

श्री प्रेमचन्द गुप्ता (बिहार): यह बात समझने की जरूरत है।

श्री लालू प्रसाद: बात वह नहीं है साहब, 356 से कैसे बचें, इसके लिए हैं यह सब।

श्री सुरेश पचौरी: इसलिए मैं आपके जरिए यह प्रार्थना करना चाहता हूँ कि माननीय रेल मंत्री जी पर जब प्राणघातक हमला हुआ था, तो इस सदन ने उस निंदनीय कृत्य के लिए चिंता व्यक्त की थी। अच्छा यह होता कि उस पर चर्चा होती, बजाय इसके कि उस बात को उठाना और उसे वक्तव्य की तरफ डाइवर्ट कर देना, मैं सोचता हूँ कि जरूर इसके पीछे बहुत सारी चीजें छिपी हुई हैं। अच्छा यह होता कि विपक्ष के माननीय नेता यह बताते कि संवैधानिक पद पर बैठा हुआ कोई केन्द्रीय मंत्री अगर किसी राज्य में जाएगा तो उस राज्य में उसकी सुरक्षा की जिम्मेदारी किसकी होती है और यदि उस जिम्मेदारी का पालन वह राज्य नहीं करता है, तो कानूनन और संविधान के तहत उसके खिलाफ क्या कार्यवाही हो सकती है, इस बात की possibilities explore की जानी चाहिए। जब इन सब बिंदुओं से हटकर हम केवल वक्तव्य तक सीमित रहते हैं, तो मैं सोचता हूँ कि इसमें जरूर बहुत सारी बातें छिपी हुई हैं। “पर उपदेश कुशल बहुतेरे” वाली कहावत इनके साथ चरितार्थ हो रही है। ये दूसरों को तो नैतिकता का पाठ पढ़ा रहे हैं, लेकिन जिनके शब्दकोश और कार्य-पद्धति में नैतिकता के लिए कोई जगह नहीं है, वे नैतिकता की बात करें, वे संविधान की बात करें, वे नियम और कानून की बात करें तो यह बिल्कुल अर्थहीन और बेवजह बात हैं।

MR. DEPUTY CHAIRMAN: Now, we take up the discussion on the working of the Ministries of Social Justice and Empowerment and Tribal Affairs. Shri Dipankar Mukherjee will initiate the discussion.

#### DISCUSSION ON THE WORKING OF THE MINISTRIES OF SOCIAL JUSTICE AND EMPOWERMENT AND TRIBAL AFFAIRS

SHRI DIPANKAR MUKHERJEE (West Bengal): Sir, I rise to move a discussion on the working of the Ministries of Social Justice and Empowerment and Tribal Affairs. But, at the outset, I must say that with a very heavy heart, I am initiating this discussion. While the issues relating to the Ministries of Social Justice and Empowerment and Tribal Affairs, the mandates of these Ministries, concern 42 per cent of the population, it is unfortunate that we do not have the Opposition in the House. Shri Lalu Prasad Yadav was talking about a challenge to the country. Apart from communalism, what is the real challenge we are confronted with? The other challenge before us is the social justice. Today, I rise with a heavy heart because we are having this discussion but we are not finding the Opposition in the House. Yesterday also, a serious thing - when hearing a statement was laid on the Table of the House - was allowed to happen. This is a reflection on how the House is working. Yesterday also, when we were discussing the Statement laid by the Railway Minister on the railway

accident, I rose and pointed it out that clarifications were necessary on that, a discussion was necessary on that. That was not the only issue. That was a discussion on the railway accident, including casualties of people, the people who lost their lives. What we had yesterday was on one para and nothing else. Shri Yashwant Sinha was making some references today. I agree that everyone of us wanted to seek clarifications on the accident report, on the report laid by the Minister. It was not about one part only; actually, the whole Statement should have been discussed. But it did not happen. What was happening today in your presence, Sir? Sir, probably, one of the ugliest incidents would have happened today, had there not been an intervention by some sensible Members of this House. Through this opportunity which I have got, I appeal to the Opposition, and especially, the revered Leader of the Opposition, who was sitting in the House when one of the Opposition Members came rushing from the other side of the Well, and the Statement was torn by some Members right in front of the Chair. I appeal to the Leader of the Opposition wherever he is, Sir, I seek his intervention. This is how the House runs. Sir, I think, in whatever discussions we are having, and whatever discussions we are going to have, certain seriousness must come as far as all these things are concerned.

Sir, coming to the Report of the Ministry of Social Justice and Empowerment, in the mandate for the Ministry it is said "To work towards mainstreaming of the disadvantaged and the marginalised sections of the society such as Scheduled Castes, Other Backward Classes, minorities, aged persons, persons with disabilities, victims of substance abuse, children in need of care and protection." So far as the Ministry of Tribal Affairs is concerned, Sir, the Ministry of Tribal Affairs' objective is to provide a more focussed attention on the integrated socio-economic development of the most under-privileged section of the Indian society, the Scheduled Tribes in a coordinated and planned manner. Now, out of the total population of India, sixteen per cent are Scheduled Castes, eight per cent Scheduled Tribes and eighteen per cent are minorities. The total of it comes to 42 per cent.

Sir, while discussing the working of the Ministries of Social Justice and Empowerment and Tribal Affairs, I would start with the Ministry of Social Justice and Empowerment. As you know, Sir, our Party is supporting this Government, the UPA Government, on the basis of the Common Minimum Programme. In the Common Minimum Programme, there is a special

paragraph on the Scheduled Castes and Scheduled Tribes focussing the objectives so far as the UPA Government is concerned on the tasks regarding the Scheduled Castes and Scheduled Tribes. I am reading point by point as to what are the objectives before this Government in this regard. I am talking of the Scheduled Castes only. It has been said, "The UPA Government will launch a comprehensive national programme for minor irrigation of all lands owned by *dalits* and *adivasis*. Landless families will be endowed with land through implementation of land ceiling and land redistribution legislation." Now, this is also a part of the objectives. Sir, I found that there is a mention of this particular objective in the CMP and it has been said in the Annual Report that 'the Ministry has been assigned the following items under the National Common Minimum Programme'. And regarding some other point, namely, reservation, it has also been said here in the Common Minimum Programme that the Government is very sensitive to the issue of affirmative action, including reservations, in the private sector. This is one of the objectives. I will come to that objective afterwards. I am surprised and I do not understand why this part, namely, the 'land for the landless through implementation of the land ceiling and land redistribution legislation' has not been mentioned in the Annual Report of the Ministry. Sir, so far as the under-privileged, the *dalits* are concerned, when we talk about the Ministry's objective, the major point is social justice and empowerment. But, in the rural areas, what is the source of empowerment? If our perspectives for this Ministry are a sort of feudal benevolence, it is a different matter. But neither this Ministry is meant for that, nor this Government is meant. If you say empowerment, in villages, what is the source of empowerment? Wherefrom the power comes? It is the land, it is the land, and it is the land only. If land is not there in the whole of the objectives of the Ministry, I think, the real purpose of it is not served. I don't mind if the Minister clarifies how is it that this part of the objective of the National Common Minimum Programme is missing here. ...*(Interruptions)*... So, Sir, so far as the Ministry's functioning is concerned, monitoring the developmental part, monitoring the interest of the SC/STs is also the monitoring of this whole thing. The overall coordination is this Ministry's part. If some other Ministry is looking after this, why this objective should not come? So far as the land for the landless through implementation of land ceiling and land distribution is concerned, it needs to be addressed by the Ministry because if that is not done, Sir, the basic objective is not realised. Sir, you call it the Ministry of 'Social Justice and

Empowerment'. More than seventy five per cent of *dalit* and *adivasi* workers are still connected with land.

[THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) in the Chair]

Over 50 per cent of them are the landless labourers and the remaining 25 per cent are the marginal and small farmers. Of the whole, so far as the domain of reservations is concerned, it does not reach even one per cent of the population. But the basic issue, on which the whole issue of social justice is being centred around, is land. Over 50 per cent are landless labourers and 25 per cent are marginal and small farmers. We would like to know what type of action, what type of affirmative action, this Ministry has taken so far as land issues are concerned. If that part is ignored, the whole talk of empowerment in the rural areas becomes absolutely without any basis. It does not create any sense of empowerment so far as *Dalits* living in the rural areas is concerned.

Sir, I have before me specific examples to show what is happening. In the State of Madhya Pradesh अभी यहां मध्य प्रदेश के कोई सदस्य नहीं हैं—2002 में मध्य प्रदेश सरकार ने भूमिहीन दलितों और आदिवासियों के लिए, 19 लाख परिवारों के लिए भूमि के पट्टे देने की घोषणा की थी। This was in 2002. Right now, only 2 लाख परिवारों को, 19 लाख में से 2 लाख परिवारों को, जमीन के पट्टे मिले और उनमें से 30 per cent को जमीन का कब्जा मिला और जिनको कब्जा मिला है, उनमें से—हमने कल ही हमने मुरैना जिले में जाकर देखा, I have got those examples जिनको कब्जा मिला है—मेरे पास उनमें से कई ऐसे केसेज हैं, 40 ऐसे केसेज एक ही गांव में दिखाई दिए—उनकी फसल लूटी जा रही है, every year as a matter of routine. We would like the hon. Minister to make a note of it. I shall provide a copy of this too. जिनको कब्जा मिला है उनको कब्जा मिलने के बाद भी उनकी फसल को लूटा जा रहा है, matter of routine, for the last three to four years. This time also, it has been taken away. The District Magistrate talks of the Police. The Police say that there are special *Harijan thanas*, and they should go there. They have been going around, but till now, have not got the actual rights. So, does empowerment mean that even पट्टा देने के बाद भी कब्जा नहीं मिलेगा और कब्जा मिलने के बाद भी फसल लूट जी जाएगी? What is the pro-active nature of monitoring done by this Ministry so far as this land is concerned? In Madhya Pradesh itself, there are certain instances of tribals being evicted from their own areas. What is the kind of monitoring, the nature of pro-active approach, as far as the Ministry of Social Justice and Empowerment is concerned? What are the proactive steps that have been taken by the Ministry?

I am afraid, even as I give this particular example, you will get a report from the concerned people, such as the District Magistrate and all, that there have been fights between two dalits and that this was not a case of the high caste people exploiting the lower caste people; It is only a case of dalit *versus* dalit. It is a mind set. There are politicians, there are *Thakurs*, who are trying to see to it that these people, even if they are being given the *pattas*, are not able to utilise them. I would like this Ministry to adopt a pro-active approach in this case, State-wise. Is it not possible? I fully agree with what the Finance Minister had said the other day that it is not a question of outlay, it is a question of outcome that we should assess.

Sir, my submission to the Ministry is, it is not through the report of how many commissions we have, it is not through the report of how many departments we have, it is not through figures showing how much allocation has been done that the progress should be assessed. Let us have a different perception, different views of assessment so far as land to the landless is concerned. What has happened? Whether it is *dalits* or *adivasis*, land has been lost. Take any new big factory all over the country. You would find that whatever loss of land has been there only through the dalits and adivasis. In Physics we say, heat lost is heat gained. How much land has been lost? Can there be a State-wise record? I am not talking about affirmative action and all that. You say that the States are involved and it is not a Central matter. But can we have a record in this Ministry's report as to how much land has been given, with compensation or without compensation, because, the compensation given, most of the times, is very less. Jobs have been offered to them but were not given. How much land, in physical terms, has been lost, and how much land has been given to *dalits* and *adivasis* every year? If that report comes in this Annual Report, we will think about and we will talk in absolute terms of empowerment of *dalits* and *adivasis*, otherwise not. I would like to know whether the Ministry is having these reports or these records. State-wise, landless labours' overall percentage is given. But how much land is being given to these landless labourers every year? Let the assessment of this report be based on that only, not based on money, and whatever is being given there.

Now, Sir, I have seen in the Standing Committee's Report about, what you call, allocations. There are certain jobs; there are certain types of scholarships or certain allocation of works sanctioned from the Centre which are being shifted to the States, and the Planning Commission wants this. There are certain types of allocation of works which are trying to be shifted

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RAJYA SABHA

to the State Governments. I think the Standing Committee has given some report in the latest Demands for Grants that they are trying to shift those allocations of jobs to the State Governments.

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MEIRA KUMAR) : Not jobs but 'schemes'.

SHRI DIPANKAR MUKHERJEE: Yes, some schemes. I think, this is not a good part. *Time-bell*).

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Your time is over, but how much time do you want?

SHRI DIPANKAR MUKHERJEE: I am initiating now. I need more time.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): In initiating, there is a time limit. How much time do you want?

SHRI DIPANKAR MUKHERJEE: I want another ten minutes. Now, on that part, I will be very specific. We will all help strengthen the hands of the Ministry. Knowing fully the State finances as it is, any such direction from the Planning Commission should be opposed by the Government. The Government of India should intervene to see that such schemes are not shifted to the States.

Coming to the reservation part, the report deals more with the SCs, and little less with the OBCs. From the loss of land, I come to the loss of jobs. I do not find any report, but the worst affected people by - I will not say globalisation because that may hurt Mr. Jairam Ramesh - whatever 'isation' is happening, for us it is the loss of jobs. The loss of jobs has affected the people for the last ten years and this has affected again the SCs, STs, and minorities. The maximum effect is on the loss of jobs. About eight lakh of jobs have been lost. Is there any record with the Ministry as to how much permanent, or temporary or contractual or on the muster roll or seasonal jobs have been lost so far as these sections are concerned? I am not talking about general category, but about the SCs, STs, OBCs and minorities. How many jobs have been lost? This record should come here, and only then there will be an analysis. Through you, I

**3.00 P.M.**

ask the Madam, not to go through the poverty line figures. These are absurd figures. These figures are being questioned. Based on which figures they are being calculated. I want to know whether it is poverty line, whether it is 2400 calories or 1800 calories. All these figures are not genuine. Let us have specific figures as to how many jobs have been lost to these dalits or to the poorest of the poor and how many jobs have been created.

Regarding the reservations in the industries, we have taken affirmative actions, but we need to be more affirmative. FICCI and CII and all those people go on giving sermons how to run agriculture, how to run industry, and how to run everything. But so far as the question of social justice is concerned, as Lalaji was telling, the challenge of communalism or the challenge of social justice is the biggest challenge before us.

Why, on this question of reservation, the Government has to be so defensive? What is the proactive stand of the Government so far as reservation in private sector is concerned? Now, at least, to start with, I would like to ask in those companies, which were disinvested, public sector companies, much maligned public sector companies, how many jobs have been lost. Mr. Shourie is not here. Had he been here, or, if he had the courage to face this House, I would have questioned him. We only asked and insisted regarding job protection for SCs/STs. क्या बी.एस.पी. के श्री गांधी आजाद अभी यहाँ नहीं हैं। We had insisted on every issue of disinvestment, we questioned him every time how, at least, he is protecting the jobs of SCs and STs there. And what he did, he said that they had made a clause for certain disabled persons that the private fellow will assure, that he will see to it that the Government policy is followed for disabled persons. That too was not any sort of a direction for the disabled. At least, that much should be mentioned. For SC/ST jobs also, there is no affirmative action. There was absolutely no sympathy. I hope, at least, this Government would take some specific, I would again say, 'specific', action. Is it not a fact that the same fellows are selling those companies at a much higher cost? Can't they demand that reservation in those units has to be ensured? Can't they tell this FICCI and CII and those sermon givers to this country, that at least, you ensure this that this much of social justice is ensured before you talk of disinvestment and privatisation? I would also like to insist that regarding the affirmative action, in the Government Departments also, there is no

recruitment. Recruitments have been, more or less, stopped. Where is the source of income so far as these SCs/STs are concerned, and this reservation is concerned? And, what about the Employment Guarantee Scheme? Has the Ministry of Social Justice and Empowerment looked into the whole Employment Guarantee Scheme as has been laid down in the Parliament now? Does it fulfil the commitment made in the Common Minimum Programme, where it has been ensured that every able-bodied person, rural poor or urban poor, will be guaranteed 100 man-days of work? That also affects our dalit brethren. What is the opinion of the Ministry of Social Justice and Empowerment as well as the Ministry of Tribal Affairs regarding the present Bill? Does the present Bill really strengthen, really commensurate with the commitment made in the National Common Minimum Programme to ensure that at least a job to every able-bodied person in the rural poor and urban poor - and rural poor and urban poor means most of these classes - will be ensured employment.

Sir, regarding minor irrigation, I must say that I do not find any mention in the Ministry of Social Justice and Empowerment, though I am quite happy that there is a Rs.56 crore allocation in the Ministry of Tribal Affairs. This is a good sign. Along with land, minor irrigation is also one of the programmes in the National Common Minimum Programme. In the Ministry of Tribal Affairs, I definitely see a mention of Rs. 56 crores. Am I correct? Fifty-six crores, or we have Rs.50 crores. I wish that in the Ministry of Social Justice and Empowerment also, there should be some note or some comments about what type of minor irrigation programmes are there because that is one of the problems being faced by more SCs/STs in the rural areas. I would like to ask so far as minor irrigation, not major irrigation, is concerned, whether any allocation can be given under this Ministry also. Regarding tribal issues, I would like to specifically point out two issues. One is regarding these 3000 forest villages. We call them forest villages and the allocation, probably, is only Rs. 230 crores. And, the Standing Committee has also said that this allocation has to be increased by another Rs. 150 crores. I think, the whole House will join me so far as this demand of the Standing Committee is concerned. For these 3000 forest villages, what is the actual time-wise programme for implementing this scheme of forest villages or revenue villages for the tribal people? The right of the tribals over their land and forests has to be ensured. So, what is the time bound action plan for these 3,000 tribal villages including the villages of my State of West Bengal?



Sir, so far as the Ministry of Tribal Affairs is concerned, the President's Address to the Parliament expresses the feelings of the whole House. I quote a few lines from the President's Address:

"Adivasis in the country have been leading a life of insecurity in many areas since their property rights have remained unsettled. It is necessary to recognise their need for assured property and land rights in areas they have been residing in for several generations. It is an irony that tribals who have been living in 'forest villages' and have been practising agriculture on these lands for several generations have not been given due recognition of their rights. Their problems are engaging the attention of the Government and we will try to settle the issue of land rights of tribals. The outcome will be beneficial both to the tribals and to the goal of forest conservation."

I think this can be a charter of not the tribals' demands alone but of this Government's action plan as well. I would like the Minister to clarify its position on the rights of tribals in respect of both the forests and the lands, and tell us what affirmative action plan is being brought forward. We are very much disturbed with the Scheduled Tribes (Recognition of Forest Rights) Bill, 2005. If I am not mistaken, an Act is made to give ownership rights to the tribals. Is it a fact that there are a lot of disparities concerning those rights in the objection raised by the Ministry of Environment? Under no circumstances, these rights, as enshrined in your draft Bill, should be diluted. These should not be left in the hands of the bureaucrats. If any changes are required or if anything is to be changed without the participation of people living in the tribal areas, without the participation of political parties, I would seek the intervention at the highest level, even of the Prime Minister, that there will be no dilution, so far as this Act is concerned, on account of environment because no-one is more interested in the environment protection than the tribals themselves. It is not the tribals who have endangered the environment. Who are the people who have cut trees? It is the traders who have gone and deforested. They are not tribals. People who are today talking about environment and, sometimes, even some NGOs who are also raising questions about environment have some vested interests. We have to ensure...*(Time-bell)*... Sir, I am finishing by just adding one sentence. While concluding, I would only say that so far as this Government is concerned - and our support is only on the NCMP - the National Common Minimum Programme stipulates very clearly that as far as the tribal policy is concerned, the President's Address is the actual

charter of action plan. What we would like to have in the Reports of the Ministry is the outcome only. In the physical terms, what has been the outcome so far as the objective is set? The whole country is going to assess the performance of this Government, of this Ministry, only on the basis of the outcome in terms of the National Common Minimum Programme in respect of issues concerning the SCs/STs. Thank you.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Shri V. Narayanasamy. You have fifteen minutes.

SHRI V. NARAYANASAMY (Pondicherry) : Mr. Vice-Chairman, Sir, I thank you for giving me the opportunity to speak on a very important subject, the working of the Ministry of Social Justice and Empowerment, and also of the Ministry of Tribal Affairs. The SCs, STs, OBCs and the minorities constitute 80 per cent of the total population of the country. During the elections, as also when the leaders go to the people, the political parties say that they are committed to the development of Scheduled Castes, Scheduled Tribes, Other Backward Classes and the minorities. Today, the Annual Report as also the Performance Report of the Ministry indicates that, as far as SCs and STs are concerned, the mandate is to help them to develop socially, economically and educationally. A lot of schemes are implemented. There are Development Finance Corporations. Certain banking facilities are provided to those people. But when we go through the actual process, as far as the Scheduled Castes and the Scheduled Tribes are concerned, we find that the funds that have been allocated are not spent properly. The schemes are worked out by the Planning Commission as also the Social Justice Ministry. There is a Special Component Plan for the Scheduled Castes. According to the ratio of the Scheduled Castes population in a State, minimum 16 per cent of the whole Budget of the State has to be allocated for the development of the Scheduled Castes. I went through several reports of various States. What I found was that the minimum 16 per cent of the Budget was not being spent for their development, say, for providing sanitation, electricity, roads, etc. The funds that have been given to the States are diverted to various other schemes. Several times, the Planning Commission has made certain observations in this regard. It is the primary duty of the Social Justice Ministry to call a conference of the Ministers of the Social Welfare Department of the various States. The Special Component Plan that has been worked out by the Planning Commission has to be implemented by

the States. It is the duty of the Social Justice Ministry to ensure that the percentage of amount earmarked for the development of that particular community is spent for that. It is very important. I would like to say that some of the States, where there is a large Scheduled Castes population, have got the Welfare Department and the Development Finance Corporation, but they are not providing the necessary funds to the Corporation. These are very important issues.

Apart from urban areas, seventy per cent of the population are living in rural areas. They have to sustain themselves. Most of the Scheduled Castes and Scheduled Tribes people live in the rural areas and they are farm labourers. They earn their livelihood by rearing cows. They work in the fields. They are living in the villages. They work in the productive area and contribute to the development of the country. Agriculture is their main avocation. You are implementing the schemes for the welfare of those people. The banks have been given a mandate to provide loan facilities to them. But I am sorry to say that they are not providing them. The Social Welfare Department of the States are not implementing the schemes properly. This is our practical experience, being persons concerned with public life.. When the people want loans, they make applications to the Department. The Department conducts a study and then send it to the banks. But the banks are not giving loans. They are rejecting the applications. This is a very sorry state of affairs. The hon. Minister, who has been periodically calling meetings of the Social Welfare Ministers of the States, has to give very clear directives to the State Social Welfare Departments and, through the Finance Ministry, to the banks to provide loans to the eligible people, as per the guidelines and the banking regulations. They should be helped by the Government also. Unless and until we do that, they will not be able to come up socially; they will not be able to come up economically. I fully agree with the concern expressed by the hon. Member Shri Dipankar Mukherjee. So far as land distribution is concerned, I frankly admit that Kerala and West Bengal are the number one States. Let us go to other States. So far as land distribution especially to the SC and ST people and to the people who have been tilling the soil is concerned, it has not been implemented in other States. It has to be done. It is very important. Without that we cannot economically improve the status of the people in the country. We might have implemented several schemes; we might have implemented several programmes, but the benefits are not reaching those people. People should get the benefits of

these schemes on time. I am talking about those States where it has not been implemented. I am only giving an example. Karnataka has implemented it. There are some other States which are doing it. So far as north India is concerned, can anybody say that land reforms have been implemented fully in these States? Take the case of Uttar Pradesh or any other State. Take the case of Madhya Pradesh.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Kindly address the Chair.

SHRI V. NARAYANASAMY: I am not politicising the issue. The mandate is to economically improve the status of these people with the support provided by the Government. This is the mandate given to the Ministry of Social Justice and Empowerment. In North India, we find that the Scheduled Caste people are not even allowed to pass through villages. It is happening even today. We can say so many things about it. Let us have a change of mind. Let us give respect to those people who have got equal rights.

If we have to improve the status of the Scheduled Caste people, education is the primary thing. There are certain provisions. They have been given reservation also. But when they go for higher studies, when they go to colleges, financial support should be there at the State level, which should be supported by the Central Government. I am glad that the Ministry has allocated some funds at the level of Ph.D. I am very happy about it. Today, they have been able to secure some jobs only because of the constitutional safeguards; otherwise, they would have been suffering. These constitutional safeguards have given them an opportunity to come up in the society. This angle needs to be looked into.

Sir, so far as protection of civil rights is concerned, in 2004, 255 cases were filed against the people who had abused the community. In the whole country, only 255 cases have been filed. What happens is, even if they go to the police stations to file a complaint against the persons who have abused the community, no cognisance is taken. Therefore, these are very serious issues. There is a need to develop these communities which have been suppressed and oppressed for years together. I am pained to see that there is very little allocation for the SC and ST population. The Ministry should increase the allocation. The Ministry should make much larger allocation for this purpose.

Let me come to the backward class people. The backward class people were given 27 per cent reservation after a great deal of fight, agitations, *dharnas* and blockades. Everybody knows about it. The then Congress Government - Shri Sitaram Kesri was the Minister at that time - brought the Bill in both the Houses in order to implement the provision of 27 per cent reservation and it was implemented. When we go into the history, we find that in States where the population of backward class people is 45 per cent or 52 per cent, still they are being treated with contempt even today. And the reason is that they do not have benefit of reservation in promotion, in case of Government servants. Then, the concept of creamy layer has also come in. In the name of this concept, most of the backward classes people have been affected and they do not have any protection in civil services. There is no Parliamentary Committee for OBCs and in the name of creamy layer, they have no reservation in promotion. As far as the backlog in the common services was concerned only fifty per cent was allowed. The 27 per cent reservation that has been given, has been confined only to appointments as far as the Government Service is concerned.

I come to welfare schemes for educationally and socially backward classes. I say that the Government is trying to give 50 per cent reservations for the SCs/STs in private sector. As far as the OBCs are concerned, this benefit is conspicuously absent. It is mentioned even in the Common Minimum Programme. I made a fervent appeal to the hon. Minister on the day when this issue was raised in this House that the Government should provide reservations for OBCs in the private sector also and the hon. Minister had assured that she would consider that proposal. In the Common Minimum Programme it was mentioned that OBC will also be given this benefit. But, at the moment, only SCs/STs have reservations in private sector. OBCs are also entitled to it. Apart from that, as far as the relaxation period for Government servants is concerned, it is only three years. Unfortunately, there is a Bill being brought in this House in the form of the Reservation Bill for SCs/STs and OBCs. As far as OBCs are concerned, there is a lot of discrimination that has been done and we have brought it to the notice of the Parliamentary Standing Committee. I request the Government to see to it that when they implement the reservation policy, they should implement it in right earnest for those categories of people who deserve it. Don't discriminate and do not create problems between these two communities also. It is a very clever ploy by some of the vested interests to see that there is a wedge created between the

SCs/STs on the one side and the OBCs on the other. That should not happen. Reservation means reservation in all aspects, so far as the socially and educationally backward and the minorities are concerned.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): How much time will you take?

SHRI V. NARAYANASAMY: I will take five minutes more, Sir. Now, as far as the minorities are concerned, people belonging to minorities who have actually been suffering are neither here nor there. They are not getting the benefit of reservation. Only about six to seven per cent of the people belonging to minorities are in the upper strata of the society there. There are very poor people in the minorities and they have to be protected by the Government. There should be a commitment made by the Minister in this regard. I fully agree with what the hon. Member, Shri Dipankar Mukherjee, has said that the setting up of a financial development corporation or a welfare corporation is not going to solve the problem. The core issue is education. You have to give economic empowerment to minorities also. The minority communities constitute about 18 per cent of the total population of the country. We have to protect their interests. I urge upon the hon. Minister that they should also be provided reservation in jobs. I am talking about the targeted groups. The hon. Minister is here. The other day the hon. Prime Minister had addressed a meeting of the North-Eastern Development Council. The Budget allocation is only Rs. 500 crores. The work of the Tribal Development Ministry is to distribute the money to the sister States. Thereafter, they don't go there even for monitoring. It was happening like that in the past. We raised issues about implementation of various schemes. There are various schemes like laying of roads, electrification of villages in tribal areas, development of cottage industries and marketing the items produced by the artisans of those areas. Since the hon. Minister is exclusively looking after the Ministry of Tribal Affairs, a lot of things have to be done in those areas. Sir, I know that the hon. Minister takes a lot of interest in this area. But, the Ministry of Tribal Affairs needs cooperation of the North-Eastern States. First of all, they have to empower the tribal people so that they get their own source of income. For this purpose, the handicraft items which are manufactured by them should be properly marketed. There should be some provisions for marketing of those handicraft items. All the seven States of the North-East should make provision for marketing of handicraft items manufactured by the tribal people. Unless and until we economically empower the tribal

people, there is no other way of improving the conditions of the North-Eastern States. Apart from promotion of handicrafts, tourism industry should be promoted. A lot of stress is being laid on laying of roads in the North-Eastern region. A lot of new schemes have come for the development of the North-East. I am very happy about it. But, still a lot more has to be done. The hon. Minister said on the other day that a larger allocation has to be made for the development of the North-Eastern region. I also agree with him. For electrification, road development, education, establishment of good hospitals and raising the standard of living of the people living in those areas, a larger allocation is needed. These are the areas of concern. The hon. Minister knows the subject very well because he has been with those people there. I agree that a larger allocation has to be made, for that. But, the Ministry of Tribal Affairs should not be made the Ministry for distributing funds for various schemes only. It should also monitor various schemes, because I read some reports that once the funds are allocated, they get reports from the concerned States about the implementation of those schemes. It should not be done like this. Once the Ministry of Tribal Affairs allocates funds for some schemes, it should see to it that the funds are properly spent on the schemes of the North-Eastern region. It is the job of the Tribal Affairs Ministry. I would like to tell the hon. Minister that unless and until you do that, the desired result will not come. Therefore, these are the areas of concern, especially for the SCs, STs, OBCs and the minorities. It is the commitment of the UPA Government that it will work for the economic, social and educational development of these communities. I request the hon. Minister to consider the suggestions which I have given. The Government should implement the reservation policy in right earnest, create job opportunities for them, strengthen them economically, provide more opportunities to those people to come up in the society and implement the land reforms. These are the various measures which I request the hon. Minister to consider.

Sir, I am grateful to the Minister of Social Justice and Empowerment that when the Southern India was hit by the Tsunami, she was kind enough to visit the affected areas of Tamil Nadu and Pondicherry. She also helped us to get the counselling for the people who had been affected by the Tsunami and who had been mentally disturbed. She also provided assistance to the affected people. I am grateful to her. With this, Sir, I support the various programmes being implemented by the Ministry. I request the hon. Minister to consider the suggestions which I have made. Thank you very much, Sir.

SHRI P.G. NARAYANAN (Tamil Nadu): Sir, the Constitution of India intends to achieve social and economic justice, as also the dignity of individuals, as envisaged in the Preamble of the Constitution. It can be achieved only if the economic condition of every person improves for taking care of one's social position. Article 16 of the Constitution tries to achieve more employment opportunities for the oppressed class of people.

It is incorporated as a fundamental right that there shall be equality of opportunities in the matter of public employment and to achieve the same, reservation should be made for the people of weaker sections of the society, such as the SCs, STs and other backward classes. In order to abolish inequalities in the social order and to achieve justice - social, economic and political - the Constitution envisages that the State shall make proper laws to achieve these objectives.

Sir, so far as the AIADMK is concerned, it is a pioneering party not only in advocating but also in implementing 69 per cent reservation in my State, in the field of employment and education. So, the State of Tamil Nadu has already achieved this social justice as early as in the year 1994 through the efforts of our revered leader, Dr. Puratchi Thalaivi, the present Chief Minister of Tamil Nadu. The State passed an Act to achieve 69 per cent reservation of seats - that is, 30 per cent for the backward classes, 20 per cent for the most backward and de-notified communities, 18 per cent for the SCs and 1 per cent for the STs. This Act has been included in the Ninth Schedule of the Constitution. But the successive Governments at the Centre, for the past 57 years after Independence, have not taken care in taking effective steps to achieve the objective of the Preamble of the Constitution. The Central Government should raise the reservation for the other backward classes in the Central Government jobs from the existing 27 per cent to 50 per cent, in proportion to the population. The enhancement of the reservation should be applicable in the jobs of public sector undertakings of the Central Government as well as in admission to educational institutions run by the Centre. The reservation should be extended to private sector institutions also. Then only we can achieve social justice.

The Constitution should be amended to empower the States to determine the percentage of reservation according to their respective requirements. Sir, in order to achieve social justice effectively, reservation should be provided in the decision-making level. Our Chief Minister, Dr. Puratchi Thalaivi, has taken care to provide representation to the oppressed



classes such as the SCs, STs and other backward classes in appointing District Collectors and Secretaries of various departments in Tamil Nadu.

Though the UPA Government is committed to achieve social justice to the oppressed classes, it remains only on paper. But the fact is otherwise in practice. Can the Central Government indicate how many judges have been appointed from the SCs, STs and OBCs? How many Secretaries and chiefs of the public sector undertakings are from the SCs, STs and OBCs?

Sir, the creamy layer concept is an invention of the judiciary in the Inoira Sahani case. Sir, article 15 and 16 of the Constitution of India provides for prohibition of discrimination amongst the citizens and it says that equality of opportunity should be provided in the matter of public employment. There were exceptions to provide reservation in favour of any backward classes of citizens who are socially and economically backward. But the judiciary has brought a new concept of economic backwardness, which is against the spirit of the Constitutional provisions. The subsequent Governments after 1993 missed the chance of annulling this injustice. I expect this UPA Government - if it has got a political will - to bring a proper Constitutional amendment to protect the interests of the backward classes. Sir, the injustice caused by the Indra Sawhney case should be set aside by bringing the OBCs at par with other backward sections. But we find on pages 48 to 50 of the Annual Report for the year 2004-05 of the Ministry Social Justice and Empowerment that they are not following the UPA Government's manifesto. It is repeating the history of the previous Government by supporting the injustice caused to Other Backward Classes. Sir, I submit that anything that is against the spirit of the Constitution should not find place in the Annual Report of the Ministry. But we find that the creamy layer component is incorporated in the Annual Report of the Ministry. This Ministry did not take any care with regard to removing this component, which is against the spirit of the Constitution. Nowhere in the Constitution the economic backwardness has been indicated as a criterion for reservation. Sir, a Commission was also appointed by the previous Government on 6.1.2004. This Commission had to submit its report by 6.1.2004. The Commission had to submit its report within a year. But it has not submitted its report. Nowhere has it been indicated whether this Commission has submitted its report or not. The Report states that the Commission consists of a Chairperson, a Member Secretary, etc. and the Commission has to submit its report in six months from the date of the appointment of the Chairperson. Even this much is also not indicated

whether this Commission is functioning or not. So, these kinds of facts are not updated. In this sorry state of affairs how do we expect that this Ministry will achieve social justice? It is a very sorry state of affairs.

Sir, there is one good scheme of the Central Government which is known as the Accelerated Irrigation Benefit Programme which is meant only for backward areas where OBC, SC and ST people are predominantly living. So far as this Government is concerned, the present Finance Minister has not allotted any amount so far to Tamil Nadu. Purposely he- is discriminating against Tamil Nadu. Even though he belongs to Tamil Nadu, he has not allotted even a single pie to Tamil Nadu. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): One minute. ...*(Interruptions)*... You will have your chance. ...*(Interruptions)*... If you will interrupt him, you will not get your chance. ...*(Interruptions)*... Please do not interrupt. ... *(Interruptions)*...

SHRI P.G. NARAYANAN: Can they deny this? ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Please do not interrupt. ...*(Interruptions)*...

SHRI P.G. NARAYANAN: The fact of the matter is that he has not allotted any money. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): He has not yielded. ...*(Interruptions)*... Please do not interrupt him. Let him say whatever he wants to say. ...*(Interruptions)*... Your name is here. You can speak when your turn comes. ...*(Interruptions)*... Please keep quiet now. ...*(Interruptions)*... Please go ahead. ...*(Interruptions)*...

SHRI P.G. NARAYANAN: How can we achieve social justice with this Minister? ...*(Interruptions)*... So far this Minister continues in this Government, we cannot achieve social justice. This is my submission. So far as the service rendered to Tsunami affected areas is concerned, I welcome the efforts of the officials of CARA, i.e., Central Adoption Resource Agency, who were deputed to the Tsunami affected areas of Tamil Nadu for assessing the status of urban children in distress in the post-Tsunami scenario. I want to know the details of the action taken. Then, Sir, so far as the people engaged in the unclean occupation are concerned, they are grossly marginalized sections of society and are most underprivileged. It is felt that education is the most effective tool for uplifting these sections of society. So the pre-matric scholarship schemes can play a vital role in

uplifting these sections of society. This Ministry has to take adequate steps in providing pre-matric scholarship to uplift these sections of the society. Thank you, Sir..

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Shri E. M. Sudarsana Natchiappan. You have six minutes.

SHRI E. M. SUDARSANA NATCHIAPPAN (Tamil .Nadu): Thank you Sir, but I can borrow the minutes for the BJP also as they are not present.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): After giving you that you have got six minutes.

SHRI E. M. SUDARSANA NATCHIAPPAN: Yes Sir. BJP is not at all interested in social justice and empowerment of poor people. That is the main reason why they have walked out without participating in this debate. I would like to submit that the very programme, during that period and outside has shown as if they are working for the cause of the Scheduled Castes, Scheduled Tribes and the OBCs but they never did any favour for this community. They made all the injustice to these communities which were united, who were working in the fields as brothers, who are looking after the land, who are looking after the labour work of the other side. These people are united together. That means the force of India will be very powerful. That is the main reason why they want to divide these communities, and on that basis, they showed that Indra Sawhney case has given them some light to their own road path. But my submission is, the creamy layer, and also the Indra Sawhney case, is totally against the community of the SC, ST and also the OBC. That has to be, first of all, understood and I am sorry, Sir, even in the Annual Report - I don't want to blame any individuals - when they mentioned about the history of the National Commission for Backward Classes on page 9 of this Report, they showed that the National Commission for Backward Classes Act, 1993 was enacted on the direction of the hon. Supreme Court in Indra Sawhney case and others *versus* the Union of India and others to set up a permanent body for entertaining, examining and advising the Government of India on request from caste communities for inclusion of Central List of the Backward Classes..." In such a way it goes on. I am very sorry to say that article 340 is very clear in giving the powers for appointment of Commission to investigate the conditions of the backward classes. When Dr. Ambedkar brought this particular provision, he was very much interested to see that **the** Scheduled Castes' interest should be protected by having the

Commission that is mentioned in Article 335. The Scheduled Tribes interests should be protected by having a Commission. It is mentioned under Article 339 of the Constitution. And, the Backward Classes interest should also be protected, and the same has been mentioned under Article 340 of the Constitution. Therefore, this Constitutional criterion is fulfilled by way of having a National Commission for Backward Classes- Act, 1993. Indra Sawhney Case is against the people, against the SC/ST and OBCs. It made an embarkment even on the ceiling of appointments. That is why, during the period of NDA, it had put a ceiling of 51 per cent, through a backdoor method, by bringing a Constitutional Amendment. That was also totally against the spirit of the Constitution. Therefore, my submission is, when the Annual Report is placed before Parliament, it should have the basic criteria *i.e.*, fundamentals should not be changed. It should be made clear that the Constitution has given the power to make these Commissions.

If these Commissions work according to the provisions of the Constitution, then these communities will get justice. The Commissions that we have for the SC, ST and OBC people are toothless. The Commissions have got no power to punish the people- who violate the law. They are simply getting some data. The data is not helping the Commissions to punish. There is no power for them. There is no statutory power to support their action to find out the facts and make some efforts to develop that particular category of people. The intention of the Constitution is to develop them and bring them into the mainstream. That is the main purpose of it. As Mr. Narayanasamy has said, 80 per cent of the population is covered within these three categories. If these three categories are comprehensively taken into consideration, by applying the special provisions relating to these people in the Constitution, then the entire nation can develop. That is why my submission is this. The National Common Minimum Programme enunciated by the UPA Government says, "The UPA Government is very sensitive to the issue of affirmative action, including reservations, in the private sector and it is committed to speedy socio-economic and educational development of the SC/STs." This intention should also be taken into consideration for the Backward Classes. Once it is taken into consideration, then, a separate fund should be created to take care of health of the SCs/STs and OBCs.

Now, I come to sports development. They are well versed in all sports. But, we are concentrating only on Cricket, not on other sports. Special Fund should be created by this Ministry for the development of

sports amongst the SCs/STs and OBCs. Education, rural sports, skill-development and IT knowledge should be given more emphasis. The Ministry is giving funds for IT knowledge. At page 39 of the Annual Report it says it all. It is very painful to see that in 2002-03, they have granted Rs. 3.05 crores, but the beneficiaries were shown as 2,144. Gradually, the figure has come down to Rs. 1.85 crores in 2003-04 and the number of beneficiaries had also come down to 1378. In 2004-05, the allocation was Rs. 1.77 crores and the beneficiaries were 1334. In the same way, if you look at the statistics given for girls and boys, it clearly shows that it had fluctuated from 21.99 per cent to 35.25 per cent and then to 25.90 per cent. Of course, it went up in 2003-04. But, it came down in 2004-05. In the same way, the number of beneficiaries with regard to girls has gone down from 11,484 to 9,277 - and then it gradually goes down to 7,172. This clearly shows...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): You have to finish it now.

SHRI E.M. SUDARSANA NATCHIAPPAN: Sir, I take only three minutes.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): I allow you only two minutes.

SHRI E.M. SUDARSANA NATCHIAPPAN: ...that the beneficiaries gradually came down from 11,000 to 7,172. This clearly shows that this programme is not genuinely implemented by certain people. Therefore, it is to be seen that these programmes are implemented in a much more dynamic way and more funds should be allocated and the funds should percolate down below.

In Tamil Nadu the Noon Meal Scheme was started during Shri Kamaraj period. During that period, he initiated that not only SC/ST and OBC should be given Noon Meal, but it also be given to other economically backward people. But, now, it has become a national programme. In the same way, we can take some examples from Tamil Nadu, where they are giving bicycles to the Scheduled Castes and the Scheduled Tribes girls. That is helping the girls a lot in going to schools, libraries and other places. This type of activity - providing things directly to the SC, ST and the OBC people - has to be taken up by this Government because the UPA Government is fighting for the cause of the poor people under the National Advisory Council's chairmanship of Soniaji.

Sir, I would like to conclude within the stipulated time. The aspect of giving more funds to the needy people has to be taken care of while making Budget. Another pathetic situation is, due to the BJP's misrule, during the previous term, the United Nations Human Rights Commission had taken a note that India is discriminating against the dalit people. This is the worst thing that the BJP had done for this community and for India. They had been talking about patriotism and similar things, but they had failed on this front. The International Human Rights Commission had appointed three persons to look into this aspect. It is against our sovereignty, they wanted to see whether the dalits were discriminated or not. We are in a position to safeguard their interests. We have got Civil Liberties Act; we have got the Scheduled Castes and the Scheduled Tribes Protection Act. The only thing is, we have to implement them properly so that the SC, the ST and the OBC people could lead a peaceful life and prosper as the Constitution of India envisages. Thank you very much, Sir.

SHRIMATI VANGA GEETHA (Andhra Pradesh): Sir, I thank you for giving me this opportunity to participate in this very important discussion. The Ministry of Social Justice is entrusted with many subjects, like social welfare, development of the Scheduled Castes, the Scheduled Tribes and other Backward Classes, apart from minority welfare and welfare of physically challenged persons, alongwith social defence subjects. This Ministry is basically expected to expand all sorts of help to the needy people belonging to the Scheduled Castes, the Scheduled Tribes, the OBCs, Minorities and persons with disabilities, apart from child care, and protection to the aged people.

Sir, during 2003-04, the expenditure of Rs. 1181.07 crore under Plan and Rs. 59.16 crore under Non-Plan was incurred. Outlays for various schemes and programmes of the Ministry were fixed in BE 2004-05 at Rs. 1492 crores in Plan and Rs. 65.01 crores in Non-Plan. It is not at all satisfactory and has not yielded satisfactory results. The budgetary allocations for the Scheduled Castes and the Scheduled Tribes are also not proportionate to their population. The total SC population of our country, as per 2001 census, is roughly about 16.25 per cent of the total population. However, the budgetary allocation is not up to the required level. The SC population concentration in Uttar Pradesh is 3.51 crores; in West Bengal, 1.84 crores; in Tamil Nadu, 1.18 crores; in Andhra Pradesh, 1.23 crores; and in Bihar, 1.13 crores. these States account for 53.36 per cent of the Scheduled Caste population of the country. Uttar Pradesh has the highest

concentration of the Scheduled Caste population in terms of absolute terms, whereas Punjab occupies first position in terms of percentage of the Scheduled Castes of the State population. Sir, I request the Government of India to allocate more funds to the States where the Scheduled Castes population is very high and where the needs of the Scheduled Castes population are very high because the State Governments are not able to provide funds due to lack of finances. So, I request the Government to allocate more funds to the respective States where the Scheduled Castes population is more.

Literacy among the Scheduled Castes is also an important aspect. It is much lower than the national average. So, there is a need to give a fresh look to the programmes, which are being implemented by the Central and State Governments. I request the hon. Minister to construct more schools, hostels and residential schools and to provide more incentive programmes for the betterment of the students belonging to the Scheduled Castes and the Scheduled Tribes community.

The Government should look at the poverty ratio and allocate more funds in order to create more employment opportunities for the welfare of the Scheduled Castes and the Scheduled Tribes who are below the poverty line.

[MR. DEPUTY CHAIRMAN in the Chair]

Even after more than 55 years of Independence, the Scheduled Castes population is not being provided the required infrastructure for their livelihood and studies. We need to concentrate more on providing better infrastructure apart from educational and employment opportunities.

Sir, the Scheduled Castes, more particularly, the *Madigas* are agitating for categorisation of their castes into A, B, C and D categories as they are denied and deprived of their legitimate rights. The MRTS, which is spearheading the agitation in Andhra Pradesh, has also submitted a representation to the Government of India for taking steps to categorise the Scheduled Castes. The then Government of Andhra Pradesh, under the leadership of Shri Chandrababu Naidu, passed an unanimous resolution in the Assembly and issued a Government Order for categorising the Scheduled Castes into A,B,C and D category in order to render justice to the deprived category of *Madigas*. But, unfortunately, it was not implemented fully due to the Supreme Court's order. The Supreme Court held that only Parliament can enact a law regarding categorisation of the

Scheduled Castes. Hence, I request the Government to honour the unanimous resolution of Andhra Pradesh Assembly and bring a Bill for categorisation of the-Scheduled Castes.

I would like to make a mention about the NGOs. The Government is releasing grant-in-aid to many voluntary organisations working for the Scheduled Castes, but there is no review mechanism to oversee the implementation of these programmes. And some persons are actually getting benefit out of it because some organisations are said to be black-listed for violating the norms. I request the Government of India to evolve a permanent and transparent mechanism for the utilisation of funds allocated to the voluntary organisations for the betterment of the Scheduled Castes.

Sir, the socially and economically backward classes other than the Scheduled Castes and the Scheduled Tribes are recognised as backward classes in the Constitution of India. The Constitution also recognises the difficulties under which they labour. The OBCs are notified in almost all the States and Union Territories of the country, but the expected support from the Central and State Governments is not in proportion to their population. Sir, there are crores of people living below the poverty line looking up to the Government for financial assistance, employment opportunities and better educational health facilities for them. Hence, I request the Government to allocate more funds to give thrust to the educational and health facilities apart from employment opportunities.

Sir, the suggestion of the National Commission for Backward Classes also must be considered and implemented without any hesitation so as to help the OBCs.

Sir, the 27 per cent reservation in civil posts and services which are provided to the OBCs must be strictly implemented. The scholarships meant for the Scheduled Castes, the Scheduled Tribes and the OBCs must be enhanced both for pre-matric and post-matric students. Sir, I request the Government to allocate more funds to the National Backward Classes and Financial Development Corporation for the economic development of OBCs. *(Time-bell)* Sir, I will finish in two-three minutes.

I now want to make a point regarding minorities. There are five religious communities, that is, Muslims, Christians, Sikhs, Buddhists and Parsis. They are notified as minorities as per provision under the National Commission for Minorities Act - 1992.



**4.00 P.M.**

Of the total population of the country, Muslims are 13.4 per cent, Christians are 2.3 per cent, Sikhs are 1.9 per cent, Buddhists are 0.8 per cent and Parsis are 0.007 per cent. Thus, as per the 2001 Census, they constitute 18.4 per cent of the total population of country. I request the Government to create conditions in which the minorities are assured of their constitutional and legal rights. Their rights are safeguarded and educationally and economically, they are brought at par with the mainstream. In our Constitution, under articles 29, 30, 347, 350, 350-A and 350-B, certain safeguards have been provided to the religious and linguistic minorities. I request the Government to have a thorough review of the implementation of the safeguards provided to the minorities so as to create confidence among the minority communities in our country. I also request the Government of India to provide more money to the National Minorities Development and Financial Corporation.

In Andhra Pradesh, during his regime, NTR established a Minority Financial Corporation for the upliftment of the minorities in Andhra Pradesh. There are crores of people in minority communities who are living below poverty line and there are many programmes for them like housing, employment, education and health. In view of the poverty among the minority communities, the Government of India should come out with a special programme to cater to the needs of minorities in respect of infrastructure, education, health and housing, apart from employment opportunities.

Now, I come to the Adoption Agency. The Central Adoption Resource Agency (CARA) was set up in 1990. In 1999, it was subsequently registered under the Societies Registration Act, 1960, to act as an autonomous body in the matters relating to adoption. In recent times, a number of cases have been registered in Andhra Pradesh for violating CARA guidelines and the poor labourers are suffering by virtue of some people who are in influential positions. *(Time-bell)*

MR. DEPUTY CHAIRMAN: You had asked for two minutes. But I gave you three minutes.

SHRIMATI VANGA GEETHA: Sir, I will take two more minutes.

MR. DEPUTY CHAIRMAN: In addition to the time allotted to you, you asked for two minutes. I gave you three minutes.

SHRIMATI VANGA GEETHA: Sir, please give me two more minutes. Sir, child-care is the most important issue. The organised children are being exploited in the name of adoption. I request the Government of India to review all the cases relating to adoption in Andhra Pradesh, and do justice to their parents at the earliest.

Another vital subject dealt by this Ministry is care of old people. Sir, as per the Census 2001, about 7.66 crores old people are living in India, and by 2016, it is likely to be 9.33 per cent of the total population of our country. I request the Government to support and ensure financial security, health care, shelter and other needs to the old people.

As regards the Scheduled Tribes, according to the 2001 Census, there are about 84.32 million ST people, constituting 8.2 per cent of the total population of the country. Primitive Tribal Groups are 1.32 million, according to 1991 Census.

MR. DEPUTY CHAIRMAN: Please conclude.

SHRIMATI VANGA GEETHA: Sir, lastly, I request the Government of India to take steps for providing all facilities to the tribal habitations like schools, roads, electricity, water, housing and other infrastructural facilities. Sir, even fifty-five years after Independence, there are thousands of tribal habitations which are without electricity facility. Sir, the literacy rate among the tribals is very low; so, I request the Government to come out with a special programme in this regard. Thank you.

MR. DEPUTY CHAIRMAN: Shri R; Shunmugasundaram, you have five minutes.

SHRI R. SHUNMUGASUNDARAM (Tamil Nadu): Okay, Sir.

Sir, one of the basic principles enumerated in the National Common Minimum Programme is to provide ...*(Interruptions)*... for full equality of opportunity, particularly, in education and employment for Scheduled Castes, Scheduled Tribes and OBCs and religious minorities. We have no disagreement over this - me and Mr. Narayanasamy. Sir, the National Common Minimum Programme has also promised affirmative action, including reservation in the private sector. It is also to establish a National Commission to see how best the welfare of socially and economically backward section among religious and linguistic minorities is enhanced, and also to provide constitutional status to Minorities Commission. Sir, for this purpose, a Constitutional Amendment was also brought in. Article 340A

was introduced, and now the matter is pending with the Standing Committee. The National Commission for Backward Classes is also constituted under the relevant Act in the year 1993 after the direction of the Supreme Court in the *Indra Sawhney's* case. That is also not with constitutional status as the Minorities Commission. Therefore, I urge upon the Government to provide for constitutional status to the National Commission for Backward Classes also. As per the Annual Report, the Ministry seeks to make meaningful intervention in the lives of persons belonging to the Other Backward Classes also, but the programmes of the Ministry, as far as I could see, are mainly concentrated on the Scheduled. Castes and Scheduled Tribes. I, therefore, request the hon. Minister to concentrate on Other Backward Classes, who constitute more than 60 per cent of the total population of our country.

Sir, as far as the concept of 'Creamy Layer' which has been provided here is concerned, as per the Report, an income of Rs. 1 lakh per annum is fixed as a mark for giving the benefit of creamy layer. That was a very wrong procedure and that was tested in Tamil Nadu and it failed. I do not know whether Mr. P.G. Narayanan remembers it. It was introduced there in the year 1978 when the AIADMK Government was in power, and Mr. M.G. Ramachandran was the Chief Minister. At that time, the concept of 'creamy layer' was introduced there. And after that, what happened? The people rejected them. In an election to the Lok Sabha, they could hardly get two seats. And, after that, there was a roll back, and they withdrew it. ..'(Interruptions)... Yes; there was a ceiling of Rs. 9000/- per annum. Mrs. Subbulakshmi Jagadeesan knows it. ...'(Interruptions)...

SHRI P.G. NARAYANAN: Sir, he is giving a distorted fact. ...'(Interruptions)...

MR. DEPUTY CHAIRMAN: No; Mr. Narayanan, you can mention it later on. ...'(Interruptions)... Let him say what he wants to say. ...'(Interruptions)...

SHRI R. SHUNMUGASUNDARAM : Sir, he is taking my time. I am not yielding. ...'(Interruptions),...

SHRI P.G. NARAYANAN: Sir, **that was** not enforced. ...'(Interruptions)... He is misleading. ...'(Interruptions)...

MR. DEPUTY CHAIRMAN: Member need not clarify. There is no need for it. ...'(Interruptions)...

[26 April, 2005].

RAJYASABHA

SHRI P.G. NARAYANAN: Sir, he is misleading. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. ...*(Interruptions)*... That is his opinion. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM : Sir, the concept of 'creamy layer' was introduced in Tamil Nadu. Rs. 9000 per annum was the income that was fixed, and that was also a subject matter of challenge before the High Court and the High Court upheld that limit. But after the decision of the High Court, they had to withdraw it because they lost heavily in the election. What is the .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No; please sit down. If time permits, I will allow you. You can seek clarifications from the Minister. ...*(Interruptions)*....

SHRI R. SHUNMUGASUNDARAM : Therefore, Sir, I appeal to this Government not to follow the concept of creamy layer. That is a very wrong' policy. Please withdraw the concept of 'creamy layer'. That is my request. I am saying it because they failed in Tamil Nadu. ...*(Interruptions)*...

Sir, as far as the other activity of this Ministry is concerned, I really have to congratulate the Ministry for its emergency-relief aspects. During the National calamities like Tsunami, this Ministry came forward and did a tremendous work, as was mentioned by the hon. Members, Mr. Sudarsana Natchiappan and Mr. V. Narayanasamy. Their work was magnificent. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Order please.

SHRI R. SHUNMUGASUNDARAM : So, Sir, what I emphasise is that for the orphan children, they must do something. Sir, nothing has been done in the State of Tamil Nadu. So, I expect the Ministry to do something about the orphan children. They have to establish .....*(Interruptions)*...

DR. K. MALAISAMY (Tamil Nadu) : Sir, the Home Minister has himself appreciated it. ...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM : Sir, I am not yielding. ...*(Interruptions)*...

DR. K. MALAISAMY: How can you say that it has not been done? ...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM ; Sir, in the Annual Report, it is also stated that the Ministry is going to establish a National Institute for Persons with Multi-Disabilities at Chennai. That is at the initial stage of drawing and designs. What is happening? Why is this delay? Is the State Government not cooperating ? I want the Ministry to come out with proper answers to this.

MR. DEPUTY CHAIRMAN: Please, speak about the Central Government.

SHRI R. SHUNMUGASUNDARAM : Sir, I am only speaking on that.  
..(Interruptions)...

DR. K. MALAISAMY : Sir, for your information, the Central Government has submitted a proposal...(Interruptions)....

SHRI R. SHUNMUGASUNDARAM Sir, I don't want  
...(Interruptions)...

MR. DEPUTY CHAIRMAN : We have this problem only when Members from the DMK and AIMDK speak..(Interruptions)...

DR. K. MALAISAMY : Sir, we won't allow him to give misleading information.

SHRI R. SHUNMUGASUNDARAM : Sir, I am not giving misleading information.... (Interruptions)...

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI SUBBULAKSHMI JAGADEESAN) : There is a delay in handing over the land ...(Interruptions)...

SHRI R. SHUNMUGASUNDARAM : The hon. Minister says that there is a delay in handing over the land. Sir, this is what is happening in Tamil Nadu ...(Interruptions)...

Now, Sir, coming to the literacy rate, the increase in literacy rate among the Scheduled Castes is reported to be 17.28 per cent ... (Interruptions)...There has been an increase of 17.28 per cent in the literacy rate and this has reduced the gap between the General and Scheduled Castes populations. This is a welcome measure. (Time-bell)

Sir, the Annual Report says that there is a special cell constituted by the Ministry to oversee and monitor proper implementation of the relevant Acts - the Protection of the Civil Rights Act and the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act, 1989. It was also stated that the Secretary made a review on the 10<sup>th</sup> of August, 2004, in a meeting of the Secretaries. It is also stated that the hon. Minister of Social Justice & Empowerment, in a letter dated 28<sup>th</sup> of December, 2004 addressed to the Chief Ministers of State Governments, emphasized that Protection of the Civil Rights Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act should be effectively implemented.

Sir, what is happening is, some of the officers belonging to the Scheduled Castes and Tribes, are not being given postings. They are kept in waiting without any postings being given. This happens to IAS, IPS and IPS Officers.

SHRI V. NARAYANASAMY : In Tamil Nadu ...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM: Yes, I am talking about Tamil Nadu. If that is the case, this special cell should monitor that and penalise the concerned Government, which is not giving postings to the Scheduled Caste and Scheduled Tribe officers.

MR. DEPUTY CHAIRMAN : Now, Shrimati Kum Kum Rai.

SHRI E.M. SUDARSANA NATCHIAPPAN: A most senior officer... *(Interruptions)*...

MR. DEPUTY CHAIRMAN : The matter is over ...*(Interruptions)*... that is over.

**डा.कुमकुम राय(बिहार):** उपसभापति महोदया, सामाजिक न्याय तथा अधिकारिता मंत्रालय के कार्यकरण पर जो चर्चा शुरू हुई है, उसमें भाग लेते हुए मैं दो पंक्तियां कहना चाहूंगी —

“ कहां तो तय था चिरागां हरेक घर के लिए,  
यहां चिराग मयस्सर नहीं सहर के लिए” ।

महोदय, यहां “सहर” से मेरा तात्पर्य उन दलितों, आदिवासियों, जनजातियों के गांवों से हैं, जहां न तो शुद्ध पेयजल है, न अच्छी सड़कें हैं, न बिजली है, न स्वास्थ्य केन्द्र हैं और उन लोगों के लिए रोजगार के साधन भी उपलब्ध नहीं हैं। हमारे देश की आबादी एक अरब से अधिक पहुंच चुकी है लेकिन अनुसूचित जाति, जनजाति, माइनॉरिटीज़ और अन्य पिछड़े वर्ग, इन तमाम लोगों की आबादी करीब 80 प्रतिशत हैं। इसलिए यह स्पष्ट हो जाता है कि जब तक सरकार की तरफ से इस 80 प्रतिशत आबादी के सर्वांगीण विकास के लिए भरपूर काम नहीं किया जाएगा, हर क्षेत्र में उनकी अधिकारिता के लिए काम नहीं किया जाएगा, तब तक इस देश का विकास नहीं हो सकता है।

महोदय, हमारा यह मंत्रालय अनुसूचित जातियों, धार्मिक तथा भाषाई रूप से अल्पसंख्यकों, सामाजिक और शैक्षिक रूप से पिछड़े वर्गों और विकलांगों के कल्याण, शराब तथा नशीली दवाओं की आदत के शिकार लोगों के देखभाल, सामाजिक कुव्यवस्था से पीड़ित किसानों के संरक्षण तथा देखभाल, जरूरतमंद बच्चों और बुजुर्गों के कल्याण और वक्फ के प्रशासन संबंधी मामलों के संपादन का कार्य देखता है।

महोदय, यह मंत्रालय अत्यंत महत्वपूर्ण कार्य को देखता है, लेकिन अगर पूरी मिनिस्ट्री पर नजर डाली जाय तो अलग से यह मंत्रालय इतना glamorous नहीं दिखायी पड़ता।

महोदय, सबसे पहले मैं अल्पसंख्यकों के विषय पर बोलना चाहूंगी। केन्द्र सरकार द्वारा वर्ष 1993 में मुस्लिम, ईसाई, बौद्ध और पारसी समुदायों को अल्पसंख्यक समुदाय घोषित किया गया था। महोदय, 189.5 मिलियन की आबादी के साथ अधिसूचित अल्पसंख्यक समुदायों का देश की कुल आबादी में 18.42 प्रतिशत हिस्सा है। अल्पसंख्यकों के कल्याण संबंधी कार्यक्रमों को, अल्पसंख्यकों के शैक्षणिक विकास हेतु मौलाना आजाद शिक्षा फाउंडेशन के माध्यम से तथा आर्थिक विकास के लिए राष्ट्रीय अल्पसंख्यक विकास तथ वित्त निगम के माध्यम से कार्यान्वित किया जाता है। पिछले वर्ष 17.16 करोड़ रुपए की तुलना में इस वर्ष के लिए एन.एम.डी.एफ.सी. के लिए आवंटन में वृद्धि कर के 71.29 करोड़ रुपए की राशि प्रदान की गयी है। हमारी यू.पी.ए. गवर्नमेंट ने राष्ट्रीय साझा न्यूनतम कार्यक्रम के अंतर्गत अल्पसंख्यकों के कल्याण पर जोर दिया है। धार्मिक और भाषायी रूप से अल्पसंख्यकों से संबंधित सामाजिक और शैक्षणिक रूप से पिछड़े वर्गों के लिए राष्ट्रीय आयोग के गठन हेतु अधिसूचना जारी कर दी गयी है। अल्पसंख्यकों के लिए राष्ट्रीय आयोग को संवैधानिक दर्जा देने पर विचार करने हेतु संसद में 23.12.2004 को एक संवैधानिक विधेयक प्रस्तुत किया गया था। महोदय, मैं मंत्री महोदय से जानना चाहती हूँ कि इस विधेयक की क्या स्थिति है और सरकार इस विधेयक को कब पास कराने जा रही है क्योंकि किसी भी राष्ट्रीय आयोग की स्थिति या क्षमता का अंदाजा इसी बात से लगाया जा सकता है कि उस राष्ट्रीय आयोग को संवैधानिक दर्जा प्राप्त है या नहीं ? इसके बाद यदि अनुसूचित जातियों की बात की जाय तो अनुसूचित जातियों के आर्थिक विकास के लिए विशेष घटक योजना हेतु विशेष केन्द्रीय सहायता एक बड़ी योजना है। वर्ष 2004-2005 के दौरान इस स्कीम के अंतर्गत 402 करोड़ रुपए की राशि आवंटित की गयी और इस साल के जनवरी तक मंत्रालय द्वारा 206.13 करोड़ का उपयोग किया जा चुका है। राज्य सरकारों द्वारा अनुसूचित जातियों के कल्याण के लिए विशेष घटक योजना के विन्यास तथा कार्यक्रम कार्यान्वयन की गहनता से मॉनीटरिंग भी की जा रही है। स्कूल स्तर से उच्च शिक्षा के स्तर तक की पढ़ाई को जारी रखने के लिए अनुसूचित जातियों के विद्यार्थियों को प्रोत्साहन देने के लिए बहुत सी स्कीमों को कार्यान्वित किया जा रहा है। जिनमें मैट्रिक के पूर्व और पश्चात् के छात्र-छात्राओं को छात्रवृत्ति देने, अनुसूचित जाति के छात्र-छात्राओं के लिए छात्रावासों का निर्माण, कमजोर वर्गों और अनुसूचित जातियों, अन्य पिछड़े वर्गों तथा अल्पसंख्यक समुदाय से संबंधित विद्यार्थियों के लिए कोचिंग आदि के कार्यक्रम शामिल हैं। मैं मंत्री महोदय से अनुरोध करना चाहूंगी कि अनुसूचित जाति की हमारी बच्चियों के लिए, उनको स्कूल में ज्यादा समय रखा जा सके और वे उच्च शिक्षा तक टिकी रह सकें, इसके लिए मैं चाहूंगी कि जो छात्रवृत्तियां उन्हें दी जाती हैं, वे उन पिछड़े वर्गों और अल्पसंख्यक बच्चियों के लिए दोगुनी कर दी जाएं ताकि कम-से-कम उस प्रोत्साहन और लालच की बदौलत वे ज्यादा दिनों तक स्कूल में टिकी रह सकें। महोदय, अनुसूचित

जातियों में हमारे देश में एक बहुत बड़ी कुप्रथा छुआछूत की हैं। उसे समाप्त करने के लिए अनुसूचित जातियों के विरुद्ध अपराधों तथा अत्याचारों को समाप्त करने के लिए नागरिक अधिक संरक्षण अधिनियम, 1955 तथा अनुसूचित जाति तथा अनुसूचित जनजाति उत्पीड़न निवारण अधिनियम, 1979 के प्रभावी कार्यान्वयन हेतु प्रयास किए जा रहे हैं। इसके लिए पी.सी.आर. एक्ट के अंतर्गत 22 न्यायालयों, पी.ओ.ए. एक्ट के अंतर्गत 137 विशेष न्यायालयों की सहायता ली जा रही हैं, लेकिन इन सारी बातों पर अगर गौर किया जाय तो हमारी अनुसूचित जातियों पर जो अत्याचार और उनके निवारण के लिए जो काम किए गए उनमें विशेष न्यायालयों और विशेष फास्ट ट्रैक न्यायालयों की स्थापना भी शामिल हैं। महोदय, उनकी सच्चाई यह है कि आज भी हमारे यहां भारतीय दण्ड विधान के तहत मामलों में न्यायालयों द्वारा सजा की दर तो 40 प्रतिशत हैं, लेकिन छुआछूत कि खिलाफ, नागरिक अधिकार सुरक्षा अधिनियम, 1955 और अनुसूचित जाति, अनुसूचित जनजाति अत्याचार निवारण, 1979 के तहत मामलों में सजायापत्ता मुकदमों की दर मात्र 3.75 प्रतिशत और 12.96 प्रतिशत हैं। यह देखा जा सकता है कि यह प्रतिशत ही बताता है कि किस प्रकार हमारे न्यायालयों में अनुसूचित जातिसे संबंधित मुकदमों के प्रति उनको क्या रवैया है, उनकी क्या मनोवृत्ति है और उनकी क्या कार्यशैली है? इस प्रतिशत को हम कैसे बढ़ा सकें, हमारे लम्बित मुकदमों जल्दी-से-जल्दी समाप्त किए जा सकें और हमारे पीड़ित व्यक्तियों को न्याय मिल सकें, इस संबंध में भी हम सरकार से चाहेंगे कि इस पर उचित रूप से ध्यान दिया जाए। दलित अत्याचार....(समय की घंटी)...के इन आंकड़ों पर यदि नजर डाली जाए तो ये आंकड़े लगातार बढ़ते चले जा रहे हैं। दलित अत्याचार के मामले में न्यायिक प्रक्रिया की जो सुस्ती है, वह भी स्पष्ट रूप से दिखाई पड़ती है। देश के कुल 26 राज्यों और केन्द्र शासित प्रदेशों में 2002 के दौरान अत्याचार निवारण अधिनियम के तहत विशेष न्यायालयों में लम्बित 1,62,187 मामलों में महज 3,748 मामलों में सजा हुई, लेकिन इसके लगभग दस गुने मुकदमों 32,430 बिना सजा के समाप्त हो गए। न्यायालयों में इसी वर्ष 9,011 मामलों लम्बित थे और उनमें 7,747 मामले भी बिना सजा के बंद कर दिए गए। यह स्थिति तब है जब नागरिक अधिकार सुरक्षा अधिनियम को लागू करने के लिए 1974-75 में और अत्याचार निवारण अधिनियम को लागू करने के लिए बतौर सहायता 1990-91 में केन्द्र सरकार ने एक योजना शुरू की थी, जिसके तहत केन्द्र सरकार ने जहां 1998-99 में 15 करोड़ 50 लाख रूपए दिए जोकि 2004-05 में बढ़ कर 30 करोड़ 40 लाख रूपए हो गए। सरकार का कहना है कि दलितों के खिलाफ उत्पीड़न की घटनाओं की रोकथाम के लिए कई उपाय किए जा रहे हैं। उनमें हरिजन थानों की स्थापना करना, विशेष न्यायालयों के गठन और प्रचार-प्रसार अभियान चलाने तथा दलितों को कई स्तरों पर आर्थिक सहायता देना, इत्यादि शामिल हैं। इसके बावजूद भी मुझे सरकार की विवशता स्पष्ट रूप से दिखाई पड़ती है कि आजादी के इन 58 वर्षों बाद भी ....(समय की घंटी)...न ही इन मुकदमों की संख्या ...(व्यवधान)...

**श्री उपसभापति:** कन्क्लूड कीजिए।

**डा.कुमकुम राय:** दो मिनट, सर। न ही इन मुकदमों की संख्या में कमी आ रही है और न ही गांव के स्तर पर इन अत्याचारों में कमी आ रही है। हम आए दिन अखबारों में पढ़ते हैं कि अनुसूचित जाति के किसी युवक ने या अनुसूचित जाति की किसी लड़की ने किसी सवर्ण व्यक्ति के साथ यदि प्रेम विवाह कर लिया या इस प्रकार का कोई संबंध स्थापित किया तो किस प्रकार आज भी हमारे गांव में ग्रामीण स्तर पर जो पंचायतें हैं, वे पंचायतें किस प्रकार उन्हें अपने



स्तर पर ही क्रूरतम दंड दे दिया करती हैं। इनकी संख्या में अभी तक कोई कमी नहीं आई है और अभी तक हमारी सरकार की तरफ से इस प्रकार का कोई हस्तक्षेप नहीं किया गया कि इस प्रकार के मामलों में पंचायत के स्तर पर सजा सुनाने का जो गैर-संवैधानिक तरीका अपनाया जा रहा है, उसको कैसे रोका जाए ? एक तरफ तो हमारी सरकार इस प्रकार की जाति-प्रथा का निवारण करने के लिए, इस प्रकार की शादी को प्रोत्साहित करने के लिए, उन्हें पुरस्कार देती हैं और दूसरी तरफ पंचायत के स्तर पर इस प्रकार के युवक और युवतियों और उनके परिवार को किस प्रकार प्रताड़ित किया जाता है, गांव से निष्कासित किया जाता है और किस प्रकार उन्हें शारीरिक और मौत तक की सजा उन्हें दी जा रही है। इसलिए मैं सरकार से स्पष्ट रूप से अनुरोध करना चाहूंगी कि वह इस संबंध में अविलंब कोई कार्रवाई करे ताकि इस प्रकार की घटनाएं इस इक्कीसवीं सदी में अब सुनने और देखने को न मिलें। हमारे राष्ट्रीय न्यूनतम साझा कार्यक्रम में की गई परिकल्पना के अनुसार निजी क्षेत्रों में हमारे अनुसूचित जाति के लोगों को आरक्षण प्रदान करने के लिए मंत्रालय द्वारा जब सकारात्मक कार्रवाई शुरू की जा रही है, उसमें मैं अनुरोध करना चाहती हूँ कि अनुसूचित जाति और अनुसूचित जन जाति के साथ-साथ ओ.बी.सी.के लोगों को भी उसमें शामिल किया जाए क्योंकि अब सरकारी नौकरियां खत्म हो गई हैं, सरकारी नौकरियों की भर्ती पर करीब-करीब रोक लग चुकी है, इसलिए हमें आरक्षण का जो प्रावधान मिला था, उस आरक्षण के प्रावधान, जिसको क्रीमी लेयर के द्वारा कई प्रकार से बाधित किया जा रहा है, तो क्रीमी लेयर को हटाने के लिए, जैसा हमारे पूर्व वक्ताओं ने अनुरोध किया है, मैं भी उनका समर्थन करती हूँ, साथ-ही-साथ मैं यह अनुरोध करना चाहती हूँ कि निजी क्षेत्र में आरक्षण के लिए जब भी बात हो तो अनुसूचित जाति-जनजाति के साथ-साथ अन्य पिछड़े वर्ग के लोगों को भी शामिल किया जाए। अब मैं अनुसूचित जनजातियों के विषय में कुछ दो बातें कहना चाहूंगी कि अपनी विशिष्ट संस्कृति और...(व्यवधान)...

**श्री उपसभापति:** आप अब समाप्त कीजिए।

**डा.कुमकुम राय:** अलग परम्परा के कारण अनुसूचित जन जातियां अन्य समुदायों से अलग पहचान रखती हैं, किन्तु अपने सामाजिक-आर्थिक पिछड़ेपन के कारण समाज के शेष वर्ग से वे अत्यन्त पीछे हैं। 2001 की जनगणना के मुताबिक इनकी जनसंख्या करीब 84.32 मिलियन हैं तथा देश की कुल आबादी में इनका हिस्सा 8.2 प्रतिशत है। ये अभी भी काफी पिछड़े हुए हैं। दसवीं योजना अनुसूचित जनजातीय होते हुए भी सामाजिक-आर्थिक अधिकारिता तथा सामाजिक न्याय के लिए वचनबद्ध हैं, ताकि इन जनजातियों को समाज के शेष वर्गों के बराबर के स्तर पर लाने के लिए, जो कि हमारे संविधान का उद्देश्य है, वह पूरा किया जा सके। इनके रोजगार के लिए, इनके हस्तशिल्प की चीजों के विपणन के लिए और जो इनके गांव हैं, इनकी आबादी के बीच में पेयजल और बिजली की सुविधा देकर इनके जीवन-स्तर को सुधारने का काम किया जा सकता है।

उपसभापति महोदय, विकलांग व्यक्ति अधिनियम, 1995 को क्रियान्वित किया जा रहा है। यह वर्ष की बात है। श्रीनगर, लखनऊ, भोपाल, गुवाहटी, सुंदरनगर में इनके पुनर्वास केन्द्रों की स्थापना की गई है ताकि जनशक्ति विकास के लिए सुविधाओं का विस्तार करके विकलांगता के सभी श्रेणी वाले लोगों के पुनर्वास और उनके लिए संबंधित सेवाओं की उपलब्धता सुनिश्चित की जा सके। दीनदयाल विकलांग पुनर्वास स्कीम के अंतर्गत सामाजिक संगठनों को वित्तीय सहायता प्रदान की जाती है। कुछ सामाजिक संगठन कुष्ठ उन्मूलन के पश्चात लोगों को

पुनर्वासित करने के काम में लगे हुए हैं और ऐसे अन्य तमाम कामों में लगे हुए हैं। मैं अनुरोध करना चाहूंगी कि हमारी मोनेटरिंग की जो व्यवस्था है, उसको और प्रभावी बनाया जाए क्योंकि बहुत से ऐसे सामाजिक संगठन हैं...

**श्री उपसभापति:** आप समाप्त कीजिए।

**डा.कुमकुम राय:** जो इस प्रकार की वित्तीय राशि लेकर उसका सही उपयोग सही लोगों के बीच में नहीं कर पाते हैं।

महोदय, इन सब के अतिरिक्त सामाजिक रूप से भटके हुए लोगों, असहाय लोगों, जरूरतमंद बच्चों की देखभाल के लिए और उनकी सुरक्षा के लिए भी यह मंत्रालय अन्य कार्यक्रम चलाता है। इसके लिए जो हमारे बजट का आवंटन किया जाता है, उसके लिए मैं आपके माध्यम से वित्त मंत्री जी से और प्रधान मंत्री जी से अनुरोध करना चाहूंगी कि यह 80 प्रतिशत की आबादी के सर्वांगीण विकास के लिए जो मंत्रालय कार्य कर रहा है, इसके बजट में आवंटन को बढ़ाया जाय ताकि ऐसे लोगों का भरपूर ख्याल रखा जा सके। धन्यवाद, महोदय।

**डा.फागुनी राम (बिहार):** उपसभापति महोदय, मैं आपके प्रति आभार व्यक्त करता हूँ, जो आपने मुझे इस विषय पर बोलने का मौका दिया। जो उपेक्षित लोग हैं, उनको आगे बढ़ाने का यह मंत्रालय काम करता है। अगर सचमुच देखा जाए, तो विकास के लिए तीन चीजें आवश्यक हैं—सामाजिक, आर्थिक और शैक्षणिक और इनके आधार पर लोगों को आगे बढ़ाया जा सकता, लेकिन अगर इन तीनों चीजों को लेकर शैड्युल्ड कास्ट, शैड्युल्ड ट्राइब्स, वीकर सेक्शन और माइनोरिटी के लोगों को देखते हैं तो हमें पता लगता है कि अभी इन लोगों को समाज के मेन-स्ट्रीम में लाने में कितनी कठिनाईयां हो रही हैं, कैसी कठिनाईयां हो रही हैं ?

महोदय, सबसे पहले मैं शिक्षा के बारे में बता करूंगा क्योंकि शिक्षा के कार्यक्रम कल्याण मंत्रालय भी चलाता है, जैसे पहाड़ी स्कूल के नाम पर, रेजिडेंशियल स्कूल के नाम पर, छात्रों के होस्टल, छात्राओं के होस्टल के नाम पर और अपंग लोगों के कल्याण के नाम पर। ऐसे बहुत सारे कार्यक्रम, जो जन-हितकारी हैं, जो सामाजिक न्याय मंत्रालय द्वारा चलाए जाते हैं। अगर सचमुच देखें, तो इस मंत्रालय की, यूपीए सरकार की यह बहुत बड़ी कृपा है कि उन्होंने इन कार्यक्रमों को लागू करने में अपनी प्राथमिकता दी है। जैसा कि अभी कहा गया, जो निजी क्षेत्र हैं, उनमें आरक्षण का प्रावधान किया जाए क्योंकि जो सरकारी क्षेत्र हैं उनमें आरक्षण नगण्य हो गया है, वहां पोस्ट इतनी भर गई हैं कि आरक्षण हो नहीं पाते। ऐसा मैं इसलिए कह रहा हूँ क्योंकि प्रत्येक संस्था में, जो पब्लिक अंडरटेकिंग की है या सरकारी है, उन संस्थाओं का बैकलोग काफी है, लेकिन बैकलोग के बावजूद वेकेन्सी नहीं रखी गई हैं, वेकेन्सी सारी भर दी गई हैं और बैकलोग पूरा करने के लिए उनके पास कोई सेंक्शंड पोस्ट नहीं हैं, जिससे उनको बहाल किया जा सके। जो आरक्षण का बैकलोग है, वह एक अभियान के तौर पर एक बार में पूरा कर दिया जाना चाहिए। माननीय राजीव गांधी जी के जमाने में एक बार ऐसा करके बैकलोग पूरा किया गया था। एक साल अभियान चलाया गया और 40 हजार से अधिक जो वेकेन्सी थीं, वे पूरी हो गई थी। जो हाई-टेक्नीकल पोस्ट थी, इन हेवी टेक्नीकल पोस्टों पर भरती में छूट दी गई थी। मैं अनुरोध करना चाहूंगा कि इस तरह का फिर से अभियान चलाकर, क्योंकि सरकार चाहती है, यूपीए गवर्नमेंट चाहती है, इसलिए ये जितनी बैकलोग की पोस्ट हैं, वे भरी जाएं।

उपसभापति महोदय, आज मैं यह दुख के साथ कहना चाहता हूँ कि आज फोर्थ क्लास की पोस्ट में चतुर्थ श्रेणी की जो स्वीपर पोस्ट हैं, जो एक पर्टिकुलर कास्ट के लिए होती थी और जिस पर वे लोग काम करते थे, आज आप जिन संस्थाओं में चले जाइए, आप देखेंगे कि स्वीपर की पोस्ट पर भी जिनका बहाल किया गया है, वे बड़े लोग बहाल किए गए हैं। यह तो फोर्थ ग्रेड की पोस्ट की बात है, उसमें बड़े लोगों को बहाल करने की बात नहीं है। लेकिन प्रश्न यह है कि क्या वे स्वीपिंग का काम करते हैं? क्या वे कमोड उठाने का काम करते हैं? नहीं, वे लोग यह काम नहीं करते हैं और उन्ही स्वीपर्स में से कुछ लोगों को ये लोग मजदूरी पर रख देते हैं, लेकिन जब प्रमोशन का नम्बर आता है तो यही लोग प्रमोटिड हो जाते हैं। इस प्रकार लाभ इन्हें मिलता है और काम कोई दूसरा करता है। यह बहुत ही दुख की बात है और इस पर विचार किया जाना चाहिए।

महोदय, आप देखते हैं कि हमारे एक प्रतिशत लोग भी क्लास वन की पोस्ट पर नहीं हैं, अभी तक हमारा रिजर्वेशन वहां नहीं पहुंचा है, क्योंकि हमारी आर्थिक स्थिति किस प्रकार सुधरे, इसके लिए सबसे जरूरी यह है कि उन्हें आर्थिक दृष्टि से, सामाजिक दृष्टि से और शैक्षणिक दृष्टि से ठीक किया जाए। आज शिक्षा के क्षेत्र में, जैसा कि मैंने पहले भी कहा कि इनके रेजिडेंशल स्कूल और पहाड़ी स्कूल तो हैं, तब क्यों नहीं इन स्कूलों की संख्या को और अधिक बढ़ाया जाता है और उन्हें रेजिडेंशल स्कूल किया जाता है। छोटे-छोटे बच्चे, जब तक स्कूल घर के नज़दीक ही रहता है, तब तक तो वे वहां पढ़ते हैं, लेकिन जब उन्हें आगे जाकर दूसरे गांवों में पढ़ने के लिए जाना होता है, तो वे बेचारे पढ़ाई छोड़ देते हैं, इसका कारण यह है कि गरीब परिवार के बच्चे अपने परिवार के लिए एक एसेट होते हैं और वे दूसरे कामों में लग जाते हैं। वे गौए चराने के काम में लग जाते हैं, भार ढोने के काम में लग जाते हैं, घरेलू नौकर के काम में लग जाते हैं, इन लोगों से उन्हें कैसे छुटकारा दिलाकर पढ़ाया जाए, इस पर विचार किया जाना चाहिए। इस संबंध में मेरा एक सुझाव है कि जिस प्रकार पढ़ने वाले बच्चों को छात्रवृत्तियां दी जाती हैं, उसी प्रकार के इन्सेंटिव उनके गार्डियन्स को भी दिए जाएं ताकि वे अपने पालन के लिए छोटे और नौनिहाल बच्चों को, जो कि पढ़ने के लायक होते हैं और जिन्हें वे अर्जन के कार्य में लगा देते हैं, तो उनके माता-पिता को इन्सेंटिव दिया जाए ताकि ये बच्चे पढ़ाई कर सकें।

श्री मती इन्दिरा गांधी जी के सामने में बहुत सारी जमीने बांटी गई, उस ज़माने में हम भी किसी पोस्ट पर थे। उस समय बास्केट का और खेती करने वालों का पर्चा बंटा, आज तक भी बहुत सारे लोगों को उनका हक नहीं मिल पाया है क्योंकि उसके पश्चात जब सरकारें बदल गई तो इस समस्या पर से उनका ध्यान हट गया। मैं यह अनुरोध करूंगा कि इसका एक सर्वे कराया जाना चाहिए क्योंकि जो बास्केट की जमीन थी और जिसके पर्चे उनके पास हैं, जोतने वाली जमीन के पर्चे भी उनके पास हैं, किन्तु उनके पास उसका स्वामित्व कितना है, इस पर विचार किया जाना चाहिए ताकि वे भी जमीन के मालिक हो सकें।

आप देखते हैं कि शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स अपने आप में एक प्रकार से पेशेवर हैं। वे अपने पेशों में कुछ न कुछ कार्य करते हैं, जैसे हमारे आदिवासी भाई रस्सी बुनने का कार्य करते हैं, जंगल से लकड़ी लाने का कार्य करते हैं, दातुन ढोने का कार्य करते हैं, चमार लोग चमड़े का कार्य करते हैं, भुइयां लोगों का भी अपना कुछ कार्य है, पारसी लोग ताड़ी का काम करते हैं और दूसरे लोग भी अपना-अपना कुछ न कुछ काम करते हैं। आज के सांइस

के युग में और तकनीकी विकास के युग में इन कामों को कैसे कॉम्पिटीटीव मार्किट में लाया जाए, यह भी विचारणीय बात है। आज भी जो जूता बनाने का कार्य करते हैं, जानवरों से चमड़ा तो चमार निकाल कर दे देते हैं, लेकिन जूता बनाने के लिए वह चमड़ा दूसरे लोगों के पास चला जाता है, क्योंकि चमार के पास जूता बनाने के लिए पूंजी नहीं है, उनके पास उसे पकाने के लिए पूंजी नहीं है और न ही वे जूता बनाने की स्थिति में हैं। अतः मैं अनुरोध करूंगा कि एस0एस0/एस0टी0 लोगों के लिए एक कोऑपरेटिव बनाया जाना चाहिए और उस कोऑपरेटिव के लिए सरकार के द्वारा अनुदान दिया जाना चाहिए ताकि वे लोग कोऑपरेटिव बनाएं और उसके आधार पर गांव में जो काम करने वाले लोग हैं, वे काम करें और बाज़ार में अपने सामान को बेच कर लाभ कमा सकें।

जैसा कि मैंने अभी कहा कि पढ़ाई बहुत ही जरूरी है। यदि एक लड़का पढ़ता है तो हम समझते हैं कि एक इंडीविजुअल पढ़ता है, लेकिन जब एक लड़की पढ़ती है तो उसका अर्थ है कि एक पूरा परिवार पढ़ता है, इसलिए मैं विशेष तौर पर लड़कियों की शिक्षा के बारे में कहना चाहता हूं। लड़कियों की शिक्षा के लिए न तो अलग से कोई विद्यालय है और यदि कहीं है भी तो बहुत कम हैं, उनमें रहने की व्यवस्था भी नहीं है। हर गांव में, हर मोहल्ले में प्राइमरी स्कूल एंव अपर स्कूल नहीं होते, इसलिए उन्हें विद्यालय जाने में कठिनाई होती है, फिर उनकी सामाजिक स्थिति भी ऐसी है और देहातों का वातावरण भी ऐसा है कि वे आगे पढ़ नहीं पाती। कहा भी गया है कि "अपना हिन्दुस्तान कहां, वह बसा हमारे गांवों में", जब गांवों के लोगों की तरक्की नहीं होगी, जो अन्त्योदय है, सबसे अधिक पिछड़े हैं, उपेक्षित हैं, यदि इनकी तरक्की नहीं हो सकेगी, तो हम समझते हैं कि देश की तरक्की नहीं हो सकेगी, उसके लिए इनकी तरक्की जरूरी है। इसलिए मैं कहना चाहता हूं कि लड़कियों की शिक्षा के लिए जितने नीचे स्तर पर हो सकें, जैसे गांव के स्तर पर, पंचायत के स्तर पर, ब्लॉक के स्तर पर, इनके लिए स्पेशल छात्रावास का प्रबंध किया जाना चाहिए। इनके लिए स्पेशल छात्रावास का प्रबंध किया जाना चाहिए और उस छात्रावास में निशुल्क खाने-पीने, कपड़ा-लत्ता, रहन-सहन का, किताब का, इन सब का इंतजाम किया जाना चाहिए ताकि ये लोग पढ़ सकें। जो कृषक मजदूर काम करते हैं, महोदय, हमें दुख होता है, जब वे काम करते-करते थक जाते हैं, जब वे वृद्ध हो जाते हैं, तब उनको कोई पूछने वाला नहीं होता है। मैं कल्याण विभाग की मंत्री जी से आग्रह करूंगा, प्रार्थना करूंगा कि उन वृद्धों को देखिए, जिन्होंने सारी जिंदगी राष्ट्रीय उत्पादन में लगा दी, सारी जिंदगी जनकल्याण में लगा दी और जब वे बेकार हो जाते हैं, काम करने के लायक नहीं रह जाते हैं, तो उनको कोई देखने वाला नहीं होता है। मैं समझता हूं कि उनके लिए देहातों में, उनके गांवों में आश्रम गृह बनाने चाहिए ताकि वे वृद्ध जो असहाय हो गए हैं, काम करने के लायक नहीं रह गए हैं, उनको सरकारी पैसे से खाने-पीने और दवाई इत्यादि का प्रबंध हो सके। आज जब हम रिजर्वेशन के बारे में देखने जाते हैं तो वे लोग कहते हैं कि योग्य छात्र नहीं मिलते। आज योग्य छात्रों की कहां कमी है। कितने एम.ए. चाहिए, कितने पी0एच0डी0 चाहिए, कितने ग्रेजुएट चाहिए, हर स्कूल से मंगाए जा सकते हैं, यूनिवर्सिटी से मंगाए जा सकते हैं। लेकिन जब बहाली की बात आती है तो मैट्रिक पास की पोस्ट पर एम0ए0 आदिवासी भी बहाल नहीं होता है, एम0ए0 पास हरिजन भी बहाल नहीं होता है। इसका एक कारण यह है कि जो बहाल करने वाले अधिकारी होते हैं उनको इनके प्रति भेद होता है।

**श्री उपसभापति:** तीन मिनट की जगह सात मिनट हो गए हैं।

**डा.फागुनी राम:** सर, थोड़ा सा और बोलने दिया जाए।

**श्री उपसभापति:** आप समझ सकते हैं, देखिए समय का अभाव है।

**डा.फागुनी राम:** सर, हरिजनों की बात है।

**श्री उपसभापति:** अभी कांग्रेस से 6-7 सदस्य और बोलने वाला है। आज हमें बिजनेस भी कम्पलीट करना है, अभी रेलवे का एप्रोप्रिएशन बिल भी लेना है, रिप्लाइ होना है। आप समझिए, हर एक आदमी को वक्त के अंदर ही बात करनी पड़ेगी।

**डा.फागुनी राम:** इसीलिए जब जाते हैं तो देखते हैं कि फोर्थ ग्रेड की पोस्ट पर, थर्ड ग्रेड की पोस्ट पर इंटरव्यू में वे छंट जाते हैं हम समझते हैं कि उस पर दूसरे लोग बहाल हो जाते हैं। मैं अनुरोध करूंगा कि आरक्षण की जितनी सीटें हैं, अगर उसमें एप्लाइ करने वाले लोग आते हैं और अगर उस पोस्ट के लिए वे अयोग्य नहीं हैं, अगर उस पार्टिकुलर पोस्ट के टर्म एंड कंडीशन के लिए जितनी मिनिमम क्वालिफिकेशन की जरूरत हो और अगर उतनी क्वालिफिकेशन उनके पास है तो रिजर्व पोस्ट पर उनकी बहाली शैड्यूल्ड कॉस्ट से हो, शैड्यूल्ड ट्राइब्स से हो या महिला के लिए हो या जिसके लिए रिजर्व हो उसके लिए किया जाना चाहिए।

**श्री उपसभापति:** अब समाप्त कीजिए।

**डा.फागुनी राम:** हम अनुदान की बात करते हैं। अनुदान सरकार से दिया जाता है, परन्तु उनके पास अनुदान पहुंच नहीं पाता है, क्यों? क्योंकि एक तो उनके पास जागरूकता नहीं है, उनको बिचौलिए की जरूरत पड़ती है, वे जाकर इनको प्रेरित करें और अनुदान दिलाएं। इसलिए हम चाहते हैं कि अनुदान उनको एक ही जगह से, वन विन्डो सिस्टम के आधार पर मिल सकें। हम चाहते हैं कि इस बार यह ख्याल किया जाना चाहिए। सर, मैं एक बात और कहना चाहता हूँ कि हमारा जो संविधान है, उसमें अनुसूचित जातियां हैं और अनुसूचित जातियां जब हैं तो उसमें जब अगर हम अनुसूचित जातियों के सब-कॉस्ट कहते हैं, तो फिर अनुसूचित जाति में ही भेद हो जाता है, आदिवासी में भी भेद हो जाता है कि यह किस कॉस्ट का है। जब कॉस्ट सर्टिफिकेट लेते हैं, और सर्विस बुक में लिखते हैं कि यह अमुक जाति का आदमी है तो शैड्यूल्ड कॉस्ट का एक दूसरी जाति का आदमी उससे विरोध करने लगता है। हमारी सुविधा शैड्यूल्ड कॉस्ट के नाम पर है। इसलिए हम यह समझते हैं कि जब ऐसे कॉस्ट का भेद किया जाता हो और जब हमारे कॉस्ट को फेवर की जरूरत हो तो वहां अनुसूचित जाति और अनुसूचित जनजाति ही लिखना ज्यादा अच्छा होगा। इससे हमें सुविधा मिल जाएगी, जिससे हम में आत्मीयता बनी रहेगी। यह देश सब लोगों का है, यह देश गरीबों का है, अमीरों का है, कालो का है, गोरों का है। हम समझते हैं कि जो मनावृत्तियां हैं कि शैड्यूल्ड कॉस्ट के प्रति उपेक्षा के भाव से देखा जाता है।... (व्यवधान)....

**श्री उपसभापति:** आपने बहुत समय ले लिया है।

**डा.फागुनी राम:** मानवता के आधार पर इसे ऐसा देखा जाना चाहिए कि सब लोग एक दूसरे से समाज के लिए प्रेम कर सकें, समाज में मान्यता प्राप्त हो सके। आपने बहुत-बहुत समय दिया, मैं आपके प्रति बहुत आभार प्रगट करता हूँ और मैं मंत्री जी से निवेदन करता हूँ कि महिला होने के नाते, वे इस वर्ग विशेष के बारे में खास ख्याल रखेंगी। धन्यवाद।

MR. DEPUTY CHAIRMAN: Mr. N.K. Premachandran. You have seven minutes.

SHRI N.K. PREMACHANDRAN (Kerala): Thank you, Mr. Deputy Chairman, Sir. Sir, it is quite interesting to note that when this august House is discussing regarding social justice to the down-trodden people, especially the Scheduled Castes, the Scheduled Tribes and the other backward classes, the political party which professes the Manuvad, staged a walk-out in the House. It is quite interesting to note. Sir, this is the 55<sup>th</sup> year of the Indian Republic and the Constitution of India is giving much emphasis to social justice. In Part III of our Constitution and also in Part IV of our Constitution, much stress is given to achieve the goal of social justice. But, Sir, after 55 years of our Republic, let us see the political status in respect of the social justice which is prevailing in our country. Sir, yesterday, a shocking news has come out in the papers, especially in 'Hindu', an incident which has happened in Tamil Nadu in Kiripatti Panchayat. In that panchayat, one person belonging to the Scheduled Castes has been elected as President and he has not been allowed to function as the President of the panchayat. Six times elections took place and all the six times, the person who got elected from the Scheduled Caste constituency has not been allowed to function as the President of the panchayat. That is the position which is prevailing in our country, especially in a State which is having a higher literacy rate, that is, in Kiripatti Panchayat. This is not an exceptional case...*(Interruptions)*,..

SHRI P.G. NARAYANAN: This is the decision of the village people.

SHRI N.K. PREMACHANDRAN: I am not blaming the Tamil Nadu State Government. Yes, I do agree. I am not blaming the Tamil Nadu State Government or any party. This is a State which is having the second largest literacy rate. So, that is prevailing. Even in most of the other places, the panchayat persons are not allowed to sit on the chairs also. So many reports are coming from various parts of the country. So, Sir, my submission is that social justice, the goal which is enshrined in the Constitution of India, we are not able to achieve even after five-and-a-half decades of our Independence and five-and-a-half decades after our Republic, after achieving it. So, strong and stringent measures have to be taken by the Government of India in order to achieve this goal in coordination with the State Governments, for which schemes have to be formulated. For this, the first point that I would like to stress is the point regarding the land reforms. Sir, most of the socially backward people are

economically backward also. These economically backward people are mainly depending on agriculture and their main source of livelihood, is also agriculture because they are agricultural labourers. Ninety per cent of this class comes under the category of agricultural workers and the livelihood of these agricultural workers is agriculture. But they are having no access to the land. That is the main thing to be noted. They have no access to the land. And how these people can be empowered? Those who are working on land, those who are working in the agricultural production sector, are having no access and no say in the land. It is going on even after 55 years of Independence. That has to be taken care of. From the Congress side, learned Member, Mr. Narayanasamy, very vehemently supported the land reforms. Why it has not been implemented in a proper direction and proper way? That has to be taken care of by the UPA Government. It is a commitment on the part of the UPA Government to see that the land reforms are implemented in the right direction in almost all the States. Now, Sir, it is implemented in the proper direction only in two or three States and there also, regarding social justice, we can see that tremendous social progress and development has taken place in respect of this. So, land reforms has to be the first step. It is a prime step to be implemented so as to achieve the social justice and to have the status also. For this, my suggestion is that, Sir, the Government of India should take a time-bound programme for the implementation of these land reforms throughout the length and breadth of the country. That is my first point. Sir, the second point is regarding education. The social backwardness is being determined according to the main criterion of education. The Supreme Court verdict enlarges the scope of education. The main criterion is the educational backwardness. What is the present status of education prevailing in the country? I am talking about the formal education; I am not talking about informal education. The downtrodden people of this country, who are living in rural areas, or even in urban areas, are being denied the right of having higher education and professional education because of the implementation of new education policy in various States. Sir, we know the working of educational institutions imparting professional education. So many new educational institutions are coming up in various parts of the country. They are self-financing institutions. Their fee-structure and admission norms have to be looked into. Whose right is taken away? The right of the downtrodden people to have better education is taken away because of the adoption of new education policy by various State Governments in the country. That is why I would like to suggest for having a uniform legislation

throughout the country in respect of higher education and professional education. To regulate the functioning of educational institutions, 20 per cent seats should be reserved. A fixed number of seats have to be reserved for the Scheduled Caste, Scheduled Tribe and Other Backward Class students; otherwise, they will be denied the right of having higher education and better quality education. Why are they educationally backward? They are backward because of the social discrimination prevailing in the country. It has been prevailing during the last so many decades. Because of historical reasons also, they are being denied the right. Now what is happening in the country under the new era of liberalisation? Even after so many decades, the same thing is happening; they are denied the right of better education. Nowadays, the same thing is happening; they have no right to get admission in these colleges because of the high fee structure. Even though there is reservation, Sir, they are being penalised by imposing a high fee structure. Even if they are not penalised by imposing a higher fee, they may be penalised in many other ways. Directly or indirectly, they are denied the right to have education in higher education institutions or professional institutions.

My second point is to have a uniform legislation throughout the country. A uniform legislation should be enacted by the Parliament of India to see that there is adequate representation given to the Scheduled Castes, Scheduled Tribes and Other Backward Classes.

Sir, I am coming to the third point regarding civic amenities like electricity, drinking water and health. Has the Government of India any scheme exclusively meant for the Scheduled Tribe people to see that the basic amenities like drinking water and electricity, and medical facilities are provided. Have any steps been taken in this respect? While replying to the debate, I would like to have a response from the Hon. Minister to all these points. The basic, civic amenities are to be provided to these people. Merely funding the NGOs or providing financial assistance to the people is not enough. You have to formulate schemes relating to drinking water and electricity exclusively meant for the downtrodden people. Such schemes have to be implemented. That is my third point.

My fourth point is regarding the reservation policy. What is the aim of having a reservation policy as per the Constitution of India? Its aim is to provide social justice and a social status to the people belonging to the Scheduled Castes, Scheduled Tribes and socially backward sections so that they can have a feeling that they are also part of this country. Such a



feeling should be there. The reservation policy is there. But what is the use of having a reservation policy when this Government or the predecessor Government declares a ban on recruitment? The ban on recruitment and the Voluntary Retirement Scheme, these two things have denied these people the right to get better employment opportunities. No jobs are there. New jobs are not created. The existing vacancies are not being filled up because of a ban on recruitment and also because of the Voluntary Retirement Scheme. The same thing is happening in public sector undertakings also. The main victims of globalisation, privatisation and liberalisation are the Scheduled Caste and Scheduled Tribe people. The National Common Minimum Programme of the UPA Government is very specific on this matter.

I would like to quote from the National Common Minimum Programme and I quote:

"To provide for full equality of opportunity, particularly in education and employment for Scheduled Castes, Scheduled Tribes, OBCs and religious minorities."

There is a commitment on the part of the UPA Government to provide reservation in the private sector also. We are all blaming the public sector undertakings that they are running in loss and they are not working efficiently. It is because these public sector undertakings are fulfilling the social obligation of protecting the weaker sections of the society. What is the role of the private sector in the country? The public sector undertakings are taking the responsibility of protecting the weaker sections of the society. As far as the private sector is concerned, they don't have any moral obligation or responsibility in meeting the social obligations of the country. Therefore, regarding reservation in the private sector, the Government should come forward with a clear or concrete proposal.

Now, I come to the tribal land.

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI N.K. PREMACHANDRAN: I am concluding with this point. This is a universally accepted principle that the forest belongs to the Tribes. My submission is that adequate steps should be taken to protect the interests of Adivasis and Tribals who are living in the forests. Now, there is an attack on the identity of the Tribals. There is an attack on their basic freedom. Their life is under attack and in danger. They are being thrown

out of the forests. There is no job. There is no food. There is nothing. Their culture and heritage is being attacked. So, stringent steps should be taken to protect their interests. A stringent law is required to protect the interests of the Tribal people who are living in the forests and to protect their culture and heritage. The rhythm of their life should be protected. It is a universally accepted principle.

Regarding rural unemployment, 11 crores of people have migrated to urban areas. There is no protective legislation for them. There is no legislation to protect the interests of the migrated people. They are migrating with their families. They have no jobs. They have no food. They have no drinking water. They face so many problems. The Government is trying to revise the minimum wages, especially, with regard to agriculture workers. But the workers are not being paid even the minimum wages. They are not being paid the minimum wages even under the Government-sponsored employment schemes. I can cite examples. It is reported that in Karnataka they are not being paid the minimum wages even under the Government-sponsored schemes. So, the Government should take stringent measures and see to it that they are paid the minimum wages under all the schemes.

MR. DEPUTY CHAIRMAN: Mr. Premachandran, please conclude,

SHRI N.K. PREMACHANDRAN: Stringent measures should be taken to see that the poor workers of the country are being paid the minimum wages.

Once again, I would like to stress the need for bringing land reforms and agricultural reforms so as to achieve the goal of social justice in practice, not in words and speeches. It should be implemented throughout the country. The Government should see to it that it is implemented in the proper form and in the right direction. Thank You.

SHRI SILVIUS CONDPAN (Assam): Thank you very much, hon. Deputy Chairman, Sir, for allowing me to take part in the discussion on the working of the Ministries of Social Justice and Empowerment and Tribal Affairs, which is initiated by the hon. Member, Shri Dipankar Mukherjee. Shri Dipankar Mukherjee, in his initial discussion, has dealt with several points regarding the functioning of these two Ministries to which I fully subscribe. Since there is time constraint to have a detailed discussion, I will be very brief. You look at the employment scenario of the people belonging

to the Other Backward Classes. I have my experience, when I took part in the meetings of the Parliamentary Standing Committee of these two Ministries. We had had a detailed discussion as to how funds are being placed for the welfare of these communities, the OBCs, minorities, disabled, Dalits, Scavengers, Scheduled Castes and Scheduled Tribes. These are the people who constitute almost 80 per cent of our total population in the country. These two Ministries are functioning for their upliftment since quite long. There have been so many Five Year Plans which have placed funds for the uplift of these people. It is high time for us to go deep into these two Ministries which are responsible for the uplift of 80 per cent of our population. After Independence, it is the Congress Government which has been planning a lot and, to a great extent, it has been able to uplift these communities through its different Ministries. But still there are so many things to be done.

I would like to stress upon placement of funds for the Scheduled Caste and Scheduled Tribe people. I have attended several meetings of the Parliamentary Standing Committee. I have also expressed my concern in this regard. Funds are allocated for the uplift of the Tribals against the schemes submitted by different Corporations and Boards of the State Governments. The moment the funds are sent to the States, the Government at the Centre remains quite. The State Government officials are using the fund, not for the purpose for which it is meant, they utilise it for some other purposes. I have expressed my opinion and concern that it should not be done. The Ministry of Tribal Affairs which is looking after the welfare of the Tribals, the Ministry of Social Justice and Empowerment which is looking after the welfare of the Scheduled Castes and other communities and the Central Government should not keep quiet after releasing funds to the State Governments on the plea that there is a federal structure of administration. They leave the funds at the mercy of the State Governments. When the funds are sent from here, the Central Government should see that the funds are utilised properly at the State level. Sometimes, we have also pointed out that once the money is sanctioned by the Ministry of Social Justice and Empowerment and the Ministry of Tribal Affairs, against the schemes submitted by the Corporations and the Boards of the State Governments, both the Ministries are reluctant to give instructions to the State Governments to see that the money sent from here

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is utilised properly on the plea of federal structure of administration. This should not be done. In the last 50 years, because of lack of such instructions, money has not been spent properly. Although the Central Government was sincere about it, but at the State level it has not been done properly. That is why late Shri Rajiv Gandhi could understand कि हम यहां से 100 रुपए भेजते हैं, लेकिन पहुंचने पर, 20 रुपए ही पहुंचते हैं, 80 रुपए इधर-उधर हो जाते हैं। After going deep into the working of the Ministries at the Central level and also at the State level, he had to make a procedural change by placing the funds directly at the disposal of the Deputy Commissioners for the development of rural areas. After the introduction of this system, today how are they getting money for the uplift of the people in rural areas? Similarly, I appeal to these Ministries to see to it that funds go directly to the boards and corporations, or, even to the NGOs, so as to ensure proper utilisation. Let them spend the money because they prepare the schemes, and not the State Government. The State Government is the agency to only approve the scheme at the State level and send it to the Central Government on which basis the Central Government sanctions funds.

The next point is regarding Harijans, especially the scavengers. I have come to know that the responsibility for the welfare of scavengers is being given to the State Government. This is a very serious mistake that has been committed at **the** Central level, whoever might have committed it. If the Planning Commission is thinking like that, the Ministries should take up this issue because there is resentment regarding this kind of shift of responsibility from the Centre to the States. These are the people who are still being neglected. There are many States which do not know about their welfare, which do not know that they have the responsibility of bringing them up. They know only about the SCs and STs. But the scavengers, the Harijans, are yet to be 'known' by the administration. Their welfare is yet to be taken up by anybody. Sir, I am pleading very strongly about it. I had once met the hon. Minister of Social Justice. I had mentioned this to her and she had expressed her concern about the fact that the scavengers were not being taken care of. There are no funds. Even in my State, I had asked the administration and they had pleaded ignorance. They had said that they had no funds. They have funds only for SCs and STs. If that is so, then who is responsible for it? How are these things lacking in the minds of the administration, either at the State level or the Central level? This area has to be taken care of seriously.

I come to employment of disabled persons. I know some States have got three or four per cent seats reserved for employment. But I request the Social Justice Ministry to see to it whether this reservation for the disabled persons in the matter of employment is really taken care of, or, is really pursued as per the Government policy.

My next point is about minorities. Out of the five minority groups, four are yet to be taken care of, especially in the matter of their socio-economic upliftment and in the matter of employment. The Sikhs, the Christians and the Parsis the Budhist -- no matter their population may be very small -- but their percentage is totally ndgligible in the matter of employment if you see their reflection in that area. So, I request the Ministry to see to it that this area is well taken care of.

The last point is that in Assam, a lot of *adivasis* who migrated 150 years ago, they had migrated to Assam from the then Bihar, and now Jharkhand, area, from the then Madhya Pradesh and now Chhattisgarh, from parts of Orissa, Bengal and Andhra. They had gone to work in the tea gardens during the British Regime. During the scheduling of communities, these people had been scheduled as Scheduled Castes and Scheduled Tribes in the States of their origin that is in the States from which they had migrated. Now, they have gone to Assam and become a part and parcel of the Assamese population, and you will be surprised to know that they form 24 per cent of the present population of Assam. Still, they have been kept as "Other Backward Classes", without any financial arrangement for their socio-economic upliftment. Sir, they have been demanding that they should be treated as Scheduled Castes and Scheduled Tribes, as their counterparts are being treated in other States. The same community which went to West Bengal and Tripura are enjoying the benefits of Scheduled Castes and Scheduled Tribes in those States. But, in Assam, this is not happening. I would beg both the Social Justice and Empowerment Ministry and the Tribal Affairs Ministry to seriously take up this matter and redeem these lakhs and lakhs of people of Assam who are kept outside the constitutional provisions. Justice should be done to them. If constitutional discrimination is done to the people who belong to the downtrodden community for the last 45 years, how can we say that we are doing justice to socially, economically poor and backward people? With these words, Sir, I thank you very much for giving me time to make my submissions.

**श्री मूल चन्द मीणा(राजस्थान):** उपसभापति महोदय, सामाजिक न्याय और अधिकारिता मंत्रालय की रिपोर्ट पर सदन में आज चर्चा हो रही है। यह रिपोर्ट कमेटी द्वारा बनाई

गई, जिस पर मंत्रालय ने अपनी समीक्षा की, लेकिन मेरी समझ में यह नहीं आता कि जब हम शैड्यूल्ड कॉस्ट्स, शैड्यूल्ड ट्राईब्स, ओ.बी.सी. और माइनोंरिटी के विकास के लिए बजट की बात करते हैं तो उनकी जो जनसंख्या हैं, उसके हिसाब से उनके डेवलपमेंट के लिए यह बजट बहुत कम हैं और हम इसी निष्कर्ष पर पहुंचते हैं कि कुल बजट की तुलना में यह बजट बहुत कम हैं, तो सरकार का क्या दृष्टिकोण है और वह कैसे इनका डेवलपमेंट करना चाहती हैं, कैसे इनका विकास करना चाहती हैं ? पिछली सरकार ने वर्ष 2003-04 के दौरान जो बजट रखा, उसमें योजनागत व्यय 1181.07 करोड़ रुपए और गैर-योजनागत व्यय 59.16 करोड़ रुपए रख गया था। वर्ष 2004-05 में हमारी सरकार थी। उस समय योजनागत व्यय के लिए 1345.91 करोड़ रुपए रखे गए थे और गैर-योजनागत व्यय के लिए 63.00 करोड़ रुपए रखे गए थे। इससे अंदाजा लगाया जा सकता है कि हम जब शैड्यूल्ड कॉस्ट्स, शैड्यूल्ड ट्राईब्स, ओ.बी.सी. और माइनोंरिटी के डेवलपमेंट की बात करते हैं तो 50 प्रतिशत से अधिक जनसंख्या शैड्यूल्ड कॉस्ट्स, शैड्यूल्ड ट्राईब्स, ओ.बी.सी. और माइनोंरिटी की हैं, लेकिन बजट का कितना प्रतिशत हम उनके विकास पर खर्च कर रहे हैं ? इस दृष्टिकोण को बदलना पड़ेगा। यू.पी.ए. की गवर्नमेंट बनने के बाद, अगस्त महीने में यू.पी.ए. की चैयरमैन, श्रीमती सोनिया गांधी, जो हमारी नेता हैं, उनकी सोच यह थी कि इस देश के अंदर दलित, ट्राईबल, माइनोंरिटी के लोगों के साथ न्याय नहीं होता है, इसलिए एक कॉमन मिनिमम प्रोग्राम तय किया गया। शैड्यूल्ड कॉस्ट्स, शैड्यूल्ड ट्राईब्स और अल्पसंख्यकों से संबंधित मंत्री यहां बैठे हुए हैं, वे मुझे बता दें कि आपने इस एक साल से कॉमन मिनिमम प्रोग्राम के आधार पर क्या-क्या उपलब्धियां हासिल की हैं ? इस प्रोग्राम में आरक्षण से संबंधित, रिजर्वेशन से संबंधित एक प्रोग्राम दिया गया था कि शैड्यूल्ड कॉस्ट्स और शैड्यूल्ड ट्राईब्स का जो बैकलॉग है, चाहे वह सीधी भर्ती के अनुसार हो, या पदोन्नति के अनुसार हो, उसमें एक कार्यक्रम भी दिया है कि 31 दिसंबर, 2004 तक पदोन्नति का जो भी बैकलॉग है, उसे पूरा कर लिया जाएगा। और सीधी भर्ती के अंदर 30 जून तक पूरा कर लिया जाएगा। माननीय मंत्री जी बता दें कि कितने डिपार्टमेंट्स ने उस आरक्षण को पदोन्नति में पूरा कर लिया है ? मुझे अफसोस होता है कि आजादी के बाद 55 साल से ज्यादा समय बीत जाने के पश्चात भी वह आरक्षण जिसका संविधान के अनुच्छेद 15.4 में सामाजिक और शैक्षणिक दृष्टि से पिछड़े वर्गों — एस.सी., एस.टी. मायनोंरिटी और ओ.बी.सी. का विशेष उल्लेख है, उसे पूरा नहीं किया गया है। आप अपने जवाब में बताएं कि किस-किस विभाग ने 31 दिसंबर तक कितने लोगों को प्रमोशन दिए हैं ? महोदय, मुझे तो लगता है कि यू.पी.ए. गवर्नमेंट के इस आदेश का मजाक उड़ाया जा रहा है। आप शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब के लोगों को कहते हैं कि आपको 31 दिसंबर तक प्रमोशन मिलेगा, लेकिन उसे किसी विभाग ने इम्प्लीमेंट नहीं किया है। अब यह अड़ंगा कौन लगाता है ? आपके यहां ऐसे अफसर बैठे हुए हैं जिनकी मूल सोच यह है कि अगर शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब का विकास हो गया तो उच्च वर्ग को सुनने वाला कोई नहीं रहेगा, उच्च वर्ग की बेगारी करने वाला कोई नहीं रहेगा। इसलिए ये अड़ंगे लगाए जाते हैं। मैं चाहूंगा कि ऐसे अधिकारियों के खिलाफ कार्यवाही की जाए।

महोदय, मैं आपके माध्यम से एक और बात शैड्यूल्ड ट्राइब्स के रिजर्वेशन की कहना चाहता हूं। पिछले 52-53 सालों से दिल्ली के अंदर वर्ष 1956 से रिजर्वेशन लागू हुआ तब से दिल्ली और दूसरे प्रदेशों में शैड्यूल्ड ट्राइब्स को रिजर्वेशन का लाभ मिल रहा था और वह संविधान में प्रदत्त अधिकार के तहत मिल रहा था। महोदय, संविधान के अनुच्छेद 16.4, अनुच्छेद 341.ए, 342.2 में यह व्यवस्था थी कि शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब्स के किसी भी व्यक्ति को

देश की किसी भी स्टेट के अंदर या यूनियन टैरीटरीज के अंदर रिजर्वेशन का लाभ मिलेगा। उसका सेंस यही है, लेकिन दिल्ली के अंदर ट्राइब्स का रिजर्वेशन बंद कर दिया गया। उसके बाद सेट्रल गवर्नमेंट से एक आदेश 21 अगस्त, 2003 को पारित हुआ कि आपने ट्राइब्स का जो रिजर्वेशन बंद किया है, उसे पुनः चालू किया जाय। दिल्ली गवर्नमेंट ने एक आदेश उस आधार पर 27 अगस्त, 2003 को जारी कर दिया। इसे लेकर एक व्यक्ति कोर्ट में चला गया और उस कोर्ट ने जो डिस्मिशन दिया, उस को पढ़ा जाय। उस डिस्मिशन को पढ़े तो सही कि वह क्या है। कोर्ट ने कहीं नहीं कहा कि ट्राइब्स का रिजर्वेशन बंद करो। उन्होंने कहा कि यह अधिसूचना आर्टिकल 341 के अंतर्गत नहीं है, लेकिन दिल्ली की गवर्नमेंट ने रिजर्वेशन बंद कर दिया। उसके बाद सुप्रीम कोर्ट के चीफ जस्टिस और दो अन्य जजेज का शैड्यूल्ड कास्ट व शैड्यूल्ड ट्राइब्स के रिजर्वेशन के बारे में एक लेटेस्ट डिस्मिशन 10 अगस्त, 2004 को आया। और उस फैसले में, सुप्रीम कोर्ट द्वारा पांडिचेरी के अंदर तमिलनाडु का शैड्यूल्ड कास्ट का एक लड़का टीचर अप्पायंट हो गया था। तमिलनाडु की गवर्नमेंट ने उसको नौकरी से निकाल दिया कि यहां आपको दूसरे स्टेट का रिजर्वेशन नहीं दे सकते। उसके बाद वह उस फैसले के खिलाफ ट्रिब्यूनल में गया और ट्रिब्यूनल के फैसले के खिलाफ सुप्रीम कोर्ट के अंदर आया। सुप्रीम कोर्ट ने फैसला किया। अनुच्छेद 16(4) अनुच्छेद 341 (2) का हवाला देते हुए उसने फैसला किया कि इसको यूनियन टेरिटरी और स्टेट के अंदर जो सेंस है, प्रिंसिपल का जो सेंस है, वह लागू होता है, इसलिए उसकी नौकरी बहाल कर दी गई। फैसला हुआ, उसके बाद भी हम, इस सरकार के गृहमंत्री से, हमारे चार-चार, पांच-पांच मिनिस्टर बैठे हैं, ये भी इस फैसले को लेकर मिले, लेकिन दिल्ली के अंदर रिजर्वेशन बहाल करने की, जबकि सरकार की मंशा है कि शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब का भला हो, विकास हो, इसके लिए विशेष कार्यक्रम भी सरकार देना चाहती है, लेकिन इम्प्लिमेंट नहीं हो रहा है, यह समझ में नहीं आता। किस प्रकार से काम हो रहे हैं? आप अपने जवाब में यह बातएं ... (समय की घंटी) ... पांडिचेरी के इस फैसले के खिलाफ, जब सुप्रीम कोर्ट जजमेंट दे रहा है कि शैड्यूल्ड कास्ट ट्राइब के व्यक्ति को यूनियन टेरिटरी और स्टेट के अंदर रिजर्वेशन मिलेगा, तो उसके बाद दिल्ली में रिजर्वेशन वापस लागू क्यों नहीं हो रहा है? बल्कि दो साल के अंदर जो ट्राइबलज की वैंकेंसीज थी, उनको नॉन-ट्राइबल से भरा जा रहा है और हम ट्राइबल के विकास की बात करते हैं, पर ट्राइबल के विकास की बात करने से काम नहीं चलता, काम करने से होता है। आप ट्राइबल और शैड्यूल्ड कास्ट की ओर से कैबिनेट में हैं। जब आप ट्राइबल और कास्ट के आधार पर संरक्षण नहीं दे सकते उनके अधिकारों के लिए, तो आप शैड्यूल्ड कास्ट/ शैड्यूल्ड ट्राइब का प्रतिनिधित्व करने की जो बात करते हैं तो आप कौन-सा प्रतिनिधित्व करते हैं? उपसभापति महोदय .... (व्यवधान) ...

**श्री उपसभापति:** आपने पांच मिनट की जगह बारह मिनट ले लिए हैं।

**श्री मूल चन्द मीणा:** सर, दो मिनट और। .... (व्यवधान) ...

**श्री उपसभापति:** जल्दी कन्क्लूड कीजिए। .... (व्यवधान) .... वह कैसे ... (व्यवधान) ... तो क्या उधर जाएगा?

**श्री मूल चन्द मीणा:** सर, दीपांकर मुकर्जी जमीन वाली बात कह रहे थे, जो वास्तविक और सही बात है। श्रीमती इंदिरा गांधी ने 1975 में एक अभियान चलाया था, भूमिहीनों को भूमि देने का कार्यक्रम। उस समय बहुत सारी जमीन इस देश के अंदर शैड्यूल्ड कास्ट/शैड्यूल्ड

ट्राइब के पीड़ित लोगों को, जिनके पास जमीन नहीं थी, उनको जमीन मिल गई। उपसभापति महोदय, आज स्थिति यह है कि मजदूरी, खेती शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब का आदमी करता है, लेकिन जमीन उसकी नहीं है। यह सामाजिक न्याय, कैसा न्याय है? जो मेहनत करे, मजदूरी करे, उसको खाने के लिए अनाज नहीं मिलेगा और जो मेहनत नहीं करे, घर बैठकर रहे, वह फायदे उठाए। 1975 में जमीन अलॉट की गई, कई जगह तो उन पर शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब के कब्जे नहीं हुए, और तो और मध्य प्रदेश में हमारी पिछली सरकार थी। मध्य प्रदेश की सरकार ने शैड्यूल्ड कास्ट के लोगों को जमीन अलॉट की थी।

**श्री उपसभापति:** आप कनक्ल्यूड, कीजिए मीणा जी।

**श्री मूल चन्द्र मीणा:** सर, ऐसे 11 करोड़ लोग थे, उसमें से 2 करोड़ लोगों को भूमि एलोट की गई। वह सरकार चली गई, अब भारतीय जनता पार्टी की वहां सरकार है। सिर्फ 30 परसेंट लोगों को जमीन पर कब्जे मिले हैं, 70 परसेंट लोगों को जमीन पर कब्जे नहीं हमले हैं और वे कब्जे दूसरे लोगों के पास हैं। इस पर राजनैतिक लोगों का क्या दृष्टिकोण है? ये लोग शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स की बात करते हैं। यह सोचने की बात है। इस तरह लोगों को झांसा देकर, गलत बोलकर वोट ले लेकना यह कब तक चलेगा? कब तक टिकेगा इनका राज? वे लोग अनपढ़ हैं, कम पढ़े-लिखे हैं।

**श्री उपसभापति:** अच्छा, अब आप कनक्ल्यूड कीजिए।

**श्री मूल चन्द्र मीणा:** उधर के लोग आज हमारे सामने नहीं हैं। उनके चेहरों के सामने बात रखी जाती, तो उनको पता लगता।

**श्री उपसभापति:** वे रहते, तो आपको इतना समय नहीं मिलता।

**श्री मूल चन्द्र मीणा:** उपसभापति महोदय, मैं मंत्री महोदया से कहना चाहूंगा कि आप इन शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोगों को जो जमीन आवंटित की गई है, उनके कब्जे दिलाने की कार्रवाई राज्य सरकार से कराएं और जो राज्य सरकार लापरवाही करती है, उनके लिए कुछ संवैधानिक कानून हैं, उनको लागू करें।

उपसभापति महोदय, आपने शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स, दोनों के अलग अलग आयोग बना दिए। यह एक अच्छी बात है, क्योंकि शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स की प्रोब्लम्स अलग अलग हैं। शैड्यूल्ड ट्राइब्स की समस्या आर्थिक है, ये लोग गरीब हैं, पैसे नहीं हैं, आर्थिक दृष्टि से पिछड़े हुए हैं और हमारे यहां शैड्यूल्ड कास्ट्स की जो प्रोब्लम थी, वह अनटचैबिलिटी की थी। अब से पहले सरकार दोनों को जोड़कर चलती थी, इसलिए जो डेवपमेंट होना चाहिए था वह नहीं हो पाया। अब अलग अलग आयोग बनाये हैं, हो सकता है उससे कुछ फायदे हों, लेकिन आप उनको कुछ संवैधानिक अधिकार तो दीजिए। वे आयोग कुछ कर नहीं पाते हैं, पंगु बने हुए हैं। शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लिए जो अलग अलग आयोग बनाए हैं, उनको आप कुछ पावर दीजिए क्योंकि अगर वे किसी के खिलाफ कोई कार्रवाई करना भी चाहें, तो कर नहीं सकते हैं। अगर शैड्यूल्ड कास्ट्स या शैड्यूल्ड ट्राइब्स के लोगों को किसी प्रकार की कोई दिक्कत या समस्याएं आती हैं और वे आयोग के सामने जाते हैं, तो आयोग भी निरुत्तर हो जाते हैं।



उपसभापति महोदय, मैं जिस राज्य से आता हूँ, उस राज्य में आज भी ऐसी स्थिति हैं, 56-57 साल बाद भी, कि शैड्युल्ड कास्ट्स के लोग दूल्हे को घोड़े पर बैठाकर नहीं जा सकते हैं। आज भी कई ऐसी जगह हैं, जहाँ बड़ी विषमता हैं। मैं बताना चाहता हूँ कि राजस्थान की सरकार क्या करने जा रही हैं? वहाँ सरकार वे 12 हजार अध्यापकों को भर्ती किया। उस भर्ती में क्या खेल किया कि जनरल कास्ट्स के लोगों को तो पोस्टिंग दे दी और जब शैड्युल्ड कास्ट्स शैड्युल्ड ट्राइब्ज के लोगों का नंबर आने लगा, तो किसी आदमी को कोर्ट में भेज दिया, स्टे हो गया। यह एक बड़ा तमाशा हो रहा है वहाँ। ....(व्यवधान)....

**श्री उपसभापति:** आप कनक्व्यूड कीजिए।

**श्री मूल चन्द्र मीणा:** सर, माननीय सदस्य सही कह रहे हैं, कोर्टों के अंदर रिजर्वेशन की व्यवस्था नहीं है और जब तक कोर्टों में शैड्युल्ड कास्ट्स और शैड्युल्ड ट्राइब्ज के लोगों में से न्यायाधीश नहीं होंगे, उनकी वहाँ व्यवस्था नहीं होगी, तब तक इन लोगों को संरक्षण मिलने वाला नहीं है, न्याय मिलने वाला नहीं है। छोटी छोटी बात को लेकर, जहाँ शैड्युल्ड कास्ट्स और शैड्युल्ड ट्राइब्ज को जो आपने सुविधा दी है, उसका कोई पालन नहीं होता है बल्कि कोर्ट एकदम से रोक देता है, स्टे दे देता है। इसलिए इसका समाधान ढूँढने की आवश्यकता है।

उपसभापति जी, आपने मुझे समय दिया, इसके लिए मैं आपको बहुत बहुत धन्यवाद देता हूँ। धन्यवाद।

**PROF. SAIF-UD-DIN-SOZ (Jammu and Kashmir):** Mr. Deputy Chairman," Sir, it is a very important Ministry and it is a very powerful Ministry because it has the duty of empowering the downtrodden. A very laudable goal has been set for this Ministry. I will not repeat the points that have been made by the earlier Members. I support the views expressed by the hon. Members. I would only like to make a couple of suggestions for the consideration of the Government. I want this Ministry to be powerful because it has to empower the Disadvantages. The laudable goal set for itself to the Ministry wants work towards mainstreaming the disadvantaged and marginalized sections of the society, such as SCs/STs, OBCs, minorities, aged persons and all the downtrodden categories of the people in this country. And, I am sure, the Ministry is working towards that objective. This is no occasion to dwell deeper and find the shortcomings. From a distance, I feel, this Ministry is doing good work. In the days to come this Ministry has to show its vigour. Many Members have said that it should have been given more funds. I don't know whether our esteemed sister is fighting for that. Its Budget is increasing. Its Budget Estimates for 2004-05 were Rs. 1,345 crores and that went a little further at the Revised Estimates stage, and the money that had been allocated was already spent. But, I have yet to know whether this Ministry wants more money. The Finance Minister for the year 2005-06 allocated an amount of

Rs. 1,533.70 crores. Did it fall short of the Minister's expectation? When the Minister replies to the debate, I expect her to reply to this point. As I have said, I will not dwell deeper and only confine myself to making a couple of suggestions. For instance, I would like to have a clarification from the hon. Minister. From a distance this Ministry looks very small. But, I have been seeing this Ministry for the last two decades. From inside, it is a very big Ministry. It has to do पुन्य का काम। Therefore, its duties have increased. I would like to know whether the Ministry coordinates vigorously with the Ministry of HRD, the Ministry of Environment and Forests and institutions like NHRC. The people belonging to backward sections of the society cannot look to NGOs. They have to look to big institutions like the Ministry. The only Ministry available to them is the Ministry of Social Justice and Empowerment. I would like to know whether the Ministry co-ordinates. Not that I have any doubt. But, I want to know. Then, under the leadership of the present Minister, is there any effort to implement the provisions of the Biodiversity Act and the Patents Act, because these Acts talk of tribal knowledge? I have yet to convince myself whether the knowledge of tribals in respect of medicinal herbs and their traditional knowledge have been taken care of, whether the Ministry is taking measures to protect the tribals being exploited. Therefore, hon. Minister has to take notice of the provisions of the Patent Act, the provisions of the Biodiversity Act and take us into confidence at some future date whether tribal areas are safe, whether their knowledge is taken care of and whether they are not exploited. The coordination is very, very important. And, now, very briefly, I would like to give a couple of suggestions to her. There is a department for backward classes within the Ministry. I would not speak on details of reservations because very good suggestions have been made. But as we have a department for backward classes, kindly consider the suggestion to have a separate department for minorities because they have problems. And, those problems should be addressed properly. Our friends are not here, they have always been talking that minorities are being appeased. I do not want any appeasement. I want the application of the provisions of the Constitution of India; I want the application of the rules that you have been enunciated within your Ministry. And, why I want a separate department, within the Ministry, for the minorities, I will give you one example. As I said, the downtrodden people cannot look to NGOs, they will look to the Ministry itself. Now, we have been talking of modernisation of madarsas. Yes, a computer here and there; introduction of science and mathematics. They are needed because madarsas have to be a part of the

social milieu. That is necessary. But madarsa is no answer to the Muslim minority's problems because I want a Government school where there is concentration of minority's community. The Government schools are levellers. In the Government schools, the children come from different backgrounds the brahmins, the Muslims, the harijans, the Christians all will sit together. They will all sit together on the floor, or, on the benches ...*(Interruptions)*... In Lok Sabha, Mr. Deputy Chairman, once, I had introduced a Bill for abolition of private schools. Why? Because, private schools, which have now assumed the name of public schools., create dualism in the Indian society. I wish all children -- belonging to the richest of the country and the poorest of the poor in the country, go to the same school - receive the same education. I see members of the downtrodden society struggle hard to go to Kendriya Vidyalayas. That is the best for them. They cannot go to public schools. They cannot go to Modern School and DPS and other schools. We have created, we have a inbuilt injustice system in the governance because we do not understand the implications. And, you say that you are struggling. Even after 57 years of Independence, we have not been able to give justice. I raise a question: What kind of education are you giving? The quality education It is not available to...*(Interruptions)*... a vast majority of Indians.

**श्री उपसभापति:** सोज साहब, सात मिनट हो गए हैं।

PROF. SAIF-UD-DIN SOZ: Sir, I support all the Members who talked of reservation. ...*(Interruptions)*... Whatever you spoke, I support that. But I want justice to the minority community. I want Government schools wherever you have concentration of minorities. You may modernise madarsas. That is needed. But I also want Government schools, where the Government schools are not available. Kindly see whether the tribals and the minority communities benefit from the schemes like Sarva Shiksha Abhiyan. In fact, it would be necessary to have a survey on how the tribal people, the downtrodden people, the backward class people and the minorities benefit from these schemes.' Then, I would also like to bring it to notice of the hon. Minister, this is a suggestion to her, that the wakf properties are in jeopardy. You have the authority. The Muslim community of India, the largest minority community, looks towards you for that. There is corruption in wakfs. Modernise their functioning because they are in bad shape. Then, I would like to remind you that institutions, such as, Minorities' Financial Development Corporation, and the Azad Foundation, set up for ameliorating the lot of members of minority communities -- the

Muslim minority and other minorities - should have adequate funding. Their funding is not adequate. The newspapers have written so much about that.

Then, I have a suggestion for the hon. Minister, kindly have a survey - you can do it within one month - throughout India. The Deputy Commissioners can go into the question of destitutes, who have no place to go. They go to the temple, they go to the mosque. Among destitutes, there are women. You do a survey and give them subsistence allowance, say, Rs. 500 per month so that their body and soul can remain together. Kindly have a survey done. Make a list of the destitutes. It is possible. The Deputy Commissioner can give you the information. This survey should be done throughout the country and the destitutes should receive a substantial allowance; some allowance to keep the soul and body together. *(time-bell)* I will finish now due to paucity of time. I have only a couple of suggestions to make.

Madam, you have provided in the Budget for old-age homes. I want to request you very earnestly, let us make promises and let us fulfil those promises. Sometimes, we unnecessarily tell lies. This is for the august House to consider. Why do we say we should have old-age homes when we do not intend to implement them? I give you this example and it is for your consideration. For the year 2004-05, you proposed peanuts for that, say, it was Rs. 1.25 crores. That is no amount. With Rs. one crore for the whole of India you will be making old-age homes! The tragedy, Madam, is that out of that Rs. 1.25 crores, which is nothing, - this is a promise -you have spent 0.05 per cent on that. She made a promise.. *(Interruptions)*...

MR. DEPUTY CHAIRMAN: You were concluding. ...*(Interruptions)*... Please conclude it now.

SHRI V. NARAYANASAMY: Mr. Deputy Chairman, Sir, \* is unparliamentary.

PROF. SAIF-UD-DIN SOZ: No; no. ...*(Interruptions)*... She has made a promise. *(Interruptions)* 'is not unparliamentary. ...*(Interruptions)*... I want a ruling on this. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is unparliamentary.

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\* Expunged as ordered by the Chair.

PROF. SAIF-UD-DIN SOZ: You can go right, you can go wrong. As 'wrong' is not unparliamentary \* is not unparliamentary. Mr. Deputy Chairman, Sir, I am finishing my speech. I say that she made a promise, which was not correct, that with Rs. 1.25 crore you will build old-age homes. But the tragedy is that out of that you spent only 0.05 per cent. Kindly investigate this. I said in the beginning that this Ministry is doing good work. But I want this Ministry to respond to the aspirations of the downtrodden people and I hope this Minister will give that response.

MR. DEPUTY CHAIRMAN: \* is unparliamentary. It will be deleted.

SHRI V. NARAYANASAMY: is unparliamentary, *...(Interruptions)...* You are a very senior Member of the House. \* is unparliamentary, you withdraw it.

PROF. SAIF-UD-DIN SOZ: I will fight that in future it should not be declared as unparliamentary.

MR. DEPUTY CHAIRMAN: Right. Mr. Jesudasu Seelam. You have five minutes.

SHRI JESUDASU SEELAM (Andhra Pradesh): Hon. Deputy Chairman, Sir, I would like to make few observations only because there is time constraint.

MR. DEPUTY CHAIRMAN: Just make points. You are very good at that.

SHRI JESUDASU SEELAM: Sir, I have already made certain suggestions in my earlier interventions. In addition to that I would like to make only one or two more points. Firstly, all the hon. Members, where they spoke about this majority of 80 per cent of the population which the Ministry covers, covered so many things. Sir, I would like to make one important intervention. The hon. Finance Minister is not here. I would like to go and make a submission to him again regarding this. If you look at the Budget provision, out of the total plan outlay of Rs. 1,43,496 crores, he has made an allocation of Rs. 1533 crores, which is 1.06 per cent. Sir, when we talk of the socio-economic development of this vast majority of 80 per cent of the population, with this 1.06 per cent money, what can anybody do? One has to decide whether you want this or not. Sir, this

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\* Expunged as ordered by the Chair.

country has been facing tokenism and talkism for a long, long time. We do not want to hoodwink the people. With 1.06 per cent of plan outlay, how can we expect miracles? Nobody can do wonders with this Budget. ...*(Interruptions)*.. Yes, we are not going to tell them that this is going to happen. ...*(Interruptions)*... Sir, we need to have a relook at our attitude. When you talk something, you really mean it. The hon. Minister is trying to do her best, but there are lot of constraints. The main constraint is the money. When you give her only 1.06 per cent of the Budget, she cannot do anything.

Secondly, out of the total allocation made to this Ministry, Rs. 1,01,553 crores, the special allocation made for the Scheduled Castes is only Rs.1039 crores, that is, 0.72 per cent. This is highly deplorable. Why was this special Ministry created? Earlier, it was a small section, then it became a small division in the Ministry of Home Affairs, then, it became a Ministry, covering the tribal people as well. To meet the aspirations of tribal people, the Tribal Ministry was carved out separately. But, all this exercise was to send a message that the State Government was at their service. Before Independence, the social reformers used to take care of this welfare sector. The State has put in its hands. What I am saying is, as regards the infrastructure sector, the dalits, the OBCs, the minorities need housing, land, and irrigation facilities for their land. Much was talked about the land reforms. Much was talked about the irrigation facilities. Sir, it is a gigantic task. What can this Ministry do? It can't take over the functions of other Ministries. It was rightly said that the land distribution is the responsibility of the concerned Ministry. Water, irrigation facilities, are the responsibility of the Water Resources Ministry. Similarly, taking care of health of all the dalits, all the minorities, all the OBCs is the concern of the Health Ministry. Then education is the responsibility of the Human Resource Development Ministry. Then, what is the role of this Ministry? We are not saying that you take over the role, but what is required is proper monitoring and evaluation. That is missing. Sir, there is no dearth of schemes. There is no dearth of ideas. There is no dearth of suggestions that this is good for them. We have been listening to this, but what is lacking is, proper monitoring and evaluation. Where do we stand? Why this correctional mechanism needs to be put in place. Sir, if you recall, during the United Front Government, in 1997, 150 Members of Parliament belonging to SC/ST met the Prime Minister. They had a two-hour meeting. With all their sincerity, they demanded that a mechanism, namely, the National SC/ST Development Authority should be created. It is not a new institution. It is a body

constituted with all the constitutional functionaries like a dalit Judge of the Supreme Court, a dalit member of the Planning Commission etc. Now, apart from that, the present Government, has constituted a Group of Ministers on Dalit Affairs. Sir, that long pending demand can be operationalised even now. There should be a monitoring system at the national level. And, there is a mandate for each Ministry to spend 16 per cent, 8 per cent of their planned funds on SCs/STs respectively for their exclusive improvement. These funds can be pooled and the Authority can properly monitor and oversee the implementation of all these schemes. Sir, this is first thing.

Secondly, we will submit the details to the hon. Minister, because, now, the MPs forum on SCs/STs again, has started taking up all these issues. We would like to submit that we thank the Minister for her efforts because some of the schemes which were supposed to be transferred to the States, have been retained by the Government. Sir, we would also like to bring to the notice of the House, through you, that the Government has promised to take care of the problem of filling up of the backlog. Sir, with great frustration, some of the Members have expressed that the backlog vacancies have not been filled up. I share their concern. I take this opportunity, through you, Sir, to request the hon. Minister to create a special Task Force to go into each Ministry's special efforts as far as the filling up of backlog is concerned. The second point is regarding the Ministry of Personnel and Training. The hon. Minister is here. Sir, they have introduced a Bill. I heard Shri Jairam Rameshji quoting that it is a codification of the existing instructions. I would like to make one observation here that the existing instructions had certain loopholes against which the people have gone to the courts, and some of those lacunae, have been, to some extent, corrected. It need not be a simple codification. It could be a comprehensive law because we can't take the existing disabilities into the Act. So, instead of codification of the existing executive instructions, it could be a comprehensive law.

The third point and the last point but not the least is this. Sir, the positive discrimination in this country was introduced on the backdrop of the social disability called untouchability, untouchability, not only in the physical sense but its operation in various forms. So, those who suffer from this social disability should be distinctly treated and, Sir, a separate distinction, has to be made in this regard because, time and again, so many communities have been added to the list of the Scheduled Castes thereby

killing the very spirit behind the positive discrimination. This is happening, maybe, because of the pressure. I do not know. But despite the objection from the Constitutional bodies, this has been done. This will harm the legitimate interests and the very basis of this positive discrimination. ... (Time-be//)...

MR. DEPUTY CHAIRMAN: Mr. Seelam, please conclude.

SHRI JESUDASU SEELAM: Sir, employment and education are the key elements. Sir, everybody asks about the merit. Whether it is Scheduled Castes, Scheduled Tribes, OBCs and even the minorities, as far as merit is concerned, Sir, genetically, everybody is same. The researches have proved, the science has proved that everybody is born equal. It is training and education that make people more meritorious. This has to be kept in mind while framing any law because, in the draft Bill which was prepared by the Ministry of Personnel and Training, there are certain problems. We found that certain services were not brought into the purview of reservation. This is unfair because you can't treat a section of citizens as second-rate citizens. It may be true to say that on the eve of Independence these people have not come up to that level. But, Sir, after fifty-seven years, it is unfair to say that certain services cannot be included for reservation. This should not be done because people are available, merit is available. If you look at the campus recruitment in main centres at Mumbai, Bangalore, you will find that meritorious *dalit* boys and girls are getting into the NRI institutions.

MR. DEPUTY CHAIRMAN: Mr. Seelam, please conclude.

SHRI JESUDASU SEELAM: Sir, the other point is regarding scholarships. You must think a little big. Forget about the small little things like sewing machines, embroidery, etc. That is not the order of the day. You provide them scholarships. You provide them quality education. In fact, we, the members of *dalit* community, do not want reservation, provided they are given proper training, proper education, proper financial help, etc. Separate them on birth and put them in the residential schools. The experience in Andhra says that the residential schools; the SC/ST boys surpassed everybody. Sir, merit comes from training and environment building. That is why we don't want the social disability to continue forever. But, for that, we have to act, we have to remove the constraints, constraints of funds, the constraints of limited thinking, the attitude on the part of the bureaucracy, Sir, the Ministry officials have to work very hard,



have to fight with their counterparts in other Ministries. I had the opportunity of working in that Ministry. We must understand their concerns. Sir, that is why we need a monitoring authority which can monitor and evaluate and take corrective measures from time to time. It cannot be at a lower level. It should be at the highest level, both at the Central and at the State levels. Then only it is possible. ...*(Time-bell)*...

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI JESUDASU SEELAM: With these observations, I once again compliment the hon. Minister for her keen interest but, through you, we would request the Finance Minister to enhance the allocation. Then only, there will be meaningful advancement. Otherwise, Sir, it will be a mere tokenism and simply talkism. Thank you very much.

**श्री उपसभापति:** राम देव भंडारी जी, आपकी पार्टी का टाइम कम है।

**प्रो.राम देव भंडारी(बिहार):** महोदय, मैं बिहार के अत्यंत पिछड़े वर्ग से संबंधित, एक विशेष बिन्दु पर, मंत्री जी का ध्यान आकृष्ट करने के लिए खड़ा हुआ हूँ। महोदय, बिहार में पिछड़े वर्गों की दो कैटेगरी हैं, एक पिछड़ा वर्ग और एक अत्यन्त पिछड़ा वर्ग। अत्यंत पिछड़ा वर्ग में कई ऐसी जातियाँ हैं, जिनकी सामाजिक, आर्थिक और शैक्षणिक स्थिति शैड्यूल्ड कॉस्ट के बराबर हैं, उनके समकक्ष हैं या उनसे भी अधिक खराब हैं। महोदय, बिहार में पिछड़ा वर्ग आयोग हैं। उसकी रिपोर्ट के आधार पर, बिहार सरकार ने आठ अत्यंत पिछड़ी जातियाँ को यथा गोंड, मल्लाह, बड़ई, बिन्द, तुरहा वगैरह को अनुसूचित जाति में शामिल करने के लिए अपनी अनुशंसा केन्द्र सरकार को भेज दी हैं। लगभग एक वर्ष हो गया है, अभी तक इस पर केन्द्र सरकार की ओर से कोई प्रतिक्रिया नहीं हुई है। मैं मंत्री जी से कहना चाहता हूँ कि जिन आठ जातियों को बिहार सरकार ने अनुसूचित जाति में शामिल करने के लिए अपनी अनुशंसा भेजी हैं, उन सभी जातियों की आर्थिक, सामाजिक, और शैक्षणिक स्थिति अनुसूचित जातियों के बराबर हैं या उनसे भी कम हैं। मैं मंत्री जी से अनुरोध करना चाहूँगा कि शीघ्र इस पर कार्यवाही करे और इन आठ अत्यंत पिछड़े वर्ग की जातियों को जिन्हें अनुसूचित जाति में रखने की अनुशंसा की गई है, शीघ्र सरकार अपनी स्वीकृति दे और उन्हें अनुसूचित जाति में शामिल करें। मैं यही आग्रह करने के लिए खड़ा हुआ हूँ।

MR. DEPUTY CHAIRMAN : Dr. Radhakant Nayak, you have five minutes.

DR. RADHAKANT NAYAK (Orissa) : Thank you very much, Sir. I shall not take even five minutes, even less than that. I shall try to be as brief as possible.

This Ministry's name is Ministry of Social Justice and Empowerment. This is perhaps a gift of the NDA, because it was only during their time that this particular nomenclature was coined. If you see,

Sir, there are 20 corporations, public sector undertakings and commissions in this Ministry and there are 88 national institutes. I am talking of the entire cross-section - the SCs, STs, OBCs, Minorities, people with disabilities, and the rest of it, such as the aged and children in difficult circumstances. Now, Sir, if you take a holistic view of all these agencies, all the corporations, plus the main Ministry and their branches, the branches of the commissions in different States, you find that none of them, or, all of them taken together, justify the title and nomenclature of the Ministry, 'Social Justice and Empowerment'.

Sir, you know much more than I could tell you. Social justice has so many dimensions - distributive justice, attributive justice, political justice, and so on; it has so many dimensions. Similarly, empowerment too has so many indicators of it. There are so many constituents of empowerment, such as psychological empowerment, cultural empowerment and so on. It seems that the entire compass of this particular Ministry covers much more than what it actually does. It is narrowing down to giving scholarships, building hostels, etc. It is just some cosmetics here and there, some drops here and there, in the context of such a huge community, huge manpower, huge population of this country. It is, therefore, Sir, that I would beg the Ministry, both the Ministers concerned, to find out what exactly the contours of this Ministry are and what the focussed activities of this Ministry are; how exactly they should go about it; whether it has been given a bigger mandate than what they could actually achieve and whether they are achieving it at all. Therefore, when we think of their budget, their manpower, and when we think of the various aspects of the programmes, we have to keep the broader vision of this Ministry in mind. All of them taken together are like a mini Government of India. There is no programme in any Ministry which is not here. It is like that and, therefore, it is time that they can evaluate or they can assess their workload; they can assess their policies and programmes, and then they should examine what exactly they should strive for and then achieve in concrete terms. Sir, there are so many other aspects but the reasons, as some hon. friends mentioned, are historical. Sir, these people who were the owners of property or land, by historical process which may run into hundreds or thousands of years, have lost everything now. Now, we are talking of further landlessness, further joblessness, and the infant mortality rate going up as against the others. Similarly so many things are there. For example, the death rate is going up, and there are so many aspects of this population. These people, as a whole, are getting decimated every day and every minute of this country's

life. It is in this context that I would again suggest that we have to give certain recognition or certain identity to these people. As you remember, there were a number of conventions with UN system brought out. There was International Law Convention 169, 171 and the Rights of the Indigenous People, Draft Declaration of Human Rights of the Indigenous People. But this Government for historical reasons has been opposing them. Some of them are not even ratified. Only the ILO Convention 171 has been ratified. All the others are being opposed tooth and nail. Now this Ministry should seriously take up this issue, and by giving some status to these people, I think 20 per cent or 30 per cent of the achievements is being or will be made. Therefore, both these Ministries taken together indicate not only the programmes which they are supposed to implement, the policies which they are supposed to adopt, but at the same time, who are the people for whom they exist and for which purpose. How long will they take for 'mainstreaming' or any other jargons that have been used? I think that none of them can be fulfilled the way these Ministries are going. Before I close, I will give a small instance. We have been talking of reservations. The law of reservation has the sanction of the Constitution of India. Even during the British days we had reservations. Whatever we had achieved during the British days, we are now gradually losing it because of the process of globalisation, because of privatisation and all that. But there are certain saving graces. Sir, you know, all the time we praise Amartya Sen and many other scholars or economists. Amartya Sen himself has said that reservation is not anti-meritocratic. He said reservation combines rationalism with humanism with academic and with practice. Therefore, reservation is the only panacea for these kinds of oppressed and suppressed people not only in this country but also outside. There are so many aspects of it. Therefore, this reservation policy is in vogue in various other countries including Canada, Australia, and so many other countries have adopted it. Therefore, I have a feeling that we should not just stop at the process of dialogue with the private sector, but we should now go agog and we should go in front and attack them. Sir, in this context, I would bring to your notice a small important point. There is a famous case of Grutter Vs. Bollinger in America in the Supreme Court. In the Supreme Court, the Microsoft, the General Motors, the GEC and many other biggest private sector undertakings said that they need reservation because according to them multiplicity and pluralism is actually going to get efficiency, not sectarianism. You know as to how the society in our country has

**6.00 P.M.**

functioned. Caste has gone according to the capital and the capital has gone according to caste. I mean, it is a fact. It is not a hidden thing. Caste and capital have moved together and, therefore, when we are emulating good points from other countries, we should also try to practise and treat our fellow citizens as equal to the others. Therefore, in this case, they said that efficiency of the private sector would increase only by multiplicity of peoples, races, castes and creeds as well. And, therefore, diversity creates efficiency. Sir, you know, very often, we lament, "Oh, we have gone down; our country has gone to dogs." All the time, we have been lamenting. This is not because of reservation, not because of lack of efficiency, but efficiency is lacking because there is no reservation, there is no distributive mechanism, there is no real participation and it is in that context only that we should argue with the private sector saying that it is in their own interest. For example, I think, one of our hon. Members said that while our boys are qualifying in the multinational companies, why the doors of the private sector in this country, like that of TATAs and others, should be closed for them. Therefore, I think, it is the feeling that it is the time that we should argue (*Time-bell*) properly with private sector organisations and ensure that reservation should be carried out without any hindrance. Sir, there are so many other factors. I brought in the word 'caste' mainly because, you know, in the Durban Conference, the problem of caste came vis-a-vis the problem of race. And, therefore, what had happened? In that, actually, we were put to shame because the whole world fought for equality, for freedom, for equal treatment of persons, for lack of discrimination, lack of exclusion; everybody was trying, but in our case, we pleaded that we don't believe in caste system; our Constitution abolished caste system. But caste system is very much there. You see it, but you don't feel. It is that kind of a situation. Regarding reservation, we are not even implementing the provisions which are there. In Parliament Office, in your own Office, we have no reservation. In Rajya Sabha, we don't have any reservation. Therefore, we are not practising what we are preaching for various reasons and it is because of that, it is time that we should establish, what is called, a National Commission for enquiring into the functioning of the caste system in this country because caste is the main problem which has created discrimination. (*Time-bell*) And, without caste, there can be no discrimination. Therefore, Dr. Ambedkar and Jagjivan Ram, they all wanted that we should abolish caste system. At least, casteism should be abolished, as has been done in the United States.

MR. DEPUTY CHAIRMAN: Please conclude.

DR. RADHAKANT NAYAK: I have so many things to say, but at the same time, since the bell has rung so many times, I have to conclude. Thank you, Sir.

SHRIMATI MEIRA KUMAR: Sir, it has been a very impassioned discussion on very important aspects, I would say, of our society. Before I formally begin my reply to the discussion, I want to really thank all the participants for the genuine concern that they have for the weaker and the vulnerable sections of the society. I want to assure them that the UPA Government is unequivocally committed to give social justice and empowerment to these sections. Sir, hon. Prime Minister, Dr. Manmohan Singh, just after he took over about a year ago, in his very first statement said that he wants a Government with a human face. The Ministry of Social Justice and Empowerment is that human face of the UPA Government.

With all humility, I want to say that I consider it a rare privilege that I have been given the responsibility of this Ministry, the Ministry which has the noble task of ensuring social justice and ensuring empowerment of the weak, the meek, the feeble, the marginalized, the disinherited, and, those who have also been termed as the 'broken people'.

The societies in the world, most of them I would say, have some form or the other of intolerance, and so does our society, except that the intensity of intolerance is very high and the history of it very long. So, the task before the Ministry of Social Justice and Empowerment is equally challenging. Nonetheless, with the support of the hon. Members of Parliament and my colleagues cutting across party lines. I hope I will be able to do something positive and constructive in this direction.

Sir, in my Ministry, there are seven different categories of those who are considered marginalized and vulnerable. Earlier, we were also dealing with the problems and difficulties of the Scheduled Tribes, but in the year 1999, a new Ministry was created, the Ministry of Tribal Affairs, and, my very senior and esteemed colleague is heading it. He, of course, will be dealing with the subject of tribal affairs. So, out of seven different categories, we have the Scheduled Castes, the OBCs the minorities; we have the disabled; we have the children in distress, children in conflict with law, children in need of special care and protection; we have the older people and we have those who need treatment against drug abuse for de-addiction and rehabilitation. In Scheduled Castes, we are also responsible to a certain

degree - I am saying 'to a certain degree' because part of this responsibility is also shared by the Ministry of Urban Employment and Poverty Alleviation -for safai karamcharis. Having said that, I would like to come back to what is considered the Bible or the Geeta of the UPA Government, and, that is, the Common Minimum Programme. One of the hon. Members had asked me how many points enumerated in the Common Minimum Programme, for which my Ministry is responsible, have been implemented. So, I want to make it clear that in the National Common Minimum Programme, we have four specific responsibilities to fulfil. The first is the enhancement of equity support to the National Minorities Development and Finance Corporation. This has been increased immediately after we took over last year, in June, 2004, to Rs. 73.65 crores. From Rs. 500 crores, the share capital has been increased to Rs. 650 crores. So, this has been done. The second is setting up of a National Commission to recommend measures for welfare of socially and economically backward sections among religious and linguistic minorities, so far as providing them education is concerned, and so far as providing ' them reservation in Government jobs is concerned. This Commission has been set up. The third is giving Constitutional status to the National Commission for Minorities. Hitherto, the National Commission for Minorities has statutory status. We have already obtained the approval of the Cabinet for this and the Bill has already been introduced in Lok Sabha. It has gone to the Standing Committee and their report is awaited. This is point number three. Point number four, which is much discussed, and is a cause of great anxiety and concern to everybody. We are all keeping our fingers crossed that we will do it as fast as we can, and we are putting all our energies into doing it. We are also making some headway and that is the initiation of a dialogue for affirmative action, including reservation in private sector for the SC/ST youth. I have already had three meetings with hon. Members of Parliament of all parties on this matter, taken their views as to how we should do it. After that, I had a conference, the Ministry had a conference, of all the intellectuals from various fields, all the social activists, former judges, former bureaucrats and took their views as to how we should go about it. After that, a Group of Ministers, which has been formed under the Chairmanship of Shri Sharad Pawar, has met three times. We have also written to 218 associations of industry and commerce to get their views, and we have got their, response. In our last meeting with the FICCI, with the PHD Chamber of Commerce and Industry, with the ASSOCHAM, and with the CII, we have got positive response. Now, we have to go ahead in this direction. Some Members have

expressed their concern that we should move faster. We are putting all our efforts to move faster in this direction.

I think, in a debate like this, in a discussion like this, with all humility, again, I would say, it would be worth its while to put down the achievements of my Ministry on record. Sir, in the last so many years, this is for the first time that from our Budget, from the Revised Estimates of our Budget, we have spent up to the extent of 99.7 per cent. Earlier, it was never spent to this extent. I realise that the Budget should be enhanced. All the same, when I speak later I will apprise the hon. Members of the difficulties in this field.

I would also like to say that although there had been a directive earlier on this, there was no reservation in the NGOs, which were receiving grants from my Ministry. But, now, we have asked them to follow the policy of reservation as per the rules of the DoPT. This is now being done.

We also have some areas, certain districts, certain far-flung areas, rural areas, which have remained untouched by the grants and the benefits that go from my Ministry. So, we have made a special effort to reach out to those untouched areas.

We all have shown great concern towards the plight of the Scheduled Castes and the atrocities that are perpetrated on them. To eliminate these atrocities, two very important Acts have been made in the past, namely, the PCR Act in 1955 and the POA Act in 1989. Subsequent to that, there has never been a meeting at the national level to ensure that these Acts are properly implemented. Mine is the Ministry which monitors it. So, for the first time, a meeting was held at the national level with all the State Ministers and Secretaries, and our Home Minister and Law Minister were also there to give their advice and suggestions and note down the difficulties. We had invited all the NGOs, which are active in this field, because I believe in total transparency, so that they can come and see for themselves what the Ministry is doing to eliminate atrocities on the SCs and the STs.

\* Sir, the Maulana Azad Foundation has been working for many years. It has a literacy award to be given in the name of the great man which has never been given. This is the first time that we have given a literacy award in the name of Maulana Abul Kalam Azad. Then, the corpus of the Maulana Azad Educational Foundation was Rs.70 crores. From Rs.70 crores, it has recently been enhanced to Rs.100 crores. Sir, I have great

concern for the education of girls. Education of the SC girls, ST girls, minority girls and OBC girls is something which is very close to our hearts. The Maulana Azad Foundation was giving 1300 scholarships of Rs.10,000 each to minority girls for higher education. From 1300, we have increased it to 3,000. Earlier, we were giving only 40 scholarships to J&K. From 40, we have increased it to 400. In Gujarat, we were giving 40 scholarships to these girls. From 40, we have increased it to 500 minority girls.

You are here. You were saying about how little we are doing *vis-a-vis* how much the Tamil Nadu Government is doing. I just want to draw your attention to the fact that in Chennai, we are going to set up, and it has been cleared by the Cabinet recently, a multiple disability centre which will be the only one of its kind in the country. One thing more I want to say. This is from the Centre. I want to say that just today I have read this news -- you were saying that we are not looking after Dalits and in Tamil Nadu, your Government is looking after them very well. But this news has appeared that a Dalit resigns within five minutes of assuming a panchayat post. This is the position in Madurai on April 24. I just wanted to draw your attention to this fact..(Interruptions)...

SHRI P.G. NARAYANAN: State Government has nothing to do with it  
...(Interruptions)...

SHRIMATI MEIRA KUMAR: I am only inviting your attention to this. You were eloquent about how much you were doing for Dalits and how little we are doing. During Tsunami, newspaper reports appeared again and again that in the relief camps, Dalits were discriminated against. Again, my Ministry intervened and made sure that those Collectors were immediately transferred. This is regarding Tamil Nadu..(Interruptions)... I just want to say that when Tsunami came in Cuddalore, in Kanyakumari and in various other places, our Institute for Mentally Handicapped, which is in Secunderabad, immediately rushed our experts there who were giving psychological therapy to the traumatised. It was a great trauma for all those people. We have also offered to open orphanages there. We already have three orphanages for which we have given financial support, and we will be giving further financial support. We have also opened a child helpline which is providing telephone services of 24 hours, where any child can ring up, free of cost, or any adult on behalf of a child can ring up, and ask for help. Sir, we have established child helplines in Tamil Nadu, Kerala, Pondicherry, and also in Andaman and Nicobar.



So far as old people are concerned मैं सोज साहब को बतलाना चाहूंगी, वक्फ के बारे में पहली दफा ऐसा हुआ है कि देश भर में, पूरे मूलक के वक्फ बोर्ड के जो सदर हैं, उन्हें बुलाया गया। दिल्ली में उनकी मीटिंग की गई और खास इसी मसले पर उनसे बात हुई, उनसे राय मशवरा किया गया।

MR. DEPUTY CHAIRMAN: Madam, you should address it to the Chair.

**श्रीमती मीरा कुमार:** आप मुझे यह कह रहे थे कि हमने बहुत कम खर्चा किया है, ओल्ड एज होम पर और जिस शब्द के लिए आप लड़ाई करेंगे उसका भी आपने इस्तेमाल किया था - \*

PROF. SAIF-UD-DIN SOZ: This was not attributed to you. ...*(Interruptions)*,...

MR. DEPUTY CHAIRMAN: This debate is not between Mr. Soz and the Minister: This is meant for the entire House.

**श्रीमती मीरा कुमार:** उसकी उनको जरूरत नहीं पड़ेगी, क्योंकि मैंने कुछ भी इसमें ऐसा नहीं किया है। हमने जो खर्चा किया है, हम बताना चाहेंगे कि 2004-2005 में हमारा रिवाइज्ड एस्टीमेट 16 करोड़ 70 लाख था, ओल्ड एज होम के लिए और जिसमें से हमने 15 करोड़ 70 लाख खर्च कर दिए हैं।

MR. DEPUTY CHAIRMAN: Are you satisfied, Mr. Soz?

PROF. SAIF-UD-DIN SOZ: Yes, Sir.

**श्रीमती मीरा कुमार:** जम्मू कश्मीर के लिए हम आपको बताना चाहेंगे कि अभी कुछ दिन पहले हम जम्मू कश्मीर गए थे, श्रीनगर भी गए थे और वहां बहुत बड़ा डिस-एबिलिटी कैम्प लगाया और वहां पर हम लोगों ने बहुत एड्स और एप्लाइंसेज बांटे हैं। यह कैम्प बहुत सक्सैसफुल हुआ, जिसमें वहां के चीफ मिनिस्टर भी आए थे। जम्मू में भी अभी एक दूसरा कैम्प लगेगा, और इसके अलावा 3-4 कैम्प डिस्ट्रिक्ट लेवल के वहां लग चुके हैं।

मैं डिस-एबिलिटी पर बताना चाहूंगी कि ऐसा कभी नहीं हुआ जो इस दौरान हुआ और वह यह कि....when our hon. President went to Tanzania and South Africa on a State visit, I had the honour, to accompany him. It was for the first time that a disability camp was organised on a foreign land which was attended by our hon. President. It was organised in a school and aids and appliances were personally distributed by our hon. President. This was done by our Ministry for the disabled children of Tanzania. मैं डिसेबिलिटी के संबंध में बताना चाहती हूं कि अभी-अभी, कल और आज, दो दिन का, सार्क कंट्रीज का हम

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\* Expunged as ordered by the Chair.

[26 April, 2005]

RAJYA SABHA

लोगों ने कांफ्रेंस किया है और जिसमें 10 देशों ने हिस्सा लिया है, तंजानिया को भी हम लोगों ने कांफ्रेंस में बुलाया है। इस कांफ्रेंस में सार्क देशों के जो डिसेबिलिड हैं, उन्होंने हिस्सा लिया है। चूंकि सबकी प्रॉब्लम्स, सार्क कंट्रीज की डिसेबिलिटी सेक्टर में जो प्रॉब्लम्स हैं, वे कॉमन हैं। ऐसा पहली दफा हुआ है कि हम लोगों ने आपस में एक-दूसरे की राय ली है और सजेशनस दिये हैं।

We have five corporations for SCs, OBCs, Safai Karmacharis, minorities and disabled which give micro-loans. Normally, it happens, as it always happens everywhere in every sector, that most of them go to men. Women are always left out. To give special attention to, to focus oh, women, we invited 5 women, who had received loans from each of these corporations and become successful entrepreneurs-these women are below double the poverty line, not just below the poverty line-on the International Women's Day, to the Vigyan Bhawan. Twenty-five women came from all over the country and they were given awards by none other than Shrimati Sonia Gandhi, the Chairperson of the UPA.

Now, I think, I should come to the various other points. The landless should" be given lands. This is something which we have always wanted. Mr. Dipankar Mukherjee, the hon. Member, was very concerned about it and was very much upset that this was not mentioned in our Annual Report. I am sorry that we can't mention it in our Annual Report. It should be mentioned in the Annual Report of the Rural Development Ministry because it comes under it. However, I appreciate his concern and I have the same concern.

Now, so far as shifting of some schemes to the States is concerned, it is a fact that six of my Ministry's major schemes, important schemes, were being shifted to the States by the Planning Commission. But we intervened and we asked them not to do so because we were afraid that they would lose their importance and their implementation would get diluted. The Planning Commission was very kind and agreed that five of them would not be shifted. So, we have retained those five schemes. Only one scheme concerning the employment of the disabled has been shifted. Pre-matric scholarships to children of unclean occupation, construction of SC boys' hostels and SC girls' hostels, coaching and allied schemes, OBC hostels for boys and girls and juvenile children schemes are the schemes which we have retained.

Then you asked about minor irrigation.

SHRI DIPANKAR MUKHERJEE: About this particular scheme....

MR. DEPUTY CHAIRMAN: Let her complete.

SHRIMATI MEIRA KUMAR: Let me finish. This concerns rural development.

SHRI DIPANKAR MUKHERJEE: What about atrocities?

SHRIMATI MEIRA KUMAR: I will go into it. Minor irrigation is something which has not been given to our Ministry. The Planning Commission has decided to give it to the Ministry of Water Resources. They have formed three Task Forces. This is the position. It is not directly under my Ministry,

Shri Narayanasamy was very much concerned about the funds which are going to the States. He also said that the funds were not being monitored by us. We are constantly monitoring the funds. But the thing is, many States are supposed to provide 40 per cent of the Annual Plan according to the SC population, 10 per cent according to the backwardness of the State, 25 per cent according to the SC families and 25 per cent of the SCP to the Annual Plan. This is the formula on which they are supposed to provide budget for the Special Component Plan. But most of the States do not do that. Since they do not do it, we have problems in giving SCA to SCP, Special Central Assistance to Special Component Plan. That is why the whole system goes out of gear. Since, we have to streamline all this and put things on the track, we have held meeting with the Ministers of all the States. I keep writing to them. Since it is a federal system, I just cannot bypass their role and start doing their work here. We cannot do that. We have to do it through them. We constantly try to interact with them and impress upon them to fulfil their commitment.

He has also expressed concern about the Scheduled Castes Corporation and about loans being given by banks. The nationalised banks have the authority to give loan, but that does not mean that the Scheduled Castes Corporation has given up its responsibility. They also supplement this work. If there are specific complaints, do let me know.

शैड्यूल्ड कास्ट्स, शैड्यूल्ड ट्राइब्स, ओबीसीज़, माइनोंरिटीज़ और सफाई कर्मचारी, इन सबकी समस्याएँ हैं। अगर **complaints** हैं तो हम उनको दूर करेंगे और अगर **complaint** नहीं है तो यह बहुत अच्छी बात है। माइनोंरिटीज़ की जहाँ तक बात है, उनको शिक्षा में कैसे मदद मिले, उनके हित की रक्षा कैसे हो और कैसे उनको सरकारी नौकरी में आरक्षण मिले, इसके लिए मैंने पहले ही बताया है कि कमीशन बना दिया गया है—कमीशन फॉर रिलीजियस

[26 April, 2005]

RAJYA SABHA

ऐंड लिगुइस्टिक माइनॉरिटीज । ओबीसीज के लिए नारायणसामी जी ने कसर्न दिखाया, कुछ प्वाइंट्स भी बताएं हैं ।

I have made a note of this.

Now, Shri Sudarsana had said that the National Commissions for SCs and the STs are toothless and that they should be given more powers. The point is that there are five constitutional commissions in the country - the UPSC, the Finance Commission, the Election Commission, National Commission for SCs and the National Commission for STs. They cannot have a higher status than this. These commissions have constitutional status. They have the powers of the civil court. They can summon people. They can take evidence on oath. They have, all the powers that can be provided to any commission. ...*(Interruptions)*... I have already spoken about the National Minorities Commission.

Shrimati Vanga Geetha mentioned that the budgetary allocation was much less. I do agree that the budgetary allocation should be more. But, then, that is a demand of every Ministry, of everyone. We should have more money. The fact is that sometimes one has the budget but one does not spend it, as was happening last year. The last regime had the money, but they did not spend it. Year before last also, they had the budget but they did not spend it. Ever since the UPA Government has come,, we have spent the money. The other thing is about the orphanages. The hon. Member mentioned about the sad plight of the orphanages. The orphanages are run by respective States. If they are in sad plight, one has to ask the State Governments to do something about it. Shrimati Kum Kum Rai said something very relevant. I wish she had been present in the House. Anyway, I would like to tell the other hon. Members that there is a difficulty about girls getting education and there should be hostel provisions for girls so that more and more girls can get education. So, we have started a new scheme. We found out how many districts are there in the country which have literacy level below 30 per cent amongst the SC women. So, we have identified 143 such districts where the literacy level of SC women is below 30 per cent, and there, we are giving special hostels and special attention to girls' education.

She was also worried about killing of young girls and boys who had entered into inter-caste marriages. She said that there were reports that they were being killed. That is something which concerns all of us. I have already written...

MR. DEPUTY CHAIRMAN: Madam, how much more time do you require?

SHRIMATI MEIRA KUMAR: I will finish shortly. ...*(Interruptions)*... I am concluding. I have already written to Shri Mani Shankar Aiyar, the Minister of Panchayati Raj, and he will look into it.

Sir, Dr. Faguni Ram, the hon. Member from Bihar has very rightly expressed his concern about the backlog in reservation for SCs and STs. I would like to draw his attention to the fact that reservation for the SCs and STs and filling up of backlog, etc., is something which is dealt with by the Department of Personnel and Training. Before Mr. Pachouri left - he had a meeting to attend - he gave me this information to give to you; this is on behalf of the Ministry of DoPT. They had issued instructions to all the Departments to fill up the backlog vacancies. The MoSPT has personally written to the Ministers; a meeting of the Secretaries is being convened to monitor the progress. There is also the Reservation Bill which has been introduced in the Lok Sabha.

Shri N.K. Premachandranji said that there should be a provision for reservation of SCs and STs in the institutions of excellence. Well, I could not agree with you more. It should be done. We will see what can be done about it. As far as drinking water problem, electricity and civic amenities are concerned, this is something which the State Government has to provide. These are the things for which Special Component Plan budget allocation has to be made, which the State Governments are failing to do.

Now, I take the point about scavengers. My Ministry has the National Commission for Safai Karmacharis. My Ministry also has the Finance and Development Corporation for the Safai Karmacharis. The Safai Karmacharis are different from scavengers. Scavengers are those who are still clearing the night soil with their own hands and carrying it on their person. They are the scavengers. So far as scavengers are concerned, there was the National Scheme for Liberation and Rehabilitation of Scavengers which was with this Ministry. But, it was transferred to the Ministry of Urban Employment and Poverty Alleviation Ministry in 2003. I am told that from there, it has now been transferred to the States. But, then, it is a matter which concerns another Ministry, not my Ministry. So far as the children of scavengers are concerned, we have a scheme for them called the Pre-Matric Scholarship Scheme.

Sir, I think, I have answered most of the points which were raised by the hon. Members. I do want to earnestly thank all the 14 hon. Members who participated in this debate. Till this morning, I was apprehensive. I thought this debate may not happen at all or may happen in a great hurry or may happen in a great disturbance, but it has happened very nicely. I thank you very much.

**श्री एस.एम. लालजन बाशा**(आन्ध्र प्रदेश): उपसभापति जी, सिर्फ एक एश्योरेंस चाहिए, सेंट्रल वक्फ कौंसिल, 1974 में शुरू हुआ था, लेकिन पूरे 31 साल में अभी तक 32 करोड़ रुपए दिए हैं। अभी जो बजट रिलीज हुआ है, 31 साल में 32 करोड़ रुपए दिए हैं। मैं मिनिस्टर साहिबा से पूछना चाहता हूँ, मेरा एश्योरेंस माइनोरिटीज के लिए है, क्योंकि सेंट्रल वक्फ कौंसिल ने तालीम के लिए, उनके डेवलपमेंट के लिए, उनकी गरीबी दूर करने के लिए फंड रखा है, लेकिन उसे 31 साल में सिर्फ 32 करोड़ रुपए दिए हैं। आप बाबू जगजीवन राम जी की बेटी हैं, अगर आप माइनोरिटीज के लिए सही जस्टिफिकेशन करना चाहती हैं तो आपके पीरियड में इसको दस गुना बढ़ा देना चाहिए ....(व्यवधान)....

**एक माननीय सदस्य:** दस गुना कितना होता है ?

**श्री उपसभापति:** अभी कैल्कुलेट करेंगे।

**श्री एस.एम. लालजन बाशा:** क्योंकि पंद्रह करोड़ लोग हैं, एक आदमी पर 1974 से 31 साल में एक रुपया पड़ता है।

**श्रीमती मीरा कुमार:** अच्छा सजेशन है सर।

**MR. DEPUTY CHAIRMAN:** It is not for a clarification but a suggestion only. ...*(Interruptions)*...

**SHRIMATI MEIRA KUMAR:** Sir, I have taken note of your suggestions.

**SHRI DIPANKAR MUKHERJEE:** Sir, I would like to have an assurance. I had referred this to her also, and it is regarding atrocities on *dalits*, on lands, in Madhya Pradesh.

**SHRIMATI MEIRA KUMAR:** You have given me a paper...  
...*(Interruptions)*...

**SHRI DIPANKAR MUKHERJEE:** I want something to be done and it must be looked into immediately.

**SHRI N.K. PREMACHANDRAN:** Sir, regarding education, I would like to know whether the Government of India, especially the Ministry of Social Justice, would take initiatives in having a uniform legislation to ensure

that the SCs/STs students get a particular percentage in admissions in these colleges. Is there any proposal pending?

MR. DEPUTY CHAIRMAN: She has already answered that point. Now, the Tribal Affairs Minister to reply.

THE MINISTER OF TRIBAL AFFAIRS AND MINISTER OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI P.R. KYNDIAH): Mr. Deputy Chairman, Sir, at the outset, I would like to thank my colleague for having given a very able reply, covering almost all the points that I need to cover. As you are aware, the Tribal Affairs Ministry is one of the youngest Ministries. It came into existence in 1999. We are still in the process of asserting ourselves. As you could see from today's Business, it has been bracketed together with the Ministry of Social Justice and Empowerment. I have no objection to it. In fact, I feel good about it because the Ministry of Social Justice is an old Ministry. The tribal affairs were a part of it. Only just now, the Minister has made a reply that the SCs/STs Commission, which has a Constitutional status, has been bifurcated; and, therefore, this Commission on the Scheduled Tribes has come into being only recently. So, I think, it is in a way, good. But I will be failing in my duties if I don't say thanks to all the fourteen Members who have participated in the discussion with such alacrity. But most importantly, it is their valuable suggestions which they have expressed that would help us. The House has certainly been benefited by what we discussed today. But what I regret is that the Opposition Benches are empty. There has been a walkout. It is a part of the democratic process. But when we discuss a very important Ministry like this, which relates to the SCs, STs, OBCs, and even the minorities, I would have thought that the Opposition would participate. But they walked out from the House on this very important subject.

MR. DEPUTY CHAIRMAN: The entire Opposition has not walked out. ...*(Interruptions)*... There are two opposition parties present.

SHRI P.R. KYNDIAH: It is good, a consolation ...*(Interruptions)*... I must really thank Shri Dipankar Mukherjee because at the outset he raised a very potent point, which relates to outlays and outcome of the Budget. This has been made very focused by our own Prime Minister and also the Finance Minister. Whatever outlays we have in the Budget it should quantify with output. This is important. Now we are determined to do that. The first point I would like to mention here is that a very important point has been made about the bitter experiences faced by the tribal people all over

**7.00 P.M.**

the country, particularly those who suffer at the hands of land alienation. Some of the tribals who are living in the forests have been evicted. They are the owners of the land but they cannot prove it because they do not have the land records. This has been a key issue that has been expressed from time to time. I know it happened in the areas of North-East, mainland and everywhere. But something needs to be done about it. My Ministry has been exercising on this matter with all seriousness. Also we have come to a decision to come up with a Bill for the Scheduled Tribes (Recognition of Forest Rights) 2005. We are proposing to bring the Bill before the House at the earliest. Another point, which was raised by Mr. Mukherjee, again is about the Budget provision. It is true that an amount of Rs. 230 crores has been earmarked for development of forest villages. This amount, apart from the current year's Budget, will benefit about 2000 forest villages'. Now this goes along side with our move to bring a Bill for conferment of land rights on forest dwelling tribals. That is a very important point. If we can do this - I think, we should and we must - we will be able to do something historic which will remove the historical injustice done to the tribals. So, this is a matter, which I thought I should bring to your pointed attention. After benefiting about 2000 forest villages in the current year, next year we will cover the remaining villages. This is a fact. The other matter, which I thought I must make a mention of here, as you can see it in the National Common Minimum Programme, that minor irrigation has been made a very important agenda for the betterment of the people all over the country and tribal people in particular. This year, I am happy to inform you that Rs. 50 crores has been provided in order to facilitate minor irrigation in tribal areas in the entire country. It will go a long way in increasing productivity of the lands of the Scheduled Tribes. I think this is very important. The other matter that I would like to bring to the attention of this House, which I brought to the attention of the Lok Sabha also is that we have a scheme known as Eklavya Model School which is a very good scheme. This will provide quality education to the Scheduled Tribe students similarly to Kendriya Vidyalaya and Navodaya Vidyalaya. 96 schools have been set up so far and we are willing to sanction additional schools for the tribal areas of the country. The beauty of the scheme is that we are providing 30 lakhs as recurring expense, apart from the capital expenditure. This is important and I think I should bring it to the attention of this House. The other matter which I thought I should bring to the attention of this House is that there has been a lot of suggestions given to us for inclusion of communities into



Scheduled Tribes to recognise them. It is not an easy matter. We have to go through the accepted modalities. One of the modalities is that it must be approved or recommended by the State Government. The second part is the RGI unit, the Registrar General of India. It is under the Home Ministry and the third one is the National Commission for Scheduled Tribes. We have to go into all these channels. So there have been demands from all over the country for scheduling recognising as tribes. But we are not denying. We have to go into these matters very carefully. But I must also provide another information. Only recently my Ministry has taken up with the Ministry of Environment and Forests. We have given a one-time clearance for providing basic minimum services in the habitats of the Scheduled Tribes in and around forests under the Forest Conservation Act. This is something which I feel will go a long way to help in the betterment of the tribal people. The other matter that I would like to bring to the attention of the House is that we have in July, 2004 introduced a scheme for providing insurance coverage to all earning members, head of families of primitive tribal communities which are 75 in the country, including those who are in Andaman and Nicobar Islands. This insurance scheme will be for five years at a time. In 2004-05 out of five lakhs families, one lakh families will be covered. During the current year two lakhs families will be covered and the remaining two lakhs next year. This is a good scheme also. So, we are trying to do something new, something to give hope to the tribal people. I think it is important. I know of many tribals in the country, whether it is in Kerala, whether it is in Chhattisgarh or anywhere, I find that there has been a kind of helplessness. But today, there is a new hope because land is more important. You know Sir, how difficult land alienation is for the tribal people. There are so many tribal people all over the country who have suffered a lot, over the decades, over the centuries in fact. But now is the time we should do something about it and we are committed to it. The National Common Minimum Programme has made it clear and we should do that. We are determined to fulfil all the commitments made in the National Common Minimum Programme one-after-the-other. As my colleague has stated this is the Bible and the Geeta of this Government. We cannot shirk away from our responsibility. I don't want to inflict upon your time. You are tired. But, at the same time, I must thank the hon. Members for their suggestions...

SHRI V. NARAYANASAMY: What about the development issues and the NEC?

**श्री मूल चन्द्र मीणा:** दिल्ली में ट्राइबल रिजर्वेशन का क्या करें ? ....(व्यवधान)....

SHRI P. R. KYNDIAH: Let me say something about the NEC. It is a body of eight Governors, eight Chief Ministers and three nominated Members. It is true that the fund position of this Council is Rs. 500 crores for eight States. It becomes difficult for every State to get something. But, at the same time, I must inform the hon. Member that recently we have transformed the North-Eastern Council into regional planning body. Which is the first in the country. It is a mini regional commission. As soon as I took over the charge and this is the first time that the Minister of the DoNER is becoming the Chairman of the North-Eastern Council. Today, as soon as I took over the charge, my first agenda was to see that this Budget, which is going to play a very important role in the affairs of the North-Eastern Council, does have an agenda for co-ordinated security. It is very important. Today, what we have done is, we have decided to make a blueprint, a roadmap for the economic development of the entire region which will be drawn for fifteen years. It is called the Vision 2020. This is what we are doing in the North-Eastern Region. We will straightaway look into the matter of funding as to where money is to put. Today, with the Prime Minister's commitment to "Look East" Policy, we are thinking both in terms of not only it should be region-specific but, also to be largely specific on South-Asian countries and with our neighbouring countries. The North-East Region is surrounded by Bangladesh, Myanmar, China and Bhutan. Today, after the Prime Minister inaugurated the canal there is a lot of enthusiasm, a lot of queries from the Asian countries and today once our roadmap is laid it occupies a position which is strategically placed that it could become an economic bridge-head towards progress. The future is with us. About funding, we will certainly do something about it. I am thankful that you have suggested this. I am very thankful.

SHRI JAIRAM RAMESH (Andhra Pradesh) : Mr. Deputy Chairman, Sir, we can have a separate Half-an-hour discussion on the NEC because the Minister, due to paucity of time, is not able to go into the details,

MR. DEPUTY CHAIRMAN: It is not the Question Hour. The Half-an-hour discussion cannot be allowed. Anyway, you give a notice, I will look into it.

**श्री मूल चन्द्र मीणा:** डिप्टी चेयरमैन सर, ....(व्यवधान)....

**श्री उपसभापति:** आपका क्या है ?

**श्री मूल चन्द्र मीणा:** डिप्टी चेयरमैन सर, मैं मंत्री महोदय से जानना चाहूंगा कि आप ट्राइबल को कैसे न्याय दिलाना चाहते हैं ? ....(व्यवधान)....

**श्री उपसभापति:** ट्राइबल को ....(व्यवधान)....

**श्री मूल चन्द्र मीणा:** दिल्ली के अन्दर ट्राइबल का रिजर्वेशन बन्द कर दिया। सुप्रीम कोर्ट का डिंसीजन आ गया कि टेरिटरी स्टेट के अन्दर सेंटर के रूल्स लागू होंगे, फिर भी दिल्ली के अन्दर ट्राइबल के रिजर्वेशन को क्यों नहीं लागू किया जा रहा है ? इसको हम कैसे न्याय दिलाएंगे ?

**श्री उपसभापति:** क्या इसके बारे में आप कुछ कहेंगे ?

SHRI P. R. KYNDIAH: Sir, this matter has been brought to my attention. It is in connection with the reservation to SCs/STs and all that. This matter has been discussed in the Government. After the formation of the National Capital Territory of Delhi, the Home Ministry had issued a circular extending reservation, but the High Court had dismissed it. At our instance, the Home Ministry has filed a special leave petition. I think, that is enough. ...*(Interruptions)*...

**श्री मूल चन्द्र मीणा:** सर, मंत्री जी कैसी बात कर रहे हैं ? ....(व्यवधान)....

MR. DEPUTY CHAIRMAN : The matter is over. ...*(Interruptions)*...

**श्री मूल चन्द्र मीणा:** सर, मैं यह कह रहा हूँ कि सुप्रीम-कोर्ट का डिंसीजन हुआ है, यह फरवरी में हुआ है। वह जो डिंसीजन है, वह पहले का है। यह फरवरी में डिंसीजन हुआ है। उसके बाद लागू करने में क्या दिक्कत है ? असली बात पर क्यों नहीं आते हैं, क्यों घुमाने की बात करते हैं ? ....(व्यवधान).... डिंसीजन हुआ है फरवरी में। वह डिंसीजन है पहले का, उसके बाद सुप्रीम कोर्ट का डिंसीजन आया है। ....(व्यवधान)....

**श्री उपसभापति:** उन्होंने कहा है कि स्पेशल लीव पिटीशन डाला है। ....(व्यवधान)....

SHRI P. R. KYNDIAH: I agree with the hon. Member. Lately, there has been a Supreme Court decision. And, we are certainly pursuing it.

MR. DEPUTY CHAIRMAN: The discussion on the working of the Ministry of Social Justice and Empowerment and Tribal Affairs is over.

The House is adjourned till 11 O' clock tomorrow.

The House then adjourned at eleven minutes past seven of the clock till eleven of the clock on Wednesday, the 27<sup>th</sup> April, 2005.