I hope we will not come back to the House Sor another extension. I am sure if we all of us here, work unitedly we can normalise... *(Interruptions)* . . .Kashmir . . . *(.Interruptions)* ...

SHRI SATYA PRAKASH MALAVIYA; This is not a clear insurance. *(Interruptions)*...

SHRI SHANKAR DAYAL SINGH: Sir, I have been watching that the Congress benches are quite panicky. *(Interruptions)*. ..I have been watching that. Therefore, I request Mala-viyaji, our friend, not to press for voting. Mr. Jacob is a Member of this House and he is our brother; he must have already sent out invitations to the Congress Members for a dinner party and I would not like to disappoint him. I would request Mala-viyaji to withdraw his amendment *(Interruptions)*

SHRI SATYA PRAKASH MALAVIYA: Sir, considering the assurance given by Mr. Jacob and the suggestion given by my good friend, Shri Shankar Dayal Singh, I am not pressing my amendment... *(Interruptions)* ...

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR) * Is it the pleasure of the House that Mr. Malaviya be allowtd to withdraw his amendment?

SOME HON. MEMBERS: Yes.

'The amendment was, by leave, withdrawn.

T&M -VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR : I shall now put the Statutory Resolution to vote.

The question is:

"That this House approvves the continuance in force pf the Proclamation issued by the President on the 18th July, 1990, under article 856 of the Constitution in relation to the State of Jammu and Kashmir, for a further period of six months with effect from the 3rd September, 1991."

The motion was adopted.

*For text of amendment *see* Debate dated 26th August, 1981.

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (SECOND AMENDMENT) BILL, 1091.

THE DEPUTY MINISTER IN THE MINISTRY OF WELFARE (SHRI-MATI K. KAMLA KUMARI): Sir, I beg to move:

"That the Bill to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Karnataka, as passed by the Lok Sabha, be taken into consideration."

Sir, with your permission, I would like to say a few words... *(Interruptions)* . .

The tribal communities of Naik, Nayak, Beda, Bedar and Valmiki were not included in the ligt of Scheduled Tribes of Karnataka and so, these communities were not getting the benefits provided for the Scheduled Tribes under the various articles of the Constitution. The State Government of Karnataka had recommended the inclusion of these five tribes in the list of Scheduled Tribes in 1994. Later on, it was examined by the Government of India and a BUI was drafted to include these five tribes in the list of Scheduled Tribes in relation to the State of Karnataka. As Parliament was not in session, an Ordinance was isssued on the 19th April, 1991, to include these five tribes in the Schedule and a Bill was introduced on 14-8-1991 to replace the said Ordinance which has been passed by the other House on 19-8-1991 ... (Interruptions)...

[Shrimati Kamala Kumari]

Just now I am moving the said Bill for the consideration of the House... *(Interruptions)* ...

The question was proposed.

THE VICE-CHAIRMAN (SHRI BHASKAR. ANNAJI MASODKAR): Now, Mr. Jogi. Not here. Then, Mr. Lotha. Not here. Now, Mr Dhu-leshwar *Meena... (Interruptions)...*

SHRI SHANKAR DAYAL SINGH (Bihar): Sir, according to the List of Business, the Minister of Welfare, Mr. Sitaram Kesri is to move the Bill. Since he is not there, the Deputy Minister of Welfare has moved the Bill— *(Interruptions).* No, no I am not objecting her moving the Bill. I only want to know from the Chair that she hag already done her duty and she has already moved the Bill and given her explanation also, but we could not follow anything. What is your observation? *(Interruptions)*

AN HON. MEMBER: We could follow her speech.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): The Minister had already sent a letter that he is not well. Therefore, the other Minister has moved it. (Interruptions)

SHRI SHANKAR DAYAL SINGH: If you could follow, it is okay. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): And the House should know that she has moved the Bill. She has mads her comments also. And I have also (announced that the Bill has been moved and that the debate is open. I have identified Shri Dhulesbwar Meena to speak.

श्री धूलेश्वर मीणा (राजस्थान) : महोदय, मैं आपका आभारी हूं कि आपने मुझे मंत्री जी द्वारा पेश किये गये बल पर बोलने का मौका दिया ।

[उपसभाध्यक्ष (डा० नगेन सैकिया) पीठासीन हुये]

कर्नाटक की कुछ जातियों जैसे नाईक, नायक, बेडा, बेडर और बाल्मीकि को शिड्यूल्ड ट्राइब लिस्ट में सम्मिलित करने के लिए यह कांस्टीट्यूशन (शिड्यूल्ड ट्राइब्स) आर्डर (सेकेंड अमेंडमेंट) बिल, 1991 लाया गया है । श्रीमन्, आजादी के बाद से अलग-अलग स्टेट्स और जगहों से कई एक जातियों को शिड्यूल्ड ट्राइब या शिड्यूल्ड कास्ट की लिस्ट में रखा गया है परंतु फिर भी इस लिस्ट में पूर्ण रूप से जितनी जातियां जोड़ी जानी चाहिएं थीं वे नहीं जोड़ी गयी । इसलिए समय-समय पर इस लिस्ट में परिवर्तन किया गया । सबसे पहले देवर कमीशन बैठा, उसके बाद अशोक मेहता कमेटी भी बनी । उसके बाद समय-समय पर कई कमेटियां बनीं और इस प्रकार की लिस्ट में नयी-नयी जातियों को जोड़ने का प्रावधान रखा गया तथा कई एक जातियों को जोड़ा गया । गत सरकार में जब लेट इंदिरा गांधी के समय में इस लिस्ट में परिवर्तन के लिए एक कमेटी बनी तो कई एक सदस्यों ने कई एक मीटिंगों में भाग लिया और काफी लम्बी चौड़ी बहस हुई । लेकिन अंत में कई एक जातियों को इसमें नहीं जोड़ा गया । परंतु फिर भी ज्यों-ज्यों आवश्यकता होती गयी त्यों-त्यों इस लिस्ट में अलग-अलग स्टेट्स की कुछ जातियों को जोड़ा गया । इसी प्रकार से अब कर्नाटक की कुछ 4-5 जातियों को जोड़ने के लिए सरकार जो अलग से एक बिल लाई है मैं समझता हूं कि इसे सारा हाउस स्वीकार करेगा क्योंकि आजादी के बाद से कुछ जातियां ऐसी छूट गयी थीं जिनका आरक्षण नहीं किये जाने के कारण उनका उत्थान ठीक तरह से नहीं हो सका और न कोई उन्हें शैक्षणिक रूप से फायदा हुआ न आर्थिक दृष्टि से कोई हो रहा है । इसी प्रकार से कई एक दिक्कतें आने से इन लोगों के उत्थान में काफी दिक्कतें हो रही हैं । श्रीमन्, हालांकि अध्यादेश लाकर इसे स्वीकार तो कर लिया गया है सिर्फ हमें छाप लगानी है, मोहर लगानी है, इसको मंजूर करना है लेकिन मैं आपका ध्यान इस ओर ले जाना चाहता हूं कि कुछ जातियां

अभी भी और इसी कर्नाटक में भी अभी बहुत सारी जातियां छूटी हुई हैं । मैं आपका ध्यान इस ओर भी ले जाना चाहता हूं जैसे कि अभी इसमें नाईक, नायक, बेडा और वाल्मीकि आदि जोड़ने की जो बात रखी गयी है वह तो ठीक है लेकिन यह सिर्फ कर्नाटक स्टेट के लिए है । मेरी ऐसी मान्यता है कि इस बिल में शायद और भी कमियां रह गयी हैं ।

क्योंकि नाई और नायक, इसके सिनानिम शब्द और भी हैं, जो दूसरी स्टेट्स में भी पाये जाते हैं ।

उदाहरण के तौर पर महाराष्ट्र में शायद बंजारा है, उसको नायक कहते हैं, गुजरात में इसे राका कहते हैं, राजस्थान में इसको बंजारा कहते हैं ।

तो इस प्रकार से यह सारी जाति फैली हुई है । तो इस बिल में यही कहा गया है कि कर्नाटक में ही बसने वाले लोगों को रिजर्वेशन दिया जाएगा ।

तो मैं जानना चाहूंगा कि इस प्रकार की दूसरी स्टेट्स में जो जातियां इसी नाम से पुकारी जाती हैं, यानि सिनानिम हैं, उनका क्या होगा, क्योंकि यह दिक्कत एक स्टेट में ही नहीं, राजस्थान में, उत्तर प्रदेश और बहुत सारी स्टेट्स में इस प्रकार की समस्या है ।

मैं आपसे यही निवेदन करना चाहता हूं कि इस प्रकार की जो थोड़ी-बहुत, गलती रह गई है, उसकी भी थोड़ी-बहुत आप इसके ऊपर मान्यता प्रदान करें ।

अंत में एक छोटा सा अमेंडमेंट है, मैं इतना ही निवेदन करना चाहूंगा कि खास करके इस बिल की तरफ थोड़ा ध्यान दें, क्योंकि आने वाले समय में कई और प्रकार के विशिष्ट अमेंडमेंट लाने पड़ेंगे । धन्यवाद ।

ANNOUNCEMENT RE ARREST OF SHRI RAM AWADHESH SINGH, MEMBER, RAJYA SABHA.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): I have to inform Members that the following communication dated the 23rd August, 1991 has been received from the Superintendent of Railway Police, Patna:

"Shri Ram Awadhesh Singh, Member of Rajya Sabha, was arrested on 18th August, at 10.30 hours near Patna railway station while squatting on rail track and causing disruption to railway traffic. He was arrested *vide* Patna GRP Case No. 251 dated 18-8-91 under section 143 IP and 174 Railway Act. As he declined to be released on bail, he was forwarded to judicial custody."

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (SECOND AMENDMENT) BILL 1991—Contd..

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): Shri Maheswarappa.

SHRI K. G. MAHESWARAPPA (Karnataka): Mr. Vice-Chairman, Sir, I rise to support this Bill.

At the outset, I thank the Minister, Mr. Sitaram Kesri, for having brought this Bill to validate the Ordinance which was in force till 4th of April, 1991.

Sir, we firmly believe in providing special opportunities to the weaker sections, otherwise the inequalities will be perpetuated. Even the Constitution, under articles 16(4) read with article 335 provides special provisions for reservation to the backward classes. And that includes the Scheduled Castes and Scheduled Tribes also.

Now, coming to this particular Bill, I want.to submit, Sir, that there ap-