

Shri K. P. Tripathi: In view of the fact that women are granted equal rights with men in the Fundamental rights, may I know whether the Government will consider setting aside the Tribunal award under which the employers are seeking protection in this case?

Shri Abid Ali: The decision of the last tribunal in this respect has been unfortunate. We appreciate it. Another appeal is pending before the hon. appellate tribunal and we are awaiting the decision of the tribunal. In case it goes against the workers, then, we contemplate taking appropriate action in the matter.

Shri K. P. Tripathi: Is it the policy of the Government that women should get equal rights with men with regard to work?

Shri Abid Ali: That is a fundamental right already granted by the Constitution.

Shrimati A. Kale: Is the Government aware that this method of not giving maternity benefit is an old one practised by several business concerns?

Shri Abid Ali: I have not followed the question.

Shrimati A. Kale: This trick has been used by business concerns for a very long time. I want to know whether the Government has taken any steps in this direction. As soon as a woman becomes pregnant, under some excuse or other, she is discharged. That is the practice of the firms.

Shri Abid Ali: As I have already said, in one case an appeal is pending before the appellate tribunal. I have already assured the House that in case the decision goes against the workers, Government contemplate further action in the matter to give protection in such cases.

Shri K. P. Tripathi: Is it a fact that, in the Standing Orders of the companies, the Indian Tea Association and others, there is no such provision to treat a woman worker on a different footing from that of a man?

The Minister of Revenue and Expenditure (Shri Tyagi): A man cannot be given maternity benefits.

Shri K. P. Tripathi: My hon. friend has misunderstood the position. It is not a question of maternity benefit. It is a question of right to work being given. As soon as the husband is discharged, the woman also is discharged. In this case, fortuitously enough, the question of maternity benefit was also involved. In other cases, maternity benefit may not be involved.

The whole question is whether, if a man is dismissed, the woman is also automatically dismissed, and from that point of view, I ask whether in the standing order, there is no distinction made between male and female.

Shri Abid Ali: The view of the Labour Department of the Assam Government in this case was that this particular worker was entitled to compensation and also maternity benefit. As the employers have refused to accede to the suggestion, orders have already been issued to prosecute them.

Shri K. P. Tripathi: Is it a fact that in South India, when a man is discharged in tea estate, the woman is not automatically discharged? She is asked whether she also wants to go and if she says no, she is allowed to continue.

Shri Abid Ali: Unfortunately, the opinion of the Appellate Tribunal and of the Chairman of the Tribunal which delivered the award of 25th June, 1951 in another case has been very much against the workers in this particular matter. With regard to the practice in South India, it is true that in some gardens on that side, the position is somewhat better.

Shri K. P. Tripathi: Are the government prepared to give permission to pleaders to appear before the Tribunal to defend the policy that women should have equal rights with men?

Shri Abid Ali: We will examine this question.

RAILWAY EMPLOYEES IN SEALDAH DIVISION

*1292. **Shri H. N. Mukerjee:** Will the Minister of Railways be pleased to state:

(a) whether the attention of Government has been drawn to the fact that many railway employees in the Sealdah Division of the Eastern Railway are still compelled to live in condemned wagons unsuitable for the human habitation; and

(b) whether the attention of Government has also been drawn to the fact that there are in the said Sealdah Division structures put up temporarily during war time and scheduled for dismantling by 1947 where railway employees live without adequate ventilation, water-supply and sanitary arrangements?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) Government is aware that some employees of the Eastern Railway on the Sealdah

Division are still living in old wagon bodies.

(b) Temporary war time accommodation provided on the Sealdah Division, as elsewhere, has been improved in respect of ventilation, water supply and sanitation, and there have been no recent complaints regarding inadequacy in this connection.

Shri H. N. Mukerjee: Could Government give us some idea as to the number of railway employees who are still living in these condemned wagons?

Shri Shah Nawaz Khan: The exact number of people who are staying in these condemned wagons is 730.

Shri H. N. Mukerjee: In view of the fact that representations had been made to the proper quarters as far as I know, and I personally had the mortification of having to visit these temporary structures, can I have some idea from the Government in regard to the real improvements being made about the accommodation in temporary structures put up in war time? I cannot take on its face value the Minister's statement that there are no complaints because I know these complaints have been made to me personally as well as to the authorities concerned.

Mr. Deputy-Speaker: He is arguing the matter.

The Minister of Railways and Transport (Shri L. B. Shastri): Over one hundred pucca quarters have already been built. I myself am keen that we should take steps to build more quarters, and I can assure the hon. Member that during the next two years we will be able to provide quarters to all of them. During the next year, it will be possible to build at least 250 quarters more.

Shri H. N. Mukerjee: Do I take it that for at least one year to come these condemned wagons would be the only habitation for Railway employees in the Sealdah division?

Shri L. B. Shastri: We have provided Rs. 1 Crore for that and we will do our utmost. If it is possible to build more quarters in less than one year, we will certainly do it, but I can only.....

Mr. Deputy-Speaker: The hon. Member wants to know if, in the meanwhile, they can be shifted to some other place.

Shri L. B. Shastri: The point is that quarters are not available. But if any other accommodation is available, we will certainly be glad to shift them.

Shri Velayudhan: May I know whether rent is collected from these employees who are staying in the wagons?

Shri L. B. Shastri: No rent is being collected.

Shri Nambiar: Rent is collected.

Mr. Deputy-Speaker: The hon. Minister says "No".

Shri Nambiar: If it is collected, will he refund it?

Mr. Deputy-Speaker: We expect all hon. Members and hon. Ministers to make responsible statements. The hon. Minister says "No". If there is any particular instance, it may be brought to his notice.

Shri Nambiar: May I ask him whether, if at all it is being collected, it will be refunded in view of his statement?

Mr. Deputy-Speaker: He says "No". It does not arise.

UNION OF EMPLOYEES OF CHITTARANJAN LOCOMOTIVE WORKS

*1293. **Shri Tushar Chatterjea:** Will the Minister of Railways be pleased to state:

(a) whether any Union of the Employees of the Chittaranjan Locomotive Works has been accorded recognition; and

(b) whether the Union named Railways Employees Union has fulfilled the condition for recognition and if so, why no recognition is accorded to it?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Government have no information.

Shri Tushar Chatterjea: May I know if it is a fact that the other union, i.e., the Railway Employees' Union, applied for recognition in 1949? If so, why this undue delay in consideration of the same?

Shri Alagesan: It is true that this Union applied for recognition, but the Central Conciliation Officer is going into the statistics of membership of this union and other unions as well, and as soon as his report is ready, a decision may be arrived at in this connection.

Shri Tushar Chatterjea: May I know when the first enquiry of the Regional Labour Commissioner was made?

Shri Alagesan: At present, the Central Conciliation Officer is looking into the matter. He is going into it, and I am unable to give the time when the first enquiry was made.