

PROF. MADHU DANDAVATE :
I introduce the Bill.

12.36 1/2 hrs.

CONSTITUTION (AMENDMENT)
BILL*

(Insertion of new article 394A)

[Translation]

SHRI NARESH CHANDRA CHATURVEDI (Kanpur) : Mr. Chairman, Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

[English]

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India”.

The motion was adopted.

[Translation]

SHRI NARESH CHANDRA CHATURVEDI : I introduce the Bill.

12.37 hrs.

CONSTITUTION (AMENDMENT)
BILL—Contd.

(Insertion of new article 16A, etc.)

[English]

MR. CHAIRMAN : The House will now take up further consideration of the following motion moved by Shri G.M. Banatwalla on the 7th March, 1986, namely :—

“That the Bill further to amend the Constitution of India be taken into consideration”.

Now, Shri Mool Chand Daga may continue his speech.

[Translation]

SHRI MOOL CHAND DAGA (Pali) : Madam Chairman, our Government has firmly resolved to abolish the poverty from the country during Seventh Five Year Plan. If you try to understand it, I would like to cite before you, some facts and figures in support of it... [Interruptions]... Our Government has fixed a target to alleviate poverty to 25 points by 1989-90. During Sixth Five Years Plan this percentage was 40 and in 1984-85, the total number of the poor was 27,30,00,000. By 1989-90, this number is estimated to have reduced to 21,10,00,000. Government will endeavour to alleviate poverty mostly from the rural areas and our Prime Minister had also declared at an inauguration ceremony that the basic aim of the Seventh Five Year Plan is to start a battle against poverty with full strength and firm determination and we have to redeem this pledge.

I would like to tell you as to how much we are going to spend in this regard and on which sector the funds would be spent. In the current Budget, Rs. 1851 crores will be spent on I.R.D.P. against Rs. 1,239 crores during the last year. Besides it, Rs. 443 crores will be spent on National Rural Employment Programme against the previous year's outlay of Rs. 230 crores. Under R.L.E.G.P. Rs. 6,033 crores will be spent where as it was only Rs. 4000 crores during the last year. In addition to these schemes, it has also been decided to spend Rs. 125 crores for Rural Housing and to provide loans to the schedule caste and schedule tribes for house building. In addition to it, Government has provided sufficient funds for Public Undertakings. Apart from this, under Self Employment Scheme, we have decided to grant loans to the educated unemployed to start their own work and a sum of crores of rupees has been provided for this purpose in the budget. Besides it, under TRYSEM Scheme various development programmes have also been started. Mr. Banatwalla, you know that in India people believe in strenuous efforts and hardwork. When billions of rupees are

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being spent on various schemes and programmes like I.R.D., N.R.E.P., Self Employment and TRYSEM and D.P.A.P., then what else do you want? By introducing such Bill, you want them to become idle and useless by providing allowances while sitting at home and doing nothing. You know that our Government is giving old age pension. In villages old and aged people are getting pension at home. If people are fit for the work and wish to restructure this society by hardwork, they can take full advantage of various programmes and schemes started by the Government in this country. In our welfare state, a huge amount has been allocated for such programmes in the Seventh Plan. Despite this fact, if you introduce such a Bill providing payment of allowances to people doing no work at all, than your decision is not right.

I had asked a question and in its reply following figures were given to me :—

[English]

“The available information relating to education (School Final and above), women job seekers on the live registers of the employment exchange, all of whom may not be necessarily unemployed as on 31st December, 1984, was 25.25 lakhs”.

[Translation]

It was told as to how many educated women were unemployed.

[English]

This answer gives the position as on 31st December 1984.

[Translation]

It was also stated that a programme for their development has also been proposed. In this way, so many programmes have been launched in the country and these programmes are implemented under specific planning for [the proper upliftment of the people. Even then if you bring such a Bill providing for payment of the allowance to the people sitting idle, then it is not good.

Madam, today the educated people in Kerala are working hard to make the soil fertile. There is nothing wrong in working in the fields, Our father of the nation, Mahatma Gandhi had given great respect for the labour. One who works hard, has been given a very high status... (Interruptions) Particularly the people of U P. know it. They sit on the banks of Ganga for recitation of prayers and kirtans, some are psalmodists and some others are palmists. In Himachal Pradesh also, some people are making money by hocus. pocus, but the people of Rajasthan are very brave, they work bravely, do hard labour and hardwork. They know how to work hard in the land. We do not want such laws. In the welfare state, our aim is to create community assets for the poor and to provide work for the agricultural labour.

In our area, labourers are not available. In your Bihar people are lazy who use to take and chew lime and catechu all the time.

AN HON. MEMBER : Tell the qualities of the people of Rajasthan.

SHRI MOOL CHAND DAGA : What can I tell you about Rajasthan? History of Haldighati is known to all. I feel shy of saying anything in appreciation of Rajasthan. Rajasthan is the land which protects you and it is a land of warriors about whom India feels proud. Rajasthan has produced brave people like Rana Pratap and that is why we won the battle at Haldighati.

Today Marwadis are residing all over the country and they have mixed themselves with every part of the country.

Madam, you might be aware about large number of Rajasthanis living in Bangalore. They do their labour and believe in hard work. There is no place in the country where Rajasthanis are not residing. Rajasthanis have played a significant role in maintaining national unity and linguistic affinity. Rajasthanis know Kannada, Tamil and Malayalam and they can also speak them. Now they have started inter-caste marriages also. They

[Shri Mool Chand Daga]

are also living even in Assam. You should have more reverence for Rajasthan and should praise the qualities of Rajasthani people.

I would like to say that those who have brought forward this Bill,...

[English]

MR. CHAIRMAN: Please address the Chair.

SHRI MOOL CHAND DAGA: Articles 41, 42, 43 are on Directive Principles of State Policy. Article 41 says:—

“The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness & disablement, and in other cases of undeserved want”.

The whole thing is covered by Article 41 of the Constitution.

[Translation]

The Social Welfare Department comes under Article 41 and it has been decided by the Social Welfare Department that two per cent of the vacancies in the Government services be reserved for the handicapped. Today the handicapped are working in the Government services. It has been made a mandatory provision that the handicapped be provided employment in Government departments, pension be provided to the old and the aged and assistance to the lepers. Yesterday only our Minister was replying:—

[English]

“Art. 42. The State shall make provision for securing just and humane conditions of work and for maternity relief”.

[Translation]

Day before yesterday during discussion

on the demands for grants of the Ministry of Labour, the hon. Minister had said that the workers will be provided all types of facilities; they would be provided leave, their children will get the facilities of education and games and cold water. The Government is bent upon to eradicate the system of bonded labour completely. In this way we are following our principles. We will go on marching forward. Such a Bill will make the people lethargic and idle. Hardwork only brings good fortune. The Almighty has given us hands and other parts of the body and we should use them gainfully. It has been written both in the Gita as well as in the Quran that man should work and it is not good to beg.

The hon. Finance Minister has brought forward some new proposals on the Finance Bill. It is hoped that Shri Banatwalla will ponder over them. He is a great scholar. Therefore, he should withdraw this Bill without any hesitation.

[English]

SHRI V.S. KRISHNA IYER (Bangalore South): Madam, I rise to support the amendment moved by my senior colleague Shri Banatwalla.

Madam, in the Directive Principles of State Policy of the Constitution of India, there are a number of Articles which should be implemented by the State, but unfortunately we have not been able to implement many of them. And in respect of some of the Articles even attempts have not been made.

Madam, one such Article is Article 41 which is now being sought to be amended. Madam, there are such Articles, for example, one is there on universal education, and also there is one for free and compulsory education to children, and most important—or equally important as any one—is one about a uniform civil code for the citizens. These articles are in the Directive Principles of State Policy.

I consider Article 41 to be the most important of the Directive Principles. Because, it is the base on which the country's foundation should be laid. If our

country should survive, we must see that this Article is implemented by bringing it under the Fundamental Rights.

Madam, we have already had planned economy for the last thirty eight years. There is considerable investment in and the modernisation of various economics sectors. What should have been the position, the economic scenario? At present there should have been a very happy picture but actually what is the position now? We find that the real national income has grown only by 3.5 per cent on an average during the period 1950-51 to 1984-85; and the rural per capita income has grown only by as much as 1.3 per cent, on an average per year. The people below poverty line were 48 per cent, of the total population in 1977-78, and in 1983-85 it is estimated as 37.4 per cent to be the people below poverty line.

Madam, out of 28.85 crores of labour force in the country only 18.75 crores were employed in 1984. I know that the Government is having a number of programmes—anti-poverty programmes. Of course, I am happy that during the Seventh Plan there is a thrust in giving more funds for the anti-poverty programmes like NREP, IRDP, RLEGP etc. I am of the opinion that this alone will not solve the problem of unemployment. Of course, it gives employment temporarily. But how long will the Government go on giving employment like this? Do you think that this will ultimately solve the problem of unemployment? Certainly not, because we find that the latest figures given by the Government in answer to a question on 25th February, 1986 are as follows :

The latest available information about the number of men, women, educated and uneducated job-seekers is furnished below :

Men—218.22 lakhs
 Women—44.47 lakhs
 Total—262.69 lakhs
 Education—132.62 lakhs
 Uneducated—112.37 lakhs.”

As you know, there is no registration

facility for the rural youth. So, millions and millions of rural people have not registered their names in the employment exchanges.

It is the experience of every one of us when we go to our constituencies that young boys and girls, unemployed youth who are graduates and double graduates, have become desparate and frustrated. I quote an instance. Recently, in my own constituency the Bangalore City Corporation had called for applications for 250 posts. For that not less than 24,000 applications were received. We find that for that for every post the applications are not less than 100. The ratio is 1:100. That shows the magnitude of the unemployment problem. How to solve this problem? Now, a hope is given that Seventh Five Year Plan will generate more employment. How far it is possible, we will have to wait and see. But in this connection, I would like to bring a few points for the consideration of this august House.

After 3-1/2 decades of planned economy what has happened? The gap between the rural and urban is really widening. The per capita income in 1983-84 was Rs. 3929 in urban areas and Rs. 1324 in rural areas. All our investments have widened the gulf between rural and urban areas instead of reducing the existing gulf: Larger investments have been made in the urban sector and the rural sector has not secured adequate attention in terms of investment, improvement in technology and infrastructure. The planned development of 3.1/2 decades has resulted in the emergence of two identifiable groups in our society—one characterised by organised, prosperous modern sector and the other consisting of traditional, unorganised and low productivity sector.

16 hrs.

The large industries sector does not any more provide large scale employment. It is capital incentive and power incentive. In the present electronic age, with robots and automation, the emphasis of large scale industries is to save on labour and to provide goods and service. We have,

[Shri V. S. Krishna Iyer]

therefore, to go in for a pattern of development which will be predominantly employment oriented. We have enough of large scale industries. It is time that we allow them to look after themselves. We have to shift from large scale industries to medium, small scale and village and tiny sector, and the development of handloom and handicrafts, etc. That is what Mahatma Gandhi has taught us. We have 39 years of independence. We have not been able to solve the unemployment problem because we are not following the way Mahatmaji had shown us.

It is because India consists of villages. It is the rural India which matters. Only when the rural India prospers, the country will prosper. But we have not paid any attention at all to the rural India. That is why we find unemployment everywhere. Our efforts during the next fifteen years should be to concentrate on the integration of the rural India with the urban India. We have to ensure that we enter the 21st century with less of rural-urban disparity, and inequality in the matter of distribution of wealth and the standard of living. Our objective should be to see that nobody is below the poverty line by 2000 A.D. The solution for this is to concentrate on the agricultural development. We should have such massive agricultural credit programmes that in the next fifteen years every agricultural family's needs are fully fulfilled, so that there is no need to give them any more cheaper credit after fifteen years. We have to see that within these fifteen years all the agricultural families in our country are fully settled down, and stand on their own legs. Unless this situation is created in the rural India, unemployment problem cannot be solved. In addition, there should be a subsidiary scheme to give financial, technical and marketing assistance for the development of rural industries. In this connection, our hon. Minister for Finance, Mr. Poojary knows it very well that he can play a very leading role and can come to the rescue of the rural India. He has already been doing it and he can do it on a larger scale now.

16.03 hrs.

[SHRI SOMNATH RATH *in the chair*]

Another point which I would like to

stress in this connection, Madam, is that
(*Interruptions*)

AN HON. MEMBER : Madam, is no more in the Chair.

SHRI V.S. KRISHNA IYER : There has been a sudden change of sex.

Sir, we have been claiming with pride that we have become self-sufficient in the matter of food. I agree that there has been a Green Revolution and now our food production has reached up to 150 million tonnes and now we also say that we are in a position to export foodgrains. But what is the real position in our country? I would like to ask the Government how many of our countrymen are getting two square meals a day. When nearly 35 per cent to 40 per cent of the people of our country are below poverty line, how can they get two square meals a day? So, to be proud of it is far from truth. Therefore, our aim should be to see why people are not able to get two square meals per day. They are so poor that they cannot afford even to purchase food articles. Our aim should be to see that every individual, every family has the capacity to purchase them. That should be arranged.

In our State of Karnataka, when we came to power, we promised the electorate that where there is no earning member in the family, at least one member of the family will be made an earning member. A sincere attempt is being made in this direction. Since we cannot give job to everybody in the Government offices, we will make them either get employment in a private factory or somehow we will make them self-employed and then make them earning members. So, Sir, we must see that at least one member in the family becomes an earning member. That should be the aim of the Government and that is what the Karnataka Government is doing. So, we should be very serious to see that unemployment problem is solved and also we should be serious to see that poverty is eliminated from the country, otherwise there may be revolution in our country if we do not provide to our unemployed youth jobs. Hundreds and thousands of our countrymen are without job. In the past, only boys used to apply for jobs but now even girls are applying and sometimes

their number is even more than that of boys.

It is very necessary that we should make earnest efforts in this direction. I do admit that the recent programmes of the Government do generate some employments but that alone will not completely solve the problem which we are facing. We should see that when we enter the 21st century there will be no one below the poverty line. For that we should have programme which will have more thrust on rural development and agricultural development rather than only on urban areas.

With these words I support the Motion moved by Sri Banatwalla.

16.05 hrs.

[English]

MESSAGES FROM RAJYA SABHA

SECRETARY GENERAL : Sir, I have to report the following messages received from the Secretary General of Rajya Sabha :-

- (i) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Inter-State Water Disputes (Amendment) Bill, 1986, which has been passed by the Rajya Sabha at its sitting held on the 20th March, 1986."
- (ii) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation Bill, 1986, which was passed by the Lok Sabha at its sitting held on the 17th March, 1986, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

- (iii) "In accordance with the provisions of sub-rule (6) of Rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 2) Bill, 1986, which was passed by the Lok Sabha at its sitting held on the 17th March, 1986 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said bill."

[English]

INTER-STATE WATER DISPUTES
(AMENDMENT) BILL

SECRETARY GENERAL : I lay on the Table the Inter-State Water Disputes (Amendment) Bill, 1986, as passed by Rajya Sabha.

CONSTITUTION (AMENDMENT)

BILL—Contd.

(Insertion of new Article 16A, etc.)

[Translation]

SHRI VIRDHI CHAND JAIN (Barmer) : Mr. Chairman, Sir, we have achieved political freedom and now we have to attain economic and social liberties. We have been endeavouring utmost to attain economic freedom. We formulated the First Five Year Plan and at present our Seventh Five Year Plan is in vogue. We have made much progress through the plans and have succeeded to a great extent to solve the problem of unemployment. In such a situation the biggest hinderance in our progress and development is our growing population. Unless we are able to check the increasing population, however hard we may try, we cannot be economically free. It will never be possible to implement the proposal of Sri G.M. Banatwalla to include the 'Right to Work' in the 'Fundamental Rights.' I would request Shri G.M. Banatwalla to cooperate in making successful the programme of family planning formulated by the Government.