

## RAJYA SABHA

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### \*SYNOPSIS OF DEBATE

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(Proceedings other than Questions and Answers)

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Friday, June 21, 2019 / Jyaishta 31, 1941 (Saka)

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### OBITUARY REFERENCES

**MR. CHAIRMAN:** Hon'ble Members, I refer with profound sorrow to the passing away of Shri KA. RA. Subbian and Shri Virendra Kataria, former Members of this House; Shri Manohar Parrikar, Chief Minister of Goa and former Member of this House; Shri Drupad Borgohain, Shri Devi Prasad Singh, Chaudhary Munvvar Saleem, Shrimati Vasanthi Stanley, Shri Vishwanatha Menon, Shri Rajnath Singh 'Surya' and Shri S. Sivasubramanian, former Members of this House.

**Shri KA. RA. Subbian** passed away on the 17<sup>th</sup> of February, 2019, at the age of 81 years.

Born in February, 1938, at Marudur village in Tamil Nadu, Shri KA. RA. Subbian was educated at the Government Arts College, Coimbatore and the Madras Law College, Chennai.

An advocate by profession, Shri Subbian served as Public Prosecutor, Coimbatore, from 1972 to 1976. He also served as the Secretary and President of the Coimbatore Bar Association in 1980 and 1991 respectively. He also served as a Syndicate Member of the Bharatiya University, Coimbatore.

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\*This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

Shri KA. RA. Subbian represented the State of Tamil Nadu in this House, from January, 2000 to April, 2002.

In the passing away of Shri KA. RA. Subbian, the country has lost an able parliamentarian.

**Shri Virendra Kataria** passed away on the 5<sup>th</sup> of March, 2019, at the age of 87 years.

Born in April, 1931, at Abohar in Punjab, Shri Kataria was educated at the DAV College and the Law College, Jalandhar and the Law Faculty, Delhi.

A businessman by profession, Shri Kataria joined the Freedom Struggle right from his student days, took part in the INA movement at Lahore and suffered imprisonment. He worked for the upliftment of the poor and weaker sections of the society and took a keen interest in organizing Mushairas, Kavi-Durbars, debates, seminars, conferences and rallies on the theme of National Integration. He also has several articles on the Freedom Struggle and freedom fighters to his credit.

Shri Virendra Kataria represented the State of Punjab in this House, from July, 1992 to July, 1998. He also served as the Lieutenant Governor of Puducherry from July, 2013 to July 2014.

In the passing away of Shri Virendra Kataria, the country has lost a veteran freedom fighter, an able parliamentarian and a noted social worker.

**Shri Manohar Parrikar** passed away on the 17<sup>th</sup> of March, 2019, at the age of 63 years.

Born in December, 1955, at Mapusa in Goa, Shri Parrikar graduated in Metallurgical Engineering from I.I.T. Bombay, Mumbai.

An engineer turned politician, Shri Parrikar started his legislative career as a Member of the Goa Legislative Assembly in 1994 and went on to serve as its Member for six terms. He held the office of the Chief Minister of Goa, thrice, from 2000 to 2005, from 2014 to 2017 and again from March, 2017 till his demise.

Shri Parrikar also served as the Leader of the Opposition in the Goa Legislative Assembly for three terms.

Shri Manohar Parrikar represented the State of Uttar Pradesh in this House from November, 2014 to September, 2017. He served as Defence Minister in the Union Council of Ministers, from November, 2014 till March, 2017. As a Defence Minister, Shri Parrikar took several key policy initiatives including hiking FDI in Defence manufacturing, promoting indigenous industry especially the small and medium enterprises, in fostering innovation and enhancing accountability in defence projects.

In the passing away of Shri Manohar Parrikar, the country has lost a distinguished parliamentarian, a very capable administrator, and above all a humane individual.

**Shri Drupad Borgohain** passed away on the 10<sup>th</sup> of April, 2019, at the age of 77 years.

Born in November, 1941, at Maduri Gohain Gaon in Sivasagar District of Assam, Shri Borgohain was educated at the Sibsagar College, Assam.

Shri Borgohain started his career as a teacher. However, later on he moved to politics. Shri Borgohain was known for his simplicity, which found a deeper connect with the masses. He also set a high benchmark by spending not only his entire MPLADS funds on community projects but setting up local coordination committees for overseeing their implementation.

Shri Drupad Borgohain represented the State of Assam in this House, from April, 1998 to April, 2004. Later on, he served as a Member of the Assam Legislative Assembly, from 2006 to 2011.

In the passing away of Shri Drupad Borgohain, the country has lost an able parliamentarian and a noted social worker.

**Shri Devi Prasad Singh** passed away on the 11<sup>th</sup> of April, 2019, at the age of 82 years.

Born in January, 1937, at Barahaj in Deoria district of Uttar Pradesh, Shri Singh was educated at the H.C. Inter College and the Allahabad University, Uttar Pradesh.

An advocate by profession, Shri Singh served as Additional District Government Counsel (Criminal) in Deoria. He was the President of the Collectorate Bar Association and District Bar Association, Deoria and General Secretary of the Civil Bar Association, Deoria. He also served as a Member on the Municipal Board of Gaura Barahaj, Board of Management of the Babasaheb Bhimrao Ambedkar University, Lucknow and some other educational and social institutions. Shri Singh actively participated in social and relief work at the district level and always provided necessary aid and support to the weaker sections of the society.

Shri Devi Prasad Singh represented the State of Uttar Pradesh in this House from November, 1996 to November, 2002.

In the passing away of Shri Devi Prasad Singh, the country has lost an able parliamentarian and a dedicated political and social worker.

**Chaudhary Munvvar Saleem** passed away on the 14<sup>th</sup> of April, 2019, at the age of 59 years.

Born in July, 1959, at Vidisha in Madhya Pradesh, Chaudhary Saleem was educated at the S.S.L. Jain P.G. College, Vidisha and the Rajeev Gandhi College, Bhopal, Madhya Pradesh.

An agriculturist, Chaudhary Saleem was active in organising health camps in Vidisha. He took keen interest in conducting seminars on different social issues with renowned intellectuals. Chaudhary Saleem also served as the Chief Editor of a newspaper titled 'Dinkar' for a long time. He also has a few books to his credit.

Chaudhary Munvvar Saleem represented the State of Uttar Pradesh in this House, from April, 2012 to April, 2018.

In the passing away of Chaudhary Munvvar Saleem, the country has lost an able parliamentarian and a dedicated social worker.

**Shrimati Vasanthi Stanley** passed away on the 27<sup>th</sup> of April, 2019, at the age of 56 years.

Born in May, 1962, at Devakottai in Sivaganga district of Tamil Nadu, Shrimati Stanley was educated at the Madurai Kamaraj University and Dr. Ambedkar Law University, Chennai.

Shrimati Vasanthi Stanley started her career as a government servant, but left it to join the political milieu. A journalist and writer, Shrimati Stanley contributed to highlighting the social problems of the society and worked for the betterment of the downtrodden and empowerment of women. She served as a Member on the National Commission for Minority Educational Institutions and also on several important Parliamentary Committees.

Shrimati Vasanthi Stanley represented the State of Tamil Nadu in this House from April, 2008 to April, 2014.

In the passing away of Shrimati Vasanthi Stanley, the country has lost an able parliamentarian and a dedicated political activist.

**Shri Viswanatha Menon** passed away on the 3<sup>rd</sup> of May, 2019, at the age of 92 years.

Born in January, 1927, at Ernakulam district in Kerala, Shri Menon was educated at the Maharaja's College, Ernakulam and the Government Law College, Mumbai.

An advocate and trade union worker, Shri Menon participated in the Quit India Movement during his student days. He served as the President of the All India Road Transport Workers' Federation, Kolkata and as Vice-President of the Water Transport Workers' Federation of India, Kolkata.

Shri Menon started his legislative career as a Member of the Ernakulam Municipal Council in 1956 and served in that capacity till 1958. He was a Member of the 4<sup>th</sup> Lok Sabha, from 1967 to 1970. Shri Menon was also a Member of the Eighth Kerala Legislative Assembly, from 1987 to 1991 and served as Minister for Finance in the Government of Kerala, from April, 1987 till June, 1991.

Shri Viswanatha Menon represented the State of Kerala in this House, from April, 1974 to April, 1980.

In the passing away of Shri Viswanatha Menon, the country has lost a noted freedom fighter, an able parliamentarian and a dedicated trade unionist.

**Shri Rajnath Singh 'Surya'**, passed away on the 13<sup>th</sup> of June, 2019, at the age of 82 years.

Born in May, 1937, at Meopur in Sultanpur District of Uttar Pradesh, Shri Singh was educated at the Saket Mahavidyalaya, Faizabad and the Gorakhpur University, Gorakhpur.

Shri Singh started his career as a correspondent with the Hindustan Samachar and went on to serve as Editor of the Hindustan Samachar and Swatantra Bharat. He also served as the Bureau Chief of a Hindi daily 'Aaj' from 1965 to 1971, and again, from 1974 to 1988. Shri Singh also served as the Vice-Chairman of the Kendriya Hindi Shikshan Mandal in the Ministry of Human Resource Development in 1998 and as the Executive Vice-Chairman of Uttar Pradesh Hindi Sansthan in the year 2000. He was instrumental in setting up a Rehabilitation Centre for Leprosy patients and a hostel for children from North Eastern States. Shri Singh also penned a number of articles and columns on subjects of topical interest for newspapers. He also has an anthology of articles in two volumes entitled 'Apna Bharat' to his credit.

Shri Rajnath Singh 'Surya' represented the State of Uttar Pradesh in this House, from November, 1996 to November, 2002.

In the passing away of Shri Rajnath Singh 'Surya', the country has lost an able parliamentarian and a veteran journalist.

**Shri S. Sivasubramanian**, passed away on the 14<sup>th</sup> of June, 2019, at the age of 81 years.

Born in November, 1937, at Devanoor village in Perambalur District of Tamil Nadu, Shri Sivasubramanian was educated at the Annamalai University and the Madras Law College.

An advocate by profession, Shri Sivasubramanian started his legislative career as a Member of Tamil Nadu Legislative Assembly, from 1989 to 1991. He served as the Chairman of the Panchayat Union, Andimadam, from 1970 to 1976, and again, from 1986 to 1991.

Shri S. Sivasubramanian represented the State of Tamil Nadu in this House from June, 1998 to June, 2004.

In the passing away of Shri S. Sivasubramanian, the country has lost a distinguished parliamentarian.

We deeply mourn the passing away of Shri KA. RA. Subbian, Shri Virendra Kataria, Shri Manohar Parrikar, Shri Drupad Borgohain, Shri Devi Prasad Singh, Chaudhary Munvvar Saleem, Shrimati Vasanthi Stanley, Shri Vishwanatha Menon, Shri Rajnath Singh 'Surya' and Shri S. Sivasubramanian.

*(One Minute's silence was observed as a mark of respect to the memory of the departed.)*

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### **Reference to Victims of Gunfire in New Zealand and Series of Terrorist Suicide Bombings in Sri Lanka**

**MR. CHAIRMAN:** Hon. Members, as you might be aware, 50 persons including five Indians were killed and several others injured, when a gunman opened fire at Deans Avenue Mosque and Linwood Avenue Mosque in Christchurch in New Zealand, on the 15th of March, 2019.

In another tragic incident, more than 250 persons including ten Indians were killed and around 500 were injured in a series of

terrorist suicide bombings targeting churches and hotels in Colombo and its outskirts in Sri Lanka, on the 21st of April, 2019.

The loss of precious lives and injury to hapless people in these heinous, senseless and outrageous acts of violence is deplorable and deserve to be condemned in the strongest terms possible. To fight terrorism with determination, we reiterate our call to the global community to unitedly combat and eliminate the scourge of terrorism from the world.

This House joins me in expressing our heartfelt condolences as well as deep sympathy and sorrow on the losses suffered by the friendly people of New Zealand and Sri Lanka and reiterate India's stand of solidarity with the Government and people of both countries in their hour of grief.

*(One Minute's silence was observed as a mark of respect to the memory of those who lost their lives in these tragedies.)*

### **Reference on the occasion of International Day of Yoga**

Hon. Members, today, the 21st of June, 2019 is the International Day of Yoga.

This day is celebrated every year after the United Nations, in its 69th Session, adopted a Resolution moved by India on the 11th of December, 2014, to declare 21st June as the 'International Day of Yoga'. Since then Yoga has come to be increasingly adopted by all citizens and nations alike. Yoga, as a practice, is assuming proportions of a movement, which has transcended national boundaries and has become a source of inspiration for the physical, mental and spiritual well being of the masses world over.

This is a day to celebrate and cherish one of the India's invaluable gifts to the world. Yoga is a practice, a philosophy and a lifestyle which seeks to harmonize mind and body, man and nature. Yoga embodies unity of mind and body, thought and action, restraint and fulfillment, thus paving the way for a holistic integration of one's self with all pervasive and powerful universal soul.

Propounded by sage Patanjali and improved upon by the rich experiences of generations, Yoga is not only limited to asanas or exercise, but is a path to self-discovery, sustainability, ever lasting peace and human well being.

It is indeed a matter of great pride that an ancient science and tradition of our country is lighting up the world's path as it heads into the future. On this International Day of Yoga, I appeal to the hon. Members and the citizens of our country to actively participate in their own way practising Yoga as part of their lifestyle. I think this day creates awareness as to what needs to be done to transcend into a healthy and prosperous life.

### **Reference to Death of Children in Bihar**

Hon. Members, We have the news of a number of children dying in the State of Bihar and the House condoles the death of these hapless children.

*(One Minute's silence was observed as a mark of respect to the memory of the departed.)*

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### **FAREWELL TO THE RETIRED MEMBERS**

**MR. CHAIRMAN:** Hon. Members, two of our former colleagues, Dr. Manmohan Singh, former Prime Minister, and Shri Santiuse Kujur, who represented the State of Assam have retired on the 14th of June, 2019, on completion of their terms of office. The House will certainly miss the presence of these two Members, who have through their significant contributions, enhanced the dignity and prestige of this august House.

Dr. Singh was a member of this House for five consecutive terms, from 1991 to 2019 and has the distinction of holding the coveted post of Prime Minister of India, for two consecutive terms, that is, from 22nd May, 2004 to 18th May, 2009 and again from 18th May, 2009 to 26th May, 2014. He had also served as the Leader of the Opposition from March, 1998 to May, 2004 and as the Leader of the

House in the Rajya Sabha from June, 2004 to May, 2014. A very gentle, calm and composed personality, Dr Manmohan Singh through his participation in the debates of the House has contributed immensely in enriching the collective wisdom of the House on various issues, particularly, economic matters pertaining to the welfare and development of the nation. This House will miss an able parliamentarian and an experienced and renowned economist.

Shri Kujur was a Member of this House from 15th June, 2013 to 14th June, 2019. He has been associated with several public interest-activities, Government bodies and institutes. He worked tirelessly for the welfare and uplift of Adivasis who worked in the tea gardens of Assam, through the organization "All Adivasi Students' Association of Assam".

During his term in the Rajya Sabha, he made valuable contribution to strengthen the democratic principles of our Parliamentary system of governance.

I place on record my heartfelt appreciation for the significant contribution and service rendered by both these Members to parliamentary democracy and to society at large.

I wish them good health, happiness and long fruitful years of service to the nation. The House shall ever cherish their association.

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## **MATTERS RAISED WITH PERMISSION OF CHAIR**

### **1. Outbreak of Acute Encephalitis Syndrome (AES) in Bihar**

**SHRI BINOY VISWAM:** We all know what has happened in Bihar. Number of children from poor background, the sons and daughters of the poor peasants, the workers, the toilers are dying every day. These children are dying mainly due to malnutrition. The hospitals have no medicines, no infrastructure. What will the doctors do there? The Central and the State Governments should urgently intervene in this matter of Bihar. My suggestion is that to improve the health system in the concerned hospitals measures should be taken

urgently. Medicines, infrastructure, safe water, food etc. should be provided immediately. Next important thing is to provide adequate compensation to families of the deceased.

*(Several hon'ble Members associated.)*

## **2. Attack on Doctors in West Bengal**

**DR. VIKAS MAHATME:** Attacks taken place on doctors in West Bengal is highly worrisome and unfortunate. The way the Government of West Bengal has tackled this situation, is very painful and unhuman. Due to such attacks doctors in government hospitals don't want to work and new doctors are not available. Hence, it is necessary that action should be taken in the matter of attacks on doctors. This should be declared a non-bailable offence and the same should be implemented in all states so that attacks on doctors do not take place and more doctors are available in government hospitals and poor people get better health facilities.

## **3. Delay in Widening of Delhi-Panipat National Highway**

**SHRI RAM KUMAR KASHYAP:** The work of widening Delhi-Panipat National Highway started on 27th October, 2016. But till 31st May, 2019 only 43 percent work has been completed. For the work of widening, the existing road has already been dismantled resulting in traffic jam there and causing inconvenience to the public. I request the government to get this work completed at the earliest and the public be protected from the inconvenience caused to them.

## **4. Need to Immediate Release of Water From Cauvery**

**SHRIMATI VIJILA SATHYANANTH:** Tamil Nadu is a water deficit State. River Cauvery is the lifeline of Tamil Nadu. The Cauvery Water Management Authority has taken a unanimous decision for the release of 9.19 TMC of water by Karnataka at the Biligundlu site without delay. This should be implemented immediately. Only solution to the Cauvery issue is that an independent body with full powers should take complete authority of water management in River Cauvery. The Central Water Commission

has given a go ahead to the Government of Karnataka for preparation of DPR. I urge the Central Government to immediately reject and return the DPR.

### **5. Tribal Status to Eleven Communities Living in Sikkim and other Gorkha-Dominated Areas**

**SHRIMATI SHANTA CHHETRI:** West Bengal Government recommended granting of Scheduled Tribe status to 11 communities living in Sikkim, Darjeeling and other Gorkha-dominated States and areas. The Central Government had constituted a Committee to examine and recommend regarding granting of Scheduled Tribe status to those communities. Several years have rolled by since then. There is an urgent need to bring these highly-deprived communities into mainstream. It is requested that a detailed explanation on the delay and a definite timeframe be sought within which the Central Government would grant these 11 communities Scheduled Tribe status and help create equal opportunity for all.

### **6. Safety Regulations against Fire Hazards**

**DR. T. SUBBARAMI REDDY:** There is a need to update building bye-laws and to monitor fire safety measures to safeguard public buildings and offices from fire hazard. Recently, several fire accidents have taken place at various places in the country. Due to congestion and land pressure, lot of buildings come up in the cities ignoring all rules and regulations. Even without getting NoC from the Fire Department, people come and occupy certain places and they start their business activities. Carbon monoxide detectors and life alarms as per standards should be installed in the business for warning the occupants before fire breaks out. The Government should undertake periodic fire safety audit of vulnerable buildings and suggest follow up action. I urge upon the Government to come out with model byelaws for improved safety in public buildings and offices in the interest of the public.

## **7. Demand for Tamil News Bulletin in A.I.R. at National Level**

**SHRI D. RAJA:** Tamil language is the most ancient and great classical language. It is spoken significantly in all South Indian States. It is the official language in Sri Lanka and Singapore, but the Centre is belittling Tamil language by closing down the Central Tamil News Unit of AIR in the New Delhi Services Division. I am requesting the Government to restore Central Tamil news unit of Delhi immediately.

*(Several hon'ble Members associated.)*

## **8. Disinvestment of PSUs**

**SHRI ELAMARAM KAREEM:** The recent decision of NITI Aayog about the privatisation or closure of 46 public sector undertakings and amendment to labour laws should be re-examined and it should be taken back.

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## **PRIVATE MEMBERS' BILLS**

The following bills were introduced:

1. The Micro, Small and Medium Enterprises Development (Amendment) Bill, 2018 (Insertion of New Sections 10a and 10b).
2. The Railways (Amendment) Bill, 2018
3. The Employment Bill, 2018
4. The Protection of Farmers' Families Bill, 2018
5. The Prevention of Contamination of Groundwater Bill, 2018
6. The Compulsory Yoga and Sports Education in Schools Bill, 2018
7. The Armed Forces (Special Powers) Repeal Bill, 2018
8. The Women (Equal Participation in International Peace Negotiations, Treaties and Agreements) Bill, 2018

9. The National Anthem (Modification) Bill, 2018
10. The Food Waste (Reduction) Bill, 2018
11. The Micro, Small and Medium Enterprises Development (Amendment) Bill, 2018 (Amendment of Sections 2, 16, 19, Etc.,)
12. The Code of Criminal Procedure (Amendment) Bill, 2018
13. The Registration of Births and Deaths (Amendment) Bill, 2018
14. The Unfair (Procedural and Substantive) Terms in Contract Bill, 2018
15. The Code of Civil Procedure (Amendment) Bill, 2018
16. The Code of Criminal Procedure (Amendment) Bill, 2019
17. The Other Backward Classes (Sub-Categorisation) Bill, 2018
18. The Compulsory Food Waste Reduction Bill, 2018
19. The Constitution (Amendment) Bill, 2018 (Amendment of Article 239aa)
20. The Tour Operators and Travel Agents (Regulation) Bill, 2018
21. The Physiotherapy Central Council Bill, 2018
22. The Foreign Investment in Financial Services, Critical Infrastructure and Technology Affecting National Security (Regulation) Bill, 2018
23. The Constitution (Amendment) Bill, 2018 (Amendment of Article 16)
24. The Constitution (Amendment) Bill, 2018, (Amendment of Article 85)
25. The Representation of the People (Amendment) Bill, 2019

26. The Holy City of Kashi (Preservation of Cultural Heritage) Bill, 2019
27. The Visually Impaired Persons (Protection of Rights) Bill, 2019

**The Parliament (Enhancement of Productivity) Bill, 2017- Contd.**

**SHRI RAKESH SINHA:** At the time of commencement of the Rajya Sabha, the Rajya Sabha Secretariat issued some rules regarding the behavior of the Members. In the Rajya Sabha, from the year 1952 to the 224th Session 899 bills have been introduced. In the history of the world, so many bills have not been introduced in any other second House. In the Rajya Sabha, till the 224th Session, 1732 private members' bills were introduced. The Rajya Sabha did not allow conflicts between the Upper House and the Lower House ever to occur. We are going to make a history through Rajya Sabha, which will have a wisdom, in which there will be a lesson between India and the world. It will work like a lighthouse for democracy. If we adopt a change in our behavior, according to the expectations of India, the world and democracy, then the Rajya Sabha will establish a milestone. With the same mile-pillar we will enrich the democracy of India. The Rajya Sabha of India is not only a consultative institution but also a legislative body.

**THE MINISTER OF RAILWAYS AND THE MINISTER OF COMMERCE AND INDUSTRY (SHRI PIYUSH GOYAL) replying to the debate, said:** I think, this is such a topic on which senior leaders of all parties sit together. Today, if we pass such a law as a private members' bill, then it will not serve the purpose.

*The motion was negatived.*

**The Constitution (Amendment) Bill, 2018 (Insertion of New  
Articles 330A and 332A)**

**SHRI V. VIJAYASAI REDDY, moving the motion for consideration of the Bill, said:** The OBCs represent about more than half of the country's population. The representation in our Parliament has never been as per their population. In the recently constituted Lok Sabha, the representation of the OBCs is still less than 20 per cent. Out of the 2,400 castes coming under the OBCs, about 2,200 castes have never got any representation in both the Houses of Parliament or in the State legislatures. In the process of rendering social justice, representation has been given to the extent of 60 per cent to the SCs, the STs, the OBCs and the minorities in Andhra Pradesh by giving five posts of Deputy Chief Minister to these groups. The rest of the country, both in the Centre and in the States, should follow it in letter and spirit. The objective this Bill is to give the people belonging to Other Backward Classes a proportional representation. As OBCs constitute more than 50 per cent, more than 50 per cent of the seats both in Lok Sabha as well as in the State Legislatures should be reserved for OBCs. Articles 330 and 332 of the Constitution of India provide reservation to the Scheduled Castes and the Scheduled Tribes in Parliament as well as in the State Legislatures. It should also be provided to OBCs in proportion to their population. It will give them an opportunity to stand on equal footing with that of the forward castes. More than half of OBC castes are still in deep poverty and subjected to various types of social and economic injustice. Therefore, there is a need to render social justice and make a provision for reservation in the Constitution. Kelkar Commission and Mandal Commission were appointed by the Parliament for the betterment and uplift of OBC communities. These Commissions researched extensively and submitted their reports to the Government of India. However, the recommendations of the Kelkar Commission have never been accepted and never been implemented. Out of 40 recommendations of the Mandal Commission, only two recommendations have been accepted by the Government and they have been implemented. While doing the census in 2021, a detailed questionnaire and study should be made about the OBC communities

apart from SC and ST communities. I also request the Government of India to consider forming a separate Ministry for the welfare of OBCs also. I, therefore, request both the national and regional parties to support this Bill and provide reservation for OBCs both in Lok Sabha as well as in State legislatures.

**SHRI B.K. HARIPRASAD:** During the last 72 years, an adequate representation has been denied for this vast population of this country. It is a representative democracy where each and every citizen should have a say in governance. There is a lot of discussion in this House and outside also that reservation would spoil the merit in the society. But, if you take the Index in terms of Human Development, you can see, any State in Southern part of the country is far ahead of any other States where reservation is very less. So, reservation would not hamper the development of the society or the country. It is a representative democracy, we need representation of all sections of the society in the Parliament and the Assembly. After 73rd and 74th Amendment, the vast sections of the society have been represented in the local bodies. Unless these vast sections of the society are given representation in the Parliament and the Assembly, I do not think they will be able to bring any kind of development in these societies because they are socially and educationally backward. Reservation has been given to the OBCs in the local bodies, the same should be extended to the Assemblies and the Parliament so that all sections of the society may represent and their grievances can be highlighted. I supports the bill.

**DR. K. KESHAVA RAO:** This Bill essentially, pertains to Articles 330 and 332 that we must get reservations in this House and in the Legislatures also. All the drawbacks or the travails, the details which we have, are well-known. That is why the Mandal Commission Report has come and the Kalelkar Report has come. The Empowerment Ministry is there, they are looking into it. Mr. Hariprasad said that it has nothing to do with economic, it has something to do with social. Backward class is collectively known as weaker sections. 70 per cent of our society are those very backward classes whose voices do not reach to you. They are not heard, they are

not understood even. If I am asking for my own rights, if I am asking for justice to myself, I must also have a forum. There cannot be a greater forum than the Parliament where I can speak about these things. We suffer social sufferings silently and silence needs a storyteller and this Parliament should be a storyteller as far as this silence is concerned. We can not touch a person in this country. We are trying to come out of that kind of pernicious laws. The Bill seeks reservation for the OBCs in the Parliament because our voice is to be heard. You have given this reservation to the Scheduled Castes and Scheduled Tribes. Why don't you give it the OBCs. These neglected people need a voice. So, let these other poor people come and become a part of the Constitution, part of a big movement which is known as the national movement.

**DR. VIKAS MAHATME:** What is the purpose of this reservation. Such reservation was necessary for SCs/STs and it will be continued in future too. Caste is considered for reservation of SCs and STs but there is 'Class' in the OBC. It is different. The Mandal Commission brought point systems and there was point for economical backwardness. We have to separately think about this as it is different from SC/ST categories. Apart from this there are numerous castes under OBC. There will be a few castes who will get the benefit. Numerous castes have not derived any benefit from the reservation policy. We are not pressing upon the affirmative actions. We should focus on education, skills, loan facilities etc. It is necessary for OBCs to enter in local bodies so that they can have the capabilities to become MPs and MLAs. I do not think that this will fulfil the purpose of reservation. I am not against the reservation system. So far as minorities are concerned will reservation be given on the basis of religion. It can be beneficial for the parties but it is not beneficial for the people. Education, Skill and loan facilities will work in real terms instead of MP/MLA quota. Our Prime Minister is working on this and I do hope that he will work on this in future too. I do not support this Bill.

**PROF. MANOJ KUMAR JHA:** The matter of reservation has to be seen once again as a country and as a society. There is no caste angle in the SECC. It should be there. We want the people to live in magical spell. As a country, as people, we need to break that magical spell. This House do not take up populist agenda. We must think about thousands of Other Backward Classes. There is no need to get confused with the Class and the Caste. What ever we decide today, future policies must be formed according to that.

**SHRI T.K.S. ELANGO VAN:** I support this Bill. People know that reservation is the only way to protect a section of people who are unrepresented or deprived of their opportunities. We have passed a Bill giving 33 per cent reservation for women but, it has not finally been passed in the Lok Sabha. We want every section of backward classes and we want every section of deprived class to get opportunity. There is categorization among the backward classes as well as among the classes. OBCs must get reservation according to their population. Reservation was given to the economically weaker sections in the upper castes. The income of lower class is less than that of the upper class people. So, every section should have adequate representation to raise their issues. It is very important that provision of reservation for OBCs, on the lines of SCs and STs, should be made by way of legislation.

**SHRI RAMKUMAR VERMA:** Castes falling under OBC do not have proper representation in the Parliament as well as in the State Assemblies. The Modi government has taken a number of steps for the sake of poor, weak and backward people. We have recently given a constitutional status to the National Commission for Backward Classes. There was a freedom movement in the Country for reservation and there was a movement for women and respected Jyotirao Phule was associated with that. In the year 1932 when a provision for reservation was made, keeping in view the interest of the nation an agreement was signed by Mahatma Gandhiji between Baba Saheb Ambedkar. But often politicians neglect the issues of the community to which they belong. The reason for this is that we have got no power to call back him. The reservation for the SCs and STs

was implemented under the Government of India Act in 1935. In the preamble of the constitution it is clearly envisaged that we must be sensitive towards the weaker sections of the society. Special provisions have been made under the articles 12, 14, 15, 16 and 46 in the Constitution. Some castes were not given the right to the social equality and they were treated as untouchables. And some other castes were forced to live in the forests to bear ordeals. A community was economically and educationally weaker and it was to be protected. The right to equality and empowerment was taken away from women. It is the reality and to overcome these evils, two types of reservation were provided under the articles 14, 15, 16 and 46. To bring them in the main stream it was necessary to provide the SCs and STs with reservations in the Government Services. Even OBCs were seriously considered for reservation. The draft committee presided over by Baba Saheb Ambedkar approved the Constitution. What he said was that if the Constitution was implemented properly, it would be a good thing for the country. Keeping in view this thing, provisions were made in the Constitution. But even today SCs and STs raise their voices for their proper representation. These Constitutional provision were made to generate an atmosphere of social harmony. However owing to politicisation, these constitutional provisions could not be implemented properly. That is why they were deprived of the economic development. The Mandal Commission constituted for the OBCs made its recommendations. It was pending since the 1980s. Such a class which constitutes 54-55 percent, must have this right. The announcements were made about these rights, but nothing happened. It was the V.P. Singh Government that provided reservation to the OBCs. A demand to constitute a commission was also made to include many backward castes in the OBC list. The present government has given a constitutional status to the OBC Commission. the OBC castes should also get representation in the state assemblies and parliament like the SCs and STs. Doing justice with so many castes is a big problem. Everyone cutting across the party line should think seriously about it so as to create a sense of social harmony. Firstly, it should be ensured that OBCs get full reservation in jobs. Secondly we need to conduct a comprehensive

study on economical and educational grounds. A person belonging to the Schedule Caste rarely wins a seat meant for the General Category. The mind-set of the society is yet to change. There are no constraints in providing reservation by amending Articles 330 and 332. Before passing this Bill the Government needs to consider this Bill in detail and the OBC Commission should conduct a detailed study in this regard. We feel that the reservation should be provided for proper representation in the Assemblies also. If these things are presented in a broad way, then it would be better. We talk about the Dalits, but even today Dalits are being subjected to various atrocities in the country. During the past 6 months the state of Rajasthan has witnessed a slew of such incidents. In this very house we have seen lots of serious Debates on Dalits. I request that before passing this Bill, it should either be referred to a standing committee or any other committee where this Bill could be discussed at length. Since the constitutional status has been conferred upon the OBC Commission through this a survey can be conducted and submitted to the House, that would be the right thing.

**DR. L. HANUMANTHAI AH :** I support this Bill. Our society, even today, is a strata of castes. Our financial position and our social status are decided by the castes to which we belong. In such circumstances, when our Constitution was being framed, our forefathers thought about introduction of reservation in the Constitution on these grounds. It is not just the caste that is forward or lower; it is their economic and social status that matters. It was their education and backwardness in gaining employment that was kept in mind while introducing reservation in the Constitution. Babasaheb Ambedkar argued that reservation must be given to the untouchables. During the Independence movement he said that they should be represented by their own communities and that they should elect their own representatives only then they would become real representatives of the Scheduled Castes and Scheduled Tribes. Today People who are elected from among reserved categories can't really voice their actual feelings. They act as per the whims and fancies of the people who have elected them. In most of the constituencies people who are elected from amongst the reserved categories are not representing the

class to which they belong. During the Pune Pact, Babasaheb Ambedkar said that these people should be given two opportunities -- one, they should be elected from amongst their own people and two, they should be given the opportunity to elect others from the General category too. But it was not agreed to. That was the Pune Pact which Babasaheb Ambedkar signed with Mahatma Gandhiji on October 14th, 1932. People who have been elected are from the upper castes and from the financially sound class. It is the class representation in all our Assemblies and Parliament. If you take the statistics, people who are getting elected are from the upper castes and other major communities. Why are the Other Backward Class people not getting elected? The reason is that their population is not large. They are skilled workers. Bread earning is their huge problem. After liberalisation their jobs have gone and their traditional work has vanished out of their hands. Thus, they are being suppressed even after seventy years of Independence. So, representation should be given to these people. In Karnataka, social justice was given to Backward Classes for the first time in the whole country. That is the reason Karnataka is a modern State. The feeling of the forward communities, who are already in power, is that reservation is going to kill the merit of this country. Most forward countries like America have accepted the affirmative action. Many multi-national companies are advertising that they feel proud taking affirmative action for blacks and whites. When that is the case in a country like America, we are suffering from caste stigma. People who are traditional workers are not given opportunity in public sphere. Our political discourses have changed now. There are people in OBCs who have not settled down even today. They wander from village to village. They live outside the village. They are the Adivasis. Most of the communities are listed in the Other Backward Classes. If the Parliament or if this Constitution does not ensure them that they are the dignified people of this country, they will not live like other human beings. I feel that we have to give them the reservation. In local bodies, Karnataka has given 50 per cent of reservation to the other communities which are under backward classes, Scheduled Castes and Scheduled Tribes. I appeal in this House that 50 per cent reservation should be given and 50 per cent

should be on merit. Caste census has been done by the previous Government. What does the caste census say? The forward castes and the other castes are on the top, whether it is in the Government jobs or in other fields. The forward castes are all working in America, England, Europe and other countries. But, the people belonging to the Scheduled Castes are fighting amongst themselves to get a job, a menial job, a clerical job. The Government should take a decision to provide reservation to the OBC communities. Scheduled Castes and Scheduled Tribes have got reservation in Parliament and Assemblies but not in Vidhan Parishads and Rajya Sabha. I request the Government to also go for a study of the whole country where there are Vidhan Parishads and see how many SCs/STs are being represented there. It is necessary to extend the reservation as per the Constitution, then only they can get justice.

**SHRI VISHAMBHAR PRASAD NISHAD:** I rise to support this bill. They have spoken so many good things about providing reservation to the other backward classes in the Lok Sabha and State Assemblies. This country has a vast population of the backward people. There should be a proportional representation in the executive, the judiciary and in the legislative. Article 21 (A) of the constitution provides for Right to Education. Baba Saheb Ambedkar had made a provision to give free and compulsory education to the children of 6 to 14 years of age. Today, 72 years of country's independence are going to be completed but that dream has not been fulfilled as yet. That is why I want to say that unless we become educated, we will not be able to represent in State Legislative Assemblies and Lok Sabha in right proportion. There is double education policy in this country. The question paper for a student studying in Hindi medium should be according to his standard and for a child studying in English medium, the question paper should be according to his standard. We welcome National Commission for Backward Classes. The Chairman of OBC commission is given the status of a Secretary but Chairman of SC commission is given the status of Cabinet minister. This is double standard. In this way, all such amendments are to be made. Since 1994, quota of 27 percent reservation for backward castes has not

been fulfilled. Proportionate share should be there according to numbers. This would solve the problem of reservation. The children dying in Muzaffarpur, Bihar belong to OBC. Such an arrangement should be made that no child should die for want of medicine not only in Muzaffarpur but in whole country. People die in shortage of oxygen in Gorakhpur. The state Governments and Centre should bear the responsibility of health and education. I, welcome this Bill. Lok Sabha and Legislative Assemblies should have their representation and Article 330 should be amended.

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\*\*\*\*Supplement covering rest of the proceedings is being issued separately.