

that "In House serials" had completely stopped due to cattous attitude of the authorities in not transferring the Channel to Srinagar, Kashmir.

I would urge the Information and Broadcasting Minister that he should announce shifting of the Kashir Channel (Kashmiri Channel) to Srinagar immediately and remove the barriers created by the vested interests in connection with the shifting of the Kashir Channel to Srinagar.

MR. DEPUTY CHAIRMAN: The House is adjourned for lunch till 2.30 p.m.

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

The House reassembled after lunch at thirty minutes past two of the dock,

THE VICE-CHAIRMAN (SHRIMATI SARLA MAHESHWARI) in the Chair.

PRIVATE MEMBERS' RESOLUTIONS

Extension of reservation policy for SCs, STs and OBCs to Private Sector

उपसभाध्यक्ष (श्री मती सरला माहेश्वरी): माननीय सदस्यों, अब हम निजी विधेयकों पर चर्चा करेंगे। हम आदरणीय श्री आर. एस. गवई साहब के निजी विधेयक पर चर्चा कर रहे थे। वैसे तो इस विधेयक पर काफी चर्चा हो चुकी है, लेकिन अभी भी मेरे पास काफी नाम हैं। इसलिए मैं चाहूंगी कि चर्चा की शुरुवात की जाए। श्री आर. पञ्चमसुन्दरम।

SHRI R. SHUNMUGASUNDARAM (Tamil Nadu): - Madam Vice-Chairman, this is one of the topics which is very close to my heart. Therefore, I am very happy to share my views on this particular Resolution. I hail from Tamil Nadu which is the beneficiary of reservation policy, and the people in Tamil Nadu have improved their literacy rate due to reservation in educational institutions. Their status in life has improved in the last 30-40 years due to reservation in job opportunities. Our Party, the DMK Party and its forerunner, Dravida Kazhagam, which was founded by Periyar, were all supporters of the policy of reservation, and, therefore, I am very, very happy to participate in this debate and lend my wholehearted support to this Resolution. I thank hon. Member, Shri Gayai, for bringing this Resolution for discussion in this august House.

Madam, in Tamil Nadu, due to the reservation in educational institutions, we are producing over 30,000 engineers every year apart from about 2000 medical graduations and other technically qualified persons running to several thousands. All these persons cannot be accommodated

in the public sector undertakings. That is why this Resolution is very essential because the employment opportunities in the public sector are almost at the saturation point. Therefore, the people in Tamil Nadu and in other parts of the country look upon for jobs elsewhere. Sir, this is the time when we all expect that private sector should come forward and shoulder this burden, understand their responsibility and act as a very responsible entity. I am very happy that some of the business houses have also come forward to provide job reservation in their respective business houses. Madam, there will be uniform growth of our society only if reservation in jobs, in private sector too, is provided, and that is the reason why this Resolution, as I stated earlier, is very, very important and is a welcome thing.

Madam, some countries like Malaysia, I understand, have provided some clause in their laws which makes it mandatory for any venture to have a local participation or local partner. This, I understand, is doing very well, and, therefore, a lot more job opportunities are generated even in private sectors. Therefore, this particular Resolution is crucial. I expect all the Members of this august House to support this Resolution. I also read in some newspapers that one of the very big public sector concerns in this country, the Tata conglomerate, has welcomed this particular suggestion of this Government. The Tata group, it is stated, now understands the social responsibility that all private sector industries should carry social justice to Scheduled Castes and Scheduled Tribes, other minorities and other underprivileged sections of our community. Therefore, the Chairman of the Group, Mr. Ratan Tata, has supported this initiative of the Government, and I should thank this Government which, in its Common Minimum Programme, has mentioned about this particular aspect relating to extending the policy of reservation to private sector also. This is the statement made in the Common Minimum Programme. The UPA Government is very sensitive to the issue of affirmative action, including reservations in the private sector. It would soon initiate a national-level dialogue with all political parties, the industry, and other organisations, to see how best the private sector could fulfil the aspirations of Scheduled Caste and Scheduled Tribe youth. This Government is trying to keep its words, and is attempting to implement this particular aspect of the Common Minimum Programme. I understand that apart from TATA concerns, Videocon has also promised to take affirmative action in this regard. I also understand that Videocon was one of the first to commit itself to this particular initiative of the Government.

My suggestion is that such industrial houses, which come forward to implement reservation in their concerns, must be encouraged by the Government in whatever possible way. The Government is one of the largest consumers, and it should give preference to the, products of such business houses, wherever possible, because such concerns are acting very responsibly and are coming forward to help the Government in improving the quality of living in this country.

Also, whatever joint ventures are mooted by the Government, should involve these concerns; they should be requested to come in for joint ventures with the Government. I also request the Government to give subsidies and tax relief to such business houses which come forward.

THE VICE-CHAIRMAN (SHRIMATI SARLA MAHESHWARI) : Please, conclude your speech. Your time is up. How much more time would you take?

SHRI R. SHUNMUGASUNDARAM : Madam, I would take just one more minute.

Madam, the private sector concerns are enjoying so many benefits from the Government. The Government is giving several types of concessions to the private sector. For instance, they give large expanses of land at concessional rates to these concerns and sometimes, even registrations are allowed to be done at concessional rates; also tax holidays and bank loans are given. They are also allowed to make indirect contribution through other means like maintaining law and order, supplying electricity and other technological supports, research and development and transportation through road, rail, air, water etc. Everything is being given to them by the Government. Therefore, the Government should request these private sectors to implement reservation policy.

I submit that this initiative is a welcome step, and request that this Resolution should be passed by this august House. With these words, I conclude my speech. Thank you, Madam.

श्री राम नाथ कोविन्द (उत्तर प्रदेश): उपसभाध्यक्ष महोदया, श्री आर. एस. गवई साहब का जो संकल्प है कि निजी क्षेत्र में भी आरक्षण को ऐक्सटेंड किया जाए, मैं इस संकल्प के लिए श्री गवई जी का आभार व्यक्त करता हूँ, क्योंकि जिस मुद्दे को वे इस सदन में लाए हैं, मुझे लगता है कि यह मुद्दा इस देश की लगभग एक तिहाई पापुलेशन को प्रभावित करता है। सरकारी आंकड़ों के आधार पर भी यदि हम जाएं तो जिसको हम बी.पी.एल. कहते हैं, गरीबी रेखा से नीचे, उनको लगभग 26 परसेंट बताते हैं, लेकिन मैं उससे भी आगे की संख्या देना चाहता हूँ,

लगभग 30 करोड़ और इस प्रकार से मैं कह सकता हूँ कि शायद इस देश की एक तिहाई पापुलेशन को प्रभावित करने वाला यह रेज़ोल्यूशन है। जब देश आज़ाद हुआ तब नौकरियों में रिज़र्वेशन का एक प्रावधान किया गया था। नौकरियां विशेष तौर पर कितनी मिली, उसमें मैं नहीं जाना चाहता, लेकिन मैं एक मोटी बात रखना चाहता हूँ कि सरकारी नौकरियों की लगभग अपनी एक सीमा है और सीमा के तहत जो आंकड़े सरकार ने दिये हैं, लगभग चालीस लाख नौकरियों हैं, यदि हम केन्द्र सरकार, प्रदेश सरकार और टीचर्स, सैमी गवर्नमेंट ऑर्गनाइज़ेशंस, हम सबको ले लें जिनमें कि **public sectors undertakings** हैं, इन सबके **employees** को हम यदि लें तो लगभग चालीस लाख का आंकड़ा आता है और यदि हम चालीस लाख के आंकड़े को तीस करोड़ की तुलना में देखें तो मुझे लगता है कि शायद फिर भी उनतीस करोड़ साठ लाख के करीब बचता है। इन उनतीस करोड़ साठ लाख को आप क्या दे सकते हैं ? एक विशेष चीज़, जिसका कभी-कभी विरोध भी हुआ है, कई कारणों से उसका विरोध हो सकता है क्योंकि **interest clash** होते हैं, ऐसी स्थिति में विरोध होना भी स्वाभाविक है। वह चाहे सामाजिक विरोध हो अथवा **Trade** या **Industry** की जो **community** है उसका विरोध हो, लेकिन उनके अपने कारण हो सकते हैं, लेकिन उन कारणों से ऊपर देश है और देश की यह तीस करोड़ आबादी है। जब हम इस देश को आगे ले जाना चाहते हैं तो मुझे नहीं लगता है कि यदि हम तीस करोड़ के बारे में चिंता न करें तो एक देश आगे बढ़ सकेगा, ऐसी कल्पना भी नहीं की जा सकती है।

महोदया, मेरा इस बारे में विशेष तौर पर कहना है कि कुछ विरोध के स्वर भी फूटे हैं। मैं उसके संबंध में कहना चाहूंगा कि जो प्राइवेट सैक्टर हैं, निजी क्षेत्र है वहां निजी क्षेत्र की फैक्टरीज़ लगती है, उनकी मिलें लगती हैं, उनकी फर्मस बनती हैं। उनको भूमि का जो एलाटमेंट होता है, वह सरकार की ओर से होता है, **of course, they also pay the cost** लेकिन उसकी जो लागत आती है वह उसको कन्सैसनल रेट्स पर दिया जाता है। उनको जब अपनी कंपनीज़ को चलाने के लिए लोन मिलता है वह सरकारी नेशनलाइज़्ड बैंकों के माध्यम से अथवा दूसरे जो इंस्टीट्यूट्स हैं, उनके द्वारा मिलता है। जब सेल्स टैक्स अथवा दूसरे टैक्सों के पैमेंट की बात आती है तो उसने भी उनको एक निश्चित समय दिया जाता है कि आप इसकी आदायगी पांच वर्ष अथवा दस वर्ष बाद देंगे। इन सब प्रकार की सुविधाओं को देकर निजी क्षेत्र को बढ़ावा दिया जाता है तब मैं समझता हूँ कि आखिर वह किसके माध्यम से मिलता है ? किसका पैसा है वह ? किसकी कॉस्ट पर उनको सुविधाएं दी जाती हैं ? किसकी कॉस्ट पर उनको कन्सैसन दिया जाता है ? वह दिया जाता है इस देश के तमाम लोगों की कीमत पर।

महोदया, मेरा कहना यह है कि यदि यह सब चीज़ें होती हैं तो आखिर उनका भी एक सामाजिक दायित्व बनता है कि वे आगे आएँ। आखिर यह देश की गरीबी है, देश की गरीबी का मतलब है कि वह उनकी गरीबी भी है। इस तीस करोड़ लोगों की गरीबी को अथवा यह समाज जो पीछे चला गया है, यहां सदियों की जो पिछली दास्तान है उसे मैं नहीं दोहराना चाहता हूँ कि किन कारणों से यह हुआ, उसमें मैं नहीं जाना चाहता लेकिन इसमें जो गौर करने वाली बात है वह यह है कि यह हम सबका दायित्व है। जो ऊपर बैठा है या जो नीचे बैठा है, नीचे का अभिप्राय इस वर्ग से नहीं बल्कि जो खुशहाली में है, समृद्धि की ओर बढ़ रहे हैं, उन सबका दायित्व है कि इन सबको साथ लेकर चलें। देश की मुख्या धारा से जोड़ करके चले और इस संबंध में बहुत बार रूलिंग पार्टी, जो इस समय कांग्रेस है, उसके भी कुछ प्रस्ताव आए। एक

सुझाव दिया गया “कॉमन मिनिमम प्रोग्राम” में उसका एक हिस्सा बनाया गया। हमारी जो संबंधित सोशल जस्टिश एंड एम्पॉवरमेंट मिनिस्टर हैं श्रीमती मीरा कुमार, इनकी पहल को भी हम सब लोग जानते हैं। मैं उनको बधाई देता हूँ कि वे पहल कर रही हैं। उस पहल में अभी तक जो एक समाधान निकलना चाहिए, मुझे लगता नहीं कि यह निकल पाया है। **But this is a continued process and this has to go on.** कोई बहुत जल्दी नहीं होने वाला है लेकिन जितनी जल्दी हो जाए और कुछ थोड़ी सी भी यदि शुरुआत हो जाए, तो मुझे लगता है कि इसके बहुत दूरगामी परिणाम हो सकते हैं।

महोदया, मैं एक और बात यहां पर रखना चाहता हूँ कि आखिर पूरा सदन, पूरा देश संविधान से चलता है और मैं विशेष रूप से उल्लेख करना चाहता था कि जिस समय हमने यह संविधान 26 नवम्बर, 1949 को एडॉप्ट किया था, पूरे देशवासियों ने एडॉप्ट किया था और एक हमने सोलम रेशजूल्यूशन किया था, मैं मानता हूँ जिसको हिन्दी में हम कह सकते हैं कि एक पवित्र कसम हम सब लोगों ने खाई थी और क्या खाई थी जिसमें कि मैं दो-तीन बातों का जिक्र करना चाहूंगा। इसमें एक जस्टिस की बात कहीं गई थी-न्याय और वह न्याय सोशल इकॉनॉमिक एंड पोलिटिकल। यह जो निजी क्षेत्र में आरक्षण की बात आती है, वह इकॉनोमी से संबंधित है, क्योंकि जो बराबरी के दर्जे की हम बातें करते हैं-फंडामेंटल राइट्स में भी कहा गया है, आर्टिकल-14, 16 में भी कहा गया है। वह जो बराबरी की बात आती है आखिर बराबरी कहां से आएगी? एक सोशल इक्वेलिटी और दूसरी इकॉनॉमिक इक्वेलिटी। महोदया इसी प्रिम्बल में कहा गया है कि **equality of status and opportunity**, आखिर अपॉर्च्युनिटी में यह जो बराबरी में लोग खड़े नहीं होंगे, एक बराबरी स्टेटस नहीं होगा तो उनके लिए आप जिस अपॉर्च्युनिटी और स्टेटस की बात करते हैं, क्या वह दे सकेंगे? इसमें जो अंत में एक बात कहीं गई है — **fraternity or brotherhood; assuring the dignity of the individual**. मैं डम, मैं कहना चाहूंगा कि यदि व्यक्ति गरीब है, यदि उसको दो जून की रोटी खाने को नहीं मिलती है, **how can we say that the man could live a dignified life?** तो मुझे नहीं लगता है कि इन सब चीजों को ध्यान में रखते हुए यदि हम देखेंगे, तो मुझे लगता है कि शायद निजी क्षेत्र में भी आरक्षण होना चाहिए और जिसके आरक्षण की कभी-कभी बात यहां आ जाती है। कभी-कभी जो समाज से स्वर फूटते हैं उनको लगता है कि शायद यह बात सही हो, मैं भी मानता हूँ और एक बार मैंने इसी सदन में यह बात कही थी कि **let us come across the table** जिसको कहा गया था कि संविधान की जब शुरुआत हुई थी तो 10 वर्षों के लिए आरक्षण बढ़ाया गया। महोदया, वह 10 वर्षों का एक पॉलिटिकल एक्सटेंशन था रिजर्वेशन का, जो कि लोक सभा, विधान सभाओं, नगरपालिकाओं में मिला हुआ है और वह बढ़ता-बढ़ता कहां चला गया और अभी जो उसकी अंतिम मियाद रखी गई है वह 26 जनवरी, 2010 तक हैं। लेकिन महोदया, जो आरक्षण सेवाओं में हैं, नौकरियों में हैं उसकी किसी भी प्रकार की मियाद नहीं है। लेकिन लोगों को लगता है, इसमें कभी-कभी भ्रम हो जाता है कि यह 10 साल का बढ़ा, 20 साल का बढ़ा। लेकिन जो आरक्षण का प्रतिशत मिलना चाहिए था जो एक बेसिक तय गया था कि **for the Scheduled Castes, 15 per cent in centra) services** लेकिन कई स्टेट में उसको पौपुलेशन के बेसिस पर अलग-अलग कर भी दिया है, **or the purpose of Central Government, fifteen per cent for the Scheduled Castes, and, seven-and-a-half per cent for the Scheduled Tribes** यह साढ़े बाइस परसेंट का जो हमने

3.00 P.M.

एक लक्ष्य रखा था, वह आरक्षण नीति को अपनाए हुए 50 वर्ष पूरे होने के बाद भी पूरा नहीं हो पाया है। आखिर इसमें दोष किसका है, जो लोग मांग रहे हैं उनका दोष है या जो देने वाले हैं उनका दोष है ? इसी बात को लेकर कभी-कभी समाज में लगता है, हमें भी लगता है कि आखिर 50 साल तक यह आरक्षण कोई परमानेंट व्यवस्था नहीं है, होनी भी नहीं चाहिए, क्योंकि अगर हम इसको परमानेंट बनाएंगे तो मुझे लगता है कि ये जो गरीब, मजदूर, एस.सी., एस.टी. के लोग हैं इनको शायद हम एक बिल्कुल अपाहिज घोषित करेंगे। वह मैं नहीं चाहता हूँ। लेकिन उनके लिए कहीं न कहीं इस प्रकार की व्यवस्था की जाए और निजी क्षेत्रों में जो आरक्षण मिलेगा वह नौकरियों में ही मिलेगा और मुझे नहीं लगता है कि जो हमने एक संख्या दी है 30 करोड़ की, तो 30 करोड़ में दो करोड़ लोगों को मिल जाए या कितने लोगों को मिले, ऐसी बात नहीं है। लेकिन एक सामूहिक जिम्मेदारी को लेकर के यदि देश आगे बढ़े, सरकार इनीसिएटिव ले, तो मुझे लगता है कि वह केवल निजी क्षेत्र के आरक्षण की बात नहीं है, बल्कि इसको एक नए सिरे से सोचना चाहिए। यह जो बिलो पावर्टी लाइन है, अथवा यह जो 30 करोड़ की जनसंख्या है, उसको **how to bring them at par with others**. समस्या वहां पर है। यह एक उसका छोटा-सा समाधान है जो निजी क्षेत्र में आरक्षण की बात कही जा रही है।

मैडम, मैं अंत में यही बात कहूंगा, जहां तक हमारी पार्टी का सवाल है, **we are open to it. Let the Government come forward**. मुझे नहीं लगता है कि इसमें किसी प्रकार की पॉलिटिकल बंदिश आ सकती है। लेकिन जिस संविधान के मैंने प्रावधान और प्रियम्बल का उल्लेख किया, मुझे लगता है कि इन प्रावधानों के कोई माइने नहीं रहेंगे। यदि हम लोगों को जस्टिस, **that economic justice, equality of status and opportunity** और तीसरी चीज यह **fraternity, assuring dignity of the common man**. अगर हम इन तीन चीजों का पालन नहीं कर पायेंगे, तो मुझे लगता है कि संविधान में दिया हुआ जो हमारा एक सोलम रेश्योल्यूशन है, जिसे हमारे पूरे देश के लोगों ने दिया था, हमारे पूर्वजों ने दिया था, संविधान के निर्माताओं ने 26 नवम्बर, 1949 को दिया था। मैडम, मुझे लगता है कि हम उसमें बहुत पीछे रहेंगे और यह बेमानी होगा। इसलिए मैं इसका समर्थन करता हूँ और गवर्नर साहब जो इस प्रस्ताव को लायें हैं, उनको धन्यवाद देते हुए अपनी बात समाप्त करता हूँ।

प्रो. रामबख्श सिंह वर्मा(उत्तर प्रदेश): मैडम, आपका बहुत-बहुत धन्यवाद कि आपने मुझे अपनी बात रखने का मौका दिया है। महोदया, यह सर्वविदित एवं सर्वस्वीकृत तथ्य है कि भारत में सामाजिक असमानता की समस्या विकराल रूप से विद्यमान रही है। यह समस्या अभी से नहीं है, यह समस्या हजारों वर्ष से विद्यमान रही है। आजादी के पूर्व सामाजिक असमानता का स्तर बहुत अधिक था, आजादी के बाद यह असमानता घटी है, इसमें कोई दो राय नहीं है। इस सामाजिक विकृति के कारण आर्थिक असमानता ने भी समाज को अपनी आगोश में लपेटा है। इस सामाजिक भेदभाव के कारण ने केवल अनुसूचित जातियों, अनुसूचित जनजातियों के लोगों को पीड़ादायक जिंदगी बसर करनी पड़ी है वरन् अन्य पिछड़े वर्ग के लोगों को भी अपमानजनक जिंदगी जीने के लिए मजबूर होना पड़ा है। इसके फलस्वरूप इन वर्गों में, सामाजिक, शैक्षिक व आर्थिक गैर-बराबरी उत्पन्न हुई है। इस सामाजिक कलंक का समाप्त करने के लिए, कम करने के लिए हमारे संविधान के निर्माताओं ने, संविधान के विभिन्न अनुच्छेदों के माध्यम से विशेषकर अनुच्छेद 16(4) व 16(4)ए के द्वारा केन्द्र व राज्य सरकारों की नौकरी में आरक्षण देने की

व्यवस्था की है। इसी आधार पर अनुसूचित जाति, अनुसूचित जनजाति के लोगों को प्रारम्भ से ही सरकारी नौकरियों में 15 फीसदी एवं 7.5 फीसदी का आरक्षण प्रदान किया गया और बाद में मंडल कमीशन की संस्तुतियों के आधार पर अन्य पिछड़े वर्गों के सदस्यों को भी 27.5 फीसदी का आरक्षण प्रदान किया गया।

महोदया, सरकारी नौकरियों तथा सरकारी उपक्रमों में जो आरक्षण प्रदान किया गया है अथवा प्रदान किया जा रहा है, वह संविधान सम्मत है और माननीय उच्चतम न्यायालय ने कई बार अपने निर्णयों के द्वारा इसे सही वे न्यायसंगत ठहराया है। माननीय सांसद श्री आर. एस. गवई ने अपने संकल्प में बिल्कुल सही उल्लेख किया है कि, वर्तमान परिप्रेक्ष्य में जब सरकारी उपक्रमों का विनिवेश के माध्यम से निजीकरण हो रहा है, सरकारी क्षेत्र में नौकरियों की संख्या घट रही है, निजी क्षेत्र में अनुसूचित जाति, अनुसूचित जनजाति तथा पिछड़े वर्ग के लोगों के लिए आरक्षण का कोई प्रावधान नहीं है, कोई व्यवस्था नहीं है और इसका अर्थ यही हुआ कि इन वर्गों के लिए सरकारी और गैर-सरकारी दोनों क्षेत्रों को मिलाकर नौकरियों का जो अवसर अभी तक था, वह अवसर घटा है और इससे यह प्रतीत होता है कि संविधान निर्माताओं की जो मंशा थी, उस मंशा में कटौती हो रही है, वह पूर्ण नहीं हो रही है। यह पूर्ण तभी हो सकती है, जबकि सरकारी उपक्रम जिनका विनिवेश हुआ है या जिनका विनिवेश होने वाला है, उनमें यथापूर्व जो आरक्षण की व्यवस्था थी, निजीकरण के बाद भी वह आरक्षण की व्यवस्था रहेगी। जैसा कि मेरे पूर्व वक्ता आदरणीय कोविन्द जी ने कहा है कि समाज के कुछ क्षेत्रों से इसका विरोध हो रहा है, निजी क्षेत्र के जो उद्यम हैं, उनके मालिकों के द्वारा भी इसका विरोध हुआ है। कई बार उन्होंने प्रस्ताव पास किये हैं, उन्होंने संदेह व्यक्त किया है कि अगर निजी क्षेत्र में आरक्षण की व्यवस्था होगी, अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लिए तो उनकी क्षमता घटेगी, उनकी इफिसियेंसी घटेगी, उनकी क्वालिटी प्रभावित होगी।

महोदया, ऐसा लगता है कि जब कभी भी व्यवस्था में परिवर्तन होता है तो इस तरह की आशंकाएं व्यक्त की जाती हैं। आज भी कुछ संख्या में अनुसूचित जाति, अनुसूचित जनजाति के लोग, अन्य पिछड़े वर्ग के लोग कार्य कर रहे हैं, दक्षतापूर्वक कर रहे हैं, उनसे कोई शिकायत नहीं है। बहुत से लोगों को अवसर नहीं मिला है, जिनको अवसर नहीं मिला है, उसके बारे में पहले से कह देना कि अगर इन्हें अवसर मिलेगा तो ये ठीक से काम नहीं कर पायेंगे, यह मेरे हिसाब से ठीक नहीं है। क्योंकि जिन लोगों को अवसर मिला है, वे ठीक से अपने काम को प्रतिपादित कर रहे हैं।

आज से कुछ वर्ष पहले अमेरिका में भी इसी तरह से व्यवस्था में परिवर्तन हुआ था और उस व्यवस्था में परिवर्तन के फलस्वरूप जो वहां के मूल अमेरिका के निवासी थे, जिनका नौकरियों में प्रतिशत बहुत कम था, वहां की सरकार ने संविधान में परिवर्तन करके निजी क्षेत्र में भी, उन्हें नौकरियों में आरक्षण प्रदान किया। इसका प्रारम्भ में बहुत विरोध हुआ और यही सारी शंकाएं, आशंकाएं जाहिर की गईं, जिन शंकाओं, आशंकाओं का आज प्रकटीकरण हो रहा है। लेकिन उसके बाद सिद्ध हुआ कि निजी में आरक्षण के बाद में उनका प्रोडक्शन बढ़ा है, उनकी क्वालिटी बढ़ी है। कहीं प्रोडक्शन बढ़कर 106 प्रतिशत हुआ है, किसी उद्योग में 111 प्रतिशत हुआ है। इस तरह के उदाहरण हमारे सामने हैं। इसलिए मैं समझता हूं कि सरकार को प्रयत्न करना चाहिये कि निजी क्षेत्र के जो उद्योग हैं, जो व्यवसाय हैं, उनके व्यवसायों को विश्वास में लेकर के, उनकी जो शंकाएं हैं, जो निर्मूल हैं, उनकी शंकाओं का समाधान होना

चाहिए, इसके लिए उनको तैयार करना चाहिये। मुझे विश्वास है कि आज की सरकार, जिसने पिछले चुनाव के समय इन वर्गों को विश्वास भी दिया था, उनका यह कर्तव्य भी है। जहां तक हमारी अपनी पार्टी की बात है। हमारे पूर्व वक्ता ने इसे बहुत स्पष्ट कर दिया है। मैं उनकी बात से पूरी तरह से सहमत हूँ। यह भी बिल्कुल स्पष्ट है कि जब तक समाज के सभी वर्गों का समुचित विकास नहीं होगा, अगर समाज का एक भी वर्ग पिछड़ा रह जायेगा, कमजोर रह जायेगा, तो समाज अपने आप में कमजोर रह जायेगा। मैं समझता हूँ कि सामाजिक विकृति का यह भी एक कारण है। हम बहुत दिनों तक पिछड़े रहे हैं। मैं तो यह भी मानता हूँ और क्षमा के साथ मैं यहां पर उल्लेख करना चाहता हूँ कि बहुत वर्षों तक अगर विदेशों की दासता हमें झेलनी पड़ी, उसका एक विशेष कारण यह भी था कि समाज के सभी वर्गों के ठीक से चेतना नहीं थी, उनमें सामाजिक भेदभाव ज्यादा था जिसके कारण लोगों को लगा कि शासन हमारे देश का हो या विदेश का हो, हमें इससे क्या अंतर पड़ता है। इस कलंक को मिटाने के लिए मैं समझता हूँ कि कुछ दूरी तक हम बढ़े भी हैं। हमने कुछ उपलब्धि प्राप्त भी की है। उस दिशा में और तेज बढ़ने की आवश्यकता है तथा समाज के जिन वर्गों में आशंका है, व्यवसाय के क्षेत्र में जिन उद्यमियों के मन में ऐसा कोई शक है, उनको विश्वास में लेकर और निजी क्षेत्र में भी अनुसूचित जाति और जनजाति तथा अन्य पिछड़े वर्ग के लोगों के लिए आरक्षण की व्यवस्था होनी चाहिए। यह सच है कि आरक्षण की व्यवस्था सदैव के लिए नहीं रह सकती है लेकिन जो आरक्षण की व्यवस्था हुई है, जो उसका प्रतिशत है, एक बार उसकी इति तो करनी चाहिए, वहां तक पहुंचना तो चाहिए। एक बार पहुंचने के बाद अगर उसे समाप्त कर दिया जाए तो मैं समझता हूँ कि समाज में वहीं कोई कटुता उत्पन्न नहीं होगी। लेकिन एक बार चेतना तो आए, वहां तक पहुंचने के लिए अवसर तो मिले। अभी वहां तक पहुंचने का अवसर प्राप्त नहीं हो पा रहा है। जब तक वह अवसर प्राप्त न हो जाए, जिस प्रतिशत में आरक्षण की व्यवस्था हुई है, जब तक वहां तक न पहुंचा जाए, तब तक यह आरक्षण की व्यवस्था निरंतर कायम रहनी चाहिए। इन्हीं शब्दों के साथ आपने मुझे इस महत्वपूर्ण प्रस्ताव पर बोलने के लिए अवसर प्रदान किया, उसके लिए मैं आपका धन्यवाद करता हूँ और अपने विद्वान साथी श्री आर.एस. गवई जी को इस संकल्प को लाने के लिए धन्यवाद देता हूँ। इन शब्दों के साथ मैं अपनी बात को विराम देता हूँ। धन्यवाद।

SHRI PENUMALLI MADHU (Andhra Pradesh): Madam, today after 57 years of Independence, this reservation for the Scheduled Castes and Scheduled Tribes -- is an important issue -- is not being implemented in many parts of India. In Andhra Pradesh, in a number of tribal areas, these reservations that are provided through our Constitution are not being implemented and in many places, where the tribal youth were fully qualified for different posts were not provided jobs, and the non-tribals and other sections of the society were given jobs, denying the due share to the Scheduled Castes and Scheduled Tribes. Recently, there was a survey undertaken by some agency. In this survey, it is found -- according to our Constitution, in scheduled areas 100 per cent reservation is to be provided for the tribals - that 80 per cent of the reservations of the posts in Vishakhapatnam district of Andhra Pradesh, even in the case of the fourth class employees, were given to the non-tribals, denying jobs for the tribal

youth. It is in this context, we have undertaken the survey in one district. In this context, this Resolution is to be considered and passed. This Resolution has got much importance and I fully support the Resolution proposed by our colleague, Mr. Gavai. Thank you very much.

SHRI FALI S. NARIMAN (Nominated): Thank you, Madam, Vice-Chairman. I have some difficulty with regard to some parts of this Resolution and let me mention them. There are some legal and constitutional difficulties that I foresee. In the first place, we must do first things first. If hon. Members will just turn to Article 46 of the Constitution, it says:

"The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

Unfortunately, this is in the Chapter of Directive Principles of State Policy, which cannot be enforced, and I would suggest, as a first step, the hon. Members must consider that in the interest of the Scheduled Castes and Scheduled Tribes, particularly, their educational interests, and then, employment interests, that if anything in this Resolution is to be meaningful, this Article should be brought into the Fundamental Rights' Chapter, because, unless and until it is brought into the Fundamental Rights Chapter, I am afraid that this Resolution, with all our good wishes, will remain a non-starter. That is number one. Secondly, while it is perfectly true that the Scheduled Castes and Scheduled Tribes have some reservations in posts which were in the public sector, and therefore, part of the State under Article 16 of the Constitution, with disinvestment, this reservation has gone out, and the object is to put this back again. It is good in principle, it is good in theory. But, Madam, I would suggest that in this Resolution, while mentioning that the reservation policy be extended to the private sector for the Scheduled Castes and Scheduled Tribes, for OBCs, we have to be extraordinarily careful, and for this reason, the Supreme Court has said in one judgment after another that in respect of other backward classes, unfortunately, there has developed what is called a "creamy layer" amongst the other backward classes, that is, a preferred section of them, who only advance at the cost of others. At whose cost? Not at the cost of the general citizens, at the cost of other backward classes in their own strata of

society. This is our great problem. We have not been able to solve this problem of creamy layer because we find that whenever there are reservations in the other backward classes section, the only people who progress and make good, are the creamy layer, who go on extending and expanding at the expense of the other section of the other backward classes. So, if this Resolution had confined itself to the Scheduled Castes and Scheduled Tribes, I would have no hesitation in supporting it although I would feel that, without amendment to the Constitution, you cannot impose this upon the private sector. This is the problem. By imposing it on the private sector, in fact, I would respectfully suggest that we are creating another backlash, because, the private sector is going to say: What are you going to do about our fundamental right to carry on business? There should be a law, which is in public interest, which puts a reasonable restriction on that right, and unless and until one knows what that reasonable restriction is, it would be an infringement of that fundamental right. Therefore, although it is good in theory, it is good in conception, the whole problem about this Resolution is that we have to have many more things in order to support it, and we have to be extraordinarily careful that we do not fall foul of the creamy layer of society amongst the OBCs, which has, time out of number, been mentioned in repeated decisions of the Supreme Court that amongst the OBCs, those who progress, are only the creamy layer, and they go on progressing at the cost of other persons in the OBC category. The Scheduled Castes and Scheduled Tribes are in a distinct category. They have to be separately treated. I have no doubt about it, and correctly, they have to be treated, having regard to the historical antecedents that we have. Therefore, while in theory, this Resolution could be supported, I am afraid, it will have no teeth; it will have no force at all, unless and until we all consider whether or not we want it as a matter of policy...

Article 46 under the Directive Principles of State Policy of the Constitution should be put into the chapter dealing with the Fundamental Rights, which will enable the State to protect the Scheduled Castes and the Scheduled Tribes from all forms of social injustice and all forms of exploitation, and take special care of their educational and economic interests. Thank you.

SHRI P.G. NARAYANAN (Tamil Nadu): Mr. Deputy Chairman, Sir, I rise to support this important Resolution. The purpose of reservation is to uplift the downtrodden people belonging to the OBC, the Scheduled Castes and the Scheduled Tribes and enable them to develop economically and

socially. In this era of globalisation, private institutions are coming up in a big way. The private institutions can accommodate much more people than the public institutions. The private institutions, which are coming up in a big way, can afford to give more employment to the unemployed youths, both educated and uneducated. Nowadays, there is not much scope for getting jobs in public sector institutions, as most of the public sector institutions are getting disinvested.

Now the employment problem is growing day by day. Under the present Reservation Policy, people belonging to the Scheduled Castes and the Scheduled Tribes cannot get jobs because the reservation is not extended to the private institutions. They can get jobs in private institutions only if they have merit. Due to poverty, the OBCs, the Scheduled Castes and the Scheduled Tribes cannot compete with economically and socially advanced youths. So, the only way available is to extend the Reservation Policy to the private institutions also.

In Tamil Nadu, the State Government is now implementing 69 per cent reservation in respect of the OBCs, the Scheduled Castes and the Scheduled Tribes. Our Chief Minister, Dr. Puratchi Thalaivi, has made consistent efforts to get it included in the Ninth Schedule. This 69 per cent reservation needs Constitutional safeguards. Our Chief Minister has written several letters to the Prime Minister to amend the Constitution for giving Constitutional safeguards to this 69 per cent reservation. But the Government has not yet come forward to bring this vital Constitutional Amendment to provide Constitutional safeguards to this 69 per cent reservation. So, I urge upon the Government to bring forward a Constitutional Amendment to provide Constitutional safeguards to this 69 per cent reservation which we are implementing in Tamil Nadu. Thank you.

प्रो.राम देव भंडारी(बिहार): माननीय उपसभापति जी, माननीय सांसद श्री आर.एस. गवई द्वारा प्रस्तुत इस संकल्प का मैं पुरजोर समर्थन करता हूँ। महोदय, आजादी के सत्तावान वर्ष हो गए हैं। संविधान में हमने कहा है कि इस देश के नागरिकों को समान अधिकार होगा, समान सुविधाएं मिलेंगी और एक समाजवादी समाज का निर्माण होगा। उस समय की जो स्थिति थी, उसमें समाज के जो शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब या ओ.बी.सी. के लोग थे, उनकी आर्थिक स्थिति, सामाजिक स्थिति, शैक्षणिक स्थिति बहुत कमजोर थी और संविधान निर्माताओं ने इस बात को महसूस किया कि जो कमजोर है, उन्हें आगे बढ़ाने के लिए, उन्हें बराबरी में लाने के लिए कुछ विशेष सुविधाएं देनी पड़ेगी और उन्होंने आरक्षण की व्यवस्था की। मगर आरक्षण की व्यवस्था होने के बाद भी उनकी आर्थिक स्थिति, सामाजिक स्थिति, शैक्षणिक स्थिति में जो परिवर्तन होना चाहिए, जो प्रगति होनी चाहिए, वैसी अभी भी देखने को नहीं मिल रही है। मैं दो वर्षों तक संसद की अनुसूचित जाति-अनुसूचित जनजाति कमेटी का मੈम्बर था। इन दो वर्षों में मैंने देखा कि जो

अधिकार उन्हें प्राप्त है, जो आरक्षण का अधिकार प्राप्त है, उसे भी किसी न किसी बहाने से उन्हें प्राप्त करने से रोका गया। कह दिया जाता है कि सुटेबल कैंडीडेट नहीं मिल रहा है। यह कहकर नौकरी के लिए जो आरक्षित सीट होती है, उसे जनरल सीट में बदल दिया जाता है। इस समय स्थिति यह है कि सरकारी क्षेत्र में नौकरियों की भारी कमी हो गई है। सरकारी क्षेत्र में, हमारा जो सार्वजनिक क्षेत्र है, उसका भी विनिवेश हो रहा है, उसका भी निजीकरण हो रहा है। अब अगर निजी क्षेत्र में आरक्षण की व्यवस्था नहीं होगी तो सरकारी क्षेत्रों से आप इन कमजोर क्लास के लोगों को नौकरी नहीं दे सकते हैं। ओ.बी.सी. के साथ भी ऐसी ही स्थिति है। आठ जातियों को, जो ओ.बी.सी. में थे, बिहार कैबिनेट ने पास करके सेंट्रल गवर्नमेंट को भेजा है कि इन आठ जातियों को शैड्यूल्ड कास्ट में रखा जाए। हमारे यहां बिहार में दो तरह के ओबीसी हैं, एक को अत्यंत पिछड़ा वर्ग कहते हैं और दूसरे को पिछड़ा वर्ग कहते हैं। ओ.बी.सी. में भी बहुत सी ऐसी जातियां हैं, जिनकी स्थिति में कोई परिवर्तन नहीं हुआ है। अगर आप पोलिटिकली देखेंगे तो पाएंगे कि वैसे तो इनकी संख्या काफी है, पर इनके समाज का एक भी आदमी न तो विधान सभा में, न विधान परिषद में मिलेगा। नौकरी में भी उनमें से अगर कोई गजेटेड आफिसर खोजेंगे तो भी नहीं मिलेगा। बड़ी कमजोर स्थिति है। राष्ट्रपति भवन में चलने वाले किसी छोड़े और किसी टमटम वाले के छोड़े को एक जगह रख देंगे तो निश्चित रूप से वह उसका मुकाबला नहीं कर पाएगा। उसे विशेष अवसर की जरूरत है, उसे आरक्षण की आवश्यकता है। सरकारी क्षेत्र में अब बहुत ज्यादा नौकरियों की गुंजाइश नहीं है। इसलिए यह बहुत ही अच्छा संकल्प है, इस पर काफी चर्चा हो रही है। समाचार-पत्रों में भी आया है। यह समाचारपत्रों में भी आया है, डिमांड हो रही है, बहुत मजबूती से डिमांड हो रही है कि निजी क्षेत्र की नौकरियों में भी आरक्षण की व्यवस्था होनी चाहिए। आप बार-बार मेरी ओर देख रहे हैं....

श्री उपसभापति: क्योंकि आज इसको खत्म होना है, अभी 7-8 स्पीकर्स बाकी हैं और मंत्री जी को जवाब भी देना है।

प्रो. राम देव भंडारी: आप बार-बार मेरी ओर देख रहे हैं, इसलिए मैं अपनी बात समाप्त करते हुए, गवर्नर साहब के इस संकल्प का पुरजोर समर्थन करता हूँ और सरकार से अनुरोध करता हूँ कि वह संसद में एक बिल लाए और उस बिल के माध्यम से निजी क्षेत्र की नौकरियों में आरक्षण की व्यवस्था करे। मैं यू.पी.ए. सरकार से आशा करता हूँ कि निश्चित रूप से इस बिल को पारित कराएगी और निजी क्षेत्र की नौकरियों में आरक्षण की व्यवस्था करेगी। धन्यवाद।

SHRI JESUDAS'U SEELAM (Andhra Pradesh): Hon. Deputy Chairman, Sir, I am very much, thankful to you for giving me this opportunity. First of all, let me thank the hon. Member, Shri Gavai, for bringing in this important Resolution. Sir, I stand to support the Resolution.

I would like to draw the kind attention of the august House to an important aspect. While making a point, our senior advocate, Shri Nariman, indicated certain things. I would like to make certain things clear. The UPA Government, in its Common Minimum Programme, has stated and I quote: "The United Progressive Alliances Government is committed to starting a

national dialogue with all the political parties and with industries on the issue of affirmative action including reservations for the Scheduled Castes and the Scheduled Tribes in the private sector." Of course, it did not include the OBCs. The Resolution would, probably, take care of that particular part. The second point is, as has been very rightly mentioned, when we bring in reservations, the States should understand that industry might object to it saying that the fundamental right of their carrying on their trade should not be hampered in any way. The idea behind Amendment to article 19 (1) was imposing certain restrictions to provide for equal opportunities and also for positive discrimination. This is the philosophy which this UPA Government is having, as has been brought out in its Common Minimum Programme.

Sir, as you are aware, we have been taking up so many pro-active measures right from independence, starting with education, hostels, etc., etc. But, I must tell you here; two major developments took place in this country. The first was the Mandal Commission agitation and, later on, we had privatisation and globalisation. But what happened was that there has been an attitudinal shift because Governments kept changing. There were unstable Governments, say, for 13 days, one year, two year and so on. There was no stability. What happens is that whenever there is some disturbance in the system, the worst sufferers are the weaker sections of the society. I say this because when the system is stable, everything gets settled for them and their requirements are well taken care of. But once there is uncertainty, the bureaucracy and some people who are not really keen on that would play an active role. What happened in the wake of Mandal Commission's recommendations and privatisation. The attitude got a little hardened. It got so hardened that even the court started saying, "Enough. बहुत हो गया . This is the unfortunate situation. With all these developments in their mind, and with reflections and aspirations in their heart, the *dalits*, specially the youth, in this country, feel that they are neglected, that they are excluded, that they are alienated and isolated. They have been suffering under lot of disadvantages and stresses. I would like to bring to your kind notice and, through you, Sir, to this House, that if you look at the feeling of neglect and exclusion, it is not only in employment -- hitherto, we only used to talk about employment -- but also in various other sectors, like you are spending so much money on Government contracts; can you find a share of that being given to the Scheduled Caste members? You have been giving so many agencies to the private sector. Is there any agency in the private sector which has been given to a *dalit* or a Scheduled Caste? You are allotting so much quantity of gas to the

industry. Did you allot a single cubic foot of gas to a *dalit* or a Scheduled Tribe? You have been giving so many loans to the capital sector. Is there one industry belonging to a *dalit* or a Scheduled Tribe member whom you have given this loan? These are some of the things which cannot be denied. As rightly pointed out by the hon. Member, Kumari Nirmala Deshpande, on the one side, there is a filthy, obnoxious 'exhibition of wealth, and, on the other side, there are hunger deaths, farmers' suicides and suicides by textile workers -- mostly *dalits* -- and fishermen. There is disparity. During all these forty to fifty years, there has been development, but the disparity in development is so glaring that the widening of gaps is very, very severe, which is reflected in the numbers, for example, of Naxalites. If you take the number of Naxalites, 90 per cent belong to these weaker sections of the society. I do not deny that we are taking cognisance of these things. Yesterday, the hon. Home Minister was saying that we will take care of them and we will educate them, as if these *dalits* have only to join the Naxalites to be taken care of. Don't you realise that there is a potential danger in dealing with them and treating them in this manner? There is despondency and helplessness. The state of helplessness can be seen at large, not in cities and towns, but in villages.

Sir, let me come to the point. But, before that, I want to thank the hon. Minister for this particular point. I have had the privilege of associating myself with a workshop. She has started opening up the dialogue. She is calling the industry. A lot of work has been done by the Ministry in these six months. Now, I do not say whether the State is responsible or the private sector is responsible. And I do not want to repeat the points made by all my predecessors who threw a lot of light on various issues on the topic. But I think we should also place ourselves in private sector's position. They have certain apprehensions. Some hon. Members have said that they feel that this particular step would be an impediment in efficiency, impediment in productivity, impediment in international competitiveness, etc. Sir, in the name of merit, many things are said. I tell you, Sir, researchers have proved that genetically merit is equal. When you are born, you are not born with a meritorious hand. It is the training and the education that makes people meritorious. Dr. Babasaheb Ambedkar had said that we were second to none, provided we have equal opportunity and equal access. You deny the access and you condemn them. Sir, take the private sector. I am not generalising. But the Government is willing to sit with them and give them an assurance. Today, you suddenly reserve 15 per cent for the *dalits* or Scheduled Castes. There is a process and, as somebody said

rightly, the process is on. Some of the private companies are willing to sit with us. We tackle them first. And assure them that by accommodating socially positive discriminatory attitude, your running of industry will not suffer in any way. Rather, you will add to the efficiency.

Sir, their argument of merit is baseless. I give you examples. Those people who talk of merit go to campuses. They make campus recruitment. It is very painful to say this thing. While the institutions give them the bio-data of students, wherever the bio-data didn't mention one as a dalit, they have taken boys and girls with Rs.50,000-60,000. Once the Principal of an institutional head gives them the bio-data containing information that he is a dalit, he is not even talked to. I have seen some of the companies where Indian executives are not there and only multi-national executives are there; they have recruited a lot of dalits, who have achieved merit. Some of the students have really attained maximum levels of merit-qualification and standard.

I will let you know, in brief two minutes, what the status is-at the educational-level, the employment status, what was status before us, what is the situation before us and who are to do what. We don't want only the private sector, we don't want only the Government, but we also want dalits themselves to realise certain things. We don't want them to sit idle. They also have to realise what is happening to them, what is the status of their progress. A lot of sensitisation, a lot of counselling, a lot of persuasion is required from every side.

I would like to say a few words on the delivery mechanism. It is not only providing reservation in the private sector. It has a lot of other aspects. I had an opportunity to talk to two-three important industrialists while on travel. They say, "Mr. Seelam, whatever you say is fine. But look at what is happening in the Government." Some of the learned speakers... (*time-bell rings*)

Sir, if you want me to sit down, I will sit down. But I want to make some points.

MR. DEPUTY CHAIRMAN: You are speaking very well. You are articulating your points very well. But, time is a constraint.

SHRI JESUDASU SEELAM: I will try to limit myself. Sir, I will follow your directive.

Sir, they said, "What is happening in the Government? A lot of backlog posts are there. You are privatising. While privatising, you also impose certain things." I am making this point because the Government, the Minister, is taking a lot of interest. We are happy that she is taking a lot of interest. I am sure, many more things are going to come. In a number of places, people have started realising; because Naxalites have started collecting Rs. 20 lakhs, 30 lakhs, 40 lakhs. Earlier, they used to shoot people. They also changed their attitude. Sir, these people, who are minting money, have suddenly become neo-rich. They are sending words, "You have amassed this by following dubious means. Give me Rs.50 lakhs." They are negotiating even Rs. 40 lakhs. These are the hard realities.

So, why not we realise? Why not the private sector also realise that it is in its own interest to provide some safety valve? Take meritorious boys. Give them some training. Take them as apprentices. Give them some training and make their assessment. If they are fit in that, absorb them. Otherwise, tell them, "You need upgradation; go and put in hard work and come back." They are prepared to do that. But, shutting the doors will create some sort of ill will. I am sure, the private sector will realise this. Some of them are willing to talk to the Government. I think, we should start the process. We don't want the private sector to feel disadvantaged in any way. We don't want to beg. We want to have our rightful share. We want to be an asset to the organisation we work for. We don't want to be a liability in this country. This has to be made clear not only to the Government, but to the dalit community itself.

Sir, this is the gist of the conversation I had with some of the industrialists. I am sure, the Government will find many more opportunities. I would like to submit to you, Sir, on the delivery mechanism. Why do dalits feel excluded? It is not because the private sector reservation, is not there. It is also connected. Today, you are talking about the political will at one level, the private sector at the other level and the delivery mechanism and the receiving mechanism at another level. When I say receiving mechanism, I mean Dalits themselves, the weaker sections, the OBCs. The delivery mechanism needs to be sensitised. Yesterday, somebody pointed out that they should be made accountable. I do not want to go into those nitty-gritty's. But what is the contribution? Earlier they were empathetic but suddenly their attitude became indifferent. Sir, we make top-heavy bureaucracy and we have expanded the political system at the ground. On the reverse is the bureaucracy. We depend only on the patwari, we depend

only on the small level officer at the village and at the sub-district level. Why I am saying is that Dalits feel excluded because today 168 Government of India Secretaries and equivalent posts are there, but there is no Dalit in that post. Do you think it is great, happy news for the weaker sections?—There is nobody in the Government of India at the Secretary level and at the Additional Secretary level. There are 150 posts, but there is no Dalit. Sir, Can't this be taken into cognisance? People are watching everything. There are 439 posts of Joint Secretaries. Hardly nine people belong to SCs and STs. Sir, you cannot suddenly manufacture Secretaries to the Government of India. You have to plan. Your assessment system has to be changed. Apart from assessment by your boss, I think your subordinate also should be given an opportunity. Some sort of sensitisation is needed at the delivery mechanism. On one side, Sir, for posting, you give incentives to people working in the economic Ministries. You do not provide incentives to the people working in the social sector. So, we requested the Government to you give them posting for three years in the social sector and send them to the economic Ministries so that there is some equal competitiveness, equal feeling of committed bureaucracy working with great concern. Sir, these are all related issues. Finally coming to Dalit jungles. Sir, they should be told. It is not only begging or asking. You have to learn from other communities. How are they growing? Some of the communities 20 or 30 years back were also like them. They have taken to so many innovative methods. You also need to work hard. You also need to explore. First of all, know what is happening in the system. What are the schemes in the Government, in the non-Government, in the private sector where you can compete or can get into? So this sort of self-examination, self-consciousness, self-training should be there. There is a scheme in the Government of India, in the Ministry of Social Justice for creating awareness among the people. But, unfortunately, that scheme is not being used to the extent possible. Sir, again they also should undergo self-examination in their own attitudes. Think positive. This sort of sensitisation, motivation is also required to be done by the Dalit youth. Instead of blaming others they also should take initiatives for their development. All things put together, I think we will go in a positive way. I am sure a lot of discussion has been there on the internal security, terrorism, but I am sure equal importance in the upbringing of weaker sections in tune with the development inside the country and outside the country should be given. We have to take up this issue as a serious measure. There are lot of many things to do. I am sure we are all here to

appreciate the efforts of the Government. I find lot of committed developmental officers taking a lot of interest. I think in the months to come, a dialogue will be intensified, the private sector will be convinced to accept it. By practice, once we start the process, then, we can go to the enactment of the law. Thank you.

MR. DEPUTY CHAIRMAN: I think we have to conclude this debate on this Resolution and then take up another Resolution. That is why I request all the hon. Members to stick to their time.

SHRI SHARAD ANANDRAO JOSHI (Maharashtra): Mr. Deputy Chairman, I will take less than two minutes. Not only on this Resolution that my good old friend and guru, in various respects, Shri Gavai, has brought before the House, but also on any other resolution that he proposes, I would not even like to make any reservation. I am very doubtful about the objective he wants to achieve. The National Common Minimum Programme has already accepted the principle of reservation in the private sector. At this point of time enterprise of proposing this Resolution in the name of Mr. Gavai will, certainly, put his name in the record books of history. But, otherwise, we know what will be the conclusion of this Resolution. The hon. Minister, while replying, would certainly say that it is a part of the CMP and the Government have the intention of implementing the proposal within a given specific time limit.

The second point I would like to make, as an agriculturist, is this. When you talk of private sector, you are really meaning videocon or TATAs. But, is not agriculture a private sector? If you say that reservation should be made for a particular caste and a particular community, then, there is also an obligation to provide opportunities to people who want to be recruited to those posts. If that is the idea and if agriculture were to be considered as private sector, then, I would say that I am prepared to employ all the unemployed people to whom you are trying to give employment in the private sector in agriculture, provided you consider that employment in agriculture is employment in the private sector. Thank you.

SHRI MATILAL SARKAR (Tripura): Sir, first of all, I would like to ventilate the trend that is going on in the employment sector. The rate of growth of employment, as per the National Sample Survey Report, has declined from 2.7 per cent in 1994 to 1 per cent in 2000. The figure of employment exchanges shows that at the end of 1996, 36 million people

registered their names as unemployed. And, in 2000, the figure went up to 94 million. It is more than double in a span of four years! At the same time, if you look at the employment generation, it was 2.4 per cent during 1971-81 and it came down to only 0.8 per cent in 1991-95. In the agricultural sector, where largely SC/ST people are employed, employment opportunities dropped from 60 per cent in 1994 to 57 per cent in 2000. When there is a drop in job opportunities in the agricultural sector, this means, the worst sufferers are SCs/STs and Other Backward Classes, because they are destined to remain underneath.

Hon. R.S. Gavai has correctly stated in his Resolution that this joblessness has further been aggravated in the wake of privatisation and disinvestment.

Sir, in reply to my question, the then hon. Minister, in the NDA Government, said that in 51 public sector organisations, which went in for disinvestment, 15-lakh people have lost their jobs. It is in the organized sector only. In the unorganised sector this figure will reach to crores. This is a drop in jobs. In this perspective, we should think how we can save the plight of the Scheduled Castes and the Scheduled Tribes. Hon. Member, eminent lawyer, Shri Fali S. Nariman, raised a question about the OBC. In the case of OBC, the provision of 'creamy layer' still exists there. But in the Mandal Commission's Report it was pointed out that the OBC people constitute 51 per cent of the total population, while their job share is only 12 per cent. Population is 51 per cent and the job share is 12 per cent! That is why this question of reservation had come in their cases also.

Sir, what is the spirit of our Constitution? Why is there reservation? The spirit of our Constitution is that due to historical reasons the SC, the ST and the OBC people could not come forward; and, it is the duty of the nation to bring them upward, to bring their mobility upward. That is why the mechanism of reservation has been incorporated in the Constitution. Taking the advantage of this opportunity, I would like to point out one thing with regard to the OBCs. There are some States where the reservation has not come into force in the State services. One such State is Tripura, because in Tripura the SCs, the STs, the physically handicapped and ex-servicemen already enjoy 51 per cent reservation. So, there is no scope of giving even one per cent reservation to the OBCs because there is a Supreme Court verdict that in no State the reservation should exceed 51 per cent. That is why the OBC people cannot enjoy reservation in the State services in Tripura. During the NDA Government, the State Government

represented to the Central Government to amend the laws or to enact some law so that the OBC people could enjoy reservation in the State services also, where they are not able to enjoy it due to constitutional barriers. So, the law has to be amended so that the OBC people in the States like Tripura can also enjoy reservation in the State services. That barrier should be removed. And, who can do this? Only the Central Government can do this. The State Governments cannot do this.

I would like to raise one more point, and, that is, regarding extremism. Why is there extremism? Why is there terrorism? Who are taking to arms? Who are giving arms? Who has proposed the theory that terrorism is the solution? If we speak of this intelligentsia, we see that they belong to the upper strata of the society. Those who take to arms belong to the lower strata of the society. They are mostly in the North Eastern Region. I should say that those who have taken to arms are mostly the Scheduled Tribes. Throughout the country, wherever naxalites or other terrorist groups are there, we find only those people are involved who are frustrated, who are disappointed, who do not see any hope and whose aspirations are ruined. The persons behind them; intelligence groups behind them, instigate them to take to arms and tell them that this is the only way for a solution. So, now the time has come to take some initiative. The UPA Government is in power. The Scheduled Castes, the Scheduled Tribes, the OBCs, and the youth as a whole, have lots of aspirations. This is not a question whether jobs can be increased by one percent or not. Two per cent more can be raised. I should say some devices should be explored so that jobs can pour out in large numbers at the ground level. Otherwise, this agony of the society will not perish; it will not be removed. That is why, I again reiterate that reservation for the Scheduled Castes, the Scheduled Tribes and the OBCs people should be preserved, as sought by the hon. Member in the Resolution. I want to say that in those States where there is no reservation for the OBC people, the Central Government should take initiative to speak to them, look into their limitations and come forward with a definite programme or definite law to remove those barriers. With these words I conclude. Thank you.

MR. DEPUTY CHAIRMAN: Do you want to speak on this?

SHRI V. NARAYANASAMY (Pondicherry) : Sir, i will just take three minutes.

MR. DEPUTY CHAIRMAN: The next Resolution is in your name.

4.00 p.m.

SHRI V. NARAYANASAMY: Sir, I will take three minutes only. I thank the hon. very senior leader of this House, Shri Gavai for championing the cause of the oppressed and suppressed sections of the society and for bringing forward this Resolution in this august House.

[THE VICE CHAIRMAN (SHRI BALAVANT alias BAL APTE) in the Chair]

Mr. Vice Chairman, Sir, recently, a decision was taken by the UPA Government that in the private sector, reservation for the Scheduled Castes, the Scheduled Tribes and the OBC people should also be given and they should be given employment opportunities. Sir, this issue is a very large issue. As Mr. Jesudasu Seelam has also said, it is not a question of giving reservation only; it is a question of implementation of reservation. That has to be taken care of by the Government. Reservation has to be given for the Scheduled Castes and the Scheduled Tribes, and for this a Parliamentary Committee has been appointed. It is monitoring the matter. It is under the total control of bureaucracy who are not allowing reservation to be implemented for the concerned people. Sir, the hon. Member is very particular about the reasons he has suggested. Some public sector undertakings are being closed, some private sector industries are being closed, and recruitment in Government jobs is being frozen. This being the case, millions of young youth, especially, belonging to the Scheduled Castes, the Scheduled Tribes and the OBCs have to be provided jobs. Therefore, the avenue that is open to them is the private sector. The hon. Prime Minister in the Chamber of Commerce and Industry meeting said that the Government is committed to provide reservation in private sector industries. But I am surprised and aghast at the suggestion made by the Industry. It is very surprising. They say that efficiency will not be there. Output will not be there. Therefore, we will not be able to provide employment. This is the reply given by the industrialists. That is the reply given by the industrialists. Though the industrialists have got to pick and choose, they should decide on the basis of the merits of the people. We do not want them to compromise on merits. The people belonging to SC/STs and OBCs have also been trained, and they are capable of doing the job that has been done by the people from the upper castes. Even in the UPA Government, a decision has been taken that the Government will bring a suitable legislation in this House. Therefore, the hon. Minister will not find it difficult to accept the Resolution made by the hon. Senior leader, Shri R.S. Gavai. Sir, there are about 3-4 points which I will make one by

one. One of the hon. Members mentioned about the backward Classes of Tripura. A lot more has to be done for the backward classes. The creamy layer concept has to be removed. That is my view and that is also my Party's view. In the name of creamy layer concept, the backward classes are being victimised. Secondly, Sir, there should be a Parliamentary Committee for OBCs. When we are having one for SC/STs, why not have one for OBCs? There should have been a Committee for OBCs also so that they could monitor the implementation of the reservation that has been given to OBCs. Thirdly, there should be a pre-promotion training for OBCs also, in the Government jobs. Why don't you give them pre-promotion training? Let them come to the promotion post. Why is it not being done? Even a provision for pre-recruitment training should be made for OBCs. For OBCs, a lot more has to be done by the Government. I suggest that apart from that, the same safeguards have to be provided to the OBCs in the private sector. The hon. Minister should tell this House that in the coming Budget Session, they will bring a legislation for providing reservation in the private sector, for the people who are oppressed and suppressed, especially, the SC/ST and OBC communities. Sir, the main aim of the UPA Government is to uplift the people who are oppressed and suppressed. Thank you.

PROF. SAIF-UD-DIN SOZ (Jammu and Kashmir): Mr. Vice-Chairman, Sir, my attention was drawn to this Resolution by a colleague and I thought I must support it and its spirit permeating through the expressions that have been woven into the texture of the Resolution, but I see another dimension in this whole discussion. Shri Narimanji has cautioned us that it cannot be extended to private sector, because private sector also has protection in the Constitution of India. But my support to this Resolution is based on the failure of the successive Governments to respond to the spirit of the decision taken by the founding fathers of the Constitution. The principle of reservation was accepted by the founding fathers of the Constitution on the basis that there was a very sizeable section of society that was educationally backward, that was economically backward, that was not represented in the legislatures and they were lagging behind. And thinking of development and progress of the nation was not possible because that concept was a faulty concept. Actually, the concept was, the whole nation must progress when a vast section of the society remained backward. Therefore, the founding-fathers initially decided on reservation for a decade. In the history of a nation, a decade also matters. But, after accepting the principle of reservation, so many things

were not done simultaneously. So this reservation got extended from time to time. It has an advantage because a section of society that has remained backward must come forward; so reservation is a necessary thing. And, somebody said, it should be made permanent, but I would say, it should continue till they come up to the level of the other part of the society. But my grouse is that successive Governments - and this Government should, because the CMP is there, take very serious notice of this - have failed to decide on the spirit of reservation at that time. It was not simply reservation. The basic principle was that this section of society, its children would be given ability to compete. They would be imparted competitive ability. They were not empowered and given that ability through a very rigorous scheme of scholarship, through pre-employment training, etc. They go for an interview. You tell them, "They come from distant villages, and they have never faced interviews". Who were interviewing them all the time? The elitist class. I will not use the term Mayawati and Kashiramji often use against them. Sir, I will not use that term but I would say, 'Who were interviewing all the time? It was the elitist class. And, the backward section, the children of backward section, would not know the very technique of the interview; they have no training. And the greatest failure, Mr. Vice-Chairman, was that no colleges were set up. I am giving a suggestion to the Government that all metropolitan cities, -- now, so many cities have grown up enormously like Hyderabad and Bangalore and some other cities -- all such cities which have a population of more than 25 lakh must have colleges established for the children drawn from the Scheduled Castes and Scheduled Tribes, and even OBCs. But, these must be first-rate colleges so that they may be given competitive ability for facing tests for all-India services. The system is such that you want them always to remain backward, and it appears sometimes as if it is a largesse or it is a *kherat* to that section of society. They are equal to anybody in this country. But we are not taking care to give them ability to be equal. So, I raise this question today why during the past 55 years or more, we failed to establish colleges for preparing the children from these backward classes for IAS, for IPS, for IRS, for the Indian Statistical Services and so many other services which are available. The day they come into these services on the basis of their own merit, that day, we must celebrate. But, here and now, you accept the principle of reservation' for the sake of the founding-fathers' Resolution that time, without doing anything for the spirit of the Resolution. It was for a limited period because the founding fathers had envisioned that after a decade, children drawn from all these sections of society would be

empowered to face the test for services, and they would be equal with others. Therefore, reservation principle is necessary, reservation must continue. I am not so sure whether mentioning 'permanently' will be all right. But it is a dynamic principle. Both the Houses, the Parliament of India, will respond to the aspirations of the people so that the reservation will continue for a longer time. But, simultaneously, we must have a scholarship scheme. We must have pre-employment training, rigorous training, and we must have first-rate colleges. In fact, I would be happy if we have colleges, 10, 12 or 15, and we draw talent from all over the world, so that they gain the capability to face life, and they are empowered to be equal citizens of India. Thank you, Sir, for giving me the opportunity to speak on this Resolution.

SHRIMATI PREMA CARIAPPA (Karnataka) : Sir, I support the Resolution proposed by Shri Gavai.

Sir, the policy of reservation in the private sector is being used as a strategy to overcome discrimination and to act as a compensatory exercise. A large section of the society's OBCs were historically denied the right to property, education, business and civil rights because of the practice of untouchability. In order to compensate for the historical denial and to have safeguards against discrimination, we have the Reservation Policy.

In countries like the USA, the Affirmative Action Policy was started in 1964 after enactment of the Civil Rights Act. It is the same story for Northern Ireland, Malaysia, South Africa and Pakistan. Besides this, the private sector is excluded from this Policy. Seventy per cent of these belong to the Scheduled Castes who live in rural areas that depend on agriculture and the non-farm sector that has no policy of reservation but where discrimination abounds. So, in my opinion, reservation in some form ought to be extended to the private sector to correct the mistake made in the past.

In my opinion, the private sector companies which have taken various concessions from the Government must be asked to spend some percentage of their profits in the social sector and it may be in the form of keeping some seats reserved in their companies for the weaker sections.

The Indian industry is often opposed to any kind of affirmative actions, even in the State sector. If the Indian State were to listen to the

Industry, there would have been no reservations for Dalits in Government jobs.

Today, there are about 3.5 million Dalits in Government jobs because of reservations. About a million Dalits, who are likely to have set up small business in towns and cities, are often products of reservations. About half a million Dalits may have moved into business due to soft loans provided by SC/ST finance and development corporations set up by the State Governments. Thus, according to a rough estimate, reservation has produced about five million Dalits as part of India's urban middle/lower-middle classes, giving a boost to the private sector.

Sir, India is a caste society with layers of hierarchies, the privileged and the under-privileged groups. While the victim groups, such as Dalits, would like the caste system to go, social groups dissolve their caste identities. Different schools of thought have given different connotations, backgrounds and different strategies for uprooting the casteism in Indian society. The reservation in jobs is one of such powerful tools to bring social change and to bring lower castes at par with higher castes.

Finally, I would like to say that all efforts should be made to persuade the private sector companies to follow the policy of reservation. Reservation never meant accepting anyone just on the criterion of birth reservation; it simply means that a person having the requisite qualifications for a job should not be denied just because he or she is born in a certain caste.

We must understand that if the just demands of the weaker sections are continued to be ignored, the country would witness a serious crisis and an outbreak of violence similar to the one seen in the USA between the Blacks and Whites in the 1960s. So, let us come forward and give them their rightful share in the national wealth. Thank you.

डा.फागुनी राम (बिहार): उपसभाध्यक्ष महोदय, आपने मुझे बोलने का मौका दिया, इसके लिए धन्यवाद। एस.सी./एस.टी. का आरक्षण उनकी जनसंख्या के अनुपात के प्रतिशत में है। जब-जब जनसंख्या वृद्धि होती है, इनका हिस्सा बढ़ाया जाना चाहिए और हम समझते हैं कि जब हमारे देश की जनसंख्या के अनुपात में एस.सी./एस.टी. का जितना अनुपात है, उतना आरक्षण सरकारी नौकरियों में है-उन्हें मिला हो या न मिला हो, लेकिन एक नीति है, तो उसी के अनुरूप जिन-जिन क्षेत्रों में, चाहे सरकारी क्षेत्र हो, सरकारी उपक्रम हो या गैर-सरकारी हो या निजी क्षेत्र हों, जहां-जहां नियुक्ति है, रोजगार की opportunity है, वहां—वहां एस.सी./एस.टी. का आरक्षण होना ही चाहिए। मेरा यह कहना यह है कि ऐसा नहीं है कि इस आरक्षण को निजी क्षेत्र में दबाव देकर कराया जाए। और ऐसा कहा जाए कि उनकी गुणवत्ता कम हो जाएगी। आज।

आई.ए.एस. आई.पी.एस. इंडियन सर्विस, स्टेटे सर्विस में ऐसा कोई स्थान नहीं है, जहां एस.सी./एस.टी. वर्ग के लोग नहीं आते हों और स्थान खाली रह जाता हो। बल्कि इतने लोग आते हैं कि वह स्थान सभी को नहीं मिल पाता है। यह कहना कि निजी क्षेत्र में योग्यता की कमी हो जाएगी, मुझे लगता है कि यह उचित बात नहीं है। हमारे प्रति ऐसा कहना कि हम लोग अच्छा काम नहीं कर सकेंगे, यह अपमान का सूचक हो जाएगा। सत्य बात तो यह है कि आज जितनी इंडस्ट्रीज हैं, उद्योग हैं, उन सभी में ज्यादातर साधारण लोग ही काम करते हैं। काम करते-करते ही वे दक्षता प्राप्त करके अन्य काम करते हैं। आज जो स्मॉल स्केल इंडस्ट्री है, वह टोटल तीस सा चालीस परसेंट रोजगार का सृजन करती है। अगर वहां यह कहा जाए कि एस.सी., एस.टी. को आरक्षण नहीं दिया जाएगा या फिर मध्यम इंडस्ट्री या बड़ी इंडस्ट्री के लिए ऐसा कहा जाए, जो हम समझते हैं अगर आरक्षण के प्रति ऐसा होगा तो संविधान में हमारे प्रति जो कमिटमेंट है, उसकी अवहेलना होगी। जहां तक हम समझे हैं, मुख्य बात यह है कि सरकारी नौकरियों में उनके अवसर कम होते चले ला रहे हैं। उन पर आप जो विचार करते हैं, उसकी बहाली नहीं होती है। सरकारी नौकरियां घटती चली जा रही है। इधर कुछ समय से नौकरियों की बहाली बंद कर दी गई थी। हमारे लोग पढ़कर बेकार हो रहे हैं। आप जानते हैं कि शेड्यूल्ड कास्ट, शेड्यूल्ड ट्राइब के लोगों के लिए तो पढ़ना ही कठिन काम है, क्योंकि वे अपने परिवार की आमदनी को कम करके पढ़ते हैं। वे लोग सोचते हैं कि अगर हम छोटे बच्चे को गऊ चराने में लगा दें, कहीं घर का काम कराने में लगा दें, नौकरी के काम में लगा दें, किसी घरेलू काम में लगा दें तो इससे उनके परिवार का अर्जन होता है। एक परिवार का गरीब आदमी, जिस परिवार में छोटा बच्चा अर्जन करता है, उसे छुड़ाकर बड़ी आस्था और निष्ठा से वह चाहता है कि उसे पढ़ाए ताकि वह बड़ा होकर सरकारी नौकरी में लगे। मैं समझता हूं कि जिस भावना से शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब के लोग अपने बच्चों को पढ़ाते हैं, पर पढ़ाई करके भी अगर वे लोग बेरोजगार रह जाते हैं तो यह बड़े दुःख की बात है। मुझे भी कहीं अधिकारी लगने का मौका मिला था। जब कभी एस.सी./एस.टी. वर्ग की बात आती है तो अमूमन कहा जाता है कि इससे योग्यता का ह्रास हो जाएगा, गुणवत्ता का ह्रास हो जाएगा। मैं एक सवाल पूछता हूं, मेरे मन में एक बात आती है, एक प्रश्न उठता है कि जहां मैट्रिक पास योग्य व्यक्ति की बहाली हो सकती है, क्या वहां पर शेड्यूल्ड कास्ट, शेड्यूल्ड ट्राइब का एम.ए. पास व्यक्ति योग्य नहीं हो सकता? जहां आई.ए. पास की बहाली हो, वहां पर एम.ए. पास, मैनेजमेंट की ट्रेनिंग किया हुआ योग्य नहीं हो सकता? इनमें योग्यता की कमी नहीं है। चूंकि उसने जो भी पास किया है, अपनी मेहनत से पास किया है, अपनी योग्यता की बदौलत पास किया है, इसलिए यह कहना कि निजी क्षेत्र में अगर एस.सी./एस.टी. को आरक्षण दिया जाएगा तो उस क्षेत्र में गुणवत्ता में कमी आ जाएगी, मेरे मत में यह बात उचित नहीं लगती। इसलिए मैं इसकी पुरजोर वकालत करता हूं कि जहां-जहां अपोइन्टमेंट्स हैं, बहालियां हैं, चाहे निजी क्षेत्र हो या और कोई और क्षेत्र हो, वहां आरक्षण का प्रावधान एस.सी./एस.टी. के लिए होना ही चाहिए ऐसा करने से इसमें दया भाव भी है। आखिर एस.सी./एस.टी. भी इस देश का अंग है, समाज का अंग है। हम भी कर्त्ता-धर्त्ता हैं, देश निर्माण में सहायक होते हैं, जहां हम निर्माण में सहायक होते हैं, वहां हमारी कोई हिस्सेदारी भी होनी चाहिए। जब हम उत्पादन करते हैं, आज एग्रीकल्चर इंडस्ट्री हमसे चल रही है, पूरी इंडस्ट्री हमसे चल रही है। आज हरियाणा, पंजाब, बिहार के एस.सी./एस.टी. के लोग काम न करें तो उत्पादन बंद हो जाएगा। हम उत्पादन करने के लायक हैं, लेकिन नौकरी करने के लायक नहीं हैं, यह बात हमारी समझ में नहीं आती। इस पर गंभीर रूप से विचार किया जाना

चाहिए। मैं बताता हूँ कि आज सरकारी नौकरी में जो आई.ए.एस. हैं, जिनकी बहाली होती है, वे बहुत वफादारी से काम करते हैं। आज मिनिस्टर भी है, अन्य लोग भी हैं, सभी वफादारी से काम करते हैं। आज बाबूजी का नाम बड़े कलेवर वालों में लिया जाता है, राम विलास पासवान जी हैं, हमारी बहिन जी हैं, सभी लोग अच्छा काम करते हैं। मेरा कहना यह है कि हम लोग भी पढ़ने वाले हैं, जहाँ पढ़े हैं, अच्छे तरीके से पढ़े हैं, लेकिन निजी क्षेत्र में काम करने लिए, जहाँ निपुणता प्राप्त करनी है, वहाँ हम लोग निपुणता प्राप्त कर लेते हैं। परंतु जहाँ साधारण ढंग से काम करना है, उसमें अगर हमें अयोग्य समझकर कह दिया जाए कि इससे योग्यता कम हो जाएगी, महत्ता कम हो जाएगी, यह बात हमें अपील नहीं करती है। इसलिए हम कहते हैं कि आप एस.सी./एस.टी. लोगों को जहाँ कहीं निजी क्षेत्र में बहाल करेंगे, वे बहुत अच्छे तरीके से काम करेंगे। इससे उस इंडस्ट्री की बढ़ोतरी होगी। वह इंडस्ट्री अच्छा काम करेगी, इसका हमें विश्वास है। अतः निजी क्षेत्र को इस सदंर्भ में उदारतापूर्वक आगे आना चाहिए। उनको उदारतापूर्वक आगे आना चाहिए और स्वीकार करना चाहिए कि अगर उनकी मांग के अनुकूल शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोग मिलते हैं तो उनको नौकरी दी जानी चाहिए। मैं एक और बात कहकर अपनी बात खत्म करना चाहता हूँ अगर कोई नयी चीज है, कोई डिफरेंट चीज है, तो उसके लिए ट्रेनिंग होती है। मैं समझता हूँ कि सरकार के स्तर पर या निजी संस्थाओं के द्वारा, इन लोगों को अलग-अलग कामों में जाने के लिए, उसके योग्य बनाने के लिए, कहीं न कहीं कुछ ट्रेनिंग देने का प्रावधान करना चाहिए, ताकि उनको कुशलता प्राप्त हो सके और वे अपने काम में निपुणता प्राप्त कर हो सकें और जब वे निजी क्षेत्र में जाएं तो अपने इम्प्लॉयर की इच्छा के अनुरूप काम कर सकें और इंडस्ट्री को आगे बढ़ाने में मदद कर सकें। मुझे विश्वास है कि निजी क्षेत्र के लोग उदारतापूर्वक इस दिशा में आगे आएंगे और जैसे हमारी सरकार की नीति है कि शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोगों को आरक्षण दिया जाए, निजी क्षेत्र के लोग भी इन लोगों को नौकरियों में आरक्षण देंगे, ताकि ये लोग देश के निर्माण में, समाज के निर्माण में अपना योगदान दे सकें। आपने मुझे इस संकल्प पर बोलने का मौका दिया, इसके लिए मैं आपका आभारी हूँ। धन्यवाद।

THE VICE CHAIRMAN (SHRI BALAVANT *alias* BAL APTE): Would the hon. Minister respond?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MEIRA KUMAR): Hon. Vice-Chairman, Sir, first of all, I want to congratulate Shri R.S. Gavai, hon. Member of Parliament for having brought this Private Members' Resolution because it has generated a very useful and a very fruitful debate on two days, the first debate was on the 16th of July, and, the second is today. Twenty five Members of Parliament from almost all the parties have participated in this debate. I am very happy to note, and, I feel very encouraged that every hon. Member has supported this Resolution. There is unanimity in lending support.

Even those who had some doubts about how it is going to be implemented were expressing difference of opinion on its implementation, and, not on the spirit and subject matter of the issue. I am also touched by

the commitment that all the hon. Members have for the cause of the SC and the ST and whatever they have said, they have said from their hearts.

The UPA Government in its National Common Minimum Programme has made a commitment, which has been reiterated, time and again, by the hon. Prime Minister that we will have a national dialogue with the private sector, with the industry, with all the political parties with a view to having a consensus, which is already there, and, with other organisations to fulfil the aspirations of SC and ST youth • by having affirmative action including reservation in the private sector.

Now, there is a history to it, Sir. Everybody has mentioned about the historical injustice that has been done to a very large section of the Indian society and of incapacitating discrimination which has been meted out to them. Untouchability, humiliation, insult, this kind of a thing has no parallel anywhere in the world. The intensity of it, the cruelty of it and the sheer time span of it. We do not know when it started and how it started, but we do know that, in spite all efforts, it continues to be existing even today. So, it is a very serious problem. It is not just the problem of the SCs-STs; it is the problem of the entire nation. Because, if a quarter of the population is suffering from low self-esteem, feels that it is marginalized, segregated, insulted, humiliated, it has no sense of participation, no sense of belonging, how will it offer its best to the society and to the nation? So, in the interest of the entire society and the entire nation, it is not going to be a mercy or a concession to these people, but, I think, if we have enough self-interest, enough intelligence, it would be in the interest of all of us to ensure that these people are mainstreamed, are given a place of respect under the sun so that they bring out their best and contribute to the progress of this country.

So, with this in view, this Government has included this very important paragraph in the National Common Minimum Programme. Because of this problem, when the country got independence, we had included it in the Constitution. Some people say it is a concession, some say, it is a facility or a benefit, but I would say it is a corrective measure. Whenever there is some kind of a distortion, we always undertake a corrective measure. So, reservation - political reservation and reservation in Government jobs - was provided, immediately after India got independence, and when the Constitution was being framed, to give justice to these people. If you examine dispassionately, in the last 50 years, reservation in education, reservation in Government jobs, although that was not fulfilled

completely and there is a lot of backlog, despite that, reservation in Parliament, in the State Assemblies, all these measures, corrective measures, put together, have given an opportunity to the SCs and the STs to develop themselves. Yet, because this menace is so old--it has existed for thousands of years, 58 years is not a sufficient time for these people to come at par with the rest of the society. This is an acknowledged fact. Every Member of Parliament has said that. Now, we were giving them Government jobs.

In early 90s, in mid 90s, a decision was taken for economic reforms. There was privatisation; there was downsizing; there was disinvestment and recruitment was banned in Government jobs, in public sector. Due to privatisation and globalisation, gradually, on the one hand, the Government jobs started shrinking and on the other hand, the private sector became the prime mover of economy, and it has immense opportunities for jobs, it offers immense opportunities for economic activities. This is the scenario. On one side, we have shrinking Government jobs and, on the other side, we have an expanding private sector with immense job opportunities.

Now, between these two is caught the SC & the ST section. We have a commitment to it, because of the injustice suffered by it. And when I say 'we', I do not mean just the Government, I do not mean just the UPA Government, although we have taken it up, every party in the UPA Government has unanimously endorsed it. But when I say 'we', what I mean is every Indian has a certain responsibility towards this section.

When we achieved Independence, the private sector was in its infancy. We gave it concessions, we gave it rebates, we gave it relaxations, we gave it every possible assistance and help to grow. I am very glad that today it has really grown up. But neither should they nor should we forget this truth that when they required help to grow and to strengthen, the Government had provided it. Now, here is another section of our population, which still requires opportunity to grow. Now, it is the turn of the private sector to come forward and offer, what it can for them. This is what we want from them. We want them to do it voluntarily and we want to create an atmosphere conducive to it. There are lots of leading industrialists in the private sector. They have gone to the best of the institutions in the world, where ordinary people only dream of going, and studying. And what do they study? It is not just studying Business Management. When you go to the best of the institutions, it also opens

your mind; it removes the prejudices, it makes you, from an intolerant person, to a progressive, tolerant person. When they acquire education in such leading institutions and come back, we all can see how well they perform. They also claim, time and again, that it is the Government, it is the public sector, which fails all the time and it is the private sector, which, in contrast, performs very well. They have all the ability and they can do very well. This is their claim, and I find most of the people endorse this kind of a claim. They say whatever is given to the Government, it is not handled well and whatever is given to the private sector, it is handled very well. Because the best of the people, the most capable of the people, are running the private sector. And if they are the best, if they are the most capable, if they are free from prejudices and intolerance -- because you can be the best only if you are free from prejudice and intolerance, otherwise you cannot be the best -- then, why is there a need for the Government to impose it on them? That is why we, the Prime Minister and the UPA Government, have said that we want them to volunteer. We want them to come with their proposal as to what they are going to do to fulfil the aspirations of the SC/ST youth. So, what I am trying to do, what this Government is trying to do. We have already, my Ministry and I at various levels, immediately started consultations with the members of the industry, captains of the industry. At various levels, in various forms. On 24th August, we also had a conference where all the intellectuals, vice-chancellors, social scientists, economists, retired civil servants and all the other thinkers concerned with this issue participated. There were interactions and they have given some very useful suggestions. One thing was very heartening that they were all unanimous in support of this policy of affirmative action, including reservation.

Because everybody has talked of reservation. I want to underline the fact that it is affirmative action including reservation. Most of the time I hear people giving examples of the kind of affirmative action there is in Canada, in USA, in Myanmar or in most of other places. They are talking of affirmative action. But we have gone a step ahead because our problem is much more severe and it is much older than their problem. So, we will not just stop at affirmative action. We have said, affirmative action including reservation.

We have also, our hon. Prime Minister has also, formed Group of Ministers who held a meeting and after the meeting, 218 associations of trade and industry have been addressed; letters have been sent to them.

This is a part of consultation process and we are awaiting their reply. Some of them have replied. We are awaiting reply from most of them. Then, we will take the next step. We will hold consultations with all political parties, although I have had two rounds of consultations with MPs belonging to SCs/STs and I would also be having further consultations. But we will be formally having consultations with all the political parties as it is mentioned in the NCMP, and we will also be having consultations with other NGOs concerned with this. After that, whatever emerges out of that consultation, we shall be implementing that.

One thing which has disturbed me greatly and about which I want to speak, although I think we are short of time, but if you permit, I want to say that. Every hon. Member has also stressed on it. It is the point of merit. Now, what is the definition of 'merit'? Merit, as it is defined today? For those who want to recruit people in multinationals, in private sector have certain parameters for merit. You must know very good English. You may not have read literature; you may not have read Shakespeare or Byron, but you must have the right accent so that you can go to the call centre and make the calls. That is one of the parameters of merit. The word merit is full of arrogance. There is the arrogance of caste superiority behind it. Some kind of arrogance is attached to the psychology of merit; we will decide what merit is. You may have produced foodgrains, you may have worked day and night in the field in the scorching sun, pouring rain and fed us all. But you do not have the merit. We speak good English, we have the merit. The definition of 'merit' is very distorted, and it is something which suits a certain section or a certain sector which talks of reservation with contempt. But frankly speaking, it wants to reserve a certain arena just for itself. That is the reality of merit.

Here, I also want to say that whenever I talk of merit, I talk of the Dronacharya mentality and the Ekalavya phobia. Dronacharya had made a commitment to Arjuna that I will make you the finest archer in the world. One day, when Dronacharya and Arjuna went hunting to the forest, they took their dog with them. The dog started barking. After a little while, it stopped barking, and came back. Somebody had put arrows around its mouth in such a way that there was no injury to the mouth, but the dog could not close his mouth. It just remained open and the dog could not bark,. Such a fantastic feat made Dronacharya very worried because he had already promised Arjuna. that he would make him the best archer, and here, we finds in the thick of the forest a better archer than Arjuna. So, he went

deeper inside and found an untouchable boy, who was practising with his bow and arrow. Ekalavya said to Dronacharya: "Sir, I have done this. I am so sorry, and he fell on the feet of Dronacharya." He further said: "This dog was disturbing me. So, I have done this to your dog. I am very sorry." Dronacharya said: "Who is your guru?" Ekalavya said: " You are my guru." Dronacharya said: " How could I be your guru? I have never taught you." He said: "I have made your statue here, I take inspiration from it and practice in front of it. So, you are my guru." Dronacharya said: "If I am your guru, where is my guru dakshina?" Ekalavya said: " You please order as to what your guru dakshina is." Dronacharya said: " You give me your right thumb." Ekalavya cut off his right thumb and offered it to Dronacharya.

Now, this Dronacharya mentality is not only confined to the Mahabharata, but it also exists today, and there is a phobia about Ekalavya, there is a fear of Ekalavya. They want to cut off the right thumb. So, this is the merit about which everyone talks. They forget that there is something called opportunity. People whom you are looking down upon, are not the people who do not work hard. They are the most hard-working people, back-breaking hard work they do, 24 hours a day.

They work hard in the most adverse conditions. They work hard even when their bodies do not have enough food and they work hard even when their soul is crippled. How can they be deprived of merit? This talk of merit is humiliating; this talk of merit is a part of the untouchability phenomenon. So, I don't want to talk about it.

But there is one thing which I want to say. So far as private sector is concerned, so far as industry is concerned, whatever be their misgivings, whatever be their misapprehensions, I want to remove them. I want to bring them around to our point of view. I want them to make an offer themselves that they will do this work, they will participate and they will share in fulfilling their social responsibility. The UPA Government is committed to taking affirmative action, including reservation for SC and ST youths in the private sector. We will go to any length to do this. With the kind of support that we have from every corner of the House, I am sure we will be able to do it. With this note, I would request Shri R.S. Gavai to kindly withdraw his Resolution because we are committed to it. Thank you.

PROF. R. B. S. VARMA (Uttar Pradesh) : Sir, I want to seek one clarification.

SHRI P.G. NARAYANAN (Tamil Nadu) : Sir, this Resolution is for providing reservation not only to SCs and STs but also to OBCs. So, the Minister need not omit the OBCs. The Minister has been omitting the OBCs from the very beginning.

PROF. R.B.S. VARMA: Sir, I want to seek one clarification.

THE VICE-CHAIRMAN (SHRI BALAVANT *alias* BAL APTE): Is it on the same thing or something else? ...*(Interruptions)*... Let me ask him.

प्रो.रामबख्श सिंह वर्मा: मान्यवर, मैं यह कहना चाहता हूँ कि इस संकल्प के माध्यम से इस सरकार से कहा गया है कि अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को निजी क्षेत्र की नौकरियों में आरक्षण मिलना चाहिए। महोदय, माननीय मंत्री महोदय ने केवल अनुसूचित जाति और अनुसूचित जनजाति का उल्लेख किया है, जबकि पिछड़े वर्गों के लिए भी होना चाहिए।

THE VICE-CHAIRMAN (SHRI BALAVANT *alias* BAL APTE): That is what he has asked. ठीक है। Shri R.S. Gavai.

SHRI ROBERT KHARSHIING (Meghalaya) : Sir, before he withdraws, I just want to say a few words.

THE VICE-CHAIRMAN (SHRI BALAVANT *alias* BAL APTE): Shri R.S. Gavai.

SHRI ROBERT KHARSHIING: I just want to say a few words, Sir. I come from the North-East. Before he withdraws his Resolution, I just want to say a few words.

.. Sir, I appreciate the hon. Minister for what she has stated, particularly, on merit and opportunity. Though I am from the ruling side, I still feel that unless we insist on reservations for the Scheduled Castes and the Scheduled Tribes, I don't think they will do it. Doing it voluntarily will not do. I don't think the Indo-US Parliamentary Forum associated with the FICCI and the CII will voluntarily accept it. I have my personal experience after I served one term as an MLA. Even with merit I had to go abroad, London, to work and then only I got into the Rajya Sabha. So, merit is important. The SC and ST tag does not work. You have to exist. We won this election on the basis of helping the *aam admi* and we will be backing out on this, if we just say "voluntarily".

SHRI R.S. GAVAI (Maharashtra): Mr. Vice-Chairman, Sir, now I have a right, as the Mover of the Resolution, to reply. Though there is

some time constraint, since I have a right to reply, as the Mover of the Resolution, I require, at least, two minutes. So, I will be very brief.

At the outset, I extend my thanks to the hon. Members, Shri. E.M. Sudarsana Natchiappan, Shri Moolchand Meena, Shri Gandhi Azad Dr. Prabha Thakur, Shri A. Vijayaraghavan, Shrimati Jamana Devi Barupal, Shri Veer Singh, Dr. Radhakant Nayak, Shri Jairam Ramesh, Shri Silvius Condpan, Shri R. Shunmugasundaram, Shri Ram Nath Kovind, Prof. R.B.S. Varma, Shri Falsi S. Nariman, Shri P.G. Narayanan, Shri Ramdeo Bhandari, Shri Jesudasu Seelam, Shri Sharad Anantrao Joshi, Shri Matilal Sarkar, Shri V. Narayanasamy, Prof. Saif-ud-Din Soz, Shrimati Prema Cariappa and Dr. Faguni Ram for participating in this discussion. I also extend my thanks to the hon. Minister for the lucid and positive reply which she has given. I am indeed thankful to all the Members because not a single dissenting voice has come from any side of the House. Yes, I do believe in sportsman spirit. So, I do extend my thanks to Shri Kovind and Shri Varma. Although they belong to the BJP which is a leading Opposition Party in the House, they have also extended their support to the cause and said that they would not create any obstacle and that there would be positive action from their side also. It means that the whole House support this Resolution conscientiously. I need not refer to the queries made by some of the Members because they have already been replied by the hon. Minister positively. So they need not be replied. So far as Shri Nariman's point is concerned, I do say that both the Fundamental Rights and the Directive Principles complement and supplement each other. If it has to be done, it is the duty of the hon. Minister to see how it is to be amended and how it is to be implemented positively.

Before I withdraw my Resolution, I will just come to the positive observations of you, Madam. I thank you very much for your positive reply. As you have just now said, voluntary action will not serve the purpose. Why? Of course, Government is a Government. If you need to have negotiations with the private sector, you do that. It is a democracy. One cannot bar you from discussion. At the same time, I would like to say that Government is a Government. It is up to you to do that. The UPA Government has got a mandate. The Committee on Common Minimum Programme, which is headed by Shrimati Sonia Gandhi has given a direction for implementing the Common Minimum Programme. You are one of the constituents. So, it is your moral duty to implement it.

I would like to say one more thing. I want to point Out that in spite of your sincere efforts, some officers of the Ministry are reluctant to do it, because they have a different philosophy. They prepare a questionnaire in order to get a negative reply. They take abundant precaution in that direction. I once again extend my thanks to the hon. Minister for her affirmative reply. With these words, I withdraw my Resolution and give five minutes to Shri Narayanasamy. Thank you.

The Resolution was, by leave, withdrawn.

THE VICE-CHAIRMAN (SHRI BALAVANT *alias* BAL APTE): Now we take up the Resolution to be moved by Shri V. Narayanasamy.

**APPOINTMENT OF COMMISSION OF INQUIRY TO PROBE INTO THE LAND
ALLOTMENTS MADE BY DDA DURING 1999-2003**

SHRI V. NARAYANASAMY (Pondicherry): Sir, I move the following Resolution:-

"Having regard to the fact that the Delhi Development Authority (DDA) is the prime and sole agency created by an Act on Parliament to cater to the housing needs of the millions of Delhiites, including the poor and middle class people and as a result majority of the land area of Delhi was acquired by this Authority to construct houses, markets, community centres, etc. and to allot plots to the people to build their dream houses and land- to educational institutions, hospitals, charitable institutions, etc. at affordable rates, this House notes with concern that the DDA has not been able to achieve its objectives to provide affordable shelters to the people of Delhi, rather it allotted valuable land for pittance to some organisations and persons connected with certain organisations and this House urges upon the Government to appoint a Commission of Inquiry to probe all the land allotments made by the DDA during 1999-2003 within a time frame. "

quorum, DR. NARAYAN SINGH MANAKLAO (Nominated) : Sir, there is no

There is no quorum...(Interruptions)... I object to it ...(Interruptions)...