

LOK SABHA

SYNOPSIS OF DEBATES
(Proceedings other than Questions & Answers)

Monday, March 28, 2022 / Chaitra 7, 1944 (Saka)

**THE CONSTITUTION (SCHEDULED CASTE AND SCHEDULED TRIBES)
ORDERS (SECOND AMENDMENT) BILL, 2022**

THE MINISTER OF TRIBAL AFFAIRS (SHRI ARJUN MUNDA) *moved that* leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967.

SHRI ADHIR RANJAN CHOWDHURY *opposing the motion for introduction of the Bill said:* Three Bills are pending in Lok Sabha and Rajya Sabha for inclusion of certain castes and tribes in the list of Scheduled Castes and Scheduled Tribes. Now another Bill is being introduced in this House. We have always been demanding that instead of introducing the Bill in piecemeal, a comprehensive Bill should be brought to include and amend the list of Scheduled Castes and Scheduled Tribes. That's why I am opposing it.

SHRI ARJUN MUNDA *replying said:* This Bill pertains to Uttar Pradesh. This is a formality from the point of view that it has already been done in the House. According to the anthropological report, the House had approved about the creation of Scheduled Tribes from Scheduled Castes, but when its notification was issued, the district was divided at that time. On the basis of the division of those districts and after some modifications this proposal again has been brought in the house by mentioning those districts. Therefore it should be allowed to be introduced.

The Bill was introduced.

THE CRIMINAL PROCEDURE (IDENTIFICATION) BILL, 2022

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MISRA TENI) *moved that* leave be granted to introduce a Bill to

authorize for taking measurements of convicts and other persons for the purposes of identification and investigation in criminal matters and to preserve records and for matters connected therewith and incidental thereto.

SHRI MANISH TEWARI *opposing the motion for introduction of the Bill said:* I rise to oppose the Bill, as it is in derogation of both Article 20(3) and Article 21 of the Constitution of India and therefore, beyond the legislative competence of this House. Article 20(3) explicitly states that no person accused of any offence shall be compelled to be a witness against himself. It is clearly violative of article 20(3) of the Constitution of India. This is in violation of the Right to be Forgotten enshrined in the Right to Life under article 21 of the Constitution in terms of the Puttaswamy Judgement. That is my objection to the Bill.

SHRI N.K. PREMACHANDRAN: I rise to strongly oppose the introduction of this Bill because this a draconian legislation being brought forward by this Government. I am saying this because this is in total violation of the Fundamental Rights of the citizens guaranteed in Part III of the Constitution. This is violation of the basic right of an individual. What is the intention of the Bill? The Government may kindly explain this. This is against the Human Rights Declaration. Since it is in violation of human rights and also Fundamental Rights, it is not within the legislative competence of this House to pass such a legislation.

PROF. SOUGATA RAY: I rise to oppose the introduction of the Criminal Procedure (Identification) Bill, 2022. It is the basic principle of law that nobody is found guilty unless proved in a court of law. Why should there be narco analysis brain mapping? This law which allows for narco analysis, which allows for taking biological specimens and taking photographs of iris violates the basic human rights and is against the principles of the Constitution.

SHRI ADHIR RANJAN CHOWDHURY: I rise to vehemently oppose, under Rule 72(1), the introduction of the Criminal Procedure (Identification) Bill, 2022. The law can ask those people who have been convicted by the court to keep their biometric measurements. These provisions are violative of Article 21 of the Constitution that is right to freedom and personal liberty. In the absence of any form of data protection statute, the Bill might do more harm than good. There have been several cases where these errors have resulted in incarceration of innocent citizens.

SHRI RITESH PANDEY: Through this Bill, the fundamental rights provided to the citizens of our country under the Constitution are being violated. Because the Union Government wants that people live in fear. It has been provided in this Bill that if a citizen protests in any way and if there is a case registered against him, then even his

fingerprints, iris, DNA samples etc. can be recorded. Through this Bill, mental pressure is being created on the citizens. So that they may never stand for their rights.

SHRI AJAY MISHRA TENI *replying said:* The existing Prisoners Identification Act was enacted in the year 1920. It has been 102 years since it was enacted. The Prisoner Identification Act mandated for maintaining records pertaining to fingerprints and footprints only. Apart from this, there have been many changes in the world, technology and scientific processes have advanced and it needed to be expanded according to the trend of criminals committing crimes all over the world. This will not only benefit our investigating agencies but will also increase prosecution and there is every possibility of increasing the percentage of conviction in the court. Every care has been taken in this Bill that all our constitutional rights are protected. We have come up with this Bill after detailed discussion with the Ministry of Law, Legislative Department, NCRB and the States, UTs and all the stakeholders. At the same time, we have brought this Bill to crack down on increasing crimes and strengthen the conviction process and strengthen the hands of the investigating agencies. As far as biological samples are concerned, we have clearly provided in the Bill that if a person has committed a crime other than the crime against women and children, in which the punishment is less than seven years, then only with his consent, the biological samples can be taken. Similarly, the Government has authorized NCRB as the central agency for data-protection, which is already engaged in securing the digital and electronic data pertaining to fingerprints. Also, the data pertaining to those any person who has been acquitted by the court or who has not been prosecuted will not be maintained. Similarly, it has become necessary to use scientific method and technology in addition to the traditional methods of investigation. This is happening in all the developed countries across the world.

The Bill was introduced.

MATTERS UNDER RULE 377

(1) Need to provide special package for Bundelkhand.

SHRI ANURAG SHARMA: The economy of Jhansi is agrarian and a large part of population is dependent on agriculture. Due to the lack of income and absence of alternative sources of income, the workers, especially the marginalized sections, have started migrating to other cities in search of employment. So, districts like Chitrakoot, Jhansi, Lalitpur, Hamirpur should be declared as aspirational district and special package should be given for these areas. The works of various departments under the package should be monitored and the local business need to be provided government protection by connecting all these to MSME Sector.

(2) Need to expedite four-laning of NH-75

SHRI VISHNU DAYAL RAM: National Highway no. 75 is a part of Bharatmala Project. This is a four lane highway from Ranchi to Varanasi. Unfortunately, the construction company has constructed this road very poorly. Therefore, it is requested to the Government that in view of the dilapidated condition of the said road, instructions should be given to the concerned officials at the earliest so that the work pertaining to four-laning of NH-75 may be started.

(3) Need to create a separate 'Adivasi' regiment in the Indian Army.

SHRI BALUBHAU ALIAS SURESH NARAYAN DHANORKAR: Some terms are used to refer to the tribal people which is highly demeaning, objectionable and insulting. So, they must be called "Adivasis" as they are the original inhabitants of this land. The Government must take legal steps to ensure that the use of such demeaning words for tribal people is banned. I would also appeal to the Government to create a separate "Adivasi" regiment for the tribal people. This will show proper respect to the marginalized tribal community.

(4) Need for expansion of railway track in Raigarh Parliamentary Constituency, Chhattisgarh.

SHRIMATI GOMATI SAI: My Parliamentary Constituency Raigarh is a tribal dominated area and it is located very far from the rail route. Also, due to the poor condition of the National Highway, the residents are facing a lot of difficulty in commuting. Therefore, I would request the Government to take immediate initiative for the expansion of railway line in my Parliamentary Constituency so that inconvenience being caused to the residents of my constituency may be mitigated.

(5) Need for establishment of a National Tribal University in eastern region.

SHRI KUNAR HEMBRAM: The Santali language is enlisted in the 8th Schedule of the Constitution. In spite of that, the Santali language and script has not got its due and, therefore, it has not developed to the desirable level. Therefore, it is my demand to the Government of India for the establishment of a National Tribal University after the name of Pandit Raghunath Murmu, the inventor of Santali script 'Ol Chiki' in the eastern region of India.

(6) Need to set up an Airport at Forbesganj in Araria District of Bihar.

SHRI PRADEEP KUMAR SINGH: The Ministry of Civil Aviation has made an announcement about restarting Forbesganj Airport under UDAN scheme 4.1 and 'Gati Shakti Yojana' programme. Even after a lapse of almost three years, no concrete steps have taken in this direction so far. With a start of this airstrip, it will become convenient to avail air services from Forbesganj to Kathmandu, Janakpur, Pokhara, Patna, Delhi,

Lucknow, Ranchi and India's cultural and religious city Varanasi and other places. Therefore, I would like to request that this airstrip, which had been pending for years, should be started at the earliest under the control of Ministry of Defence, Government of India.

(7) Need to Classify Cold Storage under 'White Category'

SHRI VIJAY BAGHEL: Cold storage units are proving to be a boon in doubling the income of the farmers and giving the farmers a fair and maximum price for their produce. This is the least polluting industry, so the cold storage should be put in the 'white category', so that the cold storage becomes free of the Consent fees and Consent renewal fees imposed by the Central Pollution Control Board (CPCB).

(8) Need to include Kampil in Farrukhabad Parliamentary Constituency, Uttar Pradesh in the proposed Jain circuit

SHRI MUKESH RAJPUT: In my Parliamentary Constituency of Farrukhabad, Kampil, an internationally renowned Jain pilgrimage site of the Mahabharata period, is located. Therefore, throughout the year, thousands of Jains from all over the country and abroad continue to visit this place. This city of Kampil used to be the capital of King Drupada. Maharshi Kapil Muni Ji's ashram is also situated here on the banks of the Ganges. But the mythical city of Kampil is still far behind in terms of development. My request is that this Kampil town should be connected to the proposed Jain Circuit, so as to facilitate the movement of tourists coming from the country and abroad and also to develop this backward cultural heritage area.

(9) Need to declare State Highway No. 14 in Maharashtra as a National Highway

SHRI RAMDAS TADAS: State highway no.14 starting from Madhya Pradesh border and ending in Khandeshwar-Yavatmal district via Dharni-Achalpur-Amravati-Nandgaon district comes under the State Government. With a total length of 303 kms, this highway is an important road connecting the State of Madhya Pradesh and Maharashtra and a major road connecting the tourist hub Chikhaldara, Melghat Tiger Project, Achalpur Tehsil along with tribal dominated Dharni Tehsil. My request is that highway no. 14 be notified as national highway.

(10) Issue of education of medical students who returned due to Russia-Ukraine conflict

SHRI NAYAB SINGH SAINI: At the time of the start of war between Ukraine and Russia, about 20,000 children of our country had been in Ukraine for medical

education. Today, almost all the children have been safely taken to their parents. Now, how to complete the incomplete education of these youth is a challenging task and I would like to request the Hon'ble Union Education Minister that this must be considered so that the career of these children is not affected by the conflict between these two countries.

**(11) Need to set up a horticulture university in Manawar tehsil in Dhar
Parliamentary Constituency, Madhya Pradesh**

SHRI CHATTAR SINGH DARBAR: Agriculture and animal husbandry is the main occupation of the people of Dhar, my parliamentary constituency in Madhya Pradesh. Due to the abundant availability of water in this area, there is immense potential for horticulture and growing medicinal plants to uplift the farmers. For this, if a Horticulture University is set up in Manawar Tehsil under Dhar Parliamentary Constituency, it can not only bring prosperity to the entire area of Malwa, but will also end unemployment and prevent the migration of youth. I urge that immediate initiatives should be taken to set up a Horticulture University in Manawar tehsil.

**(12) Need to start skill development programme in Dausa Parliamentary
constituency, Rajasthan**

SHRIMATI JASKAUR MEENA: The agriculture sector is the mainstay of India's economy. Today, due to advanced technology and skilled training in every field, rapid development and financially lucrative system is being created. Therefore, it is very important to empower the farming youth/young women of my parliamentary constituency through skill development in agriculture. Skill development programmes related to agriculture and animal husbandry and natural agriculture, organic farming should be taken up in the major agricultural districts of Rajasthan including my Parliamentary Constituency of Dausa and Jaipur Rural.

(13) Silver line project in Kerala

SHRI ANTO ANTONY: I request the Government not to give any approval for implementation of proposed silver line high speed Railway corridor from Thiruvananthapuram to Kasargod in Kerala and necessary instructions may be given to the State Government to stop the implementation activities as it is totally against the interest of the State. The proposed project, if implemented, will divide the State into two parts due to the construction of protection wall for the railway line which is likely to lead to further floods.

(14) Rail Coach Factory at Kanjikode, Palakkad.

SHRI V.K. SREEKANDAN: The foundation stone was laid for the proposed Rail Coach Factory at Kanjikode in Palakkad for manufacturing fuel efficient and lightweight aluminium coaches a long time back. Production has already commenced in the units for which foundation stones were laid along with this rail coach factory at Kanjikode. The Kanjikode unit is yet to be put on track. The acquired 236 acres of land is lying unutilised. It is urged that the said proposed project be brought under the Gati Shakti scheme to expedite it or make use of the said land and infrastructure for any other project of railways.

(15) Direct train connectivity between Chennai and Tiruvannamalai.

SHRI C.N. ANNADURAI: The Passenger Train from Tambaram to Tiruvannamalai was running till 2007 on narrow gauge. The work relating to conversion of narrow gauge to broad gauge commenced in the year 2007 which temporarily disrupted the railway connectivity to Tiruvannamalai. After completion of conversion of railway track, the daily passenger train which was operating between Tambaram to Tiruvannamalai has not been restored. There is need to take necessary action to resume daily direct train between Chennai to Tiruvannamalai .

(16) Reducing the net borrowing limit of Andhra Pradesh

SHRI BELLANA CHANDRA SEKHAR: The Central Government's move of reducing the net borrowing limit of the state by Rs. 17,923.24 crores on account of "over-borrowing" of the state during 2016-17 is further increasing the plight of the state of Andhra Pradesh caused by stressed finances. This is a gross injustice as "over-borrowing" mentioned was done by the previous Government of the State during the financial year 2016-17 and the current Government had no involvement in this over-borrowing. I urge to immediately resolve this issue.

(17) Policy intervention to retain students graduating from Indian Institute of Space Science and Technology (IIST)

SHRIMATI APARUPA PODDAR: Indian Institute of Space Science and Technology (IIST) was founded in 2007 to launch new generation of young space scientists into the control rooms of the Indian Space Research Organisation. Upon Graduation, the students are typically absorbed by ISRO, subject to available positions. The absence of a culture of innovation and a lack of focus on research along with no choice in picking the area of specialisation they wish to work on have resulted in many

graduating with one specialisation and ending up working in another. I request the Government to kindly intervene and take suitable policy measures to retain our home-grown talent in order to bolster our space programme.

(18) Need to run passenger train services between Saharsa and Purnia in Bihar

SHRI DINESH CHANDRA YADAV: Saharsa-Purnia section of Samastipur Division under East Central Railway of the State of Bihar is very important from the commercial point of view. It is located in a very backward region. Daily train passengers travel in large numbers between Saharsa, Madhepura and Purnia. Due to the non-availability of trains for a long time, the railway passengers of these areas have to resort to buses and taxis, which is not only very expensive, but also wastes time. My demand is that adequate number of passenger trains should be run between Saharsa-Purnia.

(19) Need to allocate and release funds for AMU Centre, Malappuram

DR. M. P. ABDUSSAMAD SAMADANI : AMU Centre, Malappuram is in pathetic condition. The DPR envisaged acquiring of autonomy by 2018 and becoming an independent Centre by 2020. But it is very unfortunate that the Centre is running only three Departments and it has fewer than 500 students at present. All the hurdles are due to lack of funding by the Government. I request the Government to do the needful for the immediate allocation and release of at least 500 crore and for more programmes from the UGC as per the DPR for saving this great Centre of higher education.

(20) Need to provide for urban revitalization of Municipalities in Darjeeling and Kalimpong districts

SHRI RAJU BISTA: The districts of Darjeeling and Kalimpong comprise of four Municipalities. The urban population in these two districts nearly touch ten lakh people. Through decades, these Municipalities have not received adequate share of financial and infrastructural support needed to cater to the ever-increasing urban population. This has resulted in massive under development, urban sprawl and unplanned growth. There is an urgent need for the Central Government to intervene to change this sorry state and develop a plan for the urban revitalization of all the Municipalities in the districts of Darjeeling and Kalimpong.

(21) Need to provide water to Jhunjhunu district, Rajasthan from Yamuna canal

SHRI NARENDRA KUMAR: In my Parliamentary Constituency of Jhunjhunu, irrigation has almost discontinued due to the depleting ground water level. Jhunjhunu district is an agriculture based district. The water of the wells is drying up here. There is also a drinking water crisis. It was decided to implement the project of allocation of water

from Tajewada head of river Yamuna to bring Yamuna canal water to Jhunjhunu district in two phases. But the result is zero. So, I would like to request that the Jhunjhunu district of Rajasthan should be provided water from the Tajewada head of the Yamuna canal at the earliest.

(22) Need to categorise Sickle Cell Anaemia as permanent disability

SHRIMATI RAKSHA NIKHIL KHADSE: Sickle cell anaemia is a genetic disorder. In modern medical science, no exact cure for this has been found so far. Sickle cell anaemia is prominently found in scheduled tribes. Sickle cell is the most commonly found blood genetic disease. My request is that the people affected by sickle cell should be brought under the interpretation of permanent disability, which will give relief to those people from repeated renewal of disability certificates and ensure the benefit of the facilities of permanent disability. I also request to provide for prevention of sickle cell and the treatment of symptoms.

(23) Need to establish a Kendriya Vidyalaya in Satara Parliamentary Constituency, Maharashtra.

SHRI SHRINIWAS DADASAHEB PATIL: There has been a demand for setting up a Kendriya Vidyalaya in Satara (Maharashtra), my Parliamentary constituency for the last several years. Therefore, I request the Union Government to set up a Kendriya Vidyalaya in my Parliamentary Constituency of Satara (Maharashtra).

**THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL,
2022**

THE MINISTER OF TRIBAL AFFAIRS (SHRI ARJUN MUNDA) while moving a motion for consideration of the Bill *said* : We are striving for the maximum development of the tribal community. This Ministry is continuously working for the development of tribal people through various schemes. It is a matter of great pleasure today that this House is pondering over the welfare of the Darlong community of Tripura which has been neglected for many years.

SHRI PRADYUT BORDOLOI *initiating said* : Tripura has 19 very distinct, recognised tribal groups and among these 19 distinct tribal groups, there are also 9 distinct tribal languages used by these tribal people. The current Bill has not estimated the expenditure for the welfare of the proposed inclusion of these tribes. There is a need to commit funds and formulate concrete policies for this purpose. The budget for schemes

aimed at creating jobs for Scheduled Tribes in the Union Budget of 2022-23 has been substantially decreased from Rs. 89.5 crore last year to Rs. 11.3 crore this year. But it's not just by giving recognition, for that they have to work too. The Union Government must do many more things than recognition of the works of the Scheduled Tribes. There is a need to meaningfully implement the Bezbaruah Committee Report for the safety and security of the North-East Tribal communities. The National Commission for Scheduled Tribes has been dysfunctional for the last four years. It is needed to expedite its working and presentation of reports and address the Commission's manpower and budget shortages, so that it can actively work towards the welfare of the Scheduled Tribes community. There are many ethnic groups in our country and these ethnic groups have to be recognised. These are the heritage of our country. We should not only give reservation to them, but also preserve them and work for their development. I request that justice should be given to these communities, including the six communities of Assam.

SHRI TAPIR GAO : Since the merger of Tripura with in the year 1949, it has been a tribal state till now. In Tripura, Darlong people are only 2.15 per cent of the total population now. Their cultural traditions differ from their main caste Kuki. That is why, today, Darlong is being recognised. For this, I thank the Modi Government and the hon. Minister. I would like to submit that after the inclusion of any tribe into the list, full attention should also be paid to improve the socio-economic status and literacy of those people. In Tripura, many rural areas dominated by tribal people also require living facilities and other facilities related to medical treatment, children's education and road and communication. A monitoring mechanism should be put in place by the Government of India to monitor the funding in rural areas. Full attention should also be paid to improve the economic condition of the tribal people.

SHRI A. RAJA : I welcome this Bill. I appreciate the Minister for taking these efforts. Our hon. Chief Minister wrote recently to the Prime Minister to include Narikuravar community of Tamil Nadu, whose social and cultural identifications are not only unique but something distinct, in the tribal list. They have been completely neglected in terms of education and other basic facilities. The local Commission, the Director of Tribal Affairs, the National Commission for Tribals gave recommendations to include the Narikuravar community of Tamil Nadu and Kurumba community in Ooty, Nilgiris in the Tribal list. Please give the assurance that the Narikuravar community of Tamil Nadu and the Kurumba community of Nilgiris must be included in the Tribal list. In my own constituency, Badaga community is demanding the same status. They are having unique and separate cultural values, and customary laws.

KUMARI GODDETI MADHAVI: The Scheduled Tribes have been one of the most deprived and neglected sections of India for thousands of years. It is a progressive Bill, as it ensures that the tribal Darlong community are recognized under Article 342 of the Constitution. It will attract several benefits including reservation in jobs and education. Eklavaya Model Residential Schools have been started in the state with the support of the Government of India. I would also like to request the Central Government to consider the setting up of Special Educational Zones in scheduled areas. There has been a successive decrease in the funds released to the State of Andhra Pradesh under the Grants-in-aid. The Centre must ensure the release of funds having more tribal population like State of Andhra Pradesh. I would like to request the Government to support the tribal communities in all the States and especially ensure that the budget allocated for welfare programmes do not get lapsed and are implemented effectively. I would request the Government to create more Government jobs in the Government sector for comprehensive development of the tribal community.

SHRIMATI PRATIMA MONDAL: The problems lying at the core cannot be solved just by including more communities into the reservation list. The Government has to make progressive changes in order to ensure development of Scheduled Tribe population. The unending miseries related to land for tribal population began with the increasing pressure on extracting minerals from these areas. The railway connectivity project in the North West areas is being opposed by numerous groups of tribal people as they are fearful of being uprooted from their cultural habitats and with no secure means of livelihood. I would request the hon. Minister that before using or getting the lands of tribals, permission from panchayats must be made compulsory. The Government must allot more funds and set up at least one major hospital having best facilities in all the remote areas inhabited by the tribes. The most critical and delicate problem faced by the tribal population of the nation is related to their identity. Extinction of tribal dialects and languages is another cause of concern. The object of the Bill is very positive.

SHRI ARVIND SAWANT: The Government has brought in a good Bill and I welcome it. But we should not take a decision from a political point of view, rather we should decide on such matters from social point of view. In Maharashtra, Dhangar community has been demanding for long for reservation. I would therefore, request the Government to write a letter to all the State Governments asking as to which backward communities are not getting the facilities under the provisions of our Constitution. The Government should ponder as to what purpose it wants to achieve by giving reservation. People may get some benefits in education but where are the jobs as privatisation is happening at large scale. No reservation is provided in private sector. In Maharashtra,

Marathas are in majority but they are educationally and socially backward. They have also been pressing their demand for reservation in OBC category. Therefore, I again request the Government to write a letter to the state governments on this issue.

SHRI MOHAMMED FAIZAL P.P. : I support this Bill. Being a Member of Parliament from Lakshadweep, I also have the same issue. In Lakshadweep there are nearly 3,000 children whose either father or mother belongs to Scheduled Tribe. But The Act says that the Scheduled Tribe status should be granted to the offspring whose both the parents belong to Scheduled Tribe. In Lakshadweep, students are not getting their scholarship timely though they used to get them regularly till one year before. I support this Bill but my request is that those 3,000 students of Lakshadweep who do not have proper ST certificates, should be given the status of Scheduled Tribe.

SHRI HASNAIN MASOODI : The measures taken to address injustice should always be welcomed and this is such a step. About five lakh tribal population from Jammu belonging to Bakarwal and Gujjar communities go up in the hills to Kashmir taking their livestock for six months. There are only temporary arrangements for the education of their children. Teachers are seasonal and half of the next session of school is wasted in recruiting such seasonal teachers. Zozila tunnel is under construction and there is need to pay attention to the tribal population of this area. Urgent measures need to be taken for their rehabilitation. The Government needs to work in this regard in the whole country in a comprehensive manner. The solar and renewable energy gazettes should be provided to tribal people on priority basis so as to provide electric supply in their habitations.

SHRI SAPTAGIRI SANKAR ULAKA: I would request the Government that it should ask the State Governments as to which tribal communities need to be included in the list of scheduled tribes. But no such step is being taken. I would therefore request the hon. Minister to review it. Sora language should be included in the Eighth Schedule of the Constitution. The tribals should be allowed to mortgage their land so that they can get bank loan for businesses. The biggest problem of the tribals is their displacement. If the Pollavaram project comes up, thousands of tribals will submerge. You are privatizing the NALCO. NALCO has provided job to only one member of the family under its rehabilitation policy. That is not sufficient. I would like to suggest that the people, whose land is acquired for a factory, should be given shareholding. I would like to urge that we should have a discussion on the problems of the tribals. Providing only reservation is not going to solve our problems.

SHRI REBATI TRIPURA: Tripura was merged with India in 1949. Massive migration took place from Bangladesh to Tripura which resulted in reduction of tribal population of Tripura from about 85 per cent to 31 per cent at present. Since 2018 when the BJP Government was formed in Tripura, the works for the tribals have been started. Earlier Governments at the Centre as well as in Tripura did not take this issue seriously. I welcome this bill. Before this proposal, the state government conducted a field study and research on the Darlong community. The report says that this community has high number of educated persons. I want to say that more steps should be taken for the welfare and development of the tribals. The 125th Constitution amendment is also pending. That should also be looked into.

SHRI INDRA HANG SUBBA: I would like to congratulate the Darlong community for being included in the list of Scheduled Tribes. Despite a number of requests from the State Government people belonging to Limbu and Damong communities are yet to have reservation. There are other twelve communities in Sikkim which also deserve to be given the status of Scheduled Tribes.

SHRI NABA KUMAR SARANIA: I support the Bill for inclusion of Darlong community in the list of Scheduled Tribes. Such issue is there in Assam also. Thongal Kachari, Sarnia Kachari and Madhesi Kachari used to enjoy the status of Scheduled Tribes but there was dispute intermittently. Through this House, I request the Union Government and the Assam Government to accord the status as enjoyed by Lalung community to the Thongal Kachari, Sarnia Kachari and Madhesi Kachari communities also. There are six more communities in Assam including Koch Rajbansi, Maran and Matak which are to be included in the list of ST. If existing tribals have nothing to lose, they should be included in the Central list. Certain communities from other area have been included in tribal list by mistake. Such mistake should be corrected. In the end I like to say that Sarnia Kachari, Madhesi Kachari and Thongal Kachari communities of Assam should be included in the ST list at the earliest.

KUMARI AGATHA K. SANGMA: While we support this amendment holistically, I would like to say that there are very important issues regarding Scheduled Tribes in this country that need to be given due attention. The budgetary allocations made for the Ministry of Tribal Affairs for the year 2020-21 and 2021-22 were reduced at the RE stage. The Ministry needs to expedite working and presentation of reports of the National Commission for Scheduled Tribes address the Commission's manpower and budget shortage so that it can actively work towards the welfare of ST communities. Regarding the tribal health report, we need to look at the holistic development of the Scheduled Tribe communities. The tribal population has endured historic and systematic

discrimination which needs to be corrected. We urge upon the Government to look at the holistic wellbeing of the tribal communities.

SHRI BHARTRUHARI MAHTAB: Article 46 of the Constitutions enjoins the State to take special care in promoting the educational economic interests of the weaker sections. The State of Tripura has requested to include Darlong Community as a sub-tribe of Kuki in Entry 9 in the Scheduled Tribe List in respect of the State Tripura. Though, this Bill is confined to that issue only, I would raise some issues of Odisha. There are 62 Scheduled Tribes in Odisha. Odisha has the highest number of Particularly Vulnerable Tribal Groups (PVTG). At present, 149 proposals are pending with the Ministry of Tribal Affairs for inclusion in the ST List of Odisha. A caste-based census should be carried out. Odisha Cabinet passed a resolution in 2020 to that effect. The Task Force constituted by the Ministry of Tribal Affairs examined the proposals for inclusion of communities from various States including 107 proposals from Odisha and, in its report of 2014, had recommended inclusion of 10 communities of Odisha in the ST List of the State on priority basis. Perhaps the day before yesterday, the Supreme Court has come out with a judgment that the Supreme Court wants to fix fool-proof parameters to determine if a person belongs to a Schedule Tribe category and is entitled to the benefits due to the community. I hope, the Government will respond to it through this deliberation today.

SHRI GIRISH CHANDRA: Earlier, the change in the list of Scheduled Castes and Scheduled Tribes was done to include those communities in those lists who were really socially, economically and educationally backward. Reservation has brought in some economic, social and educational development of these communities. Now, many communities are desperate to be included in the lists of Scheduled Castes and Scheduled Tribes. This desperation is used by certain political parties to garner votes. The government should make good arrangement of education to make the people of Scheduled Castes/Scheduled Tribes educated so that these communities become fully educated.

SHRIMATI JASKAUR MEENA: In different states of the country, some castes are lagging behind in social, economic and educational terms. Our government has been amending the constitution to bring all those sections into the mainstream. Today, the brothers of Kuki tribe in Tripura are being added to the ninth list. Everyone should agree with this bill. I would like to give a suggestion to the Hon. Minister that those people, who convert their religion after taking benefit of Scheduled Tribes, should be stripped off of all the benefits of their reservation because they take double benefit and due to which our genuine tribes do not get the benefit.

SHRI KODIKUNNIL SURESH: Throughout the country, the Scheduled Tribes community is facing so many problems. But in the House, we are not getting the chance to expose the problems of the Scheduled Tribes. The existing tribal communities are not getting benefit out of the present Reservation Policy. The existing reservation is not enhanced, but in every Session, you are inserting more and more communities. The allocation for the Tribal Sub-Plan is not increasing. So, without increasing the allocation and without increasing the reservation, how will these people survive? In my State, Kerala, there is one 'Vedar' community. Their living conditions, their backwardness—everything comes under the category of Scheduled Tribes but it is still in the Scheduled Caste List. The Government of Kerala has already recommended about this to the Department of Tribal Affairs. I would like to appeal to the hon. Minister to look into this and include Vedar community from Kerala into the ST list. In Kerala, there is an important tribal area called Attappadi which falls in Palakkad district. The tribes living in Attappadi are facing a lot of problems. The infant mortality rate is increasing day by day among these tribes. I would like the hon. Minister for Tribal Affairs to investigate into the reasons why it is happening in Attappadi.

***SHRI KUNAR HEMBRAM:**

SHRI E. T. MOHAMMED BASHEER: Programmes are there, legislations are there and various kinds of Commission Reports are also there. Despite all these things, things are going from bad to worse as far as tribals are concerned. It is a sad thing that this section of society is neglected like anything and they are not getting the benefits of the schemes we have passed. My second point is about the false SC/ST certificates. That is also a bad thing going on. That is a misuse which needs to be curbed. TSP fund is lapse-able and I would suggest that there must be a non-lapse-able pool for TSP. Otherwise, misuse thereof by way of misappropriation is taking place and it will continue to take place in future also. I would humbly request the hon. Minister to ensure justice to this section of the society.

SHRI ADHIR RANJAN CHOWDHURY: The people of Kurmi community, who live in Bengal, are demanding that they should be included in the schedule tribe. We had also said this morning that you should come up with this bill in a comprehensive manner. I want to say in the context of this bill that the people of our Kurmi community have been demanding for years that they should be included in the schedule tribe. There are about 645 tribes in India. These people are getting poorer and poorer. Many plans are made for them, but these plans do not translate on the ground. That is why we want Indian Tribes to be discussed properly. Just like you are including a small section of

* Please see supplement.

Tripura, by including Kurmis in it, fulfill the demand of Kurmi people which has been pending for decades.

SHRI ARJUN MUNDA *replying said:* This is a bill related to Tripura, in which the Darlong community as a sub-caste of Kuki has been brought for amendment. In today's discussion, many hon. members said that the budget of Tribal Affairs Ministry is not sufficient. First of all, I would like to state that the Government of India is committed to tribal development. If you look from the year 2014-15 to the year 2021-22, there has been a manifold increase in the STC component. Therefore, where there was an allocation of Rs 16 thousand 111 crore in the year 2014-15, in the year 2021-22, Rs 87 thousand 585 crore has been allocated. Earlier its monitoring was done by Planning Commission, now this ministry is doing it, so that good outcome is achieved and the basic objective of Human Development Index is fulfilled - be it in education, in health or in employment. Antyodaya data was taken from villages to see what is lacking in which village and how to fulfill it. We have made an action plan, Adi Adarsh Gram Yojana, in which we have targeted that gaps should not be there in education and health and there should not be any lack of infrastructure also. In this scheme, by including 36,000 villages, this time we have also allocated funds for seven and a half thousand villages. Through the Ministry of Jal Shakti, it is being ensured that there is proper arrangement of drinking water, because in most of the tribal areas diseases are caused by water. This time, together with ICMR and Health Ministry, we have also allocated the funds for research separately. Earlier, the budget provision for Eklavya Model Schools was only Rs 278 crore. But now, Rs 1418 crore has been allocated to operate them. This time, the number of schools has doubled as compared to the number of schools in the year 2014. Earlier their number was about 160, which has now increased to more than 365. All hon. members have supported this bill, I am grateful to all hon. members. I request that this bill be passed by the House.

The Motion was adopted.

The bill was passed.

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UTPAL KUMAR SINGH
Secretary General

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

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LOK SABHA

SUPPLEMENT TO SYNOPSIS OF DEBATES
(Proceedings other than Questions & Answers)

Monday, March 28, 2022 / Chaitra 7, 1944 (Saka)

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL,
2022

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***SHRI KUNAR HEMBRAM:** I support the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2022 to include Tripura's Darlong tribe in the Scheduled Tribes category. This Bill is a step towards achieving the objective of the Government to work for the backward communities, dalits and tribals. We know that there are many tribals who are treated as tribe in one state but do not get the same status in another state. Like in Jharkhand, Odisha, West Bengal, Tripura, Santhals are tribals, but Santhals of Assam are not treated as tribals. So, we need to find out how many tribal people are actually there in the country, incorporate them in the list and extend the benefits to them. The Ministry should identify the fake certificate holders and remove them from the ST list at the earliest, so that the real beneficiaries can get their due.

Utpal Kumar Singh
Secretary General

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** Speeches made by other hon. Members have already been included in the Synopsis (Main).

* Original in Bengali.