

15.32 hrs.

CONSTITUTION (AMENDMENT) BILL

[English]

MR. DEPUTY SPEAKER : The House will take up further consideration of the following motion moved by Shri Thampan Thomas on the 5th December, 1987, namely :

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

Shri Dharam Pal Singh Malik...Not present.
Shri Dinesh Goswami...

SHRI DINESH GOSWAMI (Guwahati): Mr. Deputy Speaker, Sir, I take my stand here to support the Constitution Amendment Bill moved by Shri Thampan Thomas. I think he has done a service to this House and to this country by drawing the attention of this country to the very important aspect that unless right to work is made a fundamental right in the Constitution and every young man and woman is guaranteed some job the very basic premise of our Constitution is going to flounder. Our Constitution in the Preamble guarantees justice social, economic and political. Article 19A of the fundamental rights guarantees freedom of speech and expression. Article 21 guarantees protection to life and Article 23 says that there will not be any traffic in human beings and beggary is prohibited. All these fundamental rights and the laudable principles laid down in the Preamble can have no effect if millions of unemployed men and women in this country move about in search of job and livelihood.

Today the unemployment register shows that there are millions of unemployed men and women. Even that, I think, is a tip of the ice-berg because a large section of our men and women do not register themselves either because facilities are not available or it is not known to them in many rural areas that they have to register themselves and also because of the indifference as they know even if they register themselves they are not going to get the job. I believe the greatest threat that this country is facing in all its aspects is from these unemployed young people. Every young unemployed man and woman in my view is

a potential bomb. We talk of very high principles, of democratic ways and about values. But what does it mean to a young man if he cannot sustain himself by two square meals a day if we talk to him that he has to maintain certain values in life because, after all, one cannot maintain values with an empty stomach? Therefore, this State owes a duty to the country and to these young men and women that they must be given the minimum security of their life.

As I, said, Article 19(1)(a) guarantees freedom of speech and expression. But freedom of speech and expression to whom? Freedom of speech and expression to those who have got sufficient means to exercise that freedom. That freedom is not available to the millions here. After all, a man who does not have a square meal a day, what freedom of speech and expression can he ever hope to aspire? After all, he shall have to either beg, borrow or steal from somebody to maintain his livelihood.

Article 21 gives protection of life and personal liberty. The highest court of this land has given an extensive meaning to the words ‘right to life’. But the right to life connotes, in my respectful submission, that he must have the means to maintain his life. When the State guarantees or when this Constitution guarantees right to life to an individual, automatically it follows that there must be a guarantee that he can maintain his life. If we cannot guarantee two square meals to him a day, if we cannot guarantee to him the subsistence level, what is the use of having Article 21 in the Constitution saying that you have the right to life?

Traffic in human beings and beggary is prevented and prohibited. But what a man can do? Either he shall have to go for illegal means or irregular means or even for trafficking in human beings or beggary.

In Article 39, which deals with the Directive Principles of State Policy, in part (a), it has been said :

“that the citizens, men and women equally, have the right to an adequate means of livelihood;”

In fact, when the Constitution was framed, a number of very eminent personalities spoke about the inherent rights of a man to maintain himself. At that time, it was

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thought that to make this right justiciable, to give a justiciable right would probably be a tremendous burden on the State. And the framers of the Constitution, at that point of time, decided not to introduce it in the Fundamental Rights. But we know this has been said not only from this side of the House but from the other side of the House and Mr. Bhardwaj has, on a number of times, said it that Directive Principles are the conscience of the Constitution. In fact, one can find the real fragrance of the Constitution not in the Fundamental Rights but in the Directive Principles. This House and the other House, on a number of occasions, had to go for constitutional amendments to give primacy to Directive Principles over Fundamental Rights. The framers of the Constitution, when the Directive Principles were being discussed, made it amply clear that though at that point of time, it was not possible to bring in certain rights, all the laudable provisions made in the Directive Principles within the scope of the Fundamental Rights, to make it justiciable. But even Dr. Ambedkar and some others said that the State will continue to endeavour and a time will come when all these things, that have been mentioned and the Directive Principles, will ultimately find a place in the rights of the citizens of this country. It is unfortunate that after 40 years of Independence, we have not been able to confer the first right that was guaranteed in the Constitution, the right of adequate means as a justiciable right. I believe, that from the point of view of social, political and economic point of view, it is essential that we give this guarantee to the young men and women and channelise their energies in the resources for productive purposes. If we do not do it, well, various kinds of tendencies will appear in various parts of this country. We see today different kinds of movements. We talk about indiscipline in the academic life. We talk about indiscipline in our daily life. Indisciplines are bound to occur when a man has no guarantee about his future. A man or a woman, who suffers in dignity because he or she is to put his hand forward to get something to maintain himself, cannot be expected to behave with dignity in this society. Therefore, in the interest of the nation and as this right has been conferred

in a number of other countries, not even in the welfare countries. I believe, to raise our own heads high and for the betterment of the society, the Amendment of Mr. Thomas should be accepted and the right to work should be made as a Fundamental Right so that one can go to the courts, if that right is violated. One can approach the court and say that he has got the right which must be enforced.

With these words, I support the Constitution (Amendment) Bill.

SHRI SURESH KURUP (Kottayam) : Sir, this issue has been repeatedly raised in this House in the form of Private Members Business and it has been the constant demand of the youth organisations in the country that the right to work should be included as a Fundamental Right in the Constitution. You know that about 30 million unemployed youths are registered in the Employment Exchanges in our country and there are so many others who have not yet registered in any of the Employment Exchanges. So, the situation is quite alarming and it is the duty of the Government to provide education and employment to all the citizens of this country. In the Constitution, the right to live is guaranteed and if you guarantee the life as Fundamental Right in the Constitution, you have to ensure that the citizen should have the means of livelihood. Otherwise, the whole thing will become false and that is what is happening in the country. To guarantee right to work as a Fundamental Right in the Constitution is not a new one or a new idea. As has already been pointed out by earlier speakers, the right to work is guaranteed as the Fundamental Right in the Constitution of every socialist country in the world and also the capitalist countries like Japan have provided this guarantee in their Constitution and so, to raise this demand in a country like India whose Government professes socialism as their objective, it is quite natural that this should be inserted in the Constitution as a Fundamental Right. When our Prime Minister took charge four years back, he definitely came to power with the votes of the millions of unemployed in the country and the expectations were sky-high because for the first time, a young Prime Minister is taking charge of the country and you know the first thing he did was that he declared his

intention that one of the main objectives of his Government is to computerise the vital sectors of our country. And computers are coming in Railways in P & T and in Banks. Now, the Central Government are not recruiting any new hands to their establishments and already banks are not recruiting anybody, the Railways are not recruiting. Postal Departments are not recruiting any new hands only because of this computerisation. So, already employment avenues are cut short and those who seek employment are increasing day by day. This creates so many social problems. Already we are aware of the fact that so many anti-national elements are working in different parts of the country. Sons of the soil slogans are being raised in other parts of the country by the secessionist elements and all these forces are utilising the unemployed youth power of our country. Why can they effectively utilise these unemployed youths? It is because they are unemployed and because there is no guarantee for employment or Government are not paying any serious attention to give them unemployment allowance. So, these forces can effectively utilise our youth powers for the disintegration of our country. Take for example, Punjab. Almost all those who are doing these secessionist activities in Punjab are young people below the age of 35. If you can look at the bio-data of all these people, every terrorist who is active in Punjab belongs to the younger generation. In Bombay, the Shiv Sena people are raising the slogans even the people who have not yet reached the age of 10 or 15 years are raising the slogans and they are effectively using the unemployed Maharashtra youth. So many other people from other States are coming over to Bombay and they are taking away the employment opportunity. So, if you will continue like this, the situation is going to be worse. If you consider the unity and integrity of our country as one of the main objectives, then you should attempt to the unemployment problem very seriously

According to the statistics provided by Government some 1 lakh, 30,000 industries are closed. In my State Kerala some of the major industries are lying closed. This issue was raised in the House also. Reliance Industry of Birlas is laying closed for the last 3 years, and also 13 workers have

committed suicide. The Kerala Government is helping in this regard to the best of their ability. They are mediating in this and are trying to solve the dispute between the workers and the management amicably. (Interruptions)

You, at least do not object to the fact that the industries are lying closed. At least on that point we agree.

MR. DEPUTY SPEAKER : Please address to the Chair.

SHRI SURESH KURUP : The Government of Kerala is doing its utmost to settle this dispute amicably but the Birla management is not ready to open the factory. According to the Industry Development and Regulation Act, the pulp and the synthetic fibre which are manufactured in this particular factory of Birla's, it comes exclusively under the Jurisdiction of the Government of India. So, it is impossible for the Government of Kerala even to take over the factory not even if the Government intends to do also. So, the only effective thing, the only possible thing the Government of Kerala can do in this matter is to mediate in this and that they are doing. But why the Birla management is not ready to open the factory? Because the Government of India has allowed the import of synthetic fibre and pulp in large quantity from outside. They are not ready to open this factory. They are not interested in manufacturing the pulp and synthetic fibres in this particular factory. So, all these policies are increasing the unemployment problem in this country. All these policies of the Government of India are increasing the problem of unemployment and the Government of India is doing nothing to open this particular factory of Kerala.

Another important factory is the Paper factory in the Punnaloor. It is one of the most important industries in the Central Kerala and I think it belongs to Shri P. J. Kurien's constituency. That factory is also lying closed. I mentioned all these important facts relating to my State while taking part in this discussion because, the very policies of the Government of India with regard to trade and industry create unemployment problem in our country. In Mavoor alone, due to the closure of the factory, about

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5,000 workers are unemployed and about 10,000 people who get indirect employment are also unemployed now. And this is the case all over the country.

Even some major public sector undertakings are lying closed. Government of India is not interested in running the public sector undertakings. For example, take the case of Scooters India. They are seriously contemplating to hand over this Scooters India Limited to private sector management because it is running at a loss. But do you know Sir, for the last four years, there is no proper authority to run Scooters India Limited? There is no Managing Director, there is no Personnel Management and the Government of India is least bothered to appoint any executive to manage this concern.

When the workers in a public sector undertaking go on strike, they immediately raise a hue and cry and talk about the unemployment problem and so on. They say that millions of our people are unemployed in the country and if employed persons agitate for better wages, what will be the condition of the unemployed people in our country. In the history of Independent India, the Government of India publicly recruited blacklegs right in the capital city to break the legitimate strike of the DTC employees. They have also dismissed some 3,000 employees just because they went on strike for their legitimate demands, misusing the unemployed persons and the severe problem of unemployment to their advantage. Otherwise, I am sure, no able-bodied youth will come forward to serve as a blackleg to help the Government in breaking a strike. . . . The Government used this unemployment problem to break a legitimate strike of the employees in this country, who happen to be the employees of the Government of India itself. I am sure, ultimately all these things will boomerang on them. When the Government fails to take measures to solve this severe problem of unemployment, the youths of our country, whom the Government uses to break legitimate strikes and thinks that they can always use them effectively whenever an occasion arise, these very youths will one day unitedly turn

against the Government, fight against this Government and throw this Government out of power.

Sir, I congratulate my hon. colleague, Shri Thampan Thomas for bringing forward this Bill. This type of Bills were brought in this House earlier also. But the Government is not ready to support this type of Bills. They never bother to bring this type of a Bill as an official Bill. They find ample time and they even issue special whips to their members to pass Bills such as the Muslim Women's Bill. That Bill which was first introduced as a Private Member's Bill by a Muslim League member was passed as an Official Bill, in spite of protests from all women's organisations and progressive elements and even disregarding the protests from their own party. They brought this Bill as an Official Bill and passed the retrograde Bill in this House. But they do not find time to introduce this type of a Bill which helps millions of unemployed youth in our country because they are not bothered about this unemployment problem. I wish the Government will seriously ponder over this issue and will find time to include this right to work as a fundamental right in the Constitution of India.

[Translation]

SHRI RAM BAHADUR SINGH (Chapra) : Mr. Deputy Speaker, Sir I support the bill presented by Shri Thampan Thomas. I belong to the rural area and therefore, without going very deep into the Constitutional intricacies, I would like to cite an example which would make it very clear as to what will happen to the country if we do not pass this bill. If there are only 5 earning members in a family of 10 members and the other 5 are unemployed, it becomes impossible for the family to develop and it becomes weak from within and finally, it disintegrates. Similarly, in the case of a country if crores of people are unemployed it not only affects the overall production of the country, and reduces, the purchasing capacity of the people but also weakens the country. The most unfortunate thing is that it results in crisis of confidence and the people are disillusioned. And in the end, out of these evils anarchy is born. If I say that a similar situation prevails in the country

today, it will not be an exaggeration. In 1951, the number of unemployed people was about 51 or 52 lakhs. This figure increased to 279 lakhs in 1986-87 and at present it is 4 crores. And these figures are only of those who have registered themselves with the Employment Exchange. Apart from them, there are crores of educated and illiterate people who are unemployed. Even if they are employed, it is on a part time. And if they are engaged on full time job, they are under employed as a result of which considerable amount of labour potential is being wasted and consequently, our country is being weakened from within. We may have a shining exterior but the country is decaying from within. This is because only a handful of people have reaped the benefits of the Five Year Plans and the rest of the crores of people have been deprived of it. The fruits of independence have not reached the harijans and other weaker sections of the society.

Even after 40 years of independence, there is an extra-ordinary gap between the rich and the poor in this country. We have on the one hand, a handful of people sitting in the lap of luxury and enjoying unlimited pleasures, and on the other, there are crores of people leading on life of poverty and deprivation. Neither freedom of speech nor independence carry any meaning for them. That is why the benefits of development have not reached them, and as a result of which even after 40 years of independence 42 per cent of people are living below the poverty line. The Government may define poverty line as it wishes, but the real meaning is one who is not able to afford two square meals a day when one is hungry, and this can be felt and understood if one has a close look at the people living below the poverty line.

16.00 hrs.

It means not being able to afford medicines or medical aid. Living below poverty line means to be born under the open sky and to die like a worm. This is the definition of those living below the poverty line. Even after 40 years of independence, India is a country which is divided into two separate classes. On the one hand there are a handful of people who are immersed in the life of unearthly

luxuries and on the other vast multitudes of people are leading a life of helplessness and deprivation. The Government may claim that many programmes have been implemented for their welfare like N.R.E.P., R.L.E.G.P., IRDP etc. and there are also programmes for providing self-employment to the educated youth. If all these programmes are evaluated, the conclusion is that the funds allotted for them are not utilised properly. You expect that a certain number of people would get employment opportunities by the aforesaid programmes but the results achieved are not to the desired extent. The funds are pocketed by those who are responsible for their implementation and the real beneficiaries are thus deprived of those funds. The schemes are not benefiting the poor people. But the irony is that if some individual organisation, group or a certain sections of society or community raises its voice in protest, you make allegations without giving a thought that these people are creating uproar everywhere. These people do not want the Government to function properly and they are playing with the unity and integrity of the country. We differ in our opinion on this point. You think protesting against evil is a threat to the unity and integrity of the country and on the contrary, we think that it protects the unity and the integrity. A country does not disintegrate when it struggles against evil but it disintegrates when it nourishes it. Hence, if evil is protected and nourished, it will certainly increase poverty and helplessness of the people and they will never be able overcome their state of impoverishment and they will be disillusioned. And when people are in despair, no power in this world can save the country from disintegration. If you do accept my point, then I will most humbly put a question.

There are a law in our country that we can take up arms in self-defence and even murder is not an offence in such a case. Are the people of this country not entitled even to protest against a system under which the future is bleak and there is little hope of life itself? It is all right if you don't accept it. But the more you try to suppress it, the more will it create anarchy and disorder.

During the last session, an hon. Member stated that there are thousands of jobs

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which can be done but people are unwilling to do them. I want to ask that hon. Member whether there is any work which is more difficult than pulling a rickshaw? The rickshaw puller is doing the work of a horse. We fail to understand that in a country, where people work like a horse, can you blame them of being lazy and not willing to work? It is not good to allege that people of this country shirk work when not only a few persons but lakhs of people earn their living by pulling rickshaws and this allegation is particularly made against the people of Bihar. It is alleged that the people of Bihar in particular, are lazy and in Delhi, they are looked down upon, although, I know that the small units and factories in that city would cease to function without them. Besides, if the labour from Bihar does not go to Punjab and Haryana, the greenery you see will not be there anymore because they are engaged in all agricultural operations. In the small units of Delhi, the labour force mainly consists of the people of Bihar and it is on account of them that these factories are functioning but they are paid meagre wages and yet it is being alleged that they are indolent and do not like to work. Again, it is being said that the wages of the labourers from Bihar has been reduced. It means that due to the large-scale migration of people from Bihar to Delhi on account of the floods, their wages per day has been reduced from Rs. 16, 17 or 18 to Rs. 10 or 12. The people who are compelled to toil hard to earn their daily bread, are being branded as a lethargic. One fails to understand why this is being done. The people who are hurling such accusations are not being sincere.

In this connection, I want to mention the great personality Shri Ram Manohar Lohia. In July 1957, he launched an agitation in Uttar Pradesh to pressurise the Government to either provide employment or unemployment allowance. In that context, he had stated at that time in one of his speeches that Government had grasped only half of what he had said. He said that they never wanted that people should get a dole without doing any work. He further said that no honest person, no man with a conscience, no patriot would ever like to get a dole without doing any work. He

said that every person has a right to live and lead a respectable life. We are prepared to work hard for it. He had said we want employment and if employment is not provided, it is the duty of a civilised Government to provide facilities to every citizen to enable him to lead a respectable life and in this connection he had mentioned that there is no shortage of work in this country but it is the will we are lacking in and he had given 3-4 suggestions in this regard. He had suggested raising of a land army not for the purpose of tilling the same land again but to convert fallow land into cultivatable land. He had also demanded that the expenditure involved therein should be borne by the Government and he raised the slogan :

“Bhumi Sena ho Taiyaar,
Iiska Kharcha De Sarkar”

(Land army should be raised and the expenses should be met by the Government) He had calculated the total cost involved in it at that time.

DR. G. S. RAJHANS (Jhanjharpur) :
The slogan of Land Army has brought lawlessness to Bihar.

SHRI RAM BAHADUR SINGH : I have not formed Land Army. The Government is the root of lawlessness. The way the country is being run, no power in the world can stop this anarchy. You are in politics not for the sake of politics but for the sake of power.

Dr. Ram Manohar Lohia had suggested the raising of a Land Army to cultivate fallow land so that people are able to work there and he had demanded that the Government must bear all costs. He had calculated that it will cost Rs. 200 crores in the first year, Rs. 150 crores in Second year and at no cost in the third year and probably profits could be gained in the fifth year. He had said that all those who work for the land army will be paid for food and clothing. According to the market price prevailing those days Rs. 25 were to be provided to each worker. Then he himself expressed doubt that people might ask as to why should they work on such meagre wages. He further added that they were right to ask such question but only, that Government can do it which is able to put a ceiling on income and expenditure in the country. It will not only result in reduction

of income of those getting that salaries but also encourage those getting less salaries to work. That is why he had advocated for putting ceiling on income and expenditure. This is very necessary.

He had advocated to reduce working hours. He suggested that instead of three shifts of eight hours each in a day there should be four shifts of six hours each. But doubts were expressed that it will reduce production and will increase the productive and unproductive expenditures. He further mentioned that it has been proved if the working hours are reduced and good facilities are provided, more work can be done in less time which will increase production. He had further stated that if working hours are increased there is a fall in productivity and mental and physical capacity.

He also suggested that small machines should be used because we have very little capital and more people. Therefore, employment oriented industries should be set up as it will provide more opportunities of employment by investing little capital. If we try to imitate other countries, we will not make any progress, only a handful of people in this country will progress.

He had also stated that it was as a consequence of the Government's schemes and policies that only a handful of people are enjoying the luxuries of life whereas crores of people are helpless and are living a life of poverty and deprivation. If things have to be improved the Government should change its way. Until the Government changes its way, the fortune of this country cannot be changed. What is most essential is that tax-evaders should be apprehended and blackmoney in this country should be unearthed. I want that the unaccounted money that has been deposited illegally in foreign banks abroad should be recovered.

He had further mentioned that ban will have to be imposed on the production of the goods meant for a certain class of people as there will be no use of imposing ban only on the use of goods. So long as these things are available in the market people will buy it because it is the nature of man to try and possess all those good things which he sees in the market.

Here, I would like to cite the example of Delhi. You go to any market place, meet a hundred people and note down their addresses. Go to their houses in the evening and you will find that not many families are able to afford even the basic necessities of life including ordinary food like pulses, chapatis (bread), rice and vegetables for their meals. It is a different thing that these are cooked on festivals. This means that the nature of man is such that he ignores all important activities and tries to show off by wearing good clothes and acquiring luxury items. Therefore, ban will have to be imposed on the production of wasteful luxurious items.

Crores of women in this country go to answer nature's call on roadsides because there is no arrangements for toilets. If you do not believe me you can drive during the night and see how women hide their nakedness when the headlights glare on them as they go to ease themselves in the open. We sign agreements with foreign companies for providing commodes to us. But how many houses will be provided with this facility? Only a handful of people will be benefited by it. Therefore, I would request the Government to impose ban on wasteful expenditures, on luxury items besides recovering taxes from tax-evaders, keeping a strong vigil on blackmoney and making efforts to get back the money deposited illegally in foreign banks abroad . . . (*Inter-ruption*).

[*English*]

MR. DEPUTY SPEAKER : If you go on speaking, nothing will go on record. That is all.

SHRI RAM BAHADUR SINGH : Sir, I will take only two minutes.

[*Translation*]

Why does the Government not agree with this Bill. It is afraid that the Bill will be passed in the House. The country is being run in wrong direction. Consequently the opportunities of employment will not improve in this way and crores of people will remain unemployed. Only a handful of people will be provided jobs. When the Government fails in providing job-opportu-

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nities to the people, the only alternative left with them is to knock the doors of the courts and seek justice. They will demand from the Government either work or unemployment allowance. That is why the Government is afraid. Government should properly ponder over all this. It is the duty of a civilised Government to arrange employment for every citizen to enable him to lead a respectable life. I would like to urge upon the Government to drive the country into the right direction and thereby prove that they are a civilised Government. I support the Bill presented by Shri Thampan Thomas which seeks to amend the Constitution by including right to work as a fundamental right in it.

[English]

SHRI BHADRESWAR TANTI (Kaliabor) : Sir, before participating in the discussion on the present Bill, I must congratulate Mr. Thampan Thomas, the mover of the Bill—"Right to work under Article 15(A) of the Constitution".

Actually, this was the responsibility of the Government to bring this long back, but the Government has failed to do so. That is why, these type of Bills have been moved time and again. Because the people who are committed to the people of the country, they are moving it. The Government is not committed to the people. That is why, they have failed to shoulder the responsibility.

Kindly see the preamble of the Constitution. What is in it? It was very rightly incorporated in the preamble of the Constitution. It says :

"We the People of India, having solemnly resolved to constitute India into a Sovereign, Socialist Secular Democracy Republic and to secure to all its citizens :

Justice, social, economic and political;

Liberty of thought, expression, belief, faith and worship;

Equality of status and of opportunity; and to promote among them all

Fraternity assuring the dignity

of the individual and the unity and integrity of the Nation;

In our Constituent Assembly this twentysixth day of November, 1949, do Hereby adopt, Enact and give to ourselves this Constitution".

This Constitution has been adopted by the people of India. We have not brought it from anybody else. We are not at the mercy of the Government. But the custodian of the Constitution has totally failed. While amending the Constitution to bring in duties under article 51A, why have you failed to bring right to work? A man who cannot survive because of unemployment, hardship, poverty, how can he shoulder his duties under the Constitution? Will the Government reply to it? I have no capacity to work and I am not employed, how can I shoulder the responsibility under article 51A? What you should do, you have not done. What you were not supposed to do, you have done.

Yesterday, I have said about equality before law *i.e.* article 14. Who are the persons who are getting equality before law?—Affluent class, rich men and not the poor, not the unemployed. Millions of people are without any employment. Those who have completed their college and university education, those who are the assets to the country, the illiterate young men and women, those who are able-bodied, they are ready to work but they do not get employment. Those who are Scheduled Castes and Tribes and backward classes, for them you have got only political propaganda of unity and integrity. You have become the prophet of unity and integrity for your political gain and not in its real sense. If you are committed to do so, then positive steps should be taken by the Government to employ the educated and illiterate young men and women because every one has a right to work. Is it not your duty to get them employed? Your policies are a total failure. The Law Minister is here The other day, a judge of the Rajasthan High Court, who was to retire in another 15 days, was transferred to the Guwahati High Court as the Chief Justice? May I ask : if a man who is to retire in another 15 days, is transferred, will be able to do justice? These are your policies. That is why, you are sinking.

The Constitution is the Bible for the people of India. Nobody can deny that. But the promises made by you are absolutely false because of your wrong policies. Article 14 says equality before law. How many people are getting justice? You go to Malkhangiri in Korapur District where no civilisation has reached yet. Nothing of the sort is there. The tribal people are in the darkness. There are no hospitals, no medicines, nothing of the sort. If you go there, they will shoot you. You cannot talk to the people there. They are almost naked. We have gone there and seen all this. But what are you doing? All these forty years, you have made only promises. How long can you befool them? You can befool some people for some time but you cannot befool all the people for all the time, Mind it....(Interruptions).

Then there is article 15 which says: "The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them." All these things are there. Can you prevent all these things? These things are going on. The high class people throughout the country are getting all the status, but if I am a Scheduled Caste or Scheduled Tribe, in one place I may be regarded as a Scheduled Caste, in another place I may be regarded as Backward, but in another place I may not be recognised at all. This is what is happening.

Then the Constitution says there should be equal opportunity for all citizens in matters relating to employment. Those who have got no backing, they do not get any employment. These who are not related to MPs, MLAs or Ministers, they do not get employment. This is what is happening. This is a clear violation of article 16.

Then the Constitution provides for the protection of certain rights regarding freedom of speech, etc. This also has not at all been implemented or being properly looked into by the Government.

There is another article regarding protection in respect of conviction for offences. Also there is a provision regarding trafficking in human beings and also regarding forced labour. The bonded labour system has not been abolished as yet. Even in the cities, forced labour is still going on. Minor children are being engaged. Where

is your machinery? That is why I said yesterday that you must build a bridge between the labour and your machinery so that the people will get their right at least to live like human beings.

There is another provision regarding prohibition of employment of children in factories, etc. Article 24 of the Constitution says that children should be prohibited from employment. Last year we had passed a Bill in this House. It has become an Act by now. This Act provides that any man can engage a child below the age of fourteen years. Why are you violating all these Rights? The children, the blue-eyed babies have a right to live, have a right, under the Constitution, to get education. Why don't you frame such policies and schemes by which they are given proper education, instead of giving them employment? Ours is a welfare country. In a welfare country, the Government is committed to do this. Don't bring in the black laws. Particularly for the working class, this august House has passed so many laws. But those laws are nothing but a scrap of paper. They have not served anyone, particularly the working class. You cannot even implement those laws. Take the Plantations Labour Act, 1951 and the rules made thereunder. This Act was amended also in the year 1956. So far as the provisions regarding benefits like medicines, hospital, housing, accommodation, bonus, etc. are concerned, they are not implemented. The management does not care to implement them and the machinery keep silence. If you cannot implement all these laws, then why do you bring these laws? That means you are not committed to these. . .(Interruptions).

SHRI VAKKOM PURUSHOTHAMAN: Sir, we have spent nine hours just on the discussion of this Bill. You must give sufficient time to the Minister also. We have discussed this Bill for about nine hours now. . .(Interruptions).

SHRI BHADRESWAR TANTI : Why do you worry about this? Why are you sitting here? When your people have gone, you also go to Madras for attending Congress session. . . (Interruptions).

SHRI THAMPAN THOMAS : Sir, this is an important Bill. This is a Constitution

[Shri Thampan Thomas]

Amendment Bill and they are raising objection. Sir, there is no quorum in the House. I would request you to ensure quorum in the House. . . (*Interruptions*).

MR. DEPUTY SPEAKER : He has raised the quorum in the House. Please take your seat, Mr. Tanti.

Now, let the quorum bell be rung.

The House stands adjourned for want of quorum to reassemble on Monday, the 25th April 1988, at 11.00 A.M.

16.39 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday April 25, 1988/Vaisakha 5, 1910 (Saka)