

GOVERNMENT BILLS

The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2022

MR. DEPUTY CHAIRMAN: Shri Arjun Munda to move a motion for consideration of the Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2022.

जनजातीय कार्य मंत्री (श्री अर्जुन मुंडा) : उपसभापति महोदय, मैं प्रस्ताव करता हूँ :

"कि तमिलनाडु राज्य की अनुसूचित जनजातियों की सूची को संशोधित करने के लिए संविधान (अनुसूचित जनजातियां) आदेश, 1950 का और संशोधन करने वाले विधेयक पर, लोक सभा द्वारा पारित रूप में, विचार किया जाए।"

श्री उपसभापति : माननीय मंत्री जी, क्या आप इस बिल के बारे में कुछ बताना चाहेंगे?

श्री अर्जुन मुंडा : सर, अभी डिस्कशन शुरू करवा दीजिए, मैं अंत में जवाब दूंगा।

The question was proposed.

MR. DEPUTY CHAIRMAN: Shri G.V.L. Narasimha Rao, to speak in Telugu.

SHRI G.V.L. NARASIMHA RAO (Andhra Pradesh): Thank you, Sir, for the opportunity. The present Constitution Amendment Bill, on which I am speaking, pertaining to Tamil Nadu, provides for inclusion of two communities, Narikoravan and Kurivikkaran. These two communities are being included in the List of Scheduled Tribes from Tamil Nadu by making an entry in the Constitution (Scheduled Tribes) Order of 1950. Sir, let me comment on the Bill and the communities that are being included in this list and how significant it is towards social empowerment and social inclusion. These two tribes are in a very, very small number. It is a very small community of 27,000 people. By including even such a small community through an amendment to the Constitutional Order, this Government is clearly sending a signal to the people of this country that *Sabka Saath, Sabka Vikas, Sabka Vishwas* is an egalitarian principle and that it is not looking at vote bank politics. For a State of the size of Tamil Nadu, which has maybe seven crore people, which is a very large State, 27,000 is a very small number. This particular Amendment Bill clearly is an expression of hon. Prime Minister Narendra Modi ji's commitment to the welfare of marginalized sections which have so far been neglected.

I congratulate the hon. Prime Minister and the hon. Minister of Tribal Affairs because we are seeing a large number of such constitutional amendments in this House. Only a week ago I think we saw inclusion of certain communities in the list of Scheduled Tribes in the State of Uttar Pradesh. Those communities were considered more appropriate to be in the list of STs. They have been deleted from the SC Order and included in the Scheduled Tribes. Today, we are looking at three such constitutional amendment Bills in respect of the States of Tamil Nadu, Karnataka and Himachal Pradesh. I would like to once again emphasise the commitment of the hon. Prime Minister and the Government to the welfare of marginalized and vulnerable sections. In respect of my home State of Andhra Pradesh, I would like to make a few points which people will better understand and appreciate in the native language.

*"Sir, in Andhra Pradesh also, the Union Government has sanctioned several 'Eklavya' schools for the welfare of the Tribals. We all know about the efforts of our former Prime Minister, Shri Atal Behari Vajpayee, who was PM from 1998 to 2004, he formed a separate ministry for the welfare of tribals. He took decisions for the development of tribals and ensured justice for them. Today, we have an eminent and experienced tribal woman as the President of our country, which is the top most constitutional post in our country. This is a matter of pride and honour for all of us.

There is a demand from Andhra Pradesh to include 'Boya' And 'Valmiki' communities in the list of Scheduled Tribes, for the last several decades. Similarly, there is a demand from these communities in Telangana for their inclusion in the list of Scheduled Tribes. In Karnataka, 'Boya' and 'Valmiki' Communities have ST status. Though communities in some districts of Telugu States enjoy ST status, it is not applicable throughout these States.

This matter was referred to on previous occasions. I request hon. Minister to examine this demand. Many political parties make promises but only the BJP do justice to the people. In Karnataka, the BJP Government fulfilled its promise by including some Communities in the list of STs. In Uttar Pradesh also, we did a similar exercise. Wherever we have double engine Government, (where State Government is also of BJP), social justice is being done to all Communities. And through this august House, I appeal to Communities to acknowledge this fact.

Due to lack of understanding and doubts in the minds of the people, some political parties try to mislead the public. If we want to extend ST reservation to any community, that can be done only by amending constitutional order. But when we come to backward classes, we have a separate list for State and the Centre. If any

* English translation of the original speech delivered in Telugu.

community should be included in ST list to extend social Justice, it would be done by the Union Government. If reservations are to be provided in Central Government Jobs and Central Government run educational institutions, it would be done by the Union Government. If the reservation needs to be given in State Government Jobs and State Government run educational institutions, that is the responsibility and authority of the State Government. But on many occasions, some political parties try to mislead people by saying that it is the responsibility of the union Government to provide reservations for backward classes in the State. 'Kapu' Community in Andhra Pradesh was misled in similar manner. Yesterday, in a reply to a question in the Parliament, it was made clear that it is the responsibility of the State Government to extend BC reservation to 'Kapu' Community and the Union Government has nothing to do in this issue. It is in the purview of the State Government to provide reservation in State Government Jobs. I am saying this to clarify doubts of the people.

If we come to the rights of adivasis, the Constitution of India is providing political reservation to SCs and STs. In many regions, some men are marrying tribal women to indirectly enjoy the benefits extended to scheduled tribes. We need to examine this reality."

People belonging to non-tribal castes and non-tribes marry tribal women, make them MLAs and MPs, and indirectly enjoy the benefits of political empowerment.

*"We see that instead of tribal women, persons who are marrying them are enjoying the benefits meant for tribals. We should think about ways to stop such practices.

In tribal areas, there is no provision to buy land or properties belonging to tribals by non tribals. Here also, marriage route is being taken by non-tribals to enjoy properties of tribals. Though the property is in the name of tribal women, these non-tribal husbands are taking control of those properties. There is a need to check such malpractices so that only real beneficiaries enjoy the intended benefits.

Similarly, there is provision for reservation for scheduled Tribes. For example, in Andhra Pradesh, tribals live in plains as well as hilly regions. Tribals who live in large number in plain regions often demand for reservation of assembly or Parliamentary Constituency, and seek proper representation and political empowerment. They frequently make complaints of under representation in these areas. As tribal empowerment is one of the main functions of Ministry of Tribal Affairs."

* English translation of the original speech delivered in Telugu.

Plains versus hilly region. I would like to draw even the attention of the hon. Minister for Tribal Affairs to the reservation of seats for tribals in plain areas versus hilly areas. What are the current guidelines being used by the Delimitation Commission at the time of reservation of seats?

*"I bring this important point to the notice of honorable Minister Shri Arjun Munda. Similarly, in some places where tribal population is quite low, for example in northern districts of Andhra Pradesh, 'Velama' Community is in large number, but those assembly seats are being reserved for STs. This Community is a backward Community, which include 'Pulinati Velamas' and other Communities. In this context, they seek political representation and they question reserving these Assembly seats for tribals though they are in very small number. They see some political motive behind such reservations and they express their objections and apprehensions."

In this regard, I would like to request the hon. Minister to, in future, consider the guidelines being adopted by the Delimitation Commission in reservation of seats for tribes and Scheduled Castes. And whether that is being done in accordance with any valid statistical data or is there a political motive behind this? In some areas, there is a political angle. This is what some people, some communities allege. *"Therefore, I request that this issue should be looked into. Reservation should not be confined to Jobs and education but it should be extended to political sphere as well. I request honorable Minister to ensure in political reservations to these Communities."

In Narendra Modi's Government, new empowerment is being provided for STs, which is giving new encouragement. As a result, tribal youth and tribal women are coming forward to participate in economic activities.

"There is a social angle as well to this issue. Chairman sir, when it comes to religion. Tribals are being lured to convert their religion. " Certainly, our Constitution allows religious conversion on voluntary basis. ...(*Time-Bell rings.*)... I would just take a minute hon. Deputy Chairman, Sir. *"Tribal conversions are being done by using coercive measures and financial inducements. To discourage such conversions, there is a need to see what should be the status of reservations in such cases. Presently, as per provisions there is no change in reservation status even if tribals convert to other religions. I request the Honourable minister to review those provisions."

* English translation of the original speech delivered in Telugu.

Sir, one final point. There is an attempt to create what is called a 'tribal religion'. A lot of people are being forced to think that they belong to a separate religion when, in fact, most of them practice Hinduism as a religion.

Sir, so, I think, there is an attempt by some vested-interest groups to really change their categorization. ...(*Time Bell rings.*)... So, I would like the hon. Minister also to examine this issue and ensure that there is a complete social harmony among the Scheduled Tribes in the country.

MR. DEPUTY CHAIRMAN: Please. Please conclude.

SHRI G.V.L. NARASIMHA RAO: Thank you very much, Sir, for the opportunity. I support the Bill.

MR. DEPUTY CHAIRMAN: Now, Shri Ryaga Krishnaiah to speak in Telugu.

SHRI RYAGA KRISHNAIAH (Andhra Pradesh): Respected Deputy, Chairman, Sir, I want to speak in Telugu. * "On behalf of our party, we support this Bill. We support this Bill outrightly. The Tamil Nadu Government recommended for inclusion of some tribes in their State after proper examination, and we welcome this step. Similarly, other States also recommended for such inclusions from their States. Therefore, whenever such demands are there, that must be examined thoroughly by National Commission for Scheduled Tribes and see for the validity of such recommendations. By doing so, we can find a solution to these pending demands. Firstly, I would like to congratulate Shri Narendra Modi and BJP for electing a tribal woman to the highest constitutional post of our country. This is a historic moment and a matter of great honour. This will promote integrity and nationality of our country. At the same time, this step will boost the morale of tribals. They are happy to find an opportunity to occupy the highest position in the Country. I congratulate BJP for taking this initiative.

On this occasion of amending Constitution Order, I would like to highlight problems faced by tribals in our country, even after 75 years of independence. Though State and Central Government are taking steps, tribals are still lacking in education. Because they inherited backwardness for generations due to illiteracy, innocence, superstitions and their unique culture. As a result, they suffer acute poverty. It is the responsibility of modern civilized society to uplift them from poverty

* English translation of the original speech delivered in Telugu.

and backwardness. We need to provide good education and health facilities to eradicate poverty amongst tribals.

Education is very important. The Central Government has come up with 'Eklavya' schools for the education of tribals. But 50 per cent of teacher posts are vacant. Similarly, schools run by State Government for tribals in remote areas and forest areas do not have adequate number of teachers due to poor road connectivity. If additional incentives are granted to these teachers in line with doctors and other employees, they will be encouraged to teach in tribal areas. There are schools for name sake, but there are no teachers. As a result, though the Government is providing facilities, education is not being promoted amongst tribals. Drop-outs are at the levels of schools and colleges, which is not bringing many tribals to the university education. We need to think about promotion of PG education and professional courses for tribals. The Union Government should review the situation and constitute a commission to study this aspect. In villages and hamlets, both boys and girls are studying up to class 10 only, and they drop out of further education. There are two reasons for this drop outs. Though they are getting fee reimbursements through scholarships, it is not enough. Girls should have separate colleges and hostels. The manner in which there are girls' hostels in both Andhra Pradesh and Telangana, we should have similar hostels for girls at national levels throughout the country. This will ensure education for girls with safety and security. In this direction, hon. Minister and Union Government should take steps.

(MR.CHAIRMAN *in the Chair.*)

Tribals are children of this country; we should bring them at par with the developed communities of our Society. This is the moral responsibility of any democratic Government. When this Government can elevate a tribal woman to the post of President of this country, they should also think about welfare and upliftment of 12 crore tribals. Because even after 75 year of independence, they are deprived of all round development, because tribals are rich in inquisitive knowledge, creativity and research oriented thought process. We should use their intelligence for the development of our society and our country. There is a need to use tribals' knowledge to make our country a leading economy in the world. In this direction, we should provide, more Gurukuls, colleges and hostels so that tribal children can get proper higher education and drop-outs can be checked. Also pre-matric and post matric scholarships are very low. There is a need to enhance those scholarships. I would like to bring this matter to the notice of the Union Government.

Similarly, tribals are being given limited fellowships in research programs. If they are provided with more fellowships on the basis of saturation, more tribals can be part of our research education. If we look at health status of tribals, they still depend on traditional methods of treatment. Government hospital and medicines are not in reach of tribals. As they reside in remote areas with poor road connectivity, doctors also do not show any interest to work there. That's why these tribals still depend on ancient methods of treatment. Therefore, we should make efforts to provide updated scientific treatment and medicines to tribals. The Government should take steps to provide better road connectivity so that doctors can reach remote areas without much difficulty. Also, doctor should be granted more incentives to serve in rural and remote areas for providing modern medical facilities to our tribals. Education and health are primary responsibilities of the Government. Therefore, I request the Government to take steps in this direction.

Similarly, even after 75 years of independence, our tribal brothers are suffering from poverty as they still depend on traditional methods of agriculture. There is a need to provide modern agricultural equipments to them. Machines should be provided with subsidies. If we give 100% subsidy, only then they can use tractors and other equipments. Agriculture scientist should visit these areas to teach modern agriculture methods. It is the responsibility of the Government to bring tribals to mainstream, only then, we can eradicate their poverty.

Second point is about market. There is market exploitation for tribals. Tribals do not go to market and local businessmen exploit tribals by buying their products at lower rates and sell at higher prices. In this market, only middle men are pocketing hefty profits. Therefore, the Governments should take steps to check market exploitation of tribals.

Another important point, the Government is providing reservation to tribals in education and jobs. Tribals' participation is very low in private sector. Therefore, reservation should be provided in private sector for SC, ST and OBCs. That will provide more job opportunities to them. Similarly, in judiciary, we do not have STs in High Courts and Supreme Court. Therefore, we should provide reservation for STs and SCs in higher judiciary. I make this request through you to the Government. Tribals are being pressurised by the Forest and Police Departments."

MR. CHAIRMAN: Now, Statement by the Minister, Dr. Mansukh Mandaviya.
