

12:25 hrs.

RE: SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS (AMENDMENT) BILL

MR. SPEAKER: We move on to the next item.

SHRI B. K. DASCHOWDHURY: (Cooch-Bihar): On the next item I have a submission to make. This Bill was introduced by the hon. Minister only two or three days ago. In between the time we have not had much time to go through this Bill properly. The most important provision in the Bill is that there are 1500 new communities belonging to the scheduled castes and scheduled tribes and it requires a serious study as to what should be done in order to create a balance in society and so on. I would request the hon. Minister through you and I would request the Minister for Parliamentary Affairs to postpone this Bill to the next session. Though it has been belated, I thank him for introducing this Bill at least now. But I would request him to postpone discussion on this Bill. Let them come forward with this Bill in the next session so that we members who are seriously concerned about it, may have sufficient time to go through the Bill and offer our own deliberations and contributions to the Bill.

SOME HON. MEMBERS: We accept that. *(Interruptions)*

SHRI D. BASUMATARI (Kolkata): We accept that.

SHRI C. K. CHANDRAPPAN (Tellicherry): I have something to submit on that point of order.

MR. SPEAKER: It is not a point of order. It is a suggestion.

SHRI C. K. CHANDRAPPAN: In the Order Paper it is stated that this Bill would be taken into consideration. He has made his submission. Has he given notice for this?

MR. SPEAKER: Yes. He asked for my permission to make his submission.

SHRI C. K. CHANDRAPPAN: This Bill was introduced in 1970 if I remember correctly and the discussion was postponed almost in the same manner at that time too. Now 6 years later this Bill is re-introduced. Again if this is postponed indefinitely I think that the Scheduled Castes and Scheduled Tribes will not pardon this Government. I would like him to give a concrete assurance whether it will be taken upon a definite date. That is very important.

SHRI P. K. DEO (Kalahandi): I have a submission to make. In 1965 the list of Scheduled Castes and Scheduled Tribes based on previous orders was found to be irrational and so Lokur Committee was appointed. They went into this matter. They suggested de-scheduling of certain scheduled castes and scheduled tribes. That was kept in cold storage. In 1967, Scheduled Castes and Scheduled Tribes Amendment Bill was introduced. In our last Lok Sabha it was sent to the Joint Committee and their report was submitted on 17-11-69. That also never saw the light of the day. In the meantime, the Lok Sabha's term expired. So, now, we should take into consideration the fact that the legal life of the present Lok Sabha has already expired and it has been extended only for one year.

MR. SPEAKER: Order please. Let him complete. I should hear him.

SHRI P. K. DEO: It has been extended for one year because of the emergency and now the elections are due. We expect that the emergency should be removed. Within a period of six months it will be mandatory to have the elections. *(Interruptions)*.

MR. SPEAKER: Now, you are going with unconnected matters.

SHRI P. K. DEO: Sir, the Statement of Objects and Reasons says that if the list has to be revised, then there has to be a fresh delimitation. It would be time-consuming. The whole thing will tend to extend the life of the Lok Sabha indefinitely, which will give a raw deal to the scheduled castes and scheduled tribes and will crush their aspirations. Thus is what the intention of the Government is.

So, I strongly oppose this proposal of postponement of discussion. (Interruptions).

MR. SPEAKER: Order Please. I shall give chance to all the hon. Members. But, I want to tell them that this is a very specific issue. There is a suggestion for postponement. Now, you confine yourself to this remark very briefly by not going into all relevant and wide matters. Be brief.

SHRI K. S. CHAVDA (Patan): I shall be very very specific and will give you the suggestions.

MR. SPEAKER: Let Shri Naik speak.

SHRI B. V. NAIK (Kanara): Sir, we do appreciate that our brethren, the scheduled castes and scheduled tribes, are involved in it. I think the entire force is that there are certain forces to keep the House out of it and also there are certain forces which want the House to come in. Under the circumstances, there was an element of rushing through at the time of the introduction and slating it for consideration.

Now that the Bill has aroused, amongst certain aspirant communities in this country, this feeling that it should be discussed and that their fate is being considered by the august House of Parliament, the proper thing would be that we give it the due respect it deserves and the backward and other communities given the due preference that they deserve and if it is to be postponed, after knowing the mind of this House, if it is to be postponed, as suggested by the hon. Com. Chandrappan let a

specific date or a period be fixed up within which this Bill will get through.

SHRI K. S. CHAVDA: I want to make my submissions. The Joint Committee on the Scheduled Castes and Scheduled Tribes Order Amendment Bill, 1967 had produced a report which was presented to this House and the Bill was discussed halfway in the Fourth Lok Sabha.... (Interruptions).

MR. SPEAKER: So, you are opposed to the postponement of the Bill?

SHRI K. S. CHAVDA: No. The present Bill should be withdrawn. The Minister may make a motion to withdraw this Bill and the whole Bill which was half-discussed in the Fourth Lok Sabha should be re-introduced because this is a part of it.

MR. SPEAKER: We are discussing the motion for consideration of the Bill and not withdrawing of the Bill.

SHRI K. S. CHAVDA: My submission is that this Bill should be withdrawn and a Bill based on the Report of the Joint Committee should be introduced accordingly.

श्री राम हेडाऊ (रामटेक) : अध्यक्ष महोदय, अनुसूचित जातियों और आदिवासियों की सूचियों में कुछ परिवर्तन करने के परणामस्वरूप लोक सभा 1er विधान सभाओं के चुनाव-क्षेत्रों में फेर-बदल के सम्बन्ध में जो बिल लाया गया है, अगर इसको अग के लिए टाल दिया गया, तो यह उन वर्गों के प्रति भयानक अन्याय होगा। आज उन लोगों को संविधान द्वारा दी गई सुविधायें नहीं मिल रही हैं। इस लिए मेरा यह निवेदन है कि इस बिल को और अधिक समय के लिए न टाला जाये और इस को तुरन्त विवक्षण के लिए ले लिया जाये।

श्री राम कवार (टोंक) : अध्यक्ष महोदय, अनुसूचित जातियों और जन-

[श्री राम कवार]

जातियों की सूचियों में परिवर्तन के सम्बन्ध में यह बिल लाया गया है। जबसे हम लोक इस सदन में चुन कर आये हैं, अनेक सदस्य समय समय पर इस के बारे में प्रश्न उठाते रहे हैं। हम इस बिल का पूरी तरह से अध्ययन कर रहे हैं। हम देखते हैं कि यह बिल झूरी स्थिति में है। जिन राज्यों में राज्य सरकारें हैं, वहाँ की सूचियों में तो कुछ परिवर्तन किये गये हैं, लेकिन दिल्ली और चंडीगढ़ जैसे क्षेत्रों की सूचियों में काफी भ्रूरापन है। मेरा विवेदन है कि अगर इस भ्रूरेपन को दूर कर के इस बिल को सदन के मान्यून सेशन में लाया जाये, तो मैं इसका स्वागत करूंगा।

SHRI N.K.P. SALVE (Betul) :]Because of the very nature of the Bill it is inevitable that each one will have his own angle to look at. There are exclusions and there are inclusions in the Schedule with the result (Interruptions)..... There are certain areas because I know this on going through this Bill. There are certain communities in one part of my area which will be treated as scheduled castes but not in other parts. So, each will have his own view in the matter. Therefore, it is more than likely that each one is likely to have his own vested interests. Therefore, to attribute any motive because of the suggestion made by Shri Dasgouhury is very unfair. My respectful submission is that the notice has been so short and the entire list in this schedule is so large, that no one will be able to apply his mind properly. At the same time I would request the Minister of Parliamentary Affairs to dispel the opinion of certain hon. Members like Mr. Chandrappan that for eternity we want to deny the benefits to certain sections.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH) : The Government is anxious to bring the matter before the House. This

is obvious from the very fact that they have brought forward this Bill. But it is a fact that most of the members of the scheduled castes and scheduled tribes on this side have met the hon'ble Home Minister and also me and have expressed their desire to have more time to consider the Bill more deeply.

AN HON. MEMBER : What about the Bill which was discussed in the Fourth Lok Sabha ?

SHRI K. RAGHU RAMAIAH : There are some matters which require some time and there are some matters which require more time. This is one of those which require more time. With due deference to the wishes of most of the hon. Members of the scheduled castes and scheduled tribes, I move for the consideration of the House that this may not be taken up today and it be postponed. (Interruptions).

श्री राम हेडगौः : मैं इस पोस्टपोनमेंट का विरोध करना हूँ क्योंकि शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स के लोगों को कुचलने के लिए इन्टरस्टेड लोगों के प्रेशर में आ कर किया जा रहा है। मैं इन के विरोध में वाक घाउट करता हूँ। (इंटरप्शन)।

11.35 hrs.

Shri Ram Hedgao then left the House

SHRI DASARATHA DEB (Tripura East): Is it postponed for today or for eternity ?

SHRI K. RAGHU RAMAIAH : It would be unfair of me to fix any date and thereby restrict the discretion of the Government in this matter as also the wishes of the Members of the Scheduled Castes and Scheduled Tribes.

MR. SPEAKER : Now, we have the regular motion for the postponement of this business. A point was raised which I would like to answer, that is, whether business put down on the Order Paper can be changed all of a sudden. The rule 25 gives the discretion to the Speaker. If he is satisfied that there is

sufficient ground for such variation he can exercise that discretion. The Chair will not exercise this discretion though it is given under the rules. Now, there is a regular motion before the House. The House is all powerful. It can either accept it or reject it. So, I put the motion moved by Shri Raghunath regarding the postponement of the consideration of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill to the vote of the House.

Those in favour may say 'Ayes' and those against may say 'Noes'.

AN HON. MEMBER: Sir, we want a division.

MR. SPEAKER: Let the Lobby be cleared—

The question is:

"That the consideration of the Bill be postponed."

The Lok Sabha divided:

AYES

[Division No. 12]

12.38 hrs.

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ambesh, Shri
Aza, Shri Bhagwat Jha
Babunath Singh, Shri
Bajpai, Shri Vitya Dhar
Banerji, Shrimati Mukul
Barupal, Shri Parana Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S.C.
Bhatia, Shri Raghunandan Lal
Bhattacharyya, Shri Chapalendu
Bheeshmaldev, Shri M.
Chakravarti, Shri Chandulal
Chandrasekharappa Veerabasappa, Shri
T.V.
Chaudhari, Shri Amarsingh
Chaudhury, Shri Nitiraj Singh
Chavan, Shrimati Premalabai
Chellachami, Shri A.M.
Chhotey Lal, Shri
Chikkalingiah, Shri K.

Daga, Shri M.C.
Damani, Shri S.R.
Dasappa, Shri Tulsidas
Daschowdhury, Shri B.K.
Deshmukh, Shri K.G.
Dhamanikar, Shri
Dhusia, Shri Anant Prasad
Dwivedi, Shri Nageshwar
Ganesh, Shri K.R.
Godara, Shri Mani Ram
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gowda, Shri Pampam
Hansda, Shri Subodh
Hari Singh, Shri
Jaffer Sharief, Shri C. K.
Jamilurrahman, Shri M.I.
Jayalakshmi, Shrimati V.
Joshi, Shrimati Subhadra
Kadam, Shri Dattajirao
Kakodkar, Shri Purushottam
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Khadilkar, Shri R.K.
Khan, Shri I.H.
Kisku, Shri A.K.
Lakshminarayanan, Shri M.R.
Lambodar Baliyar, Shri
Laskar, Shri Nihar
Mahajan, Shri Vikram
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Malhotra, Shri Inder J.
Mallanna, Shri K.
Mandal, Shri Jagdish Narain
Mirdha, Shri Nathu Ram
Mishra, Shri Jagannath
Mohsin, Shri F.H.
Murthy, Shri B.S.
Naik, Shri B.V.
Negi, Shri Pratap Singh
Nimbalkar, Shri
Oraon, Shri Tuna
Painuli, Shri Paripoornanand
Palodkar, Shri Manikrao
Pande, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R.S.

Pandey, Shri Suthakar
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parashar, Prof. Narain Chand
 Parthasarathy, Shri P.
 Paswan, Shri Ram B'hatgat
 Patel, Shri Arvind M.
 Patil, Shri Ananttrao
 Patil, Shri S.B.
 Praethan Shri Dhan Shah
 Purty, Shri M.S.
 Raghu Ramaiah, Shri K.
 Ram Dayal Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramshekhar Prasad Singh, Shri
 Rao, Shri Jagannath
 Rao, Dr. K.L.
 Rao, Shri M.S. Sarjeevi
 Rao, Shri Pattabhi Rama
 Ray, Shrimati Maya
 Reddy, Shri K. Kodanda Rami
 Reddy, Shri M. Ram Gopal
 Reddy, Shri Sidram
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Salve, Shri N.K.P.
 Sathe, Shri Vasant
 Satpathy, Shri Devendra
 Savitri Shyam, Shrimati
 Sayeed, Shri P.M.
 Shaila'ri, Shri Chandra

Shankar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Shri A.P.
 Sharma, Dr. H.P.
 Sharma, Shri R.N.
 Siddayya, Shri S.M.
 Sidheshwar Prasad, Prof.
 Sinha, Shri Nawal Kishore
 Sohan Lal, Shri T.
 Sokhi, Sardar Swaran Singh
 Stephen, Shri C.M.
 Tarodekar, Shri V.B.
 Uikey, Shri M.G.
 Venkatasubbaiah, Shri P.
 Venkatswamy, Shri G.
 Virbhatra Singh, Shri

NOES

Ba'le, Shri R.V.
 Bhaura, Shri B.S.
 Chandrappan, Shri C.K.
 Chavla, Shri K.S.
 Deo, Shri P.K.
 Kalingarayar, Shri Mohanraj
 Krishnan, Shrimati Parvathi
 Mayathevar, Shri K.
 Muruganatham, Shri S.A.
 Pandey, Shri Sarjoo
 Sen, Dr. Ranen
 Shastri, Shri Shiv Kumar
 Sinha, Shri C.M.
 Yalav, Shri G. P.

MR. SPEAKER : The result* of the division
 is : Ayes 121 ; Noes 14.

The motion was adopted.

*The following Members also recorded their votes :

AYES Sarvshri Balgovind Verma, Jagdish chandra Dixit, G.C. Dixit, Sant
 Br. Singh, Biret Ergati, Y.S. Mahajan and M.M. Hashim ;

NCES : Sarvshri Suresh Chandra Mahapatra, Suresh Chandra Saha and Ram Hedaco.