

Bill No. II of 2010

THE CONSTITUTION (AMENDMENT) BILL, 2010

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BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2010.

Short title
and com-
mencement.

(2) It shall come into force at once.

2. After article 16 of the Constitution, the following article shall be inserted,
5 namely:—

Insertion of
new article
16A.

“16A. (1) Every citizen having attained the age of eighteen years shall
have the right to gainful employment.

Right to
gainful
employment
and un-
employment
allowance.

(2) The State shall provide gainful employment to the citizens as provided
in clause (1).

10 (3) If the State fails to provide gainful employment to any citizen under
this article, such citizen shall be entitled to unemployment allowance which
shall not be less than rupees two thousand per month.

(4) The unemployment allowance shall be paid to the citizen till he or she
is provided with gainful employment either in public or private sector.”.

STATEMENT OF OBJECTS AND REASONS

Unemployment has emerged as one of the major problems of our country which is a vast and second most populous nation of the world. The unemployment problem is so acute in our country that the youths of today have become frustrated and their energy and anger are being exploited by anti-social and anti-national elements to their advantage but, unfortunately, not enough has been done for unemployed youths. Our Constitution proclaims the right to have adequate means to earn livelihood for all citizens and of social equality in the Directive Principles of State Policy. But it is certainly difficult to make social equality a reality unless the acute problem of unemployment in the country is solved. Hence, it is felt that the provisions in the Directive Principles of State Policy cannot be fulfilled until it is made a Fundamental Right of citizens.

Hence, this Bill.

THOMAS SANGMA

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for the right to employment and for payment of unemployment allowance. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is not possible to quantify the amount at this stage, but it is estimated that a sum of rupees twenty thousand crore may involve as recurring expenditure per annum.

A sum of rupees one thousand crore may also involve as non-recurring expenditure from the Consolidated Fund of India.

RAJYA SABHA

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(Shri Thomas Sangma, M.P.)