

CONSTITUTION (AMENDMENT)
BILL*

(Amendment of Articles 19 and 41)

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

SHRI BAPUSAHEB PARULEKAR: I introduce the Bill.

16.39 hrs.

CONSTITUTION (AMENDMENT)
BILL

(Amendment of Article 311)

MR. DEPUTY-SPEAKER: Before I call upon Shri Chitta Basu to move the motion for the consideration of his Bill, we have to fix the time limit for discussion on this Bill. I think we can fix two hours.

SOME HON. MEMBERS: Yes.

SHRI CHITTA BASU (Barasat): Mr. Deputy-Speaker, Sir, I rise to move:

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

While moving the motion for the consideration of this Bill, I would like, at the outset, to explain the principal objects for which I have moved this Bill. The principal object of moving this Bill is to protect the democratic rights of the Central and State Governments employees, who number, today, about seventy lakhs. I am glad that you are in the Chair, when we are discussing about the protection of the democratic rights of the Central and State Government employees, because you have an intimate knowledge about their problems and their move-

ments. My second object of moving this Bill is to remove the blot in our Constitution which deny the right to natural justice to our citizens who happen to be the employees of the Government of India or the State Governments.

Now, my object is also to remove the obstacles which stand in the way of participation of all the Central and State Government employees in the legitimate, rightful, trade union movement because the particular provision of the constitution which I seek to remove deters them from taking effective part in the legitimate, lawful, democratic trade union movement by the Central and State Government employees.

As you know, my object is to remove a particular provision of the Constitution, namely, proviso (2)(c) of article 311. Why I have chosen this particular proviso of article 311 is to be made clear at the outset. I am quite aware of the fact that the entire article 311 seeks to deny the democratic right to the Central and State Government employees. It seeks to deny them the natural justice. The Damocles' sword always hangs over their head. They are always under the constant fear of being dismissed for participation in legitimate trade union movement. It is a blot on the Constitution of our country which has enshrined fundamental rights, the right of association, is the right to speak and other fundamental rights. Therefore, this is a blot on the Constitution of our country which has enshrined fundamental rights for the citizens of this country and which I feel should be removed at the earliest opportunity.

Now, the question is why, when the entire article 311 is sought to be used as a weapon against the Central and State Government employees, I have chosen a particular proviso, namely, (2) (c). The main reason is that this is the most mischievous one and it