

observations/recommendations contained in the Tenth Report of the Department-related Parliamentary Standing Committee on Social Justice and Empowerment (Fifteenth Lok Sabha) on the subject "Implementation of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 — rules made there under" pertaining to the Ministry of Tribal Affairs.

**STATEMENT OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON
EXTERNAL AFFAIRS**

SHRI H.K. DUA (Nominated) : Sir, I lay on the Table, a copy (in English and Hindi) of the Statement showing action taken by the Government on the recommendations contained in the Seventh Report (Fifteenth Lok Sabha) of the Department-related Parliamentary Standing Committee on External Affairs on the Replies to the recommendations contained in the Third Report (Fifteenth Lok Sabha) on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2010-2011.

GOVERNMENT BILLS

The National Commission for Human Resources for Health Bill, 2011

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD) : Sir, I move for leave to introduce a Bill to consolidate the law in certain disciplines of health sector and promote human resources in health sector and provide for mechanism for the determination, maintenance, coordination and regulation of standards of health education throughout the country to ensure adequate availability of human resources in all States and for the said purpose to establish the National Commission for Human Resources for Health and to supervise and regulate professional Councils in various disciplines of health sector and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

SHRI GHULAM NABI AZAD: Sir, I introduce the Bill.

The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2011

THE MINISTER OF TRIBAL AFFAIRS (SHRI V. KISHORE CHANDRA DEO): Sir, I move :

“That the Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Manipur and Arunachal Pradesh, as passed by Lok Sabha, be taken into consideration.

Sir, there has been a long-standing demand for grant of Scheduled Tribes status to the Inpui, Rongmei Liangmai, Zeme, Thangal and Mate communities in the State of Manipur. To fulfil the long felt demand, the entries at 8, 9 and 10 of the Scheduled Tribes List of Manipur have to be amended and a new entry 34 is to be inserted for these six communities.

Sir, in Arunachal Pradesh also, because of creation of the State, there was a part of the State of Assam. Galong was listed in the List of Scheduled Tribes in the State of Assam with the Constitution (Scheduled Tribes) Order, 1950. Sir, after the creation of Arunachal Pradesh as a State, the Galong community was mentioned in the List of Scheduled Tribes in Arunachal Pradesh at entry 5 of the North-Eastern Areas Reorganisation Act, 1971. At present, 16 communities exist in the list of Scheduled Tribes in Arunachal Pradesh. Sir, the Government of Arunachal Pradesh have been recommending for a long time that the name Galo be substituted in the place of Galong in the List of Scheduled Tribes in the State. Since Galong is a distorted version of the original one, the change is, therefore, felt necessary in the List of Scheduled Tribes of Arunachal Pradesh with a view to substitute the existing Galong with Galo.

The Bill seeks to achieve these objectives and fulfil the long felt demands from concerned communities in Manipur and Arunachal Pradesh. Sir, there is no financial burden with respect to these. Basically, it is a question of changing the nomenclature, it is a question of identity that they want; it is basically to correct the aberrations or distortions since that have been attributed to these communities for a long time.

Sir, I, therefore, commend that this Bill be taken into consideration.

The question was proposed.

MR. DEPUTY CHAIRMAN : I do not think anybody wants to speak because we agreed that on consensus we pass this.

SHRI S.S. AHLUWALIA (Jharkhand): Mr. Deputy Chairman, Sir, the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2011 moved by our newly inducted Minister...

MR. DEPUTY CHAIRMAN: Why are you saying ‘newly inducted Minister’? He is already old.

SHRI S.S AHLUWALIA: It is, I think, his first Bill. Sir, I congratulate the hon. Minister for, at least, considering a 15-year old demand, but there are demands since 1950 in other States also. I represent Jharkhand. There are so many recommendations in this regard. There are recommendations from Odisha; there are recommendations from your own State, Andhra Pradesh; there are recommendations from Chhattisgarh; there are recommendations from Madhya Pradesh; there are recommendations even from Bihar; there are recommendations from West Bengal and Rajasthan. Sir, so many demands are pending with the Government. Can the hon. Minister just enlighten us as to when he has conceded all these demands, and what is the status of those demands? It was brought for the first time in 1950. Then, it was updated in 1956, and then in 2002. But, during this period, on the basis of population, have you done any review of it? I am saying this because I know in Jharkhand and in Andaman & Nicobar also there are certain tribal communities who are demanding reservation, since Independence, but they could not get it. Now, they are slowly moving away. When they see that the other tribes are getting reservation, they are switching over and embracing the other tribe. Why is this happening? The Constitution has given you a mandate under article 342 to make a list of Scheduled Tribes. As per 342 list, there are so many reservations and so many flagship programmes of the States and the Central Government are running for different departments, but all these people are deprived of that. So, my point is, as to why you are giving piecemeal reservation to these people. You are doing it because there is an election in Manipur; because there is an election in Arunachal Pradesh. Why are you not considering it as a whole, right from Kanyakumari to Kashmir and Kutch to Kohima? There are hundreds of recommendations which are lying in your office, and nobody is considering it. Kindly enlighten the House as to how many times you have done the review, and whether you have rejected it, and what is the status of those recommendations. I want to know whether you have consulted the States in this regard or not. Before incorporating it, you could have sent a communication to the States saying that you are going to amend this law, and if they have any case, they should bring it to you. You should have given them a time frame and they could have appeared before you. They could have placed their cases before you. Then only as a comprehensive amendment you could bring in this Bill and the House could pass it for the benefit of those tribal people who are deprived of everything. So, that is my submission, Sir. I would like to know from the hon. Minister about these issues. Let the hon. Minister assure the House; then only we will support it. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: Now, Shri Tapan Kumar Sen.

SHRI K.B. SHANAPPA (Karnataka) : Sir, I have a point...

MR. DEPUTY CHAIRMAN : I will come to you in the next round. I have to follow the order.
...*(Interruptions)*

SHRI S.S. AHLUWALIA: Sir, this problem is there in Karnataka, Gujarat and everywhere.

MR. DEPUTY CHAIRMAN : That is what I am saying. ...*(Interruptions)*

SHRI S. S. AHLUWALIA: Sir, that is why I said, 'Kanyakumari to Kashmir and Kuteh to Kohima'. Just tell us that.

MR. DEPUTY CHAIRMAN: You have spoken on behalf of everybody. ...*(Interruptions)*

SHRI K.B. SHANAPPA: Sir, please give me, at least, two minutes.

MR. DEPUTY CHAIRMAN: I will give you the chance. But, let the first round be over.
...*(Interruptions)* Shri Tapan Kumar Sen.

SHRI TAPAN KUMAR SEN (West Bengal): Mr. Deputy Chairman. Sir, I thank you very much for giving me the opportunity to speak on this Bill. I stand here definitely to support this Bill. But, at the same time, also fully endorse what Shri S.S. Ahluwalia has said that the Government should take a comprehensive approach on this issue, instead of going in a piecemeal manner. Sir, since 1950, our experience shows that a lot of problems, discrepancies and anomalies have been created over this issue. This is a very sensitive issue. Sir, there are a lot of Bengalis in Uttarakhand. They belong to the Namoo Siddha community. They have been demanding that they should be considered as Scheduled Castes. The first Assembly of Uttarakhand in 2002 passed a Resolution to that effect and sent it to the Central Government. But still it is hanging. Your own party Government coming over there for the second term again created a problem over it. It is still continuing.

I will give you another example. Sir, Rajvanshi Community in West Bengal recognized as SC. In Meghalaya, this community is considered as ST. In Assam, they are considered as OBC. After all, India is a single piece of country. And, as per the Constitution, they can move from any part of the country to any part of the country, stay there, work there and have their occupation there. The tribals in Jharkhand, when they go for work in tea gardens in Assam, they are not getting the tribal status in

Assam. It is becoming a perennial problem. It is creating perennial, ethnic problem in Assam also and thereby polluting the political atmosphere. So, I seriously believe, instead of elaborating my point, when you have taken up the issue, why don't you have a holistic approach. We have the experience of fifty years. The change of profile of the composition and in view of the mobility of our people to every nook and corner of the country, I think, the time has come that the Government must take a comprehensive approach. I am supporting this Bill. But, at the same time, I want an assurance from the hon. Minister please to have a comprehensive and uniform approach that the demands for SC/ST status by various communities be identified and there must be a common, uniform and - comprehensive list to put in vogue throughout the country. There are many programmes covering the people and there are many programmes for their uplifting in many parts of the country. But, because of this discrimination, people are being deprived of their legitimate dues of the developmental programmes.

So, I urge upon the hon. Minister to please give us an assurance on this so that it will be taken up comprehensively. Thank you.

SHRI PYARIMOHAN MOHAPATRA (Odisha) : Sir, I echo the sentiments of the previous speakers when they said that hundreds of proposals are lying. In case of Odisha, I may remind the hon. Minister, That plenty of proposals are lying since 1971. I had asked the Chief Secretary of Odisha to make a list of all that and pursue it with the Ministry. He had pursued with the Ministry about four years ago. I also wrote to your Ministry regarding giving them their legitimate status as soon as possible. There is a big group of people. Sir, Sabaras are the original worshippers of Lord Jagannath. These Sabaras have settled around the Seat of the Gajapati which was at Khordha. So, they are all around Khordha. But, not a single one of them gets the status. The reason: There are perversions in pronunciation. Some pronounce 'Sabara' as 'Saara. In my own village in Dhenkanal. Dhenkanal is a peculiar case. Mr. Minister. The former Minister, Mr. K.P. Singh Deo's lineage is from Dhenka Sabar, who was the original king. Today, he would have been enjoying the same ST status that you enjoy and he would have been here in the Lok Sabha.

SHRI RUDRA NARAYAN PANY (Odisha) : Sir, I also belong to Dhenkanal.

SHRI PYARIMOHAN MOHAPATRA : So, these perversions have deprived a very large tribal community from getting the ST status. That is the largest among the whole lot of Sabars.

So, I request for a special consideration for this particular deprived community which is suffering from perverted names. I would also request the hon. Minister to look at the entire list and see that justice is done to all of them. Thank you.

प्रो. एस. पी. सिंह बघेल (उत्तर प्रदेश) : धन्यवाद उपसभापति महोदय। मैं संविधान (अनुसूचित जनजातियाँ) आदेश (संशोधन) विधेयक, 2011 के पक्ष में कुछ संशोधनों के साथ अपनी बात कहना चाहूंगा। वर्षों से पूरे देश के कई राज्यों ने सामाजिक और शैक्षणिक रूप से पिछड़ेपन के कारण बैकवर्ड क्लास में शामिल कुछ जातियों को अनुसूचित जाति की लिस्ट में शामिल करने की रिकमण्डेशन दी हैं। इस विधेयक के बारे में कोई दो रायें नहीं हैं कि यह नाम परिवर्तन है, लेकिन नाम में परिवर्तन न होने के कारण राज्यों में बहुत दिक्कत हो जाती है जिसके कारण लोगों को परेशानी उठानी पड़ती है। जैसा अन्य सदस्यों ने कहा है कि पूरे देश की राज्य सरकारों ने आपको चिट्ठियाँ लिखी हैं और वर्षों से वे आपके पास लम्बित हैं। एक बार पूरे देश की राज्य सरकारों द्वारा भेजी गयी चिट्ठियों को, उनके द्वारा भेजे गए प्रस्तावों को और रिकमण्डेशंस को आप देखें, आप उनका अध्ययन करें और उसके बाद निर्णय लें। उनके बारे में राज्य सरकारें ज्यादा बेहतर जानती हैं कि उन जातियों की शैक्षिक, सामाजिक, आर्थिक स्थितियाँ क्या हैं। मैं कहना चाहता हूँ कि इस विभाग के मंत्री भी इस देश में रहने वाली 3600 जातियों को नहीं जानते हैं कि वे जातियाँ किन राज्यों में किस आर्थिक स्थिति में रहती हैं। उत्तर प्रदेश की मुख्य मंत्री बहन कुमारी मायावती जी ने एक चिट्ठी केन्द्र सरकार को लिखी हुई है और उसके बारे में कई बार रिमाइंडर्स भी भेजे गए हैं। उसमें उन्होंने उत्तर प्रदेश में रहने वाले पाल, बघेल, धनगड़, निषाद, मल्लाह, केवट, धीमर, प्रजापति, चौरसिया, तमौली, राजभर इन जातियों के लोगों को अनुसूचित जाति में शामिल करने के लिए पत्र लिखा है।

श्री उपसभापति: आप इधर देखकर बोलिए।

प्रो. एस.पी. सिंह बघेल: सर, मैं इन जातियों के सांसदों को देखकर बता रहा हूँ कि मैं आपकी जातियों का भी जिक्र कर रहा हूँ। पाल, बघेल, धनगड़, कश्यप, निषाद, मल्लाह, मांझी, चौरसिया, प्रजापति, तमौली इन जातियों को अनुसूचित जाति की सूची में शामिल करने के लिए उत्तर प्रदेश की सरकार ने आपकी सरकार को एक चिट्ठी लिखी हुई है और कई रिमाइंडर्स भी लिखे हुए हैं। जब आप बिल ला ही रहे हैं, तो आप सिर्फ पूर्वोत्तर राज्यों में मणिपुर और अरुणाचल प्रदेश का ही क्यों लेकर आ रहे हैं? इससे अन्य जातियाँ भी लाभान्वित होनी चाहिए। ...**(व्यवधान)**... वहाँ पर चुनाव हो या न हो। जो लोग गरीबी में रह रहे हैं, जो शैक्षणिक रूप से पिछड़े हैं, सामाजिक रूप से पिछड़े हैं, आर्थिक रूप से पिछड़े हैं, देश को आजाद हुए 64 साल हो गए, लेकिन देश के आखिरी व्यक्ति के चेहरे पर मुस्कान नहीं आ पा रही है, तो हमारी जिम्मेदारी है कि इनके चेहरे पर भी मुस्कान आए और इनको भी राष्ट्र की मुख्यधारा में शामिल किया जाए और केन्द्र सरकार की योजनाओं का लाभ भी उन तक पहुँचे। वे लोग

नौकरियों में भी शामिल हो सकें, राज्य की नौकरियों में उनको प्रतिनिधित्व मिल सके। कुछ जातियां ऐसी हैं जिनका पहना आई.ए.एस. नहीं हो पाया है, जिनका पहला आई.पी.एस. नहीं हो पाया है, राज्य में उनका पहला पीसीएस नहीं हो पाया है, पहला पीपीएस नहीं हो पाया है। फौज में आरक्षण नहीं है, लेकिन जहां पर आरक्षण है, वहां पर टॉप वाली पोस्ट को छोड़िए, ऊपर की पांच पोस्ट तक भी वे नहीं पहुंच पा रहे हैं। सरकार अब सर्व शिक्षा अभियान चला रही है, लोग अब मैट्रिक पास हो जायेंगे, लेकिन जो मैट्रिक पास हो चुके हैं, जो ग्रेजुएट हो चुके हैं, जो पोस्ट ग्रेजुएट हो चुके हैं, लेकिन कई जातियां हिन्दी में स्पेलिंग मिस्टेक की वजह से इसका लाभ लेने से वंचित हो रही हैं। जब आपने 1976 में संविधान संशोधन किया, तो आपने धनगड़ को dhangar लिखा और हिन्दी अनुवाद में पता नहीं किसने धांगड़ कर दिया। इसलिए हमारी मांग है कि जैसा कि बहन कुमारी मायावती ने प्रस्ताव रखा है कि जो धनगड़ शब्द है जिसका आपने हिन्दी में धांगड़ कर दिया है, यह हर प्रकार से गलत है और लम्हों ने खता की और सदियों ने सजा पायी। इसका हिन्दी अनुवाद गलत होने से लाखों की संख्या में रहने वाली जाति, अनुसूचित जनजाति के लाभ से वंचित हो रही है। हम इस विधेयक के पक्ष में हैं लेकिन सारे सदन की भावनाओं की कद्र करते हुए, जिन-जिन राज्य सरकारों ने चाहे वहां चुनाव हो या ना हों, उन्होंने सर्वे किया है, राज्य सरकारें उनसे परिचित हैं, राज्य सरकारें उन जातियों की स्थिति से वाकिफ हैं, इसलिए हमारी मांग है कि उत्तर प्रदेश की सरकार ने जो पाल, बघेल, धनगर, कश्यप, निषाद, प्रजापति, चौरसिया, तमौली इन जातियों को अनुसूचित जाति में शामिल करने के लिए आपको प्रस्ताव भेजा है। आप क्यों उसको यहां पर अभी तक लटकाए हुए हैं? मेरा बस यह अनुरोध है कि आप इन जातियों को भी शामिल कर लें और आखिरी व्यक्ति के चेहरे पर मुस्कान लाएं जिससे उन लोगों को भी केन्द्र की, राज्य की नौकरियों में मौका मिले तथा वे भी राष्ट्र की मुख्यधारा में शामिल हो सकें। मेरे इस अनुरोध के साथ आपका बहुत-बहुत धन्यवाद।

SHRI K.B. SHANAPPA : Thank you, Sir, first of all, this Bill pertains to Manipur and all. As a matter of fact, Sir, the whole country is faced with the problem of the Scheduled Tribes. As you know, Sir, in Karnataka, Kabbaliga, Talwar, Jamadar, Medar, Koli — all these people are considered as the Tribal people because of their standard of living. As a matter of fact, Sir, some tribes were the kings, but they are considered as the Scheduled Tribes in our State. We welcome it. Sir, these people belong to our State, particularly, Hyderabad, Karnataka, Kabbaiiga constitutes 35 per cent of the population. About 60 to 70 lakh people are there. During the time of Shri Devaraj Urs, the former Chief Minister of our State, these people had put their demands before the Government. The State Government have already recommended their demands to the Centre. They have requested the Central Government to add their names in the Tribal List. Kabbaliga, Talwar, Jamadar, Koli, Medar and Kurbas be considered as Tribes. My dear friend, Shri Sidaramaya himself is fighting for these

communities. Sir, we have to fix some standards in this regard. Lamadas are considered as SC in Karnataka but in Maharashtra, it is considered as Backward Class. Therefore, Sir, you have to do something to combine all the Tribes and bring before this House to formalise all this. हरेक राज्य में जितने भी हैं, उनको एक जगह लाइए। On the basis of their social functions, etc. on that basis, I would request the hon. Minister to bring the recommendations of all the States, given to you, before the House and make it once for all, that they should be considered as Tribes. Thank you.

श्री प्रकाश जावडेकर (महाराष्ट्र) : उपसभापति महोदय, एक मिनट...(व्यवधान)...

श्री उपसभापति : यह नहीं हो सकता है...(व्यवधान)...

श्री रुद्रनारायण पाणि : सर...(व्यवधान)...

श्री उपसभापति : आप भी बोलेंगे तो इस तरह से नहीं हो सकता है...(व्यवधान).... आप मेरी बात सुनिए। वहां इसके ऊपर डिसकशन हुआ था कि हम विदआउट डिसकशन पास करेंगे That was the understanding. वह ठीक है, लेकिन उसके बाद भी आप उस पर बात करना चाहते थे, अब फुल फ्लेज डिसकशन हो रहा है और आपकी पार्टी से दो ऑनरेबल मैम्बर्स बोल भी चुके हैं...(व्यवधान)...

श्री रुद्रनारायण पाणि : सर, यह पार्टी का सवाल नहीं है, यह पूरे देश का सवाल है...(व्यवधान)...

MR. DEPUTY CHAIRMAN : Pany ji, there is something like an agreement, there is something like the procedure. मैंने आपको बुलाया नहीं है, मैं जब बुलाऊंगा, आप तब बोलिएगा...(व्यवधान)...

प्रो. अनिल कुमार साहनी (बिहार) : उपसभापति महोदय, आपने मुझे सामाजिक न्याय अधिकारिता विभाग संबंधी संसदीय स्थायी समिति के प्रतिवेदन की चर्चा में बोलने के लिए जो समय दिया है, मैं उसके लिए आभार व्यक्त करता हूँ। मैं कहना चाहता हूँ कि बिहार में भी कुछ जातियाँ हैं, जिनको अनुसूचित जाति-जनजाति में शामिल करने के लिए आपके पास कई बार सिफारिश आई है, मगर आप उसको बार-बार वापस कर देते हैं। जिस प्रकार से नूनिया, निषाद, केवट, कश्यप, मल्लाह, कहार, तूरहा. तानू, नाई, पाल, दास...(व्यवधान).... नाई, प्रजापति, ततमा, कश्यप, बिन्द, धुनिया, सेवक आदि अन्य पिछड़ा वर्ग में है और हमारे नीतिश कुमार जी द्वारा उनको वहां पर सुविधा दी जा रही है, उसी प्रकार से पश्चिम बंगाल में जो जाति अनुसूचित जाति में हैं, उड़ीसा में अनुसूचित जाति में हैं वह दिल्ली में भी अनुसूचित जाति में हैं। महोदय, आप दिल्ली की रिपोर्ट उठाकर देख लीजिए, आपको वह जाति मिलेगी। निषाद और मल्लाह जाति सारी जगहों पर, दक्षिण में भी और अन्य भी कई जगहों पर अनुसूचित जाति में है, मगर आप इनको यहां अभी तक क्यों नहीं शामिल कर रहे हैं? इसलिए मैं इस ओर आपका ध्यान दिलाना चाहता हूँ कि आप इसका एक सर्वेक्षण कराइए कि क्या ये जातियाँ अनुसूचित जातियों से कमजोर हैं या नहीं? आखिर अनुसूचित जाति को आरक्षण देने की व्यवस्था क्यों बनाई गई? अगर आप अनुसूचित जाति को आरक्षण देते हैं, हर 10-20 वर्ष के बाद इस पर प्रतिवेदन लेते हैं, तो ये जातियाँ, जो गरीब हैं, जो अनुसूचित जातियों

से भी बदतर स्थिति में जी रही हैं, मैं सामाजिक न्याय और अधिकारिता मंत्रालय से जानना चाहूँगा कि इन्हें अनुसूचित जाति में शामिल करने के लिए बिहार सरकार से आपके पास बार-बार जो रिपोर्ट आती है, आप उस पर कब तक विचार कर रहे हैं? माननीय उपसभापति महोदय, मैं आपके माध्यम से यह कहना चाहूँगा कि जो गरीब हैं, जो अनुसूचित जातियाँ हैं, उनके लिए एक कमेटी बनाई जाए और उस कमेटी की रिपोर्ट के आधार पर आप इसका निर्धारण करें। मैं संसदीय स्थायी समिति से अनुरोध करूँगा और अहलुवालिया साहब से भी अनुरोध करूँगा कि वे इस पर रिपोर्ट दें कि बिहार में बहुत सारी जातियाँ हैं, जो अनुसूचित जातियों और अनुसूचित जन-जातियों से भी बदतर स्थिति में रह रही हैं, उन्हें भी अनुसूचित जाति का लाभ मिलना चाहिए। जय हिन्द, जय भारत।

श्री तारिक अनवर (महाराष्ट्र) : डिप्टी चेयरमैन महोदय, मैं भी इस बिल के समर्थन में खड़ा हुआ हूँ, लेकिन इस मौके का लाभ उठाते हुए मैं भी इस बात का अनुमोदन करूँगा कि जहाँ मंत्री महोदय ने मणिपुर और अरुणाचल प्रदेश की दो जातियों को इसमें शामिल करने का प्रस्ताव रखा है, उसी तरह से अलग-अलग राज्यों से विभिन्न जातियों के लिए जो प्रस्ताव आए हैं, उन जातियों के ऊपर भी सरकार सहानुभूतिपूर्वक विचार करे और पूरे देश के पैमाने पर, जिन राज्यों ने जो सुझाव दिए हैं, उन पर अमल करने का प्रयास करे।

महोदय, मैं खास तौर पर बिहार के बारे में कहना चाहूँगा कि बिहार सरकार ने जिन अलग-अलग जातियों के लिए अपनी राय भेजी है, अपना recommendation भेजा है कि उनको अनुसूचित जाति और जनजाति में शामिल किया जाए, मैं भी उसका समर्थन करूँगा। मैं खास तौर पर मंत्री जी का ध्यान कटिहार, जो बिहार का एक जिला है, उसकी ओर दिलाना चाहूँगा और उसके आसपास के जिलों की तरफ भी उनका ध्यान ले जाना चाहूँगा। वहाँ दो विशेष जातियाँ हैं-राजवंशी जाति और किसान जाति। ये दो जातियाँ ऐसी हैं, जिनको सम्भवतः पश्चिमी बंगाल में अनुसूचित जनजाति का status मिला हुआ है, लेकिन बिहार में उनको वह सुविधा प्राप्त नहीं हो पा रही है। इसलिए मैं यह निवेदन करना चाहूँगा कि राजवंशी और किसान जातियाँ, जो नॉर्थ पश्चिमी बंगाल से जुड़ी हुई हैं और सिर्फ एक किलोमीटर की दूरी पर उनको यह सुविधा प्राप्त हो रही है, लेकिन एक किलोमीटर के बाद जब वे बिहार में आते हैं, तो उनको वह सुविधा नहीं मिल रही है। इसलिए मंत्री जी से हमारा यही निवेदन है कि इस तरह का जो भेदभाव है, उसको दूर करने का प्रयास करें।

SHRI D. BANDYOPADHYAYA (West Bengal) : Sir, I rise to support the Bill. I have got only two points to make.

Number one is, there are pending cases with the Ministry which it should dispose of as early as possible; and number two is, there is an anomaly in the List which is there in different States. Somewhere a person is Scheduled Caste, somewhere he is Scheduled Tribe and somewhere he is not recognized.

So, Sir, I would urge the Government, through you, that they should have an All India Conference to settle this issue among the States, and there should be one uniform list so that a person who is migrating from one State to another and where he belongs to a 'Scheduled Caste' caste doesn't become 'non-scheduled' in another State.

So, Sir, these are my two points, and, with this, I support the Bill.

SHRI D. RAJA (Tamil Nadu) : Sir, I support this Bill. But while supporting this Bill, I would like to draw the attention of the Minister to several issues raised by previous speakers and also to the issues which I am going to raise now.

The tribal people will have to get priority on the agenda of the governance by the Government. The tribal communities in different States will have to be identified and listed out. Their problems will have to be addressed at national level also. Now, there are different treatments being given to tribal people in different States, and those are the anomalies that are being talked about. This demands that the Minister and the Government must take a comprehensive view while identifying the tribal communities in the States and the treatment given to tribal communities at the national level. If that is done, various welfare schemes meant for the tribal communities could be implemented effectively and they could get the benefits.

Sir, I hope that the Minister, who is a committed person and who has a sincere understanding of these communities, would do justice and take a comprehensive view on this issue. I support this Bill.

DR. BHALCHANDRA MUNGEKAR (Nominated) : Sir, I fully support the Bill.

While supporting the Bill, I would like to draw the attention of the House to the fact that of all the socio-economic and cultural groups in the country, the Scheduled Tribes are the most disadvantaged and most backward in terms of the socio-economic indicators. They constitute 8.5 per cent of the population. In terms of employment, higher education, technical education, skill and labour, they are the most disadvantaged, mainly because of the lack of geographical proximity to cities. That is why, I appreciate the Minister's effort to bring a Bill.

Sir, there are only two observations that I would like to make here; one, I would suggest that the Minister must go in for a comprehensive national survey and clearly identify from across the nation as to who are the really disadvantaged people and who all need to be included. The second point, which is equally important and which this House and the nation has never paid any attention to, is the issue relating to the nomadic tribes and de-notified tribes. The nomadic tribes and de-notified tribes have been recognized for economic development and special treatment only in the

State of Maharashtra. They are also supposed to be constituting nearly nine to ten per cent of the population. Now, because of reservation, most of the so-called Forward Castes, while keeping their caste arrogance intact, try to get included in the list of the Scheduled Tribes as well as that of the nomadic tribes. But the real issue, according to me, is that the nomadic tribes and de-notified tribes are even lower in status than the Scheduled Tribes.

I would request the hon. Minister to have consultations with the Ministry of Social Justice and Empowerment and pay attention to the issues and problems of the nomadic tribes and denotified tribes as well.

With these words, I support the Bill.

SHRIMATI VASANTHI STANLEY (Tamil Nadu) : Sir, I rise here to support this Bill.

While supporting the Bill, I would like the hon. Minister to have a time-frame for its implementation and to see to it that the requests of other States' are also considered. Though it is not practically possible to consider all of them at the same time, it could be done in a phased manner, and I hope, the Minister would consider the requests of the other States as well, including Tamil Nadu.

MR. DEPUTY CHAIRMAN: Hon. Members, it was agreed that we would follow a procedure that one Member from each Party would speak on the Bill because of paucity of time. Now, this subject was discussed earlier and at a meeting of the leaders it was decided that it should be passed without discussion. Now, a discussion has taken place. The sentiments of the House are known now as far as this Bill is concerned. Everybody feels that certain categories from different States must be included and a comprehensive view needs to be taken. ...*(Interruptions)* When a comprehensive view is taken, it would all be done. The same sentiments have come across. So, I think we could conclude. ...*(Interruptions)*... Hon. Member should be present when his name is called. If he is not present ...*(Interruptions)*... Shri Javadekar, you have only two minutes.

श्री प्रकाश जावडेकर : उपसभापति महोदय, मैं इस बिल का समर्थन करने के लिए खड़ा हूँ। Let me tell you for ten years we were demanding tribal reservation for Maitis...*(Interruptions)*... But it was not granted. Every time you gave different excuses. Now on the eve of elections, you want to do this.

But still this is our long pending demand that Maitis should be given the reservation. But in Maharashtra. Sir, जब शरद पवार जी मुख्य मंत्री थे, उस समय से गोंड-गोवारी समाज अपने ट्राइबल स्टेटस की माँग के लिए 16 सालों से लड़ रहे हैं। 1992 में 140 लोगों की हत्या हुई। गोलियाँ चलीं और उस गोलीकांड में विधान सभा के सामने 140 आदिवासी मारे गए। जब हमारी सत्ता आई तब हमने एक विशिष्ट प्रबंध किया था, इसलिए महाराष्ट्र में उनके लिए 52 परसेंट आरक्षण है, जिसे सुप्रीम कोर्ट ने भी खारिज नहीं किया। अभी मुण्गेकर जी ने कहा कि ...(समय की घंटी)... डिनोटिफाइड ट्राइब का भी मुद्दा है...

श्री उपसभापति : आपका एक मिनट पूरा हो गया।

श्री प्रकाश जावडेकर : सर, इसलिए मैं मांग करता हूँ कि गोंड-गोवारी समाज को भी ट्राइबल का दर्जा तुरंत मिलना चाहिए। धन्यवाद।

MR. DEPUTY CHAIRMAN: Mr. Baishya, you have only one minute, I will tell them not to record after one minute ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA (Assam) : Sir, I am standing here to support the Bill. On this occasion, I would like to draw the attention of the hon. Minister to six communities of Assam struggling for last several years and decades to get the tribal status. They are Tai-Ahom, Koch Rajbongshi, Moran, Mottak, Chutia nad Tiwa communities. Sir, earlier in the Narasimha Rao Government, Koch Rajbongshi community in Assam was declared tribal community in the year 1996 and again in the year 1997 Koch Rajbongshi community got ST Status through Ordinance. The Bill was introduced in the Lok Sabha and then it was sent to the Standing Committee and the Select Committee and bill was cleared ...*(Interruptions)*... I request the hon. Minister to kindly include these six communities of Assam in ST list...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Please conclude ...*(Interruptions)*... Nothing will go on record after one minute...*(Interruptions)*...

सुश्री अनुसुइया उइके (मध्य प्रदेश) : माननीय उपसभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी को कुछ सुझाव देना चाहती हूँ। जैसाकि हम जानते हैं, पूरे देश में जनजातियों की आबादी लगभग 10 करोड़ है और 600 के लगभग विभिन्न जनजातियाँ पूरे देश में हैं। उन जनजातियों में से 76 ऐसी हैं, जो अति पिछड़ी जनजातियों में मानी जाती हैं। इसी तरह से, माननीय उपसभापति महोदय, मध्य प्रदेश में सेहरिया, बेगा और भारिया अति पिछड़ी जनजातियाँ हैं। पातालकोट में भारिया मात्र 2000 हैं, लेकिन उनको विशेष अति पिछड़ी जनजाति में माना गया है,

जबकि मध्य प्रदेश में यही जनजाति करीब 1 लाख से ऊपर है, जो कि अति पिछड़ी है। इसी तरह से मवासी, कोरकू आदि जनजातियां भी अति पिछड़ी हैं।

अतः आपके माध्यम से माननीय मंत्री जी से मेरा निवेदन है कि इन जनजातियों को भी अति पिछड़ी जनजातियों में माना जाए, ताकि उनका आर्थिक और सामाजिक विकास हो सके। धन्यवाद।

MS. MABEL REBELLO (Jharkhand) : Sir, I support this Bill. I want to draw the attention of the hon. Minister to the fact that when Madhya Pradesh and Bihar were bifurcated the tribals who had already the status of tribals. who were working in Bihar or Madhya Pradesh, they are not getting the advantage of tribal status. In united Madhya Pradesh and united Bihar, they were enjoying the tribal status. They should be given the tribal status now. They are in the Government. Similarly, those tribal from Chhattisgarh, Orissa, Jharkhand, who had gone, say, 200 or 300 years ago, to Assam, have also lost the tribal status. They are working in tea gardens. They should be given tribal status. Similarly, tribal people working in the Central Government services in Delhi, Bombay and other parts of the country, (Time-bell) their works have to be recognised by the Government of India and by the Scheduled Tribes Commission.

MR. DEPUTY CHAIRMAN: Now, Dr. Vijaylaxmi Sadho; you have only one minute. Just support the Bill and sit down.

डा. विजयलक्ष्मी साधौ (मध्य प्रदेश) : धन्यवाद, सर। सर, इस बिल का समर्थन करते हुए मैं यह कहना चाहता हूँ कि विभिन्न राज्यों से अनुसूचित जाति एवं अनुसूचित जनजाति में शामिल करने के लिए जो प्रस्ताव आए हैं, इस संबंध में मेरा माननीय मंत्री जी से यह निवेदन है कि उनमें गुण-दोष के आधार पर उनकी socio-economic position देखी जाए और उन्हीं के आधार पर जातों को अनुसूचित जाति एवं अनुसूचित जनजाति में शामिल किया जाए। महोदय, अगर ऐसा नहीं किया जाएगा, तो इससे यह होगा कि जो जातियां आर्थिक रूप से मजबूत हैं और राजनीतिक रूप से राज्यों के माध्यम से ये प्रस्ताव आए हैं, उन्हीं को इसका फायदा मिलेगा। इसके लिए जो actual beneficiaries हैं, जिनको इसका लाभ लेने की आवश्यकता है, उनको लाभ न मिल कर जो आर्थिक रूप से मजबूत जातियां हैं, वे इसका फायदा लेंगी। इसलिए, इस संबंध में मेरा निवेदन यह है कि socio-economic गुण-दोष के आधार पर इनको लिया जाना चाहिए। ...समय की घंटी...। मेरा दूसरा निवेदन यह है कि ...(व्यवधान)...

श्री उपसभापति : देखिए, आप सिर्फ एक ही निवेदन कीजिए। ...(व्यवधान)...

डा. विजयलक्ष्मी साधौ : सर, मेरा दूसरा निवेदन यह है कि मेघवाल community राजस्थान में अनुसूचित जाति में आती है, लेकिन मध्य प्रदेश में उनके नाम में कहीं न कहीं हेर फेर की वजह से वह अनुसूचित जाति में नहीं आती है। एक दूसरी बानकर community है ...(व्यवधान)...

श्री उपसभापति : कृपया आप समाप्त कीजिए।...(व्यवधान)...

डॉ विजयलक्ष्मी साधौ : सर, एक दूसरी बानकर community है, जो सबसे ज्यादा गरीब community है, चूंकि वे मानकर में मान ठाकुर लिखते हैं, इसलिए वे पिछड़ी जाति में आते हैं।...(व्यवधान)...

श्री उपसभापति : आप मंत्री जी को लिखित रूप में भेज दीजिए।

डॉ विजयलक्ष्मी साधौ : सर, मेरा निवेदन यह है कि अगर वहां से प्रस्ताव आए, तो इसको अनुसूचित जाति में शामिल किया जाए।

DR. M.S. GILL (Punjab) : Sir, I support this Bill and the House, I think supports it...(Interruptions)...

श्री रुद्रनारायण पाणि : सर...(व्यवधान)...

श्री तरुण विजय : सर...(व्यवधान)...

श्री श्रीगोपाल व्यास (छत्तीसगढ़) : सर...(व्यवधान)...

श्री उपसभापति : आपको ज्यादा समय दिया है।...(व्यवधान).... Don't comment...(Interruptions)...

एक माननीय सदस्य : सर, हमें बाद में समय दे दीजिएगा।...(व्यवधान)...

श्री उपसभापति : समय देंगे, लेकिन इस तरह से comment मत कीजिए।...(व्यवधान).... आपकी पार्टी ने ज्यादा बात की है। Don't make unnecessary comments.

DR. M.S. GILL : Sir, I have only one request to make to the hon. Minister. The tribal people of India are the most deprived and the most voiceless I have a personal interest and I know from reading and travelling. I would request him that while inclusion of these tribes and this amendment is accepted, he should kindly look, in great detail, at all the provinces of India and bring up some more tribes which are not yet in the list as they should be.

श्री रुद्रनारायण पाणि : उपसभापति महोदय, माननीय मंत्री जी देश के चौथे जनजातीय कार्य मंत्री हैं। पूर्व प्रधान मंत्री माननीय अटल बिहारी वाजपेयी जी के कार्य काल में इस मंत्रालय की शुरुआत हुई थी। मंत्री जी ओडिशा के साथ भी ताल्लुक रखते हैं। ओडिशा एक ऐसा राज्य है, जहां 21 लोक सभा सीट हैं। उनमें से 5 लोक सभा सीट अनुसूचित जनजाति के लिए आरक्षित हैं। महोदय, मैं आपके माध्यम से माननीय मंत्री जी से निवेदन करना चाहता हूं कि ओडिशा के कुई को लेकर विवाद हुआ है और यह विवाद विशेष करके कंधमाल में है। कंधमाल में 2008 में जो स्वामी जी की हत्या हुई थी, वह इसी कुई को लेकर हुई थी। कुई एक भाषा है और कुई को अनुसूचित

जनजाति में शामिल करने से यह विवाद हुआ था। मेरा निवेदन यह है कि मंत्री महोदय विशेष करके ओडिशा के कंधमाल के कुई के प्रति ध्यान दें और अध्ययन करें।

श्री वी. पी. सिंह बदनौर (राजस्थान) : सर, मैं राजस्थान के बारे में बात करना चाहता हूँ। ...**(व्यवधान)**...

श्री श्रीगोपाल व्यास : सर, सर ...**(व्यवधान)**...

श्री उपसभापति : आप जबर्दस्ती उठ कर खड़े हो गए हैं। ...**(व्यवधान)**... कृपया आप बैठ जाइए। ...**(व्यवधान)**... I have not called your name. It will not go ...**(Interruptions)**...

SHRI TARUN VIJAY (Uttarakhand) : Sir ...**(Interruptions)**... They should be reviewed and those should be given the name ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN : I have not called your name.

श्री वी. पी. सिंह बदनौर : सर, राजस्थान State Assembly ने गूजर समाज को tribal के अंदर आरक्षण देने से संबंधित एक प्रस्ताव unanimously पास करके आपके पास भेजा है। ...**(व्यवधान)**... जिसके लिए गूजर समाज ने बहुत आंदोलन किया था और उसमें कितने ही लोग मारे भी गए थे। ...**(व्यवधान)**... उस पर अभी तक कोई निर्णय नहीं लिया गया है। ...**(व्यवधान)**... इस संबंध में कब तक निर्णय हो जाएगा?

श्री श्रीगोपाल व्यास : सर, सर...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN : There is a procedure. Why are you breaking that? ...**(Interruptions)**... I don't understand this...**(Interruptions)**....

श्री श्रीगोपाल व्यास : महोदय, हमने विशेष उल्लेख के द्वारा छत्तीसगढ़ की सओरा, सहारा, संवरा तथा सौरा इत्यादि जातियों के लिए एक उल्लेख लाया था, लेकिन मुझे बहुत दुःख है कि मंत्रालय से उसका उत्तर बहुत अपमानजनक भाषा में आया है। इन सब लोगों के लिए बहुत सहानुभूति की जरूरत है। मैं माननीय मंत्री जी से निवेदन करता हूँ कि उस पर पुनर्विचार करके उनको वह दर्जा देने की कृपा करें।

श्री समन पाठक (पश्चिमी बंगाल) : सर, चूंकि यह नॉर्थ-ईस्ट से जुड़ा हुआ अमेंडमेंट बिल है, इसलिए मैं यह कहना चाहूंगा कि वहां काफी दिन से तीन कम्युनिटीज, खम्बु राई, गुरुंग और दार्जिलिंग, पश्चिमी बंगाल के कुछ हिस्सों में तथा तराई क्षेत्र और सिक्किम में रहने वाली धिमाल कम्युनिटी शेड्यूल्ड ट्राइब्स में आने के लिए काफी दिनों से संघर्ष कर रही है। इसके लिए previous पश्चिमी बंगाल सरकार ने केन्द्र सरकार के पास एक प्रस्ताव भी भेजा है तथा सिक्किम से भी इसका प्रस्ताव आया हुआ है। अभी धिमाल कम्युनिटी की सिर्फ दो सौ फैमिलीज बची हैं, तो इस हिसाब से खम्बु राई, गुरुंग और धिमाल कम्युनिटी को भी शेड्यूल्ड ट्राइब्स में लाना जरूरी है। यही मेरी रिक्वेस्ट है।

MR. DEPUTY CHAIRMAN: Now, the hon. Minister.

SHRI V. KISHORE CHANDRA DEO : Thank you, Mr. Deputy Chairman, Sir. I would first like to thank all the hon. Members of this House who have participated in this discussion. I would also like to thank you for permitting a discussion on this issue in which several Members from all sides of the House were interested. I would first like to clarify certain basic facts but before I do that, let me assure all the hon. Members, my friend, Shri Ahluwalia ji and several others, that elections in Manipur and Arunachal Pradesh had nothing to do with this Bill, which has been introduced. It is a matter of coincidence that it so happened. In fact, I became aware of this fact after I heard my hon. friends. So, it has nothing to do with the elections. Sir, matters concerning the most deprived people, the most backward people, especially, the tribal people, shall have nothing to do with politics, as far as I am concerned, I can assure the House in this regard.

Sir, I would like to apprise the hon. Members of certain facts with respect to scheduling of Scheduled Tribes and regarding these orders. Sir, basically, the criteria for determining the tribal characteristic of a community are: (a) the indications of primitive trade, (b) distinctive culture, (c) geographical isolation, (d) shyness of contact with the community at large, and, (e) backwardness. Basically, these are the five parameters based on which, decisions are taken regarding the consideration as to whether a tribe should be included in the Scheduled tribes list or not.

As one of my hon. Colleague from Uttar Pradesh rightly mentioned, it is the State Governments who are aware of these facts, and, it is the State Governments who have all the statistics and details with respect to communities living in their regions or areas. In fact, I would like the hon. House to appreciate the fact that I cannot *suo-motu* decide to include a particular community or exclude a particular community. There is a procedure which has to be followed. The procedure is that first the recommendations come from the State Governments. ...*(Interruptions)*...

SHRI K. B. SHANAPPA: The recommendations have come to you but they are still pending for the last several years...*(Interruptions)*...

SHRI V. KISHORE CHANDRA DEO : Can I complete ? ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: Let him finish...*(Interruptions)*... Please. ...*(Interruptions)*... आप बैठिए। ...*(व्यवधान)*.... उन्होंने आपके पूरे विचार सुने हैं और अब वे बता रहे हैं, आप सुनिए। ...*(व्यवधान)*....

SHRI BALAVANT ALIAS BAL APTE (Maharashtra) : Sir, many problems are there because the English spellings do not tally with the original names. So, the spellings should be corrected and then the grievances will not be there.

प्रो. एस. पी. सिंह बघेल :*

श्री उपसभापति : देखिए, यह सही नहीं है...(व्यवधान).... सिंह साहब, डिबेट ऐसे नहीं हो पाएगी ...(व्यवधान).... अभी उनको बोलने दीजिए...(व्यवधान)....

श्री नारायण सिंह केसरी :*

श्री उपसभापति : ये क्या बात है?...(व्यवधान).... आप लोग बैठिए। ...(व्यवधान).... आप बैठिए। ...(व्यवधान).... रिकॉर्ड में कुछ नहीं जाएगा ...(व्यवधान).... प्लीज, आप बैठिए। ...(व्यवधान).... आप बैठिए। ...(व्यवधान).... आपने डिबेट में बात नहीं की। ...(व्यवधान).... आप बैठिए, प्लीज।...(व्यवधान)....

श्री उपसभापति : आप ने डिबेट पर बात नहीं की। आप बैठिए, प्लीज बैठिए।

SHRI V. KISHORE CHANDRA DEO : Mr. Deputy Chairman, Sir, I have noted every point that has been mentioned by Members and I shall be replying to these points during the course of my reply. I would appeal to all hon. colleagues to kindly bear with me for a few minutes. I shall certainly cover all the points that have been raised by them.

Sir, initially, it has to come from the State Government along with facts, figures, statistics and these conditions. Once it comes from the State Government to our Ministry over here, we have to refer it to the Registrar General of India. The Registrar General of India, based on statistics and certain information that they have, has to approve it and send it back to us. After that, it is sent to the Scheduled Tribes Commission for its approval. Then, it comes to me, after which I have to introduce a Bill in Parliament and make necessary changes. This procedure applies even for change in spellings. In fact, the present Bill that is before us has got such very minor changes that are to be made. As I have mentioned during introduction stage, when I spoke at the very outset, that instead of “Galong”, they are going to make it “Galo”. Because of difference in pronunciations in different regions, certain discrepancies are there. But even for that, Sir, a procedure has to be followed. And once the Registrar General sends it back, there have been many cases where I have also referred it back to the State Government to reply back to those queries. Once the State Government satisfies

*Not recorded.

the Registrar General by replying to those queries which are forwarded to my Ministry, we send it to the Scheduled Tribes Commission and after that, Sir, I can take a decision on this particular aspect. So, this is the procedure that is followed.

Sir, many Members have suggested that why it should not be taken on a national basis. This is a State specific subject and different States have to send these replies to these queries, recommendations and details over here for our consideration. If I wait for the entire country, for all States, to send it and want to do it at one time, I would like to very humbly submit that nothing may ever happen at all because in that case we will have so many communities, so many States, so many lists that are coming and if I have to wait until the entire list is completed, it will be an endless process. So, I would like to impress upon the hon. Members that it will not be practical or will not be in the interest of the tribal community to take a kind of a position or stand where the entire ..(Interruptions)...

श्री वी. पी. सिंह बदनौर : राजस्थान स्टेट एसंबली ने तो unanimously प्रस्ताव पास कर के भेज दिया है ...(व्यवधान)...

श्री उपसभपति : वे प्रोसीजर बता रहे हैं। ...(व्यवधान)... सिंह साहब, आप बैठिए! ...(व्यवधान)...

SHRI K.B. SHANAPPA: Sir, as you know, all the State Governments ..(Interruptions)... State Governments have already followed the procedure which he is narrating. ...(Interruptions)... We are requesting the Minister to take into consideration. ..(Interruptions)... State Governments have already followed the same procedure.

श्री उपसभपति : आप बैठिए! ...(व्यवधान)... Let him complete. After that, if you want some clarification, we will see. ..(Interruptions).. Let the Minister complete his reply. ..(Interruptions)...

SHRI K.B. SHANAPPA: What you are saying, on the basis of that, they have already come to the Government. ...(Interruptions)... It is possible for him ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Let the Minister complete his reply. ...(Interruptions)... He has not taken his seat yet. ..(Interruptions).. Let him complete his reply. ..(Interruptions)..

SHRI K.B. SHANAPPA: Sir, he is saying that ..(Interruptions)...

MR. DEPUTY CHAIRMAN: Shanappa ji, let him complete his reply. ...(Interruptions)...

12.00 NOON

SHRI V. KISHORE CHANDRA RAO : Mr. Deputy Chairman, Sir, there have been several recommendations which have come after Resolutions have been passed by the State Assemblies. As I mentioned earlier, I would like to repeat it again, a mere Resolution of the State Assembly does not give me the right to introduce a Bill and include that community. It has to go to the Registrar General. This is the procedure. If Parliament decides, you can change the procedure. But, until the procedure exists, I have to follow it. So, I have got several recommendations which have come from the State Assemblies. They are pending with me. I have sent many to the Registrar General. Some have come back. Many have been sent back for queries.

My hon. colleague Pyarimohan Mohapatra spoke about Odisha. Sir, Odisha, actually have sent a list of 167 communities to be included. As far as ten communities are concerned, we have sent it back to the Government of Odisha after getting certain queries from the Registrar General. Once the Government of Odisha clarifies those, we will again submit it to them. Once the process is complete, I will be able to do it.

The hon. Member from Karnataka mentioned several communities. The hon. Member, Mr. Shanappa, from Karnataka mentioned three or four communities. I shall certainly look into their status. But I would like to take this House into confidence and inform you that one community which is actually “meda” and not “medar” has already been cleared by the Cabinet. In fact, I will be introducing it in the other House in the extended session of Parliament if time permits.
...(Interruptions)...

SHRI K.B. SHANAPPA: I have already thanked the Government for that.

MR. DEPUTY CHAIRMAN: In one case they have already considered it. ... (Interruptions)...

SHRI V. KISHORE CHANDRA DEO: I am just informing the hon. Member that this has already been decided. Now it is only a question of procedure. Parliament has to meet in the next session. Before that it has to go for Presidential assent. There are so many other procedure to be followed. I will be introducing it, if I am allowed to do so, during the extended session of Parliament, and if not during this session, in the next session, it will be passed. I have no problem in including communities for which procedure has been followed. From Assam also a list has come. Even for Rajasthan, if there is any specific.. (Interruptions).. The hon. Member has said that the State

Government has passed Resolutions and sent that to us. Yes, I have many of them.
...(Interruptions)...

SHRI KUMAR DEEPAK (Assam) : Sir, the Assembly has passed a Resolution. (Interruptions)

SHRI V. KISHORE CHANDRA DEO: Sir, I would again like to repeat that mere passing of a Resolution by an Assembly is not enough for me to include that in the list of Scheduled Tribes, it will have to go through a procedure. It will have to go to the Registrar General of India.

SHRI KUMAR DEEPAK DAS: Sir, it has been pending for so many years.

SHRI V. KISHORE CHANDRA DEO: Mr. Deputy Chairman, Sir, I would like to inform this House that this small change, which I am bringing today and for which I am seeking the indulgence of the House, is also coming after ten years. The last such change was made only in the year 2002. I propose to take up every case. I will remind the State Governments, I will write to them, and I propose to study that myself and write to the Registrar General ... (Interruptions)

SHRI BIRENDRA PRASAD BAISHYA : Sir, what about "Koch-Rajbonshi community of Assam? Earlier it was declared ... (Interruptions) ..

MR. DEPUTY CHAIRMAN : I have not permitted you. ... (Interruptions) ... Nothing will go on record. ... (Interruptions) ... Nothing will go on record.

SHRI V. KISHORE CHANDRA DEO: Sir, it was declared. But then I have to check the facts as to why it was again removed from the declaration. It's in the OBC list now. And because it is in the OBC list now, the question arises as to why it should be included in the Scheduled Tribes List.
...(Interruptions)

MR. DEPUTY CHAIRMAN: Hon. Minister, have you completed? ... (Interruptions) ...

SHRI BHUBANESWAR KALITA (Assam) : It did not come in the form of a Bill.
...(Interruptions) ... Although the Ordinance was passed, it lapsed... (Interruptions)

SHRI V. KISHORE CHANDRA DEO : Mr. Deputy Chairman, Sir, as I mentioned earlier, I have taken note of all this. He mentioned Rajbonshi, I'll certainly find out its status and write to the hon. Members.

MR. DEPUTY CHAIRMAN: I think that will be better. So many Members have raised this issue. You can clarify this through your letter to individual Member.

SHRI V. KISHORE CHANDRA DEO: Sir, I will certainly do that. I would also invite further queries or further requests from hon. Members and I would immediately look into this. But I will go through this process. I would just like to make one more point. Many hon. Members have said that this should be done on a national basis because certain communities are recognised as Scheduled Tribes in one State and Scheduled Castes in another State or OBC in another State. This is absolutely correct. I have also been wondering how to go about this particular problem. But this is a thing which concerns States. The State Governments have classified them as either Scheduled Castes or Scheduled Tribes. It is not I who have done that. But I agree that this is a discrepancy. Probably it would be better if we can get rid of this, if possible. As far as this is concerned, I shall myself consult the State Governments and may be if it is \ necessary I will have a national conference involving the people who are concerned with this particular matter and then ultimately Parliament will have to decide. I would be too glad to see that this kind of discrepancy does not exist within one country. Sometimes you may find this kind of thing in existence in a neighbouring village. I can only inform the august House that I am also concerned about this. Certainly, I shall look into this matter myself. Mr. Deputy Chairman, Sir, with these words, I would again like to thank all hon. Members who have participated in this discussion, specially thank you for allowing me to respond to the discussion, (*Interruptions*) With this, I commend that this Bill be passed.

श्री एस. एस. अहलुवालिया : सर ...(व्यवधान)...

श्री उपसभापति : अहलुवालिया जी, आप हमारी मदद कीजिए।

श्री एस. एस. अहलुवालिया : सर, हम आपकी मदद कर रहे हैं। हम मंत्री जी से सिर्फ इतना जानना चाहते हैं कि मंत्री जी ने ...(व्यवधान)...

श्री उपसभापति : क्लैरीफिकेशंस हो गए हैं। There is absolutely no end to this.

श्री एस. एस. अहलुवालिया : उन्होंने हमें assure नहीं किया कि once and for all, comprehensive Bill कब लाएंगे। सर, ट्राइबल जाति रोज पैदा नहीं हो रही है। जो है, उन्हीं का नाम क्यों नहीं लिखा जा रहा? ...(व्यवधान).... कब कंसीडर करके फाइनल करेंगे? ...(व्यवधान)...

श्री उपसभापति : उन्होंने कहा है कि स्टेट गवर्नमेंट का मामला है and he can't do it.

श्री एस. एस. अहलुवालिया : आप हमें एक टाइम फ्रेम बताइए।...(व्यवधान)...

श्री उपसभापति : आप बोलिए ...(व्यवधान)...

श्री एस. एस. अहलुवालिया : आप हमें टाइम फ्रेम बताइए। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN : Hon. Minister has explained the procedure and he also said that if the Parliament wants to change the procedure, we will change it.

श्री एस. एस. अहलुवालिया : कॉस्टीट्यूशन में procedure है। ...(व्यवधान) ... There is a procedure....(Interruptions)... We are not changing the procedure....(Interruptions)...

प्रो. एस. पी. सिंह वघेल : उत्तर प्रदेश सरकार की रिकमेंडेशंस के बारे में एक बार बोल दीजिए। ...(व्यवधान) ... सदन में उत्तर प्रदेश सरकार की रिकमेंडेशंस के बारे में एक बार तो बोल दीजिए।...(व्यवधान)...

SHRI S.S. AHLUWALIA : You can constitute Mandal Commission. (Interruptions) You can constitute another commission for tribals and finish it, compile it and analyse it. ... (Interruptions)...

SHRI V. KISHORE CHANDRA DEO : Mr. Deputy Chairman, Sir, these are suggestions made by hon. Members. I agree with the suggestions made by the hon. Members. I feel that it is necessary that this exercise should be gone through, but, I cannot give a time-frame because it's not in my hands. I will have to consult the State Governments. I will have to take a decision on this. So, it's not possible to bring in a comprehensive Bill at this stage because then, that Bill will never come. (Interruptions) We will have to follow the procedure. ... (Interruptions)...

SHRI S.S. AHLUWALIA : I am only saying that you constitute a commission to identify them and finish it off. ... (Interruptions)...

SHRI V. KISHORE CHANDRA DEO : I have already told you that. ... (Interruptions)

MR. DEPUTY CHAIRMAN : He has said that ... (Interruptions) ... Mr. Ahluwalia, the hon. Member is welcoming your suggestion.

SHRI V. KISHORE CHANDRA DEO : Sir, I have already said that in my reply.

SHRI PYARIMOHAN MOHAPATRA : Sir, he talked about criteria. But, the criteria don't contain the most important criterion, that is, the physical features or the anthropological criterion.

SHRI V. KISHORE CHANDRA DEO: It is there.

SHRI PYARIMOHAN MOHAPATRA: You did not mention that, ...*(Interruptions)* If it is there, I am happy...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. Now, the question is:

That the Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Manipur and Arunachal Pradesh, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we shall take up Clause-by-Clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI V. KISHORE CHANDRA DEO: Sir. I move:

That the Bill be passed.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we will take up the Appropriation Railways (No.3) Bill.

THE MINISTER OF RAILWAYS (SHRI DINESH TRIVEDI): Sir, I have two Bills. May I have your permission to move both the Bills simultaneously?

MR. DEPUTY CHAIRMAN: Yes, that is agreed. You can move both the Bills.

The Appropriation Railways (No.3) Bill

and

The Railway Property (Unlawful Possession) Amendment Bill, 2008

THE MINISTER OF RAILWAYS (SHRI DINESH TRIVEDI): Sir, I move:

That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2011-12 for the purposes of Railways, as passed by Lok Sabha, be taken into consideration.

Sir, I also move :

That the Bill to amend the Railway Property (Unlawful Possession) Act, 1966, be taken into consideration.