

**Shrimati G. Durgabai** (Madras : General): Mr. Vice-President, Sir, I have great pleasure in supporting the amendment moved by my friend, Dr. Punjabrao Deshmukh. I wish to say and also I appeal to the Drafting Committee and this House to realise the great importance of this subject viz. the protection of children from exploitation or abandonment, and accept the principle behind it; I appeal more especially to the Drafting Committee to find a suitable entry for this subject. Unless the State takes up a direct responsibility to pass legislation on this matter, I do not think there will be adequate attention given to this subject. I know that they have not neglected this matter and the Chairman of the Drafting Committee would come forward to say that there are a large number of entries to this effect in all the three Lists and that sufficient protection is being given to the protection of children and the destitutes and the abandoned. I know that they have accepted this principle under the Directive Principles. Article 31 clause (vi), lays down the principle in the terms of the amendment now moved. It is the protection of children and youth against exploitation and against moral and material abandonment. Sir, this is exactly the language of the amendment which is moved by Dr. Punjabrao.

No doubt this principle has been recognised under the Directive Principles. I should say that there is no use in simply recognising this principle under the Chapter on Directive Principles. It will remain a really pious declaration or intention on our part to do something in the matter of protection of children, but that is not sufficient. None of the entries has mentioned this subject. If you examine all the three Lists, you do not find a definite entry to this effect in anyone of these Lists. In the absence of a definite entry on this matter, really there will not be adequate protection given to children. It will leave this matter in great confusion. You do not know who will legislate on this matter, whether it will be the Centre or the State or both.

Therefore, Sir, I would appeal to the Drafting Committee to see its way to include this matter in this Concurrent List or any other List.

Unless the State undertakes a direct responsibility there will be no good. It is open to the State to come forward and make some subsidy or give some donation or some contribution to an Association either started by private enterprise or by a philanthropist for the protection of infants. We know how these associations are struggling for their daily existence and for lack of fund they are not able to get on well and in this manner these poor homes could no longer serve the cause of poor children. I do not know what kind of help they will get if the State does not take direct responsibility. This is not a matter which could be left to private enterprise, but the State must take direct responsibility. There is no good in our stating the Directive Principles, which will remain as pious declarations unless given effect to by the State.

It may be argued that there is penal law which deals with the matter. I know that the criminal law deals with this matter of abandonment. I also know because I am conversant with it, how deep matters are going on it is true that the persons who is charged with the offence of abandoning is really punished and he or she is sentenced for that offence. But what happens to the child that is abandoned? That is the question. Where is it to go? How long is it going to wait in search of somebody to come forward and take it for protection? Therefore, Sir, it is a very dangerous thing. If only we leave the children to themselves, they will take to beggary and also to many vices such as stealing and they would cultivate very bad habits. Therefore, it is the duty of the State to come forward and help these children sufficiently in time, to see that they are developed well, because these children are our future hope and the nation depends upon these children, their good-manners, their upbringing, their good health and their strong character.

Sir, I tell you that if the Drafting Committee could find its way to make an entry for the protection of wild birds, I do not know whether the children could not come under the classification of even wild birds. Therefore, if you see your way to give a particular place in the Constitution for wild birds, I appeal to you to see your way also to give protection to the children that are abandoned, by a suitable entry in the Constitution.