

SHRI Y. B. CHAVAN : So, ultimately the point comes to this : what is it that we have to do immediately. It is no use merely thinking of a problem in abstract and talking about it in theory. What is it that we have to do today, just now ?

SHRI S. M. BANERJEE : Humanise Mr. Madhok.

SHRI BAL RAJ MADHOK : Indianise Mr. Banerjee. *(Interruption)* I am proud that in Delhi my party is in power : in Delhi, they had repeated attempts made to have communal riots. They sent a dead calf in the Ram Lila procession and tried to have a riot. It is the privilege of my party to have prevented such riots. But where you are ruling, what is happening there ?

SHRI Y. B. CHAVAN : So, in this matter, I think the National Integration Standing Committee met, and ultimately, they called the representatives of all the political parties for a discussion and for considering this problem to study as to what immediate action and programme can be undertaken. Some parties were represented there but some parties unfortunately were not represented there. But those parties who attended it have agreed on one thing : that this is the right time when we have to create a psychological atmosphere in the country by starting a joint campaign. With Governmental action alone we have seen, we have not succeeded. I quite see that there is a share of the Government of India in this failure. I cannot say that the Government of India is free from blame.

Now, one hon. Member has suggested that law and order should be a concurrent subject ; that it should be in the concurrent list. But looking into the realities of political life today, is it ever possible to follow such a proposition in this hon. House ? I do not think it is possible. I know there may be quite an unmanageable voice against it if I come with such a proposition. Naturally, we have to depend upon the goodwill, the co-operation and uprightness of the State Governments in this matter, and given the proper attitude and proper efforts, I do not see why the State Governments would not co-operate in this matter.

We appreciate their difficulties and we

will consider it our duty to go to their help and assist them in this matter. There are two things. One is governmental action. But the much more important thing is to fight the battle and to win the minds of the people of India. There is the most important thing, and in that I would seek the co-operation of this House.

SHRI G. VISWANATHAN : He has not clarified about the accusation against the Deputy Union Minister. The accusation was by a Minister of Gujarat.

SHRI Y. B. CHAVAN : This question was raised and I have publicly replied to it in the other House also. Therefore, I thought it was not necessary to mention it again here.

MR CHAIRMAN : There is a substitute motion by Mr. Yashpal Singh. He is absent. I will put it to the House.

Substitute motion No. 1 was put and negatived.

MR. CHAIRMAN : Is Mr. Jha withdrawing his substitute motion ?

SHRI SHIVA CHANDRA JHA : Please take a voice vote on it. I am not withdrawing it.

MR. CHAIRMAN : I will now put Mr. Jha's substitute motion to the House.

Substitute motion No. 3 was put and negatived.

16.17 hrs.

CONSTITUTION (TWENTY-THIRD AMENDMENT) BILL

MR. CHAIRMAN : The House will now take up the Constitution (Twenty-third Amendment) Bill for which 6 hours have been allotted. The proposal is 4 hours may be taken for general discussion and 2 hours for the rest.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): We have lost one hour today. May I re-

quest the House to ensure that this Bill will be concluded tomorrow, if necessary by sitting late.

SHRI M. R. MASANI (Rajkot) : I would agree with him, but I feel that 4 hours are not adequate for general discussion. The time should be 5 hours for general discussion.

SHRI NAMBIAR (Tiruchirapalli) : Whatever time is allotted, we should know when voting will take place, because this is a Constitution Amendment Bill.

MR. CHAIRMAN : There will be voting at various stages. Voting will take place tomorrow. It is difficult to say now when voting will start. Tomorrow morning, it can be announced approximately.

The total time allotted is 6 hours. Mr. Masani has said that we should have 5 hours for general discussion. Shall we have one hour for the rest ?

SHRI RANGA : Two hours.

MR. CHAIRMAN : But tomorrow we have to complete it. We will have five hours for the first reading and 2 hours for the rest. From this he can calculate when the voting will start.

SHRI RAGHU RAMAIAH : But let it not be mixed up with the election of the Deputy Speaker after Question Hour.

SHRI BAL RAJ MADHOK (South Delhi) : I have written to the Speaker that I would like to speak at the introduction stage.

THE MINISTER OF LAW AND SOCIAL WELFARE AND RAILWAYS (SHRI GOVINDA MENON) : Now it is the consideration stage.

I beg to move :

‘That the Bill further to amend the Constitution of India, be taken into consideration.’

The object of this amendment is to extend the period of reservation for Scheduled Castes and Scheduled Tribes and Anglo-Indians for a period of another ten years. The House might remember that when this

reservation was introduced in our Constitution originally it was thought that the period of reservation should be for ten years ; that is to say, the period should expire on the 26th of January, 1960. But in 1959 we thought that the reservation for a period of ten years was not sufficient and that the Constitution should be amended by substituting the word “twenty” for “ten”, thus extending the period of reservation till 26th January, 1970. Now the Government’s view, and I hope the view of the House also, is that the stage has not been reached in our country when we could do away with reservation for Scheduled Castes and Scheduled Tribes. Our attempts to ameliorate the condition of the Scheduled Castes and Scheduled Tribes, our attempts to bring them up to a level which is equal to the rest of the population of the country have not fully succeeded. So far as I am concerned, I do not believe that the depression which was effected by the Hindu society on the Scheduled Castes could be rectified in two or three decades. This system under which a section of our community was treated as untouchables, a system under which a section of our community was treated, to use a word which we do not use now-a-days, as *panchamas*, a system which kept segregated a section of the Hindu community, existed for thousands of years and we have not yet found it possible to say that we have created a feeling of equality between them.

We have come across statements in this House on several occasions when members complain that untouchability is being practised in several parts of the country, that particularly in the villages that they are still kept apart. And whenever a question regarding Scheduled Castes comes up for discussion here, there have been complaints in our House that enough has not been done. It is not that enough has not been done ; may be, we should have done more. But even with all that we have done, even with the proclamation in the Constitution in the Fundamental Rights chapter that untouchability is abolished, even after the enactment of the law making the practice of untouchability an offence, untouchability still lurks here and there in various parts of the country. It may be that in big cities like Delhi we do not see it. It may be that most of us, particularly all of us in Parliament, do not practise untouchability. But that is a

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different matter. They continue to be a separate community, still suffering from the consequences of untouchability.

So far as the economic condition of the Scheduled classes—formerly known as depressed classes—is concerned, there also the difficulty is there.

The complaint is often received that the scholarships provided for education are not sufficient or that the opportunities to be represented in the public services are not enough.

Recently, in a committee appointed by the Home Ministry, presided over by the Home Minister, we had occasion to look into the percentage of reservation for Scheduled Castes and Scheduled Tribes in the Government services. We are still lagging far behind the targets fixed. In all classes of Government services the percentage which has gone to members of the Scheduled Castes is much lower than the percentage which they have in the community. This is a stark fact.

In the competitive examinations, on account of the fact that the Scheduled Castes have not been able to have a good standard of life, it is found that they do not come up to the same level with others. In the matter of examinations, studies etc., a certain level of economic standard is necessary to enable the candidate to come up. If the surroundings in the home are not congenial, maybe a student belonging to the Brahmin community itself may not be able to cope with the rest of the students in the schools and colleges. All these are well known.

Coming to elections—and, after all, reservations are very important in the matter of elections—I do not think that in any State in India the situation has developed in which a member of the Scheduled Castes would get returned, normally speaking, from a general constituency. This is the test.

SHRI TUKARAM GAVIT (Nandurbar): Scheduled Tribes also.

SHRI GOVINDA MENON : Let the Scheduled Tribes people not be impatient ; I will come to the Scheduled Tribes also. I will come to Anglo-Indians also.

When this matter was discussed in a committee informally the question was asked whether the political parties could not meet and decide that they would put up Scheduled Castes in the general constituencies. I am sure, it would be possible for the leadership of the different political parties to do so.

SHRI BAL RAJ MADHOK : We have done it and got them elected.

SHRI GOVINDA MENON : Maybe, there may have been instances.

SHRI G. VISWANATHAN (Wandiwash) : We did it.

SHRI GOVINDA MENON : Maybe ; I do not deny that. We may be able to make that arrangement but even so they may not get elected in sufficient numbers. That is my experience. At the time of election, unfortunately, the caste of the candidate is looked into. Our society is tradition bound and caste ridden and even if in a general constituency, where the Congress or the Communist Party or the Jana Sangh is very popular, a candidate belonging to the Scheduled Castes or Scheduled Tribes is put up, an independent belonging to a high class community will stand and get elected in spite of all the efforts which the political parties may do.

SHRI SHEO NARAIN (Basti) : This is the weakness of your party.

SHRI GOVINDA MENON : This is the weakness of your party too.

SHRI BAL RAJ MADHOK : The difficulty is that both of you are not interested...*(Interruption)*

SHRI GOVINDA MENON : This is the weakness of all parties. After all, what is the membership of a political party ? In an Assembly or Parliamentary constituency, consisting of lakhs of people, the membership of political parties will be limited. You can give a whip to every member but you are not sure whether the people will do so.

SHRI SHEO NARAIN : What about the conscience ?

SHRI GOVINDA MENON : That too is absent in many people.

Therefore, all these difficulties are there. All that I say about the Scheduled Castes applies to the Scheduled Tribes also. I should think that the House will agree unanimously that we should give one more chance to the Indian community to see that the members of the Scheduled Castes and the Scheduled Tribes are raised to a level in which they would feel that they are equal to the rest of the community and the rest of the community will embrace the members of the Scheduled Castes and the Scheduled Tribes as their own brethren. To put it most simply that is the object of this amendment of the Constitution.

Then, there is the case of the Anglo-Indians. When the Constituent Assembly was discussing the provisions of the Constitution, the Minorities Committee of the Constituent Assembly consisting of many respected leaders of the country came to the conclusion that the Anglo-Indians occupy a special position in the Indian community and that unless we give them nomination in the Parliament and in the State Assemblies, it may not be possible for the members of the community to make their contribution to parliamentary life in India. So, it was provided that two Members should be nominated by the President to the Lok Sabha and, so far as the State Assemblies are concerned, that it should be at the discretion of the Governor whether he would nominate any and, if so, how many. That provision also would expire on the 26th January, 1970. It is now proposed that the nomination of the Anglo-Indians also should be extended by another period of ten years with the reservation that the nomination of the Anglo-Indian by the Governor to the State Assembly should not be at the discretion of the Governor and that the number there should be only one Member in any State Assembly. Now, as it is, it may go to any number. I understand, there are certain State Assemblies where there are three or four Anglo-Indians. This is the object of this amendment.

SHRI BAL RAJ MADHOK : What is the justification for continuing the reservation for the Anglo-Indians? You have given the justification for the Scheduled Castes and the Scheduled Tribes.

SHRI GOVINDA MENON : The same conditions which existed...*(Interruption)*

SHRI BAL RAJ MADHOK : Have they continued to remain backward? Or, they have not identified themselves with the Indian life?

SHRI GOVINDA MENON : So far as the Anglo-Indians are concerned, please do not pass any judgment on the standard of the Anglo-Indians just looking at Mr. Frank Anthony or any other person we come across here.

SHRI BAL RAJ MADHOK : They are not backward.

SHRI GOVINDA MENON : The Anglo-Indians, by and large, consist of poor people. They are poor and they stand apart...

SHRI BAL RAJ MADHOK : Who is a rich man in this country then?

SHRI GOVINDA MENON : They have got a separate way of life also.

श्री रवि राय (पुरी) : फ्रैंक एश्वनी साहब को चुनाव लड़ कर आना चाहिये। यह अच्छा हो कि वे जबलपुर से चुनाव लड़ कर आएँ। यह उन के लिये भी अच्छा है और सदन के लिये भी अच्छा है।

श्री बलराज मधोक : कहीं से भी चुनाव लड़ कर आयें।

SHRI GOVINDA MENON : The nomination of an Anglo-Indian in Parliament is not to represent Jabalpur. They represent the community of the Anglo-Indians wherever they are.

SHRI BAL RAJ MADHOK : Why not confine the nomination to Upper Houses?

SHRI GOVINDA MENON : These are suggestions which could be made. But at the time the Constitution was enacted, it was thought that they should be nominated to the Lower Houses, to the Lok Sabha and to the State Assemblies.

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This question could have been put then.

SHRI BAL RAJ MADHOK : We put it now.

SHRI GOVINDA MENON : Now also, if I come with a proposition that they may be nominated to the Upper House, equally well the question can be put—'Why not to the lower House?' This is a matter in which such kinds of question can be put.

SHRI BAL RAJ MADHOK : For Upper Houses we have provisions for nomination, but for lower Houses there is no provisions.

SHRI GOVINDA MENON : In Upper Houses there is provision for nomination upto a certain number of people belonging to certain groups like men of letters, arts, etc. In the Lower House also there is provision for nomination because this provision is there. We can make such provision. Our Constitution has made that provision that nomination of Anglo-Indians should be to the Lower House. But when I am just trying to continue what has been obtaining with respect to Anglo-Indian nominations for the last 20 years, now to say that hereafter it will be to the Upper House, will make the case very weak. We have done it in the Lower House and I am sure the nominations we have made to the Lok Sabha from among the Anglo-Indian community have been successful.

SHRI BAL RAJ MADHOK : Don't discuss personalities.

SHRI GOVINDA MENON : The members nominated have contributed to the debates in the House. Prof. Madhok asks me, 'Why not in the Upper House?' May I remind him one thing? Now there are in Sanskrit I believe he knows some Sanskrit some Nyayas and one of them is the Asoka Vanika Nyaya. It arose this way. In the Valmiki Ramayana, the poet has described Sita sitting under a certain asoka tree in a certain corner of Ravana's garden and a question was put : 'Why is it that Valmiki described Sita to be sitting under that asoka tree in that corner of the garden?' And the answer was the same question could be

asked if Valmiki described her as sitting under another tree. This is known as the Asoka Vanika Nyaya. If I come with the proposition that Anglo-Indians should be nominated to the Upper House, the same question will be asked, 'Why to the Upper House? Why not to the Lower House?' (*Interruptions*)

Anglo-Indians have now become a part of the Indian community. Though technically known as Anglo-Indians, all of them may not be Anglo-Indians. Some of them may be Eurasians. Therefore, it is a description of a certain group of people who have got a certain type of culture. Our Indian community is a community of various descriptions. There are Hindus. There are various castes and communities among the Hindus. We have got the Scheduled Castes. We have got the Scheduled Tribes. Then we have got the Muslims and various schools among them. Then we have got the Christians. There are umpteen classes to which they belong. There are Catholics. There are Protestants and among the Catholics there are the Latin Catholics, the Syrian Catholics and all that. In this variety we have got a unity which is the unity of Indianism, and the Anglo-Indian community was recognized for good reasons at that time of framing the Constitution.

श्री प्रकाशवीर शास्त्री (हापुड़) : मैं सिर्फ इतना ही जानना चाहता हूँ कि जैसा कि आप आप ने हरिजनो के सम्बन्ध में युक्तियाँ दी कि हरिजनो के साथ आज भी समाज के अन्दर अस्पृश्यता का बर्ताव किया जाता है और वे आर्थिक दृष्टि से भी पिछड़े हुए हैं, इसलिए उन को संरक्षण मिलना चाहिये । तो मैं यह जानना चाहता था कि इस संविधान संशोधन विधेयक पर जब देश का विधि मंत्री बोल रहा हो, तो उसे एंग्लो इंडियन्स के सम्बन्ध में भी कुछ इस प्रकार के ठोस तर्क देने चाहिये जिससे हाउस प्रभावित हो सके कि डिस्चियन कम्प्युनिटी में उन के साथ भी अछूतों का सा दुर्व्यवहार किया जाता है या वे आर्थिक दृष्टि से पिछड़े हुए हैं । केवल यह युक्त कि उन का कंट्रिब्यूशन यहाँ है यह तो कोई तर्क

नहीं हैं। पार्लियामेंट में कंट्रिब्यूशन होगा तब फिर दुबारा देश की जनता उनको कंट्रिब्यूशन के आधार पर चुन लेगी। इसके स्थान पर कोई अतिरिक्त तर्क मंत्री महोदय को देना चाहिये कि वह क्यों हरिजनों के कर्घों पर ऐंग्लो इंडियन्स को लादना चाहते हैं।

SHRI GOVINDA MENON : My answer is that these things come in the same part of the Constitution. The Constituent Assembly thought that these classes should be put together in the same chapter.

SHRI BAL RAJ MADHOK : Why should you not separate them ?

SHRI GOVINDA MENON : I don't think I should interfere with that now. Please remember, Article 330 refers to reservation of seats for scheduled castes/scheduled tribes. There are other people. Now this comes under the Chapter—Special provisions relating to certain classes. All of them are put together—the scheduled caste and scheduled tribe people are there, the Anglo-Indians also are there; because it relates to special classes namely, Anglo-Indians, scheduled tribes and scheduled castes.

SHRI SHEO NARAIN : Why you are not making them elected Members? You can let them be elected Members and not nominated Members.

SHRI SONAVANE (Pandharpur) : Let these arguments be used in their speeches.

SHRI GOVINDA MENON : Just as scheduled caste candidates cannot get elected from general constituencies, the same thing, applies to the Anglo-Indians also. (*Interruptions*) There may be exceptional cases; but I don't think Members here will dispute my proposition.

SHRI BAL RAJ MADHOK : You have no argument. (*Interruptions*)

SHRI GOVINDA MENON : It is open to any hon. Member to say that I have no argument. But I say I have a good argument.

The Constituent Assembly discussed this matter in the minorities committee. The same conditions which prevailed in 1950 when the constitution was proclaimed—that the Anglo-Indians should have separate representation by nomination, that Scheduled Castes/Tribes should have reserved constituencies from which they would be elected, etc.—continues even today. I hope we are not questioning this now and if there are Members who think that they have certain other arguments to bring in, they can do so. If all the arguments advance by a mover of a Bill appeal to every Member, there need not be a division. There need not be voting. I understand there are some hon. Members in the House who think there should be no nomination of Anglo-Indians. But it does not follow that I have no argument to give. With regard to Scheduled Castes/Scheduled Tribes also I know there are Members here who sincerely believe this is not a provision which should be made. I saw certain amendments. I saw a certain amendment by Mr. Masani. This is a matter where there could be difference of opinion. If those on the other side think that I have no argument to offer and interrupt me, then where are we? I believe I have arguments; I believe those are good arguments. But if some of the hon. Members think they are not good arguments, I say: 'don't accept them, produce your own arguments.'

I believe the conditions which existed in 1949 when we finalised our Constitution making the provisions that the Scheduled Castes and Scheduled Tribes should have reservation and that the small Anglo-Indian community who have deliberately adopted India as their motherland, although there was a mixture of blood in them, and who still remain a separate community continues.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Here is a Minister who says that they have deliberately adopted India as their motherland.

SHRI GOVINDA MENON : I believe that the condition in which we made a provision in the Constitution in the Constituent Assembly to give nomination to them still continues.

These being the facts, I move.

MR. CHAIRMAN : Motion moved.

"That the Bill further to amend the Constitution of India, be taken into consideration".

SHRI B. P. MANDAL (Madhepur) : I move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 16th February, 1970". (2)

SHRI ABDUL GHANI DAR (Gurgaon) : I move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 9th February, 1970". (8)

MR. CHAIRMAN : The original motion as well as the motions for circulation are before the House.

Dr. Ram Subhag Singh.

SHRI B. P. MANDAL : On a point of order. My amendment is for circulation. It should be taken up first.

SHRI SURAJ BHAN (Ambala) : His amendment is out of order. It is for circulation for eliciting opinion by 16th February, whereas these reservations are due to end by 25th January.

MR. CHAIRMAN : Both the original motion and the motions for circulation are before the House. There is nothing to say that the motion for circulation should be taken up first.

DR. RAM SUBHAG SINGH (Buxar) : I rise to support this Bill which seeks to extend the period of reservation for the Scheduled Castes and Scheduled Tribes and the period of nomination for the Anglo-Indians. I generally agree with the provisions of the Bill, but am afraid I cannot agree with the arguments that the Law Minister has given.

This Bill in itself, and more particularly the arguments adduced by the Law Minister, indicate that this Government does not want to take any radical steps to improve the condition of the Scheduled Castes and the Scheduled Tribes people of this country. The Constituent Assembly, when framing the

Constitution of India, of which much has been said by the Law Minister, made it with a view to improving the conditions of our Harijans and Adivasi brethren during a period of ten years. But that could not materialise. At that time when a second extension was given, it was specifically mentioned that radical steps would be taken with a view to improving the conditions of our Harijans and Adivasis. But though the Minister of Law is also Minister of Social Security, he has not yet seen his way to provide any relief or succour to the Harijans and Adivasis who are above 60 years of age. If atleast he succeeds in providing kambal and quilt to everyone of them, I will thank him, but this Government does not know anything at all how to improve the conditions.

SHRI J. M. BISWAS (Bankaura) : After you came out.

DR. RAM SUBHAG SINGH : This is the Government of the Communist Party and so they feel irritated.

SHRI NAMBIAR (Tiruchirapalli) : You were there till last month.

DR. RAM SUBHAG SINGH : I did whatever was possible.

SHRI J. M. BISWAS : You should take responsibility for each fault of the Government. (*Interruptions*)

DR. RAM SUBHAG SINGH : Whenever there is anything to divide, they come forward. (*Interruptions*). Now, this Government will also go the way of the Governments of Hitler and Mussolini.

So, what I mean to point out is that if we succeed in improving the lot of the Harijans and Adivasis, they will not require this.

I said at the beginning that I agree with the provisions of the Bill, but disagree with the methods that are adapted by the Government to improve their conditions. The methods are so simple but yet so difficult for the Government. Everyday they shed crocodile tears but do not do anything to improve their conditions. For instance, more than 80% of the Harijans and Adivasis are

perhaps not having any homestead, and in spite of the fact that they are having Chief Ministers' Conferences and in spite of their going on saying everyday and every night that they stand for the poor, they do not provide even half an acre of land to any Harijan or Adivasi. Most of the public undertakings have been opened in areas which are inhabited by Adivasis, for instance in Rourkela and Hatia. But what is the percentage of the Adivasis there in employment? Because of this, this Government stands condemned and I condemn them for this negligence. (*Interruptions*) I condemn you also.

SHRI J. M. BISWAS : He was the Railway Minister. How many of the Adivasis have been employed in the Railways?

DR. RAM SUBHAG SINGH : Everywhere their quota is full. You can go and see, but not by your blackmailing. That is your business.

They talk also about providing wells to them for drinking water. There are about fifty-four lakhs villages in our country and one well could be easily provided in each village, but that has not yet been done. This should be done if they really intend to improve their lot.

There are a large number of youths both in Harijan and Adivasis communities. It is correct and I admit it that educational facility has been extended, but it has not yet reached every child because no where in our country education is free and compulsory.

SHRI D. N. TIWARY (Gopalganj) : There is free education in Bihar upto the middle standard.

DR. RAM SUBHAG SINGH : But not compulsory. When I talk about compulsory, you do not understand.

If it is made free and compulsory, the parents of Harijan and Adivasi children who feel compelled to send their children for cattle grazing or doing some domestic work will feel free to send the children to school. I would like that to be done not only at the primary and secondary stage, but upto the highest stage for them.

Coming to surplus land, it is good that a Harijan Food and Agriculture Minister is

here in the Government of India now. I hope he will resign after becoming President. All the surplus land of the Government or the surplus land that will be available after the ceiling had been reached should be divided among the landless people, more particularly among the Harijans and Adivasis. This morning so much was said about bank nationalisation and the help it could extend to poultry, animal husbandry, cottage industries etc. If advances could be given to those industries it would help them. But no scheme has yet been prepared to advance any loan or to give any subsidy to them. I again lay stress on giving old age pension and some work to the able bodied persons, so that they could have some source of livelihood. All those things have been neglected.

Everyday the Prime Minister speaks of poverty, she did so yesterday and she did so even today. She feels that the Prime Minister of India is the entire country, she equates herself with the country. I should like to point out that this section of our society, this limb of our country is so weak that it should be strengthened suitably and for that purpose there should be some provision.

In this House we had a debate when some Harijans were burnt in Andhra Pradesh. What is the fun in helping a Government which fails to give protection to such people; you must not help a Government which fails to protect such a weak community.

SHRI GOVINDA MENON : Should we refuse help to the Government of Gujarat?

DR. RAM SUBHAG SINGH : You are welcome. You are not rendering any help because just now the Home Minister said that he had written to the State Governments. It is the responsibility of the Government of India and all the States taken together to maintain law order in the country. Is there any iota of law and order in this country anywhere? Is there any security for life and property? On that ground alone the Law Minister here stands condemned, as you were when both China and Pakistan occupied large parts of our territory. (*Interruptions.*)

[Dr. Ram Subhag Singh]

This Bill should have come a little earlier during the last session but it was not done. There also this Law Minister has failed. Just now the case of Anglo Indians has also cropped up. The Law Minister gave some reasoning for that. I am not against their nomination and I do want that their rights and privileges should be properly protected. He himself mentioned Parsis, Budhists, and other communities. Whichever be the community which has got completely identified itself with the people of India, that does not require any guarantee : but wherever there is some difficulty suitable protection must be extended. For instance, there are two Members who were elected from areas from where they did not come—Mr. M. R. Masani and Mr. Piloo Mody. That is the standing proof of the working of our party system and the generosity of your State, Mr. Chairman. He was expounding this philosophy that people were not so generous. Good workers could be elected from other provinces. In this way we try to lay stress on service.

It is not only on reservations. But, as I said in the beginning, I stand to support this provision and more particularly for Harijans and Adivasis,

17.00 hrs.

SHRI R. D. BHANDARE (Bombay Central) : Mr. Chairman, Sir, I wholeheartedly support this measure that is put forth by before the House by the Law Minister. Sir, I need not assign the reasons, but we should see the picture as it is : and in order to see the picture, I would like to read the line that is given in the Statements of Object- and Reasons. It says among other things, that the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats and nominations of members of the Scheduled Castes and Scheduled Tribes have now ceased to exist. The conditions which were prevailing at that time have not changed. Of course there is one sentence that even though their lot has changed, the conditions have not changed. What has happened during these 20 years ?

Time and again, we hear the sentence

that the rich have become richer and the poor have become poorer under the planned society that we have accepted. Now, what has happened ? Right in the beginning, the social institutions which were powerful enough to dominate the Scheduled Castes and Scheduled Tribes have become more powerful. The Centres of social power have gone very powerful and have become stronger. Similarly, under the planned society, the rich have become richer. The reasons are quite obvious. The centres of economic power join hands with the centres of social power and therefore these centres have become powerful.

Yesterday, or the day before, I had occasion to deal with this question of Scheduled Castes and Scheduled Tribes and the atrocities committed on them. Why is it that more atrocities are committed on the Scheduled Castes and Scheduled Tribes ? The reasons are that the centres of social and economic power have become more powerful.

श्री हुकम चन्द कछवाय (उज्जैन) : हिन्दी में बोलिये ।

श्री प्रार० डी० मण्डारे : मुझ को हिन्दी आती तो क्यों नहीं बोलता ।

श्री हुकम चन्द कछवाय : बहुत अच्छी आती है ।

श्री प्रार० डी० मण्डारे : नहीं आती, इसी लिए तो कठिनाई है । अच्छा, मेरा वक्त मत खराब करो ।

So, Sir, I was trying to say, as to what I said the day before Yesterday, as to why atrocities have been on the increase on the Scheduled Castes and Scheduled Tribes. In the spite of the fact that there is a reservation and in spite of the fact that Scheduled Caste and Scheduled Tribe Members are elected to this House, the atrocities that are committed have become more atrocious than the atrocities themselves. The reasons are, as I said, the centres of social and economic power have become more strong. Therefore, the reservation ought to be continued not only for 10 years. I would like to suggest that so

long as they do not improve their lot, and so long as they do not stand on the same base and between the same parallels with other people, the reservation for the Scheduled Castes and Scheduled Tribes should not be done away with.

Along with the centres of economic and social power political power is also concentrated in the hands of those who have social and economic power. After the general elections, when I came here, I heard many stories from Uttar Pradesh. After the mid-term elections also. I heard stories from Uttar Pradesh that the Scheduled Castes were not allowed to go to the polling booths for the purpose of exercising their right to vote. Many of them were kept out. Many of them were frightened away and many of them, those who dared to go, were beaten, harassed and the harassment continued for a long time.

This is not the only instance of UP, but it has happened all over the country, because the majority community is quite aware of the fact that democracy means majority rule. May I repeat the sentence uttered by one of the political philosophers? He said, "Tyranny of the majority can be more terrible than the tyranny of an individual". This fundamental phenomenon is found in many countries and that is why these poor people cannot resist it. We talk of philosophy, *vedanta*, *advaita* and all that, but forget the *pincham varna* and *chatur varna*. I would like to repeat the three sentences I said here before: The philosophers have become massacres of these people. The oppressors profess to be our friends. Hypocrites have become our advisers. The conditions have not changed at all. For the time being, for the sake of convenience, we are extending the period for ten years more, but I doubt whether within that period, the lot of scheduled castes and tribes would change. The Law Minister himself said that the lot of scheduled castes and tribes may not be changed for decades to come. He was alive to the situation that prevails in the country.

SHRI SONAVANE : It is not solely due to the Government; the society to which Mr. Kunte belongs is also responsible.

SHRI R. D. BHANDARE : If he had been patient, I would have said it myself. It is because of the social system as such

that these atrocities continue. It is right that this Bill has been brought forward.

About Anglo-Indians, I am of the view that since it is a well-knit small minority, the principle of nomination, which is an exception to the democratic rule, may be accepted, as it was accepted by the founding fathers.

With these words, I support the Bill intoto, completely and fully.

SHRI M. R. MASANI (Rajkot) : Mr. Chairman, Sir, I am very hard pressed for time because I want some time to be given to my colleague who comes from the Adivasis and can speak from their point of view.

My Party approaches this problem entirely from the point of view of those concerned, namely, our Harijan and Adivasi brethren. We are a party that stands for the Minorities, a Party that has always stood for these under-privileged sections of our people. In our Election Manifesto in 1967, we said :

"The Party will more faithfully and effectively carry out the provisions of the Constitution for the protection of the rights and interests of Muslims, Christians, Sikhs and other minorities, including linguistic minorities, and of those who work under economic and social handicaps such as Harijans, Adivasis and other Backward Classes, who shall be listed irrespective of their religion. The total eradication of untouchability will be actively pursued."

In the pursuit of this, we have tried our best, and I think I can say that the tribal people in Orissa, the tribal people of Nagaland and the Hill Tribes in Assam and elsewhere recognise us among their best friends.

I agree with the hon. Home Minister when he spoke earlier in the day in the other debate that the present social structure which we have inherited is based on inequity and that it needs to be Indianised. If anything needs to be Indianised in our country, it is our social structure and not the minorities. So far as the Harijans are concerned, their complete integration on equal and honourable terms in our nationhood is our target. So far as the Tribal Peoples are concerned, their distinctive

[Shri M. R. Masani]

culture, their artistic skills and their way of life need in addition to be protected from being destroyed ruthlessly by the process of assimilation.

It is with this background that we consider this Bill. Here it seems to me that a scientific study of the effects of this measure for the last twenty years needs to be undertaken. When we debate this question today there is nothing of this kind to go by. From one's own impressions one feels that there are two or three negative aspects of these reservations that should be borne in mind, along with whatever benefits they may have brought.

It seems to me that one of the bad things that this reservation has done is to put the conscience of the upper class and the upper castes to sleep. Having given a few seats to the Harijans and the Adibasis, those who are better-placed think they have done their duty by them and now they can fend for themselves. This is one of the bad effects of reservation. It is against this background the poor record in education, to which the Minister and the Leader of the Opposition made a reference, the poor record in social welfare and their adverse economic conditions in regard to employment and other things are to be understood.

I am not sure, if this reservation were not there, the social conscience would not have been a little more alive and a little more justice would not have been done. On the other side, to those who are thus protected, this has been a kind of opiate, a doping effect, putting to sleep the instinct for social justice and the dynamism that should come from an under-privileged class. And this has been effected by the coming into existence by reservations of an upper crust of Harijans and others who have become a vested interest in our political life and who, though they have done very well for themselves, are not the best champions for fighting the cause of the Harijans and backward classes. We have examples of that in this House and elsewhere.

I think that these adverse reactions and implications of reservation need also to be borne in mind before we too cheerfully agree to continuance or perpetuation of this system. I am inclined, therefore, to question the validity of this Bill, not from the point of view of the upper castes or classes of

people but from the point of view of our Adibasi and Harijan brethren. We consider that the attempt at equality of status and opportunity for these classes is our primary target and whether reservation will help or retard this object is the problem to which we must apply our mind.

No proof has been given by the hon. Minister or anybody else to show that this reservation has in practice led to concrete advance and benefits for this class. The burden of proof is on the Government to prove it and I do not think they have proved it. We have to take them on trust. I find there is proof that this reservation has acted as a crutch. I want that our tribal peoples our Adibasis and Harijans, should throw away these crutches and stand on their legs. They can stand and fight along with us side by side, but so long as crutches are there they would lack self-confidence.

Therefore, we are not opposed to the Bill, but we would like to improve it. Tomorrow, on behalf of our Party, an amendment will be moved which seeks to improve it. The way in which we seek to improve the Bill is to make this the last amendment to the Constitution on this point. I suspect that the hon. Minister has conceded it—perhaps he will be more frank in his reply—I suspect this may not be the last time when he or some one else who occupies that seat will come with the same hackneyed arguments which we have heard today and ask us to repeat this performance. We want to guard against it. Therefore, in our amendment we have suggested that over a period of thirteen years—longer than ten years—let us cut down the proportion of reservations for these two classes so that after ten or thirteen years we come to a complete integration of our electorate.

AN HON. MEMBER : What do you mean by proportionally cutting down ?

SHRI M. R. MASANI : Reduction of 33 and 1/3 per cent at each General Election so that after two General Elections the reservations will come to an end. We believe that is a better way of carrying out this ten year extension than to leave it for another Government to come back with the same proposal.

I believed that the hon. Minister was right when he appealed to political parties to try and see that they bring in more Harijans and Advasis...(*Interruption*). The political parties should take up here and now the problem of seeing that more of them get elected from General constituencies. I can assure you that my party will do its bit, whether you extend the reservation or not. But if the Bill were to follow the amendment that we are seeking to make, it would be an incentive to all political parties to bring in more and more Harijans and Advasis through the General electorate.

SHRI P. R. THAKUR (Nabadwip) : You will bring dummies.

SHRI M. R. MASANI : I do not yield. I have got only two minutes left ; therefore, I am sorry, I cannot yield.

I believe that in taking this attitude we are being better friends of the Advasis and Harijans than those who seek to make a vested interest of these people and exploit them. We do not want to join in this exploitation if we can help it.

We do not oppose the Bill because we want to give to those people the feeling that we are with them. But if I were a Tribal or a Harijan, I would get up and oppose this Bill as the Republican Party is doing... (*Interruption on*)

SHRI SONAVANE : They do not have the same amount of money as you do.

SHRI M. R. MASANI : I am making an appeal to reason. There is no reason to get excited about it. I am pleading with my hon. friend, Shri Sonavane, and all the rest of us to try to understand what it is doing to these people. I believe, if they really scientifically study this matter and think a little deeper over their ultimate rather than their immediate interest, they will realise that what I have said is God's truth and in their own interest.

SHRI SIDDAYYA (Chamarajanagar) : Mr. Chairman, Sir. I am thankful to the Government for bringing forward this Bill for extending this reservation of seats for the Scheduled Castes and Scheduled Tribes for a further period of ten years. The reasons which weighed with the Constituent

Assembly in having this provision in the Constitution have not ceased to exist.

This is the second amendment to the reservation of seats. The first amendment was in the year 1959.

श्री यशवन्त सिंह कुशवाह (भिड) : सभा-पति महोदय, मेरा व्यवस्था का प्रश्न यह है कि नियम 75 के अन्तर्गत जो संशोधन बिल को जनमत जानने के लिये भेजा गया हो उस के सूवर को पहले मौका मिलना चाहिये बोलने का, ऐसा मेरा निवेदन है। अगर सभापति महोदय रूल को देखने का कष्ट करेंगे तो उस से स्पष्ट हो जायेगा। रूल 75 पेज 39।

MR. CHAIRMAN : I have gone through the rules but there is nothing to say that it will be given preference over other speakers. Actually, in other Assemblies, after the first reading, the circulation motion comes and not before. But here the rule does not mention that it should be taken up first and then the other speakers may come. In due time, you will be given a chance.

SHRI SIDDAYYA : When the first Amendment Bill was brought forward in the year 1959, the same reasons were given. In the second Amendment Bill which is now brought forward the same reasons are repeated. That means, the position which existed when the Constitution was framed continues to exist even today so far as the condition of these people is concerned. It is really unfortunate that the Minister did not give how far they have progressed during the course of these 20 years. The main reasons that prompted the Constituent Assembly to make reservations for Lok Sabha and Legislative Assembly were that these people were economically and educationally very backward and socially also the Scheduled Castes were suffering from the stigma of untouchability and the Scheduled Tribes were isolated. These were the reasons which made the Constitution makers to enact a provision like this.

I want to examine how far the conditions of these people have changed all these 20 years. It is quite relevant to refer to the observations made by the then Home Minister, Shri G. B. Pant, who piloted the Bill in the first instance. He admitted that

[Shri Siddayya]

as result of the various measures taken by the Government upto 1959, some progress was achieved. He went on to say :

"We have been only able to touch the fringe of the question."

That is very material. Then, he says :

"It has to be tackled continuously for longer period so that they may stand on their own feet."

This is the very crux of the problem. That means, the reservation should continue so long as the conditions of these people are not improved and it should continue so long as they have not reached the level of other advanced communities in the country.

Now, a simple question is, whether the period mentioned in the Bill, that is, ten years, is sufficient or not and whether, in the course of these ten years, the lot of these people can be improved. If we study the conditions existing today in the country, I think, everyone of us will agree that it is impossible to bring these two down trodden communities to the level of others in the course of ten years. Therefore, what I suggest is—I have got an amendment—to do away with the limitation of time. Some people may not agree with me immediately but I will try to convince them. The question of the Scheduled Castes and the Harijans is interwoven and bound up with the question of untouchability. Can anybody feel today that untouchability is going to be completely abolished within the course of ten years ?

This problem of untouchability is, again, an off-shoot of the caste system in the country. Ours is a caste-ridden society. So long as this caste system continues, the untouchability will continue. Therefore, it is a very serious problem. The question is, whether the Government has taken all these years any steps, whether executive or legislative, to abolish and root out untouchability in the country ? On the other hand, our Constitution makers also, instead of trying to remove caste system before removing untouchability, gave a fillip to the caste system. Even now, if we are really interested in the removal of untouchability, the Government should bring a Bill or amend the Constitution, if necessary, to abolish the caste system which is at the root of the whole thing.

With regard to untouchability, I may again be permitted to refer to the Elayaperumal Committee Report. This Committee was constituted by the Government of India some few years ago. It went round the whole country. It studied the entire problem and gave the Report. In that Report, you will find, the Committee has argued that untouchability is an evil which not only exists in the towns and cities but it also exists in acute form in villages today. It has got two aspects. One aspect is that of "touch-me-not ism" and the other is that of "propensity to discriminate against others".

Though untouchability has disappeared in towns and cities to some extent, untouchability against the Harijans and Adivasis still continues in the rural areas. Therefore, it is a very important task which has to be tackled by the Government—not only by the Government but by the people at large.

The second point is educational advancement of the people of these classes. I will briefly make a reference. The literacy of the Schedule Castes is only 10.27% according to 1961 census whereas the general percentage is 24%. As such, there is a big gap.

Coming to representation in Services all these 20 years, it is quite interesting to know that in 1960 in the Central Government, in Class I the percentage was 1.2 as against 12.5% reservation. In Class II it is 2.5 and in Class III it is 7.2 and in Class IV it is 17.2. In the year 1967 it has risen from 1.2 to 1.9 an increase of 0.7% within the course of years. Similarly in Class II it has gone up from 2.5 to 3.0 per cent and in Class III it has gone up from 7.2 to 9.0 per cent. Similarly, in regard to Scheduled Tribes in 1960 it was 0.2 in Class I and in 1967 it has gone up to 0.3—only an increase of 0.1%. In Class II it has gone down from 0.7 in 1960 to 0.3, a decrease of 0.4 per cent. In Class III it has risen from 0.9 to 1.2 per cent. In Class IV it was 2.9 in 1960 and it is 3.6 in 1967.

If the increase is only 0.1% for one year, in class I to make up the difference of 10.6% at this rate it will take at least 106 years. This is with regard to services.

Coming to the economic betterment of these people, the Scheduled Castes are a

community of labourers. The expected much from the land reforms. But land reforms have not helped these people. The position of the tenants and others has become worse. The tenants instead of becoming owners of the land have been reduced to the position of labourers.

Now I feel very strongly that the limitations put on political reservations are not correct because Scheduled Castes are given concessions in other respects also where there is no limitation of time. There is concession with regard to education which is provided in the Constitution. There is concession in regard to economic improvement and there is concession with regard to services. In all these categories which are very important there is no time limit, but only in the case of political reservation there is time limit. So far as this political reservation is concerned, it actually means participation in the administration of the country. Can anybody at any moment think that these people should not be allowed to participate in the administration of this country?

Secondly, the Scheduled Castes and the Scheduled Tribes are not demanding or asking for nomination. They are prepared to contest the election. The reservation of seats is strictly limited to the population of such people in the country. So, why should anybody take any objection with regard to this arrangement if it is continued even for another 100 years?

17.31 hrs.

[Shri Prakash Vir Shastri in the Chair]

These Scheduled Tribes and Scheduled Castes are not taking the quota allotted to others. They are restricting themselves within their own allotted quota. I do not know why there should be objection to this reservation.

Also, the amendments of the constitution have become a routine affair. The constitution should not be amended so frequently. Government also knows that the period will have to be extended as their lot has not been improved. But I do not know why Government should not come forward to remove this limitation of time completely

with a proviso that when they come to the level of others socially, educationally, politically and economically, this reservation should go. That is a better way of dealing with this important problem. I have certain amendments which I will move when the proper time comes.

Before closing, I would like to say this. Our Prime Minister is a staunch socialist. She is determined to lead the country towards socialism. The poor and the downtrodden people of the country will stand by her in this respect. One of the important steps she will have to take immediately is regarding the scheduled castes and the scheduled tribes. They should be given more representation in the Cabinet. There are so many places where they can be appointed like the Chairman of the Public Undertakings, Governors and even Ambassadors. It is no use of telling us that we want socialism without allowing these people who are downtrodden to take part in the administration of the country. Thank you.

*SHRI SIVASANKARAN (Sriperumbudur): Mr. Chairman, Sir, the Constitution (Twenty-third Amendment) Bill has been introduced in this House today for extending the reservation of seats both in the Parliament and in the State Legislatures for the members of the scheduled castes for a further period of ten years. I am sure that this Bill would be welcomed and supported by all the political parties and groups in this House.

At the outset, I would like to say that this should not remain a mere paper plan, but concrete steps should be taken by the Government for the upliftment of Harijans and Adivasis. In the first ten year period the people belonging to the scheduled castes did not get any tangible benefits from the concessions extended to them by the Government. In the second ten year period their handicaps and ordeals only multiplied and did not subside. To quota a few examples, in Andhra Pradesh Harijans were burnt alive. In many places Harijan mothers were paraded naked in the streets. We had the misfortune of witnessing such ghastly scenes. I have regretfully to bring this to the attention of the hon. Minister.

In his introductory speech, the hon.

*The original speech was delivered in Tamil.

[Sbri Sivasankaran]

Minister referred to the fact that there is a marked change in the situation in urban areas and in rural areas the position continues to be the same. The hon. Minister himself stressed the need for taking effective step to eradicate the evil of untouchability in rural areas and also to ameliorate their living conditions.

The famous poet-saint of Tamil Nadu, Thiruvalluvar, in one of his popular couplets has said that the caste of a man is not decided by his birth; his cast is know by the work he does for his livelihood. This was said by the great Thiruvalluvar two thousand years ago. There are not only many castes in our cuntry but there are numerous gradations of castes also. There are Brahmins and non-Brahmins known as *sudras*. So long as this kind of caste distinctions continues in our country, the Harijans and Adivasis will never be able to make any progress. It is not by enacting this legislation they are going to progress economically and socially. There are so many programmes-30-year programme, 50-year programme and so on. In my opinion, this sort of reservation should not be limited to a period of ten years only; so long as the Harijans and Adivasis feel the necessity for such special assistance, it should be extended to them, without fixing any time limit.

The members belonging to scheduled castes do not get their due promotions in service automatically at the appropriate time. Who is to give them such promotions? The officers above them belong to higher castes and they don't evince as much interest in the Harijans and Adivasis as they should. Many hon. Members of this House, including me, have written to the Ministers many times, but the usual reply given to us is put up by the officers and it is forwarded to us. Dr. Ram Subhag Singh referred to this point. But, when he was the Minister of Railways he also used to forward to us replies put up by his officers whenever we sent a communication in this regard. I humbly state here that the Ministers should not entirely be guided by their Officers and whatever concessions and facilities are due to the Harijans and Adivasis should be extended to them in a just manner. Dr. Ram Subhag Singh stated that the fallow lands should be distributed to the Harijans. The Harijans and Adivasis

are labouring in the land but they don't get one square meal a day. They build temples which they cannot enter. They work in factories and they don't get even the minimum wage to keep their body and soul together. I would repeat that a mere legislation is not going to lend them support. What they require is concrete welfare schemes for their upliftment.

The father of this Nation, Mahatma Gandhi, used to say that only on the day when a Harijan becomes the President of this country there will be full freedom for us. In this Gandhi Centenary year many people have referred to this, but the facts are otherwise. When Jagjivan Ramji was nominated for presidentship, these very people did not support him and someone else was proposed for this high office. The Dravida Munnetra Kazhagam proposed the name of Shri Sivashanmugham Pillai, the eminent Harijan leader, for the distinguished office of Vice-President. If you had the intention of doing something good to these people, he could have been supported. On the contrary, someone else was given this support. If the ruling party itself does this kind of a thing, what can we expect from the bureaucrats? We cannot expect any justice from their hands. I have to repeat this with much regret.

The present Government of Tamil Nadu is doing everything possible in the distribution of fallow lands to Harijans and Adivasis. I request that the Government of India should issue directives to all the State Governments in the country in this regard so that the fallow lands in the country could be distributed to the Harijans and Adivasis.

When the Britishers were ruling us, with a view to avoid odious caste distinctions many Harijans and Adivasis converted themselves to christianity and they became christians. Though they became christians, they could not raise their standard of living. The concessions extended to them as Harijans were also denied to them because it was felt that they had become high-class christians. The fact is that they continue to be Harijan christians. The high-class christians do not own them in their society. I request that the concessions which are now extended to the Harijans and Adivasis should be extended to these people also. The Government should see to it that they

get their rightful share. Some hon. Members who preceded me mentioned that the Anglo-Indian community need not be given this kind of concession, and to that effect some amendments have also been proposed. As this Government is determined to safeguard the interests of the minorities in our country, these concessions should not be denied to them.

It would not like to mention here that from Tamil Nadu sometime back 17 candidates belonging to Scheduled Castes came to Delhi for appearing before the Union Public Service Commission. I am sorry to state that not one of them has been selected. They were trained for this purpose in the Harijan Welfare Department before they came here. How is it that not one of them was found fit for the I.A.S. ? I think we should ponder over this problem. What we feel is that there is a purposeful attempt on the part of others to deny them any high place in the administration of the country and that is why they are not getting any opportunity.

The hon. Member, Shri Siddayya, referred to the many handicaps and ordeals undergone by these people as enumerated in the Report of the Ilayaperumal Committee. Is it the intention of the Government to remove the difficulties of these people by this legislation ? They cannot enter the hotels. Even if they are permitted, there is segregation and they are allotted separate places. Even separate cups and saucers are provided for them. Who is to clean them ? The Police officers are also unable to take any action in this regard. The point out that they cannot file a case even because they are not getting witnesses. Who will agree to be witness ? If anyone goes as a witness, immediately he is beaten to death. That is the position obtaining in our villages. The hon. Minister should formulate a scheme for extending police protection to the Harijans and Adivasis. Then only they will be able lead their normal lives. I request that the hon. Minister should take special interest in the welfare of the Harijans and Adivasis and concrete steps should be taken by the Government for their upliftment.

With these few words, I conclude my speech.

SHRI KRISHNA KUMAR CHATTERJI (Howrah) : I rise to support the Constitution Amendment Bill for the extension of the reservation period by ten years for the Scheduled Castes and Scheduled Tribes.

The existence of the Scheduled Castes and Scheduled Tribes a basic and unique feature in our Hindu religious system and social order. This reservation was given under article 334. The framers of the Constitution gave the reservation in the hope that within that period conditions would be created for the Scheduled Castes and Scheduled Tribes are come up the level of the other sections of the society and they would be able to enjoy equal rights with them. Unfortunately, that expectation was belied and there was one extension of ten years from 1960 to 1970 and now the Law Minister has come forward for another extension of ten years.

The reason given all this time was the backwardness on the Scheduled Castes and Tribes. But really the fact is that it is deep rooted in our social order. Our social order is based on the casts system and unless we are prepared to abolish the casts system as the hon. Members from this side suggested, probably we shall have to continue this reservation in perpetuity. Members belonging to these sections of our society stand up in this House and say that those sections of our people had not been given a fair deal and were not treated justly : this is after twenty years of our Independence and after two extensions had been given to this provision.

I think it would be interesting to learn what the committee on the welfare of Scheduled Castes and Scheduled Tribes has to say on this matter in its first report. I refer to the Basumatari Committee.

This is what the Committee says on page 32 of its report :

“During the past one year several Study Groups of the Committee have undertaken visits to different States, namely, Uttar Pradesh, Punjab, Madhya Pradesh, Rajasthan, Maharashtra Mysore, Tamil Nadu, Kerala, and Bihar and the Union Territories of Goa, Himachal Pradesh and Chandigarh to Study on the spot the social and economic conditions of Scheduled Castes and Scheduled Tribes. They have observed from close quarters the pitiable

[Shri Krishna Kumar Chatterji]

living conditions of Scheduled Castes and Scheduled Tribes at various places. They have had discussions with non-officials and Officials to gather first hand informations about the problems confronting the Administration. They have noted that untouchability is steel being practised in some from or the other especially in rural areas and the number of offenders brought to book under the Untouchability (Offences) Act, 1955 is deplorably low. They have observed that there is considerable wastage in the primary middle and secondary education and there is growing unemployment among educated Scheduled Castes and Scheduled Tribes. There is a universal clamour for allotment of land and a demand for protection against eviction and land alienation".

Unless we are prepared to change the social order, things will not improve, it is not possible to bring conditions under which they could feel the equality and assert with the same equality as others do. The social order as it exists today has nothing to do with the principles that guide the Hindu religion. Therefore, it is possible to do away with it so that there can be classless and casteless society as we have been envisaging. There could be that transformation in the country. I agree with the amending Bill to continue the reservation for another ten years. But it would be necessary to bring about social transformation also. There should be a social policy resolution, just like the industrial policy resolution or economic policy resolutions; and that resolution should incorporate the cardinal features of the change in the social order so that this scheme of things based on castes, etc., may go. Even in democracy, elections are run on a caste basis; it is a negation of democracy to do so. We have to think seriously of this and I request the Law Minister to bring a resolution on those lines before the House so that we can do away with the casts system, so that we may not require to amend the Constitution again.

One more word and I finish. We have seen that the conditions of the Scheduled Castes and Scheduled Tribes are such that even the Elayaperumal Committee which

was appointed to go into this question—the Committee on Untouchability, economic and educational development of Scheduled Caste"—has made certain very useful observations. I shall quote from their report and conclude. The Committee says :

"There is a complete lack of planning approach to social change. The natural law or the *laissez faire* doctrine is obviously the guiding principle of social management to our policy-makers. The confidence in the principle of automatic adjustment must go. A social policy has to be deliberately directed and planned.

"A most crucial question of social reorganisation is to break the hold of the institution of the caste system. This can be done by deliberately creating new loyalties across caste lines, new states systems and power structures that are not based or dependent on caste. In fact here is the true test of a national leadership."

Thank you.

श्री शिव नारायण (बस्नी) : सभापति महोदय, आज एक बहुत बड़ी गम्भीर समस्या हमारे समक्ष है। मैं इस बिल का विरोध करने के लिये नहीं खड़ा हुआ हूँ। मैं केवल कुछ सुभाव देना चाहता हूँ तथा इस प्रकार की स्लैकनेस की वजह से पिछले बीस वर्षों में जो कुछ हुआ है उसकी ओर आपका ध्यान आकर्षित करना चाहता हूँ। आज सरकार यह समझती है कि हम लोग उन के पॉइंट फिगर हैं और हम को वह जैसे चाहेंगे वह इस्तेमाल करेंगे। लेकिन मैं बतलाना चाहता हूँ कि आज उनकी गवर्नमेंट है, कल इनकी गवर्नमेंट होगी, परसों तीसरे की गवर्नमेंट होगी यह नहीं हो सकता कि वह जिस तरह से चाहें हम से काम लें। आज मैं दस्त-बस्ता गुजारिश करना चाहता हूँ कि उनका यह सोचना गलत है कि फ्रीडम आफ स्पीच जो है या फ्रीडम आफ बिल जो है वह नहीं रहेगी। आज प्रधान मंत्री कौन है? वह पंडित जवाहर लाल नेहरू की बेटी है और आनन्द भवन में पैदा हुई।

उस आनन्द भवन की अपनी मर्यादा है। लेकिन उसी आनन्द भवन के इर्द गिर्द हमारे एम० ए० और बी० ए० पास लड़के चकर मारते हैं। उन के लिये कोई जगह नहीं है। मैं नहीं कहता कि हमारे बेटों को कलेक्टर बना दो, तहसीलदार या थानेदार बना दो। लेकिन कम से कम चपरासी की जगह तो मिलनी चाहिये। हम ने यू० पी० में पंतजी से लड़ कर चपरासियों के लिये 8 परसेंट रिजर्वेशन मांगा था। लेकिन आज वहां 2 परसेंट से ज्यादा चपरासी नहीं हैं। चपरासी तो छोड़िये वहां पर कम्प्युनिटी डेवलपमेंट में दवा छिड़कने के लिये भी उनको नहीं रक्खा जाता है। आज श्री जगजीवन राम फूड मिनिस्टर हैं, जब वह रेलवे मिनिस्टर थे तब उन्होंने एक काम किया था कि हरिजन आदिमियों को पानी पिलाने के लिये भरती करवा दिया था। लेकिन उस नाते हम लोग इतनी गालियां सुनते हैं कि हरिजनों को रख लिया गया, जगजीवन राम गाली सुनते हैं, डी० संजीवैया गाली सुनते हैं। आज भी हरिजन लड़के सरकारी दफतर्गों में काम करते हैं वह खून के घूंट पी कर रहते हैं।

शनिश्चर को मैं लखनऊ में था मैं ने एक हरिजन टी० टी० ई० से कहा कि मैं जानता हूँ कि हम मैजिस्ट्री को हनोर नहीं कर सकते, हम को हिन्दू कम्प्युनिटी के साथ रहना होगा। इसलिये मैं इस बिना का विरोध नहीं करना चाहता लेकिन मैं ने अपने क्षेत्र के हरिजन भाइयों से कहा कि तुम बेकार का हल्ला बन्द कर दो लेकिन सा० में यह भी कहा कि तुम उन से खाना, कपड़ा, रहने के लिये मकान की मांग जरूर करो। मैं इन विधेयक का विरोध नहीं करता, लेकिन मैं सरकार से यह जरूर पूछना चाहता हूँ कि जो हमारे लड़के रोज आनन्द भवन के पास जा कर एम० ए० और बी० ए० होने के बाद भी बेकार घूमते हैं उनमें से इंदिरा गांधी के बक नेशनलाइजेशन के बाद कितनों को जगह दी गई? आज सुबेरे जब बड़ा

क्रिटिकल मामला चल रहा था उस समय आप मौजूद थे और मैं ने कहा था कि यह माइन्स-रेटी गवर्नमेंट हम को मदद करने के लिए तैयार नहीं है हालांकि हमारा दम बहुत भरते हैं। कलेजे पर पत्थर रख कर मैं उधर से इधर आया हूँ, उस पार से इस पार आया हूँ। मैंने बहुत सोच समझ कर कदम उठाया है। मैं समझता हूँ कि ऐसा करके मैंने बिल्कुल ठीक किया है। मैं कमजोर नहीं हूँ। मैं अम्बेदकर साहब को रिप्लेस कर सकता हूँ, जगजीवन राम जी को रिप्लेस कर सकता हूँ। घ्रांख खोल कर आप देखें, कान खोल कर सुनें। इन्दिरा गवर्नमेंट का जो नमूना है, वह मैं आपको बतलाना चाहता हूँ। क्या धीरे से चुपके से जगजीवन राम जी को खिसका दिया गया उनको कांग्रेस प्रेजीडेंट बना दिया गया है (इंटरप्रांज) कम्प्युनिस्टों के जो टैक्टिक्स हैं उन से काम नहीं चलेगा। वे भी मैं आपके सामने रखूंगा। जब प्रेजीडेंशन इलैक्शन नहीं हुआ था, तो जगजीवन राम जी से मैंने कहा था कि बाबू जी आप कैडिडेट हो जायें, मैं आपके लिये कनवेंसिंग करूंगा, आप मेहरबानी करके चुप रहो, प्रचार मैं आपके लिये करूंगा, जगह जगह मैं आपके लिये जाऊंगा। मैं ईमानदारी के साथ हाउस को बतलाना चाहता हूँ कि डा० हुमायून कविर साहब ने मुझे निहायत संजीदगी के साथ कहा था कि हम जगजीवन राम जी को चाहते हैं और हम उनके लिये बंगाल में प्रचार करेंगे, केरल में प्रचार करेंगे। मैं आज उनके प्रति अपनी श्रद्धांजलि अर्पित करता हूँ। इधर एक माननीय सदस्य जो इस वक्त यहां नहीं है, उन्होंने भी ईमानदारी से कहा था कि हम उनके लिये काम करेंगे। लेकिन जगजीवन राम जी ने जो जवाब दिया वह भी मैं आपको बतलाना चाहता हूँ। उन्होंने कहा कि मैं अभी 61 बरस का ही हूँ, आज ही तुम मुझे पालिटिक्स से रिटायर करना चाहते हो तुम यह चाहते हो कि मैं पालिटिक्स से रिटायर हो जाऊँ? मैं आज सवाल पूछना चाहता हूँ। अब

[श्री शिव नारायण]

वह क्यों रिटायर हो रहे हैं? क्यों मिनिस्ट्री छोड़ कर जा रहे हैं? क्यों हमको निगलैक्ट करके जा रहे हैं? हमारा कोई आदमी इस गवर्नमेंट में नहीं है। यहां अंधेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा, वाली कहावत ही चरितार्थ होती दिखाई दे रही है। एक निश्चित नीति के आधार पर यह हो रहा है। यह है सरकार की नीति हरिजनों के प्रति।

एक हरिजन को तो प्रेजीडेंट नहीं चुना गया लेकिन जब वाइस प्रेजीडेंट चुनने का मवाल आया तो उस वक्त क्यों कोई हरिजन वाइस प्रेजीडेंट के तीर पर खड़ा नहीं किया गया? उस वक्त भी दो नाम आये थे, एक बिहार से एक उत्तर प्रदेश से। लेकिन उनको भी आपने निगलैक्ट किया। किस को धर दिया? पाठक साहब को ला खड़ा किया। वह इलाहाबाद के, आनन्द भवन के आस पास के चक्कर काटा करते थे। दिल जले जब फरियाद करते हैं तो आसमान हिल उठता है। कम्युनिस्ट भाइयों को भी मैं उनकी करतूत याद दिलाना चाहता हूँ। वहां बंगाल में हमारे एक डिप्टी मिनिस्टर हुआ करते थे। उनको उन्होंने पार किया। उसके साथ आपने क्या किया, यह भी तो आप बतायें? उनका घर फूंक दिया गया। मैं आपको आज बतलाना चाहता हूँ कि अगर ये पावर में आ गये तो पहले ये मेरा घर लूटेंगे, मेरा घर फूकेंगे जगजीवन राम जी का पहले फूकेंगे, उनको पहले लूटेंगे।

मैं श्री चरण सिंह से मिला हूँ। लखनऊ में मैंने उन से कहा कि आप मिल क्यों नहीं जाते हैं। उन्होंने मुझे बताया कि ए वस्ट कांफ्रेंसमें इज वेटर दैन ए गुड कम्युनिस्ट। जिन के ऊपर यह सरकार रिलाई करती है, उनकी बात मैं बता रहा हूँ। चौधरी साहब की उनके बारे में यह राय है। उन्होंने मुझे कहा कि मेरी यह किताब पढ़ो। मैंने कहा कि

मैं जानता हूँ कि आप कम्युनिस्ट नहीं हैं आप पक्के हिन्दुस्तानी हैं। मैंने कहा कि मैं आज भी उनकी अपना लीडर समझता हूँ। मैंने उनको काशस किया, उन से अपील की। मैंने कहा कि जब आपकी कम्युनिस्टों के बारे में यह राय है तो क्यों नहीं आप, गुप्त जी और त्रिपाठी जी से बैठ कर बात करते एक कमरे में और कोई निश्चय करते।

मैंने इस गवर्नमेंट के लिये क्या क्या नहीं किया? साधू राम जी वाक आउट कर रहे थे। मैंने उनको रोका। मैंने गालियां खाई, मुसीबतें महीं। मैं कटु बातें सुनता रहा, सहता रहा। आज मैं रिलीज्ड हूँ। आज मुझे रिलीफ मिल रहा है जो मैं इधर आ गया हूँ। गन्दे नाले से निकल आया हूँ। मैं शुद्ध हो गया हूँ। मैं कीचड़ से निकल आया हूँ और जो हीरा था वह हीरा हो गया है।

एमेंडमेंट में एंग्लो इंडियन की बात आई है। हिन्दुस्तान के अन्दर क्रिश्चियन हैं। उनके लिये चाहे आप रिजर्वेशन रखें या जो भी रखें या इलैकशन या नामिनेशन रखें। बट कीप इट इन वन वे। ऐसा तो न रखें जिससे जनता में आ विश्वास पैदा हो : लोगों को दुख हो। डिवाइड एंड रूल की पालिसी को सलाम करो। आपने अंग्रेजी कल्चर को एडाप्ट किया, अंग्रेजी पालिसी को एडाप्ट किया है। उनको सलाम करो। उसी पर आप अमल करते हैं सच्चे हिन्दुस्तानी बनो। मैं देश का रक्षक हूँ और आप भी देश के रक्षक बनें। मुझे खुशी हुई कि आज सवेरे दो प्रोफेसर्स में नोक भोंक हो गई डा० राव और सोधी साहब में नोक भोंक हो गई क्या बढ़िया सवाल सोधी साहब ने किया था। आप में आनेस्टी होनी चाहिए। मैं चाहे चमार हूँ लेकिन मैं पड़ला आदमी हूँ जो देश की रक्षा के लिये आगे आऊंगा। मैंने यहाँ पर एक बार कहा कि मुझे आप डिफेंस मिनिस्टर बना

दो। मैं एक करोड़ हरिजनों को कटवा दूंगा हिमालय के ऊपर, अपनी मरहटों के ऊपर।

मैं पाकिस्तान और चाइना को देख लूंगा। मैं इतना कमजोर नहीं हूँ। हरिजन प्राबलम बड़ा टेड़ा प्राबलम है।... (व्यवधान) हमारी नीति जयचन्दी नीति नहीं है। हमारी नीति बड़ी सुन्दर है। हमारे बाप-दानाओं ने राणा प्रताप के साथ अकबर के विरुद्ध तलवार खींची थी। अकबर की दामता स्वाकार करने की अपेक्षा हम लोगों ने भोंपड़ी में रहकर घास की रोटी खाना स्वीकार किया। मैं ठुकराना गांव से चुनकर आता। मैं कमजोर नहीं हूँ।

18.00 hrs.

सभापति महोदय : छः बजे आध घंटे की चर्चा प्रारम्भ होनी थी। लेकिन चूंकि श्री राजेन्द्र बरुआ सदन में नहीं है, इसलिए अगर सदन की राय हो तो आध घंटा इसी चर्चा में जोड़ दिया जाये।—श्री शिव नारायण अपना भाषण पूरा करें।

श्री शिव नारायण : पिछली शताब्दियों में हमारे देश में जो राजनीतिक और सामाजिक स्थिति रही, उसमें हरिजनों और आदिवासियों को बैकवर्ड बना दिया गया। मुझे पहले बोलने वाले बंगाल के माननीय सदस्य ने ठीक ही कहा है कि जब तक देश में जानिवाद रहेगा, तब तक देश में न तो हरिजन पनपेंगे और न ही रजपूत और ब्राह्मण। यल्मोड़ा के एक ब्राह्मण ने हाथ जोड़कर मुझे कहा कि तुम्हारी और मेरी गति एक ही है। डी० एम० के० के भई इस सदन में नजर नहीं आ रहे हैं। मैंने जाक मद्रास में देखा है कि मद्रास में ब्राह्मण की वही गति है, जो शिवनारायण चमार की उत्तर प्रदेश में है।

अगर इस सरकार और उसके समर्थकों को डेमोक्रेटिक सेंट अप में विश्वास है तो वे ईमानदारी से काम करें। मैंने यू० पी० एसेम्बली में भी कहा था, इस सदन में भी कहा था और आज उसको रिपीट करता हूँ कि

रिजर्वेशन को ईमानदारी से सलाम कह दिया जाये। हम इस देश के बाकी लोगों के मुँह दुख में साथ रहने के लिए तैयार हैं। हम इस बेश के रक्षक हैं, भक्षक नहीं हैं। गांवों में हल हम लोग ही चलाते हैं, श्रीमती इन्दिरा गांधी या राम नरेश सिंह नहीं चलाते हैं... (व्यवधान)... यह ब्राह्मण कम्युनिस्ट बने हुए हैं। लेकिन इनके घर में तिलक लगाया जाता है, सत्य नारायण की कथा होती है और इनकी बीबियां मन्दिर में पूजा के लिए जाती हैं। कम्युनिस्ट पार्टी का लीडर कोई चमार नहीं है, वल्कि ब्राह्मण ही है। इस सदन में हर एक पार्टी का लीडर ब्राह्मण है। श्री जगजीवन राम कान खोल कर सुन लें कि आज उनको ब्लाफ किया जा रहा है। लाई माउंटवैटन ने 1947 में भारतीयों को कहा था कि मैं उन्हें ब्लाफ नहीं कर रहा हूँ। लेकिन ये लोग श्री जगजीवन राम को ब्लाफ कर रहे हैं और उनको मीठे-मीठे खिसका रहे हैं।

हमारे उधर बैठे हुए साथी कहते हैं कि मैं इधर क्यों चला आया। मुझे इसका बड़ा दुःख है। लेकिन हम लोगों ने 16 तारीख को बागह बजे दिन तक पूरी कोशिश की। मैं पन्द्रह तारीख की रात को रोता रहा और सोचता रहा कि क्या स्थिति होने वाली है। जब मैंने सिनेमा हाउस में तिरंगे-भंटे को देखा और राष्ट्रगान सुना, तो मेरी आंखों से टप-टप आंसू बहने लगे कि हमको कहाँ धकेला जा रहा है। मैं सावधान करना चाहता हूँ कि अभी भी सबेरा है; होश में आओ, दिमाग ठीक करो।

हम उस पिछड़े हुए इलाके से आते हैं, जो हिन्दुस्तान का सबसे ारीब क्षेत्र है। पूर्वी उत्तर प्रदेश का हरिजन-दर हरिजन हो गया है, लेकिन इस निकम्मी सरकार ने परवाह नहीं की। श्री के०डी० मालवीय की इस सरकार में बड़ी पहुंची है। उसने रिपोर्ट मंगवाई और उस पर अमल नहीं हुआ तो क्या आशा है :

यही आश अटक्यो रह्यो,
यलि गुलाब के फूल ।
होइहैं वहरि बसन्त ऋतु,
इन डारन के फूल ॥

[श्री शिव नारायण]

जिस दिन हमारा यह लीडर बैठेगा वहाँ प्राइम मिनिस्टर होकर उस दिन यह सवाल हल होगा। यह निकम्मी सरकार इसे हल नहीं कर पायेगी यह माइनारिटी गवर्नमेंट नहीं हल कर पायेगी।... (व्यवधान)... अरे तबलची लोग बहुत तबला बजाया करते हैं। मैं तबला बजाने नहीं आया हूँ। मैं देश का सच्चा सिपाही हूँ।... (व्यवधान)... अरे आप ऐसे जालसाज इस देश में पैदा हुए, भगवान मालिक हैं इस देश का। शास्त्री जी, मुझे कहने दो। यह हरिजन लोग देख लें, एक हरिजन मेम्बर का बोलना इनका अच्छा नहीं लगता है। वह आज भी चाहते हैं कि दो आने पर इनका हल मैं जोतूँ। यह शास्त्री महाराज जो हैं यह आज भी यही चाहते हैं। जरा कलेजे पर हाथ रख कर देखो।

तो मैं कहना चाहता हूँ कि इस देश को अगर सही ढंग से ईमानदारी से चलाना है, जैसे यादव जी कम्युनल डिस्टेंस वाले विवाद पर बोल रहे थे तो उम वक्त मैंने कहा था हियर इज ए सोशलिस्ट। आप फर्जी सोशलिस्ट बन गए हैं। फेल हुए हो इन बीस सालों में, मैं मुफ्त में नहीं उधर से आया हूँ... (व्यवधान)...

हरिजन को जैसा मेरे लीडर राम सुभग सिंह ने अपील की कि कम से कम बुढ़ापे की पेंशन तो दे दो। यू० पी० गवर्नमेंट में है, गुजरात में, महाराष्ट्र में सब जगह पेंशन का इन्तजाम है लेकिन वह फार्म इतना डिफिकल्ट है कि निरहू चमार उसको भर नहीं सकता, कोई मामूली आदमी उसको नहीं भर सकता। इतनी बदमाशी है उसमें। हाथी के दांत खाने के और दिखाने के और। अगर बुढ़ापे की पन्द्रह-बीस रुपये महीने पेंशन आनेस्टली उनकी दे दो तो भी उनका कुछ कल्याण हो जाय। मैं सुनता हूँ कि किसी इलाके में अमृत नहाटा ने कह दिया तो दस रुपये फी आदमी प्रधान मन्त्री ने सप्लाई कर दिया। लेकिन हमारे यहां जो भूछे नंगे चमार

हैं, सदियों में मर रहे हैं ईस्टर्न यू पी के अन्दर, कोई पूछने वाला नहीं है तो कम से कम एक-एक रजाई ही इन्दिरा जी भिजवा दें, उनकी जय नोलेंगे बस्ती वाले।

इसलिए मेरा यह कहना है कि अगर डेमोक्रेसी को बचाना है इस मुल्क में तो यह करना होगा कि डेमोक्रेसी को बचाने के लिए हमको डेमोक्रेट बनना पड़ेगा :

“Democratic government is a government of the people, by the people for the people.”

अगर इस पर अमल किया तो इस मुल्क में डेमोक्रेटिक सेट अप और डेमोक्रेसी रहेगी और नहीं करोगे तो तुम तो डूंग कर ही रहे हो! रेड फ्लैग के नीचे क्रान्ति भी तुम्हारा इन्तजार ही कर रही है।

इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूँ। मैं ला मिनिस्टर से कहना चाहता हूँ, शायद मैं न रहूँ लेकिन मैं कहता हूँ कि आप हम से संगर हो, इन दस वर्षों में इसको पूरा कर दोगे तो तुम्हारा भी कल्याण होगा, हमारा भी कल्याण होगा, मुल्क का कल्याण होगा और देश की रक्षा हो सकेगी। और गवर्नमेंट सोये नहीं, तुम्हारी ड्यूटी है जागने की। अंधूरे हाथ यहाँ आते हैं, जवाब नहीं दे पाते हैं। सभापति महोदय आपके हम बड़े कृतज्ञ हैं कि आपने हमें समय दिया और हाउस के भी कृतज्ञ है कि बड़ी शान्ति से सुना। मैं आज्ञा करता हूँ कि गवर्नमेंट को अच्छी बुद्धि प्रिवेल करेगी और इन शब्दों के साथ मैं इसका समर्थन करता हूँ।

श्री रामजी राम (अकबरपुर) : सभापति महोदय,

हक वहारों पे गुलची का है,
बागबानी को हम रह गए ॥

यह दस साल रिजर्वेशन बढ़ाने की बात जो आज की गई है उसके पीछे एक बड़ा रहस्य है। वह यह कि आज किसी भी पार्टी की

गवर्नमेंट रहे लेकिन उसमें यह शिड्यूल्ड कास्ट जिसकी वजह से छुआछूत है और जिस छुआछूत की वजह से यह रिजर्वेशन है, यह उनको अपने तौर पर इस्तेमाल करेगी। यह एक जबदस्त हथकण्डा है।

रिजर्वेशन के लिये 10 साल का पीरियड बहुत कम है, इस में कोई लिमिटेशन नहीं लगनी चाहिये। आज इत्तिफाक से शिड्यूल्ड कास्ट, शिड्यूल्ड ट्राइब्स के वेलफेयर की पार्लियामेण्टी कमेटी का मैं मेम्बर हूँ, उस नाने मुझ को हिन्दुस्तान को देखने का मौका मिला। मैं उस में नहीं जाना चाहता लेकिन मैं यह जरूर कहना चाहता हूँ कि हम गांव के मजदूर के बेटे हैं, इत्तिफाक से एक अछूत का बेटा हूँ, इस लिये हमें इस चीज का बड़ा तलख तजुर्बा है कि गांव में गरीबों की क्या हालत है, छुआछूत क्या चीज है और चाहे यह मौजूदा सरकार हो या जो भी सरकार आये, वह तब तक इस समस्या को हल नहीं कर सकती जब तक कि जाति को खत्म करने के लिये कोई अध्यादेश या कोई क्रांतिकारी संशोधन नहीं किया जाय यह मेरा दृढ़ मत है।

आज इत्तिफाक से मैं मेम्बर लोक सभा हूँ, लेकिन जब मैं गांव से गुजरता हूँ तो वे प्रहल-कारान, वे तहसीलदारान जो उस गांव से सम्बन्धित हैं, मुझे पीठ-पीछे कहते हैं कि देखो, वह चमार का लौंडा जा रहा है। जब मैं उनके सामने कोई सही बात कहता हूँ, किसी सही बात की मांग करता हूँ तो मुंह पर हां कर लेते हैं लेकिन जैसे ही हम चले जाते हैं, वैसे ही ज्यों के त्यों कागज रहीं की टोकरी में फेंक दिये जाते हैं।

इसलिये मैं कहना चाहता हूँ कि आज हमारे लिये सरकारी नौकरियों में जो 18 फीसदी जगह सुरक्षित है, वह कैसे पुर होगी, जब तक इन्हें समुचित रूप से शिक्षा नहीं दी जायगी, ये लोग कैसे आगे आयेंगे? आज की शिक्षा प्रणाली बड़ी विचित्र शिक्षा प्रणाली बन गई है। गांव में जो एडेड स्कूल होते हैं, वे जिस

वर्ग विशेष से सम्बन्धित होते हैं, उन्हीं की विचारधारा वहाँ पर थोपी जाती है, उन्हीं के लड़के उन स्कूलों और कालिजों में दाखला पाते हैं और शिड्यूल्ड कास्ट के लड़कों को, हालांकि उनके लिये रिजर्वेशन है, लेकिन उन को दाखला नहीं मिलता। मैंने दसियों स्कूल और कालिजों के बारे में हरिजन वेलफेयर डेप्युटेंट को शिकायत की कि उन में शिड्यूल्ड कास्ट के लड़कों को दाखिल नहीं किया जाता है, लेकिन उस पर आज तक कोई कार्यवाही नहीं की गई मेरा पास इस का रिकार्ड है।

सभापति महोदय, आज यह एक बड़ी गम्भीर और विकट समस्या है। आप चाहे सारी सुविधाओं को खत्म कर दीजिये, लेकिन यदि शिड्यूल्ड कास्ट और शिड्यूल्ड ट्राइब्स की आर्थिक स्थिति को सुधारना है तो केवल शिक्षा के मामले में उन्हें हर तरह से सहयोग दीजिये। उन के बच्चों को जो आज गांवों में बेगार करनी पड़ती है, मजबूरन उन से बेगार ली जाती है, वहाँ से उन के बच्चों को निकालिये, उन को स्कूलों में दाखिल कराइये, उन को पढ़ाइये, उन को फ्री खाना दीजिये, उनको फ्री कपड़ा दीजिए, उनके लिये बोर्डिंग हाउस बनवाइये। मैंने देखा है कि हरिजन बच्चों के लिये बोर्डिंग हाउसेज नहीं हैं। कानपुर में, जो हिन्दुस्तान का मान-चेस्टर माना जाता है, एक विचित्र माया देखने को मिली। वहाँ के लड़के अच्छी जगह में रहने के लिये तरस रहे हैं, मैं यह बात कोई दर्जा चहारम या मिडिल क्लास के लड़कों की नहीं कह रहा हूँ, उन लड़कों को कह रहा हूँ जो बी० ए० और एम० ए० में पढ़ते हैं और जो बूचड़-खाने से भी बदतर जिन्दगी वहाँ पर गुजार रहे हैं। यह तो मैंने एक मिसाल दी है...

सभापति महोदय, मुझे पूरा टाइम मिलना चाहिये।

सभापति महोदय : आप के संगठन की ओर से तीन नाम आये हुए हैं।

श्री रामजी राम : मैंने गांवों में देखा—

[श्री रामजी राम]

आज हमारे मुल्क के जो आदिवासी हैं, जो मूल-भारतीय हैं, आप चाहे उनको शेडयूल्ड ट्राइब्स कह लीजिये, लेकिन वे वास्तव में मूल-भारतीय हैं मुझे अफसोस के साथ कहना पड़ता है, आज उन के पास गांवों में अपने बसने के लिए अपनी जमीन भी नहीं है, जिन के पास थोड़ी है भी, उन को वहां के एक्ज-जमींदार गांव से निकाल देते हैं। आज मेरे पास ऐसी एक नहीं सैंकड़ों मिसालें हैं। मेरे अपने इलाके की मिसालें हैं। जब हमने शिकायतें की तो उनको आज तक रफा नहीं किया गया। आज हमारे यहां चकबंदी चल रही है, अबल तो उनके पास खेत ही नहीं हैं, लेकिन किसी के पास भी तो वहां के जमींदार फर्जी इन्दराज करा कर छीन लेते हैं। यह कैसी विचित्र माया है। काश्तकार खेत में मजदूरी करता है, लेकिन शिकमी दर्ज होती है एक्स-जमींदार की, शिकमी दर्ज कराकर उनको खेत से निकाल दिया जाता है।

आज उनके पास जमीन नहीं है। मैंने यह बात अखबारों में पढ़ी कि उत्तर प्रदेश में 70 फीसदी बंजर जमीन भूमिहीनों को दी गई। मैं उत्तर प्रदेश की सरकार को चेलेंज करता हूँ कि यह बात बिल्कुल निराधार है, बिल्कुल भूठी है। मैं फंजाबाद से आया हूँ। आप मेरे जिले में चले और किसी भी एक गांव में एक मिसाल भी दिखला दें कि भूमिहीनों में जमीन का बटवारा किया गया है तो मैं पार्लमेंट की मेम्बरो से इस्तीफा दे दूंगा। यहां पर इस बात का मैं एलान कर रहा हूँ। इसलिये मैं कहना हूँ कि यह जो बात कही जाती है कि 70 फीसदी जमीन का बटवारा खेतहर मजदूरों में, भूमिहीनों में किया गया है, यह बिल्कुल गलत बयानी है।

मैं यह कहना चाहता हूँ कि पंचायत एलैक्शन से लेकर पार्लियामेंट के एलेक्शन तक, जो फार्म भरे जाते हैं उस फार्म में एक और कालम बढ़ाया जाना चाहिए कि हम अन्तर्जातीय विवाह करेंगे अथवा अन्तर्जातीय विवाह के

हम हामी हैं। इसकी स्वीकृति के बिना किसी को फार्म भरने न दिया जाये। इसी प्रकार से नौकरियों की बात है जिसमें आप 18 प्रतिशत रिजर्वेशन की बात करते हैं। नौकरियों में भी आई० ए० एस०, पी० पी० एस० सभी के लिये फार्म में एक कालम बढ़ाया जाना चाहिये कि हम अन्तर्जातीय विवाह करेंगे अथवा हम उसके हामी हैं। इस तरीके से सही रूप में अन्टचे-विलिटी को खत्म किया जा सकता है और सही रूप में हरिजनों का उद्धार किया जा सकता है।

एक बात मैं यह कहना चाहता हूँ कि इसके लिये कांग्रेस पार्टी की कोई जिम्मेदारी नहीं है बल्कि यहां पर जो मेम्बरान बैठे हुए हैं वही जिम्मेदार हैं। इस दशा को और बदतर बनाने में इनकी ही जिम्मेदारी है। चाहे कोई कम्युनिस्ट हों, जनसंघी हों, स्वतंत्र पार्टी के हों या वी० के० डी० के हों, सभी की आज गांवों में वही दशा है। किसी पार्टी विशेष की यह जिम्मेदारी नहीं है बल्कि सभी की है। यहाँ पर सभी लीपापोती करते हैं और खरे समाजवाद की बात करते हैं लेकिन गांवों में तीन लड़ का मोटा जेऊ पढ़ते हैं हरिजनों से नफरत करते हैं जो कि आम तौर पर दूसरे लोग करते हैं। अगर आपको हरिजनों से हमदर्दी है तो आप जाकर गांवों में अपने वोटों से कहिये कि आप लोग हमारे साथ चलकर खेत-हर मजदूरों और हरिजनों के साथ खाना-पीना करिये वरना हमें आपका वोट नहीं चाहिये। लेकिन ऐसा कौन करता है? मैं जानना चाहता हूँ कि कहां है आपका समाजवाद? दस साल तो क्या अभी ऐसे बहुत से दस साल आयेंगे। लेकिन इसका मतलब यह भी नहीं क्योंकि:

हृद से बढ़ जाती है जब प्रादमी की मजदूरी अमन पसन्द बगावत की बात करते हैं।

आज चिनगारियां निकल रही हैं। शेडयूल्ड

कास्ट और शेड्यूल्ड ट्राइब्ज चाहे कांग्रेस पार्टी में हों या दूसरे दलों में हों उनके दिलों में चिनगारी मौजूद है, पार्टी के दवाव से वह चिनगारी अन्दर ही अन्दर सुलग रही है जिसका धुंवां कभी कभी बाहर भी निकलता दिखाई देता है। लेकिन वह समय दूर नहीं जब वह चिनगारी इस तूफान को समूल नष्ट करने में समर्थ होगी। इसलिये मैं कहना चाहता हूँ कि इसको न केवल पास किया जाये बल्कि साथ ही साथ आप इसका वृत्त लें कि अपने हलकों में जाकर के इसको सही रूप में कार्यान्वित भी करेंगे। मैं चाहता हूँ कि इसको यहां पर सर्व-सम्मति से पास किया जाये और साथ ही साथ सरकार इस बात का ध्यान रखे कि शेड्यूल्ड कास्ट शेड्यूल्ड ट्राइब्ज की जो समस्या है वह स्टेट गवर्नमेंट का मामला नहीं है बल्कि सेन्ट्रल गवर्नमेंट का मामला है, यह एक नेशनल मामला है, इसको हल करने के लिये इस किस्म के कदम उठाये जाने चाहिये।

SHRI SONAVANE : I want to bring to your notice, Mr. Chairman, that the entire Congress (Opposition) is absent. That shows the amount of interest they are taking in this Bill.

SHRI SIDDAYYA : One member is sitting here, Sir.

श्री तुलशीदास जाधव (बारामती) : सभा-पति महोदय, सदन के सामने जो बिल आया है वह बहुत अच्छा है। इसमें कहा है कि संविधान का आर्टिकल 334 कहता है :

The reservation of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States ; and the representation of the Anglo-Indian community in the House of the People and in the Legislative Assemblies of the States by nomination shall cease to have effect on the expiration of a period of twenty years from the commencement of this constitution.

1970 साल में 20 वर्ष की रिजर्वेशन भी बन्द होती है। इसलिए उस के लिए 30 साल

तक का रिजर्वेशन हो, यह सिड्यूल्ड कास्ट्स और सिड्यूल्ड ट्राइब्ज के बारे में है और जो एंग्लो इण्डियन्स के लिए है उन के लिए जो दो नामीनेशन करने का अधिकार गवर्नमेंट को दिया था और गवर्नर को एसेम्बली के लिए दिया था, उस की बजाए एक आदमी नामीनेट करे, यह प्रोवीजन इसमें है। तीसरा प्रोवीजन यह है कि नागालैंड की स्टेट होने से वहां के सिड्यूल्ड कास्ट और सिड्यूल्ड ट्राइब्ज को वहां का रेप्रेजेन्टेटिव यहां भेजने की गर्ज नहीं है, यह तीसरा प्रोवीजन इस में है। (व्यवधान)... नागालैंड गवर्नमेंट ने ऐसा कहा है कि वहां भेजने की गर्ज नहीं है।

सभापति महोदय : बिल में क्या है, इसको कहने की बजाय आप अपनी बात कहिए, नहीं तो सारा समय आप का उस में चला जाएगा।

श्री तुलशीदास जाधव : मेरा कहना यह है कि जो प्रोवीजन दिये हैं और मैंने 30 वर्ष तक रखने की बात कानून मंत्री की सुनी और दूसरे लोगों के भाषण भी सुने और उन को सुनने के बाद मेरा मुझाव यह है कि 30 वर्ष की बजाए, हर दस वर्ष के बाद फिर इसकी चर्चा बार-बार उठाने की बजाए, अगर यह अवधि 40 साल हो जाए, तो अच्छा रहेगा, जिससे 20 साल तक वे लोग जो कुछ अपनी उन्नति करना चाहें करें। इतना ही नहीं गवर्नमेंट को अगर जंच जाए तो मैं तो यह कहूंगा कि रिजर्वेशन यहां तक रखें कि जिस वक्त वे लोग खुद कहें कि अब हमें रिजर्वेशन नहीं चाहिए, और सब मिल कर उस की रिपोर्ट करें और एक कमीशन सरकार इस के लिए एपाइन्ट करे, जो यह देखे कि उन की हालत सुधर गई है या नहीं और उस की रिपोर्ट के बाद ही रिजर्वेशन खत्म करें। ये दो सूचनाएं मेरी हैं। गवर्नमेंट को जब यह जंच जाए कि उन की हालत सुधर गई है तब रिजर्वेशन समाप्त करे क्योंकि बार-बार उन के लिए यह कहना कि हरिजन है, सिड्यूल्ड कास्ट है,

[श्री तुलशीदास जाधव]

सिड्यूल्ड ट्राइव्म है, उन के ललाट पर छाप लगाना है। हर 10 वर्ष के बाद इस पर चर्चा हो, तो उस से तो यह ठीक होगा कि जब उन की स्थिति दूसरों के बराबर आ जाए, तो उस वक्त उन का रिजर्वेशन बन्द करे, यह मेरी सूचना है।

दूसरी बात यह है...

एक माननीय सदस्य : बहुत अच्छा, बहुत बढ़िया सुझाव है।

श्री तुलशीदास जाधव : दूसरी बात यह है कि अभी तक जितने काम हुए हैं उन में, और यह स्टेटमेंट आफ़ आबजेक्ट्स एण्ड रीजन्स में कहा गया है कि जिस चीज़ के लिए इन को रिजर्वेशन दिया है वह अभी खत्म नहीं है। अभी भी बेकबर्ड स्थिति में बहुत से लोग हैं और उस स्थिति में होने के कारण उन्हें आपिन कन्टीन्यूएशन 10 वर्ष का दे दिया है। उन की परिस्थिति कठिन है, इस में कोई दो राय नहीं हो सकती। इतना ही नहीं अभी यह बिल पेश होने के पहले एक कम्प्यूनिटि के भगड़े के बारे में एक मोशन दिया और उस के बारे में चर्चा हुई। मैंने सब भाषण सुने और आपस में आरोप उप-आरोप हुए। इस का यह मतलब होता है कि समाज में यह जड़ा हुआ जड़ में बहुत भारी रोग है, बहुत भारी डिजीज है और अगर इस को निकालना है तो खाली बातें करने से कुछ नहीं होगा। यह उस समय तक दूर नहीं होगा जब तक कि दूसरे जो लोग हैं उन को जो सहूलियतें सहज में मिल जाती हैं, इसी रीति से हरिजनों को भी अपने रोज़ाना के जीवन में नहीं मिलती। उन को कोई ऐसा गुमान न हो कि हम कोई दूसरे लोग हैं, दोनों के दिलों में ऐसी कोई चीज़ पैदा न हो कि यह कोई दूसरे लोग हैं और हम कोई दूसरे भादभी हैं, जैसा कि शहरों में होटलों में जाते हैं तो वहाँ कोई इस तरह का सवाल नहीं आता है और जैसा कि कानून मन्त्री ने कहा कि यहां

पार्लियामेंट के लोगों में यह सवाल नहीं आता कि यह कोई और लोग हैं। जैसी बात यहां हो गई है, ऐसी स्थिति समाज में जब न आ जाए, तब तक उन को हर चीज़ में हर बात में सपोर्ट करना चाहिए।

मेरी अगली राय यह है जैसी कि कानून मन्त्री ने कहा कि यह कोई कानून से ज्यादा दूर नहीं होती, यह तो आप का भी काम है कि इस चीज़ को दूर करें, चेयरमेन साहब, आप ने अभी जो चर्चा चल रही थी, उस वक्त कहा था कि क्रिश्चियन लोगों के लिए यह सहूलियतें क्यों? मेरी राय है कि जैसे हरिजनों को, शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइव्ज के लोगों को अछूत समझा जाता है वैसे ही आज शहरों और देहातों में लोग एंग्लो इण्डियन्स को भी अछूत समझते हैं। न तो वह उन को मन्दिरों में आने देते हैं न मकानों में। आप मानें या न मानें लेकिन देहातों में आज भी क्रिश्चियन लोगों को अप्सृष्य माना जाता है, उन को नज़दीक नहीं आने दिया जाता। यह बहुत बड़ी सोशल डिजीज है। हम यहां पर देखते हैं कि इन लोगों को जो नामिनेशन दिया गया है उस के जो भी और कारण बतलाये गये हों, एक यह कारण भी दिया गया है वह बेकार लोग हैं, उन के लिये एम्प्लायमेंट नहीं है।

जो लोग हिन्दू धर्म को एक जुदा धर्म मानते हैं, उन के कहने और बोलने से ऐसा ही मालूम होता है जब हम डिबेट को सुनते हैं, हालांकि इस तरह की कोई पार्टी यहां है नहीं फिर भी मैं हाऊस की तरफ से उन से एक विनती करूंगा, जन संघ वाले हों, आर एस एस वाले हों या हिन्दू समाज में काम करने वाले हों उन से विनती करूंगा। वह विनती यह है कि उन की आल से हर जगह कम्प्यूनल टेंशन बढ़ाने का प्रभाव पैदा होता है। डाइरेक्टली वह ऐसा करते हैं या नहीं, मैं यह नहीं कहता, लेकिन उन का जो रोज़ाना का तरीका

है बोलने का, उस से देश में हर कम्प्यूनिटी में एक जातीयता पैदा होती है। यह मेरा पिछले चालिस वर्षों का अनुभव है। इस को निकालना है तो जो भी सोशल वर्कर हैं उन का फर्ज है कि इन लोगों को अपने साथ ले कर यह विश्वास पैदा करें कि यह हमारे जैसे लोग हैं, उन में कोई कमी नहीं है। जब तक यह नहीं होगा तब तक कुछ नहीं होगा।

मैं ज्यादा वक्त नहीं लेना चाहता, लेकिन आप के जरिये से इस हाऊस से और देश से यह विनती है कि किसी भी बड़े धर्म में, चाहे वह हिन्दू धर्म हो चाहे क्रिश्चियन धर्म हो, पारसी धर्म हो या इसलाम धर्म हो, किसी जगह पर ऐसा नहीं है कि उस धर्म के बाहर के लोगों में कोई कमी है या उन में खुदा की रूह नहीं है। मैं ने ऐसा कहीं नहीं देखा है, लेकिन अपने-अपने स्वार्थ से प्रेरित हो कर अलग-अलग दृष्टियों से लोगों के साथ इन्सानियत का वर्ताव नहीं किया जाता है। उन लोगों के साथ गैर-इन्सान की हैसियत से वर्ताव करना गलत है।

इस लिये गवर्नमेंट ने उन्हें दस-बीस वर्षों तक यह सुविधा दी है। मेरी अपनी राय यह है कि जब तक वह खुद न कहें कि उन को रिजर्वेशन नहीं चाहिये तक तब उन का रिजर्वेशन कायम रहना चाहिये।

श्री बि० प्र० मंडल (माधेपुरा) : सभापति महोदय, वैसे तो मैंने इस बिल को सकुलेट

करने के लिये मोशन दिया था लेकिन मैं इस को स्पष्ट करना चाहता हूँ कि मैं शोषित दल से आता हूँ और मैं समझता हूँ कि हिन्दुस्तान में आर्थिक शोषण से बढ़कर सामाजिक शोषण हो रहा है। जब तक हिन्दुस्तान में सामाजिक शोषण को रोका नहीं जायेगा तब तक हिन्दुस्तान को दुनिया के और देशों के समकक्षला पाना असम्भव है।

दस वर्ष पहले हरिजनों और शेड्यूल्ड ट्राइब्ज के रिजर्वेशन को दस वर्ष के लिये बढ़ाया गया था। इस बार फिर हम 10 वर्ष के लिये और बढ़ाना चाहते हैं, लेकिन देश में हरिजनों की स्थिति ज्यों की त्यों है। अभी भी समाचार-पत्रों में खबर आती है कि हरिजन लड़के को कहीं पर जला दिया गया, कहीं पर कोई कंट्रेक्टर पुल बना रहा था वहां पर उस का बलिदान कर दिया गया। अभी-अभी बिहार और उत्तर प्रदेश की सीमा पर एक जमींदार ने उमरपुर गांव में 12 आदिमियों को मरवाया जिन में हरिजन भी थे और पिछड़े वर्गों के लोग भी थे। हिन्दुस्तान में जो यह सामाजिक शोषण है...

सभापति महोदय : माननीय सदस्य कल अपना भाषण जारी रखें। अब सदन कल ग्यारह बजे तक के लिए स्थगित किया जाता है।

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 9, 1969/Agrahayana 18, 1891 (Saka).