

concession in the number of attempts in UPSC examinations etc. have not been provided.

Sir, I would like to bring another point to your kind attention. The Mandal Commission judgement itself stated that the total population of OBCs in this country constitute about 52 per cent of the population. When that is so, what is the logic in providing 27 per cent reservation for the OBCs? What is the logic in restricting the reservation upto a maximum limit of 50 per cent?

MR. CHAIRMAN: It cannot go on record. You cannot pass a judgement on a judgement. This is unparliamentary.

SHRI R. ANBARASU: Sir, every individual has got the liberty to express his views about the judgement. This is not unparliamentary. The judgement has been given and I am expressing my opinion on the judgement. I have got my liberty and right to express my views on the judgement.....

MR. CHAIRMAN: You have to bring a substantive motion.

SHRI R. ANBARASU: There was one judge, Justice Ratnavel Pandian. He was one of the judges in this. He himself in his separate findings observed:

"percentage of reservation to maximum 50 per cent is neither based on any scientific basis nor any agreed formula. In fact the Article 16(4) does not prohibit the Government in restricting percentage of reservation."

MR. CHAIRMAN: Remarks on the judges will not form part of the proceedings.

SHRI R. ANBARASU: Sir, it is only an observation made by the judge which I read.

MR. CHAIRMAN: Are you withdrawing the Resolution?

SHRI R. ANBARASU: Sir, I am a Ruling Party member. I know my responsibility. But I appeal to the Opposition Party members also to support my Resolution. Sir, instead of withdrawing I appeal to all the members of the Opposition to accept my Resolution so that it can be unanimously passed...(Interruptions)

MR. CHAIRMAN: Are you withdrawing the Resolution?

SHRI R. ANBARASU: Sir, I appealed to all the members and they agreed that it can be passed unanimously, therefore, I am not withdrawing the Resolution. If they object to it I will withdraw. I appeal to this august House to accept this Resolution unanimously....(Interruptions)

SHRI K.V. THANGKA BALU: I assure the House and the Member also that we will take necessary steps to see that the backward classes get their due share. What more can I say?

SHRI R. ANBARASU: Sir, I accept the assurance of the hon. Minister, not wholeheartedly because many times the assurances are not implemented.

I withdraw the Resolution to honour the Minister.

Hence I seek leave of the House to withdraw my Resolution.

CHAIRMAN: Has the hon'ble Member leave of the House to withdraw his resolution?

SEVERAL HON'BLE MEMBERS: Yes.

The Resolution was, by leave, withdrawn.

17.30 hrs.

RESOLUTION RE: STEPS TO PREVENT ATROCITIES ON SC/ST

[English]

MR. CHAIRMAN: Now, we go to item No. 2. The time allotted for this is two hours. Shri Satya Deo Singh.

[Translation]

SHRI SATYA DEO SINGH (Balrampur): Mr. Chairman, Sir, I beg to move the following Resolution in this august House with your permission:

"This House expresses its grave concern over the incidents of killings of Scheduled Castes and Scheduled Tribe and rape, molestation and harassment of women belonging to these communities, especially in the State of Uttar Pradesh and Bihar, I urges upon the Central Government to take necessary steps to remedy the situation."

Mr. Chairman, Sir, I have brought this resolution before this House with a heavy heart and acrimony. The most agonising factor is that the incidents of rape and molestation are increasing day by day with the women folk of Dalit communities and poor people. This is not the first occasion when this problem is being discussed before this House. It may also not be the last opportunity.

The question is that the questions about atrocities on Harijans, and Dalits alongwith the molestation of women have been raised through debates and Resolutions but no stern action has been taken so far in this respect. It seems that today our whole society has become senseless. The country in which the women has been given high status and honour in its literature and culture, today the questions regarding atrocities on them are being raised time and again in the house but no action has been taken so far.

It is a nation wide phenomenon. Wherever the incidents of atrocities on the poor and the women occur, those are committed on the whole Indian society. It is a stigma on the whole Indian society...(Interruptions)

Such incidents have been increasing in Uttar Pradesh and Bihar. I belong to Uttar Pradesh. Uttar Pradesh is the centre of origin of Indian culture. Kashi, Mathura, Ayodhya, Badridham and Kedarnath are the centres of our reverence. Uttar Pradesh is also famous for the Ganga Yamuna culture. There is the blending of culture and it echoes the sound of Indianisation. Where once the women were honoured today the records of atrocities on women are being made in the same Uttar Pradesh. To give honour and affection to women children and elders is the sublime character of our culture, these are the pivotal points of our culture. Today the population of Uttar Pradesh is 14 crores and from the point of population, it is the largest

State of the country such type of incidents are not being stopped there but these are increasing continuously. Children are abducted everyday. They are being killed for money and ransom. The women are being molested and the elders are being insulted. It is the most agonising factor that behind all these misdeeds, the present Government is directly involved. The people living below the poverty line, specially the Dalits and the poor are being insulted and atrocities are being committed on them.

I would like to draw your attention towards the Article 46 of the Directive Principle.

[English]

"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."

[Translation]

Even after adopting the Constitution for so many years, the vocabulary of Article 46 is limited to words only. Today nothing is being done to provide protection to the common man. The thought of exploitation of the Dalits and the women might be there before our old wise people, who had framed our Constitution after profound consideration. It is the result of that profound thinking that it was incorporated in Article 46 that it would be the duty of the State Governments to protect the poor, the women, the children the dalits, the down trodden, the backwards and to those who are deprived from the opportunities. They had said that the dignity of the Constitution would be maintained and therefore it was incorporated in the Directive Principles of the State. I am sorry to say that these words are so powerful that you may be afraid to listen them. It is said in Sanskrit:

"Yatra nari Poojayante Ramante Tatra Devta"

i.e. the place where the woman gets respect is the abode of Gods and good people. Even Gods, who are worshipped reside in those areas where woman gets respect. Our History and mythological stories are full of it that the women have sacrificed a lot for the prosperity of our country. We see so many facet of woman today i.e. Sati, Sadvhi, Devi Durga etc. but today the way we are looking at the women, I think to discuss it time and again will be a slur for the honour of the women. But the circumstances and situations compel us. But today the plight of women compels us to raise the issue in this House that at least there should be a limit of atrocities and torture of women. Even after so many years of our freedom, the incidents of atrocities on women are not being stopped.

Mr. Chairman, I belong to Uttar Pradesh, There is the Government of the alliance of the S.P. and B.S.P. It is an unholy alliance, but the Congress is playing the role of the priest. It is giving life to that, you are both a woman and a Minister also. I would like to congratulate you and draw your attention towards it. What sort of alliance it is? I do not know, but I think that the record

of atrocities on women during the last one year has surpassed the records of the whole world.

AN. HON. MEMBER: They will find their name in the Guinees Book of Record.

SHRI SATYA DEO SINGH: I think that sending their names to the Guinees Book will be a slur on our culture and dignity.

The Chief Minister of the present Government took oath on 4th December, 1993. Thereafter from 13th December the history of atrocities on women began. In Dona village of Allahabad district, a woman named Shivpatiya was stripped and taken around the village. She was a poor, her voice was choked, her face was not glamourous, there were no clothes on her body and whatever clothes she was wearing were put off and she was taken around naked. Few days back the hon. Chief Minister has just completed one year of his tenure. The last untoward incident of this one year occurred on the night of 29th at Naglaparsi in which nine women were gang raped at Dadu Thana, district-Aligarh. It started from Dona and concluded at Naglaparsi. I am telling you about the tenure of one year. I will tell you about all those untoward incidents which occurred during the last one year.

[English]

MR. CHAIRMAN: You mentioned the name of a lady. I think that should not go on record.

SHRI SATYA DEO SINGH: Let me explain. Shivpatiya has been mentioned in the F.I.R. There is a prosecution case on her behalf. She is mentioned in the public document. The things are open. I do not know why I should not quote her name. I do not find any objection to it. You may rule. I accept it.

MR. CHAIRMAN: Anyhow, I will see.

SHRI SATYA DEO SINGH: I do not have any objection. You can rule. Thank you.

[Translation]

The second year has just started. On the night of 5-6 December five persons raped a woman at village Falvida, Thana Mawana in district Meerut. Why has Shivpatiya stripped? What sort of perverted mentality it symbolises? When Shivpatiya was raped, the officers were transferred and suspended, but when did it happen? All this did not happen immediately. When this incident was published in the newspapers, only after that the action was taken against them. Shivpatiya was stripped since her child had quarrelled with the child of someone else. The children were quarrelling with one another.

SHRI HARCHAND SINGH (Ropar): Uttar Pradesh should be divided in many parts.

SHRI SATYA DEO SINGH: Shivpatiya was stripped because there were some influential people in the village who exhibited their power before a poor person in order to maintain their supremacy over the society. A stern action should be taken against those who wanted to show their might by stripping down a women. Therefore,

my submission is that there is a law of equality in our Constitution and under the provisions of this law, everyone has got equal rights but what has happened in Naglaparsi.

Sir, women are raped to terrorise others in our country but what has happened in Aligarh. The Government has accepted that nine women were raped. They were given a compensation of Rs. 50 thousand each. It seems that the Government has fixed some amount for each sort of crime and has created an impression and there is nothing to be afraid if some one commit rape. But a women who has been raped, can ever regain her modesty and dignity after receiving Rs. fifty thousand as compensation. Today, who are the most self respectful people in the country. They are poor. Though they may be unable to speak in clear cut words in this House and can not publish their speech in the newspapers yet, the real culture and religion survive only in their huts. Today those huts are set on fire. They are poor and miserable. Therefore those affluent persons people who have grabbed the power by political manipulation have the right to laugh at the poor, to outrage their modesty and torture them to display their hegemony.

Sir, the ruling party is behind the incident of rape at Naglaparsi. The people of their own caste operating a brick kilns at Naglaparsi and the opposition parties want their kilns to be closed. Sir, the hon. Home Minister was present here, but now has gone. But I would like to urge upon the hon. Home Minister through the other hon. Ministers who are present here that the untoward incident of Naglaparsi is an example of its own kind. Why were 1 woman raped there? They wanted to close the kiln. It was not a political rivalry. There was no dispute. The strategy they adopted to close the kiln, they raped the poor women, among them were virgin girls, Harijan women and the Muslim women of Badaun district so that those women may run away leaving their job at the kiln. When the Parliamentary Inquiry Committee reached there, the Deputy Commissioner send them from there in a truck. It was evident from their hearths and flour that they were not ready to leave since they were earning their livelihood from the kiln. The vegetables scattered there was the proof how they were loaded like animals in the truck. The Uttar Pradesh Government was trying to cover up the facts.

Sir, I would like to put forth an example of the growing crimes in Uttar Pradesh. These are not my data. The data which have been compiled with in Uttar Pradesh are not upto date. Even now when I am speaking in the House the crimes are going on there continuously. Since the S.P. and the B.S.P. are giving protection to the crimes. Criminals are being given protection by the political parties in power in Uttar Pradesh. See the number of the crimes in Uttar Pradesh as stated by the Government itself, the number of cognizable offences is more than 2 lakh 40 thousand. The number of the incidents of looting and waylaying and age is 20 thousand. The number of murders is about 8 thousand. Serious cases of dacoity are about 7 thousand. The number of kidnapping 3,200 and the number of incidents of atrocities on women is 3000 and the number of rapes is 1800. This is the record. Why all this is going on, some data are not compiled as the complaints were not lodged because the police stations did not register their complaints as money power prevents there. F.I.R. is not

lodged deliberately to extract money. Out of the total number of cognizable offences, F.I.R.s are not being lodged even in the half of cases. The most surprising thing which I am going to put forth before the House with a challenge, is that none other than the supporters of the S.P. and B.S.P. are involved in the incidents of atrocities on women the rapes and selling their houses on fire.

Sir, what is going on today? The criminals are moving openly. They have got printed their letter-heads and submitting applications on their letter-heads to the collectors and the commissioners. The F.I.R. of the sufferers and tortured are not being lodged. Their witnesses are being threatened. They are being intimidated. Their FIRs have been lodged but they are being compelled to shut their mouths. Gang rapes and murders have been committed in Fatehpur, Hamirpur, Badaun, Barabanki, Padrauna, Varansi, Azamgarh, Bijnor, Garhmukteshwar, Khatima, Mussoorie, Mujaffarpur district etc. These are few data of Uttar Pradesh, which I am giving to you.

Now see one more example as to how the Samajwadi Party Government is working there and how the women and the poor are being exploited under the very nose of the Government and those elements are being protected by the Government. On 2.1.1994 in Aston village under Thana Charkhari in district Hamirpur, a married woman named Manwati*.... who is from S.P. called her, a tractor was sent to fetch her forcibly and she was told that in order to celebrate his victory in election a Nautanki would be held and further Manwati was asked to sit beside him to see the Nautanki. On this pretext she was kidnapped from there and her husband was locked in a room. Thereafter, she was raped by three persons. At first* raped her. This matter was raised by the former member of Legislative Assembly from of Modah in Hamirpur, though, it was not under his constituency. Lakhs of people came to him and asked him to raise this matter since he belongs to the Bhartiya Janta Party. He raised this issue, met the collector and lodged the F.I.R., only after that the whole administration came to action. At that time a women was the collector at Hamirpur and she ordered to lodge the F.I.R. being a women she felt the sufferings of the woman. On the orders of the Collector, the F.I.R. was lodged but within 15 minutes the F.I.R. was expunged and the collector was transferred. The Collector was posted as the Editor of the Gazetteer and was summoned to Lucknow and then the other Collector was posted there. Since the collector realised the agony of a woman who was raped and ordered to lodge FIR. She was punished for her sense of duty and moral ethics because the* of that area was himself involved in the case and he himself was a rapist. Therefore, the collector was transferred. Then our former Legislature, Shri Badshah Singh was tortured, taken to the jungle, and an attempt was made to kill him in a force encounter. Had the Bhartiya Janta Party not launched a movement, his life could not have been saved.

Likewise, a minor girl of 13 years was raped in village Shuklarajpoorva under Benigarh Police Station in district Hardoi on 8th November. The rapists were, the son of*

* Expunged as ordered by the Chair.

his five accomplices. The F.I.R. was not lodged. Moreover there is a place Chinhat in Lucknow. That is the constituency of Shri Atal Ji. Chinhat is a good place.

There is a village called Dohra near Chinhat, there was a 13 year old girl. She was hungry. So she asked her mother for food. Her mother asked her to fetch some tomatoes from the field. While going to the field to fetch tomatoes, the 13 year old innocent girl was captured and gang-raped by 7 or 8 persons. In order to avoid spreading of the news in the society the moneyed people strangled her to death. These lecherous monsters outraged the modesty of that hungry girl. They were stigmatising and throwing challenge to the ethos and culture of our Indian society. They defiled the society. But no finger can point at them because they are moneyed people and they constitute vote banks. The Congress party is very particular to secure votes. It is least concerned even if the country is ruined, the society is wrecked and shattered or the country witnesses excessive increase in atrocities. The excessive atrocities in the country have surpassed the excesses perpetrated during the rule of Kansa. One must learn lesson from the tragic and of Kansa and Ravana. Hon. Minister, the country has not forgotten the atrocities unleashed by Ravana thousands of years back. We still remember his misdeeds and burn his effigy every year on Dussehra. Ours is a Hindu society, a nation which never condones crimes, rather they are recorded in the annals of history. It may take sometime to prosecute the culprits, but better late than never. Criminals cannot continue their crimes for long. Their days are numbered they will soon be overcome.

Sir, secondly agitation is going on for Uttranchal in my area. The citizens of eight districts are voicing this demand. If a state like Himachal Pradesh can be created with its population of 50 lakh only, why Uttrakhand cannot be carved out of Uttar Pradesh? Like the former BJP Government the present Government also has passed a Resolution unanimously to make a separate state with the eight districts of Uttranchal. The people there voiced this demand democratically and launched a movement there. In a democracy we have every right to demonstrate, express our opinion, assemble, and hold public meetings and create awareness among the people. They were coming to Delhi for staging a rally, the permission for which had already been granted by the State Government. If there was no such permission, why the people including children, youth and women were not stopped while they were setting out of hill districts and why they were permitted to reach Muzaffarnagar?

Sir, my submission is that Uttranchal has its own history. A major part of the population of Uttranchal is employed in armed forces. Those people have sacrificed their lives for the cause of the country. But a Member of one political party has referred to the people of Uttranchal as traitors. If the people in Uttranchal are traitors who else is left to remain a patriot. They have sacrificed their lives and protected the borders of the country. But a small faction of people term them traitors simply because they have raised a political demand. But their demand is not a political demand only. The carving out of Uttranchal State in Uttar Pradesh is as essential as was the creation of

Himachal Pradesh. They want their independent identity and entity. They want to become self-reliant to meet their demands. They want respect. They have experienced and tested the life in a bigger state and have realised that, that can do nothing for their betterments. What did this Government give them? Sir, at Muzaffarnagar the buses carrying the agitators were intercepted and set ablaze by police officers and staff. The Government claims that five persons were killed in firing but the women were left unhurt. Sir, the women were disrobed and their blouses and petti-coats were used for burning the buses so as to give an impression that the agitators damaged public property and firing was made thereafter. We had visited the site. The sugarcane fields the tree standing near the kiln were deposing silently and the drops of blood smeared on roads were strong evidence of the heinous incident. This all was done to cripple the morale of the people of Uttranchal. Their women were raped. This all was done by the Government of Uttar Pradesh. Their only motive was to suppress the Uttranchal agitation.

Sir, I would like to submit that the Muzaffarnagar incident will never be buried in oblivion. The Uttranchal agitation, rather it would fuel the fire burning in their hearts. The Mulayam Singh Yadav Government cannot offer oblation in it. Today Uttranchal is calm. Curfew was never clamped there up to now. They are very peace loving and patriotic people. As regards their agitation they adopted democratic methods and demonstrated for their demand, even then the Government tried to cripple their morale. But to do so should the Government commit atrocities against women and children? They outraged the modesty of women so that the demand for Uttranchal might not be honoured as a political movement. We ourselves and the Government of Mulayam Singh Yadav also had passed this Resolution and referred it to the Union Government demanding the creation of a separate Uttranchal state. But this mishap took place instead. What is the response of the Government thereto? In reply to question No. 201 the Government has admitted that as per the information sent by the Government of Uttar Pradesh the police had opened fire on 1st and 2nd October at night at Muzaffarnagar and five persons were reported to be killed. Further it added that the incident was got investigated through the National Commission on Women and All Party Fact Finding Team. In its report submitted to the Union Government the National Commission on Women has confirmed the incidents of molestation and rape of women. Then why did the Government bother to hold its probe through the CBI? Had the Government no apprehension in this regard and had the women not been disrobed, raped and subjected to atrocities, what prompted the Government to hold a CBI inquiry? The CBI also had sent its report to the Allahabad High Court on 5.12.94. In his reply to the Unstarred Question No. 210 the hon. Minister of Home Affairs stated that the National Commission on Women went on an extensive tour of Muzaffarnagar, Gopeshwar, Srinagar, Tihri and Dehradun in the eastern region of U.P. from 13th to 16th October, 1994 and submitted a comprehensive report on November 16th, 1994 which confirmed the incidents of molestation and rape of women and recommended to prevent the recurrence of such incidents

in future. Now the Government says that this is a state issue. But that Government also is running with your party's support. This august House should be informed that women are tortured, the downtrodden and murdered and subjected to atrocities in Uttar Pradesh. The Union Government cannot disown these responsibilities and cannot save it from these allegations.

Sir, in Uttar Pradesh all the four pillars of democracy are being subverted today. You will be surprised to know that the 16th November, 1993 was the black day in the history of democracy when a well planned fatal attack was made on B.J.P. legislators. Women legislators were insulted and roughed-up. The intention behind it was to erode the dignity of the Legislative Assembly to show that they do not have confidence in Vidhan Sabha and they do not hold it in esteem. The Parliament, wherein we are speaking, is the first strong pillar of the democracy, it has own dignity and democrum under the parameter of the constitution. They all have been outraged in an organised way. The Ministers were involved in scuffle. They provoked others. The members of the ruling party made the B.J.P. legislators their targets. Their ulterior motive behind this was to get the 'Panchyati Raj' Bill and Budget etc. passed in a hurried manner. They believe in undemocratic methods and not in democracy. Again official bandh was observed on November 13, 1994. What for it was observed?

Just now the Backward Class Commission was discussed here. Is there any political party which does not accept reservation? It not only accepts reservation, but also endorses it. The Bharatiya Janta Party has always strongly supported the proper enforcement of the reservation policy. The Supreme Court has also upheld our viewpoints. Then why bandh was observed in Uttar Pradesh on the issue of reservation? Was it an attempt to hush up the incidents of atrocities and rape? A situation was created to give an impression that we are against reservation and they alone are the greatest messiah of reservation, as if the soul of late Shri Mandal has transmigrated into the body of Mr. Mulayam Singh and this must be displayed publicly. He lacked confidence in his integrity and performance, so, the bandh was observed in Uttar Pradesh on the 13th September and Allahabad High Court was attacked. It proved that the State Government has no faith in the judiciary and anti Government will entail dire consequences. Keeping in view the case of privatisation of sugar mills the Government wanted to settle its score with the judiciary. Thus after losing its faith in legislature and judiciary, the Government strifed the third pillar of democracy-bureaucracy from top to bottom on caste basis. On the basis of caste and graft postings and transfers were made. Today there is zero development in Uttar Pradesh. All the industries there have come to a standstill. But the illegal trade of postings and transfers based on caste and graft is very much flourishing there.

The fourth pillar of democracy is an open and

transparent society. We discuss here various issues like various scams and demand presentation of report on sugar scam etc. so that the facts may be brought into the notice of the public. Democracy requires transparency, deeds of the Government can not be canceled from the public.

[English]

You should not only be honest, but you should appear to be honest also. The Government should appear to be functioning honestly.

[Translation]

But it is not being done. And emulating the Centre, the Government of Uttar Pradesh launched 'Halla Bol' operation against the press against the coverage of Aligarh incident, Muzaffarnagar rape incidents and highlighting these incidents. There was sufficient evidence of murder incident so, how can the press leave the incident uncovered?

18.00 hrs.

SHRI SATYA DEO SINGH: Who were the targets of 'Halla Bol'? They were the poorly dressed hawkers who deliver news paper to people early in the morning around 6 a.m. reaching door to door on their bicycles?

(Interruptions)

[English]

MR. CHAIRMAN: Mr. Satya Deo Singh, take your time. You won't complete in five minutes time!

SHRI SATYA DEO SINGH: It is not possible to conclude in five minutes, Sir. I will take half an hour more.

MR. CHAIRMAN: You continue for five minutes now and you can continue later also.

SHRI SATYA DEO SINGH: I am not going to conclude now, Sir (Interruptions)

MR. CHAIRMAN: No, do not. Please do not conclude now.

SHRI SATYA DEO SINGH: Thank you, Sir.

[Translation]

My submission is that all the four pillars of democracy the independent legislature, independent executive, independent press and independent judiciary are being attacked. Which ensure law and order and that the Government functions as per the constitution. This all is being done to prevent the press from highlighting these atrocities, and evil practices. With these words I conclude. If you allow me once more, I would raise this issue again.

Thank you very much, Sir, for giving me time.

MR. CHAIRMAN: You can continue later.

The House stands adjourned to meet again on Monday, the 19th December, 1994 at 11 a.m.

18.02 hrs

The Lok Sabha then adjourned till Eleven of the clock on Monday, December, 19, 1994/Agrahayana 28, 1916 (Saka)