई। उस कमेटी की रिपोर्ट की बाबत मैंने इसी पार्लियामेंट में सन 1967 में एतराज किया था। उसके बाद पार्लियामेंट की कमेटी बैठी। उसने कुछ इन्साफ किया लेकिन उसके बाद गवर्नमेंट फिर ज्यादाती करने जा रही है। उस वक्त फ्राइटेरिया यह था कि

लिस्ट घटा दी जाये लेकिन आज रिजर्वेशन को खत्म करने के लिए उस लिस्ट में से एक्स्क्लूड करने के बजाये और कास्टों को इन्क्लूड किया जा रहा है। ओरांव जी ने ठीक कहा है कि आप मोर एडवान्स्ड कम्युनिटीज़ को भी शामिल कर दोगे तो जो पिछड़े हुए लोग हैं उनको हुकूक नहीं मिलेगा इसलिए पांच साल के बाद यही पिछड़े हुये लोग कहने लगेंगे कि हमको कुछ मिल नहीं रहा है इसलिए हम यह रिजर्वेशन नहीं चाहते हैं। यह गवर्नमेंट की चाल है। पहले तो उस लिस्ट को कम करना चाहती थी लेकिन अब उसको फलडेड करना चाहती है, मोर एडवान्स्ड कम्युनिटीज़ को बीच में शामिल करना चाहती है। मैं समझता हूँ यह एक काला बिल है जोकि शेड्यूल्ड कास्ट्स एंड शेड्यूल्ड ट्राइब्ज के हुकूक पर कुल्हाड़ा मारेगा। आज से दस साल के बाद आप देखेंगे कि उनके हुकूक छीन लिए गए हैं। ... (व्यवधान) ...

मैं आपके सामने एक प्वाइन्ट और रखना चाहता हूँ। यहां पर पार्लमेंट में यह रिवाज रहा है कि ज्वाइन्ट सेलेक्ट कमेटी की रिपोर्टें आमतौर पर यूनानिमसली या थोड़े बहुत संशोधनों के साथ मंज़ूर कर ली जाती थी लेकिन आज मुझे दुख के साथ कहना पड़ता है कि यह रिपोर्टें तो सिर्फ 159 पेज की है लेकिन उस पर गवर्नमेंट की तरफ से 234 अग्नेन्ड-मेन्ट्स पेश किये गए हैं जोकि उस रिपोर्ट से भी ज्यादा हैं। इस ज्वाइन्ट सेलेक्ट कमेटी की रिपोर्टें पर यदि एक आघ घन्टा लगता तो किसी सुन्दर चेहरे पर तिल की तरह से उसे हम अच्छा समझ सकते थे लेकिन यहां तो गवर्नमेंट ने ज्वाइन्ट सेलेक्ट कमेटी के चेहरे पर कालिख पोत दी है, उसकी सारी रिपोर्टें को खराब कर दिया है। मैं आशा करता हूँ कि गवर्नमेंट इन्साफ करेगी और ज्वाइन्ट सेलेक्ट कमेटी की रिपोर्टें एज इट इज मान लेगी। थोड़ी बहुत

कहीं पर कोई चीज हो तो वह समझ में आ सकती है।... (व्यवधान)... मैं चाहता हूँ कि गवर्नमेंट अपने अमेंडमेंट्स को वापिस ले ले। हम समझते हैं कि इसमें वेइन्साफी की जा रही है। इसमें गवर्नमेंट ने मूव किया है कि शेड्यूल्ड कास्ट अगर एक प्राविन्स से दूसरे प्राविन्स में चला जाये तो वह शेड्यूल्ड कास्ट न रहे। मैं पूछता हूँ कि कहीं चले जाने से क्या उसकी अनटचेबिलिटी खत्म हो जायेगी? बिहार से आसाम के चाय बगानों में काम करने के लिए अगर ट्राइबल्स जाते हैं तो क्या उनका ट्राइबलपन खत्म हो जाता है? मैं चाहता हूँ कि उनके साथ इंसाफ किया जाये। अगर आप उनको इंसाफ नहीं देते हैं तो यह बिल एक काला बिल कहलायेगा। इस अल्फाज के साथ मैं गवर्नमेंट के अमेंडमेंट्स की—केवल एक आघ को छोड़कर—मुखालिफत करता हूँ।

सभापति महोदय : श्री शिवाजी राव देशमुख ।

श्री रणधीर सिंह (रोहतक) : मेरा भी नाम लिस्ट में है ।

सभापति महोदय : आपका नाम लिस्ट में नहीं है ।

SHRI SHIVAJIRAO S. DESHMUKH (Parbhani) : Mr. Chairman, Sir, I rise to congratulate the hon. Minister for moving this Bill, and I fervently hope that this Bill will meet with support from all corners of this House. Sir, the question of compilation and additions and alterations in respect of Schedule I and Schedule II in the Constitution of India has been plaguing this country for years together. The framers of our Constitution, to whom we are most liberal in paying tributes, have failed in this respect; that they have framed a Constitution which, as a lawyer I am pledged to uphold and, as a Member of this House, I am sworn to uphold, is to say the least, a bundle of contradictions. Our Constitution starts with declaring to the whole world that untouchability has been banished in India and yet compiles a list of those castes which

have got the stigma of untouchability and enjoins that there shall be a machinery set up to safeguard their interests. I must pay a tribute to that giant among intellectuals, Dr. Ambedkar, who foresaw that the ultimate aim of our Constitution is to evolve a casteless, secular society, a society without caste or creed. Yet by way of transitory provision, the framers of the Constitution provided for reservation in Parliament and State legislatures and in services. In spite of the Constitution having been in operation for several years, we could not create that casteless and creedless society, which was the dream of the founding fathers. Therefore, this Bill has to be welcomed, if not for anything else, at least because there is an honest attempt on the part of the administration to remove the irrationalities and anomalies in the lists and the area restrictions imposed upon the scheduled tribes. That is an attempt which is to be welcomed. But the story of revision of this list is a long story of sad events.

Mr. Deorao Patil has rightly said that in 1952 he had drawn the attention of the then Prime Minister to the existence of these anomalies and the urgent need for revision. Panditji was prompt in coming forth with an assurance that he would do everything possible to see that the anomalies were removed. That assurance given by that giant in politics and towering personality is being fulfilled today so many years after his death. In between there have been three governments, three Prime Ministers, half a dozen Social Welfare Ministers, three committees and one or two Joint Committees. I really congratulate Mr. Hanumanthaiya that what was started by Mr. Asoka Mehta, what was dreamt of until his death by Mr. Govinda Menon, is being achieved by him today. He became the Chief Minister of the largest State of India through the process of democratisation. He came from the stock of the peasantry and as a student coming from the same stock, I welcome his coming into power. It may be the will of providence that the cause he wanted to serve may be better served by ushering in his era of power in New Delhi by the passing of this Bill. I wish him every success in getting the support of the House for his Bill.

Coming to the amendments, Mr. Hanumanthaiya himself has expressed difficulties

[Shri Shivajirao S. Deshmukh]

Even during the proceedings of the Joint Committee, there were cases where the minister in charge had to say clearly that he did not re accept such and such recommendation of the committee and at the appropriate time, he would be forced to move amendments. References have been made to the provision removing the concessions and privileges to those who are converts to Christianity and Islam. People forget that by recommending the removal of privileges to the converts, we are encouraging more people to become converts. Is it not a fact that missions in India are flooded by foreigners and foreign money? They go on unchecked, deceiving the poor tribals living in forests and go on spreading Christianity here. Now we want to put the official stamp through this Parliament on those who are converted to Christianity and say, you have become advanced; you are not entitled to these privileges any more. We fail in our bounden duty to see that the religious interests of our people are protected and we come back to the House and say that because you are converts, the privileges should be withdrawn. I submit that if at all, this has to be admitted by way of a challenge.

Let Government come forward with a specific proposal that there shall be a means test, that a person whose annual income is up to the level of an income-tax assessee would be deemed to be Tribal, and if it comes from agriculture, let us say that an agriculturist belonging to the Tribal class, whose income is up to the basis holding, would be exempted and would be declared a Tribal. If one attempted it on those lines, there would have been a rational classification of Tribals. But we are not prepared to classify the Tribals even by applying the means test and then we come forward and say that those who are converts to Christianity and Islam should not be given those privileges, forgetting that there is a Supreme Court sitting over our head, that our Constitution enjoins that there shall be a secular society, that there shall not be discriminating provisions through Acts of Parliament.

Therefore I appreciate the difficulties of the Law Minister that he is perforce asked to enact a law which, *per se*, is illegal. To expect the Law Minister to come forward with those amendments and to accept those

amendments is the least which this Parliament could do.

Coming to the various Castes and Tribes, much ado has been made. I was told by a very young man who has returned from a foreign country that by passing this Bill we were perpetuating and permanently dividing Indian society into several Castes and Tribes and were seeing to it that Indian society did not unite. While nobody will deny that all attempts should be made to unify society, no attempt should be made to divide it further into castes and tribes.

What has happened to our picture of unity of society? As long as that picture is not going to be true, we must rationalise and see to it that certain privileges, which are due to the people and which are enjoined by the Constitution to be reserved to them, shall continue to be reserved to them as long as they continue to be backward Tribals and require such privileges. It was in this spirit that the framers of the Constitution wanted that these privileges should be limited only for the first ten years. We went on increasing that limitation. I am sure that mere increasing this limitation and mere according them privileges, reservation of seats and reservation in services is not going to uplift them.

When it comes to funds, we say that because of paucity of funds it is not possible to provide enough funds for Scheduled Castes and Scheduled Tribes. We go on repeating when we discuss the reports of the Scheduled Castes and Scheduled Tribes Commissioner that funds which have been provided are much inadequate compared to their numbers. If there is addition to the list and if more people come forward on the basis of added reservations and demand, not by way of mercy but by right, more funds and privileges, this House will be only too willing to give them.

Coming to my amendments, the Maharashtra Government has recommended the inclusion of Banjaras in the Schedule of Tribes. People say that Banjaras are an advanced people.

MR. CHAIRMAN: You can speak on your amendment when the amendments are taken up.

**SHRI SHIVAJIRAO S. DESHMUKH :** I have given amendments relating to various States. In the case of one community, through this Bill a situation has arisen where in States like Himachal Pradesh, Haryana, Chandigarh and Punjab, these people are Scheduled Castes. They do not want to be in the Scheduled Castes list. They do not suffer from the stigma of untouchability. Their unanimous demand is that they should be removed from that and included in the Second Schedule. But here the Government is not considering that.

Their largest population is in Uttar Pradesh and the second largest population is in Madhya Pradesh. They are deleted from there and are not included in those Schedules because the reactionary governments in Uttar Pradesh and Madhya Pradesh are not prepared to give them the minimum privileges which are their due. When the Maharashtra Government recommends it the Government comes forward with an amendment saying that they should be included in the list.

There are certain other castes - Dhivars, Kolis, Otaris, etc.—who have nothing to do with Gonds. Various High Courts have held that the Mana Tribe, since it has been mentioned as sub-Tribe of Gond, will not be given any privileges. Their demand is that they should be included as a separate Tribe. Similarly, the Otaris. There is no caste in Maharashtra which you can describe as Gond-Otari or as Gond-Mana. If there is no such caste, me e giving amendments to include such castes which do not exist, will be a farce. Therefore I plead with the Minister that he will give due consideration to the views expressed and see that at least certain technical amendments are accepted to remove these irrationalities.

**SHRI B. P. MANDAL (Madhepura) :** Mr. Chairman, Sir, I do not know how so much heat has been generated on this Bill.

I would like to make some very reasonable suggestions. So far as the Lists of Scheduled Castes and Scheduled Tribes are concerned, I think, almost all the communities that are there should be included and there should be reservation for them. I do not want anyone of them to be deleted. But I know of some communities at least in my State about whom I have got definite knowledge which have not been included. For

example, in my district of Saharsa, in Bihar, there is a community known as Julaha community. That community is in large number. I know of one Assembly constituency where about 40 per cent voters are from that community. Their social status is very deplorable. It is strange that this community has not been included.

Then, I would like to invite the attention of the hon. Minister to Sl. No 20 of Bihar List in the Schedule of the Bill. Here, I find that these communities, Pan, Sawasi, Tanti and Tantwe have been included. Julaha community also belongs to this category. As a matter of fact, it is the same community. They have inter-marriages amongst them and their social status is in no way better than any of these communities. But it is strange that this community has not been included. So, I would request the hon. Minister to kindly see that this community, Julaha community, is included.

When I see the List of Haryana, at Sl. No. 18, I find that Julaha community has been included in the Schedule Julaha and Kabirpanthi Julaha have been included there. But it is strange that in Bihar, Julaha which is the same community has not been included. As a matter of fact, up till now, not a single Julaha has been elected to the Legislative Assembly. I have got information that not a single of them is in the P.C.S. or in any higher service. They are untouchables.

**THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI K HANUMAN THAIYA) :** What is their population ?

**SHRI B. P. MANDAL :** Their population, I think, will be not less than about 15-20 lakhs. You may kindly get the information from my State. They are the same community.

There has been some improvement from the previous Act to the present Bill. In the original Act, in Sl. No. 18 of the List, only two names are included, that is, Pan and Sawasi. There has been some improvement in the present Bill that they have included Pan, Sawasi, Tanti and Tantwe. I would recommend that Julaha community should also be inserted. Julaha community is the same community as Tanti and other communities.

So far as the reservation of Scheduled

[Shri B. P. Mandal]

Castes and Scheduled Tribes is concerned, much heat has been generated in the House. I think, so long as there is caste system prevalent in the country, there is absolutely no justification for dopping the reservation for these people. They are sub-human beings. We should go on continuing their reservation both as Scheduled Castes and Scheduled Tribes. I do not understand why my hon. friend, Shri Bhandare, simply because he has changed religion is not pleading for these people who have changed their religion to Buddhism. Why they should be excluded from the List I cannot understand... (Interruption)

SHRI R. D. BHANDARE (Bombay Central): You want Buddhism to be a caste.

SHRI SONAVANE (Pandharpur): Even about those who have been converted into Buddhism, still some of them claim that they are Scheduled Castes. They get a certificate from somebody, from Members of Parliament, and avail of the facilities given to Scheduled Castes.

17.45 hrs.

[Mr. Speaker. in the Chair]

SHRI B. P. MANDAL: In the present set-up of the Indian society it is highly essential that we should continue reservation for these Harijans because these people have been long neglected. They have been subdued, suppressed and down-trodden since thousands and thousands of years and for many more years to come reservations should continue for them and I will support it.

But, I would say that besides these Harijans there are also other communities among Hindus who are also backward and Government should also not ignore their claims. For instance, I know there is a Backward classes Commission but the Government does not take into consideration the recommendations of that Commission. I know of some communities. There is one community called Teli in our State. If anybody is going to a certain place on a certain auspicious occasion and he sees a Theli coming in the way, then he considers it an inauspicious omen and he postpones his journey. The very

sight of some communities who are not here in the Scheduled list the Hindu society considers inauspicious and the Government is sitting tight regarding the conditions of these communities. I would recommend that besides the Scheduled Castes and Scheduled Tribes Government should see that there are other backward communities in the Hindu society and for them also this Government should do something. They should also make, if not reservations some other facilities for them.

With these words, I would once again say that about the Zolha community in No. 20 there should be its insertion and it should be inquired from my State whether it is not a fact that Zolha is a backward community and apart from Zolha Tantis and Swansis and others also should not be ignored. I do not understand as to why when all India is one and one nation, a person who is a Harijan in one State when he goes to another state, he will not be a Harijan. Similarly, in my State I find that there is such a discrimination from one District to another district. There is one community called Bhoomis. Now it has been said that they are a scheduled community in Patna and Tirhut Divisions but not in the neighbouring districts. As a matter of fact I come from Saharsa district and I am in public life for a long time. I have not come across a single Bhoomi in my district. There may be one or two or ten or twenty or hundred. Though these Bhoomis have been inserted, I have not come across any Bhoomi in my district. They are scheduled in my district, but I do not understand why Zolhas who are there in large numbers not only in one district but even in the district of Dharbanga and many other districts have been ignored. This community I would strongly recommend for inclusion along with untouchables... (Interruptions) Zolhas are not Muslims. They are backward. Mr. Brindaban Swansi is an MLA and his community is scheduled and therefore he has got an opportunity to contest election. Zolhas have been included in the list of Scheduled Castes in Haryana. This is listed as No. 18 in this list, but this community is not included in my State. They are more backward than many other communities in the list. There is not a single M. L. A. from that community, who

has got the opportunity of sitting in the Bihar Legislature. There is not one from the Julaha community in the P. C. S. or any important service. Their lot is miserable. They are untouchables; they are poor people. Mostly they are used for lifting the palanquins on their shoulders of the rich people, Jan lords and others..

**SHRI K. HANUMANTHAIYA :** Probably that is why they are called Julahas.

**SHRI B. P. MANDAL :** Therefore, they might have been called; I don't know. Long long ago they might have been converted from Muslims or some such thing, I don't know. They are known as Julahas. They are in large numbers. They are very poor people. They should be scheduled as Untouchables. Their social status is very low. I would strongly recommend to the Government and to the hon. Minister to look into this.

**श्री मधु लिमये (मुंगेर) :** आगे जाने से पहले मैं यह जानना चाहता हूँ कि आपने डा० वी० के० आर० वी० राव को जो बयान सभा-पटल पर रखने के लिए कहा था, उसको उन्होंने नहीं रखा है।

**MR. SPEAKER :** He said that he had no written statement, and he was speaking verbally. What could I do?

**श्री मधु लिमये :** कोई बयान नहीं होगा, वक्तव्य नहीं होगा तो कैसे खुलासा हीगा।

**अध्यक्ष महोदय :** उसका कोई इलाज नहीं है।

**श्री मधु लिमये :** आप पता लगाइये। मुझे याद है और मैंने सुना है कि आपने कहा था उनको कि वह अपना वक्तव्य दें।

**SHRI KAMALNAYAN BAJAJ (Wardha) :** You may satisfy yourself why the Minister has not been able to place it on the Table of the House and report to the House.

**MR. SPEAKER :** He did not know about it. It was allowed in the morning

under Rule 377. He was just having his own pencil-written notes.

**श्री मधु लिमये :** उनके हाथ में बयान था। आप उनसे खुलासा करायेंगे या नहीं। अभी नहीं तो कल करवाइये।

**अध्यक्ष महोदय :** वह चाहेंगे तो बड़ी खुशी से रखें।

**श्री मधु लिमये :** एक महत्वपूर्ण मामला था, इसलिए हमने उसको उठाया है।

**अध्यक्ष महोदय :** यह जो तरीका है...

**श्री मधु लिमये :** जो बातें जरूरी होती हैं, उनको ही हाउस में लाया जाता है।

**अध्यक्ष महोदय :** अगर यह तरीका अपनाता है कि शोर शराबे में ही सब कुछ गुम कर देना है और किसी तरीके से नहीं चलना है तो बात अलग है। यहाँ इतना शोर शराबा होता है कि न तो कोई मिनिस्टर को सुनता है और न स्पीकर को सुनता है।

**श्री मधु लिमये :** अब तो शोर नहीं है। अब तो शान्ति है।

**अध्यक्ष महोदय :** शान्ति अब है उस वक्त तो नहीं थी। रोज यह होता है। इन चीजों में कई बार तो लंच आवर भी चला जाता है। मेरे कमरे में भी कोई मिलने आ जाते हैं। कोई बाहर से आते हैं और कोई यहाँ से आते हैं। आप दाव लगाकर लंच के लिए चले जाते हैं और मैं वैसे ही भूखा रह जाता हूँ। इस भगड़े में ही सारा वक्त जाया करना है तो इसके बेहतर मैंने यही समझा कि खाना खा आएं हम।

**श्री रामावतार शास्त्री (पटना) :** आपने कहा था कि टेबल पर रख दें।

**अध्यक्ष महोदय :** अगर आप रखना चाहें तो रखें, मुझे कोई ऐतराज नहीं होगा।

श्री नाथूराम अहिरवार (टीकमगढ़) : संयुक्त समिति द्वारा जो प्रतिवेदन पेश किया गया है, उसका मैं समर्थन करता हूँ। सरकार द्वारा अब कुछ जातियों को जोड़ा जा रहा है और कुछ को निकाला जा रहा है। 22 साल हमें आजाद हुए हो गये हैं। इस बीच सरकार ने खूब प्रयत्न किये हैं कि शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स की उन्नति हो, उनकी तरक्की हो, उनमें से छुआछूत दूर हो, उनका सामाजिक स्तर ऊँचा हो, उनकी माली हालत अच्छी हो। बीस साल के प्रयत्नों के बावजूद भी हम यह देखते हैं कि आज पाँच करोड़ इस देश में शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स पँदा हो गये हैं। अगर यही गति बनी रही तो मेरा विश्वास है कि पूरा भारतवर्ष शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स बन जायेगा। फिर सरकार के पास कहां से फंड आयेगे, कहां से पैसा ला कर वह इनको बजीफे देगी। फिर तो इसको सेंट परमेंट रिजर्वेशन करना पड़ेगा। जिन को जोड़ा जा रहा है, इसके बारे में मेरा कोई मतभेद नहीं है। किस को जोड़ा जाए, किसको न जोड़ा जाए, इसके बारे में मेरा कोई मतभेद नहीं है।

यह जो जातियाँ जोड़ी जा रही हैं मेरा उसमें कोई मतभेद नहीं है। यह जो आज बीस साल के बाद बात पँदा की जा रही है इसका मतलब है या तो सरकार इस में असफल रही है कि उन की तरक्की नहीं कर पाई है हरिजन और आदिवासियों की या यह बात है कि जो लोग आगे बढ़ गये हैं वह फायदा उठाने के लिए ऐसा कर रहे हैं ताकि यह लोग पीछे पड़ जायें और जो लोग ऐडवांन्स हैं वह सब कुछ छीनना चाहते हैं। इस के लिए सरकार को विचार करना चाहिये कि आखिर क्या कारण है कि इतनी भारी संख्या आज इस में जोड़ी जा रही है जो अभी तक उस लिस्ट में नहीं थी। और यह समिति ने जो अपनी रिपोर्ट में कहा है कि क्षेत्रीय प्रतिबन्ध लगा हुआ था वह हटा दिया गया है लेकिन

वह राज्य के अन्दर हटाया गया है। एक पंडित जी हैं काश्मीर के शर्मा जी, वह कन्याकुमारी पहुँच जायें तो भी वह शर्मा जी बने रहेंगे। लेकिन अहिरवार या एक शैड्यूल्ड कास्ट का आदमी काश्मीर का कन्याकुमारी पहुँच जाय तो वह अहिरवार नहीं रहेगा। एक प्रान्त से दूसरे प्रान्त में नहीं रह सकता। ऐसी स्थिति में मेरा यह कहना है कि अगर वह शैड्यूल्ड कास्ट का है तो शैड्यूल्ड कास्ट रहना चाहिये। .....(व्यवधान).....तो सरकार को इस बात पर विचार करना चाहिए कि अभी भी इन के साथ इतनी जानियाँ जोड़ी जा रही हैं, लेकिन सरकार के पास कितना पैसा है, वह कितना पैसा देगी, यह मैं नहीं कह सकता। हम ने अभी तक देखा है कि इन बीस सालों में जितना पैसा खर्च किया है हरिजन और आदिवासियों के नाम से उस में से दो तिहाई पैसा एस्टैब्लिशमेंट में खर्च हुआ है, कमिश्नर, डायरेक्टर और आफिसेज बगैरह पर। अगर एक लाख रुपये का एस्टैब्लिशमेंट होता है तो 25 हजार रुपया बजीफे के लिए, हार्डसिंग के लिए इस तरह से खर्च होता है। तो देखने के लिए करोड़ों रुपया खर्च हो रहा है लेकिन सही बात यह है कि चौथाई पैसा उस में से उन की भनाई के लिए खर्च किया जा रहा है। इसलिए सरकार को इस में यह देखना चाहिए कि अधिक से अधिक पैसा इन को मिले।

सरकार की यह मंशा है कि छुआछूत और उनकी गरीबी दूर हो और व्यापार में तथा समाज में वह इन को दूसरों की बराबरी पर लाना चाहती है तो सरकार को अधिक से अधिक फंड उनको प्रोवाइड करना चाहिए जिस से कि उनकी हालत अच्छी हो। जहां यह बात कही जाती है कि धर्म-परिवर्तन करने के बाद उनकी कुछ दूसरी स्थिति हो जाती है और यह एक नयी बात पँदा हो गई है देश के अन्दर कम से कम पालियामेंट में तो जरूर हो गई है कि जिन लोगों ने धर्म परिवर्तन कर लिया है उनको वह सुविधाएं नहीं मिलनी

चाहिए, तो मेरा कहना यह है कि किस परिस्थिति में उन्होंने धर्म-परिवर्तन किया है, इसको देखें। उन्होंने यह मजबूरी में धर्म-परिवर्तन किया है। अगर हिन्दू समाज में उन को जगह होती तो वह कदापि अपना धर्म छोड़ कर दूसरा धर्म नहीं अपनाते। यदि उन की माली हालत और सामाजिक स्थिति को आप देखें तो उन का एक आदमी चाहे डिप्टी कलेक्टर बन जाय या कलेक्टर बन जाय लेकिन अगर कोई पंडित चपरासी है तो उसकी झूठी ग्लास घोने में या झूठा बर्तन उठाने में उसे शर्म लगती है। तो कलेक्टर बनने के बाद भी शेड्यूल्ड कास्ट का आदमी शेड्यूल्ड कास्ट ही रहता है।

लेकिन अगर ईसाई बनकर जाता है या मुसलमान बन कर जाता है तो उसे वह बाकायदा सलाम करते हैं साहब कहकर बोलते हैं। तो यह स्थिति है। बास्तव में आर्थिक पहलू कम है, सामाजिक पहलू ज्यादा है। बल्कि जो लोग ईसाई बन गये भले ही उन की आर्थिक स्थिति न सुधरी हो लेकिन उन का सामाजिक स्तर बढ़ा है, उन के अन्दर कुछ शंभ्रणिक योग्यता आई है। यह जरूर हुआ है। तो आज हमारे सामने समस्या इस बात की है कि हम क्यों न इस बात के लिए कहें कि लोगों की हालत आप ऐसी करें कि वह धर्म-परिवर्तन न करें? हर आदमी का विश्वास अपना अलग अलग है, जैसे शेड्यूल्ड ट्राइब्ज के बारे में कहा जाता है, अब्बल तो जो जंगलों में रहते हैं उन का विश्वास, उनका धर्म, उन का फेथ अलग होता है। वह चाहे ईसाई धर्म को मान लें लेकिन उन के दिमाग में से एकदम यह बात नहीं निकल पाती है कि हम किसी दूसरे धर्म में जा कर अपने रीति-रिवाज, विवाह संस्कार आदि बातों को छोड़ें। उन को वह एकदम त्याग नहीं पाते हैं। वह संस्कार और रीति-रिवाज आदि उन के बने रहते हैं और किसी आदमी के ईसाई बन जाने से यह नहीं हो जाता है कि एकदम से उस की हालत सुधर

जायगी। उस की हालत नहीं सुधरती है। ऐसी हालत में उन लोगों के साथ भी वही व्यवहार होना चाहिए। धर्म बदलने से कोई जाति नष्टी बदल जाती। धर्म की जाति से अलग रखना चाहिए। अगर मैं मुसलमान हो जाता हूँ तो मेरा धर्म हो जाता है मुसलमान लेकिन हमारे संस्कार और रीति-रिवाज जो हैं वह अलग रहते हैं। इसी तरह अगर कोई आदमी ईसाई बन जाता है तो ईसाई धर्म उस का हो जाता है लेकिन उस को जाति अलग है। जाति को धर्म से अलग रखना चाहिए। और यही दुर्भाग्य हमारे देश का रहा कि हिन्दू धर्म इसी कारण से एक नहीं हो पाया। आप हमेशा पूछेंगे किसी पंडित से कि कौन हो तो कहेगा पंडित। कौन पंडित? द्विवेदी। उस के आगे भी सवाल चलते चले जायेंगे। इस तरह 24 सवाल होंगे। तो एक आदमी वेचारा परेशान हो जाता है जवाब देते देते। और यहां सीधा कह दिया कि हम ईसाई हैं, बस उस के आगे सवाल नहीं हो सकते। क्यों कि उन के यहां कोई और जातियाँ नहीं पृच्छी जाती। तो यह हमारा दुर्भाग्य है कि इन बातों पर हम ने विचार नहीं किया।

दूसरे, कई एक जातियाँ हैं जिन के ऊपर कि बास्तव में आज तक ध्यान नहीं दिया गया। जैसे एक भाई ने घीभर कम्प्यूनिटी का जिक्र किया। देहातों में वह भारी संख्या में है। मेरे क्षेत्र में पचास पचास, सौ सौ की संख्या में हैं। बड़े बड़े लोग उन के हाथ का पानी पीते हैं। उन का धन्वा था कि तालाब से सिंघाड़ा निकालते थे या मच्छ लयां पकड़ते थे। लेकिन जब से तालाब गवर्नमेंट ने ले लिए हैं तब से उन के पास कोई धन्वा नहीं रहा। शहरों में पहले वह पानी भरते थे। वहां अब नल लग गये हैं। उन को कोई नहीं पूछता है। इसलिए वह बेरोजगार और बेधरवार के हो गये हैं। तो सरकार को उन के लिए विचार करना चाहिये। चाहे उन को

[श्री नाथू राम प्रहिवरवार]

शेड्यूल्ड कास्ट में न रखें, बैंकवर्ड कम्प्यूनिटी में उन को रखें और उन के लिए ऐसा प्रावधान करें ताकि उन की स्थिति सुधर सके। उन के लिए कुछ घन्टा दिलाने के लिए सरकार को विचार करना चाहिए।

सरकार से मैं एक और विनती करना चाहता हूँ। यहां सरकार कहती है कि हम हरिजनों के लिए और दूसरे लोगों के लिए मकान की व्यवस्था करते हैं। अभी मैं बम्बई गया था। वहां भांडूप (बम्बई) में हरिजनों ने एक सोसायटी बनाई और उन्होंने कहा कि हमें जमीन दी जाय। जब कि सरकार के यहां नियम है कि हरिजनों को फ्री ग्राफ कास्ट जमीन मकान के लिए देनी चाहिये, लेकिन सात साल से वह बेचारे परेशान हैं। मात्र तक जमीन उन को नहीं मिली। मुझे मालूम हुआ कि जमीन इंडस्ट्री मिनिस्ट्री केन्द्रीय सरकार द्वारा संवर्धन की गई है लेकिन उन को ट्रांसफर नहीं की जा रही है। फाइल यहां दिल्ली में आती है तो ठोकर मार देते हैं, यहां से बम्बई भेज देते हैं। तो एक तरफ तो सरकार कहती है कि हम हरिजनों के लिए बहुत कुछ कर रहे हैं और दूसरी तरफ यह हाल है कि उन को कुछ मिलता नहीं है। इसलिए मैं कहता हूँ कि सरकार इस के ऊपर विचार करे और जो इस में कमियां रह गई हैं उन को दूर करे।

जो कमियां हैं अमेंडमेंट ला कर उन को स्वीकार करे।

MR. SPEAKER : Shri Kamalnayan Bajaj.

SHRI KAMALNAYAN BAJAJ : Mr. Speaker, Sir, when Mahatma Gandhi went...

MR. SPEAKER : He can continue tomorrow.

SHRI P. R. THAKUR : I want to make a demand. In West Bengal, the Chief Secretary to the Government was a Scheduled Caste ICS Officer. He had been removed simply because he belongs to the Scheduled Caste. Because he is a Scheduled Caste, the other officers do not want to serve under him. His name is Shri Sukumar Mallick, ICS. He should be reinstated. This is my demand.

SHRI JAGANATH RAO : He is made Adviser to the Governor.

SHRI P. R. THAKUR : That is a temporary post. After that, he will be thrown into the waste paper basket.

अध्यक्ष महोदय : पता नहीं कैसे, एकदम से गर्मी आ जाती है।

18.04 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, November 25, 1970, Agra-hayana 4, 1892 (Saka).*