

16.14 hrs.

Title: Further discussion on the resolution moved by Shri Ramdas Athawale on 25 April, 2003 regarding implementation of policies and programmes for SC/ST , etc. (Not concluded).

DR. V. SAROJA (RASIPURAM): Hon. Deputy-Speaker, Sir, I thank you for allowing me to continue the discussion on Private Members' Resolution regarding implementation of policies and programmes for Scheduled Castes and Scheduled Tribes.

Sir, I would like to draw the attention of this august House to the answer given by the hon. Deputy-Prime Minister to an Unstarred Question no. 6252 put by Shri Pravin Rashtrapal. The question asked was "whether the Government have withdrawn all the circulars, issued by the Department of Personnel and Training, affecting the reservation of the SCs and STs. If so, the details thereof. If not, the time by which all these are likely to be withdrawn". The answer given was that 'already three Circulars have been revoked'. But in answer to part (c) of the Question the Minister replied, 'there is no proposal to withdraw all the Circulars issued by the Department of Personnel and Training affecting the reservation for SCs and STs.

Sir, I would like to again draw the attention of this august House to what had been assured by the hon. Prime Minister both inside and outside Parliament. He said that all the three offending DOPT Circulars issued in the year 1997-98 would be withdrawn. He had assured that it would be included in the Ninth Schedule of the Constitution to protect the constitutional welfare that has been assured by the Constitution.

MR. DEPUTY-SPEAKER: Shri Ramdas Athawale, as the Mover of this Resolution you were expected to be present when this was taken up. Otherwise, you are always on your legs.

SHRI RAMDAS ATHAWALE (PANDHARPUR): Sir, the Government has encroached upon my time.

DR. V. SAROJA : Sir, through you, I would like to appeal to the Government of India that in the next Session of Parliament, the Government should adhere to the promise made by the hon. Prime Minister to all the hon. Members of Parliament. We had a meeting about all these five Circulars issued by the Department of Personnel and Training. We had debated this issue for three days. In that meeting the hon. Prime Minister had given this assurance. But I was surprised to read the reply given by the Deputy-Prime Minister that there was no such proposal to withdraw these orders. I would like to compel the Government to come out with a Constitution Amendment Bill -- in addition to withdrawing the other two Circulars issued by the Department of Personnel and Training -- for including it in the Ninth Schedule of our Constitution so that whatever constitutional welfare measures that have been conferred by Dr. Babasaheb Ambedkar, are given effect to. This is not a charity. It is a right of this community.

Sir, I would also like to draw the attention of this august House to the educational scholarships that are given by the Government. I would like to know as to how many students have been given scholarships for studies abroad. What are all the courses the students have selected for study, how many of them have completed their courses abroad and how many of them have come back to the country, and the services of how many of them are being utilised. Has there been any study conducted on these things? I have been given to understand that the courses that have been enumerated for pursuing in foreign countries are not need-based in relation to our country. I stand corrected, not even one per cent of the students have been able to avail of the scholarships for the courses that have been enumerated in the list.

Sir, during the year 1999, I had met the then Minister of Welfare, Smt. Maneka Gandhi and I showed her the list and also the number of courses that are not need-based in relation to our country. If that is the case, then why does the Government not pay attention in selecting the courses?

Why not the HRD Ministry and the Welfare Ministry sit together and draw syllabus and also select courses so that our country will be benefited and this community will have upliftment by utilising the scheme of scholarships?

Here, I would like to narrate a painful incident. One poor boy belonging to the Scheduled Castes, whose mother is working at the Noon Meal Centre in my Parliamentary Constituency, was selected by the Netherlands Agriculture University and an amount of Rs.8 lakh was required by him. The present hon. Chief Minister of Tamil Nadu -- who was not the Chief Minister at that time -- appreciated that a boy in my Parliamentary Constituency had been selected by the Netherlands Agriculture University. She asked me to contact the Central Ministry and see that this student went abroad. When I contacted Smt. Maneka Gandhi, she turned a deaf ear to me. Finally, I approached our honourable madam and she said that she wanted this boy to go abroad and immediately did everything to send that boy to Netherlands Agriculture University. He is studying there now. This is the state of affairs as far as scholarships is concerned.

All the hon. Ministers of the Cabinet and this House should discuss separately the issue of educational status of people belong to SC and ST. Social, political and economic empowerment will not come on their own. The committed responsibility of all the officials and also the planning and policy makers sitting in this august body has to play its role. Otherwise, we are directly held responsible for not attaining the expected elevation.

Regarding reservations, how will 69 per cent reservations come for SC, ST and OBCs? At least 18 per cent, plus one per cent reservations for SC and ST candidates respectively are confirmed in educational institutions and in Government jobs. How many State Governments have passed the Reservation Bill in their States? Why is the Government of India not insisting on the State Governments to pass this Reservation Bill so that at least these many SC and ST people will have social and educational upliftment? I appeal to all the Chief Ministers to take up a study on this aspect for the benefit of not only the SC and ST, but also the OBCs are elevated correspondingly so that the country will progress in a better way.

In this connection, as all of us know, our respected leader, hon. Chief Minister of Tamil Nadu has done a lot. I was a member of the Tamil Nadu State Legislative Assembly and was one among the persons who passed a Resolution in the Assembly in this regard. It was brought here and both the Houses passed a Bill. Not only that, our hon. Chief Minister brought it under the Ninth Schedule of the Constitution of India. Why not other Chief Ministers are doing this? If they do not do it, how will upliftment of SC and ST people come

about?

16.24 hrs. (Dr. Laxminarayan Pandeya in the Chair)

There are State Units earmarked for the training and placement programme from the Social Justice and Empowerment of Women Departments. The ST Commission has been set up and NFDC is giving financial assistance to the concerned States. This Resolution talks about the implementation of policies and programmes for the SC and ST. With my experience of 20 years in the Government, I have not seen the expected upliftment. That means, there is something going wrong either in the policy or in the implementation of programmes. Therefore, the Government should come forward with policies and programmes which will suit these communities in various States. Similarly, the implementing agencies should be appointed keeping in mind the needs of the States concerned.

In 1994 the hon. Chief Minister of Tamil Nadu had brought one novel scheme for the economic upliftment of people belonging to SC and ST. She had taken loan from the World Bank and the Government of India for setting up of knitting units so that every entrepreneur belonging to Scheduled Castes will be given 10,000 sq. feet of land plus a constructed building. So, knitting units were given to them. Due to the change of the financial policies of the Government of India every now and then, almost 100 units were not able to take up business. Only 50 units are functioning now and those 50 units are also sick units. I appeal to the hon. Minister to waive the interest part of it so that they will be able to run their business and repay the loan. They do not want waiver of the entire loan. On behalf of the entrepreneurs belonging to the Scheduled Castes and Scheduled Tribes of Mudalipalayam, Tripur, I plead you to consider my request.

Coming to the economic empowerment of women, hon. Chief Minister of Tamil Nadu had given an assurance on wasteland development. Now, the Government of India had come out with a wasteland atlas. I would appeal to the Government of India to improve upon the economic empowerment of women through self-help groups by way of wasteland development programme in association with the Ministry of Agriculture. Tribal women belonging to the Scheduled Castes, especially in the North-Eastern States, can be helped in the field of medicinal plants and other allied business so that wasteland development programme will also progress and there will be improvement in the economic empowerment of people belonging to SCs and STs by way of self-help groups specially by educating the women belonging to the SCs and STs.

The hon. Chief Minister of Tamil Nadu has given free bicycles to nearly 75,000 girls who are studying in +1 and +2 classes. After two years of the implementation of this scheme, it has been observed that the percentage of drop-outs of students has come down and most of the students have gone for higher studies. I would appeal to the Government of India to suggest schemes like this to all other State Governments which would be very beneficial and useful for the upliftment of the SCs and STs. Thus, people would be able to avail of the facilities given in the Constitution of India.

Last but not least, I would like to say one point regarding sports personnel and athletes. Most of the poor and downtrodden people in the rural areas of my district, especially children residing in hostels meant for Scheduled Castes and Scheduled Tribes, want a modified form of balanced diet so that they will be able to compete with other sports personnel in the mainstream.

With these few lines, I conclude.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): I rise to support the Resolution moved by Shri Ramdas Athawale. The Resolution deals with the upliftment of the Scheduled Castes and Scheduled Tribes alongwith weaker sections of the society. We all know that it was part and parcel of the freedom struggle to eliminate the social inequalities that existed in the Indian society.

There were people who were not allowed to travel or even they were not allowed to enter the public schools as also Government schools. They were not allowed access to any public restaurants. These people were prohibited from entering even the barber shops. That was the situation which prevailed at that time. So, there was no free education, no free air, no free travel for these sections of the society. Untouchability was the law of the land. Social inequality prevailed. It was a suffocating situation. So, under these circumstances, it was only just and proper that the freedom movement was started. They also took up the issue.

When we attained freedom, when the Constitution was enacted, specific provisions were made to do away with the inequalities that existed particularly in respect of the Scheduled Caste and the Scheduled Tribes people. We were fighting all along by bring forward social legislation on an All-India basis as well as State basis. Equality differed from State to State. Social inequality differed from one State to another State. That was the situation. It was specifically provided in the Constitution that ten per cent seats in the elected bodies would be reserved for the Scheduled Caste and the Scheduled Tribe people. All these things are there. In the matter of public service, the reservation policy is to be followed. In the State of Kerala, it was there even prior to Independence. It was there during the time of the Kingdoms. Then also, it was provided that the weaker sections of the society would get a particular percentage of posts in public services. That was the situation. At that time, the Government was the largest employer. We did not have any public enterprises as they have flourished now. Now, we have public enterprises. The public sector enterprises are being owned by the Government. So, naturally, the Scheduled Caste and the Scheduled Tribe people will get the benefit of reservation in the matter of appointments also.

What is the present situation? Because of privatisation, we are strenuously and very forcefully implementing the disinvestment policy. Even the profit-making public enterprises are sold out. The net result of that is that the opportunity will be lost in getting employment. The reservation granted to the Scheduled Caste and the Scheduled Tribe people will be lost. So, their chances of getting employment are becoming less and less. That is the present situation because the Government is selling and privatising the public enterprises.

Today, we have decided to privatise the Airports. Even at the risk of our country's security, we have decided to privatise the Airports. That was the last word said today. Almost all the public sector undertakings are being privatised. That being so, who will give jobs to the poor people belonging to the Scheduled Caste and the Scheduled Tribes? We have not improved their conditions so far. This is evident from the fact that every year we are amending the Constitution. We extend the reservation every ten years in the State Assemblies as well as in Parliament.

The situation is that there is no change as regards the Scheduled Caste and the Scheduled Tribe people. They are in the same

position as they were prior to Independence. That is why, we are forced to extend it. But reservation is not a rule of perpetuity. It is for a particular period. When equality is attained, there is no question of any reservation for any section of the society. This reservation is meant to bring up those people to the level of the other developed people. That way, we could not achieve the desired objective. That is why, we are amending the Constitution every ten years. That is what we are doing. So also, in the matter of employment, the Government is the most important, largest employer. It holds good in respect of the States as well as the Centre.

They were giving employment to the Scheduled Castes and the Scheduled Tribes on a Constitutional basis as well as on a State basis. There could be no escape. For the people who invest money, the big businessmen who are controlling and running the industries, they are not bound by reservation. When disinvestment takes place or when it is sold out, a section of the Scheduled Castes and the Scheduled Tribes employees will be thrown out. These people will be thrown out of employment not only from the public sector undertakings, but also from the Postal Department, the Telegraph Department and so many other Departments. It has become a very serious issue of the country. We will have to find out a solution for this problem in the context of liberalisation, privatisation and globalisation. The net result is that the poor people are thrown in the streets.

If we remember, there was an attempt to reserve seats for the weaker and backward sections of the community. There is Constitutional protection for the Scheduled Castes and the Scheduled Tribes but there is no Constitutional protection for the backward community. It was enshrined as a Directive Principle of State Policy. As a result of this, the Central Government appointed a Commission called the Mandal Commission. The Mandal Commission submitted a Report to the Government of India and they slept over the Report for years together. It was only in Shri V.P. Singh's time that the Report came out. It was published and it was made compulsory to be implemented. Then the matter went up to the Supreme Court. Now, simply because a person is belonging to a particular community excepting the Scheduled Castes and the Scheduled Tribes and he is rich enough to maintain himself, is he entitled to maintenance? The Supreme Court went into the issue, discussed the issue and they brought out this famous 'creamy layer' doctrine. The 'creamy layer' doctrine is still in force and in some States it is a denial of employment to candidates belonging to the Backward classes. So, everywhere we find that the issues are going from bad to worse.

There is another important matter relating to Kerala which I would like to mention here. The Scheduled Tribes were landless people. Land distribution is the most important aspect of this issue. Land will have to be distributed to them. Land reforms will have to be implemented. Even today, landless people are there. There is an agitation going on in Kerala by the aborigines or adivasis for getting land registration in their names. The recent incident in Mutanga is the offshoot of this. The question could be solved only by giving forest land. The Forest Act is against that proposal. Now, the State Government is in a dilemma about how to distribute the land to these people without getting the forest clearance. Agitation is going on for getting land for these tribals who are living in the tribal areas. The issue has become very serious now-a-days. So, it is just and proper that we find a method for bringing out a legislation.

It is high time that the State Governments as well as the Central Government take effective measures to meet the situation arising out of unemployment due to disinvestment, privatization and the present policy of the Government. The State Governments as well as the Central Government are not filling up the vacancies occurring in public service. Retirement vacancies are not being filled up. The Government is also contemplating to bring down the number of vacancies. Employment opportunities in public service are also dwindling. Public sector undertakings are being sold out.

So, it has become a very serious issue so far as the Scheduled Castes and the Scheduled Tribes are concerned and it will have to be resolved.

Then comes the question of giving land to landless people belonging to the Scheduled Castes and the Scheduled Tribes. This also requires enactment of some urgent legislation. On these matters, the Central Government should take the lead to find jobs for those people who are thrown out due to the present economic policy and they should also give land to the landless people throughout India. They should also urge the State Governments to bring in suitable legislation to solve the issue, as has been pointed out in the Resolution.

With these words, I support the Resolution.

MR. CHAIRMAN : The time allotted for this Resolution was only two hours. That time is going to be over by 4.42 p.m. If the House agrees, we can extend the time by 45 minutes more for this Resolution.

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: The time for this Resolution is extended by 45 minutes.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Mr. Chairman, Sir, I rise to speak on the Resolution moved by Shri Ramdas Athawale.

The modern Indian society should always strive for having a casteless society. As we all know, the Vedic civilisation did not have a caste-ridden society. During the *Kumbh Mela* also, there are no separate *ghats* for different castes. In Orissa and in other eastern parts of the country, before Lord Jagannath everyone of the society is equal and there is no special provision for any caste. Devotees cutting across castes and even religion have sung hymns and have composed *bhajans* in praise of Lord Jagannath. Salbeka is popularly known as a *bhakta* and he is well-known for his numerous *bhajans*. I need not mention that he was a *Mohammadan* by birth, but was a practising Hindu. Dasia Bauri was another immortal *bhakta* of Lord Jagannath who is remembered by one and all in Orissa and Bengal for his utmost devotion to Lord Jagannath. An interesting story about him demonstrates that a devotee is placed much higher above the Lord than a person is determined by birth. Even today, people congregate at the *samadhi* of Bahura Gosain, another prominent devotee who has a very large following.

Sir, the only way the lot of the depressed and the Backward classes can be improved is by creating a casteless society. The point is, once they lose their caste they lose their profession. That is the main crux of the problem. Then, what would be their mode of income? This basic problem is not being addressed to. For the last 50 years, it has been vouched that reservation is the panacea for the weaker sections, but actually it has not served the purpose.

Sir, in the Resolution moved by Shri Ramdas Athawale, a mention has been made about social justice. What is social justice? What we understand by 'social justice' in India means many things to most people. It is a coin that offers solution on the one side and promises to retain its premium value if the extent of social injustice is allowed to grow on the other side. To the authors of the Constitution, ushering in social justice was an honest commitment with an unrealistic time limit. It was this error in the original document that allowed a certain section of the political class to turn the policy of job reservation into an opportunity for creating a captive vote bank. Social justice was a low-key issue until 1989.

After the Mandal Commission Report, as was mentioned just now, on job reservation, no one has shown the moral courage to question the rationale of a policy that has increased the level of general tension without offering social justice and the economic emancipation to the country's vast underclass.

Adopting a resolution is not going to help, nor is it going to make the private sector offer jobs without applying the test of merit. The creation of merit will help the depressed class, the weaker sections of the society in joining the expanding mainstream of professional excellence without having to feel small in the eyes of their colleagues. All out attempt should be made to expand merit, not through reservation of any sorts, but through excellence.

Now, I want to deliberate on certain specific aspects. My humble submission is that reservation has not moved the society to create a caste-less society, but has created fissures in the society. Those who took the benefit of reservation have created a sub-caste for themselves, especially, economically and have rarely tried to uplift the others who are the weaker lot. This is the situation in the last fifty years of reservation. I want to make it clear that I am not against reservation *per se*. But my point of view is, through reservation, if you are not moving in the right direction, we should make provisions to correct it.

The resolution moved by Shri Ramdas Athawale clearly states that the Government should take rigorous steps for implementation of policies. That means, it doubts whether the Government is actually taking rigorous steps. If they are not taking, they should take them. This is the suggestive clause and policies and programmes for socio-economic and political upliftment of the Scheduled Castes and Scheduled Tribes and weaker sections of the society should be made by strengthening the administration and by bringing forward suitable legislation. These are the two clauses, which he has mentioned.

Today, my suggestion would be that 30 per cent of the Government purchases should be sourced from among the weaker sections of the society. I would request the Government to ensure that this is done. As it is said, in the last deliberations, I think, this was mentioned, that this is a positive discrimination, not a negative discrimination through which this activity that is borrowed from the American usage has been practised by them. This is a positive discrimination.

You have to identify certain areas where large section of women are employed, large section of weaker sections and different sections of the society are employed. You have to identify those areas, those firms, those organisations or those institutes and buy at least 30 per cent of the total Government consumption from those firms and institutes so that it helps the weaker sections of the society. It opens up the avenues of business and trade for the weaker sections of the society and that is the area, which has been out of the purview.

A point was also made about the land reforms and we are all aware about it. Land resources are limited. Land is not being created in our country and as was discussed some months ago, when we were discussing the ban on cow slaughter, a mention was also made how to identify specific land and protect that land for the cows and cattle in our country.

A law is prevalent in most of the States.

MR. CHAIRMAN : Shri Bhartruhari Mehtab, I am not stopping you but there are two more speakers. The Minister has to reply, and then the Member will also reply. There is a limited time. Kindly conclude.

SHRI BHARTRUHARI MAHTAB : An attempt was made in the fifties by Acharya Vinobha Bhave which is very aptly known as *Bhoodan Movement* and we know what is the result of that. There are major hurdles in the distribution of land. There is a problem of the availability of land itself, as was mentioned by Shri Radhakrishnan, a problem which the Kerala Government is facing. In the seventies, ceiling surplus land case came into being. In many States, lands of Scheduled Tribes and Scheduled Castes cannot be purchased by others. This law is prevalent. Has at any point of time, any investigation been made? What has happened to the lands that were distributed after the *Bhoodan Movement*, after the ceiling surplus land was distributed to the Scheduled Castes, Scheduled Tribes and the weaker sections of the society? Is there a body to look after this at the national level and at the State level? To my mind, there is none. To find out where that land has gone ultimately, nobody is keeping track of that.

I would now come to the education aspect. It was thought earlier that free education will help the depressed and the weaker sections of the society to be enlightened and empowered through knowledge. But nowadays we find that there are two sets of education in the society. Public schools are rampant in most of the urban areas and it has also gone into the rural areas and thousands of rupees are spent to educate children in different curricula. Free schools are in a dilapidated condition. Many schools do not have adequate staff, they do not have adequate infrastructure. *Ashram* schools are there but they are not sufficient. I would request, through you, to the Government to have more number of *Ashram* schools in those areas.

I would come to the Reservation aspect. Reservation deals with two major issues, namely, reservation in education and reservation in services. In educational institutions, in schools and colleges, there are drop-outs. I would deal only with the drop-outs. Who are the drop-outs? Even in primary schools, in the high schools, even at the college level, who are the drop-outs? I would like to insist that more stress should be given to impart different skills to the students. I think, more such polytechnics, ITIs, should be constructed at the State level.

MR. CHAIRMAN: Please conclude.

SHRI BHARTRUHARI MAHTAB : I will conclude with only two other points. I need not discuss about the services but I would mention about the service sector of our society. What was the system earlier before we adopted the Constitution? The system was, a professionalism was created through the support of the society.

MR. CHAIRMAN: Please cooperate and conclude now. There are two or three more speakers and the hon. Minister has to reply.

SHRI BHARTRUHARI MAHTAB : I think we have to conclude by 5.30 pm. I will just take another 4 or 5 minutes and then I will conclude.

MR. CHAIRMAN: You have already taken 15 minutes.

SHRI BHARTRUHARI MAHTAB : Okay Sir I am skipping some points. But I would like to mention about the sports activities. I need not go into the reservation in education, reservation in services, reservation in other aspects, but I would like to mention one incident which I had witnessed.

In the United States, which is being quoted for various other reasons, they do not have reservation in sports but the African and American people, by their sheer perseverance, excelled and they are excelling in the Olympics. How could they do it? They were slaves 200 years back. How could they do it? It is only through their sheer perseverance to excel in the society and to make their presence felt. I think, that type of excellence should be given recognition. More schools for football and more schools for hockey – at some pockets, some such schools have been established – should be established through the Ministry of Social Justice and Empowerment with the active co-operation of the Sports Ministry.

MR. CHAIRMAN : Please conclude. Now, Shri Pawan Kumar Bansal.

SHRI BHARTRUHARI MAHTAB : Sir, more people from the rural areas can be picked up, can be trained and they can excel at the national and international level.

To conclude, Sir, I would like to mention about ...(*Interruptions*)

MR. CHAIRMAN: I have called another Member to speak.

SHRI BHARTRUHARI MAHTAB : Sir, I am concluding now.

The Social Justice Ministry can collaborate with the Sports Ministry, with the Youth and Sports Affairs Ministry and extend a helping hand to uplift the people, to excel in different scheme of things and establish their position in the society.

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Mr. Chairman, Sir, it was to undo centuries of gross injustice and atrocities heaped on a section of the society whom we now recognise as the Scheduled Castes that the founding fathers of our Constitution had made specific provisions for reservation in certain fields. However, Sir, we find, as it has been said very eloquently before me, that even after 50 years of working of the Constitution we have made no substantial progress in achieving our lofty goals or ideals. And that is what makes us sit up and think as to what has gone wrong and where. I would also hasten to add, like Shri Bhartruhari Mahatab, that I am not against reservation. Rather I strongly advocate the retention of these provisions in the Constitution till the time we are able to really achieve an ideal classless society. But at the same time we have got to see as to what has gone wrong on our way to achieve that objective. Sir, we have found to our dismay that the benefit of reservations has not really spread across the board. Only a limited section amongst the Scheduled Castes has derived benefit therefrom during these years. And it was in such context that the Supreme Court also referred to what is called the OBC 'creamy layer'. The debate goes on as to what we really do about it though we have not really been able to take really a strong principled stand thereon. But in the process, as I would say, Sir, the needy people among the Scheduled Castes continue to suffer.

I congratulate Shri Ramdas Athawale for bringing about this Resolution whatever its worth before the Government otherwise, but the fact remains that he has focussed the attention of Parliament and through Parliament the attention of the nation on glaring inequalities that prevail in our system even today and the need, the imperative to take strong urgent steps to achieve the results which we have intended through various provisions of the Constitution and different laws.

Sir, I would not like to go in detail about those but it is for each one of us to see that even after 50 years, even the basic fundamental rights of every citizen are being denied to those people. Even today, they are living in unhygienic and insanitary slum clusters, where there is no facility worth the name.

17.00 hrs.

There are no roads. Rather, those are things which would sound quite high. There is no approach road to those places. There is no provision for drinking water. There are no toilets provided there. It is unfortunate that the ladies have to go and defecate in the open. They have to suffer all those humiliations in different places. Who does not know that? But what are we really doing about those things?

We have a plethora of schemes before us. The second Resolution talks of some of those schemes. But what has been the concerted effort made in that direction? We find that wherever such a scheme is there, the benefits are cornered not by the needy people but by others. In this context I would like to say that the first step that we have to take is towards providing houses which I would say is the basic right. That must be provided to everyone in the country before we move forward. That would, in fact, give them some scope to live with a little dignity. Thereafter, everybody does not really press upon the Government to give a job, but they do expect of the Government that certain conditions are made available whereby those people have the opportunity, and there are avenues open to them. But that is what is missing now. It is not a question of Party line. We have to earnestly introspect on this and see what we have to really do in that regard.

I would feel that besides the reservation, what is necessary to be done today is this. I know there are places where there are certain schemes for the training of the Scheduled Caste youth and others, but that is again inadequate. It is in that regard that I would like to make this point. You have to really provide conditions. You have to equip those people to rise on their own feet and face the challenges of life. You have to prepare them to face the future which is not really being done.

We introduced sometime back the mid-day meal scheme in the school because that scheme was considered to be a way of attracting the students to the schools, but that is again not being followed. I have seen it. ...*(Interruptions)* I would just seek your indulgence for two or three minutes. I wanted to touch those points. I will skip over everything that I have jotted down and I will just come to my last point.

The hon. Minister knows that I have been pressing this point earlier. We are talking of implementing the schemes for the Scheduled Caste people. One thing which entitles them to claim benefit as a member of the Scheduled Caste is being denied, particularly in the place where from I come, that is, Chandigarh. I made that point before the hon. Minister in this House over a year back. We have what is called the Constitution Scheduled Castes (Union Territories) Order, where under, for each Union Territory, certain castes are enumerated to show that a person who belongs to these caste will be termed as Scheduled Caste and he would be entitled to the benefits available to the Scheduled Caste people. But those benefits are being denied, I would say, in the most bizarre manner.

There is one sentence there that the reference to the Union Territory of Chandigarh shall mean a reference to the Territory which came into being on 1st of November, 1966. I am just trying to recollect the wording. Now, how is that being interpreted? A person who approaches the authorities for the certificate is being denied that certificate if he or his parents came to the Union Territory of Chandigarh after that day. Before that day, Chandigarh was just a town in its incipient stage. There was hardly any population there. Chandigarh is a new town built after acquiring land of a large number of villages. So, there was nothing before that day. Today, Chandigarh is a cosmopolitan city attracting people from all over the country.

This is a very important point which I have to make. Today, if somebody who had come to the Union Territory of Chandigarh after 1st of November, 1966, but admittedly even if he is belonging to a caste—let me take one particular caste, *Valmiki*, and let me say that he comes from Punjab and Chandigarh is the capital of Punjab—he may be having a certificate as a Scheduled Caste person in Punjab, but if he seeks a certificate in Chandigarh, he is denied that certificate. There may be many such cases. I know of a case where one person who got service as a Scheduled Caste person in the Air Force, but his brother who was a resident of Chandigarh and had shifted unfortunately—that is the word I use for that poor person—to Chandigarh, got selected again in the Air Force, but he was not finally given the job because he failed to produce the certificate and it was not his failure. It was the sheer denial of that right to him by the Chandigarh Administration.

That is the point I wished to make to this hon. House and particularly to the hon. Minister. He assured me that he would look into the matter and get the needful done but the Government moves slow, as we all know, and it is the red tape which binds the Government. What schemes and what benefits are we talking about that we want to extend to these people? He wants only a certificate. A certificate would be given to him only if he belongs to the Scheduled Caste and this is no assurance or guarantee of any benefit being extended to him. After getting the certificate, he would have to carry it in his hand and go around from pillar to post seeking a job though your system of education is only churning out unemployable unemployed. That is beside the point. I am only asking why do you not give him that certificate and that right to say that he belongs to a Scheduled Caste. Why do you not recognise that and let him go around seeking a job? ...(*Interruptions*)

I think, I will have to conclude now.

MR. CHAIRMAN: Shri Punnu Lal Mohale is not here. Shri K.H. Muniyappa.

SHRI K.H. MUNIYAPPA (KOLAR): Thank you, Mr. Chairman, Sir, for giving me an opportunity.

I congratulate Shri Ramdas Athawale for moving this Resolution to implement the policies and programmes meant for the Scheduled Castes and Scheduled Tribes.

सामाजिक न्याय और अधिकारिता मंत्रालय में राज्य मंत्री (डॉ. संजय पासवान) : आप तो पहले बोल चुके हैं। एक ही प्रस्ताव पर दो बार बोलने का प्रावधान है क्या? मैं उपस्थित था, आप बोल चुके हैं।

SHRI K.H. MUNIYAPPA : Are you saying that I have spoken on this issue?

DR. SANJAY PASWAN: I am sure, you have spoken.

SHRI K.H. MUNIYAPPA : I have no idea.

DR. SANJAY PASWAN: But I am sure of that.

SHRI K.H. MUNIYAPPA : I would give some more valid points for you to take up. It would be useful for you.

DR. SANJAY PASWAN: Sir, the hon. Member has already spoken.

MR. CHAIRMAN : If you have already participated, you cannot participate again.

DR. SANJAY PASWAN: You may kindly get it checked.

SHRI K.H. MUNIYAPPA : Sir, I do not remember if I have spoken. In that case, Shri E.M. Sudarsana Natchiappan would speak.

SHRI PAWAN KUMAR BANSAL : Or, you can give me time to make a few more points. ...(*Interruptions*) In that case, you can give me two more minutes.

SHRI K.H. MUNIYAPPA : Sir, I request you to permit Shri Natchiappan.

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Thank you, Mr. Chairman, Sir.

MR. CHAIRMAN: Shri Natchiappan, you have only five minutes and you are the last to speak.

SHRI E.M. SUDARSANA NATCHIAPPAN : I fully support the Resolution moved by Shri Ramdas Athawale. ...(*Interruptions*)

श्री रामदास आठवले (पंढरपुर) : यह चर्चा पहले होनी थी।

सभापति महोदय : माननीय मंत्री जी के जवाब के बाद आपको भी समय मिलेगा।

श्री रामदास आठवले : यह चर्चा तीन बजे होने वाली थी, सवा चार बजे शुरू हुई है।

सभापति महोदय : 45 मिनट बढ़ा दिये गये हैं। आप बैठ जाइये, हमें साढ़े पांच बजे Half an hour Discussion भी लेना है।

SHRI E.M. SUDARSANA NATCHIAPPAN : This Resolution is very much relevant at this juncture when we are going towards globalisation. For the past fifty years independent India has given a lot of help to the *dalits* to come out of their trap but at the same time only about ten per cent of the total population of Scheduled Castes and Scheduled Tribes has come out of that trap. The socio-economic and political upliftment of the people is very important and very relevant even at this day because earlier they were helped in education. They have shown that they are not inferior to anybody. Even if they are the surgeons in medical field, they are the top most people; as scientists also, they are the top most people; and they are the top administrators. Dr. B.R. Ambedkar, who was the leader of the Dalit Movement, made even the Constitution of India. In the same way, there are so many leaders, like Babu Jagjivan Ram, etc. who have come up. Shri K.R. Narayanan was the President of India and he was a famous and international diplomat. In the same way, we can go on telling that many people have come up.

But, at the same time, even now, 90 per cent of the population of Scheduled Castes and Scheduled Tribes are suffering. Even if we have given the lands to them to plough, houses for them to live and even if we have given them small loans, they have not yet come up in life. This situation has to be taken into consideration as to how they can come up. However, if we make some studies, we can very easily find out by the lands given to them that the lands given to them are not ploughable lands. They have to go for irrigation and they have to beg before others. Then, they have to work till the nature gives them some shower for their work. Therefore, in the agricultural fields, *dalit* people could not come up in life.

In the same way, they could not even repair the houses that were constructed for them. They are living in the same houses which were in a dilapidated condition. Therefore, that is also not useful. Then, what is useful? It is only by giving them skill and by giving them the professional courses that we can do it. That alone will make them to come up in life. Therefore, we have to find out a new scheme by which each and every family is given a skill to come out of that poor trap or that poverty trap. We have to find out some way for them.

Here I would like to point out that TRYSEM training was given for them, but that was left out. Various funds were given to them for their skill development, but that was not pursued. ...(*Interruptions*)

MR. CHAIRMAN : Please conclude.

...(*Interruptions*)

SHRI E.M. SUDARSANA NATCHIAPPAN : When they have gone to different parts of the world as labourers, like Singapore, Malaysia or Arabian countries, they have developed their family background. Therefore, we have to find out in which way they should come up in life.

I would like to mention two important points here. One is, 90 per cent of the people have not come up. Second, people who have been given reservation by late Shri Rajiv Gandhi's proposition of giving 33 per cent reservation in the Local Board election, Panchayat President, the Mandal President Chairmen and the District Chairmen, should have proper training to run their show as the Chairmen of elected bodies. They should be allowed to have more skills to develop. In the same way, the people, who have come out, who have got the qualification, etc., at the level of Supreme Court, High Court and each and every places, are not given proper representation. ...(*Interruptions*)

MR. CHAIRMAN: Please conclude.

...(*Interruptions*)

SHRI E.M. SUDARSANA NATCHIAPPAN : The vacancies, which are now to be filled up even after the directions of the Supreme Court and after passing our Resolution in the Constitution amendment, are not filled up. This has to be done.

Sir, with these few words, I conclude.

सामाजिक न्याय और अधिकारिता मंत्री (डॉ. सत्यनारायण जटिया) : सभापति महोदय, निश्चित रूप से एक महत्वपूर्ण विषय पर चर्चा प्रारम्भ करने के लिए इस सदन को ऐसा अवसर मिला है, जिसमें हमें अनुसूचित जाति व अनुसूचित जनजाति, पिछड़े वर्गों तथा समाज के उपेक्षित वर्ग के लिए क्या करना चाहिए, इस प्रकार का एक नया मार्गदर्शन प्राप्त हुआ है। इस क्षेत्र के अनुभवी माननीय सदस्यों - श्री रामजीलाल सुमन, श्री मुनि लाल, श्री रामविलास पासवान, श्री मोहन रावले, श्री मुनियप्पा, श्री सुबोध राय, डा. जगन्नाथ, डा. वी. सरोजा, श्री राधाकृष्णन, श्री महताब, श्री पवन कुमार बंसल और श्री सुदर्शन नाच्चीयपन - ने अपने महत्वपूर्ण सुझावों से हमें प्रकाशित करने का काम किया है।

हम सब जानते हैं कि हिन्दुस्तान की आबादी का एक बहुत बड़ा हिस्सा अनुसूचित जाति, अनुसूचित जन जाति और पिछड़े वर्गों का है। सब को समाज में समता लानी चाहिए। संविधान के प्रीएम्बल में कहा गया है कि

' हम भारत के लोग भारत को एक संपूर्ण प्रभुत्व सम्पन्न

फिर विशेषता लगाते हुए बताया है कि

समाजवादी. पंथनिरपेक्ष लोकतंत्रात्मक गणराज्य बनाने के लिए तथा उसके समस्त नागरिकों को सामाजिक, आर्थिक और राजनैतिक न्याय, विचार, अभिव्यक्ति, विश्वास, धर्म और उपासना की स्वतंत्रता, प्रतिष्ठा और अवसर की समता प्राप्त कराने के लिए संकल्पित हैं '

सामाजिक न्याय का अर्थ है किसी के प्रति अन्याय न होना। इस दृष्टि से अनुसूचित जाति, अनुसूचित जन जाति, पिछड़े वर्ग और समाज के दूसरे वंचित वर्ग के प्रति भारत के संविधान में सामाजिक न्याय के बारे में कहा गया है। हमने सामाजिक, आर्थिक न्याय की बात कही है। निश्चित रूप से हम सामाजिक न्याय लाने के लिए, राजनैतिक न्याय और आर्थिक न्याय चाहते हैं। उन्हें राजनीतिक न्याय मिलने के बाद ही सामाजिक न्याय प्राप्त होगा। इनके उत्थान के लिए सरकार जो योजनाएं चला रही है, यदि मैं उन्हें बताना शुरू करूं तो अधिक समय लगेगा क्योंकि यह विषय छोटा नहीं है। इस संबंध में सरकार को जो सुझाव मिले, सरकार उन्हें पूरा करने के लिए अपनी तरफ से प्रयासरत है जिससे वह शिक्षा के क्षेत्र में काम करे। किस तरह से उनके लिए आर्थिक प्रबन्ध किया जाए, यह भी देखने की बात है। अभी एक

माननीय सदस्य कह रहे थे कि हमें उनके रहन-सहन, स्वास्थ्य और शिक्षा सुविधा उपलब्ध कराने के बारे में चिंता करनी चाहिए। आप जानते हैं कि जितनी बड़ी समस्या है, उसे देखते हुए हमें शैक्षणिक क्षेत्र में काम करना चाहिए। हमने पिछड़े वर्ग और अनुसूचित जाति के लोगों के लिए नई छात्रवृत्तियां, रैजिडेंशियल स्कूल, पब्लिक स्कूल में प्रवेश, सामुदायिक विकास केन्द्रों की स्थापना करने की कुछ बातें तय की। चूंकि समय की प्रतिबद्धता है। जो बातें सामने आनी चाहिए, उनको अनेक बार कहा गया है। बंसल जी चंडीगढ़ और देश के दूसरे हिस्सों में क्या हो रहा है, वह जानना चाहते हैं। मैं इनका जवाब देने के लिए जरूर यहां बैठा हूँ लेकिन जो कठिनाइयां हैं (व्यवधान)

श्री पवन कुमार बंसल (चंडीगढ़) : यह एक महत्वपूर्ण विषय है, इसलिए समय बढ़ा दिया जाए।

श्री सत्य नारायण जटिया: मैं सब का जवाब देने के लिए तैयार हूँ लेकिन समय की बाधयता जैसे आपके लिए है, वैसे मेरे लिए भी है। मैं चेंबर से बंधा हुआ हूँ। कुछ नियम इस प्रकार के बने हैं कि जिन क्षेत्रों में अनुसूचित जाति का नोटिफिकेशन हुआ है, वहीं तक वह प्रतिबद्ध रहते हैं। इसलिए हिन्दुस्तान के किसी कोने में यह संभव नहीं है। राज्य सरकारों या यूनियन टैरिटरी के क्षेत्रों को (व्यवधान)

श्री पवन कुमार बंसल : मैंने ऐसी जातियों का जिक्र किया जो दोनों जगह एंटेर्ड हैं। मैं ऐसा नहीं कह रहा हूँ कि एक जगह हो तो दूसरी जगह भी दीजिए। ऐसी जाति जो वहां भी शेड्यूल्ड कास्ट हो और वहां भी शेड्यूल्ड कास्ट हो, मैं उसका जिक्र कर रहा हूँ।

श्री सत्य नारायण जटिया: तब कोई कठिनाई नहीं होनी चाहिए।

श्री रामजीलाल सुमन (फिरोजाबाद) : सभापति महोदय, बंसल जी ने सही बात की। मध्य प्रदेश में अनुसूचित जातियों में कुछ जातियां ऐसी हैं जो एक जिले में अनुसूचित जाति हैं लेकिन दूसरे जिले में नहीं है। जिस तरह मध्य प्रदेश की स्थिति है, वह बहुत गम्भीर मामला है। जब हम मध्य प्रदेश के दौरे पर जाते हैं, वहां के लोगों को अमूमन यह शिकायत रहती है कि हमारे साथ ऐसा अन्याय क्यों हो रहा है? माननीय मंत्री जी के पास राज्य सरकार की संस्तुति आ चुकी है।

सभापति महोदय : समय समाप्त हो रहा है। हमने साढ़े पांच बजे आधे घंटे की चर्चा लेनी है। मंत्री जी का उत्तर नहीं हो पाएगा।

श्री थावरचन्द गेहलोत (शाजापुर) : वास्तव में यह एक गम्भीर मामला है। मध्य प्रदेश में धोबी जाति दो-तीन जिलों में अनुसूचित जाति में आती है लेकिन बाकी जिलों में नहीं आती है। हमने इस विषय में राज्य सरकार से आग्रह किया लेकिन वह ऐसा प्रस्ताव केन्द्र सरकार के पास नहीं भेज रही है। यदि वह उसे भेज दे तो हमें केन्द्र सरकार से अनुरोध करेंगे कि वह इस पर गम्भीरता से विचार करे।

श्री रामजीलाल सुमन : सभापति महोदय, यह केवल एक राज्य की बात नहीं है, विभिन्न प्रदेशों की बात है कि किसी एक जिले में जिस जाति को अनुसूचित जाति में रखा गया है, दूसरे जिले में उसे अनुसूचित जाति का दर्जा नहीं दिया गया है (व्यवधान) Sir, this is a very serious matter.

सभापति महोदय : मंत्री जी को उत्तर देने दीजिये। उन्होंने अपना उत्तर कम्प्लीट नहीं किया है। He has not completed his reply.

श्री सत्यव्रत चतुर्वेदी (खजुराहो) : सभापति महोदय, पिछले दो सत्र में (Interruptions) (व्यवधान) *

MR. CHAIRMAN: I have not permitted you.

...(व्यवधान)

MR. CHAIRMAN: I have not permitted you. Let him complete his reply.

...(व्यवधान)

सभापति महोदय : माननीय मंत्री जी के उत्तर के अलावा और किसी का रिकार्ड में नहीं जायेगा।

...(व्यवधान)

श्री सोहन पोटाई (कांकरे) : सभापति महोदय, मेरा पाइंट ऑफ ऑर्डर है। (व्यवधान)

डा. सत्य नारायण जटिया : सभापति महोदय, जैसा माननीय सदस्य ने कहा कि कुछ जातियां ऐसी हैं जो एक जिले में अनुसूचित जाति के दायरे में हैं तो दूसरे जिले में उस दायरे में नहीं है। (व्यवधान)

17.21 hrs. (MR. SPEAKER in the Chair)

अध्यक्ष महोदय, मैं श्री आठवले के प्रस्ताव के बारे में बता रहा था कि कुछ जिलों में कुछ जातियों का अनुसूचित जाति के दायरे में होना और कुछ में न होना। आप जानते हैं कि राज्य सरकार (व्यवधान)

श्री सोहन पोटाई : अध्यक्ष जी, मेरा बात सुनिये। अनुसूचित जाति और अनुसूचित जनजाति के मामले में पूरे देश में असमानता है। जैसे अनुसूचित जनजाति गोंड पूरे देश में अनुसूचित जनजाति में आती है लेकिन उत्तर प्रदेश में उसे अनुसूचित जाति के अंदर रखा गया है और वही बिहार में पिछड़ी जाति में आती है। इस प्रकार यह असमानता है। मेरा सामाजिक न्याय और आधिकारिता मंत्री जी से निवेदन है कि देश की सभी जातियों के लोगों को समान अधिकार मिलें और किसी जाति विशेष को किसी क्षेत्र विशेष में अनुसूचित जनजाति के वर्ग में लिया गया है, उसके लिये पूरे देश में समानता लाने के लिये क्या विचार कर रही है?

अध्यक्ष महोदय : यह माननीय सदस्य का पाइंट ऑफ ऑर्डर नहीं था, मंत्री जी आप प्रश्न का जवाब दीजिये।

डा. सत्य नारायण जटिया : अध्यक्ष जी, मैं माननीय सदस्य को संतुष्ट करने का प्रयास करूंगा। (व्यवधान)

SHRI KALAVA SRINIVASULU (ANANTAPUR): Sir, the Valmiki (*Boya*) community in Andhra Pradesh is treated as Scheduled Tribe in the agency areas and it is treated as Backward Community 'A' in the plain areas. I request that the hon. Minister may kindly look into this, rectify it and see that it is treated as the same in the entire State.

...(Interruptions)

अध्यक्ष महोदय : आप गृह मंत्री जी के ध्यान में लायें।

मैं सदन का समय 15 मिनट के लिए बढ़ा रहा हूँ, क्योंकि मैं चाहता हूँ कि इनका उत्तर पूरा हो जाए। लेकिन सदन के प्रोसीजर और नियमों के अनुसार अभी साढ़े पांच बजे हाफ-एन-ऑवर डिस्कशन लेने की जरूरत है, उसके बाद आपका उत्तर पूरा हो जायेगा।

A Half-an-hour discussion is in the name of Dr. M. V. V. S. Murthi. But, he has authorised Shri K. Yerrannaidu to initiate this.

...(Interruptions)

SHRI DALIT EZHILMALAI (TIRUCHIRAPPALLI): The Resolution is left incomplete. Sir, the Members should be allowed to participate in the discussion. The time allotted for this is already very meagre, and in between you are stopping the Resolution and the response of the Minister. At least, you kindly allow the Minister to complete his reply, and then you can go ahead with the Half-an-hour discussion. ... (Interruptions)

MR. SPEAKER: You can very well understand that the Half-an-hour discussion has to be taken now.

...(Interruptions)

श्री रामदास आठवले : अध्यक्ष महोदय, प्राइवेट मैम्बर बिल के लिए तीन बजे का समय था, लेकिन वह सवा चार बजे के लगभग शुरू हुआ है। (व्यवधान)

SHRI DALIT EZHILMALAI : Everywhere there is discrimination. It is an important Resolution concerning 35 per cent to 40 per cent of the total population. Sir, you kindly agree and allow more time for this. ... (Interruptions)

MR. SPEAKER: I will explain him the Rules.

SHRI K. YERRANNAIDU : Sir, I will complete in 10 minutes. I only need 10 minutes for this issue. ... (Interruptions)

SHRI DALIT EZHILMALAI : We come to the Parliament with a hope to express our concerns and problems. It is not that only '*Dalit*' Members have spoken here. All the important Members have spoken here on this issue. You have asked the Minister to respond, and he has not responded ... (Interruptions)

MR. SPEAKER: The Minister has already started his reply.

...(Interruptions)

SHRI DALIT EZHILMALAI : We want a reply from him. Mr. Speaker Sir, we want a solution.

Hon. Bansal has said that certificates have not been issued. Has the Minister got any mechanism in the Ministry to find out the details or has he got any idea about it? Let the Minister suggest a solution to this.

MR. SPEAKER: I will explain the rule to you.

श्री रामदास आठवले : अध्यक्ष महोदय, मेरा निवेदन है कि इस बिल पर आगे चर्चा जारी रखी जाए। **â€** (व्यवधान)

MR. SPEAKER: I do not mind keeping this pending. At six o'clock, we will have to conclude the business of the House as per the procedure, and the discussion on the Resolution will continue in the next Session. वही बात मैं कह रहा हूँ कि यह अगली बार लिया जाएगा। Shri Dalit Ezhilmalai, I have accepted your request.

श्री महेश्वर सिंह (मंडी) : अध्यक्ष महोदय, मुझे आपका संरक्षण चाहिए। **â€** (व्यवधान)

श्री रामदास आठवले : अध्यक्ष महोदय, मेरा निवेदन यह है कि शैड्यूल्ड कास्ट्स और ट्राइब्स के विय पर अन्याय हो रहा है। इसका समय तीन बजे था और सवा चार बजे यह लिया गया। **â€** (व्यवधान)

MR. SPEAKER: We will now take up the Half-an-Hour discussion. After that, I am not going to take up this Resolution. Shri Ramdas Athawale has the right to reply. Therefore, the Resolution will be postponed and it will be taken up in the next Session.

श्री महेश्वर सिंह : अध्यक्ष महोदय, आपने निजी प्रस्ताव के लिए आज ढाई घंटे रखे थे। उसमें से सवा घंटा गवर्नमेंट बिज़नेस में गया और जो हमारा प्रस्ताव लगा था, उसमें विलंब हो गया। सवा घंटा गवर्नमेंट बिज़नेस में चला गया। मेरा आग्रह है कि हमें कम से कम इतना तो समय मिलना चाहिए ताकि हम अपना प्रस्ताव इंट्रोड्यूस कर सकें।