

allow him. But I would request members to be more responsible in future.

CONSTITUTION (AMENDMENT) BILL*

(Substitution of Art. 370)

श्री यशवंत सिंह कुशवाह : मैं प्रस्ताव करता हूँ कि भारत सरकार के संविधान में और संशोधन करने वाले विधेयक को पेश करने की अनुमति दी जाये ।

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India".

The motion was adopted.

श्री यशवंत सिंह कुशवाह : मैं विधेयक को पेश करता हूँ

15.05 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of Arts. 330 and 332)
by Shri Suraj Bhan—*Contd.*

MR. DEPUTY-SPEAKER : Further consideration of the following motion moved by Shri Suraj Bhan on the 31st July, 1970 :

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

Two hours were allotted originally for this; we have taken 3 hours. 6 minutes. Still there is a long list of intending speakers. I would like to take the pleasure of the House. How long more shall we devote to this ?

SHRI KANWAR LAL GUPTA (Delhi Sadar) : I move that the Bill be postponed.

श्री मोलू प्रसाद (बासगांव) : मैं इस का विरोध करूंगा ।

SHRI P. RAMAMURTI (Madurai) : This is a very important Bill. I am sure many members would support it. But if such an important Bill is taken up suddenly, we should ensure the presence of the requisite majority. As it is, a whip has gone round to members to be present on the 2nd September for the other Constitution amendment Bill. As many members are not present now, I do not want that this Bill should fall through for want of the requisite majority. In the interest of the Harijans themselves, not press for voting now. Let us fix a particular time after giving sufficient notice to members, so that it has the requisite support.

SHRI R. D. BHANDARE (Bombay Central) : There can be a full discussion.

SHRI P. RAMAMURTI : I have no objection, but let there be no voting today.

SHRI S. M. SOLANKI (Gandhinagar) : I support Shri Ramamurti.

MR. DEPUTY-SPEAKER : I am in the hands of the House.

SHRI R. D. BHANDARE : Before you leave it to the House, let me make a submission.

MR. DEPUTY-SPEAKER : Yes. The same question was raised on the last occasion. There was a motion that the Bill be adjourned to the next day; that was negatived. Under rule 338, we cannot take up the same motion in the same session.

SHRI R. D. BHANDARE : Since there is a long list of speakers, let the discussion continue.

SHRI KANWAR LAL GUPTA : Let us allot 3 hours for it.

MR. DEPUTY-SPEAKER : Is that the sense of the House ?

SOME HON. MEMBERS : Yes.

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श्री प्रकाशवीर शास्त्री (हापुड़) : उपाध्यक्ष महोदय, इसी तरह से समय बढ़ाने के कारण आचार्य कृगलानी का बिल पहले भी रह गया था। अगर आज भी समय बढ़ाया गया तो वह रह जायेगा। कम से कम वह शुरू हो सके इतना तो जरूर कीजिये।

श्री कंवर लाल गुप्त : जैसा श्री राममूर्ति ने कहा, यह बहुत महत्वपूर्ण बिल है, और इस में जो बेचारे सैकड़ों सालों से पिछड़े हुए हैं उनकी भलाई की चीज है। आज लोगों को इस की नोटिस नहीं है। जब तक हाउस में रिक्विजिट मैजोरिटी नहीं रहेगी तब तक यह बिल पास नहीं हो सकेगा, भले ही सारे के सारे लोग इस के फेवर में वोट डाल दें क्योंकि यह कांस्टिट्यूशन अमेंडमेंट बिल है। इस वास्ते मेरी यह सजेशन है कि तीन घंटे कम से कम इसके लिए और दिए जायें।

श्री प्रकाशवीर शास्त्री : यह नहीं हो सकता है।

श्री शिव चन्द्र भट्टा : आपने यह इंतजाम क्यों नहीं किया, पंद्रह दिन पहले सदस्यों को क्यों नहीं बताया है कि वे सब लोग मौजूद रहें ?

MR. DEPUTY-SPEAKER : There is a concrete proposal that we spend three hours more on this Bill. I have no objection to that, if that is the pleasure of the House.

श्री प्रकाश वीर शास्त्री : हम इसका विरोध करते हैं। कैसे कहते हैं कि हाउस एग्री कर रहा है। हम पक्ष में नहीं हैं कि तीन घंटे और चलाया जाए। मेरा कहना यह है कि इस विधेयक को पास कराना चाहते हैं तो इस पर चर्चा कर ली जाए और वोट ले लिये जायें। ऐसा नहीं होना चाहिये कि दूसरे बिलों को आप बिल्कुल बेकार कर दें। पहले वाले शुक्रवार भी कोई दूसरा बिल नहीं आ पाया था और इस

शुक्रवार को भी कोई दूसरा बिल नहीं आया। इस तरह से एक ही बिल पर सारे का सारा नान आफिशल समय दे दिया जाए, हम इससे बिल्कुल सहमत नहीं हैं। आप इसके ऊपर सदन की राय ले लें।

MR. DEPUTY-SPEAKER : Mr. Gupta has proposed that three hours more should be given to this Bill. Mr. Shastri opposes that.

SHRI PRAKASH VIR SHASTRI: I propose only one hour.

MR. DEPUTY-SPEAKER: I take it that Mr. Gupta's motion is formally moved, that three hours more be allotted for the discussion of this Bill. I will put it to the House.

The question is :

"That discussion on Shri Suraj Bhan's Bill further to amend the Constitution be extended by another three hours."

The motion was adopted.

SHRI SIDDAYYA (Chamrajanagar) : Mr. Deputy-Speaker, this Bill seek to amend the Constitution to reserve seats for the Scheduled Castes and Tribes according to the population. While calculating the actual number to be reserved, fractions less than half are neglected and fractions more than half are considered as one. The amendment seeks to insert the words 'not less than' for the words 'as nearly as possible' in article 330 and 332 of the Constitution. The effect of this amendment would be that the Scheduled Castes will have 9 seats more and the Scheduled Tribes ten seats more in the Lok Sabha. In the various State Assemblies the former will have six more seats while the latter will have six or seven more seats.

Examining the Bill to find out whether it is constitutional or not, whether there

are any legal difficulties, I want to make the following observations. In the case of the autonomous districts of Assam the words used are 'not less than. Therefore, these words are already there in Article 332 (4) of the Constitution and they cannot be unconstitutional or illegal.

15.16 hrs.

[SHRI K. N. TIWARY in the Chair]

The State can in fact make special provision for their advancement under article 15(4) :

"Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

Therefore, constitutionally this is in order.

Next I shall point out how far there may or may not be any anomaly as a result of this Bill in certain areas or Union Territories. The total population of the Union Territories is ninty lakhs for which the Constitution has provided them not less than 25 seats. As things stand today, injustice has been done to the Scheduled Castes in this respect. The total population of the Scheduled Castes and Tribes in the Union Territories is 12 lakhs and 11.15 lakhs respectively. They ought to have got both of them put together, seven seats. But the Scheduled Tribes have been given four seats, and the Scheduled Castes only two seats. One seat has been actually grab bed by the other population.

Then, coming to the point whether there will be any anomaly if this Bill is accepted, I want to point out certain lacunae in the allotment of seats. Laccadive, Minicoy and Amindivi Islands have got a Population of only 24,000. but it has got one seat reserved. In the case of Pondicherry, where the population of Scheduled Castes is nearly, 57,000, there is no seat. In the case of Tripura, where the population of Scheduled Castes is 1,90,725, there is no seat reserved for them. In the case of

Manipur, where the population is 13,376, there is no seat for them, and in the case of Goa, Diu and Daman, where the population is 25,000, there is no seat for them.

There is another objection that if the amendment is accepted in the Union territories where there are only two seats both will be reserved for Scheduled Castes and Scheduled Tribes and nothing will be left for the general population. If you consider the population of Scheduled Castes and Scheduled Tribes and the general population in those areas, the general population will be between 60 to 90 per cent, and this cannot be a ground for not accepting this Bill, because in all the constitrencis in which seats are reserved for Scheduled Castes and Scheduled Tribes, the percentage of population varies between 10 to 20 only. Even there, 80 to 90 per cent of the others cannot contest the elections. Therefore there is no ground to say that 80 to 90 percent of the general population will go without representation in the Lok Sabha.

There is another argument which can be advanced, namely, since the Scheduled Castes and Scheduled Tribes can also contest for general seats according to the law, there is no need to accept this amendment. Before, 1960, when there were doubl-enmber constituencies, there was scope for Scheduled Castes and Scheduled Tribes to get elected to the general seats. Now, that has been abolished. We have got single-member constituencies. reserved for the Scheduled Castes and Scheduled Tribes respectively everywhere. If you codsider the number of seats secured by the Scheduled Castes and Scheduled Tribes against a general seat, you will find that in the whole country, only one general seat in Assam has been won by the Scheduled Tribes. Not a single Scheduled Caste has been able to win a seat in the general constituency anywhere else so far. The different political parties, for reasons best known to themselves, have not put Scheduled Castes or Scheduled Tribes as their candidates for the general seats.

During the last election, our party, the Congress party, put up Shri Sanjivayya as a candidate for a general seat in the Kurnool district in Andhra Pradesh. As you know, he was at that time a member of the Union Cabinet, and he had the privilege of serving as the Chief Minister of a State, that

is, Andhra Pradesh, and he had served also as the President of the Indian National Congress. But such a man was defeated in the election because he contested in a general seat.

I will give another instance. Let us consider the case of Babu Jagjiwan Ram. He is the accredited leader of the backward classes of this country. With his long political career, was he convinced that he could contest for a general seat and win? That shows that scheduled castes and tribes are not able to contest general seats and win, though there is no legal bar to it. The only point for consideration is, by accepting this amendment, the strength of Scheduled castes and tribes in Lok Sabha and Assemblies will increase to some extent. Everybody should appreciate this increase because they have been suppressed for centuries educationally, economically, politically and in every respect. Such a community can advance only by getting political power. That is why I have great pleasure in supporting this Bill. I am happy that most of the speakers have welcomed the Bill. I plead with the Minister that since it is a Constitution Amendment Bill, which has been unanimously supported by all sections of the House, Government should bring forward its own Bill and see that it is passed.

श्री आत्म दास (मुरैना) : सभापति महोदय, सरकार से मेरा निवेदन है कि श्री सूरज भान ने जो संशोधन विधेयक रखा है, वह उस को स्वीकार कर ले। हरिजनों और आदिवासियों के लिए जो अधिकार और सहूलियतें रखी गई हैं, उन पर किस प्रकार डकैती पड़ रही है और इन जातियों का किस प्रकार शोषण हो रहा है, मैं उस का एक उदाहरण आप के सामने रखना चाहता हूँ।

खालियर राज्य में चोपड़ा नाम के एक सज्जन ने अपने लड़के की एक हरिजन द्वारा गोद नशीनी करा के और उसी के अनुसार उस की वलदियत लिखा कर उस को मैट्रिकल कालिज में दाखिल करा दिया। इस तरह के बीस, इक्कीस केसिज हुए हैं, जिन की जांच हो

चुकी है। आप को यह जान कर आश्चर्य होगा कि नौकरियों में भी इस तरह की गड़बड़ियां हो रहीं हैं। शासन से मेरी प्रार्थना है कि वह इस प्रकार के प्रकरणों की जांच करा कर इस प्रकार की गड़बड़ियों को रोके।

जहां तक हरिजनों और आदिवासियों की जनसंख्या का सम्बन्ध है, यह सर्वविदित है कि 1931 से लेकर हर दस वर्ष बाद होने वाली जनगणना में अनेक प्रकार से उन की जनसंख्या का अनुपात कम किया जा रहा है। श्री सूरज भान ने इस की कुछ मिसालें भी दी हैं।

हरिजनों और आदिवासियों के उद्धार के लिए पूज्य महात्मा जी ने 1932 में कदम उठाया था। और 6 लाख रुपये इकट्ठा कर के ठाकर बापा को दिए, हरिजन संघ नाम से एक संस्था कायम की। उस के बाद संविधान के द्वारा दस साल की अवधि दी गई, वह बढ़ कर 20 साल हुई और अब उस में दस साल और बढ़ा दिए गये हैं। इस के लिए हम शासन को धन्यवाद देते हैं। लेकिन प्रश्न यह है कि क्या इस प्रकार अवधि बढ़ा कर इन की गिरी हुई दशा को सुधारा जा सकता है? यदि गति में परिवर्तन नहीं लाया गया तो दस साल क्या 100 साल भी बढ़ा दिया जाय तो उस से भी कुछ नहीं हो सकता। इसलिए इस के लिए तो जैसे शरणार्थी भाइयों की समस्या हल करने के लिये एक पृथक विभाग नियुक्त किया गया था उसी प्रकार से इन ने लिए भी एक विभाग कायम कर के इन के उद्धार की उचित योजना बनाई जाय। मिसाल के तौर पर मेरे खालियर में श्री मधाराम जी बहुत धनी हैं। लेकिन उन को खालियर राज्य से भूमि दी गई, रुपया दिया गया और ऐसे ही दूसरे भाइयों को भी अनेकों प्रकार से सहायता दे कर और विशेष रूप से आर्थिक समस्या को हल करने के लिए उन के लिए अनेकों प्रकार की उद्योग धंधे खुलवाए गए और उस के लिए उपयुक्त धन-

राशि दी गई। तो मेरा निवेदन है इसी प्रकार से इन के आर्थिक स्थिति को सुधारने के लिए भिन्न भिन्न प्रकार के उद्योग धंधे खोले जायें। विशेष रूप से पिछड़े हुए इलाके में जैसे हमारे यहां सोपुर, विजयपुर, वगैरह के इलाके में जैसे हमारे यहां सोपुर, विजयपुर वगैरह के इलाके में अधिक सख्या में आदिवासी रहते हैं, आज तक इतने वर्ष बीत जाने पर भी उन के उद्धार के लिए कोई भी योजना नहीं बनाई गई, कोई भी उद्योग धंधा उन के लिए नहीं खोला गया और उन के जो कुछ अपने धंधे थे भी, जंगलों से तेंदू के पत्ते, गोंद वगैरह लाने का जो कुछ काके वह करते भी थे, उस का भी राष्ट्रीयकरण किया जा रहा है। तो पहले तो शोषण ठेकेदार करते थे। अब दूसरे प्रकार से जो राष्ट्रीयकरण हो रहा है उस से उन के इस घरेलू उद्योग धंधे में भी रुकावट पड़ रही है।

दूसरी बात यह है कि नौकरियों में इन को अनुपात के अनुसार लिया जाना चाहिए। सुटेबल शब्द का प्रयोग कर के जो इन को अयोग्य ठहरा दिया जाता है उस के लिए मेरा निवेदन है कि उस स्थान की पूर्ति इन को दोबारा सूचना दे कर की जाय। दूसरे उम्मीदवारों को बदल कर उन रिक्त स्थानों पर जो सुरक्षित हैं इन को रखा जाय।

हमारी तरफ एक विशेष समस्या इन लोगों की है। इन के ऊपर दौहरी मार पड़ रही है। एक तरफ तो इन को डाकू लोग सताते हैं। इस के बाद क्यों कि यह गरीब हैं, इन के यहां जा कर वह लोग इन से चन्दा लेते हैं और धन दोलत भी ले आते हैं लेकिन जब दूसरे दिन पुलिस को यह मालूम पड़ता है कि यहां पर यह ठहरे थे खाना और इन से चन्दा वगैरह लिया है तो उन को पुलिस भी परेशान करती है। इस तरह से उन को परेशान किया जाता

है कि जहां वह रहते हैं वहां से उन को भागना पड़ता है। तो जो कुछ भी उन के पास छोड़ी बहुत खेती की जमीन होती है या जीविका के साधन होते हैं उन से वह वंचित हो जाते हैं और दर दर मारे मारे फिरने हैं। तो मेरी यह विशेष प्रार्थना है कि मुरैना क्षेत्र में और जहां भी देश में इस तरह से उन की आबादी है वहां पर उन के लिए पुलिस की विशेष सहायता का इंतजाम करना अत्यावश्यक है। इन की आर्थिक स्थिति सुधारने के लिए क्योंकि 80 प्रतिशत इन में से किसान हैं तो इन को जमीन देना अत्यावश्यक है। अभी हाल में इस क्षेत्र में एक सरकारी घोषणा निकली है कि इन की सोसाइटी बना कर जमीन दी जाय। लेकिन यह लोग इतने पढ़े लिखे नहीं हैं, इतना अज्ञान इन के अंदर है कि इन को सोसाइटी के नियम ही नहीं मालूम कि किस तरह से सोसाइटी बनाई जाय। दूसरी बात अगर किसी के द्वारा यह सहायता प्राप्त भी करना चाहते हैं तो उन में जो कुछ स्वार्थी तत्व हैं वह इन के नाम से सोसाइटी बना कर और जमीन को इन के नाम से ले कर अपने कब्जे में कर लेते हैं। तो इस प्रकार इन की समस्या हल नहीं हो पाती है। इसलिए इन को विशेष रूप से कोई नया कानून बना कर मदद पहुंचाई जाय जिस से इन को जमीन मिल सके और जो शासन द्वारा सहायता दी जाती है उस का ठीक ठीक उपयोग हो सके।

मैंने जैसा शुरू में निवेदन किया था, देखिये, कैसी विचित्र दशा है कि हमारे यहां मंधाराम जी और बिरला जी इन को काफी भूमि दी जाती है, अभी हाल में निगम ने भी इन को जमीन दी है जब कि यह लोग कितना शोषण करते हैं, यह सब को मालूम है। हमारे यहां मंधाराम जी का एक बैंक है जिस में बहुत से लोगों का धन जमा था, बहुत से रिटायर्ड कर्मचारियों का भी पैसा उस में जमा था।

[श्री आत्म दास]

लेकिन आपसी घरेलू झगड़े के कारण उन की सब रकम झगड़े में पड़ गई । कइयों ने तो यह सोच कर कि हमारी रकम डूब रही है इस डर से 100 की जगह 50 ही प्राप्त कर लिया, कइयों ने 25 ही प्राप्त कर के छुट्टी कर ली, और कइयों की इसी शोक में मृत्यु भी हो गई कि उन की रकम डूब रही है । तो इस तरह का शोषण इन लोगों के द्वारा होता है । लेकिन गरीबों के लिए बैंकों से पैसा मिलने में कठिनाई होती है, उस का वर्णन नहीं किया जा सकता । इसी प्रकार हमारे बिरला जी हैं । उन के यहां उन की जाति के लोगों की भरमार है । और मंधाराम जी के कारखाने में भी यही हाल है । लेकिन हरिजनों के प्रति उन का रवैया बड़ा विचित्र है । कोई भी राजनैतिक पार्टी हो, कांग्रेस हो या जनसंघ या और कोई पार्टी हो, उनके नेताओं को यह अनेक तरीके से अपनी तरफ करके रखते हैं । यहां तक कि उन के लड़कों को अपने यहां रख लेते हैं । मैं अपने यहां का बताऊं, क्या तो मिनिस्टर, क्या तो एम० पी सब के लड़कों को जो अयोग्य हैं वह अपने यहां नौकर रख लेते हैं लेकिन हरिजन गरीबों के लिए कोई स्थान नहीं है । यही मनोवृत्ति मंधाराम जी की है । वह हरिजन गरीब लोगों को कभी अपने यहां नौकरी में नहीं रखते हैं । तो मेरी प्रार्थना है कि हमारे हरिजन और आदिवासी भाइयों के लिए जो समाज में सदियों से पिछड़े हुए हैं जिन के लिये आज तक कोई भी व्यवस्था न तो इन महानुभावों की ओर से और न ही सरकार की ओर से हो सकी है, उन के लिए समय बढ़ाया जाय या कुछ भी किया जाय लेकिन कोई ऐसा नियम लागू किया जाय जिस से कि सही रूप में इन का उद्धार हो सके, यही मेरी प्रार्थना है ।

श्री राम शेखर प्रसाद सिंह (छापरा) : सभापति महोदय, मेरा प्वाइंट आफ आर्डर है । कल जब रेलवे के ऊपर सप्लीमेंट्री डिमांड पर

बहस चल रही थी तो एक माननीय सदस्य ने यहां कहा था कि कांग्रेस के सेक्रेटरी बहुगुणा साहब जो हैं उन के लड़के रेलवे के बकील बन गए हैं..... (व्यवधान)..... इस संबंध में मैंने जानकारी हासिल की तो मालूम हुआ यह आरोप बिल्कुल गलत है ..

सभापति महोदय : यह मिनिस्टर साहब का काम था जवाब देने का । इस समय विषय दूसरा चल रहा है । आप मेहरबानी कर के बैठें । यह प्वाइंट आफ आर्डर नहीं है । मिनिस्टर साहब चाहते तो स्टेटमेंट दे सकते थे । इस को इस समय आप मत उठाइए ।

श्री राम शेखर प्रसाद सिंह : मैं यही कहना चाहता हूँ कि यह आरोप बिल्कुल गलत है...

सभापति महोदय : नहीं, हम आप को एलाऊ नहीं करते हैं ।

श्री जनेश्वर मिश्र (फूलपुर) : यह आरोप अपनी जगह पर सही है ।

श्री मोलू प्रसाद : यह बात कमला बहुगुणा की है ।

श्री राम शेखर प्रसाद सिंह : कल आप दूसरी बात कह रहे थे, आज दूसरी कह रहे हैं ।

SHRI SONAVANE (Pandharpur) : Sir, I am thankful to you for giving me a chance to speak on the Constitution Amendment Bill of Shri Suraj Bhan and I really congratulate Mr. Suraj Bhan for his nice thinking and the step he has brought forward. From whatever source this measure has come, I think this House should not make it a prestige issue and whatever measure that uplifts the economic, social political level of the Scheduled Castes and Scheduled Tribes should be appreciated and

upheld by this august House. In that spirit I look at this Bill and I want to say that there are some exaggerated fears in the minds of some of our friends who might think a big chunk of the seats may be taken away from the general pool and therefore, they may be hesitant probably to extent their full support to this piece of legislation. But with the full sense of responsibility and understanding of these figures and with some experience of the Delimitation Commission as an Associate Member working with the Delimitation Commission in I would say that the number of seats that would perhaps go to the lot of the Scheduled Caste Scheduled Tribes in some States and Union Territories may be very small. When they arrive at the figures of total number of seats to be reserved for Scheduled Castes and Scheduled Tribes and when they calculate and then divide, the fraction is left. If that fraction is more than .50, then naturally one seat is added to the reserved quota of Scheduled Castes and Scheduled Tribes as the case may be. But if the remainder is less than .50, then that fraction is neglected and Mr. Suraj Bhan's Bill wants that fraction of population which is quite a big chunk of the population in terms of numbers in a State or a centrally-administered area that section should not go unrepresented, that is the intention of the Bill. What the Bill seeks to do is to delete the wording in Art. 330 and 332 and the words to be deleted are "as nearly as may be" occur in Art. 330 sub-clause (2) and Art. 339 sub-clause (3). Now, after deleting these words the remainder Article would read like this.

"The number of seats reserved in any State or Union Territory for the Scheduled Castes or the scheduled Tribes under clause (1) shall bear..."

I am committing 'as nearly as may be :

"... the same proportion to the total number of seats allotted to that State or Union territory in the House of the People as the population of the Scheduled Castes in the State or Union Territory or of the Scheduled Tribes ..."

This Article deals with the reservation of seats in the House of People and Art. 332 deals with reservation of seats in the Legislative Assembly. So, by deleting these words, some seats here and there, where the fraction, as I stated, is less than, 50 will increase. Otherwise there is no increase at all. And, it is likely that in practical situation; these fractions of less than 50 may not occur at all in calculations. In that case, there will not be any addition of any seat. It might be that in all these States the fraction may be .50 or below and in that case one seat may be affected and that would go to the quota of the Scheduled Castes or Scheduled Tribes as the case may be.

Therefore, the exaggerated figures of .85 90, 95 etc. being considered as going to the Scheduled Castes and Scheduled Tribes is simply an imaginary fear and I think hon. Members of this august House Should not be carried away by that fear. The Maximum seats that would be affected would be equal to the number of States and Union Territories for the Scheduled Castes and Scheduled Tribes or, for this House, one seat if at all. It might be also the case that none of the seats might be increased in that fraction is .50 or more. Therefore the variation of any increase may be from zero to about 36 or so in the Legislative Assemblies and probably one or zero to this House. Under these circumstances, I would ask this august House : Shall we grudge this for the Scheduled Castes ? Because as at present, the fraction of .50 or below is neglected. Can we afford not to have them represented in this House ?

My hon. friend Mr. Siddayya made one point. They have sacrificed some of their seats. They gave up the double member constituency where reserve seat was there along with the general seat; two general seats could be won by a reserved candidate. But as per the wishes of the people and the wishes of the House the Scheduled Castes and Scheduled Tribes people have given up that claim. So, the single member constituency came into being. That was the sacrifice that they have done. Because, originally, the framers of the Constitution thought, let the Scheduled Castes and Sched-

[Shri Sonavana]

duled Tribes people have both the seats. And it did happen in Hyderabad when some of our prominent people were defeated and both the seats went to the reserved candidates.

Now, sir, another argument is put forward that the general people would go unrepresented. In the Union Territory where there are only 2 seats, if 2 seats are won by Scheduled Castes and Scheduled Tribes people, then the argument is, the general people will go unrepresented. With all sincerity at my command may I ask: Will not these friends belonging to Scheduled Castes and Scheduled Tribes represent those people there or in the State Assemblies? Are they not capable of representing them? Why should we deny them their right to represent the general people in a particular constituency of a State? I think we should have full faith in our representatives who are elected whether they be Scheduled or Scheduled Tribes or others. Equally, and *vice versa*, the Scheduled Castes also should have complete faith in the general candidate who is elected from their constituency. On both these counts, therefore, I feel that the case put forward by some of our friends who have got fears that the general people would go unrepresented and that there would be more seats or plenty of seats going to the Scheduled Castes and Scheduled Tribes is imaginary; all those fears are imaginary fears, and they should be eliminated from the minds of those friends.

The phrase 'as nearly as may be' occurring article 330 and 332 does not occur in clause 332 (4). I would kindly refer you to that provision which reads thus :

"The number of seats reserved for an autonomous district in the Legislative Assembly of the State of Assam shall bear to the total number of seats in that Assembly a proportion not less than the population of the district bears to the total population of the State."

Here, the phrase 'as nearly as may be' does not occur at all.

Therefore the distinction caused by the neglect of the fraction is very vital for the Scheduled Castes and Scheduled Tribes. Particularly in the smaller areas like Goa, Daman and Diu; Manipur, the Laccadive Islands and the Andaman and Nicobar Islands, if their number is less, they will go unrepresented. In such cases, this amending Bill will come to their help. Therefore, I feel that hon. Members should support this will wholeheartedly and put this measure on the statute-book.

There is another point of view that I would like to place before you. We come here as the representatives of the people and put forth our grievances and viewpoints. But what is the position in the other House? In this House, we are nearly about 82 people representing these communities. But in the Rajya Sabha, whereas we should expect about 40 to 45 seats for these people, there are only four or five. The representation there depends on the sweet will of the political parties in power in the States. For want of a constitutional provision, these people go unrepresented in the other House.

I would submit that whatever little advantage the Scheduled Castes and Scheduled Tribes will get under this Bill should not be denied to them.

Another argument that I would like to put forward is that probably the country is not prepared to let the Members of the Scheduled Castes and Scheduled Tribes contest the general seats. My hon. friend has cited the instance of Shri Danjivayya who did contest for the general seat but was not successful. Here is an eminent personality, who has occupied the position of the Chief Minister of a State, and who is a social worker, who is a graduate and so on, but when he contested the general seat, he did not get elected. That is the picture at present. I do not blame anyone. No doubt we are progressing, but progressing at a slow pace. But let all my hon. friends give a helping hand in this process and be more sympathetic and more generous in this Cause.

I should have thought that weightage should have been given. But if there is no weightage, at least let us have due represen-

tation in proportion to population, not neglecting even a fraction.

Lastly, I would again appeal to all political parties that the being a Constitution amendment Bill coming as it does from a Scheduled Caste Member speaks well of our representative character and capacity to initiate legislation. When we are developing and trying to come up, let our other friends please help us, give encouragement to our young legislators. Let me hope that all political parties will be one with us in supporting this legislation so that it is carried thus giving the scheduled Castes and Scheduled Tribes some advantage.

श्री शिव चन्द्र भट्टा (मधुबनी) : सभापति जी, इस विधेयक में जो मांगे हैं वह बहुत आसान मांगे हैं और हमारा फर्ज हो जाता है कि हम उनको कबूल कर लें। बिना बहस किये हुए तकाजा तो यही था कि प्रधान मंत्री जी खुद यहां पर आती और इसको कबूल कर लेती और संविधान में संशोधन हो जाता। सभी जानते हैं कि हरिजन तथा आदिवासियों के साथ हमारे समाज में इतिहास के आरम्भ से जुलूम हुआ है जिसके बहुत से उदाहरण दिये गए हैं। पुराने जमाने के और आज के उन उदाहरणों को मैं यहां पर दोहराना नहीं चाहता हूँ लेकिन एक नज़र मैं आपके सामने रखना चाहता हूँ एकलव्य की। एकलव्य जब धनुर्विद्या में पारंगत हो गया तो गुरु द्रोणाचार्य ने दक्षिण में उसका अंगूठा काट लिया। इससे दो बातें साबित होती हैं। एक तो यह कि आदि काल में पुराने समाज में हरिजन आदिवासियों के साथ में जुलूम होता था। जो बड़े गुरु होते थे वे भी जुलूम करते थे। दूसरी बात यह कि कोई भी हरिजन आदिवासी बायलोजिकली अनफिट नहीं है। उस वक्त विज्ञान इतना बढ़ा हुआ नहीं था लेकिन आज विज्ञान इतना बढ़ गया है और वह इस बात को साबित करता है कि हरिजन और आदिवासी बुनियादी तौर बायलोजिकली अनफिट नहीं है बड़ा से बड़ा

काम करने के लिए बड़ी से बड़ी जगह पर जाने के लिए। इसलिए पुरानी जितनी बातें हैं, वेद या पुराण जिनका आधार वैज्ञानिक नहीं है, समाज का यह तकाजा है कि उन तमाम किताबों में आग लगा दे। अब उनके रहने की जरूरत नहीं है।

सभापति जी, इस देश में जब राष्ट्रीय आन्दोलन चल रहा था उस जमाने में दो रहनुमाओं ने इस बात को पकड़ा था। एक तो महात्मा गांधी थे। उनके रखने का तरीका दूसरा था। वे अपना पूरा काम हरिजन के आधार पर करने लगे लेकिन उनका वह वैज्ञानिक आधार था। हिन्दुस्तान के बाहर दूसरे लोगों ने इसको दूसरे रूप में रखा। मार्क्स ने—वर्क्स आफ दि वर्ल्ड यूनाइट—इस तरह का नारा दिया। हमारे देश में राष्ट्रीय आन्दोलन में जो दूसरे रहनुमा थे जिन्होंने इसको पकड़ा वैज्ञानिक आधार पर, वे थे डा० राम मनोहर लोहिया। उन्होंने साफ तौर से कहा था कि यदि हिन्दुस्तान को मजबूत करना चाहते हैं तो स्पष्ट रूप से कह दो कि जो पिछड़े हुए हरिजन और आदिवासी हैं उनके लिए 60 परसेन्ट जगहें निर्धारित की जायेंगी और उसको पूरी तरह से कार्यान्वित करो। उनका भी पूरी तरह से वैज्ञानिक आधार था। लेकिन आजादी के बाद जो हमारी उम्मीदें थी कि हरिजनों और आदिवासियों के साथ दूसरा सुलूक किया जाएगा, उनका उज्ज्वल भविष्य होगा वह हो नहीं सका। इसके दो वजूहात हैं। एक वजह तो यह कि औद्योगीकरण जिस रूप में हमारे समाज में आना चाहिये था वह नहीं आ पाया, दूसरी वजह यह थी कि आजादी के बाद जिस को क्लीन पालिटिक्स कहते हैं वह नहीं चलाई गई। अगर औद्योगीकरण होता है तो जितनी जातीयता या तफरके होते हैं वे खत्म होते हैं। आप 19वीं सदी के इतिहास को देखें। जब रेलें शुरू हुई। यह मानना होगा कि जहां पर उद्योग के

[श्री शिवचन्द्र झा]

सेक्टर ये वहां यह तफरके खत्म होने लगे और एक समानता की भावना आने लगी। अगर आजादी के बाद औद्योगीकरण की गाड़ी चलाई जाती और उस की रफ्तार तेज होती तो यह भेद भाव खत्म होता और गैर-बराबरी का सिलसिला भी खत्म होता। लेकिन आजादी के बाद जिस औद्योगीकरण का सिलसिला चलाया गया वह दूसरे दृष्टिकोण से चलाया गया। वह पूँजीवादी दृष्टिकोण और पूँजीवादी प्रसिपल कर आधार पर चलाया गया। इसी लिये न तो औद्योगिकरण बढ़ सका और भेद भाव खत्म हो सका, न ही एकता की भावना पैदा हो सकी। इस लिये आजादी के बाद औद्योगीकरण का तेज होना जरूरी था।

16 hrs.

दूसरी बात यह है कि गद्दी की बागडोर हाथ में आई आजादी के बाद तब क्लीन पालिटिक्स न चला कर जातीयता की पालिटिक्स चलाई गई। आजादी के बाद अपनी गद्दी बनाने के लिये, पद लीलुपता में आ कर हमारे रहनु-माओं ने इस पालिटिक्स का पूरा उपयोग करना शुरू कर दिया। यहां पर हरिजनों और आदिवासियों को भलाई तो न हो पाई, कास्टीज्म और जातीयता का वातावरण आ गया। हमारे यहां श्री बाबू थे, जो बिहार में बड़े गर्म गर्म भाषण किया करते थे कि गंगा के बक्षस्थल को चीरता हुआ प्रिम आफ वेल्स जा रहा है। श्री मिटो होस्टल के फाटक की खिड़की पर बैठ कर सिर धुनता था। उन दिनों श्री बड़े रिवोल्यूशनरीज में से था, लेकिन आजादी के बाद जब राज्य की बागडोर उनके हाथ में आई तब बिहार की राजनीति कैसी हो गई? जातीयता और साम्प्रदायिकता आगे बढ़ने लगी। आज उसी का नतीजा यह हो रहा है कि बिहार ही नहीं बल्कि सारा देश गलत रास्ते पर जा रहा है। आजादी के बाद औद्योगीकरण नहीं बढ़ा

और साथ साथ जो क्लीन पालिटिक्स थी वह भी नहीं चलाई गई। अगर ऐसा किया जाता तो वह भावनायें खत्म होतीं।

सभापति महोदय : आप इस विषय पर बोलिये, औद्योगीकरण पर चले गये।

श्री शिव चन्द्र झा : जिस मकसद से यह विधेयक लाया गया है, उस का जो आदर्श है उस के बारे में मैं श्री सूरज भान से कहना चाहता हूँ कि अब हरिजन लोग असेम्बलियों में ज्यादा आ जायेंगे या यहां ज्यादा आ जायेंगे तो उस से भी काम चलने वाला नहीं है। उस के पीछे एक बैकग्राउंड समाज की पुनर्रचना की होनी चाहिये। पुनर्निर्माण के सन्दर्भ में हमें इस को देखना चाहिये। आज सिडिकेट और इंडिकेट दोनों को मिला कर आप का रिप्रेजेंटेशन काफी है। मैं पूछता हूँ कि आज तक वह लोग क्यों कोई विधेयक नहीं लाये? मैं पूछता हूँ कि आज अगर दोनों कांग्रेस यह फैसला कर लें कि इस विधेयक को पास नहीं करना है तो आप का यहां पर इतना रिप्रेजेंटेशन क्या करेगा? उन की पार्टियों के जो हरिजन आदिवासी हैं वह आप के विधेयक के पक्ष में मत देंगे, इस में मुझे शक है। इस लिये उन का ज्यादा रिप्रेजेंटेशन होने से ही काम नहीं चलेगा। जिस मंच से यह बात चलती है उस का दृष्टिकोण और उस का आदर्श समाज की पुनर्रचना के पक्ष में साफ होना चाहिये, और यह बात आप की ओर भी लागू होती है। आज हिन्दुस्तान के हर तबके के लोगों के अन्दर इस को अनावश्यक समझा जाये तो क्या वह इस रिप्रेजेंटेशन के बारे में आप का साथ देंगे यदि यह विधेयक उन के लिये कम्पेटिव नहीं है? यदि आप इस विधेयक को हकीकत बनाना चाहते हैं तो इस के पीछे आप को समाज की पुनर्रचना और समाजवाद का आधार रखना होगा। उस मंच से जब यह विधेयक चलेगा तब इसके पीछे ताकत होगी।

आज इस मंच के बहुत से उदाहरण हैं। ज्यादा उदाहरण दे कर केवल जो लैंड की समस्या है उस की ओर ध्यान दिलाऊंगा। यह आन्दोलन आज सारे देश में चल रहा है, जिस को आज लोग लैंड ग्रेव मूवमेंट कह दिया करते हैं। मैं कहना चाहना हूँ कि यह दृष्टिकोण वैज्ञानिक है। यदि आप हकीकत में अपने विधेयक के आदर्श के अनुकूल काम करवाना चाहते हैं तो आप का फर्ज हो जाता है कि यहां जितने हरिजन और आदिवासी रिप्रेजेंटेटिव है सब के सब इस भूमि आन्दोलन में हिस्सा बटायें। वह अपने अपने क्षेत्र में जिस तरह से महरीली में आन्दोलन शुरू किया गया था, जमीन का आन्दोलन शुरू करें।

जहां तक इन लोगों के रिप्रेजेंटेशन का सवाल है यह कोई बड़ी मांग नहीं है, इस लिये मैं इस का समर्थन करता हूँ और चाहता हूँ कि हम सब इस को मान लें।

SHRI R. D. BHANDARE (Bombay Central) : Let me disabuse the mind of some Members of the Opposition so far as this Bill is concerned. This Bill has been moved by Mr. Suraj Bhan and our party has whole-hearted by accepted the principle. We are not going to defeat it. Today we cannot put it to vote because we have not the requisite majority to pass it as it is a constitutional measure. Therefore, let them not run with the idea that because we are discussing it we are not going to get it passed... (*Interruptions*) You should not have any doubts. What happened the day before yesterday is not the same as what is going to happen today. (*Interruptions*.)

The point to consider is : to what extent is the Bill, if it is accepted as it is, going to help the Scheduled Castes and Tribes. There was a time when it was suggested that perhaps it, my get the Scheduled Castes and Tribes more representation. It was also suggested that if the Bill is to be passed, they may go unrepresented in some areas. When we taken into

consideration both these aspects, we must go back to the position on what principle was the reservation for the Scheduled Castes and Tribes in Parliament and State legislatures accepted? We have accepted democratic both, as a form of Government and as a way of life. Democracy connotes rule by consent and rule by representation. So the question that arises is : how to seek the consent of the people, Scheduled Castes and Tribes and how to get their representation in legislature, executive and administration. That was the original idea. We have incorporated and enshrined these principles in the Constitution. There was however some slight lacuna. It was that the representation must be based on the population of Scheduled Castes and Tribes. The thinking was that under no circumstances representation for the Scheduled Castes and Tribes should be less than the population of the Scheduled Castes and Tribes. In actual practice the mathematical calculation resulted in depriving them their proper representation in Lok Sabha and the State Legislature. This Bill seeks to remove that lacuna. I am therefore thankful to the mover of the Bill and also to the Government for accepting the principle and agreeing to get it passed. As to what would be its consequences, we shall work it out. But today we are laying more emphasis on the Bill because the census operations will be started from the next year or from the middle of this year. In this country, census operation has become a matter of politics. I need not emphasise it. At times, what has happened is that because democracy is a matter of numbers, in order to reduce the number of scheduled Tribes, at the initial stage of the census operation itself, the number of Scheduled Castes and Scheduled Tribes is enumerated as less in this country. That has been there for a long time.

After the 1919 constitutional measure this census became a matter of numbers, and therefore it became a matter of politics. In 1931, we had a specific number of Scheduled Castes and Scheduled Tribes. In the 1941 census that number vacillated, and it was reduced. In the 1951 census again, the number was reduced. In 1961, that number was not in keeping with the rise in the population of this country. Therefore, it is but

[Shri R. D. Bhandare]

natural for us to conclude that census operation has become a matter of politics.

I would, therefore, like to make two suggestions. At the time of the census operation enumeration the Census Commissioner must instruct his staff to incorporate in the form the column for religion and, at the same time, in the same column, the caste. You know the welfare of Scheduled Castes has become a matter of charity in this country. A friend of mine was just now speaking in this House. It has also been suggested a number of times that we are observing a penance, and therefore we must give more to the Scheduled Castes and Scheduled Tribes than what they deserve because their forefathers or our forefathers have ill-treated them. This patronising attitude or attitude of charity shown to the Scheduled Castes and Scheduled Tribes must be given up.

At times, a virulent propaganda is carried on that if you do not mention your caste and community untouchability will be removed and the people will forget it. It is a wrong proposition. The propaganda is, "Do not mention your caste, do not mention that one belongs to scheduled Castes or Scheduled Tribes, and by doing so, untouchability would be removed automatically, abolish automatically, or it would vanish." That is the propaganda. The result will be, unless in the form which is to be filled at the time of the census operation, they are asked to enter both their religion and caste, the Scheduled Castes and Scheduled Tribes are going to have a less number of their population at the time of the census. I am speaking for this reason only, to emphasise on the Census Commissioner that in the census form there must be a column, both for religion and for the community, so that one can know what is the proper and correct number of Scheduled Castes and Scheduled Tribes in this country.

Shri Umanath may be surprised, but in the form, only religion is mentioned. It is for you to mention your caste or it is for you not to mention it. The propaganda that if you do not mention your caste it will be considered that untouchability has been removed has created an impact, and therefore, at the time of the census operation, a

number of person either through ignorance or because of their gullibility or because they fall a prey to the propaganda, do not mention their caste. For that very reason I am emphasising it.

Reservation as a principle has a history. I am glad Mr. Hanumanthaiya is aware of it because he was also associated with Dr. Ambedkar. Originally, in order to give proper representation to scheduled castes and scheduled tribes, a separate electorate was demanded, but because of Mahatma Gandhi, it was given up and the Poona Pact in 1932 was signed. After that, at the time of framing the Constitution, we accepted the principle of double member constituency, so that the scheduled castes and tribes and the general community can, with the help of one another, get the representatives of both the general community as well as the scheduled castes and tribes elected to the Lok Sabha or state legislature. After the experience of 1952 elections, in 1957 second thought was given to this and at the time of Delimitation of Constituencies, the principle of single member constituency was accepted. What is its significance and importance? The significance is that there ought to be reconciliation between the general community and scheduled castes and scheduled tribes. To what extent that reconciliation has taken place in actual practice is a question each should put to himself. If there could be complete reconciliation, there would not have been so many atrocities committed on scheduled castes and tribes throughout the country. Not a Single State is free from this stigma. Only the other day just beyond the limits of Delhi, in Haryana, a scheduled caste family suffered at the hands of the general community. In Delhi itself, a year ago a number of atrocities were committed.

Therefore, my conclusion is, even though we have accepted reconciliation as the basis of the new structure of our society, it has been observed more in the breach than in its observance. Therefore, why not give general seats to the scheduled castes and tribes? If that is done, there can be reconciliation and understanding between the two. If we accept the Bill as it is, there would be an increase of certain seats, but apart from that, why is it that all political parties do not give general seats to scheduled castes

and tribes ? Mr. Sonavane was perfectly right in raising it. Can it be suggested that a member from the scheduled caste elected from the general seat would not be able to represent the general community ? Can I, in that event, raise a question, without reflecting on any single Member either present or not, the reverse of it, namely, that all the persons who are elected on the general seat are so competent that they represent their own constituencies or the people in the from in which they should represent ?

SHRI SONAVANE : Or equal to the Scheduled Castes and Scheduled Tribes.

SHRI R.D. BHANDARE : I may not go to the extent of deriving them to that extent but I am prepared to accept Shri Sonavane's proposition that some of the Members of the Scheduled Castes here are more competent than at least a few of the members who have been elected on the general seat. I am not making a specific, positive proposition but I am accepting the proposition of Shri Sonavane.

SHRI N. K. P. SALVE (Betul) : Are they competent or are they better representatives ? I thought, the point he made was that they would be better representatives.

SHRI R.D. BHANDARE : Competency includes better representation. It has its own connotation and meaning I thought, Shri Salve would be able to appreciate it, to put it very mildly.

Therefore, what I would like to suggest is that general seats must also be given to the members of the Scheduled Castes and Scheduled Tribes.

Coming to the representatives of the Scheduled Castes and Scheduled Tribes themselves, since under the Constitution we have been given the representation of the Scheduled Castes and Scheduled Tribes so that they can represent the Scheduled Castes and Scheduled Tribes in a proper, able and effective way. Why should they not arm themselves so that they can represent the people, the effect of which will be on the general community throughout the country ?

If the Members here are more effective, I am certain that it shall have its own effect on the people at large and to that extent the atrocities will be less. I do not say that atrocities would be eliminated *in toto*, because the class and caste structure is such that so long as we do not change the class and caste structure these atrocities in some form or the other will continue. But if we are to be effective in this House and in Legislatures, I am certain that to the extent we would be able to serve our community better than what we have been doing. Again, let me say, without reflecting on any single Member I am suggesting this proposition.

With these words, I again support the Bill, as it is moved, and I hope all political parties, forgetting what happened last week or 15 days ago, will support it not only wholeheartedly but understanding the principle of reconciliation and understanding that ought to be brought about in between the general community and the Scheduled Castes and Scheduled Tribes. With these words, I commend this Bill to the House.

SHRI S. KANDAPPAN (Mettur) : Sir, I fully support the Bill brought forward by Shri Suraj Bhan. To my mind the question of increase by a few seats or, as some Members have made out the case, the position of the total number of seats not being materially affected by passing this Bill is not strictly relevant for this discussion. It is the attitude and the approach that we have to make to this problem which, to my mind, is important.

Before coming to that, I would also like to point out that there is definitely going to be a slight increase as to the total number of seats in the Lok Sabha if the Bill is accepted. According to the rough calculation, I think, made by the Government if Shri Suraj Bhan's Bill is accepted, the total number of seats in the Lok Sabha will rise from 114 to 133. That is the calculation, I am told, they have made. So it is a rise of about 19 seats. 19 seats taken as such may not materially affect the fate of the Harijans or the Scheduled Tribes or the Scheduled Castes. But at the same

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time if we search our hearts and if we just think as to what has happened in the past two decades of Independence and what has happened to the promises made to the down-trodden people, to the underprivileged people in this country and the increasing agonies they are passing through in various parts of the country, it is definitely legitimate and very right on the part of the Community members to demand that they should have a representation on the basis of their population. Here I don't think anybody would try to make out a case against this Bill because there would be some reduction of the general seats. It will to that extent affect the general community. If anybody would like to make that suggestion, I would say it will be preposterous and most unfair. In the past we have been claiming and we say that we have even incorporated in our Constitution and statutorily provided for certain privileges and priorities in the matter of employment and other things. We claim that on one side and on the other side, knowingly or unknowingly we have been depriving them even of their due and rightful representation in Parliament as well as in Legislatures. So, according to the basis of the population, if they have to get 19 seats more, they must and they should get it. So, as far as the Bill is concerned, I am sure the Government will accept it and as regards my hon friend, Shri Bhandare who assured us that the Government has already accepted this...

SHRI R. D. BHANDARE : At least I have been given freedom.

SHRI S. KANDAPPAN : We all know what happens to so many assurances that the Government give in this House. So, when the promise comes not even from the Minister but from a Member of the Government side, naturally we cannot be so complacent and think it is done and it is already decided. Anything may happen next session. I would rather warn Mr. Bhandare and others. You better be vigilant and try to see that from the Government side there is acceptance to this measure.

SHRI R. D. BHANDARE : Any way we are going to support the Bill.

SHRI S. KANDAPPAN : When I say Mr. Bhandare, I mean the Government party.

Now actually by getting this measure, as I have said, passed, it is not as if they will have all the moral uplift and they will have all the material benefit that they have been longing to have for a long time in this country. But what is to be done? I would like to say very categorically which I had mentioned on the floor of the House on many an occasion, the Social Welfare Ministry at the Centre is more or less a propaganda poster which is used for election purposes. Nothing more is served by this department and the meagre allocation that they get is rather sufficient only to meet and disperse the administrative charges for the various proliferated departments that they have under them. So they should be a little more serious about it and if they genuinely want to do something, they should activate the work with regard to the prevention of untouchability, with regard to the up-lift of the downtrodden masses and with regard so to so many handicaps they are suffering from. That is one thing.

I felt a little aggrieved when members from the community while making speeches here, if you have watched them carefully, seem to be a little apologetic about the demand that they make. This is the kind of atmosphere in this country where even hon Members are Psychologically having that inhibition or Psychologically having that feeling that they cannot demand certain things in this country of ours as a right and only they can make a demand from the higher cast men at the help of affairs. This is something which is a very awkward situation in which we are still fighting and struggling to get over it. So this is the position which we have to get rid of. For that I would say and I would compliment Mr. Suraj Bhan very much. And I feel that Dr. Ambedkar when he had certain differences with Gandhiji, when we look at it from a distance as this after 25-30 years, I am sometimes inclined to think that Dr. Ambedkar was justified. He wanted to retain the identity of the Harijan community and he wanted to see that under no circumstance they are allowed

to be a pawan in the political games of the various Parties, Unfortunately, that is what has happened in this country. There may be a few Parties which are genuinely trying to do something but still we do find most of the political Parties definitely...*(Interruptions)*. I am sure we of the DMK are more or less identified with the backward communities. I think Mr. Salve agree with that position. There needs to be done much still. It is not enough. I do feel even in over own State we are having a lot of handicaps. In the this country which is under-developed there is a lot of problems of unemployment and under-employment. There is bickering for small jobs and big jobs. Naturally privileged community, which ever that community be, has the advantage and edge over the under-privileged community and the top-ranking administrative people being what they are, are naturally Psychologically averse to permit certain posts and berths to the underdogs. That kind of atmosphere is rather prevailing throughout the country. It may be a question of degree. It may not be so bad in my part of the country. It may be worse in other places. But still it is there. If you just take the senior cadre officers of Directors and Secretaries at the Central Government level, how many Harijans are there? If you look at the state level, how many are there? I am rather proud to say that our State seems to be the leading State in that respect in providing certain high posts of higher officers to backward classes. With regard to other State I find most of them are rather very backward. Tall promises are made during elections. They say qualified people are not available. This is the sort of situation. How long are we going to permit it to continue in this country? The constitution-makers thought in their wisdom that by providing a safeguard for about 20 or 10 years the problem would be solved. But now we have been extending it. I am afraid at this rate you cannot solve this problem even in a century unless otherwise perhaps the whole thing erupts and there is a conflagration in this country, a revolution in this country or to put in mildly the backward people and the down-trodden people take the law in their own hands. The day will come sooner or later. If

we are complacent enough to-day that they will continue in their slumbers for some time, we are thoroughly mistaken. I am sure the Government will realise the danger and how they are sitting over a volcano,

There is another problem. Most of the Scheduled Castes and Scheduled Tribes live in rural areas. There may be certain number in the urban centres but they live mostly in rural areas and 70 to 80% of our People are illiterate. In the the so-called national press, either in English or whatever be the language, all the representations that appear there or the demands that are made in the Press are from the microscopic minority which are literate and which mostly live in urban centres. If there is a small problem that a water tap is not functioning properly in a town, there is a letter to the Editor in the papers and proper authorities will learn about it and they will rush to the place and see that is rectified whereas in rural areas say in Madhya Pradesh for miles and miles together there is no drinking water for months together and people have to walk for mile and miles together and nobody from Bhopal or any other urban centre may know of it.

Then there are various shameful and disgraceful incidents which we come across. What comes to our notice by way of Calling Attention notices etc. on the floor of the House would be one per cent or two per cent of what actually happens in this country. I dare say that most of us are not getting information as to what really happens in the country, in its various nooks and corners; and what sort of difficulties these people are facing. This is high time for us to give very serious consideration to all these aspects.

This Bill that Mr. Suraj Bhan has brought is a basic right which they should demand. In fact, I may put it the other way. During the past 23 years, the upper class community, those who were at the helm of affairs, those who were controlling politics, and administration in this country, have been cheating the lower class people. They have been cheating them by giving the imp-

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ression or the pretension that they are being helped with certain reserve seats, but at the same time, not even giving their equal due and their equal ratio. So, actually, all along, they have been cheated. As hon. Members from the ruling side have already said, this is a Bill which we have to accept, although we have not heard as yet from the Ministers of the Cabinet. I hope Government will accept the Bill and that Government will see the awakening and the sense of feeling among the Members of this House as well as elsewhere and take a lesson from such things. I hope that they will realise that the country is not sleeping any more and that Harijans and Adivasis are very conscious about these things. I trust some serious consideration will be bestowed by the Government to this problem. That is why we are having this discussion for the past so many days; 20 hours or 25 hours have been fixed but what is the outcome of it? Every body patted Shri Hanumanthaiya, the Hon. Minister. I would willingly and happily join with them. He is an efficient, an able administrator. He is very sympathetic to Harijans. But what does this sympathy mean without sufficient money to back it? It will be of no avail. He can do precious little with the allocation that he gets. So, this kind of platitude must cease, and Government must seriously act upon it.

In fact, as I have once suggested, I would even prefer this Social Welfare Department at the Centre to be wound up and the money given to the various States. But then probably Mr. Bhandare may say, in that case, there would not be any check on the State Governments. Sir, I for one, would not like to give a position of superiority to the Central Government. If you think that the Central Government by some inherent virtue is better suited to do this kind of work than the State Governments, I do not agree there. We know this because of our experience.

SHRI R. D. BHANDARE : That is all right in your state. But what is the experience in other States?

SHRI S. KANDAPPAN : There can be sufficient safeguards and checks which Parliament can exercise and which Central Government can definitely exercise. That is not a very impossible thing. But, what is it

thata Central Department can do? I know the hon. Minister will say, "What could I do"? The Government has given me only so much money. Planning Commission has given me only so much money. Mr. Hanumanthaiya made history in Mysore State; he has made a mark for himself as a good administrator in this country. I hope under his leadership this department will really get some fillip; and some real work could be done.

With these words, I support this Bill and I hope that during the next session the whole House will unanimously carry this Bill.

SHRI D. AMAT (Sundargarh) : At the outset, I thank you for having given me the opportunity to speak for a few minutes at least at the fag end of the discussion on this Bill. Since the time at my disposal is very short, I shall be very brief.

First of all, I would like to quote a few figures from this book published by the Government of India. Here, it has been mentioned that Rs. 275 crores has been spent for the welfare of the backward Classes during the last 20 years. In addition to that, another Rs. 69 crores has also been spent for the welfare of the Scheduled Castes and Scheduled Tribes. Rs. 275 crores is a very big sum. If this is converted into one rupee denomination notes and the notes are spread lengthwise along the circumference of the globe, they will go round the earth six times. After spending such a huge sum, what have we so far achieved?

The result achieved so far is below expectation and very disappointing. In the case of Orissa, according to the present population based on 1961 census figures, the Scheduled Castes population is 42,23,757, that is, 24.07 per cent; the population of the Scheduled Tribes is 27,63,885. This makes a total of about 70 lakhs; but what is their representation in the Assembly? The number of Scheduled Caste is only 22 whereas it should have been 27; in the case of the Scheduled Tribes, the number of MLAs is 34, whereas it should have been 42. Orissa having the highest concentration of Scheduled Tribes and Scheduled Castes, the total population of backward classes is about 69 lakhs.

As for education, their literacy percentage is only 7.2, which is a very poor percentage. In Schools and Colleges, their enrolment is not up to the mark. The Scheduled Castes and Scheduled Tribes students are not considered sympathetically, though there is a specific percentage reserved for the Scheduled Castes and Scheduled Tribes and other backward classes of this category. It will not be an exaggeration to say that the backward Classes people are not only geographically isolated but also socially segregated. So, the only way out to bring them on a par with the other people of India is through education and solving their economic problem. So, scholarships, stipends and full cost of the School buildings in the far flung villages of the Scheduled areas or Adivasi villages must be provided. Nutritious mid-day meals should be provided to them. If they will be educated, untouchability will also automatically vanish away. Besides, the pressure on Services is also a burning problem now a days. So, the Scheduled Castes and Scheduled Tribes students should be imparted education which is craft-based and employment-oriented, so that after leaving the schools they will not be a burden on Government for employment. They should learn to maintain themselves.

Again, up till now, there is no reservation for the Scheduled Castes and Scheduled Tribes, in the Armed Forces of India. This is a clear violation of article 335 of the Constitution of India in its applicability to this field of public service. So, the objective of a classless society is a farce. We find from the UPSC reports for the last 15 years, that is, the period from 1950 to 1965, that about 8,000 boys were recommended for different cadres and services but to our utter dismay we find that only 9 Scheduled Castes and 5 Scheduled Tribes were appointed. This is very discouraging. This shows where we stand in connection with the admission or entry into the different services under Government.

In this connection, I would like to quote what Mahatma Gandhi had written in *Young India* dated June 6, 1947. He had said :

“All the neglected classes of Scheduled Castes so-called aboriginal classes

should receive special treatment in the matter of housing and education. But lip sympathy has been shown towards the Scheduled Castes and Scheduled Tribes who are said to be the weaker sections of the society.”

The Scheduled Castes and Scheduled Tribes form the hard core of the backwardness of the country. There is a deliberate attempt and leeward behaviour to keep these people out of services—defence and military services—in spite of the clear constitutional provision for their free entry into all public services.

I shall cite some startling facts regarding ordnance factories which were disclosed in the 55th Report of the Estimates Committee of the Lok Sabha 1956-57 that in regard to civilian employment in the Defence Ministry, there has been little improvement in the representation of the Scheduled Castes and Scheduled Tribes. This is an official report. Uptill now 17 annual reports have been presented to this august House since the exalted post of the Commissioner was created in 1950. Their various recommendations are there only in the reports; they are never implemented.

So frustration and resentment are gathering momentum among the Scheduled Castes and Scheduled Tribes. On 8 August, 1968, the 14th and 15th Reports of the Commissioner were being discussed in this august House. What happened? Government took it very lightly, as usual and was caught unawares by a snap defeat on a motion. As a result, the constitutional safeguards are not being implemented. This is a sufficient lesson for the Government.

Now I come to the central welfare schemes. Under art. 338 (2), a special officer designated as Commissioner is to be appointed to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution and their implementation. But what is actually happening? The post of Director General for Backward Classes Welfare was created in 1963. Under him, Zonal and Deputy Directors are working for backward classes welfare. What are the duties and functions of these Zonal and Deputy Directors? Is it a fact that most of these officers posted in

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the zones have no function as the implementation of welfare schemes is done through the State Governments concerned? If so, are these posts not superfluous and unnecessary?

This only adds to overall administrative expenditure.

MR. CHAIRMAN : His time is up.

SHRI D. AMAT : This is the first time I am speaking in the last 3½ years.

We are thinking in terms of pruning the plans for want of resources to harness the projects. It is well known that several schemes under the States could not be financed for want of funds.

So I do not think it is desirable at the present juncture to maintain an elaborate set up under the DG and posting a large number of officers at the zonal level headquarters numbering about 17 regional offices.

The Commissioner for the Scheduled Castes and Schedule Tribes who is only to evaluate and report on the constitutional safeguards for the tribes has a large office. Unnecessarily and for no reason, he has been divested of the Supervisory function after the creation of the post of DG, Backward Classes Welfare. It is rather a waste of money to have such a huge office under the Commissioner.

The Commissioner collects data and information from State Governments for submission of his annual report. So how is such a huge organisation under the Commissioner justified. What is the necessity of maintaining white elephants at the cost of money meant for the Scheduled Castes and Scheduled Tribes? Their duties are only to visit places sporadically and give false assurances to the half-fed, ill-clad, uneducated and innocent people who hardly get a square meal a day. Their assurances are also never implemented.

The Central Social Welfare Board is a unique phenomenon in the history of welfare of backward classes. They produce voluminous annual reports and other books only.

Also it is a unique coincidence that this Board was registered as a charitable company on 1st April 1969 under the Companies Act of 1956. It is the day of the great April fool! You should not try to make further fools of the Adivasis and Harijans.

In support of my apprehension, I would like to draw the attention of the hon. Minister to a news item which appeared in the *National Herald* of 30th August, 1968, which says: "These are all charitable companies and flourish at the cost of Scheduled Castes and Scheduled Tribes. They are the real exploiters."

In addition to this, there are other voluntary organisations also to work for the Scheduled Castes and Scheduled Tribes, namely, Harijan Sewak Samaj, Bharatiya Depressed Classes League, Bharatiya Dalit Sewak Sangh, Hind Sweeper Sewak Sangh, Servants of India Society, Tata Institute of Social Welfare, Ishwar Saran Ashrama and Bharat Sewak Samaj of which there has been much discussion and debate on the floor of the House.

The 17th Report of the Commissioner of Scheduled Castes and Scheduled Tribes for 1967-68 also says that these voluntary organisations can do more effective work. So, instead of maintaining such a huge and elaborate organisation under the Commissioner, the Government should entrust this work to the voluntary organisations.

Over and above all this, there is the Yojana Bhavan in Parliament Street, New Delhi, the abode of the Planning Commission which has to organise study teams on tribal development programmes, with the object of giving practical effect to the various recommendations.

So, to avoid top heavy administration, I suggest to the Government that the post of Director General with all his paraphernalia be abolished and the money meant for the Scheduled Castes and Scheduled Tribes should be given directly to the respective States. Thus a saving of 80 per cent on the staff and establishment can be effected. The money so saved should be utilised for reclaiming lands and giving them to the Adivasis to avoid this land grab activity, escalated by anti-social elements.

I may mention another thing which has not been done so far. The Dhebar Commission Report of 1960-61, in Volume I, Chapter 39, page 416, has clearly mentioned that the following areas should be declared as scheduled areas, Champua and Anandapur Sub-Division of Keonjhar District, Baud Sub-Division of Phulbani District, Kashipur Taluk of Kalashandi now under Korapur District, Deograh and Kochinda Sub-Division of Sambalpur District, Juangpirh area of Pallahara Sub-Division and Saurika area in Kamakhyanagar Sub-Division of Dhenkanal District. These areas have the highest concentration of Scheduled Tribes in Orissa. Till now they have not been declared as scheduled areas. All facilities should be given to these people. Out of sight out of mind should not be the rule. Their case should be taken into consideration. While concluding my speech I suppose the bill with thanks of the chair.

MR. CHAIRMAN : Shri Basumatari, May I request the speaker to be as brief as possible because the number of speakers is large ?

SHRI BASUMATARI (KOKRAJHAR) : I have heard the last speaker with rapt attention. The Bill which has been introduced by Shri Suraj Bhan is very befitting. The hon. Minister has been a Chief Minister and is one of the national leaders. He knows the difficulties of the Scheduled Castes and Scheduled Tribes. I hope he will be able to convince the Government to accept this Bill. This Bill only seeks to do justice to the Scheduled Castes and Scheduled Tribes by increasing the number of seats. There are various ways in which the Scheduled Castes and Scheduled Tribes have been deprived of their rights so far. The Scheduled Tribes have been deprived of many economic and political facilities. The hon. Members may not know how. A Scheduled Caste is a Scheduled Caste wherever he goes, to whatever community he belongs. In regard to Scheduled Tribes, it is amazing, in fact shameful. If a Scheduled Tribes goes out of the area where he lives declared by the President as the Scheduled Area according to the Fifth or Sixth Schedule, he is deprived of many facilities laid down in the Constitution. In Chambal, in Madhya Pradesh, one-third of the tribals

had been deprived of being listed in that State because of the declaration of the Fifth Schedule. My friend suggested that some areas should be included. Even if that area is included, members of the same family may not be included in the list in some other area. He will have to await the revised list of Scheduled Castes and Tribes that has been introduced but I am in doubt whether it is going to be passed as intended.

Hon. Members point out that three reports of the Commissioner and the report of the Elayaperumal Committee are discussed together after three years. It only shows how sincere the Government is about their development. We see the attention paid to our speeches here. There is no point in being emotional unless the speech is heard. Whenever we speak here elsewhere we are laughed at. That is the tragedy about these people.

My friend referred to the percentage of these people in the services. It is 2.11 in class I and 3.11 in class II—I mean the percentage for Scheduled Castes. The percentage for the Scheduled Tribes is 0.59 in class I and 0.41 in class II like that. 'We the Tribals have not been able to come up to even one per cent, in class I or II. The IAS figures are better because there are pre-examination centres in Allahabad, Madras and now in Punjab. In these three areas, the IAS results are slightly better. I request the Minister to suggest to all the States to have similar examination centres for class I and II services also.

An hon. Member suggested that a committee similar to the Committee the Welfare of the Scheduled Castes and Tribes in Parliament should be constituted in the States also. So far as I know the hon. Minister's State, Mysore alone has constituted a similar committee. He should suggest to all the States also to have such committees so that the conditions of these persons could be discussed every year and improvements suggested in the Assemblies. If the Bill on the revision of lists is not coming during this session, he should press the Government and the concerned Parliamentary Committee to bring it in the first week of the next session. This Bill has to be accepted by the Government because it concerns with seats for Scheduled Castes and Scheduled Tribes.

[Shri Basumatri]

If this Bill is accepted, and if you remove area restriction, then, as I said earlier, one-third of the Scheduled Tribes who have not yet been included as Scheduled Tribes, will be included. Why I stress this point is because we have extended the time for reservation of Scheduled Castes and Scheduled Tribes for another 10 years, so that these unfortunate people can get the benefit of the last fully three years. Since days Independence. Much injustice has been done to them:

As you know, many of the Scheduled Tribe people in the tea-gardens in Assam were deprived of the benefit only on the ground that they belong to a shifting population or a floating population, and that they were going from Madras or elsewhere to work in the tea-gardens. They had been shifting like that in the British times. So, they were considered as belonging to a shifting population and not included in the population of Scheduled Castes and Scheduled Tribes. In Assam Now, there is no question of their shifting. They are all citizens of Assam, and they have equality with others and they could all be taken as belonging to the tribals if the area restriction is removed. At the same time, there are some other tribes who have migrated from other States outside the tea-gardens. They are also tribals. So is the case in Orissa, as an hon. Member pointed out earlier. Not only are they living in the Scheduled Areas, but there are so many other areas outside the Scheduled Areas where they live, and one-third of the tribal population in Orissa and also in Bihar has been deprived of this benefit. I hope the Minister in charge will take this into consideration. I know he is a very sincere man and at the same time hard working. Not only that. He is a man of strong mind. I know him very well since 1946, from the days of the Constituent Assembly. Since then, he has been one of the eminent men who often changed the policy the Congress. Every time when there was a need for change, Whenever a President or somebody high in office continued as such for three to five years, Mr Hanumanthaya used to ask, "Why, is there no other man to replace him?" So, I hope he will exercise his own judgment, because, as I said, he is a man of strong mind and strong determination, I Hope he will do justice

to the Scheduled Castes and Scheduled Tribes.

As I said the other day, we are very glad to have him as the Minister in charge of the Department, dealing with the welfare of Scheduled Tribes and with the Social Welfare Department. Previously I used to say that this Department should be dealt with either by the Prime Minister or at least the Home Minister. Now, I have modified it and feel that Mr Hanumanthaiya will do justice to this department. I request him to see that this becomes a Ministry manned by a full-fledged Minister. A separate Ministry should be formed for this Department.

With your permission, I might also submit that this department of Social Welfare has almost become, or it seems to be, defunct. They cannot reply to the queries; they cannot do anything. From the way it is now administered, I am constrained to say so. I request that the Minister must take that aspect also into consideration, and I hope he will go into the matter deeply and seriously and do justice to the cause of the unfortunate Scheduled Castes and Scheduled Tribes.

SHRI S. M. BANERJEE (KANPUR) : Sir, it was decided in the morning that at 5 O'clock the House would be deciding whether to sit tomorrow or not, and then...

MR. SPEAKER : It will be decided by the Speaker. (*Interruption*)

SHRI S. K. TAPURIAH (Pali) : The decision has already been taken.

SHRI BAL RAJ MADHOK (South Delhi) : It cannot be decided again. In the House it has already been decided that on Saturdays the House will not sit. Now, you cannot reverse the decision. The decision has been taken last time. They cannot again take another decision in a huff. (*Interruption*)

SHRI S. M. BANERJEE : I am not talking of Saturdays only. (*Interruption*)

MR. CHAIRMAN : Please resume your seats.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANS-

PORT (SHRI RAGHU RAMAIAH) : A formal motion is coming.

MR. CHAIRMAN : A formal motion is coming. (*Interruption*) Please hear me, when the hon. Speaker was in the Chair this morning, this question was raised ; and he is coming before the House. Either you negative it or you pass it, when it comes before the House.

SHRI PILOO MODY (Godhra) : Rule 338 says :

"A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session."

Therefore, this motion cannot be brought.

MR. CHAIRMAN : When the motion comes, it will be decided.

SHRI D. N. PATODIA (Jalore) : At what time is it coming?

SHRI BALRAJ MADHOK : It is a very important matter. Will it be decided at the far end of the day ?

SHRI RAGHU RAMAIAH : A motion has already been given by Mr. Umanath and I am told by the Lok Sabha Secretariat it is being circulated to members. it will be brought up here at 6 O' clock.

SHRI PILOO MODY : Why not at 9 O' clock? or 12 O' clock

SHRI RAGHU RAMAIAH : It has to be circulated and it is coming.

MR. CHAIRMAN: Mr. Shiva Chandika Prasad.

श्री शिव चंडिका प्रसाद (जमनेदपुर) : सभापति महोदय, मैं उस कांस्टिट्यून्सी से आता हूँ, जहाँ पर काफी संख्या में हरिजन और आदिवासी लोग रहते हैं। वहाँ पर काफी पढ़े लिखे हरिजन और आदिवासी भी हैं। मैंने कुछ

दिन पहले काफी पढ़े लिखे मेट्रिक और ग्रेजुएट हरिजनों और आदिवासियों के नामों की सूची भी मंत्री महोदय के पास भेजी है। (*Interruptions*).

SHRI PILOO MODY : The Parliamentary Affairs Minister is making a mockery of the rules of this House. He has completely undermined the whole basis of democracy. Why should he show his back to the Chair and go on conversing ? (*Interruptions*).

श्री शिव चंडिका प्रसाद : मैं कह रहा था कि मैं एक ऐसी कांस्टिट्यून्सी से आता हूँ जहाँ पर काफी कारखाने हैं, सरकारी दफ्तर हैं और स्कूल हैं। मैं चाहता हूँ कि इन सभी जगहों में कम से कम आठवीं कक्षा तक के टीचर्स और क्लास 4 की नौकरियों हरिजन और आदिवासी भाइयों के लिये रिजर्व कर दी जायें।

दूसरी बात यह है कि हरिजन और आदिवासी क्षेत्रों में सड़क बनवाने, स्कूल चलाने कुएं बनवाने, ट्यूबवेल लगवाने—माइनर और मेजर इरिगेशन वगैरह के कामों के लिये, अस्पतालों के लिये और मकान बनवाने के लिये सरकार को रुपयों से और भी ज्यादा मदद करनी चाहिये।

मैं यह भी चाहता हूँ कि इन क्षेत्रों में काफी संख्या में ग्रेन गोला खोली जायें। अब हरिजन और आदिवासी भाइयों की सुविधा के लिये उन की संख्या और भी बढ़ाई जायें। जितने भी इंडस्ट्रियल एरियाज और जहाँ हरिजन और आदिवासी भी रहते हैं वहाँ से दारू भट्टी हटा दी जाय और आगे नहीं खोली जाय।

अन्त में मेरा सुझाव यह कि बहुत से ऐसे क्षेत्र हैं, जैसे जमशेदपुर में और आस पास की जगहों में, जहाँ हरिजन और आदि-

[श्री शिव चण्डिका प्रसाद]

बासियों के डाई-डाई तीन तीन वर्ष के बच्चों के पढ़ने का कोई अच्छा प्रबन्ध नहीं है। सरकार को चाहिये कि उन के लिये वहाँ पर रेजिडेंशल स्कूल खोले और सरकार की तरफ से वहाँ होनहार और उज्ज्वल भविष्य वाले बच्चों को पाला जाये, पढ़ाया लिखाया जाये ताकि वे अच्छे वातावरण में रहें। अगर यह प्रबन्ध हो जाता है तो आगे चलकर बड़े समझेंगे ही नहीं कि वह हरिजन या आदिवासी हैं। उन रेजिडेंशल स्कूलों में रह कर अच्छे नागरिक बन कर निकलेंगे और आगे चलकर हिन्दुस्तान के लिये बड़ा अच्छा काम करेंगे।

श्री शिव चरण लाल (फ़िरोज़ाबाद) : सभापति महोदय, श्री सूरजभान ने जो बिल पेश किया है, इसका मैं हार्दिक सन्मर्थन करता हूँ। इसके साथ ही मैं सरकार की लापरवाही तथा उपेक्षा वाली नीति की निन्दा भी करना चाहता हूँ। यह जो बिल है यह पास तो होगा ही लेकिन देखना यह है कि इसके पास होने के बाद भी क्या होता है। हम बीस साल से देख रहे हैं कि प्रस्ताव पास होते हैं लेकिन पास होने के बाद भी उन पर अमल नहीं हुआ है और उनके लिए कुछ नहीं किया गया है।

फनक नारे लगाने से सियासत कैसे बदलेगी
जबानी बात करने से दियानत कैसे बदलेगी
अमल से दूर हो कहना तो आदत कैसे
बदलेगी

जब रूप ही बदले फिर हकीकत कैसे
बदलेगी।

जहाँ कथनी और करनी में बहुत अन्तर हो तो कैसे आशा की जा सकती है कि 22 साल से जो हरिजनों की भलाई की बातें की जाती रही हैं, उनको कार्यरूप दिया जाएगा। हमें आशा थी कि जब हमारी सरकार बनेगी तो इन हरिजनों का कल्याण होगा। लेकिन

हमारी यह आशा पूरी नहीं हुई।

पिछले बजट में हरिजनों की चर्चा हुई थी। उस चर्चा में मैंने यह कहा था कि केन्द्रीय सरकार जितने आश्वासन हरिजनों की हालत को सुधारने के लिए देती है, छुआछूत को मिटाने आदि के सम्बन्ध में देती है, उनका नतीजा यह हो रहा है कि समस्याएँ सुलझाने के बजाय उलझती जा रही हैं।

मैं कहना चाहता हूँ कि जहाँ तक नौकरियों का सम्बन्ध है, हरिजनों को उन लोगों के साथ मम्पीटीशंज में कम्पीट करना पड़ता है, उन के साथ आप इनको बिठा देते हैं जो अंग्रेजी स्कूलों में पढ़े लिखे होते हैं, जो सूट और टाई पहनते हैं, जो मम्मी डेंडी कह कर अपने माता पिता को पुकारते हैं जबकि इन हरिजनों के बाप दादा या पड़दादा कभी पढ़े नहीं थे। उनके मुकाबले में इनको बिठाया जाए तो कहां से वे इनका मुकाबला कर सकते हैं।

एक बहुत ही शर्म की बात मैं आपको बताता हूँ। यहाँ लोक सभा में नौकरियाँ निकली थीं। हरिजनों के लड़के बी० ए० पास थे, सैकंड डिविजन में पास किया था। उसको उसके नम्बर देख कर ही फेल कर दिया गया। मैंने एम० पी० से इसकी शिकायत की है। अब आप ही बताएं कि क्या हो रहा है? जो बिल आया है यह तो पास होगा ही किन्तु 22 साल से हरिजनों पर जो अत्याचार हो रहे हैं, उसके उपर सरकार आज भी कोई ध्यान नहीं दे रही है और उनके साथ न्याय नहीं कर रही है।

आप देखें कि कहाँ तक अन्याय हरिजनों के साथ हो रहा है? उनको मुर्दा जलाने तक की जगह नहीं मिल रही है इस युग में। हरिजनों के नाम से बात तो की जाती है और उनके नाम से कई संस्थाएँ भी बनी हुई हैं

लेकिन वास्तव में हरिजनों के नाम पर लूट चल रही है। जो उन संस्थाओं को अनुदान मिलते हैं वे जिन को जाने चाहिए, जिन पर खर्च होने चाहिए नहीं होते हैं। मैं आपको उदाहरण देना चाहता हूँ श्मशान में भी अछूतों के लिए स्थान नहीं मिलता है। भ्रसर उजाला जो 12 अगस्त का है उसमें यह खबर छपी थी :

धलगढ़ 1 अगस्त। खैर के ग्राम बिरोना में एक हरिजन के शव को श्मशान में न जलाने देने का समाचार मिला है।

पता चला है कि जब लोग छिद्दा हरिजन के शव को दाह संस्कार के लिए ले जा रहे थे, कुछ लोगों ने रोक दिया।

हरिजनों के पास अपनी कोई ऐसी भूमि नहीं है, जहां वे दाह संस्कार कर सकें। जिला अधिकारियों से हस्तक्षेप की अपील की गई है।

नतीजा यह हुआ कि शव को वे चादर में लपेटे हुए डोलते फिरते रहे और उनको जलाने के लिए स्थान नहीं मिला और शव सड़ गया। नई दिल्ली तक में मोची गांव में इनकी श्मशान भूमि पर नई दिल्ली नगरपालिका ने काटेदार तार लगा दी है। अब वहां ये जा नहीं सकते हैं। गरीब आदमी दो रुपया खर्ज करके जमुना पर जा कर दाह संस्कार कर नहीं सकते। इतनी शोचनीय दशा इनकी है।

अब आप अनुदानों की बात को ले। नई दिल्ली में है एक संगठन है हिन्द मेहतर सेवक समाज, नई दिल्ली जिस को 1 लाख 21 हजार 176 रुपये अनुदान के दिए गए हैं। यह रुपया जाता है, कहां खर्च होता है, इस पर आपका ध्यान जाना चाहिये। समाज कल्याण मंत्री से मैंने एक सवाल किया था हिन्द स्पीयर सेवक समाज के बारे में। मेरा सवाल 503 नम्बर का था कि हिन्द स्वीपर सेवक समाज को प्रति वर्ष कितना अनुदान दिया जाता है ?

इस के उत्तर में मुझे बताया गया कि 1966-67, 1967-68 और 1968-69 में क्रमशः 27,392 रुपये, 52,412 रुपये और 82,521 रुपये के अनुदान दिए गए। मैं चाहता हूँ कि बताया जाए कि इन अनुदानों की राशियों को कहां खर्च किया गया, किस तरह से किया गया ? अगर इनका दुरुपयोग हुआ तो आपने क्या कार्रवाई की। इसी तरह से भारतीय दलित वर्ग लीग नई दिल्ली को 1,18,440 का अनुदान मिला है। अब आप ही बताइये क्या यह काम दिल्ली में ही करने के लिए रह गया है, देहातों में नहीं किया जाना चाहिये ? अगर यह रुपया ग्रामीण जनता पर खर्च किया जाता तो क्या अच्छा नहीं होता और क्या उसका सदुपयोग नहीं होता ? वहां पीने के लिए पानी के कुएं तक नहीं हैं, पानी उनको पीने के लिए नहीं भरने दिया जाता है। अनेक प्रकार की असुविधाओं का उनको वहां सामना करना पड़ता है। लेकिन दिल्ली में छुआछूत को दूर करने के लिए उनको अनुदान दे दिये जाते हैं। इसी तरह से और भी संस्थाएँ चल रही हैं जैसे हरिजन सेवक संघ, दिल्ली जिस को 6 लाख 89 हजार 641 रुपया अनुदान के लिए दिया गया है एक साल में। इसका काम क्या है ? अस्पृश्यता विरोधी प्रचार, संस्कार केन्द्र, क्रेष, तकनीकी प्रशिक्षण, अनुसूचित जातियों के लिए आश्रम स्कूल, संमार्जकों और मेहतरों की कार्यदशाओं में सुधार। ये सुधार कहां कहां हो रहे हैं, यह मैं जानना चाहता हूँ ?

लोकुर कमेटी की रिपोर्ट के 14 नम्बर के पैर की तरफ मैं आपका ध्यान दिलाना चाहता हूँ। हरिजनों में भी एक विशेष वर्ग है जो इन सारी सुविधाओं का उपभोग कर रहा है और उनको वह वर्ग खा जाता है। उस में यह लिखा है :

कुछ समय से इस बात का साक्ष्य है कि अनुसूचित जातियों तथा अनुसूचित

[श्री शिव चरण लाल]

आदिम जातियों के लिए जो रियायतें रखी गई हैं उनका एक बहुत बड़ा भाग अधिक संख्या वाले तथा राजनीतिक दृष्टि से सुसंगठित समुदाय हड़प जाते हैं।

मैं चाहता हूँ कि इस सब की पूरी जांच होनी चाहिये। मैं चाहता हूँ कि आप हरिजनों के साथ न्याय करें। उन में भी ऐसा है कि बड़ी मछली छोटी मछलियों को खा जाती है। इस को आपको तोड़ना चाहिये। आप बताएं कि कितने बाल्मीकियों को आपने कलंबटर बनाया है, मिनिस्टर बनाया है, कितने कंजरो, कितने घोबियों को और कितने धानुकों को को बनाया है। जो सवाल मैंने आप से किया था उसका आपने उत्तर दे दिया है। मैंने श्रीमती फूल रेणु गुहा से कहा था और मैं आप को भी चिट्ठी लिखने वाला हूँ। आप दिल्ली में लाखों रुपया बरबाद कर रहे हैं। उसको आप बन्द करें और उस रुपये को आप देहातों में खर्च करें। वहाँ छुआछूत है। वहाँ कुएं नहीं हैं, लोगों के पास रहने के लिए भोपड़ियां तक नहीं हैं। उन के वास्ते शोपड़ियां और मकान बनाने पर आप रुपया खर्च करें।

अन्त में मैं इतना ही कहूंगा कि आप हरिजनों के साथ न्याय करें और किस तरह से रुपया खर्च किया जाता है, इसकी आप जांच कराइये। मैं यह भी चाहता हूँ कि हरिजनों के साथ आप ईमानदारी का बरताव करें।

श्री ओंकार लाल बेरवा (कोटा) : यह जो बिल पेश किया गया है इसका मैं हृदय से समर्थन करता हूँ। जो बात आप से बाईस साल पहले हो जानी चाहिये थी कांग्रेस के राज की वजह से वह नहीं हो पाई है। 275 करोड़ रुपया इन्होंने शैड्युल्ड कास्ट और ट्राइब्स के नाम पर खर्च किया है। इस में से डेढ़ सौ

करोड़ रुपया ही उनको इन्होंने खिलाया होगा और बाकी सारा ये **

सभापति महोदय : यह रिकार्ड पर नहीं जाएगा। जो एलीमिनेशन इन्होंने लगाए हैं और जो दू दी प्वइंट नहीं होगा वह रिकार्ड पर नहीं जाएगा। एलीमिनेशन रिकार्ड पर नहीं जाएंगे।

(Interruption). What proof has he got that the Department has mismanaged the amount ? I will not allow such wild charges to be made. He must write to the Speaker first and then bring the charge against anybody,

SHRI P. K. DEO (Kalahandi) : That applies in the case of a charge against an individual; not against the Department. When there is a charge against any individual, only than the previous intimation is to be given to the Speaker. But when a charge is against the mismanagement of the Department or the Government, that is not necessary. (Interruptions)

श्री ओंकार लाल बेरवा : यह गवर्नमेंट पिछले तेईस सालों में हमारा खून पी गई है। हम को यह बात कहनी पड़ेगी, दस बार कहनी पड़ेगी। (व्यवधान) **

सभापति महोदय : यह रिकार्ड पर नहीं जायेगा। माननीय सदस्य सोबर्ली बोलें।

श्री ओंकार लाल बेरवा : वह रुपया कहाँ चला गया ? हरिजनों और आदिवासियों का काम एक पाई भी नहीं हुआ।

बैंकों का राष्ट्रीयकरण किये हुए एक साल हो गया है। आप बैंकों की रिपोर्ट मंगा कर देख लें, उन में दो परसेंट भी हरिजन सविन में नहीं है।

इस समय हाउस में हरिजनों और आदिवासियों की समस्याओं के बारे में वाद-विवाद हो रहा है। लेकिन इस समय यहाँ पर कितने

सदस्य हैं ? अगर यहां पर रवड़ी खाने का कार्यक्रम होता, तो सारा हाउस भरा होता। लेकिन आज एक भी सफेद टोपी नहीं है। हम बैठे हुए हैं। (व्यवधान) अगर उन लोगों को हरिजनों और आदिवासियों के साथ हमदर्दी है, तो कम से कम बैठ कर सुनें तो सही। लेकिन उन के कान पर जूं भी नहीं रेंगती है। वे हमारी बात भी नहीं सुनना चाहते हैं। कांग्रेस की बैठें खाली पड़ी है। सिर्फ तीन चार आदमी बैठे हुए हैं। एक ऊंच रहा है और दूसरा बात कर रहा है। (व्यवधान) गवर्नमेंट शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के कारण बिन्दा है लेकिन वह उन की बात भी सुनने के लिए तैयार नहीं है। मान लीजिए, अगर इस सदन में शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के सदस्य 120 न हो कर 180 होते, तो ये लोग हमारी चम्पी करते। इसलिए आवश्यक है कि हमारी जनसंख्या के मुताबिक हमारे लिये सीट्स रिजर्व की जायें।

अगर हरिजनों को ऊंचा उठाना है, तो हर एक हरिजन एम० एल० ए० को चुनाव लड़ने के लिए पाँच हजार रुपये और एक जीप और हर एक एम० पी० को हम हजार रुपये और दो जीपें दी जायें।

श्री कर्तिक उरांव (लोहारडगा) : और आदिवासी को ?

श्री ओंकार लाल बेरबा : आदिवासी को पंद्रह हजार रुपया। बेचारा गरीब आदमी चुनाव में बड़े आदमियों का मुकाबला कैसे कर सकता है ? गांवों में शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज की कोई वृक्कत नहीं है। उनको वोट नहीं डालने दिया जाता है। चुनाव के समय उनको उनके घरों में बन्द कर दिया जाता है। इसलिए ऐसी व्यवस्था की जाये कि ग्राम पंचायतों के चुनावों में इन जातियों की जनसंख्या के आधार पर पंच और सरपंच आदि चुने जायें।

दिल्ली, नसीराबाद, झाबू और अजमेर

आदि जितने भी संघराज्य या कैंटूनमेंट्स हैं, उनमें बेरवा कम्युनिटी को शिड्यूल्ड कास्ट्स में नहीं लिया गया है, जबकि दूसरे राज्यों में वे शिड्यूल्ड कास्ट्स में सम्मिलित हैं। दिल्ली में बेरवा कम्युनिटी के चार लाख आदमी हैं, लेकिन उनको शिड्यूल्ड कास्ट्स में नहीं लिया गया है, क्योंकि कल वे इन लोगों की छाती पर मूँग दलने वाले हो जायेंगे। इस लिए हमको शिड्यूल्ड कास्ट्स से अलग रखा जा रहा है और हमें अपने अधिकार नहीं दिये जा रहे हैं। मैं सरकार से इस बात का विरोध प्रकट करता हूँ। ये लोग श्री जगजीवन राम की चम्पी करके यहां पर आ गए हैं। अगर ये लोग स्वयं अपने पैरों पर खड़ा होना सीखें, तो हमारी सब कठिनाइयाँ हल हो सकती हैं।

17.26 hrs.

MR. DEPUTY-SPEAKER in the Chair

जहाँ तक शिक्षा का सम्बन्ध है, मैं यह जानना चाहता हूँ कि कितने हरिजनों और आदिवासियों को विदेश में शिक्षा प्राप्त करने के लिए छात्रवृत्तियाँ दी गई हैं। एक दो को भी नहीं। जिन लोगों को छात्रवृत्तियाँ देकर विदेशों में भेजा जाता है उनमें कोई गुप्ता है, कोई जैन है, और कोई शर्मा है। इनफर्मेंशन और ब्राडकास्टिंग के महत्व में चार भी हरिजन अधिकारी नहीं हैं। फिर भी यह सरकार कहती है कि वह हरिजनों और आदिवासियों का कल्याण कर रही है। इन तेईस सालों में उसने हमारा जरा भी उद्धार नहीं किया है। नाम हमारा है, लेकिन काम इन लोगों के होते हैं। कहा जाता है कि समाज कल्याण विभाग को इतना रुपया दे दिया गया है। जब डायरेक्टर, होस्टल का सुपरिन्टेंडेंट, कमिशनर और दूसरे बड़े अधिकारी शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के होंगे, तब हम समझेंगे कि यह सरकार इन जातियों के लिए कुछ करना चाहती है। इस समय तो इन सब पदों पर शर्मा जैन, और गुप्ता आदि हैं। जब मैं भारत में

श्री ओंकारलाल बेस्वा
राष्ट्रपति और प्रधान मन्त्री के पदों पर शिड्यू-
लड कास्ट्स और शिड्यूलड ट्राइब्ज के व्यक्तियों
को देखूँगा, तभी मैं समझूँगा कि देश को
आजादी मिली है।

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष
महोदय, श्री सूरज भान ने जो संविधान(संशो-
धन) विधेयक पेश किया है

MR. DEPUTY-SPEAKER : You can
continue the next day. We pass on to the
next item.

11.30 hrs.

HALF-AN-HOUR DISCUSSION

RESTRICTION ON INDIANSTAKING WINE IN BIG HOTEVS IN DELHI

MR. DEPUTY-SPEAKER : we shall
now take up the half-an-hour discussion
to be raised by Dr. Sushila Nayar. This
was originally fixed for the 21st August,
1970. The discussion, however, was post-
poned and it is being held now. The
ballot of notices seeking permission to
partieipate in the discussion received under
rule 55 (5) which was held on the 21st
August, 1970, the date originally fixed for
the half-an-hour discussion holds good for
today also. Therefore, the Members who
secured the first four positious in the ballot
held on the 21st August, 1970, will also
participate in the discussion in addition
to the Mover.

DR. SUSHILA NAYAR (Jhansi) : I am
raising this discussion on points arising out
of the answers given to Starred Question
No. 34 on the 28th July, 1970, regarding
discrimination against Indians at the hotel
bars. The hon. Minister had replied on
that day there was no discrimina-
tion. He said that Indians staying in
hotels could drink but other Indians
could only be served durinks in the
hotel bars if they were the guests of for-
eigners. Is this not discrimination?
What then is the meaning of discrimina-
tion? I think this estriiction is not only dis-
crimination and halds Indians second-class
citizens, but it is something worse; it
makes beggars of Indians. It means more
or less virtually forcing them to become

dependent on their foreign friends to buy
them a drink.

As you know, I am opposed to drinking
altogether. I stand for complete prohibi-
tion. Therefore, when the Minister says
that he is not going to allow the facilities
granted to foreigners to be used by Indians
to have a good time etc. etc., I sympathise
with this object, but I think that a better
method to achieve it would be for the
the Minister to stop serving drinks to all
people, foreigners or Indians, at the hotel
bars.

I have nothing to say against restrictions
on drinking. I however, do feel that these
restrictions should apply equally to foreig-
ners and Indians. If certain concessions are
to be given to foreigners, I can understand
it, and, they may serve them drinks in
their own rooms. So long as there is no
prohibition or there is partial prohibition
in any particular State, those who stay in
the hotels, if they come from such a culture
that they need drinks, that may by all means
be allowed to have drinks in their own
rooms, but let there be no public drinking
in the hotels. When our people go abroad,
do the foreigners bend backward to provide
facilities and the type of atmosphere and
the type of food and other drinks which
we are used to ? They do not. But there
are certain places where we can get those
things. Similarly, we may also enable our
foreign guests to have some of the facilities
they need and even go out of our way to
provide them with those facilities, but not
in public, not in such a way that the drink
habit gets respectability. This means that
the hotel bars may be closed down and
drinks may be served to whoever is staying
in the hotel, if they so desire, in their own
rooms ; further, in States where there is
prohibition, the foreigners can be given
permits and they can avail of them if they
want to. As the hon. Minister knows,
when Mr. Khurschev came to Bombay, Shri
Morarji Desai was the Chief Minister and
he offered him a permit for drinking, but
Mr. Khurschev said 'No' while I am in your
State, I shall abide by the laws that you
have here. I wish I could also have pro-
hibition in Russia', and he narrated the
havoc that drink was playing in U. S. S. R.
The hon. Minister may at least put all