

तो उसके टैक्स स्ट्रक्चर में परिवर्तन करना चाहिये ।

है । हमारे वित्त मंत्री ने एक बार अपनी स्पीच में कहा कि

इसके अलावा लोगों के टैक्स के बारे में जो उनका दृष्टिकोण अब तक रहा है उसमें भी परिवर्तन लाने की आवश्यकता है । जब तक लोगों के दृष्टिकोण में यह परिवर्तन नहीं होता कि हमें सरकार को तमाम वाजिब टैक्स देने हैं और यह टैक्स हमारे लाभ के लिये हैं और उनसे हमको ही प्रागे चल कर लाभ मिलेगा, जब तक लोगों की यह वृत्ति नहीं होगी तब तक हम कितने ही कानून चाहे क्यों न बनायें, यह जो हमारे देशवासियों के अन्दर टैक्सों की चोरी करने और बेईमानी करने की वृत्ति हो जाती है, वह दूर नहीं होगी । अब कोई बहुत मुश्किल में पड़ करके टैक्स बचाने की चंष्टा करता है तो वह तो इस बिल में आयेंगा नहीं परन्तु वित्त मंत्री महोदय का मेरा मुझव यह है कि सरकार को यह देखना चाहिये कि जिनका खर्चा है जिनकी आमदनी है, उस आमदनी में उसका खर्चा चल सकता है या नहीं ताकि वह बिना मुश्किल के जो टैक्स उस पर वाजिब प्राे उस को वह दे सके । अब इनकमटैक्स जैसा कि मैंने आप को बतलाया २५ हजार पया तक की आमदनी पर कोई ८-५ हजार पया टैक्स का देना पड़ता है । हमारा टैक्स स्ट्रक्चर ऐसा है कि उस के बाद, अर्थात् २५ हजार से एक लाख तक के लोगों को बड़ी मुश्किल होती है । अमेसी लोगों से मेरी बात होती है और वे बताते हैं कि हमारा इतना खर्चा होता है और हम लोगों को बड़ी मुश्किल का सामना करना पड़ता है । २५ हजार तक वारों को मुश्किल नहीं होनी चाहिये, क्या कि अपेक्षतया उनका खर्च कम है । कुछ लोग बहुत बड़े हैं और मेरी समझ में नहीं आता कि उन को किसी हालत में मुश्किल होनी चाहिये । एक बार यहाँ से आलोचना हुई कि ऊपर वालों में, जिनकी बहुत इनकम है, टैक्स का एवायडंस और इवजन बहुत होता

उपाध्यक्ष महोदय : क्या माननीय सदस्य आज ही तीन चार मिनट में खत्म कर देंगे या अगले दिन-मनडे- को जारी रखना चाहेंगे ?

श्री सुनसुन वाला : मैं अगले दिन जारी रखना चाहूँगा ।

14:31 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

EIGHTY-FOURTH REPORT

Shri Balasaheb Patil: I beg to move:

"That this House agrees with the Eighty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th April, 1961".

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Eighty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th April, 1961."

The motion was adopted.

RESOLUTION RE: BUDDHIST CONVERTS—contd.

Mr. Deputy-Speaker: The House will now resume further discussion on the Resolution moved by Shri D. A. Katti on the 14th April, 1961 regarding Buddhist converts. Out of 2 hours allotted for the discussion on this Resolution, 1 hour and 15 minutes have already been taken. Shri Shree Narayan Das may continue his speech.

Shri B. K. Gaikwad (Nasik): Sir, before we start the discussion on this Resolution, may I request that as the Resolution is an important one, the time may kindly be extended?

Mr. Deputy-Speaker: I will give him some time at least.

Shri B. K. Gaikwad: It is not a question of giving me time but there are so many other hon. Members who would like to speak.

Mr. Deputy-Speaker: I will look into that.

Shri Kalika Singh (Azamgarh): If the time is extended for this Resolution, the other Resolutions may not be reached. There are other Resolutions also.

Shri Shree Narayan Das (Darbhanga): Mr. Deputy-Speaker, Sir, the other day I began my speech saying that this Resolution appears to be unconstitutional. If this Resolution is accepted by the House and safeguards other than the reservation of seats in legislatures granted and provided to the scheduled castes are extended to buddhist converts, that will amount to discrimination because we have in India freedom of conscience and freedom to go to any religion. It may be that the persons belonging to scheduled castes may join buddhist religion, or muslim religion, or any other religion and if the safeguards that have been provided in the Constitution are granted only to those who join buddhist religion, then that will be discrimination. Therefore, I say, this Resolution, as it stands, is against the Constitution. It discriminates between one religion and the other. Article 15(1) of the Constitution says that no discrimination will be made on grounds of religion, race, caste, sex, place of birth or any of them. From that point of view, this Resolution appears to be unconstitutional.

Now, Sir, I come to the definition of 'Scheduled Castes' as is given in the Constitution. In Article 366, item 24, the term 'Scheduled Castes' has been defined. It has been stated that:

"'Scheduled Castes' means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes

for the purposes of this Constitution."

Here, no mention has been made with regard to persons belonging to scheduled castes believing in a particular religion. Whereas, in Article 341, it is stated:

"The President may with respect to any State or Union territory and where it is a State, after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory, as the case may be".

Sir, so far as these provisions go, it is not mentioned that persons belonging to Hindu religion will comprise scheduled castes. But, in the Order issued by the President in accordance with the provisions contained in article 341.....

Shri B. K. Gaikwad: What is that Order?

Shri Shree Narayan Das: By Act No. 63 of 1956 that Order has been amended. The Order, in accordance with Article 341 of the Constitution was issued in 1950. In that Order, no mention was made of religion with regard to Scheduled Castes. But the Act which I just mentioned, that is, Act No. 63 of 1956, states in paragraph 3 that:

"Notwithstanding anything contained in paragraph 2 no person who professes a religion different from the Hindu or the Sikh religious shall be deemed to be a member of the Scheduled Caste."

Therefore, I would like to submit, although, this has been defined in the Order in accordance with article 341 of the Constitution, as amended by Act, No. 63 of 1956, the Parliament has the right to amend that order now.

Article 341, clause (2) states:

"Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification."

So, the claims that have been put forward by my hon. friend who moved this Resolution may be considered by the House and if the House thinks it proper, then the converts of other religions also might be included. I have given notice of an amendment saying that this matter should be examined. It says that the Committee should be appointed to go into the question whether it is desirable to extend the safeguards to those who have been converted to buddhism or to any other religion. If the Committee thinks it desirable and the Parliament also thinks it desirable, after the report is submitted by the Committee, that may be considered and the Order may be amended in that respect. There is no doubt about it, that by only changing a religion, the social and economic condition of any person will improve. Those persons who have joined buddhism may join Muslim religion or any other religion, but their social and economic conditions will not improve automatically. Merely because they have changed the religion, they should not be debarred from the enjoyment of the special safeguards in regard to the economic and a social matters that have been provided. They should not be debarred from enjoying those rights. In my opinion, this Resolution appears to be unconstitutional and I would like to suggest that the House, if it so desires, may appoint a Committee to go into the matter and after the Committee submits the report the report may be considered by the House and the safeguards that have been provided in the Constitution matters may be given to others also. matters may be given to others also.

Shri Kalika Singh: What is your view?

Shri Shree Narayan Das: So far as my view is concerned, I think, the safeguards that have been provided in the Constitution to persons who belong to backward classes may also be given to these people. Unless the Constitution is amended, or unless that Order is amended, the persons who have joined buddhism may not have the right to enjoy those privileges which have been granted to the backward classes. I do not think at the time when this Constitution was framed, the constitution-makers had in mind only such persons as belonged to Hindu religion. I think they did not mention this matter specifically in the Constitution, when the Constitution was framed. Because no other religion in India has got caste system, so this constitutional provision is only relating to those who belong to the Hindu religion. But no mention has been made in the Constitution, and therefore, by a special Act it had to be made clear that those safeguards which are applicable to the Scheduled Castes should also apply only to those who belong to the Hindu religion or, to some extent, to the Sikh religion also. I have not read the order but I think there is mention that it may apply to those who belong to the Sikh religion.

Shri P. S. Daulta (Jhajjar): It was as a result of the agitation. They fought for it and got it.

Shri Shree Narayan Das: But mention has been made that some members belonging to the Sikh religion may also enjoy the safeguards provided in the Constitution for the Scheduled Castes. From this it is clear that Parliament has the right....

Mr. Deputy-Speaker: The hon. Member has some misunderstanding. So far as Scheduled Castes are concerned, they were included in the very first order by the President. Mazhabis, Ramdasis, Sikligars and Kabirpanthis, they were included in the first order. When Parliament amended it by law, then all Scheduled Castes,

[Mr. Deputy-Speaker]

whether belonging to the Sikh or Hindu religion, they were described as Scheduled Castes.

Shri Shree Narayan Das: But in the 1950 order there was no mention of any religion.

Mr. Deputy-Speaker: In the order there was a mention of Hindu religion and four castes of Sikhs had been included.

Shri Shree Narayan Das: Anyway, what I was referring to was this. If what is provided for the Scheduled Castes may apply to the Sikh religion, they must also apply to those who join Buddhism or any other religion. Therefore, I have given notice of my amendment. I would suggest that the desirability of such advantages going to those people who just leave the Hindu religion and join other religion should also be considered. I think my hon. friend will be agreeable to this examination. Otherwise, the Resolution, as it stands at present, discriminates between one religion and another and, therefore, will not stand.

Shri B. K. Gaikwad: I rise to support the Resolution moved by my hon. friend, Shri D. A. Katti, during the last fortnight, on the 14th April, 1961, on the auspicious day of the birthday of Dr. Babasaheb Ambedkar, our revered leader. The Resolution reads as follows:

"This House is of opinion that all the Constitution safeguards except those relating to the reservation of seats in the legislatures, granted and provided to the Scheduled Castes, be extended to the Buddhist converts from the Scheduled Castes."

Many people in this House, as well as outside the House, seem to have some misunderstandings in this matter. Just now, my hon. friend said that we people are demanding that the Buddhist converts should be included among the Scheduled Castes. Generally speaking, that is not our demand. We are ashamed to call ourselves as Scheduled Castes. We

do not want to be included, under any circumstances, in the Scheduled Castes. That is what we say. Then what is our demand? Our demand is that whenever concessions are given to the Scheduled Caste people, the same concessions should be extended to the Buddhist who have been converted from the Scheduled Castes.

Shri Balmiki: On what ground?

Shri B. K. Gaikwad: Why do we demand so? A question was put by my hon. friend, Shri Balmiki "Why"? He is perfectly right in asking this question, and that is why I say that we demand these concessions because it has some history behind it. We must look into the history and try to know why these concessions were given to the Scheduled Castes and Scheduled Tribes. These concessions were given to the Scheduled Castes, Scheduled Tribes and weaker sections of the people because they were most down-trodden and backward educationally, economically socially and in every other respect.

An Hon. Member: Stigma of untouchability.

Shri B. K. Gaikwad: Yes, I am coming to that. Do not be hasty. I may say that was the position. You will find that the Scheduled Caste people, who are now considered as untouchables are the inhabitants of this country.

Pandit K. C. Sharma (Hapur): As everybody else.

Shri B. K. Gaikwad: In the history of India, they are called as Anaryas. In the history they are called Anaryas. Because, the Aryans invaded and occupied this country and those who were not Aryans were called Anaryas. The Aryans made the Anaryas their slaves. Some of the Anaryas escaped to the jungles or hilly areas. They are called Scheduled Tribes. Now, the Scheduled Castes and Scheduled Tribes are backward in all respects. Moreover, we find that the Scheduled Castes are treated as untouchables.

So, these concessions, these safe-guards and facilities, were provided to them in order to bring them to the level of the other people living in our country.

Now the question before us is whether after conversion those people who have embraced Buddhism are entitled to demand these concessions. You will find that not thousands but lakhs and lakhs of people have embraced Buddhism in the villages and cities. But they are treated even today as even untouchables by the caste Hindus. My hon. friend, Shri Balmiki, was telling me that these concessions were based on untouchability, this stigma of untouchability is being observed even after conversion and, therefore, they have every right to demand the concessions.

Shri Balmiki: I have not said that.

Shri B. K. Gaikwad: You will find that people who have been converted to Buddhism and who live in villages, even today they are treated as untouchables. They are not allowed to draw water from the wells. They are getting the same treatment that they were getting in the past. Even today that is the position.

We must, of course, see why these concessions were given. For giving these concessions there were so many tests—whether they are treated as untouchables, whether they are really as educationally backward, whether they are economically poor whether they are socially down-trodden. Now, if you apply these tests for giving these concessions, you will find that there is no improvement at all, as far as the Buddhist converts are concerned. They are treated as untouchables; economically they are worse, very poor; educationally they are very backward; socially, even today you will find that they are down-trodden. So, these are the criteria which are applied for giving these concessions, not that that they are Hindus. So, I say that they should be given these

concessions. In the Constitution, there is no mention about it. But, then, after passing some resolutions by the President of India, some changes were made. My hon. friend, Shri D. A. Katti, has also moved a resolution with a view to make some changes. Why do we say that we are not proud, we do not wish to call ourselves Scheduled Castes? Scheduled Castes means untouchables; that is why.

Shri Kalika Singh: That is not the meaning.

Pandit K. C. Sharma: There is no untouchability now.

Shri B. K. Gaikwad: On paper. According to the Constitution untouchability has been removed; there is no doubt about that. But if my hon. friends say that there is no untouchability I think that they must have come from some foreign countries.

Pandit K. C. Sharma: It can be enforced through due process of the law.

Shri B. K. Gaikwad: By passing laws alone these things cannot be solved. My hon. friend must understand this. The laws must be implemented.

Pandit K. C. Sharma: You go to a court of law.

Shri B. K. Gaikwad: So we say that these concessions should be extended to the Scheduled Caste people as they are suffering from the same stigma, the same difficulties from which they were suffering before.

I was just now saying that we are not proud of calling ourselves Scheduled Castes, because Scheduled Castes means untouchables. My hon. friend says that there is no untouchability. But there is untouchability. What does he mean by Scheduled Caste. Scheduled Caste means untouchables. My hon. friend who preceded me said that among Hindus there is this caste system. If that is so, this caste

[Shri B. K. Gaikwad]

system observes untouchability. It means that those who are untouchables are called Scheduled Castes.

We have been continuously fighting against this untouchability. In Maharashtra in 1927 a satyagraha was organised by Babasaheb Ambedkar for the so-called untouchables being allowed to take water from a public tank. Similarly in Nasik in 1930 there was a temple-entry satyagraha. We have also suffered a lot, as my hon. friends from the Congress have suffered in the cause of Swaraj. We have been continuously agitating for the removal of untouchability; we have launched several movements. Only for the sake of subsistence we do not wish to call ourselves untouchables. We are not proud of it. So, we should not be called untouchables and therefore, we do not wish to call ourselves Scheduled Castes, then what is the complaint.

Some of my hon. friends suggested that we should be called backward classes and whatever concessions are extended to the backward classes should be extended to us. Let my hon. friends first understand what concessions are extended to the backward classes. A girl from a Scheduled class attending a college is eligible to get a scholarship only if she obtains 55 per cent. of the marks in the annual examination. A boy of that community is eligible to get a scholarship only if he gets 60 per cent. marks in the annual examination. If you take into consideration the backwardness of the Scheduled Caste people you will find that hardly one or two per cent. of them can obtain these scholarships. We want to improve the economic, educational and social status of these people. Our demand is that they must be given all these educational, social and economic facilities which are given to the Scheduled caste people.

Shri C. K. Nair (Outer Delhi): Will he make it applicable to Christian converts from the Scheduled Castes also?

Shri B. K. Gaikwad: My hon. friend says that whatever facilities we are demanding, must be given to others also, say Muslims, Christians and other backward class people. I have no objection to that, provided they are treated as untouchables. If a man has embraced Islam and if he is treated as an untouchable, I think he is entitled to get that concession.

Shri Narayanankutty Menon (Mukandpuram): Is the hon. Member's contention that they should be treated as untouchables for ever so that these concessions may be given to them?

Shri B. K. Gaikwad: That is one of the criteria for these concessions. If a man from the Christian community is treated as an untouchable and if he is educationally backward, he is entitled to get these concessions. I have absolutely no objection to it. That was one of the criteria, as far as my information goes, for enjoying the benefit of these concessions. We know what relations the framer of the Constitution, the late Babasaheb Ambedkar, had, with the Hindus. He was not proud of calling himself a Hindu and, therefore, you will find that untouchability was the criterion put by the framer of the Constitution.

An Hon. Member: Say framers—there were many others also.

Shri B. K. Gaikwad: Speaking on this Resolution on the 14th April my hon. friend Mr. Ghosh was saying that it is the creed of the Congress to make a casteless society. I fail to understand what he means by the Congress making a casteless society. In the Congress, Hindus are in majority. Hinduism means nothing else but caste. He quoted the instance of the late Dr. Rabindranath Tagore—not of any Member of this House, or the Prime Minister—that he did not observe caste. If you go and ask anybody he says: my caste is so and so. Mr. Ghosh said that the late Dr. Rabindranath Tagore did not observe any caste or untouchability. But, un-

fortunately, those who are observing the caste system are the rulers today and they come forward and say that they want to form a casteless society.

Pandit K. C. Sharma rose—

Shri B. K. Gaikwad: As long as I am on my legs, my hon. friends will not disturb me.

Pandit K. C. Sharma: There is provision in the Constitution to that effect.

Shri B. K. Gaikwad: As far as Hindus are concerned, they cannot claim that they are going to make a casteless society. Others can, claim. But the Hindus cannot do it.

My hon. friend was saying that it is the policy of Government to do all these things. But what the Government is doing for the uplift of the down-trodden people? No doubt, once in a year the Report of the Commissioner for Scheduled Castes and Scheduled Tribes comes up for consideration before this House when Hon'able Members express their views.

So far as this Resolution is concerned, it was pointed out that there are certain constitutional difficulties. But it must be realised that the constitution is for the people; the people are not for the Constitution. If people suffer, then an amendment of the Constitution is essential. You cannot say that there is no provision in the Constitution and so it cannot be done. Now, article 46 of the Constitution clearly lays down that these concessions and safeguards would be given to the weaker section of the people of the country and particularly to the Scheduled Castes and Scheduled Tribes. As far as I can understand, this provision is mainly meant for the Scheduled Castes and Scheduled Tribes and backward classes.

It may well be asked why we have embraced Buddhism. As I told the House just now, we were fed up with untouchability and caste system. So

Baba Saheb Ambedkar in the year 1935...

Mr. Deputy-Speaker: For the sake of this resolution, that would perhaps, not be relevant—why Buddhism was embraced.

Shri B. K. Gaikwad: Those who have embraced Buddhism should be given these concessions, that is the Resolution.

15 hrs.

Mr. Deputy-Speaker: That is all right. But as to why they got themselves converted, that is not relevant.

An Hon. Member: Then Buddhism is a sect of Hinduism.

Shri B. K. Gaikwad: I do not want to criticise my Hindu brethren. This is not the platform for that. What I want to emphasise is that people have embraced Buddhism in order that their social, religious and other conditions should be improved. That is why they have embraced it.

Five lakhs of our people embraced Buddhism at Nagpur. There is one village near Nagpur. They were having illicit liquor there. As soon as this resolution was introduced they stopped that. Many of my friends who were drinking have stopped drinking, and whatever bad habits they had they have given them up.

Our friends criticise us and say "You have not followed Buddhism. You do not understand Buddhism". We do admit it. They say that we are not acting according to the teachings of the Buddha. But this much I can assure my hon. friends, that we are trying to do so, we are trying to become perfect human beings, and that is our aim.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri B. K. Gaikwad: The question is very important. That is why I requested you to extend the time-limit.

Mr. Deputy-Speaker: He has taken fifteen minutes. He wanted others to participate in the discussion. There are so many others desirous of speaking.

Shri B. K. Gaikwad: Very well. Then I conclude with this.

Mr. Deputy-Speaker: The difficulty is that there are only forty-five minutes and there are half a dozen Members.

An Hon. Member: Five minutes each.

Shri Narayanankutty Menon: From our side no one has spoken so far.

Mr. Deputy-Speaker: In that case Shri Ramam shall have to be content without his resolution being taken up.

Shri T. B. Vittal Rao (Khammam): He can just move it.

Mr. Deputy-Speaker: How can that be possible? It will not be possible, if I allow all these Members, because there is a demand from every side.

Shri P. S. Daulta: Five minutes each.

Shri Kalika Singh: I hope, Sir, that I will be able to move the second resolution, and that it would be reached.

Mr. Deputy-Speaker: That would be reached, of course. But that would not be concluded, and the Mover of the third resolution might suffer.

श्री प्र० सि० बोलता : जनाब डिप्टी-स्पीकर साहब, जो कुछ मतलब इस प्रस्ताव का है, मैं उस की तो तार्ईद करता हूँ, लेकिन चकि प्रस्ताव के बनाे वाले मेम्बर साहब को प्रस्ताव का मतलब समझाना नहीं आया इस लिये मैं इस की इबारत की मुखालिफत करता हूँ। इस प्रस्ताव का मतलब यह है कि कोई नई चीज बुद्धिस्ट नहीं मांग रहे हैं, जो कि गली से इस प्रस्ताव में रखी गई है। स प्रस्ताव का मतलब यह है कि जो

कंसेशन शेड्यूलडकास्ट्स को बहैसियत शेड्यूलड कास्टस् के लिये हुे हैं वह महज मजहब के तबादले से खत्म न हो जायें। यह देग बुद्धिस्म के लिये नहीं है, सब के लिये है। मेरी अर्ज यह है कि मैं इस प्रस्ताव की तार्ईद करता हूँ, इस लिये कि आजकल फिकार्परस्ती से लड़े की बड़ी बात हो रही है मैं समझता हूँ कि फिकार्परस्ती से लड़ाई इस एजोल्य-गन को ऐक्सेप्ट करने के साथ शुरू होनी चाहिये। यह बात मेरी समझ में नहीं आती कि इतनी बड़ी आबादी में एक आनरेबल मेम्बर वहे कि हम शेड्यूलड कास्टस के मेम्बर नहीं हैं, मेम्बर बनना भी नहीं चाहते, हमें उम नाम से पुकारा भी न जाये, लेकिन सब कंसेशन्स दिये जायें। कंसेशन दिये जाने के लिये पहली चीज यह है कि किसी ट्राइब या किसी शेड्यूलड कास्ट्स की लिस्ट में आदमी को आना चाहिये। अगर वह लिस्ट में नहीं आता तो उमका कनमेशन मिलना जरूरी चाहे वह हिन्दू हो या बौद्ध।

दूसरी अर्ज यह है कि जहां तक इस रिजोल्यूशन की स्पिरिट का ताल्लुक है मैं उसको सपोर्ट करता हूँ लेकिन यह कहना गलत है कि यह लिस्ट कास्ट की बिना पर नहीं बनाई गई है। कास्ट को हमारे यहां एकनालिज किया गया है। मैं उन लोगों में से नहीं हूँ जो अपने को प्रोग्रेसिव कहने के लिये यह कहते हैं कि हमारे यहां कास्ट का कोई रोल नहीं है। कास्ट तो मौजूद है। कास्ट के अन्दर सदियों से कुछ प्रोफेशन चले आते हैं और जैसा कि हमारे महबूब लीडर ने अपनी किताब—डिसकवरी आफ इंडिया—में लिखा है, आर्या के वक्त से गोलडस्मिथ की कास्ट चली आ रही है और अब भी टाउन्स में इनकी इस कारोबार की मानोपली है। इसी तरह से और भी बहुत सारी चीजें हैं। बहरहाल कास्टी-ट्रूपेशन बनाने वालों ने यह एकनालिज किया कि कुछ लोग बैकवर्ड हैं, कुछ मजमुए बैकवर्ड

हैं और उनको कनसेशन इसलिए दिया गया कि वे बैकवर्ड हैं। इसमें मजहब की कोई बात नहीं है। अब अगर वह अपना मजहब तबदील करते हैं तो उन्हें इसके लिए भी कांस्टिट्यूशन उनका राइट आफ फेट देता है। तो यह नहीं हो सकता है कि वे अपने दूसरे राइट को एक्सरसाइज करने की वजह से पहले राइट को खो दें। हो सकता है कि कांस्टिट्यूशन के लूज इर्रिफिंग की वजह से ऐसा मालूम होता हो। तो मैं इस रिजोल्यूशन को एक्सेप्ट करता हूँ कि जो भी शिड्यूल्ड कास्ट या शिड्यूल्ड ट्राइव का है वह चाहे कोई मजहब तबदील कर ले वह तमाम कनसेशन जो कि उसको बतौर हिन्दू के हासिल थे उसे मिलते रहेंगे।

अब मैं थोड़ा सा अंग्रेजी में भी कह देना चाहता हूँ क्योंकि मेरे दोस्त मूवर हिन्दी नहीं जानते।

My hon. friend was pleased to state—perhaps he does not follow Hindi and that is why I am saying a few words—that they converted themselves from Hinduism to Buddhism because they wanted to go to a casteless society. That is too much. With due respect to the hon. Member's knowledge, I would say that he does not understand the impact of the cast system in Indian sociology. The very fact that even after being converted to Buddhism they demand concessions means that merely changing of religion does not change the caste system, Buddhists claim that it won't be there. When Islam came to India it did not acknowledge the caste system. I know that thirty years ago a Jat Mussalman did not give his daughter to a non-Jat Muslim. Now a new force came in Punjab. That is another thing. A new religion came that was a progressive movement: Sikhism came there. It was a progressive force. It claimed that it would not have any caste. And I know there was an agitation among Sikhs that Scheduled

Caste Sikhs should be given the same concessions as the Hindu Scheduled Castes have got. The very fact that in spite of converting themselves to Sikhism, they want this shows that it is of no use. A Jat Sikh remains a Jat Sikh and a Chura remains a Mazhabi Sikh. So a Budha Chura will remain a Budh Chura and a Budh Khatri will remain a Budh Khatri.

An Hon. Member: Then what is the use of the change of religion?

Shri P. S. Daulta: Absolutely no use. And Buddhism is something which my friend does not mean, perhaps.

Ch. Ranbir Singh (Rohtak) It is not any disqualification?

Shri P. S. Daulta: No. My submission is that Scheduled Castes who are Hindus should enjoy these concessions in spite of their changing their religion. If the Hindu majority cannot do it, if my party and this Government cannot do it, it cannot claim to fight communalism.

An Hon. Member: What can the party do?

Shri P. S. Daulta: If this Government does not do even this much, the Congress Party cannot say that they are fighting communalism. If a Chamar goes into a mandir he enjoys all the concessions; but if he goes to a mosque to pray he is refused those very concessions. This cannot be the Government's intention when it says that it wants to fight communalism.

So I say that this resolution should be accepted, as amended by my hon. friend, that all Scheduled Castes, whatever religion they might have gone to, should enjoy this concession.

Mr. Deputy-Speaker: Prof. Sharma.

Pandit K. C. Sharma: Mr. Deputy-Speaker....

Mr. Deputy-Speaker: I had actually called Shri D. C. Sharma.

Pandit K. C. Sharma: Since I have commenced, let me speak for five minutes, Sir.

Mr. Deputy-Speaker: Very well.

Pandit K. C. Sharma: Caste is a phenomenon of a decaying culture. It must end, and it is ending. There is therefore no use talking much about it. It is dying, it is almost dead.

So far as this is concerned, I would point out to the House that it was in 1812 that Compté said that the sinister vested interests of high classes must of necessity be abolished. Having abolished the sinister interests of the high privileged classes, new vested interests need not be created. And I submit that this is a modern world, a world of the common man, with common rights. All have claim to first-class citizenship. This first-class citizenship is in contrast to the sub-citizenship of the Roman Empire and the civilisation that arose in the wake of the Roman Empire. Now the Roman Empire and those great civilisations are dead and gone. This is the world of the common man, with common rights, whether he is a Scheduled Caste or a Brahman or anybody. And I beg to inform my friend behind me that in the Congress constitution there is a class that "you do not believe in caste". I do not believe in caste, and no Congressman believes in caste. Caste is dead and gone. It is being given a new life for claiming new rights by my hon. friend who wants to claim new rights. We want to finish it, and we have finished it, but my hon. friend wants to give it a new life again for claiming new privileges.

I beg to submit that this provision in the Constitution providing privileges for the Scheduled Castes is a constitutional nuisance, and no law perhaps gives a prescriptive right to a nuisance as such. Therefore, it should not be prolonged any longer in any shape whatsoever. It must be done away with as soon as possible.

I beg to submit that even President Lincoln gave equal rights to the

Negroes, and provided that no race, no class, and no distinction of any sort excepting academic distinction should be looked into for appointments to public services or for any State rights. What Lincoln did not do and did not think it proper to do has been done by us; he did not think it proper to provide special facilities for the Negroes. But our Constitution-makers for some reason or the other have provided these things. I do not hold that that was any valid reason, but I do claim that these provisions have done a lot of harm to the body-politic and have demoralised the administration. A nation-State demands the best of the citizenship; any other provision is against the interests of the common man, common man including by hon. friends of the Scheduled Castes, and it does harm to them as it does harm to any other section.

Shri B. K. Gaikwad: You want to keep us backward?

Pandit K. C. Sharma: I do not want to keep anybody backward. But the way to come forward is the way of striving hard and not being pulled on by a rope round one's waist. Such a phenomenon has never existed, and it will not help anybody.

Shri Narayanankutty Menon: We are a little surprised at the quantum of emotion in the speech of my hon. friend Pandit K. C. Sharma, because, I think that either deliberately or for a purpose, he was missing the point involved in this resolution.

If we analyse the basis on which these safeguards were given to the Scheduled Castes when the Constitution was enacted, we can very easily find that these safeguards were never intended for a special sect of people based upon religion alone. The considerations on which these safeguards were given were entirely other than the consideration of the religion to which these people belonged. The debate in the Constituent Assembly would indicate the principles underlying these safeguards, and would make it clear that the right of reservation of seats in the legislatures as

also concessions both in the matter of education as also in the matter of employment were given to the Scheduled Castes not because they belonged to the Hindu religion, not because they embraced Hinduism, but because, as a class, historically, they were culturally and otherwise backward. Recognising that principle that a backward set of people in an independent country should be given a special weightage in order that they may develop culturally and economically along with the other sections of the people, the Constitution-makers gave these economic and political advantages to these people when they enacted the Constitution. Therefore, to say in a secular State that these financial, economic and political advantages were given to them just because they belonged to Hinduism, and that once they went out of Hinduism and embraced any other religion, all this cultural backwardness, economic backwardness etc. which had a historical tradition and a historical background all of a sudden disappeared, is not a logical answer for all these things. Therefore, the House should look into the principles on which the Constituent Assembly gave them these safeguards, and then only, we shall be able to arrive at a reasonable conclusion as to the continuance of these economic and political rights.

My hon. friend when he supported the resolution, I am sorry to say, was arguing actually against the spirit of the resolution. He said while supporting this resolution that with the obvious exception of the reservation of seats in the legislatures, these concessions were given to the Scheduled Castes, not because they were treated as backward but because of the question of untouchability. If I heard him correctly, he said that if the Scheduled Castes who were Hindus got themselves converted to religions other than Buddhism, such as Islam and Christianity etc. then, only as long as untouchability was practised, they were entitled to get this reservation,

which position he said he was prepared to accept. But he did not make out a logical case. The whole logic of the case lies in the fact that the principle on which the Constituent Assembly accepted these reservations and safeguards in respect of political and economic rights, was that these Scheduled Castes in general, to whatever religion they might belong, were culturally, politically and economically backward, and, therefore, they gave them increased weightage, so that they also could come up to the cultural and economic level of the other sections of the people.

Therefore we fail to understand Government's attitude, in this secular society of ours, that only when they remain in Hinduism, they will be able to get these privileges; in my opinion, that is not a reasonable answer.

These historical reasons, in a country like this especially, where the history and the cultural background of this State began long long ago, have to be borne in mind. These political and economic disadvantages of the people started right from the days of the *Bhagavad Gita* to which we trace our cultural heritage. Ever since Vyasa said '*Chaaturvarnyam mayaa srushtam*', this kind of scheme began, and society itself was divided into four classes; and many of the classes were shunted back to backwardness. These historical reasons were recognised by the Constituent Assembly, when they gave these safeguards; so, it was a thing based not upon religion but upon the caste and the cultural backwardness alone.

In conclusion, I should like to point out one particular fact which concerns my State. And after putting that case before the House, I shall conclude. This concerns quite a large section of the people in my State. A number of people who belonged to the Scheduled Castes converted themselves to Christianity. About four or five years before, this very same

[Shri Narayanankutty Menon]

question was taken up by the Kerala Government with the Central Government, on the very same principle. It is unjust and unreasonable to deny to these people who have got themselves converted to Christianity, the same advantages which their own brethren who are Scheduled Castes and who remain in Hinduism are getting. That is not logical at all.

Therefore, I would make an appeal to the hon. Minister to consider this matter. It is never possible for this House to agree that concessions to a backward people could be given based upon their religion. That sort of thing shall never be allowed. Therefore, I submit that these concessions should be allowed to all sections of the people who have been recognised as backward and as Scheduled Castes, to whatever religion they may belong. Otherwise, certainly, the Fundamental Right guaranteed to the people, namely freedom of worship and religion will also be jeopardised by discrimination in the giving of grants and concessions to a section of the people, based on religion alone.

Mr. Deputy-Speaker: Now, Shri Naushir Bharucha.

Shri Sadhan Gupta: May I make a submission?

Mr. Deputy-Speaker: No hon. Members should now try to catch my eye for the first time, because I do not have time to give to them. Now, Shri Naushir Bharucha.

Shri Naushir Bharucha (East Khandesh): I desired to invite the attention of the House to a case which was decided by the Supreme Court and which has been reported in A.I.R. 1954, *Supreme Court*, 236. The basic facts in that case were that a person of the Mahar community or Mahar caste embraced Mahanubhava Panth, and then he stood for a reserved seat. The scrutinising officer rejected his nomination paper, and the matter came up before the Supreme Court.

The Supreme Court basically followed certain very sound commonsense principles. I shall quote only a couple of paragraphs from their judgment, which will be applicable here, though the facts of the case may not be on all fours.

They said that: this case would be governed by a similar case, namely *Charlotte Abraham v. Francis Abraham*, and referring to that case where the man had converted himself to Christianity, they said:

"The profession of Christianity releases the convert from the trammels of the Hindu law, but it does not of necessity involve any change of the rights or relations of the convert in matters with which Christianity has no concern, such as his rights and interests in, and his powers over, property."

Then arguing the case further, of making it applicable, Their Lordships of the Supreme Court came to this conclusion:

"On this evidence, and after considering the historical material placed before us, we conclude that conversion to this sect imports little beyond an intellectual acceptance of certain ideological tenets and does not alter the convert's caste status at any rate so far as the householder section of the Panth is concerned".

May I point out that the basic fact underlying the present Resolution is also the same, namely, the acceptance of a different religion, does not materially alter the circumstances in which the convert found himself prior to conversion? If it be accepted as a fact that the Constitution did provide some weightage or some special favoured treatment for the benefit of the scheduled castes, was it based merely on the fact that they belonged to the Hindu religion?

An Hon. Member: No.

Shri Naushir Bharucha: It is obvious that it could not be so.

Therefore, all that Shri D. A. Katti's Resolution asks for is this. 'We enjoyed these privileges at one time, though we enjoyed them with a stigma that we were untouchable. Today we have converted ourselves as Buddhists in order to shed that stigma. Then in that case, the Constitution should not be so interpreted as to deprive us of those privileges, the basic intentions of the framers of the Constitution being that these privileges were given to us because we were economically backward and socially looked down upon and oppressed'.

My submission is that unless we accept the basic principle underlying this Resolution of Shri D. A. Katti's, all our professions that untouchability is removed or that we are exerting for the removal of untouchability will not be of any avail. I appeal to this House to consider broadly this fact. If we really mean to uplift the scheduled castes from their stagnating economic position and their social stigma, then the mere fact that they have been driven, much against their will, to renounce the Hindu fold should not be made an excuse for depriving them of the privileges which very wisely the Constitution bestowed upon them. I do hope the House will consider this Resolution sympathetically.

Mr. Deputy-Speaker: Shri D. C. Sharma.

Shri Sadhan Gupta (Calcutta—East): May I just make a submission?

Mr. Deputy-Speaker: I have no time now. I have called Shri D. C. Sharma.

Shri D. C. Sharma: (Gurdaspur): I have listened to two very moving speeches on this Resolution one by Shri D. A. Katti and the other by Shri B. K. Gaikwad, and I must admit that those speeches have swept some of us off our feet. They have given

a very graphic picture of the disabilities from which the so-called untouchables have been suffering in my country. Any one who listens to these speeches and considers them on their merits would be convinced of the justice of their cause. But I have three difficulties in accepting the spirit of the Resolution moved by my hon. friend, Shri D. A. Katti.

My first difficulty is this. We have recognised untouchability and we have also made provision for the removal of untouchability in every way. We have made the practise of untouchability a penal offence. I ask myself these questions: Does Buddhism recognise untouchability? Does Islam recognise untouchability? Does Christianity recognise untouchability in the sense that Hindus recognise it? The answer to all these questions is that they do not. Then have I a right as a Member of the Lok Sabha to saddle Islam or Buddhism or Christianity with something which is not inherent in them? Have I a right to burden them with this kind of social classification or religious sub-division which does not exist in their religion? Therefore, we cannot import something which is not desirable into a religion which does not recognise it. Therefore, if I were a Buddhist, Muslim or Christian, I would oppose this Resolution because I would say that we do not recognise it in that sense. Hence the evil of Hinduism should not be transferred to us also and we should not be cast in the same image in which Hinduism is cast.

My second point is this. When I look at the demographic picture of India, I find that economically we have already divided our population into three classes. There are the so-called untouchables, the Harijans. There are the backward classes and then there are others. So far as the scheduled caste people are concerned and also the scheduled tribes are concerned, we have given them two types of concessions. We have given them concessions which are political; we have given them concessions which are economic, social and of other

[Shri D. C. Sharma]

types. So far as the backward classes are concerned, you know that it was said about one State that 85 per cent of the people in that State were described to be backward. We have given the backward classes people also some economic concessions. We may not give them as many concessions as we have given to the untouchable people; but we are also giving them some concessions.

Therefore so far as the ends of justice are concerned, they are already being met by this classification that we have introduced into our country. If a person is economically backward or poor; I think he can reap certain advantages by being called a member of the backward classes. Therefore, these persons who have gone over to Islam or Christianity or Buddhism because they do not like Hinduism, can, I think, get those concessions which are given to the backward classes.

At the same time, I cannot understand one thing. I think my hon. friend, Shri D. A. Katti, is doing an injustice to those converts to Buddhists. How? Either they should be placed on par with the so-called Harijans or they should not be placed on par with the so-called Harijans. I do not believe in half measures. I do not believe in giving a thing with one hand and taking it away with the other. That is not logic; this is not good social justice. I would say that we have given to these scheduled caste and scheduled tribe people special reservations. It is a big thing. We have extended this reservation for a further ten years. Now, he says that we need not give them this kind of political reservations. If he had come forward and said that we should give these persons all the privileges that have been given to the scheduled castes, there would have been some justice in it, some force in it. But this kind of half-hearted attempt, this kind of halting attempt, on the part of my hon. friend to

give them one set of privileges and take away the other set of privileges, the major kind of privileges, is not justice, is not natural justice, is not any kind of justice.

Therefore, I would tell Shri Katti and Shri Gaikwad that they should evolve some other way of helping these persons who under the lead of Baba Saheb Ambedkar and some other persons have given up Hinduism. It is not right that having turned their backs upon Hinduism and joined another religion as a protest, as a kind of challenge; they should again come forward to demand some privileges which are there and which may be given if they are classified as backward classes. Therefore, I say that this Resolution suffers from a contradictoriness.....

Mr. Deputy-Speaker: The hon. Member should conclude now.

Shri D. C. Sharma: Yes.

श्री गणपति राम : (जीतपुर-रश्तन-अनुसूचित जातियां) उपाध्यक्ष महोदय, मैं हरिजनों के किनी अन्य धर्म में धर्म परिवर्तन में विश्वास नहीं रखता हूँ। लेकिन फिर भी यह जो प्रस्ताव उपस्थित किया गया है और जिस में यह चाहा गया है कि जिन हरिजनों ने बौद्ध धर्म में धर्म परिवर्तन कर लिया है, उनको भी सामाजिक, आर्थिक, शैक्षणिक इत्यादि जितनी भी सुविधायें हरिजनों को मिली हुई हैं, मिलनी चाहियें, इसका मैं समर्थन करता हूँ। इसका कारण यह है कि उनकी हालत आज भी ज्यों की त्यों है। हमने ये जो सुविधायें हरिजनों को दी हैं, वे इस आधार पर दी हैं कि वे पिछड़े हुए हैं, आर्थिक दृष्टि से वे कन जोर हैं, और उनको आगे लाने की आवश्यकता है। इसी चीज को आधार मान कर के संविधान में उनको शिक्षा, नौकरियों आदि के क्षेत्रों में सुविधायें प्रदान की गई हैं। इस आधार

पर कि बौद्ध धर्म में आ जाने पर भी वे आज अछूत समझे जाते हैं, हरिजन समझे जाते हैं, अस्पृश्य समझे जाते हैं, उनको ये मुविधायें मिलनी चाहियें, बड़ी मुनासिब सी चीज है और मैं इसका समर्थन करता हूँ ।

हमारे बहुत से साथी आज यह दलील देने हैं कि संविधान के अन्दर अस्पृश्यता को कोई स्थान नहीं दिया गया है और किसी को भी अस्पृश्य नहीं माना गया है । मैं इस चीज को मानता हूँ । १९४७ और १९५० तक तो वे अस्पृश्य रहे लेकिन जब से इसके बारे में कानून बना क्या उस दिन से अस्पृश्यता इस देश से खत्म हो गई, यह सोचने और समझने की बात है । हरिजनों को तथा दूसरी जातियों को ऊपर उठाने की बात तो करना लेकिन उनको अमली रूप न देना, एक गलत बात है । जो स्थिति आज है, उस पर पर्दा डालने की कोशिश नहीं की जानी चाहिये । आज हमारे कम्युनिस्ट भाई तब दूम्रे और मायी बड़े जोर शोर से कहते हैं कि हम नहीं चाहते हैं कि इस देश में जातीयता पनपे और उनकी पार्टी ने कभी भी जातीयता में विश्वास नहीं किया है । क्या मैं उनसे पूछ सकता हूँ कि कभी ब्राह्मण कम्युनिस्ट ने किसी हरिजन कम्युनिस्ट से शादी की है, किसी ब्राह्मण या क्षत्रिय कम्युनिस्ट ने गैर-ब्राह्मण या—

श्री नारायणन कुट्टि भेनन : की है ।

श्री गणपति राम : अछूत लड़की से शादी करने की हमकत की है ? आज ब्रजा सोशलिस्ट कहे जाने वाले भाइयों से क्या मैं पूछ सकता हूँ कि क्या उन्होंने कभी हिम्मत की है, ब्राह्मण कहे जाने वाले किसी व्यक्ति ने उस जाति से बाहर जाकर शादी की है खान पान किया है —

श्री बजरत्न सिंह (फिरोजाबाद) : आप देखते क्यों नहीं हैं ?

श्री गणपति राम : आज हिन्दुस्तान में—

उपाध्यक्ष महोदय : अब तो ऐसा मालूम होता है कि सब करते हैं ।

श्री गणपति राम : उपाध्यक्ष महोदय, मुझे क्षमा कीजिये अगर मैं यह कहूँ कि हिन्दुस्तान में ऐसा प्रचलन रहा है कि जो ब्राह्मण है वह क्षत्रिय का छुआ हुआ नहीं खायेगा, क्षत्रिय वैश्य का छुआ हुआ नहीं खायेगा, वैश्य हरिजन का छुआ हुआ नहीं खायेगा वहां पर यह कहा जाए कि एक हरिजन से कोई उच्च जाति का शादी कर सकता है, कहां तक ठीक प्रतीत होता है । जहां पर यह प्रचलित हो कि एक ब्राह्मण किसी दूसरी औरत का छुआ हुआ तब तक नहीं खाता जब तक कि उसके साथ उसकी शादी न हो जाए, वहां पर इस तरह की उम्मीद करना कि वह एक हरिजन लड़की के साथ शादी कर सकता है, हास्यास्पद ही प्रतीत होता है । आज भी हिन्दुस्तान में एक जाति दूसरी जाति को अस्पृश्य समझती है । ऐसी हालत में मैं कैसे मान सकता हूँ कि समाज से अस्पृश्यता खत्म हो गई है ।

हिन्दुस्तान में अगर कहीं हरिजनों ने धर्म परिवर्तन करके इस्लाम धर्म को अपनाया तो वे मोमिन या अन्तार करार दे दिए गए और प्रदेश सरकारें और हमारी केन्द्रीय सरकार भी उनको मदद दे रही है, नौकरियों की सहूलियतें दे रही हैं । हरिजन जो कि सिख धर्म में आ कर रैदाम बन गये हैं, मजहबी सिख बन गये हैं, उनको आज भी वह स्थान नहीं दिया जाता है समाज में जो दिया जाना चाहिये । वहां भी उसका गरीबी के नाम पर अस्पृश्यता के नाम पर जो सहूलियतें मिलती थीं, मिलती हैं ।

आज जैन धर्म की क्या हालत है । इसमें अस्पृश्यता को कहीं स्थान नहीं दिया गया है । अभी थोड़े दिन पहले की बात है,

[श्री गणपति राम]

कि दिल्ली के लाल मन्दिर में, जैन मन्दिर में हरिजनों को मन्दिर में प्रवेश नहीं करने दिया जाता था। थोड़े दिन पहले मैं एक पुस्तिका पढ़ रहा था बौद्ध धर्म के बारे में, तो उसमें भी लिखा हुआ था कि उस धर्म में छद्म्राछूत को कोई स्थान प्राप्त नहीं है लेकिन वहां पर भी यह लिखा था कि एक हरिजन जिसका नाम मुशील महापाल था, वह धर्म परिवर्तन करके बौद्ध धर्म में चला गया। वह लंका में कई वर्ष तक रहा और वहां से पढ़ कर जब लौट कर आया तो उसको बौद्ध इंस्टीट्यूट में प्रोफेसरशिप की नौकरी दी गई। लेकिन जब बौद्ध समाज को मालूम हुआ कि वह हरिजन से बुद्ध बना है तो उसके साथ भी वही व्यवहार किया जाने लग गया जो हरिजनों के साथ होता है। मैं जैसे कह चुका हूँ कि धर्म परिवर्तन में मैं विद्वान नहीं रखता हूँ। लेकिन जो धर्म परिवर्तन कर चुके हैं उनके बारे में आपको अपने दृष्टिकोण में परिवर्तन लाना होगा। छद्म्राछूत आज भी हमारे समाज में एक कलक के रूप में विद्यमान है। आज भी हमारे समाज में इंसान का महत्व नहीं है, धर्म का महत्व है। चाहे आज हमारी लोकप्रिय सरकार अपने ढंग से यह प्रयत्न कर रही है कि देश से छद्म्राछूत मिट जाये लेकिन क्या कोई मान सकता है कि वह मिट गई है। प्रयत्न करने के बावजूद भी क्या जो सहूलियतें हरिजनों इत्यादि को मिलती थीं, मिल गई हैं। आज भी हरिजनों की हालत अच्छी नहीं हुई है, आज भी वे पिछड़े हुए हैं। आज भी जब उनको आर्थिक, शैक्षणिक और आर्थिक सुविधाएँ मिली हुई हैं और उनको नौकरियों में प्राथमिकता दी जाती है और वह केवल इसी आधार पर दी जाती है कि वे पिछड़े हुए हैं, तो इसी बिना पर मैं यह अपील करता हूँ कि हमारे साथी ने जो यह प्रस्ताव रखा है कि चूँकि वे लोग जिन्होंने बुद्ध धर्म को अंगीकार कर लिया है, पिछड़े हुए हैं इन सुविधाओं से वंचित न किए जायें,

इसको मान लिया जाए। जिन्होंने धर्म परिवर्तन कर लिया है उनकी सामाजिक आर्थिक और शैक्षणिक स्थिति वैसी है जैसे पहले थी और आज भी उनको जो मानवीय अधिकार समाज में मिलने चाहिये नहीं मिले हुए हैं। इस नाते मैं चाहता हूँ कि ये जो सुविधाएँ हरिजनों को प्राप्त हैं, उनको भी मिलनी चाहिये।

इन शब्दों के साथ मैं इस प्रस्ताव का समर्थन करता हूँ।

Shri Sadhan Gupta: May I submit this, Sir? There is one other Resolution which can be taken up and which cannot be concluded in this Session; it will have to go over to the next Session. Therefore, if you call that Resolution at about quarter to five, no harm would be done and no injustice would be done to any other Member who wants to move a Resolution.

Mr. Deputy-Speaker: How can I do that if I have to give an hour and half to the next one?

Shri Sadhan Gupta: You cannot give an hour and a half to it; it will have to go to the next Session. Therefore, you can give 15 minutes to it today and then the rest the next Session.

Mr. Deputy-Speaker: Leaving it half discussed can I call another?

Shri Sadhan Gupta: I mean this; you can call the next one, Sir.

Mr. Deputy-Speaker: Does the hon. Member admit that Shri Uddaraju Raman is out of place? If that is conceded, if that is admitted, then I have no objection.

Shri Sadhan Gupta: You can give half an hour to it today and then it can continue next Session. Today we sit up to five o'clock, I think.

Mr. Deputy-Speaker: Yes; then I will call Pandit Tiwari, I will call Shri Sadhan Gupta also.

The Deputy Minister of Home Affairs (Shrimati Alva): How much time will I get, Sir?

Mr. Deputy-Speaker: As much time as the hon. Minister wants. If the hon. Minister will be satisfied with 10 or 15 minutes I will call her at 3.50.

Shrimati Alva: You are giving time to so many speakers. I would also like to increase my time.

Mr. Deputy-Speaker: As much time as she likes.

Pandit Tiwari; but he should not take more than 5 minutes. There should not be any necessity for me to ring the third bell. He will conclude with the second bell.

पंडित द्वा० ना० तिवारी (केसरिया) : उपाध्यक्ष महोदय, जो बहस चल रही है उसको मैंने बड़े गौर से सुना है। जो इस प्रस्ताव का समर्थन करते हैं, वे एक बात भूल जाते हैं। बैंकवर्डनेस के लिए संविधान में एक कंसेशन मिला हुआ है। जितने भी बैंकवर्ड क्लासेस के लोग हैं, उनको कुछ कंसेशन मिले हुए हैं और दूसरे कंसेशन का जहां तक सम्बन्ध है, जो कि शैड्यूल्ड कास्ट्स को दिए जाते हैं, वे क्यों दिए जाते हैं, इसको बहुत से भाई भूल जाते हैं। शैड्यूल्ड कास्ट के लोगों को कंसेशन इसलिए नहीं दिए जाते हैं कि वे बैंकवर्ड हैं। बैंकवर्डनेस के लिए एक अलग से कंसेशन है और उनको स्कालरशिप मिलता है, पढ़ाई का खर्च मिलता है, नौकरियों में भी कंसेशन मिलता है। जो दूसरे कंसेशन हैं जो कि खास तौर पर शैड्यूल्ड कास्ट के लोगों को दिए गए हैं वे इसलिए दिए गए हैं कि हिन्दू समाज में कुछ लोग ऐसे हैं, जो इतने गिरे हुए हैं, जो बैंकवर्ड क्लासेस के भी नीचे हैं, उनको एक स्पेशल मौका मिलना चाहिये कि वे अपने को ऊपर उठा सकें। वह चीज किसी दूसरी जाति में नहीं है। आप देखें तो पता चलेगा

कि किसी दूसरे धर्म में वह चीज नहीं है, शैड्यूल्ड कास्ट वाली। इसलिए शैड्यूल्ड कास्ट का जो लिस्ट बनाया गया है, संविधान के अनुसार, और उनको जो सुविधायें मिली हुई हैं, वे उन्हीं को मिलनी चाहियें। यदि बैंकवर्डनेस पर कोई चीज मिलनी होती तो जनरली जो कंसेशन बैंकवर्ड क्लासिस को दिए जाते हैं, वही उनको भी मिलने चाहिये थे। लेकिन वैसा न करके खास सहूलियतें दी गई हैं इस आधार पर कि हिन्दू समाज में कुछ वर्ग ऐसे हैं जो इस बर्बर गिरे हुए हैं, कि उनको ऊपर उठाने के लिए स्पेशल एफर्ट करनी होगी—

श्री प्र० ना० सिंह (चन्दोली) : जो बुद्ध हो गये हैं, उनकी हालत, आर्थिक हालत तो वैसी ही है।

पंडित द्वा० ना० तिवारी : चूंकि वे बुद्धिस्ट हो गए हैं या क्रिस्चियन हो गये हैं, इस वास्ते उनके साथ वह स्टिगमा नहीं है, उनके साथ वह बात नहीं है। चूंकि उन के धर्म में कोई छुआछूत नहीं है, इसलिये यह चीज उन पर लागू नहीं होगी।

श्री प्र० ना० सिंह : क्या बुद्धिस्ट हो जाने से उन की बैंकवर्डनेस खत्म हो जाती है।

उपाध्यक्ष महोदय : बंठे बंठे कोई तकरीर नहीं होनी चाहिये।

Pandit D. N. Tiwari: I will not mind them.

Mr. Deputy-Speaker: I will mind them.

Pandit D. N. Tiwari: I will mind you, only.

अगर हम यह क्लेम करें कि बैंकवर्ड होने की बिना पर अछूतों के स्कालरशिप्स दिये जायें, अछूतों की सुविधा दी जायें, तो यह, मैं समझता हूँ, जायज नहीं है। असल

[पं० डा० ना० तिवारी]

में होना तो यह चाहिये कि यह कन्सेशन उन सब को मिलना चाहिये जो जो अपने को ऊंचा उठाने में समर्थ नहीं है। किसी जाति के हों, चाहे क्षेत्रीय हों, ब्राह्मण हों या वैश्य हों, अगर उन की दशा इतनी गिरी हुई है कि वे अपने को स्वयं ऊंचा नहीं उठा सकते, उन को इस तरह की सुविधायें नहीं हैं, तो उन सब को मदद मिलनी चाहिये। सिद्धान्त तो यह होना चाहिये। लेकिन आज ऐसा होता नहीं है। मैं ने देखा है और इस हाउस के मंम्बर भी उस बात की तस्दीक करेंगे कि जिन की स्थिति अच्छी है, जो अपने पास से पैसा खर्च कर सकते हैं, वे लोग भी बैंकवर्ड लोगों के स्कालशिप्स ले लेते हैं, इस तरह के हरिजन भी ले लेते हैं वे स्कालशिप्स। ऐसी हालत में क्राइटेरिया यह होना चाहिये कि जो अपने को ठीक न बना सकें, उन को मदद की जाये चाहे वे किसी भी जाति के हों। अगर ऐसा हो सकता तो बड़ा अच्छा होता, लेकिन ऐसा नहीं होता। हमारे संविधान बनाने वालों ने कैसे सुविधा दी और वह क्यों दी गई, इस की तह में जाने की जरूरत है। अगर बैंकवर्डनेस की ही बात रहती तो वह कन्सेशन सिर्फ शैड्यूल्ड कास्टस या शैड्यूल्ड ट्राइब्स के लोगों को नहीं मिलता, सब को ही यह सुविधा मिलती। बात तो यह है कि एक खास समाज के लिये, जो अपने को अपने को शैड्यूल्ड कास्टस का कहते हैं, जो अपने को अछूत कहते हैं, उन के लिये यह कन्सेशन दिया गया। इस कन्सेशन को उठा कर धर्म परिवर्तन के बाद दूसरी जगह ले जायें, यह कहां तक ठीक होगा? वे लोग अगर बैंकवर्ड लोगों में आ जायें तो उन को जरूर वह मिलें, इस में किसी को उज्र नहीं होगा, लेकिन इस सुविधा को वे हरिजन बन कर अपने लिये लें, यह ठीक नहीं मालूम पड़ता। इसलिये मैं चाहता हूँ कि हम इस चीज को इस दृष्टिकोण से देखें तब अपना मत दें, नहीं तो मैं समझता हूँ कि हिन्दू समाज में जो हरिजन हैं उन के साथ यह अन्याय होगा जो कदापि ठीक नहीं होगा।

इस बहस में जाति पाति की बात बहुत चली। मैं मानता हूँ कि हिन्दू समाज में जाति की व्यवस्था है। गीता और शास्त्रों में भी जाति की व्यवस्था बताया गया है, लेकिन वह व्यवस्था केवल रूढ़िवाद के लिये नहीं थी, वह व्यवस्था कर्म के अनुसार थी। कोई भी कोई खास काम करे, उस की जाति उस के अनुसार बन जाती थी। जैसे आज वकीलों की एक जाति है।

उपाध्यक्ष महोदय : वे भी क्या हरिजनों में शामिल हैं ?

पंडित डा० ना० तिवारी : उन में भी हरिजन हैं। यह नहीं है कि उन में हरिजन नहीं हैं :

उपाध्यक्ष महोदय : मैं ने समझा कि वकीलों की कास्ट को भी शैड्यूल्ड कास्ट में शामिल करने की बात हो रही है।

पंडित डा० ना० तिवारी : मेरे कहने का मतलब यह है कि जो कभी कभी दोष दिया जाता है हिन्दू समाज को कि उस में जाति व्यवस्था भरी हुई है, तो जाति व्यवस्था से वह चीज नहीं थी, वह चीज कम व्यवस्था के द्वारा होती थी। जो भी जो कर्म करता, उस के अनुसार उस की जाति होती थी, जैसे कि आज कल वकीलों की जाति है, बैरिटरों की जाति है।

श्री जागड़े (बिलासपुर) : उपाध्यक्ष महोदय, मैंने नमत् य कौं पढ़ा, बड़े ध्याद से पढ़ा परन्तु जो सिद्धान्त प्र तावक महोदय चाहते हैं वह सिद्धान्त उसमें ठीक जमता नहीं। जो हिन्दू समाज है वह, हम मानें या न मानें, जाति प्रथा कौं ले कर बना है, और शैड्यूल्ड कास्ट का मतलब होता है अनुसूचित जाति, एक फेडरिस्त बनाना जिस में हिन्दू जाति के कुछ लोगों को रखना। उस जाति में से या फेडरिस्त में से निकलने के लिये हमारे कुछ हरिजन भाइयों ने अपने को दूसरे धर्म में सम्मिलित करना उचित समझा। जब उस फेडरिस्त में से अग्रल होने की बात हो गई और जब जाति के पीछे सारी सुविधायें,

वे राजनीतिक हों या आर्थिक, बंधी होतीं, उन बंधी हुई चीजों से बचने के लिये लोग बौद्ध हुए, तो पछता पछता कर फिर उन सुविधाओं की मांग करना, मैं उचित नहीं समझता ।

दूसरी चीज मैं कहना चाहता हूँ व्यवहारिकता के सम्बन्ध में । व्यवहारिक बात तो यह है कि जाति प्रथा के होने के कारण केवल हिन्दू समाज से अलग करने के लिये उन की गणना नहीं की गई है । आज जनगणना में अनुसूचित जाति वाले हैं, अनुसूचित आदिम जाति वाले हैं, लेकिन बौद्धों की कोई जाति नहीं है । सेन्सस में हम देखेंगे तो कैसे पहचानेंगे कि यह हरिजन बौद्ध है और यह जनरल बौद्ध है । हम किसी को इस तरह से पहचान नहीं सकेंगे । अगर हम इस चीज को पहचान नहीं सकते हैं कि कौन बौद्ध जनरल बौद्ध है और कौन हरिजन बौद्ध है और सब को हम बौद्ध लिख दें तो जो हरिजन बौद्ध हैं उन के लिये हम एक स्टिग्मा या कलन्क लगाते हैं ।

दूसरी बात यह कि इतने लोगों को केवल रिजर्वेशन को छोड़ कर दूसरी सारी सुविधायें दी जायें । यह भी इस में फिट इन नहीं होता है, इस लिये कि आज कल जो जमाना है उस में हम उन को अदर बैकवर्ड क्लासेज में भले ही शामिल कर सकें और एकात्मिक क्राइटेरिया को ले कर यदि कोई बौद्ध पीछे पड़ जाता है तो उसे सुविधा देने में आपत्ति न करें, लेकिन चूंकि वह पहले अनुसूचित जाति में था इसलिये सुविधा दी जाये यह कहा जाय तो मैं समझता हूँ कि जिस कलन्क से बचने के लिये उन्होंने अपने को हिन्दू धर्म से अलग रक्खा, उन से सम्बन्धित मांग करना या एक तरह से उन पर अधिकार दिखलाना, मैं उचित नहीं समझता ।

आज नौबौद्धों की बात कही जाती है, वे हरिजनों में से ही गये हुए हैं । इस देश के अन्दर एक ही मूल धर्म से विभिन्न धर्मों में हरिजन लोग गये हैं, यदि उन सब को सुविधा देने की बात कही जाय तो मुझे उन के साथ हमदर्दी तो हो सकती है लेकिन उस को व्यवहार रूप में लाने में कठिनाइयां इतनी होंगी कि उन को देना और न देना दोनों बराबर है । इसलिये इस तरह की सुविधायें मांगना मैं समझता हूँ ठीक नहीं है । किसी योग्यता के आधार पर उन को सुविधायें मिल जायें यह दूसरी बात है । लेकिन जो हमारा कांस्टिट्यूशन है, संविधान है वह किसी को डिमार्केट कर के, रेखाबद्ध कर के सुविधायें देता है, तो क्या जनरल बौद्धों और हरिजन बौद्धों को हम रेखाबद्ध कर के अलग कर सकेंगे ? मैं नहीं समझता कि हम ऐसा कर सकेंगे । इसलिये इस प्रकार का जो मन्तव्य आया है, अगर उस को सदन में पास भी कर दिया जाय तो भी व्यवहार में वह लाया नहीं जा सकता । इसलिये मैं इस मन्तव्य से हमदर्दी रखते हुए भी अव्यावहारिक होने के कारण विरोध करता हूँ ।

Shri Sadhan Gupta: Sir, I rise to support the Resolution with just one reservation about the exception made in the Resolution regarding the reservation of seats in the Legislature. It is obvious that the spirit of it, with the exception of that particular clause, is eminently logical and rational, deserves every support. When we framed our Constitution and in fact throughout our national movement, we have not sought to provide any advantage for Hindu society or give the Hindu religion any special recognition although seventy per cent of our countrymen are Hindus. That was a very wise policy and we should stick to it.

We gave the Scheduled Castes and Tribes certain privileges. We gave

[Shri Sadhan Gupta]

them these privileges not because they were Hindus but because of the recognition of the fact that we could not progress in our country with one section of the community in such a horrible state of backwardness; they have to be lifted out of their backwardness and therefore we have given them these facilities so that we may lift them out of their backwardness. For this reason we have conceived of these facilities as temporary, to be withdrawn as soon as the Scheduled Castes and Tribes people come to a level with other communities. From this point of view, there is no sense in denying these privileges to the Scheduled Caste people because they have adopted another religion. The freedom of profession of any religion has been adopted by the Constitution as a Fundamental Right. Any Hindu can convert himself into a Muslim or a Christian or a Buddhist as he likes. That is his private affair and he should not be penalised simply for that conversion by changing the rights which he would otherwise have been entitled to, in the interest not of himself but also of society as a whole.

I do not agree with Shri B. K. Gaikwad that the reason for conferring these privileges is untouchability. What is the question of untouchability as far as the Scheduled Castes and Scheduled Tribes are concerned? It is not untouchability? It is backwardness. In my State, for instance, untouchability is not prevalent in a virulent form. It does not exist so much. It is fast dying out, and yet, the Scheduled Caste communities are not very well off. They still face the same problems of social backwardness. Therefore, it is a question of social backwardness and not a question of untouchability. As far as this question is concerned, it does not matter whether they embrace Buddhism or Christianity. A social backward people do not change their social backwardness, do not take out their backwardness, by embracing a different religion.

Shri Narayanankutty Menon has raised the question of the Christians in Kerala who have been converted from Scheduled Castes. The same principle is applied to them. Therefore, I support this resolution as far as this point is concerned.

My reservation is about the exceptions made. I do not see why the sponsor of the resolution, Shri D. A. Katti, should have made an exception in the case of Buddhist converts regarding the right to be represented in the legislature. The right of representation in the legislature is a very salutary right. For instance, if Shri Katti had not been in Parliament, it is doubtful whether resolutions of this kind would have come up, because in spite of all our best intentions and sympathy for the Scheduled Castes we are not always in a position to understand them since we do not come from that community, and sometimes we are apt to lose touch with them. Therefore, it is necessary that the community should be represented; by this process of reservation the community can be represented. So it is necessary for me to state on behalf of the Party to which I belong that if the resolution is pressed to a vote, we will support the resolution. We will vote in favour of the resolution, but we wish to make it known that we would vote for it by taking into consideration that reservation should also be made. We do not want that exception under the resolution.

Mr. Deputy-Speaker: When there is no amendment to that effect, how could it be done?

Shri Sadhan Gupta: That is for the public to know.

Shrimati Alva: Mr. Deputy-Speaker Sir, you have been pleased to extend the time further for the discussion of this resolution. However, nothing new has emerged from the extended time that you have been pleased to give.

Mr. Deputy-Speaker: Then I have made a mistake!

Shrimati Alva: I do not cast any reflection of that kind. Only, I was looking forward to hear something new. My hon. friend wants to extend the facilities, by this resolution, to the Scheduled Castes people after they have become neo-Buddhists. The provisions of the Constitution are known to each one of the hon. Members here. We are trying to follow the spirit of the Constitution as well as the letter of the Constitution. We would all like to eradicate the caste system that has been an evil for centuries past. But, however much we try to do it, it stands before us and stares at us. And now a new way of introducing that caste system is being afforded by this resolution so that the caste will pursue even those Scheduled Caste people who get into the Buddhistic fold.

The facilities given in the Constitution are two-fold. First of all, the special privileges are there, which of course are excepted in this resolution of Shri Katti, namely, those items which are provided in article 335, regarding posts and appointments. Seats in the legislatures are provided for in articles 330 and 332. Then there are safeguards that are recognised in the Constitution for the weaker sections of the people of India and they are enshrined in article 46 of the Constitution. The article deals with the economic and educational backwardness and provisions to that effect have been made in the Constitution. We derive sanctions from these provisions to promote and to ameliorate the Scheduled Caste people and to give them all benefit for the socio-economic development and betterment. My hon. friend wants us now to extend these things to the neo-Buddhist. One of the amendments—I think it was the amendment of Shri Shree Narayan Das—shows that the resolution is restrictive in nature. To that extent I am of opinion that a reso-

lution of such a restrictive nature which does not embrace converts to other religions cannot stand. There is a legal flaw, and therefore it could not even be brought on the floor of the House in this manner. However since there was a large section of people in the Maharashtra State who have embraced Buddhism this resolution has been brought forward. We would like to know from the hon. Member the number of those who have become Buddhists in the Maharashtra State.

An Hon. Member: Five lakhs.

Shrimati Alva: However, this resolution should have covered the converts to other religions also. It has been said times without number that there are a few religions that proclaim the universal brotherhood of man. (*Interruption*). What is true of Buddhism is also true of Christianity and of Islam. We do not want the stigma that continues to remain in Hindu society to be carried and pursued in those faiths in which there is no stigma basically. Therefore, if Shri Gaikwad who argued that you must remain untouchable after conversion.

Shri Narayanankutty Menon: Even without reservation the stigma is continued in Christianity also.

Shrimati Alva: Let me have my say; the hon. Member has had his say. So, that argument will mean that that stigma will continue because of the narrowmindedness of society and the evil social approach. But especially the religions of Buddhism, Christianity and Islam as such do not sanction this sort of distinction or discrimination in their fold. Shri Gaikwad said that if you remain an untouchable after conversion you should get the benefit of the untouchables who suffer from that stigma.

Shri B. K. Gaikwad: May I explain what I have said?

Mr. Deputy-Speaker: Let us hear hon. Minister. I will give him time to explain.

Shri B. K. Gaikwad: There is some misunderstanding.

Mr. Deputy-Speaker: I will give him time to explain his position. Let the hon. Minister continue.

15:58 hrs.

[SHRI JAGANATHA RAO *in the Chair*]

Shrimati Alva: Shri Narayanankutty Menon said that the stigma pursues the man even though he may change his religion. It is very true. But he does not derive that stigma because the religion sanctions it. It is because of the weakness of society. Therefore, we do not want to recognize the weakness that exists in society and pollute even other religions that do not have this stigma either by sanction or by any other way.

Shri Shree Narayan Das, quoted from the Presidential Order—The Scheduled Castes (Amendment Act) Order, 1956. The matter is clear from that Presidential Order. Personally, speaking for myself, I would like the list of Scheduled Castes to shrink from year to year rather than to spread all around in society. According to that Order—Amendment of 1956—no person professing a religion different from Hinduism and Sikhism shall be deemed to be a member of the Scheduled Castes. The main point that the Mover of this resolution had in mind is to get the benefit for the socio-economic upliftment of the community. I would here like to remind him—of course, it may not be very much, by and large—that even among the Scheduled Castes we have the Buddhists. There are rich people. Their economic conditions are very, very sound basically. By and large, the people are not economically or socially looked after by society. But

that is no argument for this resolution especially in the manner in which it has been brought forward.

Article 46 directs that special care should be taken. As I have said, the emphasis there is no education and economic upliftment. If we look to this, the new-Buddhists certainly would enter the category of other backward classes. They cannot demand the privileges given to Scheduled castes, having left the fold of that way of life in which the caste system is recognised. Therefore when they go into other backward classes we have given them a proper provision not only in the Five Year Plan, but also in the Constitution. The various States are looking after the other backward. We have not list of backward classes in the centre; we have left it up their own lists. They have drawn up and provisions are made for those who come under the category of other backward classes.

16 hrs.

Rightly speaking, the neo-Buddhists in Maharashtra should come under the category of other backward classes. But the Maharashtra State have so deemed it fit that they have given the neo-Buddhists also the benefits given to scheduled castes. We leave it to the States. The Centre does not want to interfere with the States. If the States so decide, they can do it, but there is no additional provision made under that head, because we cannot do that. We want to follow the spirit of the Constitution. Therefore, they will get what the other backward classes will get when they get into other religions—neo-Buddhist, Christianity and Islam.

In the second Five Year Plan, the total provision for education and other schemes was Rs. 8.30 crores. In the third Plan, the total provision would be, I think Rs. 9 crores. It is rising gradually, because we do recognise the other backward classes as considered and drawn up by the States.

Therefore, we do not want to stand in the way of the betterment of socio-economic conditions, because we do believe that not only the scheduled castes need help, but there are others who suffer from no stigmas of caste system, but still need help. As I said, there may be a scheduled caste man who may be very rich, as against his neighbour who may be extremely poor and needs all the help. Nevertheless, the principle underlying it is that we do not want to open the flood-gates to perpetuate the caste system, as it was said by Shri Ghosh on the last occasion of this debate. He also cited, I think, the case of Arya Samajists, who observe no caste and demand no privileges. Likewise, if you want to change into another faith, you should have the courage. Either you go into the new faith with new aspirations in society, or you remain where you are and demand your privileges. I think the two things are incompatible that you become a neo-Buddhist and still you want to hand on to the caste system. I personally feel that it is not right nor is it rational nor logical.

Shri Sonavane: They like to have the cake and eat it too.

Shrimati Alva: It also smacks of double standards. The days of double thinking, double-talking and double standards should be over. We do not want to have double-thinking and double standards from our neo-Buddhists. We are very happy that with their conviction, they have gone into the faith of Buddhism. We wish them well; we wish them strength and we wish them all the benefits that the respective States can give to the neo-Buddhists, wherever they happen to be. It is for the neo-Buddhists to go to the various States and demand. If the States feel that their claim is right and justifiable, then the respective States must make their own provision. The Centre has made it known to Maharashtra State and the centre is not in a mood to change its mind just now nor in the future, because we want a composite society now. If we are going to pollute those religions

which believe in the universal brotherhood of man, then there would be no end taking the caste system to a limit from where one could not withdraw.

Shri Menon talked of Kerala. What he said is quite true. What the mover and my hon. friend, Shri Gaikwad said is quite true, but that is human weakness. That is, there is no logic in arguing that because you are called a scheduled caste, you should continue to get the benefits as a scheduled caste.

Now, I come to the amendments that have been moved. There are two amendments. The first amendment that comes from Shri Manan says that it should be extended to converts from Hindu religion to other religions. I am not going to accept this amendment. I do not think that the stigma of caste, according to this amendment, should be carried into other religions. In any case, I do not think that other religions also would like it because there is no sanction. Those who believe in brotherhood of man can give no sanction to caste system. In between two people, there may be caste system. But the overall picture is quite convincing. The main point is that the whole policy now is that we want to eliminate caste differences. Therefore, we cannot accept that amendment. Secondly the definition of scheduled castes is declared by the Presidential Order and we hold to it. The historical basis for demarcating groups of social disabilities is well known and we are looking forward to the day—I hope with the cooperation of the people in the House and outside that day will come closer—when these disabilities will drop one by one as the socio-economic development increases in tempo and society is cleansed of this evil. As I have said, it is prosperity that is the greatest leveller. The need is for education and prosperity and towards that end we have to go forward, not going here and there and taking your label of casteism into different folds. That is not the way. We want to lift the masses through socio-economic measures.

[Shrimati Violet Alva]

Provisions are given by the Centre and the States and we stand by those provisions. Therefore, I oppose this amendment.

Then, I come to the second amendment which has been moved by Shri Shree Narayan Das. My hon. friend has suggested that a Committee be appointed. I do not know what useful purpose that Committee would serve.

Mr. Chairman: I think only this amendment was moved and not the earlier one.

Shrimati Alva: I thought both were moved.

Mr. Chairman: On this one was moved about the appointment of a Committee; not the other one.

Shrimati Alva: I had the impression that the earlier one was also moved last time.

Shri T. B. Vittal Rao: It was ruled out.

Shrimati Alva: Sir the constitutional position as regards this amendment of Shri Shree Narayan Das is clear. The Committee will serve no useful purpose and I have explained it very fully *viz-a-viz* the State *viz-a-viz* the Centre as to how the States have been left to follow their own discretion. If they do want to provide for the Scheduled Castes in the Buddhist fold, then they will do so.

Sir, this Resolution mainly pinpoints all that has happened in Maharashtra. In Maharashtra also the neo-Buddhists have acquired these benefits and facilities but the converts to other religions have not been given the same in Maharashtra itself; maybe, because their number is small; maybe because they do not believe in it. I think, it is a healthy sign because no one wants to go to enter a fold

in which there is stigma. You get into the new sunshine and you bathe in that sunshine; you do not look back, you march ahead.

The hon. Member, Shri Naushir Bharucha has cited a case of the Supreme Court. I have not got at all the details with me. He cited, I think, Mahanubhava Panth case of 1954. I think the Supreme Court on facts concluded that the present day Mahanubhavas admit to the fold persons who elect to retain old caste system and that no instance was produced of the joining of Mahanubhava as such being outcasted and that the particular individual had twice married scheduled caste girls who were not Mahanubhavas and also led Scheduled Caste agitations and processions. It seems, therefore, that the ruling of the Supreme Court would be applicable to Mahanubhavas and not to Buddhists. I am speaking from whatever little information I have on the subject. However, we shall consult the Ministry of Law. Would the hon. Member, Shri Bharucha, be good enough to cite the case

Shri Naushir Bharucha (East Khandedh): AIR 1954 Supreme Court

Shrimati Alva: That is enough. So, Mahanubhavas observe caste system and, therefore, Mahanubhavas do not follow a faith in which they eradicate casteism altogether.

Now I think I have very fully explained our point of view. Therefore, I stand by the other backward classes, whose number may grow from year to year. In fact, I would like that number to grow and the Scheduled Caste number to fall. That list should shrink because by and large, the number of other backward classes will increase until economically India rises up. However, we have some information from the different States that economic uplift schemes are already in operation in States like Andhra Pradesh, Gujerat, Madras, Mysore and Punjab, and there is also reserva-

tion in service. Speaking of reservation, I think the picture is clearing up and more and more recruits are coming. I think the day would not be very far when we would be able to say that the weaker sections are coming up to a level that we expect them to come up to.

About the two Five Year Plans, I have said that a number of schemes are there to help them in the educational and economic field. We have also schemes to send students abroad from the weaker section of the people and everything possible is being done. Now, to become a Buddhist and still hang to this narrow definition by saying "I still remain an untouchable" or "I demand the rights of an untouchable" is a contradiction in terms. Either you are a Buddhist and you are not an untouchable or *vice versa*. If you are an untouchable, you can never be a Buddhist because I do not think the concept of Buddhism accepts casteism especially this stigma that exists in the Hindu society of which society otherwise we are all so proud of. That stigma has come down the centuries. We are all thinking in the right manner and we want to reform it and, therefore, I would request Shri Katti, the mover of this Resolution, to withdraw it, because his purpose is served.

Now Neo-Buddhists are there in large numbers in Bombay. So, Bombay State is taking that into consideration. We have left it to the discretion of the various States, and as such, if the States so desire, they can go ahead. Nevertheless, we hold our own opinion that there shall be no casteism, no Scheduled Castes in Buddhism. That holds true. Therefore, for these reasons, I want to oppose the Resolution.

Firstly, the Government of India have not drawn up any list of other backward classes but have left it to the States. We do not want to make any invidious distinctions or make special provisions for Neo-Buddhists. We leave it to the States to decide finally. Secondly, Shri Katti's Resolution is confined to Scheduled Caste

converts to Buddhism. There are Scheduled Caste conversions to other religions also. As I have said, there is no justification for giving any special privileges to the converts to Buddhism alone. We would argue it that way and we expect the hon. mover himself to cover that aspect of it, because otherwise this Resolution, as it stands, is far too restrictive in its nature and it goes out even by itself without any opposition, because it is a narrow Resolution that does not cover the whole subject.

Then, we have left it to the States to decide which classes should be treated as backward classes and what facilities should be given to them. The question of facilities to be given to the Neo-Buddhists is, therefore, left to the various States in India. Therefore, on these three grounds, and many other grounds that I have explained, I oppose the Resolution and I would request Shri Katti to withdraw it.

Shri Sonavane (Sholapur—Reserved—Sch. Castes): May I ask one question? The hon. the Deputy Minister said that there are many Neo-Buddhists in Maharashtra. But she has not given any figure. We do not know. It is said that there are many. But there is no data before the House. Nor has the mover given any figures. That is one thing.

Now, what is the criterion to determine that one is a Neo-Buddhist? And having become a Neo-Buddhist what is there to prevent him from going back and declaring as Scheduled Castes and demanding all the facilities? I want a clarification on these points.

Shrimati Alva: I do not know how many have become Buddhists in the State of Maharashtra. But the hon. Mover himself when he spoke . . .

Shri Sonavane: We do not accept his figures.

Shrimati Alva: . . . said that there are a large number of Neo-Buddhists in Maharashtra, that Maharashtra has accepted this and has given them the facilities. About the second point, who is to prove that one is a Buddhist. I have not gone into the question as to

[Shrimati Alva]

how one becomes a Buddhist, how he ceases to be one, etc. That the mover himself can explain.

Shri B. K. Galkwad: Sir while replying to the debate on the Resolution the hon. the Deputy Minister said that we are observing untouchability and for the sake of facilities and safeguards we want that we should be treated as untouchables. That was not my point. My point was that Scheduled Castes live in villages. Even after their conversion the caste Hindus in that village treat them as untouchables. That does not mean that the Neo-Buddhists are observing untouchability among themselves.

My hon. friend Shri Sonavane said that the number of Buddhists is not known to him. He is perfectly right. He must wait for some time. The Census was over only recently. When we get the figures, I can assure him that in Maharashtra State he will find that a majority of the Scheduled Castes have been converted to Buddhism. He will come to know that.

Shri Sonavane: See that they do not relapse.

Shri Katti (Chikodi): Mr. Chairman, Sir, I am thankful to those hon. Members who have taken part in this debate. This debate was unexpectedly interesting. I had not expected that hon. Members would take so much interest in this.

Sir, while moving my resolution I placed before the House the whole case of the Buddhist converts from the Scheduled Castes. In the course of my speech at times I had to use strong words. I was only speaking the truth. Some hon. Members from that side said that I used very strong language and I spoke harshly. Sir, I only spoke the truth and truth is always harsh. Therefore, I cannot help if hon. Members think that I spoke very harshly.

I have listened very carefully to the whole debate, and in particular to the

hon. Deputy Minister. I had expected that she would refute the points that I had made. But unfortunately she did not do so. She has totally misunderstood the whole problem and many of the hon. Members have totally misunderstood what the problem is.

Shri Sonavane: You do not know the whole problem too.

Shri Katti: That day I said to be a Hindu one must have a caste. Caste confers a social status. There cannot be any Hindu without a caste. The scheduled castes are outcastes. They are not encompassed by the caste system. Therefore, they are not Hindus. In fact, they do not belong to any religion. So no question of changing the religion comes. Therefore, if they accept a religious faith, that alone cannot force them to lose all the privileges that they are having as a weaker section of the society. That was one point on which she could not throw any light.

Secondly, the principle governing the grant of these concessions to the Scheduled Castes and the Scheduled Tribes is the same. But when the Scheduled Tribes people change the religion, they are not forced to lose these privileges, whereas when the Scheduled Caste people change the religion they are forced to lose them. This is something very strange. The principle is the same. I wanted some reply from the hon. Minister in this connection, but she did not give it.

Thirdly, to be a Hindu is not a condition precedent to be entitled to claim these rights. The true test is whether a particular man was regarded as an untouchable and has suffered on that account—not that untouchability is existing now and that he is still suffering—but whether the wounds he is carrying on account of the caste system. And on account of untouchability, whether he has suffered, whether he is disabled socially, economically, educationally and in other respects, if the answer is 'yes', then such a man

must get all the facilities. Your aim is a classless, casteless society. As Shri Narayanankutty Menon has put it, this is a class. This is one world, as I described on the previous day, and these people have suffered for centuries on account of the slavery that was imposed on them. According to the Constitution, you want to bring about a casteless and classless society, and you are marching towards a socialistic pattern of society. In such an effort that you are making, your duty is to raise these people also. But are you giving to put them down because they accepted some religion? What was the principle on which you extended these facilities to these people? What was the basis? That is more important. The basis was the social and economic disability. That is the basis. Has it ceased?

I explained the other day where the weakness of these people lies. The weakness is two-fold. One is that they are backward economically, socially, educationally and in many other respects. They are a weak, helpless and hapless people. That is one weakness.

Another is, the attitude of the people towards them. What others think of them is more important. I might think that I am the Lord of the whole world. But what you think of me is more important. So, what the other people think of them is important. They all observe untouchability. What the other people, Muhammadans, Caste Hindus, Christians and others think of these people today is more important. That is another weakness.

The question is whether by change of religion this weakness has ceased to exist. It has not. That is why many hon. Members have pointed this out, and Shri Ganpati Ram said that in spite of change of religion the weakness still continues. Our attempt is to get rid of caste. We do not want caste to exist in the country. We are fully convinced that caste has completely ruined the whole country and enslaved the country. Because of

caste we are divided into water-tight compartments, and we must get rid of it. To embrace Buddhism is to get rid of casteism.

Dr. M. S. Aney (Nagpur): This is not a forum for preaching conversion of religion.

Shri D. A. Katti: I am not.

Dr. M. S. Aney: He is preaching.

Shri D. A. Katti: The hon. Minister said that I am trying to introduce caste system, that I am trying to perpetuate the caste system, whereas our attempt is to eradicate it. We are out to uproot this caste system. We are opposed to it tooth and nail. Our attempt is to get rid of caste, whereas the hon. Minister has said that I am trying to perpetuate caste system by this resolution. I am surprised.

Shri C. K. Bhattacharya: That is so.

Shri Sonavane: It means that.

Shri D. A. Katti: Our attempt is to get rid of caste. Hence, to say that we are trying to perpetuate the caste system and charge us with that attempt is indeed strange logic. I do not know in what way Shri N. R. Ghosh and the other Members who say they are against this caste system are going to eradicate this caste system. But this is the only way that we have found. We believe in it. But, you may not believe in it.

Then, the hon. Minister asked 'Why not give the same facilities to the other converts from the Scheduled Castes?'. Well, I am fully prepared. When this principle will be accepted, naturally, there will be that logical conclusion that others will have to be given the same facilities, if they suffer on that account; I am prepared for that. But, in that case, is the hon. Minister prepared to accept such a resolution if I move again? That is the question that I would like to put.

Shri Sonavane: The hon. Member may move and see what happens.

Shri D. A. Katti: My hon. friend Shri Narayanankutty Menon said that there are Christians in Kerala and they are also suffering, and they must also be given the same facilities. The hon. Minister says that this stigma is not to be carried into any other religion. It is a wonderful thing. To ask for economic help and help for educational upliftment and advancement is a stigma! The attempt is to wipe out the stigma. Nobody is taking this stigma into another religion. We want that this stigma should be completely wiped out. That is our attempt. But, here, the way of thinking is a bit different, and rather strange. The hon. Minister has again talked of safeguarding the spirit of the Constitution. I am also saying the same thing. I am saying that you must bring about a casteless and classless society, where you can find that your ideal of socialism can be realised.

Shri C. K. Bhattacharya: The Prime Minister is doing it.

Shri D. A. Katti: We feel that the socialistic pattern of society should come about as early as possible. The hon. Minister said that that is the reason why the spirit of the Constitution has to be safeguarded. And she cited article 46 of the Constitution.

I would like to ask her whether by having this attitude, Government are safeguarding the spirit of article 46 of the Constitution. Article 46 says that it is the responsibility of Government to safeguard and protect the interests of the weaker sections. And who are those weaker sections? They are the Scheduled Castes and the Scheduled Tribes. Now, because of a change of religion, that weakness does not cease to exist. Still, these people continue to be weaker. That is why, it is a constitutional obligation to protect these people who constitute a weaker section of the people. I would like to know from the hon. Minister whether

by opposing this resolution, Government are really safeguarding that spirit.

Then, Shri Sadhan Gupta wanted to know why I restricted this resolution to educational and economic facilities only, and why I had excluded the political reservations. When the Bill was brought forward here to extend the period of political reservations, our party opposed it. We do not believe in political reservations. We want only these reservations in services, economic facilities, and educational facilities etc. just to help these people to go ahead and be lifted to the level of the rest of the society. That is our idea.

Shri Sonavane: If he does not believe in reservations, does he mean that his party would not contest elections for the reserved seats? Can my hon. friend assure us of that?

Shri P. N. Singh (Chandauli): They are fairer than you.

Shri D. A. Katti: My hon. friend takes pride in being called a *chamaar*, I cannot help it. I shall not take pride in that. Even if you offer me a Ministership here and ask me to agree to be called a *chamaar* or a Scheduled Caste, I shall refuse it; I shall not accept it. I stand by my self-respect. I have not sold it. I shall not barter it away for some reserved seats. No sooner are these reserved seats abolished than Shri Sonavane will say exactly what I am saying now. But, now, there is the temptation. He is trying to please the ruling party by saying this kind of thing. I know why Shri Sonavane is saying this. He does not know what the number of Buddhists from Scheduled Caste is; he is closing his eyes to the naked truth that is there before him. And that is his habit.

Shri Sonavane: My complaint is that these people do not stick to their professions. That is my complaint.

Shri D. H. Katti: I know what Shri Sonavane is aiming at. Somehow he wants to please the ruling party, because he knows that the ruling party is opposing this resolution. It is rather a habit with him, somehow or other, whether by this way or by that way, by hook or by crook, to please the ruling party just to get the ticket for the election.

Shri Sonavane: No. We are point-out all your defects.

Shri D. A. Katti: That is why he is exhibiting that very thing. I regret very much the attitude taken up by the hon. Minister. However, I thank those hon. Members who have supported me in respect of this Resolution.

Mr. Chairman: Does Shri Shree Narayan Das wish to press his amendment?

Shri Shree Narayan Das: No, I ask for leave of the House to withdraw my amendment.

Mr. Chairman: Has the hon. Member the leave of the House to withdraw his amendment?

Some Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Mr. D. A. Katti: I am not withdrawing my Resolution.

Mr. Chairman: The question is:

"This House is of opinion that all the constitutional safeguards except those relating to the reservation of seats in the legislatures,

granted and provided to the Scheduled Castes, be extended to the Buddhist converts from the Scheduled Castes".

Those in favour will kindly say 'Aye'.

Some Hon. Members: Aye.

Mr. Chairman: Those against will kindly say 'No'.

Several Hon. Members: No.

Mr. Chairman: The 'Noes' have it.

Some Hon. Members: The 'Ayes' have it.

Mr. Chairman: Let the division bell be rung.

16:34 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Braj Raj Singh: Why are the Ministers not present?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The Ministers are present.

Mr. Deputy-Speaker: The question is:

"This House is of opinion that all the constitutional safeguards except those relating to the reservation of seats in the legislatures, granted and provided to the Scheduled Castes, be extended to the Buddhist converts from the Scheduled Castes".

The Lok Sabha divided.

AYES

Awasathi, Shri Jagdish
Banerjee, Shri S.M.
Bhadauria, Shri Arjun Singh
Bharucha, Shri Naushir
Braj Raj Singh, Shri
Dasaratha Deb, Shri
Gaikwad, Shri B.K.
Ghosal, Shri Aurobindo
Gupta, Shri Sadhan
Shri Prabhat

Katti, Shri D.A.
Menon, Shri Narayanankutty
Mullick, Shri B.C.
Nair, Shri C. K.
Panigrahi, Shri Chintamani
Patil Shri Balasaheb
Ramam, Shri
Rao Shri T.B. Vittal

Salunke, Shri Balasaheb
Singh, Shri P.N.
Sugandhi, Shri
Tangamani, Shri
Thakore, Shri M. P.

Abdul Latif, Shri
 Agadi, Shri
 Ambalam Shri Subbiah
 Aney, Dr. M. S.
 Ayyakannu, Shri
 Bahadur Singh, Shri
 Balmiki Shri
 Barupal Shri P. L.
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhatkar, Shri
 Bhattacharya, Shri C. K.
 Birbal Singh, Shri
 Brahm Prakash, Ch.
 Brajeshwar Prasad, Shri
 Chaturvedi, Shri
 Chettar, Shri Ramanathan
 Chuni Lal, Shri
 Dasappa, Shri
 Dindod, Shri
 Dora, Shri D. S.
 Dube Shri Mulchand
 Bacharan, Shri V.
 Gupta, Shri Ram Krishan
 Hathi, Shri

Iqbal Singh, Sardar
 Jangde, Shri
 Jedhe, Shri G. K.
 Jinachandran, Shri
 Joshi, Shri A. C.
 Jyotishi, Padit J. P.
 Kalika Singh, Shri
 Kashi Ram Shri
 Krishna, Shri M. R.
 Laxmi Bai, Shrimati
 Mafida Ahmed, Shrimati
 Mandal, Shri J
 Manjula, Devi Shrimati
 Minimata, Shrimati
 Mishra, Shri R. R.
 Morarka, Shri
 Murmu, Shri Paika
 Murty, Shri M. S.
 Muthukrishnan, Shri
 Narasimhan, Shri
 Naskar, Shri P. S.
 Nehru, Shrimati Uma
 Parmar, Shri Deen Bandhu
 Patel, Shri P. R.
 Patil, Shri T. S.

Raghuramaiah Shri
 Raj Bahadur, Shri
 Ram Shankar Lal, Shri
 Ram Subbag Singh, Dr.
 Ramaswamy, Shri S. V.
 Rampure, Shri M.
 Ranbir Singh, Ch.
 Rane, Shri
 Rao, Shri Jaganatha
 Roy, Shri fishwanath
 Sahu, Shri Rameshwar
 Samanta, Shri S. C.
 Satyabhama Devi, Shrimati
 Satyanarayana, Shri
 Sharma, Shri D. C.
 Shastri, Swami Ramanand
 Shree Narayan Das, Shri
 Singh, Shri D. N.
 Singh Shri K. N.
 Sinha, Shri B. P.
 Sonavane, Shri
 Thimmaiah, Shri
 Tiwari pandit D. N.
 Vyas, Shri R. C.

Mr. Deputy-Speaker: The result of the division is:

Ayes—23; Noes—74.

The Resolution was negatived.

socialistic pattern of society the individual incomes should be so regulated that the gap between maximum and minimum income is reduced to the ratio of 10 to 1."

16:36 hrs.

RESOLUTION RE: INDIVIDUAL INCOME

Shri Kalika Singh (Azamgarh): Sir, I am thankful to my hon. friend Shri Daljit Singh, who has authorised me, with the approval of the hon. Speaker, to move this Resolution. Sir, I beg to move:

"This House is of opinion that in order to achieve the goal of

The Constitution of India secures justice, social, economic and political and guarantees equality of status and opportunity to all Indian citizens. There is a constitutional directive that the—

"State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which.....

Mr. Deputy-Speaker: Order, order. That atmosphere of division should