

[Shri Sitaram Kesri]

4. Discussion on the Resolution seeking disapproval of the Aircraft (Amendment) Ordinance, 1985 and Consideration and passing of the Aircraft (Amendment) Bill, 1985, as passed by Lok Sabha.

5. Consideration and passing of the following Bills as passed by Lok Sabha :

(a) The Sick Industrial Companies (Special Provisions) Bill, 1985-

(b) The Inland Waterways Authority of India Bill, 1985'

(c) The Supreme Court (Number of Judges) Amendment Bill, 1985;

6. Discussion on the international situation on Tuesday, the 10th December, 1985.

#### THE UNIVERSITY GRANTS COMMISSION (AMENDMENT) BILL, 1985

THE MINISTER OF STATE IN THE DEPARTMENTS OF EDUCATION AND CULTURE (SHRIMATI SUSHILA ROHATGI) :

Madam, I beg to move for leave to introduce a Bill further to amend the University Grants Commission Act, 1956.

*The question was put and the motion was adopted.*

SHRIMATI SUSHILA ROHATGI :  
Madam, I introduce the Bill.

#### GOVERNMENT MOTION FOR CONSIDERATION OF THE REPORTS OF THE COMMISSIONER AND COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

THE DEPUTY CHAIRMAN:  
We will take up further discussion on the Government Motion. Dr.

Rajendra Kumari Bajpai to reply to the debate.

THE MINISTER OF STATE OF THE MINISTRY OF WELFARE (SHRIMATI RAJENDRA KUMARI BAJPAI): Madam Deputy Chairman, I am grateful to all the hon. Members who have participated and taken keen interest in the discussion. The total time taken in this discussion so far was 7 hours and 45 minutes. The number of Members who participated was 34. This shows

THE DEPUTY CHAIRMAN: Eight hours and ten minutes, to be exact.

SHRIMATI RAJENDRA KUMARI BAJPAI: This is the figure given to me. I stand corrected. ' This shows the keen interest of hon. Members who have taken. There has been criticism. At the same time hon. Members have made certain valuable suggestions also. The recommendations made in these reports and the suggestions made by hon. Members can be put in a few categories. First is—almost all hon. Members have laid stress on this point-----the socio-economic development of the Scheduled Castes and the Scheduled Tribes. The need of education among the Scheduled Castes and the Scheduled Tribes, then, crimes against the Scheduled Castes and the Scheduled Tribes and reservations for them in services

Almost all hon. Members have raised this point, about the Commissioner and the Commission : the functioning of the Commission and the question of not appointing the Commissioner for the last four years. As the House is aware the Commission ' Caste and Scheduled Tribes was appointed during the Janata regime on 21st July, 1978. The purpose of appointing the Commission, the Scheduled Castes and Scheduled Tribes Commission, was not to interfere in the functioning of the Commissioner or

to lessen the authority of the Commissioner because it is a Constitutional obligation on the part of the Government. Under article 338, 11 Commissioner has to be appointed. From time to time, the Commissioner presents reports to the President and btehas to see that the safeguards, which are given in the Constitution, are implemented and things move on the right lines. But looking to the vastness of the problem and the problems of the Scheduled Castes and Scheduled Tribes the Commissioner for the Scheduled Castes and Scheduled Tribes was appointed. Now the question is, to whom we should give more teeth., to the Commission or to the Commissioner. The Commissioner has got the special authority under article 338 of the Constitution, but Commission is also no less important. That is why the report of the Commission is laid on the table of both the Houses and it is discussed by all of us. We give importance to the suggestions and numerous recommendations made by the Commission and the Commissioner and they are all implemented through State Governments. The reports are. not just laid, or not taken care of. At the same time, we should also know that the functioning of the Commission is in no way less than the authority of the special officer. So, both are working, both ar; supplementing the work of each. other in this sphere.

1 Now. the Government of India is very much conscious about the Socioeconomic conditions of the Scheduled Castas. There are the atrocities, there are the educational, housing and other problems there are the problems of thir living standard. These are all connected with the Socio-economic problems in India. We all know that although we talk of democracy, we talk of enlightenment and all sorts of things, still in our villages the Scheduled Caste population is living far away from the main promotions of the villages away from the mainstream of the villages. They are the most vulnerable sec-

tions of the population in the countryside and all the atrocities of which hon. Members have made mention here during the debate are generated because of the thinking because of the approach still prevailing in the minds of the general people. All the toboos and caste feeling are still prevailing. Though we have got Acts like PCR and others the mind has not changed., the society has not changed altogether. So this problem is still continuing.

We have to do lots of work in this field. On the one side, we have to see how their economic condition can be improved. For that only this special component plan and other programmes for giving benefit to Harijans and Scheduled Castes were envisaged in the 20-point programme. In the words of late Shrimati Indira Gandhi, this is what she has said in relation to the special component plans, I quote: The special component plans prepared by the State Governments have not only to be made quantitatively and qualitatively but should also be implemented satisfactorily. So it is not that we only just give the guidelines or formulate the policy. We have to implement it also satisfactorily. That was the main emphasis from the very beginning.

In the very same letter, she has said that it is important that the programmes and outlays on Special Component Plan do not get small token provisions. That is, it is not that we should give some assistance or small token provision, but it should be adequate to cater to a substantial proportion of the Scheduled Caste families in the relevant occupational categories. Now it is not that one individual is given some assistance. We have to take the family as a whole,. If you take an individual, that will not help bring the Scheduled Caste or Scheduled Tribe people above the poverty line. So in the Sixth Five Year Plan it was started and in the Seventh Plan we are going to do it, that we create

[Shrimati Rajendra Kumari Bajpai]

this Special Component Plan Program" me and all other programmes for the family. In the Sixth Plan the objective was to bring about 50% of the Scheduled Caste population above the poverty line, and we could do it. You cannot say that all the 50 population has got the benefit in the real sense. It may be that the target was 50% but it may be 40% or 45% somewhere.

SHRI K. MOHANAN (Kerala): 34 Members took part in the discussion. How many are there now?. It is very unfortunate.

THE DEPUTY CHAIRMAN: That shows their concern.

SHRIMATI RAJENDRA KUMARI BAJPAI: Under the socio-economic programmes, 103 lakh Scheduled Caste families and 39 lakh Scheduled Tribe families have already been economically assisted under various programmes during the Sixth Five Year Plan. Now if we take the families, out of 2 crore families one crore families have already got the benefit of these programmes. But in the Seventh Five Year Plan, it has been decided that we will repeat giving assistance to those families, even those who have got assistance in the Sixth Five Year Plan. For example, if somebody had got one or two buffaloes or some cart or something and if that cattle has died and he is not able to purchase again, it is not that once he has got the assistance he will not get it again. He will get that assistance. So our purpose is that the family should get the benefit and he should come above the poverty line.

Whatever programmes or policy we have just formulated for the Scheduled Castes, the more important point is how we implement them. Though all these things are implemented through the State Government, but from the Centre we have given them guidelines how to do it and we have also asked them to set

up monitoring committee at the State level, the Government has set up review committees at the State level as well as the district and taluk levels so that from time to time they can see that these programmes are implemented and things are going on. The State level Committee is headed by the Chief Minister or the Minister in charge of Scheduled Castes' or Scheduled Tribes' Welfare. So, we give importance to this Monitoring Committee. Likewise, in the district, the Deputy Commissioner or the District Magistrate is in charge to review the work and see how things are going on in the district. As a result of these things, matters have improved; the implementation part has improved. We have to do more for it because the problem is so serious, and for their economic development we have to work hard.

Some honourable Members have raised the question of land reforms and they expressed dissatisfaction over the implementation of it, specially in Bihar and some parts of Uttar Pradesh. The Department of Rural Development is dealing with this subject of land reforms, from whom I have got these figures. The figures which I have got indicate that by the end of July 1985, 13-53 lakh acres of ceiling-surplus land have been distributed among 12\*70 lakh beneficiaries belonging to the Scheduled Castes, and 5-95 lakh hectares have been distributed to Scheduled Tribe beneficiaries. The question is whether they are able to get possession of the land or not. The State Governments have been instructed to ensure, that at the time of allotment of land, possession of land has to be actually handed over to the new allottees and *pattas* given simultaneously and that they should see to all these things.

Hon. Members have talked about atrocities when they ask for possession and when they go to take

possession of the land. At that time atrocities are committed on Harijans and sometimes there is also some resistance. Guidelines have been sent to the State Governments and Union territory Administrations and we hope Scheduled Caste and Scheduled Tribe allottees of land will not be dispossessed and that they will be properly safeguarded, that is, whoever gets the *pattas*. Instructions have also been given to police authorities to intervene in cases of trespass on land belonging or allotted to Scheduled Castes and Scheduled Tribes. These who do not vacate the land will be treated as trespassers and the police authorities have been specially instructed to see that these orders are implemented.

We know that as there is an awakening among the voting men belonging to Scheduled Castes and Scheduled Tribes, the question of bonded labour or not giving minimum wages to them is an irritant in the villages and whenever these labourers—those who are Scheduled Castes; in most of the cases they are landless labourers—demand the minimum wages which have been prescribed by the Government, then confrontation arises. That is one of the causes of atrocities in the villages in the countryside for which, awakening and also assistance by others is necessary. So, then only this type of injustice will be stopped. Government has clearly passed the law, the act is there. For the implementation also there are special officers. To see to it they go round the villages, and sometimes when a complaint is received they will go and see to it. But still complaints are coming. So, we have to see that it is fully implemented. We write again and to States; Governments because in the end it becomes a law-and-order problem of the States, and so, we have to depend on the functioning of the State Governments for implementation of this.

As far as the percentage of education is concerned which we were discussing, it is certainly low among

the Scheduled Castes, among the Scheduled Tribes the percentage is still lower, and the drop-out is also quite high. For that, Government is seriously thinking on how to compensate those who will be willing to send their children to schools because these labour classes do not like to send their children to schools. Because of their economic compulsion also, they think that if a boy is doing some work, he will be earning some money. Because of their poverty, because of the poor conditions, this is telling upon this educational backwardness also. So, Government is seriously thinking how we can evolve some method to compensate this loss to the parents so that they can send their children to schools and the drop-out is lessened.

One of the hon. Members had raised the question of the post-matric scholarship. He spoke about increasing the rate. The last time the rate was revised was in 1981, and the proposal to further revise, the amount is under consideration.

Then, there are other facilities that the Government is giving in this field so that girls can get education. Girls' hostels, book banks, pre-matric scholarship for the children of parents engaged in occupations like scavenging, tanning and Haying, are being continued. There are specific categories in which children are also engaged with their parents. So, we have given them special stipend or grant so that they go for studies in schools.

THE DEPUTY CHAIRMAN :  
Will you take long to conclude? We will adjourn now when it is o'clock.

SHRIMATI RAJENDRA  
KUMARI BAJPAI : As you like.

THE DEPUTY CHAIRMAN :  
If you can conclude in five minutes.

SHRIMATI RAJENDRA  
KUMARI BAJPAI : In five, seven minutes, I can.

THE DEPUTY CHAIRMAN : We will finish.

SHRIMATI RAJENDRA KUMARI BAJPAI : Then, about the crime, I have told that because of the socio-economic condition, it has continued. We have instructed the State Governments to take stern measures whenever such atrocities occur. At the same time, we have also suggested to IS to appoint officers belonging to the Scheduled Castes and the Scheduled Tribes to senior field-posts like District Magistrates, Superintendents of Police, Sub-Divisional Officers etc. in those districts which are sensitive from the point of view of crimes against the Scheduled Castes and the Scheduled Tribes. Also, we have recommended that UK-rate of compensation for those persons who are, victims of atrocities, should be enhanced. When I took charge of the Ministry, I have written to all the Chief Ministers of the States to take adequate steps in checking atrocities against the Scheduled Castes and Scheduled Tribes. I had also mentioned to them that any atrocities against the Scheduled Castes and Scheduled Tribes should be made cognizable.

I wanted to read a portion, but as the time is short, I will not read it.

I still feel that we have to change our approach to the problem. Then only we can deal effectively against the atrocities being committed. We have emphasised it to the State Governments to appoint only Scheduled Caste Officers to man the posts in the districts which are sensitive as regards crimes against the Scheduled Castes.

Some hon. Members have mentioned about the question of comprehensive revision of the list for Scheduled Castes and Scheduled Tribes. I would like to tell them that it is under Government's active consideration. The comments from the concerned State Governments and Union Territory administrations were

invited on the proposals and representations made by M.Ps., MLAs., organisations, individuals, etc. We have received comments from all State Governments except Assam, Jammu and Kashmir and West Bengal. A final view in the matter would be taken after the comments from these State Governments are received. We are also actively considering to bring a comprehensive list before the House. These are the viewpoints I wanted to say.

श्री रामचन्द्र विक्रम (उत्तर प्रदेश) :  
जम्मू-काश्मीर को आप इसमें क्यों शामिल  
कर रहे हैं ? जम्मू-काश्मीर गवर्नमेंट से  
जवाब आया है ?

SHRIMATI RAJENDRA KUMARI BAJPAI : As I said earlier, we have not received the comments from the State Government about the Gujar community. As soon as we get their report, we will take it and take suitable action.

Shri Achchhcy Lai Bahnife had suggested for the insurance hazard and also creches for women who are engaged in the job of sweeping and scavenging. I would like to tell the hon. Member that my Ministry is launching a scheme by which we can remove this system of scavenging carrying night soil on head. In the Seventh Five Year Plan, we are going to launch it in a big way. In the coming next year we will be launching this scheme so that this social problem can be tackled,

I once again thank all the hon. Members who have participated in the discussion.

With these words, I conclude. Thank you.

THE DEPUTY CHAIRMAN : The House is adjourned for lunch till 2.30 P.M.

The House then adjourned for lunch at nine minutes past one of the clock.

The House reassembled after lunch at thirty minutes past two of the clock, The Vice-Chairman (Shri Pawan Kumar Bansal) in the Chair.

**RESOLUTION FOR ESTABLISHMENT OF SEPARATE DEVELOPMENT BOARDS FOR VIDARBHA, MARATHWADA AND THE REST OF MAHARASHTRA-(contd)**

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL) : We now take up the Private Members Business. Shri S. N. Deshmukh to continue.

SHRI SHANKARRAO NARAYANRAO DESHMUKH (Maharashtra): Mr. Vice-Chairman, Sir, about a fortnight back, I had drawn the attention of this august House to a very important provision in the Constitution, Article 371(2). The spirit and the intent behind this Article is very important. It is meant for the welfare of the people and to remove the backwardness of the people in Vidarbha, Maha-rathwada and the rest of Maharashtra. It may be said that other provisions are there in the Article and those provisions are being followed but the intent and the spirit behind it is the creation of infrastructure for these backward areas, for these backward people so as to eradicate poverty. The source of poverty may not remain for ever. Therefore, creation of infrastructure was the idea behind it. The standing provisions made in the Budget, say for roads, tanks, primary schools are the elementary things. What we have experienced,? We have experienced Sir, the results are made and therefore, I would like to draw the attention of the Hon. Minister, through you, to a very important resolution of the Government of Maharashtra. The resolution reads : I quote,

"The Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department Resolution No. TWP-1076/5199-XV, Sachivalaya Annexe,

Bombay dated 4th March, 1976-This resolution was passed right in 1976 and the State of Maharashtra was created in 1956.

I have referred to the resolution and it is a solid proof and proof beyond any reasonable doubt that all these years, the benefits never reached these backward areas. It is now generally accepted that some of the tribal groups in the State have remained completely untouched by the processes of development during the last four Five Year Plan periods—not one but consistently the last four Five Year Plans. Some have marginally benefited. The problem of tribal development has assumed great importance in the context of high priority accorded to the social justice in the planning. Therefore, I submit, Sir, looking to this resolution, it is a neglected fact. It is not only neglected but a never cared fact so that it should remain a source of poverty. In the light of the past experience, during the past four Five Year Plan periods, it was realised that the problem of Scheduled Tribes, living in compact areas is essentially that of economic development of those areas and of integrating their economies with that of the rest of the country. Area development, by itself, however, will not be sufficient. It says :

"Area development must proceed in consonance with the development of the people on those regions."

This is more important. Some parts are advanced and some parts are always backward. And what is the number of villages which the backward areas comprise ? The number of villages is 6,426—48 tehsils and 13 districts. These are the backward areas. And the resolution was passed by the Government of Maharashtra for this purpose.' Therefore, what I say is that only making provisions in the budget will never help to