

**PAYMENT OF BONUS (AMENDMENT)
BILL***

(Amendment of sections 2, 10 etc)

PROF. MADHU DANDAVATE
(Raipur) I beg to move for leave to introduce a Bill further to amend the Payment of Bonus Act, 1965

MR DEPUTY SPEAKER The question is

"That leave be granted to introduce a Bill further to amend the Payment of Bonus Act 1965

The motion was adopted

PROF MADHU DANDAVATE I introduce the Bill

15 35 hrs

CONSTITUTION (AMENDMENT) BILL

(Insertion of new article 16 A)

MR DEPUTY SPEAKER Further consideration of the following motion moved by Dr Karni Singh on the 5th August 1971 —

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

together with the motion for reference to a Select Committee

Two hours were allotted; 28 minutes were taken, the balance is 1 hour and 32 minutes

****SHRI JAGADISH BHATTACHARYA** (Ghatal) The Constitution Amendment Bill that has been introduced in this House seeks to include Art 49 of the Constitution which is a directive principle under Art 16 of the Constitution. On behalf of our party we have also given notice of a similar amendment and since both are similar in spirit I feel that the present legislation is worthy of our support

The provisions of the Directive Principle in question are such which are not justiciable and hence cannot be enforced through a court of law. This provision has been kept in the Constitution, just like keeping some food before a hungry man whose hand and feet have been bound down and he cannot approach the food. Here also one cannot compel the Government to enforce it even through a court of law.

I feel Sir that the right to work, which at present is included under the Chapter of Directive principles should have been enshrined in the Chapter on Fundamental Rights. The Congress Party has been in the seat of power for the last 25 years even today they are holding the reins of power in the Centre but during all these years they have not tried to bring about any amendment to the Constitution and today we are to discuss the matter through a Private Members' Bill. The right to work, the right of every worker to earn his livelihood through work, I feel, is a fundamental right. We very often hear about, socialism both in this House and outside. Only the other day the members of the Congress Party were heard saying in this House that under the leadership of Shrimati Indira Gandhi the country is marching towards socialism. But I fail to understand why the provision regarding the right to work, which should have been made a fundamental right, was not made

*Published in the Gazette of India Extraordinary, Part II, Section 2 dated 19-11-71

**The original speech was delivered in Bengali