

[Shri Annasaheb P. Shinde]

Collectors. Massive employment programme will have to be taken up. This unfortunate natural calamity will have to be used for building up productive agricultural assets. Recoveries of Government and cooperative loans will have to be suspended. Fodder will have to be made available for cattle at reasonable prices and number of relief measures will have to be taken forthwith.

I request through you, Sir, that the Government of India should immediately get in touch with the State Government of Maharashtra, get the first-hand report of the situation and the Minister of Agriculture should be asked to make a statement about the unprecedented drought situation developing in parts of Maharashtra.

12.58 hrs.

RE. PROPOSED UNVEILING OF
STATUE OF SHRI AUROBINDO IN
PARLIAMENT HOUSE

SHRI VASANT SATHE (Akola):
Sir, I have given a notice....

MR. SPEAKER: Today.

SHRI VASANT SATHE: Kindly see, this is a serious matter. I want to draw the attention of this House because tomorrow when that is done, later on, if I bring it to your notice, it will be too late. We are setting a bad precedent in this House. Sir, we are doing a disservice to a great spiritual leader of this country by bringing his name in the political arena and trying to unveil the statue of great Aurobindo, in the Parliament. What are we trying to do? On one side is the statue of Gokhale and on other side, you are trying to unveil tomorrow the statue of Aurobindo. There are so many spiritual leaders in this country—Maharishi Dayanand, Maharishi Shivananda, Saraswati Shardanand. Whose name will you stop from having a statue? We have

received the invitation today. This will be unveiled by you.... (Interruptions). I am not against Aurobindo. What are you talking?

MR. SPEAKER: This has been decided by the General Purposes Committee. (Interruptions).

SHRI VASANT SATHE: There is Swami Shradanand, Swami Vivekanand. Are they not great spiritual leaders?

MR. SPEAKER: This matter has been decided in the General Purposes Committee. (Interruptions).

SHRI VASANT SATHE: I can understand if portraits of leaders like Nath Pai, Shyama Prasad Mukherjee and such other persons.... (Interruptions).

MR. SPEAKER: It is not in the list; I am not allowing.

13 hrs.

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

MR. SPEAKER: The House will now take up for consideration the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill. Amendments were clarified for circulation of the Bill for the purpose of eliciting opinion thereon, for reference of the Bill to a Select Committee and for reference of the Bill to a Joint Committee, moved on the 2nd August, 1978.

The Minister, Shri S. D. Patil has also given notice of an amendment No. 55 for reference of the Bill to a Joint Committee. I have permitted him to move his amendment. He may move it. There is also a change in the name of the Member from the one mentioned in the amendment circulated to Members. He may mention that also.

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI S. D. PATIL): Sir, I move:

"That the Bill to provide for the inclusion in, and the exclusion from, the lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, be referred to a Joint Committee of the Houses consisting of 30 members, 20 from this House, namely:—Shri D. Amat, Shri S. R. A. S. Appalanaidu, Shri B. C. Kamble, Shri G. Bhuvarahan, Shri Bega Ram Chauhan, Shri S. S. Das, Shri Durga Chand, Shri Krishna Chandra Halder, Shri Ram Sewak Hazari, Shri Kusuma Krishna Murthy, Shri Dalpat Singh Paraste, Shri Mohan Lal Pipil, Shri K. Prakash, Shri S. Ramasamy, Shri S. H. Naik, Shri Shankar Dev, Shri T. S. Shrangare, Shri Ramji Lal Suman, Shri Suraj Bham, Shri Dhanik Lal Mandal and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee." (55)

MR. SPEAKER: There are three amendments.

SHRI SURAJ BHAN (Ambala): Sir, the amendment is not properly

worded. I request the hon. Minister to improve upon it.

MR. SPEAKER: There are three amendments for circulation. Mr. Eduardo Faleiro and Mr. Kusuma Krishna Murthy are not present here. I shall now put amendment No. 23 by Mr. Eduardo Faleiro and amendment No. 53 by Mr. Kusuma Krishna Murthy to the vote of the House.

Amendments Nos. 23 and 53 were put and negatived.

MR. SPEAKER: Mr. Argal, are you pressing your amendment No. 48?

SHRI CHHABIRAM ARGAL (Morena): I am not pressing.

MR. SPEAKER: Has the hon. Member the leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes.

Amendment No. 48 was, by leave, withdrawn.

SHRI SURAJ BHAN: I want to speak on this amendment.

MR. SPEAKER: He has already moved. There is no question of speaking on this.

Now, I shall put amendment No. 55 moved by the hon. Minister to the vote of the House.

SHRI SURAJ BHAN: You should at least allow us to speak on this amendment. Sir, what is the amendment?

MR. SPEAKER. The amendment is to refer it to the Joint Committee.

SHRI SURAJ BHAN: There is a difference about it.

MR. SPEAKER: We shall take it up after lunch...I am sorry there is no lunch hour today.

श्री सुरज भान : यह धर्मसमिति केवल मोची कास्ट को उसमें से निकालने की है। हमारी मंत्री महोदय से और प्रधान मंत्री से बात हुई थी, उन्होंने कहा कि ज्वायन्ट सिलेक्ट कमेटी को रीफर कर रहे हैं। हमारा कहना यह है कि सारी लिस्ट को रिवाइज किया जाना चाहिये, इस धर्मसमिति का कोई मतलब नहीं है। यह जांच कमेटी इससे यूजलैस हो जायेगी।

MR. SPEAKER: Mr. Patil, please clarify. He says there was some conference with the Prime Minister.

SHRI S. D. PATIL: The Joint Committee will take into consideration various views of the Members and...

श्री राज नारायण (राय बरेली) : सभापति जी, मेरा व्यवस्था का प्रश्न है।

मैं यह जानना चाहता हूँ कि सामान्यतया किसी भी धर्मसमिति को बिना सुने क्या यह संभव है कि सदन के सम्मानित सदस्य उस पर अपनी राय बना सकें? इसीलिये सामान्य रूप से संसदीय प्रथा में जो धर्मसमिति मूव करता है, उस धर्मसमिति को सदन के सदस्यों को कम-से-कम पढ़कर सुनाया जाना चाहिये। बिना धर्मसमिति सुने क्या जानेंगे कि उसमें क्या है?

MR. SPEAKER: There is no point of order. Three Members have given notice of amendments for circulation. Two of them are absent. One is not pressing. Therefore, there is nobody to support it. They say that there was some agreement in the meeting with the Prime Minister. (Interruptions)

SHRI K. MAYATHEVAR (Dindigul): Is there any discussion?

MR. SPEAKER: We are now only referring to the Joint Committee. We will discuss it when the report comes from the Joint Committee.

SHRI P. K. DEO (Kalahandi): We can discuss it here and we can help the Joint Committee by our deliberations. That is the usual practice.

MR. SPEAKER: There are only 35 minutes left in the time allotted to this Bill.

SHRI P. K. DEO: We have tabled some amendments.

MR. SPEAKER: Certainly those amendments will be considered by the Joint Committee. Thereafter we will consider.

SHRI P. K. DEO: By our deliberations, the Joint Committee will be benefited.

MR. SPEAKER: Mr. Suraj Bhan, what is your objection to the amendment moved by the Minister?

श्री सुरज भान (धर्मशाला) : अध्यक्ष महोदय, यह बिल केवल गुजरात की शेड्यूल्ड कास्ट की लिस्ट में जो मोची कम्युनिटी है उस को हटाने के लिए और कर्नाटक या महाराष्ट्र में कुछ थोड़े से धर्मसमिति करने के मवाल को ले कर है। तो जहाँ तक गुजरात की मोची कम्युनिटी का ताल्लुक है हमें कोई एतराज नहीं, उस को निकाल दिया जाय क्योंकि गुजरात का मोची हरयाना और पंजाब के मोची के बराबर नहीं है, वहाँ वह जूते नहीं गांठता। इसलिए हमें उस में कोई एतराज नहीं है। लेकिन अगर धर्मसमिति वहाँ तक है तो इस का कोई मतलब नहीं निकलता। हमारी बात इस सिलसिले में हुई थी। कारण यह है कि हम पूरी लिस्ट में धर्मसमिति चाहते हैं क्योंकि 1950 में यह लिस्ट बनी कि कौन शेड्यूल्ड कास्ट है, कौन शेड्यूल्ड ट्राइब है। तब पालियामेंट में कोई डिस्कशन नहीं हुआ और जनता से कुछ पूछा नहीं गया। 1976 में उस में धर्मसमिति हुआ। उस वक्त एमर्जेंसी लगी हुई थी, उस वक्त भी किसी से पूछा नहीं। इस के बीच में कोई धर्मसमिति नहीं हुई। आज तक किसी से पूछा नहीं कि कैसे लिस्ट बने, कैसे नहीं बने। 1965 में एक लिस्ट बनी लोकुर कमेटी की। उस में तीन अफसर बैठे एयर कंडीशंड कमरे में और तीन महीने से कम वक्त में इन ऐडीशन टु देयर ओन इयूटीज, इन तीनों ने अपनी रिपोर्ट दे दी। कह दिया कि 131 आदिवासियों में से निकाल दो, 171 हरिजनों में से निकाल दो। उस के ऊपर फिर शोर शराबा हुआ। 1967 में फिर एक लोक सभा में बिल पेश हुआ। उस बिल पर लोगो ने शोर शराबा किया। 1968 में उस पर ज्वाइंट सेलेक्ट कमेटी बैठी, उस ने 1969 में रिपोर्ट दी। वह 1970 में पालियामेंट में पेश हुई। उस पर फिर अगड़ा हुआ। फिर पालियामेंट टूट गई, वह खत्म हो गया। इस तरह आज तक इस इश्यू को न तो पब्लिक को रेफर किया गया न एम पीज की राय ली गई कि कौन शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स में हो, कौन न हो। 1950 में आर्डर इश्यू हो गया,

उस में किसी से पूछा नहीं। 1976 में एमजेंसी आई, उस में किसी से कुछ पूछा नहीं। यह जो प्रमैडमेंट है, इसके सिलसिल में मैं रूल्स प्राफ प्रोसीजर से कोट करना चाहता हूँ —

Proviso to Rule 75 (3) says:

“Provided that if an amendment or a motion for appointment of a Select Committee or a Joint Committee has been moved under this rule, any Member may move that the House give instructions to the Select Committee or to the Joint Committee to which the Bill is proposed to be referred to make some particular or additional provision in the Bill and if necessary or convenient to consider and report on amendments which may be proposed to the original Act, which the Bill seeks to amend.”

13.07 hrs.

[SHRI RAM MURTI in the Chair]

मैंने इसी रूल के तहत अपना प्रमैडमेंट दिया था, एजेंडली यही लिखा था उस में। मेरा निवेदन है कि प्राप इस प्रमैडमेंट को ले आए हैं तो इस में मेहरबानी कर के ऐसा करिए, हाउस काम्पिटेंट है यह डायरेक्शन देने के लिए कि सारी ही लिस्ट को रिवाइज किया जाए और एक ज्वाइंट सेलेक्ट कमेटी इस पर झालरेडी बैठ चुकी है, 1970 में पार्लियामेंट टूटने की वजह से उस की रिपोर्ट लैप्स हो गई, वह रिपोर्ट वैसे ही पडी है, मेरा निवेदन है कि पूरी लिस्ट को रिवाइज करने की पावर हम ज्वाइंट सेलेक्ट कमेटी को दी जाय।

दूसरे जो ज्वाइंट सेलेक्ट कमेटी के मेम्बर्स प्राप ने नामिनेट किए हैं उसके बारे में मुझे यह कहना है कि जहां तक काल प्रॉगेशन का ताल्लुक है उस में मेम्बर्स नामिनेट नहीं होने, लाटरी निकलती है, कोई बात नहीं, नान-शेड्यूल्ड कास्ट के मेम्बर आ गए तो वह भी शेड्यूल्ड कास्ट को रेप्रेजेन्ट करते हैं कोई उस में एतराज की बात नहीं लेकिन यहां तो नामिनेट किए गए हैं मेम्बर। उन बीस में 9 शेड्यूल्ड कास्ट के हैं और केवल तीन शेड्यूल्ड ट्राइब्स के हैं और प्राट भ्रदर कम्प्यूनिटीज के हैं। यहां पर लाटरी नहीं निकाली है। मेरा यह कहना है कि जो भ्रदर कम्प्यूनिटीज के 8 हैं उन को तीन किया जा सकता है और उन की जगह 5 शेड्यूल्ड कास्ट के बढ़ाए जा सकते हैं। तो केवल यह कर दीजिए कि एक तो पूरी लिस्ट रिवाइज करने के लिए दे दीजिए और दूसरे मेम्बर्स की लिस्ट जो है वह भी रिवाइज कर दीजिए।

श्री लक्ष्मी नारायण नायक : (खजुराहो) : सभापति जी, जैसा कि भ्रभी हमारे मित्र ने कहा, यह बात सही है कि भ्रगर फिर से अनुसूचित जाति और अनुसूचित जनजाति के बारे में विचार करना है तो केवल भ्रभी जो मोची जाति के लिए संशोधन लाया गया है उस पर ही विचार नहीं होना चाहिए बल्कि पूरे देश में जो परिस्थिति बदली है उसके बारे में सम्पूर्ण रूप से विचार होना चाहिए। जैसा कि माननीय सदस्य ने कहा है, जो कमेटी बनी है वह पूरी तौर से विचार करे कि वास्तव में कौन सी जातियां गरीब हैं जिनको शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स में लिया जाये। यह जो कमेटी बनी है उसको पूरी तरह से विचार करना चाहिए।

श्री छबिराम वर्गस (मुरैना) : सभापति महोदय, मैं प्रापका और इस सदन का ध्यान इस बात की ओर आकर्षित करना चाहता हूँ कि 1950 में अनुसूचित जाति और अनुसूचित जनजातियों को सूचीबद्ध किया गया था लेकिन उसके बाद से इसपर कोई विचार नहीं किया गया है इसलिए अब दोबारा रिवाइज्ड सूची बनाई जानी चाहिए। प्राप देखेंगे कि एक ही राज्य में एक व्यक्ति तो अनुसूचित जाति में है लेकिन वहां से एक किलोमीटर दूर दूसरा व्यक्ति उसमें नहीं है। यही बात अनुसूचित जनजाति के लिए भी है। मध्य प्रदेश के दतिया में कुम्हार अनुसूचित जाति में है लेकिन वहां से कुछ दूर ग्वालियर में वह अनुसूचित जाति में नहीं है। इसी तरह की स्थिति हरियाणा में, उत्तर प्रदेश में और दूसरी जगहों पर भी है। नाई घोषी सभी जगह पर अनुसूचित जाति की श्रेणी में आने चाहिए। उत्तर प्रदेश में इस प्रकार की कुछ जातियां हैं जिनकी प्राथिक हालत बहुत खराब है, उनको सुधारने की बहुत आवश्यकता है। इस सम्बन्ध में व्यक्तिगत रूप से शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब के मेम्बर मंत्री जो से मिले थे और प्रधान मंत्री से भी उन्होंने चर्चा की है। इसलिए सेलेक्ट कमेटी बनाई जाये तां उसको दोबारा रिवाइज्ड सूची तैयार करनी चाहिए जिसमें फाइनेंशियल प्राधार पर विचार किया जाना चाहिए। गुजरात में मोची जाति को 1976 में जोड़ा गया था और अब 1978 में हटाया जा रहा है, मैं नहीं मानता कि इस बीच में उनकी फाइनेंशियल पोजीशन बहुत भ्रच्छी हो गई है। चमारों की प्राथिक दशा मारे देश में बहुत खराब है। भ्रगर इसका यहां से निकाल दिया जाता है तो यह न्यायसंगत नहीं होगा, मोची जाति के प्रति भ्रन्याय होगा। मैं चाहूंगा इसको कदापि न निकाला जाये। इसी प्रकार से और भी अनेक जातियां हैं।

जहां तक कमेटी की बात है, उसमें शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब के लोगों को कम रखा है और दूसरों को ज्यादा रख लिया है, यह उचित नहीं है। शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब के बारे में दूसरों को भी जानकारी हो सकती है लेकिन जो अनुसूचित जाति के हैं उनको

[श्री छविराम अग्रवाल]

अच्छी तरह से पता है कि उनकी क्या कठिनाइयाँ हैं और उनमें कितनी गरीबी है, क्योंकि उनके सामाजिक सम्बन्ध हैं जो दूसरों के नहीं हैं। इसी तरह से जो शेड्यूल्ड ट्राइब के लोग हैं उनके उनके बारे में ज्यादा जानकारी है।

ऐसी स्थिति में मैं चाहूंगा कि अनुसूचित जाति और अनुसूचित जनजाति की नयी रिवाइज्ड लिस्ट तैयार की जाये और फाइनेशियल प्राधार पर इसको तैयार किया जाये।

SHRI P. K. DEO (Kalahandi): Mr. Chairman, Sir, the practice in this House has always been that even though the Minister moves a motion to refer the Bill to a Joint Committee, there is a thorough discussion on the Bill. So far as this Bill is concerned, there has not been a thorough discussion. I have given notice of an amendment but I have not been given a chance to speak.

As rightly pointed out by Mr. Suraj Bhan, in 1965, the Lokur Committee went into this matter. In 1967; in the Fourth Lok Sabha, this matter was referred to a Joint Committee which was presided over by Mr. A. K. Chanda. It submitted its report in 1969. It was discussed in the House but it never saw the light of day and it remained in cold storage. So, the entire gamut of consideration by the Joint Select Committee should be a comprehensive one instead of being limited to the few amendments that have been suggested in this Bill.

So, I beg to submit that, when this Joint Select Committee is going into the entire gamut of the Scheduled Castes and Scheduled Tribes, as to whether to include or exclude from the list some tribes and some castes, I think there should be more discussion and at least those who have given amendments should be given a chance to speak.

*SHRI S. G. MURUGAIYAN (Nagapattinam): Mr. Chairman, Sir, the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill is being referred to a Joint Committee, which I am sure will remove the lapses contained in the provisions of this Bill. I am not a member of the Joint Committee and hence I request that my suggestions may kindly be taken note of by the hon. Minister of State in the Ministry of Home Affairs.

We find that the "Mochi" community in Gujarat will be treated as scheduled caste only in the Dangs district and Umbergaon taluka of Bulsar District and for the rest of the State they will not be scheduled caste. At the very outset I object to the contentions of the Government in this regard. The "Mochi" community was included in the Scheduled Caste list only in 1976 and within two years excepting in one full district and a part of another district, they no longer belong to the Schedule caste. Have they made so much economic advancement within two years that they will be considered as a high-class community in almost all the parts of Gujarat? Have these untouchables become touchables within a short span of two years?

Sir, throughout the country the scheduled castes are economically backward and they are also social outcastes. On 23rd July 1978 in Villupuram in Tamil Nadu the Harijans were attacked violently leading to arson, looting and burning of their homesteads. You know, Sir, that for merely changing the name of Marathwada University into that of Dr. Ambedkar University, the caste-Hindus have risen in revolt and are behaving like mercenaries in the matter of killing Harijans. Only yesterday, the landlords of Kanjhawala in the vicinity of Delhi staged violent demonstrations in front of the Prime Ministers's House. Their demand that

*The original speech was delivered in Tamil.

the surplus land given to 125 Harijans must be treated as grazing land and none should be allotted grazing land; in other words, the landless Harijans should not be given even the surplus land. When the plight of scheduled castes is so pitiable all over the country, how can we believe that in Gujarat the 'Mochi' community has become high-class community within two years of its inclusion in the Scheduled Caste list?

I am tempted to say that just because in the recent Parliamentary Elections the Mochi Community voted for the Congress Party (I) they are now being taught a political lesson by the Janata Government. The motive behind this Bill is pure political vendetta. Their disabilities would not have disappeared within two years.

Through this Bill certain spelling mistakes in the Scheduled Caste Order are being corrected. For example, the Mashti community in Karnataka has been wrongly spelt as Masiot community. I am given to understand that because of the mistake committed by the highly-paid bureaucrats the Mashti community people were denied their concessions during the period of 2 years that the Order is in operation. I demand adequate penal action against the officials responsible for such spelling mistakes.

Before I conclude, I would like to point out that the scheduled caste people who have become Christians must be extended all the concessions and facilities being given to the Scheduled Caste communities. Just because they have converted themselves, their economic status has not gone up. Similarly, there is a sizeable section of Scheduled caste people from Tamil Nadu working in the capital. Since their names of castes do not find a place in the list of the Delhi State, they do not get any benefits. I demand that the Government of India should do the needful in the matter.

श्री श्यामलाल धुबे : (मंडला) : माननीय सभापति महोदय, गुजरात को लेकर मोची जाति के सम्बन्ध में जो बिल पेश किया गया है, मैं भी यह चाहता हूँ कि इस को रिवाज किया जाय। माननीय सभापति महोदय, सन 1950 से लेकर आज तक मैं यह देख रहा हूँ कि ट्राइबल और हरिजनों में जमीन-प्राप्तमान का अन्तर है। मैं आप को अपने मध्य प्रदेश की जानकारी देना चाहता हूँ—आज वहाँ ट्राइबल की, प्रादिम जातियों की जनसंख्या लगभग 1 करोड़ होने जा रही है।

लेकिन मैं देख रहा हूँ कि केवल 10 भाई० ए० एस० आफिसर ही हैं जबकि इतनी अधिक संख्या इन जातियों की है। उन की संख्या और अधिक होनी चाहिए। हम तरह से आप देखें कि ट्राइबल के सम्बन्ध में बहुत उपेक्षा की जा रही है और पिछले 30 सालों में कोई नेतृत्व ट्राइबल की ओर से नहीं किया गया। इसलिए आप के माध्यम से मैं सरकार से यह कहना चाहूँगा कि ट्राइबल के लिए, प्रादिवासियों के लिए अलग से एक कमिशन नियुक्त किया जाए, तभी उन का हित हो सकता है।

आप के माध्यम से एक दूसरी बात मैं सरकार से यह कहना चाहूँगा कि यह जो लिस्ट है, इस में सिर्फ तीन सदस्य ही ट्राइबल के लिये गये हैं, तीन प्रादिवासी सदस्य ही लिये गये हैं और मैं सरकार से अनुरोध करूँगा कि उन के और सदस्य इस कमेटी में लिये जाएं। 30 साल से इन की उपेक्षा की जा रही है लेकिन इस जनता पार्टी के शासन में तो उन की उपेक्षा नहीं करनी चाहिए। और ज्यादा सदस्य इस में उन के लिये जाने चाहिए। मैं पुरजोर शब्दों में एक बार फिर कहना चाहता हूँ कि ट्राइबल के लिए अलग से एक कमिशन नियुक्त किया जाए।

सभापति महोदय : आप का यह प्वाइन्ट तो हो गया है, अब समाप्त कीजिए।

श्री श्यामलाल धुबे : मैं एक उदाहरण आप को देना चाहता हूँ। मेरे क्षेत्र मंडला, मध्य प्रदेश में, जो प्राथमिक पाठशालाएँ हैं, उन में पांच कक्षाओं के लिए सिर्फ एक ही शिक्षक है। प्रकृति एक शिक्षक पांच कक्षाओं को कैसे पढ़ा सकता है।

सभापति महोदय : यह इस में कैसे आता है। अब आप समाप्त कीजिए।

श्री श्यामलाल धुबे : मैं यह कह कर समाप्त करना चाहता हूँ कि नगर, कस्बों में तो शैक्षिक कास्ट के जो भाई रहते हैं, उन की कुछ उन्नति हो जाती है लेकिन जो ट्राइबल एरियाज में दूर दूर लोग रहते हैं, उन को कोई लाभ अभी तक नहीं मिला है, अन्त में मेरा कहना यह है कि पूरी सूची को आप को रिवाज करना चाहिए, यह मैं आप के माध्यम से शासन से अनुरोध करता हूँ। तभी हम लोगों का कोई हित हो सकता है।

समाप्ति महोदय : यह सब ता कहा जा चुका है। इस में अब ज्यादा एक्सप्लानेशन की जरूरत नहीं है, ज्यादा डिस्कशन की बात नहीं है।

श्री राम बिलास पासवान (हाजीपुर) :
सब को एक एक मिनट दीजिए।

समाप्ति महोदय : एक मिनट में कहां खत्म करते हैं।

*SHRI K. KUNHAMBUR (Ottapalam):

Mr. Chairman, in accordance with certain provisions in the Constitution the Central Government makes changes in the Scheduled Castes and Scheduled Tribes list from time to time. Certain communities are included and certain communities are deleted from the this list. I am not a member of the Select Committee therefore I want to make one point very clear. Due to the irrational procedure resorted to by the Government in dealing with this question of addition and deletion, Members belonging to these communities are suffering a lot. Sir, I was submitting that the members belonging to Scheduled Castes & Scheduled Tribes are suffering because of the irrational procedure adopted by the Government in making amendments in the list of Scheduled Castes and Scheduled Tribes. This Bill is a case in point. The Mochi community was considered scheduled castes only in two districts of Gujarat till 1976. In consequence of an amendment made in the list in 1976 they were declared Scheduled Castes in whole of Gujarat. This community must have been suffering from some disabilities which enabled them to be included in the list of Scheduled Castes. That is why the then Government of Gujarat recommended their case for inclusion in the list. Now, this Bill seeks to alter that situation and they will be considered Scheduled Castes only in two districts. This a very irrational approach. Therefore, my point is that this Bill should not be referred to any Select Committee as proposed by the Minister but it should

be rejected. When a particular community is included in the list of Scheduled Castes it is done so on the ground that that community is suffering from certain disability. For example, untouchability is a ground on which a particular community is included in the list of Scheduled Castes. I would like to ask the Government whether this disability has cease to exist in Gujarat after these two years. I would like to get an answer from the Government.

Sir, I would draw your attention in this connection to certain communities in Kerala who are facing a lot of difficulties as a result of the periodic changes made in the list of Scheduled Castes and Scheduled Tribes. For example Pulaya community of Malabar in Kerala was classified in Scheduled Tribes under the amendment of 1976. Now, they have been reclassified as Scheduled Castes. As a result of this many people belonging to the Pulaya community who got into Central State Government services as Scheduled Tribes are suffering a lot. Their promotions are being stopped because they no longer belong to the Schedule Tribes. This situation should be rectified as early as possible.

Sir, the Chief Minister of Kerala Mr. Antony has repeatedly demanded that Kudumbi community of Kerala should be included in the list of Scheduled Castes.

MR. CHAIRMAN: You have taken up too much of time. If you want to speak on all those things, you may before the Select Committee. Why bring all these things here? You please conclude it.

SHRI K. KUNHAMBUR: I am concluding in a minute. Sir, I have to say a word about the Peruvannan community of Malabar. The State Government has been demanding for the

*The original speech was delivered in Malayalam.

past 15 years that this community should be included in the list of Scheduled Castes but it has not been done so far. Similarly, there are thousands of Christian converts in Kerala who are not enjoying many of the benefits which are extended to the Scheduled Castes and Scheduled Tribes. The Christian converts mostly come from the Pulaya, Sambaba and the Cheramar communities. They are also suffering from the same disabilities as the members belonging to the Scheduled Castes and Scheduled Tribes. This is a long standing demand of that community that they should also be included in the list of Scheduled Castes and should be given all the benefits which are being given to their Scheduled Castes brethren. I hope that the Government will consider this problem sympathetically.

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): On a point of order. I would like to know the procedure that is being followed; I would like to seek your guidance on this whether we are debating this on merits. What had happened was that many hon. Members had spoken on this Bill, and for want of time, the debate was adjourned and the stage at that time was that the hon. Minister was supposed to reply. Now, instead of replying, he has moved this particular amendment and we have started debating on that. We do not know whether we are supposed to make our submissions on that particular amendment or....

MR. CHAIRMAN: Some Members wanted to have some clarifications. That was the only thing. But instead they have started discussing the whole thing. This is not the purpose. That is why I am giving only one minute.

SHRI BAPUSAHEB PARULEKAR: We had adjourned at that stage when the hon. Minister was to reply.

MR. CHAIRMAN: Let the hon. Member conclude. Then the Minister will reply.

2339 L.S.—12

भाषको यदि कोई बात कहनी हो तो जब सेलेक्ट कमेटी की मीटिंग हो तब वहीं रखिये।

श्री राम बिलास पासबा : सभापति महोदय, मेरा व्यवस्था का प्रश्न है। माननीय सूरज भान जी ने एक व्यवस्था का प्रश्न उठाया था। उस समय उठाया था जब माननीय मंत्री जी ने यह कहा था कि हम सेलेक्ट कमेटी में इसे भेज रहे हैं। लेकिन सेलेक्ट कमेटी में प्राप इसे एन्टायर गेडयूल्ड कास्ट्स के लोगों के अधिकार ले कर के भेज रहे हैं या प्राप गजरात की एक मोटी जाति के अधिकार को ले कर ही इसे भेज रहे हैं? इस में माननीय मंत्री जी ने कहा कि सभी जातियों को मिला कर भेज रहे हैं। इस पर हाउस की राय जानने की कोशिश की जाती। प्रापने बजाय हाउस की राय जानने के, प्रोरिजिनल बिल पर बहस करवाना शुक कर दिया। जो संसद् सदस्य इस पर अपनी राय देना चाहते हैं, पहले प्राप उनको बुलाते।

सभापति महोदय : उनको बुलाने का कोई सवाल नहीं है। जब सेलेक्ट कमेटी की मीटिंग हो, वहां जा कर प्राप अपनी बात कह सकते हैं। (व्यवधान) प्राप सेलेक्ट कमेटी की कोई भी बात लिख सकते हैं। (व्यवधान)

श्री रामधन (तालगंज): इस मामले को बहुत गंभीरता के साथ लेना चाहिए। इसलिए मैं प्राप से निवेदन करना चाहता हूँ कि जो कुछ हमारे संसद् सदस्य, हमारे साथी यहाँ पर निवेदन कर रहे हैं, उनकी भावनाओं को ध्यान में रख कर, विचार हो लेने के बाद उसका परिणाम देख कर के प्राप इस बारे में निर्णय करें। देखिये जो व्यवस्था प्राप बता रहे हैं कि कोई भी संसद् सदस्य ज्वॉयंट सेलेक्ट कमेटी के सामने लिख कर के हाजिर हो सकता है, उस के बारे में तो नियम है प्राप हाउस की प्रोर से ज्वॉयंट सेलेक्ट कमेटी का लिमिटेड स्कोप रहेगा और उस कमेटी के टर्मज प्राप रीपरैस बदलेंगे नहीं तो उससे कुछ लाभ नहीं होगा। इसलिए हमारे साथी निवेदन कर रहे हैं प्रापके माध्यम से सरकार से प्रोर गृह मंत्री से कि इसका विस्तार किया जाए, इसके स्कोप को बढ़ाया जाए। सारे देश में कौन सी प्रनुसूचित जातियाँ प्रोर कौन सी प्रनुसूचित जन जातियाँ सूची में रखी जाए प्रोर कौन सी निकाली जाएँ इसके बारे में व्यापक विचार होना चाहिये। सन् 50 से जब पार्लियमेंट नहीं बनी थी तब का यह 1950 का प्रार्डर है। उसके बाद सन् 68 में जब श्री प्रणोक मेहता मयाज कल्याण मंत्री थे तो एक प्रवर समिति बनी थी, उसने विचार किया था, मदन में उसकी रिपोर्ट पेश हुई थी लेकिन उसके बाद उसको वापिस ले लिया गया था प्रोर पुनः वह चीज सदन में नहीं आई। भाषातकाल में इस पर विचार नहीं किया गया प्रोर एक तरह से संशोधन विधेयक पास कर दिया गया। इसलिए यह परम आवश्यक है कि हमारे साथी श्री सूरज भान ने जो संशोधन पेश किया है प्रोर

[श्री रामधन]

जो मूव हो चुका है, उसको मान लिया जाए। तब सारी बात खत्म हो जाएगी।

सभापति महोदय : संशोधन खत्म हो गया है वह बात खत्म हो गई है।

श्री सुरज भान : संशोधन खत्म नहीं हुआ है।

सभापति महोदय : आप साहिबान जितनी बात कह रहे हैं उनके बारे में सफाई करने का मंत्री महोदय को मौका तो दीजिये। मिनिस्टर साहब बताएंगे कि इसका स्कोप क्या है, इसको शामिल करेंगे या नहीं करेंगे।

श्री शिव नारायण सरसूनिया (करील बाग) : मंत्री महोदय संशोधन को मान लें ताकि सब चीज खत्म हो जाए।

सभापति महोदय : आप मिनिस्टर साहब को जवाब देने का मौका ही नहीं दे रहे हैं।

SHRI BAPUSAHEB PARULEKAR: Sir, I am on a point of order. Kindly refer to rule 75 which was referred to by my hon. friend, Shri Suraj Bhanji. We cannot ignore the amendments to the clauses.

The proviso may kindly be seen at page 45, last line.

"Provided that if an amendment or a motion for appointment of a Select Committee or a Joint Committee has been moved under this rule, any member may move that the House give instructions to the Select Committee or to the Joint Committee to which the Bill is proposed to be referred....."

We are making a move that we may be heard. Whatever our views there may be, they should go to the Select Committee; and, if we are not allowed to do that, then we are committing the breach of the proviso to the rule 75. This is not the stage where the hon. Minister is to make a statement. This is a move. I may have to make my submissions about the amendments which I have made. So, it is not a question of time. It is a matter concerning 1950 Order and it is our right:

we will be committing a breach of this right of the hon. Member.

श्री हुकम देव नारायण यादव (मधुवनी) : पहले से कोई प्रस्ताव नहीं है। जब विधेयक पर बहुत चर्चा रही थी उस बीच में सरकार की ओर से प्रस्ताव आया। यह विधेयक बहुत कन्फ्यूजन पैदा करने वाला है, कन्फ्यूजन इस माने में कि हमारे बिहार में मोची के माने होते हैं, चमार, जिस जाति से बाबू जगजीवन राम जी हैं। अब मोची को गुजरात की लिस्ट से निकाला जा रहा है। मैं कहना चाहता हू कि इसका भयं क्या निकलेगा? इसका भयं यह निकलेगा कि बाबू जगजीवन राम के रहते इस तरह का भ्रन्याय ही रहा है। कन्फ्यूजन पैदा करने का काम इस विधेयक से होगा। इस वास्ते जो प्रश्न हम लोग उठा रहे हैं उसको आप व्यापक भ्रषों में लें। हमारे यहां गौड जाति है। बिहार-सरकार ने गौड जाति को भ्रादिवासी लिस्ट से निकाल दिया है। इस वास्ते सारे देश में हरिजन और भ्रादिवासी जो जातियां हैं उन तमाम जातियों का ठीक से पुनरीक्षण करके उनको लिस्ट में सम्मिलित किया जाए ताकि उनकी वास्तविक संख्या, उनकी तादाद, उनकी सारी चीज लिपिबद्ध हो जाए और उसके आधार पर सरकार प्रागे कोई नियम बना सके उनकी सुविधा के लिये। अगर यह नहीं होता है तो फिर यह कन्फ्यूजन बना रहेगा। हिन्दूस्तान में हरिजन कितने हैं भ्रादिवासी कितने हैं उनकी वास्तविक संख्या का पता नहीं लग रहा है। और वास्तविक संख्या का पता तब लगेगा जब ठीक से सर्वे हो और यह तभी होगा जब इस बिल के दायरे को बढ़ाया जाय और देश में जितनी विधान सभायें हैं उन सब के सदस्यों को सूचना दी जाय कि वह अपने अपने क्षेत्र के अन्दर कौन कौन सी जातियां इसमें आ सकती हैं उनके बारे में बताये और वह सब इसमें प्रायें तभी कही पता लग सकता है। पश्चिम बिहार में चौपाल है और उत्तर बिहार में खतमे है। चौपाल लोग हरिजन में हैं और खतमे हरिजन में नहीं है। तो इस तरह से माननीय सुरज भान ने ठीक उठाया, उनकी जनसंख्या का पता नहीं लगता जिसके कारण विधान सभाओं में वास्तविक जनसंख्या के आधार पर रिजर्वेशन उनको नहीं मिल रहा है। इसी तरह से नौकरियों में भी उनको पूरा रिजर्वेशन नहीं मिल रहा है। तो व्यापक बिल बनाया जाय तभी कुछ होगा। नहीं तो सीमित दायरे में सेलेक्ट कमेटी बैठे उससे काम नहीं चलेगा। गुजरात में एक जिल में मोची को निकाल दिया जाय और दूसरे में रखा जाय यह काम तो सरकार एक नोटिफिकेशन के द्वारा कर सकती थी इसके लिये सेलेक्ट कमेटी बनाने का कोई औचित्य नहीं है। इसलिये हमारी मांग है कि इस बिल के दायरे को बढ़ाया जाय।

SHRI BAPUSAHEB PARULEKAR: I have submitted and I seek your guidance on my point of order.

MR. CHAIRMAN: The Minister will explain. Since you wanted to speak.

SHRI BAPUSAHEB PARULEKAR: May I speak on my amendment?

MR. CHAIRMAN: Yes.

श्री राघवजी (विदिशा) : सभापति जी, मेरा व्यवस्था का प्रश्न है। मंत्री जी जो जवाब देंगे वह क्या जो माननीय सूरज भान ने प्रमोडमेंट मूव किया है उसका जवाब देंगे, या अपने प्रमोडमेंट पर बोलेंगे ? होना यह चाहिये कि माननीय सूरज भान का प्रश्न जो प्रमोडमेंट चल रहा है उस पर मंत्री जी जवाब दें, तब अपने प्रमोडमेंट पर बोलें।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Mr. Chairman, Sir, I fully share the concern of the hon'ble Members.

सभापति महोदय : माननीय पाटिल जी आप इनकी बात का जवाब दे रहे हैं ?

SHRI S. D. PATIL: If I am irrelevant you can rule me out.

(Interruptions).

सभापति महोदय : आपको बोलने का मौका मिलेगा। अभी तो खाली माननीय सूरज भान की बात का जवाब दे रहे हैं।

SHRI S. D. PATIL: Sir, I am quite conscious that the Bill as it is moved earlier only comprises of three clauses and it is very limited in scope though the Long Title indicates: "That the Bill to provide for the inclusion in, and the exclusion from, the lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes. . . ." If we interpret this Long Title then it may in its scope include various suggestions that the hon'ble Members have made. If they want that there should be a more comprehensive Bill, we may consider it in the Joint Committee the various suggestions because it is a very far-reaching Bill.

SHRI SURAJ BHAN: The House is competent to give direction.

(Interruptions).

SHRI S. D. PATIL: There are a number of representations from the Home Ministry about inclusion and exclusion. . . .

(Interruptions).

SHRI B. P. MANDAL (Madhepura): Either the Government should enhance the scope or withdraw the Bill

(Interruptions).

SHRI S. D. PATIL: I am coming to that. There are a number of representations to the Home Ministry for inclusion of the several communities either in the scheduled castes or in scheduled tribes. I am quite conscious about it. Since the amendment which I have moved as for the reference to the Select Committee of both Houses, I do grant that unless the scope is widened all the suggestions which the hon'ble Members are making may not be necessarily included. So, what I am inclined to feel is that part of the Amendment No. 45 of Mr. Suraj Bhan may be added to the Amendment 55 because I have already mentioned the names, etc. If this is adopted, I think we will be able to take into consideration all those suggestions which have been made by the hon. Members. So, I am inclined to add this part alone so that along with the other amendments it can be added here. . . .

"that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of Members of the Joint Committee";

MR. CHAIRMAN: You please read out the whole thing from the beginning.

SHRI S. D. PATIL:

"That the Bill to provide for the inclusion in, and the exclusion from the lists of Scheduled Castes and Scheduled Tribes, of certain castes

[Shri S. D. Patil]

and tribes, be referred to a Joint Committee of the Houses consisting of 30 members, 20 from this House, namely:—

Shri D. Amat, Shri S. R. A. S. Apalanaidu, Shri B. C. Kamble, Shri G. Bhuvarahan, Shri Bega Ram Chauhan, Shri S. S. Das, Shri Durga Chand, Shri Krishna Chandra Halder, Shri Ram Sewak Hazari, Shri Kusuma Krishna Murthy, Shri Dalpat Singh Paraste, Shri Mohan Lal Pipil, Shri K. Prakash, Shri S. Ramasamy, Shri S. H. Naik, Shri Shankar Dev, Shri T. S. Shrangare, Shri Ramji Lal Suman, Shri Suraj Bhan, Shri Dhanik Lal Mandal, and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall also be instructed to examine the lists contained in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 and to suggest amendments thereto in their report;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee."

(55 as modified)

श्री राम बिलास पासवान : मभापति जी मेरा इसमें यह प्रावधान है कि जो पहले साक्षी ने प्रमोट उठाया, उसे तो मान लिया, लेकिन एक दूसरा प्रमोट है मेरे नाम का, उसे भी देखा जाये।

सभापति महोदय : भापका प्रवचन यह था कि 12 प्रादमी दूसरे लिये गये हैं, शड्यूलड ट्राइब्ज के प्रौर शड्यूलड कास्ट के 8 प्रादमी लिये गये बाकी नान-शड्यूलड कास्ट के हैं। भापका इटेशन था कि उनका नम्बर घटाकर, इनका बढ़ा दिया जाये।

श्री राम बिलास पासवान : उनको रहने दोजिये, मेरा कहना है कि उसमें 4, 5 प्रौर जोड़ दिया जाये।

SHRI PURNANARAYAN SINHA (Tezpur): My objection is.....

MR. CHAIRMAN: Your only point is that no body from the North-Eastern region has been included in the Joint Committee.

SHRI PURNANARAYAN SINHA: The hill tribes as also Adivasis of South Bihar who have been clamouring for a separate State of jharkhand have not been represented in the Committee. I want that some tribes from the North-Eastern Region and some Adivasis from the State of Bihar should be included.

MR. CHAIRMAN: He has taken note of that.

SHRI B. P. MANDAL: Sir the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1978 is not limited....

MR. CHAIRMAN: He has already explained that.

श्री ब्यास पासवान : मध्य प्रदेश मे 80 लाख से भी अधिक प्रादिवासी है इसलिए प्रौर प्रादिवासी सदस्य इसमें लिये जायें।

SHRI B. P. MANDAL: In the course of our public life in our State, we have seen, as my friend, Shri Hukmdeo Narain Yadav has pointed out, that there are some communities like Khatbe, known as Julaha, whose plight is far more backward than many of the Harijans themselves. As a matter of fact, this community has not been included in the list of scheduled castes, whereas in South Bihar, the same community has been included by the name of Tatma. In the scheduled tribes also, there is one community,

known as Gond, in district Saran, that community should have been included in the list of scheduled tribes, but they have been excluded.

There should be a wider scope for this Bill. The Joint Committee should be empowered to consult all the State Governments and Members of Parliament, and should prepare a very conclusive list of scheduled castes and scheduled tribes so that the list includes all castes and communities which are very backward and whose economic as well as social plight is much worse than many of the Harijans themselves. With the limited scope of this Bill with regard to including or excluding some communities, no useful purpose would be served and no good results obtained. The hon. Minister should enlarge the scope of this Bill, the Joint Committee should enquire and should include in this list all the left-over communities which are required to be included.

SHRI PURNANRAYAN SINHA: Sir, I wrote a letter to Shri Dhanik Lal Mandal about the list of names that he has submitted for this Joint Committee. He told me that he was not concerned, the list had been furnished to him by the Ministry of Parliamentary Affairs. If there is no coordination between the Home Ministry and the Ministry of Parliamentary Affairs in selecting the names of the Joint Committee, this House cannot help.

MR. CHAIRMAN: After all, the House does not consist of only twenty Members of Scheduled Castes and Scheduled Tribes, there are so many other Members also. Everyone cannot be included in the Committee.

SHRI PURNANARAYAN SINHA: There are seven States in the North-Eastern Council. There is no Member from that area in this list.

श्री हरकम देव नारायण वावच : मारा देग प्राज टूट रहा है, बिहार में झारखंड स्टेट की मांग हो रही है तो उड़ीसा, बिहार और बंगाल का जो वह

पीछन है उस के मेम्बर इस में नहीं रखिएगा तो उन की तरफ से कौन कहेगा? वे झारखंड स्टेट एक भलग राज्य की मांग कर रहे हैं। उन के प्रादमी नहीं रखेंगे? (ध्वजवाज)

सच्चिदानि महोदय : बीस ही प्रादमी तो लेंगे, उस में सारे मेम्बरों को तो नहीं ले सकते।

श्री बी० पी० मंडल : बागुन सुम्बर्हई एम० पी० है झारखंड के, उन का नाम इस में इन्कलूड कर लीजिए।

MR. CHAIRMAN: What more do you want to say? The Minister has taken note of what the Members have stated, namely that more Members belonging to the Scheduled Castes and Scheduled Tribes should be included in this Committee and Members belonging to other classes should be taken out..... (Interruptions)

SHRI C. K. JAFFER SHARIEF (Bangalore North): This is very wrong on the part of the Minister—simply because there is some shouting in the House, one should accept everything? Why should my hon. friends belonging to Scheduled Castes and Scheduled Tribes feel that others are not interested in their welfare? After all, it is also our privilege. We have come here with the support and blessings of SC and ST. Should we not take interest in their welfare? Why do you want to separate us? This is very wrong. I, therefore, feel that the Minister should stick to the original approach, rather than allowing only SC and ST to be members of the Committee.

SHRI S. D. PATIL: I have already conceded the important part of the hon. Members' suggestions. It is now suggested that there should be addition of Members, so that things can be taken care of. I think the scope of the Joint Committee is very great, and they can make suggestions through the hon. Members of that Committee. As one hon. Member of the other side said, members belonging to other classes can also take interest. They have also got sympathy for the cause. The list shows that a number of per-

[Shri S. D. Patil]

sons have been taken from the two communities. It is not a question concerning SC and ST alone.

It will be inconvenient, if the addition of 5 Members is asked for, and if the list of Members from the Rajya Sabha were amended. (Interruptions)

समाप्ति महोदय : सूरजभान जी ने जो कुछ कहा है उसको मंत्री जी ने मान लिया है। बिल के स्कोप को बढ़ाने की बात भी उन्होंने मान ली है। (व्यवधान)।

पासवान जी, आप जरा सोचिए कि सदन में बीस से ज्यादा शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स के मेम्बर हैं तो फिर मंत्री जी यह कैसे कर सकते हैं कि सभी को इन्क्लूड करें। इसलिए एकाध मेम्बर घट गए या बढ़ गए इससे कोई फर्क नहीं पड़ता है।

श्री राम विलास पासवान : मैं आपसे यह नहीं कह रहा हूँ कि उममें मेरा नाम जोड़ा जाये। कमेटी में 12 शेड्यूल्ड कास्ट तथा शेड्यूल्ड ट्राइब्स के मेम्बर हैं और 8 दूसरे लोग हैं इसलिए मैं चाहता हूँ कि शेड्यूल्ड कास्ट तथा शेड्यूल्ड ट्राइब्स के 5 सदस्य और जोड़ दिये जायें। मैं यह नहीं कहता कि आप मेरा नाम रखिये।

SHRI PURNANARAYAN SINHA: We have given a suggestion that Members from the north-eastern region should be included. (Interruptions)

MR. CHAIRMAN: Order, please.

SHRI BAPUSAHEB PARULEKAR: I am not on the point referred to by my hon. friend, i.e. as to who should be taken in the Joint Committee. My question was whether, if the Minister moves that the Bill should be referred to the Joint Select Committee, we as Members will have the right to speak on the amendments that we have given, to the proviso to Clause 75. That is my point. I believe we have a right to make a submission.

MR. CHAIRMAN: Of course, you can speak on your amendment.

SHRI BAPUSAHEB PARULEKAR: I thought since the Bill is to be sent to the Joint Select Committee, we are not to be heard.

MR. CHAIRMAN: Vote has already been taken on referring the Bill to the Joint Select Committee. (Interruptions)

AN HON. MEMBER: The Minister has only moved. Vote has not been taken.

SHRI BAPUSAHEB PARULEKAR: In order to make some submissions regarding the amendment which I have moved, I sought some clarifications—when I spoke earlier—from the Minister of State, Mr. Mandal.

I am sorry, he is not here today because I want to get some clarification on the very important submission which I am going to make. The point which I made at that time was about Part IX—Maharashtra clause 13. There is a community by the name of Gond Rajgond and the amendment that is sought by the Government is that after the word 'Gond' there should be a '.' and two communities namely, Gond and Rajgond should be included as separate communities in this particular list. You kindly see clause 18 in Part IX of this particular Bill. Therefore, I asked, the hon. Minister, in my speech, whether these Gond and Rajgond are two communities and by mistake they were combined together and therefore they were putting this particular.. Then I suggested in that particular list, there was another community from Maharashtra which was mentioned as 'Gond Gowari'; and there also a mistake is there because Gond and Gowari are two different communities, and Gowari community is trying their best to get this particular community included in the list of the ST from 1950. I thought this would be explained by the hon. Minister.

(Interruptions).

Who can make submissions? I cannot come all the way from my constituency for the Select Committee's meeting. I do not get any notice. Therefore, I should be heard and the views should be placed before the Select Committee. In this connection for the information of the hon. Minister, I might say that this Gowari community was included in the ST list of Maharashtra and Madhya Pradesh prior to 1950.

The second circumstance is that in the list that was prepared in the year 1950 by the State Government, this caste was excluded for the first time and five lakh people of Gowari community were deprived of the facilities.

The third circumstance is that on 7th of October, 1958, the Maharashtra Government again included this in the aboriginal caste on the SC. Surprisingly the point which I would like to stress is that there was a Bill that was moved in this Parliament in 1960 (Bill No. 119); and in that Bill, this community Gowari was independently included in the ST list. But, unfortunately, that Bill was not passed.

Thereafter, in the year 1965, the Maharashtra Government again recognised this community and made a recommendation to the Government, and in spite of the efforts from 1950 upto 1970, the Government is not hearing about it. Though an amendment has been moved, I want to have a clarification from the hon. Minister. I am sorry to mention that during my first speech, this clarification was not given. I would request the hon. Minister to assure this House taking into consideration the various circumstances which were submitted and the fact that this community was included in the Bill 1967. The hon. Minister should assure that this particular matter would be considered.

One more point which I submitted in my first speech is about the inclusion of Neo-Buddhists in the SC list. I had submitted at that time that the

hon. Minister in his reply should say something about it. On both these two points, I am sorry to mention that the hon. Minister is not saying anything. I request him to say something on these two matters.

SHRI P. K. DEO (Kalahandi): I want to speak on my amendment.

MR. CHAIRMAN: I will give you time.

श्री राघव जी (विदिशा) : सभापति जी, माननीय मंत्री जी ने पहले जो प्रमोडमेंट रखी थी, अब उस में संशोधन हो गया है। पहले जो प्रमोडमेंट था, उस का स्कोप बहुत छोटा था, बहुत कुचित था, लेकिन

सभापति महोदय : अब उस को बड़ा दिया गया है।

श्री राघव जी : गुजरात के दो जिलों में एक कम्युनिटी प्रमुखित जाति की सूची में रहे और बाकी जिलों में न रहे—उसी हिसाब से सदस्यों की सूची बनाई गई थी और उसी उद्देश्य को लेकर बनाई गई थी कि उस कम्युनिटी के विषय में निर्णय करना है। लेकिन अब इस का स्कोप बढ़ गया है, अब पूरे भारतवर्ष में शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स की सूची में कौन-कौन सी जातियां रहे, इस दृष्टि से यह सूची रीवाइज होना है अतः सदस्यों की सूची को रीवाइज कर के ठीक प्रकार से इस समिति का गठन होना चाहिये। पूरे 20 प्रादमियों की यह कमेटी बनाई है लेकिन उस में केवल 3 प्रादमी शेड्यूल्ड कास्ट्स के रखे गये हैं। अब जबकि इस का काफी स्कोप बढ़ गया है, मेरा कहना यह है कि यह सूची रीवाइज होनी चाहिए, उस में प्रमोडमेंट होना चाहिए और दूसरे नामों पर भी विचार होना चाहिए। संशोधित सूची सदन में बाद में पेश हो सकती है फिर से विचार होने के बाद जो नाम आये उन को हम स्वीकार कर लेंगे।

14 hrs.

SHRI C. K. CHANDRAPPA (Cananore): I should like to mention only one or two points in one or two minutes. Just now there was mention made here about the Neo-Buddhists, that they should be included in the list of Scheduled Castes. Another friend mentioned about the question of converted Christians; they are mainly in Kerala but in some other States also such as Tamil Nadu,

[Shri C. K. Chandrappan]

Karnataka, Orissa, etc. On this the government should take a policy decision. I should like to know what is the attitude of the hon. Minister before the Bill is being referred to the Select Committee because it has always been argued that those who had converted from Hinduism to other religions are not eligible to the benefits which are provided to the Scheduled Castes. It is my confirmed opinion that several millions of people are Neo-Buddhists and converted Christians and you have to make a departure from the old understanding as their social backwardness which was there for ages is not removed by the simple fact that they convert themselves to some other religion. We have to take into reality this aspect. To whatever religion they may belong the socio-economic realities of yesterday is true in their life and it persists as a reality even today. On that matter I should like the hon. Minister to make a clear statement. Another amendment I have moved is about the inclusion of Kudumbis and Nayadis of Kerala in the list of Scheduled Castes. Kundumbi community is a socially and economically backward community and their number is quite large. They remain backward even today. They are forcefully presenting the demands of these communities before the country and before the Ministry and that should also be taken into account. These are a few suggestions which I should like to make and I hope Mr. Patil will reply and tell us what is the policy decision regarding converted Christians and Neo-Buddhists.

SHRI P. K. DEO: I should like to confine my observations to a very simple amendment, that 'under the heading "Part-XII—Orissa", in entry 5 for the words "Bhattada, Dhotada", the words "Bhatara or Bhattada" shall be substituted. You find the Bhatara tribe in Chandrapur district of Maharashtra....

MR. CHAIRMAN: You have explained this thing. What is more to be explained?

SHRI P. K. DEO: I have not spoken at all on this point. I never went into the merits of the Bill.

MR. CHAIRMAN: Let us have the salient points.

SHRI P. K. DEO: You find Bhatras in Chandrapura District of Maharashtra, Bustar District in Madhya Pradesh, Koraput and Kalahandi Districts of Orissa. In Maharashtra, Bhatras are in the Scheduled Tribe list. In Madhya Pradesh they are Scheduled Tribes. But most unfortunately in Orissa they are mentioned as Bhattada and not Bhattra, because Koraput was part of Madras Presidency and it came to Orissa in 1936 and the officers of the Madras Presidency could not pronounce the tribe's name properly. So, they made a mistake. They noted as Bhattada. The Bhatras in Koraput have been noted as Scheduled Tribes under the Heading as Bhattada whereas in the erstwhile Kalahandi District in which they were treated as tribals, they came to Orissa because Kalahandi State merged into State of Orissa in 1948 and Bhattra in the Kalahandi District did not enjoy the same benefit because there has been a difference of 'R' and 'D'.

The actual name is 'Orissa'. When you write, you write with 'R'. It is only because of difference in pronunciation.

Please go through the Statement of Objects and Reasons. Clause 3 is very clear:

"Certain mistakes of spellings and punctuations in the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976, have been noticed and these are also proposed to be corrected".

In this regard Government has taken cognisance of the recommendation of the Gujarat Government so far as Mochies are concerned. But so

far as Orissa is concerned, they have completely ignored the recommendation of the Orissa Government in this regard. The Orissa Government sent their recommendation vide letter No. 12866/TRW dated 16th April, 1976. These recommendations of the Orissa Government has been kept in cold storage. Only the Gujarat Government recommendations have been taken cognisance of. I do not know what is the reason? In Gujarat they have been taken as Scheduled Castes only in Dang District and in some parts of Bulsar District. They have been excluded from the rest of Gujarat. I know in the Delimitation Committee, the Constituency Dhanduka, which returned Shri H. M. Patel and Shri R. K. Amin came in the Fourth Lok Sabha, that seat has become a reserved seat.

MR. CHAIRMAN: This is irrelevant to this discussion. You have said the main point.

SHRI P. K. DEO: So, I submit that the recommendation of the Gujarat Government and recommendation of the Orissa Government should be taken cognisance of and due weightage should be given in the Joint Select Committee and they can give recommendation to that effect.

***SHRI M. ARUNACHALAM (Tenkasi):** Mr. Chairman, I am thankful to you for giving me a few minutes to participate in the discussion on the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill.

At the very outset, I would say without fear of being contradicted that this Bill has been politically motivated. The Mochi community of Gujarat, which was included in the List of Scheduled Castes only in 1976, is now being removed from this list on the ground that the Mochis barring those living in the Dangs district and Umbergaon taluka of Bulsar district of Gujarat, elsewhere in the

State are comparatively advanced and are likely to take away the benefits which ought to go to the members residing in Dangs district and Umbergaon taluka. Is it suggested that within two years they have become so economically advanced as to be removed from the list of Scheduled Castes? The real reason behind this legislative proposal is that the Mochi community is being taught a political lesson for having voted against our Prime Minister's party candidates in the 1977 Lok Sabha Elections. I object to this Bill with all the force at my command.

I would like to ask of the hon. Members belonging to high-class and also those social reformers who preach day in and day out whether they have encouraged in their own families inter-caste marriages, which alone will raise the social and economic status of the scheduled caste people. It is not enough to plead their cause and their conditions must be ameliorated by coming forward personally to undo the crimes of generations perpetrated on them.

Before I conclude, I would like to say that from Tamil Nadu and other Southern States many people belonging to the Scheduled Castes of these Southern States are living in Delhi for their livelihood. Since their castes are not enumerated in the list of Delhi State, lakhs of people are denied the concessions, benefits and facilities which they would otherwise enjoy in their States. I demand that the Government of India must look into this and direct the Delhi State to include their castes also in the List of Scheduled Castes so that they are able to get their legitimate dues.

Before I conclude, I would say in anguish that, when the entire nation celebrates the Independence Day tomorrow, several crores of peo-

*The original speech was delivered in Tamil.

[Shri M. Arunachalam]

ple belonging to the Scheduled Castes are treating tomorrow as their mourning day because of their manifold misery under the present Government of Janata Party. The Government must look into their genuine grievances and do the needful.

श्री रामसाह राहो (मिसरिख) : सभापति महोदय, मैं यह निवेदन करना चाहता हूँ कि जो समिति बनने जा रही है उसमें इस सदन के जो भी सदस्य लिये जाते हैं उनमें इस बात का ध्यान रखा जाय कि प्रत्येक वर्ग और जाति के लोग उसमें होने चाहिये। यदि ऐसा सम्भव न हो किसी तरीके से तो एक निवेदन मंत्री जी से करना चाहता हूँ कि हरिजन समुदाय में अनुसूचित और अनुसूचित जनजाति में से किसी भी जाति के लोगों को नहीं छोड़ा जाना चाहिये, खास कर के उन जाति और जनजातियों में से जिनको जानकारी सरकार को है और उनको हम सुविधायें नहीं दे पा रहे हैं, उनको विशेष रूप से शामिल किया जाना चाहिये। हम लोग बातें करते हैं हरिजनों के शोषण की, धम्याय और धम्याचार की, लेकिन प्रपसर यह देखा गया है इन 30 सालों में कि जो जातियां चाहे राजनीतिक तरीके से या धार्मिक तरीके से क्षति में हैं वह जो सुविधायें हासन की तरफ से मिलने वाली हैं वह अधिकांश फायदा उठा जाती हैं और ऐसे व्यक्ति जो धार्मिक दृष्टि से समोन्नति नहीं हैं वह बंचित रह जाते हैं। इसलिये इस बात का ध्यान रखना चाहिये ताकि हम हरिजन समुदाय या अनुसूचित जनजाति के लोग जो अधिक कमजोर हैं उनको भी दूसरी जातियों के समान धार्मिक तौर से मदद पहुंचा सकें और सामाजिक और राजनीतिक दृष्टि से घावे बड़ा सकें। मुझे विश्वास है कि मंत्री जी जेरी बात को स्वीकार करेंगे।

MR. CHAIRMAN: I shall now put amendment No. 55 moved by the Minister, as modified by him, to the vote of the House. The question is:

"That the Bill to provide for the inclusion in, and the exclusion from, the lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, be referred to a Joint Committee of the Houses consisting of 30 members, 20 from this House, namely: Shri D. Amat, Shri S. R. A. S. Appalanaidu, Shri B. C. Kamble, Shri G. Bhuvanahan, Shri Bega Ram Chauhan, Shri S. S. Das, Shri Durga Chand, Shri Krishna Chandra Halder, Shri Ram Sewak Hazari, Shri

Kusuma Krishna Murthy, Shri Dalpat Singh Paraste, Shri Mohan Lal Pipil, Shri K. Prakash, Shri S. Ramaswamy, Shri S. H. Naik, Shri Shankar Dev, Shri T. S. Sharn-gare, Shri Ramji Lal Suman, Shri Suraj Bhan, Shri Dhanik Lal Mandal,

and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall also be instructed to examine the lists contained in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 and to suggest amendments thereto in their report;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

That this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee" (55, as modified).

The motion was adopted.

MR. CHAIRMAN: Amendments Nos. 42, 45, 49 and 54 moved by other hon. members are barred.

14.17 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (GENERAL), 1978-79

MR. CHAIRMAN: The House will now take up discussion and voting of the Supplementary Demands for Grants in respect of the Budget (General) for 1978-79.

*Moved with the recommendation of the President.