

**15.41 hrs.**

**CONSTITUTION (AMENDMENT) BILL – contd.**

**(Amendment of Article 39)**

Title: Further discussion on the Constitution (Amendment) Bill, 2000 (Amendment of Article 39) moved by Shri Ramdas Athawale on 22 August, 2003. (Discussion concluded and Bill withdrawn).

MR. DEPUTY-SPEAKER : We shall now take up item no. 25 – further consideration and passing of the Bill. Shri Ramdas Athawale was on his legs. He is not here now. He has already moved the Bill. It does not matter. I call upon Shri Anadi Sahu to speak.

SHRI ANADI SAHU (BERHAMPUR, ORISSA): Me, Sir?

MR. DEPUTY-SPEAKER : You are Anadi Sahu – is it not?

SHRI ANADI SAHU : I think so, Sir!

Mr. Deputy-Speaker, Sir, I thought Shri Ramdas Athawale would come and make further presentation on his Bill itself. Anyway, although he is not present here, I must congratulate him for highlighting certain points which have been bothering this country for the last, almost 50 or 53 years. Even though we had enacted the Constitution and have indicated the Directive Principles of State Policy with a view to ensure that the State should endeavour for certain goals and achievements for the people of India, it is a sad reminder by this Bill itself that we have not yet been able to achieve what we had aspired for.

The Bill indicates that Article 39 of the Constitution of India be restructured with a view to give an impetus to generating employment and provide necessary facilities for self-employment. That is the main thrust of the Bill that Shri Athawale has brought in. When we think of generating employment and self-employment itself, I would like to dilate upon the constitutional provisions themselves. There are four basic points in Article 39 of the Constitution of India. The first one is right to adequate means of livelihood. That is most important in the Constitution which was framed by our Constitution-makers. The second is that there is no concentration of wealth with a particular group of people and that there should be equal pay for equal work and that children are not subjected to exploitation and that health and education and other necessary requirements should be taken care of.

These are the four basic matters which have been indicated in article 39. Though there are five or six sub-clauses, these are the basic essence and Shri Athawale has summed up all these things by indicating that equal opportunity should be provided to people and that there should be generation of employment.

May I indicate that human development is broad-based on three critical dimensions. The three critical dimensions for development of human beings depend on longevity, education, ability to enjoy a decent standard of living. I am not going into education and longevity. I am going into the ability to enjoy a decent standard of living. When we are thinking of a decent standard of living we must think of the per capita income that has to be generated for the people of this country for a better living and not a mere subsistence.

It is a fact that, at present, we have something like 26 per cent people who are below poverty line. In my State of Orissa we have nearly 47.10 per cent people who are below the poverty line. When we think of decent living standards, we must think of the people who are below poverty line and how to ameliorate their conditions to ensure that they have a decent living.

We have good foodgrains production and we are giving subsidy to the people -- who grow grains -- and all those things. Does it really reach the people? Does it give enough food to the people who are below poverty line? I am saying this because the purchasing power of those people is not adequate. We have to evaluate a nation on how the people are treated who are below poverty line, and we have to evaluate a nation by finding out as to whether we have created conditions to see that they get adequate purchasing power.

Sir, there are five monitorable groups so far as ameliorating the conditions of the people are concerned. The Government of India in its wisdom has started thinking on these aspects. They thought it proper -- in the paper that was prepared before the 10<sup>th</sup> Five-Year Plan was projected -- that there should be reduction of poverty ratio to 15 per cent by 2007. For reduction of this poverty ratio, the decadal growth of population should be 16.2 per cent by 2011. There should also be potable drinking water and gainful employment. Those are most important.

As regards gainful employment, it has been indicated in this Constitutional provision, which has come before us as a Private Member's Bill itself. How can we get into this gainful employment for the people? The Government of India

had constituted a task force that is called the Montek Ahluwalia Committee Task Force. The Montek Ahluwalia Committee Task Force had gone into the aspects of employment opportunities for the people. It has indicated its objectives. With your kind permission I would like to mention the Montek Ahluwalia Committee's objectives that have been indicated in Chapter 11. I would just take a few minutes only because it is very important to mention it here.

The five broad areas of policy which together would constitute an appropriate strategy for employment generation are : firstly, accelerating the rate of growth of GDP -- I am not going into the details. Secondly, pursuing appropriate sectoral policies in individual sectors, which are particularly important for employment generation. Thirdly, implementing focussed special programme for creating additional employment to enhance income generation from existing activities aimed at helping vulnerable groups that may not be sufficiently benefited by the more general growth promoting policies. Fourthly, pursuing suitable policies for education and skilled development. Fifthly, ensuring that the policy and legal environment governing the labour market encourages labour absorption, especially in the organised sector.

So far as the fourth point -- as mentioned above -- is concerned, you will kindly appreciate that educated unemployment has grown considerably. Every year eight per cent unemployed people are increasing because of the educated unemployed, whereas in the rural-agricultural sector it is only 0.2 per cent every year. In the category of semi educated people, it is something like 4.4 per cent of unemployed people. How can we get over these difficulties? The Government of India had gone into the details of these aspects and had come forward with macro-economic factors itself.

Sir, it has to be ensured that the GDP growth has to be something like eight to nine per cent in order to see that employment generation is good. We expect that the GDP growth would be seven per cent in the Tenth Plan period, but it has to grow considerably to give more employment to the people, particularly to the educated people, particularly to the urban-based people. In the rural-based people, in the unorganised sector itself, hardly two per cent people are employed. Every year, it will increase by two per cent. Now, the thing is that the workforce is increasing by two per cent every year whereas the employment potential is only 0.98 per cent every year. This is a very critical feature which has to be taken into account, when we think of providing employment to people. The workforce is increasing by two per cent whereas the employment potential is only 0.98 per cent every year. How do we go about it in increasing employment opportunities for the people, both in the urban and in the rural sectors? That is the most important thing. That requires lots of thinking and work to be done.

Now, how do we go about it? That also has to be taken into account and has been taken into account by the Task Force. I think, it is for the general information of the hon. Members here, the solutions to these problems have been thought of by the Task Force. The Task Force has indicated that the GDP growth has to go up to nine per cent and there should be a higher rate of investment. Investment has not come up to that extent as we have been thinking. Now, we are thinking of foreign direct investment also. Let investment come either from inside or from outside. Whatever may be the fact, the investment has to go up.

Then, the third is the improvement in efficiency. We do not have a lot of efficiency in our labour force, whether educated or skilled or unskilled. Therefore, the efficiency has to go up. Whenever we are thinking of employing people, there must be improvement in infrastructure. Infrastructure development has not gone up as we have been thinking of within the last 10 to 20 years.

Next is an efficient banking system. The Government of India, within the last two years, had given a liberal system for the banking sector. The Cash Reserve Ratio has been reduced; bank interest rates have been reduced; housing loan rates have been simplified and many other aspects have been taken into account to see that an efficient banking system is put in vogue. The most important thing, so far as the banking system is concerned, is credit for the informal sector, particularly the cooperative sector. The informal sector requires a lot of help so that non-banking systems, institutions, could get proper assistance to help the people, both in the urban areas and in the rural areas.

There is a necessity for public investment in agriculture because that is most important. About 60 per cent of our people, in India, depend mostly on agriculture and they have nothing more to do. Therefore, a proper investment in agriculture would help the people in gainful employment in the agriculture sector. When we are thinking of the agriculture sector, land reforms have to be taken into account. We are dismally poor in land reforms. We have gone down in this regard. I must appreciate the work done by West Bengal where the agricultural labour are getting Rs. 161 a day on an average, whereas in my State, it is only Rs. 42.50. They have systematically started working on the land reforms and have done a good job. We must appreciate that also.

It may not be possible to get employment in the public sector, in Government offices. It is necessary that there should be self-employment. Small-scale sector should be encouraged. Whatever necessary impetus has to be given should be given and is being given by the Government of India in very many ways.

Sir, you are aware that the services sector, like the IT, tourism, hotel industry and many others, has gone up like anything. They have to be encouraged not only by the State Governments and the Centre, but also by private individuals and entrepreneurs, and foreign direct investment has to be encouraged, so far as the services sector is concerned. We are happy that Andhra Pradesh and Karnataka have shown the way to the rest of country in the services sector, mostly in information technology sector. This IT sector has gone up. It should go up. India is on the top so far as IT sector is concerned. Why should we not allow people to invest more in the IT sector so that in other aspects of the services sector also we grow rapidly and compete with the best in the world? Most of these things are important when we think of the requirements for our country. That is what I think Shri Athawale had in mind while bringing forward this Bill.

Before I conclude, I would like to indicate some implications. The most important one is to create an employment policy for this country. Even though unemployment is on the rise, if you can have an employment policy, as indicated in the Ahluwalia Committee report, and if the Central and State Governments take it up, it would be possible to generate more employment opportunities for the people of this country. Instead of 0.98 per cent, we can go up to 1.75 per cent in the coming ten years. We cannot go up to two per cent, i.e., the workforce that is getting added every year, but we can go up to 1.75 per cent to 1.78 per cent.

Why I say all this is, at a time when we are considering the Constitutional (Amendment) Bill mooted by a Private Member, it is necessary that all of us should come together to ensure that people get employment in their own way. Let us take for example schemes like Sampurna Gramina Rozgar Yojana and Swarna Jayanti Rozgar Yojana. So many such schemes are there now. The only thing is that people should come together and form self-help groups which have been created by the Government of India where many people come together. All should come together to ensure that generation of employment is not only the duty of the Government concerned, not only the duty of the private sector, but also the duty of NGOs, all political parties, and all other people who are involved in social work.

Before I conclude, I would like to say that the Bill itself would not help us. It is a question of intention, the objective that is behind this Bill. We must take the objective, the principle that has been indicated by Shri Athawale. That is more important than passing the Bill itself. It has nothing to do with the Constitutional amendment. It is all rigmarole, a cumbersome process that has to be gone through.

**15.58 hrs.**

(Shri Devendra Prasad Yadav *in the Chair*)

What is important is that we must be aware of the difficulties that we are facing and we must try to ensure that we get good opportunities for our young people, educated or semi-educated, skilled or unskilled.

**श्री थावरचन्द गेहलोत (शाजापुर) :** माननीय सभापति महोदय, माननीय सदस्य, श्री रामदास आठवले जी ने संविधान संशोधन विधेयक, 2000 सदन में प्रस्तुत किया है, मैं उस विधेयक की भावनाओं से अपनी सहमति व्यक्त करते हुए कहना चाहता हूँ कि इस विधेयक में संविधान में पहले ही पर्याप्त प्रावधान हैं और संविधान के अनुच्छेद 39 में यह व्यवस्था की गई है और कानून भी बनाए गए हैं तथा उन पर अमल करने की कोशिश जारी है। उन्होंने इस संशोधन के माध्यम से चाहा है कि संविधान के अनुच्छेद 39 के खण्ड (1) में निम्नलिखित खण्ड और जोड़ दिया जाए :-

" (2) राज्य खण्ड (1) के उपखण्ड (ख) और (ग) में उल्लिखित उद्देश्यों को प्राप्त करने की दृष्टि से रोजगार का सृजन कराने और स्वरोजगार हेतु आवश्यक सुविधायें उपलब्ध कराने का प्रयास करेगा। "

मुझे इस संबंध में कहना है कि राज्यों और केन्द्र सरकार द्वारा इस प्रकार की पर्याप्त व्यवस्था की गई है और आवश्यकता इस बात की है कि उस पर ठीक से अमल कर लिया जाए। उन्होंने जो चिन्ता व्यक्त की है, उस चिन्ता का अनुच्छेद 39 में पहले से ही प्रावधान है।

**16.00 hrs.**

स्त्री और पुरुष सभी नागरिकों को समान रूप से जीविका के पर्याप्त साधन उपलब्ध कराने का प्रावधान है। समुदाय के भौतिक संसाधनों का स्वामित्व और नियंत्रण इस प्रकार बंटा हो जिससे सामूहिक हित का सर्वोत्तम रूप से साधन हो। आर्थिक व्यवस्था इस प्रकार चले जिससे धन और उत्पादन साधनों का सर्वसाधारण के लिए अहितकारी संकेन्द्रण न हो। पुरुषों और स्त्रियों दोनों का समान कार्य के लिए समान वेतन हो। पुरुष और स्त्री कर्मचारों के स्वास्थ्य और शक्ति का तथा बालकों की सुकुमार अवस्था का दुरुपयोग न हो। ऐसी भिन्न-भिन्न प्रकार की विभिन्न सुविधाएं संविधान के अनुच्छेद 39 के अन्तर्गत मिलें। हम देखते हैं कि संविधान में जो लिखा है उस पर ठीक से अमल नहीं हो रहा है। इसका दुपरिणाम यह दिखायी देता है कि देश में अमीर और अमीर होता जा रहा है और गरीब और गरीब होता जा रहा है।

अनादि साहब ने बहुत से बिन्दुओं का उल्लेख किया। मैं उन्हें दोहराना नहीं चाहता हूँ लेकिन इतना जरूर कहना चाहता हूँ कि आज देश में लगभग 33-36 परसेंट लोग नौकरियों के लिए इधर-उधर भटकते रहते हैं और उन्हें दैनिक मजदूरी भी नहीं मिलती है। 50 और 100 रुपए तो ठीक हैं लेकिन रोज के 20-25 रुपए की मजदूरी के लिए भी वे इधर-उधर भटकते रहते हैं। एक तरफ 10-15 परसेंट ऐसा वर्ग है जो 100-200-400-500 करोड़ रुपए रोज का नेट मुनाफा कमाता है। आप और हम मार्च के बाद अखबारों में कई उद्योगों की बैलेंस-शीट देखते हैं तो पाते हैं कि उन्हें काफी मुनाफा होता है। उसे 365 दिनों से भाग करते हैं तो देखने को मिलता है कि वे डेढ़ हजार करोड़ रुपए रोज कमाते हैं। दूसरी तरफ एक ऐसा वर्ग है जिस की स्थिति बहुत दयनीय है। इस अनुपात को कम करने की आवश्यकता है। इसे कम करने की दृष्टि से जो कदम उठाने चाहिए उन्हें शक्ति से उठा कर उस पर अमल करने का काम जरूर करना चाहिए। इसमें यह अपेक्षा की गई है कि सभी को रोजगार मिले। आज देश में गरीबी रेखा से नीचे जीवन यापन करने वालों की संख्या 26 परसेंट है। गरीबी रेखा से नीचे जीवन यापन करने वाले लोगों का मापदंड भी है। साल भर में मुश्किल से 12 हजार रुपए जिस की आय हो वह गरीबी रेखा से नीचे जीवन यापन करने वाला हो गया। न्यूनतम वेतन का अगर तुलनात्मक

अध्ययन करें तो कहीं कुछ नहीं होता है। यह परिभाषा व्यावहारिक नहीं है। ऐसी स्थिति हमारे देश में है। मैं कह सकता हूँ कि संविधान में प्रावधान होने के बाद भी उस पर अमल करने के लिए जो प्रक्रिया तय है, उस पर ठीक से अमल न होने के कारण यह स्थिति पैदा हुई है। इस स्थिति को ठीक करने की दृष्टि से बहुत कुछ करने की आवश्यकता है। यदि संविधान में ये शब्द जुड़ जाएं तो इससे निदान होने वाला नहीं है।

देश की आजादी के बाद जो संविधान बना था और उसमें जो प्रावधान किए गए, उस पर अमल करने की जो स्थिति रही है, वह बहुत भयावह है। इसे देख कर संविधान पर फिर से विचार करने की दृष्टि से संविधान समीक्षा आयोग बना। उसने सरकार को अपनी प्रतिवेदन दे दिया। मेरी जानकारी के अनुसार आयोग ने सभी बिन्दुओं पर गम्भीरता से विचार करके सुझाव दिए। उन सुझावों का संविधान में प्रावधान करने की दृष्टि से संविधान समीक्षा आयोग की रिपोर्ट पर जल्दी से जल्दी चर्चा की जानी चाहिए। इसके बाद कहीं न कहीं किसी प्रकार से जो आवश्यकता हो, उसे मद्देनजर रखते हुए कोई उपाय खोजा जा सकता है।

भाई आठवले जी ने जो सुझाव दिए हैं या संशोधन चाहा है, उससे किसी प्रकार की कोई बात बनने वाली नहीं है। रहा सवाल दैनिक मजदूरी का, दैनिक मजदूरी तय है। महिला और पुरुष को समान काम के लिए समान वेतन मिलना चाहिए, यह कानून बना है लेकिन अमल नहीं हो रहा है। इतना ही नहीं पुरुष भी जो दैनिक मजदूरी चाहते हैं, उसे प्राप्त करने में वे कठिनाई महसूस करते हैं। बहुत सारे काम ठेकेदारी प्रथा के अन्तर्गत चलाए जाते हैं। यह सरकार चलाती है, विभाग के माध्यम से काम होता है। एक टास्क फोर्स बना दी जाती है जो रेट्स तय करती है कि दिनभर में कितना काम कराना है, उसे उतना पैसा दे दिया जाये और अगर कम काम है तो पैसा कम मिलेगा। मैं मानता हूँ कि कामचोरी नहीं है कि उन्हें दिनभर के काम का लक्ष्य दिया जाता है ताकि उन्हें अच्छा पारिश्रमिक मिल सके और दिनभर काम के बाद अच्छा पैसा कमा ले। लेकिन सरकारी क्षमता ठीक नहीं क्योंकि जो रेट तय किया उसका एक चौथाई भी उन लोगों को नहीं मिलता है। वह आदमी अपना परिवार पालने की स्थिति में नहीं रहता। ऐसा सारे देश में देख रहे हैं कि कहीं आतंकवाद बढ़ रहा है, कहीं असंतोष बढ़ रहा है और उस कारण आन्दोलन की स्थिति निर्मित हो रही है। फिर इससे कानून व्यवस्था की स्थिति बिगड़ती है। उस स्थिति को ठीक करने के लिये प्रशासनिक अमला बढ़ाया जाता है। फिर सरकार पुलिस लगाती है। इससे सरकार पर अनावश्यक खर्चा बढ़ता है। इन सब को ठीक करने की दृष्टि से सरकार इस पर गंभीरता से विचार करे। संविधान के अनुच्छेद 39 में जो लिखा गया है या जिसका प्रावधान संविधान में किया गया है, उन प्रावधानों को ठीक से लागू करने की कार्यवाही करेंगे तो निश्चित रूप से हमें कोई सफलता मिल सकती है अन्यथा संविधान में कुछ भी लिख दो, कानून ठीक ढंग से व्यवस्थित करके लिख दो, उसकी कोई कीमत नहीं है। अगर सरकार की इच्छा शक्ति नहीं है तो उस पर अमल करने का काम ठीक ढंग से नहीं हो सकता। अगर वह लिखा हुआ है, तो उससे कुछ होने वाला नहीं है।

सभापति जी, माननीय मंत्री जी यहां बैठे हुये हैं। मैं उनकी कार्य शैली की प्रशंसा करता हूँ। उन्होंने कृषि क्षेत्र में काम करने वाले दैनिक मजदूरों के लिये जो काम किया है और फिर हमाली करने वाले अपने सिर और पीठ पर बोझा ढोकर काम करने वाले मजदूर हैं, उनके हितों के संरक्षण प्रदान किया है। इस संबंध में माननीय मंत्री जी एक विधेयक लाने वाले हैं। संविधान के अनुच्छेद 39 में इस भावना को व्यक्त किया गया है और माननीय सदस्य की इस भावना को ध्यान में रखकर श्रम कानून में ऐसा प्रावधान करेंगे या कम्पनी एक्ट के अंतर्गत प्रावधान करेंगे, तो ठीक होगा। नाना प्रकार के ऐसे कानून बने हुये हैं जिसके कारण सभी को, अगर उद्योग चलाने की स्थिति में हैं, तो उद्योग चलाने का लाइसेंस उसे मिल जाये, फिर जमीन मिल जाये और स्थापित करने की दृष्टि से उसे बैंक से ऋण की सुविधा मिल जाये, इधर-उधर उसे भटकना न पड़े। हम देखते हैं कि एक आदमी डाक्टरों पास कर लेता है, इंजीनियरिंग पास कर लेता है या कोई अच्छी सी डिग्री प्राप्त कर भी लेता है लेकिन उसे नौकरी नहीं मिलती। वह रोजगार के लिये रजिस्ट्रेशन कराये और इसके लिये नाना एपेकार की संस्थायें हैं जहां उसे रोजगार पाने के लिये भटकना पड़ता है। यदि योग-संयोग से वह विदेश चला जाये तो उसे वहां एक लाख, दो लाख, चार लाख या पांच लाख रुपये तक वेतन मिल जाता है लेकिन यहां 2-2 हजार की नौकरी के लिये भटकता रहता है। क्या ऐसी स्थिति यहां नहीं हो सकती? यहां भी हो सकती है। हमारे भारतवासी हैं खनिज सम्पदा है, किसी प्रकार की कोई कमी नहीं है। यदि सॉ-मैटिरियल प्राप्त करके उसका उपयोग हो जाये, रोजगार सृजन के कुछ साधन उपलब्ध हो सकें तो उन साधनों का बराबर-बराबर जहां उसकी आवश्यकता हो, वहां पहुंच जाये, वह उन्हें मिल जाये या इस प्रकार की व्यवस्था हो जाए तो ठीक है अन्यथा हम देखते हैं कि एक आई.ए.एस. या आई.पी.एस या एक उद्योगपति का बेटा वही बनेगा परन्तु एक खेतिहर मजदूर का बेटा खेतिहर मजदूर ही बना रहता है। हम देख रहे हैं कि देशभर में किसानों के परिवार बढ़ते जा रहे हैं। जिस किसान के पास खेत की मात्रा 50 या 100 एकड़ है। वह आगे उसके बच्चों में बंटती जा रही है और वह खेत लम्बाई-चौड़ाई में कम होता जा रहा है। इससे उनके जीवन-यापन की जितनी आय होनी चाहिये, उसमें भारी कमी होती जाती है। जिस तरह अमीरी-गरीबी के बीच में खाई बढ़ती जा रही है, यह अंतर और बढ़ता रहेगा। मैं समझता हूँ कि देश में शान्ति बनाये रखना संभव नहीं है। यह अमीरी और गरीबी की खाई का अनुपात निश्चित रूप से कम होना चाहिए और इसे कम करने की दृष्टि से कुछ उपाय खोजे जाने चाहिए। यदि यह संभव नहीं हुआ, अगर सरकार यह नहीं कर पाई तो बाकी सब काम कितने भी अच्छे करो, संतुष्टि होने वाली नहीं है।

सभापति महोदय, अटल जी की सरकार ने पिछले साल घोषणा की थी कि हम एक करोड़ रोजगार लोगों को उपलब्ध करायेंगे। उन्होंने इसका प्रयास किया, उन्होंने यहां आंकड़े भी दिये। परन्तु यदि देखा जाए तो भारत में 26 प्रतिशत से अधिक लोग गरीबी की रेखा से नीचे जीवनयापन करने वाले हैं और उन्हें साल भर में सौ दिन भी काम नहीं मिलता है। कायदे से कार्य क्षमता रखने वाले आदमी को साल में 365 दिन का काम मिलना चाहिए। साप्ताहिक अवकाशों को छोड़कर अगर हम देखें तो कम से कम तीन सौ दिन उसे काम मिलना चाहिए। अगर उसे तीन सौ दिन काम नहीं मिलता है और आप उसे सौ दिन काम देते हैं और जोड़ देते हैं कि हमने इतने लोगों को रोजगार उपलब्ध कराया है तो यह पर्याप्त नहीं है। सौ दिन का मतलब सवा तीन महीने होता है। यदि कोई आदमी सवा तीन महीने काम करे और बारह महीने खाये तो इससे उसके परिवार का लालन-पालन नहीं हो सकता है और वह अपना जीवन-स्तर भी ऊंचा नहीं उठा सकता है। यदि फिर गरीबी की परिभाषा में इस देश को विश्व के देश देखते रहें तो कोई अतिशयोक्ति नहीं होगी। हम उसे सौ दिन काम दें और वह साल भर उसमें जीवनयापन करे, यह भी पर्याप्त नहीं है। इसलिए इस प्रकार की व्यवस्था होनी चाहिए कि जो कार्य क्षमता रखने वाले लोग हैं, उन्हें साल भर काम मिले। जो उद्योग चलाने की स्थिति में है, वे उद्योग चलायें। कितने लोग पढ़े-लिखे हैं, इस बात का सर्वे कराया जाए कि कौन लोग क्या काम कर सकते हैं। उनकी रुचि भी उनसे पूछी जाए और उसके हिसाब से कोई वार्षिक योजना बनाई जाए और उस पर अमल किया जाए, तो मैं समझता हूँ कि संविधान में संशोधन लाने की जो मंशा है, इसकी आवश्यकता नहीं रहेगी। संविधान में बहुत बातें लिखी हैं और उन पर अमल करने के लिए कानून और कायदे भी बने हैं, अगर नीयत और नीति दोनों ठीक होंगी तो सब कुछ होगा। इसलिए मैं इस अवसर पर सरकार से अनुरोध करना चाहता हूँ कि वह इस दिशा में कारगर कदम उठाये। आठवले जी, यहां नहीं हैं, परन्तु मैं उनसे निवेदन करना चाहता हूँ कि संविधान में संशोधन करने की आवश्यकता नहीं है। जो उनकी मंशा है, उसका पर्याप्त प्रावधान संविधान में है। इसलिए वह इस संविधान संशोधन को वापिस ले लें, यही अनुरोध करते हुए मैं अपनी बात समाप्त करता हूँ।

SHRI SHIVRAJ V. PATIL (LATUR): I am seeking your permission to speak because the Bill which is tried to be passed by this House, or may not be passed and withdrawn, is of very great importance.

Sir, the Private Members move their Bills not only to see that the Bills are passed but also to highlight the issues. This Bill is certainly highlighting a very-very important issue. Unfortunately, when important issues come up for discussion in this House, the attendance is very limited. When the Private Members' Bills come up for discussion, attendance is very-very poor. Attendance in the House is very good when spicy and prickly issues are taken up for discussion. But this gives, to some Members, an opportunity to express their views and I would like to take this opportunity to express my views on this important issue.

I do not think that the Bill as it is moved in the House can be accepted and incorporated in the Constitution. The Member, who has moved this Bill, will ultimately withdraw this Bill. Even if it is put to the vote of the House, it will not

be passed but the intentions with which the Member has moved this Bill are really very important. What are his intentions? The first intention is that article 39 (b) and (c) should be implemented.

He is trying to give a positive direction to that intention. Article 39(c) says that the operation of the economic system does not result in concentration of wealth and means of production to the common detriment. This is negatively worded but this Bill is trying to give a positive tilt. The Bill is trying to say that the State shall, with a view to achieving the objectives as enshrined in Clauses (b) and (c) of Clause (1) endeavour to generate employment and provide necessary facilities for self-employment. The emphasis is of positive nature and is on generating employment and on creating necessary facilities for employment. Again, the employment has to be provided by someone to the unemployed. If it is not possible, then opportunities have to be created to see that the citizens who are not employed, help themselves by entering into the area of private productive activity. These are the two intentions.

These days we are talking about labour laws. Fortunately for us, the Labour Minister is here to reply to the debate on this Bill. Times have changed. If it is necessary, we should change the labour laws also and we should see that some provisions are included in the labour laws which really create good atmosphere in the society to increase the production. But while doing this, it has also to be seen that the rights which are given to the workers are not withdrawn in the name of labour laws. If that is done, then one of the elements which is required for increasing the production in the country will be missing. By making the working force and the workers dissatisfied and uninspired, you cannot increase the production in the country. So the labour reform has to take place in such a fashion that the workers feel like working for increasing the production. If that is not done, then intention of having the labour laws will be defeated. So, the approach which should be adopted to bring about labour reforms is to see that the just facilities which are given to the workers are not withdrawn in the name of labour laws. If they are withdrawn, the intention of increasing the production will not be achieved. Men are more important than machines are. Machine can work only with the help of man. If the man who works behind the machine is dissatisfied, nothing can happen. This has to be the approach.

This Bill looks innocuous. The second most important thing which is highlighted through this Bill is the problem of unemployment in our country. Now if we have some violent activities taking place in some parts of our country, that is also because of the problem of unemployment which is faced by the young people who have the capacity to work and who do not get the opportunity to work. I do not mean to say that only this has contributed towards terrorist activities in India. But I do mean to say that this has certainly, to some extent, contributed to the violent activities that are taking place in some parts of our country. It may be Kashmir, it may be Andhra Pradesh, and it may be North-Eastern States. The problem of unemployment is very severe there and if we are not able to solve this problem, it would be difficult to bring those youngsters on a road of peace and on a road of understanding and then ask them to give up their anger and their terrorist activities or violent activities.

So, the problem of unemployment has to be tackled. The Government had promised that one crore jobs will be given to the unemployed in our country. But I am very sorry to say that some members of the Government are also not aware of the fact that this Government, through its manifesto, had made this promise to the country. They are going with the impression that one crore jobs have to be given to the unemployed in the country in five years time and not in one year time. This is a glaring mistake. They are unaware of this fact. I am not naming any Ministers who have made this statement intentionally because my intention is not to say that they are ignorant or that they have not paid attention. My intention is to show that all of us, and mostly the Ministers, are not aware of the immensity of the problem of unemployment being faced in our country and they go with the impression that one crore jobs would be produced in five years and not every year. Now, this has to change. We shall have to see that jobs are created. You create jobs in Government service or create jobs in private activities or through self-employment projects. We do not mind. But the jobs have to be created. And if jobs are not created and if the educated unemployed ones and able bodied ones who are willing to work, exert and contribute towards development, are not given this opportunity and become angry, we should have to blame ourselves and we cannot blame them. This has to be understood.

One of the things which is missing in our Constitution, and very glaringly missing in our Constitution, is right to work. The Directive Principle says that something would be done to see that employment will be provided and something like right to work will be given to the citizens of the country. At the time when the Constitution was framed, right to work was not included in the Chapter of Fundamental Rights because at that time, it was held and thought that right to work is not implementable and that is why, instead of including right to work in the Chapter of Fundamental Rights, it was included in the Chapter of Directive Principles of State Policy. Now, having enjoyed Independence and having brought about economic development in agriculture, industry and other fields, has not the time come when it would become possible for the Government of India to provide right to employment to the unemployed in our country?

If a person is asking for employment, what is he asking for? Let us understand this. If what he is asking for is not

provided by us, are we responsible for it or not? A person who is asking for employment is saying, "I am an able-bodied man and I have the mental capacity to work. I do not want to exploit anybody. I do not want to commit theft. I want to work and I want to earn my subsistence." The society and the Government say, "Well, you may be wanting that but we are not in a position to help you." Then what should he do? Either he should commit suicide or commit theft to exist. Now can this be accepted by us in our society? I think we are giving help to the people to increase production which we should do. I am not objecting to that. We shall have to do that. But is it not the responsibility of the Government and the society as a whole to see that those who want to work are provided with work and if they are not provided with work, who has to be blamed? We all who are sitting here have to be blamed. We were sitting there at that time. You could have blamed us at that time. You are sitting there at this time. So, you can also be blamed at this time. But blame has to be shared by those who are responsible to see that employment is provided to those who need it.

Now coming to right to work, what is right to work? People are very much afraid of the fact that right to work may not be implementable. You will have many intelligent people, scholars and professors getting up and saying that this is a utopia and it cannot be implemented and so, let us not have it in the Constitution of India. In regard to right to education also the same thing was being said. But I am happy that the Government has made the right to education a fundamental right, at least at the primary level to the children in our society. I am happy about that. In regard to education also the same thing was said that right to education cannot be given. The cost of providing right to education is enormous, so it cannot be given. The same thing is being said about right to work also. I have been saying that this right to work is implementable. You can provide right to work.

What is after all right to work? Let us understand it in clear terms. If we do not understand it in clear terms, we may entertain some apprehensions. But if we understand this phrase 'right to work' in clear sense, there will not be any apprehension. The right to work does not mean the right to have a work which a person asking for employment deserves to have. Supposing a person has done his PhD and suppose he comes to the Government and says that I have done PhD, so make me a professor. Then, it may not be possible for the Government to make him a professor. But if he comes to the Government and says, 'I want to live, I am a PhD, I am willing to do any job and give me a job'. Can you not give him a job which can fetch him food which he needs to exist? Can you not give him a job which may not give him Rs. 30,000/- per month but Rs. 300/- per month? Can you not do that? Right to work means a right which will help an individual not to commit suicide, not to commit theft, but to get a job which he will be doing for sustaining himself.

Now, if this interpretation on the right to work is put, please let me know from you, is this kind of right to work implementable or not? Fortunately, we have Employment Guarantee Schemes. The States have Employment Guarantee Schemes. The Employment Guarantee Scheme was first started in the State of Maharashtra. I had the good fortune of being a Member of the Committee which drafted the Employment Guarantee Scheme as a Member of the Legislature of the State of Maharashtra. When that was being done, criticism was levelled that it is not implementable, let us not do it, and that it would be waste of money and energy, that is why let us not do it. But right to guarantee to work is existing in Maharashtra up to this time. It is because of this that the law and order situation in Maharashtra is comparatively – I am saying comparatively in a very responsible manner – better than the law and order situation in many other States where this kind of right is not available.

Fortunately for us, at the national level also the concept of this kind has been accepted and in the schemes that the Central Government has, this concept of giving employment to the people is there. But the Central Government has to extend a little more what it has done. If the Government does it, the credit for doing so will go to this Government. If this Government does not do it, someone else will do it. Certainly, someone else will do it and the credit will go to it. It is not just the question of taking or giving credit. This is the question of doing equity and justice to the people. Let us do equity and justice to the people who really deserve the help from the Government and the society as a whole.

People have been saying that this is a communist kind of concept or a socialist kind of concept. Why should we worry whether it is a communist kind of concept or a socialist kind of concept when we are doing justice to everybody? You take, for instance, America. There the Constitution does not provide for right to work and they give dole. We cannot be oblivious of the fact that in America though the right to work is not given, dole is given to every unemployed person. The dole is something which is different from right to work. Here, you are giving it as a return for something which he is doing for the society. But dole is not like that. Any unemployed person will have the right to get the dole from the Government or from the society. That is being done in Europe also. We are not saying that we should give dole to a person who is not working. Give the dole to a person who is sick, who is unable to work. But do not give the dole to a person who is not sick, who is able to work and yet not ready to work. We are telling you to give him employment. Why should we not do it? What is wrong in doing it?

I think it is correct that in some socialist countries also it exists. If we study the Constitution of the communist countries and socialist countries where the right to work is given, we will be surprised to know one thing. A very

interesting fact would come to our notice by studying those Constitutions. It can be adopted by us also. This is done by the so-called communist countries. Nobody claims to be a communist country today. The so-called socialist countries, non-socialist countries and capitalist countries also are like that. Wherever right to work has been given, you will be surprised to know that duty to work has been provided. There is no Constitution in the world in which right to work is given and duty to work is not mentioned. Suppose, you also do the same thing here. You provide right to work and duty to work also. Look at the result which will become available to you. You would be providing employment to the people, and, at the same time, having imposed the right to work on the people, you will be generating a lot of wealth in the country which will be helpful in all areas of our activity like agriculture, industry, trade, economic development, education and any area. So, right and duty should go together. There cannot be a right without a duty. They are two sides of the same coin. That is why, if you provide in your Constitution the right and duty to work, then it would become more implementable. The only apprehension the Government is having is whether it is implementable or not. This apprehension is not at all justified. If you have right and duty given to a citizen, you can say like this: "You may be a Ph.D. You have come to us asking for a job. We are not in a position to give a job of a Profession or a man who is heading an institution but we can give you a job of a clerk which will help you to earn Rs.1000 per month. If you do not work, you do not have a right to job; you cannot ask for the right to work also." So, right and duty can go together. Then, this right becomes more implementable. Why should we not do it? Why should we not imagine the situation? Why should we not imagine such a situation and devise a method, a project, an ideology, a system and a mechanism which can really help us to deal with the regular problem? Why should we not do it?

You will be surprised to know that in the Japanese Constitution, it provides right and duty. Japan professes to be a capitalist country. It is a country which has accepted the principle of *laissez faire*. The Japanese Constitution provides one thing. What it provides is very surprising to know. In some other Constitutions, right is given in one chapter and duty is mentioned in another chapter. In some Constitutions, the right and duty are mentioned in different Articles. But in the Japanese Constitution, in one Article, what is provided is this. It provides the right and duty together. The citizen shall have a right and duty to work. In one sentence it says that the citizen shall have the right and duty to work. Is it not possible for us to provide that? If we are not inventing a new thing, why are we attaching importance to the old Constitution and sticking to it? Why are we not applying our mind and creating a situation in the country which can really help us to tackle the problem which is uppermost in the minds of younger generation of the country. Why should we not do it?

Shri Ramdas Athawale has not said all these things in his Bill. But I am thinking that his intention is to see that employment is provided to the citizens. If employment has to be provided in this fashion, it can be provided. Self-employment has to be provided. He is suggesting certain things. But I am suggesting these things. If you do it, it would be possible for us to generate employment. We are spending nearly Rs.10,000 to Rs.15,000 crore on providing employment to the citizens in the country through the Exchequer of the Government of India and the State Governments also. If you spend Rs.10,000 crore more, you will be in a position to do it, you will be in a position to give right to employment to all the people.

This amount of money would not be required by you to be spent in maintaining law and order in the country. This amount of money will be used in a proper manner. What is required is determination, what is required is vision, what is required is willingness to adopt something new and then it can be done. That is why I am saying that you can do it.

Now, what are you doing to create self-employment? I am very apprehensive of one fact. The Government of India has decided to generate, transmit and distribute power through private sector. The Congress Party did not oppose this Bill. The Congress Party supported it and that Bill was passed. I wish and pray that what you intend to do by passing this law should be achieved. But power is not being generated with the help of investment coming from private sector. In Rajasthan, they decided to generate power through private sector investment. They waited for 15 years, but no private company came forward and invested money for generating power. Ultimately, the Government had to generate power through public sector and Rajasthan is one of the States which is not suffering from dearth of power supply whereas others are suffering.

What is going to happen? I will let you know as to what is going to happen. This is my view. You may reject it if you think that my view is wrong. But what is going to happen is this. The private sector is not going to invest money in generation of power for at least 10 to 15 years to come. Why? It is because they have to invest a lot of money for generating power.

DR. NITISH SENGUPTA (CONTAI): If you give them the right of distribution along with generation, they will come forward.

SHRI SHIVRAJ V. PATIL : By law we have given them the right to generate, transmit and distribute. They are willing to transmit, but they are not willing to generate and distribute. For generation of power, you require a lot of money. If

you want to generate one MW of electricity, you require Rs. 5 crore. If you want to generate 1,000 MW of electricity, Rs. 5,000 crore would be required and you have to wait at least for 15 years to get the returns for which they are not ready. So, the private sector people are not going to invest in generation of power. If they are not going to invest and if the Government is also not going to invest, where is the power going to come from? That is exactly why the Government itself has reduced the target fixed for generation of electricity in the Ninth Five Year Plan from 48,000 MW to 28,000 MW. Then, from 28,000 MW, you reduced it to 22,000 MW of electricity and you could not produce even 22,000 MW of electricity and ultimately you could produce only 18,000 MW of electricity during the Ninth Plan. Why did this happen? It is not that you had any bad intention or it is not that you wanted to be criticised, but it is because your policy was wrong. You expected private sector to invest for generation of power. The private sector is not willing to invest and that is why, you are not able to generate power. If you are not generating power, how is it that you are going to create an atmosphere which will help industrial development? You shall have to take this into account. I am not asking for a response from the Minister on this point, but this point has to be considered by him as a matter of policy.

The second policy decision that you have taken is to turn IDBI into a bank and this Bill is with us. We are not going to oppose it. We are going to help you to pass it. We are not criticising you simply because we are sitting here, but we have some real apprehensions. You are asking private sector to invest in power generation. If the private sector is not investing, you invest in it. Without investing money for power generation, you will not be able to have industrial development in the country. If you do not invest money for generation by having a proper policy, you will be held responsible. We are not criticising the individuals on projects and the misdeeds. We are criticising your policies. If you do not invest for generating power, we will criticise you.

Now, what is happening to IDBI?

Senior people, who are sitting here, know why IDBI was created. IDBI was created to provide finance and funds to the private industry to develop. ICICI was a financial institution. IFCI was a financial institution. These financial institutions were expected to give funds to the industrialists in the private sector to develop their industry. They were going to be the long-term funds. The funds were given for 15 or 20 years at the rates of interest acceptable to them. Now you have turned ICICI into a bank. ICICI is doing well as a bank by giving money for constructing a house or other such small things and also for purchasing cars. But it is not giving funds for development of the industry. If ICICI is not giving the funds and if you are going to do the same thing to the IDBI, which is the only one financial institution existing with you, then what is going to happen? ...(*Interruptions*)

DR. NITISH SENGUPTA : All the banks are there today to help.

SHRI SHIVRAJ V. PATIL : No; they do not do so. You have been in the Ministry of Planning. I am sorry to hear from you. These banks give small amounts of money for five or 10 years. They do not give Rs. 1,000 crore.

DR. NITISH SENGUPTA : The distinction between long-term financing and short-term financing has been abolished.

SHRI SHIVRAJ V. PATIL : 'Abolished' means what? ...(*Interruptions*)

MR. CHAIRMAN : You should speak in your time. I am giving you a chance.

SHRI SHIVRAJ V. PATIL : No, no; it is a right time. Please let him say. I would like to reply to him. He has been a very responsible officer of the Government of India. I will respect his views.

DR. NITISH SENGUPTA : A dispensation was created in 1969.

SHRI SHIVRAJ V. PATIL : 'Created' means what?

DR. NITISH SENGUPTA : After the 'Nationalisation'.

SHRI SHIVRAJ V. PATIL : Even long-term finance is not required for development of an industry.

DR. NITISH SENGUPTA : You require it very much.

SHRI SHIVRAJ V. PATIL : Who is going to give it? ...(*Interruptions*)

MR. CHAIRMAN: Please address the Chair.

DR. NITISH SENGUPTA : The IDBI and the ICICI were to give it.

SHRI SHIVRAJ V. PATIL : I am sorry, this hon. Member is speaking as a member of a party. He is not speaking as a citizen of India. I would expect him to speak as a citizen of India and not as a member of a party. I am not criticising



him as an individual. I am criticising the policy. If IDBI becomes a bank, it will not be in a position to give long-term finance to the industry and the industry will suffer. You would not be there to reply to this question. You will say that we intended this, and if this did not happen, what can we do? The time would have been lost. It is here that the Government is most responsible. You should understand the implications of the policies you are formulating yourself. As you turned IDBI into a bank in order to earn profit, they will give you money to buy. At what cost? Rs. 35 lakh, Rs. 40 lakh or Rs. 2 crore to buy a flat or a house. But they would not give you Rs. 2,000 crore or Rs. 4,000 crore for development of the industry. If you do not have financial institutions for development of industry, this money will be given to that industry which will be in Mumbai, Kolkata or Bangalore. It will not be in the North-Eastern States. It will not be in Kashmir. It will not be for the developing areas. Those areas will suffer from lack of funds. The bank would not give it. This has to be done by the financial institutions. That is why these institutions were created. The banks were there. We could have created more banks. We did not create more banks because the banks, by the nature of the duty they perform, would be giving small amounts of money to the persons who can return that money in a small period of time. The financial institutions were created for giving huge amounts of money for the development of industry for a long-term period. Now you are taking a decision. I expressed my views to the Minister of Finance, who was quite understanding. He did tell me that they would do something to see that the long-term finance was available. He is recognising but you are not recognising it. You are more loyal than the king is. This is not correct. I do not expect it from you. I am sounding a little critical. I am sorry to say it. But please do not support that policy for which you will be sorry in future. The Ministers will not say anything. We do not expect them to say anything here. But we do expect them to understand, and if they believe in what we are saying, to raise this issue in the Council of Ministers. It will be in their interest. It will be in the interest of their own Party, in their own Government and certainly it will be in the interest of the country as a whole. If they do not believe, then throw it in the dustbin, we do not mind. But do not unnecessarily, without understanding, support any proposal which is given here and which is going to create problems for us.

What I am saying is that power will not be available, if you have IDBI bank, funds will not be available. If power is not there, if the funds are not there, how is the industry going to develop? How is agriculture going to develop? How is it you are going to develop technology for which long gestation period and money is required and which is not going to come from the bank.

Now, his intention is to provide self-employment. How are you going to create it? It is not simply by saying yes or no to it. You are going to generate self-employment in the country. You will be able to generate self-employment in the country by adopting a policy which will really help you.

That is why I am saying that on the one hand, you have right and duty to work on the second hand you create the necessary infrastructure. If you are constructing Golden Quadrilateral, we are not quarrelling with you, if you are linking the rivers, we welcome it. But if you are stopping the source from which the long-term finance for the development of the industry could be available, we would certainly criticise it. But please do not take it as a personal criticism, do not take it that it is your duty to support anything that is happening. We, sitting here, are responsible not only to the Party but to the country also. So, understand the implications of it and then say whatever you feel. Whatever sincere opinion you have, we will respect it. If we feel that it is not a sincere opinion but expressed for party reasons, then well we reserve our right not to do this.

Sir, third thing is education. Now, what is education? How education has become costly? On the one hand, you have decided to give right to education at a lower level, primary level. At secondary level, this right is not available; and at tertiary level, it is certainly not available. The education at tertiary level, because of our policy that it should be in private sector, has become expensive. If a child has to give 50 lakhs of rupees to get an admission to the engineering college or medical college, where is the man going to get the money from? We are telling him indirectly to own this money. If you cannot earn this money honestly, earn it by hook or crook. Take whatever money legally or illegally, amass this wealth, give it to the college and educate your children. Is it going to be helpful?

I do agree with you, I am not against the private institutions. Let there be more private institutions, I do not mind. Let them start, let them charge a little more, I do not mind. Whatever money is required for running the institution, I do not mind. But it should not be a mint where money is minted, money is looted and then utilised. Is this happening in this country or not?

It is not the Union Government alone, but the State Governments are also responsible. Is it happening or not? If this is happening, do we, sitting here, have a duty towards this thing or not? If we have any duty, should we not make a policy which can really reduce the expenses required to educate a child in our country or not? If we are not doing it, how is it going to see that the wealth is not concentrated in a few? It will concentrate. The rich man will pay, the rich man will earn, and the rich man will have more wealth than the poor man, the common man. There will not be any equality. Now, it is not going to happen.

Now, he has expressed his intention, very correct intention. He is not going to ask that you accept this Bill and you

pass this Bill. But he certainly wants to underline the disparity, the inequality that exists in our country and he is going to say that here if we do not take the corrective action we would be responsible. History will pass a judgement against us, who are sitting here – whether we are sitting on this side or on that side. They will pass a judgement against this forum, having not expressed our views and they will pass a judgement against them having taken the wrong decisions in this respect.

This has to be done. Here coming and blaming each other and saying that he did this thing and he did that thing will not help. Let us very sincerely examine the policies which we are making and understand the implications of the policies.

We are not opposed to privatisation. Let us understand this. Eighty per cent of the productive activity in India is in private hands and this was done by the Congress Party sitting here in spite of the fact that some people criticise us. But if this privatisation is used for exploitation and if it is going to create problems, should we not make the policies in such a fashion that exploitation is stopped, employment is provided, industry is developed, education is given, and technology is developed? If we are not doing these things, then what is it that we are doing? We would be enjoying the perks and facilities given as members of the Government and as Members of Parliament, and nothing more than that. Now, this kind of a thing has to be stopped.

I thought that here there is nobody asking for time to speak and I would have the time to speak. At least it would be in the record that there was at least one Member who said these and I have said these things. Please take it in the correct spirit in which I have spoken and accept whatever is acceptable. Do not say 'yes' or 'no'. We do not want that from any Minister or anybody at the spur of the moment but do keep this in your mind while making the policies.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, generally I support the Bill moved by Shri Ramdas Athawale but there are certain limitations.

While agreeing with the facts stated by Shri Shivraj V. Patil, there is another aspect which we will have to give credence to. What is the position in India now? We have introduced reform policy. It is still in operation. Globalisation, privatisation and liberalisation are the order of the day. What is the net result? Now, even the Prime Minister has pointed out that the reforms did not reach the poor man. Even though the Government introduced all these reforms, the net result is that the poor man is becoming much more poorer and the rich man is becoming much more richer. That is the position. The benefits do not reach the common man. That has been even accepted by them also.

Now, the position is that due to privatisation, some industries, which were flourishing in the past, were also sold out. The workers do not get any security of service. They have been thrown out. Even the labour laws have not been implemented. There were public sector industries which were running in profit. In those industries also, thousands and thousands of workers were thrown out. We cannot imagine 'right to work' now. What will be the fate of those workers who were thrown out every year from these public undertakings?

We hear a mass suicide in every part of the country. The farmers are committing suicide and the workers are committing suicide. I think, my friend will agree that if you go to Mumbai, almost all the textile mills have been closed down. There was a time when people from neighbouring States and even from States which are very far were working there. They were in those big cities. But they are desolate and forlorn. There is nobody to weep. This is the situation in the country.

Now, when the Constitution was framed, there were two kinds of fundamental rights provided in it. One is justiciable fundamental rights and the other one is non-justiciable fundamental rights.

Freedom of speech and freedom of association were included in the justiciable fundamental rights which could be enforced or implemented. But the rights, which are given or enumerated in article 39, are also fundamental in nature. We cannot deny that fact, but they are not enforceable. What is the result? Now we have reached a situation where we are facing a very serious crisis. We have even come to a stage that we are even far away from the international situation.

Recently there is a Supreme Court ruling that the workers do not have the right of collective bargaining. It is a fundamental right. Any attempt to strike work will be illegal, immoral and at the same time it cannot be justified. That is the stand taken by the Supreme Court. It has made this as a reference in a recent judgement. The Government did not move. They did not make any honest attempt to remedy the situation. The workers are all in arms.

It may be noted that even this House has passed a Resolution or even a statute, the Industrial Disputes Act, 1948, in which we have given a provision that they have a right to strike even work for which they will have to give 24 hours notice. After giving 24 hours notice, they can strike work. But unfortunately, the highest judicial forum in the

land thought that it is immoral and illegal. It has ignored the fact that there is a provision in the Industrial Disputes Act that the workers are given the right of collective bargaining. The Supreme Court did not agree with that.

Now, what is the net result? The Government of India has a duty, an obligation. In the International Labour Organisation, the Government of India is a party. They are one of the co-sponsors of this international Convention wherein it has been specifically provided that the right to work is a fundamental right and the right to strike work is also a fundamental right. India will have to be a signatory to that Convention. The Supreme Court judgement is against that international position or Convention. India will have to abide by the international convention and regulations.

In the World Trade Organisation, India is a member. We will have to abide by the decision of the World Trade Organisation. Can the Supreme Court say that it is against the interest of India and so we need not give credence to that? So also, in the case of the labour force, they have done this that they do not have any right to strike work. It is definitely a slur or a black mark in the international labour movement also.

The hon. Labour Minister is present here. He should remedy the situation. He will have to move for a review of the judgement. It is not a judgement. It is only a reference. That reference can be rectified. I think the Supreme Court is also thinking of getting it corrected, but I do not know whether it is true or not. But the Government should make an immediate move to get the reference rectified so that the working-class in India will get their simple right. You need not give them further jobs. You cannot leave it. At least you give them the security of job which they were enjoying. There is no security in the State. Even the recruitment rules are not observed. Even the benefits, which were given to the workers, are denied in one way or the other. Even bonus is denied. Even Leave encashment benefits are denied throughout India. But there is no remedy. At this time we are discussing this Bill which is moved by Shri Ramdas Athawale for giving better facilities, but I do not agree with the remedies suggested by him.

#### **17.00 hrs.**

He has rightly said:

"â€ the operation of the country's economic policies over the years has resulted in concentration of wealth in the so-called "industrial houses", big or small, and in groups of families and their kith and kin. The rich are becoming richer and the vast majority of people are deprived of access to the means of production of wealth and their living standards remain comparatively low."

For that purpose the remedy suggested is:

"It is, therefore, desirable that the Government should undertake constructive employment generation schemes and provide necessary facilities for self-employment. The Government should give industrial licences, export and import licences, telephone booths for operating telephone services, petrol stations, L.P.G. agencies â€"

These are the remedies suggested but these are not at all the remedies. As suggested by Shri Shivraj V. Patil, the crux of the problem is change in policy. We would have to have a rethinking of the entire process of economic reforms. We have come to such a situation. The country is facing a crisis. To avert that crisis, the only remedy is to have a rethinking in all these spheres.

In the case of higher education, Rs. 15 lakh or even Rs. 25 lakh is the normal fee required from a student seeking admission to a medical college. That is the present position in the States. The matter has gone before the Supreme Court and the Supreme Court has also taken a decision. A Committee has been appointed to fix up how many lakhs of rupees would have to be given at the time of admission. A Committee headed by a Retired Judge would have to be appointed in each and every State and these Committees would decide what amount would have to be paid. It would not be less than a lakh of rupees; in fact, it would be upwards of that. How can a poor man's child get admission in an engineering college, a medical college or any other professional college?

We are not opposed to privatisation. Private agencies have done many things but this has become a business now. Education has become more or less a business. It is no longer a service and the management is adopting a policy of making the utmost profits. With that idea in mind, people are doing many things. Many underhand dealings are taking place in a State like Kerala.

If you go to the UAE Embassy, you would see lakhs and lakhs of people coming there for getting an attestation. We cannot give them any job. They seek employment there and get employed. Every day, there is a ruckus before the

Embassy because people come in large numbers. They are mostly Malayalees from the South, intending to go to the Gulf countries. All of them are educated unemployed youths. The State cannot provide any employment because there is no employment opportunity; nor can the Central Government provide employment. They seek employment in Gulf countries. They go to Dubai, Abu Dhabi and Sharjah for getting employment.

The authorities in UAE have imposed a new restriction that all these people who are seeking employment should come to New Delhi to get their certificates attested. There would be about a thousand people coming to the Embassy every day. The Embassy would work only from 0900 hours to 1200 hours. So, at the most only 250 people can get their certificates attested. The rest of them would remain here for a longer period. When we are discussing this Bill, this is the state of affairs in our country.

If the Government cannot give them employment, they have no other way but to commit theft, robbery or other heinous offences or commit suicide. There is no other way out for them. This is the position in our country. If any hon. Member of this House went to an Embassy of a Gulf country he would see hundreds of educated unemployed youths flocking that Embassy.

In the meanwhile, the Central Government also has another difficulty in giving employment to these people. Each and every Ministry could attest their certificates or you could do one thing. You line them up and shoot them one-by-one. That is the only remedy. Now these people are put to so many difficulties.

Now, another difficulty has been imposed in addition to these difficulties. What is that? The people who seek employment in Gulf countries should in advance deposit their return fare also. Will any Government with a human feeling do this? But our Ministry of External Affairs was adamant that all these people should deposit their return fare also. We are not discussing how to make the job opportunity a fundamental right. The right to work is a fundamental right. But we cannot give it and you need not do that. You, at least, allow these people to go and live in any part of the world. These unemployed people, youths in my State and from neighbouring States are prepared to go anywhere, to any part of the world, provided you give them a safe passage. You are putting restrictions. Now, these people are going there, working there and earning a lot of foreign exchange. But this Government is not taking that fact into consideration. I am speaking all these things with a heavy heart because this is the position prevailing now. All of them are in my constituency, not only from Kerala.

So, I find it very difficult to speak on this Resolution when I am faced with this type of situation. The Government of India should come forward and they must do something. Now, in India also, you are selling away one by one all the public sector undertakings. A number of public sector undertakings are sold away at throw-away prices. People are being thrown out of employment. They are thrown on the streets. If they seek employment elsewhere, you would not give them employment. Then, what is the remedy? There must be a way out. Now, this is the deplorable situation prevailing in the country.

I think, the hon. Minister of Labour must be aware of the position. The Government of Kerala as well as several other Governments has approached you to make it somewhat easier. You please do something to prevent these people from committing mass suicides. It is because you would not give them any job and you would not allow them to work elsewhere. Then, what should they do?

Sir, inside the country, all the labour laws are now thrown away, thrown to winds. No employer is prepared to effectively implement labour laws which have been passed by this House long before. As a result, there is a lot of agitation also. No provision is being implemented and even statutory benefits are being denied to them. Actually, there is no remedy for all these matters. Even the State Government employees are denied many of their allowances. Their pensionary benefits are denied. So, this is the situation which is prevailing when we are discussing this Bill. I do not agree with the suggestion but the intention of the Bill is good.

Sir, with these few words, I support the Bill.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Mr. Chairman, Sir, I thank hon. Member Shri Ramdas Athawale for bringing this Bill for consideration of this House. The intention is good, no doubt, and it gives us an opportunity to deliberate on certain matters which are being debated not only in this House but also outside. This Bill deals with the economic policy, the labour policy, the financial situation of the country and also the overall idea that was the dream which was seen by our forefathers during the freedom struggle. During the last six decades, say from 1947 till date - this is the sixth decade that we are an independent country - political slogan has become the clamour of the day. In these last 56 or 57 years it has been repeatedly said in different political platforms that the country's economic policy is so modulated that it results in concentration of finance in some industrial houses. This has been said by various political groups and parties. To a great extent in the policies that have been framed within the last 12 years, say from 1991, this has been mounting and it is increasing day by day.

It was in 1938 that the idea of planned growth of this country was mooted by Netaji Subhash Chandra Bose and

after India gained Independence, we have witnessed nine Five-Year Plans and crores and crores of rupees have been invested in various spheres – be it industry, be it agriculture, be it housing or be it development of infrastructure. But the overall development has not happened taking the whole country into view. Certain States have developed, have advanced; others have lagged behind. The easier way of explaining it is by saying that the underdeveloped states did not do much to come to a forward position. But there are number of policies which actually bog these States down. I would give one suggestion, very well knowing the consequences of this.

Delhi is a different State. It is not a part of Haryana or Punjab or Himachal Pradesh or Uttar Pradesh or Rajasthan. It is a separate State of its own. You take out Kolkata from West Bengal; you remove Mumbai from Maharashtra or remove Chennai from Tamil Nadu, then, I think, those urban areas, metropolis will develop much better and so also the neighbouring States. But these four metropolis have developed not because of Bengal, not because of Uttar Pradesh or Punjab or not because of Maharashtra; nor Chennai has developed because of Tamil Nadu. There are two more metropolises – Hyderabad and Bangalore – that have come up much later. These cities have developed for various other reasons which have contributed immensely for development and progress of these metropolitan cities and their income will contribute to the growth of the nation, so also the nearby States. But by tying them up with certain States, the planning, the provisions that are being made automatically make those States richer. Take the industrial climate today. During the first decade, let me say, it was quite dismal. A lot of investment, continuously for three Plans, was made for infrastructure growth which contributed in the growth of the national exchequer.

But I would like to draw the attention of this House today to a turning point. When the whole world was taking a definite line in the early 1970s, India took a different line, and took up a socialist turn. During that period China under the leadership of Mao Tsetung and Chou En-lai had taken to the free market economy in a limited way. Today they are far ahead of us in the economic growth.

It is necessary that this House deliberates on this issue, as 12 years have passed, since 1991 -- this is 2003, the last month of this year -- when we took to free market economy course. What have we achieved by this free market economy? What are the shortfalls, and where we have failed? Why have we not translated all the policies that were supposed to bring more development for our country? Consciously, a decision was taken in the 1990s that investments should be made. Of course, clamour is there that we should bring in more foreign investment, but why would anyone invest in a country like ours? The only reason could be to make profit. An investor invests money to make profit and that profit is also tagged in with a stipulation that it should be made at a quicker pace. A decision was taken -- I do not think it has been corrected till now -- that we should take a middle path on this issue. Our foreign investment will be in the core sector. A learned Member from the opposition Shri Patil has referred to one instance, namely the investments in power sector.

Orissa had become a laboratory in the early 1990s as to how investment will be made and what policies should be made. Ultimately, the sufferers are the Oriyas or the people who reside in Orissa. A lot of things have been evolved, and subsequently, it has enlightened the other States as to what type of investment should be there and what law should be made in this sphere, etc.

I would like to impress upon this House that we have a population of around 102 crore. Today around 25 per cent of it are from the age group who are below 30 years. It is said that within the next 15 years that age group will be 40 per cent of our population.

We have discussed about employment and we should be discussing about gainful employment and not exploitation, as Shri Anadi Sahu, our hon. Member of this House has mentioned.

What do we understand by the term gainful employment? It means that a person who is employed should be employed for productive use and should not be exploited for his situation, for the place where he lives in or more importantly the place in which he is employed. Adequate support should be provided for self-employment.

I think, two years back Shri Gurcharan Das, an eminent columnist has come out with a book called 'The Great Divide' and in that book he has projected two issues. One issue is that he has drawn a line -- taking the Indian map into consideration -- from Delhi to Nagpur, to Hyderabad and to Chennai. He has categorically stated that the Western side will reach a certain stage in 2015 that will be quite equal to the developed world or quite equal to the status of developed nations. In order to reach that stage, the Eastern part will take another 25 years, namely that stage of 2015. It will be towards 2040 for the Eastern part to reach that stage, which this Western part of the country will be in 2015.

What does this demonstrate? This demonstrates that the whole country is not developing in a cohesive manner. There is a great divide, there is disparity and inequality within the States. There is a flight of finance from one side to the other. No doubt, some years back, a decade-and-a-half back, the then Prime Minister, late Shri Rajiv Gandhi, had said: "Calcutta is a dead city." A lot of clamour was made after that. There is no gainsaying in repeating that. However, I would just like to mention that the Eastern side of this country, not only the Eastern Coast or the North-

East, is lagging behind because there is lack of investment for development and infrastructure, there is lack of investment in industry and that is the main reason why the Eastern part of the country is unable to develop along with the Western part of this country.

I had tried to understand, when we talk of unemployment, the impact it has in the United States of America, the most developed nation. I may mention here that in the United States, around 44 million people are not covered on their health policy. They do not get the health security card; so also is the case in employment. Many in that country are convinced that free market economy has not helped them in a great way. Opportunities are less; competition is the basis for selection, and on which free market economy thrives.

India being a populated country, the interests of all sections are to be looked into. The society is changing. The Indian society that was there in the 1950s is much changed in this Twenty-first Century. The time is also changing. To provide adequate means of livelihood, this Government has taken adequate steps within the last five years. More investment is being made in the rural areas. At no point of time, more than sixty per cent of the budgetary provision was made for the development of the rural areas. I need not mention the respective schemes, be it *Pradhan Mantri Gram Sadak Yojana, PMGY, SJRY* or whatever it is. A number of programmes are there to give employment to the rural youth.

I come to the other three aspects. One is, what is 'resources' today? What is 'wealth' today? The 'wealth' today is knowledge. It is the technology, which is wealth. If iron-ore or coal, which were being termed in the Nineteenth Century as wealth, were the real wealth, then the African Continent would have been the richest Continent of this world. But today, that is not so. Today, the wealth is knowledge. A person who has that knowledge is wealthier and he commands the order. That is the main reason for development. After the demise of the Soviet Union, a new world order is also being formulated. That world order is all about who controls the knowledge: For instance, the use of computers and technology, be it in Defence or Astronomy. That knowledge actually is the guiding factor to control power.

I would briefly deal with three other aspects. One is, labour, and another is education. In labour, child labour, to which the Bill briefly refers to in the last two paragraphs in (e) and (f), has become a point for discussion in international forums. Budgetary provisions are there no doubt. However, to eradicate child labour, adequate measures have to be taken. In international spheres the issue of child labour has become a point which is to be thrashed out. The clamour in international forums over child labour is not because of concern for children but it is actually meant to remove our products from the market so that they can avoid competition. This is another kind of exploitation of the situation by international bodies and developed nations.

Today the Human Resource Development Ministry has come with *Sarva Shiksha Abhiyan*. A lot of money is being spent for the development of primary education. Consciously this country has taken a decision that higher education should be left to the private enterprise. That also limits our thinking. I would like to draw the attention of the House to the point that we have to prioritise our investment. The finances are not adequate enough that you can stretch them to all possible corners. Our first priority should be primary education. Our Government has very rightly given more emphasis to development of primary education.

In the end, I would like to conclude by saying that the economic policy of our country to a great extent led to certain level of development of our country no doubt, but it has not brought overall development in the country. That is why, though I support the intention behind the Bill, I cannot support the Bill to be passed.

**सभापति महोदय :** माननीय सदस्यगण, मुझे आवश्यक कार्य से बाहर जाना है। इस समय सदन में पैनल आफ चेयरमैन का कोई भी माननीय सदस्य उपस्थित नहीं है। इसलिए मैं सदन की अनुमति चाहता हूँ कि माननीय सदस्य श्री अनादि साहू को आसन ग्रहण करने की अनुमति प्रदान की जाए।

**कई माननीय सदस्य :** हां।

**सभापति महोदय :** सदन की अनुमति है।

मैं सदन की अनुमति से माननीय श्री अनादि साहू जी को आसन ग्रहण करने हेतु आमंत्रित करता हूँ।

17.28 hrs.

### **(SHRI ANADI SAHU in the Chair)**

**श्री बालकृष्ण चौहान (घोसी) :** माननीय सभापति जी, श्री रामदास आठवले जी द्वारा प्रस्तुत संविधान संशोधन विधेयक से संबंधित सवाल पर यहां चर्चा हो रही है जिसके अन्तर्गत संविधान के भाग 4 में राज्य के नीति निर्देशक तत्वों के अनुच्छेद 39 को संशोधित करने की प्रार्थना की गई है और जिसके अन्तर्गत खासतौर पर रोजगार का सृजन कराने और स्वयं रोजगार हेतु आवश्यक सुविधाएं उपलब्ध कराने का प्रयास किए जाने की बात कही गई है।

महोदय, मैं कहना चाहूंगा कि अनुच्छेद 39 में जो 39-क है उसके अनुसार इस देश में स्त्री और पुरुष, सभी नागरिकों को समान रूप से जीविका कमाने का अधिकार प्र

पाप्त है। इसमें यह निर्देश भी दिया गया है कि राज्य ऐसी नीति का संचालन करेंगे जिससे इस दिशा में सुविधाएं उपलब्ध हो सकें। इस प्रकार से इसमें इसका उद्देश्य समाहित हो जाता है। रोजगार का सृजन कराना और रोजगार हेतु आवश्यक सुविधाएं उपलब्ध कराना दोनों बातें आ जाती हैं, लेकिन इन्होंने अनुच्छेद 39 में जो खंड के रूप में उपखंड "ख" और "ग" को उद्धृत किया है, उसके कारण मेरी समझ से इसका विषय-वस्तु और उद्देश्य से मेल नहीं खाता है।

महोदय, उद्देश्य को 39 क ही पूरा कर रहा है, ख और ग का जो उद्देश्य नीति-निदेशक तत्वों में है कि भौतिक संसाधनों का स्वामित्व कहीं संकेन्द्रित न हो, ख और ग दोनों एक-दूसरे के पूरक हैं। भौतिक संसाधनों का स्वामित्व और नियंत्रण इस तरह से राज्य करे, जो सामूहिक हित का सर्वोत्तम रूप से साधन हो और उसको दूसरे रूप में कह सकते हैं कि धन और उत्पादन-साधनों का अहितकारी संकेन्द्रण न हो। इसलिए इन्होंने वर्णन किया कि इस देश में जो नयी आर्थिक नीतियां आई हैं, उनके कार्यान्वयन के फलस्वरूप तमाम छोटे-बड़े औद्योगिक घरानों और परिवार के समूहों में धन और संसाधनों का संकेन्द्रण हो गया है। अमीरी-गरीबी की खाई बढ़ती जा रही है, अमीर और अमीर होते जा रहे हैं, यह बात सही है। हमें इस पर बोलने का एक अवसर मिला है, अगर भौतिक संसाधन या धन को मान लिया जाए कि सौ रुपया है तो सौ रुपए में 99 रुपए केवल इस देश के एक व्यक्ति के पास है, वह अमीर है और 99 व्यक्तियों के जिम्मे केवल एक रुपए का हिस्सा पड़ रहा है। इसलिए जो साधारण, सर्वसाधारण एवं आम जनता है उसका जीवन-निर्वाह मुश्किल हो गया है। वह भुखमरी और कुपोषण की शिकार हो रही है। गरीब, बेरोजगार लोग आत्महत्या करने पर मजबूर हो रहे हैं। इसलिए नीति-निदेशक तत्वों की जो अवधारणा है कि भौतिक संसाधनों का संकेन्द्रण न हो, इसके विपरीत उल्टा काम आर्थिक नीतियों के जरिए इस सरकार ने किया है, इसके कारण अमीर और अमीर होते जा रहे हैं।

महोदय, 20-22 साल पहले गरीबी हटाओ का नारा देकर पूरे देश में एक राजनैतिक माहौल खड़ा किया गया था। गरीबी की रेखा का निर्धारण सरकार ने किया, लेकिन अभी तक अमीरी की रेखा का निर्धारण सरकार ने नहीं किया। भौतिक संसाधनों की एक सीमा है और उसी में से वितरण होना है। अगर गरीबी हटाएंगे तो गरीबों को कहां से चीजें लाकर देंगे। जो भौतिक संसाधन है, जिसके हाथ में हैं, उन्हें कहीं न कहीं से उनके हाथ से लेकर गरीबों को देने पड़ेंगे तब उनकी गरीबी दूर होगी। इसलिए वास्तव में गरीबी हटाओ की अवधारणा नेगेटिव थी, इसकी पोजिटिव अवधारणा होनी चाहिए, अमीरी हटाओ। अमीरों के पास जो देश की धन-दौलत, संसाधन भ्रष्टाचार की वजह से कालेधन के रूप में एकत्र हैं, उसे निकाल कर रोजगार के अवसर प्रदान करने में, बेरोजगारों को रोजगार देने में, गरीबों की गरीबी हटाने में इस्तेमाल किया जा सकता है। आप छोटे-छोटे उदाहरण देखें, प्रधानमंत्री सड़क योजना को 50,000 करोड़ रुपए की पूरे देश को जरूरत है, लेकिन महाराष्ट्र में तेलंगी प्रकरण में एक व्यक्ति 85,000 करोड़ रुपए लेकर बैठा है। इस तरह देश में पूरी सामान्तर व्यवस्था, आर्थिक व्यवस्था, कालेधन की काम कर रही है। जो मूल सोच है, संविधान की जो मूल आत्मा है, संविधान निर्माताओं ने जो सोचा है कि धन का संकेन्द्रण न होने पाए, उसकी ओर सरकार को कार्य करना चाहिए, लेकिन जो निजीकरण और वैश्वीकरण आया हुआ है, नयी आर्थिक नीतियां आई हैं उनके दबाव में जो विश्व बैंक और बहुराष्ट्रीय कम्पनियां हैं, WTO के दबाव में हमारी नीतियां संविधान के अनुरूप सरकार नहीं बना पा रही है। हमारी नीतियां संविधान के अनुरूप यह सरकार नहीं बना पा रही है, इसलिए मैं चाहुंगा, सरकार के माननीय श्रम मंत्री जी बैठे हैं, हमारे संविधान निर्माताओं की जो मंशा थी कि आम जनता के लिए, जनसाधारण के लिए उनकी जो सोच थी कि सब को रोजी-रोटी का साधन मिले, उसके अनुरूप पॉलिसी इनको तय करनी चाहिए और धन और उत्पादन के साधनों का जो संकेन्द्रण अमीरी के आधार पर हो रहा है, उसके लिए अवधारणा विकसित करें, अमीरी हटाओ की अवधारणा पर काम करके, इस पर बहस करके निर्का निकालकर कार्य करना चाहिए।

मैं आठवले जी को धन्यवाद दूंगा कि उन्होंने इस प्रकरण को उठाया, जो रोजी-रोटी के, जीविका के साधन से जुड़ा हुआ है। मैं माननीय मंत्री जी से पुनः अनुरोध करूंगा कि इस पर पर्याप्त और उचित विधान लाकर भौतिक संसाधनों का संकेन्द्रण को रोकें ताकि आम जनता का भला हो।

**प्रो. रासा सिंह रावत (अजमेर) :** माननीय सभापति महोदय, स्वाधीनता के 56 वॉ के पश्चात भी आज हिन्दुस्तान के अन्दर एक नारा सुनाई पड़ता है कि रोटी, कपड़ा और मकान, मांग रहा है हिन्दुस्तान। मैं आठवले जी द्वारा प्रस्तुत जो संविधान संशोधन लाया गया है, उसकी भावना का मैं आदर करता हूँ और संविधान के निर्देशक तत्वों के अन्दर इस बात की ओर ध्यान आकर्षित किया गया है कि राज्य का दायित्व होगा और वह ध्यान रखेगा कि पुरुष और स्त्री, सभी नागरिकों को समान रूप से जीविका के पर्याप्त साधन प्राप्त करने का अधिकार होना चाहिए।

इसके साथ साथ ख और ग, जिसकी तरफ इन्होंने ध्यान आकर्षित किया है, इस समस्या के जो भौतिक पदार्थ संसाधन हैं, उनका स्वामित्व, नियंत्रण इस प्रकार बंटा हुआ होना चाहिए, सामूहिक हित का सर्वोत्तम रूप से साधन हो और आर्थिक व्यवस्था इस प्रकार चले, जिससे धन और उत्पादन और साधनों का सर्वसाधारण के लिए अहितकर संकेन्द्रण न हो। मुझे हिन्दी का एक दोहा याद आ रहा है:

माया से माया मिले, कर कर लम्बे हाथ,

तुलसी हाय गरीब की, पूछे न कोई बात।

आजादी के बाद कभी हमने पंचवर्षीय योजना के माध्यम से, कभी बड़ी-बड़ी योजनाओं के माध्यम से, बड़े-बड़े उद्योग-धन्धों की स्थापना के माध्यम से, समाजवादी समाज की स्थापना के माध्यम से, गरीबी हटाओ के नारे के नाम पर और उसके पश्चात अब उदासीकरण और वैश्वीकरण के नाम पर आर्थिक विामता को मिटाने का प्रयास तो बहुत किया, लेकिन उसका परिणाम जो निकलने चाहिए, मैं समझता हूँ कि वे नहीं निकल पाये और एक प्रकार से यदि मैं कहूँ कि जैसे रामचरित मानस के अन्दर प्रसंग आता है कि जब हनुमान जी सीता जी का पता लगाने के लिए श्रीलंका जा रहे थे, यह पौराणिक कथा है, तो उस समय सुरसा उनकी परीक्षा लेने के लिए उपस्थित हुई। तुलसीदास जी लिखते हैं:

जस-जस सुरसा बदन बढ़ावा, तासो दूनि कपि रूप दिखावा।

जैसे-जैसे सुरसा ने हनुमान जी को खाने के लिए अपना मुँह फैलाया, हनुमान जी उससे दूने होते चले गये और जब मुँह 32 योजन का हो गया तो हनुमान जी सूक्ष्म रूप में होकर वापस बाहर आये। खैर, वह तो एक कथा थी, लेकिन मैं यह कहना चाहता हूँ कि जैसे-जैसे हमने प्रयास किये, ज्यों-ज्यों दवा की, मर्ज बढ़ता चला गया। बेरोजगारी बढ़ती चली जा रही है। देश की बढ़ती हुई आबादी सबसे बड़ी समस्या है, जिसकी ओर किसी का भी ध्यान नहीं जा रहा है। अगर आर्थिक विामता हम मिटाना चाहते हैं तो सारी योजनाओं के साथ-साथ सारे देश के समस्त राजनैतिक दलों को अपनी सोच से ऊपर उठकर रा्ट्र के हित को सर्वोपरि मानकर बढ़ती हुई जनसंख्या पर नियंत्रण प्राप्त करने का प्रयास करना पड़ेगा, तब जाकर हम आर्थिक लक्ष्यों को भी प्राप्त कर सकेंगे। सामाजिक विामता के साथ-साथ आर्थिक विामता को भी मिटाने में समर्थ हो सकेंगे। अन्यथा हमारे प्रयास रेत के अन्दर तेल निकालने के समान या खरगोश के ऊपर सींग दूढ़ने के समान या आकाश के ऊपर चित्र बनाने के समान ही सिद्ध होंगे।

वास्तव में हमारे संविधान के अन्दर हम हमेशा बात करते रहे हैं कि रोजगार का अधिकार भी प्राप्त होना चाहिए, लेकिन अभी तक रोजगार का अधिकार प्रदान नहीं किया गया है।

**सभापति महोदय :** एक मिनट रुकिये। इस बिल के लिए दो घण्टे का समय निर्धारित किया गया था। अब दो घण्टे का समय खत्म हो गया है। अभी आप बोलेंगे, मंत्री जी बोलेंगे और आठवले जी बोलेंगे, इसलिए यदि इजाजत हो तो 6 बजे तक इस बिल का समय बढ़ा दिया जाये।

**कुछ माननीय सदस्य :** ठीक है।

**सभापति महोदय :** ठीक है, समय बढ़ाया जाता है। आप बोलना जारी रखिये।

**प्रो. रासा सिंह रावत :** माननीय अटल बिहारी वाजपेयी जी के नेतृत्व में जो सरकार आई है, इस सरकार ने नारा दिया, हर हाथ को काम, हर खेत को पानी। मैं समझता हूँ कि जो हमारी योजनाएँ वर्तमान समय में बन रही हैं, वे सारे गांवों के सर्वांगीण विकास के लिए हैं, चाहे स्वर्ण जयन्ती ग्राम स्वरोजगार योजना हो या सम्पूर्ण ग्राम विकास योजना हो। चाहे पी.एम.आर.वाई. के अन्तर्गत या प्रधान मंत्री ग्राम सम्पर्क योजना के अन्तर्गत रोजगार देने की बातें कही गयी हैं। लेकिन मैं चाहूँगा कि इस बात के ऊपर अत्याधिक जोर दिया जाये कि हर हाथ को काम मिले, हर खेत को पानी मिले ताकि देश के अंदर बेरोजगारी दूर हो सके।

मैं एक बात और कहना चाहता हूँ कि जब हमारे देश में परम्परागत ढंग के कुटीर उद्योग थे, लघु उद्योग थे, ग्राम उद्योग थे जिससे ग्राम वासी गांव के अंदर स्वावलम्बन का जीवन जिया करते थे और गांवों की आबादी शहरों की तरफ नहीं आती थी। लेकिन जब से वे लघु उद्योग नष्ट हो गये, कुटीर उद्योग नष्ट हो गये, परम्परागत उद्योग नष्ट हो गये, कृषि पर आधारित उद्योग नष्ट हो गये तो परिणाम स्वरूप गांवों के अंदर बेरोजगारी हो गयी। इस कारण भी गांवों की बहुत बड़ी आबादी रोजगार प्राप्ति के लिए शहरों की तरफ आ रही है। शहरों में उन्हें झुग्गी-झोंपड़ियों में रहने के लिए विवश होना पड़ता है। जैसे एक कवि ने कहा है कि एक तरफ अमीरों की गंगनचुंबी अट्टालिकाएं आसमान को छूने वाली, सीमेंट के कंक्रीट के जंगल खड़े हो रहे हैं, दूसरी तरफ गरीब लोग झुग्गी झोंपड़ियों में रह रहे हैं। "श्वानों को मिलता दूध, भूखे बालक कुलबुलाते हैं, मां की छाती से चिपक सिसक-सिसक रह जाते हैं।" यह कितनी बड़ी विमता है कि एक तरफ मकानों को बनाने वाले लोगों का जीवन नारकीय होता है और दूसरी तरफ उन मकानों में रहने वाले अमीर लोग होते हैं।

मैं आपके माध्यम से प्रार्थना करना चाहूँगा कि इस बिल के अंदर जो भावना व्यक्त की गयी है, संविधान संशोधन भले ही न हो लेकिन भारतीय संविधान के अंदर जो बात की गयी है, उसकी क्रियान्विति का दायित्व एक प्रकार से सरकार का भी है। कुछ ऐसी व्यवस्था की जानी चाहिए जिससे आतंकवाद मिटाने के लिए, क्षेत्रीयता मिटाने के लिए, असम जैसी समस्या का निराकरण करने के लिए, शहरों की तरफ बढ़ती हुई आबादी को रोकने के लिए, रोजगार के साधन स्थानीय स्तर पर मुहैया हो सके और इसके साथ-साथ बढ़ती हुई जनसंख्या के ऊपर अंकुश लग सके। आपने मुझे बोलने का समय दिया, इसके लिए मैं आपका हार्दिक आभार व्यक्त करता हूँ।

**श्रम मंत्री (डॉ. साहिब सिंह वर्मा) :** आदरणीय सभापति महोदय, संविधान संशोधन के माध्यम से एक बहुत बड़ी समस्या जो देश के सामने है, उसके बारे में अनेक माननीय सदस्यों ने अपने विचार प्रकट किये हैं और यह चिंता जताई है कि देश में 56 साल की आजादी के बाद अभी भी बेरोजगारी बढ़ी तादाद में है खासकर गरीबों के अंदर, पिछड़े क्षेत्रों में, गांवों में। यह भी बताया गया कि किस प्रकार से धन कुछ हाथों में जाता जा रहा है और किस तरह से गरीब गरीब होता जा रहा है और अमीर अमीर होता जा रहा है। इसके बारे में भी यहां चर्चा की गयी है।

हमारी सरकार जब से आई है तब से उसने दो-तीन बातों पर चिंता व्यक्त की है। सबसे पहले उसने इस बात पर चिंता व्यक्त की कि हम किस प्रकार से जॉब्स और ज्यादा क्रिएट कर सकें, जनरेट कर सकें। यह भी चिंता थी कि आज देश के अंदर जो लेबर लॉज हैं, किस प्रकार से उनके अंदर रिफार्म किया जाये। यह भी चिंता प्रकट की गयी कि असंगठित क्षेत्र में जो करोड़ों लोग काम करते हैं, किस तरह से हम उन लोगों को सामाजिक सुरक्षा दें। ये सभी बातें बहुत ही महत्वपूर्ण थीं। इस कारण से कमीशन बैठाया गया तथा जॉब्स किस तरह से जनरेट की जायें, उसके लिए एक कमेटी भी बनाई गयी। उसके बाद दूसरी कमेटी बनाई गयी। इस तरह से इसकी रिपोर्ट आयी। उसके बाद प्रधान मंत्री जी ने कहा कि हम 1 करोड़ जॉब्स हर साल क्रिएट करेंगे। क्रिएट करने का अर्थ यह है कि वे जॉब्स हम देंगे या उनको किसी न किसी प्रकार का अपना धंधा देंगे, सैल्फ इम्प्लायमेंट होगा। इस प्रकार का प्रयत्न अमेंडमेंट में किया गया है। हम किसी भी प्रकार से कोशिश करके उनको नौकरी देने का इंतजाम कर सकें या उनको इस प्रकार की सुविधा दें जैसा पाटिल जी ने कहा, दूसरे लोगों ने भी कहा कि जो फाइनेंशियल इंस्टीट्यूट्स हैं, वे उनकी मदद करें, कम पैसे पर दें या सबसिडी दें। प्रधान मंत्री जी ने इन सब बातों की तरफ चिंता व्यक्त की। जब कमीशन की रिपोर्ट आई, कमेटी की रिपोर्ट आई, उसके तहत एक टॉस्क फोर्स मिनिस्ट्री की तरफ से बनाया गया। टॉस्क फोर्स सिर्फ यह देखता है कि हम कहां-कहां पर जॉब्स जनरेट कर सकते हैं, किस-किस काम को आगे बढ़ाना चाहिए। वह यह भी देखता है कि बड़े-बड़े प्रोजेक्ट्स हैं जैसे सड़क बनाने का काम चल रहा है, उसमें टॉस्क फोर्स यह भी देख रहा है कि वहां पर मशीन से कितना काम हो रहा है, हाथ से कितना काम हो रहा है और कौन सा काम मशीन से करना बहुत जरूरी है या कौन सा ऐसा काम है जो मशीन की बजाय हाथ से हो सकता है या ज्यादा लोगों को जॉब सकता है। इस काम को भी वह देख रहा है। इस तरह से बड़े पैमाने पर मंत्रालय ने इस पर काम शुरू किया है। अनआर्गनाइज्ड सेक्टर में जो लोग काम करते हैं, माननीय सदस्यों ने यह बात कही कि उन लोगों को किसी तरह की सामाजिक सुरक्षा ही नहीं है। कई राज्यों में तो आज भी दिखाने के लिए नेशनल फ्लोर लैवल पर 55 रुपये मिनिमम वेजेस है लेकिन उनको 20-25 रुपये तक ही वेतन दिया जाता है। यह दुर्दशा तो है ही।

अभी एक व्यवस्था बनाई जा रही है, संसद के सामने ऐसा कानून बनाने के लिए एक बिल आने वाला है जिसमें देश के जो 90 प्रतिशत श्रमिक लोग हैं, जिनको सामाजिक सुरक्षा नहीं मिलती और जो असंगठित क्षेत्रों में काम करते हैं या जो सैल्फ इम्प्लॉयड लोग हैं, उनको सोशल सिक्युरिटी, मैडीकल फैसिलिटी दिलवाएं, इंश्योरेंस कवर दिलवाएं, डेथ होने पर कम से कम फैमिली पेंशन करवाएं, 60 साल की उम्र का बाद पेंशन दिलवाएं। 56 सालों में अभी तक इस प्रकार का कोई प्रयास नहीं हुआ और न ही असंगठित क्षेत्रों में काम करने वाले लोगों के लिए सामाजिक सुरक्षा की कोई व्यवस्था की गई। यह सरकार इस बारे में बहुत चिंतित है और काम कर रही है। अनेक योजनाएं जैसे आपको भी मालूम है, स्वर्ण जयन्ती ग्राम योजना है, ग्राम समृद्धि योजना है, इम्प्लॉयमेंट एंशोरेंस स्कीम है, कई तरीके की योजनाएं चलाई गई जो गरीबी उन्मूलन के लिए काम कर रही हैं और लोगों को काम भी दे रही हैं। सरकार की तरफ से उनको कई तरह की ट्रेनिंग भी दी जा रही है। जन शिक्षण संस्थान के माध्यम से छोटे-छोटे कोर्सेज देश के काफी डिस्ट्रिक्ट्स में चलाए जा रहे हैं। बाल श्रम को खत्म करने के लिए सौ से ढाई सौ डिस्ट्रिक्ट्स में भी हमने काम शुरू किया है। सदस्यों ने जो चिन्ता प्रकट की है, इस सरकार ने उनमें इनीशिएटिव लेकर काम प्रारंभ किया है। मैं माननीय सदस्यों और आठवले जी को विश्वास दिलाता हूँ कि जो भावना उन्होंने प्रकट की है, हम विभिन्न योजनाओं में लोगों को रोजगार देने, सैल्फ इम्प्लॉयमेंट देने का काम पहले से ही कर रहे हैं। वह और अधिक सघन तरीके से हो, इस बारे में भी सरकार चिन्ता कर रही है, विभाग चिन्ता कर रहा है। मैं माननीय सदस्यों से प्रार्थना करना चाहूँगा कि इस विषय पर सरकार बहुत गंभीरता से विचार कर रही है, काम कर रही है और बहुत काम किए हैं। इसलिए माननीय सदस्यों के और भी जो सुझाव आए हैं, हम कोशिश करेंगे कि इस समय हमारे जो काम चल रहे हैं, उनकी इफैक्टिवनेस को किस प्रकार से और बढ़ाया जा सकता है, उसकी तरफ भी हम ध्यान देंगे।

इन्हीं बातों को ध्यान में रखकर मैं माननीय सदस्य से प्रार्थना करूँगा कि वे अपने विधेयक को वापिस ले लें। इसके पीछे जो भावना है, मैं उसकी कद्र करता हूँ। इसलिए मैंने इस विषय में सारी बातें बताई हैं।

**SHRI RAMESH CHENNITHALA (MAVELIKARA):** I would like to ask one question from the hon. Minister. There is some complaint that there is a total ban on recruitment in the Central Government services. Is it true or not?

**डॉ. साहिब सिंह वर्मा :** रिक्रूटमेंट पर पूरी तरह से बैन कहीं पर नहीं है। राधाकृष्णन जी ने एक बात उठाई थी। जब डब्ल्यूटीओ पर साइन हुए तो यह बात कही गई कि जहां चीजें सस्ती पैदा होती हैं, वहां दूसरे देशों में भेजने के लिए फ्री मूवमेंट होनी चाहिए। यह कहा गया कि इससे डैवलपिंग कंट्रीज की इकोनॉमी स्ट्रेंगदन होगी। लेकिन जब मैं जुलाई में वहां गया था तो मैंने आईएलओ में यह विषय उठाया था और उन्होंने इस बात की सराहना भी की। मैंने कहा यह बात सही है कि आप गुड्स की बात करते हैं लेकिन गुड्स किसके लिए हैं - आदमियों के लिए हैं। मान लें एक गरीब देश या डैवलपिंग कंट्री में करोड़ों लोग बेकार बैठे हैं। उनके हाथ को काम चाहिए और वे थोड़े पैसे में काम कर सकते हैं। एक दूसरा देश है जहां काम करने वाले नहीं हैं और वहां बहुत महंगे में काम होता है। जहां गुड्स सस्ते पैदा हो सकते हैं, उन्हें दूसरे देश में भेजने की इजाजत है तो जहां सस्ती लेबर मिलती है, उसकी दुनियाभर के अंदर फ्री मूवमेंट क्यों नहीं होनी चाहिए। यह बात उठाने की बहुत आ



वश्यकता है। हमने इस मामले को अंतर्राष्ट्रीय स्तर पर उठाया है कि इसकी इजाजत मिलनी चाहिए तभी डैवलपिंग और डैवलपड कंट्रीज़ का अंतर खत्म होगा। यह बात हमने वहां सब स्तर पर उठाई है।

DR. V. SAROJA (RASIPURAM): Mr. Chairman Sir, I would like to know from the hon. Minister on some points.

India is an agricultural country. Nearly 85 per cent of our people belong to the farming community. Will the Government formulate the agro-based small-scale industries and also the food processing industries with cold storage and other infrastructural facilities in such a way that the migration of the local people can be curtailed?

Secondly, economic empowerment of women has proved to be the right solution for the people of Tamil Nadu. Will the Government follow the footsteps and adopt the policies and guidelines of Tamil Nadu Government?

Thirdly, we have to learn a lesson from China. Nearly 17 per cent of the small scale industries of China is labour-oriented. Will the Government take note of these points, and without any sort of an ego exchange views as well as learn from our own States?

**डॉ. साहिब सिंह वर्मा :** यह बात माननीय सदस्य ने बिल्कुल ठीक कही है कि इस देश में हमें कुटीर उद्योग के ऊपर बहुत ध्यान देने की आवश्यकता है। महात्मा गांधी जी ने प्रारम्भ में ही कहा था कि हमें देश में अगर लोगों को रोजगार देना है और उनकी क्रय शक्ति बढ़ानी है तो उसके लिए गांव-गांव में इस तरह के काम करने होंगे। माननीय सदस्यों को यह जानकर खुशी होगी कि सरकार ने जो एग्री कल्चर बेस्ड इंडस्ट्रीज हैं, जो छोटे-छोटे उद्योग हैं, इस प्रकार के बहुत सारे कार्यक्रम हैं जिनमें हम सब्सिडी दे रहे हैं और काम चलाने के लिए प्रशिक्षण दे रहे हैं तथा अनेकों क्षेत्रों में इस प्रकार की सुविधा दी गई है, महिलाओं को भी सुविधा दी गई है तथा गांवों और शहरों में भी इस प्रकार की सुविधाएं उपलब्ध हैं। इसकी किताब भी सरकार द्वारा प्रकाशित की गई है और वह भी माननीय सदस्यों के पास पहुंची है। इस तरह की सारी योजनाओं को अगर अपने क्षेत्र में लोगों को आप बताएं तो निश्चित रूप से उसका बहुत बड़ा लाभ होगा।

**श्री रामदास आठवले (पंढरपुर) :** सभापति जी, भारत के संविधान के अनुच्छेद 39 में जो उपबंध है कि राज्य अपनी नीति का संचालन इस तरह से सुनिश्चित करें कि उसका फायदा सर्व साधारण लोगों को होना चाहिए। जो केन्द्र का बजट है, राज्य का बजट है और जो हमारा उत्पादन है, उसका फायदा उस गरीब आदमी को होना चाहिए। उस गरीब आदमी को अमीर बनने की कोशिश करनी चाहिए और बहुत बड़े जो अमीर लोग हैं, उनको गरीब होने की कोशिश करनी चाहिए। बहुत बार बैंक का पैसा बड़े-बड़े लोगों को ही मिलता है और हमारे देश के संविधान में इकोनॉमिक ईक्वैलिटी की बात स्वीकार की गई है कि जो 26 जनवरी 1950 को डा. बाबा साहेब अम्बेडकर ने जो संविधान अपने देश को दिया, उसको हम लोगों ने स्वीकारा है और सोशल एंड इकोनॉमिक ईक्वैलिटी का स्वरूप संविधान के माध्यम से हम लोगों ने स्वीकार किया है मगर उसका इम्प्लीमेंटेशन जिस तरह से होना चाहिए, वह नहीं हो रहा है। यह बिल लाने का कारण यही है कि अमीर और ज्यादा अमीर न हो और गरीब और ज्यादा गरीब न हो, यह भारत के संविधान के खिलाफ है। अगर हम सब भारतीय नागरिक हैं तो फिर भारत के हरेक क्षेत्र में व्यक्ति को, समूह को उतना ही फायदा मिलना चाहिए जितना हमें मिल रहा है। इसी तरह की नीति सरकार को अपनानी चाहिए और इसीलिए 53 साल में हमारे देश के उत्पादन का नियोजन जिस तरह से होना चाहिए था, वह ठीक ढंग से नहीं हुआ। इसीलिए गरीब आदमी गरीब होता जा रहा है और अपने देश में सरकारी आंकड़ों के मुताबिक कम से कम 26 प्रतिशत लोग गरीबी रेखा से नीचे है। अपने देश में बेरोजगार लोगों की संख्या 20 करोड़ है।

साहिब सिंह वर्मा जी लेबर के सम्बन्ध में बहुत अच्छी तरह से जानते हैं। वे उनको न्याय देना चाहते हैं, लेकिन नीतियां ऐसी हैं कि वे यह सही तरीके से उठा नहीं पा रहे हैं। हमारे देशी की जनसंख्या 102 करोड़ है, जिसमें से करीब 20 प्रतिशत यानी 20 करोड़ लोग आज भी बेरोजगार हैं। कृषि क्षेत्र में 57 प्रतिशत लोगों को रोजगार मिला है। स्माल स्केल इंडस्ट्रीज ठीक तरह से चल नहीं पा रही हैं। मार्च 1974 तक हमारे देश में स्माल स्केल इंडस्ट्रीज में काम करने वाले एम्प्लायज की संख्या 3.9 मिलियन थी, जो मार्च 2000 में 17.89 मिलियन हो गई। लेकिन आज की जो स्थिति है, उसमें हम देख रहे हैं कि स्माल स्केल इंडस्ट्रीज बंद होती जा रही हैं। जिस तरह से प्राइवेटाइजेशन और ग्लोबलाइजेशन होता जा रहा है, उसका सामना करने में हम सक्षम तो हैं, लेकिन उसके बावजूद भी हम पिछड़ रहे हैं। हमने लुधियाना में देखा कि वहां 60 से 70 प्रतिशत स्माल स्केल इंडस्ट्रीज बंद हो गई हैं। इसी तरह से अहमदाबाद में भी करीब 70 प्रतिशत लघु उद्योग बंद हो गए हैं। मुम्बई और दिल्ली में भी यही स्थिति है। अगर मैं यह प्रॉब्लम सॉल्व करनी है तो मेरा सुझाव है कि लघु उद्योगों को ज्यादा से ज्यादा सुविधा देनी होगी। हम जब मनोहर जोशी जी के साथ चीन गए थे तो हमने बीजिंग और शंघाई में देखा कि वहां लघु उद्योगों को किस तरह से बढ़ावा दिया जा रहा है, उन्हें किस तरह से ताकतवर बनाया जा रहा है। अपने यहां बिजली की दर बहुत ज्यादा है। इसी तरह से पानी की और जमीन की कीमत भी बहुत ज्यादा है। प्रशासन ऐसा है कि जिस अधिकारी के पास जाओ, वह पैसा मांगता है। इसलिए इस पर गम्भीरता से सोचने की आवश्यकता है। अगर हमें अपने देश में आर्थिक समानता लानी है तो हमारे देश में जो आठ लाख करोड़ रुपया ब्लैक मनी के रूप में जमा है, जो कि बढ़ता जा रहा है, उसको कम करने की आवश्यकता है। देश में उत्पादन और इनकम बढ़ाने की आवश्यकता है। फिर हमें अपने देश के विकास के लिए पैसा खर्च करने में मदद मिलेगी।

प्रधान मंत्री रोजगार योजना शुरू की गई है, लेकिन उससे कितने लोगों को फायदा हुआ है, यह सब जानते हैं। दस लाख लोग एप्लीकेशन देते हैं, लेकिन मुश्किल से 50,000 लोगों को ही लोन मिलता है। रेलवे में भर्ती शुरू हुई तो वहां पर 74 लाख लोगों ने एप्लीकेशन दी। असम में, मुम्बई में और दिल्ली में लोग नौकरी के लिए चक्कर लगा रहे हैं। रेलवे को चाहिए था कि हर राज्य में लोगों को साक्षात्कार के लिए बुलाने की व्यवस्था करती। 16,000 जगहों के लिए रेलवे को 74 लाख एप्लीकेशंस आईं। इससे आप सोच सकते हैं कि कैसे सब लोगों को नौकरी मिलेगी। इसलिए सरकार की संवैधानिक जिम्मेदारी है कि हरेक नौजवान को रोजगार दे। लेकिन इस जिम्मेदारी को वह निभा नहीं रही है। जब चुनाव आता है तो हम लोगों के सामने जाते हैं। यह ठीक है कि अभी आपको तीन राज्यों में सफलता मिली है। प्रधान मंत्री जी ने हर साल एक करोड़ लोगों को रोजगार देने का आश्वासन दिया था। आपकी सरकार सत्ता में है, आप बताएं कि पांच सालों में कितने लोगों को रोजगार मिला। उसके बावजूद भी आपको अभी चुनावों में सफलता मिली है। मैं कोई राजनीतिक बात नहीं करना चाहता।

यह विषय काफी विस्तृत है कि गरीबी हटनी चाहिए, लोगों को रोजगार मिलना चाहिए। पांच करोड़ लोगों को रोजगार देने की बात कही गई है, लेकिन रोजगार देने के सम्बन्ध में जो प्रयत्न किए गए हैं, उनमें ज्यादा सफलता नहीं मिल रही है।

**18.00 hrs.**

रिलाइन्स की प्रापर्टी 70 हजार करोड़ रुपये है। मफतलाल की, टाटा की, बिरला की, बजाज की बहुत प्रापर्टी है। अगर हमें आर्टिकल 39 को न्याय देना है तो इनकी प्रापर्टी कम करनी चाहिए। इन लोगों को लगता है कि वे लेबर रखकर लोगों को एम्प्लॉयमेंट देते हैं। मेरा कहना यह है कि इतनी ज्यादा प्रापर्टी पर बेन होना चाहिए। एक फ़ैमली के पास कितनी जमीन, मकान, दुकान और प्रापर्टी होनी चाहिए, यह भी तय किया जाना चाहिए। ज्यादा प्रापर्टी पर बेन लगना चाहिए और ऐसा एक कानून बनाने की आवश्यकता है जिससे अगले 25 सालों में हम अपने टारगेट तक पहुंच सकें। इस दिशा में काम करने की आवश्यकता है। अगर हमें गरीब आदमी को, नीचे के आदमी को ऊपर उठाना है तो उनको आर्थिक रूप से ताकत देने की आवश्यकता है। लेकिन आज ऊपर वाला आदमी और ऊपर जा रहा है और गरीब तथा

अमीर आदमी में अंतर बढ़ता जा रहा है। समानता अगर हमें लानी है तो नीचे वाले आदमी को ऊपर उठाना होगा और ऊपर वाले आदमी को नीचे लाना होगा। नीचे वाले आदमी को 10 फीट ऊपर और ऊपर वाले को 10 फीट नीचे लाना होगा।

**सभापति महोदय :** आठवले जी, अब समाप्त कीजिए।

**श्री रामदास आठवले :** समाप्त तो करूंगा लेकिन पहले नीचे वाले आदमी को ऊपर तो लाने दीजिए।

**सभापति महोदय :** सरकार भी यही चाहती है। अब आप समाप्त कीजिए।

**श्री रामदास आठवले :** सरकार में बैठे कुछ लोगों को भी थोड़ा नीचे जाना पड़ेगा। ऊपर वाले लोगों को भी संरक्षण देने की आवश्यकता है। इस प्रकार की एक प्रैक्टिकल पॉलिसी बननी चाहिए जिससे बैंकों का पैसा गरीब आदमी को कम ब्याज पर मिले और केवल गरीब आदमी को ही पेट्रोल पंप मिलने चाहिए। लेकिन होता यह है कि जिनके पास पहले से ही तीन-चार पेट्रोल-पंप हैं उन्हीं को पेट्रोल पंप मिलता है गरीब आदमी को नहीं मिलता है। हमें पेट्रोल पंप नहीं मिलता है। मैं भी जब बेरोजगार था तो मैंने भी पेट्रोल-पंप के लिए एप्लाई किया था लेकिन मुझे नहीं मिला। गरीब लोगों को अगर ऊपर उठाना है तो इसी प्रकार के प्रयत्न करने की आवश्यकता है। मैं मानता हूँ कि हमारे मंत्री महोदय बहुत एक्टिव हैं लेकिन दिल्ली के मुख्यमंत्री के लिए इनका नाम नहीं आया बल्कि माननीय मदल लाल जी खुराना का आया। हमारा कहना इतना ही है कि लेबर एक्ट-16 को समाप्त करने की आवश्यकता है। ऐसे ही दूसरी एजेन्सिया जो हैं जैसे म्युनिसिपैलिटी है और दूसरी सरकारी डिपार्टमेंट्स हैं उनमें अस्थाई लेबर रखने की परम्परा है। ऐसे अस्थाई कर्मचारियों को तीन साल के बाद स्थाई करने की आवश्यकता है। जो लोग बेरोजगार हैं अगर उनका नाम तीन साल तक रोजगार कार्यालय में रहता है और उनको नौकरी नहीं मिलती है तो उन्हें तीन हजार रुपये बेकारी भत्ता मिलना चाहिए। अगर तीन हजार रुपया मिलेगा, तो बहुत सारे लोगों को फायदा मिलेगा।

**सभापति महोदय :** आठवले जी, थोड़ा समय का ख्याल कीजिए।

**श्री रामदास आठवले :** महोदय, माननीय श्रम मंत्री जी ने जवाब तो दे दिया है, लेकिन फाइनेंस मिनिस्टर को जवाब देना चाहिए था, क्योंकि बात इकोनोमिक इक्वैलिटी की है। आपके पास पैसा नहीं है, आपके पास रोजगार नहीं है। जब आपके पास पैसा नहीं है, तो आप पैसा कहां से देंगे, इसलिए वित्त मंत्री, श्री जसवंत सिंह जी को जवाब देना चाहिए। आपने रिक्वेस्ट की है कि बिल वापिस ले लिया जाए, क्योंकि यह प्राइवेट मेंबर बिल है। हम कहेंगे कि हम बिल वापिस नहीं लेते हैं, लेकिन बाद में बिल वापिस ले लिया जाता है। यह व्यवस्था चल रही है। बिल सरकार के माध्यम से आना चाहिए, यदि आप ऐसा एश्योरेंस सदन को देते हैं, तो मैं यह बिल वापिस ले सकता हूँ। श्री अटल बिहारी वाजपेयी जी की सरकार को इकोनोमिक इक्वैलिटी की बात को ध्यान में रखकर कदम उठाने चाहिए। जिन लोगों के पास जमीन नहीं है, उनको जमीन मिलनी चाहिए, ताकि अपने देश से गरीबी हट सके और इकोनोमिक इक्वैलिटी स्थापित हो सके। मैं इतनी ही उम्मीद करता हूँ कि फाइनेंस मिनिस्टर से बात करके एससी के लिए 18 परसेंट और एसटी के लिए 10 परसेंट बजट का प्रावधान करेंगे। अगली बार जब मेरा बिल आएगा और वित्त मंत्री जवाब देंगे, इस आशा के साथ मैं यह बिल वापिस लेता हूँ।

Sir, I beg to move for leave to withdraw the Bill further to amend the Constitution of India.

MR. CHAIRMAN : The question is:

"That leave be granted to withdraw the Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI RAMDAS ATHAWALE : I withdraw the Bill.

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