

**Title: Regarding Supreme Court's judgement on the workers' right to strike.**

**SHRI LAKSHMAN SETH (TAMLUK):** Sir, recently the hon. Supreme Court has banned the right of the working class to strike. The Government of India is totally silent on this. They are not submitting any application to the Full Bench of the Supreme Court. I demand through you that the Constitution can be amended suitably to incorporate the rights of the working class to strike. There is an ILO Convention also in this regard. I think in the year 1989 there was also an order by the hon. Supreme Court that the working class has a right to strike otherwise. This should be looked into.

Otherwise, the workers will be put to difficulties by the employers. We should see how will they be saved. *(Interruptions)* How will the working class achieve their demands if they lose the right to strike? That is why I am requesting the Government of India to please bring a Constitution (Amendment) Bill so that the right of the working class is incorporated in the Constitution. *(Interruptions)* Otherwise the right of the working class cannot be protected. *(Interruptions)*

**MR. CHAIRMAN :** Thank you.

*(Interruptions)*

**SHRI LAKSHMAN SETH :** Sir, it is a very important matter. The working class will be seriously affected. I request the Government to take some action. *(Interruptions)*

**MR. CHAIRMAN :** Hon. Members Shri Rupchand Pal, Shri Sunil Khan, Shri Varkala Radhakrishnan and Dr. Mahender Singh Pal are permitted to associate themselves with Shri Lakshman Seth on the issue.

*(Interruptions)*

**SHRI K.H. MUNIYAPPA :** Sir, I also associate myself with this issue.

**MR. CHAIRMAN :** Yes, Shri Muniyappa also associates. All are associated.

*(Interruptions)*

**SHRI SUNIL KHAN (DURGAPUR):** Sir, this pertains to the judgement pronounced by the Supreme Court stating that the workers have no fundamental right to strike. Nonetheless, as pointed out by Justice Ahmadi in B. R. Singh's case, the right to strike is an important weapon in the armoury of the workers and has been recognised by almost all democratic countries as a mode of redress for resolving the grievances of workers. *(Interruptions)*

**SHRI SUNIL KHAN :** Sir, please let me speak about what Shri Soli Sorabjee, Attorney-General of India has stated. Sir, please allow me to read the point made by him on this matter, and then come to a conclusion.

**SHRI SUNIL KHAN :** Shri Soli Sorabjee stated that : "The judgement reflects a mindset which does not regard employees as an important and vital segment of our society but considers their existence to be solely for the benefit of the Government as employers and whose interests are subordinate to the convenience of the public. Such an approach is not in tune with the ethos of our Constitution and the Directive Principles whose unmistakable signature tune is social justice."

**SHRI SUNIL KHAN :** Sir, right to strike is an important right of the workers which they have achieved throughout the world after winning many struggles. Even ILO recognises the right to strike as a fundamental right of the workers.

In view of the opinion of the Attorney-General of India, I demand that 'Right to Strike' should be recognised as a 'Fundamental Right', and suitable amendment of the Constitution should be made forthwith.

**समापति महोदय :** अब आपकी बात रिकार्ड पर नहीं जाएगी।