

(II) **Valedictory Address***

Mr. H.R. Bhardwaj

Union Minister of State for Law, Justice & Company Affairs

WE ARE not concerned about the environment. Environment is universal, and something a phenomenon which nobody has understood so far. We should go back to the nature and use such type of technology that we do not deprive nature to play its role in humanity. The moment you will do that you will be able to control the environmental degradation and serve the humanity from bigger status quo. It is not suggested for a moment that you should not bring more energy while without energy there is a word standstill, whether it is petroleum, atomic energy or it is hydel energy. Energy is must for every development. But when you install a plant or a thermal plant or an atomic power plant please see before that a technology is developed so that when you start functioning it environmental care is taken. If that is not being done you denude the forest and bring the project there. That area is uprooted. There is no rehabilitation programme. Some of the organisations are launching agitation and I am very happy that they are doing this work. If you destroy ecology and you destroy the people what for the technology is being brought there. So this has to be taken proper care at the time of judicial role or the legal role which is limited. When there is a violation you go to the court and tell that there is a violation on this particular statute. So, it can't be remedied. Those who are powerful people they just pollute the river. You have

listen that we have to set up a Ganga Action Plan. But we are surprised that if Ganga is polluted what remains in India to be polluted.

Now coming to children. We brought juvenile justice when I was Minister in my first instance. It has not been implemented after the Supreme Court gave verdict in some public interest litigation matter and in this regard nothing has been done. We should form action groups from amongst the legal fraternity to see that wherever there is violation of law we should immediately take a note of it and take the person to court. That can be done if we are first concerned about the reality.

Children are being employed everywhere right upto the beggary. In all major hazardous industries if the children are not taken care of what will be the future of a country. The child must be cared right from his being in the mother's womb. His entitlement should start from there but later on his care then his education then you can build a nation not by slogans and by lectures. That is the attitude what we should have and there is absolutely no practical work anywhere in our country. I can tell you, you start doing some work some laws were made and they are all dormant, absolutely nothing has been done and we should be aware of the problems. Today the Government is aware. We want voluntary organisations should take this work and we will support them in whatever method. Our Committee of Legal Aid and Committee for Legal Action Groups are doing work, we can increase the funding of

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the legal aid movement but what I am suggesting is that you cannot leave it alone to those who are violating such laws. So the child must be cared. International community they have their own problems. They can come through UNICEF and they will be in a better position to tell you that UNICEF has been asking for whether it has been implemented. But within our country, it is our concern that child is our future, they are our generation, they are the future of the country. We should give priority to this area then we should have action growth programme here where we should see that a poor person, who sends his two/three children early morning to throw newspapers in various houses, is helped. Every body notices, all rich families are employing young and small boys of poor families as their servants. How many families know that this child whom you are wasting in your house and employing, no doubt he is contributing to the income of the family but his future is completely lost. You employ him and give also the education. Tell him that you work three hours in the morning and in the evening you join a school and give additional money for the education. We can afford to do it. We have done, some examples are there and then similarly we should do with regard to help. These are all interconnected issues and I am telling you that because I know these issues very precisely because I have been drafting legislation. There is no derth of legislation, only thing is we should try to have a combat group which can go around to locate them. The Supreme Court of India has done so much on this area. The Supreme Court takes cognizance of these matters, by way of writ petitions or by way of public interest litigations. The High Courts have also started doing it. But the legal faternity, the lawyer community they must come forward to tackle this problem because they are in larger number than the judges. We have got around 400 or 500 High Court judges and about 26 of them are in the Supreme Court. That is not enough. Legal

community should form associations to come out for the good cause and we will not allow to violate our laws.

The African continent is suffering much more than ours. In South Asia, all the problems are because of the rampant poverty. So I think we should start immediately an action programme on few matters like child care. I can give you full assistance and full literature which we got in 1984-85, then special action groups came to us to make a law of juvenile justice a comprehensive law. But after that four or five years have elapsed and it remained on the statute book unimplemented and nobody has used it. Similarly, on environment Mr. Kamal Nath, Union Minister of State for Environment and Forests is doing good work but on the surface not at the grassroot level. There are two problems people wanted quick development, they want projects to come up but still they don't want to assure that they will not violate the environmental protection laws. These two should be simultaneously implemented then the result will be the desired one. So I congratulate the Indian Law Institute and I express my gratitude to the Hon'ble Chief Justice of India and his colleagues in the Supreme Court and the High Courts who had contributed so much. The UNICEF as usual is concerned with the welfare of the child and environmental law as a matter of fact that they have contributed a lot and on my part, I have always considered myself as one of the volunteers for anything which Chief Justice of India asked me to do. I also assure that in future whatever will be desired by him will be done as quickly as possible. As a best way a word of caution, please do not waste time because today what we are saying let us discuss, let us do it today because tomorrow will be too late, because what we have been discussing has happened in so many countries and many are below poverty line, so many are malnutrition cases because I can also read those figures. The question is what

we should start doing tomorrow we should start today because as all are interlinked. For example spoiling of miles and miles of our sea and type of damage is caused to the species and other creatures in the ocean. So anything can happen. I mean these things have become so much for which the world cannot wait. So let us start with one

programme in India achieve it and then start with the next. These are my true words of request which you kindly note. Thank you very much.

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