

Venkatasubbraiah, Shri P.
Verma, Shri Raghunath Singh
Verma, Shrimati Usha
Yadav, Shri Ram Singh

cidental thereto, be taken into consideration."

MR. CHAIRMAN: Subject to correction the result *of the Division is as follows : Ayes : 3 ; Noes 52

Sir, it is a great augury that I am moving this Bill for consideration in the year 1981 which has been declared all over the world as the International year of the Disabled.

The Motion is not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

Sir, the entire world picture today is that in the entire world there are 30 million people who are blind. To our shock and surprise, out of 30 million blind persons in the world, the blind persons in India happened to be 10 million. That is only next to Egypt. This is the position of population of blind persons in our country. Therefore, I want to move for the consideration of the House this Bill, which strives to give some opportunities to the disabled like the blind persons in the country, and I have not the least doubt that even the Government is sympathetic towards the blind. Already some negotiations have taken place and, in the spirit of the negotiations that have taken place with the representatives of the National Federation of the Blind, I am sure the Minister concerned will not find any difficulty in accepting the Bill, which I have already placed before the House for its consideration.

The motion was negatived.

SHRI UTTAM RATHOD: Before we take up the next item may I make a request ? Four bills are being taken up today. Mr. Mhalgi was given 2 hours but he had taken 2 hours and 45 minutes. Now my request is that Prof. Dandavate be given half-an-hour and I be given five minutes only.

MR. CHAIRMAN ; Two hours are allotted for this Bill.

17.31 hrs.

BLIND PERSONS (EMPLOYMENT) BILL

PROF. MADHU DANDAVATE²
(Rajapur) : I beg to move :

"That the Bill to provide for employment to blind persons and for matters connected therewith or in-

As far as the blind in the country are concerned, who number ten million, though they have total darkness all around, I do not want them to have darkness in their life at least in job opportunities. It has been the medical and psychological experience that as far as the disabled persons are concerned when they are disabled with respect to one particular human faculty, their other human faculties are sharpened

*The following Members also re-recorded their votes.

AYES: Shri Bhopendra Jha.

NOES: Shri Krishan Dutt Sultanpuri and Shri Sontosh Mohan Dev.

*Moved with the recommendation of the President.

[Prof. Madhu Dandavate]

and brightened. I may give only one illustration, which is a beautiful illustration of the world famous musician and pianist, Ludwig Beethoven. He was a musician of world renown at the age of 32. While giving a piano performance, all of a sudden he became deaf. But that deafness did not blur his memory ; on the other hand, his memory got sharpened and he remembered the notes in his brain. After becoming totally deaf at the age of 32, he produced one of the most beautiful symphonies of the world. That only illustrates that when one man loses one human faculty, there are other human faculties which get enlivened, brightened and intensified, and that happens with the blind also.

It is my experience with blind men, whom I came across in the railways, if there is total darkness around them, they are able to do with the highest sense of responsibility whatever job is entrusted to them. I may quote here only one illustration, with your permission. At the Calcutta railway station we had one blind man as an announcer. The passengers wrote in the Suggestions Book that he was one of the best announcers available at the Calcutta station. That only shows that a man might be blind, there might be darkness around, but there are a number of other faculties which are developed to the best of his ability, in order that he may be able to get some preferential opportunities.

We are living in an era in which we find that there are certain handicapped persons ; while some are physically handicapped, some of others are socially handicapped. We want that all these socially and physically handicapped should be able to run in the race of the society effectively, they should be able to have ample opportunities for the development of their human personality and it is with this noble perspective that I have placed the entire Bill before you.

In this Bill provision is made for the reservation of jobs for the blind persons in the country. There are certain definitions that are given. "blind" is a very vague term. Therefore, in my Bill, with the help of medical scientists and sociologists, we have tried to work out how exactly we will define a blind man for whom preferential opportunities in jobs, reservation of three per cent jobs, will be made. The relevant provision says :

" 'Blind person' means a person who is blind according to the following standards,—

- (i) total absence of sight or
- (ii) visual equity (with correcting lenses) not exceeding 20/2000 or 6/60 (snellen) in the better eye ; or
- (iii) angle of vision subtending 200 or less in the better eye"

In the medical terminology this would be the definition of a blind person, and such a person would be able to avail of preferential treatment in job opportunities.

When this Bill becomes an Act, it has to be implemented. So, it is very necessary that certain *modus operandi* has to be built up to see that genuine blind man are able to get the jobs.

Therefore, in this particular Bill we have made provision for the creation of authority by appropriate governments and also the creation of a chief authority. These authorities will be created by appropriate governments. They will be registering authorities. The registering authority will be able to maintain the list of blind men on the basis of various tests to which I have made a reference. It is also to be seen that about those who get the jobs 3 per cent is the percentage that I have prescribed in the Bill that I have moved for consideration. Very often it happens that even when you prescribe a certain percentage there

are certain vacancies and there comes the question of carry forward. As far as this aspect is concerned, my Bill says that this carry forward phenomenon regarding vacancies will continue upto the fourth year and about how much will be the accumulation of the carry forward vacancies, there in co-operation and consultation with the National Federation of Blindmen we have come to the conclusion that they are willing to decide that as far as the accumulated vacancies due to the carry forward process is concerned, the reserved as well as the unreserved vacancies together should not go beyond 50 per cent. They are not insisting that 50 per cent carry forward vacancies should be only for the reserved. They say that whatever vacancies are there reserved as well as unreserved out of them a maximum of 50 per cent should be allowed to be given to those who come through the process of carry forward and that provision has already been made in the Bill that has been brought here.

With all these prescriptions, the question comes : Which will be the authority and which will be the organisation which will try to see that various Bills or various provisions of the Act are effectively implemented? Therefore, this Bill suggests an expert body and that particular expert body which will be called as Board of Experts, will try to check whether the blind can do work with the modern aids. As far as the blind are concerned, fortunately in this age of scientific and technological development, we have a number of aids a number of devices with the help of which blind men can function very effectively. As a student of Physics, I would like to give a very simple illustration. Very often when the blindmen are moving in the forward direction, they may come across doors, they may come across windows or they may come across a solid obstacle. How do they detect that there is an obstacle in the path? They will do with the help of an ultrasonic device.

They should be able to see the ultrasonic signal. If there is any obstacle in the way, then that signal bounces back and with the interference of the transmitted signal and the resulting signal, there are frequency variations which can be detected with the help of ear-phones that are used for the blind men and these changes in the frequency are also related to the distance between the blind man and the obstacle which comes in the path and since these frequency changes are proportional to the range of the obstacle, it will be possible for them roughly to calculate and estimate what exactly the distance of the obstacle that is coming in their way. Such aids will be made available to them. For them there are different types of books. They cannot see and therefore, the visual aids will be of no use. But there are different types of devices by which they can write and read. These types of books will be made available to them. By certain tests they are able to function very effectively. For that, certain mechanical devices are available and with the help of these devices, if they try to undertake any particular job that is assigned to them, it will be the Board of Experts that examine from time to time whether those aids which are made available to the blind men are being effectively used and proper level of efficiency is maintained by blind men who are given preferential opportunity. So, with the agency and the *modus operandi* of this particular creation of an expert board, it will be possible for us to see that on the one side preferential opportunity is offered to the blind men and on the other hand, the level of efficiency is also maintained. That will be the function of the Board of Experts and we have already provided for that in the Bill that has been already prepared. Then some time there are likely to be disputes. Who is supposed to be the employer? Which are supposed to be the agencies.

[Prof. Madhu Dandavate]

who are there to employ them ? There can be Central Government. There can be State Government. There can be quasi-government agencies. There can be public sector units. There can be industry, trade and business. There can be educational institutions. These are the various places. Who will be supposed to be the employer to employ the blind man ? Anybody who employs fifty persons he is supposed to be the employer in the Bill and that employer will be obliged to see that the blind man is given opportunities to the extent of Rs. 3%. If there are any disputes in that case those disputes are to be referred to the authority for disputes which again has to be created by the Government. I am sure with the help of that authority it will be possible for us to see that those particular disputes are amicably resolved.

Then there is a provision for Advisory Councils at various levels. The Act is there. Various provisions are there. One has to see that the provisions of the Act are effectively implemented and in order that various provisions of the Act are effectively implemented, I have already made a provision for the creation of Advisory Councils at various levels. It will be possible to see that these blind men get preferential opportunities. They will be able to fulfil all the provisions of the law that will be enacted.

With all said and done, it may happen that because of the limited job opportunities that are available in a developing country like ours, even after the adoption of that law, after the Bill becoming an Act, it might be possible for some of the physically handicapped not to get adequate opportunities, the preferential opportunities, that are offered by this Bill. In such case I have already made a provision

in the Bill. In such cases a allowance of Rs. 300/- per month should be made available to the blind person whose name is already entered in the register—not one who claims to be a blind man. But a person who has been accepted as a blind man, the registered authority has accepted him as a blind man. Registered authority has already entered his name in the register. Such persons who are already entered in the register but are not able to get the opportunities of jobs on the basis of the enactment, they should be able to get an allowance to the tune of Rs. 300/-. Now, that is the provision that has been made in this particular draft. With this background I have not the least doubt that it will be possible for us to provide preferential opportunities to the blind in this year of the disabled. Unfortunately, when blind men tried to project their point of view before the Government, initially there was an atmosphere of confrontation. But probably in this land of Gandhi, even the suffering of the common man roused the conscience of the man who hits them with lathies. At one stage the blind men Federation when they took out procession to submit a Memorandum had to face the lathi charge, next time, they found that in this land of Gandhi, the land of self-suffering, even self suffering enlivened the frozen conscience of the rulers and they were able to convert the atmosphere of confrontation into atmosphere of co-operation. They were able to have healthy negotiations. I am told that some sort of agreement has already been arrived at. Half way agreement has already been made. Some of the attempts have already been made. But they have a long way to go. 'Miles to go before we could sleep.' that is what Panditji said in the words of Robert Frost. Blind men may say even after the negotiations—'I have miles to go before I sleep.' That is what the blind men will

Here is the Law Minister. When he was speaking on some other Bill, permit me to quote him. He was reminded about the mid night of 14th August and the beginning of the 15th August, when late Pandit Jawahar Lal Nehru spoke in the historic august body of the Constituent Assembly. He said, in ringing words, at the stroke of mid-night hour, "When the world sleeps, India will awake to life and freedom." A moment comes which comes but rarely in history, when we step out from the old to the new, when an age ends, and the soul of a nation, long-suppressed, finds its utterance.

I am sure, you will be able to see that the physically and socially handicapped men in this country will be able to get a preferential opportunity so that they will be able to enjoy the fruits of their labour and fruits of their toil. Really speaking, those ringing words of Pandit Nehru, on the mid-night of 14th August, 1947 will come to fruition and they will realise that we have fulfilled our tyrst with destiny. I hope, in that spirit, the Minister of Law and the House will accept my Bill unanimously.

THE MINISTER OF LAW,
JUSTICE AND COMPAN.
AFFAIRS (SHRI P. SHI
SHANKAR): The Minister o
Labour.

PROF. MADHU DANDA-
VATE: Whoever it is; the Minister
concerned.

MR. CHAIRMAN: Motion
moved:

"That the Bil to provide for
employment to blind persons
and for matters connected
therewith or incidental thereto,
be taken into consideration."

SHRI MOOL CHAND DAGA
(Pali): I beg to move:

"That the Bill be circulated
for the purpose of eliciting opinion
thereon by 30 June, 1981." (1)

17.52 hrs.

ARREST OF MEMBERS

MR. CHAIRMAN: I have to
inform the House that the following
communication dated 6 March, 1981,
from the Deputy Commissioner of
Police, New Delhi District, New
Delhi, addressed to the Speaker,
Lok Sabha, has been received:—

"I have the honour to inform you
that I have found it my duty,
in the exercise of my powers under
Section 188 of the Indian Penal
Code, to direct that Shri Mani Ram
Bagri, Ch. Multan Singh and
Shri Jaipal Singh Kashyap, Hon'ble
Members of the Lok Sabha who
voluntarily courted arrests by
contrevening the Prohibitory Or-
ders promulgated u/s 144 cr.
P.C. have been taken into cus-
tody at about 2.45 P.M. on 6-3-81
from Rajpath/Rafi Marg cross-
ing in case FIR No. 102 PS, Parliam-
ent Street.

They are at present being kept
at Dr. Ambedkar Stadium, Delhi
Gate, Delhi and will be produced
before the Metropolitan Magis-
trate, New Delhi, shortly."

17.53 hrs.

BLIND PERSONS (EMPLOYMENT) BILL—Contd.

श्री मूल चन्द ड.गा: मैं मधु दंडवते जी को
इस विकलांग वर्ग में इस प्रकार के बिल को
लाने के लिए धन्यवाद देना चाहता हूँ। एक बात
मैं उन से समझना चाहता हूँ। एज का उन्होंने
इस में जिक्र नहीं किया। वह क्या होगी ?

सदन की भावनायें जो आपने बात कही हैं।
उसके साथ आपकी बात बिल्कुल सही हैं। हमारा
एक कल्याणकारी राज्य है। मैं सरकार
से जानना चाहता हूँ कि क्या उसकी योजना