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Participants : [Patil Shri Shivraj V.](#), [Gangwar Shri Santosh Kumar](#), [Mahtab Shri Bhartruhari](#), [Ramadass Prof. M.](#), [Tirath Smt. Krishna](#), [Jha Shri Raghunath](#), [Singh Kunwar Rewati Raman](#), [Francis George Shri K.](#), [Rijiju Shri Kiren](#), [Patil Shri Shivraj V.](#)

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Title : Motion for consideration of the Government of Union Territories and the Government of National Capital Territory of Delhi (Amednment) Bill, 2006 as passed by Rajya Sabha.

MR. DEPUTY-SPEAKER: The House will now take up Item No. 10.

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): I beg to move:

“That the Bill further to amend the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991, as passed by Rajya Sabha, be taken into consideration.”

This Bill relates to empowering the President or the Central Government, to give effect to the delimitation orders of the Delimitation Commission in respect of the Union Territories of Pondicherry and NCT of Delhi from a specified date.

The second proviso to Article 82 and the second proviso to Article 170 (3) of the Constitution provide that readjustment of constituencies after Delimitation exercise will take effect only from such date as the President may, by order specify and until such readjustment takes effect any election to the Houses shall be held on the basis of territorial constituencies existing before such readjustment. In other words, the Delimitation orders, issued by the Delimitation Commission under the Delimitation Act, 2002 in which the constituencies will be readjusted on the basis of 2001 census will take effect only from such date as the President may by order specify; and till such time elections will be held on the basis of 1971 Census.

As far as the Union Territory of Pondicherry and the National Capital Territory of Delhi are concerned, there is no such provision empowering the President or the Central Government to specify the date from which the delimitation will take effect. There is, therefore, an inconsistency between the provisions applicable to the States and the Union Territories.

The delimitation exercise in respect of the Union Territory of Pondicherry has been completed but in the case of the majority of the States and the National Capital Territory of

Delhi, the exercise is in progress. Hence, an anomalous situation will arise in which elections may have to be conducted on the basis of delimitation based on 2001 census in the Union Territory of Pondicherry but in the rest of the country the elections would be held on the basis of 1971 census.

The Bill seeks to rectify the aforesaid anomalous situation arising out of lack of suitable enabling provision in the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991, by inserting a provision similar to the corresponding provisions under the second proviso to article 82 and the second proviso to clause (3) of article 170 of the Constitution in the Government of Union territories Act, 1963 with retrospective effect, i.e. from 31st March, 2005 and the Government of National Capital Territory of Delhi Act, 1991 from the date of the assent of the Bill.

With these words, Sir, I commend this Bill to this august House for approval.

MR. DEPUTY-SPEAKER: As decided in the Leaders Meeting today morning, this Bill can be passed without discussion. If any hon. Member wants to make any suggestion, he can do so during the third reading of the Bill.

The question is:

“That the Bill further to amend the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991, as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.

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

The question is:

“Clauses 2 and 3 stand part of the Bill.”

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

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

MR. DEPUTY-SPEAKER: The Minister may now move that the Bill be passed.

SHRI SHIVRAJ V. PATIL: Sir, I beg to move:

“That the Bill be passed.”

MR. DEPUTY-SPEAKER: Motion moved:

“That the Bill be passed.”

श्री संतो गंगवार (बरेली) उपाध्यक्ष जी, यह डिलिमिटेशन बिल लाना आवश्यक था, इसलिए यह बिल लाया गया है। लेकिन मैं बताना चाहता हूँ कि यह बिल क्यों लाया गया है। यह कार्य बहुत लंबे समय से चल रहा है और वास्तव में यह कार्य अगर एक र्वा पहले पूरा हो गया होता, तो शायद यह नौबत न आती। अभी भी डिलिमिटेशन का कार्य पेंडिंग है और बहुत से राज्यों में नहीं हुआ है। मैं आपके माध्यम से माननीय मंत्री जी से जानकारी लेना चाहूंगा कि उनकी इस संदर्भ में क्या राय है और डिलिमिटेशन का कार्य पूरे देश में कब तक पूरा होगा और नई व्यवस्था के हिसाब से चुनाव की प्रक्रिया कब पूरी करेंगे? चार-पांच र्वा हो गए हैं और स्थिति अधर में है। जिनके निर्वाचन क्षेत्र आरक्षित हो गए हैं या नहीं हुए या बदल गए या जनसंख्या का संतुलन बदल गया या भौगोलिक स्थिति बदल गई, इस कारण आज लोगों के मन में संशय है और लोग यहां तक कहते हैं कि डिलिमिटेशन कमीशन कार्य करता रहेगा तथा उसके आधार पर चुनाव की प्रक्रिया शायद ही पूरी हो पाए। इस संशय को माननीय मंत्री जी अवश्य दूर करें, क्योंकि र्वा 2006 के बाद जो चुनाव हों, वे नए परिसीमन के आधार पर हों, ऐसा मेरा आपको सुझाव है।

SHRI B. MAHTAB (CUTTACK): Mr. Deputy-Speaker, Sir, I intend to draw the attention of the Minister while raising certain points relating to the Amendment Bill which is now under consideration, though, in our wisdom, we have decided not to discuss it in detail because it relates to a very specific aspect regarding the Union Territory of Delhi.

The delimitation work has been completed in Pondicherry and at any point of time it may go for election. We have two types of anomalies. One is, delimitation is done keeping 2001 Census as the basis and redrawing of constituencies has been done accordingly. The second thing is, now this Bill has come to keep 1971 Census as the basis and the Bill says that the number of

constituencies will remain the same and no addition of constituencies will be there. This is the anomaly we are going to clear and in our wisdom we are going to accept it. In the 13th Lok Sabha, the number of constituencies remaining the same based on the Census of 1971, but redrawing of constituencies is now being done on the basis of 2001 Census. This is a very pertinent legal question. Nobody has gone to the court on this. But this is the only forum where we can discuss whereas, in our wisdom, we have decided that we would not discuss it.

I am not going into that detail. But I will mention the problem, which has arisen in the country. I was a member of the Delimitation Commission as Associate Member. I have resigned. One of our learned friends, Shri Prasanna Acharya has also resigned and Shri Joel Oram, who was a member of that Committee from Orissa has also resigned. Dr. Gamang is there. He continues to be a member so that at least he can put forth our view. That is a different matter because of his stature. But our point of contention is when the number of seats remaining the same, population will become the criteria and that is to be adjusted. The mandate was least minimum tinkering with the boundary should be done. But in a number of States, including Maharashtra, Bihar and others, a number of constituencies have been totally obliterated. New constituencies are being created. It is happening. It has created a havoc throughout the country. This is the main crux of the problem which I wanted to raise before the House and they are acting one unto themselves. Arbitrarily certain decisions are being taken. When it was told to us that a guideline had been framed and that had been circulated. They are now flouting the guidelines.

The basic question here is that when the total State population is taken into view, average is divided by the number of Assembly constituencies, the guideline is that ten per cent plus or minus can be adjusted. But flouting its own guidelines, the Delimitation Commission has committed a hara-kiri. It is totally illegal.

I would very humbly say that we did not want to participate in that decision. We have disassociated ourselves. But here the problem before the House today is that we are taking 1971 Census, keeping the number of seats in Assembly and Lok Sabha intact of 1971 Census, we are keeping 2001 Census so that the population will be divided.

I would just like to draw the attention here that the number of population of Scheduled Castes has arisen. Keeping that in view, the number of seats reserved for Scheduled Castes will be enhanced. That was the only mandate. That was the accepted fact in the last Lok Sabha. Nobody disputed that. Why is there so much of difference among constituencies, including the hon. Speaker's constituency, Bolpur, which has become reserved in West Bengal? I do not see any reason behind it. I think, as Shri Santosh Gangwar has drawn the attention to the fact that how long will it take and whether there is any provision to correct this anomaly which is being created.

PROF. M. RAMADASS (PONDICHERRY): Sir, as a Member, representing the Union Territory of Pondicherry, I have already given my consent for this amendment. This amendment tries to bring an insertion of a new section, which says that only after the due notification by the Government of India, the implementation of delimitation of constituencies will occur. I support this amendment and agree to hold the impending elections to Union Territory of Pondicherry in May 2006.

But at the same time, I would like to bring to the notice of the hon. Home Minister the amount of confusion that has been created in the Union Territory of Pondicherry after the delimitation work was completed. Shri Mahtab said that there are a lot of problems in delimiting the constituencies. But as far as the Union Territory of Pondicherry is concerned, the people have agreed to delimitation because it is a small Union Territory.

We have four regions. One, Pondicherry with 21 constituencies; two, Karaikal with six constituencies; three Mahe with two constituencies; and four, Yenam with one constituency. The popular demand of the people is that the number of constituencies in each region must remain intact, that is 21 in Pondicherry, six in Karaikal and the population of that region must be spread over to these constituencies. But this factor has not yet been taken into account.

Therefore, there was resentment among the people of Karaikal that the number of constituencies should not be reduced to five. But, barring that, the Commission has done good work. There is equal distribution of voters in various constituencies. As far as the Union Territory of Pondicherry is concerned, the anomaly is that in one constituency you have 5,000 voters and in another constituency you have 55,000 voters, which is 11 times more than the population in one constituency. This anomaly has been rectified by the even distribution of population in all the constituencies. The Delimitation Commission has started its work on 30th July, 2004. It held four meetings with the associated Members. The draft publication was made on 8th October, 2004. Public hearings in two regions, namely, Pondicherry and Karaikal were held on 19th March and 20th March, 2005 and the Gazette Notification was made on 31st March, 2005; and the Delimitation Commission, as per the Act, has communicated to the Government of India on 12th April, 2005. Almost one year is over after all the formalities have been completed. Now, the people of Pondicherry would like to know publicly whether the delimitation work would be implemented for the impending election or not. In the absence of such a public statement, the political parties and the people are confused whether the elections will be held according to the delimitation of constituencies or according to 1971. If this public announcement is made, it would facilitate the political parties to undertake the work according to either the old constituencies or the new constituencies. Therefore, I would request the hon. Home Minister to

speak publicly as to what is their intention. This is only an Act to say that till the Notification comes. Suppose the Notification is given tomorrow, it is not known whether the delimitation of constituencies will come or not. Therefore, in the interest of equity, in the interest of fairness and justice the Government should show whether it is going to be implemented.

The second issue is whether the delimitation will come into effect only when the work is completed in all the States of India which means it will take another five or six years, whether it will come into effect even before the Lok Sabha elections. We do not know about it. I would like to know whether there is any compulsory mandate that it should be completed in all the States and Union Territories and then implemented or it should be implemented in phases. Where work has been completed, it should have been done. The people of Pondicherry in general thought that the delimitation would work there and it would provide an equal opportunity for all the constituencies.

Unfortunately, if that has not been done, and if the Government is taking one year to clarify its position, then the people are at stake; people do not know what to do. Therefore, I would request the hon. Home Minister to take into consideration the feeling of the Pondicherry people in this regard.

श्रीमती कृणा तीरथ (करोल बाग) : उपाध्यक्ष महोदय, आज बहुत महत्वपूर्ण बिल पर चर्चा हो रही है।

उपाध्यक्ष महोदय : आप दिल्ली से हैं इसलिए मैं आपको बोलने का मौका दे रहा हूँ।

श्रीमती कृणा तीरथ : आपका बहुत-बहुत शुक्रिया। मैं दिल्ली के बारे में बताना चाहती हूँ कि इस बार जो सेंसस आया है, उसमें यह जरूर है खासकर दिल्ली की जो सात पार्लियामेंट्री कांस्टीट्यूंसी हैं, वे पहले अनियमित थीं। एक कांस्टीट्यूंसी में कहीं 20 विधायक की सीटें थीं, कहीं 19, कहीं 15 तो कहीं 4 सीटें थीं, लेकिन अब इक्वल डिस्ट्रीब्यूशन के लिए कहा गया है। मुझे बहुत दुख के साथ कहना पड़ रहा है कि दिल्ली में 1991 की सेंसस हुई थी, लेकिन उसका डी-लिमिटेशन 2001 की सेंसस के आधार पर हो रहा है। इसमें अनुसूचित जाति/अनुसूचित जनजाति की संख्या बढ़ी है। जो डी-लिमिटेशन सेंसस रिपोर्ट आयी है, उसमें शैड्यूल्ड ट्राइब्स की पापुलेशन जीरो दिखायी गयी है जबकि दिल्ली में करीब पांच लाख लोग शैड्यूल्ड ट्राइब्स के हैं, जो पिछले 30-35 सालों से यहां सर्विसेज में हैं। कुछ लोग 50 सालों से हैं, जो राजस्थान और अन्य जगह से आकर दिल्ली में बसे हुए हैं। इन सबकी टोटल संख्या चार-पांच लाख की है। जो हमारा कांस्टीट्यूशनल प्रोविजन है, उसमें एससी/एसटी मिलाकर, क्योंकि दिल्ली में ट्राइब्स नहीं हैं। लेकिन जहां ट्राइब्स नहीं होते वहां उनकी संख्या एससी में मिलाकर उस पापुलेशन को दिखाया जाता है। इस बार यह गलती की गयी है कि ट्राइब्स को जनरल के साथ मिला दिया गया है। उससे एक बहुत बड़ा धक्का एससी के लोगों को लगा है क्योंकि जहां 13 रिजर्व्ड विधान सभा की सीटें थीं, वहां अब 12 रह गयी हैं। जबकि 1991 से 2001 के सेंसस में उनकी पापुलेशन 20 परसेंट बढ़ी है। लेकिन जो सीट कम कर दी गई है और जो ज्यादा लोगों का रेशियो है, एससीएसटी के लोगों का बहुत ज्यादा है। मेरा माननीय गृह मंत्री जी से अनुरोध है कि सेंसेक्स

के फिगर्स को ठीक करके एससीएसटी के साथ जोड़ा जाए और 13 की बजाए जो रेशियो निकलेगा, वह शायद 14 या 15 निकलेगा, उस पर ध्यान दिया जाए।

श्री रघुनाथ झा (बेतिया) : उपाध्यक्ष महोदय, बिहार में भी डीलिटमिंटेशन का कार्य साल भर पहले आरम्भ किया गया था। हम भी बिहार में आपके द्वारा, इस संसद के द्वारा एशोसिएट मैम्बर के रूप में सम्मिलित हैं। कहा गया कि वोट का, जनसंख्या का एडजस्टमेंट करना है, न कि सारे निर्वाचन क्षेत्रों को इधर-उधर कर देना है। बिहार में एक इलाके में पूरे दलितों की सीट कर दी गई और दूसरे इलाके को तीसरे के साथ इधर-उधर कर दिया गया है। हमारी भौगोलिक स्थिति को देखे बिना किया गया है। हमारे मुंगेर को काटकर बेगुसराय में मिला दिया गया है। भौगोलिक स्थिति को नहीं देखा गया है। 300 कि.मी. तक जाना होगा। पंचायत को दो जगह बांट दिया गया। इन सारी बातों को हमने तर्क के साथ कमीशन के सामने रखा कि हमारी भौगोलिक स्थिति को देखिए और जनसंख्या का जो एडजस्टमेंट होना है, उसमें एक-दूसरे को क्यों बर्बाद कर रहे हैं ? 43 सीटें हैं, उनको इधर से उधर मिला रहे हैं। हमने ये सारी बातें कमीशन के सामने रखी थीं लेकिन फिर उसके बाद आज तक कोई बैठक नहीं हुई। कौन निर्वाचन क्षेत्र दलित होगा, कौन रिजर्व होगा, किसी को कोई जानकारी नहीं है, कोई संतुलन नहीं है। इसलिए भारत सरकार को इसमें स्पट डाइरेक्शन देनी चाहिए। हमने कमीशन से अपना तर्क देते हुए कहा था कि एक निर्वाचन क्षेत्र को दूसरे निर्वाचन क्षेत्र से टकराने की जरूरत क्या है ? किसी निर्वाचन क्षेत्र में बहुत बड़ी जनसंख्या है और किसी में कम है, इसका परिमार्जन कर दिया जाए लेकिन नहीं हो रहा है। इसलिए मैं कहना चाहूंगा कि माननीय गृह मंत्री जी जो बिल लाए हैं, लीडर्स की मीटिंग में जो तय हुआ है, हम उसे मान ही रहे हैं लेकिन स्टेट्स की भावनाओं को देखकर हम आपसे अनुरोध करेंगे कि इस पर विचार करिए।

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Sir, I would like to thank the hon. Members for supporting this Amendment Bill.

The first point that I would like to take up relates to the election in Pondicherry itself. The delimitation in Pondicherry has been notified by the Delimitation Commission. The law does not say that the delimitation in Pondicherry has to be notified by the President or by the Government of India. That is why, as the per the existing law, the election would have taken place as per the delimitation notified by the Delimitation Commission on the basis of census in 2001 whereas in other States the election would have taken place on a different line. That is why, we are amending this law saying that notification of the Delimitation Report by the Election Commission is not sufficient but notification by the Government would be required. If the Delimitation Commission says that it has completed the work, that would not be the basis, and that is why, this Amendment Bill is moved.

I am happy that all the hon. Members have understood this problem and they are supporting this Amendment Bill.

I would like to make it very clear that after this law is passed, it would become necessary for the Election Commission to hold the election in Pondicherry on the basis of the notification issued by the Government of India. If the Government of India does not issue the notification after this saying that the election will take place on the basis of Census of 2001, then the election would take place on the basis of Census of 1971. So, there is no difficulty.

The hon. Member from Pondicherry wanted to know as to how the elections would take place. Elections in Pondicherry will take place on the same principle as the elections which would take place in West Bengal, Tamil Nadu or Kerala or in other States. So, election would take place on the old Census basis only. Let there be no ambiguity on that point.

Sir, very important points have been raised by hon. Members over here. One of the points raised was whether it would be possible for the Delimitation Commission to complete the work in a short time and whether it will be possible to hold the next election on the basis of delimitation done by the Election Commission. This issue was discussed some years back, and at that time also complaints were made. Now also, complaints are made against the delimitation suggested by the Delimitation Commission.

The people and the Members are saying that the number of people living in the country has increased. They have migrated from rural areas to the urban areas. The number of Scheduled Caste people has also gone up. The number of constituencies for the Scheduled Castes should also go up in proportion to the population which has gone up. Unfortunately, when the Census was being done—it was done with the help of the officers from the State Governments—especially in the forest areas and the areas affected by terrorist activities, the Census was not properly done. In some districts, the number of Scheduled Tribe people has come down drastically. In some other places, the number of Scheduled Tribes has gone up drastically. So, the number of seats, which can be given to the Scheduled Tribes on the basis of the population in the area, also would get affected.

People have migrated from rural areas to the urban areas. So, the number of constituencies in urban areas is going up and the number of constituencies in the rural areas is coming down. There are people who are complaining that if this is accepted, then the rural areas will not be properly represented in the Legislatures. Urban areas would be represented. What should be done with respect to all these problems has to be discussed by all of us.

The Delimitation Commission is willing to look into the law, look into the Constitutional provisions, look into the guidelines which are given, consult the hon. Members and the people at large and to redraw the boundaries of the constituencies as per the agreement which may evolve or as per the consensus which may evolve. But the Delimitation Commission's difficulty is, if there is something which cannot be done because of the existing laws or because of the existing

Constitutional provisions, nothing can be done by the Delimitation Commission. So, these issues have been presented to the Government. ... (*Interruptions*) Yes, maybe, they have their own laws and they have not been able to satisfy all the Members fully. Maybe, there are some mistakes.

SHRI B. MAHTAB : It has not satisfied our Members. The guideline which has been framed by the Delimitation Commission is being flouted by the Delimitation Commission itself. That is our point of concern.

SHRI SHIVRAJ V. PATIL: Sir, I was trying to say that there are many complaints given by the Members, given by the people, given by the Members belonging to the Scheduled Caste and Scheduled Tribe communities and given by the Members coming from the rural areas. We shall have to decide as to how to deal with all these issues to arrive at the conclusions and the decisions which are broadly acceptable to all of us. So, the Delimitation Commission will be allowed to discuss these issues; requested to discuss these issues with the members who are with them, with the Members, whose constituencies they are considering and people at large also. The public hearing also may be given wherever it is possible. But it is not enough, something more may be required to be done and if something more is required to be done, we have to see how to deal with this problem.

I think, if you agree, if hon. Members' agree, if the Members of both the Houses agree, then we can adopt this policy. We can list the problems which are being faced. We can suggest the solutions which can be found to these problems. If these suggestions can be accepted without amending the laws, well, discussions can be held by the Members who are the members of the Delimitation Commission and are helping to change the guidelines or act according to the guidelines or strategies. It is necessary to look at the existing laws and see if existing laws also can be changed. The main problem is that the number of people has increased, the people have migrated from the rural areas to the urban areas and yet we are saying that the number of seats will continue to be the same. In the North-Eastern States, the problem is completely different.

Hon. Leader of the Opposition, Shri L.K. Advani is here. He must have heard those problems and those problems are completely different. It is necessary for us to look into those problems also and try to solve those problems to the extent possible. If anything has to be done in order to take into account their suggestions, their fears and their attitudes towards these things, we shall have to do it. So, we would like to do all these things. We would ask you to give your suggestions. We will list the problems and we will list the solutions. We will discuss these things with the leaders of the political parties. After discussing with the Government, then we can decide as to how this entire problem can be discussed. The problem is complicated. We shall have to evolve a consensus to deal with these problems and if consensus develops, we would be in a position to do what is broadly acceptable to the people and even within the time within which this work has to be completed.

श्रीमती कृणा तीरथ : उपाध्यक्ष जी, अभी जो सेंसस की किताब आयी हैं उसमें एसटी संख्या के सामने जीरो दिखाया गया है जबकि कोर्ट का निर्णय आया है और दिल्ली सरकार ने माना है कि हैं चाहे स्कूल हो, कॉलिज हों या सर्विस हों, रिजर्वेशन सब जगह दे रहे हैं। दिल्ली में साढ़े तीन लाख लोग जो ट्राइबल्स के हैं जो सरकारी नौकरियों में हैं और 35-35 साल से दिल्ली में रह रहे हैं लेकिन सेंसस की किताब में जीरो-जीरो दिखाया है। इससे तो एसटी के लोगों का वोट देने का अधिकार खत्म हो गया। एसटी की जो जनसंख्या यहां रह रही है उसको कहां भेजा जा रहा है यह बताएं?

श्री रेवती रमन सिंह (इलाहाबाद) : उपाध्यक्ष जी, माननीय मंत्री जी ने जो बयान दिया है उससे कंप्यूजन दूर नहीं हुआ है, अभी भी बना हुआ है। माननीय गंगवार जी ने सवाल उठाया था कि डी-लिमिटेशन एक उद्देश्य के लिए होना था। परपज यह था कि एससी कोटे की कुछ कांस्टीट्यूएंसीज र्वा 2001 की सेंसस पर बढ़ानी थीं। वह न करके डी-लिमिटेशन कमीशन ने उसका वाइड-स्पेक्ट्रम कर दिया और बड़े पैमाने पर क्षेत्रों को बदल दिया है। माननीय गंगवार जी ने पूछा था कि डी-लिमिटेशन के ऊपर कब चुनाव कराएंगे, अभी कराएंगे या र्वा 2009-2010 में कराएंगे । क्या माननीय मंत्री जी इस सदन में इसको स्पट करने की कृपा करेंगे। ...(व्यवधान) इस पर रिवीजन कराने में क्या दिक्कत है?

SHRI K. FRANCIS GEORGE (IDUKKI): Sir, in the case of Kerala the whole exercise was completed and the final notification was made by the Election Commission. But nothing seems to have proceeded further after that. From what the hon. Minister has stated here, do we have to infer that these cases, even in States like Kerala, will be opened and there will be public hearings again? ... *(Interruptions)*

श्री कीरेन रिजीजू (अरुणाचल पश्चिम) : महोदय, शेड्यूल ट्राइब का जो मामला कृणा तीरथ जी ने उठाया है, वह बहुत ही गंभीर मामला है। अगर हो सके तो माननीय गृह मंत्री जी जवाब दें, नहीं तो दिल्ली सरकार से कहना चाहिए कि लोग रह रहे हैं, लेकिन आपने कैसे सेंसस में जीरो दिखा दिया। हाईकोर्ट में भी इस मामले में टिप्पणी हुयी है कि किसी कम्युनिटी को आप सेंसस में जीरो दिखा देंगे, यह तो उसका कांस्टीच्यूशनल राइट छीन रहा है। यह बहुत गंभीर मामला है। मेरी दरखास्त है कि शेड्यूल ट्राइब इन देलही केस को गृह मंत्री जी गंभीरता से लें।

श्री शिवराज वि. पाटील : सम्माननीय सदस्यों ने जो प्रश्न उठाए हैं, वह बहुत ही महत्वपूर्ण प्रश्न हैं। यदि किसी के दिल में इसके बारे में कुछ गलतफहमी है, उसको दूर करने के बारे में, यह एक अवसर है, उसी हेतु मैं उनका जवाब देना चाहता हूं। पहला प्रश्न जो दिल्ली की तरफ से उठाया गया है। मैं यह बताना चाहता हूं कि यह कांस्टीच्यूशनल अमेंडमेंट का कोई सवाल नहीं आता। यह जो संविधान संशोधन होगा, उसके बाद गवर्नमेंट के नोटीफाइड करने के बाद ही डी-लिमिटेशन कमेटी की रिपोर्ट पर अमल किया जाएगा, अन्यथा नहीं किया जाएगा। शेड्यूल कास्ट की संख्या कम हो गयी है, ऐसा उनका कहना है।

उपाध्यक्ष महोदय : शेड्यूल ट्राइब्स की संख्या कम हुयी है।

श्री शिवराज वि. पाटील : शेड्यूल ट्राइब और शेड्यूल कास्ट दोनों की संख्या कम हो रही है। ...(व्यवधान)

श्रीमती कृणा तीरथ : एससीज की संख्या बढ़ी है। ...(व्यवधान)

श्री शिवराज वि. पाटील : आप बैठ जाइए। मेरी बात सुनने के बाद आप कुछ कहिए। शेड्यूल कास्ट और शेड्यूल ट्राइब की संख्या के बारे में भी प्रॉब्लम है। दिल्ली की प्रॉब्लम यह है कि बाहर से जो लोग यहां आकर रह रहे हैं और जो शेड्यूल ट्राइब्स के हैं, इसके आधार पर यहां भी सीट रिजर्व होना जरूरी है। इसको किस प्रकार से हल करना है, इसे भी देखना है और मैंने यही कहा है। ऐसे जो प्रश्न हैं, उसको भी हमें हल करना है, हम उसे जरूर देखेंगे। मैंने यही कहा है, दूसरी कोई बात नहीं कही है। शेड्यूल कास्ट की संख्या के अंदर भी फर्क आया है, क्योंकि शेड्यूल कास्ट के लोग बुद्ध धर्म को अपनाए हैं और ज्यों ही उन्होंने बुद्ध धर्म को अपनाया, तो वे शेड्यूल कास्ट से बाहर हो गए, ऐसा माना गया है, मगर हमने पार्लियामेंट में कानून पास करके ...(व्यवधान) आप पहले मेरी बात को सुन लीजिए, फिर अपनी बात कहिए। यहां पार्लियामेंट में हमने कानून पास करने के लिए, यदि कोई शेड्यूल कास्ट में से बौद्ध धर्म को अपनाने पर उसको जो मदद दी जाती थी, वह देनी चाहिए, मगर सेंसस होते समय कुछ लोगों ने अपने को नवबुद्ध कहलाया है। इसके आधार पर शेड्यूल कास्ट की संख्या पर कोई असर नहीं होता है, मगर जिन्होंने सिर्फ बुद्ध कहा है कि वे बुद्ध धर्म के पुराने हैं, उनको मानकर ऐसा हो रहा है। यह भी एक प्रॉब्लम है। इसको साल्व करना है। आपने जो प्रॉब्लम्स यहां बतायी हैं, आप उसको नहीं सुनेंगे, तो आपके मन में शंका रहेगी। मेरी गलती मैं मान लेता हूँ कि मैंने अच्छी तरह से आपको नहीं समझाया। मैं यह कह रहा

हूँ कि जो प्रॉब्लम है, उसे मिलकर साल्व करने का प्रयास करेंगे। कुछ लोग कह रहे हैं कि इसे जल्दी करिए। जल्दी करना है, तो कर सकते हैं, मगर उसमें गलती नहीं रहनी चाहिए, यह भी देखना जरूरी है। ...(व्यवधान)

MR. DEPUTY-SPEAKER : The question is :

“That the Bill be passed.”

The motion was adopted.
