

श्री जगदीश प्रसाद माथुर: लंच स्किप करने के बारे में तय कर लिया गया था.....

उपसभाध्यक्ष (श्री सतीश अग्रवाल): लंच कर लीजिए। उसके लिए जरूरी नहीं है हाउस एडजर्न किया जाए। डिबेट चलती रहे।

श्री जगेश देसाई: आते रहे, जाते रहे। (व्यवधान).....

उपसभाध्यक्ष (श्री सतीश अग्रवाल): सरला जी, आपने क्या कहा?

श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल): लंच स्किप करने का डिसेजन ले लिया गया तो लंच के लिए क्यों एडजर्न कर रहे हैं?(व्यवधान).....

उपसभाध्यक्ष (श्री सतीश अग्रवाल): 4.30 तक लंच के लिए एडजर्न करेंगे तो फिर बिजनेस 1.30 घंटे में पूरा नहीं होगा।

श्री दिग्विजय सिंह: 4 बजे तक कर लीजिए।

THE VICE-CHAIRMAN (SHRI SATISH AGARWAL): As decided by hon. Members, we adjourn for half-an-hour for lunch. We will meet again at 4 O'clock.

The house then adjourned for lunch at twenty-nine minutes past three of the clock.

The House reassembled, after lunch, at three minutes past four of the clock,

(THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) IN THE CHAIR.)

SHORT DURATION DISCUSSION
RESERVATION IN PROMOTIONS
FOR S.Cs. AND S.Ts. IN
GOVERNMENT SERVICES

SHRI RAM RATAN RAM (Uttar Pradesh): Thank you, Sir. At long last we have been given this opportunity to express our opinion regarding the reservations in promotion of SCs and STs in Government services. Before commenting upon the question, I would like to go into the genesis of the problem.

After the issue of Office Memorandum dated 13th August, 1990 regarding the

implementation of the recommendations of the Mandal Commission reserving 27 per cent of the posts in Government service for Backward Classes, several petitions were filed in the hon. Supreme Court. These petitions were heard in the first instance by a Constitution Bench presided over by the then Chief Justice, Shri Ranganath Misra. After hearing them for some time, the Constitution Bench referred them to a Special Bench of nine Judges to finally settle the legal positions relating to reservations. After hearing the parties, the first Bench, with the assistance of advocates of all the parties, framed eight questions, of which question No. 8 is important.

It reads as follows:—

“Would reservation of appointments or posts in favour of any backward class be restricted to the initial appointment to the post or would it extend to promotion as well?”

Sir, the question was exclusively related to Backward Classes. The Court was deciding the case of reservation for Backward Classes, and they were thinking whether reservation can be extended to promotions as well. But, later, the Bench of nine Judges reframed the question and increased them from 8 to 11, out of which question No. 7 is very important and very damaging to the Scheduled Castes and the Scheduled Tribes. Question No. 7 reads as follows:

“Whether Article 16 permits reservations being provided in the matter of promotions?”

Up till now, there was no dispute affecting the Scheduled Castes and the Scheduled Tribes. The entire trouble started when these questions were reframed. This question is the bone of contention so far as the Scheduled Castes and the Scheduled Tribes are concerned. Strangely enough, no individual or no association belonging to the Scheduled Castes and Scheduled Tribes was arraigned as parties to defend their interest. It is a clear case of flouting the fundamental principle of law that no person or parties can be convicted or orders can be passed against them without giving them an opportunity to

defend themselves. This was not expected of the Apex Court of the country to pass an observation against reservation in promotion without hearing the members of the Scheduled Castes and the Scheduled Tribes. It appears that this Bench of the Court was bent upon passing orders on this question, although Mr. Justice Ahmedi and the Learned Counsel, Shri Parasaran, had expressed different views.

Before the decision of the Supreme Court, reservation in promotion was governed by the guidance given by the Supreme Court in the State vs. Rangachari. The observation of this Bench in the case of *Rangachari* is as follows:—

“It is true that *Rangachari* has been the law for more than thirty years and that attempts to reopen the issue were repelled in *Karamchari Sangh*. It may equally be true that on the basis of that decision reservation may have been provided in the matter of promotion in some of the Central and State Services but we are convinced that the majority opinion in *Rangachari*, to the extent it holds that Article 16(4) permits reservation even in the matter of promotion, is not sustainable in principle and ought to be departed from.”

The above observation of the majority of Judges confirms my apprehension which I had suggested in this very House in my statement on the 5th March, 1993. I had suggested that at the time of appointing Judges in the High Courts and the Supreme Court, the Government must ensure that persons with reactionary leanings should not be posted in the Apex Courts.

Now the Supreme Court Bench has observed on question No. 7 as follows:

“Reservation of appointments or posts under Article 16 (4) is confined to initial appointment only

and cannot extend to providing reservation in the matter of promotion. We direct that our decision on this question shall operate only prospectively and shall not affect promotions already made, whether on temporary, officiating or regular, permanent basis. It is further directed that wherever reservations are already provided in the matter of promotion, be it Central Services or State Services or for that matter services under any corporation, authority or body falling under the definition of State in Article 12, such reservations may continue in operation for a period of five years from this day.”

Within this period it would be open to the appropriate authorities to revise, modify or re-issue the relevant rules to ensure the achievement of the objective of Article 16(4). If any authority thinks that for ensuring adequate representation of backward class of citizens in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to do so.

As pointed out at the end of paragraph 101 of this Judgment, Ahmadi, J, having upheld the preliminary objection raised by Shri Parasaran and others, has not associated himself with the discussion on the question whether reservation in promotion is permissible. Therefore, the view expressed in this judgment on the said point are not the views of Ahmadi, J.

It would not be out of place to mention here that there was one judge in the Supreme Court belonging to the Scheduled Castes, and he was not included in this Bench. The inference is that both, the Backward Classes and Scheduled Castes and Scheduled Tribes are being treated equally in the case of promotions. When promotions are being denied to Backward Classes, the same thing is being denied to the Scheduled Castes and Scheduled Tribes also. But,

[Shri Ram Ratan Ram]

my argument is that both the Backward Classes and the Scheduled Castes and Scheduled Tribes should not be equated at the same level. Reservation in jobs is being given to Backward Classes only now by way of implementation of Mandal Commission recommendations by the Government of India. But job reservation and promotional opportunities are given to the Scheduled Castes and Scheduled Tribes from the beginning of the Constitution. What has all along been given to us, which we have been enjoying for over a period of 40 years, cannot be denied to us. Since Scheduled Castes and Scheduled Tribes have been oppressed not only by higher castes, but by other castes also. So, we should be treated differently and more benefits should be given to us so that we may be able to upgrade our community by such process. The oppression that we have been put to for thousands of years cannot be rectified by forty years of reservation in promotion.

There is a saying in the South that if a Scheduled Caste man is assaulted, the people would say it is very bad, it should not have been done. But when a Scheduled Caste man beats a higher caste person, the general reaction is that this is intolerable, these people should be taught a lesson.

Similar is the case of our two brilliant officers, one of whom belongs to the All India Institute of Medical Sciences and the other to the Ministry of Agriculture.

Here is a case of Dr. Shashikant, who is an Assistant Professor of Community Medicine at A.I.I.M.S. He was selected by the Australian Government for a two-year course in the School of Dermatology and Public Health. The entire expenditure, including air passage was to be borne by the Australian Government. He completed the first semester and came back to India. No objection was raised. At the time of the second semester the Director of the A.I.I.M.S. raised artificial objections.

I approached our young and dynamic Deputy Minister, Mr. Ghatowar. He was instrumental in getting the sanction from the Health Ministry for this doctor. The doctor was permitted to proceed to Australia to attend the second semester. But when he came back, the Government Order had not been issued by that time. Although it was requested by the All India Institute of Medical Sciences that the necessary sanction be issued. The Secretary of the Health Ministry did not issue the sanction order as yet and an explanation was called for from the poor doctor as to how he proceeded to Australia. Then it was made clear in writing that the Health Minister discussed this matter with the Director and that with their consent, the doctor was allowed to proceed. And when the question of the third semester came, he was not allowed to proceed. The Entire career of the brilliant scholar is being ruined by the apathetic attitude of the Director and the Health Secretary. I approached Dr. Silvera also. He was sympathetic. For the third semester, the doctor concerned was not allowed to proceed. But I hope when the next opportunity comes, Dr. Silvera will help him in proceeding to Australia. (Time-bell). No bell, Sir. We have been denied the right of one hour. We have been made the victims of political injustice, This is parliamentary injustice. Our hours have been reduced. We should be given the full opportunity to discuss this problem.

The second case is that of Dr. Mahabal Ram of the Agriculture Department. He is presently working as the Principal Scientist in IARI, New Delhi.

उपसभाध्यक्ष (श्री सुरेश पचौरी): जनरल बेलिएगा, कोई सेसिफिक केस न बताएं।

SHRI RAM RATAN RAM: From 1976 to 1990, he functioned as a Project Co-ordinator of the All India Co-ordinator Barley Improvement Project (ICAR), Karnal. During this period, he did pioneering research to evolve a new fodgrain crop variety "Semi-Dwarf High-

Yielding Huskless Barley" resembling wheat in grain, colour and texture for the first time in the world which emerged as a bonanza to dryland low input agriculture to the entire Indo-Gangetic Plain and Central India. But due to caste prejudice and professional jealousy, the seeds of this variety were deceitfully forfeited by transferring Dr. Mahabal Ram from the post of Project Co-ordinator to the Principal Scientist with mala fide intention. I request the Agriculture Minister to look into the case personally and help this gentleman.

The judgment dated 16.11.1992, delivered by the hon. Supreme Court, Agitated the minds of several hon. Members in this House. The hon. Minister of Welfare, Shri Sitaram Kesriji, made a statement on 23.12.1992, assuring the House that the implications of the judgment of the Supreme Court, if any, in so far as the Scheduled Castes and the Scheduled Tribes were concerned, would be examined after consultations with all political parties, before a final view was taken. Therefore, there cannot be any doubt about the commitment of the Government with regard to the protection of the interests of the Scheduled Castes and the Scheduled Tribes. I want to know from the hon. Minister as to what action has been taken in this respect. Has he ever consulted any Opposition leader in this respect as to what their views are in the matter? Are the Government going to take any action in the light of the suggestions made by them? Do they propose to bring in an amendment to the Constitution because the error can be remedied only by an amendment to the Constitution. The matter of reservation should be placed under the Ninth Schedule.

It is pertinent to quote some portions of the statement that our hon. Member, Shri Hanumanthappa, made on that day. "It is the duty of the Government to protect and continue to follow these

directions at least till the minimum 22.5 per cent is reached. Even after fifty years, we have not come over half way. But already the sympathy is being converted into apathy.

Eyebrows are raised against reservation even though not even 50 per cent of it has been achieved."

I totally agree with the above observation of Shri Hanumanthappa. During my tours to different units of the Government of India I have found to my utter dismay that on the posts of Safai Karamcharis, persons from the general categories are being appointed. I could not find any Government order in this respect, prohibiting general caste people from working as sweepers. I would like to ask the hon. Minister of Welfare whether the Government order prohibiting the posting of persons other than sweepers would be prohibited.

The Government took prompt action in the case of Shah Bano by bringing an amendment to the Constitution. Similarly, we hope that the Government would swing into action to remedy the ills by bringing an amendment to the Constitution.

Before I conclude my speech, I would request Shri Kesriji, the old lion, who had started roaring in the case of the Mandal Commission, to roar similarly creating terror in the minds of those who are working against the interests of the Scheduled Castes and the Scheduled Tribes. Shri Kesriji who is devoted and committed to the cause of the Scheduled Castes and the Scheduled Tribes, will rise to the occasion and bring necessary amendments to the Constitution to continue reservation in promotion and bring this matter under the Ninth Schedule of the Constitution. I hope he will not disappoint the aspirations of the crores of people belonging to the Scheduled Castes and the Scheduled Tribes. With these words, I conclude. Thank you very much.

SHRI SATISH AGARWAL (Rajasthan): Mr. Narayanasamy, are you supporting the BJP or are you opposing the BJP?

SHRI V. NARAYANASAMY (Pondicherry): I am supporting the cause and there is no party line in that. Mr. Vice-Chairman, Sir, thank you for giving me this opportunity. We have been raising this issue in Parliament for a long time after the judgment in the Indira Sawhney case on the Mandal Commission. Members have raised the issue several times in this House. Sir, it is a very sensitive issue. We know pretty well that when the Mandal Commission recommendations relating to reservation to the backward classes, especially the educationally and socially backward classes, were accepted by the Government, there was an uproar in the country. Thereafter, the previous regime could not implement it. Then the matter went to the court and a Full-Bench decision was given. After that the Congress Party Government implemented the judgment of the Supreme Court in the light of the recommendations of the Mandal Commission and it was done peacefully and by and large, the people of this country have accepted it. The 27 per cent reservation that has been given to the backward classes is necessary for the simple reason that for ages, the Scheduled Castes, the Scheduled Tribes and the backward classes have been treated in such a manner that they have not been able to come up in life because opportunities were not available to them. But the upper caste people are born rich, they are able to get the Government jobs and are able to sustain their families. But as far as the backward classes and the Scheduled Castes and the Scheduled Tribes are concerned, they have been coming up slowly in public life and for them this kind of reservation is required. While implementing it and at the time when the judgement was given by the Supreme Court, I am pained to say—I am not making any comment on the Supreme Court judgement—While interpreting article 16(4), the Supreme

Court made an observation that the reservation, as is available, is not applicable for promotion. Actually, under articles 14, 15, 16, 17, 38, 46, 332, 375 and 338, these provisions are basically for the backward classes.

All these provisions are incorporated for giving then the benefit of reservation in all walks of life because they are socially and educationally backward people. Sir, in the Supreme Court Judgment at two places an observation has been made—please refer to paragraph 8 of Part VII:

“The reservation of appointment or posts under article 16(4) is confined to initial appointment only and cannot extend to providing reservations in the matter of promotions.”

Sir, it goes to mention this in other observations also, and an important one is that with this reservation, that has been given for promotion to the Scheduled Castes and the Scheduled Tribes who have been enjoying these benefits or rights from the day when the Constitution came into force, those people have also been deprived by the interpretation that has been made by the Supreme Court Judgment. Sir, in the Government of India some of the officials—I am not accusing them directly of—who were not interested in implementing the recommendations of the Mandal Commission, made a plan to see that the reservations for the Backward Classes and the Scheduled Castes and the Scheduled Tribes in promotion should not be extended to. Sir, you know it pretty well that when the announcement was made, there was a resistance in the country and it was from a limited number of people, i.e. ten per cent of the upper castes, who have been making an uproar in north India. They did not want to see that the Backward Classes could get the benefits and they were instigating the younger generation to come to the streets and fight against the Government. Therefore, Sir, tacitly, the bureaucracy is

also supporting the move of non-implementation of the Mandal Commission recommendations. In this House also, a fervent appeal was made by all sections, without any party considerations, that the benefit of reservation that has been given to the Scheduled Castes and the Scheduled Tribes, which they have been enjoying since time immemorial, should not been taken away from them because the interpretation that has been made—I may be wrong also if I say that—of the Judgment of the Supreme Court relating to the *Indira Sawhney case*, was only to deal with the Backward Classes. The issue relating to the Scheduled Castes and the Scheduled Tribes was not at all discussed in the Judgment. It was not the issue. The reservation for Scheduled Castes and Scheduled Tribes either in appointment or in promotion was not the subject-matter of discussion in the Supreme Court in this case. Sir, the hon. Minister is sitting here. His Ministry and also the other Ministries, to suit to their convenience, are importing this Judgment for the Scheduled Castes and the Scheduled Tribes also for saying that those people also should be denied the benefit of reservation in promotion. Right from 1991-92 till this date, how many promotions, which had to be given to the Scheduled Caste and the Scheduled Tribe people who are in the Government service, have been denied? It is a very serious matter. Everybody says that it is only the Congress Party which is protecting the interests of the Scheduled Castes, the Scheduled Tribes and the Backward Classes in this country. The people have faith in this Party, but unfortunately, the hon. Minister and the young dynamic Minister have to find out a way for not disturbing the reservation benefits that are available to the Scheduled Castes and the Scheduled Tribes. Sir, I will go a step further saying that it should be given even to the Backward Classes also because the Supreme Court made an interpretation of article 16(4). If the Government wants, if

the Government decides—on the basis of the Supreme Court Judgment, these people are being denied the benefit; more than 80 per cent people who belong to the Backward Classes, the Scheduled Castes and the Scheduled Tribes, are denied this benefit—they can amend the Constitution. You have to amend the Constitution and to clear the doubts in the minds of the people. The Government should do everything possible for the weaker sections and the Backward Classes. Simply saying that the Supreme Court has given a finding and, therefore, we will not do it, is an injustice to these communities. We have been telling the hon. Minister of State for Welfare and his senior Minister that they should take a decision on this. It is high time that you took a decision on this. as far as the Scheduled castes and the Scheduled Tribes are concerned, you ignore the judgment of the Supreme Court because the Supreme Court judgment is not concerned with it or even discussed the issues relating to the Scheduled Castes and the Scheduled Tribes. So far as the Scheduled Castes and the Scheduled Tribes are concerned, you can ignore the Supreme Court judgment because that issue was not discussed in the Supreme Court judgment. The Scheduled Castes and the Scheduled Tribes are not a party to it. They are not impleaded as a party. Therefore, I want the hon. Minister to make it clear, I want the hon. Minister to say in this august body, that the Supreme Court judgment doesn't have any bearing on the Scheduled Castes' and the Scheduled Tribes' promotions. Let the hon. Minister say it right now in this House. I want the hon. Minister to say, as far as the Backward Classes are concerned, when they are going to bring in an amendment to the constitution. All the political parties agree on that irrespective of any party consideration. Everybody wants it. The welfare of the Backward Classes and the Scheduled Castes and the Scheduled Tribes is the foremost concern of everybody. The Minister is here. He

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knows the sentiments of the Members of Parliament. The Members of Parliament have made a hue and cry. More than 100 Members of Parliament went to the Rashtrapati and gave him a memorandum. The hon. Minister has to consider the sensitivity of the subject. I want the hon. Minister to find a solution to it; otherwise it will not remain a mere social issue but, I will go a step further and say, it will create a revolution in this country because you are depriving 25% of the population, the Scheduled Castes and the Scheduled Tribes, of the country their due share.

SHRI H. HANUMANTHAPPA (Karnataka): Backward Classes also.

SHRI V. NARYANASAMY: If you combine the Backward classes with it, it comes to more than 80%. It is an issue relating to the people of this country. We can raise it in this House. Therefore, I want the hon. Minister to consider the sentiments of the Members of Parliament, the Scheduled Castes and the Scheduled Tribes and the Backward Classes. Those people, who are eligible, have not been given promotion. When the hon. Minister says that the Backward Classes have been given promotion on the basis of the Mandal Commission recommendations and on the basis of the supreme Court judgment, we welcome it. We commended the Minister when the first appointment was made on the basis of this. But there are also other responsibilities on the part of the Minister to see that the Constitutional rights of the common man, the Backward Classes, the Scheduled Castes and the Scheduled Tribes are not affected. If the hon. Minister sleeps over this matter, if he doesn't consider this, then there will be a total revolution in this country, which you will not be able to tolerate, which you will not be able to contain. Therefore, I request the hon. Minister—on behalf of the other Members also because there is no party consideration in this case—to bring a constitutional amendment and to clear

the doubts. Kindly don't go by the judgment of the Supreme Court. People, who are deprived of their Constitutional rights should be given their due share; otherwise, you will see a revolution in this country. You are going to see a revolution in this country by the Scheduled Castes and the Scheduled Tribes and the Backward Classes. Thank you.

श्रीमती चन्द्रकला पांडेय (पश्चिमी बंगाल): धन्यवाद। अभी जो मुद्दा रखा गया, वह बड़ा ही नाजुक है। इस पर हम कई बार बहस भी कर चुके हैं। भाई नारायणसामी जी ने, जिस तरह आरक्षण दिया जा रहा है उसी तरह आरक्षित नौकरियों में पदोन्नतियाँ भी हों, इस बात पर भी जोर दिया। हम यह जानते हैं कि हमारा देश एक महान देश है। कभी ऐसा भी एक समय था जब यहाँ जातियाँ जन्मना नहीं होती थी कर्मणा होती थी। जिस काम को जिस प्रकार के लोग करते थे, वह उसी के अन्तर्गत आते थे। लेकिन धीरे-धीरे जातिप्रथा रूढ़ होती गयी और एक ऐसी जाति भी देश में विकसित हो गयी जिसे पिछड़ी जाति के अन्तर्गत हम लेने लगे। ऐसी जाति के प्रति साहित्यकारों का ध्यान गया। मैं दो पंक्तियाँ इस बारे में कहना चाहूँगी।

वह नस्ल-जिसे मानव कहते, कीड़ों से आज गयी बीती।
मर जाती तो आश्चर्य न था, हैरत है यह कैसे जीती।।

सचमुच एक जाति ऐसी उभरी जिसके मरने की सुविधाएं अधिक थी, जीवित रहना मुश्किल था। जब देश आजाद हुआ तो हमारे लिए यह हर्ष की बात हुई कि हमारे संविधान निर्माता भारतवासियों के लिए जातिविहीन समाज स्थापित करने के लिए प्रतिबद्ध थे। ऐसा समाज, जो कि न्याय, समता, एवं स्वतंत्रता की मूल अवधारणाओं पर आधारित हो। दुर्भाग्यवश हम जिस समाज का निर्माण कर रहे हैं वह वर्गहीन नहीं है, जातिवादी है। हमारी प्राचीन सभ्यता का आधार प्रजातंत्रिक एवं सहिष्णु रहा है। प्रजातंत्र व समानता हमारे संविधान के रक्षक सिद्धांत हैं। भारतीय संविधान का चौथा खंड राज्य के नीति निर्देशक सिद्धांतों को वर्णित करता है। निर्विवादित तौर पर ये देश की शासन प्रणाली को चलाने वाले मूल तत्व हैं और न्यायालयों के लिए विवेचनात्मक महत्व है। संविधान का अनुच्छेद 46 राज्य को देश के कमजोर वर्गों, विशेषकर अनुसूचित जाति तथा जनजाति के आर्थिक एवं शैक्षित हितों की रक्षा तथा उनके संवर्धन का विशेष दायित्व सौंपता है। उन्हें शोषण से बचाने के लिए भी विशेष ताकौद करता है। कमजोर

वर्गों के लिए नौकरियों में आरक्षण एक साधन है, स्वयं में साध्य नहीं। डा० अम्बेडकर ने संविधान सभा में आरक्षण नीति के समर्थन में बयान दिया था "यदि हम नौकरियों में आरक्षण मांगने वालों की मांग मानते हैं तो हम वास्तव में अपने प्रथम प्रमेय अवसर की समानता के सिद्धांत का आधार नष्ट करते हैं।" सर्वोच्च न्यायालय के माननीय न्यायधीश श्री कुलदीप सिंह ने अल्पमत निर्णय में कहा था कि "पिछड़ी जातियों के प्रति हमारे चिंतन का यह दोष रहा है कि वह नौकरियों में आरक्षण दिलाने तक ही सीमित रह गया है। पिछड़ी जातियों की समस्याएं वास्तव में इतनी विविध, गहरी और विकट हैं कि वे केवल नौकरियों में आरक्षण प्रदान करने से हल नहीं होंगी। पूरे देश में पिछड़ेपन के स्तर अलग-अलग हैं। यहां तक कि एक जिले से दूसरे जिले में एक ही जाति के सदस्यों के पिछड़ेपन के स्तर भी असमान हैं। प्रायः हर जगह पिछड़ापन आर्थिक विकास के अभाव से जुड़ा है। गरीबी और निष्क्रियता एक बड़ी सीमा तक पिछड़ेपन के लिए उत्तरदायी है। आर्थिक प्रगति के बिना किसी तरह की सामाजिक प्रगति और स्वतंत्रता असंभव है। मैं समझती हूँ कि शिक्षा, नियोजन तथा अवसर किसी भी गरीबी हटाओं कार्यक्रम का आधार होते हैं। माननीय उपसभाध्यक्ष महोदय, खेद है कि इन तीनों बातों पर सरकार बड़ी ही वेरुख रही है। न्यूनतम शिक्षा कार्यक्रम ग्रामीण, अर्ध-ग्रामीण तथा शहरों में पिछड़ी जातियों तक पहुंचने में असफल रहा है। पाठशालागत शिक्षा का स्तर क्रमशः सुधारने के बजाय गिरा है। अभी भी सर्वश्रेष्ठ शैक्षिक संस्थाएँ अंग्रेजी या रियासती वैभव की छाया में पल रही हैं। हमारे यहां तकनीकी शिक्षा यद्यपि देश के कई शहरों में दी जाती है पर राष्ट्रीय मानदंड की तुलना में वह बौनी है। ऐसी स्थिति में यह जरूरी है कि उच्चतर मान की स्कूली शिक्षा सबके लिए उपलब्ध हो।

[उपसभाध्यक्ष (श्री वी० नारायणसामी) पीठासीन हुए]

भारत सरकार की एक हाल की ही रिपोर्ट के अनुसार प्राइमरी शिक्षा समाप्त किए हुए कुछ बच्चों को बारहखड़ी भी ठीक से नहीं आती। शिक्षक तक गणित के बुनियादी सवाल हल नहीं कर पाते बच्चे किसी भी तबके के हों, पिछड़ी जातियों के हों तो खासकर, उनके लिए अच्छी शिक्षा की जरूरत है, उसके बाद नौकरियों में आरक्षण की जरूरत है। अगर वह नौकरियों में आरक्षण पा रहे हैं तो उसमें पदोन्नति भी उनका एक अधिकार है।

भारत की 80 प्रतिशत वह जनता गांवों में रहती है, जिसमें आधे से अधिक पिछड़ी जातियां हैं। इन्हें कितनी

अधिक सरकारी नौकरियां आरक्षित होकर मिलेंगी। यह तो प्रश्न चिन्ह ही है परन्तु मैं यह कहना चाहूंगी कि भूमि सुधार उनकी आर्थिक हालत में काफी कुछ उननयन कर सकता है। जमीन का बंटवारा कर भूमि पट्टा दिया जाना चाहिए जिससे पिछड़ी जातियां बुनियादी तौर पर अपनी समस्याएं सुलझा सकें और अपने बच्चों को उचित शिक्षा दे सकें जिससे वे आरक्षण प्राप्त करते समय अपनी मेधा का भी परिचय दे सकें।

उपसभाध्यक्ष महोदय, आजादी के 47 वर्षों के बाद भी आज दलितों के उत्थान की चर्चा ही बनी रही है।

मैं यह अपील करना चाहूंगी कि दलगत राजनीति से ऊपर उठकर हम इस प्रश्न पर विचार करें और नौकरियों में आरक्षण देने के बाद पदोन्नतियों में आरक्षण उन्हें दिया जाय। आज हम ऐसे दौर से गुजर रहे हैं जब कि सरकार प्राइवटाइजेशन की ओर जाने के लिए बड़ी ही मुक्त नीति से निजी क्षेत्र को आमंत्रित कर रहे हैं। ऐसे स्थिति में कितनी सरकारी नौकरियां कितने लोगों को मिल पायेंगी, यह भी हमारे सामने एक प्रश्नचिह्न है। तो आरक्षित वर्ग की उन्नति और इसके द्वारा उन्नत भविष्य, हमारी सरकार के ही हाथों में है। मैं चाहूंगी कि मंत्री महोदय यहां यह आश्वासन दें कि पिछड़ी जातियों और जन-जातियों के लोगों को नौकरियों में आरक्षण के साथ साथ पदोन्नतियों में भी आरक्षण मिलेगा और इसके लिए वे आवश्यक व्यवस्था करेंगे। धन्यवाद।

SHRI SANATAN BISI (Orissa): Sir, I take this opportunity to tell the House what the Father of the Nation, Mahatma Gandhi. At one point he had said, "Towards the upliftment of the down-trodden Dalit, our national struggle should be directed." There is no doubt that we have achieved freedom. But we have not attained economic freedom. There is wide disparity. So far as the reservation policy is concerned, it should be such to uplift the poorer sections of the society. These people should be brought into the mainstream of national activities. Article 16 (4) of our Constitution says that there must be adequate representation in services. So far as this representation is concerned, I would like to draw the attention of the House to a statement showing the percentage of Scheduled Castes and Scheduled Tribes in the population of

[Shri Sanatan Bisi]

each State and Union Territory, the percentage of reservation for the Scheduled Castes and Scheduled Tribes in the State services and the percentage of actual representation of Scheduled Castes and Scheduled Tribes in the State services. So far as my State is concerned 14.66 is the percentage of Scheduled caste population and 22.43 of scheduled Tribe. So far as the percentage of reservation prescribed is concerned, it is 15 for the Scheduled Castes and 23 for the scheduled Tribes. Now, let us examine the percentage of actual representation. In Group 'A', it is 1.41 for the Scheduled Castes and 0.88 for the Scheduled Tribes. So far as Group 'B', is concerned, it is 2.87 for the Scheduled Castes and 1.56 for the Scheduled Tribes. So far as Group 'C' is concerned, it is 8.64 for the Scheduled Castes and 5.62 for the Scheduled Tribes. So far as Group 'D' is concerned, it is 21.29 for the Scheduled Castes and 12.02 for the Scheduled Tribes. I have a list showing these figures of all the States. There is no complete appointment, so far as reservation is concerned. My submission to the hon. Minister is that unless and until there is complete representation in all walks of life, reservation should continue. The Government should come forward to suitably amend the Constitution and various other rules. Apart from that, we have the Supreme Court judgement, the Government has not come forward spelling out its own intention as regards what they would like to do so far as the promotion policy is concerned. If it is delayed, it will get worse. we should not forget the sacrifice made by our former Prime Minister, Shri Vishwanath Pratap Singh. He tried to implement the Mandal Commission report. I urge upon the Government to come forward with some policies so as to ameliorate the plight of the Scheduled castes and Scheduled Tribes as early as possible.

श्री सुरेश पचौरी (मध्य प्रदेश): उपसभाध्यक्ष महोदय, हमारे माननीय सदस्य श्री राम रतन जी राम ने श्री मुद्दा 16.12.92 के सुप्रीम कोर्ट के निर्णय का हवाला

देते हुए उठाया है, वह अत्यंत सामयिक है। मान्यवर, इन्दिरा साहनी एवं अन्य के द्वारा केन्द्रीय सरकार के विरोध में जो केस दायर किया गया था, उसके संबंध में यह निर्णय लिया गया है जिसका जिक्र हमारे माननीय सदस्य राम रतन जी राम ने किया है और यह मांग की है जो हमारे अनुसूचित जाति, जनजाति के लोग हैं, जो गवर्नमेंट सर्विस में हैं, प्रमोशन में भी रिजर्वेशन की सुविधा नवम्बर, 1997 के बाद जारी रखनी चाहिये। न केवल यह बात सामयिक है बल्कि यह कहना कोई अतिशयोक्ति नहीं होगी, यह बहुत वाजिब है, बहुत अनुकूल है और इसके लिए सरकार को यदि संविधान में संशोधन भी करना पड़े जिससे यह मंशा पूरी हो जाए तो कोई हिचक नहीं होनी चाहिये। हमारे संविधान निर्माताओं ने भारतीय संविधान के अनुच्छेद 46 में यह दर्शाया है कि हमारे समाज, सरकार और संसद का यह कर्तव्य हो जाता है, दायित्व हो जाता है कि वह अनुसूचित जाति, जनजाति के कल्याण के लिए, विकास के लिए, प्रगति और उन्नति के लिए ऐसे कदम उठाए जिससे इन्हें प्रोत्साहन मिल सके और इनकी तरक्की हो सके। संविधान के जो आर्टिकल 15, 16, 17, 18, 23, 25, 29, 35 और 38 हैं, उनमें इनके अधिकारों की बात कही गई है। उसमें यह भी उल्लेख किया गया है कि वे सार्वभौम नहीं हैं बल्कि उनके अधिकारों पर भी अनुसूचित जाति, जनजाति के कल्याण के लिए रोक लगाई जा सकती है और आगे आने वाले कदमों में सुधार किया जा सकता है। मान्यवर, जिस निर्णय का जिक्र हमारे माननीय सदस्यों ने अभी 16.12.92 के सुप्रीम कोर्ट के निर्णय का जिक्र किया उसके संबंध में मैं आपके माध्यम से सरकार से यह जानना चाहूंगा कि इससे क्या वे प्रमोशंस जो इस निर्णय की वजह से हो गये हैं, जो टेम्पोरेरी इम्प्लाईज हैं, जो आफिशियेटिंग हैं और जो उसमें रेगुलर और परमानेंट हो गये हैं, उस पर तो प्रभाव नहीं पड़ेगा? कृपया यह भी स्पष्टीकरण दिया जाए। क्या इस प्रकार के प्रकरण जिन पर निर्णय हुआ है, उस निर्णय के उपरंत पांच साल तक भी इसमें कोई तबदीली नहीं हो सकती है, इससे प्रभावित तो नहीं होंगे, यह भी स्पष्टीकरण किया जाना आवश्यक है? क्योंकि पिछले दिनों जब समाचार-पत्रों में इस प्रकार की बात आई थी तो उसमें कहा गया था कि जो अनुच्छेद 16(4) है, जिसके तहत यह सुविधाएं दी जा रही हैं, उसमें 1997 के बाद कुछ मोडिफिकेशंस भी अगर करने पड़ें तो नियमों के अनुसार किया जा सकता है। लेकिन मान्यवर, मैं आपके माध्यम से सरकार का ध्यान आकर्षित करना चाहूंगा कि हमारी पार्टी की, कांग्रेस की प्रतिबद्धता, जिसका नेतृत्व इंदिरा गांधी जी और

राजीव गांधी जी ने किया और आज जिसका नेतृत्व नरसिंह राव जी कर रहे हैं उसकी प्रतिबद्धता हमेशा अनुसूचित जाति और अनुसूचित जनजाति के कल्याण के लिए रही है और उसकी हमेशा यह मंशा रही है कि इन जातियों के कल्याण के लिए पर्याप्त कदम उठाए जाएं। इसी के तारतम्य में मैं जो माननीय कल्याण मंत्री जी हैं, उन्होंने सदन में जो दिनांक 1992 में आश्वासन दिया था कि इससे प्रमोशन जो हो गए हैं उन पर कोई एकदम तात्कालिक प्रभाव नहीं पड़ेगा और अभी जो प्रेजेंट रिजर्वेशन सिस्टम है जिसमें प्रमोशन भी शामिल है, वही एक नियम उनके साथ लागू होगा और यह जारी रहेगा तथा इससे भी बढ़कर जो अगस्त 1993 में माननीय मंत्री जी और विशेष रूप से जो हमारे युवा कल्याण मंत्री श्री धंकाबालू जी यहां उपस्थित हैं उन्होंने यह घोषणा की थी कि यदि कांस्टीट्यूशनल अमेंडमेंट भी करना पड़े अनुसूचित जाति और अनुसूचित जनजाति के लोगों के कल्याण को दृष्टिगत रखते हुए जिसमें कि यह रिजर्वेशन की प्रमोशन पालिसी भी शामिल है तो वह कांस्टीट्यूशनल अमेंडमेंट करने से भी नहीं हिचकिचाएंगे। तो आज जब इस शार्ट ड्यूरेशन के माध्यम से रिजर्वेशन पालिसी पर चर्चा हो रही है, विशेष रूप से प्रमोशन को दृष्टिगत रखते हुए, तो क्या माननीय मंत्री जी अपनी अगस्त 1993 की उद्घोषणा को उद्धृत करते हुए इस हाउस में यह घोषणा करेंगे कि 1997 के बाद भी यदि कांस्टीट्यूशनल अमेंडमेंट लाना पड़े जिससे कि हमारे अनुसूचित जाति और अनुसूचित जनजाति के भाइयों को जो सरकारी नौकरी में हैं उनके प्रमोशन में जो आने वाली दिक्कतें हैं, उनको दूर किया जा सके तो उसे दूर करने में वे नहीं हिचकिचाएंगे।

मान्यवर, कुछ आंकड़े मैं प्रस्तुत करता हूँ जिनका हमेशा जिक्र किया जाता है कि जो बैंकलाग है उनकी पूर्ति नहीं हो पाती है, यद्यपि हम लोगों ने चार वर्ष स्पेशल रिक्लूमेंट ड्राइव चलाया। 1989 में पहली स्पेशल रिक्लूमेंट ड्राइव चली। दूसरी 1990-91 में चली, तीसरी 1991-92 में चली। लेकिन यदि मैं आंकड़े आपको बताऊँ तो हम निश्चित रूप से इस नतीजे पर पहुंचेंगे कि जो हमारे बैंकलाग्स थे उनको ध्यान में रखते हुए जितना रिक्लूमेंट होना चाहिए था उतना रिक्लूमेंट नहीं हो पाया। सरकारी, जो गवर्नमेंट डिपार्टमेंट्स थे उनमें जो बैंकलाग था, जो हमारे हरिजन, आदिवासी, शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब के भाइयों के लिए था वह 20,041 था। लेकिन जो एक्वाइंटमेंट थे वे 9,071 हुए। जो बलिक सेक्टर अप्रेंटिसिज हैं उनमें 12,149 था उनमें जो एक्वाइंटमेंट आफर हुए वे 7,195 हुए। बैंक्स में

2242 था, उसके विपरीत 1,384 हुए। इंश्योरेंस कारपोरेशंस में 804 रिजर्वेशन का बैंकलाग था उसके विपरीत 381 हुए। तो माननीय मंत्री जी यद्यपि हरिजन आदिवासी, अनुसूचित जाति और अनुसूचित जनजाति वाले भाइयों के कल्याण के लिए काफी स्कीम्स चला रहे हैं और इस संबंध में उन्होंने काफी सफलता भी अर्जित की है लेकिन मैं आपके माध्यम से उनसे अनुरोध करूंगा और अपेक्षा करूंगा कि इस बैंकलाग की खानापूर्ति जल्दी से जल्दी की जाए। ऐसा मेरा आपके माध्यम से निवेदन है।

जो सिकस्थ प्लान पीरियड था उसमें 1993-94 में जो कदम उठाये गए अनुसूचित जाति और अनुसूचित जनजाति के भाइयों के परिवार वालों के लिए और उनके सामाजिक नवजीवन में बदलाव के लिए तथा उनके सामाजिक जीवन में तरक्की हो इसके दृष्टिगत रखते हुए, उसमें 3.11 करोड़ रुपये का प्रवधान किया गया और ये 3.11 करोड़ रुपये का जो प्रवधान है वह हमारे अनुसूचित जाति के भाइयों के लिए किया गया और 1.4 करोड़ रुपए का जो जो प्रवधान था वह हमारे अनुसूचित जनजाति के भाइयों के लिए किया गया। यह एक सराहनीय कदम है। लेकिन इसके अलावा भी हमारे अनुसूचित जातियों और जनजातियों के भाइयों का आर्थिक विकास हो सके, उनके जीवन स्तर को बेहतर बनाया जा सके, उनका सामाजिक उत्थान हो सके, उनको शोषण से मुक्ति मिल सके उनके साथ अत्याचार, अनाचार और व्यभिचार न हो सके, इन सब बातों को दृष्टिगत रखते हुए यह आवश्यक है कि हम न केवल ऐसे कार्यक्रम घोषित करें जिनसे उनका उद्धार हो बल्कि हम यह सुनिश्चित करें कि जो कार्यक्रम उनके आर्थिक जीवन की बेहदरी के लिए घोषित हो उनका क्रियान्वयन भी सही दृष्टि से और सही समय पर हो सके। और उनको पर्याप्त रूप से संरक्षण मिल सके ताकि वे अपने आपको निराश्रित और अपाहिज महसूस न कर सकें और ऐसा एहसास हो कि उनको उन शोषणकर्ताओं के चंगुल से मुक्ति मिल सकती है जिनसे कि वे कराह रहे हैं।

मान्यवर, इसके साथ ही मैं थोड़ा सा एडमिनिस्ट्रेशन के बारे में भी कहना चाहूंगा। यद्यपि हमारे जो अनुसूचित जाति और अनुसूचित जनजाति के लोग हैं उनके लिए फिफथ, सिकस्थ शिड्यूल्ड में काफी कुछ योजनाएं बनाने की बात की है लेकिन इसके साथ ही प्रशासन को दृष्टिगत रखते हुए जो हमारे अनुसूचित जाति और अनुसूचित जनजाति के भाई हैं, जो बहुत भोले हैं, इसके लिए प्रशासन के जो बड़े दांव-पेंच हैं उससे उनको मुक्ति मिल सके,

[श्री सुरेश पचौरी]

इसके लिए आवश्यक है कि हम सिंगल लाइन एडमिनिस्ट्रेशन की व्यवस्था करें जैसे कि इंडस्ट्रीज डिपार्टमेंट ने सिंगल विंडो सिस्टम किया है वैसा ही हमारे जो अनुसूचित जाति और अनुसूचित जन जाति के भाई हैं उनके लिए प्रशासकीय व्यवस्था ऐसी लाई जा सके ताकि कई विभागों के उनको चक्कर न लगाने पड़े और उनके लिए जो कल्याणकारी कार्यक्रम बनाए गए हैं, जो नीति निर्धारित की गई है, उनका लाभ उन्हें सही समय पर मिल सके। इसके साथ-साथ ही उनके शिक्षा स्तर में बेहतरी की भी बहुत यादा जरूरत है, क्योंकि जो हमारे शैड्यूल कास्ट्स भाई हैं उनके यदि हम प्रतिशत को देखें तो वह 20 प्रतिशत है और जो हमारे शैड्यूल ट्राइब भाई हैं उनका 16 प्रतिशत है। इसलिए उनके जीवन स्तर में सुधार तब हो पाएगा जब हम उनकी शिक्षा पर ध्यान दे पायेंगे। लेकिन इसके साथ ही साथ एक सामाजिक वातावरण भी बनाना आवश्यक है कि समाज में वे एक सामाजिक जो हमारी साथी हैं उनके रूप में रह सकें। कुछ लोग हेय दृष्टि से उनको देखते हैं, कुछ लोग ऐसा वातावरण बनाते हैं कि वे पिछली पंक्ति में अपने को खड़ा हुआ महसूस करते हैं। इसके संबंध में जो हमारी भगवत् गीता है उसके चौथे अध्याय में जो तेरहवां श्लोक है उसका मैं उद्धरण करना चाहूंगा:

“चातुर्वर्ण्यं मया सृष्टं गुण कर्म विभाशतः”।

तस्म कर्तारमपि मां विद्ध्यकर्तारमयम्॥

यानि कृष्ण जी ने कहा है कि चारों वर्णों के जो सृष्टिकार हैं, परन्तु यह जन्म आधार पर नहीं बल्कि गुण व कर्म के आधार पर हमको देखना चाहिए कि कौन किस जाति से संबंध रखता है। इसलिए किसी को समाज में जो सम्मान मिले वह उसके कर्म और गुण के आधार पर होना चाहिए। ऐसा सामाजिक वातावरण बनाए जाने की आवश्यकता, ऐसा मेरा आपके माध्यम से निवेदन है।

मान्यवर, मैं अपनी बात समाप्त करूँ उससे पहले मैं कुछ और आंकड़े देना चाहूंगा, क्योंकि अब मेरे से पहले जो वक्ता बोले उन्होंने जो ग्रोथ आफ् रिप्रेजेंटेशन शैड्यूल कास्ट्स और शैड्यूल ट्राइब्स का है 1972 से 1992 उनका कुछ ग्रुप ए, बी, सी और डी का जिक्र किया। मैं कहना चाहूंगा कि जो 1992 में स्थिति थी उस समय जो हमारे शैड्यूल कास्ट भाई थे उनका ग्रुप “ए” में जो रिप्रेजेंटेशन हुआ वह 9.7 प्रतिशत हुआ और शैड्यूल ट्राइब्स का 2.9 प्रतिशत हुआ। इसी प्रकार ग्रुप “बी” में शैड्यूल कास्ट्स के लिए 11.6 प्रतिशत और शैड्यूल ट्राइब्स के लिए 2.4 प्रतिशत हुआ। ग्रुप “सी” में शैड्यूल कास्ट्स के लिए 15.8 प्रतिशत और

शैड्यूल ट्राइब्स के लिए 3.2 प्रतिशत रहा। ग्रुप “डी” में शैड्यूल कास्ट्स के लिए 20.9 प्रतिशत रहा और शैड्यूल ट्राइब्स के लिए 6.7 प्रतिशत रहा। इसको देखते हुए जब तक कि जितना प्रतिशत आरक्षण के माध्यम से हमारे अनुसूचित जाति और जनजाति के भाइयों को पूरा लाभ न मिल सके तब तक उन्हें आरक्षण की सुविधा बरकरार रखनी चाहिए और इस अवधि को यदि हमको 1997 के बाद भी बढ़ाना पड़े तो इसके लिए माननीय मंत्री जी ने अगस्त 1993 में संसद में घोषणा की थी उसके फलस्वरूप उसको निरन्तर रखना चाहिए ताकि हमारे जो अनुसूचित जाति और जनजाति के भाई हैं जो सरकारी नौकरियों में हैं, उनको आरक्षण की सुविधा प्रमोशन में भी मिल सके ऐसा मेरा आप के माध्यम से आग्रह है। धन्यवाद।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): If the House agrees, we can sit a little more!

SOME HON. MEMBERS: Yes, Sir.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): So, the House agrees.

SHRI H. HANUMANTHAPPA: Sir, if we can spend one to two hours on the sick public sector industries, why are we cutting short the discussion on the SC/ST?

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): No, No. We are not cutting it short. If we have no time today, we will continue it tomorrow also.

5 P.M.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Mr. Vice-Chairman, Sir, the Short Duration Discussion is about continuation of reservations in promotion for SC/STs in Government services even after November, 1997. This situation arose because of the Supreme Court judgement which has given a time of five years to issue some notification. In this connection, before I go through the subject, I want to inform that a meeting was conducted by this Government to extend to OBCs facilities similar to that of SC/STs. In that particular meeting, I, on behalf of the Party to which I belong, expressed the desire to extend support to

OBCs in several areas, for example, age relaxation, standard relaxation, number of attempts in an examination, fee concession and coaching facilities. Fortunately, they have agreed to the first two, that is, age relaxation and standard relaxation.

I hope the hon. Minister would be generous to extend other facilities also for OBCs. Sir, OBC/SC/STs, particularly from the South, have been fighting against this menace and harassment for the past 75 years...

AN HON. MEMBER: For centuries..

SHRI S. VIDUTHALAI VIRUMBI: It is for the last 2000 years under the *Manu Dharma Shashtra*. We fought from 1916. In 1920 this subject came before the Tamil Nadu Legislature. Then, in 1928 it became an Act. By this Act, we were able to enjoy this in the South. That has been extended from time to time. Now, in Tamil Nadu, out of 69% reservation, it is 30% for the backward classes, 20% for the most backward classes, 18% for SCs and 1% for STs. For SCs & STs it comes to 19% in total. According to the 1991 census it is 24.6% of the population throughout India. In case you add OBCs to this it is more than 50% restricted by the Supreme Court. I know the boundaries. We are entitled to discuss the judgement, delivered by the Judges, but we should not discuss about Judges. Sir, in this particular case, even two days before, I had put a question to get a reply regarding SCs. My question was: How the Government is responding for the SCs/STs. How many vacancies reserved for SCs/STs still lying vacant as of date inspite the special drive launched by the Government? Part (B) of my question was: Whether the Central Government proposes to frame a strategy to fill up these vacancies in a time-bound programme and if so, the details thereof. They have given the statement in which the first column says about the backlog and the second column is about appoints 'offered to'. What does it mean? Nobody knows. This is more or less a trick

adopted by the bureaucrats who are indifferent. I will not accuse the Minister for this.

They are able to put the information in such a way that nobody is able to understand anything from anybody. "Offered to" means what? I want to know how many appointments have been made. Shall I take it in the sense that they have given advertisements in the newspapers? Out of the posts advertised in the newspapers, for how many they have held the interviews and how many appointments have been given? To this, no clear-cut answer has been given. When the Members of Parliament are not able to get the information, how can a man in the street get this information? Sir, I tell you that in 1991-92, there was a backlog of 35,000 and the offers of appointments were only for 18,000. The backlog of reservation for 1993-94 is 30,259 and the offer of appointments are only 12,000. Where is 30,000 and where is 12,000? Is there any nexus between the real backlog of the posts and those offered by the Government? Therefore, a sinister move is going on here. This sinister move has become a part and parcel of the game that is being played by the upper castes throughout India. Supreme Court had gone through so many clauses and articles of the Constitution, but as far as this particular reservation is concerned, the Supreme Court has told that at the appointment stage we could give it. If we give it at the promotion stage also, it affects draft articles 10 (3) and article 335. We have seen in the last 40 years that it has not affected. But if after having given it for 40 years, for four decades, and it has not affected efficiency then the presumption is not proper. Therefore, on behalf of my party, what I want to say is that at the promotion stage also we must give reservation. If we give a small room in the particular law or Act or in any article of the Constitution, then what I think is that it is ultimately going to affect the masses, the down-trodden people. For example, in the OBC category, this year

[Shri S. Viduthalai Virumbi] in Tamil Nadu, in the medical field, we are not able to get 69 per cent reservation. We got only 50 per cent. When they approached the Court what they say is that actually it was put in the IXth Schedule on August 31st itself. But, on 3rd October, the Government of Tamil Nadu had not given any information to the Supreme Court and that they would not accept it. Therefore, it is only in the current year that we got 50 per cent reservation in the medical field. Even the 19 per cent is not going to make good in the coming years. Therefore, the people belonging to the backward communities have been affected this year. If you give me the time, I can prove it...(Interruptions)..

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Virumbi, you please confine yourself to the subject.

SHRI S. VIDUTHALAI VIRUMBI: Sir, when the judgement of the Supreme Court was given on October 3, the Government of Tamil Nadu has not at all mentioned anything about the 69 per cent reservation...(Interruptions)...

THE VICE-CHAIRMAN (SHRI NARAYANASAMY): Mr. Virumbi, we are discussing a different a subject and not Tamil Nadu alone. The subject is relating to the promotion policy and you please confine yourself to that.

SHRI S. VIDUTHALAI VIRUMBI: Therefore, what I feel that the something that has happened in Tamil Nadu should not happen to the SC/STs in other parts of the country in the coming years. That is why I have given the example of Tamil Nadu. Sir, if they are not given reservation at the promotion stage, then these people will be affected. The people who oppose this policy are telling that in case reservation is given at the promotion stage, it will affect the efficiency.

I do not understand the efficiency theory. They are telling for the last 200 years since the days of Manu Dharma Shashtra, "You should not go to school;

you should not read; if you read, punishment will be there." So this whole thing has happened. After having harassed them for the last 2000 years, now they are talking about efficiency. It only means that they are trying to put hurdles. That is why I feel, Sir, that as far as the Scheduled Castes are concerned, not only at the appointment stage but also at the promotion stage we must give reservation. Why? If we take Class I, Class II, Class III posts and see how they are occupying the posts, we will find that in the lower strata, they will have more percentage; when we come to the Class II, less percentage will be there and in Class I posts very much less percentage is there. Why is the percentage going down when they come to Class I? Do you think they are inefficient? If they are inefficient, do you think they can work as judges in the Supreme Court and in the High Courts? In our own period, we had appointed an SC as a High Court Judge and he was subsequently promoted to the Supreme Court. They had been working along with their learned brothers.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Viduthalai Virumbi, please conclude. Your time was 5 minutes; I gave you 12 minutes.

SHRI S. VIDUTHALAI VIRUMBI: To say that if reservation comes at the promotion stages, it affects the efficiency, is not proper. This is an untrue statement made through the media, operated by the capitalists as well as the upper caste people. This will go on forever so long as they have the power and the money. Unless they are attacked through law, it cannot be stopped. Therefore, I feel that to protect the SCs, the reservation in the promotions also should be continued. That means the status quo ante or what we had previously should be restored and continued.

With these words, I conclude. Thank you, Sir.

श्री मूलचन्द मीणा (राजस्थान): उपसभाध्यक्ष महोदय, हाऊस में जो चर्चा का विषय है, यह बहुत ही महत्वपूर्ण विषय है और इस विषय का संबंध समाज में जो सबसे पिछड़े हुए हैं, दलित हैं, शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब्स के लोग हैं, उनसे है। यह चर्चा भी क्यों हुई, क्या कारण रहे, इसके पीछे एक इतिहास है। 1990 के अंदर सरकारें बदलीं और श्री विश्वनाथ प्रताप सिंह जी की सरकार बनी। मंडल आयोग की रिपोर्ट के आधार पर पिछड़े वर्ग हेतु आरक्षण की व्यवस्था के लिए संविधान में संशोधन करके उनके लिए 27 प्रतिशत आरक्षण की व्यवस्था की गई। इस व्यवस्था के खिलाफ सुप्रीम कोर्ट के अंदर रिटें हुईं और उन रिटों के ऊपर सुप्रीम कोर्ट की एक बैच बनी 9 जजों की, लेकिन उस बैच के अंदर एक भी जज शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स से संबंधित नहीं रहा और उस बैच के निर्णय को मद्देनजर रखते हुए आज एक सम्बेक्ष, एक प्रसंग जो उठा है, उसके ऊपर चर्चा इसलिए हो रही है कि कहां तो उस निर्णय का प्रभाव पिछड़े वर्ग के ऊपर होना चाहिए था, लेकिन उस निर्णय की आड़ में कुछ राज्य सरकारों द्वारा इस निर्णय की इस प्रकार से छूटनी कराई जा रही है कि यह शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब्स के ऊपर भी लागू हो जाए। नौकरियों के अंदर सीधी भर्ती में जो आरक्षण की व्यवस्था है, वह तो पिछड़े वर्ग को भी मिली। लेकिन जहां शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लोगों के लिए पदोन्नति में आरक्षण की व्यवस्था थी, इस निर्णय के अंदर बैकवर्ड क्लास के लिए यह कहा गया है कि इनका पदोन्नतियों में आरक्षण 5 वर्ष तक ही रहे, जो नवम्बर, 1997 तक ही रहेगा। लेकिन जैसा मैंने पूर्व में कहा कि कुछ राज्य सरकारें इस प्रकार छूटनी कर रही हैं कि एस०सी०, एस०टी० के लिए पदोन्नति का आरक्षण नवम्बर, 1997 तक ही रहे। इस बात की चर्चा इस सदन में कई बार उठी है। इस पर समाज कल्याण मंत्री द्वारा आश्वासन दिया गया है कि शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स कहीं इस निर्णय से प्रभावित नहीं होते हैं तथा उनके अधिकारों का कहीं हनन नहीं हो रहा है। लेकिन समझ में नहीं आता, उदाहरण के तौर पर मैं राजस्थान की सरकार के बारे में कहना चाहता हूं, जहां भारतीय जनता पार्टी की सरकार है। उसने इस प्रकार का निर्णय लिया है कि राज्य सरकार की नौकरियों के अंदर शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के जो सरकारी अफसर हैं उनको पदोन्नति आरक्षण के अंदर 1997 तक ही रहेगा। मुझे बड़ी खुशी हुई कि आज इस प्रसंग को भारतीय जनता पार्टी के ही एक सदस्य जो हमारे एस०सी, एस०टी० कम्युनिटी से जुड़े हुए हैं, उन्होंने उठाया। लेकिन

मैं उनसे यह निवेदन करना चाहूंगा कि जहां भी उनकी पार्टी की सरकारें हैं और जो इस प्रकार का निर्णय ले रही हैं, उनके आप आगाह करें। ... (व्यवधान)

श्री गोविन्दराम मिरी (मध्य प्रदेश): पहले आप अपने यहां तो कराइये। ... (व्यवधान)

श्री मूलचन्द मीणा: मैं राजस्थान की बात कर रहा हूं। वहां भारतीय जनता पार्टी की सरकार है। पहले उनको आप सचेत करिए। ... (व्यवधान) मैं बता रहा हूं कि आप अपनी सरकार को भी कहें। जैसे आज कांग्रेस की सरकार केंद्र के अंदर है उनसे हम कहते हैं कि जहां भी शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लोगों के अधिकारों का हनन होता है चाहे वहां सरकार किसी की भी हो, अगर हमें उस अधिकार के लिए संघर्ष करना पड़ेगा, आंदोलन करना पड़ेगा, तो हम सबसे पहले आंदोलन और संघर्ष करेंगे।

इन निर्णय के अंदर शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लिए, पिछड़े वर्गों के लिए जो आरक्षण की व्यवस्था है, उसके आर्टिकल — 14, 15, 17, 18, 29 आदि के अंदर यह व्यवस्थाएं हैं। आर्टिकल 16(4) के अंदर जो बैकवर्ड क्लास के लिए यह व्यवस्था की गई है कि पदोन्नति के लिए 1997 तक व्यवस्था रहेगी। लेकिन इससे एस०सी० और एस०टी० कहीं भी प्रभावित नहीं होंगे। लेकिन आज दुर्भाग्य है। मंत्री जी, आज स्पष्ट करिए। पूर्व में भी सीताराम केसरी साहब ने दिनांक 23-12-92 के अंदर यह स्पष्ट घोषणा की थी यदि इससे शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के पदोन्नति के अधिकार कहीं हनन नहीं हो रहे हैं। लेकिन आज आपकी इस घोषणा का प्रभाव शायद कुछ विभागों के अंदर और कुछ राज्य सरकारों पर नहीं पड़ा। इसलिए आप इसको स्पष्ट करिए या इसको ठीक करने के लिए आपको अगर कोई संशोधन भी लाना पड़े तो आप लाइए और जैसे 40 सालों से चला आ रहा है, वही व्यवस्था सरकारी नौकरियों में पदोन्नतियों में आरक्षण की व्यवस्था आज भी बनी रहे। क्योंकि दुर्भाग्य तो यह है कि इन जातियों के लोगों की जो पदोन्नतियों में व्यवस्था की है, उसको पदोन्नति में आरक्षण दे ही नहीं रहे हैं। जितनी पदोन्नतियां होती हैं उनमें देखें कि जिस परसेंटेज से रिजर्वेशन दिया हुआ है। उस परसेंटेज से इन कर्मचारियों और अधिकारियों को रिजर्वेशन की व्यवस्था इन आरक्षणों में नहीं की जा रही है। इसके लिए बार-बार इस सदन के अंदर आपसे कहा गया है। लेकिन आपने उस पर ध्यान नहीं दिया या आप यह करिए कि यह निश्चित कानून बना लिया है कि जो शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के अधिकारों का

[श्री मूलचन्द मीणा]

हमन कोई भी अधिकारी या कर्मचारी करेगा चाहे वह कितना भी बड़ा हो, यदि वह अधिकार पदोन्नतियों में भरने का हो, चाहे सीधी नौकरियों में भरने का हो, चाहे जो बैंक लागू है उसको पूरा करने के लिए जो भी अधिकार शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोगों को मिला हुआ है, यदि वह उसको भरने में आनाकानी करे या कोई हिचकिचाहट बताए, तो उसके खिलाफ सख्त कार्रवाई करें, तभी जाकर एस०सी० और एस०टी० रिजर्वेशन पूरा हो सकेगा।

मैं उदाहरण के तौर पर बताना चाहता हूँ कि केन्द्रीय सरकार के वित्त मंत्रालय के अंदर कस्टम और इनकम टैक्स के अंदर-कस्टम के अंदर 1990 से 1994 तक "बी" क्लास आफिसर से "ए" क्लास आफिसर में प्रमोशन के अंदर करीब 600 पदोन्नतियाँ हुई हैं लेकिन शैड्यूल ट्राइब्स के तीन आदमियों को रिजर्वेशन दिया गया है। यह बहुत ही अन्याय की बात है जबकि शैड्यूल ट्राइब्स के कई कर्मचारी, करीब 50 कर्मचारी ऐसे हैं जो पदोन्नति के लायक हैं, जिनको दस-दस साल इस विभाग में नौकरी करते हुए, वरिष्ठता के रूप में कार्य करते हुए हो गये हैं लेकिन उनको पदोन्नति का मौका नहीं दिया गया। इसी प्रकार से इस देश के अंदर कई यूनिवर्सिटीज़ हैं, जहाँ पहले तो रिजर्वेशन की जो नीति है, उसको फालोअप नहीं किया जाता है और जो शैड्यूल कास्ट, शैड्यूल ट्राइब्स की पोस्ट्स होती हैं, पद होते हैं, उनके खिलाफ जनरल कास्ट के लोगों को भर लिया जाता है। इस प्रकार का निर्णय राजस्थान के हाई कोर्ट में भी हुआ है। राजस्थान यूनिवर्सिटी के अंदर शैक्षणिक और प्रशासनिक पद जो राजस्थान यूनिवर्सिटी में खाली थे, उनको जनरल कास्ट के लोगों से अस्थायी रूप से भर लिया गया। जब शैड्यूल कास्ट, शैड्यूल ट्राइब्स के कर्मचारी हाई कोर्ट में गये तो हाई कोर्ट ने निर्देश दिया कि शीघ्र अति शीघ्र शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोगों से इन पोस्टों को भर लिया जाए क्योंकि इन जातियों के लोग योग्यता रखते हैं और वह है, फिर भी क्यों नहीं रखा जा रहा? इस प्रकार का निर्देश हाई कोर्ट ने दिया लेकिन राजस्थान यूनिवर्सिटी में अब तक उन पोस्टों को नहीं भरा है जिसको दो साल हो गये हैं। मैंने सदन के माध्यम से कई बार यह कहा है कि जो यूनिवर्सिटी को ग्रांट केन्द्रीय सरकार देती है, उसको रोक दे, जो यूनिवर्सिटी ऐसा काम नहीं करती है, जो शैड्यूल कास्ट और शैड्यूल ट्राइब्स की आरक्षण की नीति को लागू नहीं करती है, क्यों नहीं उनकी ग्रांट को रोका जाए?

आज हम शैड्यूल कास्ट और शैड्यूल ट्राइब्स की बात करते हैं, पर कहने और करने में बहुत फर्क होता है। इसलिए जब तक आप सख्ती से कानून से आरक्षण को शक्ति के रूप में लागू नहीं करेंगे, तब तक यह पूरा नहीं हो सकता। 40 साल हो गये आरक्षण को, हम मानते हैं कि 10 साल तक तो हमारे लोग योग्य नहीं हो सकते थे, लेकिन 30 साल से शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोग किसी भी क्षेत्र में चले जाएं, सब तरह की योग्यताएं रखते हैं। इसलिए आरक्षण का कोटा पूरा नहीं होने का कारण ट्रेब की भावना रखने वाले अधिकारी और आफिसर हैं, जो इस आरक्षण को पूरा नहीं होने देना चाहते हैं। उस भावना को देखते हुए यह जो आरक्षण पदोन्नतियों के अंदर आरक्षण-1997 की व्यवस्था सुप्रीम कोर्ट ने बैकवर्ड के लिए की, वही लोग लागू कर रहे हैं। शैड्यूल कास्ट और शैड्यूल ट्राइब्स के ऊपर। इसलिए इस मौके पर मैं मंत्री जी को याद दिलाना चाहता हूँ कि यदि आप शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोगों का भला चाहते हैं, समाज में उनका उत्थान चाहते हैं जिस आरक्षण नीति की व्यवस्था की है, उसके मूल उद्देश्य को पूरा करना चाहते हैं तो आपको संविधान में संशोधन करके यह लागू करना पड़ेगा जितनी जल्दी आरक्षण का जो बैकलाग है, आरक्षण के ऊपर जो हमले होते हैं, उनको रोका जा सके। आप संविधान में संशोधन करके उनको रोक सकते हैं।

[उपसभाध्यक्ष (श्री सुरेश पचौरी) पीठासीन हुए।]

आज भारत सरकार के माध्यम से शैक्षणिक, स्वास्थ्य और परिवार कल्याण, शिक्षा आदि योजना मंत्रालय द्वारा अनेक ऐसे कार्यक्रम, ऐसी योजनाएं शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोगों को समाज में समानता के आधार पर लाने के लिए प्रारम्भ कर रखी हैं और इतना सारा पैसा बजट का करीब 30-40 प्रतिशत पैसा शैड्यूल कास्ट और शैड्यूल ट्राइब्स के डेवलपमेंट के लिए और उनके विकास के लिए खर्च होता है लेकिन जितना विकास का प्रतिशत है और बजट का प्रतिशत है, यदि हम उसको मिलाते हैं तो पाते हैं कि जितना पैसा शैड्यूल कास्ट और शैड्यूल ट्राइब्स के विकास के लिए सरकार खर्च करती है, उसका सही उपयोग नहीं होता है। उसको उनके विकास के लिए खर्च नहीं किया जाता है। मैं कहना चाहता हूँ कि इन योजनाओं को, इन कार्यक्रमों को जो लोग लागू करते हैं, उनमें जब तक शैड्यूल कास्ट और शैड्यूल ट्राइब्स के लोग नहीं होंगे, तब तक उनका विकास, जिस उद्देश्य से ये कार्यक्रम

चलते हैं, वह उद्देश्य पूरा नहीं हो सकता। इसलिए मेरा निवेदन है कि शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के आर्थिक विकास के लिए, उनके डैवलपमेंट के लिए जो भी कार्यक्रम चलाए जा रहे हैं, उनमें शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के अधिकारियों को प्राथमिकता के आधार पर लगाया जाए। जिससे वे कार्यक्रम सफलता-पूर्वक पूरे हो सकें।

उपसभाध्यक्ष महोदय, मैं दिल्ली पुलिस का एक उदाहरण देना चाहूंगा। पिछले वर्ष दिल्ली पुलिस में 360 के करीब सब-इंस्पेक्टरों को पदोन्नत किया गया। इनमें शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के कितने थे? शैड्यूल्ड ट्राइब्स के 4 और शैड्यूल्ड कास्ट के 17 थे, जब कि इनके लिए रिजर्वेशन की व्यवस्था है। यह कितना परसेंटेज है यह आप देख लें कि कितने परसेंटेज में उनको पदोन्नति दी गयी, कितने कर्मचारी यहां पर शैड्यूल्ड कास्ट के हैं और इतने पर कितने सब-इंस्पेक्टर लिये गये हैं? मैं मंत्री महोदय से निवेदन करना चाहूंगा कि दिल्ली पुलिस में जो पदोन्नतियां हुई हैं....,

SHRI S. VIDUTHALAI VIRUMBI: I feel that the Constitution itself should be amended to see that they are protected. Otherwise, it is not possible.

श्री मूलचन्द मीणा: मैं इस पर आ रहा हूं।

दिल्ली पुलिस में जो पदोन्नतियां हुई हैं आप उसका परसेंटेज देखें। यह पदोन्नतियां किस आधार पर की गयी हैं, इसकी आप जांच कराये? वहां के अधिकारी शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लोगों से क्यों घृणा की भावना रखते हैं? क्या कारण है कि 360 में से केवल 4 शैड्यूल्ड ट्राइब्स के और 17 शैड्यूल्ड कास्ट के लोगों को ही पदोन्नत किया गया? क्यों नहीं परसेंटेज के हिसाब से पदोन्नति हुयी, इसकी आप विस्तृत जांच कराये।

इसके साथ ही मैं पुनः मंत्री जी से निवेदन करना चाहता हूं कि वे संविधान में आवश्यक संशोधन करके, जो बैक-लाग है, पदोन्नतियों में या डाइरेक्ट भर्ती में, इसके लिए तुरन्त कानून बनाकर इसको पूरा करें। इसके लिए आप संविधान में संशोधन करें, यही मैं कहना चाहता हूं। जयहिन्द।

SHRI S. MADHAVAN (Tamil Nadu): Sir, the Congress Government has always stood for the Scheduled Castes and the Backward Classes. But, unfortunately, the Congress Government at the Centre is not taking action. Why, I do not know. When we met the Prime

Minister, he told us that he was for the Backward Classes. I thought that the Congress Government was afraid of the BJP Governments in the Northern States. Now the hon. Member from the BJP has effectively argued that they are also for the Scheduled Castes. The Congress Governments took 47 years to give reservation for the Backward Classes in the Central Government. But, the Congress Governments in the States always stood for the Backward Classes and the Scheduled Castes.

After the Supreme Court judgement, some issues have been raised. The Scheduled Castes have not been represented even according to the reservation approved under the Constitution. Also their reservation for promotion was overruled. The carry-forward principle was overruled. The converted Scheduled Caste Christians have not benefited. These are the issues which are agitating the minds of the Scheduled Caste people.

All the parties support these issues and ask the Government to bring forward a Constitutional amendment. The Supreme Court can interpret the Constitution, but it cannot frame the policy which Parliament alone can do. So, the only option with the government of India is to bring forward a Constitutional amendment.

What is the policy of this Government? The Minister must come forward and speak clearly on these four issues about the Scheduled Caste people.

Then our demand is that this reservation must be extended to educational institutions also. The question is pending with the Central Government. The Tamil Nadu Government has taken up this issue at the Prime Minister's level a number of times, but the Government of India has not come forward with a clearcut version that they are for extending the reservation benefits to educational institutions also.

[Shri S. Madhavan]

Another point is that the Supreme Court has ruled 50 per cent as ceiling. I would like to know whether this Government accepts this 50 per cent ceiling. There is no mention about any percentage in the Constitution. It is only an interpretation. The Judges have quoted the discussion of the Constituent Assembly and have also quoted the speech of Dr. Ambedkar to support this 50 per cent ceiling. That means unless the Constitution is amended, clearly saying that the reservation will be proportional to the Backward Class population and the Scheduled Caste population, that is the only way we can over-rule the Supreme Court direction. I would like to know whether the Government is for this or is against this because every State has got different category of Backward Class population. In my State, Tamil Nadu, more than 80 per cent population of the state belongs to the Backward Classes. The hon. Minister, Mr. Thangka Balu, comes from a Backward Class. When his Government was in power in Tamil Nadu, it was not a Backward Class. It was only after we came to power that community was made a Backward Class. I had the opportunity to approve that G.O. Every Government increases the population of Backward Class in every State. That is why we want an amendment to the Constitution giving the powers to the States to have reservations according to the population of the Backward Classes in those States. What is the objection of this Government? We do not know.

The Congress party always fought with the Tamilian parties for the past many years. They support our policies for reservations. They have to face the electorate in the near future. I think my hon. friend, Mr. Thangka Balu will contest from his Constituency. I think we have to support or we have to oppose, but pending all these election processes, he must come out

categorically, 1, 2, 3, as to what their answer is to the Scheduled Castes representation according to the population; and what the steps are which he is going to take now. Are you prepared to fulfil this 69 per cent reservation? Are you prepared to give promotion facilities, promotions according to the reservations? Are you prepared to carry forward arrears accumulated? Are you prepared for it? There is the question of converted Christians. To the Scheduled Caste converted Christians we have to give benefits. Why is the Government of India refusing? This subject has come before Parliament a number of times. The Minister has agreed to give these concessions, but somebody prevents. Who is that? They say it is bureaucracy. I do not know how bureaucracy can overrule the Ministers. The Ministers are so powerful. I think somebody may say that the Prime Minister belongs to the Brahmin community, but when we meet the Prime Minister, he said, he is always for the Backward Classes. We also pointed out to him that when the Communal GO making reservations according to the castes in Tamil Nadu was set aside in the '50s, it was Pandit Nehru, the Congress Prime Minister, who came forward immediately and amended the Constitution. So much power the Congress party has got. Now, when all parties support you for a Constitutional amendment, why is it that this Government is refusing? If somebody is pulling back these Ministers, who is he? They have to answer this. Unless they answer this question today, we would vote down Mr. Thangka Balu in the coming elections.

SHRI H. HANUMANTHAPPA: While Mr. Narayanasamy stood up to speak, my BJP friend, Mr. Satish Agarwal, asked me, if I am supporting or opposing the BJP on this. On the other hand I want to put it to them. Actually, they are supporting the Scheduled Castes today, I do not know why. Even this proposal has come from

Mr. Ram Ratan Ram, who is a Scheduled Caste Member from the BJP?

Mr. Vice-Chairman, because you yourself....(Interruptions).

श्री महेश्वर सिंह (हिमाचल प्रदेश): महोदय, एक निवेदन करना चाहूंगा कि यह एक बहुत गम्भीर मसला है। इसमें इस प्रकार की राजनीतिक बात न कहकर सीधे-सीधे अगर हम इस मसले पर विचार करें तो उचित है।

श्री हेच० हनुमन्तप्पा: ठीक है। राजनीति मैं नहीं कर रहा हूँ...

श्री महेश्वर सिंह: आप एक वरिष्ठ सदस्य हैं आपसे हमें बहुत कुछ सीखना है।

SHRI H. HANUMANTHAPPA: Let us not divert this. (Interruptions).

SHRI RAM RATAN RAM: I never mentioned any party in my speech.

SHRI H. HANUMANTHAPPA: Thank you.

श्री महेश्वर सिंह: उन्होंने तो मजाक में कहा था...(व्यवधान)

SHRI H. HANUMANTHAPPA: I would not have referred to it unless Shri Satish Agarwal had raised it. I thought it should not go unanswered.

Let that stop at that.

Mr. Vice-Chairman, speaking from this side, you also quoted Sri Krishna, "Chaturvarnam maya srishti". This is not an issue out of the 'chaturvarnam'. This does not fall under even the 'chaturvarnam'. This is a 'panchama' which is not recognised. 'Chaturvarnam' means the Brahmin, Kshatriya, Vaisya and the Shudra. It stops with the Shudra. These Scheduled Castes and Scheduled Tribes are not Shudras. They are not even among the four. These are an out-caste, these a 'Panchama'. This is what we are speaking about today. Mr. Vice-Chairman, this does not come under your quotation or his quotation. There should be a special mention, unfortunately not fortunately.

Whenever this issue comes up, we are also not happy about speaking on reser-

vation. I am sorry. Whenever this issue comes up, we are asked to speak, to demand, we also feel sorry, being citizens of this country, to demand these things. We have been placed in such a position of demanding reservation in appointments, reservation in promotions and always be at the mercy of the ruling Government, this Government, that government or the other government. We are not happy about speaking on this Bill.

Mr. Vice-Chairman, let me go back into history for a couple of minutes. What is this reservation? We never wanted this reservation. How did this reservation come about? While the Britishers were to go, giving Independence to this country, there were three groups before them. One group was headed, represented, by Mahatma Gandhi. The second group was represented by Mr. Jinnah. And the third group, the down-trodden classes, was represented by Dr. Ambedkar. Ambedkar also insisted on a separate Dravidasthan. Jinnah persisted and he got the country divided into Pakistan and India. Ambedkar compromised and he got only reservation which we are going on begging for, demanding, for decades. Did he persist? No. In the interests of the country, in the interests of the unity of the country, he did not insist on his demand, he did not persist with another division of the country. This is how reservation has come about. This was the agreement on that day. In lieu of another division of this country, by the name Dravidasthan, for the weaker sections, this agreement, reservation, came about. It is not a begging bowl that the Scheduled Castes and the Scheduled Tribes are stretching before somebody to give alms to them. Let my friends understand that if we rise here asking for reservation, either in appointments or in promotions or in other vacancies, we are only asking for the fulfilment of the agreement for a better living of these people who are suppressed for centuries. Whenever the issue of reservation comes up, let not people feel, "These

[Shri H. Hanumanthappa]

fellows are always rising for reservation and begging for this; we have to give something". No. This is equally the duty cast upon the parties to the agreement, whether this side or that side.

Having said so before going on to the figures and other requirements, I would come to the judgement of the Supreme Court, how the learned Court has erred, in my opinion, in interpretation. Let me quote article 16(4) of the Constitution. It states: "Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens..." There are two things here. One is appointment and the other is post. If there is a backlog and if in the opinion of the State, it is not adequately represented in the services, then the State can make a provision. That is how the reservation has come. The reservation has to be there for the appointments as well as the posts, the appointment at the entry stage as well as at the higher level. In every category of posts and in every grade, there should be reservation. If they are not adequately represented in any post, be it the Secretary's post, be it the Deputy Secretary's post, be it the Collector's post, be it a policemen's post or be it the Commissioner's post, if they are not adequately represented, the State can enact special provisions. So, it applies to both, the appointments and the promotions also. That is how the Presidential directives came. If you go on appointing them at the lower level, there will be backlog in the higher posts or there will be inadequate representation and the posts will not be filled. That is why certain relaxations have been given and the posts are also being reserved. If these provisions are adhered to, equitable justice will be given to the people. Otherwise, if it is only at the stage of appointment, then there will be inequality in the posts. How will the backlog in the posts be cleared? Just to fill up the gap in the posts, the reservation in promotions is given. I respectfully submit that the Supreme Court has erred in appreciating this

thing. Then, of course, the other friends, have said that the SCST have not been made a party and this was not the point at issue. But there is still a provision and the reservation in promotion is to see that they are adequately represented not only in the case of appointments but also in the case of posts. So, time and again we have urged upon the Government has promised even on the floor of this House and outside, "Yes, we are bringing remedial provisions for this." But this is where it is being unnecessarily delayed. Already, two years have passed and in 1997, it is coming to an end. This is agitating the minds of the people whether it is coming to an end. But let me put it on record that we do not want it to go up to 1997 or even beyond that. Let it come to an end in 1995. But give us an equal opportunity, equal representation. That is all. Why should it continue up to 1997? Figures have been quoted by Mr. Meena and Mr. Virumbi and some my friends from the other side. According to the agreement and even according to the Presidential directives, you have not been able to fulfil the target. So, where is the question of stopping it? Unfortunately, what has happened? I am not blaming anybody. The society is to take care of a weak child or a brother who is not equal to other brothers. But after the backward classes reservation, the reservation of the SCST has been forgotten. The worst treatment is meted out to the SCST people in respect of reservation after the issue of reservation in respect of the backward classes has come up. I am not blaming anybody. I have no grouse against the backward classes. But in every establishment, in every office, the emphasis is given to reservation in respect of the backward classes. The reservation in respect of the SCST has almost been forgotten. This is what is happening. We are seeing it. Much is talked about the reservation for the backward classes. The Scheduled Castes and the Scheduled Tribes are classes which are also entitled for reservation. But this fact is being forgotten.

Their voice is weak. They have no strength, no organising capacity, no shouting capacity. They cannot organize their armies. They cannot use violence. They cannot kill others. That is why the reservation for the SC/ST people has been forgotten. All those who are powerful, who can use violence, who can organise armies, are being talked of in the whole country. i.e. the Backward Classes. Again I repeat that I am not against the reservation for Backward Classes. Whosoever is weak in the society has to be taken care of and has to be given all the benefits and facilities. Wherever we go today, we find that the worst sufferers are the Scheduled Castes and the Scheduled Tribes. Mr. Ram Ratan Ram quoted a few lines from my own speech, "Even before achieving what is promised by the Constitutional and Presidential directives, in place of sympathy, apathy has developed towards these Classes." Sir, we did not even create the figure of 15 per cent or $7\frac{1}{2}$ per cent. It is the creation of the Government, it is the creation of the ruling party. Please achieve that. That is all we are asking. Actually, we, Scheduled Castes and the Scheduled Tribes, have also become a victim of the circumstances. We are only revolving around 15 per cent and $7\frac{1}{2}$ per cent. We are not even demanding anything outside the fixed percentage because we have not been able to achieve even this much. Once this is achieved, we can then think of achieving something else. No, we are not able to think something else at present. We are still worried because whatever is there has not yet been achieved. In some cases confidential reports are spoiled. Some universities will not give promotion, some police officers will not give promotion. If some of these things continue, that is not good for the health of the society, for the health of the country. These 25 per cent people of the country are still suffering. After this judgment, there is a doubt in their mind because, in spite of all the promises being made on the floor of the House and

outside, nothing is moving. Are the Government serious? Is the ruling party serious about it? That doubt is there. The Government has come out with a clear-cut policy, a clear-cut statement. There is no doubt about it. Everybody has spoken that the Congress Government is in favour of the Scheduled Castes and the Scheduled Tribes. But if you go and ask the SC/ST people, what do they say? They say, "What is done all these days is done only by the Congress Government. But something is yet to be done. why are they not doing that? After all, wherever there is a possibility, only there the demand will be made. The Congress Government has done this, the ruling party has done this, but it has stopped doing this all these days. You were doing something earlier. But why have you stopped?" This is the question of the Scheduled Caste community. Let us not give room for such apprehensions in the mind of the weaker sections. After all, the mission of the Congress Party or the ruling party or any other party is to bring everybody into the national mainstream, take everybody into confidence and involve him in the administration, involve him in the development of this country. That is what we want. Please treat us as equal citizens of this country, involve us in the development, involve us in the administration. Wherever there is any inadequacy, whether it is in appointment or in promotion, whether it is in Parliament or any Assembly or any Ministry, please remove it. This is the purpose of reservation, either in appointment or in promotion.

SHRI JIBON ROY (West Bengal): Thank you very much, Sir. Sir, I would not make a speech, I wish to put some points on record. Firstly, my Party supports the reservation for the Scheduled Castes and Scheduled Tribes in appointment and also in promotion. Whatever is there should continue beyond 1997. We also support the reservation for OBCs, as recommended by the Mandal Commission. But why I am saying so is I wish to put it on record-

[Shri Jibon Roy]

because, as my esteemed friend, Mr. Hanumanthappa said, only through reservations you cannot address the problem of social justice.

Reservation is a part of it. There are political forces in our country, which wish to keep the society divided on caste lines and to ask for votes by giving some concessions, through reservations or this and that. While supporting the reservation policy, we feel that there should be a total land reform all over the country. There should be equity in the distribution of land. It is only through equitable distribution through Social equity that social justice could come in the end. Along with that reservation will also continue. When we are talking of reservation I wish to draw the attention of the Government to a point that during the last two or three years, after the New Economic Policy has been introduced, the strength of the Scheduled Castes and the Scheduled Tribes in the Government offices and in the public sector undertakings is going down in greater proportion than others. After the introduction of the Voluntary Retirement Scheme, the Scheduled Caste and Scheduled Tribe workers are being lured into retiring. If you go through the last Report of the Public Enterprises Committee and, probably, through the Reserve Bank Bulletin, you will find that a large number of Scheduled Caste and Scheduled Tribe workers are sent out of the factories in a systematic way. You should take note of it. At the same time, the economic competition is going on. The public sector is being liquidated. Private companies are coming in. Multinational companies are coming in. Employment in the public sector is going down. Would the hon. Minister assure this House that there will be a system of reservation in the private companies also, if the multinational companies also? The point which I am trying to raise is that through reservation alone you cannot solve the problem, especially in the light of the kind of economic system that is

coming into our society. The Government has to address itself to the social problems and to the question of equity also.

Side by side, I must say that as far as promotion is concerned, there is a huge backlog. There is a huge backlog with regard to different positions. While supporting the reservation, I want the Government to scrutinise why these backlogs are there and why these vacancies are not filled up. There should be an assurance in this House that all the posts in the higher ranks will be filled up within a specific period.

I also wish to point out that if we really want to do social justice, promotion to higher ranks alone will not serve the purpose. You have to put the Scheduled Caste and Scheduled Tribe officers in important posts. Simply promotion will not do. You should put those people, who understand the reality of the society, who understand the agony of our people, in important posts, in some of the higher categories, who can pursue and execute the policies, according to the Mandal Commission recommendations, both for the Scheduled Castes and the Scheduled Tribes. I have worked in a factory for a long period. I have seen tension persists on the question of filling up the vacancies on promotion and backlog for SC/STs are cleared. Some times Question are raised people who may be fit for the existing jobs but they are not fit for the higher categories of jobs. This idea, this philosophy is negative. As I have said, posting them in important positions is an important point. At the same time, the question of training is also an important aspect. When you know that promotion is to be given according to quota, why is it that a system of training is not introduced by the Government in different areas?

Lastly, I must say that the question of promotion of OBC is also there. This question is there on the ground level.

To a certain extent, the promotion of SCs and STs is done that has gone absorbed also to great extent. We accept

it. But, what will be the position in the case of OBCs? That is why, I would like to know from the hon. Minister whether along with the reservations, reservation including OBCs the system of time-bound promotion scheme will be introduced by the administrative Ministries in different areas. Sir, with these words I conclude.

श्री गोविन्दराम मिरी: उपसभाध्यक्ष महोदय, मैं विषय-वस्तु पर बोलने से पहले भारतीय संविधान का जो प्रिम्बल है उसको पढ़ना चाहता हूँ, जिसमें कहा गया है कि:—

“हम भारत के लोग, भारत को एक सम्पूर्ण, प्रभुत्व-सम्पन्न, समाजवादी पथ-निरपेक्ष, लोकतन्त्रात्मक गणराज्य बनाने के लिए, तथा उसके समस्त नागरिकों को सामाजिक, आर्थिक और राजनैतिक न्याय, विचार, अभिव्यक्ति, विश्वास, धर्म और उपासना की स्वतंत्रता, प्रतिष्ठा और अवसर की समता प्राप्त करने के लिए, तथा उन सब में व्यक्ति की गरिमा और राष्ट्र की एकता और अखंडता सुनिश्चित करने वाली बंधुता बढ़ाने के लिए दृढसंकल्प होकर अपनी इस संविधान सभा में आज तारीख 26 नवम्बर, 1949 ई० को एतद्वारा इस संविधान को अंगीकृत, अधिनियमित और आत्मार्पित करते हैं।”

महोदय, मैं जिस पर जोर देना चाहता हूँ, उसमें कहा गया है:—

“सामाजिक स्थिति, प्रतिष्ठा और अवसर की समता और व्यक्ति की गरिमा और बंधुता बढ़ाने के लिए”

महोदय, भारत का संविधान 26 जनवरी, 1950 को लागू हुआ और माननीय सर्वोच्च न्यायालय ने जो मंडल कमीशन पर अग्रणी निर्णय लिया, वह 16.11.92 को लिया। मेरी स्मरण में नहीं आता कि 42 साल के बाद अनुच्छेद 16(4) जो है, उसकी व्याख्या करने की अचानक आवश्यकता क्यों आ पड़ी? महोदय, वह निर्णय अपने आप में एक कानून बन गया है क्योंकि सर्वोच्च न्यायालय का जो निर्णय है वह संविधान के आर्टिकल 141 के अंतर्गत पूरे देश में लागू हो जाता है, बंधनकारी है, आप उसकी कहीं अपील भी नहीं कर सकते, कहीं जा भी नहीं सकते। हालांकि अनु जाति/अनु जनजाति कर्मियों की पदोन्नति में आरक्षण यह विषय-वस्तु नहीं था लेकिन पता नहीं क्यों माननीय

न्यायाधीशों ने इस विषय को लिया और 1991-92 में, महोदय, भारतीय संविधान के जनक परम पूजनीय बाबा सहब डा० भीमराव अम्बेडकर का जन्म-शताब्दी वर्ष था और इसमें केन्द्र और राज्य सरकारों द्वारा दलितोत्थान की कई महत्वपूर्ण योजनाएं प्रारम्भ करने की घोषणा की गई और मतदाताओं को लुभाने के लिए विशेष तौर पर कई कार्यक्रम तैयार किए गए। अनेक वर्षों से अनुसूचित जाति के खाली पड़े पदों को भरने के लिए भी जोर-शोर से प्रचार-प्रसार किया गया और देश के समस्त प्रचार माध्यमों का उपयोग किया गया और यह ढिंढोरा पीटा गया कि यह सरकार जो है वह इस वर्ग की हितैषी है और उनके कल्याण हेतु चिंतित है। किन्तु दूसरी ओर आप देखिए कि कथनी और करनी में कितना अंतर है। एक तरफ तो ढिंढोरा पीटा जा रहा है, दूसरी तरफ आप देखिए कि उनकी सामाजिक स्थिति क्या है, उनका दर्जा क्या है हमारे यहां? अभी आपने गीता का श्लोक पढ़ा कि कर्म से लोगों को जाना जाए, लेकिन दुर्भाग्य यह है कि हमारे यहां जन्म से जाना जाता है और यह जो मानसिकता है, यह आजादी के इतने साल बाद आज भी विद्यमान है। इस भारतीय संविधान में 27 अनुच्छेद ऐसे हैं जिनमें कि अनुसूचित जाति, जनजाति और अन्य पिछड़े वर्गों के उत्थान की बात कही गई है, लेकिन दुर्भाग्य यह है कि जिनके कंधों पर उनको लागू करने का दायित्व था, उन्होंने पूरी ईमानदारी से, सज्जीदगी से इसको लागू नहीं किया।

उपसभाध्यक्ष महोदय, बीच के तीन-चार साल को छोड़कर आप देखेंगे कि आजादी के बाद पूरे समय तक केन्द्र में कांग्रेस सत्तारूढ़ रही है। अनुसूचित जाति और जनजाति के लिए आरक्षित पदों में न तो बैकलॉग भरे गए हैं, मैं फिगर्स पर नहीं जाना चाहता, मेरे बहुत से मित्रों ने यह आंकड़े दिए हैं। मैं कहना चाहता हूँ कि नौकरियों की आवश्यकता आखिर क्यों आ पड़ती है? इसके लिए कहा गया है कि:

In as much as public employment always gave a certain status and power, it has always been the repository of State power.

6 P.M.

महोदय, नौकरी की आवश्यकता इसलिए है कि उससे आदमी का एक दर्जा बढ़ता है, उसको सरकार में काम करने का एक दायित्व मिलता है और एक अधिकार मिलता है। यदि संविधान में उपबंध न हों तो इस उच्च सदन में और देश के अन्य सदनों में अनुसूचित जाति और जनजाति वर्ग के लोग नहीं आ पाएंगे। यह तो

[श्री गोविन्दराम मिर]

मजबूरी में करते हैं। लेकिन जहां उनको चलती है वहां किसी न किसी आड़ में इनके हितों पर कुठारघात किया जाता है। जहां तक आर्थिक आधार की बात उठती है, मैं बार-बार कहता हूं। हमारे यहां इसी सदन में इस देश के उप प्रधान मंत्री स्वर्गीय बाबू जगजीवन राम थे। जो बड़े विद्वान थे और जिस मिनिस्ट्री को उन्होंने हाथ लगाया वह काफी सफल हुए। वर्ष 1988 में वे डा० सम्पूर्णानन्द की प्रतिमा का अनावरण करने के लिए बनारस गए थे। अनावरण के बाद वहां के तथाकथित सवर्णों ने उस प्रतिमा को गंगाजल से धोया। यह हमारी मानसिकता है। क्या बाबू जी के पास कम पैसे थे? यदि आर्थिक आधार है तो क्यों वह भेदभाव किया गया? भारतीय संविधान में आर्टिकल 17 में यह कहा गया है कि छुआछूत का उन्मूलन हो गया है, भेदभाव दूर हो गया है। मैं कहता हूं कि भेदभाव इस फैसले के बाद और बढ़ गया है। मेरे विद्वान मित्र कह रहे थे कि 1997 के बाद प्रमोशन में आरक्षण लागू नहीं रहेगा। मैं कहता हूं कि 1997 तो दूर है, जब से यह फैसला 1992 में आया तब से ही इन लोगों के प्रमोशन को रोकने की चेष्टा की जा रही है और अनेक लोग इससे वंचित हो गए हैं। यदि यह ईमानदारी से लागू किया जाता तो आज यह नौबत नहीं आती। एक और तो हम कहते हैं कि यह जो समानता का - (घंटी) - तो समानता का अधिकार सबको एक समान है। लेकिन आप देखिए, मैं उदाहरण देना चाहता हूं कि 1950 से हमारे यहां शैड्युल्ड कास्ट और शैड्युल्ड ट्राइब्स के लिए एक कमीशन बना हुआ है। 1990 में उसको कुछ पावर दिए गए। लेकिन आप देखेंगे कि उसका स्टॉफ हटा लिया गया, उसको भरती करने का कोई अधिकार नहीं है, उसको कोई वित्तीय अधिकार नहीं है इन सब कारणों से वे एक रिपोर्ट भी प्रस्तुत नहीं कर पाए हैं। वहीं दूसरी ओर, आप देखेंगे कि इस देश में जो मॉनोरेटरी कमीशन बना और ह्यूमन राइट्स कमीशन बना तथा जो यह बहुत बाद में आए हैं, वह पूरे अधिकारों का उपयोग कर रहे हैं, उनको सारे अधिकार दिए गए हैं। वह चर्चा में आ रहे हैं, तो दीख जाता है कि हमारी मानसिकता कहां से कहां तक है। जब बड़े-बड़े इंस्टीट्यूशनों के साथ इस प्रकार के भेदभाव हो रहे हैं तो आप मान सकते हैं कि आम आदमी का क्या होगा?

एक तरफ हमारे यहां समानता का प्रतिशत बहुत कम है। अनुसूचित जाति के जो पुरुष हैं उसमें 28 प्रतिशत और महिलाओं में 11 प्रतिशत शिक्षा का स्तर अभी हमारे पास है एक ओर तो हम शिक्षा से वंचित हैं,

नौकरी से वंचित हैं, तो अब प्रमोशन से भी हमको वंचित किया जा रहा है। उपसभाध्यक्ष महोदय, मैं यह कहना चाहता हूं कि कई उदाहरण हमारे सामने हैं। अभी मेरे मित्र ने शाहबानो केस का उदाहरण दिया। शाहबानो केस में माननीय उच्चतम न्यायालय ने मुस्लिम महिलाओं को गुजारा भत्ता देने का प्रावधान किया। लेकिन कुछ वर्गों के लोगों को तुष्ट करने के लिए और खाड़ी देशों के दबाव में माननीय उच्चतम न्यायालय के निर्णय के विरोध में सत्तापक्ष कांग्रेस द्वारा जनमत तैयार किया गया और संविधान में संशोधन किया गया।

अभी हाल में तमिलनाडु में जो 69 प्रतिशत आरक्षण लागू था, उसको हम सभी राजनैतिक दलों ने एकजुटता दिखाकर, संविधान में संशोधन करके 9वीं अनुसूची में रखा है। अब जब 1992 का जो फैसला है तो अनुसूचित जाति और जनजाति के अधिकारों से खिलवाड़ करने वाले और अधिकारों का हनन करने वाले जो भी निर्णय होते हैं, उसका हम विरोध क्यों नहीं करते? मैं कहना चाहता हूं, हमारे माननीय मित्र धुंगाबालू जी बैठे हुए हैं कि गरीबी सब जगह है लेकिन जो सामाजिक भेदभाव हिन्दुस्तान में है, वह संसार में कहीं नहीं। इस बात को नोट करते हुए मैं यह कहना चाहता हूं कि अब समय आ गया है जैसा रहीम जी ने कहा कि

दुर्बल को न सताइए, जाकी मोटी हाथ।

मुयी खाल की सांस से, लोह भस्म हो जाए।।

हिन्दुस्तान की जो जनसंख्या है, उसका एक तिहाई से अधिक अनुसूचित जाति और जनजाति के लोग पूरे करते हैं। आप "हाथी के दांत दिखाने के और खाने के और" इसको छोड़िए और पूरी तन्मयता से घड़ियाली आंसू बहाना छोड़कर इस वर्ग के हित के लिए उपाय कीजिए क्योंकि आप देख रहे हैं कि आजकल राजनीतिक अस्थिरता चली आ रही है। आपकी गवर्नमेंट यहां से कब चली जाए, पता नहीं। इसलिए समय रहते हमारे भाई राम रतन राम, जो कि भा०ज०पा० के हैं, इस चर्चा को जो यहां पर लाए हैं, उसकी लीड ली है, उसका समर्थन करते हुए, उन्होंने गंगा बहायी है और आप इस बहती गंगा में हाथ धो लें। अब समय आ गया है कि आप निश्चित रूप से बताएं। इस सदन में जवाब में बताया गया है कि हम उचित कार्यवाही कर रहे हैं लेकिन अभी तक ढाई साल का समय बीत गया, सरकार ने इस ओर झुटा वायदा किया है, और कुछ भी नहीं किया है। तो मेरा निवेदन है, जैसा मैंने पहले कहा कि आप इस बहती गंगा में हाथ धो लें और शीघ्र ही यह घोषित करें, आज ही आप घोषित करके जाएं कि संविधान में संशोधन करके रिवीजन ऑन प्रमोशन को आप संविधान की नवीं अनुसूची में कब ला रहे हैं? मैं

समझता हूँ कि थुंगाबालू जी इस बात को ध्यान में रखेंगे और शासन के ध्यान में लाएंगे। हम सभी पार्टियों के लोग इस बारे में एकमत हैं। धन्यवाद महोदय, आपने जो मुझे बोलने का समय दिया।

SHRI M. P. ABDUSSAMAD SAMADANI (Kerala): Sir, when we think of the issue of reservation, we are actually compelled to argue in favour of it because of the historical background and the social condition that exists in our country. Both these factors support the significance of reservation. Sir, it is stated in the *Bhagavad Gita*:

न जाति पूज्यते राजा:

गुणः कल्याण कारणम्।

It means to say that *jaathi* is not the criterion for *kalyan* but actually *guna* is the criterion for *kalyan*. But what is happening in our country is that on many occasions *jaathi* becomes the criterion for discrimination and for social injustice, in order to make the hewers of wood and drawers of water the real people governing the country, we must try to go ahead with the reservation. Reservation has become essential because our country is a multi-lingual, multi-racial and a multi-religious one.

In such a country, national integration will be possible only through reservation for weaker sections. In article 16 of our Constitution, which is related to the Fundamental Rights, provision for job reservation is provided. Clause (4) of article 16 says that if the Backward Classes among the citizens are not adequately represented in the Government services, there must be reservation. That is the concept of the Constitution of India. Then, why cannot there be reservation in appointment and promotion both? There must be reservation as a safeguard for the weaker sections of our society and the backward sections of our society. Almost all the States have accepted the need for reservation in principle and almost all the political parties have agreed to this. In Kerala, reservation is in vogue. As one of the representatives of Kerala I am proud

to say that the reservation is implemented in the State with the utmost sincerity and the result is that the social reformation is there as a reality in the State of Kerala. In States like Uttar Pradesh, Bihar, Karnataka and Tamil Nadu, there is reservation for the backward communities. Reservation is not unique to our country. The whole world is agreed on the point that reservation must be there as a safeguard for the minorities and the weaker sections. The Scheduled Castes and the Scheduled Tribes of our country do deserve it. As a matter of fact, they need a special treatment because of their backwardness. Backwardness is not a curse. It has historical background. Some sections of our society are backward and their condition is pathetic even now. Their representation in Government Services is very less. Even the Government statistics show that the representation of the weaker sections, the educationally backward sections of our society is very less. During the debates of the Constituent Assembly, great national leaders had the idea of reservation. I am now reminded of the great efforts of the leaders like Qaid-e-Millat Muhammad Ismail Sahib who argued in the Constituent Assembly in favour of provision of reservation. Great architects of our Constitution like Dr. B.R. Ambedkar made provisions for this in the Draft Constitution itself. Now what is essential is not declarations. We have had enough declarations. What we now expect from the Government is some strong and concrete action regarding the implementation of reservation. That is the urgent need. But, unfortunately, there are only declarations and the implementation is very tardy. Especially on the eve of elections, our leaders make several declarations with an eye on the vote-banks of the backward classes. But when the implementation part comes, they go backward. In the past, there was a 15-Point Plan for the improvement of the condition of the educationally backward sections of our society. But

[Shri M.P. Abdussamed]

afterwards it was found that in some states none of the points in that 15-Point Plan was implemented. That is the unfortunate state of affairs existing in our country. We request the hon. Minister, K. V. Thangka Balu, who is in the House now, to take speedy action, concrete steps to implement the reservation in both letter and spirit. Once a generation of people belonging to the backward classes including the minorities, the Scheduled Castes and the Scheduled Tribes come to be regarded on par with the other sections of the society, the Government can withdraw the reservation. But till then, we have to continue with reservation. We have to move forward with reservation.

The other point I would like to make is about the Mandal Commission report. Every one has spoken about the need for effecting certain modifications in the Mandal Commission report. What I say is that we must do something very urgently and effect the modifications so as to make the benefit of the Mandal Commission report a reality. I feel there is a need to bring necessary amendments in the Mandal Commission report. There are certain discriminatory clauses in the Mandal Commission report in relation to certain clauses of weaker sections of our society. For example, the differentiation between the Mappilas and the non-Mappilas in the case of the Muslims of Kerala, by bringing necessary modifications as early as possible.

Sir, reservation is not a charity. It is a right. It is a birthright of all the backward citizens. Even now there are some in our country who think that reservation is a charity from one section to the other section.

No, Sir. It is the birthright of the citizens who belong to the backward sections and the educationally and socially backward communities of our society. So to bring them into the arena of justice, into the arena of social progress, we must continue the reservations. We must continue the

reservations to make humanism a reality in our politics. The reservation must continue to enliven the humanitarian values.

SHRI HIPHEI (Mizoram): Thank you very much, Sir, for calling me again. As I had an appointment with the Home Minister, I could not present myself here at that point of time. I am sorry for that. Now, I will be very brief. ...*(Interruptions)*... Mr. Vice-Chairman, Sir, India is a very great country. It is a unique country and for me India is a world in itself. It has the highest peak in the world, it has the hottest, the coldest and the driest places in the world. Likewise, it has one of the richest families of the world, it has the poorest sections of the world today. So, keeping in view all these facts, when the Constitution was framed, the founding fathers of the Constitution, on agreement, had made special provisions to give reservations to the Scheduled Castes and the Scheduled Tribes and the Other Backward Classes. Today, this has been implemented, to some extent. Since I am one of the Members of the Scheduled Castes and the Scheduled Tribes Committee, I have been hearing many officials and when I ask them why this provision is not being fulfilled, they make one excuse after another. Sir, our Constitution is the biggest and the longest Constitution of the world. There can be many excuses if an authority wants to escape from a particular provision of the Constitution. There are many loopholes in it. So, my only request to the Government and to the officials or to the authorities is that it should be implemented in letter and spirit with love, affection and sympathy. Two of my hon. friends have just now said that this is not a charity, this provision is not out of sympathy and love. Even if it is not out of love, affection and sympathy, it has to be implemented with love, affection and sympathy towards the poorer sections of our society. They have to be uplifted along with other higher classes of people. In order to achieve that

goal, the very spirit of the Constitution-framers should be inculcated in the minds of the officials who are responsible for carrying out these policies. As Government or one of the political parties, we can only frame the policy. The officials are much more responsible for carrying out these policies. So, I would like to urge upon the hon. Minister that the very spirit of the founding fathers of the Constitution of India should be properly inculcated in the minds of the officials who are responsible for implementing these policies. The other day, Sir, we heard some of the officials from the Finance Ministry. When we asked them why this post was not filled up, they said that it was reserved for the Scheduled Tribes and they could not get a reserved candidate. If they could not get a reserved candidate, then how was the recruitment done? I asked them. Now, Mizoram, my State, is full of the Scheduled Tribes. When I asked them, did they go to Mizoram for recruitment, they said, "No". Sir, if that is the case, then we are not going to achieve our goal even within the next coming 500 years.

Sir, that is in appointment and in promotion. Not only this, but also in transfers and posting. How many IAS officers belonging to SCs/STs are in different Ministries of the Indian Government today? Out of many efficient officers, only few of them. I think it will be less than 10. So, the Government should also consider the aspect that those also represent the poorer sections of the society in different Ministries of the Union Government. Now, let us come to the main point and that is reservation in promotions. We may have the Constitutional provision for promotions. But, has it been practically implemented? That is the question. I doubt. I very much doubt. It is not practically implemented. Why? They have their own recruitment rules. The authorities have nothing to say, but only excuses to make. So, we have to arrange some kind of seminars or meetings so

that we can somehow inculcate the very spirit of the Constitutional framework so that the poorer sections of people are paid special attention, special consideration and we have to take care of them accordingly according to the Constitution. Whatever lapses are there in the Constitution today can also be amended. Today I am very happy that all the Members, the whole House agrees to this. I would like the hon. Minister for Social Welfare that he should bring the amendment bill within this Session itself so that it is amended for the promotion of SCs/STs. Thank you, Sir.

AN HON. MEMBER: Give the assurance, Mr. Minister.

THE MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI K.V. THANGKA BALU): Mr. Vice-Chairman, Sir, I am extremely happy and thankful to the hon. Members, Shri Ram Ratanji and other hon. Members of this august House because they have raised a very important issue in relation to the SC/ST communities. Sir, the Supreme Court, in its judgment dated 16.11.1992 in the case of Indira Sawhney and others *versus* the Union of India and others, directed that its decision is in relation to the non-applicability of reservation in the matter of promotions applied only prospectively and that it shall not affect the promotions already made. Whether on temporary or officiating or regular or permanent basis. Sir, it has been further directed that wherever reservations are already provided in the matter of promotion, be it in the Central Services or the State Services or for that matter Services under any Corporation, Authority or body falling under the definition of State in Article 12, such reservations may continue in operation for a period of five years from the date of judgement. Sir, with this period, it has been clarified in the same judgment, it would be open to the appropriate authority to revise, modify or reissue the relevant rules to ensure the achievement of objectives of Article 16(4). It has also

[Shri K.V. Thangka Balu]

been observed that if any authority thinks that for ensuring adequate representation of backward classes of citizens in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to do so. Sir, in this august House as well as in the other House my senior colleague, Shri Sitaram Kesari and myself assured in December 1992 that there would be no immediate disturbance to the present dispensation regarding reservation in promotion for SC/STs. Sir, we again made a statement on 19th August, 1993 reiterating that the necessary steps including the amendments, if necessary, would be taken by the Government of India to protect the interests of the SC/STs. Meanwhile, to protect the interests of the SC/STs, instructions have already been issued by the Department of Personnel and Training on the 19th August, 1993 to continue the *status quo* in this regard for a period of five years from the date of judgment. We know, Sir, a number of hon. Members approached us from this House and the other House, senior leaders of all the parties, and told us about some inadequacies, some irregularities that have taken place in some of the departments. We have immediately advised those departments to rectify those mistakes and correct them. The State Government have also been advised in this regard. Sir, that shows our commitment in this direction. However, SC/ST communities are feeling concerned that they would be deprived of reservation in promotion after a period of five years. Sir, I would like to share the concern of the hon. Members who have participated in this House as well as in the other House, but, Sir, I must assure the hon. Members through you that there is no cause for worry. Our Government is fully committed to protect the interests of all weaker sections including the SC/STs and the OBCs too. In this particular case, a view has to be taken in consultation with all the political parties as to whether the Constitution may be amended to protect the interests of the weaker

sections of the society. I am happy to inform the august House that we have met a number of leaders of the Opposition and all political parties in this country. But, Sir, it is a continuing process. But, Sir, I would like to inform that it is very encouraging.

I must compliment them on their endeavour and their thinking towards the SC-ST population and also the OBCs. Apart from the question of reservation in promotion, there are other issues also relating to reservation which may require amendments of the Constitution. These include the provision for reservation under article 16(4) in excess of 50 per cent. Actually, hon. Members talked about the backlog. It is not only in Tamil Nadu, but also it is all over India. The backlog will be fulfilled only when we across the 50 per cent ceiling. That is why we are not able to implement the backlog at the moment. The point under discussion among the leaders of the Opposition, leaders of all the parties, is exemption of certain posts from the purview of reservation and reservation in education institutions for the OBCs. The process of consultation with the parties is on to evolve a course of action to be adopted in this regard and to solve the issues in total. Sir, in 14th January, 1995, we had called a meeting of all the party leaders to discuss and sort out these issues and bring about a full settlement on this issue, but due to the announcement of elections, a view was taken by all the leaders of the political parties that apart from the issue of giving age relaxation and more attempts to the OBCs, all other issues should be kept pending. Sir, I am happy to inform this august House that after the Bihar elections are over our endeavour is to call immediately without any loss of time, an all-party meeting by our Government to sort out the issues, as I mentioned earlier. The all-party meeting would take due consideration of the issues, as I mentioned earlier. Apart from that, my hon. friend, Mr. Narayanasamy, was telling while speaking that we never

supported the SC-ST community. He was also telling, "We do not help"...

SHRI V. NARAYANASAMY: I didn't say so.

SHRI K.V. THANGKA BALU: Yes, you said and Mr. Madhavan also said that the Congress Party had been helping, but now we are not helping and that the Central Government is not helping the SC-STs. Sir, I must say here that we have been continuously helping the SC and ST communities, the weaker sections of the society in the country. This is our endeavour and our programme. Without the SC/STs and the OBCs we never go beyond any programme. I think the main thrust of our policies and programmes is to see that their problems are addressed. I must inform the august House and quote a few instances of what we have been doing for the betterment of this community. Since the Sixth Plan, an amount of Rs. 27,127 crores has been provided for SCP. In the Eighth Plan alone, this amount has risen to Rs. 36,799 crores. Similarly, up to 1993-94, (*Interruptions*) Just wait. If you want any clarifications, you can ask after this.

AN HONOURABLE MEMBER: I do not want any clarification.

SHRI K.V. THANGKA BALU: I tell you, this is also a part of the economic reform for the SCs and STs. It is a matter to be considered by the Members of this august House. Up to 1993-94, an amount of Rs. 21,952 crores has been earmarked for TSP. Till now, we have granted to State Governments and Union Territories Rs. 2,600 crores as Special Central Assistance for the SCP and Rs. 2,629 crores as Special Central Assistance to TSP.

Through the S.C. Development Corporations, we have assisted 78.72 lakh SC and ST families in the country. Through the NSFDC which started functioning from February 1989, we have sanctioned around Rs. 500 crores benefiting more than 1.77 lakh SC/STs.

Mr. Vice-Chairman, I would like to mention one or two more points.

Under the IRDP, between 1985-86 and 1993-94, out of 281.76 lakh families assisted, 74.37 lakhs were SC families; 39.14 lakhs were ST families. Similarly, under the Indira Awas Yojana, between 1985-86 and 1993-94, an amount of Rs. 1,957.67 crores have been spent to construct 16,45,952 houses which have been handed over mostly to SC/STs. Under the 'Million Wells Scheme' which was started exclusively for the SCs., between 1988-89 and 1993-94, 6,97,819 well sat a cost of Rs. 2,189.17 crores have been constructed. From the Sixth Five-Year Plan period.... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Miri, let him complete.

SHRI GOVINDRAM MIRI: Just one point, Sir. (*Interruptions*) What he is saying has no relevance to the discussion on hand. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): He is talking about the welfare programmes for the SC/STs. (*Interruptions*)

SHRI V. NARAYANASAMY: I would request hon. Members. Kindly allow him to complete his speech.

SHRI K.V. THANGKA BALU: I am mentioning what we are doing for the SC/STs. You said that we were not doing anything for the SC/STs. I am only mentioning these things because you said many times that we were not helping the SC/STs.

SHRI V. NARAYANASAMY: When we have asked the question, you are entitled to reply.

SHRI K.V. THANGKA BALU: Sir, from the Sixth Five-Year Plan up to 1993-94, due to all measures taken for the welfare of the SC/STs., 3.11 crore SC families and 1.40 crore ST families have been provided assistance for their socio-economic development so that they can cross the poverty line.

[Shri K.V. Thangka Balu]

I am mentioning about these various programmes only to show that we are committed to the betterment of the SC/STs., who are our brothers and sisters. We do not want them to feel as if they are separate in the society, or, people who are insecure. They are a part and parcel of the society. Some Members made a reference that we were not for the SC/STs. That is why I mentioned this thing.

Then, Sir, in regard to recruitment, which the hon. Members referred to, I would like to point out that we had conducted four special recruitment drives in the past. In the first recruitment drive conducted in 1989, the backlog of reservations was 58,554; the number of appointments offered was 50,475.

SHRI S. VIDUTHALAI VIRUMBI: What is meant by "offered"?

SHRI K.V. THANKGA BALU: Just a minute. (Interruptions) I will come to that.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): He is mentioning about the four special recruitment drives which were conducted.

SHRI K.V. THANKGA BALU: In the second recruitment drive which was conducted in 1990-91, the backlog or reservations was 46,559; the number of appointments offered was 29,415. In the third recruitment drive conducted in 1991-92, the backlog of reservations was 35,236; the number of appointments offered was 18,231. In the fourth recruitment drive which was conducted in 1993-94, the backlog of reservations was 30,259; the number of appointments offered was 12,346.

Sir, in a given year, we have this assessment. We offer the appointments. Once the appointments are made, at the end of the year, i.e. on 31st March we compute the number of appointments made. After that we again compute the backlog figure.

SHRI S. VIDUTHALAI VIRUMBI:

Mr. Minister, would you yield for a minute?

SHRI K.V. THANKGA BALU: Please listen to me. (Interruptions) Why are you in a hurry?

Sir, as I mentioned, in the fourth recruitment drive of 1993-94, the backlog of reservations was 30,259; the number of appointments offered was 12,346. We could offer only 12,346 appointments.

In the meantime, the Supreme Court judgment came and we were not able to implement the carry forward reservations. That is why we were not able to go further. Therefore, my hon. friend must understand this difficulty. Now, during the last one year we have been pursuing it and discussing it with the political leaders, and we were about to bring about a final solution in our meeting of January 14 with the leaders of all the parties. Our Government, under Shri Narasimha Raoji, has been pursuing and insisting on following a policy of consensus, and we want to take all political parties and all leaders in Parliament into confidence, give importance to them and take advantage of their presence in our decision-making. This particular issue is not a one-party issue nor does one political party want to take advantage of it. We want to take every one of the leaders into confidence, take them along with us and see that a fruitful and effective finalization is done so that the results would be forthcoming.

SHRI S. MADHAVAN: By bringing a Constitutional amendment?

SHRI K.V. THANKGA BALU: I said, I am coming to it. Please wait. I have mentioned, including amendment of the Constitution also, there are certain issues which have to be discussed in the forthcoming all-party meeting. I reiterate that the issue relating to whether the Constitution should be amended to protect the reservation in promotions to SC/STs and also to provide for reservation in promotions for the OBCs is the No. 1 issue on our agenda. That is

what we are discussing today. The other issue is whether Article 16(4) has to be amended to provide for reservation in Government services in excess of 50 per cent, wherever there are reasons for doing so, so as to ensure adequate representation to the OBCs in services under-staffed. This is a very important factor. Due to the ceiling by the Supreme Court judgment, many State Governments were not able to implement this policy even for SC/STs and OBCs also. That is why they are bringing forth this issue. On the other issue, the advice of the Supreme Court regarding exclusion of certain services/posts from the purview of reservation may be complied with or status quo may continue with reference to SC/STs, and in the case of OBCs, the illustrative list of services/posts to be excluded from the purview of reservation may also be followed.

The fourth issue was whether OBC students may be provided with 27 per cent reservation in Central Government educational institutions, which Mr. Madhavan was referring to. Actually there is no bar from the Supreme Court side on this issue. But we have taken the overall situation into consideration and a decision in consultation with all the party leaders.

The other issue pending is whether the OBCs may be provided with examination fee concessions, travel fare, etc., as enjoyed by the SC/STs and things like that. So, very important issues are involved and these issues will be addressed and discussed with all the party leaders, as I said, very soon. After the elections are over, immediately we will call a meeting of all the party leaders, leaders who are also in Parliament, and we will see that a solution is found. If necessary, we will not hesitate to amend the Constitution of India to see that our brothers and sisters belonging to SC/STs and OBCs are protected.

SOME HON. MEMBERS: In this session!

SHRI K. V. THANGKA BALU: Sir,

with these words I would like to once again thank all the hon. Members and say that we are one with them and we will all work together to see that the weaker sections of our country get due advantage and every right in the Constitution under our Government. Thank you, Sir.

SHRI S. VIDUTHALAI VIRUMBI: Because he has practically agreed to bring some amendment to the Constitution, I must thank him, and I hope, through that amendment, the States will have the power to have more than 50 per cent reservation. The information which I was asking from the very beginning was this: He has read out the list also. When he says "appointments offered", for the current financial year we may not be able to know now. But, for 1989-90, 1990-91 and 1991-92, they can very clearly find out how many appointment were made. They said, "Appointments offered, for example, in 1989-90, 50,475." I want to know how many appointments have really been made out of 50,475 offers made to them.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Narayanasamy.

SHRI S. VIDUTHALAI VIRUMBI: One minute, Sir. He is going to respond to it.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): No. Let all the Members speak.

Mr. Narayanaswamy: Please be brief.

SHRI V. NARAYANASAMY: Sir the hon. Minister has given the assurance. I am very happy about it. But the Minister has to give a time-frame because we know how the assurance given by the Ministers is being implemented. Everybody knows about it.

This Government's concern for the Scheduled Castes, the Scheduled Tribes and the Backward Class has been made very clear.

[Shri V. Narayanasamy]

Sir, there is one point on which I want to seek a clarification from the hon. Minister. this is about promotion in the case of Judges also. This is a very crucial point. In all Government services, including the judiciary, the Backward Classes, the Scheduled Castes and the Scheduled Tribes should be given their due places. Otherwise, we cannot get justice for the people who are downtrodden, backward and are living below the poverty-line. Therefore, I want to know whether the Minister will consider the question of reservation in the case of the judiciary, even to the highest body, which is a vital area, so that the interests of the Scheduled Castes and the Scheduled Tribes can be protected by the Judges promoted on the basis of reservation.

SHRI GOVINDRAM MIRI: Sir, we have requested the Minister to give a time-bound programme but, I am sorry to say that there is no time-bound programme given by the Government. They have always been making issues.

Sir, they are meeting every now and then in different occasions. In these meetings they are cheating the people of the down-trodden classes at large, so far as our experience goes. I would like to request the Government not to make any excuse. We don't want any excuse, but, we want the work to be done. I want a specific answer. By when will it be done by the Government?

SHRI SHRI SANATAN BISI: Sir, I want to know from the Minister—no appointment has been made as per the prescribed reservation—by which date all the things will be cleared.

SHRI H. HANUMANTHAPPA: I want to make a request to the hon. Minister. There is a lacuna. At the Central Government level there is a monitoring committee with the Prime Minister as the Chairman. Similarly, at the State level, there is a committee with the Chief Minister as the Chairman to monitor the welfare and the reservation

policy for the Scheduled Castes and the Scheduled Tribes. These are the monitoring committees. Will the Minister activate this process? Will he call a meeting of the Central Cabinet under the chairmanship of the Prime Minister? There is an arrangement at the Central level, and there is an arrangement at the State level. If this is taken up by the Chief Ministers and the Prime Minister heading these committees, the progress will be well monitored.

Secondly, the Welfare Minister has announced the achievements about the Million Wells Scheme. There is an anomaly in my State. I want to bring to his notice that this Million Wells Scheme has been planned for open wells only. There is a 100 per cent grant spent for the Scheduled Castes and the Scheduled Tribes. The Department will dig wells and give them the benefit. But, unfortunately, what has happened in our area is that even if you dig up to 150 ft. or 200 ft., you don't get water. So, this open well scheme should be converted. With a lesser cost a bore well can be dug. With the same money, what they are spending for the open well, even a pump can be installed. But, there is a bar. The Million Wells Scheme is for open wells only. A lot of money is being wasted. They start digging wells. No water comes. They will dig a pit and leave it.

So, the State Government of my State has sent a proposal to the Social Welfare Department. Kindly modify this Scheme in the case of such States.

In UP, where the Ganga and the Jamuna are flowing, you have got plenty of water and sub-soil water is very near, but in our places it is deeper. So, instead of open wells under the Million Wells scheme, it should be permitted for bore wells and installing pumps also. They are also costing the same amount. So, I request the hon. Minister to exceed to these points and send modifications.

SHRI S. MADHAVAN. The hon. Minister has mentioned about reservation

in education June is coming. We are frightened about the conditions we faced last June. I would like to know whether the Minister will assure us that before June, he will help the State Government of Tamil Nadu.

SHRI GURUDAS DAS GUPTA (West Bengal): I welcome very much the honest and laudable move of the hon. Minister of State for amending the Constitution to protect the rights of the weaker sections. My first question is whether he would recommend that in the case of bank loans, there will also be a priority for these sections of the community. I am saying this because these weaker section people do not enjoy the political clout and connections. Therefore, I would like to know whether he would ensure that while granting loans, some priority for this section will be given.

Secondly, while amending the Constitution, I would like to know whether the Minister would recommend that in the formation of the cabinet and Government, there would also be priority for induction of Ministers from this section of the community, whose representation in the political power has always remained very insignificant.

SHRI RAM RATAN RAM: I must thank the hon. Minister, Mr. Thangka Balu, for his candid expressions and support to my proposition. One thing that remains to be answered is regarding the recruitment of Safai Karamcharis. Sweepers of Safai Karamcharis are kept outside the purview of reservations. During our tour to different units I found that a lot of non-Scheduled Caste people are also recruited to the post of Sweepers and Safai Karamcharis. Has your Department issued any orders prohibiting the general caste people from the recruitment to the post of Safai Karamcharis. In refineries and other units the wages of the employees of these posts are handsome. They are to the tune of Rs. 2,500 or Rs.3,000 per month. General candidates are being recruited to

these posts and within five years they are promoted to the Clerical Grade posts, but the Safai Karamcharis of SC communities are not promoted. So, will the hon. Minister look into the matter and issue necessary directives to the units or undertakings to ensure that for the posts of Safai Karamcharis only Safai Karamcharies are recruited.

SHRI K.V. THANGKA BALU: Sir, I again thank hon. Members who have raised questions for seeking further information. I think I have covered almost all the points raised by the hon. Members, but with regard to Ram Ratan Ram Ji's question about Safai Karamcharis' appointments, I will certainly look into it and come to a decision. I would certainly inform him about.

Regarding grant of loans, I would say that we have already got a number of organisations like the State-level SC-ST Corporations, the national level Finance and Development Corporation for Scheduled Castes and Scheduled Tribes and Backward Class Corporations. These corporations are meant only for giving loans to the SC-ST and backward communities.

All our programmes go to them only and no other people will be getting benefits through these corporations. As per the target, we are giving loans to them and they are benefiting them apart from our regular programmes through our Ministries, through our State Governments and through our SCP and TSP Schemes

Mr. Hanumanthappa was talking about a monitoring committee at the levels of the Prime Minister and the Chief Ministers. In fact, it is with the personal interest, personal direction and the effective support of the hon. Prime Minister only we are able to do all these things. He is personally interested in this regard. In fact, I must say in this august House, our hon. Prime Minister has had a number of meetings to see that these

issues are sorted out. He has personally taken a lot of interest and a lot of pains to see that these issues are addressed properly. And, under his leadership, we will do all our best to see that the SC and the ST communities and the OBCs get their due share and right of benefits through our programmes.

Thank you very much.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Now, I adjourn the House till 11 a.m. tomorrow.

The House then adjourned at fifty-six minutes past six of the clock till eleven of the clock on Tuesday, the 28th March, 1995.
