

[Mr. Deputy-Speaker]

not exceeding Rs. 239,06,33,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Agriculture'."

DEMAND NO. 3—FISHERIES

"That a sum not exceeding Rs. 2,63,34,000 on Revenue Account and not exceeding Rs. 75,25,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Fisheries'."

DEMAND NO. 4—ANIMAL HUSBANDRY AND DAIRY DEVELOPMENT

"That a sum not exceeding Rs. 2,78,30,000 on Revenue Account and not exceeding Rs. 12,12,86,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Animal Husbandry and Dairy Development'."

DEMAND NO. 5—FOREST

"That a sum not exceeding Rs. 4,84,43,000 on Revenue Account and not exceeding Rs. 47,17,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Forest'."

DEMAND NO. 6—PAYMENTS TO INDIAN COUNCIL OF AGRICULTURAL RESEARCH

"That a sum not exceeding Rs. 28,45,94,000 on Revenue Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Payments to Indian Council of Agricultural Research'."

DEMAND NO. 7—DEPARTMENT OF FOOD

"That a sum not exceeding Rs. 134,27,94,000 on Revenue Account and not exceeding Rs. 7,44,27,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Department of Food'."

DEMAND NO. 8—DEPARTMENT OF COMMUNITY DEVELOPMENT

"That a sum not exceeding Rs. 46,91,18,000 on Revenue Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Department of Community Development'."

DEMAND NO. 9—DEPARTMENT OF COOPERATION

"That a sum not exceeding Rs. 2,79,00,000 on Revenue Account and not exceeding Rs. 30,50,47,000 on Capital Account be granted to the President *to complete* the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1974, in respect of 'Department of Cooperation'."

MR. DEPUTY-SPEAKER: We will now take up Private Members' Business. Shri K. Lakkappa.

15.18 hrs.

PROFITEERING PREVENTION AND PRICE CONTROL BILL*

SHRI K. LAKKAPPA (Tumkur): Sir, I beg to move for leave to introduce a Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles.

*Published in the Gazette of India Extraordinary, Part II, Section 2, dated 19-4-73.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles."

The motion was adopted.

SHRI K. LAKKAPPA: I introduce the Bill.

MR. DEPUTY-SPEAKER: Shri Anadi Charan Das. Absent.

15.19 hrs.

CONSTITUTION (AMENDMENT) BILL (Substitution of article 335)

by Shri C. T. Dhandapani—*Contd.*

MR. DEPUTY-SPEAKER: Now we take up further consideration of the Bill by Shri Dhandapani to amend the Constitution. Shri Dinesh Joarder was on his legs. He has informed us that he would not be here today to continue his speech.

SHRI ARJUN SETHI (Bhadrak): Mr. Deputy-Speaker. Sir, I am very much thankful to the mover of this Bill, Shri Dhandapani, who has brought this Bill before the House and drawn the attention of the Minister and the Government to this problem. He has tried to remove some of the drawbacks and difficulties which people belonging to the weaker sections, particularly those of the Scheduled Castes and Scheduled Tribes, have to face on account of the non-implementation of the provisions of the Constitution. Of course, I am not in full agreement with Shri Dhandapani.

15.39 hrs.

[SHRI K. N. TIWARY in the Chair]

I would like to point out, in his Bill he has mentioned Article 46 of the Constitution which reads as under:

"The State shall promote with special care the educational and economic

interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

Mr. Dhandapani, in his Bill, referred that Article 335 of the Constitution shall be substituted and shall be taken into consideration for making all appointments to services and posts in connection with the affairs of the Union or of a State. If I am permitted to quote Article 335 of the Constitution, it reads as under:

"The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State."

Article 335 contradicts Article 46. Although in Article 46 it is stated that claims of the Scheduled Castes and Scheduled Tribes will be taken into consideration by the State while considering their appointments in various categories of services, here in Article 335 it mentions 'consistently with the maintenance of efficiency of administration'.

We all know that due to historical and other factors, generally the Scheduled Castes and Scheduled Tribes are not well up or well prepared to compete with the other candidates and so here the mention of 'consistently with the maintenance of efficiency of administration' indirectly indicates that their case will not be considered and thereby the appointing authority who considers the cases, knowingly or unknowingly takes shelter under this provision of the Constitution.

When we look to the reservation quota, the various State Governments have reserved the different percentage of posts. But I can say that they have not given them equal opportunities and that they have not taken some of the steps which have been mentioned in this regard. Say, out of 16 per cent reserved posts only 6 per cent or 8 per cent have gone to the Scheduled Castes and Scheduled Tribes.