

**SHRI R. MARGABANDU:** The IAS officers of Tamil Nadu cadre are being harassed... (*Interruptions*)

**THE VICE-CHAIRMAN (SHRI MD. SALIM):** Mr. Margabandu, you take half-a-minute and conclude your speech.

**SHRI R. MARGABANDU:** Sir, I will conclude in a minute. The IAS officers of Tamil Nadu are facing a lot of problems today. They are being terrorised. They are not able to pass orders even on one single file. This is the state of affairs of every officer in the State who deals with that Department. Whoever is dealing with that Department is being put in the jail. This is something which we have never seen in the history of India that IAS officers who are doing the executive work are being hauled up and arrested. This is the situation in today's Tamil Nadu. A signal should be sent out that there is no political victimisation. Ours is a democratic country and there should not be any political victimisation. In the name of democracy, the DMK Government is engaging itself in political victimisation. This is the position of the DMK Government in Tamil Nadu.

**SHRI N. THALAVAI SUNDARAM:** Sir, may I associate myself with him?

**THE VICE-CHAIRMAN (SHRI MD. SALIM):** No associations. Now, Shri Ish Dutt Yadav.

**IMMEDIATE NEED TO RESTORE THE GHAZIPUR GHAT RAILWAY STATION ON AURDIHAR-CHHAPARA RAILWAY LINE**

**श्री ईश दत्त यादव (उत्तर प्रदेश):** मान्यवर, उपसभाध्यक्ष जी, मैं बहुत ही कम समय लूंगा। उत्तर प्रदेश में गाजीपुर एक ऐतिहासिक शहर है। स्वतंत्रता संग्राम में भी यहाँ के लोगों का बहुत बड़ा योगदान रहा है और भारत के मानचित्र में भी इस जनपद का एक महत्वपूर्ण स्थान है।

मान्यवर, औडिहार से छपरा तक छोटी रेल लाइन थी जिस को 1902 में अंग्रेजों ने बनवाया था और गाजीपुर शहर में गाजीपुर घाट नाम से एक रेलवे स्टेशन बनाया गया था। अब औडिहार-छपरा छोटी रेल लाइन का

आमान परिवर्तित कर दिया गया है और अब यह इस वर्ष से बड़ी रेल लाइन के रूप में चालू हो गया है। लेकिन जो सबसे दुखद चीज हुई, मान्यवर, वह यह कि गाजीपुर घाट जो रेलवे स्टेशन था 1902 में और जो 94 साल से रहा, उसको अब सरकार ने खत्म करके, रेलवे विभाग ने खत्म करके हाट्ट स्टेशन बना दिया। हाट्ट स्टेशन बना देने से इस शहर का जो जिला मुख्यालय है, वहाँ लोगों के व्यापार, लोगों के आवागमन में सारी अव्यवस्था हो गई है और इससे लोगों को बड़ी परेशानी है। इसलिए मैं आपके माध्यम से सरकार से और रेल मंत्रालय से मांग करता हूँ कि जो गाजीपुर सिटी में रेलवे स्टेशन था, उसको हाट्ट न रखकर पुनः रेलवे स्टेशन बना दिया जाए ताकि वहाँ के लोगों की समस्या हल हो सके। बहुत-बहुत धन्यवाद।

**More funds to Central Institute of fisheries technology at Burla in Orissa**

**SHRI SANATAN BISI (Orissa):** Sir, through this Special Mention, I want to raise a very urgent matter regarding more funds for Central Institute of Fisheries Technology at Burla, Orissa.

The above institute was established in the year 1963 at Burla, Orissa. In the year 1989, the Government of Orissa provided 3.20 acres of land for construction of a research complex at Burla. On 19th October, 1992, the then hon. Union Minister of Agricultural Research, Shri K.C. Lenka, while laying the foundation-stone of the centre, declared that an amount of Rs. 82 lakhs had been provided for construction of the centre during the Eighth Five Year Plan. I urge upon the Government to release these funds at the earliest.

**Railway accident at unmanned Railway Gate near Guntur, Andhra Pradesh**

**SHRI YERRA NARAYANA-SWAMY: (Andhra Pradesh):** Mr. Vice-Chairman, Sir, I am raising an issue of a railway accident on 9th of last month wherein 13 persons died instantly and 17 persons severely injured. The Giddalur-Guntur passenger train and a truck carrying mill-workers collided at Dokiparru unmanned railway level-crossing gate in Vijayawada Division of South Central

Railway. On that evening, the jinning mill workers were going on a truck to their place of work when this accident took place.

The hon. Railway Minister promised that all unmanned railway level-crossing gates would be converted into manned gates. But, so far no action has been taken. I request that priority should be given for converting these gates into manned ones. As all the workers who died were the bread-earners for their families, I demand the Railway Ministry to pay annex-gratia of Rs. 2,00,000 in cash to the dependants of each person who died and Rs. 50,000 each to the severely injured persons. Thank you, Sir.

**SHRI SOLIPETA RAMACHANDRA REDDY** (Andhra Pradesh): Sir, I want to associate myself with it.

**THE VICE-CHAIRMAN (SHRI MD. SALIM)**: No association.

**Need to protect 69% reservation to render justice to the SC/ST and Backward Classes**

**SHRI S. MUTHU MANI** (Tamil Nadu): Mr. Vice-Chairman, Sir, I rise to bring to the notice of the Government a serious matter concerning the SCs/STs and the Backward Classes and which needs urgent attention.

Sir, in Tamil Nadu, reservation to SCs/STs and the Backward Classes people in Government posts and educational institutions was raised from 49 per cent to 68 per cent in 1980 by the lamented Chief Minister of Tamil Nadu, Dr. M.G. Ramachandran. It was raised to 69 per cent in 1990 for giving one per cent reservation to the Scheduled Tribes.

Sir, since there were observations of the hon. Supreme Court to limit the reservations to 50 per cent, the Tamil Nadu Government had to wait till 1980 to fulfil the aspirations of the people to increase the percentage of reservation. In 1976, while disposing of the State of Kerala vs. N.M. Thomas case, Justice Fazal Ali of the Supreme Court observed; I quote:

"Decided cases of this court have no doubt laid down that the percentage of reservation should not exceed 50%. As I read the authorities, this is however a rule of caution and does not exhaust all categories. Suppose for instance, a State has a large number of Backward Classes of citizens which constitute 80% of the population and in the Government, in order to give them proper representation, reserve 80% of the jobs for them. Can it be said that the percentage of reservations is bad and violates the permissible limits of clause (4) of Article 16? The answer must necessarily be in the negative."

It was after this historic judgement of the Supreme Court that reservation in Tamil Nadu was increased to 60%. But unfortunately, Sir, in 1993, while delivering the judgement on the implementation of Mandal Commission Report, the hon. Supreme Court made two observations on a matter beyond the scope of the case before it. It held that both reservation beyond 50% and reservation in promotion are constitutionally not permissible in spite of the fact that the Constitution does not make a mention of either point in letter and spirit.

Since it posed a grave threat to social justice, the then Chief Minister of Tamil Nadu, saviour of social justice, Dr. Puratchithalavi, got an Act to provide 69 per cent reservation passed by the Tamil Nadu Assembly. Since it was our leader's determined effort to render social justice to the oppressed, she demanded incorporation of the said Act in the Ninth Schedule for Constitutional protection. The 76th Constitutional Amendment which was unanimously passed by the Parliament incorporated the said Act in the Ninth Schedule. But, I am very sorry to say that neither the Act nor the 76th Constitutional Amendment has been taken cognizance of by the judiciary. The Supreme Court has been directing the Tamil Nadu Government to comply with the observations of the Court for limiting,