

a Bill for amending certain provisions of the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973 relating to the offence of defamation.

MR. DEPUTY-SPEAKER : The question is :

“That leave be granted to introduce a Bill for amending certain provisions of the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973 relating to the offence of defamation.”

The motion was adopted.

SHRI HAROOBHAI MEHTA : I introduce the Bill.

15.45 hrs.

CONSTITUTION (AMENDMENT)
BILL—Contd.

(Insertion of New Article 15A)

[English]

MR. DEPUTY-SPEAKER : We will now take up further consideration of the following motion moved by Shri Thampan Thomas on the 4th December, namely :

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

Mr. Aatur Rahman to continue his speech. The time left over is one hour and fifty-two minutes.

SHRI THAMPAN THOMAS (Mavelikara) : More than that may be required.

SHRI ATAUR RAHMAN (Barpeta) : Mr. Deputy-Speaker, I must recall what Shri Vasant Sathe said on this Bill last time. He mentioned about steel export from India and the cost of steel in India. He further said that the cost of the steel in India is much more than what it is in China and Korea. He also pointed out the misdirection in which India is going on in the matter of export of steel.

I have found that this kind of Bill had come in the past also and a number of Bills

of this kind have been recorded. Shri Banatwalla had also brought a Bill of this sort. Prof. Thomas's Bill is not one too late and I recall what the previous speakers had said in the past and a few days earlier. If a Bill of this sort can be passed, then it will be a boon to India. But, I have my own misgivings, whether this kind of Bill can be seen through. Prof. Thomas is being very stringy, I would say as he has suggested only one hundred rupees for unemployed man or youth. I feel, this can be increased. Least said about India's poverty, the better. It is a colossal problem and of the greatest magnitude. I do not know, whether this can be solved at all. This cannot be measured even by Richter scale. If at all this sort of Bill is coming out, it should be on a selective basis. It will have to be brought only after surveying the poverty areas and poverty families in the country.

The Government of India, through its very meaningful schemes, like Twenty Point Programme, IRDP, NREP, RLEGP, has made a dent, but this has to go a long way in the matter of implementation of these well meant schemes. We have noticed a kind of unholy alliance between the petty officials at the block level and the contractors.

What happens is almost best known to them. It is almost a closed book. If these schemes could be made public, then people can take advantage of it. We should make it public so that people could know what sort of a Bill it is, what a sort of estimates has been called for and what is being implemented in the matter of these works.

The miseries of our country are due to so many evils. The number one evil is 'population explosion'. It is a social evil. This explosion also is a kind of population implosion, which has ramifications in our society. These ramifications are spreading into hearths and homes of our poor villagers.

The birthrate in India is so fast and so big at the present moment. We are soon going to be number one in the matter of population figures in the world. We are going to lead the world.

Whereas China's population growth is 20 per cent, ours is 32 per cent. This is something which is really very alarming. We have to do something about it. We have a partial

[Shri Ataur Rahman]

answer to it. The answer, of course, is as China has done—deprivation of rights and privileges to the extent of suspension of fundamental rights if it comes to that. But there are other measures which can be taken like stoppage of promotion if a couple has more than two children, stoppage of increments and denial of other social benefits which people enjoy. Those people who are unaware of it, and who think that nothing will be done if they have more children, they will be producing children in numbers like rats.

The second social evil is something terrible. And that is the traditional feudalism that we have in our country. It is a pity that we eulogise traditional feudalism. We see the rich preying upon the poor and the down trodden. We see the lust and greed to acquire property depriving the poor people who do not have anything. We can see people just disregarding the miseries of their neighbour. He is enriching himself at the cost of his neighbour and fellow men. I am constrained to point out the state of affairs that we have in our feudal society—a society where sons and daughters are traded for money, a society where daughters commit suicide because the parents cannot afford to pay the dowry that is demanded, a society where during weddings we see perverted show of wealth and such a show of wealth is considered as a matter of prestige and where in these wedding houses, I have noticed that maunds and maunds of foodstuff is wasted while outside the gate and elsewhere emaciated half-dead bodies go without food for days on end extending their empty and sickly hands, a society where we have so called nawabs and zamindars who flaunt feudal traditions and where traditions are glorified, what can you expect, a society where the servants hold the shoes of the master to put on and where servants hold up spittoons for the masters to spit into, where a master lives in an ivory tower and the servants live in filthy unhygienic and leaky shacks, in a society where the master and the servant cannot sit together—leave alone eat together. I have nothing but pity for this sort of vaunted culture.

The third evil is, of course, unpardonable omission in respect of land reforms.

Many bonafide husbands and wives have

registered themselves as separated, divorced, just to acquire some wealth. They have resorted to falsification of records. And these are all supposed to be gentlemen! I am only touching on some of the points. We have the restrictive regulations where ever prospering licence and permit *raj* prevails, and this licence and permit *raj* has innumerable loopholes in it. I would not talk about the corrupt petty officers.

Another social evil that I am going to point out is the bureaucratic attitude in the matter of administration, in the matter of revenue administration, in the matter of any administration, and the ugly goddess of delay that is propitiated by so many of our bureaucrats up and down the level.

The last but not the least is our Defence budget. Defence Budget, of course, is frightening. Probably it cannot be helped. But we must ask ourselves whether we are basing our Defence budget on the basis of self-interest. It is more based on sentimentalism than on self-interest. I think we, as the leading elder brother of the region, should have both sobriety and large-heartedness. In politics, or in international politics, we do not have a permanent enemy or a permanent friend.

With these words, I would recommend that the Bill be accepted, though I have great doubt about it.

SHRI SHARAD DIGHE (Bombay North-Central) : Mr. Deputy-Speaker, Sir, I rise to express my views on the Bill of Mr. Thampan Thomas regarding the Amendment to the Constitution. In this Bill, he has suggested the introduction of one new article, article 15A, which gives to all citizens the right of employment, and if any citizen cannot be provided with employment, he is given a right to have an unemployment allowance. In short, the Right to Work which is already there in the Directive Principles, is sought to be transferred from the Directive Principles to the Chapter on Fundamental Rights, with the result that if this Right is not honoured by any State, it becomes justiciable. Therefore, a citizen can approach the court and get it implemented. That appears to be the whole idea as far as this Bill is concerned.

16.00 hrs.

Otherwise, in Article 39 which falls under

the Chapter on Directive Principles, there is already a mention under sub-clause (a) that the citizens, men and women equally have the right to adequate means of livelihood. So, as I was saying, it is already there in the Directive Principles and the mover of this Bill seeks to transfer it to the Chapter of the Fundamental Rights so that it becomes a justiciable right.

Now, there are several rights under the Directive Principles which really speaking also need a better treatment and in fact when the Constitution was framed, the idea was not to keep the Directive Principles merely in the book of the Constitution. But the real purpose was also that in due course of time, State should endeavour to put it in practice. Therefore, Article 37 was there in this fashion that this right shall not be enforceable by any court of law. They would be fundamental in the governance of the country and it shall be the duty of the State to apply these principles. And it is on record that while speaking on these Directive Principles, Dr. B R. Ambedkar, in his speech made the following remarks. I quote :

“But whoever captures power will not be free to do what he likes with it. In the exercise of it, he will have to respect these instruments of instructions.”

He called these Directive Principles as instruments of instructions. So, he says :

“he will have to respect these instruments of instructions which are in our Directive Principle. He cannot ignore them. He may not have to answer for their breach in a court of a law, but he will have certainly have to answer for them before the electorate at the election time and the great values these Directive Principles possess will be realised better when the forces of right contrive to capture power.”

So, according to Dr. Ambedkar also those who would respect these Directive Principles will have to face the electorates and if the rightists in this country strive to capture the power, then these Directive Principles will be the real test, as far as the working of the Constitution is concerned.

Now, relying upon these observations of

Dr. Ambedkar the Constitutional Expert, Mr. Seervai, in his book on the Constitutional Law of India, in the Third Edition at page 759 says, and I quote :

“The object in enacting the Directive Principles appears to have been to set standards of achievement before the legislature and the executive. The local and other authorities.....”

because some of these principles can be implemented by the local authorities also, by the States also. Therefore, he says :

“.....before the legislature and the executive the local and other authorities by which their success or failure could be judged.”

And then he adds a very important sentence.

“It was also hoped that those failing to implement the Directive Principles might receive a rude awakening at the polls.”

That was the hope expressed by this Constitutionalist also. I will not go into the question of what happened for not respecting the Directive Principles, but the fact remains that some of the very important salient Directive Principles which have been put, we have not been able to put into practice as far as these are concerned.

Now, many people feel that this right to work which the mover is seeking to put in the Bill as a Fundamental Right is impracticable. They feel that we are asking for moon. How can you do it? Is it possible to do it for this country with these resources? But I may point out that we are already trying to implement some of these and as far as Maharashtra State is concerned, as far back as in 1972 we have got employment guarantee schemes...

SHRI PIYUS TIRAKY (Alipurdwar) : Sir, if you allow me to make one submission. We have just received information from Calcutta that today at about 3 p.m., a bomb was thrown inside the Assembly House by...(Interruptions).

MR. DEPUTY-SPEAKER : No, no. That will not go on record.

SHRI BIPIN PAŁ DAS (Tezpur) : This cannot be raised here.

MR. DEPUTY-SPEAKER : I cannot allow it.

*(Interruptions)***

SHRI BIPIN PAL DAS : This cannot be allowed. This cannot go on record.

SHRI THAMPAN THOMAS : If it happens here, if somebody throws a bomb in the Parliament House.. *(Interruptions)*.

MR DEPUTY-SPEAKER : No, no. That is a State subject. There is an Assembly there, they will look after it. I can't allow it. We cannot discuss it here.

KUMARI MAMATA BANERJEE (Jadavpur) : There is no authenticity, Sir.

MR DEPUTY-SPEAKER : I am not allowing it to be discussed.

*(Interruptions)***

MR DEPUTY-SPEAKER : No, no. It will not go on record. I cannot allow.

*(Interruptions)***

MR DEPUTY-SPEAKER : It is a State subject It is a State problem. I can't allow. There is an Assembly there, they will look after.

*(Interruptions)***

MR. DEPUTY-SPEAKER : No, no. I can't allow. Shri Sharad Dighe may continue.

*(Interruptions)***

MR. DEPUTY-SPEAKER : It will not go on record.

*(Interruptions)***

MR. DEPUTY-SPEAKER : It is a State subject. That cannot be discussed here. The Assembly is there.

SHRI THAMPAN THOMAS : Even it may happen here.

*(Interruptions)***

SHRI BIPIN PAL DAS : Sir, I am on

a point of order. This is a State subject. This cannot go on record.

MR. DEPUTY-SPEAKER : That everybody knows. This will not go on record.

*(Interruptions)***

MR. DEPUTY-SPEAKER : Please allow me to run the House properly. Take your seat. Don't shout here.

*(Interruptions)***

MR DEPUTY-SPEAKER : No. Not allowed.

SHRI SHARAD DIGHE : Mr. Deputy-Speaker, Sir, as I was saying that this experiment is already being done in the Maharashtra State. In the month of May, 1972, the Government of Maharashtra launched employment guarantee scheme in that State guaranteeing employment in rural areas to all able bodied persons, aged 18 years and above who were willing to do manual work for stipulated wages. Now, later on this scheme was converted into an Act and the Maharashtra Employment Guarantee Act, 1978 was passed. Under that scheme and under the Act, all able-bodied persons in rural areas are required to register their names, with the village officials where they wanted employment and if a group of 50 persons demand employment, then work is undertaken within a radius of 5 kms. of their residence so that work is made available to them within their range. Then, according to that scheme, not only work is provided, but the District Collector has to draw up a plan and a blueprint and the work that is undertaken is also a productive work, i.e. laying of roads, construction of bunds, digging of wells etc., of the Government. That work is not entrusted to contractors. But that is done departmentally by the Government itself. And then, the wages which are fixed are paid, payments are made weekly. Accordingly, all those able-bodied persons in rural areas who demand work from the Government are provided with work. When this Act was also passed, the Preamble of that Act also refers to the Directive Principles which I have referred to, namely, to make effective provision for securing the right to work, as in Article 41 of the Constitution of India by guaranteeing

employment to all able-bodied persons who volunteer to work, unskilled or manual work in rural areas of Maharashtra.

Here, not only work is provided but further on, the scheme also provides for training and upgradation of the skills of the unskilled labour. Not only the work is provided to all adult persons who desire to have work, but if no able-bodied adult member is there in a family and only minors are there, in such a family, even a minor who has completed 15 years of age is also provided with work.

Now the question arises from which source the funds are provided. Employment Guarantee Fund is set up. Under that Act, tax on professions, trade, calling and employment are levied as allowed under the Constitution, which we call the professional tax. At present, the maximum is only Rs. 250/- and this State as well as several other States are demanding that in the Constitution itself the level should be raised to enable the State Governments to levy professional tax up to Rs. 1,000/-. Some Private Members Bill is also pending before this House. As I was saying, this scheme has been put concretely into force by one State. I do not know whether it is there in the other State. But, if it is there in one State, I see that it is not an impracticable idea to say that right to work should be made a fundamental right. There may be some difficulty. In the beginning limitations may be there. As in Maharashtra, we have been able to do it in the rural areas only. This right has not been extended to the urban cities. But I am sure that in due course of time when we get experience from this experiment, then extension of this experiment can be made even to the urban cities and, as I said also earlier, even on behalf of the Centre also, all our schemes are for alleviating poverty and we are also spending money for these schemes in which also some sort of employment scope is already provided by the Centre also. Therefore, one should not say that this is something impracticable and not possible in this country. We need not go to the experiment in other countries because if I mention other Western countries, then one might say "Oh, they are all prosperous countries. They have got vast resources and, therefore, they are able to do it or some of them have no democracy and they are totalitarian countries

etc." Therefore, even if without going to the argument that several other countries are having this right of work, I may merely say that if one of the States in this country itself can make this experiment successful for all these years from 1972 till today, then, I think, the Central Government also may be pleased to consider the introduction of any such scheme by which, right to work may be given to the citizens, in the beginning in a limited way to the rural areas or in some other limits which we may decide according to our resources. We have been working under this Constitution for all these years. I think the time has now approached when we should seriously think about converting some of the rights which are there in the Directive Principles into Fundamental Rights so that we honour this National Manifesto. I call the Directive Principles as a 'National Manifesto' of our country to be implemented in due course of time and not merely to be kept as a show piece in our Directive Principles. I feel that we are already making progress as far as some of the Directive Principles are concerned and as far as the right to work is also concerned, serious thought may be given by the Government and a beginning should be made in a limited way by trying to implement this Directive Principle in such a way that it is converted into the Fundamental Right.

Now, the thinking of the Supreme Court also appears to be, according to me, that right to life which is there in the Fundamental Rights is being liberally construed. In one of the cases which went from Bombay to the Supreme Court based on or arising out of the provisions of the Bombay Municipal Corporation Act in which the hutments were to be demolished by the Bombay Municipal Corporation and the Petitioners laid their stress on the Fundamental Rights of right to live and then they said: "You cannot demolish our hutments. Otherwise, we are in due course of law".

While interpreting right to live, the Supreme Court has made certain relevant observations, which if they are further extended, I think they may also cover right to work also. I will just refer to one paragraph in that judgement which is reported in the All India Reporter, 1986, Supreme Court Case. It begins at Page No. 180 and is titled Olga Tellis and others Versus Bombay Municipal Corporation.

[Shri Sharad Dighe]

There, at page 193 they have stated :

“For purposes of argument, we will assume the factual correctness of the premise that if the petitioners are evicted from their dwellings, they will be deprived of their livelihood. Upon that assumption, the question which we have to consider is whether the right to life includes the right to livelihood. We see only one answer to that question, namely, that it does. The sweep of the right to life conferred by Article 21 is wide and far-reaching. It does not mean merely that life cannot be extinguished or taken away as, for example, by the imposition and execution of the death sentence, except according to procedure established by law. That is but one aspect of the right to life. An equally important fact of that right is the right to livelihood because, no person can live without the means of living, that is, the means of livelihood. If the right to livelihood is not treated as a part of the Constitutional right to life, the easiest way of depriving a person of his right to life would be to deprive him of his means of livelihood to the point of abrogation”.

If right to life includes right to livelihood, then I would submit further that this fundamental right itself, really speaking, includes right to work. Without giving the right to work, there is no real meaning for the right to live which is granted under this Constitution. Therefore, from this aspect also I urge upon the Government to consider seriously and promptly that we can consider giving right to work, atleast as a Fundamental Right or to interpret the right to live in such a manner that we, in fact, give this right to live or right to work to every citizen of this country. In the beginning, it may be given in a limited way but somehow or the other, the time has come when a beginning should be made.

SHRI E. AYYAPU REDDY (Kurnool) : Mr. Deputy-Speaker, Sir, I wholeheartedly support this Bill. Mr. Thomas has attempted to make explicit what is already implicit in

the Constitution. Just now, my learned friend Mr. Sharad Dighe has pointed out that right to work is enshrined in the Directive Principles. And, in fact, a right interpretation of the totality of the Constitution shows that the Directive Principles were not there as merely decorative show pieces but were placed there as the objectives for which each State has been commanded constitutionally to work for.

The Forty-Second Amendment introduced one word in the Preamble to the Constitution. It added the word “Socialistic” also to the Constitution. I think, this was not introduced as a vote catching device. Unless we say that it was merely introduced as a vote catching device, therefore, do not give importance to it, it may have to give respect to this Forty-Second Amendment which introduced the word “Socialistic” in the Preamble. It means every citizen has got a right to work. Without a Right to Work, there cannot be a socialistic State. In fact, Article 14 of the Constitution becomes a mockery if millions of the citizens are without work, while a segment of the population has got prosperity, wealth which it is not willing to share with others. If Article 14 has to be given its proper place and interpretation, if we want to implement it in the true spirit, then taking Article 14, Directive Principles and the Preamble, all these together, it automatically means that Right to Work is implicit in the Constitution, it must be deemed to be part of the Fundamental Rights.

Just now, my learned friend Shri Sharad Dighe quoted the Supreme Court judgment. In fact, there are number of other judgments also where the learned judges have said that at least a distinct section of the Supreme Court and some of the liberal judges have always interpreted that the Directive Principles are as important as the Fundamental Rights. In fact, the Forty-Second Amendment introduced that wherever to give threat to the Directive Principles an enactment is made, its Constitutional validity cannot be silenced. So, if we have to refer to our own Constitutional history and Constitutional amendments, it is quite clear that Right to Work is as fundamental as any other Right.

But, unfortunately, we are thinking that

Right to Work is something which a citizen must have as of right. On the other hand, the philosophy of the State must be that every citizen must work. If only this Right that every citizen must work was included in the Fundamental Rights and made mandatory for the State to issue work card to every citizens to work, there are two aspects to it. One is right of the State to insist upon every citizen to work. The other thing is right of every citizen to seek useful occupation or work. If this duality is accepted and if the philosophy of the State gives that every citizen must work, then our State would have been, our country would have been one of the super powers today. If only our founding fathers had included this Right to Work as part of the Fundamental Rights, it would have changed the entire philosophy of the State. The State today would have been the super power. I would like to illustrate this. Just the other day, Shri Vasant Sathe, while replying to the debate on Energy, bemoaned about the tremendous loss that was incurred on account of the six-day strike by the public sector workers.

He stated that about a lakh and odd mandays were lost. The workers lost Rs. 10 crores. He also estimated the loss in terms of rupees, in terms of production and its value. Stretching the same logic, how many mandays have been lost by all the unemployed people in this country from the date the Constitution came into existence? Incalculable mandays have been lost, hundreds of workers, adults who wanted to work have not worked and highly educated persons were running after jobs wasting their time and most of them had to seek jobs elsewhere.

Unfortunately there has been something fundamentally defective with our planning. Our planning aims at achieving certain physical targets—at the end of the 7th Plan we must have 175 million tonnes of food-grains, we must go in for 10 million tonnes of coal, so many megawatts of power, etc. We have been trying to aim at achieving physical targets. But unfortunately we forgot the lesson taught by the Father of the Nation. He was planning in terms of human beings. His fundamental approach was planning on the basis of human beings. Every human being, every citizen must have work; that was the philosophy of Gandhiji.

Now we have get a Planning Commis-

sion. Did they ever think of having an estimate of the human resources of India? Do they know what amount of wealth we have got in our people? They have never planned in terms of human resources that are available in India. That has been the fundamental defect in our planning. So far as Indians are concerned, their talents are concerned, their ability to work is concerned and their commitment to hard work is concerned, they are second to none to any other citizen in the world.

What is the secret of Japan, West Germany, and all these countries which are now considered to be super powers where they are in a position to dominate and dictate the entire world market? Do they have the same natural resources as India has got? Certainly not. For instance in Japan they get iron ore from us; probably they get coal from Brazil. They manufacture steel and sell it at a rate which is cheaper than that of India by Rs. 500 per tonne and they make a profit of Rs. 500 per tonne. Whereas our steel is costlier than the steel of Japan by Rs. 500 per tonne and yet we are incurring a loss of Rs. 500 per tonne!

We have not attempted to evolve a national work ethos. This is on account of our planning being totally defective. Take for instance that if we insist that every citizen has to work, and take into account what is his occupation, what is his job, etc. there would not be this sorry spectacle of terrorism. Because every citizen is accounted for, there is a dossier for every citizen about his occupation and about what he is doing.

There is accountability automatically by the citizen to the State and by the State to the citizen. On account of the fact that State does not insist on useful work being carried on by every citizen we are now in a chaotic condition.

No doubt, India has made progress and achieved some physical targets but strictly speaking there are islands of prosperity in a desert of poverty. There are rich people with crores of rupees. After we adopted this 42nd amendment and introduced the word 'socialistic' it has been on record that 15 top business houses have multiplied their assets by 15 times. How has that been possible!

[Shri E. Ayyapu Reddy]

Some friends were saying how it is possible to provide employment in a country like ours which is so thickly populated. I can give a first-class plan. The only thing is that we should abandon the old ideas. Let us take the field of education. The literacy rate in India is hardly 40 per cent. In the field of education alone if we take a proper estimate of primary education, secondary education, collegiate education, university education, research and advanced research one-tenth of our adult population will be required to man our education. Then let us take health sector. There are still hundreds of villages where they do not have approach to a properly educated professional doctor. Similarly, the health sector requires at least one-tenth of our population. Three-tenth of our people are required on the agricultural sector. So agriculture, education and health can account for 50 per cent of our population. As regards industry to least two-tenth of our population will be required to man our industries. Then there are areas like irrigation, mighty river valley projects, etc. Over the last 40 years river Godavari has been flowing into the sea and we have not been able to even harness 30 per cent of its water. If some friends come to Rajamundhry during flood season they will find a sea flowing into the sea.

The other day Shri Dinesh Singh said it is a State subject. What is it that I can do? If we want to exploit our water resources and want to connect Ganga-Cauvery and go in for a national grid which is quite essential for the development of this country, one day or the other, we have to go in for a national water grid. If we want to prevent the floods, the havoc of floods, convert the floods into useful productive purposes, then, what is the employment potential? How many people do we want? How many people do we want to man our engineering services in the field of irrigation, transport and other things? So, why should there be any unemployment at all in India? We are not a highly developed country. We are a developing country.

Take, for example, the housing problem. My learned friend, Shri Sharad Dighe, quoted the case of slum dwellers in Bombay. Panditji said, "I don't want to see the slums

in India." What is happening today? Sixty per cent of our townships have become slums. Even if you take up this housing problem itself, it is so enormous. Therefore, something is fundamentally defective with our planning unfortunately.

If we want to properly utilise our manpower, we do require our manpower. My learned friend, Mr. Aatur Rahman was saying: 'Explosion in population, explosion in population.' We are not at all afraid of population explosion. (*Interruptions*)

Rangaji knows that today the ryot is not able to find a farmhand to pick up the cotton. The ryot is in an unfortunate position. We have not been able to organise our manpower in a proper way because our values are so distorted. An advocate goes to the Supreme Court and just stands up: "Yes, My Lord." And there is special leave question. 'There is no point.' 'Yes, My Lord.' He will sit. But he would put into his pocket Rs. 7,500 or Rs. 5,000 for one minute or two minutes. We have got such distorted values and still we call ourselves 'Socialistic State'. We got that appellation into our Preamble.

Unfortunately, this was not the position, this was not the condition in India 500 or 600 years ago. The Aryans had invented, rightly or wrongly, a caste system. We may now find fault with that caste system. I don't support the caste system in the meaning in which we try to understand it today. But the caste system was a beautiful way of finding employment, useful occupations for every person. That system worked for a long time. There was no question of unemployment. He had a ready-made employment and got a training from his very inception, from that time he knew something. But we have abandoned that caste system. Now, we have not been able to go for any other type of system also. Gandhiji's principles also, we don't want at least the spirit of Gandhiji. In the principles of Gandhiji, we care two hoots. We have forgotten about that. We have got a totally lopsided planning. Our Planning Commission Members are there. They are blissfully ignorant about the sufferings of the thousands and thousands of people.

How much are we spending on our security today? How many crores of rupees

are we spending for our security? Is this the State which we were envisaging?

SHRI THAMPAN THOMAS : What about Sri Lanka?

SHRI E. AYYAPU REDDY : Leave aside Sri Lanka. In our own country, we have become a police State, not a welfare State. Our forefathers dreamt of a welfare State that was contained in the Directive Principles. But unfortunately, we have become a police State. The entire Punjab is a police State.

How many hundreds of personnel are there roundabout this House? What for? What for is the security? Why should there be any security?

How many battalions do you require? Is this the way of providing employment? Is this useful to employment? Is this a productive employment? Has anybody thought about it? Is policing also an employment? We must be ashamed that we have become within forty years of the Republic a police State and are racing towards becoming a super Police State.

Therefore, something is fundamentally defective and I hope that the Bill of Shri Thampan Thomas will awaken our planners. This is not a Constitutional issue though it appears to be a Constitutional issue, an amendment to the Constitution. This is a fundamental issue to remove the defects to planning which we have been adopting.

SHRI RAJ MANGAL PANDE (Deoria): Mr. Deputy-Speaker, Sir, some of us in this august House sometimes talk of such noble and lofty ideals just only to convey to the people of this country that they are the real benefactors of this country and the Government in power is not looking to the interest of the people at all. My friend, Shri Ayyapu Reddy, spoke just now from the other side; he is a very learned colleague of ours and I have worked under him. He was reminding us like the preachings of Mahatma Gandhi. If everything should have been done in this country, as he envisages, why should he not start from Andhra Pradesh? He should do it. Who has stopped him from doing it? He says our education policy is defective. Education is a State subject.

SHRI E. AYYAPU REDDY : I did not exclude myself. I was always saying—we, and that we have committed this mistake or that mistake. I have not accused anybody of having committed the mistake.

SHRI RAJ MANGAL PANDE : If you are also a party to such crimes, then I have nothing to say on that.

The whole tragedy is that we did not care to develop a national character. We suffered under an alien rule so heavily for such a long time. Even after getting the independence, we did not care to follow those lofty ideals which Gandhiji preached us. Apparently, we tried to follow, but the things developed in a different way. There was partition; we had Pakistan and India, and the subsequent happenings led to an enormously confusing situation, and many ideals were lost. The people of this country could not believe that some two or three years ago, we had Gandhiji on the soil of this country. He was such a lofty man. He gave us the independence, he gave us all those things, which nobody else could give. He told us about morals, ethics and socialism, which are the dominant feature of a strong economy and a strong nation. But after the death of Gandhiji and after the death of other stalwarts, this country saw many abnormal happenings for which each one of us is to be accused. We can see, what is the situation today.

The lofty and noble ideas which have been preached by seeking an amendment to the Constitution look very nice, but are those practical? Even the most developed countries of this world, as he said in his speech, after they obtained independence, took years and years with their zeal and vigour to build a nation, with sound economy and a national health systems. They took some forty, fifty or hundred years.

At least some 40 or 50 years back their system was different than what we have. My friend believes in the population growth. Would you believe the per capita income in some of the States is going down every day. Take the case of Bihar. The population growth is very heavy. My friend says 32 per thousand whereas in China it is 20 per thousand. You could very well imagine that this country is now having a population of eight hundred million people and out of

[Shri Raj Mangal Pande]

that 80 million people have almost no or very little work for them.

The condition of drought is prevailing. Our sense of comfort and our sense of thinking has undergone a lot of change. Our youngmen do not like to work. They have different approach to life. They have different approach to the problems that the nation faces or the society faces. How could a nation without the resources, without the vigour, without the zeal of the young people, who really are the assets of this country, who do not take this country in the same spirit in which the youths of other countries have taken, could develop ?

Now, the fact is, Sir, that there has been a social imbalance. It was not the caste prejudice that led to the social imbalance. Social imbalance was there. It was not the fault of our planning but it is a fact that the gains of planning went only to some hardly 30 to 35 per cent people of this country. And those who are poor, they could not get the profit, could not have the gains and the result was that their conditions could not be improved and did not improve. Ultimately, Smt. Indira Gandhi and Shri Rajiv Gandhi, our leaders, introduced anti-poverty scheme just to bring the people of this country above the poverty line. We have enunciated many schemes like this just to bring the people to that level. But the difficulty is, Sir, that we have a lack of foresightedness ; we have lack of a national character ; we have lack of political will ; we have lack of all these things which we demand from our young generation to create a politically strong and economically sound nation. This is one of the main reasons that in spite of our best efforts, in spite of 8,000 to 10,000 crores that we have spent in all anti-poverty elimination schemes, we have not got the desired success which we should have got. And the grudge is that more money should be given for it.

To be very frank, Sir, this country owes a debt of Rs. 2,24,000 crores and we are paying an annual interest of 14,100 crores of rupees. A country which is paying international and internal debt to the tune of Rs. 14,100 crores per year, can you not imagine that this amount, this resource would very well have gone for the development of the country ? But what is to be done. The

Britishers had left us absolutely in such a condition where we had nothing to build for our economy.

Every un-developed or semi-developed country has to depend on some developing or some developed countries for its own survival and naturally that was the case with India. Could we, specially you, Sir, forget that we had a programme of PL 480 under which we could get the red American wheat which no human being could ever think of consuming. But all the same we did it, and even under obligation. That was the condition on our food front.

Our illiteracy was so high that people did not know what amount they are taking as loan from their lenders and the result was that even for the loan of Rs. 10 or Rs. 50, the generation had to suffer. Would you stop it, Sir ? Even for the vast changes in our educational policy that we have all glorified here in this House, hardly a Budget of 3.6 per cent is allotted.

What all the noble ideas, we want to set up the Navodaya Vidyalayas in distant rural villages, where the children of the poor people can study and have the best of education to show their talent. Now, that too seems to be a distant dream because that much of land and other facilities which are required to build that kind of an educational infrastructure are not available and the State Governments are not forthcoming with that kind of help. Therefore, at every stage, there is some or the other hindrance, when it comes to real development of the nation.

Of course, everybody talks of development. We see it in this Parliament. Even over a minor scuffle or an incident in the West Bengal Assembly, anybody can speak here, knowing full well that it does not really lie within the purview of the Parliament because it is a State subject. But we find here that in each such cases everybody speaks as if he is the guardian of law. Not only that, he expects that the Central Government has to do everything. This kind of a notion can never bring a country to the stage of full development and maturity.

16.57 hrs.

[SHRI SHARAD DIGHE *In the Chair*]

Now I would like to remind the hon. Members about the experience of those

countries which have given social security, doles and so on, to their unemployed population. In those countries and in the countries where social security is given to the unemployed just temporarily, it is found that efficiency has gone down. Imagine what will happen in this country where the efficiency of the people is not upto the mark that we expect. To build up a strong economy and a strong nation, can unemployment dole ever create some incentive to development? It will be a sheer waste of our precious resources. Even if we calculate at Rs. 100 per unemployed youth, it comes to an enormous amount of Rs. 800 crores! Rs. 800 crores is too big an amount and with the increase in population, this amount will have to be increased every year. Then what will happen?

We have our neighbouring countries like Pakistan, Sri Lanka, Burma, China, etc. which have very strong defence forces. And some of these countries are receiving enormous aid from other countries. A country like Pakistan which is much smaller in size than India, almost one-third of India's size receives aid to the tune of 4.6 billion dollars, equivalent to Rs. 6000 crores, from America. And our total defence budget, if I remember correctly, is just Rs. 14,000 crores. You may well imagine what will happen, how this country is destabilised by the enormous aid that our neighbouring country Pakistan has been receiving from America and so on. Secondly, who does not know that our country's defence forces are fighting on some other soil, just to keep our national prestige and morale high, so that others may not raise their fingers and accuse us that we are interfering in the internal affairs of Sri Lanka? That is the main reason why we have to send our IPK Forces to Sri Lanka. And on this account, we are incurring an expenditure to the tune of Rs. 2 crores every day. With strong enemies as our neighbours, we have to build a strong defence base. And that will demand enormous funds. Defence of the country being so vital and important, it has to be maintained at all costs. Even if the pace of development has to be slowed down, it has to be slowed down then. But the defence of the country must be maintained. It does not matter how much sacrifice we may have to make and how much agony and suffering we may have to undergo. We must never forget that our uppermost social obligation is to our people

and that our borders must be safe and secure against all attacks and invasions. For this purpose, we have to maintain our Defences at all cost and that will depend upon us. Now, we find that Pakistan is preparing for a nuclear war.

17.00 hrs.

Pakistan has already weapon grade nuclear capability. It has got some 80 missiles from China. With all these enormous aid which Pakistan is having, relations with all our neighbours are not very congenial, naturally we have to spend a huge amount which could have really gone to the development of this country.

Our tragedy is in spite of our best efforts and the best efforts of the Government, we are not able to do as much as we hope.

For building a strong economy, at least three things are pre-requisites—power, irrigation and transport. Our Annual Budget will show the amount that we are allocating to these Departments. The allocations are so meagre that we cannot undertake a very adventurous scheme—as my friend Shri E. Ayyapu Reddy was telling—that we have to link or connect Godavari with Ganga or Cauvery with Ganga for enabling the whole area to be irrigated. In that way, it will take thousands and thousands of crores of rupees for just building this kind of project. That will take about 50 years to complete, since we do not have funds, we do not have such a base. Because we have to invest so much to defend our frontiers, naturally all these developments and all these kinds of adventurous projects have to be kept in abeyance. Until we build a strong economic base and until we build up our defences, we cannot think of having such schemes as proposed in this Bill. So long as we are not able to do that, it will be obliterating our own responsibility to the nation and to the people if we just forsake our defences in the name of development or in the name of education or any other project.

So I shall very humbly say that these lofty ideals made with the political bias and when they are made with the purpose to embarrass the Government, knowing it fully well that no Government worth the name could be able to achieve this object, at least for 15-20 years, then a premium has to be put on that kind of testimony. And only for

[Shri Raj Mangal Pande]

that reason I am just quoting Article 16(A), which our forefathers deliberately inserted, knowing fully well that the country and the people of this country, with such little resources, are not in a position to give job to every person. It looks so nice, that everybody must have job. It looks very nice if right to work is guaranteed to everybody. But how could the Government give job to everybody ?

If I correctly remember, my Minister will tell, in Uttar Pradesh the Government has banned recruitment for five years. Here in the Central Government too there is some kind of a ban. What does it indicate ? In spite of the vacancies, we are very short of funds. The constraints of funds are such that we cannot take all these things. Even minor and petty postings and appointments are prohibited. So all these things require funds.

Article 16 of the Constitution says :

“Equality of Opportunity in matters of public employment :

- (1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.
- (2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.
- (3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office (under the Government of, or any local or other authority within a State, or Union Territory, any requirement as to residence within that State or Union Territory) prior to such employment or appointment.”

So, this is clear. Our forefathers or those who contributed to this Constitution were absolutely sure that the country was not in a position, and the country did not have

enough resources, to guarantee such kind of rights to every citizen who was able to work ; and for that reason, the States were given such powers, namely, in certain situations, the States were empowered to appoint people, and give jobs ; and many States are doing it. Some States are doing it at a small level ; States like Maharashtra are giving some kind of help, when there is drought or some kind of a calamity. They have authorised District Magistrates, and they have automatically given employment to people. Such an arrangement is there in Uttar Pradesh also. Some States are doing it. But even the States have very meagre resources. They cannot do it. So, it is not possible.

The only plausible factor could be a reduction in population as China has done, by deprivation of certain citizens' rights. Any person who has more than two children must be denied some of the privileges and rights which the State gives to him. If it is not done, and if the population growth is maintained as it is, then it will be one of the biggest problems that this country will have to face, and our entire resources will have to go to meet the needs of such people, and our *per capita* income will go clearly down to such an extent that this country will not have enough funds to secure its own borders, to defend its own borders and to build a strong economy and a strong country.

SHRI PIYUS TIRAKY (Alipurduar) : I support this Constitution (Amendment) Bill moved by Mr. Thampan Thomas.

You know India has got vast resources. Whatever resources Nature has given to this country, if we can exploit them properly, nobody will remain unemployed. Our Constitution provides that India does not belong to a few alone. India belongs to all—even to those who are still trying to get employment. They have every right to employment, to work for the country, for the betterment of the country, along with their own betterment. So, this right must be the fundamental right, I think, and every Indian should support this idea, and Government should work towards this idea.

Just now what is needed is not enforcing family planning by force. The standard of living is so low that you cannot think of forcing people in matters of family planning immediately, as my friend was saying just

now. What is needed is this : in our country, some people are dying due to over-diet and a much greater number without any food. In between, some people are struggling to live somehow. This is the condition in our country. You have no check. So, first you must have a check on those who have already accumulated crores and crores of rupees, and are having unaccounted money also, not only within India. Our economy has failed because of black money. You cannot control the price rise. Because of the few, you have no control over it. Even Government is getting influenced by it. Politics is going to be influenced by it ; and if this goes on, there will be a black money Government here in Parliament. There will be no people's representatives at all. There will be the representatives of the black money.

This is because this politics has gone to the people who are having money or people are purchased or some sort of animal power is also used in politics. If people have work or get some employment, then they are supposed to work for the betterment of their country. But how can you expect them to work for the betterment of their country or love their country when they do not have any type of work, not to speak of getting employment anywhere. So, you cannot expect unemployed people to love their country.

The figures are with you. I need not tell you those figures. The number of educated people who are seeking jobs is 3 crores. What about the uneducated people, labourers and what not ? They are also seeking jobs. They also want to work for the betterment of their country, but the government cannot provide them even a simple job or any kind of job ; they do not want big jobs ; they only want simple jobs.

We, the Members of Parliament, are meeting people from our constituencies ; even from Delhi also. They are coming to us and asking for any kind of jobs anywhere. Some people are making money out of this ; some sort of exploitation is going on and Rs. 10,000, Rs. 20,000 are taken from people on the basis of giving them assurance that they will be sent to foreign countries for some jobs. This kind of a thing is going on in this country. Whom to blame for this ? You are responsible now, who are in the Government. It is happening because

some policy or other is wrong somewhere. That is why people are becoming poorer and poorer. In the meantime, some people are becoming fatty and they are comparing with England or America. The rich people in India are comparing with rich people in America. This is the condition of our socialist country. It is ashamed to say that we are a socialist country. What kind of socialism is this ? I do not understand this kind of socialism. Perhaps the Minister and the Government also do not understand about this socialism. What I mean by socialism is that everybody has a right to live, at least a right to work ; that is a fundamental right. Do you want to make people beggars ? You know that beggars are increasing in our country.

Are you happy that beggars are increasing in our country ? Do you want India to be a country of beggars ? Blind men are also increasing. There are so many types of diseases here. Even after 40 years of our independence, we are not able even to provide a simple job to our people. We are very much ashamed if the people are saying that this country is a country of beggars and beggars are increasing ? Are you proud of it ?

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY
AFFAIRS (SHRIMATI SHEILA DIKSHIT) :
I am proud to be an Indian.

SHRI PIYUS TIRAKY : I am also, but I am ashamed to tell that we have not been able to provide a simple job to our people. Can we not solve this problem ? (*Interruptions*) I was Adivasi much before I was sent to India. You came much later.

THE MINISTER OF STATE IN THE
MINISTRY OF LAW AND JUSTICE (SHRI
H.R. BHARDWAJ) : Adivasis are more
proud of India than you are.

SHRI PIYUS TIRAKY : I love India. What is happening is that our policy is wrong. Land problem is there. Those who are not the tillers of land—just see the figures of the land-less people—those who have got nothing to do with the land ; those who are working in office as clerks and doing some other jobs, they are the masters and the owners of the land.

But they are the masters and they are

[Shri Piyus Tiraky]

the owners of the lands. Immediately, you have the power to say that all lands should be turned over to the State. The State owns all the agricultural lands, you can say. You can train the farmers, such of those farmers who are included to do farming, only those people should be given opportunities. It is not for individuals. One individual cannot have all the money and resources and deprive the others. The Government has to ensure that this is not done.

My previous speaker, Shri Pande was asking why we should not start from our State. It is a funny argument. Every State has to follow the Constitution of India. It has been amended here. No State can do on its own. In some States, to some extent, to the extent they can, they have done it. But it is the Government of India, the Central Government which has to think about its own people because the problem of unemployment is not decreasing, it is increasing. Unemployment is increasing, illiteracy is increasing and there are a number of problems. There are starvation deaths.

The other day I mentioned that in Orissa many people have died, even children and women are being sold. Is it India? We are interested in the people of India. You see the people staying in Five-star hotels. They are also Indians. There are people who do not have employment, they are also Indians. How much money do the people staying in the five star hotels spend per night? They spend Rs. 2000 or 5000. And this is supposed to be a socialist country. There must be a check. One cannot go too low and one cannot go too high. You have got all the people who are human beings in India. They have all got equal rights. They have a right to live and a right to work. This Government should come forward to solve this problem. Otherwise, everybody knows what is going on. People coming from outside India they see these things.

We Indians are experts only in adulteration, even in corruption. What for? Because the policies are individualist policies and profit making people only can flourish. But if everybody runs after his own profit, then who will look after those people who are not employed? So, this profit-oriented

society, individualist society should be changed.

The State should provide some employment because the people have the right to work, a fundamental right to live and work. We love this country, more than we love the Himalayas or the Ganga. We love the people also. But in this country some people are poor, there are naked, illiterate, blind people, beggars, who are all Indians. At the time of asking for votes we call the people of India brothers. We promise that this will be done, that will be done and so on but so far they have only been cheated as the promises are not fulfilled.

Because the Government has the majority and also the power, it is time for them to think over, they can bring a bill to ensure that the right of the people to employment is fulfilled. They do not want to be beggars. The people of India want work and that right that fundamental Right they must be enabled to exercise.

SHRI S.B. SIDNAL (Belgaum): Mr. Chairman Sir, this is a very beautiful, debatable and a laudable subject. I welcome it for thinking purpose only.

With this vast sea of population when we think about forty years back, our natural resources and sources for exploitation was very much limited. With this background, we are living today.

'Right to employment' is really an economical problem. Nobody denies the right to employment. It is a good one. Everybody must live as you said and everybody must get employment. But our situation is quite different because we have the Education, which is not a very productive one and we have the population, which is multiplying every minute; and production, though it is good, it is not in proportion to the population. Sir, natural resources are many, but exploitation is not to that extent which can fulfil the desire of the people. It is true that we want to create a just society and we want to live very much comfortably. How is it possible to provide jobs to everybody at this stage? For future, it is a good idea. Sir, when we look forty years back, the poverty was there and even today, the poverty is there. What were the means we employed to do away with the poverty? The late Prime Minister Shrimati Indiraji

found out Twenty Point programme only to give employment to the rural people, and this scheme has been found to be very much practical. We have done better in this regard.

Now the real problem is, whether the poverty is still there. According to me, in those forty years back, we had the poverty which was absolute without food, without shelter, without medicine, without transport and without any aid. Today we have the poverty and tomorrow also we shall have the poverty. It is a comparative term. The problem is, whether we can do away with the poverty with this population. In my opinion, we have to make certain plans, as my friends have said, to curb the population voluntarily. The sources are limited and eating mouths are many. Though every person has a pair of hands, there is no work. Unless we build economy, we cannot live comfortably, and we cannot seek redress through the Court for employment, because there is no work. Sir, recently we had a chat with an Italian delegation. We asked them, whether there is any unemployment problem there. They said, we employ people by rotation, on contract basis. When we go and make a survey in the whole world, everywhere the unemployment problem is there. It is here also. How to overcome it?

When we see the agricultural sector, it is heart burning. A lot of labourers, uneducated, unemployed, and unskilled people are lying idle because there is no monsoon, no input, no instrument, no production, no economy. Hence, no employment. Though there is a lot of land, a lot of rivers and a lot of natural resources, we cannot exploit it. So, it is very difficult to imagine the situation at this juncture.

Then, we come to the urban area. There are a lot of problems. There are only limited opportunities for employment. When we go to the mills, there are limited jobs. When we go to the offices, only we want white collar jobs. Rest of the people are unemployed. When you analyse step by step rural as well as urban, it is heart-burning. How to overcome it? Can we just get disappointed looking at the position of this country? We cannot because we are optimistic and we are going ahead and we have to think of the agricultural sector to

provide employment there by exploitation of the natural resources. Now, according to me, we have fragmented the land by legislation and by population. In the Budget speech and on the Demands of the Agriculture Ministry, many of my friends have demanded implementation of the Land Reforms Act. It has been implemented by increase of population, according to my personal opinion, because 20 years back when we had this law, there were two or three members in a family and now it is multiplied by 10 to 15. So legislation and population both have fragmented the land. Unless we mechanise the agriculture and bring together all these fragments, we cannot produce and flourish in the agricultural sector. Unless there is a good amount of production, employment cannot be provided. How to do it? The question becomes very important whether we can nationalise lands of this country. It may be very much heart-burning and many people think that we are adopting dictatorial form of idea. When Nehruji adopted the socialistic pattern of society, people criticised him that under the garb of socialism he was embracing communism. These are the things in this country which are more sentimental than productive. So we have to think very seriously about this problem. We have to analyse it and we have to go only for production on scientific lines.

Thirdly, all of us want white collar jobs. Even our educational institutions are producing guarantees and literates who do not want to do physical work nor do they get jobs. So the unemployment register is bulging and swelling every minute. So the system of education has to be changed. Though we are advanced and we are third in the engineering field, unless we change the entire system of education into productive ways, we cannot get any productive means. Unless production is there, employment column is nil. Therefore, education is an important thing to achieve the goal of my friend which he wants, that is, the right to employment.

In urban areas slums are being increased. What is the result of the slums? It is only because of the disparity created between urban and rural areas. In a rural area, a person does not get even Rs. 10 a day. In Bombay and Delhi he gets Rs. 100 even by boot polishing. It does not matter whether he sleeps on the road or in the slum areas.

[Shri S.B. Sidal]

He gets money, he gets good food, good water and everything else except a sleeping place. We have failed to build satellite cities. We have built only cities and filled everything there. We have provided good education, good institutions, potential employment and everything else. So the rural people run away to urban areas because we have not provided anything in rural areas. When you industrialise in the rural areas and give employment there, their economy will be built, capital will be built and then nobody has to go to the court of law for seeking a job because there will be lot of employment.

Why should we create a law and swell the number of cases in the courts to get a job, when we can produce well, when we can plan well? There is no need for this. It is required only when the Government denies employment though it can afford to give. Here, the thing is that in a family the poor father is there but the son wants a motor car. How can he afford to do so, even with all his efforts? So, it concerns all of us, it does not concern only the Government. Every citizen has to give a thinking about the society about its texture, about its behaviour, about its scientific approach.

Our Prime Minister, Rajiv Gandhi, has given a concept of 21st century. He has motivated the country's feeling. He has given the direction to the country as to how we should go to the 21st century. Many a friend from the other side have criticised cynically. I do not mind if they criticise constructively. They may criticise cynically, but it is really a good concept. We will definitely go to the 21st century in a better way. In the last forty years we have run a lot, we have been doing exercises, we have been building our bodies. So, we can run faster. In these fifteen years we can cover more mileage than we have covered in these forty years. So, that is also very important. What is needed is the scientific approach. Some people say that computerisation and other things throw people out of jobs. It had happened in Japan. When they brought new machinery, many persons were thrown out of their jobs. But these people went and learnt new things and adapted to the new system of machines. So, the scientific

approach is also one of the factors to see that the production is increased and the economy is bettered. When the economy is better, the question of seeking redress through court of law for getting a job does not arise. Therefore, the whole idea is to modernise our education, curtail our population, and systematically build our rural economy so that we can provide employment. That only will help and then only we can think of building the nation and also providing employment. Thank you very much for the opportunity given to me.

MR. CHAIRMAN : Is it the pleasure of the House that the time for this Bill should be extended ?

SHRI THAMPAN THOMAS : How many speakers are there, Sir ?

MR. CHAIRMAN : At the moment four Members are there.

SHRI THAMPAN THOMAS : Then it is better to extend the time.

MR. CHAIRMAN : How much ?

AN HON. MEMBER : Two hours.

MR. CHAIRMAN : Are you all agreed ?

SOME HON. MEMBERS : Yes, Sir.

MR. CHAIRMAN : The time is extended by two hours. Now, Dr. C.S. Tripathi.

[Translation]

DR. CHANDRA SHEKHAR TRIPATHI (Khalilabad) : Mr. Chairman Sir, in the Constitution Amendment Bill introduced by our hon. Member Shri Tampan Thomas, which has been discussed in detail, he has asserted that a specific amount should be given to all unemployed citizens of India for which a statutory provision should be made. It is not justified that people in the country should face starvation due to unemployment. The proposal is quite good in itself. But the hon. Member will be aware of the fact that when India was made a republic in 1952, our concept had been to establish welfare state and make the people prosper by raising their standard of living through the implementation of welfare schemes. The Government was determined in this regard and as a result various achievements were

made. I do not agree with Shri Piyush Tiraky that nothing has yet been achieved. Earlier it was too difficult to find an educated person even to read a telegram message in English and innumerable people had to go to bed in the night without satiating their hunger in the lean months of Magh and Pausha. Production of food grains was insufficient, people were too poor to fulfil even their basic needs. A large number of people died due to lack of proper medical facilities and medicines were not supplied in the hospitals. So it can't be said that no progress has taken place. But we will have to ponder over it as to why the unemployment is increasing inspite of development in every field.

One of the significant factors that various hon. Members of the House have attributed to this is population explosion. It is really terrifying and Government is much concerned about it and introduced a number of schemes and issued various guidelines. Sufficient amount of money is being spent to check its growth. Our Government is making all out efforts to check it. But it is regretted that this programme has not been accepted as People Movement and the desired results have not been attained I personally feel that unemployment cannot be curbed unless population growth is controlled. Mr. Chairman, Sir, I feel that such a serious problem cannot be solved just by enacting laws.

I feel that unproductive employment has been the other reason to it. Such schemes should be prepared that might be helpful to provide them productive employment, and this would positively help to increase our production, goods and make our services efficient. Employment generated in unproductive services, has bad effects upon the economy of the country as a result of which our economic structure may collapse. While preparing programmes for generating employment the Government should pay proper attention to this effect that employment is generated in that sector only that with which production also increases and pace of development is accelerated.

Hon. Sir, Government has reviewed the situation from time to time and it is a matter of proud and happiness that our Prime Minister has taken strict actions in this regard. Extravagancy of Ministries should strictly be curbed. It will help in

saving crores of rupees. Lakhs of rupees are being spent lavishly in various Public Undertakings, Ministries, institutions, factories etc., which can be easily saved. Money is being spent on having telephonic talk with their kith and kin living abroad. A fleet of vehicles have unnecessarily been provided to each Managing Director though one is sufficient for them.

Sir, inspite of so many rules and regulations framed, public awareness and discussion, those people who were given responsibility have not been made accountable. Crores of rupees were spent on constructing a bridge on Mandavi river in Goa in 3-4 years, collapsed a few days after its completion. The Government assured to hold investigations when the matter was raised in the Parliament. We cannot contribute in progress of country in this way.

As many as 50 to 60 Junior Engineers, 10 to 20 Assistant Engineers, 1 to 2 Executive Engineers, 1 Superintending Engineer, would have been employed to construct this bridge. All these would have a hand in collapsing this bridge. Why did they grant the certificate that this bridge was worthy of use and should be opened to traffic. But when this bridge was opened to traffic, it collapsed, as a result of which crores of rupees have been wasted, these robbers escaped after looting crores of rupees, sum earmarked for development plans of our country was snatched before our eyes and these people escaped enjoying themselves. Till today they are enjoying with this amount unpunished. It is being stated that an enquiry is being held but this enquiry will not be completed even in hundreds of years, Government will not able to do anything and these people die before they are brought to book. Therefore the need of the hour is that accountability should be fixed directly. If a primary school collapses within ten days of its construction, the man responsible for it be penalised, no mercy should be shown to him, he should, in no case, be pardoned.

I have just given a tip of an iceberg, there are many projects where crores of rupees are being wasted, money of the country is being wasted in making enquiries and we are watching this situation helplessly, we are not able to do anything. We will be able to stop this wastage only, if accounta-

[Dr. Chandra Shekhar Tripathi]

bility is fixed for all type of work, only then we will be able to do some constructive work in the country.

Besides this, I would like to tell hon. Members Shri Tiraky, who belongs to Communist Party about yet another disease of industrial unrest which is spreading fast in our country, due to which huge sums are wasted. If this problem does not exist in our country we need not borrow foreign exchange to run big projects. We have not developed a sense of work culture in ourselves, we only demand for more wages, facilities and perks. What are our duties, we have not been able to specify them. If we observe honestly we will find that our Government has enacted many legislations for welfare of labourers, their children and to provide for education for their children, minimum working days, provident fund and to abolish bonded labourer system, so that their working conditions improve, but if you see the returns received for all these, it is found that somebody is talking away the wheel from the factory, someone gives fire to the factory, someone dislocates the fishplates of the railway line, a feeling of devotion to duty is found lacking everywhere. In spite of many suggestions made and many good laws enacted over the years, we have not been able to carry the country forward. From where the people will get employment, from where will we provide work to the people when no work is done in the factories.

Whose Government is this? It is the Government of all of us, atleast we think it so. We work more for the people belonging to Opposition parties than that of the people of our own party because we believe that the Government belongs to all of us. Rising above the party politics, if we think how can we get together to carry the country forward, how can harmony be established between duties and rights, if these things are considered then we believe that we will be definitely able to solve the problem of unemployment.

Keeping in view the number of unemployed people, the hon. Member has stated that if this scheme is implemented in this country, Government will have to spend Rs. 800 crores on it, many people have

raised doubt about the source from where this sum will be made available. I say that the question is not about the source of money, money can be arranged by mopping black money and levying taxes, of course this will push up prices, but it is not the question, we can arrange this amount by mopping black money or by imposing ceiling on property, but the question is that the money so collected by mobilising black money and imposing ceiling on properties, where will it be proper to spend the same. People have amassed disproportionate assets worth crores of rupees, it should be seized and taken away from them. The question is whether it should be distributed among the unemployed people, or it should be invested on various development schemes for carrying this poor country forward. It will have to be decided, we think giving the doles to unemployed out of the money so mobilised will obstruct the progress of the country and the youths, who are to come forward to work and a feeling of entrepreneurship is required to be develop among them, will become lazy and they will not be able to succeed due to lack of responsibility and experience. I say with great pride that our Government has started job oriented schemes. The Government launches programmes about vocational training from time to time, but the scheme of self employment started for the last 10 years, has proved very significant for the lakhs of educated unemployed people living in villages who keep moving here and there in search of jobs. We will have to tell the youths of India that they need not bothered about Government jobs and this feeling would have to be imbibed in their minds that they should themselves raise resources from the infrastructures available and start their own enterprise for which they will be provided incentive, technical training, financial assistance and grants. I feel glad that our Government has taken a good steps in this direction, but hon. Sir, there are many flaws in its implementation like flaws in implementation in any of our other schemes. To generate self employment, amount has been increased from 25 thousand to 35 thousands but the young man has to go from pillar to post for years together to obtain a license to establish industry and they have to visit banks hundreds times to obtain loans. I would submit that it should be simplified. The procedure should be made us simple as possible so that crores of unemployed youths of our country can get

license within one-two months under this scheme, bank loan should be provided as early as possible so that they can start their own work. As far as I am informed that in spite of taking necessary action in this direction, the youth loses his patience after many unfruitful visits to the bank. He leaves his efforts half way and loses all initiative to start his own work. Existing cumbersome laws should be simplified so that lakhs of unemployed people can get employment after taking benefit from this scheme, Sir, it had remained an eternal wish of Gandhiji that this country which lives in village, where even today 80 per cent population live in the villages, employment opportunities should be provided to them through small scale industries and cottage industries. Steps taken in this direction by the Government are not commendable because programmes initiated in this direction are not implemented the way they should be implemented. Government must focus its attention towards it so that employment could be provided to thousands of people through cottage industry and small scale industries by exploiting the resources locally available. Almost all State Governments have implemented Ceiling Act in the rural areas. It is worth nothing that we have not been able to do anything about urban ceiling. I would like to quote example of Delhi. Even today, 25 to 30 crores of people exist in India whose women folk do not get even a pair of sarees a year. On the other hand, there are people in Delhi who feed their dogs rich diet and take them for ride in their cars. There are people who spend 5 thousand rupees on wine in a five-star hotel daily. If such disparity is allowed to continue in this country, we will not be able to do the quantum of work as desired. The way Government has enforced ceiling in rural sector that should be enforced in urban areas too. Limit should be fixed, property found to be in excess of limit should be taken away from them and job opportunities should be provided to lakhs—crores of people by implementing a number of schemes.

Sir, a survey of the people living below the poverty line has been undertaken and their number was estimated to be around 30 to 35 crores, but luxury line has not been fixed. I would like that Government should take steps in this direction very expeditiously and should fix urban ceiling and should also specify luxury line. Efforts should be made

as to how work is provided to the poor people through entrepreneurship, how their standard is to be raised and how unemployment is to be eradicated.

Even agreeing with the views expressed by Thampan Thomas Sahib, I can not support this Bill because it will merely add some more pages to the statute book. Thus, unemployment can not be eradicated simply by passing law. Why is unemployment increasing? I have given some reasons for it. If the people of the whole country, rising above their party affiliations, devote themselves to this job and find solution to these problems, only then poverty can be eradicated from this country.

With these words, though respecting the spirit of this Bill, I feel that there is no utility of this Bill. Already many laws exist in our country. There should be an implementation machinery for them and those should be implemented honestly, then unemployment will be removed for ever in the country.

SHRI DHARAM PAL SINGH MALIK (Sonepat) : Mr. Chairman, Sir, the Constitution Amendment Bill introduced by Shri Thampan Thomas is based on good ideas, but I agree to the views expressed with regard to it by Dr. Tripathi to the great extent and taking one step further, I would like to submit that unless we make changes in the present system, we will not be able to provide everyone with employment. But the people of this country are not ready to accept the changed system. When we are demanding the right to work, we must forego the right to property. If this right to property is allowed to remain as it is, it will increase imbalance in society and we will not be able to give everyone the right to work and right to equality.

As our Government is not responsible for our security, we have to take that responsibility on ourselves. Corruption spreads due to this system. In the present system, more a man possesses wealth, more he feels secured. In the process, every one is running after earning more and more money in a bid to ensure more security for himself. We cannot get rid of this corruption, unless the Government's takes the responsibility to provide social security to the people, because we are trying to get

[Shri Dharam Pal Singh Malik]

security through corrupt ways. So I support the views of Dr. Tripathi.

If we want to include the right to work in this Constitution as sought to be done by the hon. Member through an amending Bill, we have to forego the right to property alongwith it. So long as this right to property is allowed to exist, we will not be able to provide right to work and right to equality to every citizen of the country and without ensuring social and economic equality to all, our freedom will be incomplete. Although, we got political freedom, we have not yet achieved the desired economic freedom. I would like to submit that it is the Government's policy to provide everyone with food, clothing and shelter. To provide clothing and shelter is meaningless without providing food. We can talk of them only when we provide everyone with employment. In his Address, the hon. President also made mention of job oriented education. Unless we make changes in the education policy suitable to our present situation, we will not be able to provide everyone with employment and equal status. Our present education policy is out-dated and unsuitable to the present situation.

Today, many unemployed youths are misled and their services are taken for anti-social activities. They are forced to do so to satiate their hunger. In this way, they are exploited by other people. This problem of terrorism has risen due to unemployment. If we provide them with employment, then this problem of terrorism can be eliminated.

During the recent elections held in Haryana, the present Government has promised in his election manifesto to give unemployment allowance to each matriculate and graduate unemployed youth at a rate of Rs. 150 and Rs. 300 per month respectively. But it is a way of exploiting the unemployed. The politi-

cians take advantage of their weakness and arouse their feelings. They tempt them in order to make their position safe. So, I would like to submit that this unemployment problem is so acute that any one can be allured to take a wrong path. One can become a terrorist, or a thief or a dacoit even and it is all due to unemployment.

It is very easy to say that unemployment allowance should be given. But it is very difficult to implement it, as we have very limited resources. This Bill has been brought forward with political motive. Though idea is very lofty and everyone agree to it. But this will not improve the quality of life of the people, I think so. This Bill, if passed, will make the Government's situation more worse. I don't know what suggestions were given by the hon. Member to provide everyone with employment and unemployment allowance. In my opinion, we should bring changes in our education policy. It is difficult to solve this problem under the present situation. The Congress Party has already suffered once, due to the suggestions given by the party to solve this unemployment problem. In 1977, the Congress Party lost the elections, because they had given the suggestion of family planning. Neither the Congress Party nor its Members were to be benefited from the family planning programme. It was started only because of the rising problem of unemployment in the country and it can only be stopped, if we spend according to our limited income...

{English}

MR. CHAIRMAN : You may continue next time. The House stands adjourned to reassemble on Monday, the 11th April, 1988 at 11.00 A.M.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, April 11, 1988/Chaitra 22, 1910 (Saka).