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### LOK SABHA DEBATES

## (Part II-Procee ings other than Questions and Answers)

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LOK SABHA
Tuesday, 31st August, 1954

The Lok Sabha met at a Quarter Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS
(See Part I)

'9-15 A.M.

#### PAPERS LAID ON THE TABLE

Notifications under Insurance Act, 1938

The Deputy Minister of Finance (Shri A. C. Guha): I beg to lay on the Table a copy of each of the following notifications, under sub-section (2) of section 2C of the Insurance Act, 1938:

- (i) Ministry of Finance Notification No. 658-I(2)/44, dated the 27th May, 1954; [Placed in Library. See No. S. 271/54.] and
- (ii) Ministry of Finance Notification No. 666-I(1)/46, dated the 27th May, 1954. [Placed in Library. See No. S-272/54.]

# MESSAGE FROM THE RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of the Rajya Sabha:

"I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th 538 L.S.D.

August, 1954, has passed the following motion extending the time for presentation of the Report of the Joint Committee of the Houses on the Hindu Marriage and Divorce Bill, 1952:

#### Motion

'That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Bill to amend and codify the law relating to marriage and divorce among Hindus be extended up to Friday, the 24th September, 1954'."

# UNTOUCHABILITY (OFFENCES) BILL.—Contd.

Mr. Speaker: We will now proceed with the further consideration of the motion moved by Dr. Kailas Nath Katju on the 26th August, 1954, for reference of the Untouchability (Offences) Bill to a Joint Committee. Amendments tabled will also be considered along with this motion.

Shri Laskar will continue his speech.

Shri Laskar (Cachar-Lushai Hills—Reserved—Sch. Castes): Sir, I was yesterday referring to the report of the Commissioner for the Scheduled Castes and Scheduled Tribes for the year 1953. Mr. Srikant, the Commissioner for the Scheduled Castes and the Scheduled Tribes is the right man in the right place and he really feels, understands and realises the conditions and problems of the Scheduled Castes and Scheduled Tribes. He has narrated in his report the actual states of things prevailing all over the country. He has given many instances also.

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#### [Shri Laskar]

In section IV of the report, he elaborately deals with social disabilities where he has stated,—

"Information collected from the State Governments shows that there has been no appreciable improvement with regard to untouchability."

He has referred to an interesting case in New Delhi also. The Scheduled Caste pepole while taking water from the compound of the New Delhi City Magistrate, which is just a few furlongs off from this Parliament House, were abused and harassed by a constable and a clerk and these unfortunate people were made to pay the price of the utensils which were supposed to be polluted by their touch. If that be the condition in the heart of the capital, you can easily imagine what are the conditions now prevailing in the far distant villages.

In his address to the All India Newspaper Editors' Conference a few days back in New Delhi, speaking about Harijans, our Prime Minister said:

"The abolition of untouchability has been enshrined in the Constitution, but the fact remains that in most of the villages this vicious sentiment prevails. Even in regard to drinking of water from wells, they have to suffer hardship. This is an evil thing, a thing one has to fight tooth and nail."

Regarding untouchability, so far as I understand, there may be some slight improvement in the towns, but in the villages the thing exists today as it was a thousand years ago. As regards intensity, there may be some difference in degree in various places. But, untouchability is practised—either in a bad form in one place or in a worse or the worst form in other places—all over India. Along with it the spirit of hatred and suppression is prevalent in certain sections of the high caste people.

As I come from the State of Assam and belong to the Scheduled castes, I

shall be failing in my duty if I do not draw the attention of the House to the conditions now prevailing in my State with regard to untouchability. It has been stated in the second report of Mr. Srikant that untouchability does not exist in the State of Assam. He might have been misinformed. I can say that this is not at all correct. The Muchis and Mehtars belong to the scheduled castes and I can challenge any one who says that Muchis and Mehtars are not untouchables. All the Scheduled Castes in Assam are untouchables. Not only this. The people of some of the backward communities are also untouchables, such as the Naths, Manipuris and the Mahishyadas etc.

Let me cite an example. The Assam Pradeshik Nath Sammilani submitted a memorandum to the Backward Classes Commission a few months back in which it is stated:

"The community has a total strength of about four lakes of people. The priests of the advanced community do not do any of their religious functions such as marriage, shradha ceremonies etc. Advanced communities do not take even water and other edible articles given by the people of the Nath community. They are not allowed to enjoy the privileges and rights in the religious places like temples and village Namahars."

Surely, they are untouchables. The status of the backward community in the Hindu society is better than that of the Scheduled Castes and if that be the condition of the backward community in the State of Assam, then you can easily imagine what are the real conditions of the scheduled castes in Assam State.

A sum of Rs. 50,000 has been allotted by the Central Government for the Assam State for the removal of untouchability for the year 1953-54. If untouchability does not exist then where is the necessity for granting this amount to that State? Does it not show that Mr. Srikant, Commissioner for the Scheduled Castes and Scheduled Tribes, did not give any importance to the fact stated in the second report, because he sometimes failed to get correct reports even from many State Governments?

According to the definition of 'untouchables', the present Bill will cover not only the scheduled castes but also the non-Hindu untouchables like the Christians, Muslims and Tribals etc. I would like to give the population figures of untouchables in my State. The total population of the Assam State was about 90,43,707. There are certain communities who are untouchables according to the definition, such as-Muslims, Christians Tribals, but they do not care for untouchability. As for an instance-in Assam the total strength of Muslims-19,96,000, Tribals-17,35,000 are untouchables but do not care for untouchability.

The Christian population is 5,85,399 and some of the Tribals are Christians. Among the Hindu community, garden labourers, those who have been recruited from different States and who have been considered there as Scheduled Castes and Scheduled Tribes, are included in the backward class list in Assam. Their population is about 11 lakhs and they are untouchables. The Scheduled Caste population is 4,24,000 and other untouchable backward comhave the population of 7 munities lakhs. Therefore, about 59 lakhs of pepole are untouchables in the State of Assam; that is, nearly 65 per cent. of the total population are untouchables of which about 22 lakhs are Hindu untouchables. Then, one may say that non-Hindu untouchables have not been so long taken into consideration. Therefore, I would like to cite another instance from my district. The population of my district is 11,15,000. More than one third of the . population are non-Hindus and if we

subtract this figure it will come to about 7 lakhs. Out of these 7 lakhs Hindus, 5 lakhs are untouchables—1 lakh Scheduled Caste people, 2 lakhs garden labourers and 2 lakhs people belonging to the backward communities. Therefore, in my district 70 per cent. of the total Hindu population are untouchables.

I have given these figures with some object; firstly to remove from the minds of hon. Members in this House and the Government, the wrong impression to the fact that untouchability does not exist in Assam; and secondly, to impress that injustice should not be done to our State in future while giving grants by the Central Government. Assam State with a population of 90,43,707, of which about 65 per cent. are untouchables, has been allotted a sum of Rs. 50,000 for the removal of untouchability, whereas Manipur having a total population of 5,77,635 has been allotted Rs. 75,000. Thirdly, Sir, I want to point out that not a single Member from Assam has been taken in the Select Committee on this important Bill.

[Pandit Thakur Das Bhargava in the Chair]

I would like to remind my friends.....

Pandit D. N. Tiwary (Saran South): On a point of order, Sir, I want to know whether we are discussing the report or this legislation?

Mr. Chairman: What is the point of order in the hon. Member wanting to know what we are discussing?

Shri Laskar: I would like to remind my friends who are entrusted with the privilege of selecting or nominating members to Select Committees, or any other committees or Boards, that they should also keep in mind that there is a Part A State named Assam in the Indian Union.

Very soon we are having this sort of social legislation. Now let us see how far this will work in society. There are so many Social Disabilities

#### [Shri Laskar]

Acts in force in various States, but practically with no result. We find from the Commissioner's last report that Scheduled Caste people are not even allowed to enter the post offices. We also find that Scheduled Caste students are not given admission in schools

Shri D. C. Sharma (Hoshiarpur): On a point of order, Sir. You have ruled that no Member should approach the Chair asking for allowing him to speak, whereas I find that an hon. Member is talking to you

Mr. Chairman: Order, order. Any point of order should not be raised in such a light manner. I have never ruled anything like that. Members have been approaching me, sending me chits and so on, and it has not been ruled that no Member should approach the Chair. Such like point of order ought not to be raised in the House to incite laughter.

Shri D. C. Sharma: Sir, I think the Deputy-Speaker once said that no Member of the House should approach the Chair for permission to speak. It is in the proceedings.

Mr. Chairman: The hon. Member was pleased to say that I had ordered this, which is quite wrong. The Deputy-Speaker might have done so on some previous occasion about which I do not know.

Shri Laskar: Acharyya Vinoba Bhaveji was attacked while taking some Harijans to the Baidyanath temple and some of the scheduled caste Members of Parliament and Legislatures were not allowed to enter Viswanath Temple of Banaras with some Harijans. What are the reasons behind such actions? Social legislations require full co-operation from the Governments as well as from the people to make them effective. I think it is lacking from both sides. Mr. Srikant has also stated in his report:

"The contention of State Governments of Madhya Pradesh, West Bengal, Travancore-Cochin, Bilaspur and Delhi, that no cases of untouchability occur in their States, is not correct."

Does it not show that the Governments do not like to take things seriously, but they take them very lightly? In another place he has mentioned:

"No efforts have been made by the non-official organisations to get together and launch a country-wide propaganda for the purpose."

Without whole-hearted co-operation from both sides this sort of legislation will be a 'dead letter' in the statute-book like the Sarda Act.

The high caste people can take this responsibility and can eradicate the vicious sentiment of untouchability if they, sincerely and earnestly, so desire.

It is a fact that the Scheduled Caste people are suffering from some sort of inferiority complex due to the longstanding suppression and oppression from a group of high caste people. A section of the high caste people are also suffering from inferiority complex of being a little afraid of Scheduled Caste pepole. They utilise untouchability as a weapon to keep their position high in society and put down the position of untouchables to a low level. By this sort of legislation the untouchwill get courage to shake off their inferiority complex because they will feel that the law is with them, and also because the section of the high caste people will realise that the law will not spare them if they infringe any of the provisions of this Act. Therefore, this Act will surely bring some mental changes among both sec-Along with this legislative measure, there should be country-wide social campaign for the social and ecouplift of the downtrodden people which will bring unity, fraternity and equality as provided in our Constitution.

In conclusion, I would refer to the fact that our country has attained a

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status in the international sphere during this short period after independence. It is due to our Prime Minister and also due to the fact that we all stand united behind him. Communalism, casteism and such other things will disturb our unity. We shall not allow these to proceed. Untouchability is one phase of casteism. This must be condemned, eradicated and wiped out from society. If we fail to do this, our hard-won freedom will be at stake in future. With these words I suppoort the Bill.

सेट गाँविन्य इस (मंडला जवलपुर दिवाण) :
सभापीत जी, में गृह मंत्री जी को इस विधेयक
के यहां उपस्थित करने के लिये हार्दिक बधाई
दंता हूं। स्वराज्य प्राप्त होने के पश्चात् सरकार
ने अनेक महत्वपूर्ण विधेयक यहां पर उपस्थित
किये और मेरा मत हैं कि उन सब विधेयकों
में इस विधेयक का श्रेष्ठतम स्थान हैं। जब
इम संविधान बना रहे थे उस समय हमने
अस्प्रयता को एक जुर्म कसर दिवा और बह
आवश्यक था कि संविधान बनाने के पश्चात् इस
प्रकार का विधेयक यहां पर बहुत रिष्य उपस्थित
होता, फिर भी यदि दिन भर का भ्ला भटका
रात को भी घर आ जाये तो वह भ्ला भटका नहीं
कहलाता। दंर से ही क्यों न हो, यह विधेयक
इमार सामने उपस्थित हुआ।

हमको अपने दंश में जो कुछ हो रहा है उसमें से अनेक बातों पर गर्व हैं। निर्माण की हमारी जो योजनाएं चल रही हैं, में समफता हूं कि उस प्रकार की योजनाएं इस संसार के बहुत कम दंशों में चलती हैं। हमारी बॅदिशक नीति जितनी दूरी तक सफल हुई हैं, ऑर हो रही हैं, उस पर भी हम को गर्व हैं। परन्तु हमारी जो कमजोरियां हैं उन की तरफ से भी हम अपनी आंखे नहीं मुंद सकते। जहां तक अस्पृश्यता का सवाल हैं इस बात को स्वीकार करना ही होगा कि इस सम्बन्ध में अभी भी हमारी अनेक कमजोरियां हैं। मुझे एक घटना का स्मरण आता हैं। मृत्यु के पूर्व गांधी जी, जिस समय यहां पर एशियन काम्फर्यन्स हो रही थी, उस में गर्य थे। जन्होंने तस समय अपने भाषण में एक

नात कही भी कि यदि विदेशियों को इस वंश का सच्चा रूप दंखना है तो वह बम्बर्ड में. कलकत्ते में, दिल्ली में या इस प्रकार के नगराँ में दंखने को नहीं मिल सकता। इस दंश का सच्चा रूप गांवों में देखने को मिलता है और गांवों में भी अस्परयों के घरों में । गांधी जी हमारी कमजीरियों को भी हमार सामने और . संसार के सामने उपस्थित करने में कभी पीड़ां नहीं रहते थे । वे हमारी कमजीरियाँ को बूलन्द से बूलन्द आवाज में हमारे के सामने उपस्थित थे और उन को इस बात का कदापि भय नहीं होता था कि उन कमजोरियों को जानने पर द्गिनया के लोग हमें क्या कहेंगे। अस्पश्यता हमारी उसी प्रकार की कमजोरी हैं। इस प्रकार की कमजोरियों से विदेशों में भी हमारा मस्तक बहुत नीचे झुक जाता हैं।

में आप को अपने हो तज्जों को बदसाना वाहता है । विस समय न्यवीसेंड में कामनबेल्य पारिलंबामेन्टी कान्करन्स हो रही थी. और में उस कान्करमस में बृद्धिण आफ्रीका के रंग भेद के विकास में करक कह रहा था को दक्षिण अफ्रीका का एक प्रतिनिधि उठ कर बोला कि अपप के दंश में अनदचीकीलटी की क्या क्यिकी हैं ? में ने उत्तर वं रेडका कि इस अपने संविधान के जीरचे उस को समान्त करने वाले हैं क्योंकि उस समय तक यह काम हुआ नहीं था। केनाहा में फिर वही नात हुई। करनाडा में भी जब में बाबिय अफ्रीका के रंग भेट के बिए में कह रहा था को फिर दक्षिण अफ्रीका का एक प्रतिनिधि लक्ष हुआ और उस ने कहा कि अनटचीवितिटी का भारतवर्ष में क्या हाल हैं। उस समय हम अनटचेनिसिटी अर्थात् अस्प्रयता को अपन संविधान में समाप्त कर चुके थे, में ने तत्काल जत्तर वं दिया कि इस इसे समाप्त कर चुने हैं पर उस ने फिर कहा कि कानून से समाप्त करने में कोई बीव समान्त नहीं होती. व्यवहार में उस के समाप्त होने के संबंध में क्या हुआ है ? सभापति जी, में आप से कहना चाहता हूं कि सत्य के नाम पर मेर्र पास इस का कोई उत्तर नहीं था । हम ने संविधान में अस्परण्या 🖈

[संठ गोविन्द दास]

समाप्त कर दिया हैं, इस में सन्दंह नहीं, परन्तु हमें सत्य के नाम पर इस बात को स्वीकार करना होगा कि व्यवहार में अब तक हम उसे समाप्त नहीं कर सके हैं।

में इस बात को मानता हूं कि परिस्थित में परिवर्तन हुआ हैं। यदि हम प्राने समय को देखें और आज के समय को देखें तो जो लोग सार्वजनिक जीवन में रहे हैं. सन् १६२० से, उन को यह परिवर्तन स्पष्ट इच्छिगोचर होता है । जिस समय गांधी जी ने सब से पहले अस्पश्यता की आबाज को उठाया था उस समय अस्पश्यता की जो अवस्था भी आज वह अवस्था नहीं हैं। अस्परयता से हम गांधी जी के समय के भी पूर्व से लड़ रहे हैं। स्वामी द्यानन्द सरस्वती ने आर्य समाब के द्वारा इस विषय में बहुत बढ़ा काम किया था। आधीनक भारत के दो सब से बर्ड आदमी हैं। एक स्वामी दयानन्द सरस्वती ऑर चूसर महात्मा गांधी । दोनों गुजरात में वेदा हुए और गुजरात की इस बात का गर्व हैं कि इस प्रकार के महत्वनों को उस ने बन्म दिया । अस्परयता के जिलाफ हमारी लड़ाई बराबर चली आ रही हैं। संविधान में अस्प्रयता को समाप्त करने के परचात और इस विधेवक को विधि के कप में परिणत करने के परवात भी हम सब का <sup>र</sup>यह कर्त्तच्य होना चाहिचे कि जिस जिस होत्र में अस्पश्यता है, जिस जिस चेत्र से हम यहां पर आते हैं, या हमारी विधान सभाओं के सदस्य जिस जिस दोन से आये हुए हैं उन सन को इस बीमारी के खिलाफ जिहाद हो । बच तक हम यह नहीं करेंगे तब तक इस प्रकार के विधेयक से हमारा पूरा काम नहीं चल सकता। में इस बात को मानता हूं कि यह विधेयक भी हमें बहुत दूर ले जायेगा, लेकिन इस विधेयक के साथ साथ हमें जनमत बनाने का भी प्रयत्न करना होगा । कोई भी इस प्रकार का सामाजिक विश्रेयक तब तक कार्य रूप में परिणत नहीं हो सकता जब तक कि जनमत भी परिवर्तित न हो।

में इत्य से इस विशेषक का समर्थन करता इं. में आशा करता इं कि इस विशेषक में बो बातें कही गई हैं उन को कार्य रूप में परिषत करने में सरकार भी सन्ना कटिबद्ध रहेगी।

Mr. Chairman: I have a list of 25 Members with me who desire to take part in this debate, and even if I am to give ten minutes to each of them, the time at our disposal will not be sufficient to give opportunities to all those who are desirous of speaking on this Bill. I would, therefore, appeal to all Members, who are taking part in this debate, to be as brief as possible.

Shri P. Ramaswamy (Mahbubnagar—Reserved—Scheduled Castes): At the outset, I must admit that I find myself in an embarrassing position. I do not know whether I should welcome the Bill or condemn it outright.

Untouchability was the greatest sin perpetrated by one section of humanity on the other. There is no parallel in comparative history. The racial and other indiscriminations, communal and religious hatreds that the world has known, fall into insignficance they are compared with the crime of untouchability. All this went on for hundreds and thousands of years, and in the name of religion, which professes that God is omni-present and every human soul is a particle of the great soul, God It was a herculean task Gandhiji achieved in a short time of few decades. His battle against orthodoxy is a recent history and forms part of our times. I do not say that everything has been achieved and no untouchability in any form or shape is practised. No, ft is not so. Untouchability persists in spite of Gandhiji's spirit and his teachings and example pervading the country, but the point is whether this untouchability can be dealt with by measures like the present one. Doubt arises in my mind whether the present Bill would help us in improving our lot.

Let us look at the present problem. Untouchability in crude form, generally speaking, does not exist, and yet there is no real fusion in the society. Society is not one, and looking at the caste feelings that dominate people's minds today, it will be a long journey to reach the goal of one people to one nation. So, the problem is psychological, and it cannot be handled fully by the present Bill. This is my embarrassment, and I feel that a proper remedy is not being applied to the disease. Social education is needed to eradicate untouchability, root and branch.

In spite of these short-comings, I feel I must welcome the Bill. Such a Bill was overdue. Let no fanatic create the sensation by his dogmatic adherence to the old, outworn ideas and customs. No doubt, this will be the advantage, rather the main one, namely, that this Bill would bring to his senses any fellow who still lives in his own world and does not take cognizance of the changing world that we are living in, but the point is: why then this Bill was delayed for such a long time? We achieved independence in 1947; this is 1954. Seven long years have passed. If we could pass the Preventive Detention Act in two days, could we not pass such a legislation? There is, and there was some opposition to the Preventive Detention Act, but there was never any opposition in this House to such a measure. This, I can say with confidence. Therefore, what reply can the Home Minister offer for such a delay?

I would make my position clear if I refer to some provisions of the Bill. It is common knowledge that in every village and even in the towns and cities, Harijans live in separate localities and they have no access to the localities where high castes generally live. Apart from the economic factor. the social factor persists. I am referring to the social factor here. How can this Bill help the Harijan to purchase or take on rent a house in the locality of the high caste people? No doubt, the seller will not sell his house to a Harijan simply because he is Harijan, and yet it will be very difficult to bring him within the purview of this Act. He will have thousand escapes. He can say, 'I have already sold or I

do not want to sell.' The other caste Hindus might increase the bid. short, unless the seller himself and other members of the locality do not desire or welcome it, it will be an impossible task for a Harijan to get a place in the caste-Hindu locality. The same is the case with many of the Government services and agricultural lands. The other day, when the motion was moved, it created laughter when the hon. Home Minister referred to the case of a barber. It is no more a matter for laughter; it presents a real difficulty. If we laugh at it, it is only to cover our inability. We know we cannot solve it: therefore, the best escape is to laugh it away.

While moving the Bill for reference to the Select Committee, the Home Minister made certain points. I would like to say a word or two in that connection. He laid the greatest stress on creating a psychological atmosphere without which he rightly felt that the purpose of the Bill could not be fulfilled. So far as this point is concerned, he made it perfectly clear. How to create that psychological atmosphere? Does the hon, Home Minister feel that Government have nothing to do in this regard? If so, we will be glad to hear what is it that Government propose to do. Mere propaganda by the private persons will not achieve any results. Such a propaganda would be effective when it is backed by the Government actions.

I take this opportunity of suggesting a few steps that Government should take. The social problem is interrelated with economic problems. the economic conditions of the Harijans are better, it will help that psychology. Harijans have to be economically rehabilitated This is a gigantic task and it should be taken up on a great scale. Our country has made a great name in rehabilitating 80 lakhs of refugees. This was a great task. More than Rs. 200 crores have been spent. I am all admiration for the Government. Such a Government should confidently come forward to re-

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#### [Shri P. Ramaswamy]

habilitate crores of untouchables. Harijans have the same right on the Government as the refugees had. refugees were dispossessed recently. We were dispossessed some thousands of years before. Our condition is more pitiable. Practically, we own no property, no land, and have no means of livelihood. The result is that whenever there is unemployment, we are the first victims. Unless all the non-Harijans are employed, we have no chance. As a result, we are pushed up into jobs that are not only the dirty ones but also pay the least. Thus, in utter misery and poverty, we have lived through ages. All skilled work has been snatched away from us. We depend upon nothing else but unskilled manual labour. Therefore, the first duty of the Government is to provide us with employment. We must get a fair quota of the land.

There should be no village where the Harijans are not allotted at least 10 per cent. of the total land. This is not a drastic demand. It is a very moderate one. At least all the land that is reclaimed, is obtained through progressive legislation. They should first be allotted to the Harijans till the quota is fulfilled. Village industries, cottage industries and small-scale industries as well as handicrafts should be made to flourish. In short, full employment is to be provided. Cannot Government spend a few crores over such an urgent task? Looking at the way they handled the rehabilitation work, it is not too much to expect from this Government that they should come forward and set apart a few crores for this work.

We have to fight separatism. In these days, separate hostels are coming forth; every community and caste has got a separate hostel in every big city. foster feelings These hostels separatism in the young minds. I suggest to the Government to make it compulsory for every hostel to admit ten per cent. of the Harijan students. This will help in creating fusion of the

society. If there should be no separate temples and no separate wells, why should there be separate hostels?

Gandhiji was a great practical man. He had suggested one remedy which. in my opinion, is the best for creating this fusion. He had appealed to every patriot to adopt one Harijan boy or a bring up him and her along with his children. If a few thousand people would have come forward and acted upon it, that would have immensely helped the situation. This, he had said after many years of his following it himself. He had adopted a Harijan girl by name Lakshmi Devi. She was an inmate of Sabarmati Ashram. Cannot the Government think of encouraging such gestures and other methods like inter-castemarriages?

Lastly, the Harijan M.P.s, without distinction of their political parties. should be asked to take a decision in this regard, and that decision should be recommended to the Parliament for its acceptance in toto.

स्वामी रामानन्व शास्त्री (जिला उन्नाव व विका राजवर्रली, पश्चिम व बिला हरदोई, दक्षिण पूर्व. रक्ति, अनुस्चित बातियां): आदरणीक सभापीत महोदयः.....

Shri Nand Lal Sharma (Sikar): Is he on the Committee?

Some Hon. Members: Yes; he is.

Mr. Chairman: I am very sorry. Let us follow the convention. The convention is that those who are on the Select Committee are not to be called upon to speak. I am very sorry.

Shri Ramananda Das (Barrackpore): He is not on the Select Committee.

Some Hon. Members: He is not on the Select Committee,

Mr. Chairman: Then certainly he can go on

स्वामी समाजम् शास्त्री : सभापति महोदय....

Shri U. M. Trivedi (Chittor): On a point of order. So far, the convention has been that for every two Members of the Congress Party, one Member of the Opposition is called upon to speak. But, now, in the discussion of this particular Bill, five Members of the Congress Party have been called and only one Member of the Opposition has been called.

Mr. Chairman: As a matter of fact, I do not know of any convention by virtue of which two Members of the Congress and one Member from some other party should be called. It has not been the practice in this and especially in a social measure like this, there is no question of paty at all. The Congress Members are quite free to vote also. I do not think this should nave been made a matter of grouse on the floor of this House. On the contrary, I will call upon all Members of the House, irrespective of the party to which they belong, to speak on this measure.

Dr. Ram Subhag Singh (Shahabad South): Even if there is any such convention, that convention should not be honoured now, for this Bill.

Mr. Chairman: There is no such convention. If a convention was there, and only the question of numbers was there, I think that for every six or seven Members from the Congress Party, only one Member from any other party could be called. But this will hardly be palatable to the other parties.

स्वामी रामानन्व शास्त्री : सभापीत जी. में आपको हृदय से धन्यवाद दंता हूं और अपने होम मिनिस्टर साहब को धन्यवाद दंता हूं कि भारत की कर्ड करोड पददलित जनसंख्या के उद्यार के लिए हमार भगवान कॉलाशनाथ जी कॉलाश से यहां पर आ गर्व हैं जॉसा कि में ने वहले सेशन में भी कहा था। इस सम्बन्ध में में उनको कोटिशः धन्यवाद हंता हूं कि वे उन जातियों के उत्थान के लिए, जो कि हजारों वर्ष से पद्दालत थीं. यह विशेष विधेयक लाये। यह सेलेक्ट कमेटी में उनको विचार करना चाहिये और उसके लिये मुझे पूरी आशा है कि बह उसको कार्बान्सित करने के लिये भी यहा प्रयस्न करींगे। अब में अपने विवय पर आता हां। सबसे पहले तो मुझे यह कहना है कि हमाई शर्मा जी जानसे थे कि शास्त्री जी तो जरूर शास्त्रीय चर्चा इस बार में करेंगे. इसलिये जानबुझ कर उन्होंने अपनी आपत्ति उठाबी ताकि में आउट हो जाकां....

Shri Nand Lal Sharma (Sikar): I beg his pardon, Sir, I did not do it in order to obstruct him.

स्वामी रामानम्य शास्त्री : सिवाय मुक्ते बोलने से वंचित रखने के अलावा और क्या वजह हो सकती हैं जो शर्मा जी ने

भी डी० सी० शर्मा (हीशियारपूर): शर्मा जी ने कहा, यह न कहा जाये, नंद लाल शर्मा ने कहा एंसा कहा जाये क्योंकि हाउस में बहुत से शर्जी

Mr. Chairman: When the hon. Member has expressed regret, the matter should be treated as closed.

कामी रामानुन्द हारिकी : सर्वप्रथम तो मुर्के यह कहना है कि इस प्रकार का बिल तो आब से बहुत पहले. हजारों वर्ष पहले. पास हो जाना चाहिये था । शास्त्रों में एसा लिखा है और अधर्व-वेद जिसको हम सब हिन्दू भाई मानते हैं उसमें निस्ता है, स्वर इस समय मुझे वह श्लोक नहीं याद आ रहा है वह बाद में में पेश करूं मा । पहले में पढ़ने के बार यजर्वद के २६वें अध्याय का जो दूसरा मंत्र है वह में आपको बतलाना चाहता हूं। यह इस प्रकार हैं:

यर्थमां वाचं कल्याणीं भावयामि जनेभ्यः । बुहमराजन्याभां शुद्राय चारणय चा स्वाय ॥

यजुर्वीद मन्ब (२) अध्याय (२६)

बह बैद वाणी जो कि समस्त संसार के लियें कल्याणकारी हैं. प्रत्येक मनुष्य नाँकर चाकर. मालिक, बाह्यण, चन्नी, वॅश्य ऑर शुद्ध सबके लिथे समान रूप से लामप्रद हैं उसको मैंने अभी [स्वामी रामानन्द शास्त्री]

आपकी संवा में उद्धृत किया लेकिन अभाग्यवस बीच में कुछ संकृचित विचार वालों ने इस का पालन नहीं किया और न तो खुद ही उस दंववाणी को पढ़ा और न द्सरों को पढ़ाया और दंश संस्कृत की दंववाणी से बंचित रहा।

इसके अतिरिक्त अथर्ववेद का वह मंत्र भी में आपको यहां पर सुनाना चाहता हूं जो मुक्रे पहले बाद नहीं आ रहा था और वह इस प्रकार हैं:

समानि प्रपा सहवा अन्नं भागाः समाने योक्त्रे सहवा प्रनीजम सभ्यण्वभाससपप<sup>त</sup>त रथनाभावरा हव ॥ अथर्ववेद का यह मन्त्र हैं॥

उसका तात्पर्य यह हैं कि तुम्हार खाने का स्थान एक होना चाहिये, तुम साथ मिस कर खाओ और उसमें एकता की भावना है, गाड़ी के यहियों के समान मिस कर जिस प्रकार आरा एक दूसर के साथ जुड़ा होकर गाड़ी को चलाता हैं उसी प्रकार प्रत्येक मनुष्य इस समाज की जो व्यवस्था हैं उसको चलाये। मैं इसके पद्म में अनेकों प्रमाण पुराणों से भी द सकता हूं लेकिन समय न होने के कारण मैं उनको यहां पर पेश महीं करना चाहता। पुराणों में गंगा की महिमा के सम्बन्ध में क्या ही सुन्दर लिखा हैं:

गंगागंगीत यो ब्यात् योजनानां शतौरीप मुख्यते सर्व-पार्यभ्यों विष्णु लोकं सह गच्छति ॥

भीवच्य तथा पदमप्ररण का १ लोक हैं।

भावार्थ----

४०० मील से भी अगर कोई "गंगा" शब्द कहता हैं तब भी वह सीधे बँकंठ में चला जाता हैं, फिर बो भाई गंगा में नहाते हैं और गंगा, गंगा कहते हैं और उसमें मुसलमान भी आ गये उन सभी को बँकंठ चला जाना चाहिये, यीद हम पुराणों को मानते हैं । इस आधार पर तो यह बिल बहुत पहले जाना चाहिये था और इसमें दंरी नहीं होनी चाहिये थी लेकिन अगर सुबह का भूला शाम को घर वापिस आजाय तो भ्ला नहीं कहलाता, इस नाते में मंत्री महोदय को यह विधेयक लाने पर बधाई दंता हुं। 10 A.M.

अब में प्रस्तुत विषय पर कुछ आपको बतलाना चाहता हूं और वह एक क्रुआक्रूत की घटना है जिस पर स्वयं हमार मिनिस्टर साहब भी लिज्जित हैं और वह चीज कहे विना नहीं रही जाती । घटना इस प्रकार हैं । सोलइ जून को ईस्टर्न कोर्ट में मिकीनक विभाग में कूल ४४ आदमी हैं जिनमें केवल एक हरिजन है जिसका नाम रामजीदास है और जो वहां पर के लिये छू ली तो मारा व सुराही फोड़ी गई जब कि उस चपरासी ने स्टाफ की सराही पानी पीने के लिये छू ली तो मारा व स्राही फोडी गई जब रामजीदास ने विभाग के हेड ही ही राप्ता को रिपोर्ट दी तो फाइ दी। उस केस पर जब हमार मंत्री जी ने इनक्वायरी कराई और वह डी० डी० गुप्ता के सामने हुई तो उनके सामने जो ४४ के ४४ आइमी थे उन्होंने ढंग से रिपोर्ट नहीं ही। अगर गुप्ता जी से अलग रिपोर्ट ली जाये तो सही बात का पता चलेगा । लीकन गुप्ता जी के सामने न लें। आज उस आदमी को जान से मारने की धमकी दी जा रही हैं, एक हिन्दू भाई ने आकर मझे बतलाया कि उनको यहां से टान्सफर किया जा रहा है, और उन पर चार्जशीट लगायी जा रही हैं। इसलिये में कहुंगा कि गवर्नमेंट की और से इस बात का प्रयत्न होना चाहिये कि भविष्य में वही गवर्नमेंट सर्विस में एंटर हो सके जो फार्म पर इस तरह की प्रतिज्ञा कर ले कि वह किसी तरह की छूआछूत नहीं बत्तेंगे, सर्विस कंडीशन्स के फार्म में इस तरह का एक खाना होना चाहिये । राजस्थान के बार में में आपको बतलाऊं कि वहां पर होली. दीवली के दिनों में हरिजनों की ऑरतों को ले बाकर मोहल्लों में फिराते हैं और उनके साथ भद्दा मजाक करते हैं जो कि अन्चित हैं और इस प्रकार की अन्चित प्रधार्थं सत्म होनी चाहियं । दूसरी बात यह है कि यह जो कान्न बन रहा है, एसा न हो कि बीच में दबाव पहने के कारण इसकी नरम कर दिया जाये, उसका कड़ा रूप होना चाहिये और एंसा न हो जैसा कि यहां पर शक जाहिर किया गया कि सरकारी अफसर बीच में रिश्वत सा कर अस्पृश्वता का अपराध करने

वलों को छोड़ दंं। दूसरं जँसा श्री एस० एन० अग्वाल ने कल कहा कि गांवों की सामाजिक परिस्थितियों ने हरिजनों को मजब्र कर दिया हैं कि वह स्वयं कहते हैं कि हमें कोई दिक्कत नहीं हैं। दूसरी घटना इस प्रकार हैं कि गुजरात में कलोल नामक स्थान में एक हरिजन भाई पंजाब का जो ज्ता गांठने वाला था वह एक होटल में चाय पीने के लिये गया, जब लोगों को माल्म हुआ कि यह हरिजन हैं तो उसको इतना मारा गया कि उसका हाथ द्र गया और उसका केस चल रहा हैं, अब वह बेचारा केस लड़ने के लिये रुपया कहां से लावे ?

इसी तरह की एक घटना का समाचार अभी अखबार में निकला है कि पटियाला में जाट भाइयों में यह बात ठहरी कि जो आदमी हरिजनों के यहां पानी पीयेगा उसको दो बोतल शराब पिलायेगें। शराब के लालच में एक भाई ने हरिजनों के वहां पानी पी लिया। इसर दिन उन्होंने एकिवत होकर हरिजनों को दंढ दिया कि तुम लोग हरदार गंगा नहाने जाओ और २४ रुपये जुर्माना दो। में और भी कितने ही उदाहरण और घटनाएं पैश कर सकता हूं लेकिन समयाभाव के कारण एसा नहीं करना चाहता।

ऑर अधिक न कह कर में इस विस का इदय से समर्थन करता हूं ऑर मंत्री महोद्दे का अत्यन्त आभारी हूं कि उन्होंने एसा विल संसद् के सामने रक्ला । में इस विल का हदय से समर्थन करते हुए निवेदन करना चाहता हूं कि इस को लोक प्रचार के लिखे न भेजा जाये और इसको जल्द से जल्द पास करके लाग् किया जाये। इन शब्दों के साथ में इस विल का समर्थन करता हूं।

सरपार ए० एस० सहग्रह (विलासपुर) : अस्पृश्यता निवारण विधेयक जो मंत्री महोदय यहां पर लाये हैं और जो कि सेलेक्ट कमेटी को जाने वाला हैं, उसका में स्वागत करता हूं। इस बिल में सका तीन क्लाज ६ में इस तरह से दर्ज हैं: Prohibition against refusal to sell goods or render service to untouchables.—

"No person shall refuse to sell any goods or refuse to render any service in the ordinary course of business to any untouchable on the ground only that he is an untouchable."

इसके साथ ही साथ यदि आप आव्जेक्ट्स एन्ड रीजन्स सफा ७ में दंखेंगे तो उसके 'सी' क्लाज में इस तरह से पायोंगे :

"(c) whoever takes any part in the ex-communication of, or imposition of any social disability on, any person who refuses to practise untouchability or does any act in furtherance of the objects of this new law will also be guilty of an offence."

यह जो दोनों नातें हैं इससे यह मसला हस नहीं होता । मैं मंत्री जी को बवसाना बाहता हूं कि मध्यप्रदेश में सास कर इस्तीसगढ़ के इलाके में हमार हरिजन भाइयों के साथ में उन्हें धोबी ऑर नाई देने के मसले पर सभापति जी मध्यप्रदेश की सरकार ने जो, दो बिल बहां पर पास किये हैं।

The Central Provinces and Berar Scheduled Castes (Removal of Civil Disabilities) Act, 1947.

ऑर दूसरा कान्न वो वहां की सरकार ने पास किया उसका नाम

The Central Provinces and Berar Temple Entry Authorisation Act, 1947 हैं इन दो विलों के होते हुए भी जो विल कि सन् १६४० में पास कर दिये गये हैं, अगर आप हरिजनों की बस्ती में उनके साथ में जायें तो पायेंगे कि कोई धोबी उन का काम नहीं करता हैं। और अगर कोई धोबी उन का काम कर दं तो उस को जाति से वहिष्कृत कर दिया जाता हैं। इसी तरह से विद कोई नाई गांव में रहता हैं तो हरिजनों का काम नहीं करता हैं और यदि लोगों के कहने से वह कार्य कर भी दिया तो उस को भी बहिष्कृत कर दिया जाता हैं। यहाँ

सिरदार ए० एस० सहगल

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तक कि उस के ऊपर वह वह दंह लगा बहुं से बहा दृंढ जात बीहष्कृत का लगा दिया जाता है और उस के पास जो सम्पति होती हैं. जो जमीन होती हैं उस को भी बेच पडता है और जात के बंधन में रहना पहला हैं। इस कार्य को दूर करके उन्हें नाई या मिलना निहायत आवश्यक हैं।

गृह-कार्य तथा राज्य मंत्री (हा० काटज्) : क्या नार्ड और धोबी को ?

सरदार ए० एस० सङ्गकः जी हां, नाई और धोबी को । जिस कान्स्टिट्रएन्सी से में आता हूं वहां पर हरिजनों की करीब करीब चार लाख की तादाद हैं। में मंत्री महोदय से कहूंगा कि वह इन बालों पर गाँर करें। यदि हम ने कान्न बनाया तो अच्छा हैं, और मध्य प्रदृश की सरकार ने बनाया तब भी बहुत अच्छा हैं। लीकन यदि इस कान्न का हम ठीक ठीक से पालन नहीं करते हैं, इस की वहां पर कड़ाई से हम लागू नहीं करते हैं तो इस कान्तन के बनाने से क्या फायदा होगा ? इसलिये इन सारी वार्ती को इंसरी हुए में मंत्री महोदय से कहना चाहता हूं कि यह जो कान्त आप बनाने जा रहे हैं उसे अमली जामा पहनाइये. तो वह बहुत अच्छा होगा । लेकिन यदि यह विधेयक खाली देखने के लिये तथा ताख पर रखने के नियं बनाया जाता है तो इस से तो कार्य चलने बाला नहीं हैं। यदि हम इन कठिनाइयों को दर नहीं कर सकेंगे तो इस से क्या फायदा होगा ? में आब अपने सवर्ण हिन्दू भाइयों से भी कहता हूं कि आप उन को अपने यहां अगर काम पर नहीं सगावेंगे, अपने घर पर काम नहीं करने देंगे. को उन का भला नहीं हो सकता हैं और जो अस्पश्यता की भावना मन में बँठी हैं वह दूर न होगी। आप भले ही उन को बमीन बोतने के लिये लगा लें. लेकिन घर के जो दूसर कार्च हैं उन से नहीं कराते हैं तो उन की स्थिति में कोई सुधार नहीं हो सकता हैं। यदि बडी हमार हरियन भाई शहर में आ बाते हैं आर वह किसी नाई की दूकान पर जाते हैं तो नाई उस के कार्य को कर दूरी हैं। लेकिन दंशत में रहते हुए नहीं करेंगे । यदि हमार हरिजन भाई शहर आ जाते हैं तो जो धोबी हैं वह भी उस का काम कर दंगा, लेकिन दंहात में रहते हुए नहीं करेगा। इस तरह की कारवीइयों को दूर करने के लिये विधेयक में साफ ताँर पर दर्शाना था । मेर कहने का अर्थ यह हैं कि इन बातों को दृंखने हुए इस में जो आप ने क्लाज रक्खा है उस में आप को स्पष्ट कर देना था. और आप का बो स्टंटमेन्ट आफ आब्बेक्ट्स एंड रीबन्स हैं उस में आप को हर बातों को स्पष्ट कर दंना था। आप समझते हैं कि जब आप के रास्ते में दिक्कतें आयेंगी तो उस के बाद सब मसले इस से हल हो जायेंगे । लीकन में एसा नहीं समझता । हां यह ठीक है कि आप बर्ड योग्य क्कील और एंडवोकेट रह चुके हैं. लेकिन मेरी समझ में अब तक नहीं आचा और में इन बातों तक अभी तक पहुंच नहीं सका हूं कि इस तरह से सब मसले इस विधेयक से करेंसे इल हो बायेंगे।

इन शब्दों के साथ जो विधेयक आप ने पेश किया है मैं उस का समर्थन करता हूं।

श्री एक ए बोरकर (भंडारा--रिक्रत---अनुस्चित जातियां) : सभापति जी, गृह-मंत्री सी ने विल यह पेश किया है उस के लिये में चन को बधाई दंता हूं और चाइता हूं कि अपनी राय आप के सामने रक्खें । सब से पहले तो में बह कहना चाहता हूं कि जो हरिजनों का एनिमी नम्बर १ हैं वह यह हैं कि जो लोग अपने को धर्म के नाम पर जिन्दा रखना चाहते हैं। में ने देखा कि जब यहां इस बिल की चर्चा चली. तो एक ६० साल के माननीय सदस्य ने कहा कि मेरी यह इच्छा है कि में एक हरिजन लडकी के साथ विवाह करूं। हरिजनों का सवाल कोई मलाल करने का सवाल नहीं है. यदि कोई समझे कि यह मस्रोल का सवाल हैं सो में बता दंना चाहता हूं कि आब हरिबनों में जागीत आ गई हैं, वह इस चीज को सइन

नहीं करींगे। मलील करने के दिन चले गर्थ। हम तय कर चुके हैं कि हमारी जो आर्थिक तथा सामाजिक हालत है, जो विषमता है. दूर करने के लिये हम कहां से कहा कदम उठायेंगे। अब हम इस के लिये प्री तरह से आमादा हो गये हैं । धर्म के नाम पर आब हमार देश में बहुत सी बातें चल रही हैं । सभापीत जी. आप को पता होगा कि हमार दंवघर में क्या हाआ । हमारं भारतवर्ष में आज कितने दुंबघर हैं बहां की बातें आज पेपर में नहीं आती हैं, वरना इम ने दंखा है कि एंसे कितने ही दंवघर हैं बहां मानवता के अधिकार भी हरिजनों को नहीं मिलते। इस दंखते हैं कि धर्म के ठंकेका जो बने बैठ हैं वह हमेशा उस का अर्थ सगाते हैं। एक और चीज यहां कही गई और में उस को दोहराता हूं, इसलिये कि हमार माननीय सदस्य ने कहा था कि में अपनी पार्टी की ओर से ऑर बाह्यणों की ओर से विल का समर्थन करता हूं। मुझे ताज्जुब हुआ। मुझे एक किस्सा बाद आता है और वह भी हिन्द महा सभा का । उस के एक जिम्मेदार व्यक्ति थे. सभापीत थे हमारं सूबे के। उन के मकान के विकर्न का समय आया. में उन का नाम नहीं सेना चाहता । एसे भी १०० में से एक आध हरियन निकल आते हैं जिन की आर्थिक स्थिति ठीक होती हैं। उस मकान का नीलाम **ड**.आ. एक हरिजन ने उस की बोली बोली । लेकिन धर्म के नाम पर जिन्दा रहने वाले लोगों ऑर मजहब के नाम पर जिन्हा रहने वाले लोगों ने सिर्फ इसलिये कि बोली बोलने वाला. पँसा सगाने वाला हरिजन था, उस का साँदा नहीं पटने दिया । और वह हमारा कार्यकर्ता आज भी मकान का कब्जा लेन सका। मैं इसलिये यह चीज कहना चाहता हूं कि आज हम धर्म के नाम पर जीते हैं। एक और किस्सा, पंद्रह रोज पहले हुआ, जो कि शृद्धि करण के सम्बन्ध में था। मैं ने दंखा कि हरियन ईसाई होता है. या धर्म परिवर्तन करता है. इसलिये नहीं कि वह धर्म परिवर्तन को पसन्द करते हैं. वह धर्म परिवर्तन करते हैं इसीलये कि वह मजबर हो बार्त हैं। जब उन को मानवता के अधिकार नहीं मिसते, या जो दूसर अधिकार उन को चाहिये

वह मिलने में कठनाई आती है। वे चले बाते हैं बहां पर उन को सविधायें तथा अधिकार मिलते हैं। हमार एक वह नैता कल बोल रहें थे, कि उन का इरादा यह था कि वह एक हरिजन को शुद्ध कर लें। मैं उन से कहना चाहता हूं कि यदि उन को शुद्धीकरण का कार्य करना हो तो पहले उन धर्म के ठंकेदारों को शब करें बो हमार एम० एल० एव० और एम० पीव० को भगवान के दर्शन करने में रुकावट हालते हैं। उनमें से एक स्वामी करपात्री जी जो धर्म क ठंकेदार बने हुए हैं। पहले उन के दिल और दिमाग को दूरुस्त करने की जरूरत हैं। इस के लिये में ने उससे पहिले भी कहा था और आज भी कहना चाहता हूं कि यही सौग हमार दूरमन नम्बर ९ हैं जो कि धर्म के नाम पर जिल्हा रहने वाले हैं और धर्म को जिन्दा रखने वाले कहलाचे हैं। भीतरी बात यह हैं कि जो वह नार बुलन्द करते हैं या जो अनेक बातें कहते हैं वह स्नने में बहुत अच्छी लगती हैं लेकिन उन का कोई भी कहना वह असल में नहीं लाते।

श्री श्री० श्री० श्रंशपांड (गुना) : धर्म का ठंका लेने वाली कांग्रंस की गवर्नमेन्ट वहां हैं उस में यह सब हुआ हैं।

श्री एन० ए० वीरकर : मैं इंस चीज को आव इसलिये कह रहा हूं कि यह सब नातें आज आप श्री एन० ए० बोरकरो

के सामने रक्की जा रही हैं और यह सब चीजें आब हमार दंहातों के अन्दर चल रही हैं और बो नोग धर्म के नाम पर जिन्दा रहना चाहते हैं उन का दिल और दिमाग इस तरह का है। वह अभी भी धर्म के ठ'केदार बने हुए हैं । में कई एंसी मिसालें दंना चाहता हूं। उमरंड तहसील की जो हालत है वह तो सामने मैंने रखी हैं। और इन कामों को करने वाले वही लोग हैं जिन्होंने इस बिल का समर्थन किया था और बो आब भी धर्म के नाम पर जिन्हा रहने वाले हैं और एसे कामों में रुकावट हालते हैं।

Untouchability

थी बीठ बीठ वंशपांड : अधर्म के नाम पर बिन्दा रहने वाले को कांग्रांसबन हैं उन की ह्यूमत वहां हैं.....

Mr. Chairman: Order, order. The hon. Member is making a speech. I am asking him not to object.

भी एन० ए० बोरकर: दूसरी चीज......

Shri Nand Lal Sharma (Sikar): On a point of order, Sir. The hon. speaker has just now mentioned the name of a gentleman, Swami Karpatriji, who is not present here to defend himself. Is it proper?

Mr. Chairman: He has said nothing disparaging. Taking the names of such persons well known all over the country is not objectionable at all.

Shri Nand Lai Sharma: But he is not pesent here.

Mr. Chairman: Every person cannot be present in this House.

श्री एक० ए० बोरकर: अध्यक् महोदय, नागपुर शहर में हरिबनों के लिए मकान की समस्या तो सबसे कड़ी समस्या है। जो माननीय सदस्य कम बोले थे उनके मकान के पास का मामला है । एक हरिबन अफसर थे । उनको एक मकान मिला धंतोली में। पहले उन धर्म के टंकेदारों को चड पता नहीं था कि वह एक इरिवन हैं। इसिसए उनको किराये पर मकान र्ट टिया। टो महीने के बाद पता चला कि वह

हरिजन हैं । श्रीमान् में आपको बतलाता हूं कि इस बात का पता होने पर माननीय सदस्य को उस मकान से निकाला गया । जो माननीय सदस्य परसों नोले थे यह उनके पास ही हुआ था। और जिस हालत से उनको निकाला गया वह में आपको नहीं बताना चाहता । एक एंसा हरिजन जो कि पढ़ा लिखा है. बो सरविस में हैं, जिसका 'इकानीमक स्टंटस' बढ़ा हुआ हैं. अगर उसके साथ नागपुर शहर में, उस जमह की पास जहां पर कि धर्म के नाम पर जिन्दा रहनें वाले रहते हैं. इस तरह का बरताव होता है. और वह धर्म के ठ'केदार उसमें कोई हस्तचेप नहीं करते. तो क्या इन लोगों से कोई आशा की जासकती हैं।

यह अस्पृश्यता निवारण का सवाल हमार दंश में सबसे बड़ा सवाल हैं और में चाहता हूं कि इसके लिए एक अलग हरिजन मिनिस्टी बनायी बाय । अगर आपको हिन्दू धर्म के इस कलंक को मिटाना है तो आपको इस काम को करने के लिए एक अलग मिनिस्टी बनानी होगी और उसमें आदमी रखने होगें, जो कि इस काम में दिलचस्पी लेने वाले हों। जब तक इसमें कोई इदय से दंखने वाला आदमी नहीं होगा तब तक इस विधेयक का अमल में आना मुश्किल होगा । मैं कहता हूं कि हमें तमाम देश का दिल व दिमाग बदलना है । यह बहुत वर्ष का पूराना ढांचा है और इसको बदलने के लिए अगर अलग मिनिस्टी नहीं बनेगी तो में समभता है कि हमारा यह मसला हल नहीं होगा । यह न हो कि यह कान्न केवल किताबाँ में पक्ष रह जार्य । हमार संविधान ने अस्पश्यता को हटा दिया है और भिन्न भिन्न राज्यों में इसके लिए कानून बने हुए हैं लेकिन फिर भी हमको मानवता के अधिकार नहीं मिल पाते । में समभता हूं कि जबतक हमारी मिनिस्टी असग नहीं होगी तबतक यह सवास इस नहीं होगा । यह कानन तो ठीक हैं पर चीद इसकी सिर्फ कानन के रूप में ही नहीं रहना है तौ में चाहांगा कि इस पर अमल करने के लिए होम मिनिस्टर साहच एक असग मिनिस्टी बनाने

की सोचें और उस मिनिस्ट्री को बल्द से बल्द कार्यीन्द्रत किया जाये। यह हरिजनों का जो सवाल हैं यह हमार दंश में सबसे भारी सवाल हैं। आपने हरिजनों को यदि मानवता के अधिकार दिये तो में चाहता हूं कि इस दंश के हरिजन इस दंश की आर्थिक, सामबिक और द्सरी विषमताओं को दूर करने में प्रा प्रा हिस्सा लेंगे। जैसा कि इतिहास बताता हैं कि वे अबतक लेते रहे हैं। अगर उनको यह अधिकार दिये गये तो वे हिन्दुस्तान का नक्शा बदलने में सबके साथ अपना कटम उठाचेंगे।

Sardar Hukam Singh (Kapurthala-Bhatinda): This is a welcome measure, thoug I also join those who have complained that it has not come a day too early, rather it is belated. We adopted our Constitution about five years ago, and then we abolished untouchability and its practice in any form whatsoever was to be punished. But we have waited for five long years to lay down the specific offences that are to be punished and the procedure that is to be adopted in meeting this challenge. So the complaint that has been put here that it is belated and ought to have come much earlier is justified on that account. The Home Minister did say that there were measures passed by the different States who had taken upon themselves to meet this challenge; and they have been in force for some time. Certainly various States have passed such legislation and they have taken the steps that they could. But even then the Central measure ought to have come much earlier.

I want to say here with all the force at my command that it is no act of clemency that we are showing to the Harijans, it is no kindness to the Harijans that we are passing this legislation. Rather it should be in the spirit of atonement for our past sins that we should pass this legislation as early as possible. It would be the highest act of patriotism on our part when we root out this untouchability. Because, if we love our country, if we want to see

our nation progress, if we want to see that we are welded into one homogeneous community, then it is all the more essential that we should root out this evil as early as possible. The strength of the chain, as is usually said, is the strength of the weakest link. Unless we strengthen that link, so that the whole chain becomes sufficiently strong and the nation can progress uniformly, we cannot rank among the front nations as we desire.

In his first report this is what the Commissioner for Scheduled Castes had to observe:

"Formerly, somewhere in the South, the shadow of a Harijan used to pollute other people and, therefore, their entry in particular streets was prohibited."

But he said:

"I have not come across any cases where roads or Government schools were forbidden for the Harijans."

This was the first report that he made. Certainly, if these were the facts then we can be proud that we have made some progress in that direction. And the Commissioner made a recommendation then, that is in 1951, that—

"the most difficult barrier and burdle for the Harijans to cross is that they should have access to shops, public restaurants, hotels and places of public entertainment and allowed the use of public wells, tanks, bathing ghats and other places of public resort."

I suppose it is in pursuance of that recommendation that this Bill has been brought. So far as those recommendations are concerned, I feel they would be sufficiently met by the legislation before us and that those hurdles that he complained of might be removed.

But when I see the Report of the Commissioner for Scheduled Castes for 1953 I am shocked to find that though

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in 1951 he held that view, the instances that he quoted in 1953 go to contradict that. It is surprising that even now, that is during 1953, there were 232 -cases of refusal to allow entry into shops, public restaurants, hotels and places of public entertainment, cases of refusal to allow the use of wells, tanks and bathing ghats, cases of refusal to allow entry into temples and other religious places, 9 cases of refusal to allow the use of ornaments, good clothes, etc., and eating of ghee, sweets, etc., 8 cases of refusal to allow the use of public conveyances like taxis, tongas, palkies, etc., and horse-riding, 4 cases of refusal to allow the use of public roads and resorts (even in 1953 it did happen that there was refusal to allow the use of public roads as well), and 37 other cases of a miscellaneous nature, in which ordinary rights could not be allowed to these unfortunate brethren of ours

But, we should not be complacent that this legislation would all that we require to do to root out this evil. It would not be enough, as has been observed by many hon. Members in this House, to place this measure on the statute book. It is not the Government alone, I admit, that can do this job. All political parties, social organisations and other public workers who feel that we should grow up as a nation will have to contribute their best towards this movement. Here is a field in which everybody can join and do his mite so that this evil of untouchability is eradicated, as was observed or desired by the Home Minister root and branch. Legislation is already there in different States as we have been told. But, the complaint is, as the Commissioner also says. when he made this report, in a very plaintive mood, rather in a strain of despondency, that the information collected from the State Governments shows that there has been no appreciable improvement with regard to the practice of untouchability. It is rather

disappointing that in spite of all the efforts that we have made, the position should be this. I admit the Government has taken certain measures and the States have not lagged behind. But, this is the information of the Commissioner whose information certainly has to be valued. He has said that the information collected from the State Governments shows that there has been no appreciable improvement with regard to the practice of untouchability. Harijans were not allowed to take water from even Government wells. Again, a marriage procession Scheduled Castes people with of umbrellas and shoes on was beaten in a village. He goes on to give certain other instances. In various States these things have happened. The Delhi case In the Residency Magisis cited. trate's court, a Harijan had to pay the price of those utensils which he used. There are also other instances given which I need not read here. We have to admit that legislation has not done so far all that we want it to achieve. Therefore, as has been observed by the Commissioner as well, it is public opinion that has to be created. Unless that conscience is created that if there is even one incident, there is a revolt in everybody's mind that it is abominable and that it has to be prevented at all costs, unless we create that pubopinion, the object cannot be achieved. No amount of legislation would be sufficient to eradicate that which has lived evil for so many centuries. Therefore, besides legislation, it shall have to be seen that it is implemented properly and the officers at least are such that consider this as a pious duty, and feel that it has to be done and would discharge their duty consciously. Of course, it is certainly the duty of every individual also. Unless that public opinion is created, I am diffident about the achievement of the object. Unless the object is achieved, the slur will remain and we cannot attain that status that we so often proclaim that we want to rank among the first rate nations in the world.

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Shri Asoka Mehta (Bhandara): I welcome the introduction of this Bill. belated though the introduction is. In a sense, it is an obligatory Bill. Under article 35 (a) (ii) of the Constitution, all legislation penalising untouchability has to be enacted by Parliament. In the last 4 or 5 years therefore, we were witnessing an unfortunate situation. The State legislatures were not in a position to modify whatever legislation they had passed on the subject. Nor did the Parliament enact any legislation in the matter. It was not possible for the State Governments or the Governors to issue any Ordinances, because, if I have understood the Constitution aright, under article 213(3), Ordinances, in this matter, cannot be issued by the Governors. Any way, now that the Bill is before us, I hope that the Bill will be so shaped by the Select Committee that it will be able to fulfil the purpose that we have in view.

welcome the four features that have been introduced in the Bill, the four features that have been mentioned in the Statement of Objects and Reasons. But, I must point out that the scope of the Bill is unnecessarily limited. I do not know why provision has not been made in the Bill for the right to reside anywhere as well as the right to hold and dispose of property, the two rights that have been given under the Constitution in article 19 (e) and 19 (f). Likewise, I have not found in the Bill any provision for making it an offence to interfere with the police. My experience has been that there are occasions where a mob collects and interferes with police other Government officials exercising the powers that have been to them to safeguard interests of the untouchables. I have not found in this Bill any provision to make such an interference a penal offence: This is a Bill under article 35 (a) (ii) read with article 17 only.

I find from the reports that our Commissioner has given so far that it is necessary to have a Bill that would 538 L.S.D.

take into consideration the other relevant articles also, articles 15, 16, 19, 25 and 29. It is necessay to come to this conclusion because in the reports have been given to us by the Commissioner we find that the legislations that have been enacted by the State Governments on the subject have proved to be ineffective so far. In his report for 1952, he observes:

(Offences) Bill

"Legislative measures adpoted for the purpose (the removal of the practice of untouchability and the resultant disabilities) in the various States have not proved very effective. In cases where commission of offences punishable under these legislations are not cognisable. the reasons for their ineffectiveness are obvious. The pity, however, is that even where such offences are made cognizable, these legislations have not been of any material help to those for whom they were enacted."

He has also stated in his latest report that no provision has been made for legal aid to our untouchable friends by the State. In the table of cases that has been given on page 28 of the recent report, we find ample justification for the conclusions that have been drawn by the Commissioner.

Discussing this state of affairs, in the report for 1953, the Commissioner observes,-this is a very important observation:

"The reason for this apparently is that the Scheduled Caste pepole are too much dependent on their better placed brethren and often do not dare to go to the police or the courts of law for the redress of their grievances. This is the cause of the problem. Unless effective steps are taken both through legislation and administrative policy to rehabilitate psychologically the persons belonging to the Scheduled Castes and Tribes, all punitive measures will be ineffective."

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'This is what the Commissioner says. We should introduce legislation which takes into consideration also articles 15, 16, 17, 19, 25 and 29. When we go through the reports, we find that in a place like Hyderabad, a major city in our country, over a lakh of Harijans are living in pitiable conditions, and there are no provisions for light, water and sanitation for the Harijans. Likewise, the Report of the Scavengers' Living Conditions Enquiry Committee shows that similar conditions exist in other parts of the country also. It says that in the cities and towns civic consciousness is so dormant that Municipalities, Corporations and District Boards are very reluctant in providing even the primary amenities of life like decent housing, lighting, water supply to their employees, generally Banghi and Harijan employees. Surely something should be done to penalise this kind of indifference.

It is surprising, it is shocking to find that today in free India, in the Indian Republic of our dreams, Scheduled Castes people are living in conditions of semi-serfdom. It has been pointed out by the Commissioner that 60,000 Scheduled Caste labourers are working today in semi-slavish conditions in Malabar. He has also drawn our attention to the condition of the Musahars in Bihar and he has pointed out:

"The economic condition of the Harijans in villages pitiable in-They are mostly landless and completely dependent upon the landlords for their daily bread. Their so-called houses built of mud and thatched with grass sometimes stand on pieces of land which they cannot call their own and from they can be evicted any which moment at the whim of the landlords. They live in ignorance, fear and century-old traditions, leading an impoverished and difficult existence without any property worth The conditions of the name. some of these known as Musahars

in Bihar, are akin to those of agrestic serfs and have been well brought out in the report of the Bihar Harijan Enquiry Committee published recently (1952)."

None of these reports seem to have been taken into consideration by the Government before framing the measure that they have brought before us.

There are four kinds of equality that we desire for our people—equality before the law, equality in political suffrage, social equality and equality of opportunity. I believe we have given our people equality before the law. We have given our people equality in political suffrage. What we are striving to give to our people is social equality and equality of opportunity. In order to give social equality and equality of opportunity, certain fundamental changes, certain forces of social mobility will have to be released. I endorse almost all that Tandonji said yesterday, but may I appeal to the Government to take into consideration the suggestion that my Party has been making for a long time? Why should we not organise a land army? Why should we not recruit half a m'llion or million people from the Scheduled Castes? There are vast areas of cultivable waste lands in our country which can be brought under cultivation. May be Rs. 200 crores will have to be spent. These persons will have to be recruited, maintained, and provided with the wherewithals to bring this land under cultivation, and during the process not only will they understand the elements of organisation and receive education, but they will be able to build up new villages. I would not be satisfied with Tandonji's suggestion, viz., a few model villages here and there. We want no windowdressing. What we are interested in ultimately is the solution of the problem. Why should it be difficult for us to see that in the next five years a million persons from the Scheduled Castes are settled on new areas, reclaimed areas, waste lands that have been brought under cultivation by the

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resources made available by the country, by our Government and by the sweat and enthusiasm, elan of our liberated people? If that is done, we shall be able to create a new kind of community here—a sort of converting waste lands into gardens that is being attempted in Israel. After all, let us remember that there are status relations and kinship associations among Harijans. They provide a source of strength. They provide a vital energy and if they are properly utilised, they can be a source of creative transformation of our ancient land.

In this connection, I would like to invite your attention to recent researches that have been made on the entire problem of social mobility. The question of social mobility is of paramount importance because it has been found that it may be possible for a few people to rise to the top. The elite may come up. After all, in this House there are sitting with us distinguished Members of the Scheduled Castes, and we are proud of them. But, after 1909 and 1918, even in the political sphere Indians used to occupy distinguished positions. Surely we were not satisfled with that. What we wanted was a structural change in the political life of our country. These distinguished friends who are sitting here are ornaments of the House, are ornaments of the country, but they are merely the elite. What is needed is to raise the condition of the mass.

I find, Sir, that in England out of every hundred persons born to unskilled persons, only 25 remain as unskilled workers. Seventy-five move up. Three out of every four sons of unskilled workers move up into higher positions. We want to see that in this country three out of four, if possible four out of four pepole, are able to move up from the conditions in which they are born. That is ultimately the concept of social mobility. In order that such a concept of social mobility is properly worked out, it is very necessary to pay attention to two aspects of the problem.

In this book, "Social Mobility in Britain" by Proof Glass, which has just been published it is pointed out:

"The analysis of the information collected by the sample investigation into social mobility in Great Britain has so far led to two broad conclusions. First, the type and level of education attained by the subject who co-operated in the investigation depended very heavily upon the social status (as measured in terms of occupation) of the subjects' fathers. Secondly, taking male subjects only, the relation between parental and filial status was seen to be positive and significant at all levels of the status heirarchy, and especially high at the upper levels. Moreover, a similar and powerful relationship was found in studying movements over three generations."

That means that the position to which a son is able to rise as compared to the social position of his father depends upon the educational facilities that are provided. That idea is further developed in the concluding portion of this Chapter:

"The analysis has shown that education acts in two ways to influence the relation between the status of the subjects and their fathers. In the first place, the type of secondary schooling affects the degree of association between parental and final status. this point of view it is the effect of the grammar school (or its equivalent) which stands out sharply. Given a grammar school background, there is a high parentalfilial association for subjects whose fathers were in the upper status categories and a low association for subjects whose father were in lower status categories. For the latter group of subjects, a grammar school education increases the distance ascended in the status scale; for the former group, it reduces the distance descended. Secondly, further education appears

#### [Shri Asoka Mehta]

generally as a reinforcing rather than as a critical agent. The decisive stage in the educational background is the grammar school or its equivalent. If that stage is attained, further education intensifies the parental-filial association for the sons of upper status fathers and still further increases the social ascent of the sons of lower status fathers."

Now, that is the reason why the Government of Travancore-Cochin introduced free education as far as the seventh standard. I am not satisfied with that reform. I would like to see that the grammar school education is given to every single person in this country, no matter what his age is.

One of the reasons why I have suggested a land army of a million people -for which let us spend Rs. 200 or Rs. 300 crores—is that we would be able to work out our plans for giving a new organisational orientation to these pepole, for imparting education, for providing them with a cutural background that is needed if they are to be uplifted as a whole. It is not that a few people should be picked up. We are proud of our Ambedkars and Jagjivan Rams but we would prouder and happier still, if it became possible for the entire mass of the **S**cheduled Castes and Scheduled Tribes to be integrated in the fabric of our society. If that is to be done, We must concentrate upon some of the researches; we must try and learn these things from the social researches that are being carried on in other countries of the world as well as in our country. I am surprised to find that neither the Commissioner Scheduled Castes and Scheduled Tribes nor Government have tried to provide a wider setting to the thinking on this subject.

Just one more point, and I have done. The biggest responsibility is the responsibility of Government. It is unfortunate to find that in Madras there are separate schools for Harljans

burning-ghats are today. Separate created for Harijans there. May I also point out that in his very first report, the Commissioner himself has drawn attention on pages 26 and 27 to the fact that the forest officers themselves are responsible for giving low wages, and for treating the Scheduled Castes and Scheduled Tribes as if they were mere serfs and slaves? If the Government Departments function in this manner, there can be no hope for the removal of untouchability. If we are serious about the removal of untouchability-and I know, every section of this House is serious-let us try to give to this problem a wider framework. Let us not look at it from the point of view only of penal offences, but let us try to understand the social and the economic aspects of the problem, and try to incorporate them into the legislation that we are trying to put on the statute-book here today.

Shri G. H. Deshpande (Nasik-Central): I rise to support the motion for reference to the Select Committee, and oppose the motion for circulation. Much has been said during the last three days, when we were discussing this social measure, that legislation alone will not help. I have no doubt that this law alone will not help. But nobody has said that this law alone will help.

I rise to support this measure, because I do think that it will advance the cause of the untouchables. have been trying for long for the removal of untouchability, and according to me, it is really a matter for shame and humiliation for every progressive Indian to find that this evil should persist even after seven years of our independence. We have already stepped into the eighth year of our independence, and we still find that this evil of untouchability is persistent on a large scale. Granting all that, may I ask whether a law of this nature, wherever it has been passed. has not helped the cause to a certain

extent? My own experience in Bombay State is that conditions were much better, so far as the removal of untouchability was concerned, since we have passed those two laws in our State. Before we passed those laws, the conditions were worse. carrying on propaganda-of course, propaganda has much value no doubt,-and public opinion was being converted, but the progressive elements were not able to assert themselves, until this sort of legislation was there in the Bombay State. I come here from a place known as Nasik. which was once the citadel of orthodoxy in Maharashtra. There is the Kala Ram Temple there, which is very well-known. It is placed in the heart of Dandakaranyam, and Ram lived there for a number of months. Many pilgrims come over there, but that temple was not open to the Harijans. Satyagraha was offered by the Harijans, and Dr. Ambedkar led his batch of satyagrahis in 1929. I myself and some of us were associated with that satyagraha. We carried on an intensive campaign regarding temple entry movement there. We found that public opinion was more and more coming in our favour. Politics was mixed with that satyagraha, and it became impossible for us to associate with them after some time. But we did not give up the movement. Then, when we entered into the Legislature and passed a law, those very people who were opposing temple entry were there to receive the Harijans. The orthodox people, all these Karpatriji Maharajas and others, did not have the moral courage with them to oppose it. So, do not talk of any serious opposition from them. The moment you pass the law, the moment they find that the State machinery is behind you, they immediately come and obey everything, and they give everything that they denied before the law was there. That has been my experience. So, what I want to say is that after you pass this law, the only thing that will be required is to see that the entire State machinery, and the organised and progressive public

opinion is beind this law. Otherwise what happens is this. Even in places where such a law is there, this has happened. If a Harijan is refused permission to draw water from a public well, if we go there, the caste Hindu people come and say to us, no, we never opposed them, how can we oppose, there is the law, there is the religion, and who can deny even the facility of drinking water. But after we go back, they try to harass these Harijans, because in most of the villages-why in most of the villages, in fact, in every village—the Harijans are in a minority, and they are the most downtrodden people. So, the caste Hindus find it easy to harass them. But if we take some more care when we go there again to see that the water is drawn by the caste Hindus as well as the Harijans in our presence, and we post police there for one month, the practice goes on, and when we repeat the visit we find that things go on all right, and everything goes on well. But if this care is not taken, we receive repeated complaints, and the Harijans come to us and say, they are again denying us our rights, when you come, it is all right, when the officers come, it is all right, but when you and the officers leave us, we are again at their mercy. So, this is a matter in which care has to be taken by paying repeated visits. should be made an obligatory part of the duty of a District Superintendent of Police or a District Magistrate to see that whenever he receives a complaint, he must rush to that village and see that the Harijans are allowed to exercise their full rights. If that is not done, then this law will not be effective. Whether the law will be effective or not depends on the way how the administration is carried on, on the way how the organised public opinion is functioning.

It is no use simply giving expression to these things in cities. We must go to the villages, and we must find cut these things for ourselves. Some reference was made to the incident of a barder. In Nasik, long before we had passed the law, we had organised

#### [Shri G. H. Deshpande]

ourselves into a movement, and we had requested all the barbers in the city not to refuse entry to Harijans in their saloons. Most of them agreed. But some orthodox people took it into their heads to organise a meeting of the barbers, and said that those barbers who allowed Harijans in their saloons should be boycotted. When we got the news of that meeting, we went over there, and we told them, how are you justified in this, and even when this law was not there, I tell you, in a place like Nasik which was then the citadel of orthodoxy, all the barbers were convinced, and they told the socalled caste Hindus who were in a minority even then, that they will henceforth allow Harijans in their whatever the caste Hindus saloons, may do. Then by and by, the saloons were thrown open to the Harijans, and the hotels etc. also were thrown open to the Harijans. All this was done by peaeceful and persuasive methods, and not with the help of law. The moment we got the law in our hands, the moment we were in a position to pass legislation in our State, things changed to some extent for the better. But I do not want to say that simply because you pass a law, everything will become all right. The evil remains even to this day.

During the off-session period, when I was in my district, I learnt that in one place, a Harljan bridegroom was not permitted to be taken in procession on horseback through the caste Hindu locality. I sent word to the caste Hindus of that village. They came to me, and I told them, what is this, do you think that there is any sense in doing this, are you not ashamed of what you have done, and so on. And what was done afterwards? We went to the village again, we persuaded the bridegroom to sit on the horseback and we took a big procession......

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): After the marriage?

Shri G. H. Deshpande: Yes. Then, a big procession was taken through the streets of the caste Hindu locality. The bridegroom was garlanded. We had a mixed tea party. Then we went to the well and we made them draw water together, and that water was used by all people sitting in one line. So, persuasion had some effect.

Shri Velayudhan: What happened to the bridegroom?

Shri G. H. Deshpande: Nothing. (Interruptions). I would like to tell the whole House through you that those who insist on the practice of untouchability have no moral fervour with them. They are doing it simply because the past generations used to do it. They are doing it because they are misguided to do so. The moment we go and convince them, with the entire State machinery behind they realise their mistake, and they come to be in favour of the removal untouchability. The opposition evaporates like anything. I am not very doubtful that if we put in adequate efforts, very soon we will have a day, when this evil of untouchability would have been eradicated. According to me, that day is not far off. Of course, much effort will have to put in by all the parties. Now, look at the conditions that exist in the country. There is not a single political party in India today, which has got on its programmes an item that the practice of untouchability should continue. Nobody, not even the Ram Rajya Parishad can have it as their programme; they may have it in their programme, but they have not got the courage to come to the public and say that the practice of untouchability should be continued.

Shri Nand Lai Sharma: I shall say it here and now.

Shri G. H. Deshpande: I would like to tell you that they have got that name of Ram Rajya Parishad, but I know that some of their acts are like those of Ravana and not of Rama.

But even that party which has got that stamp of orthodoxy on it has not got the courage to go and say that this practice of untouchability should be observed. I tell you that these are the days of democracy and no man who wants to enter public life can do . so with such ideas. Things are very difficult for reactionary pepole to come over and say when adult franchise is there 'I would like to observe the practice of untouchability'. Those days are gone. Gandhiji has lived in this sountry, and he has not lived uselessly. He has spent his life in a useful manner. Democracy has some content. When we fought for freedom, we said that we were all serious of having this freedom which we have, freedom which will have equality in social matters, which will have equality in economic matters. My friend, a leader of the Socialist Party, just now went on quoting the distinctions between the classes in England. I say that in England much less differences exist between the different strata of society. But why is it so? They had an opportunity to exploit the entire world. The entire resources of the world were there. They thrived—the English society thrived- on our lives; that is why their whole standard of living is raised. You cannot compare ourselves with them. Take into consideration what has been done during these last seven years. You will find that we have done much during the last seven years, but much remains to be done, so far as the practice of untouchability is concerned-I do agree. But I only want to say this, that the effort to have this law should not be minimised. It is no use saying that this is a good law, but it will do anything. I say it will go a long way. If Governhave not done enough, what were the MLAs doing? What were the MPs doing? What were their organised parties doing? If my friends of the Socialist or Communist Parties ask what Government have done, I would ask, 'What have you done? What have your parties done?' Is not the very fact that untouchability remains today in this country a shame and a humiliation to every organised political party in this country? Are we to enter into

a dispute and say whether you have done more or we have done less? Is it not a thing that we, all Indians. should take in hand? Is it not a thing in which we, all Indians, should unite? Is it not thing that this swaraj which we have achieved, this independence which we have achieved, is to be protected and extended by the efforts of all of us? If we are all unanimous on this, then why is it that we should doubt that it will persist for any length of time? If we are all serious, if we are all prepared to work shoulder to shoulder so far as this question is concerned, I have no doubt that within three or four years it will go into history and this evil will be eradicated. I want the Government to be very serious and sincere-I have no doubt that they will be serious and sincere-but my only appeal through this House to the entire country, to all the progressive forces in India, is to come together and to attack this evil of untouchability and see that this practice of untouchability will ever be removed from society. I support the reference of the Bill to a Joint Select. Committee.

श्री बारुमीक (जिला बुलन्दशहर रिवृत्त अनुस्चित जातियां) : सभापित महोदय आज दौ तीन दिन से इस अस्पृश्यता निवारण विस पर जो बहस हो रही हैं आँर अस्पृश्यता निवारण के लिये जो प्रयस्न किये जा रहे हैं उनका में स्वागत करता हूं। में यह जानता हूं कि दृश के अन्दर यह छुआछ्त का कलंक आज का नहीं हैं, अनेक वर्षों का हैं और में गांधी जी के शब्दों में कहना चाहता हूं : "अस्पृश्यता वर्तमान समाज के माथे पर कलंक का टीका हैं। यह जिस रूप में आज हिन्द समाज में प्रचलित हैं वह भगवान और मनुष्य दोनों के विरुद्ध पाप हैं। जैसे विव की एक ब्रंद सार दूध को खराब कर दिया हैं ग।

जमी जब मैं यह बहुध सुन रहा था तो यहाँ पर धर्म और अधर्म से इ.च. उटं। मैं यह जानका

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श्री बाल्मीकि

हूं कि इस दंश के अन्दर जो अळूत रहे हैं वह भले ही न छुए गये हों लेकिन हिन्दुओं पर अछ्तों का एक अहसान हैं। मैं जानता हूं कि धर्म परिवर्त्तन की चीज नहीं हैं। धर्म इदय की चीज हैं। हमने सद्व धर्म का पालन किया है अतः हम आज भी जीवित हैं। धर्म एव हती हन्ति, धर्मी रच्चति रच्चितः । त्तस्माद्भा न हन्तव्यः, मा नो धर्मा हत्तो वधीः॥ चस धर्म की भावना हम में उनके उपकार से नहीं आई । वह वेद से भी नहीं आई क्योंकि इस संस्कृत की उस वाणी से वंचित रक्खे गर्थ <del>जिसे</del>

"यथेमां वाचं कल्याणीमावदानि जनेभ्यः" वेद मंत्र में कहा गया था। महर्षि स्वामी इयानन्द सरस्वती ने इस मंत्र को कहकर आज से बहुत साल पहले देश का ध्यान आकर्षित किया. लीकन धर्मान्धता धार्मिक कट्टरता यहां पर होने के कारण वह बात आगे नहीं चल सकी। आज भी अगर इस विल को कोई सबसे बड़ा खतरा है तो वह खतरा धर्मान्धता और धार्मिक कट्टरता से हैं। में उत्तररामचरित नाटक का एक उदाहरण आपके सामने पेश करना चाहता हूं जिससे यह सिद्ध हो जायगा कि बाह्यण और भंगी के बीच इमार समाज में कितनी चौंड़ी खाई हैं और बन तक उस खार्ड को पाटा नहीं जाता तनतक यह दंश आगे नहीं जा सकता । में यह जानता हूं कि गांधी जी ने ऑर अनेक संसों ने ऑर अनेक महाप्राची ने इस दिशा में प्रयत्न किये हैं। भगवान बुद्ध की वाणी हैं:

न जच्चां वसली होति, न जच्चा होति बृह्मणी। कम्मूना वसलो होति, कम्मूना होति बाह्यणी। "धम्मीपन्ति सूखं सीत"।

इमने धर्म का पालन किया है। हम आब भी सूल से सोते हैं, चैन से सोते हैं। हां तो में जसरशमचरित का जिल कर रहा था कि एक बाह्मण अपने मरं हुए बेट को लेकर महाराज समजन्द्र के बूबार पर आता है और वह कहता

हैं कि तुम्हार राज्य में मेरा लड़का मरा हैं। फिर आकाशवाणी होती हैं:

''शम्ब्को नाम वृषलः पृथिच्यां तप्यते तपः । शीर्षच्छ'दाः स ते राम तं हत्वा जीवय दिवजम्॥" श्री रामचन्द्र इतने में वहां पर जाते हैं जहां वह श्ट्र शम्बुक तपस्या कर रहा था और अपने हाथ को इस प्रकार कहते हैं:

है इस्त दक्षिण मृतस्य शिशोदिजस्य जीवातवे विसुज शुद्रमूना कृपाणम् गात्रमीस दूर्वहगभीसन्न-सीताप्रवासनपटी करुणा कृतस्ते॥

अरं तुम तो वह हो कि तुमने एक सीता को जो गर्भ से झूकी हुई थी निकाला। अर तूक में करुणा कहां और वह करुणा का अंश आप में कहां हैं। समाज और मानवता के नाम पर जब इस दंश में उनसे अमानवतापूर्ण व्यवहार किया गया और समाज को अमानवतापूर्ण रूप में कलंकित किया गया और उन्हें सभ्यता और संस्कृति से दूर रक्खा गया लीकन फिर भी इस देश में . एसे संत कबीर आदि आये जिन्होंने इस कलंक को समाज से मिटाने का प्रयत्न किया। बाह्यण के प्रीत मेरी कोई अश्रद्धा नहीं लीकन बाह्यण मेरी राय में वह है जो एक चींटी से लेकर हाथी तक सबको एक समान इ. जि. से इंस्तता है. हम एसे बाह्यण की कद्र कर सकते हैं लेकिन अगर आब इस दंश के अन्दर एंसे बाह्यण हों जो अपने मन में और व्यवहार में प्राणी मात्र में भेदभाव और छूआछूत को बढ़ाते हों, तो वह बाह्मण कहलाने के हकदार नहीं हैं।

आजकल के शृह्मण, में जानता हूं, करेंसे हैं। अभी जब में परसों आ रहा था तो एक आदमी ने मुक्त से कहा.---वह एक साधारण स्थिति का बाह्मण था जो मूक्ते जानता है---- कि वाल्मीकि ! क्या जुता सिर पर जा सकता हैं और क्या सिर की टोपी पॅरों में आ सकती हैं ? में अच्छी तरह जानता हूं कि अगर समस्या इसी प्रकार बनी रही तो वह समय आने वाला है और बल्दी ही अपने वाला हैं जब पैर की खुती सिर पर आ 31 AUGUST 1954

बायंगी, मेरी जुली नहीं आयंगी तो किसी ऑर की आयेगी ऑर अगर ऑर किसी की नहीं आयेगी तो मेरी आयेगी और टोपी आप उसे भले ही टोपी समझें लेकिन वह टोपी टोपी नहीं रहेगी और आज जब कि संविधान में अस्पृश्यता एक जूर्म है इस तरह का जिक्र हो और अस्पश्यता का पूर्ण रूप से निवारण नहीं हो जाता. वह टोपी सिर पर नहीं हैं वह हमार भाइयों के पैरों में हैं। में जानता हूं कि उस टोपी की रचा होनी चाहिये लेकिन जैसे एक विदंशी आदमी ने कहा कि

"There is no untouchability. All credit goes to the Father of the nation."

अवश्य हम बाप् के आभारी ₹ 1 इसके कि अस्पश्यता के सामाजिक रुष्टि से चारों तरफ माजूद हैं. स्वराज्य प्राप्ति के फॉरन बाद कांग्स सरकार ने जो कि महात्मा गांधी के आदंशों पर चलने वाली हैं उसने इस अभिशाप को मिटाने के लिये भारी प्रयत्न किये हैं और हम उनके भी आभारी हैं। "कॉलाशनाथ" नाम के हमार मंत्री महोदय हैं ऑर उनके नाम से भगवान् शंकर का स्मरण हो आता है :

> क्रीधं प्रभी संहर संहरीत याबद्विरः स्वे महता चरन्ति । वहिनर्भवनेत्रजन्मा भस्मावशेषं मदन चकार ॥

और मुझे यहां भी मदन की सी स्थिति प्रतीत होती हैं कि बाह्य दिष्ट से अस्पृश्यता का नाश हो गया । आज इस्यों के अन्दर, शरीर के अन्दर मुझे अस्पश्यता का एक अंश प्रतीत होता हैं। में परसों ४ नम्बर की बस में खड़ा हुआ था। उस में एक पंजाबी ऑरत भी थी जो बहुत पढ़ी हार्ड थी. बहुत सभ्य थी और बहुत अच्छे कपड़ पहने हुए थी, यह में बानता हूं। उस ने अपने बच्चे को जो कि कुछ गंदा होना चाहता था चुहड़ा कह कर प्कारा और भंगी कहा । चमार भी कहा। में जानता हूं कि इस तरह के नाम कहां लिये जाते हैं. तो इस का प्रभाव ठीक नहीं होता हैं। यह सवास इस तरह का हैं और इन चीवों को दर डोना चाडिये। में

जानता हूं कि इस के लिये प्रयत्न करने की जरूरत हैं, में कोई इस बात से चिढ़ता नहीं हं। में इस बात में विश्वास करने वाला हूं कि अगर चुहर्ट को भी माँका दिया जाय. जैसे कि दूसरों को दिया जाता है, तो कोई वजह नहीं हैं कि वह उस कूर्सी पर जा कर न बैठ सके जिस पर कि पंहित जवाहरलाल नेहरू बॅठते हैं।

यह कहा जाता है कि अगर इस प्रकार के मृद्ठी भर आदमी यहां पर रहते हैं तो यह कानून उन लोगों के लिये हैं। में सो चाहता था कि पेनल कोड में इस तरह की कोई चीज आ जाती । जब तक यह नहीं होगा तब तक इस बिल का कोई लाभ ही नहीं है क्योंकि चारों तरफ इतना छूआछ्ता फौला हुआ है । यह अंगरंज के वक्त में तो नहीं हो सका. लेकिन अब इस तरह की कोई चीज पेनल कोड में आ जानी चाहिये थी। तब इस बिल की आवश्यकता नहीं थी। लेकिन फिर भी में इस बिल का इर तरह से स्वागत करता हूं क्योंकि में जानता हूं कि जो इस तरह की अस्पश्यता हमार देश में हैं वह हमार लिये अच्छी नहीं हैं।

में कुछ ही बातें आप के सामने रखना चाहता हूं क्योंकि में धार्मिक बातों में नहीं जाना चाहता । हमारा दंश एक सेकूलर स्टंट हैं और में जानता हूं कि धार्मिक रुष्टि से किसी चीज पर हम टीका टिप्पणी करें. यह अच्छा नहीं लगता है। मैं ने एक बात रक्खी जो कि कट्टरता की तरफ इशास करती हैं। में जानता हूं कि सन् १६२८ में मेर जो गुरु थे, हरिजन थे और जो संस्कृत और अंगरंजी जानने वाले थे, उन के जनेऊ की ब्लन्दशहर में तोहा गया। उस में कितने ही संवर्ण साध् शामिल थे । चमार और भीगयों को आर्य समाब और स्वामी दयानन्द सरस्वती की कृपा से बनैक पहिनने को मिला था। लेकिन वह बनेक उन का तौड़ा गया। में भारत का वासी हूं, इस देश के अन्दर बेद में विश्वास रखने वाले हैं. जो लोग इंबील में विश्वास करते हैं वह भी हैं। में बानता हूं कि मेर विश्तेदार ईसाई हैं, विश्तेदार मुसलमान हैं. लेकिन मेरा उन से

### [श्री बाल्मीिक]

वास्ता हैं, उन से रिश्ता हैं। धर्म परिवर्तन में कोई भी प्रभाव उन के ऊपर नहीं हाला हैं। भंगीपन, चमारपन ज्यों का त्यों उन के साथ बना हुआ हैं और इस लिये इस विधेयक में बो गुंजाइश रक्ती हैं उस के लिये में इस का स्वागत करता हूं।

जहां तक मन्दिर प्रवेश का सम्बन्ध हैं, मैं तो आप के हृदय के मन्दिर में स्थान पाना चाहता हूं जहां कि भगवान का वास हैं। उस 'द्वादश अंगुल' स्थान में जहां वह पूर्ण पुरुष विद्यमान हैं----वह पूर्ण पुरुष----

वेदा हमेतं पुरुषं महान्तमादित्यवण<sup>®</sup> तमसः परस्तात्।

तमेव विदित्वति मृत्युमीत नान्यः पन्था विद्यते हयनाथ मनुर्भव। (मनुष्य बनी)

मा जीवेभ्यः प्रमदः । (जीव के प्रति प्रमादः मतः करः)

हम को तो आप के हस्य में स्थान चाहिये न कि पत्थरों के मन्दिर में बहां पत्थर का दंवता हैं और वहां भगवान स्वयम् पत्थर बन गया हैं।

आप हरिजनों की सहिष्णुता को लीजिये। अनेक बातें हो सकती हैं। बनारस में मिन्दर प्रवेश को जब हरिजन आगे चले तो सनातन धर्मी बृह्मण जमीन पर लेटं हुए थे उन्हें दंख कर हरिजन पीछं हट आते थे। हम जानते हैं कि हम किसी के ऊपर पैर नहीं रक्खेंगे भले ही कोई हमार ऊपर पैर रक्खे। यह दिन हमेशा नहीं रहेंगे। हम लोग भी आगे बढ़ेंगे लेकिन हम लोगों की स्थिति को सुधारने की आवश्यकता हैं। इस तरह की ऑर भी शिकायतें हैं, पानी पीने की शिकायतें हैं। मैं जानता हं कि एक हरिजन आजादी से खाना भी नहीं खा सकता। जहां पर और आदमी बँठं हुए हों, उस बंहाती समाज में वह बँठ नहीं सकता। इस प्रकार की और भी तमाम दिक्कतें हैं।

में तो यहां तक कहना चाहता हूं कि पहं लिल्ले लोगों में सब से ज्यादा छुआ छ्त हैं। इस बात को में सिद्ध कर रहा हूं। में अपने

प्रति कहना चाहता हूं। में कोई एंसी बात नहीं कहता जो कि सूनी सुनाई हो । उत्तरी भारत की एक युनिवर्सिटी के एक प्रोफेसर ने जो अब रजिस्ट्रार हैं अपने भतीने के मूंह पर कस कर चांटा मारा । उन का भतीजा मेरा गहरा दोस्त था, मेरा जिगरी चार था, एक थाली में रोटी खाने वाला था और वह आज दूनियां में नहीं हैं। में बानता हूं कि वह उच्चे खान्दान और उच्च घराने का था। तो वह मेरा दोस्त मेरं साथ एक तरतरी में कलाकन्ट स्वा रहा था। उस के चचा ने उस को मारा ऑर उस तक्तरी को जिस में कि कलाकन्द थी जमीन पर फेंक दिया। उस समय तक में स्वयं जुठन खाता था विसका कि विक्र कल टण्डन जी ने किया। मेर सामने मां और बाप न होने की वजह से इतनी गरीबी और मजबूरियां थीं कि में ने उस तश्तरी को और उस विखरी हुई कलाकन्य को उठा लिया और आंखों में आंस् भर कर उस को खाया । वह तश्तरी आज भी मेर पास है । आप अस्पृश्यता की बात करते हैं । में जानता हूं कि मेरा गला रुंधता हैं इस मुकाम पर जब में इस प्रकार की बात कर रहा हूं।

में जानता हूं कि हरिजनों में भी परिवर्तन हो गया है । बावजूद इस के उन गरीबों ऑर मजब्रों को इन्साफ नहीं मिलता है। हम इस को बद्दित कर सकते हैं, लेकिन पार्लियामेन्ट का मेम्बर होने के नाते मेरा कर्तव्य है कि में यह बात आप के सामने रख दूं कि अगर एक चमार, एक भंगी, जिस के घर नहीं हैं, जिस के दर नहीं हैं, जिस के पास कोई पैसा नहीं हैं, अगर वह किसी बिना पर मारा जाता है, किसी भी वजह से चाहे छोटी से छोटी वजह हो. तो यह आप के कान्स्टिट्य्शन को चॅलेन्ज हैं, आप की हुक् मत को चॅलेन्ज हैं। आप की प्रीलस तो किसी बात का पता नहीं लगा सकती हैं। सब से बड़ा खतरा इस विधेयक के लिये आप की पुलिस और आप के अधिकारियों की उदासीनता से हैं, उन के निकम्मेपन से हैं। पुलिस के निकम्मेपन और उस की टाल मटोल का सब से बड़ा उदाहरण मेरठ जिले के कलकीना 683

गाम का है। कल्छीना के अन्दर सालों से वहां के मुसलमानों और भंगियों के बीच झगड़ा था। और यह अफसरों की जानकारी में था। वहां पर एक २२ साल का भंगी नॉजबान बान से मारा गया । लीकन कान्न के अन्दर वहां इन्साफ नहीं मिला । उस को दिन दहाई मारा गया लीकन मुकदमा नहीं चला और कोई इन्ववायरी नहीं हुईं। में आज भी इस चीज को महस्स करता हूं कि इतने सार वहां पर अधिकारी थे, वहां पुलिस वाले थे, लेकिन इस बार में क्. इ नहीं हो सका । यह मिसाल में आप के सामने रखता हुं। एंसी पुलिस की ज्यादीतयां हैं पुलिस तो मस्त हस्तिनी हैं न वह सेन्टर के होम मिनिस्टर के हाथ में हैं और न वह किसी और के ही हाथ में हैं। पुलिस के आदमी हम लोगों को गालियां दूर्त हैं. मारते हैं । गृहगांव जिले के गाम चांट और बलन्दशहर के बहांगीराबाद में प्रीलस ने वहां के भीगयों को बूरी तरह से मारा । में पुलिस का विरोध नहीं करता लीकन अब हम इन ज्याद्तियों को बर्दाश्त नहीं कर सकते।

हरिजन जो सदियों के शरणार्थी हैं उन के लिये काफी कोशिश करने की आवश्यकता हैं। उन की आर्थिक स्थिति ठीक होनी चाहिये. उन के लिये भूमि दान करने की आवश्यकता हैं। ज्यापार आदि के लिये धन की सहायता करनी चाहिये। उन के काम के लिये कोर्ड प्रबन्ध जब तक नहीं किया जायेगा तब क इन्हीं हो सकेगा। एक नाँबवान अपनी हालत बयान कर रहा था । मुझे पिताजी कह कर प्रकारता था। वह कहता था कि ५४० रुपये मेर बाप पर दो भें से खरीदने का कर्ज हैं. २४० रू० मेरी पढ़ार्ड का कर्ज हैं। वह ९३, ९४ साल का बच्चा. उस का बाप बीमारी से बेचेंन हैं और उस के कर्ज की यह स्रत ? में कोई विहला होता तो अपनी सारी टॉलत उसके लिए विस्तेर र्दता । ऑर उस को बचाने की कोशिश करता । इसी तरह से जमीन का भी सवाल है । सब चीजें वर्ड पैमाने पर उठाने की बरूरत हैं। कहीं कहीं पर हरिवनों को भूमिदान में बमीन के पट्ट मिले हैं पर उन्हें सवर्ण जाति के लोग

करने दंते। उन को बमीन का खेती नहीं अधिकार दिलाने की आवश्यकता 🗗 ।

कल टंडन जी ने हमार घरों की बात कही थी कि हमार घरों की व्यवस्था बहुत गन्दी हैं। इरिजन आज भी स्लम कंडिशन में रहते हैं । सन् १६४२ में जब में जेल में था तो में ने श्री ईं डी साइमन की 'हाउ दु एंबालिश स्लम्स' नाम की पुस्तक पढ़ी थी। उस ने स्लम्स की परिभाषा यह दी हैं:

"Slum is a filthy populated neighbourhood where the houses and conditions of life are of a squalid and wretched character,"

उस ने slum conditions को दूर करने की तीन बातें कही हैं:

- "1. To build cheaper houses.
- 2. To reduce charges of rates.
- 3. To give children allowance."

गांधी जी के शब्दों में भंगी 'समाज की मां' हैं। समाज की सब से नीची सीढ़ी पर तो भंगी सड़ा है। मैं ने दंश में सब जगह जा कर दंखा हैं । विहार में जा कर देखा । यहां भौला रावतः जी मॉज्द हैं'. में' ने वहां पर जा कर कहा था कि महत्तर और होमों की अवस्था कितनी भय-कर हैं । पटना कार्पोर्रशन उधर ध्यान नहीं दंता । सब से अधिक पिछन्डापन आज भीगयाँ में हैं।

इन भंगियों का इस बिल से कोई कायदा नहीं होगा, जब सक आप उन को नीचे से ऊपर नहीं उठाते । आज अक्ट्रतपन का सारा बौक भंगियों पर हैं। The whole burden of untouchablitiv l'es the head of the इस सार बोझ को उठाने के लिये इस तरह कोई बात कारगर नहीं हो सकती हैं। मेर मस्तिष्क में बद्धत सी बातें हैं लेकिन सब को कहने का समय नहीं हैं। मैं ने एक बार कह था कि. होमी और भंगियों । अगर इस देश में किसी को बगावत करने का अधिकार श्री बाल्मीिक]

हैं तो इस दंश के भंगियों और होमों को हैं क्योंकि वे नारकीय जीवन से तंग आ गये हैं। में यह चाहता हूं कि हमार दंश में यह लोग सब से आगे रहें और में आवाज उठाऊंगा। में दंश के कोने कोने में जाता हूं और उन को जानता हूं। में कहता हूं:

"नोंह विद्या, नोंह बाहुबल, नहीं गांठ में दाम एसे पतित पतंग की तुम पत सलौं सम ।।", सकृदंव प्रपन्नाय तवास्मीति च याचते । अभयं सर्व भ्रतेभ्यो ददाम्येतद् व्रतं मम ॥ (वाल्मीकि समायण)

आज हमारी बस्ती में कहीं पर राम और कृष्ण का नाम नहीं हैं. आज केवल जय वाल्मीकि ही सब जगह दिखलाई पहती हैं। चाहे वह पहले के वाल्मीकि की हो या आज कल के वाल्मीकि की हो। में जानता हूं कि दोनों वाल्मीकि की बय होगी । में हरिजनों का झंडा लेकर आगे बहुंगा। या तो हुकूमत इन समाज में सबसे नीचे वालों को उठाये नहीं तो यह काम हमको करना होगा । मैं जानता हां कि यह काम किस तरह से चल रहा है। में कहना चाहता हूं कि यदि भंगी के उठाने के लिए प्रयत्न महीं किया गया तो समाज का सारा ढांचा हिल बायगा। में बतलाना चाहता हूं कि आब भंगियों का वर्ल्ड फेडरेशन हैं। में उस संस्था से सम्बन्ध रखता हूं। आज इमको अमरीका और इंगलेंड और अफ्रीका से निमंत्रण आते हैं। बहां हमारं लोग मॉज्द हैं। हमारं एक भाई बो ईसाई हो गये हैं वह इंगलैंड में हैं। चन्होंने एक किताब लिखी हैं। यहां की लाइबंरी में वह फिताब हैं। वह विजनॉर जिले के रहने वाले हैं। उन्होंने उस किताब में बताया है कि उनको क्यों ईसाई होना पहा ।

कल टंडन जी ने भंगी की बात कही। में जनके सब्दों का बहुत आभारी हूं। उनका इच्य दूध की तरह से, गंगा की तरह से और सरद्प्णिमा की तरह से, जो कि बाल्मीिक बी का जन्म दिन हैं, पीषच हैं और निर्मल हैं। उन्होंने जो कहा ठीक हैं। वह भंगियों को उच्चा

उठा दंखना चाहते हैं । लेकिन पेशा छोडने के हमार रास्ते में क्या क्या रुकावट हैं। इसेंशियल सरीवसेज आर्डिनेन्स ऑर किसी के लिए नहीं हैं सिर्फ भीगयों के लिए हैं। वह सिर्फ भंगियों को दबाने के लिए सबसे बहा इंस्ट्रमेंट हैं। में जानता हूं कि अंगुंजी राज्य में जो जूल्म नहीं हुआ वह आज हो रहा हैं। में और शहरों की नहीं कहता. में खास इसी दिल्ली के बार में कहना चाहता हूं कि पिछली मेहतर हहताल में हमारी लहकियों की, माओं को. बहिनों को जबरदस्ती काम पर लगाया गया और उनके ऊपर पुलिस ने ज्यादितयां कीं। इसके लिए में ने लिखा भी था। हमको जबरदस्ती इस गन्द काम पर लगाया जाता है। उस समय हमारी आत्मा काम नहीं करती है बल्कि हम मशीन की तरह बगैर आत्मा के काम करते हैं। उपनिषद में लिखा है।

यस्तु सर्वाणि भ्तान्यात्मन्येवानुपश्यित, सर्वभ्तेषु चात्मानं ततो न विजुगुप्सते ।

(ईशोपनिषद्)

"If one sees all living things as if they were in his own body, i.e., feels their joys and sorrows as his own, and sees the same Universal Spirit in all things, then there is no need for protecting oneself against others."

पता नहीं परमात्मा भी हमार लिए सो गया है । बो बाहर परमात्मा के जीव हैं वे हमारी मदद नहीं करते । में ने सार दंश में भीगयों की अवस्था को दंसा हैं । में कह सकता है कि जब तक भंगी का उत्थान नहीं होता तब तक दंश का उत्थान नहीं होता तब तक दंश का उत्थान नहीं होता क्योंकि भंगी तो हबल हुआह्त के नीचे हैं । वह अह्तों की हुआह्त के नीचे हैं और दूसरों की हुआह्त के नीचे हैं और को धार्मिक अन्धता हैं उसके भी नीचे हैं । इस तरह से भंगी इतना नीचे पड़ा हैं । हमको तो आपके स्वराज्य का कोई लाभ नहीं माल्म पड़ता । इतना जरूर हैं कि जरा गरदन निकाल लेते हैं, इससे उथाहा और कहा नहीं

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हैं। हम होम मिनिस्टर साहब के काम से समझते हैं कि उनकी कृपा से यह काम आगे बढंगा । जो हमारं scheduled castes क मिरनर हैं उनका हदय भी भंगियों के लिए कुछ करने को बिलबिलाता है। लीकन आप देखिये कि म्यानिसिपॅलिटियों के भंगियों के लिए क्या कान्न बने दूए हैं। उनकी कितनी दूर्वशा है। बम्बई की सरकार ने उनकी हालत को सधारने के लिए जो रिपोर्ट बनायी हैं उसे ही लाग् कर दीजिए। इन बाधाओं को दूर करने के लिए यह १४ धाराओं का बिल कोई लाभदायक नहीं होगा । में कहता हूं कि इसको राय माल्म करने के लिए बाहर भेजने की जरूरत नहीं। में तो इसको सिलेक्ट कमेटी के सुपूर्व करने के भी पच में नहीं हूं। लेकिन अगर इसकी सिलंक्ट कमेटी के पास भेजा जाता है तो इसकी रिपोर्ट एक हफ्ते के अन्दर आनी चाहिए आर इसको जल्दी से जल्दी पास कर दैना चाहिए।

सभापति जी, इन शब्दों के साथ में आपका और अपने दंशवासियों का ध्यान भीगयों की तरफ और अछतों की तरफ दिलाना चाहता ह्ं। में चाहता हूं कि इस कुआकृत का जल्दी से जल्दी नाश हो।

Dr. Krishnaswami (Kancheepuram): Mr. Chairman, we have listened to a very powerful and moving speech depicting the grievances, the wrongs and the aspirations of the untouchables. I should like, at the outset, to make this observation that untouchability is a symptom of a graver malady which it is not possible to control by a merely remedial legislation of a retail type. The whole of our caste system is nothing else but a garbled form of untouchability as Swami Vivekananda once put it, and I have always felt that unless we are able to deal with this problem in a fundamental manner, it would not be possible to find any lasting solution for this problem. Unfortunately, this piece of legislation does not propose to deal with the malady and I do not think it wise on the part of those who are interested in the welfare of the untouchables to underestimate its portance. This piece of legislation, as I understand it, is meant to control over-prejudice, to see that there is equalisation of advantages and minimise discrimination as far as possible.

The Home Minister in the course of his opening speech pointed out, with a great deal of force, that a law on the books is different from a law in action. I entirely agree with him that it is so. But, at the same time, I should like to answer the fundamental question which he raised and to which he did not give a sufficiently effective answer. Can a penal law have any in promoting the growth of value better relations among different communities? The Home Minister, in my judgment, took an unnecessary pessimistic view of the force of law and pointed out in so many words that it would not be possible for us really to have any improvement in group relations as it were unless there were other things which were really taken into account. Not one of us who has given support to this measure has ever for a moment pointed out that we should rely purely on a penal law for promoting better group relations. We have suggested, times without number, that it is no use merely relying on penal laws and that we have to rely on several supplementary measures for bringing up the status of this most unfortunate section of the community. Unless these supplementary measures are enforced with real mind and purpose it would not be possible to have anything like a sufficient progress. I agree with the Home Minister that in other countries where similar enactments were passed, the force of social opinion has tended to lag behind constitutional opinion and many enactments have been a 'dead letter'. We have, for instance, the well-known which were passed in century in the nineteenth States of America tending to promote what they call 'social equality' between the Negroes and the Whites. But, they

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were generally 'dead letters' and there was very little done about it even by the courts of law; because, after all, let us remember, that courts of law are also governed by the inarticulate principles of the force of opinion which they cannot afford to ignore. I think one of the most outstanding judges of the Supreme Court in the nineteenth century pointed out that legislation was powerless to control racial instincts. Another social philospher pointed out that 'stateways' cannot change 'folk-ways' at all and we had to reconcile ourselves to the growth of prejudice. I am one of those, however, who hold the view that It is possible to change 'folk-ways' for the very simple and excellent reason that there are ways and means of promoting a new legal norm in our society which tends to be respected by different sections of our society. What has been done by custom can be altered by statute and it is necessary on this occasion, especially when we are passing the Untouchability (Offences) Bill to remind ourselves that even laws which are passed with a penal purpose have a definite function to fulfil in our society. Remember, after all, that this legislation seeks to control expression of overt prejudice. People might say that the prejudiced ideas in our society may not alter by the passing of a law, but that is not the most important point. What is necessary to eradicate prejudice is the growth of a healthy and sound public opinion in our society. But, at the same time, if overt prejudice is controlled, if discrimination is not practised, if it is possible to feel that there is a salutary check on the expression of overt prejudice, in the long run there will be a salutary change in public opinion and that itself would be most effective. My hon, friend the Minister, however, seems to think that enforcement agencies are not very effective in promoting the growth of healthy public opinion. My friend the Commissioner of Scheduled Castes and Scheduled Tribes has also pointed out that on many occasions

enforcement agencies have been weak. We all know that in the matter of enforcement of social relations, there has been a certain amount of weakness displayed by enforcement agencies. Enforcement agencies, after all, regard many of these infractions as important and that is partly one of the reasons why there will have to be a stricter enforcement. There is also a prejudice of the social system which is strong enough to restrain them from taking action, and that is more important, namely, the very idea of fear which works in the minds of the people discriminated against and who do not are complain. These formidable factors which militate against the working of the law very effectively. but at the same time, it would be wrong on the part of the Home Minister to think that these objections are of such an insuperable character that they cannot be surmounted. My hon. friend, Mr. Asoka Mehta, who preceded me, pointed out that the scheduled caste members in this House were an to this House. They lend ornament distinction to our Parliament but their presence here has an obvious social purpose which we cannot afford to ignore. One of the direct advantages of an association of Scheduled Caste Members with us here is that the conscience of this House has been awakened and we are forced to take more active interest in social problems. Those of us who had the opportunity and privilege of listening to the very eloquent speech which was just delivered by my hon. friend, Mr. Balmiki, would corroborate me suggesting that speeches of this type tend to quicken the social conscience even of some of us who might not have the same perspective of social problems which the Scheduled Castes have. After all, surely the toad under the harrow knows where the tooth-pick pricks, and in the case of the Scheduled Castes, whenever they express their views rather strongly and militantly against certain aspects of the social system, we have to make a great deal of allowance for the wrongs that they

have experienced. I suggest that the Enforcement agencies should operate in a more effective manner in our society in future, particularly because we have assured full equality to our Scheduled Castes and because we have given reservation to them in very many of our legislatures. Undoubtedly, the penal part of our laws would certainly not act as effectively other measures that should be taken, but we have to remember that in our society, penal laws have a very effective part to play and they have their effect in moulding public opinion in different regions. It is certainly true to say that this, by itself, is not enough, but it is not the contention of those of us who are supporting this measure, that this is only measure that should be passed by this House. We envisage other supplementary measures. I remember that the predecessor of the present Home Minister on one occasion pointed out-and it was unfortunate that he should have given expression to this view-that he did not believe in giving jobs to certain communities and expecting that as a result of jobs being given to those communities, the lot of the communities would improve. I am one of those who holds the view that in a welfare State, some of the jobs which occupied by members of Scheduled Castes and backward communities will have an indirect influence in moulding public opinion in different sectors of our society.

Shri Velayudhan: But it will not be given.

Dr. Krishnaswami: If it is not given, it is for some of us to really agitate along with you, but I am only pointing out that there are other ways of building up this public opinion which has to be taken into account. I should rather say that when we are dealing with civil laws, we are not to consider them in isolation from other employment and educational opportunities which ought to be given to the Scheduled Castes. My hon. friend, Mr. Asoka Mehta, referred to the fact that we have not taken sufficient interest in

Harijan welfare. I am inclined to agree with him in this matter, and I shall make my contention rather brief. I shall not refer to the land army and other important matters to which he referred, but I shall refer to a comparatively simple matter which has not had that amount of attention which it should have had from many sections of public opinion in our country. There are in very many States, as you are aware, the Harijan Welfare Fund. We have devoted a little over Rs. 1 crore or Rs. 11 crores for the purpose of the conditions of ameliorating Scheduled Castes and other Harijans. What has struck me as very odd—and it is a matter of shame which I have brought several times before the people who are in charge of should Funds—is that these funds have been bureaucratised, that they should be administered only, if I may without casting any use that word on the men who are in aspersion charge of the Harijan Welfare Fund, by a coterie of people as it were and should be doled out in terms of condescension to the various Scheduled Castes. I have always felt that if the Harijan Welfare Fund is to be properly administered, it should be administered through statutory agencies like municipalities or district boards, where there would be a chance of frediscussion and where there would be a chance of the Scheduled Caste representatives and others coming forward and putting their points of view and thus helping to create 'a new folk-way', a new type of mind making people feel conscious of the advantages that they enjoy in the new State.

These are some of the matters on which we should certainly think, and think afresh, because it is time that we realise that these problems cannot be resolved in isolation.

I have also to place before the House my feelings regarding some of the social welfare agencies which have taken up the task of Harijan welfare and amelioration. I am not for a

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moment under-estimating their importance and I am not suggesting that they have not performed any service to Harijans and Scheduled Castes, but I should like to remind them that, in many instances, social welfare agencies have been more anxious to be in the lime-light rather than to serve the community to which they have dedicated themselves to serve. After all, in these matters, let us remind ourselves of the motto, which imbued the benedictine friars when they ventured into the field of social service, and the essential for a social welfare organisation, be it Government-inspired or non-official inspired, is that it should be anonymous in its outlook and should not dole out charities in a spirit of condescension. It is better that there is no charity at all if it is to be doled out in a spirit of condescension or that we should have our photographs frequently published in newspapers and other magazines for the sake of advertising our services to these people.

There is one small matter to which I should like to make a brief reference, and which, I hope, the massive Members of the Select Committee will take note of. I find that in the penal legislation there is a gap and I wonder why the Home Minister missed it. I think there was no excuse for his missing it, especially as the Scheduled Castes Commissioner has frequently invited our attention to it. In all these matters which involve betterment of social relations, it is necessary to have enforcement agencies which investigate complaints, negotiate informally with the offender, educate him in the meaning of the law and then only punish him ultimately. In this enactment, as it has been placed before the House, there is no provision made for the via media procedure which would certainly helps to create a sort of public opinion. After all, when you are trying to control overt prejudice, as has been pointed out by many sociologists, it is extremely difficult to convert it merely by using a

penal measure. There ought to be an intermediate step taken before the final step is taken, and a certain amount of publicity should be given to these methods of discrimination. Possibly in the case of 99 out of 100 people who practise discrimination, the very fear or the threat of publicity being given to their doings might make them desist from doing these things. It is only in one or two per cent. of the cases that it will be necessary to exercise the I, therefore, think that Select Committee would be well advised to consider some of the matters which I have placed before the House, and I hope and trust, though I am sure like my hon. friend, Mr. not Deshpande, that we would be in a position soon to think of untouchability as a thing of the past. I cannot, however, share the optimism of my friend that within the next three or four years untouchability would be a thing of the past. It is not so simple a problem, and if it were such a simple problem, possibly we would not have had any necessity for introducing the legislation that we are introducing here today, but I am certain that this is a small step and a right step in direction of trying to do some social justice to millions of our country-men to whom we should have done justice long ago. It is better to do justice now than to delay it altogether.

Shri Elayaperumal (Cuddalore—Reserved—Sch. Castes): Mr. Chairman, I am very grateful to you for giving me an opportunity to take part in the debate on this Bill. I congratulate our Home Minister for bringing forward this measure before this House in this session, but, on the other hand, I regret to say that I am ungrateful to him because this Bill is very vague.

Sir, there are so many Bills passed by several State Governments from the year 1938 to 1949, on this subject. Inspite of all these, the Commissioner for Scheduled Castes has pointed out how the untouchables are still being treated by the caste Hindus. First of all we must know who are the untouchables. The Scheduled Caste people are forced to remove dead cattle from the caste. Hindu houses or to beat nasty drums for their death ceremony, but not for marriage functions or to dig burial pits in burial ground. If they refuse to do that work, they will be punished by the caste Hindu people. The Bill under discussion does not make any provision in this respect. Without such a provision, how are Government going to eradicate untouchability from our midst?

Sir, in some villages in Madras the Harijans are not allowed to wear shoes; in some villages they are not allowed to wear sleeved shirts; in some others they are not allowed even to go through the streets. On the 14th July of this year when a Harijan school boy water for drinking from the took Board well in Panchayat mangalam village in the Kumbakonam taluk of the Tanjore District he was tied by caste Hindu people with rope and beaten. They reported the matter Sub-Inspector and District to the Superintendent of Tanjore District, but no action was taken by them. Sir, it is no use making laws, unless we the determination to enforce have In Thekkinuppu village them. Cuddalore District Harijans are not allowed to wear shoes. At page 42 of his Report the Commissioner for Scheduled Castes points out that in some villages in Tanjore District Harijans are not allowed to approach the post office and a letter box has been hung at the street corner for their use: the matter has already been taken Tanjore up by the Collector in the District. But no action has been taken till now. The Commissioner has been out this disability of the pointing Harijans repeatedly in his annual reports, but no action has been taken by the authorities. I request the hon. Home Minister to appoint some boards consisting of officials and non-officials to handie the welfare work. should be clothed with adeboards quate powers to enforce the Acts: if the board has any complaints against the people or officers, immediate action 338 LSD.

must be taken by Government. In each district there should be a board of which the Police Superintendent must be the Chairman. Fifty per cent. of the membership of the board must be reserved for Harijans: the other half may consist of 25 per cent. non-Harijans and 25 per cent. officials. Only by this means can we eradicate the scourge of untouchability from this land.

Lastly, Sir, I want to point out some instances from my constituency in Chidambaram taluk. In the villages of Karungudi, Kullappoodi and Kundamangalam there are backward class people. Nowadays Brahmins are better than backward classes; they treat the Harijans worse than the Brahmins. So, I request the Backward Class Commission that wherever they go they must advise the pepole to treat the Harijans in a polite manner.

In the end, I would request Government to set apart a sum of Rs. 300 crores per year to ameliorate the condition of the backward classes, to build dwelling houses, wells, etc., for them. In this manner only can you ameliorate the lot of these unfortunate people.

#### श्री मंद लाल रार्मा:

नमो अस्तु रामाय सलदमणाय दंच्यं च तस्यं जनकात्मवायं ।

नमोऽस्तु रुद्धंन्त्रथमानिनेभ्यो नमोऽस्तु चन्द्रार्कमस्रग्राणेभ्यः॥

माननीय सभापीत महोदय, में आप को हार्दिक बधाई दंता हूं कि आप ने अन्ते में मुझो समय दंही दिया।

बात यह हैं कि मैं गृह मंत्री महोदय का और सदन का ध्यान इस लिये आकर्षित करना चाहता हूं कि आपने यह विधेयक उपस्थित करते समय कहा था कि यह कोअसिंव मंत्र हैं और इस से किसी को दंड होने वाला हैं। अधिकतर में यह सुन रहा हूं और हमार बन्धु दंशपांड वी ने, कांग्सी दंशपांड ने, अपने दंशपांड की एक और मंत्र हैं, उन्होंने सह हो श्री नद लाल शर्मा कर स्वामी करपात्री जी और राम राज्य परिषद के नाम से गाली दंना आरम्भ किया । और राम राज्य परिषद तो कुछ समझता नहीं, आध्यात्म रामायण में अहंकार का नाम रावण लिखा है । यदि इस कसाँटी पर इसे कस दिया जाय तो वह महानुभाव स्वयम् अनुभव करंगे कि कॉन राम हैं और कॉन रावण है ।

अब में कास्ट हिन्दूज, सवर्ण और असवर्ण हिन्दुओं की स्थिति के सम्बन्ध में कुछ कहूं। हमार बन्ध गृह मंत्री महौदय और द्रशपांड जी तथा हमार बहुत से बन्ध हैं उनमें अधिकतर कास्ट हिन्दू भाई हैं जिन्होंने स्वयम् इस अस्पश्यता के विरुद्ध आवाज उठाई हैं। एसावता कास्ट हिन्दू को भी गाली दंना उचित नहीं होगा । में भी कास्ट हिन्दुओं की ओर से हूं और कास्ट हिन्दू ही नहीं बल्कि धर्मशास्त्रों में विश्वास रखने वाला कास्ट हिन्दू हुं और मुक्ते इस बात का कोई दूःख भी नहीं हैं। यद्यीप अपने आप को आफेन्डर कहने वाले हा० काटज् और दूसर लोग अपने प्रायश्चितीं के सम्बन्ध में कहने वाले हैं. में स्वयम् इस बात को स्पष्ट करना चाहता हुं कि अस्प्रयता शब्द का अर्थ ही वह नहीं है जो आज आप लोग लगा रहे हैं । अस्पश्य जाति का नाम, में ने पहले भी कहा है. हमार शास्त्रों में कहीं नहीं हैं। अगर शुद्र नारायण के उस विराट स्वरूप में चरणों से उद्भयन्न हुआ है तो वह वही चरण हैं जिन्हें बाह्मण शिर झूकाता हैं। बाह्मण भगवान के चरणों में शिर झुकाते हैं । भगवान की मृति के शिर या मूख को प्रणाम नहीं करते। इस लिये यह कहना गलत है कि शह के साथ धर्म के नाम पर अन्याय कर दिया। में वाल्मीिक बी की यह बात स्वीकार करता हूं कि धर्मान्ध पुरुष यदि धर्म के नाम से अन्याय कर सकता ≝. बीक धर्म के नाम से किसी व्यक्ति के साथ द्रवेष किया जाय. उस का अपमान किया जाय सी यह धर्म के नाम पर कलन्क हैं। पहले स्वयम् बी वाल्मीकी को उन का यह नाम विद्या गया। किसी कांगंस ने नहीं दिया, किसी पौरिसटिकल

पार्टी ने नहीं दिया । अगर उस समय बाल्मीकि न होते तो आज वाल्मीकि सन्द संसार में सूनाई न देता । आज से पांच हजार वर्ष पहले पाण्डवाँ का राजस्य यज्ञ हुआ । उस समय पांडवीं के यज्ञ में एक न्योला लोटने लगा । उस का आधा शरीर सोने का हो गया और आधा साधारण रहा। उस ने कहा कि में ने सूना यूधिष्ठिर का परम पवित्र यज्ञ हैं, यह यज्ञ क्यों ठीक नहीं हुआ । तो भगवान कृष्ण ने कहा कि तुम्हार पास वाल्मीकि रहते हैं और वह इस यह में नहीं आये हैं, इसी कारण यह यज्ञ प्रा नहीं हुआ । बाल्मीिक को लाया गया, उनका प्जन किया गया और तब उसका सारा शरीर सोने का हो गया । यह महाभारत में आर्थोहाक्स सिस्टम का वर्णन आता है, यह आज के पौलीटिकल सिस्टम का वर्णन नहीं हैं। यह हमारा दुर्भाग्य है कि इस चीज को हमार हरिजन भाइयों ने और दूसर भाइयों ने राजनीतिक दृष्टिकोण से देखा है और उन इसाइयों या युरोपियनों के द्रष्टिकोण से दंखा हैं जिनके द्वारा यहां हिवाइड एंड रूल की नीति बरती गयी थी। उन्होंने ही दिवण में बाह्मण और अबाह्मण का प्रश्न खड़ा किया । आज लोग शास्त्र के तत्वों को नहीं समभ रहे हैं । में उत्तर भारत का रहने वाला हूं और मूर्भ ठीक पता नहीं है कि दक्षिण में क्या अवस्था हैं। लीकन इतना में कह सकता हूं कि शास्त्र में स्पृश्यास्पृश्य का अर्थ किसी जाति-विशेष के लिए नहीं हैं। मेरा अपना पुत्र प्जा करता होता हूं तो मुभ को नहीं छू सकता। मास के कुछ दिनों में में अपनी माता की. बीहन को या स्त्री तक को नहीं छू सकता। अगर में अपने शरीर के किसी अंग को हाथ लगाता हुं तो हाथ को धौता हुं। स्पर्श का यह मतलब नहीं हैं में अपने घरवालों को निकाल दूं या अपने अंग को कार्ट कर फेंक दूं। अपने की पीवत्र रखने की दृष्टि से बाह्मण माचमास की राजी में भी स्नान करता हैं। यह वह किसी की दंह दंने के लिए नहीं करता। यह वह अपने को शह रखने के लिए करता हैं चाहे इसके करने में जसको निर्मानिया ही क्यों न हो आय । यह एक अशुद्धि का प्रायश्चित करता हैं। प्रायश्चित का अर्थ हैं पाप शुद्धि। इस प्रकार से पशु और पश्चियों के अन्दर भी अस्पृश्यता दंखने में आती हैं। केवल किसी को अपमानित करने के लिए सोशल या राजनीतिक अस्पृश्यता नहीं मानी बाती हैं। इस यह नहीं कहते कि हम दूध के धोये हैं और हमने कोई भूलें की ही नहीं। अगर एसा होता तो आज इस प्रकार से हमको खुस्लमखुल्ला गालियां न मिलतीं। किन्तु मुक्ते आपसे कहना हैं कि सदना कसाई को इतना कंचा किसने बनाया था। वह हमने ही बनाया

श्री रचुनाथ सिंहु (जिला बनारस---मध्य) : सार हिन्दुस्तान ने बनाया था ।

श्री मंद्र लाल शर्मा: में यह नहीं कहता कि में ने व्यक्तिगत रूप से उसे बनाया परन्तु मेरा कहने का अर्थ यह है कि उसकी आर्थाडाक्स कहलाने वालों ने इतना ऊंचा बनाया था। तो हमने सदना को यह स्थान दिया। हमने कबीर का इसीलए अपमान नहीं किया कि वह जुलाहा है और बाह्मण भी उनका गूण गाते हैं । और तो क्या हमने मुसलमानों को भी उचित आदर दिया । रसखानि और रहीम खानखाना को हमने ही इतना बड़ा बनाया और आज इस स्थान पर पहुंचा दिया है कि लोग चनके नाम पर सिर झुकाते हैं। यहां तक कि चनके लिए भारतेन्द्र हरिश्चन्द्र ने लिखा है कि एसे मुसलमान पर लाखों हिन्दू वारिये। इम उनके उत्पर लाखों हिन्दूओं का बीलदान करने को तँयार हैं। आध्यारिमकता किसी की बागीर नहीं हैं। केवल बात यह हैं कि इसके नाम से धर्म दुवेबी लोग हम पर आरोप लगाते हैं और हमार धर्म की मान्यताओं को गलत बताते हैं यह उचित नहीं हैं। अभी बाल्मीिक बी ने कहा कि लोग समझते हैं कि मन्दिरों में दंबता नहीं हैं केवल पत्थर हैं और मन्दिशों में कोई तत्व नहीं हैं। कुछ लोग हमार मन्दिर को न मानते हुए भी उसकी तौड़ना चाहती हैं यह उचित नहीं हैं। आपको चाहिए कि आप मन्दिर के सिद्धान्त को दंखें कि एक मूर्ति बनाने वाले की दकान पर रखी मूर्ति में और मन्दिर

की मृति में कोई भेद हैं या नहीं। आंख से दंखने में नहीं मालम होता । वहां भी पत्थर की मृति हैं और वहां भी पत्थर की मृति हैं। अगर शास्त्र का पच हटा दिया बाय तो में समझता हूं कि मन्दिर की मूर्ति में और स्कल्पटर की दुकान पर रखी मृति में कोई भेव नहीं रह जायगा । यह कह देना कि मन्दिर प्रवित्क प्रापटी है यह ला के ज़्रिस प्रहण्स के सिद्धान्त के विरुद्ध हैं। मन्दिर सूप्रा पर्वालक प्रापर्टी हैं। वह दंवता की प्रापर्टी हैं और उसी के सिद्धान्त के अनुसार उसका नियम पालन करना चाहिए। कितने ही एसे मन्दिर हैं जिनमें में स्वयं बाह्मण होते हुए भी नहीं जा सकता । वहां प्रजारी के अतिरिक्त कोई दूसरा पूजन नहीं कर सकता । एतावता यह कह दंना कि सब कोई वहां जाकर पूजन कर यह मन्दिर के सिद्धान्त के विरुद्ध हैं। अब इसी तरह से आर्थ समाज का मन्दिर हैं। वहां के कुछ नियम हैं। अगर मैं वहां जाकर शिव लिंग स्थापित करूं और उसकी पूजा करने लगुंती वह नियम विरुद्ध होगा। और मझको एसा नहीं करने दिया बायगा । इसी प्रकार एक मस्जिद प्रवीलक प्रापर्टी हैं। लेकिन इसका यह अर्थ नहीं हैं कि में वहां जाकर भगवान कृष्ण की मूर्ति स्थापित कर दूं और घंटा बजाने लगूं। मुक्ते कोई इस तरह से पूजन नहीं करने दंगा । कारण जिस नियम के अन्तर्गत मस्जिद स्थापित की गयी हैं यह उसके विपरीत हैं। हमें आर्य समाज के 🛥 मन्दिर में आर्य समाज के नियमों का पालन करना होगा। इसी प्रकार से जिन नियमों के अन्तर्गत मन्दिर स्थापित किये गये हैं जन नियमों को इन मन्दिरों में पालन करना चाहिए। मझे तो एसा दंखने में आया है कि आब हरिबनों में बहुत से एसे लोग भी शामिल हैं जो कि अछत नहीं हैं। हमार भाई राबभोब जी ने उस दिन हरिजन शब्द पर विशेध किया था । मुझे भी यह शब्द बहुत पसन्द नहीं हैं । उनके लिए सरकार ने शिह्न्युल्ड कास्ट शब्द लाकर रखा हैं। आज शिद्ध्युल्ड कास्ट की संख्या बढाने के क्लिए इनमें एसे लोगों को भी शामिल कर सिया गया है जो अछत नहीं हैं। हमने

## श्री नंद लाल शर्मा

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एक डिगी कातिज स्रोता हुआ था। उसमें एक लडको ने अपने को शिह्युल्ड तिसाया । में<sup>4</sup> ने उससे पूछा कि तुम्हारी क्या कास्ट है तो जैसने कहा कि मैं भड़भूंजा हूं। में ने कहा कि तुम तो अस्परय नहीं हो अपने को क्यों शिह्युल्ड कास्ट लिखाया है । उसने कहा कि एसा करने से मुझ को स्कालविकाप मिलता है और मूझे नॉकरी भी जस्वी मिल जायगी और में उन्नति कर सकता हूं। इसके बाहर रष्टने से और आप लोगों के साथ रहने से मुझे क्या मिलेगा । में, समभता हूं कि इन लोगों के लिए अस्परय या अनटचेविल शब्द ठीक नहीं हैं। वह हिन्दू जाति के हैं और इसीलए उनका नाम उसी के अनुसार रखा आधा। हरिजन शब्द आधुनिक काल में रखा गया। लीकन हमारं यहां एक शब्द है अन्त्यज । अन्त्यव का अर्थ लास्ट बोर्न (last born).

Shri B. S. Murthy (Eluru): We refuse to believe that. We were the first born. You were born afterwards. You came later.

श्री नंद लाल शर्मा : अगुज का अर्थ होता है जो पहले पैदा हो । एक कूट्रम्ब में भी जो पहले पैदा होता है उसको बहा भाई या अगुज कहते हैं और छोटा भाई अन्त्यज कहलाता है । यह इतिहास की भूल हैं कि जो यहां के पहले से रहने वाले बताये जाते हैं जनको अन्त्यज कहा हैं। में यह स्वीकार करने को तैयार नहीं हूं कि हम लोग अर्थात हिन्दू कहीं बाहर से आये थे। हमारा इतिहास इसको स्वीकार नहीं करता । जिस प्रकार गोरी जातियों ने अफीका में ऑर अमरीका में जाकर नीगोज और रेंड डॉडियन्स को जीत लिया और वहां के लोगों को पद दलित कर दिया यह बात भारत के अन्दर नहीं हुई । इसीलए में समभाता हूं कि हमें शिह्युल्ड कास्ट या हरिजन के स्थान पर अन्त्यंज शब्द की काम में साना चाडिए।

में समभ्रता हूं कि इमार मृह मंत्री का उदारय इन अन्त्यव या अस्पृश्य कहलाने वाली जातियों के स्तर को उठाना है। इसमें मैं उनके साथ सोलहों आने सहमत हूं । लेकिन मैं समभाता है कि इस बिल के द्वारा वे सारी बातें होने वाली नहीं हैं । इससे भने ही वर्ग विद्वेष पँदा हो जाय परन्त और कोई साभ नहीं हो सकता । जिन लोगों को आप कोजर्स करने वाले हैं जब तक आप उनको ठीक से नहीं समझायेंगे तब तक आप अस्पृश्यता को नहीं हटा सकेंगे। यहां पर जो शास्त्र के मानने वालों के लिए शबद कहे गये हैं जनको समराज्य परिषद का सदस्य क्या और भी कोई व्यक्ति स्वीकार नहीं कर सकता । शास्त्र के मानने वाली को साम्प्रदायिक कहना उचित नहीं है। इस लोग कभी किसी को अपमानित नहीं करना चाहते। जो सर्प तक को या की है तक की अपमानित नहीं करता वह किसी मन्द्र्य कौ किस तरह से अपमानित कर सकता है ? राजा चौल और विष्ण दास की कथा पराण में प्रसिद्ध हैं। विष्णु दास के घर में एक भंगी ने अन्त की चौरी की। वह १२ दिन तक अन्न छठाता रहा और विष्णु दास १२ दिन तक भूता रहा। बारहवें दिन उसने क्रिप कर देखा । उसने उसको चौरी करतें दंखकर कहा भाई इस अन्न को इस प्रकार न ले जा में ने इसको अभी घी नहीं लगाया है । वह बेचारा अन्त्यज हर के मार्र गिर गया । बाह्यण ने दाँह कर उसकी अपनी गोदी में उठाया और गोद में उसको लिटा कर भगवान से प्रार्थना की कि चीद में ने कोई बत या प्ण्य किया हो तो इसका दुःख दूर हो। तो कहते हैं कि एसा कहने पर उसको भगवान के दुर्शन हुए । यह आर्थीडाक्स सिस्टम की बात हैं यह पोलीटिकल सिस्टम की बात नहीं हैं। जो अस्प्रयता के तत्व को नहीं जानते हैं आर केवल राजनीतिक अस्प्रयता के नाम से एक डंका ऑर डिंडोरा पीटा करते हैं, उनसे में निवेदन करना चाहुंगा कि केवल अस्प्रवता शब्द मात्र से आँ पार्टी के नाम से किसी के साथ अन्याय मत करो । आप बारबार बानते भी हैं और कहते हैं कि चनता की अगर कनवर्ट नहीं करेंगे जो हमारा साम नहीं होन्ह. उनके अन्दर जो धर्म जानने वाले हैं और धर्मशास्त्र को बानते हैं वह इस सिद्धान्त के साथ आयके साथ सहमत भी हैं कि किसी का अपमान नहीं होना चाहिये फिर भी अगर आप गाली इंकर ऑर क्सचार के बस पर अगर कोई काम करना चाहते हैं तो वह आप कभी नहीं कर वार्यंगे। विस हिन्दू जाति को ऑरंगर्बंग नहीं मार सका उस जाति को आप भी मार नहीं सकेंगे। जिस बक्त सन् १६३० में हम सत्यागृह में काम करते ने ऑर विदंशी हुक्मत से सामना भा तो स्वर्गीच रामप्रसाद विस्मिल के राज्यों में जैसे हम उस समय की विद्रा सचा को कहते थे कि: "सरफरोशी की तमन्ता अब हमार दिस में हैं. वृंखना है और कितना नाजुए कातिल में हैं" बही शेर अगर आप अन्याय पर उत्तर आते हैं तो में आपको कहंगा। तमराज्य परिषद् तथा और जन्य हिन्दू संस्थाएं अपने हरिजन बन्ध्ओं का अपमान नहीं करना चाहतीं लेकिन अगर कोई शक्स इस बहाने हिन्दू धर्म को मिटाना चाइता हैं, इमार मंदिरों को मिटाना बाहता हैं तो इम इसको कदापि सहन नहीं करेंगे और एसे लोगों से हम यह कहेंगे कि "सरफरोशी की तमन्ना अब हमारं दिल में हैं, दंखना हैं जीर कितना बाजूए कातिल में हैं"। यह लड़ाई अन्त्यज और कास्ट डिन्द्रज की नहीं हैं, सबर्फ डिन्द्रओं की नहीं हैं यह उन लोगों की है जो धर्म में विश्वास नहीं करते और जो अस्पृश्यता की आह में हिन्दू धर्म को मिटाना चाहते हैं । तो उनसे हमारा वही कहना होगा कि अगर आप हमार मंदिरों को मिटायेंगे तो हम अपने को मिटाने के सिद्ये तैयार हैं. लेकिन इसका यह अर्थ कदापि नहीं लगाना चाहिये कि हम अपने हरिजन बंधओं के साथ विरोध रखते हैं या उनके साथ मतभेट रसते हैं। हम हदय से बाहते हैं कि आप उनको ऊंचा से ऊंचा दर्जा दं । इन शब्दों के साथ में अपनी स्पीच को सत्म करता है।

भी बोगाबत (अहमदनगर दिश्वण) : अपना प्रोगुम बताइये । (Interruptions.)

Mr. Chairman: Order, order.

Shri Dabhi (Kaira North): May I know whether the hon, Member supports the Bill?

Shri Nand Lai Sharma: I support the Bill to this extent. So far as the removal of social and political inequality is concerned, I fully support it. But, if you have got any fling at the temples, I oppose it outright.

Shri D. C. Sharma: It is a wonderful parliamentary situation to call Shri D. C. Sharma after Shri Nand Lal Sharma. There is a world of difference between the hon. speaker who preceded me and myself. He represents the voice of the dead past and I represent the views of my country as they exist to day and as they are going to take shape tomorrow and the day after.

#### 12 Noon

I welcome this Bill. I must say that this makes a great deal of improvement upon the existing State legislations, and I think that the attempt to place this matter on an all-India footing is in itself a solution, to some extent, of the problem that the country is facing. I think that untouchability is not to be interpreted in the future-and I say this is one of the most valuable parts of this Bill-in terms of Hinduism only. There are untouchables among followers of other religions also, and I think we have taken an omnibus and overall view of untouchability, and I think this is a great improvement on the existing law.

Again, I know from personal experience that there are certain localities which are the homes of the so-called untouchabilities. There is segregation in this country so far as these touchables and the untouchables are concerned, and I am very happy to find that his law puts an end to that kind of segregation. I also feel happy that excommunication-that dire social weapon in the hands of this outmoded orthodoxy of which my friend who preceded me is the spokesman-has also been made a penal offence. I know more crimes have been committed by this weapon of excommunication than by anything else and it suits India to put

### [Shri D. C. Sharma]

under a ban this weapon of excommunication. I also think that in addition to the normal penalty for the offence it has also been said that the privileges which the perpetrators of untouchability enjoy should also be taken away from them. I think these are four very vital and far-reaching things done in this Bill.

## [SARDAR HUKAM SINGH in the Chair]

But фo not think the Bill goes far enough. Ι allude to a speech that the hon. Minister Jagjivan Ram made at a conference which was held to discuss this problem, and what did the hon. Minister say? He said some revolutionary steps have to taken to remove such a social stigma. He said untouchability would disappear at least in law, but in practice it would continue long. I want you to take into account that sentence of the hon. Minister's statement: "some revolutionary steps have to be taken to remove such a social stigma". And what is that revolutionary step? I would say that the hon. Home Minister should bring forward a Bill at some other time which should abolish all castes in this country. Let there be no "Sharmas" and "Varmas" in this country. The things which smack of casteism must disappear. I know what this caste is and its ramifications. This caste is like an octopus whose tentacles spread into every part of our social organisation, and I tell you that this caste has not only been the cause of our social degradation, but also the cause of our political slavery. Even in Free India this caste is operating in the political field. Even in Free India I say that this caste has not disappeared. I would, therefore, say that this casteism which is a blot, I should say, in the pages of Indian history should be done away with Unless you do away with this caste, I think the desire to remove untouchability is like the desire of an old man to become young, or like the desire of some person who is aiming at the moon. I would say, therefore, that this halfhearted measure is good in its way,

but it does not tackle the problem in a fundamental manner. I know many attempts have been made to abolish this caste. My hon, friend referred to Sadna and Kabir. Who created Sadna? Who created Kabir? Not the orthodox people. If they became great, if we honour them today, we do so because their intrinsic merit, and their great qualities could not be ignored. The orthodox people did everything in their power to keep them down and to treat them as persons who were outside the pale of respectable Hindu, society.

I would therefore, say that this casteism should be abolished because it is our desire to have a casteless, classless society, and unless we abolish this caste system, we cannot have that kind of progress which we want in this free and secular India.

Again, I would say that this Bill is primarily—as every other Bill isbound to be penal in nature. The curse of untouchability is like a hydraheaded monster. You take away one of its heads, and two heads come out in its place. You remove it in one place, and it appears in another place. You try to cut it out in one form, and it appears in another form. All the Members who have spoken before me, and especially the Members of the socalled Scheduled Castes, have borne testimony to the fact that this untochability is to be found in so many forms. I would, therefore, say that we should make a psychological approach to this problem. We should make an ethical approach to this problem, we should make an educational approach to this problem, and we should also make, as my hon. friend Dr. Krishnaswami said, a structural approach to this problem, and I would say that if a Bill like this comes before the House, all these approaches should be combined, so that the Bill can become effective.

The history of social legislation in India is a history of which I cannot feel proud. We have passed very good

bills here bringing about social reform. but what has been the result? For instance, the Sarda Act was passed. What has been the result of that Sarda Act? So many other social measures have been passed, but they have not been as effective as they should be. I would, therefore, say that in a Bill like this, all the different approaches should be brought into play, so that the evil with which we are dealing is dealt with effectively, and not in a timid, hesitant halting manner. What happens when you say that a man will be punished for six months, if he practises untouchability in any manner? I know what happens. I go to my constituency, and a Harijan comes to me and "Well, the so-called caste Hindus are not treating me well." I write to the Deputy Commissioner, and I write to offices saying that something should be done. He sends an officer to enquire into the case, and what happens is that the poor man does not find the courage to come before the officer and tell him all that has happened to him. This happens because you have not given the Harijan that amount of self-respect which is needed; you have not given him that amount of social standing which will enable him to stand up to anybody in this world, on the strength of his being a man. You must make a psychological approach to this problem. But I find that no psychological approach has been made in this Bill, to give the Harijan that amount of self-respect or self-esteem which is necessary, if this Bill is to be a success.

Again, I know that untouchability is going to be made a crime. To make untouchability a crime, we do not want only to set in motion the forces of law and order, but we have also got to make an appeal, nof the vague kind of appeal which my friends make here or make from the platform, not the dim kind of appeal which they make, but we have to to make an appeal to the social conscience of our citizens, who belong to the so-called high castes—if I can use that expression. How are we going to make that appeal to the

moral being of these persons? Something should have been done, I think some quotations, some approach which Mahatma Gandhi had made to this problem, should have been incorporated in the Bill so that the moral appeal of this Bill should have become as great as possible.

Again, what kind of educational approach should be there? A friend was talking here about a land army. By creating a land army of Harijans, how do you solve the problem? Everyone will say that this is a land army of the Harijans; you perpetuate the caste system in another form. You do not solve the problem of the Harijans. If you have a land army which consists of all the persons and you make a Harijan the commander of that army, perhaps that may be a palliative, but by creating a land army you do not solve the Harijan problem. The Harijan problem can be solved only if you make it compulsory.

The other day a question was put on the floor of this House about the educational facilities given to Harijans, and I am ashamed to say that in the capital of India, in this home of progress, in this home where we have the Lok Sabha, the Delhi University has not yet given any educational concessions to the Harijans. I am ashamed to say this. I know there are many universities which give these educational concessions, but I am simply wonderstruck to find that Delhi University has not done it.

Pandit D. N. Tiwary: Bihar has given every concession to the Harijans.

Shri D. C. Sharma: Perhaps Bihar also has done it.

Shri Velayudhan: The Central Institue of Education run by the Central Ministry of Education directly is also not giving the Harijans any concessions.

Shri D. C. Sharma: What I mean is this, that there should have been a provision in this Bill to make it a legal [Shri D. C. Sharma]

right of Harijans to get education from the beginning to the top.

Then-I will take only two or three minutes more—the Harijan Welfare Board, to which a reference has been made by my friends, should be made a really effective body, and it should not function only at the top. There was a poet-I think you know his name as well as I do-Coleridge, an English poet. He said in one of his poems 'the footless birds of paradise'. It is a very wonderful phrase the footless birds of paradise. This Harijon Board is a Board which like a bird flies only in the sky but has no foot on the ground; it is a footless bird of our creation,

An Hon, Member: Where is the Board?

Shri D. C. Sharma: Therefore I say that this Harijan Board should be these as the watchdog of our nation. It should be the sentinel of our nation, it should have its branches all over the country in every district, in every village, in every town. It should act as the sentinel of the rights of the Harijans.

Sir. I congratulate the Home Minister. He is a humanitarian and he has shown a great deal of interest in fram-But I would say that ing this Bill. he should try to bring into this Bill some of those things which will make the practice of untouchability an offence not only in the legal sense but also in the moral sense, in the social sense and, I would say with due regard for my hon, friend, Shri Nand Lal Sharma, in the religious sense. He was talking of temples. I know about temples, I go to the temples and I am a great believer in temples. But I tell you the gods of the 20th century. have now become democratic.

Shrimati Tarkeshwari Sinha (Patna East): Gods have always been (Interruptions).

shri D. C. Sharing. They do not went only the high caste Hindus to

come and pray to them; they are longing for the Harijans also to come to them and the more the Harijans come to them the happier they are. Therefore, I should say in the religious sense also these temples should be thrown open to the Harijans—not only these temples but also those temples where God is worshipped in his many other forms and aspects.

Mr. Chairman: Shri Achalu.

Kumari Annie Mascarene (Trivandrum): On a point of order, Sir. Have you enforced this untouchability on the women Members of this House?

Mr. Chairman: It is unfortunate that the hon lady Member has felt like that. I assure her that there is no such enforcement.

Kumari Annie Mascarene: Then how is it that no lady Member of this House has been called upon to speak?

An Hon, Member: She has not caught the eye, Sir.

श्री अचल् (नलगोंडा--रिच्नत--अन्स्चित जातियां): सभापति जी, हमार एक भाई के सवाल का जवाब दंती हुए काटज् साहब ने कहा था कि में हरिजनों को खाना बनाने वालों की जगह पर नहीं बल्कि उन्हें ओहदों और क्रिसियों पर विठाऊंगा । इस बिल को में मुख्तलिफ शक्ल में देखता हूं, फिर भी यह बिल आया है यह बहुत खुशी की बात है लीकन में यह जानना चाहता हूं कि यह कान्न इसकों जो हुक्क दंता हैं इनको पहले किस पर लागू किया जायगा । पहला यही मसला है कि इनको किसके ऊपर हम पहले चलायें। में तो समभक्त हैं कि **इनको पहले**ंखन सरकारी अफसरीं पर ेही वलाना चाहिए जो कि हुक्मत करने वाले हैं। जो सरकारी अम्बसर हैं वे सर्वण हिन्दुओं से भी ज्वादा अनटचीवीलटी कर रहे हैं।

्रहमार विसे में एक कसंकटर था. अब उसका तबादमा ही गया है। इस उसके पास कई नार इरिजनों की मुसीबतों के बार में स्त्रिजेंट्शन करने के लिए गर्थ लेकिन उन्होंने मुझ्य से मिलने से इन्कार कर दिया। जो आजकल हिप्टी कत्रकटर हैं जब हम उनके पास जाते हैं हरिजनों के हक्क के लिए और रिमेजेंट करते हैं तो वह इसको सरवर्ष समझते हैं । तो एंसी हालत में हमार हक्क के लिए कॉन काम करेगा। इन अफसरों के दिलों में हरिजनों की भलाई करना नहीं हैं। हम इस कानून को बना लें लीकन जी उस कातून पर अमल कराने वाले अफसर है उनके दिस में इसको अमल में लाने की बात नहीं हैं। जब उनके ही दिल में यह बात नहीं है तो हम और लोगों पर करेंसे इसको लागू कर सक्तेंगे । अगर इतः अफसरों से कहा जाता हें तो वह सुनते नहीं । वही अफसर हैं वही सवर्ण हैं । हमार कपर जो ज्यादती होती अगर हम उसकी शिकायत करते हैं तो कोई नहीं सुनता और हमारं कपर मार पीट और होती # 1

हमार जिले के अन्दर एक लेडी डाक्टर थी। वह गरीबों को अपने नजदीक नहीं आने दंती भी और खासकर हरियनों को तो दूर रखती थी। एक हरिजन की लड़की बीमार हुई । उसको रात के बारक बर्ख अस्पताल ले जाया गया । लीकन लंडी डाक्टर ने उसको दंखा नहीं। जन वह मरने लगी तो उसका बाप उसके पास गया और कहा कि मेरी लड़की मर रही हैं लीकन लेखी डाक्टर ने उसे नहीं देखा और कहा कि में सम्हारी नॉकर नहीं हैं। यह सुनकर वह बेचारा बेडोश हो गया । वह लेडी डाक्टर के पास नहत चिरुनाया और उसने बहुत सी बातें की । उसके बाद हरिजनों ने एक मैमोर्रहम अफसरों को दिया । उस पर इन्क्वायरी हुई और बहुत संबद्धान लेडी डाक्टर के सामने उसके खिलाफ दिये मर्च । लेकिन इसका नतीजा यह हुआ कि उसका, रहां से तरक्की पर तबादला कर दिया गया:। अब आप देखिये कि हम लोगों की बात सुनने वाला कॉन हैं। में चाहता हूं कि जो हक्रमत करने वाले हैं उन मर पहले यह सामून लगाचा आय । जब हक्मात के अन्दर वे चीजें हैं तो यह कान्न संबर्ण हिन्दुओं पर करेंसे लाग् हो सकता हैं। उनके मुकाबले हम क्या कर सकते हैं। हमार बच्चे स्क्ल में जाते हैं तो उनसे कहा जाता हैं कि तुम क्यों पढ़ते हो। तुम मजद्री करो। उसके ऊपर बच्चोंबहद चली। उसके बाद अब यह हालत हैं कि अगर बच्चों के कपड़ें मेंले होते हैं तो उनको स्क्ल से हटा दंते हैं. अगर उनका कपड़ा कुछ फटा होता हैं तो स्क्ल से निकाल दंते हैं। जब सरकारी मुलाजिमों का यह हाल हैं तो हमार साथ करेंसे न्याय होगा।

दूसरी बात मुझे यह कहनी हैं कि नलगोंडा ताल्लुक में खेतेपेल्ली गांव में एक रोमन कर्षांशिक मिरानरी हैं। पहले कुछ हरिबन रोमन कॅथोलिक बन गर्थ फिर वे हरिजनों में बापस आना चाहते थे। उस मिशनरी ने उनमें से दो को पकड़ कर पीटा । एक गांव छोड़कर भाग गया । दूसरा मेर कस पहुंचा । में उसे लेकर ए० एस० पी० के पास पहुंचा । उन्होंने सब इंस्पेक्टर को लिख दिया। सब इंस्पेक्टिक मिशनरी के पास गया, उसके यहां एक रात मुकाम किया और उसने कोई बांच नहीं की। स्वयं पादरी ने भी हरिजनों को भहकाया कि वे उसके खिलाफ बयान न द"। पावरी ने उनको हराया और धमकाया, उनकी बेडज्बती की । उल्टा उस पादरी ने हरिबन पर मानभंग का-दावा किया । और यह दावा अभी चल्रू रहा है ।

हमारं धर्म मानने वाले आनरिवल मेम्बर ने कहा कि हम लोगों में आज अनटचेंबिलिटी नहीं हैं। जो हमारे ताल्लुक में बाह्मण हैं यदि उनके भोजन करते समय हरिजन का नाम भी लिया जाय तो वह भोजन छौंड देते हैं। इतनी अनटचेंबिलिटी हैं। आज धर्म का नाम लेते हुए वे लोग हरिजनों के लिए कुछ भी नहीं कर रहे हैं।

द्सरी चीज यह हैं कि हैदराबाद में गुवर्नमेंट ने हम लोगों को कुछ जमीन दी हुई हैं। हैदराबाद में पुिबस एंद्शन होने के बाद करंग्रीस के भाई ऑह अपोजीशन के भाई तिमों ने कहा कि हरिजनों को सरकारी जमीन दी आप। मुजिस्सा साल से जो लास जमीने भी जन पर कुछ लोग काहत कर रहे थे। लेकिन परगों यह कान्न

[श्री अचल्]

निकला है कि सन् १६४० के पहले के जो काविज हैं उनको तो हक हैं लेकिन उसके बाद के बो हैं उनका हक नहीं हैं। यह कह कर उनको बेदसल किया जाता हैं, उन पर सावान लगाया बाता हैं और दूसर तरीके से उनकी जमीनें जब्त की जाती हैं। यह चीज हो रही हैं। जमीनें जमीं दारों से लंकर हमको दी जायं या न दी जायं लीकन गवर्नमेंट की जो जमीनें हैं उनको भी हमार पास नहीं रहने दिया जाता और उनसे इमको बेदखल किया जाता और हम पर तावान लगाया जाता है और फसलें जबूत की जाती हैं और इस तरह परेशान किया जाता है । जो कुछ साल भर मेहनत करके खाने के वक्त नसीब हो रहा है उसकी इस तरह से ले लिया जाता है। इसेलिए जो जमीनात आज हमार पास है और ीजन पर हम गुजिश्ता साल से खेती कर रहे हैं वे हमार पास छोड़ दी जानी चाहिए। और जो तावान सिया जाता है उसकी रद्द करना चाहिए।

दूसरी वीज यह हैं कि इंग जिमीनों की पर्टा मिलना चाहिए। उन लोगों की जराअस के लिए और मह्लियें ही जानी चाहिए। उनको बीज मिलना चाहिए, खाद मिलनी चाहिए, और उनको गवर्नमेंट को पँसा भी देना चाहिए।

हमारं यहां ज्यादातर काम करने वाले हरिजन हैं। उनकी एक लेबर कोआपरीटव सांसाइटी भी बनी हैं। लेकिन उसको गवर्नमेंट कुड़ भी मदद नहीं दंती। जितना भी वर्क हैं वह ठंकेदार को न दंकर हरिजन लेबर कोआपरीटव सांसाइटी को ही दंना चाहिए। गवर्नमेंट को कोआपरीटव सांसाइटी की भी मदद करनी चाहिए। दूसरी बात यह हैं कि जैसा कि अभी हमार एक कांग्रंस के भाई बोले हैं कि कांग्रंस वाले आवकल हरिजनों की दशा सुधारने के हेतु काम नहीं कर रहे हैं, हमें चाहिये कि हम उनके बीच में काम कर आर बमीन आदि के बो उनके इस काम में अकेले कांग्रंस वालों को ही नहीं बलना हैं बिल्क दंश की दूसरी पार्टियों को भी आगे आना चाहिये, अपोबीशन को भी इसमें शामिल होना चाहिये और सबको मिलकर हरिजन भाइयों के लिये सह्तिचत और स्पीवधा पेंदा करनी चाहिये। हम मिल कर उनको अच्छा सस्ता. दिखायें और उनकी आधिक स्थिति में सुधार कर और उनको जमीन आदि दिलवाने का प्रवन्ध करें।

Mw. Chairman: Before I call Kumari Annie Mascarene to speak, I would request the hon, lady to conclude within ten minutes, because one more speaker has to be accommodated.

Kumari Annie Mascarene: All these penalties are imposed on ladies. (Interruption).

i, hope the hon. Minister will not be surprised when he hears from me that legislation on this subject is simply futile.

Shri Syamnandan Sahaya (Muzaffarpur Central): And farcical.

Kumari Annie Mascarene: speaking from experience of such a legislation in my State long before this idea could drawn upon the hon. Home Minister and I may tell the House that the repercussions of such a law with a penalty clause in it had absolutely very poor results in my State. The hon, Minister at the very start said that this is a coercive measure. Of course, on reading through the Bill, we find that section 13 says that there is a penalty clause of recognising the offence as cognisable. Therefore, it is clear that a coercive measure adopted at this juncture is calculated to convince the public of India that the destiny of 64 million people has been taken very seriously into consideration by the Congress Government and that they are going to promulgate a law to enforce it at the point of the sword. I appreciate the attitude of the Government, but let me ask them a simple question: have you ever succeeded in forcing people to observe discipline at the point of the sword?

Babu Ramnarayan Singh (Hazaribagh West); No.

Kumari Annie Mascarene: This is a social leprosy on humanity and the history can be traced back to the Manu Smriti itself, which has classified people or confined them to Varnashrama Dharma. I am sorry I have heard from my esteemed friend, Mr. Sharma, that in the sastras.....

Shri Syamnandan Sahaya: There are two Sharmas here.

Kumari Annie Mascarene: From Mr. Nand Lal Sharma. I heard from him that there are no untouchability provisions in the sastras. I have not read the sastras, but I have heard of Nandanar, a Harijan, who was not allowed to enter the temple and who had to bring himself at the portals of the house and burn himself in order to join godhood. That story of Nandanar has been filmed in South India-I do not know whether it is so in the North-but it is a sastraic story. Untouchables did exist in spite of the sastras, and practical human ex-perience for the last several ages has shown us that there was untouchability and this tall talking of Mr. Sharma is confined only to this House. It has been the experience of history that this social evil existed all over the world and all founders of religions have come out with the idea of removing this evil. You can see it from Buddha; you can see it from Mahavira; you can see it from Christ, and later on, from humanitarians like Lincoln, down Mahatma Mohammad, to Gandhi. All of them preached the equality of man, the comradeship of man, the brotherhood of human beings, as the children of God. But still untouchability persisted with its pertinacity and it was left to the credit of the Father of the Nation to fight with his moral force this evil of human differences and today the degeneracy of caste and the evil of untouchability is getting buried under the crumbling superof that pyramidical structure. His satyagraha movements

and fasts unto death are fresh in our memory.

I may in this connection impress upon the hon. Minister that only a few years back we'in Travancore with mass literacy in the State have handled this problem. Long before we could get independence, Travancore proclaimed temple entry and Harijans were allowed to enter the temple of God freely. But I must remind you that the object behind it, the sincerity behind it was questionable, because a large majority of Harijans, millions of them, threatened to embrace Christianity because the doors of temples were not open to them. Hence temple entry proclamation was made and it received encomia from even Mahatma Gandhi. But today you will find that the Harijans are not very anxious to go to the temples. Then we passed a law removing other disabilities, freedom of worship. freedom of entering hotels, etc. That was by the first Congress Ministry in Travancore-Cochin State. But what was the result? The caste Hindus closed their hotels, so much so after the last General Elections in my constituency a large number of Harijans organised themselves to fight it out under the shade of the law. They did not succeed, and at a meeting over which I presided, the Harijan leader who spoke on this disability was immediately manhandled in my presence. I had to save him by putting him in my car and taking him away. I appealed to the police authorities and pointed out the law: "Here is a law with a penalty provision; will you enforce the law?" He replied: "It is easy to pass a law, but to enforce it is difficult: there must be a change of mind." Yes, I repeat it. It is not the law that is required. A law is no law if it cannot command obedience. Why do you pass these large numbers of laws in this House without having the strength or the determinato enforce them? There is a penalty clause now. Will you add another clause in case of failure of enforcement? A provision must be added

# [Kumari Annie Mascarene]

to make it a cognizable offence on the executive authorities of the State if they do not enforce it.

Pandit K. C. Sharma (Meerut Distt.—South): Laws are not passed in that way.

Kumari Annie Mascarene: Laws are not made to be enforced, then this is only of propaganda value; it has not got any moral force behind it. A have seen it in my State. Therefore, I wish to impress upon the House that besides passing this law with a cognizable clause in it, Government should take it seriously into their hands to enforce it. Who should enforce it? The police authorities should. It is only day before yesterday that I have come in closer contact with them and I have no faith that they will enforce these laws. Therefore, I request the Government once more to bring the change of heart and it is the change of heart generosity of character, humanity that is required. It is left to the Government to give them land. Who is a Harijan? He is a person who suffers from economic disability; he has no status. Give him land, He is ignorant, Educate him; give all the Harijans free education. You introduce measures and you enforce them in such a way that these evils are removed, not with law alone but with sincerity behind it. You do it with your own hands; give them jobs, educate them, give them lands and help them to come up. That is the way to solve the problem, not by legislation. Anyway, this law has got a very good object behind it and sincerity. I appreciate the law, and as far as legislation is concerned, I congratulate the Government for bringing forward this law.

Mr. Chairman: I would request the hon. Deputy Minister to speak but he may take only ten minutes because I want to accommodate one or two hon. Members more before calling upon the hon. Home Minister at 1 pcclock.

The Deputy Minister of Home Affaire (Shej Datar) rose—

Shri Sadhan Gupta (Celcutta-South-East): Mr. Chairman, I wanted to make this request. I have an amendment which, if you look at it, you will agree that it needs a little elucidation. May I have just a few minutes to explain that?

Mr. Chairman: It will be difficult for me but I will look into it.

Shri Datar: Mr. Chairman, I had no desire to intervene in this debate but we had certain-what I may call-misstatements from the sole, if not the solitary, representative of the so-called Rajya Parishad. Therein he purported to quote certain authorities and asked us to believe that Hinduism has not done any injustice to the un-touchables. That is entirely wrong. That is the reason why Gandhiji stated that we have done wrong to these untouchables. We should not tay to defend it at all. I have before me one of the most important Sanskrit texts, namely, Manu Smriti, which all of you are aware, is of divine importance and is one of the earliest books on Hinduism. It deals with the spiritual aspects of life. So far as that is concerned, it is highly commendable. The great Manu has also laid down certain important principles regarding law and society. So far as they are concerned, we find that his contribution to the making of law is highly commendable and exemplary. Apart from these portions, there are. also certain portions which are highly revolting to every Hindu. They are dealing, not with religion as such, but with the social conditions in which certain classes of people then lived. These portions ought to be highly revolting even to an ordinary citizen. So far as our history is concerned, I desire all unprejudiced members of the Hindu society.....

Pandit K. C. Sharma: May I point to the hon. Member that when Manu wrote the very important law, all over the world worse conditions existed in the form of slavery and other conditions? Mr. Chairman: Let the hon. Member proceed.

Shri Datar: That was no justification even for Manu to perpetuate such conditions in India..... (interruption).

Mr. Chairman: I would request hon. Members to exercise a certain amount of restraint though they might differ.

Shri Datar: I would appeal to the conscience of the Hindus in particular to find out what was stated so far as Manu Smriti in Chapter X was concerned.

I might also point out that the untouchables were not considered by our forefathers as part of the four-fold caste system at all. The terms untouchable, and others were used by way of an apology; they were beyond the pale of the four-fold caste system. And that is what has been stated here:

# सर्वं ते दस्यवः स्मृताः ।

All these other people, the ancestors of the present untouchables, were called Dasyus. Dasyu means a robber.

And then it has been described further, from verse 45 onwards, that they are to live outside the towns or villages; they are not to live in the villages at all.

चंडालश्वपचानां तु बहिर्गामात्प्रतिश्रय । अपयात्राश्च कर्तव्या धने तेषांश्वगर्दभम् ॥१॥

And do you know what kind of wealth they had? All the wealth that they could have was only swagardabham. That is, they could maintain only asses and dogs.

It has been further stated that they should not be dealt with at all. They न तैं: समयमिन्वक्रंत् पुरुषो धर्ममाचरन् have to take what are known as the leavings of our food. (उच्छिट मन्नं वातव्यम्)

So that was the condition that was in India about three thousand years

ago. And it was for this reason that Gandhiji took it upon himself for the first time to do penance for the sins that Hinduism has committed.

So far as the eternal principles of Hinduism are concerned, so far as its spiritual and metaphysical principles are concerned, they are perfectly right. But we would be doing injustice to ourselves, we would be making a parody of history if we say that Hindu religion did not do injustice to such people. Injustice has been done. It is a centuries-old injustice. That is why Gandhiji asked us to do full penance. And that is what we have to do.

Shri V. G. Deshpande: It is people who do not understand Sastras who plead like this.

बंडित ठाकुर शास भागीय (गुड़गांव): मुक्ते श्री दातार की आखिरी स्पीच सुन कर यह ताज्जुब हुआ कि आया यह जो बिल हैं यह किस के लिये लाया जा रहा हैं? क्या यह बिल अन्त्यजों के वास्ते हैं, क्या यह बिल दरअस्ल उन लोगों के वास्ते हैं जिन का डिस्क्ष्यान अभी हमने मनुस्मृति से सुना हैं। मैं तो इस बिल को दंख कर हैंरान हं। जब हम ने कान्स्टिट्य्शन बनाया तो हम ने चाहा था कि इस किस्म का बिल आये। उस वक्त हम ने लिखा था दफा १७ मैं:

"Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law."

इम ने दफा १७ में इतना लिखा था। बाकी जो फंडामेन्ट राइट्स थे वह सार्र हिन्दुस्तान के वास्त्रे तकरीबन एकसां थे।

अब में प्छना चाहता हूं कि यह जो अनटचेंबिलिटी बिल हैं यह फिल वाक्या कॉन सी अनटचेंबिलिटी को डिफाइन करता हैं ? आव्येक्ट्स एंड रीजन्स में इस बिल की मेम्बर इन्चार्च साहब ने यह जिल्ला हैं कि इस जनटचेंबिलिटी को डिफाइन नहीं कर सकते। पंडित ठाकर दास भागीव]

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हमें नहीं माल्म हैं कि यह अनटचीवीलटी क्या हैं। में जनाव की खिदमत में बहुत अद्व से अर्ज करना चाहता हूं कि अनटचे बिलिटी की जो डीफ निशन विल की दफा २ एफ में लिखी हुई हैं वह इतनी हैरानकून हैं और इतनी गसत हैं कि एक मिनट के वास्ते भी हाउस उस को कब्ल नहीं कर सकता है। अनटचीबिलटी की तारीफ यह दी गई:

"(f) 'untouchable' means member of a Scheduled Caste as defined in clause (24) of article 366 of the Constitution, and includes any other person who by custom or usage is regarded as an untouchable by any community or section thereof."

में अदब से प्रजना चाहता हूं कि क्या शिह्युल्ड कास्ट वालों को अनटचीवल कहा जा सकता हैं ? क्या यह छूएं नहीं जाते हैं ? क्या यह चांडाल हैं ? क्या हम उनके हाथ नहीं सगाते। यह वही गलती हैं जो कि बिटिश गवर्नमेंट ने की थी । लाला लाजपत राय ने इसके ऊपर सख्त प्रोटंस्ट किया था । उन्होंने सार शिह्युल्ड कास्ट वालों को अनटचीबल मान लिया था। हमारं शिह्यूल्ड कास्ट के भाई यहां बैठ हैं। हम सब उनसे मिलते हैं। वह अनटचीबल की तारीफ में नहीं आते। शिह्नयुल्ड कास्ट के लोग खुद भीगयों के साध अनटचीबीलटी प्रीक्टस करते हैं। में जानना चाहता हूं कि कितने शिह्नयुल्ड कास्ट के लोग 🗗 जो भंगियों से मिलते जुलते हैं।

में ने हाउस में सिर्फ दो अनटचीवीलटी पर सूनी हैं, एक तो टंडन बी की ऑर दूसरी बाल्मीकी जी की। में कहना चाहता हूं कि अगर आप अनटचेविलिटी को इटाना चाइते हैं तो सोशल डिसए विलिटीज को इसके साथ क्यों ले आये। मेर यह कहने से यह मतलब नहीं हैं कि मुझे शिह्यूल्ड कास्ट वालों की क्सिए विलिटीज से हमददी नहीं हैं। मैं तो एक कदम और आगे बढ़ना चाहता हूं और इस सम्बन्ध में में अपने प्रोपॉबस पेश करूंगा।

अगर आप अनटचीबीलटी को दूर करना चाहते हैं तो आपको फिल वाके वसा विल लाना चाहिए था। आप दृंखें कि यहां जितने म्युनिसियल एंक्ट हैं उनमें पबीलक युटिलिटी की यह तारीफ दी गयी है कि अगर काम न करें तो उनको जैस में हास दिया जाय । मैं अदब से अर्ज करना चाहता हूं कि इस सारं काम को एक दूसरं से नहीं मिलाया जा सकता । अगर आप शिह्न्युल्ड कास्ट वालीं की सोशल डिसए बिलिटीब को दूर करना चाहते हैं तो उसके लिए एक दूसरा विल लावें। लीकन अनटचीबलिटी जिसकी हम एब्होर करते हैं वह इस बिल से हटने वाली नहीं हैं। इसमें एंसी बातें दी हुई हैं कि जिनका अनटचीबीलटी से कोई ताल्लूक नहीं हैं। इसका इलाज तो हमार टंडन जी ने बताया है। इस बिल से अनटचेबिलिटी दूर नहीं होगी। जिन लोगों का इसमें जिक्र हैं वह खुद अनटचेविलिटी मीक्टस करते हैं। फिर इसमें लिखा है कि अभी गवर्नमेंट को पता लगाना है कि अनटचीबल कॉन कॉन हैं। इस बिल में लिखा हैं:

"...and includes any other person who by custom or usage is regarded as an 'untouchable' by any community or section thereof."

अभीतक गवर्नमेंट को पता नहीं है कि वै अनटचीवल कॉन हैं। मैं हैरान हूं कि यह किस तरह की बात हैं। क्या गवर्नमेंट यह कह सकती है कि यहां ६,४०,००,००० अनटचीवल हैं। यह खिलाफ वाकयात हैं। अगर आप अनटचीवीलटी को दर अस्त दूर करना चाहते हैं तो सिम्पटम्स से क्यों लड़ ते हैं। कोई ठीक कानून लाइये और बीमारी को जह से काटिये।

एक ऑर चीब हैं वो इतनी हैरान करने वाली तो नहीं हैं मगर फिर भी हैंरान करने वाली हैं। इसके एक एक्सप्लेनेशन में दिया हुआ हैं :

member of a Scheduled who has been converted from the Hindu religion to any other religion shall, not withstanding such conversion, be deemed to

में इसको बिल्कुल नहीं समझा। में अदब से गुजारिश करूंगा कि आनरीबल मिनिस्टर साहब जब व्याख्या करें तो इसको साफ कर हैं।

गृह-कार्य तथा राज्य मंत्री (डाक्टर काटज्) : मुद्रा में इतनी कृष्यत नहीं हैं कि आपको समभा सक् ।

पंडित ठाकुर श्वस भागंव : आनरंविल मिनिस्टर एंसा करने की अपने में ताकत नहीं समझतं यह तो एक य्फिमिज्म हैं और इसके मानी यह हैं कि में समझ नहीं सकता । में मानता हूं कि में न समभ सक्यं । लेकिन मेरी समझ में ने आने की यह वजह भी हो सकती हैं कि यह बिल दुरुस्त न हो । यह हमारं कांस्टीट्य्शन के बिल्कुल खिलाफ हैं । कांस्टीट्य्शन की दफा २४ में दिया हुआ हैं कि हर आदमी को अपनी रिलीजस फीडम हैं, लेकिन यहां उसको थोड़ा सा रेस्ट्विट कर दिया गया हैं । में आनरंबिल मिनिस्टर साहब की तवज्जह कांस्टीट्य्शन की दफा २४ की तरफ दिलाना चाहता हूं । इस दफा के पार्ट १ में दिया हुआ हैं :

"25. (1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagage religion.

(2) Nothing in this article shall affect the operation of any existing law or brevent the State from making any law—"

"(b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus."

हिन्दुओं के अन्दर बैंन, बुध, सिख शामिल किथे गये हैं। मैं अदय से प्रक्रना चाहता हूं कि आज अगर एक हिन्द्, जिसको कि आनरीवल होम मिनिस्टर अनटचीवल कहते हैं वह मुसलमान हो जाय या ईसाई हो जाय तो क्या वह उसको यह हक दंना चाहते हैं कि वह इस कान्न के लिए अनटचीवल हैं और वह हिन्दुओं के मन्दिर में जाकर Sanctuary को हाथ लगावे, उस मन्दिर में पूजा कर।

डा० काटब्रु: क्या वह करंगा ?

पंडित ठाकुर दास भागंव : यह सवास नहीं हैं । मैं जानता हूं कि आज मन्दिर साली पर्ड हैं । अगर यह अछ्त मन्दिर में नहीं जायगा तो मुझे बतलाइये आपने यह किस गरज से यह हिस्सा कान्न का बनाया हैं । मैं एक एंसे मन्दिर को जानता हुं कि जिसमें एक बाह्यण को भी जाने की इजाजत नहीं हैं । क्या इसकी क्र से आप उस शस्स को एंसे मन्दिरों में जाने की इजाजत दैना चाहते हैं । इसमें यह नहीं लिखा हैं कि हरएक आदमी जो कनवर्ट हो जाय वह जरूर वहां चला ही जायगा । लेकिन अगर वह जाना चाहे तो रोकने वाला ६ महीने कर्द हो सकेगा । मैं यह अर्ज करना चाहता हूं कि यह बीज कांस्टीट्य्शन के खिलाफ हैं ।

तीसरी चीज जो में अर्ज करना चाहता हूं वह यह है कि कांस्टीट्य्शन की दफा ९७ में लिखा है कि अनटचीबिलटी एबालिश हो गयी। ऑर जो डिसएबिलिटी अनटचेबिलिटी की वजह से हो रही हो वह आफेंस मानी जायगी। अगर आप किसी चीज को एंसा आफेंस बनाते हैं जो दफा ९७ में आफेंस नहीं बनता तो वह दफा ९४ के बिखिलाफ जाता हैं।

इसितए में अर्ज करूंगा कि इसमें तीन चार सवाल कांस्टीट्य्शनल ला के आ गर्थ हैं जिन पर तवज्जह दी जानी चाहिए। अगर आनर्रीवल मिनिस्टर साहब कुछ कहना चाहते हैं तो में सुननं को तैयार हुं।

Mr. Chairman (Sardar Hukam Singh): Has the hon. Member finished?

Pandit Thakur Das Bhargava: I have not.

Mr. Chairman: Then, we may continue. And I would request the hon. Home Minister to exercise as much restraint as other Members.

**Dr. Katju:** I have not spoken a single word. I have not said anything. I just put on my cap.

पंडित ठाकुर कास भागंब: कई शख्स जवान से बोलते हैं। कई सार जिस्म से बोलते हैं, कई आंख से बोलते हैं।

Mr. Chairman: I would request the hon. Member to continue his speech and not to care about the movements of the hon. Minister.

में सिर्फ एक बात और अर्ब करना चाहता हूं। अगर आप अनटचीबीलटी को हटाना चाहते हैं तो कन्सेप्शन आफ कास्ट को भी हटा दीजिये। जबतक इस देश में कास्ट हैं तबतक अनटचीबीलटी नहीं जा सकती गीता में लिखा है:

यद्यदाचरित श्रेष्ठस्तत्तद्वेतरो जनः, स यत्प्रमाणं कुरुते लोकस्तदनुवर्तते ।

अगर ये लोग बाह्यण, चित्रय और त्रेष्ट्य

Shri R. K. Chaudhuri (Gauhati): On a point of information.....

Pandit Thakur Das Bhargava: I am not giving way.

श्री आर० के० चाँधरी : चात्रविण्य मया स्ष्टं गुण कर्म विभागशः।

Mr. Chairman: The hon. Member knows the procedure that when the speaker is not giving way, he ought not to interrupt.

पंडित ठाकुर नास भागीय: जिसको यह कोट करते हैं उसमें तो गुण कर्म विभागशः हैं। इसका यहां क्या सवाल हैं। चाँधरी साहव के गुण और कर्म उनकी जात के मुताबिक नहीं हैं इस लिए उन को मैं छोड़ता हूं। तो मैं यह अर्ज कर रहा था कि जबसक यह कास्ट का कन्सेप्शन हिन्दू सोसाइटी में हैं या दृश में रहेगा, यह नाम्मिकिन हैं कि अनटचेविसिटी इट जाय। हमार प्राडम मिनिस्टर साहब एक एसे शस्स हैं जो हर मौके पर कम्युनीलज्म और कास्टिब्स और प्राविशियालिज्म के खिलाफ बहाद करते हैं। मुझे यह निहायत पसन्द हैं। मैं चाहता हूं कि वह सिर्फ जबानी जहाद न करें। हमारं आनरीबल डाक्टर काटज साहब भी बहुत माँकाँ पर एसा कहते हैं। लेकिन में तो यह अदब से अर्ज करना चाहता हूं कि सिर्फ जबान से कहने से कुछ नहीं होगा । आप अमल से भी कुछ करके विस्ताइये। गवर्नमेंट बताये कि उसने कितने इंटरकास्ट मेरिज एनकरंज किये। गवर्नमेंट बताये आया उसने सोशल रिफार्म का कोई काम किया है, सौशल रिफार्म की मिनिस्टी कायम की हैं ? में अद्व से अर्ज करना चाहता हुं कि अगर आप वार्क अक्टतों की डिसएविलिटीज को दूर करना चाहते हैं तो मैं उसके लिए चार नुस्खे बताना चाहता हूं। उन पर अमल कीजिये। मुझे आपके इस बिल से कोर्ड एंतराज नहीं हैं। में इसके लिए आपकी म्बारकबाद दंता हूं। लेकिन में अदब से अर्ज करना चाहता हूं कि इन चार बातों पर अमल कीजिये ताकि शिह्युल्ड कास्ट वालीं की हिसएबिलिटीज दूर हों। वे बातें ये हैं:

१. जितने स्क्ल ऑर कालिज हैं उनमें इनको मुफ्त पढाइये । सबको कम से कम मिडिल तक तो पढाना ही चाहिए । जो होशियार लडके हों उनको कालिज में मुफ्त पढाया जाय और उनको मुफ्त होस्टल में रखा जाय ।

२. चूसरी बात यह अर्ज करना चाहता हूं कि हंश में जिसनी नॉकरियां हैं उनके लिए अगर ठीक शिड्यूल्ड कास्ट वाले मिलें तो सारी नॉकरियां शिड्यूल्ड कास्ट वालों को दी जायं पांच वर्ष के लिये। मेरा तीसरा प्वाइंटा यह हैं कि हजारहा बीघा नई तोडी हुई जमीनें पड़ी हैं। जितने आपके गवर्नमेंट लेंड्स हैं अगर उनको आप लेंडलेस झेबरस को दं दं ताकि वह आपका गुजारा कर सकें तो में कहांगा कि वह आपका सही कदम होगा। लेकिन अगर आप यह न करके सिर्फ उनके लिये वह

अधिकार दिलाना चाहते हैं कि वह मंदिर में घंटा बजा सकें, तो मेरी राय में वह बीमारी का सही इलाज न होगा। मंदिरों में घंटा बजाने के दिन गुजर गये, अब सवर्ण हिन्दू भी घंटा नहीं बजाते और अब घंटा बजाने की बात करना केवल प्रोपेंगेन्डा के अतिरिक्त कुछ नहीं हैं। प्रोपेंगेन्डा ही करना हैं तो सबसे पहले इस बात का प्रचार करना चाहिये कि अनटचीबीलटी हमार समाज से दूर हो । आप समझते हैं कि आपने एसा बिल लाकर इनके ऊपर मेहरबानी की हैं लेकिन यह बात नहीं हैं। दूनिया मैं और अमरीका में इस बिल को लेकर कोट किया जायगा कि हिन्दूस्तान में अनट्वीबीलटी छः करोड चालीस लख आदीमयों में हैं और हमारा मूंह काला किया जायगा । यह अनटचीबीलटी इतनी नहीं हैं. बल्कि एक सोश्यल हिस्एबिलिटी हैं जो दूर की जानी चाहिये। अगर आप नहीं कर सकते हैं तो एसे बिल को लाने से जो बिल्कूल गलत है. खिलाफ वाकयात है और में ती समभ्तता हुं कि इस बिल के लाने से आप कांस्टीट्रयशन के बरिसलाफ चलते हैं। कांस्टीट्युशन में आपने दफा २६६ रक्सी हैं कि शेड्यल कास्ट वह होंगे जिनको कि हमारं राष्ट्रपति हिक्लेयर कर दींगे । २४९ में आपने एक दफारक्सी।

मुझे आप कांस्टीट्य्शन में कोई दफा एंसी दिखलाइये जिस में शेड्य्ल कास्ट को अनटचेबुल्स करार दिया गया हो। आपका यह कान्न इसमें एंसे लोगों को शामिल करता हैं जो बिल्कुल अनटचेबुल्स नहीं हैं, आप भड़म्ंजों और चमारों को कहते हैं कि वह अनटचेबुल्स हैं, लेकिन में आपको बतलाऊं कि वाकया यह नहीं हैं। में जानता हुं कि कोई आदमी उनसे परहेज नहीं करता, सब आदमी मिलते बुलते हैं। चमार काश्तकारी में सीरी होते हैं और उन से सब मिलते हैं।

श्री पी० एस० बारूपास (गंगानगर्स्ड्रान्----रिवत----अनुस्चित जातियां) : गलत बात हैं। चमारों (मैघवालों) आदि की हालत राजस्थान में अति खराब हैं। उनको ह्र्तं भी नहीं सोग। 338 LSD. पंडित ठाकुर वास भागीय : विल्कुस सही चीज हैं।

श्री बी० आर० बर्मा (जिला हरदोई----उत्तर पश्चिम व जिला फर्रासाबाद----पूर्व व जिला शाहजहांपुर----दिक्षण----रिक्षत अनुस्चित जातियां): आप हमार साथ चल कर देशियों कि चमार धोवियों के यहां क्या होता हैं....

Mr. Chairman: Order, order. I would request the hon. Members not to have that kind of talk. Let us hear the hon. Member who is speaking.

I hope the hon. Member will try to conclude now.

Pandit Thakur Das Bhargava: I shall conclude within the time given to me. I shall conclude within two minutes. I am not going to take more time.

में अदब से अर्ज करूंगा कि यह कंट्रोवर्सी का मामला है। में इस बिल के बरिखलाफ नहीं। अगर कहीं किसी आदमी के साथ सोश्चल डिसएविलिटीज हों तो उनको रिम्व करना चाहिये। मेरा हरीगज यह मतलब नहीं हैं कि किसी शेंड्यूल कास्ट के आदमी के साथ हम एंसा बर्त्ताव कर जो बर्त्ताव हम अपने साथ मृना-नहीं समझते. मे<del>ं'</del> यह नहीं चाहता लीकन में एक रिएलिस्ट यह चाहता है पर आप इनकी एकोनामिक हालत सुधारिये और उनको सब हर्क् क दीजिये और हिम्मत करके यह काम कीजिये और मुझे पूरा यकीन हैं कि अगर आप एसा करेंगे तो इनकी हासत बहुत जल्द स्थर जायेगी और यह समस्या इल हो जायगी। लेकिन इन चीजों से जो सिर्फ इस ला में पड़ी रहेंगी, इनकी हालत नहीं सूधरने वाली हैं। में अपने जाती तजुर्व से एसी बात कहता हूं। में यहां गृहगांव कांस्टीद्रएन्सी कौ रिम्रोजेन्ट करता हूं और आपको बतलाऊं कि थहां से कोई पन्द्रह मील की दूरी पर मेर स्नेत्र में एक गांव मोलाहेडा है जहां पर एक हजार गज के अन्दर १०० घर अळूतों के हैं और एसी कित्तने ही गांव मेरी कांस्टीटएन्सी में पहते हैं. आप बाक्र दीलये कि उनकी क्या असव है. [Pandit Thakur Das Bhargava]

Untouchability

उनकी हार्जीसग हिफकल्टी कितनी एक्य्ट हैं. उनके मकान जहां पर वह रहते हैं "हेल" हो रहा है, लीकन क्या किया जाय, वहां के डिप्टी कीमश्नर सुनने को तैयार नहीं, कोई बहा अफसर तवज्जह नहीं दंता और गवर्नमेंट उनकी बात सनने को तैयार नहीं. कोई ला एसा नहीं जिसकी रू से में कह सक्रं कि उनकी हालत दूरस्त करें। मैंने तवज्जह दिलाई कि "ऑफेंस बिल बी कॉर्ग्निजेब्ल,"। अब गांव के अन्दर एंसी सुरत हो रही हैं कि जब से हरिजन की भलाई का मुवमेंट चला है हरिजनों के ऊपर तरह तरह के जल्म ढाये जा रहे हैं। पुलिस अफसर और दूसरे अधिकारी जो वहां पर तैनात होते हैं वह सवर्ण होते हैं. तहसीलदार थानेदार साहब सवर्ण होते हैं और नतीजा यह होता है कि कोई इनकी दादरसी करने को तैयार नहीं है और में कहुंगा कि यह आपका सारा का सारा "काँगनेजेबल ऑफेंस" महत्व कागजों पर ही धरा रह जायगा और उस पर अमल नहीं होगा । अगर आप सचमूच इनकी हालत स्धारना चाहते हैं और चाहते हैं कि यह ऊपर उठें, तो आप इनमें से तहसीलदार बनाइये. थानेदार बनाइये और सौरयल जस्टिस इनके साथ कीजिये और फिर आप देखेंगे कि आपके इस बिल पर सही ताँर से अमल होगा। मूझ उम्मीट हैं कि में ने जो तीन प्वाइंट आपके सामने रक्खे हैं उन पर गाँर किया जायगा और इस मामले में सरकार की ओर से रिए'लिज्य दिखलायी जायगी । अगर अनट्वे-विलिटी हटाना है तो सबसे पहले सार म्यानिसपल लाज तबदील करने पहाँगे और भीगयों की अवस्था की और ध्यान होना होगा और उनको उठाना होगा । भंगी ही इस दंश के अन्दर एंसे लोग हैं जिनको अनटचेब्ल्स कहा जा सकता हैं, एसे आदमी बहुत कम हैं जिनके छू जाने से हम परहेज करें। अब अनटचीबीलटी दंश में उत्तनी नहीं हैं जितनी कि समझी जाती हैं।

1 P.M.

Mr. Chairman: The hon. Minister.

Shri U. M. Trivedi: I wish to speak for a few minutes if you permit.

Mr. Chairman: I am extremely sorry. It is already 1 o'clock and it was decided that we should conclude this today. So there would be no time.

Dr. Katju: We have heard very excellent speeches, except the last one, (Interruptions). Which was excessively thoughtful. My hon, friend has relieved me of the task of reading the appropriate article. He was himself, I believe, one of the framers of the Constitution. If there is no untouchability, he ought to have protested against the use of the word 'untouchability' in the Constitution itself.

Pandit Thakur Das Bhargava: When did I say that there is no untouchability? I maintain that there is untouchability, but all these Scheduled Caste persons are not untouchables.

Pandit K. C. Sharma: Some of them are.

There was something Dr. Katju: which was abolished—that is, untouchability-and Parliament was directed to see that the enforcement of disability arising out of untouchability 'shall be an offence punishable in accordance with law'. This Bill is intended for a very limited object-and that will be my answer to almost all the speeches declare --and that ís to and provide offences the their punishment. This Bill does not intend to make the village, which my hon, friend says he visited-I have visited about five villages during the last four days, and gone into more Harijan houses than he did probably in five years.....

Pandit Thakur Das Bhargava: hon. Minister is entirely mistaken. I have all my life served the Harijans and done nothing else.

Dr. Katju: I think my hon. friend should know .....

Thakur Das Bhargava: Pandit ten times may have visited number.....

Mr. Chairman: I expect the hon. Minister not only to address the Chair but also to appear to address the Chair. If he addresses hon. Members individually, perhaps there might be trouble.

Dr. Katju: Very good.

Shri A. M. Thomas (Ernakulam): He is giving provocation.

Dr. Katju: The intention of this Bill is to provide for punishment against disabilities arising out of untouchability. Most excellent suggestions have been made. My hon. friend, Asoka Mehta, my guru, Shri Tandon, -every Member-suggested: We want jungle lands, we want waste lands, we want villages laid out, we want irrigation. My hon, friend Pandit Thakur Das Bhargava made a most remarkable suggestion-very fine; it appealed to me strongly! For five years appoint nobody-neither a Brahmin, nor a Muslim, nor a Christian, nor an Anglo-Indian; appoint only so-called untouchables-wrongly named. Of course, he knows the Constitution. The Constitution provides that there shall be no discrimination on the ground of race, sex etc. It provides for equality and all sorts of things. And he suggests,-curiously, of course, to please all the hon. Members.....

Pandit Thakur Das Bhargava: There is an exception in article 15 of the Constitution.....

### Dr. Katju rose-

Pandit Thakur Das Bhargava: I am addressing the Chair. The hon. Minister was reading from article 15. There is an exception to that article which supports my system.

Mr. Chairman: Both the hon. Member and the hon. Minister are standing. They should resume their seats. Two members simultaneously cannot address the Chair and then claim that they are addressing the Chair. There must be some mistake somewhere. Therefore, we have to see that unless one member is permitted, he should not speak. I have allowed the hon.

Minister to continue his speech. Therefore, unless any other Member gets permission he should keep silent.

Pandit Tnakur Das Bhargava: Then I crave your permission to just point out the mistake.....

Pandit K. C. Sharma: Has he been allowed?

Mr. Chairman: He is asking for permission. Why should the hon. Member raise that question?

Pandit Thakur Das Bhargava: There is an article in the Constitution, article 15, a clause of which says that according to that article so far as the Scheduled Castes and Scheduled Tribes are concerned, some laws can be passed or steps can be taken to see that their interests are advanced beyond the interests of other people. It was under that that I was suggesting that this could be done.

Mr. Chairman: That is all right. But can we decide these legal and constitutional questions by cross-arguments here? We will have to listen to the hon. Minister and then we can see. It is all right that he has brought it to the notice of the hon. Minister.

Dr. Katju: My hon friend claims an extra privilege, namely, that everybody should hear what he has got to say by way of interruption. I am saying this seriously.

My argument is this. It is a very serious matter making these observations, namely, for ten years, if you want to do anything for the Scheduled Castes or the so-called untouchables, make appointments only from these people. We are all guilty people here and the hon. Member is their saviour. He says, for the uplift of the Harijans and for the uplift of the Scheduled Castes, only make appointments from them (Interruption). Is that good sense? I quite understand reservations. My point is that so far as this innocent Bill is concerned, the object is to make all disabilities punishable as offences. Every other suggestion that has been made in this House has really nothing to do with the point

[Dr. Katju]

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before us. You can bring rules, you can make State Legislatures provide for giving scholarships. for providing them with absolutely free education and provide them more reservations. I have no objection. I wish I could do that. My hon. friend Shri Tandon said, give everybody half an acre of land. Shri Asoka Mehta said, raise a land arms of one million people. Very fine. Let them all be from the Scheduled Caste pepole. I entirely agree. He says he is prepared to make out a scheme. But what has all this got to do with this unfortunate Bill? That is not the punishment for the removal of a disability. The disability is of the untouchables and the people who are to be punished are others. I am not saying whether they are touchables or savarnas. Here, we have been discussing for a day and a half or two days the various measures for the purpose of ameliorating and improving economic, social and cultural conditions of the Scheduled Castes. That is a on which there is very little difference of opinion. I wish we could do it. But, how can I bring it in this Bill?

### An Hon. Member: Why not?

Dr. Katju: This Bill purports to be in pursuance of article 17 of the Constitution. You may say that I should extend the scope of the Bill and call it the Untouchability (Removal of Disabilities) Bill and then say give them land, give them this thing and that thing.

we come to consider the When question of economic conditions, all of us go to the villages. As I said,and that quite casually,-during the last four days, I have been in three different areas. Last evening also I was there. Apart from big landholders and the peasant proprietors, everybody is suffering. The houses very small. In the village in are which I lived, there were five people and five cattle living together. There were no dispensaries, no schools and all that. We all know it. Therefore, if you want to improve the economic condition, you will have to improve the economic condition of 70 per cent. of these people. That is what we are engaged in the first Five Year Plan and the second Five Year Plan and all that has got to be done (Interruptions). To raise this cry here, I submit, is not the proper course.

Now, my hon. friend the great lawgiver said that this Bill is unconstitutional. When I heard that I began to wonder whether I was standing on my head or heels. He said: 'The Bill is unconstitutional'. Why? He . "You have declared all the Scheduled Castes as 'untouchables' ". Very well. There is going to be a Select Committee consisting of 49 people. I think a majority of them or a large number them will be members of Scheduled Castes. I give you an undertaking that if the Scheduled Castes or any member of the Scheduled Castes move an amendment or make effort in this Joint Select Committee to say that they are not untouchables within the meaning of this Act and therefore the definition of untouchables should be restricted, I shall say: 'Well and good, it will be done'. Here when my hon. friend was speaking and when he said that chamar is not an untouchable and that he embraces him, cries came from various quarters saying: "No, no; you go into the villages and see". I hear-I have not been there at that precise moment—that chamars are not allowed to draw water from the well. Other members of the socalled Scheduled Castes are not allowed to draw water from a well. I hear that in Calcutta,—Prof. Mukerjee knows it-a barber would not shave a chamar. And my hon. friend says that they are not untouchables and that they are very good. What I say is, if that is the only point, namely, that the definition is too wide, it can be easily changed or easily restricted.

Then my hon. friend went further and he took my breath away when he

said: "What are you doing; an untouchable, a member of the Scheduled Caste changes his faith and becomes a Christian, a Muslim or any other, and you allow him to go into a temple?" Now, is that really a reasonable argument? I change my religion and become a Christian or Muslim because I do not believe in my religion. I do not want to go to worship in a temple and I should like to go to a church or a mosque. We are living in a sensible world. But, my hon. friend says: 'No'. He says that in order to please the Hindu community and to take advantage of this particular Bill a Muslim convert of the Scheduled Caste will deliberately go into a temple and worship Ramchandraji or Mahadeva. I ask you, Mr. Chairman-you are a man of great experience—how will you style that argument?

Mr. Chairman: It is not my work. (Interruptions.)

Dr. Katju: Here all Chairmen have always insisted that we should address the Chair and so I am addressing you. Now, let me know how you will style that argument? If a convert from the Scheduled Caste or any other section of the Hindu community—say a Brahmin—after embracing Islam or Mohamedanism deliberately wants to enter a Hindu temple, it ceases to be a question of untouchability and it becomes a question of 'shoe-beating'. It is perfectly all right to a muslim. Why should he go to worship in a Hindu temple? If he is a Hindu, let him go there. If he is not, then he is creating trouble. That is what we are dealing with. We are not merely raising an argument pointing out this fault or that fault. I say these are matters which can be easily corrected in the Select Committee.

Then, with regard to all the points that have been raised about economic betterment, I say they are beside the point. Let hon. Members bring Bills in the State Legislatures for economic uplift, improvement and greater services. Some hon. Members said that there should be a Harijan Ministry. I

have heard that. We will have a debate soon on the Special Officer's report. I may tell you this flatly that you will not get a better Harijan Minister than I am for the Harijans. I am speaking with all sincerity.

Shri B. S. Murthy: We have no complaint about that. We want the hon. Minister to be there, but let him look after the interests of the Harijans.

Dr. Katju: What will a Harijan Minister do? The moment he becomes a Minister in the Cabinet, he looks after the interests of the 36 crores of people. There is this mistaken notion that the moment you become a Minister, you look after the interests of your community only and injure everybody else.

I do not want to take any further time. I should have gone on for another fifteen minutes, but the question is that the suggestions which have been made are suggestions wholly irrelevant and I say so with great respect, because that is not the object of the Bill. Please remember that this Bill deals, or professes to deal with what may be called 'public places' or man's public life. In so far as a man's private life is concerned, you cannot legislate. Can you legislate, for instance, that every hon. when he is in his own home, must dine with me or with anybody else? There are many of us here whose parents did not or do not dine with them. So far as private transactions are concerned, we require a change of heart. A change of heart does not come with the sort of eloquent speeches made for the purpose of pleasing the different individuals, but it comes by persuasion. Let my hon. friend, who was speaking about marriages of Harijan daughter. bring to me 100 daughters, and I tell you I will give them over in marriage to 100 other Harijan boys. What is the good of putting forward the argument that untouchability can only be removed by marrying daughters of Harijans. Let him provide daughters from Saharsa or anywhere else and I shall see that they are married to people belonging

[Dr. Katju]

to Harijan communities. In this discussion, I find that completely irrelevant matters are brought in to try and create trouble.

I beg to move that the Bill be referred to a joint Committee.

Mr. Chairman: I will have to put the amendments before the House.....

Shri P. Subba Rao (Nowrangpur): I have given notice of an amendment to the original motion.

Mr. Chairman: There are two amendments, one from Shri Sadhan Chandra Gupta and the other from my hon. friend who just stood up, notices of which have been given after the discussion had begun. They are, therefore, too late and cannot be taken cognisance of.

Shri Bogawat: What about my amendment that the Select Committee should be from this House?

Mr. Chairman: I am coming to that.

Shri P. Subba Rao: The hon. Minister moved his motion on the 26th August, and on the 27th I gave notice of my amendment, but somehow the office suppressed it and yesterday I gave notice of it again.

Mr. Chairman: It is too strong a word to use at this moment. I do not know what had happened, but we have seen only today the amendment that the hon. Member gave notice of.

Shri P. Subba Rao: They have suppressed my amendment of the 27th.

Mr. Chairman: That can be dealt with afterwards according to the rules and we can find out how it all happened. So far as the present amendment is concerned, I cannot give my sanction or allow the Member to move it. The amendments that have been moved have been taken into consideration and the two amendments, one of Mr. Gupta's and the other of Mr. Subba Rao's, were received late and they have not been taken into the discussion.

Shri Sadhan Gupta: I cannot claim to be very familiar with the rules and procedure, but is it the rule that every motion for amendment has to be given notice of before the discussion starts?

Mr. Chairman: Normally, that is the rule, and every amendment that is received before the discussion starts, is to be taken into consideration, though the Chairman has power to allow other amendment that are received later. So far as Mr. Sadhan Chandra Gupta's amendment is concerned, it is out of order besides being late, because the scope of the objects and reasons of Bill is restricted whereas the directions that the hon. Member's amendment seeks to give are much wider. On that account, I cannot take So far as the other amendments are concerned, I would like to know from hon. Members who have moved them whether I should put them to the House.

Shri D. C. Sharma: Sir, I withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: The next one is by Shri Somana.

Shri N. Somana (Coorg): I too would like to withdraw it.

The amendment was, by leave, withdrawn.

Mr. Chairman: The next amendment is that of Shri Bogawat.

Shri Bogawat: I would like to impress on the hon. Minister that at least in Bills of this nature, we who know the real state of affairs in the country.....

Mr. Chairman: There cannot be any fresh discussion: I shall put the amendment to the House.

Dr. Katju: Will you permit me to intervene; it may be misconstrued as discourtesy on my part, if I do not clarify this matter.

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procedure about Joint Select Committees is adopted in order to save time, because if we have a Joint Select Committee confined only to Members of this House, then the Bill must go to the other House-whether they are elected or non-elected does not matter—and then there will be another Select Committee of their own and the result will be that much time will be taken. We want to get on with this Bill as quickly as we can. It is only with that purpose.

Mr. Chairman: It is only an appeal to the hon. Member; I do not wish to interfere.

Shri Bogawat: Then I withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: I shall now put the motion moved by the Home Minister to the vote of the House.

# The question is:

"That the Bill to prescribe punishment for the practice of untouchability or the enforcement of any disability arising therefrom, be referred to a Joint Committee of the Houses consisting of 49 33 from this House, members, namely, Shri Upendranath Barman, Shri Narayan Sadoba Kajrolkar, Shri T. Sanganna, Shri Pannalall Barupal, Shri Naval Prabhakar, Shri Ajit Singh, Shri Ganeshi Lal Chaudhary, Shri Bahadurbhai Kunthabhai Patel, Shrimati Minimata, Shri Motifal Malviya, Shri Dodda Thimmaiah. Shri Rameshwar Sahu, Shri M. R. Krishna, Shri Ram Dass, Shri Nemi Saran

Jain, Pandit Algu Rai Shri Shree Narayan Das, Shri S. V. Ramaswamy, Shri Resham Lal Jangde, Shri Balwant Nagesh Datar, Shri P. T. Punnoose, Shri Mangalagiri Nanadas, Shri P. N. Rajabhoj, Rt. Rev. John Richardson, Shri A. Jayaraman, Shri V. G. Deshpande, Shri B. S. Murthy, Shri Vijneshwar Missir, Shri R. Velayudhan, Shri N. M. Lingam, Shri Mohanlal Saksena, Shri N. C. Chatterjee and Dr. Kailas Nath Katju and 16 members from the Rajya Sabha;

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

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

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

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

The motion was adopted.

The Lok Sabha then adjourned till a Quarter Past Eight of the Clock on Wednesday, the 1st September, 1954.