

Mohsin, Shri F. H.
 Negl, Shri Pratap Singh
 Oraon, Shri Tuna
 Pabadia, Shri Jagannath
 Pandit, Shri S. T.
 Panigrahi, Shri Chintamani
 Partap Singh, Shri
 Patel, Shri Natwarlal
 Patil, Shri S. B.
 Patnaik, Shri Banamali
 Peje, Shri S. L.
 Pradhani, Shri K.
 Raj Bahadur, Shri
 Ramkanwar, Shri
 Rana, Shri M. B.
 Rao, Shrimati B. Radhabai A.
 Rao, Shri Jagannath
 Rao, Shri K. Narayana
 Rao, Shri M. Satyanarayan
 Rao, Shri Nageshwara
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Narasimha
 Richharia, Dr. Govind Das
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sarkar, Shri Sakti Kumar
 Satpathy, Shri Devendra
 Savant, Shri Shankerrao
 Savitri Shyam, Shrimati
 Shankar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Shri Nawal Kishore
 Sharma, Shri R. N.
 Siva Chandika, Shri
 Shivnath Singh, Shri
 Shukla Shri B. R.
 Siddheshwar Prasad, Shri
 Sohan Lal, Shri T.
 Sokhi Shri Swaran Singh
 Suryanarayana, Shri K.
 Swaminathan, Shri R. V.
 Tarodekar, Shri V. B.
 Tiwary, Shri D. N.

Venkatswamy, Shri G.
 Verma, Shri Balgovind
 Vikal, Shri Ram Chandra
 Yadav, Shri R. P.
 Yadav, Shri D. P.

MR. CHAIRMAN : The result* of the division is :

Ayes : Nil

Noes : 99

The minimum number of votes required for taking this Bill into consideration is 263.

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.

So the motion is lost.

The motion was negatived.

16.54 hrs.

FACTORIES (AMENDMENT) BILL

SHRI S.C. SAMANTA (Tamluk): Mr. Chairman, Sir, before I move my Bill for Consideration and passing, I would like to remind the hon. Minister that on the 11th May 1972 the same Bill was discussed in this House threadbare. So, first I would like to know from the hon. Minister whether there is any reaction in the mind of the Government about my proposal. It had already been discussed threadbare.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : We know the hon. Member introduced Bill some years back and at that time some assurance was given on the floor of the House. Again, some delay has taken place. The Government have nearly completed the consideration of it and, verysoon, we are going to bring forward the Bill before the House.

*The following members also recorded their Votes for Notes :—
 Sarvasbri Umed Singh Rathia and Nimbalkar.

SHRI S.C. SAMANTA: This Bill we brought forward by me and discussed in 1962. Now, after ten years, the Government has considered the matter and is bringing forward a similar Bill before the House. With this assurance, I ask the leave of the House to withdraw the Bill.

MR. CHAIRMAN: The question is "That leave be granted to Shri S. C. Samanta to withdraw his Bill further to amend the Factories Act, 1948."

The Motion was adopted

SHRI S.C. SAMANTA: Sir I withdraw the Bill.

16.56 hrs.

CONSTITUTION (AMENDMENT) BILL

(Insertion of new articles 23A, 23B and 23C)

PROF. MADHU DANAVATE (Rajapur): Mr. Chairman, Sir, I beg to move*:

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

I am placing before the House for consideration the Constitution Amendment Bill which seeks to amend the Constitution by suggesting insertion of new articles 23A, 23B and 23C. The objection of this Bill is to see that certain basic provisions which are missing from the fundamental rights are incorporated there. I would like to see that our Constitution ensures work and adequate means of livelihood for all citizens; secondly, failing such a provision of work and adequate means of livelihood, there should be some sort of unemployment allowance to be given to the unemployed; thirdly, there should be a monetary assistance to those who have completed the age of 60 years or who

are chronically sick or disabled and, lastly there should be free and compulsory education for all children upto the age of 14 years.

I may call the attention of the Honed that when the famous Twenty-fourth Amendment of the Constitution was being accepted by the House, those of us who supported it pointed out that this was only an enabling Bill and that a test of the enabling Bill would be to utilise the powers given to Parliament by the Bill, to introduce certain measures through which more radical means of transformation could be brought about.

There are certain principles which are already enunciated in the Directive Principles of State Policy. Let me point out to you that when certain principles are enunciated only in the Directive Principles of the State Policy, these principles are not justiciable and, therefore, they merely remain vague generalisations and platitudes and they cannot be implemented. If these principles are not implemented in practice, the common man can not go to the court and seek justice. Therefore, through this Constitution Amendment Bill, all that I am proposing is that just as the fundamental right to property is accepted by the Constitution, a more fundamental right, the right to work and adequate means of livelihood, should be accepted by the House.

We in this House have debated time and again that we want to move in the direction of an egalitarian society and slogans have been given that we want to eradicate poverty. But the very test of an egalitarian society will be that, on one side the property-owners, these people, have the right to property and it is being treated as a fundamental right, on the other side every citizen must be able to have and enjoy the right to work and right to

*Moved with the recommendation of the President.