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title: Discussion on the motion for consideration of the Maternity Benefit (Amendment) Bill, 2016, as passed by Rajya Sabha.

HON. DEPUTY-SPEAKER: Hon. Members, the House will now take up Item No. 12 – The Maternity Benefit (Amendment) Bill, 2016.

Hon. Minister, please.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): Hon. Deputy-Speaker, Sir, I beg to move:

"That the Bill further to amend the Maternity Benefit Act, as passed by Rajya Sabha, be taken into consideration."

Sir, it is my honour and privilege to bring this progressive Maternity Benefit (Amendment) Bill, 2016 in this august House.

In India, and also in the world-over, the labour has been recognized as a force to reckon with; and participation of woman workforce in the formal sector has been increased. However the well-being of the woman during her pregnancy and after childbirth has been a matter of serious concern. That is why, though the labour is under the Concurrent List, the various legislations have been passed by the respective Legislative Assemblies and also by the Parliament, to safeguard the interests of workers in the country.

So, this Maternity Benefit Act, 1961 is one such important legislation for providing maternity benefit to the woman workforce in the organized sector.

The Act regulates the employment of women employees in certain establishments for certain periods before and after child birth and provides for maternity and certain other benefits.

The Act has been enacted to secure the family and bring uniformity in respect of maternity benefit to woman workers. This is as per the Employees' State Insurance Act, 1948, which is relating to the maternity benefit.

Sir, the Act, in the first instance, applies to mines, factories, circus industry, plantations, shops and other establishments employing 10 or more persons including any establishment belonging to the Government except the ESIC Act. It can extend other establishments by the State Government with the prior approval of the Central Government.

Sir, the Act was amended in 2008. The earlier ceiling was Rs. 250 only as a medical bonus under the Maternity Benefit Act, 1961. Now, it has been increased up to Rs. 1000 if no pre-natal confinement and post-natal care is provided for by the employer, free of charge. Besides, the power of increased medical bonus was given to the Central Government subject to the maximum amount of Rs. 25,000.

Our 44th, 45th and 46th Indian Labour Conferences have recommended for enhancement of this mandatory benefit. The Ministry of Women and Child Development has also requested our Ministry to enhance the Maternity Leave under this Act. Based on the recommendations of ILC, the Ministry of Women and Child Development and other organisations, we have now proposed to increase the maternity benefit from 12 weeks to 26 weeks for two surviving children and 12 weeks for more than two children. For the commissioning mothers and adopting mothers, the maternity benefit will be 12 weeks.

We have also facilitated the mothers to work from home in this Bill. There is a mandatory provision of crèche in respect of establishment of 50 or more employees. Every establishment has to intimate in writing or electrically to its women employees, at the time of their initial appointment, about the maternity benefits under this Bill. The very objective of this Bill is to increase the maternity benefits for the purpose of providing full maternal care to a newborn child during the most formative period. The enhanced benefits, which are proposed in the present amending Bill, will have a positive impact on women participation in the labour force. It will improve work-life balance of the woman workers. It has been the endeavour of the Government to ensure the well-being of the mother and her child. The amendments proposed in this Bill will go a long way in this direction.

Sir, if this Bill is passed, I am sure, it will benefit mothers who are employing in organised sector of this country. This is also a move in the right direction and in the vision of NDA Government led by hon. Prime Minister Shri Narendra Modi ji. This will provide benefits to the women workforce and to encourage them to participate in the overall economic growth of the country.

With these words, I commend this Bill for the consideration of this august House.

HON. DEPUTY SPEAKER: Motion moved:

"That the Bill further to amend the Maternity Benefit Act, as passed by Rajya Sabha, be taken into consideration."

KUMARI SUSHMITA DEV (SILCHAR): I would like to thank you, Sir. The Maternity Benefit Bill 2016 is an important Bill. I was just crossing my mind this morning whether this Bill has been brought today in light of the fact that yesterday was the International Women's Day or not. In my view this Bill addresses the dilemma of women in organized sector who are pregnant or lactating but it is not just about the women of India. The reason I say this is the strength of our future generation, their capacity to work, whether it is health or strength, internal or external, it directly depends on how well we look after our women when they are pregnant and how much of care we give our women during the period when they are lactating or when they are breastfeeding their children. This Bill although focuses on that phase of a woman's life but how well we implement this Bill has a direct impact on the health of our future generations. After all, it is a woman's physical strength which will give birth to a strong child, which will in turn take part in some form of nation building.

Sir, this Bill is significant also for the reason that over a period of time, right from the Law Commission of India, there has been a consistent demand that the maternity benefit period should be raised. The reason that this argument has repeatedly come into the public domain is to improve the volume of women in our country's work force. If we could make that increment, that increase in the contribution of women in our work force, it is bound to have a direct impact on our growth rate, on our economy. So, flowing from that, rather than looking at this just as a women's Bill and connecting it to International Women's Day, I feel that this Bill has a larger economic impact, sociological impact and it will definitely impact the future of our country.

I would briefly address the key amendments as the opening speaker. The maternity benefit will apply to the organized sector where there are 10 or more employees and the period has been extended from 12 weeks to 26 weeks. So, it will apply to factories, mines, shops and establishments and significantly where this period was applicable to only six weeks before the expected date of delivery, if I remember correctly. Now, it can date back to eight weeks before the expected date of delivery. I think, that is a good amendment. Apart from that, it says if you have two or more children, this period will be reduced to 12 weeks. Also, there is a new concept of commissioning mothers. Adopting is although not a new concept; commissioning mothers are mothers who will use their eggs to have surrogate children. For them, provided the child is below three months, the maternity benefit period is 12 weeks. As the hon. Minister said, any establishment with 50 or more employees will have to have crèche facilities with all women who will have rights to at least four visits to the crèche. Apart from that, the employer and the employee, during the period of maternity benefit, will have the option to work out from home on mutually agreed terms and conditions.

Now the question is this. I go back to why maternity benefit becomes important in work place for a woman. It is because, actually if you look at the figures of our nation, it is quite saddening because recently a well-known organization like 'Save the Children' had conducted a survey and India is actually ranked 140th out of 179 countries in the Mothers' Index rank. The reason this figure or this data is important is because one of the criteria in ranking India as a nation for Mothers' Index rank is maternal health and children's well-being. It is also well established in various data and the public domain that only 25 per cent of the paid labour force are women *versus* the global figures which is at an average of 40 per cent.

I need not emphasize that 90 per cent of our women are actually working in the unorganized sector and it is only 1.8 million of the pregnant ladies in the country that will actually benefit from this new legislation. It is because, 90 per cent of the women who work, who are part of the labour force, work in the unorganized sector. So the question is, if we were to say that the Unorganised Workers' Social Security Act 2008 covers that, I would request the Minister to ensure that there is parity without which the consequence will be to leave out most of the working women of this country.

Apart from that, when we talk about maternity benefit, it has a direct impact on treating a man and a woman equally in a work place.

15.00 hours

This Bill looks very progressive but my greatest fear is this. Will it act as a deterrent in the private sector? Today, if a 22 or 23 or 24 year old girl applies for a job, this will be the first thought in the mind of the employers that hiring a young woman, who is otherwise very capable and well qualified, do I take on a financial burden? In that, the entire maternity benefit has to be borne by the employer. There is no provision for the Government funding. There is no provision of social insurance which exists in many other developed nations. So, I wonder whether this benefit to a woman will be counter productive when it comes to increasing employability of women in the workforce.

There are two ways that we can deal with it. The obvious one I just stated is funding and I think an innovative thing to do would be to make paternity leave mandatory. If a man and a woman are both entitled to that, the presumption would be just like a woman would avail it, there is every chance that a man will avail and therefore, it does not work as a disadvantage for the woman.

The Minister for Women and Child Development has also written to the hon. Minister but I am pained to say that I am surprised that the hon. Minister for Women and Child Development, who brought the amendment in the Juvenile Justice Act has recognized it in the Act the right of a single man to adopt not just a single woman, although he cannot adopt a girl child. Today by not giving him paternity benefit, the benefit of taking leave or a fully paid leave when he adopts a child, are we discriminating against that man? It is because how is he, as a single father, going to look after his infant child? So, I urge this Government to think about this and make it mandatory just like it is for woman. So, should it be for fathers also whether he is single or whether he is married?

Apart from that, there is a criterion for the commissioning mother and for a mother adopting legally, if I understand it correctly that the child must be less than three months. Now, what I do not understand is that what is the reason for that criteria. Today, if I have four month old child which I have got through surrogacy or which I have got through adoption, why should this law discriminate against a child which is four or five months? If there is any justification for it, then I hope that the hon. Minister will clarify what that justification is. Apart from that, very strangely, that after your second child, your period for maternity benefit substantially comes down to 12 weeks if I am not wrong. I mean I am compelled to say and I have vested interest in it.

Mr. Deputy Speaker, I am the fourth child in my family. I have three sisters older than me. So, if my mother was working when I was born, I would

feel that my Government is discriminating against me. The benefit of having my mother in the home when my two elder sisters are brought up, why should you deprive of a third or a fourth child of that benefit? I see no reason why unless it is a family planning policy in disguise which has been brought into the Maternity Benefit Bill. I hope you will clarify that in your reply.

SHRI MALLIKARJUN KHARGE (GULBARGA): Sir, Sakshi Maharaj Ji always pleads with people that you should produce ten children. Then, what about this Bill?

HON. DEPUTY SPEAKER: The Government policy is different.

SHRI MALLIKARJUN KHARGE: They are always pleading and they all are clapping that one should produce ten children. What about that? Then, this Act will not be applicable.

HON. DEPUTY SPEAKER: The individual opinion expressed cannot be taken. The Government policy is different. Family planning is a Government policy. Therefore, that cannot be taken for granted.

...(Interruptions)

KUMARI SUSHMITA DEV: Deputy Speaker, Sir, I would like to remind the hon. Minister that it is in his Statement of Objects and Reasons that he is talking about the well being of the mother and the child. Assuming that my Government means what they say and my Government will act on what they say, I request you to remove this restriction on the third and the fourth child.

Last but not the least is the facility of a crèche. As the hon. Minister said, there is a criteria where there are 50 employees and more, there is a requirement of a crèche which is mandatory. Now the question I ask rather is: "Would it be better if all the 50 employees were men, there would be no requirement for a crèche?" So, the criteria should be rephrased to say, if any establishment has five women or more, three women or more or even one woman, whatever the hon. Minister is saying, that is when a requirement of a crèche should become mandatory. Otherwise, in an establishment of 50 male employees, how can it be mandatory? So, I would end by saying that, do not restrict it to four visits because there are enough examples in the world where nursing breaks or encourages into whatever extent as required by the women. It is very draconian to say four, three, five, two times because there is no logic to it in any legislation.

I have to say, hon. Minister, me and my colleagues were discussing that he has brought so many reforms in the labour sector. But performance must be also followed by thoroughness and deep thought into what is the law that we are bringing so that it actually serves this purpose. I hope that the hon. Minister will think about this.

And, I end my speech by saying that equality of men and women can never happen at birth. I think we are different. We are born differently, and that is the way nature mandates or God mandates but we all have a duty whether it is as members of the society or as a Minister of the Government to make those interventions which actually remove those physical barriers and actually meet what has been envisioned in the directive principles of the State policy in our Constitution.

With that, I end my speech and I thank my Party for giving me an opportunity.

DR. PRITAM GOPINATH MUNDE (BEED): Sir, at the outset I would like to thank you for giving me the opportunity to talk on this very important topic of the Maternity Benefit (Amendment) Bill, 2016.

This Bill mainly proposes to offer certain changes in the Maternity Benefit Act of 1961. The prime focus of which is to increase the duration of maternity leave from 12 weeks to 26 weeks. Now, with the social media and everything, the information that is available to us now is that everybody knows that the World Health Organisation recommends that children must be exclusively breastfed till the age of six months for their better physical and mental development as that also has certain maternity health benefits.

Today when we are dealing with a huge number of infant mortality rates due to malnutrition, does it not become our first priority to provide adequate nutrition and rest to the pregnant and the nursing mother? When we say India is the youngest country, that means, we have a large number of young population. Is it important only to have young people in our country? Is it not important to have healthy young population? So, I feel this increase in the maternity leave is a very important point here.

It also talks about providing 12 weeks leave to the commissioning mothers and adopting mothers. One more important point this Amendment Bill highlights is providing crèche facilities within a prescribed distance at every establishment with 50 or more employees. Here I would like to mention an initiative that has been started by Maharashtra Government. There is a special room provided in Government setups, offices called 'Hirkarni Kaksh' where nursing mother, a lactating mother can breastfeed her child even when she likes to work. So, I feel such initiatives can be started by other States and even the Central Government can start it. So, once we start such initiatives at the Government offices, it is easier for us to implement it in private sector as well.

One other most important point in this amendment is letting the woman work from her home, if the job permits her to do so. Then, the other important feature, according to me, is that every establishment has to inform its woman employee about the maternity benefits available to her during appointment by telling her in writing as well as electronically. But this, I feel, will be applicable only to the organized sectors. What about the unorganized sectors? Who will make these woman employees aware of the maternity benefits which they are entitled to get.

If we talk about the unorganized sectors, if we talk about the workers who are not working in bigger firms or people who are working in farms – what about those workers? What about sugarcane cutters? These people migrate from district to district and not only in districts but through States

also. When they are migrating more than six to seven months a year, what facilities are we providing to those women? That is something to be looked into. This is what I feel.

If the Government makes it compulsory for the Government hospitals to counsel all the pregnant women, as we have one such pre-testing counselling compulsory for HIV patients. Similar counselling, I feel, is to be made compulsory when we are encouraging institutional deliveries. I think these institutions should also inform the women about their rights of maternity benefits, whether they belong to organized or unorganized sectors because that is how we would be able to reach out to a larger population. I do not think there is any other mode where you can reach the unorganised sector women and tell them about the benefits they can really avail.

Women working in unorganized sectors should be informed about *Janani Suraksha Yojana* and *Matritva Sahyog Yojana*, which will entitle them to be provided with Rs.6000 for birth for her child.

Increasing the maternity leave will have financial concerns also. A few countries like Singapore and South Africa have a mixed model of working towards the sources of funding, that is, the employers bear the cost and also the Government has its share in it. Some similar thing can be tried in our country also.

The private companies tend to spend a share of their profit at CSR activities. I think, developing a healthier next generation should be one of the top priorities of such companies also. Certain NGOs can also take up this cause.

The only changes which I would like to suggest from my speech to the hon. Minister is inclusion of unorganised sector as well as provisions for paternity leave in this amendment. Hon. Member, Ms. Sushmita Dev also said that paternity leave should be included in this Bill. These days the trend of nuclear families is increasing day by day. If a couple stays somewhere in some town for their job and if the mother is taking maternity leave, the father also has equal responsibility and he can give his share by taking paternity leave. So, I feel that provisions for paternity leave should be included in it.

Not elaborating it more, I would just like to end it by saying that when we talk about woman empowerment, it is not enough only to talk about it, but it is time when we really empower our women to take their own decisions without any pressure or any guilt because maternity is not just a phase, it is a way of life a woman starts living since the minute she conceives. So, why should we force her to choose between her job and her child's development, why not we empower her to be a better mother at the same time doing a good professional or a bread winner for her family?

In the end, I would like to wish all the women belated happy Woman's Day. I would like to end my speech by supporting this Bill. Thank you.

***SHRIMATI M. VASANTHI (TENKASI):** Hon. Deputy Speaker Sir, Vanakkam. I thank you for allowing me to speak on Maternity Benefits (Amendment) Bill, 2016. Women are like eyes and vision to a nation. Women are excelling in every field of activity. Women constitute more than half of our population and it is necessary to ensure that their rights are restored. This Maternity Benefits (Amendment) Bill aims to protect the Maternal health and Child health especially during pregnancy. Organizations like World Health Organization (WHO) which have expertise in the field of health care have also suggested for increasing the period of maternity leave for at least 24 weeks in order to protect maternal and child care. Indian Law Commission in the year 2015 had also recommended for bringing in changes in the labours laws particularly for increasing the maternity leave for 24 weeks. Indian Law Commission had also recommended for inclusion of workers of unorganized sector to avail this benefit. This Bill proposes to bring amendments to the Maternity Benefits Act of 1961. With this background, the Bill proposing to increase the maternity leave period from 12 weeks to 26 weeks, has now been taken up for consideration and passing in Lok Sabha. This Bill was passed with amendments in Rajya Sabha on 11 August 2016.

When we look at the countries of the world, only in Britain and Australia a maternity leave for 52 weeks is granted for women. By way of increasing the maternity leave upto 26 weeks at least we have tried to reach the half-way of this benchmark. But when we compare ourselves with other countries of the world, we are in a better position. It may be easy to implement this provision in the Government Sector. But the real challenge lies in implementing it in the private and unorganized sectors. But government must ensure that working women of these sectors are also benefitted. I welcome the provision of this Bill which allows women to work from home particularly during pregnancy if the nature of work permits them to do so. Another provision restricts pregnant women to avail this leave benefit of 26 weeks only for two children. If she has more than two children the mother is permitted to take only 12 weeks of maternity leave. I want to know that whether you have proposed this amendment keeping in view the population explosion taking place in the country. Mothers who adopt children whose age is less than three months are permitted to avail 12 weeks of maternity leave. I welcome this provision. I also wholeheartedly appreciate the proposal to allow commissioning mothers to avail this leave benefit for 12 weeks. It would benefit women particularly those who work in unorganized sector in a big way. The Bill provides for mandatory setting up of Creches or babycare centers at work places, where more than 50 employees are employed. Government should also take necessary steps to bring down the maternal and infant mortality rates. The State Government of Tamil Nadu, working in the footsteps of former Chief Minister *Puratchithalaivi Amma*, has been implementing several ambitious schemes for the welfare of women, especially women workers. When Hon. Amma was the Chief Minister of Tamil Nadu, there was a historic announcement made by Hon. Amma under Rule 110, that the period of maternity leave for female employees in Government may be increased from 6 to 9 months. Maternity leave was granted to Woman employees in Government for 9 months with fully paid salary. A Government Order (G.O.) in this regard was also issued by the State Government. This is a spectacular achievement to be engraved in golden letters in the political history of our country. The female employees in Government by themselves can determine the period from when they want to avail 9-month maternity leave i.e. from conception till delivery of baby. Female employees in Government, who are on leave, are also eligible to avail this maternity leave and can go for extension of leave. In the footsteps of former Chief Minister of Tamil Nadu Hon. *Puratchithalaivi Amma*, the State Government of Tamil Nadu has been implementing several welfare schemes meant for Women especially woman labourers. As many as 20 new working women's hostels were set up in Tamil Nadu. At the time of marriage educated women are being provided a financial assistance along with 8 gms of gold for Thirumangalyam-Mangal Sutra. Under the Chief Minister Girl Child Protection Scheme, every year approximately 2.5 lakh female children are benefitted. The limit for availing the maturity benefits under this Scheme has also been relaxed from 20 to 18 years. As an ambitious Scheme, the Cradle baby scheme is being implemented in Tamil Nadu. The Integrated Child Development Scheme (ICDS)

is being implemented in Tamil Nadu with an expenditure of Rs.1475 Crore every year. Around 24 lakh and 41 thousand Anganwadi children, 6 lakh 88 thousand pregnant and lactating mothers are being benefitted under this Scheme. As an ambitious Scheme, Mobile Anganwadi services are also provided to the displaced labourers and their families in Tamil Nadu. Amma Canteen is a Scheme for providing food at nominal costs to the women labourers. The health of women workers is also protected to a large extent. I wish to stress that adequate funds need to be allocated for many welfare programmes that are being implemented in Tamil Nadu successfully in the footsteps of former Chief Minister Hon. *Puratchithalaivi* Amma. If the Schemes implemented in Tamil Nadu are found worth of implementing throughout the country, the Union Government should try to do so. I once again wholeheartedly welcome this Maternity Benefits Amendment Bill, 2016. Thank you for this opportunity.

DR. RATNA DE (NAG) (HOOGLY): Sir, at the very outset, I would like to state that this Bill is welcome as it extends maternity leave to 26 from the present 12 weeks. As the House is aware, the said Bill seeks to increase maternity leave from 12 weeks to 26 weeks for two surviving children and the said provision will be applicable to all establishments employing 10 or more people.

The Bill also provides 12 weeks leave for commissioning and adopting mothers and makes it mandatory to provide crèche facility for establishments where the number of workers is 50 and above. At present, the Maternity Benefit Act does not provide any maternity leave for commissioning or adopting mothers. Hence, I have an apprehension because no establishment would be willing to follow this provision of the law. Hence, I would suggest that the monitoring mechanism should be strictly adhering to the provisions of the Act and they should be put in place in the organized and unorganized sectors.

The legislation must include decentralized grievance redressal system for non-implementation of the Act. But women in unorganized sector including Government frontline workers like ASHA workers who provide maternal healthcare linkage to all women; mid-day meal worker; Anganwadi worker and helper; and women working under MGNREGA do not get any wage compensation during pregnancy and childbirth.

The object of maternity leave and benefit is to protect the dignity of motherhood by providing for full and healthy maintenance of a woman and her child when she is not working. In today's age, more and more women are joining the workforce, and in this scenario it is important to ensure that a woman striving for self-sufficiency does not have to compromise on her role as a caregiver to her child. Studies have shown that longer maternity leaves are likely to produce health benefits.

Expectant and nursing mothers require special protection to prevent harm to their own health and the infant's health. They need adequate time to give birth; to recover; and to nurse their children. At the same time, they also require protection to ensure that they will not lose their job simply because of pregnancy or maternity leave. Such protection ensures women equal access to employment. Sir, women are estimated to be only 30 per cent of all economically active individuals. Even though they account for 48 per cent of the population, only one per cent of women are employed in the State and Central Government and 3 per cent are at legislative, management and senior official positions.

Maternity benefits are crucial as malnutrition continues to be a huge hurdle. In India, almost one in every three children, or an alarming 4.8 crore children are stunted. Without benefits, it often becomes difficult for a single mother to provide adequate nutrition for her child. A mother also has to ensure that a child is fully immunised against all types of diseases. India is still a long way off from securing 100 per cent immunisation for all children. In fact, the first phase of National Family Health Survey, 2015-16 revealed that the highest percentage of fully immunised children is from Goa, Sikkim, Puducherry and West Bengal.

Indira Gandhi Matritva Sahyog Yojana is conditional cash transfer scheme for improved health and nutrition of pregnant and lactating mothers. This scheme is being implemented in 52 districts for women above the age of 19 years for their first two births. It is estimated that about 3 crore women get pregnant every year. If Rs. 60,000 is given to each of them, then Rs. 18,000 crore is needed every year. However, in the present Budget, only Rs. 400 crore has been allocated to the Scheme. This needs to be looked into by the Government.

Sir, I would like to mention something about my State. In West Bengal, what is being done for pregnant women? In the case of construction workers in unorganised sector, baby boys are given an amount of Rs. 6000 and baby girl is given Rs. 12000. If the woman stays in the hospital even after three days, she is given Rs. 200 per day.

Earlier, we would live in a joint family. When a new born would arrive, the whole family would tend to the new born. Now, we have a nuclear family where you do not have anyone to take care of the new born. Mother and father have to do everything to take care of their new born. Hence, there is a need for certain facilities for father also. That is the paternal leave.

In our State of West Bengal, our Chief Minister has given paternity leave for thirty days. In the Bill, it is stated, in other cases, the existing period of twelve weeks maternity benefits shall continue. Those women who have more than two children would be given 12 weeks of maternity leave. Hence, I would like to suggest to the hon. Minister to have a relook at this because what the mother would do with 12 weeks leave as she needs more time to bring the child to a certain stage before she joins the work. I hope, the hon. Minister would respond to this.

Let there be a clear cut method of extending to 26 weeks of maternity leave as per the Bill. When would the mother go on leave? When would this 26 weeks of maternity leave start? For example, two months before delivery and four months after delivery, I think, would be ideal as far as I am concerned. I would like to request the hon. Minister to take care of women in the unorganised sector where women workforce is in a large number and in majority; and that is the reason why women in unorganised sector are the worst sufferers. I hope, the hon. Minister would pay special emphasis on women workers in the unorganised sector.

I appreciate the thought the Government has put behind the Bill. You also need to work towards building a future where women hold an equal stake in every aspect of India - social political and economic life.

For a child, the most important person in its life is the mother. Let us ensure that we build an India where every woman is free to achieve her dreams and no child is bereft of love that only a mother can provide.

SHRI TATHAGATA SATPATHY (DHENKANAL): Sir,, I am the odd speaker out becauseâ€¦

HON. DEPUTY-SPEAKER: There are other speakers as well, apart from you. Following you, other speakers who are in the list will be called.

SHRI TATHAGATA SATPATHY : I am the first male speaker. There have been a line ofâ€¦

HON. DEPUTY-SPEAKER: Satpathy Ji, they are already advocating some benefits for males also. There is already an amendment given by the lady Members. They want the benefits to be extended to fathers also.

SHRI TATHAGATA SATPATHY: Sir, thank you for allowing me to speak today.

We have been kind of overburdened, bored and sick of this Government just throwing these economy-related Bills on the House and on all of us: the torture of making business easy for a few handful people, who will make money to be paid to political parties, and we are bearing the brunt of passing all those laws which will help a handful of Indians, not the large number of Indians. The large number of Indians are very excited about certain things. Time has its corrective nature and, gradually, time will also tell who was right, who is wrong and what is or is not good for the nation.

I am very happy that our Labour Minister has brought this Bill which I consider as a social Bill. It has not got much to do with economy; it has got more to do with the social aspect of how our people live in this country, how we deal with our women folk and, actually now the world is turned, how the women folk want to deal with us. In this connection, while congratulating the Labour Minister, I would also like to congratulate another very prominent Minister, Shri J.P. Nadda, the Health Minister and his Health Secretary, Mr. Mishra, for introducing this gender sensitization for adolescents. I did not know this Government was doing something so good because our sight is always blurred by this one single individual occupying the whole space. All these people are doing such good work, poor gentlemen and poor ladies, but they are getting overshadowed. I feel sorry for them. They need a break. They honestly need a break. They have to burst out.

There is a story that when the egg breaks from within, life is created; when you break the egg from outside, life dies. So, it is now up to you people that you break out from within and create a new India. We have hope even now, in spite of all the biggies and the baddies. In this Health Ministry, the step that they have started is a very interesting thing. It is a progressive move in which they go to schools. They have trained teachers/trained personnel who are going to schools and telling the boys that it is okay for a boy to cry. In our homes, and especially you would have noticed, Sir, because you have spent so many years in North India, in this wild land, what happens is, the father and the mother while addressing their daughter will say, "बेट इयर आउओ।" They never say "*Bet!*" which is amazing. It is a social thing; it is a serious thing. We are not willing to acknowledge our daughters as daughters by not giving them respect. We wish that they were boys. Imagine if the whole country was full of male citizens! What a lovely life it would be!

So, in this gender sensitization thing, they are also telling the young people that attraction towards same sex is not bad which I think is a very justified thing. They are also telling to girls that when a girl says 'no' to something, she should stick to that 'no'. The Indian, matured, dirty-minded male has to understand that when a woman or a girl says 'no', it means 'no', keep away from her. We have to inculcate it in our society to understand this.

Anyway, I congratulate both the Labour Minister and the Health Minister and also their Secretaries for really some good work that they are doing. I am very happy about it.

Now, returning to the Bill, this House needs to pay attention to the wage gap between men and women. Today also, there is no parity in that. Women are half of our society. But, we are unwilling to accept that fact. Men and women primarily work for two reasons. One is, they want to be independent; they want to be self-sufficient; they want to be self-dependent; and they want to work. Secondly, they work and especially women work because they need to supplement the family's income. These are the two basic conditions that compel or induce a person to work. Like I said, in this macho, conservative male-dominated India, we are actually very hesitant to let our better halves to go out and work. We think that that is a shame on us that my wife, my daughter, my mother is working. That means that I am incompetent somehow. This is a wrong notion we have. I come from a family where my mother was a working woman, my cousins, my sisters are all working and my wife is also working. So, I will say, to a certain extent, that I have tried to be emancipated. I do not know how far I have succeeded. I might have friends who will not agree.

Child bearing is a very important factor for nation-building. But, we also have to consider this fact. One of our colleagues earlier spoke about India being a young nation. We are becoming too young in the sense that we are not able to educate them properly. We are not able to physically train them. We are not willing to increase or upgrade their skills. Today's Government thinks that 'skill' means whether one can be an electrician or a welder or a fitter. But for me, 'skill' means social skills. Can I behave well with my neighbour? Can I talk to a person – male or a female – with respect and regard and expect the same thing for myself? These are basic skills that we Indians and especially the younger generation are losing out. Therefore, it is also necessary that we discourage growth of population. After a couple has had two living children, up to the third child, it is fine to give 26 weeks of leave to the mother. But after the third living child, there should be no leave allowed. This 12 week leave is a humbug. This is only creating a bad precedent. I strongly oppose this. I do not know which other colleague had said this. You said that it was somebody's personal statement or personal opinion. I do not know that. But we cannot allow this country to have this burgeoning population, bursting as it seems and we are unable to feed them; we are unable to educate them; we are unable to give them basic necessities of life.

Motherhood is still frowned upon in the corporate world. We also need to consider the issue from the perspective of an employer. What will happen is -- when an employer knows that by law he has to give to one of his employees paid leave for such a long period of time -- that the employers will try to restrain women to join work. They will decrease their labour force with women. This provision of home is not at all clear as to what exactly it says and how it is to be implemented.

This Bill has an effective crÃche and child care facility provision. That also needs clarification. We have always seen that poorly drafted laws made things easier for law breakers to find excuses. So, I would suggest that after the third child, the Government should come up with the proposal as to

how to encourage women to focus on their career to be better at their work because women can actually be better employees. I have got two newspapers.

HON. DEPUTY SPEAKER: The family planning talks about two child norm. But you are saying about the third child also. I do not know why it should be so.

...(Interruptions)

SHRI TATHAGATA SATPATHY: Then, we will go for the fourth and the fifth, sixth, seventh and so on. Why not?

I do not know who had a thousand children in the Indian mythology. One of our *gurus* or *pundits* would be able to tell us. So, you create a machine out of your wife or your mother or your children; they become production lines like cars. Finally, it is about being a male and not being able to resist the temptation.

How about considering paternity leave? It was suggested by an earlier speaker that men should also have some facility. If they actually adopt a child, if they honestly take up an orphaned child, whether from within the family or from outside, are you willing to consider that also? It is because there are instances where male members of families have taken up children from within their families where the parents have died due to accidents or other reasons. So, are you willing to consider that also?

I would again congratulate the Government and the Labour Minister for his speech on this Bill. We are happy that the Government is finally veering towards addressing social problems. Let them keep doing this. We will support them, not in all their nefarious activities, but in all their good activities concerning social reforms. Thank you.

श्री अरविंद सावंत (मुम्बई दक्षिण) : माननीय उपाध्यक्ष महोदय, बहुत-बहुत धन्यवाद। प्रसूति प्रसूति (संशोधन) विधेयक, 2016 के ऊपर माननीय मंत्री महोदय ने जो बिल प्रस्तावित किया है, उसका मैं तहे दिल से स्वागत करता हूँ। हम अंग्रेजी में कहते हैं कि *child gives birth to a mother*.

15.42 hours (Shri Hukmdeo Narayan Yadav in the Chair)

मां होना बहुत बड़ी बात होती है। हम भाग्यवान हैं कि उस मां की कोख से हमारा जन्म हुआ। लेकिन, जब परिवार आगे बढ़ता गया तो दिवकतें मालूम पड़ने लगीं। भगवान की दया से आज जो परिवार की पाबंदी है, वह उस तक नहीं थी। हमारा परिवार भी बहुत बड़ा है। चार बहनें हैं, पत्नी है, बेटी है और सभी नौकरियां करने वाली हैं। यह सब देखते हैं तो पता चलता है कि उन्हें क्या-क्या दिवकतें होती हैं। आपने 26 हफ्तों की प्रसूति छुट्टी की एक अच्छी सुविधा का प्रावधान किया है। सर्विस करने वाली महिलाएं, खासकर हमारे मुम्बई शहर में हम देखते हैं तो हमें उन पर बहुत गर्व होता है कि वे बेवारी क्या-क्या नहीं करती हैं। वे कितनी दूर से आती हैं? 30-40, 50-60 किलोमीटर की दूरी से नौकरी के लिए मुम्बई आती हैं, परिवार की सारी दिवकतें देखती हैं, बच्चों को खाना खिलवाती हैं, पढ़ाती हैं, नौकरी करती हैं और फिर वे भीड़ में जाने वाली ट्रेनों से सफर भी करती हैं। ऐसी स्थिति में जब वे गर्भिणी होती हैं, तो वे क्या-क्या दिवकतें महसूस करती हैं, उसका कोई अन्त नहीं है।

उपाध्यक्ष महोदय, मैं माननीय मंत्री जी से कहूंगा कि मैंने एक बार रेलवे की मीटिंग में मांग की कि हमारी लोकल ट्रेनों में भी महिलाओं के डिब्बे में टॉयलेट की सुविधा होनी चाहिए। पहले तो शुरू में उसे किसी ने सीरियस नहीं लिया। फिर मैंने कहा कि जब बारिश में ट्रेन को स्टेशनों के बीच रूक जाती है और उस समय बाढ़ आई होती है, पानी भरा होता है और वे बेवारी अन्दर हैं, वह गर्भिणी है, नीचे कूद नहीं सकती। उस अवस्था में उसे किस-किस समस्याओं का सामना करना पड़ता है, यह उसी को पता है। वहां टॉयलेट की भी सुविधा नहीं है।

हाल ही में मुम्बई में मेट्रो रेल दो स्टेशनों के बीच बंद पड़ी। मेट्रो रेल की तो और भी बुरी हालत है। वहां तो कहीं कूद भी नहीं सकते। वह तो ए.सी. है। बिजली गयी, गाड़ी बंद है। अंदर सफोकेशन हो रहा है और महिलाएं उसमें हैं, गर्भिणी महिला उसमें है।

बच्चे को जन्म देने के बाद उसे क्या-क्या सुविधाएं देनी हैं, हमने सिर्फ यह सोचा है, या उसके एक महीने पहले उसे क्या सुविधाएं देनी हैं। मगर, उसके पहले जो दिवकतें उन्हें महसूस करना पड़ता है, उनके बारे में भी आपको सोचना पड़ेगा।

अब रही बात 26 हफ्ते की, तो मैं इसका स्वागत करता हूँ। मैं एक बात और भी कहना चाहता हूँ कि एस.ई.जेड. में यह कानून लागू होगा या नहीं होगा, यह मुझे बताना होगा। एस.ई.जेड. में आई.टी. सेक्टर आया है और आप जानते हैं कि इस सेक्टर में नौकरी लगाने समय बहुत सारी कंपनियों का नाम तो दिया जाता है कि यह कंपनी ऐसा काम करती है, वह कंपनी वैसा काम करती है, लेकिन आपको विश्वास नहीं होगा कि उस महिला को नौकरी देने के समय पूछा जाता है कि शादी हुई है, कब शादी करने वाली हो, अगर शादी करोगी तो बच्चा पैदा करने का क्या समय होगा, बच्चा पैदा करने का प्लानिंग क्या है? ये कंपनियां नौकरी दे रही हैं या हमारी दुनिया भर की जांच कर रही हैं। ऐसा क्यों पूछते हैं, क्योंकि उनको छुट्टी देनी पड़ेगी, अगर छुट्टी देते हैं तो तनख्वाह भी देना पड़ेगा। यह छुट्टी 12 हफ्ते के जगह 26 हफ्ते होगा, तो छह महीने की तनख्वाह देनी पड़ेगी। वह पेड़ तीव्र होगी।

अब एस.ई.जेड. में हमारी जो महिलाएं नौकरी करती हैं, क्या आपने इन सारी एस.ई.जेड. कंपनियों के बारे में सोचा है? ऐसा मुझे नहीं लगता है। यह मेरी प्रार्थना है कि यह कानून हर जगह लागू होनी चाहिए। जैसा कि अभी हमारी भगिनी ने कहा कि क्या यह कानून अन-अर्गनाइज्ड सेक्टर में लागू होगा? उन्होंने जो उल्लेख किया, मैं खास कर जान-बूझकर उसका दोबारा उल्लेख करूंगा कि जो हमारी महिलाएं सूगर केन इंडस्ट्री में गन्ना काटने के लिए आती हैं, वे गांव छोड़कर वहां आती हैं और दूसरे राज्यों में भी जाती हैं। क्या गन्ने की फैक्ट्री वालों की कोई जिम्मेदारी नहीं है? वे बेवारी महिलाएं अपने बच्चों को खेत में धूप में छोड़ती हैं या पेड़ के नीचे रख देती हैं, फिर गन्ना काटने के लिए जाती हैं। अभी यह बच्चा दो महीने का भी नहीं हुआ है, उसको बेवारी महिलाएं ऐसे ही छोड़ देती हैं, वे ऐसी गरीबी में क्या करोगी? अभी उसको यह पता नहीं है कि मातृत्व सुरक्षा के तहत उसे 6 हजार रुपये मिलते हैं। वह गन्ना काटने के लिए एक गांव से निकलकर दूसरे राज्य में आती हैं। आपको सूगर केन इंडस्ट्री को भी इसके बारे में कहना होगा, क्योंकि ये आप की डायरेक्टली एम्प्लॉयमेंट नहीं है। But they are indirectly employed with you; and so if she is pregnant or if she has delivered a child, let the company take a little bit of responsibility to provide at least a crèche to the child. इन सारी चीजों को आपको देखना पड़ेगा। इसलिए मैंने एस.ई.जेड. की बात कहा है।

मुझे एक बात और कहनी है, आपने यह अच्छा प्रावधान किया है कि जहां दस और इससे ज्यादा लोग हैं, इनके ऊपर कंट्रोल को कौन देखेगा? इसके लिए अपनी कौन सी टीम होगी? यह कैसे मातृत्व वलोगा कि यह छुट्टी देता है या नहीं देता है। वहां पर यूनियन भी फार्म नहीं होने देते हैं। आपको पता नहीं होगा कि ये लेबर लॉ को कंट्राडिक्ट कर रहे हैं। You are now allowing them to form labour unions in the SEZs. You are not allowing them to form labour unions below 50. यह तो अभी आप कानून बना रहे हैं कि यह एक हजार तक होगा, तब ही लेबर यूनियन बना सकते हैं। अगर वह एक हजार तक के लिए लेबर यूनियन नहीं बना सकता है तो दस वाले को कौन देखेगा। इसको आप कैसे देखेंगे? इसके लिए आपके पास कौन सी प्लानिंग है जिससे इसके ऊपर ऑब्जरवेशन कर सकेंगे। ये मेरी थोड़ी सी वरैरिज़ और मैं इस बिल का स्वागत करते हुए कहता हूँ कि इसको अच्छी तरह इम्प्लीमेंट करने की जो रूट्स बनाएंगे, उस रूट में एस.ई.जेड., अन-अर्गनाइज्ड सेक्टर और खासकर यह जो दस का लेबर लॉ कहता है, जहां पर पवास या सौं होंगे, वहां पर लेबर लॉ लागू नहीं होगा, जहां हजार हैं वहां लेबर लॉ लागू नहीं होगा तो

इनको कौन देखने वाला है। जब लेबर लॉ ही लागू नहीं है तो फिर यह कैसे लागू होगा। इसको कौन देखेगा?

माननीय सभापति: अब अपनी बात समाप्त कीजिए।

श्री अरविंद सावंत: सर, मैं एक सेकेंड लूंगा। मैं फिर दोबारा इस बिल का तहे दिल से स्वागत करता हूँ। मैंने आपके सामने जो समस्या प्रकट किया है, उसका निराकरण आप किस तरह से करेंगे, मैं इसका भी उत्तर चाहता हूँ। धन्यवाद, सभापति महोदय।

DR. RAVINDRA BABU (AMALAPURAM): *Dhanyavad!* On behalf of the Telugu Desam Party headed by Shri Nara Chandrababu Naidu, we wholeheartedly support this progressive legislation.

I have a small suggestion to the hon. Minister. Instead of giving these maternity benefits after the delivery of the child, we may give these benefits ever since the employee becomes pregnant; or, as soon as a girl conceives she may get the special attention. For example, in Air India owing to certain occupational hazards right from conception till delivery and after delivery also for six months they give paid holidays for these employees because they would be working in the compressed pressure chambers. There is a likelihood of her undergoing abortion. In the same way, instead of giving maternity leave or maternity benefits let us give pregnancy benefits and pregnancy leave from the day she becomes pregnant.

Sir, to understand a female's problems, physiology of pregnancy and other things, one should be born as a girl. From the time of menarche, that is attaining puberty, till menopause it is very-very difficult to understand, even to hear, the problems faced by a girl. Leave alone the problems of monthly aberrations, abortions and social discriminations, she undergoes a lot of tension. There are nutritional and social issues also. Of late, another nuisance that has started is whether the child is a male or a female. If the sex of the child has to be determined and unfortunately it is found to be a female, hell will break loose on her. Entire family, entire society will curse her for giving birth to a girl child.

There are occupational hazards. There are genetic hazards which means being born as a female she has to undergo all these problems, including social discriminations. She is already discriminated genetically as because of 'XX' chromosomes she has to undergo, from puberty till menopause, a lot of hormonal changes, health hazards and a lot of social discriminations.

Therefore, my humble suggestion to the hon. Minister is instead of giving maternity benefits after delivery let us give these benefits from the day she conceives. That will be the befitting tribute to all the women. We celebrated International Women's Day yesterday. As far as the lactation period goes, after six months of the delivery, or the day pregnancy starts, pregnancy benefits should be given to them. If a girl conceives at the age of 16 or 18, there is always a threat of abortion. If she is allowed to work during that period there is every possibility of getting health hazard....(*Interruptions*)

DR. KAKOLI GHOSH DASTIDAR (BARASAT): Sir, 16 is not the legal age to work in an organization or to become pregnant....(*Interruptions*)

DR. RAVINDRA BABU: Madam, there are instances where 14 year old girls become pregnant....(*Interruptions*) It is wrong but it is happening....(*Interruptions*)

माननीय सभापति: आपस में बात मत कीजिए।

â€¦(*व्यवधान*)

DR. RAVINDRA BABU: Madam, we are in India. We are witnessing all these things....(*Interruptions*)

KUMARI SUSHMITA DEV (SILCHAR): If you are suggesting to give benefits at that age, are you encouraging...(*Interruptions*)

DR. RAVINDRA BABU: Madam, I am not suggesting any minimum age. I am only saying that benefits should be given to her the moment she becomes pregnant, whatever is the eligible age, till delivery and after delivery also six months till lactation period. There is mandatory lactation period during which the infant's health will be depending on the maternal health. Maternity benefits are fine as the maternal health decides the infant's or child's health.

माननीय सभापति: आपस में बात मत कीजिए।

â€¦(*व्यवधान*)

DR. RAVINDRA BABU: I have not talked about any age....(*Interruptions*) I am talking about 14 years as the age of attaining puberty. That may not be the age for becoming pregnant. I am sorry, you have misunderstood me. I am only trying to say that to understand the agony faced by a girl, we should be born as a female as then only we will be able to understand it. It is very difficult to be a girl. This is what I want to impress upon. ...(*Interruptions*) My request is to give her benefit from the day when she conceives till delivery and after delivery till six months. That is only 12 months.

DR. KAKOLI GHOSH DASTIDAR: Being a girl is not a genetic defect.

DR. RAVINDRA BABU: I do not know what you understood. What I am trying to say is that from the day a girl conceives pregnancy, till she delivers and the lactation period is over till six months, one should be given benefits. This is the crux of my speech. The day she becomes pregnant, till she delivers as also for six months lactation period, all these benefits should be extended to her mandatorily. I also said that to understand a female one should be born as a girl, then, only you would understand. From the day of the menarche, when she attains puberty and till menopause, the type of problems she faces nobody could understand than unless one is born as a girl. That is what I told. I do not know what you have misunderstood.

â€¦(*व्यवधान*)

माननीय सभापति: आपका समय समाप्त हो गया है। कृपया आप बैठ जाइए।

DR. RAVINDRA BABU : This is my utter concern. My concern is so vast starting from the childhood to the menopause and till she dies. I am talking about womb to tomb. From womb to tomb, there is a discrimination against a girl child. In order to address certain problems, I am saying that these are the suggestions. There is a discrimination. That is why, I want to add these. Thank you very much for understanding me correctly.

DR. BOORA NARSAIAH GOUD (BHONGIR): Sir, thank you for giving me the opportunity.

At the outset, let me congratulate the hon. Labour Minister, Shri Bandaru Dattatreya Ji, for bringing this socially progressive Bill which is definitely going to benefit a lot of mothers. As you know, delivery is like a second life for a woman. It is like a *punar janam*. During the pregnancy, the women undergo a lot of emotional trauma, physical change and also financial loss. There is a lot of connection between the Ministry of Labour and the labour room. This is the first time that the Labour Ministry has brought out a Bill, which can benefit a lot of mothers who deliver in the labour room. I congratulate him for bringing such a Bill.

At the same time, I am apprehensive about certain aspects of the Bill. We are proud to say that today India probably stands third in the world in terms of the maternal benefits by introducing the Maternity Benefit (Amendment) Bill. It is because Canada gives fifty weeks maternal benefit leave and Norway gives forty weeks, whereas India, today with this Amendment Bill, would give twenty-six weeks. We can proudly say that we are a progressive social country giving benefits to mothers.

One point which I am a little worried about is that most of the well-educated women are employed in the software industry. The women who are not well-educated are employed in the women-oriented labour intensive industry like textiles, handlooms, etc.

16.00 hours

When you are bringing this Bill, it gives a very good message that twenty-six weeks of fully paid leave would be given by the industry which employs 10 people. In the women intensive labour industry, like handloom or handicraft, suppose if the employer has to totally bear the entire expenditure, as many of the hon. Members who spoke earlier, have pointed out, it may boomerang on the employability of women.

I urge upon you to kindly give a serious thought to it and study the pattern of funding in various other countries. In many countries, the maternity benefits are born partly by the employer and partly through insurance. With the result, the entire burden does not fall on the employer and in the long run, it would not harm the employability of women.

Secondly, some people have raised some objections regarding third child. In this Bill, it is not mentioned that there should be two living children. I think you need to mention this. Otherwise, sometimes a mother might have two deliveries and might have availed of two maternal benefits. But today, infant mortality rate is high. So, if something happens to a child, that particular employer may claim that you have already availed of two benefits. Therefore, you are not eligible for third benefit. Therefore, I would request you to insert that two living children must be there. I think a restriction of two children is required in order to contain population growth in our country.

Some of our women parliamentarians have talked about paternal leave also which is very good. Today, it is a necessity also. Now most of the families are nuclear families. Sometimes one does not have an immediate father-side or mother-side relative to take care of a mother. As a doctor I have seen both husband and wife coming for a caesarean delivery and both of them staying there. So for such cases, if you give 8 weeks to 12 weeks paternal leave, it will be of immense help for the psychological, social as well as physical help to the delivering mother.

As regards adopting and commissioning mother, it is a good point. Now infertility is rising day-by-day because of obesity and environmental factors. Recently, we have seen one of the famous personalities getting a child through surrogacy. In such cases, 12 weeks leave for an adopting mother or a commissioning mother and especially for the one who donates eggs, would be a very welcome step.

A provision of crÃ¨che for a minimum of 50 employees is there. Now let us say that we have ten employees and five are women and of those two have small children. Are they not eligible for crÃ¨che? So, it should be need-based and not number-based. I would request the Minister to look afresh at this clause where it should be need-based and not number-based.

If we look at various maternity benefit laws across various States, different laws have different provisions. For example, under the Maternity Benefit Act, the employer is solely responsible for giving full salary. Under the Employees State Insurance Act, it is a mixed one and both the employer as well as State is responsible; for all India services, there is only employer fund; central services – employer funds; and factories – only employer fund.

Now let us look at the real figures. We are covering only 218 lakh women and 90 per cent of women are in unorganised sector. We are totally leaving them to fend for themselves. They are the women who require most of the help from the Government rather than those who are well to do. In such a case, what benefit this Bill will give to such women workers? Imagine the case of a domestic worker who has to work for 24 hours or maybe on part-time basis throughout the year. She is having no CL or EL or medical leave. Now she becomes pregnant.

We have no benefit for them. I know there is a scheme that provides facilities for institutional delivery. The scheme provides for a sum of Rs. 6,000 as maternity benefit. This has recently, after the demonetisation drive, been announced by the hon. Prime Minister. In our State, our Government has passed a legislation where a sum of Rs. 12000 is sought to be given for any institutional delivery and also the Government proposes to provide a kit, namely the `KCR Kit' where all the things needed for nursing of a new born baby – it may be mosquito nets, diapers, baby food -- will be provided for. Unless and until we propose a scheme for pregnant women and delivery mothers working in the unorganised sector, we would do an injustice to them. If the Government has lesser funds, then we have a Transaction Workers Fund, then let us have some surcharge on some items. The Government has a corporation where these could be specifically addressed....(*Interruptions*)

Sir, in India even today 38 per cent of new born babies and children are anaemic and has stunted growth. The stunted growth of a baby starts in the womb itself. We have to address this issue at its roots. We whole-heartedly welcome the provisions of this Bill but the Government need to have a re-look on the conditions of the women workers in the unorganised sector and they also should be brought under the provisions of this Bill. They are the mainstay and constitute about 90 per cent of the workforce.

With these words, I welcome the Bill.

SHRI P.K. BIJU (ALATHUR): Sir, I think this is a privilege for me to have an opportunity to discuss issues relating to pregnant women and the future generation of this country.

Sir, this Bill seeks to amend two to three provisions of the mother Bill which was passed in the year 1961. This seeks to increase the maternity leave from 12 weeks to 26 weeks; and it also seeks to establish crèche for new born within the premises of the company which have employees more than 50.

Sir, I am happy with the provisions of the Bill. But we are too late in bringing this forward. Globally, women care more for the future of their children. In Korea, the Government provides 60 weeks maternity benefit to the mother and 30 weeks paternity benefit to the father. In some other countries like Japan, Norway, Iceland this provision exists. We can quote so many examples in this regard.

I am not a professional medical practitioner. Dr. Ravindra Babu explained in details certain health related issues. I am not going to deliberate on that. But some of the hon. Members have mentioned about one point and they said that health of the mother is very important. After the delivery of a child we can give leave and other benefits. But before the birth of a child, when pregnant women are carrying the child in her womb, we need to do something. I can say this because of an experience in my Parliamentary constituency. In half of Palakkad district, there is an *Adhivasi* area. Thirty six new born children died there due to malnutrition. I was a Member of the Standing Committee on Women and Child Development in 2009-14. Every year, we discussed many issues, and we found that the Ministry of Women and Child Development is allotted a huge budget for reducing malnutrition in our country. They requested the Government for Rs. 1.25 lakh crores to address the issue but finally, they got only Rs. 20,000 crores.

Our former Prime Minister while addressing a public meeting quoted the situation of malnutrition and said that we are behind the Sub-Saharan African countries. We have supplied help to 44 per cent of women and children suffering from malnutrition globally. While stating such statistics, he commented that this situation is a national shame. This issue does not come under the Ministry of Labour alone. It comes under various other Ministries also.

I would request the Government to discuss it with all the Ministries and to come out with a solid proposal to deal with the situation and increase the allocation to ICDS for proper implementation and to reduce the percentage of malnutrition in our country.

Sir, in this Bill, one of the amendments is brought by the Ministry of Law. It states that an employer may permit a woman to work from home if the nature of work permits her to do so. It may lead to misuse of this clause in future. We should take it very seriously. Nobody should be allowed to misuse such a clause if maternity benefits are allowed and directs the mother to work for the company from her home itself. It is a very dangerous thing for the future.

Since many years, many companies have been started. Even the IT industry is in existence. Recently, some Members raised the issue in the House also. The State Bank of India in its advertisement had mentioned that pregnant women are not allowed to apply for that particular post. It is a shame. Even the Air India had such a direction. I do not know whether it there written in their rules or not but they have such a thing. Such a rule is there in the IT companies which does not allow pregnant women to apply in the respective company.

We have increased the period from 12 weeks to 26 weeks. This point should be taken care of. This will affect the work of women in the country. The companies are not ready to recruit pregnant women in their companies. That will reduce the job opportunities for women in this country. We should take more measures to support women in our country.

We have taken this step under the directions of WHO. International Labour Organisation Conventions and the National Law Commission.

The very important point is, the Bill does not include the unorganised sector and it has not addressed the unorganised sector. Their problems are not being addressed in this Bill. We have 46 crores of labourers in our country. Out of this 46 crores, 14 crore labourers are women. The Law Commission directed that adequate measures should be adopted to pass on these benefits to the employees in the unorganised sector too. That direction has not been followed. It is not visible in this Bill.

So, I would request the Government to include sufficient measures to support the workers in the unorganised sector by extending the benefit of maternity leave to them. This should be extended to workers in other sectors too. The private sector is not yet ready to extend maternity leave benefit properly. So, I would request the Government to make it mandatory for the private sector to provide 26-week maternity leave to its women employees. Thank you very much.

SHRIMATI SUPRIYA SULE (BARAMATI): Mr. Chairman, Sir, thank you very much. I stand on behalf of my party to speak on the Bill. I take this opportunity to congratulate the hon. Minister who, in his entire tenure, during every Session has brought in a Bill for the well-being of people of society who are at the bottom of the pyramid. So, I congratulate him and thank him for all the great interventions that he is doing.

Humbly more, I remember in one of his speeches he had mentioned that he comes from a humble background where his mother was a farm labourer. That is the mother, I think, he has put in front of his eyes while drafting this entire Bill.

There are just a few clarifications that I would ask the hon. Minister to clarify. He has obviously put women as a centre point in this. But the larger picture is rationalising all the things. You have constantly come up with new innovative ideas of improving the Bill and make it stronger in the interest of women.

16.17 hours (Shri Pralhad Joshi *in the Chair*)

But there are several Bills which are overlapping one another. There are several doctors who talked about women's health, women's issues, etc. There are a lot of women who have worked till the last day of having the baby. It is not necessary that all women really need these six months. So, that is the first point that I would like to make. There are a lot of women who rush back to work happily with having enough support system at home. So, it is not that every woman really needs this. So, is there an opportunity that these 26 weeks can be divided at different times? It is because everybody is made differently. So, is there an opportunity to use these six months at different times rather than taking it at one go as her child grows up? Could we do that because that is probably something a woman can use?

Extensively the unorganised sector has been talked about. How are you going to track every pregnant woman in this country and make sure that she gets every benefit? If she works in some backward farm, how are we going to track her pregnancy? Of course, the ASHA does the job and the *anganwadi* worker does the job. But is the basic rest enough for her?

People have talked about malnutrition. I think the only point that we have all missed out in this is anaemia. The woman is never malnourished. The child is malnourished. But the woman is anaemic. That is how she has produced the malnourished child. So, the point that we really need to address is 73 per cent of women in India are anaemic. ...(*Interruptions*)

HON. CHAIRPERSON: No cross talks please.

SHRIMATI SUPRIYA SULE: Anaemic woman gives birth to a malnourished child. So, that is the point I was making.

Do not make this an isolated example of just leave. We need to integrate the Department of Women and Child and Health Department and the Labour Department. If they work together only then this is going to succeed.

Shri Arvind Sawant spoke very pro-women. But there were some other speeches which made us into a weaker sex, which we are not. We are proud to have our children. We are strong enough to have our children. There are times women get back to work immediately. So, this is not a petty leave that we are getting as somebody is doing us a favour and being kind. It should not be used as a deterrent against us that every time she is going to have a child, we have to give her six months salary. So, who is really going to pay this salary, especially in the unorganised sector? Who is going to pay for it? We really need to see that the Government have to play a role if they are genuinely committed to improving the situation. This is not for women who are working in IT companies. If they don't get six months salary, it is double income but it is really for the bottom of the pyramid woman. How are you going to protect and make sure that she gets the rights? That is the larger picture we need to debate. A lot has been said about the paternity leave. We are all agreeable on that.

Lastly, how will you universalise this? My only concern is, how are we going to pay it or implement it? How is it going to be universal fair treatment for all?

About the third child, in India, there are a lot of families where women does not have the third child out of her freewill, that is the point Kumari Sushmita Dev made. My point is different. I am the only child. My mother fortunately never worked. She would not have got the second leave and benefits. But in the case like Kumari Sushmita, who is the first child, what is her fault? That is not the choice she had as a child. I don't know whether her mother had to have the third child. We really need to look at it in a larger way because by the time you have, if you are really looking at biologically, by the time you have your third and fourth child, the women is physically exhausted, and also biologically exhaustive. Is it a fair deal? If it is the family planning issue, we can talk about it. ...(*Interruptions*) I have had children, you haven't, let us not get into argument. This is Parliament. Anyway, men are talking of menopause, about which I have serious objections. Who are you to decide when are we menopause? I have complete objection on all this? ...(*Interruptions*)

HON. CHAIRPERSON: No cross-talking please.

SHRIMATI SUPRIYA SULE: There are a lot of men who are indulging in potshots. We are just dignified by keeping quiet. But I don't think we want our health to be displayed and discussed at that level. It is completely unfair. We are for gender equality. So, I don't think we are complaining. Why men in this House are complaining about and flagging issues which are irrelevant for this? ...(*Interruptions*) A few men are complaining, not all men. Some of us are with us. Thank you.

So, I would like to ask him that let us have clarity. There are millions of artisan women from smaller sections like *adivasis*. They go to work. They are not having the third and fourth child because they have social issues. How are we going to address it? This is a serious Bill. I would request the hon. Minister, while drafting all this, he looks at all social issues, all social angles, all financial angles and rationalize all of them because these need to be consolidated. Individually, your intention is very good. I respect it; I appreciate it; and I thank you from the bottom of my heart as a woman but at the same time, how are we going to implement it to make sure that it is flawless. So, I would appreciate if in your reply you could tell us how can we get it implemented flawlessly, and it reaches the last woman who really deserves this help, who we have centered this Bill against. Thank you.

लिए खड़ा हुआ हूँ।

वास्तव में यह विधेयक संगठित क्षेत्र में काम कर रही महिलाओं के हितों की रक्षा करने की दिशा में एक महत्वपूर्ण कदम है। मैं अपनी बात आरम्भ करने से पहले देश के प्रधानमंत्री आदरणीय श्री नरेन्द्र मोदी जी और लेबर मिनिस्टर आदरणीय बंडारू दत्तात्रेय जी का धन्यवाद करना चाहता हूँ कि उन्होंने काम करने वाली महिलाओं को प्रसूति के दौरान छुट्टी की समस्या को हृदय से समझा और 12 सप्ताह के अवकाश को बढ़ाकर 26 सप्ताह करने का प्रावधान किया है। यह उन महिलाओं को न केवल स्वास्थ्य लाभ प्रदान करने की दिशा में एक कारगर कदम है, बल्कि जो नवजात शिशु हैं, उनके प्रारम्भिक पालन-पोषण करने की दिशा में भी एक महत्वपूर्ण कदम होगा, क्योंकि जब नवजात पैदा होता है तो माता तथा शिशु दोनों को ही ज्यादा देखभाल की जरूरत होती है। जब थोड़े समय की छुट्टी के बाद काम करने वाली महिलाओं को इतने कम समय के अवकाश के बाद काम पर जाना पड़ता है, तो बच्चे और माता, दोनों के स्वास्थ्य को यह प्रभावित करता है। मैं व्यक्तिगत तौर पर कहना चाहता हूँ कि यदि हम उन कर्मचारियों के अलावा, जो कर्मचारी राज्य बीमा अधिनियम 1948 के अंतर्गत आते हैं, कतिपय अवधि के लिए बालक जन्म से पूर्व और पश्चात् कारखानों, खानों, सर्कस, उद्योग, उद्यानों, दुकानों या संस्थापनों में, जिनमें दस से अधिक व्यक्ति काम करते हैं, महिलाओं के नियोजन को विनियमित करता है और प्रसूति प्रसूति और अन्य लाभों के लिए उपबंध करता है।

मैं एक जमीनी सत्वादी की तरफ आपका ध्यान आकर्षित करना चाहता हूँ। हमारे साथी अरविंद सावंत जी ने कहा था कि बहुत-से नियोजित ऐसी महिलाओं को, जिनकी अभी-अभी शादी हुई है या उन्हें लगता है कि जल्दी ही उनकी डिलीवरी हो सकती है, तो वे ऐसी महिलाओं को नौकरी देने में हिचकिचाते हैं, क्योंकि उन्हें लगता है कि अगर हम उन्हें नौकरी देंगे, तो उन्हें वेतन सहित छुट्टी देनी पड़ेगी और इसलिए वे या तो उन्हें आरम्भ से ही छुट्टी देते हैं या फिर उन्हें नौकरी से निकाल देते हैं। ऐसे में ऐसी महिलाओं को नौकरी पर रखने तथा प्रसूति के दौरान छुट्टी देने के लिए बाध्य करेगा और ऐसी महिलाओं को हम रोजगार से वंचित होने से बचा पाएंगे तथा उनको 26 सप्ताह तक स्वास्थ्य लाभ प्राप्त करने का अवसर भी दे पाएंगे। जहाँ तक मैं समझता हूँ कि संगठित क्षेत्र में तकरीबन हर नियोजित, जो 10 या उससे अधिक कर्मचारी रखता है व कर्मचारी राज्य बीमा के अंतर्गत पंजीकृत होता है, वहाँ पर यह सुविधा पहले से उपलब्ध है, परन्तु हमें यह देखना होगा कि बहुत-से नियोजित जान-बूझकर अपने आप को कर्मचारी राज्य बीमा निगम के अंतर्गत पंजीकृत नहीं करवाते हैं। उनको पंजीकृत करवाने के लिए ईएसआईसी पहल करे। जो नियोजित 10 से कम कर्मचारी रखते हैं और वे भी इससे न बच पाएँ। हमारे बहुत-से साथियों ने इस संबंध में बातें कही हैं कि संगठित क्षेत्र में तो यह नियम लागू होगा, परन्तु हमें असंगठित क्षेत्र की महिलाओं के लिए भी कुछ करने की आवश्यकता है, ताकि वे भी प्रसूति के दौरान छुट्टी की पात्र हों।

हम और आप सभी राजनीतिक-सामाजिक हित में काम करने वाले लोग हैं। हमने देखा है कि सड़क के किनारे लोहगढ़िया परिवार की जो महिलाएं होती हैं, उनकी डिलीवरी के तीसरे-चौथे दिन से वे हथौड़ा उठाकर लोहा पीटने का काम करने लगती हैं। ऐसे ही सड़कों के किनारे बहुत-सी बहनों को देखा है, जो डिलीवरी होने के चार-पाँच दिनों के भीतर ही सितबद्ध, खलबद्ध और चक्की बनाने का काम करती हैं। उनको कोई विशेष सुविधा नहीं मिल पाती है। आदरणीय प्रधानमंत्री जी ने जो प्रधानमंत्री सुरक्षा अभियान प्रारम्भ किया है, उसके तहत उनको छः हजार रुपये की राशि तो मिल पाती है, लेकिन ऐसी महिलाएं, जो घरेलू कामकाज करती हैं, उनको भी छुट्टी का लाभ मिल सके। इसके लिए उनकी सोशल सिक्योरिटी निर्धारित करने की आवश्यकता है और छः महीने तक एक निश्चित राशि प्रदान करने की आवश्यकता है, ताकि जल्दा और बच्चा दोनों स्वस्थ रह सकें और उनका तालन-पालन ठीक ढंग से हो सके।

भवन निर्माण में और बीड़ी निर्माण में जो महिलाएं लगी रहती हैं, उनके सुरक्षित मातृत्व के लिए, उनको सैविक छुट्टी नहीं मिल पाती है, लेकिन उनको सोशल सिक्योरिटी प्रदान करने की दिशा में, मैं माननीय मंत्री जी से अनुरोध करना चाहता हूँ कि एक सकारात्मक कदम उठाया जाना चाहिए।

दत्तक माता और अधिकृत माता के संबंध में जो बात आ रही है कि वे बालक को हस्तगत करने की तारीख से 12 सप्ताह की प्रसूति सुविधा की हकदार होंगी। इसमें मैं व्यक्तिगत रूप से कहना है कि एक बायोमेट्रिकल माँ को अपने शिशु और माँ के बीच में एक भावनात्मक रिश्ता बनाना पड़ता है, इसके लिए यह आवश्यक है। एक प्राकृतिक नियम है कि जब एक दत्तक माता को अपने शिशु और अपने बीच तालमेल स्थापित करना होता है, उसके लिए उनको ज्यादा समय की आवश्यकता होती है, क्योंकि जिस माँ का बच्चा होता है, वह माँ के पास लेटा होता है, माँ उठकर भी जाती है, तो एक महीने के बाद बच्चा टकटकी भरी नज़रों से माँ को देखने लगता है कि माँ उठकर जा रही है। इसलिए दत्तक माता को भावनात्मक रूप से संबंध स्थापित करने के लिए ज्यादा समय की आवश्यकता होती है। इसलिए मैं समझता हूँ कि इसमें दत्तक माता को भी 12 सप्ताह से ज्यादा की छुट्टी का प्रावधान होना चाहिए, ताकि जिस बच्चे को उसने गोद लिया है, उसका तालन-पालन ठीक ढंग से कर सके। इस संबंध में गंभीरता से विचार किया जाना चाहिए।

एक संशोधन और है, यह यह है कि ऐसे संस्थानों में जो माताएं काम करती हैं, उनको घर से काम करने की सुविधा हो और उसे सुगम बनाया जा सके। यह एक बहुत ही अच्छा और महत्वपूर्ण उपबंध है। इससे नियोजित का काम भी हो पाएगा और साथ ही ऐसी महिलाओं को भी सुविधा मिल सकेगी कि वे घर से अपना काम पूरा करके नियोजित को दे सकेंगी। यह एक स्वागतयोग्य कदम है। मैं इसका समर्थन करता हूँ।

एक अगला संशोधन है कि 50 से अधिक कर्मचारी रखने वाले संस्थानों के ऊपर बाध्यता हो कि वे केंद्र की स्थापना करें। इसमें यह बात कही गयी है कि ऐसी महिलाओं के बच्चों को केंद्र में जाने की अनुमति होगी। इस संबंध में, मैं कहना चाहता हूँ कि इसे चार के आंकड़े में बांधकर नहीं रखना चाहिए, क्योंकि बच्चे की कड़ आवश्यकताएं होती हैं, बच्चा पेशाब करता है, पौटी करता है, रोता है, उसे मिल्क फीडिंग भी करानी पड़ती है, उसके कपड़े भी बदलने पड़ते हैं। केंद्र में जाने के लिए चार बार की संख्या का उपबंध किया गया है, उसके बारे में और विचार किया जाना चाहिए। बच्चे की आवश्यकता के अनुसार माँ को बच्चे के पास जाकर उसे सुविधा प्रदान करने की व्यवस्था होनी चाहिए।

अगले संशोधन के बारे में, मैं कहना चाहता हूँ कि प्रत्येक स्थापन में महिलाओं की जब नियुक्ति होती है, तो उसी समय अधिनियम के अधीन उपलब्ध प्रसूति सुविधाओं के बारे में लिखित या इलेक्ट्रॉनिक रूप से सूचना दे देनी चाहिए। यदि महिला को सूचना देने के साथ ही उसके हस्ताक्षर करा लिए जाएं तो महिलाओं को यह जानकारी होगी कि उनके कौन-कौन से अधिकार हैं। जब उनको उन कानूनों की जानकारी होगी तो वे उनका उपयोग कर सकेंगीं।

अंत में, इस बिल के संबंध में, मैं कहना चाहता हूँ कि जो कामकाजी महिलाएं हैं, उनको बच्चों को घर पर छोड़कर आना पड़ता है। जब उनको ऑफिस में जाकर काम करना पड़ता है, तो उनको व्यक्तिगत रूप से कठिनाइयों का सामना करना पड़ता है। वे वहाँ पर बच्चों को समय देती हैं, तो उनको तरह-तरह की बातें भी सुननी पड़ती हैं। उसके अभाव में, जब वे बच्चे को घर पर छोड़ आती हैं, तो बच्चे को समय पर माँ का दूध न मिल पाने के कारण लगभग 13 प्रतिशत बच्चों की मृत्यु हो जाती है। शिशु संबंधी संक्रमण के कारण 34 लाख बच्चे मौत की तरफ बढ़ जाते हैं। डायरिया के 39 लाख मामलों में यह देखा गया है कि यदि बच्चों को समय पर माँ का दूध मिलता रहे, तो डायरिया को रोका जा सकता है। माताएँ एक साल से अधिक समय तक शिशु के पास रहकर उसे ब्रेस्ट फीडिंग कराती हैं। स्तन कैंसर के 20 हजार मामलों को इसके द्वारा रोका जा सकता है।

आदरणीय प्रधान मंत्री जी और श्रम मंत्री जी के साथ ही पूरी सरकार का स्वप्न और उद्देश्य सबका साथ - सबका विकास है। इसे हासिल करने की दिशा में यह विधेयक एक बहुत ही अच्छा कदम होगा। मैं इसका समर्थन करता हूँ। आपने मुझे बोलने का अवसर दिया, इसके लिए मैं आपका धन्यवाद करता हूँ।

DR. KAKOLI GHOSH DASTIDAR (BARASAT): Hon. Chairperson, I am thankful to you for giving me this opportunity to speak on this very important Amendment Bill

I stand here to participate on behalf of All India Trinamool Congress party; and I would like congratulate hon. Labour Minister for having given such a wonderful thought for ladies. कल ही हमने अंतर्राष्ट्रीय महिला दिवस मनाया है। आज हम यहाँ महिलाओं के लिए चर्चा कर रहे हैं। कहते हैं कि 'देर आए, दुरुस्त आए'।

Fifty-five years after, the law, we are bringing the Amendment. But after all, we are bringing the Amendment, that is one thing to rejoice. I congratulate you, Mr. Minister; and we support this.

But as I would slowly elaborate, I completely support Supriya Sule-ji when she said that we need other Ministries onboard. I am happy that our hon. Minister for Women and Child Welfare is sitting here. I would suggest that we should have a joint Supervisory body along with the Ministry

of Labour, the Ministry of Women and Child Development, and the Ministry of Health because this subject entails all of them. This is not something only to be dealt with by the Ministry of Labour.

Child birth is such a beautiful experience, and all of us as women have gone through this experience. We do not agree with the gentlemen sitting there, who have been saying that child birth is different and difficult. 'Women are genetically compromised, that is also what an hon. Member said. He said that women giving birth at 16 years should be looked into. Women are not supposed to give birth at 16 years; it is not legal.

So, at the moment, whatever amendments have been brought, are definitely much improved ones. Twenty-six weeks leave is good enough because the World Health Organization gives us a suggestion for 24 weeks of breastfeeding, which enhances the resistance of the child towards respiratory tract diseases and diarrhoeal tract diseases, and brings down the mortality thereof.

But there are certain additions which I would like to point out here. In front of us, we have the example of the second-time elected Government of West Bengal led by the Chief Minister, Kumari Mamata Banerjee. In West Bengal, she started the Maternal and Child Hubs. As many of the hon. speakers were talking about women working in the remote areas and unorganized sector, let me say about these Maternal and Child Hubs that have been brought up in West Bengal. From the last trimester of pregnancy, women are being brought and kept there and being given nutritious diets; and specialized doctors are looking after them so that the reports/stories that we used to hear in the past that 'while reaching a hospital a woman has given birth on the road or died on the road' do not happen anymore.

Now, we have the improved statistics as far as the infant mortality and maternal mortality are concerned in our State, and so also in the country. We are doing well. But we should do much better if we want to go and touch the 'Millennium Development Goal 5', which we have not, as a country, yet touched. So, we should also give our thought to this.

Sir, Supriya Sule-ji was just asking -- how do we point out as to which of the women need care? See, if we can universalize institutional delivery, then only, we can get to know which are the women, who need more care. It is because, we cannot have same sort of leave benefits for all women. Certain women suffer from medical diseases like hypertension, pre-eclampsia and toxemia. Some women might have diabetes or cancer or APLA syndrome. Some women might have polycystic ovaries or other diseases like systemic lupus erythematosus. In these cases, the mother needs much more care; and 26 weeks period is not enough.

That is why I said that the Health Ministry should also be taken on board. I am privileged that our hon. Minister is here. I would like to appeal – he is here and I am in the Standing Committee – today, we have many more girls coming into our services. There are girls who are patrolling our border areas with our neighbouring countries. We have women who are working in BSF, SSB, ITBP, CISF, CRPF and in defence forces. They should be given a little more benefit because their lives are more active than a normal woman who is at home. They should not be sent to the remote areas immediately after the child's birth so that they can, time and again, for the first two years of the child's life, come home frequently. If they are posted in border and remote areas, it is difficult for them to do so. This also should be included.

We must universalise antenatal care. I would like to draw the attention of the hon. Minister through you that we see in the Lok Sabha Television that the scroll is going down that tetanus toxoid must be given and antenatal check up must be done. It is written in English and Hindi. Now, tell me as to how many women in the village areas watch the Lok Sabha TV to see what the scroll is going down. Instead of putting the scroll in the TV, there should be big billboards or flags put up in the Block Development Office, in the rural hospitals, in the subsidiary hospital or in the market places in the regional languages and in the vernacular. Then only the women going to the market can read what is written there and why tetanus toxoid shots are required to prevent tetanus or about the antenatal checkups or the folic acid and iron tablets that are required. So, these should also be included and monitored so that the women, who are in the villages or in the rural areas, know exactly what to do.

In spite of this being a very nice amendment Bill, I would like to demand and draw the attention of the hon. Minister that universal health for all BPL family women should be brought under the purview of this Bill. The unorganised and organised sector women should also be brought under the purview of this Bill. Even domestic helps, agricultural workers, site workers, mine workers and the farm hands should be included because it is a pain of all ladies throughout their pregnancy and this should be taken care of.

I would like to draw your attention to one important thing. Since I am a team member of the Indian Pioneer Infertility Research, I know that the science is advancing in leaps and bounds. It is one thing of a great pleasure that you have put in the issue of commissioning mothers here. But they would require a little more benefit than what you have mentioned for them.

I would also like to draw your attention to the fact that these days girls are studying more and getting married at a later age and when they try for pregnancy then most of the time they are unable to conceive because of their age. They have to take help of a donor after consultation and informed consent. There are girls who are doing social work by donating their eggs. They should also be given some kind of benefit.

The surrogate mother should be given some kind of benefit when it is not done commercially but it is done only through goodwill because she is the one who is holding the baby for so many months. I have delivered babies where the mother of the patient has delivered and the sister-in-law of the patient has delivered, so we must also take them into cognizance when we are making this Bill.

As in Bengal, I would also reiterate, we want Paternity Leave for the men folk because having a child is a joint effort, a joint venture of the mother and the father.

The hon. Supreme Court has also given all rights to single mother. So, single mother should also be included for their benefit and mentioned specially. Thank you.

डॉ. संजय जायसवाल (पश्चिम चम्पारण) : सभापति महोदय, आपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। यह जो प्रसूति प्रसूतिशा संशोधन विधेयक, 2016 है, यह एक बहुत ही महत्वपूर्ण बिल है और मैं इस पर कुछ बोलने से पहले सबसे पहले माननीय मंत्री, श्री बंडारू दत्तात्रेय और माननीय प्रधान मंत्री जी को बहुत-बहुत बधाई देना चाहूँगा।

एक साल के भीतर ही यह चौथा मेजर लेबर रिफॉर्म है और यह इंडीकेट करता है कि सरकार कितना इस बात को चाहती है कि इस तरह के रिफॉर्म आएँ और देश तरक्की करे। अभी मेरे एक मित्र कह रहे थे कि हम लोग केवल अमीरों के बिल पास करते हैं। मैं समझता हूँ कि प्रधान मंत्री उज्वला योजना से लेकर किसानों की सुविधाओं और गरीबों के लिए जितना कुछ इस सरकार ने किया है, इतिहास में उतना ज्यादा आज तक किसी सरकार ने नहीं किया है। इसके अलावा हमारा जो 'बेटी बचाओ, बेटी पढ़ाओ' आंदोलन है, यह इसका एक प्रमुख हिस्सा है। इस बिल से जो महिलाएँ इन्डिविजुअल वर्कर्स हैं, उन्हें एक बहुत बड़ी शक्ति मिलेगी। मैं खुद ऐसे दर्जनों एम्प्लॉयर्स जानता हूँ, क्योंकि मैं खुद मैडिकल कालेज में रहा हूँ, जहाँ लड़कियों और महिलाओं को केवल एक प्रेग्नेन्सी के लिए अपना कैरियर छोड़ना पड़ता है। जब वे एक बार डिस्माइड कर लेती हैं कि बच्चे पालने हैं तो उन्हें कैरियर कंटीन्यू करना बहुत डिफिकल्ट लगता है और ऐसी बहुत सी महिलाएँ होती हैं, जिन्हें अपने कैरियर तक को तिलांजलि देनी पड़ती है। यह बिल लाकर सरकार ने उन महिलाओं के प्रति एक बहुत बड़ा न्याय किया है। इसके लिए मैं माननीय मंत्री जी और माननीय प्रधान मंत्री जी को बहुत-बहुत बधाई देना चाहूँगा।

महोदय, इस बिल का सबसे महत्वपूर्ण आस्पैक्ट यह है कि पूरी दुनिया में जब मैटर्निटी बेंनीफिट्स के लिए मीटिंग हुई तो आई.एल.ओ. (ILO) और डब्ल्यू.एच.ओ. (WHO) ने जो भी रिक्मेंडेशंस किये, उनसे अच्छी रिक्मेंडेशंस पूरी दुनिया में केवल तीन कंट्रीज ने की हैं। इनमें कनाडा, नार्वे और तीसरा देश हिंदुस्तान है, जो महिलाओं के अधिकारों के प्रति इतना सशक्त है। इसके लिए भी मैं माननीय मंत्री जी को बधाई दूँगा कि जो आई.एल.ओ. के रिक्मेंडेशंस थे, उन्होंने उनसे कहीं आगे बढ़कर रिक्मेंडेशंस दी हैं। उनका 24 वीवस का रिक्मेंडेशन था, हमने उससे ज्यादा रिक्मेंड किया। इसके लिए मैं मंत्री जी को बहुत-बहुत बधाई देना चाहूँगा।

इसके अलावा एक इश्यू मैटर्निटी का आ रहा है। मैं समझता हूँ कि उसके लिए भी माननीय मंत्री जी को जरूर सोचना चाहिए। अगर आपने 26 वीवस का अवकाश देना है तो उसमें अगर पति भी अवकाश चाहता है तो उसे भी दो हफ्ते का अवकाश देना चाहिए, भले ही वह अवकाश 26 वीवस में इनक्लूड हो। लेकिन बच्चे की जितनी रिस्पॉन्सिबिलिटी माता की है, उतनी ही रिस्पॉन्सिबिलिटी पिता की भी है। इसे बांटा नहीं जा सकता है कि माँ केवल बच्चे को देखेगी और पिता काम करेगा। आज के जमाने में महिलाएँ पुरुषों से ज्यादा काम करती हैं। हम लोग ऑफिस वगैरह जरूर जाते हैं, लेकिन कोई भी पुरुष ऑफिस से आकर घर में बैठ जाता है। हिंदुस्तान का यह थोड़ा कल्चरली डिफैक्टिव सिस्टम है। जबकि महिलाएँ ऑफिस से काम करके आती हैं और उसके बाद किचन संभालना भी उन्हीं की जिम्मेदारी होती है, घर के हाउसहोल्ड वर्क की जिम्मेदारी भी उन्हीं की होती है। इसलिए अगर मैटर्निटी बेंनीफिट्स मिलें, अगर पुरुष भी बच्चों को संभालें तो उससे महिलाओं के लिए बाकी चीजों की भी सुविधा होगी, इसलिए मैं मंत्री जी से अनुरोध करूँगा कि इस बारे में वह जरूर सोचें।

दूसरी चीज अनऑर्गेनाइज्ड सेक्टर में वूमैन के बारे में भी हमें सोचना पड़ेगा। मैं प्रधान मंत्री जी को बधाई दूँगा कि उन्होंने दिसम्बर के अंत में जो घोषणा की कि प्रसूता महिलाओं को छः हजार रुपये सरकार की तरफ से मिलेंगे, मैडम मेनका गांधी भी यहाँ मौजूद हैं। मैं समझता हूँ कि अनऑर्गेनाइज्ड सेक्टर की महिलाओं के लिए यह एक अच्छा स्टेप है, लेकिन मुझे लगता है कि यह सफिशिएंट नहीं है। इसे हमें एम.एन.आर.जी.ए. से लिंक करके या कुछ अलग से करके उनके बारे में सोचना पड़ेगा। मैंने देखा है कि जिस वूमैन के डिलीवरी होती है, वह एक दिन पहले या उस दिन भी खेतों में काम करती है और यहाँ से सीधे हॉस्पिटल आती है। मुझे लगता है कि उस तरह की महिलाओं के प्रति क्या होना चाहिए, यह मैं बहुत गारंटी से नहीं कह सकता, लेकिन यह एक बहुत बड़ा इश्यू है, यह तुरंत डिस्जिन लेने का इश्यू नहीं है। जैसा अभी डा. काकोली ने कहा कि इस पर वाइल्ड एंड वूमैन वैलफेयर डिपार्टमेंट, हेल्थ डिपार्टमेंट तथा लेबर डिपार्टमेंट को मिलकर एक सोल्यूशन हिंदुस्तान की सभी महिलाओं के लिए निकालना चाहिए और खास तौर पर अनऑर्गेनाइज्ड सेक्टर की महिलाओं के लिए जरूर कोई हल निकालना चाहिए। अनऑर्गेनाइज्ड सेक्टर की महिलाएँ ज्यादातर लेबर फोर्स के रूप में काम करती हैं और उन्हें इन चीजों की बहुत ज्यादा जरूरत है। इसके बारे में मैं मंत्री जी से जरूर अनुरोध करूँगा कि वह इस बारे में जरूर सोचें।

इसके साथ ही मैं एक बात और कहना चाहता हूँ। हेल्थ मिनिस्टर साहब यहाँ मौजूद नहीं हैं, लेकिन आज बहुत सारे सांसदों ने सिंगल पेंसेंट की बात उठाई है। जब वे सैरोनेसी का बिल लाएंगे, तब इस बारे में सीरियस थॉट देने की जरूरत है, क्योंकि सिंगल पेंसेंट होना कोई अपराध नहीं है। सिंगल मदर्स तो बहुत होती हैं, लेकिन सिंगल फादर भी अगर अपने बच्चे को रखना चाहे तो उसके लिए इस बात को सैरोनेसी बिल में भी सोचना चाहिए और लेबर लॉ में भी सोचना चाहिए कि आज सिंगल पेंसेंट हो रही हैं तो फिर सिंगल पेंसेंट, अगर वह मेल है तो उसको क्यों नहीं बेंनीफिट मिलना चाहिए। मैं किसी का नाम नहीं लेना चाहूँगा, परंतु मुंबई फिल्म इंडस्ट्री में अभी दो मेजर केसेज़ हुए हैं कि सिंगल पेंसेंट जो कि मेल हैं, उनको ट्रिंक्स हुए हैं। वैसे ही जो कोई इंडिविजुअल वर्कर है, वह भी ऐसा कर सकता है, इसलिए इसमें एक सोच की जरूरत है कि इस ऑस्पेक्ट को हम लोग क्या करेंगे। इसमें आइवीएफ के जो भी इश्यूज हैं, उनके बारे में भी देखने की जरूरत है कि किसी को अगर ज्यादा समय की जरूरत है तो एक मार्जिन उसके पास होना चाहिए, भले ही वह अनपेक्षित मार्जिन हो, लेकिन अगर कोई महिला उससे ज्यादा लेना चाहे तो भी एक लिब्रल पॉलिसीबिलिटी मिलनी चाहिए, जिससे वह अपनी जॉब कंटीन्यू कर सके, क्योंकि किसी भी महिला का बच्चा बीमार रहेगा तो केवल वही देखे, यह हमेशा 100% गलत है, मगर फिर भी यह समाज पुरुषों का प्रधान है। कोई मेल अपनी नौकरी नहीं छोड़ता है, हमेशा यह उम्मीद की जाती है कि महिलाएँ ही अपनी नौकरी छोड़ें। इसीलिए उनको यह पॉलिसीबिलिटी मिलनी चाहिए, अगर बच्चे को कोई सीरियस इलनेस है या कुछ और परेशानी है तो उनको और पॉलिसीबिलिटी इस बात के लिए मिलनी चाहिए। यह बहुत ही अच्छा बिल है, लेकिन इसकी यही एक कमी दिखी कि यह बिल्कुल वन साइडिड सोल्यूशन है। जो अभी थर्ड और फोर्थ बेंनीफिट की बात हो रही थी तो मैं एग्जीक्यूटिव हूँ कि we should not give 3rd or 4th benefit. कम्प्लिशन इस बात का होना चाहिए कि कैसे समाज में दो बच्चे पैदा हों। यह नहीं है कि वे छह कर रहे हैं तो तुम आठ करो। इससे बड़ी बेवकूफी दुनिया में कोई नहीं हो सकती है। हमारे यहाँ तो 24 राज्य 2.1 अतीव कर चुके हैं। सारी परेशानी बिहार और उत्तर प्रदेश में है। बिहार में जहाँ 1120 लोग प्रति स्क्वेयर किलोमीटर में रहते हैं और यह हिंदुस्तान से तीन गुना है। अगर हम लोग इन सब मुद्दों पर सीरियसली नहीं सोचेंगे तो कुछ नहीं होगा। इस पर ध्यान रखने की जरूरत है। मैं एग्जीक्यूटिव हूँ कि थर्ड बर्थ पर इन्होंने 12 वीवस दिए हैं, बहुत अच्छी बात है। नॉर्मली कामकाजी महिलाएँ तो दूसरा बच्चा भी पैदा नहीं करती हैं। एक ही बच्चे को पैदा कर के उनको रह जाना पड़ता है।

मैं कहूँगा कि यह अच्छा बिल है कि 12 वीवस से ज्यादा मार्जिन नहीं दिया गया है। हमारे वीजेडी के सांसद बहुत दुखी थी। उनका दुख लाजिमी है, क्योंकि उनको अभी-अभी थोड़ी सी चोट भाजपा से लगी है, इसीलिए अचानक उनका दुख प्रकट हो रहा था। लेकिन हम लोगों ने जो काम गरीबों, किसानों, मजदूरों के लिए किया है, वह ऐतिहासिक है। हिंदुस्तान के इतिहास में, 70 वर्षों में आज तक किसी ने भी गरीबों और मजदूरों के लिए इतना काम नहीं किया है, जितना माननीय नरेंद्र मोदी जी के नेतृत्व में हुआ है।

आपने मुझे बोलने का मौका दिया, उसके लिए आपका धन्यवाद।

SHRI E.T. MOHAMMAD BASHEER (PONNANI): Thank you Sir for giving me this opportunity.

Sir, as far as this piece of legislation is concerned, nobody will have a dispute about the intentions of this legislation. The intention of this legislation is good. The Bill will attain the following goals, that is, more than double the maternity leave. Similarly, the provision for crèche facilities in industrial establishment with 50 or more employees, enabling the employer to permit a woman to work from her own home as per mutual agreement, these are all good things. There is a special note. This is strictly in accordance with the WHO guidelines, ILO and Law Commission's recommendations and other social organization were also demanding for this thing.

Sir, there is an issue related to this. Hon. Minister and everybody is knowing that as far as labour sector is concerned, there are hundreds of legislations but when we are making an amendment on a small level, that would not serve the real purpose. We must have a comprehensive reforms of these labour laws. That is a must.

Sir, in this sector, I would like to say, that is, here there are many legislations. What is happening? Employers of this country find out the loopholes in order to bypass the legislation. That is the ground reality in this.

Sir, in this, what I am saying is that we have to give due consideration to the recommendations of the Law Commission. The Law Commission says that about 90 per cent of the working women are in the unorganised sector, and not covered by the 1961 Act in 2014-15. In 2015, the Law Commission of India recommended that the provision of the 1961 Act should cover all the women, including women working in the unorganised

sector. My friends were saying about that. That is the most important thing in this Bill.

We all know that if we are not addressing the women in the unorganised sector or if we are not bringing them also within the purview of this Act, the very purpose of this Act will be forfeited. We all know that low wages and low earning are there in that sector. Similarly, women constitute the majority part of it. Similarly, economic activities which engage child labour are also involved in this. Migrant labour is also involved in this. Similarly, ESI payment is also involved. Now-a-days, what is happening is that everywhere the employers are trying to bypass this legislation. When they sub-let or when they give sub-contract, they can easily bypass all these kinds of things.

Now-a-days, we all know that direct recruitment is declining. It is all done by the contract labourers. So, what I am saying is that we have to be very serious about the labour working in the unorganised sector. Similarly, we all know that in the unorganised sector, self-employment is also there. We are giving some financial support for the women to get some kind of earning through some kind of work. But that also is not covered under this. Similarly, health hazard is another issue. My friends were saying about that. Health hazard in private sector is becoming an alarming problem in our country. Contract labour includes construction workers. They are very much there in that field. Similarly, casual labourers, labour employed in small sector industries, handloom, power loom workers, beedi and cigar workers, employees under the Shops and Commercial Establishment Act, sweepers and scavengers, workers in tanneries, tribal labour and other unprotected labour—these are the sectors where these kinds of workers are working.

Their social security initiative there is also not effected because they are exploited like anything. The employers do not give them any service condition or equal wage. We are all talking about equality and equality before law. There is a provision for equal wage for equal work. I myself had been a Trade Union worker since the last 20-25 years. I know what is happening; and what is the real grievance in this. We are all saying that there should be equal wage for equal work. The employers are searching for women employees because they know that they will have to pay only law range of wages. So, that kind of exploitation is taking place. Coming to equal opportunities, we are all saying about gender equality. We were saying about the workers' participation and all kinds of things. Gender disparity is very much still there.

HON. CHAIRPERSON: Please conclude.

SHRI E.T. MOHAMMAD BASHEER : I am going to conclude, Sir.

What I am suggesting in brief is that unorganized sector is the most crucial sector in this. Until and unless we address their issue, I am telling you that the very purpose of this legislation will not be served.

Anyhow, I once again congratulate the Minister for at least taking this initiative and for this small piece of legislation. Thank you.

SHRIMATI BIJOYA CHAKRAVARTY (GUWAHATI): Sir, I congratulate the hon. Minister for bringing this Bill on the eve of Women's Day. It is really a great day. The very word 'woman' is the finest word. It is coined by somebody. I do not know who coined it but woman, mother, *maa* is the greatest name because woman is the embodiment of sympathy, compassion, love, responsibility and everything. But I feel that there should be not one day. Maneka Gandhi Ji is also present here. So, I think there should not be only one day for women but all the 365 days should be earmarked for women. But everyday we pray women. Is it not? When all the Hindus go to the मंदिर या जो भी छो। वे गाते हैं- भगवान दुर्गा हैं।

'या देवी सर्वभूतेषु, शक्ति रूपेण संस्थिता

नमस्तस्यै-नमस्तस्यै, नमस्तस्यै नमो नमः।

सर्व मंगल मांगल्ये, शिवे सर्वार्थ साधिके।

शरण्ये त्र्यम्बके गौरी, नाशयणी नमोऽस्तुते॥'

हम लोग हजार बार भगवान से प्रार्थना करते हैं।

But when it comes to give it to women, we become very *kanjus* (miser). We do not like to give anything to her and we feel that it is the man's world.

Anyway, women constitute about 48 per cent of the total population and, close to half of it, are eligible to become mother. There is a statistics, which I want to say is not at all pleasing, but according to it, almost half of the women aged 20 to 24 are married by the age of 18 years as minors. One in every five women aged 20 to 24 has her first baby before she was 18 years of age. One in every eight women has three children. As a result, both maternal and neo-natal within 28 days of birth mortality rate is higher among such women compared to older women. A few of our hon. Members have referred to these things but unless we take care of the health of women, we cannot do anything.

This is a very good Bill, which has enhanced the maternity facilities for women as mothers. But, if we do not spread awareness and education among women, we cannot achieve good results. So, this is one of the major problems which we are facing today. Then, we have gender discrimination prevalent in our country, which is also not a good indicator of girls and women health.

Of course, it is not nice to say it here, even though I would like to assert that there are certain villages in some States where mortality of the girl child is so high that there are no girls at all. I can provide the name of those villages to the hon. Minister privately as I do not like to mention them here. But these things are still happening in the 21st Century. There is no denying the fact that there is a steep decline in the maternal death but even if you see the percentage, it is still 15 per cent, which is quite high.

There are a few riverine areas in my constituency, Guwahati, where most of the so-called Bangladeshis reside. You will be surprised to know that in

those areas a woman has to give birth to a child every year or every one and a half year till she cannot bear a child. I do not say that it is politically designed but it is a fact. The mortality rate in those areas is very high because the emaciated mothers have to give birth to children. What is the reason for that? I cannot say anything against man? But at least some awareness should be spread in those areas.

A lot of views have already been expressed by other hon. Members in terms of maternity facilities to women working in unorganised sectors. I would like to say that there are certain works where the women give birth to their child in a tent. The women who work in fields, who work at road construction sites or who work on railway lines give birth to their child in tents where healthcare facilities are very far away. They cannot have access to these healthcare facilities. So, we have to take into consideration these things also.

I want to mention here about the coffee plantation which is an organised sector. This sector is run by private owners or contractors. The Coffee Board cannot control each and everything. These contractors hire labourers only for eight to ten months after which they expel them because if a labourer completes 11 months at a farm, the contractors or the owners have to provide him certain facilities like insurance, health, education, etc. These things happen in organised sectors also. So, unless we take care of these activities, we would not be able to provide maternity benefits to working women.

Giving maternity facilities to working women is no doubt a great thing.

17.00 hours

Sir, we must see and keep a check on one thing that each and every year, a girl or a lady should not give birth unless she is ready for it. This is a major point. One can see an emaciated mother in a poor area, a poverty stricken area giving birth to a child. And subsequently, both of them, the mother and the newborn child, die. So, I feel, and I would request the hon. Minister also, that there should be proper awareness campaigns and proper training everywhere. They should go there and see how they are behaving.

I congratulate the Government of India and Shri Narendra Modiji because healthcare facility has been given a lot of scope and lot of opportunities. I think, increase in Government's spending on health to three per cent of GDP is a great thing and it will help in enhancing the healthcare facilities in the country and also for the women and mothers in the country.

Thank you very much.

श्री कौशलेन्द्र कुमार (नालंदा) : आपने मुझे प्रसूति प्रसुविधा (संशोधन) विधेयक-2016 पर बोलने का मौका दिया। बहुत-बहुत धन्यवाद।

सरकार प्रसूति प्रसुविधा अधिनियम-1961 में बदलाव करने जा रही है। प्रमुख बदलाव मातृत्व अवकाश को 12 सप्ताह से बढ़ाकर 26 सप्ताह करने का प्रावधान होने जा रहा है। दूसरा अधिकृत माता और दत्तक माता की परिभाषा के संबंध में उठ रहे विवादों को भी सही परिभाषित कर बालक के हस्तगत करने की तारीख से बारह सप्ताह की प्रसूति प्रसुविधा का हकदार बनाने का कार्य किया जा रहा है, यह स्वागत योग्य कदम है।

मैं अपनी पार्टी जद(यू) की तरफ से इस विधेयक का समर्थन करता हूँ। मेरा मानना है कि आप घर से कार्य करने में सुविधा और पता से अधिक कर्मचारी होने पर शिशु कक्षा की स्थापना सरकारी ऑफिसों में तो सम्भव कर सकते हैं, परंतु प्राइवेट सेक्टर में यह सुचारू रूप से लागू हो यह प्रतीत नहीं होता है। अतः इस विषय पर विचार करने की आवश्यकता है। इस कानून के कारण विवाहित महिलाओं को प्राइवेट सेक्टर में काम कम मिल रहे हैं, इसकी भी आशंका है। इस पर भी विचार करने की आवश्यकता है।

आज हर जगह पर प्राइवेट ठेकेदारी पर कर्मचारियों को रखा जा रहा है, तो क्या प्राइवेट कान्ट्रैक्टर उक्त महिला कर्मचारियों को यह सभी सुविधा प्रदान करेगी, ऐसा नहीं लगता है। उक्त महिला कर्मचारी अपने अधिकार से वंचित न रह जाये, इस पर भी माननीय मंत्री जी को ध्यान देने की जरूरत है।

उपाध्यक्ष महोदय, आज काफी अधिक संख्या में महिलायें असंगठित क्षेत्र और कृषि क्षेत्र में काम कर रही हैं, खास कर दिहाड़ी मजदूर, उन्हें भी इसका लाभ मिले। इसके लिए नियोजक कभी भी तैयार नहीं होगा। अतः सरकार उक्त क्षेत्रों में कार्यरत महिलाओं को सरकारी मदद देने का भी प्रावधान करना चाहिए। मैं मानता हूँ कि देश में कुछ कार्यरत महिलाओं की संख्या का आधे से अधिक असंगठित क्षेत्र, छोटे घरेलू उद्योग, विमनी भद्र, रियल एस्टेट, कृषि क्षेत्र, सड़क निर्माण आदि अन्य क्षेत्रों में कार्य कर अपने परिवार का भरण-पोषण कर रही हैं। सरकार को उन्हें भी लाभ का पूरा फायदा देना चाहिए। इसका भी रास्ता निकालना चाहिए।

अब पूछन उठता है कि कामकाजी महिलाओं में वे भी महिलाएं हैं, जो बड़ी संख्या में स्वरोजगार करती हैं। जैसे-सब्जी बेचती हैं, कई तरह के छोटे-छोटे खुदरा सामान रेल पट्टी के किनारे बेचती हैं, मछली

बेचती हैं, मेहंदी लगाती हैं, चूड़ी बेचती हैं, इस तरह के काम करने वालों के लिए भी सरकार को व्यवस्था करनी चाहिए। मैं समझता हूँ कि यह बिल जो लाया गया है, इस बिल से एक नई रेशमी निकली है। मैं सरकार को धन्यवाद देता हूँ कि इस बिल में खासकर जो प्राइवेट सेक्टर व असंगठित सेक्टर में काम करने वाली महिलाएं हैं, उनका विशेष रूप से ध्यान रखने की जरूरत है। बहुत-बहुत धन्यवाद।

श्रीमती संतोष अहलावात (झुंझुन) : महोदय, मैं आपका आभार व्यक्त करना चाहती हूँ कि आपने मैटर्निटी बनेफिट (अमेंडमेंट) बिल, 2016 पर मुझे बोलने का मौका दिया। मैं धन्यवाद करना

चाहती हूँ, माननीय प्रधानमंत्री जी का और श्रम मंत्री जी का, जिन्होंने यह बिल लाकर यत्नार्थक पूर्यत वाली बात को सही मायने में क्रियान्वित करने का काम किया है। भारत की आधी आबादी, महिलाओं के लिए मैटर्निटी बिल में जो अमेंडमेंट किए हैं, वे काबिले तारीफ हैं।

"अबला जीवन हाथ तुम्हारी यही कहानी, आँवत में है दूध और आंखों में पानी" इस मिथक को तोड़कर आज की नारी ने घर की देहरी, शहर और देश की सीमाओं को लांघकर हर चुनौती को स्वीकार कर स्वयं के लिए एक नई कविता का सृजन किया है -

धीर है गंभीर है, शक्ति का तू पुंज है।
सृष्टि की तू रचियता, प्रेम की तू खान है।
नारी तू महान है, नारी तू महान है।
माता है, बहन है, जीवन की तू संगनी है।
मित है, तू गीत है, कविता है, तू छंद है।
नारी तू मिठास है, नारी तू सुगंध है।

महोदय, आज के दिन यह वातावरण सर्वत्र दिखाई दे रहा है। आज की नारी ने हर एक क्षेत्र में अपनी विशिष्ट उपस्थिति दर्ज कराई है। घर की देहरी पार कर वह विभिन्न क्षेत्रों में काम करने में लगी है। वृद्धे-चौके के दायरे से बाहर निकलकर उसने अपनी घरेलू छवि को स्वयं तोड़ा है।

महोदय, नारी घर परिवार के साथ अन्य क्षेत्रों में भी अनेक दायित्वों का निर्वहन करती है, परन्तु संतानोत्पत्ति का उसका जिम्मा जितना महत्वपूर्ण है, उससे भी अधिक संतान के तालन-पालन का, स्तनपान का, लाड़-दुतार का, सुरक्षा देने जैसा अधिक महत्वपूर्ण जिम्मा भी उसे निभाना पड़ता है। इस कारण अनेक महिलाएं शादी के बाद अपनी नौकरी छोड़ देती हैं, ताकि बच्चे पैदा कर उनका पालन-पोषण कर सकें। कामकाजी महिलाओं के लिए दायित्व अधिक गुरुतर हो जाता है, क्योंकि संयुक्त परिवारों की अवधारणा अब समाप्त हो गई है। वहीं एकल परिवारों में पति, पत्नी और बच्चों के साथ कामकाज और संतान के पालन की जिम्मेदारी का निर्वहन माता पर अधिक आ जाता है और इससे मानसिक दबाव भी माता के ऊपर अधिक बढ़ जाता है। यह महत्वपूर्ण बिल, जिसमें अमेंडमेंट किए गए हैं, यह माताओं को एक तरह से संबल देने का काम करेगा।

महोदय, इस बिल के पारित होने से सबसे बड़ा लाभ अगर किसी को मिलेगा, तो गरीब, दलित, पिछड़े और कमजोर वर्ग की वे महिलाएं, जो कारखानों, फैक्ट्रियों और बागानों में काम करती हैं, उनको मिलेगा। गरीब और दलित परिवार की जो मेरी बहनें और माताएं कारखानों में काम करती हैं, वे भी चाहती हैं कि उनकी कोश से जो बच्चा पैदा हो, उसका तालन-पालन अच्छे से हो सके, भरपूर स्तनपान करा सकें, निरोध और तंदुरुस्त संतान उत्पन्न कर सकें।

इस बिल में मातृत्व अवकाश की सीमा 12 सप्ताह से बढ़ाकर 26 सप्ताह तक करने का जो काम किया है, उससे माताओं और बहनों को बहुत बड़ा लाभ होगा। घर पर रहकर, काम करने का जो अधिकार मिला है, उसे भी एक महत्वपूर्ण सहत भरा कदम हम कह सकते हैं। एक महिला 26 सप्ताह तक सैतानिक अवकाश लेने के पश्चात, निश्चित होकर कार्य कर पर जाएगी, साथ ही साथ अपने बच्चे का तालन-पालन करके पूर्णतया तंदुरुस्त बच्चे को तैयार करेगी, जिससे देश में बढ़ रही शिशु मृत्युदर पर लगाम लगाने का कार्य हो जाएगा।

महोदय, एक और महत्वपूर्ण अमेंडमेंट जो सरकार ने किया है, मैं उसकी सराहना करती हूँ। इससे मां बनने में जो असक्षम महिलाएं हैं, बच्चे गोद लेती हैं, उनको भी 12 सप्ताह का मातृत्व अवकाश प्रदान किया गया है। कारखानों और दफतरों में काम करने वाली हमारी बहनें और बेटियां पूर्यति के 26 सप्ताह बाद जब काम पर लौटती हैं तो सरकार ने उनकी पीड़ा को पुनः समझा और इसके लिए उन्होंने शिशु कक्षा की सुविधा का प्रावधान किया, जिसमें मां चार बार जाकर बच्चे को दूध पिलाने से लेकर, उसकी देखभाल करने का सराहनीय काम कर सकती हैं।

कारखानों और फैक्ट्रियों में मजदूरी करने वाली ज्यादातर महिलाएं पढ़ी-लिखी नहीं हैं और वे अपने अधिकारों से वंचित रह जाती हैं। एक बहुत बड़ा सशक्त कदम यह भी है कि जिस समय वह नौकरी पर जाएगी, उस समय लिखित रूप से भी और इलेक्ट्रॉनिक रूप से भी जो उसके सामने रखा जाएगा, जो शर्त इस बिल में है, वह उसके सामने बताई जाएगी, ताकि वह सजग रूप से अपने अधिकारों का पालन कर सके। असंगठित क्षेत्रों में महिलाओं को कैसे इस बिल के दायरे में लाकर उन्हें भी लाभ दिया जाए, यह महत्वपूर्ण बात है। मैं समझती हूँ कि इस पर मंथन करके, विचार करके इस बिल में यह प्रावधान रखा जाएगा।

मैं अंत में मैटर्निटी बेंनिफिट (अमेंडमेंट) बिल, 2016 का स्वागत करती हूँ, समर्थन करती हूँ। आपने मुझे बोलने का मौका दिया, इसके लिए धन्यवाद। जय भारत, जय हिन्द।

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you, Deputy Speaker Sir, for affording me this opportunity to take part in the discussion on the Labour Welfare Legislation especially welfare legislation for women workers.

Before entering into the Bill and contents of the issues, I also take this opportunity to congratulate and appreciate the efforts made by the hon. Labour Minister in bringing so many labour welfare legislations during the 16th Lok Sabha. Though most of the legislations are piecemeal legislations, those legislations are having a very good impact on the labour welfare situation in our country. So, once again, I take this opportunity to congratulate the hon. Minister for his honest efforts. Especially, he is coming from such a background and he knows the pulse of the working class of our society. Definitely, the Bills and legislations coming from his part are also very welcome and, hence, I fully support this Bill also but subject to certain reservations and observations.

Sir, this is a positive step towards empowerment of women in our country especially the women workforce in our country. Sir, Article 42 of the Constitution i.e., the Directive Principles of State Policy, is very clear about the provision for just and humane conditions of work and maternity relief. The State shall make provision for securing just and humane conditions of work and for maternity relief. It is a Directive Principle given by the Constitution which is empowering the Government to provide maternity leave and benefit to the working women in our country. Though it is not mandatory, I do agree, because the Directive Principles of State Policy is not a mandatory provision but it is directive in the sense and, definitely, the Government is complying with the directions of Part 4 of the Constitution and Article 42 of the Constitution for which also I fully support this move by the Government in bringing such a legislation.

If you go through the history, the World Health Organization and also in the year 2015, the Law Commission of India had recommended for increasing the maternity leave to 24 weeks and most of the Members and the hon. Minister had stated in the Statement of Object and Reasons in 44, 45 and 46 Sessions of the Indian Labour Conferences and suggested for increase in the maternity benefit.

Sir, I would like to state why it has become the need of the hour. Formerly, it was only 12 weeks. The maternity leave and benefit were just for 12 weeks. But now, the Government has agreed for 26 weeks by means of this Legislation. Why it is highly essential and required for the time

being because if you see, in 1961, the original Act is 'Maternity Benefit Act of 1961'. Subsequently, it was amended in 2005, in 2008 and in 2015. But when we see the five decades of our experience in the social system, a structural drastic change took place in the social system. That is the social transformation from joint family system to nuclear family system. This is a very big transformation which took place in our country.

So, in the joint family, when a pregnant woman is there, the grandparents are there and the blood relatives are there to take care of the pregnant woman and all the amenities and facilities would be provided by the relatives of the joint family. But now, because of the transformation from joint family to nuclear family system - one or two child and the parents - it is very difficult to provide proper care and protection to the pregnant woman. Therefore, it is highly essential to increase the number of weeks of maternity leave. So, it is fully justifiable because from some parts of the industry, so many reservations have come whether it is possible to have 26 weeks of leave, that means six months of leave. Then definitely, the industry is not able to survive. Such an argument has also been advanced from certain corners of the industry also. That will never be the case because five decades back or three decades back, when these 12 weeks of leave was granted, the situation or the social system was entirely different. Now, since a structural change took place in the family system, definitely, it is the need of the hour. I fully support the increase in the number of weeks of leave.

The only major issue which most of the hon. Members have already stated before this House is that it is regarding the organized sector. Almost all the welfare legislation in our country is giving prominence and special significance to the workers who are employed in the organized sector. This is not only in respect of the Maternity Benefits Act of 1961, but also if you go through all the labour welfare legislation, almost all the benefits are being given to the workers in the organized sector.

What is the strength of the organized workers? According to my information, 90 per cent of the workforce in the country is in the unorganized sector and only just eight to 10 per cent workforce is there in the organized sector, most of whom are salaried classes also. They are getting all the benefits. Whenever the Consumer Price Index increases, definitely, their wage revision will be there and all the other facilities and allowances will also be increased.

As far as the unorganized sector is concerned – in the agricultural field, in the construction field and in so many other fields – not much benefit has been given by or through the means of legislation. When we take the statistics of the women employees in the formal sector, in the organized sector, a total of 138 women workers are there in the organized sector out of which six million women workers are between the ages of 15 to 49. Those in the age group of 15 to 49 are entitled to get this maternity benefit or leave. In other words, only 4.4 per cent of the women workers in the formal sector is entitled to get this maternity benefit means this Act or this benefit is not applicable to 95.6 per cent of the women workforce in the organized sector. But this is being opposed by the industry by saying how it can be justified. It is only a meagre benefit being given to the women workers, even though 95.6 per cent workers are not entitled for this benefit because of the reason which I have already stated.

So, my suggestion is the Government, especially the hon. Labour Minister, has to pay more attention to the workers in the unorganized sector. Why have they been denied even this maternity benefit? The agricultural workers and the construction workers are not entitled for the maternity benefit. Why is it so? Only those who are in the organized sector – in the factories, in the establishments and in the Government offices – are entitled to have the maternity benefit for six months or 26 weeks, and why at least one month maternity benefit is not being provided to the workers in the organized sector, when such a mandatory provision has to be made? My submission to the hon. Minister of Labour is to have some legislation in respect of the women workers who are in the unorganized sector so that they can also be taken care of. In this way, this issue can be addressed. That is the second point which I would like to make.

17.18 hours (Hon. Speaker *in the Chair*)

Coming to my third point relating to the Bill, which is about increasing the number of maternity leave from 12 weeks to 26 weeks, I would like to draw the attention of the hon. Minister and the Government to the fact whether it is proper, fair and justifiable in making a reservation that only those families or only those women who are having less than two children are entitled for this additional benefit. According to me, Madam, it is not fair. Why it is so, I will say. The Constitution of India is very specific. Article 14 of the Constitution says, "Equality before law and equal protection of law." Equality before law and equal protection of law is the cardinal principle of the Fundamental Rights of the Citizens of the country. My point is: under what ground are you limiting the benefit and are not making it available to a family which is having more than two children? Is there any provision in the Constitution? I am asking the hon. Minister: is there any statute passed by the Parliament of India restricting any of the benefits to a family having more than two children? According to my limited information, only in Sarva Shiksha Abhiyan or for getting some scholarships, some restriction is there. The former Minister, Shri Mallikarjun Kharge Ji is here and he can very well explain it, I feel. He can very well explain this. That was only a circular. I am drawing the attention of the hon. Speaker. I am making this submission, subject to correction, that this is the first time in the history of the Indian Parliament that the Government is making an indirect restriction on the number of children to have the benefit, which is being available by means of an Act passed by the Parliament. Is it fair? My point is that this is totally against Article 14 of the Constitution.

HON. SPEAKER: Please now conclude.

SHRI N.K. PREMACHANDRAN: I will conclude. ...(*Interruptions*) I will cite one example of China. They have restricted the population. Now the Chinese Government, as a part and parcel of the National Population Policy, have relaxed it. This is a big human resource. So, kindly reconsider the position in restricting the benefit. There is a very serious issue. ...(*Interruptions*)

HON. SPEAKER: Now you conclude.

SHRI N.K. PREMACHANDRAN: I come to the new Clause 11A. It says that every establishment having 50 or more workers should have a crèche. This is also not fair. They are increasing the number of workers from 15 to 50. But the question is whether it is 25 employees or 30 employees, definitely, there should be a crèche. That should be made mandatory.

Finally, I come to the funding aspect. So many observations have been made about the funding pattern. In some countries, there is a joint responsibility in paying the maternity benefit. In some countries, the employer alone is responsible for paying the maternity benefit. Kindly go

through that aspect also so that it shall never give effect to deterring the women getting employment. The indirect impact of this Bill is this. Suppose, one has to give six months leave, definitely deterring the right to get employment for the women shall not be the result of this Bill. So, my suggestion and the submission is that some responsibility should be there on the part of the Government.

With this submission, I support the Bill and conclude my speech.

श्रीमती जयश्रीबेन पटेल (महसणा) : अध्यक्ष महोदय, श्रम और रोजगार मंत्री आदरणीय श्री बंडारू दत्तात्रेय जी की ओर से जो प्रसूति प्रसुविधा संशोधन विधेयक, 2016 पेश हुआ है, मैं उसके समर्थन में बोलने के लिए खड़ी हुई हूँ। सबसे पहले मैं कहना चाहूँगी कि कल 8 मार्च को विश्व महिला दिवस मनाया जाता है और हमने मनाया भी है। इसके इतिहास में जायें, तो औद्योगिक विकास के तहत महिलाओं पर हो रहे अत्याचार और पुरुषों की तुलना में महिलाओं को दूसरा दर्जा देने के कारण वर्ष 1908 में हजारों महिलाओं ने अपने अधिकार, समान काम समान वेतन, फिक्स टाइम और मताधिकार के लिए मूवमेंट चलाया था। अमेरिका में जब वर्ष 1909 में पहला राष्ट्रीय विश्व महिला दिन मनाया गया, तब वर्ष 1910 में डेनमार्क की राजधानी कोपनहेगन में महिलाओं का अंतर्राष्ट्रीय सम्मेलन हुआ था। इसमें वलेराजेविक नामक महिला ने अंतर्राष्ट्रीय महिला दिवस निर्धारण करने की पहल की थी। आखिर में 8 मार्च को विश्व महिला दिवस मनाया जा रहा है।

अध्यक्षा जी, कल यानी 8 मार्च को गांधी नगर में आदरणीय प्रधान मंत्री श्री नरेन्द्र भाई मोदी जी और आपकी उपस्थिति में स्वशक्ति 2017 का समारोह हुआ। देश भर से छः हजार महिला सरपंच वहां पर मौजूद थीं और ज़मीनी स्तर पर काम कर रही महिलाओं का एक सम्मेलन वहां पर सम्पन्न हुआ। आपके कर कमलों से, जो ओडीएफ जिते जादिर हुए, उन्हें सम्मानित और पुरस्कृत भी किया। आज सुबह मंत्री जी ने बताया कि तकरीबन 1 लाख 17 हजार गांव ओडीएफ हो चुके हैं और उन सभी महिलाओं को आपने पुरस्कृत भी किया था। वह अपने आप में एक बड़ी गौरवमयी बात है।

मैं कहना चाहती हूँ कि यह जो मातृत्व लाभ अधिनियम 1961 विधेयक है, इसमें 55 साल बाद यह संशोधन किया जा रहा है और मातृत्व लाभ विधेयक 2016 जो राज्य सभा से पारित होकर आया है, मैं कहना चाहती हूँ कि समाज में रहता हुआ हरेक इंसान एक सामाजिक प्राणी है। व्यक्ति से परिवार, परिवार से समाज और समाज से राष्ट्र बनता है। परिवार समाज और राष्ट्र की धुरी है और इस व्यवस्था में परिवर्तन आना जरूरी है क्योंकि परिवर्तन ही समाज और राष्ट्र का टॉनिक है।

कानून कोई जड़ व्यवस्था नहीं है और इसमें भी संशोधनों के साथ परिवर्तन आवश्यक है। वैसे ही आज हमारे विजयनरी प्रधान मंत्री नरेन्द्र भाई मोदी जी की अगुवाई वाली एन.डी.ए. सरकार ने कई कानूनों में बदलाव किये हैं और कई कानूनों को निरस्त भी किया है। किसी भी महिला के लिए मां बनना एक गौरव की बात है। मां बनने के बाद बच्चे की मानसिक, सामाजिक और आरोग्य के तहत पर्याप्त करना अनिवार्य होता है और इसमें माता की भूमिका आम होती है। भारत में आज कुल महिला कर्मचारियों की संख्या तकरीबन 5 से दस प्रतिशत होने का अनुमान है। इस संशोधन विधेयक में मातृत्व के लिए संशोधन लाभ अधिनियम 1961 के 12 सप्ताह से 26 सप्ताह करने का जो प्रस्ताव राज्य सभा से पारित किया गया है, इसका मुख्य उद्देश्य मातृत्व अवकाश की अवधि का विस्तार है। मातृत्व अवकाश के बारे में भारत का तीसरा स्थान है। इसके तहत देखा जाए तो प्रसूता मां और बच्चे को बेहतर जीवन प्रदान करना एक बहुत ही गंभीर और महत्वपूर्ण मुद्दा है। यह विधेयक इस दिशा में काफी मददगार साबित होगा। इससे नवजात शिशु पर माता का खूब दुलारा भी बरसेगा और इसकी मैं सयहना भी करती हूँ। इससे तकरीबन 18 लाख महिलाएं लाभान्वित होंगी। मैं इसकी भी सयहना करती हूँ।

अब इस मातृत्व लाभ संशोधन विधेयक के प्रावधानों के माध्यम से निजी क्षेत्र के सभी प्रतिष्ठानों को इस संशोधन विधेयक के तहत अपनी महिला कर्मचारियों को 26 सप्ताह का मातृत्व अवकाश देने का प्रावधान है और यह अपने आप में एक बहुत बड़ी बात है। प्रसूता महिला को अवकाश के दौरान वेतन भी मिलेगा और 3000 रुपये का मातृत्व का बोनस भी मिलेगा। इससे बच्चे और परिवार की पर्याप्त के लिए आर्थिक सहयोग भी मिलेगा। यह एक काफी उचित कदम है, जैसे वर्तमान बजट में गर्भवती महिलाओं को 6000 रुपये देने का भी प्रावधान किया गया है। इससे तकरीबन 18 लाख महिलाएं लाभान्वित होने वाली हैं। इसमें सरोजित मंदर और दत्तक माताएं 12 सप्ताह के अवकाश के साथ प्रसूति लाभ की हकदार भी होंगी, जो कि आज तक महिलाएं इस लाभ से वंचित थीं। ऐसी व्यवस्था न करने वाले जो संगठन हैं, उनके लिए टंड का कड़ा प्रावधान किया गया है जो उचित है जिससे इन प्रतिष्ठानों में महिलाओं के प्रति एक अच्छी सोच तोग रखेंगे।

माननीय प्रधान मंत्री जी ने, जैसे अभी टुकानों, मॉल और सिनेमा हॉल सहित प्रतिष्ठानों को साल भर 24 घंटे खुले रहने की जो अनुमति देने संबंधी एक मॉडल कानून बनाया है, इनके अन्तर्गत सब महिलाओं की भागीदारी बढ़ेगी। इससे महिलाओं को रोजगार मिलेगा। यह संशोधन विधेयक इसे लाभान्वित बनाने में सहायक होगा और श्रम बल में महिलाओं की सहभागिता मिलेगी। कामगारों के हितों की रक्षा का प्रावधान भी इसमें किया गया है, जैसे फैक्टरी, सर्कस उद्योग और कृषि संस्थान इत्यादि संगठनों में जहां पर दस से अधिक व्यक्ति कार्यरत हैं, उनको भी इसमें सम्मिलित किया गया है। वह भी एक सयहनीय कदम है। मैं इस बिल का पुरजोर समर्थन करती हूँ और माननीय प्रधान मंत्री जी तथा हमारे श्रम मंत्री जी को धन्यवाद देते हुए मैं अपनी बात समाप्त करती हूँ। धन्यवाद।

श्री दुष्यंत चौटाला (हिसार) : माननीय अध्यक्ष जी, आपने मातृत्व लाभ (संशोधन) विधेयक 2016 पर बोलने का मुझे मौका दिया है, इसके लिए मैं आपको धन्यवाद देता हूँ।

आज जब हम इस बिल की बात करते हैं, मेरे ख्याल से सदन में कोई नहीं होगा जो इसका समर्थन नहीं कर रहा होगा। आप भी स्वयं एक महिला हैं, आप भी समझती हैं कि इस बिल के माध्यम से हम केवल 10 प्रतिशत महिलाओं को फायदा पहुंचा पा रहे हैं क्योंकि सरकार का डेटा बता रहा है कि आज भी 90 प्रतिशत महिलाएं असंगठित क्षेत्र में कार्यरत हैं। मैं माननीय मंत्री जी से पूछना चाहूँगी कि सरकार क्या कदम उठा रही है कि उन 90 प्रतिशत महिलाओं को भी सरकार फायदा पहुंचा पाए? आज इस एक्ट के तहत सरकार बताती है कि अगर कोई एम्प्लॉयर किसी महिला को मातृत्व अवकाश के फायदे नहीं देता है तो उस पर मात्र 5000 रुपये की पैनाल्टी लगती है। आप खुद सोचकर देखिए कि किसी एम्प्लॉयर के लिए क्या यह फायदेमंद नहीं होगा कि वह 5000 रुपये जुर्माना भरे या फिर किसी महिला को 26 सप्ताह की छुट्टी देने का काम करे?

मैं माननीय मंत्री जी से यह आग्रह करूँगी, मैंने अमेंडमेंट भी डाली है, उसको वह जरूर संज्ञान में लें। पांच हजार रूपए की पैनाल्टी वाले वलाउज को अमेंड कर, पैनाल्टी की रिस्ट्रिक्शन राशि को एक लाख रूपए तक करने का काम करें, क्योंकि जब एम्प्लॉयर पर प्रेशर रहेगा, तब हम इस बिल, इस एक्ट का लाभ पूरी तरह से लोगों तक पहुंचाने का काम कर पायेंगे।

आज भारत सरकार बायीं-बायीं कहती है कि हमारी गवर्नमेंट जॉब्स स्पेशली पैरामिटिरी एंड मिलिट्री में महिलाओं को आगे लाने का काम करे। हम इस एक्ट के माध्यम से उनको 26 हफ्तों का जरूर फायदा देंगे, मगर उसके बाद हम उनको जम्मू-कश्मीर और अरुणाचल प्रदेश जैसी जगहों या माओवादी प्रभावित क्षेत्रों में ड्यूटी पर भेजेंगे, जो कहीं न कहीं उन पर और अधिक प्रेशर डालने का काम करते हैं।

मैं माननीय मंत्री जी से आग्रह करूँगी कि जो औरतें सर्विसेज में हैं, स्पेशली पैरामिटिरी और मिलिट्री में हैं, उनके लिए एक अमेंडमेंट लाने का काम कीजिए, जिसके बाद उनको हाई-प्रेशर जोन के अंदर डिप्लॉय न किया जाए।

माननीय अध्यक्ष महोदय, मेरी एक और अपील है कि सरकार इसे 26 सप्ताह से बढ़ा कर 30 सप्ताह करे। अगर हम पूरा महीना काउंट करें तो डिप्लॉय के बाद का जो समय है, उसमें भी उन्हें बेनिफिट मिलेगा। जहां फैक्ट की बात है, उसके अंदर चार बार रिजिट करने का प्रोविजन दिया गया है, मगर वे टाइम फिक्स कर दिये जायेंगे। अगर हम इसको इस माध्यम से लें कि फैक्ट के अंदर जाने के लिए मां को उनके अपने टाइम के हिसाब से परमिशन दी जाये तो कहीं न कहीं उस मां के लिए भी बेनिफिशियल रहेगा। कल महिला दिवस था। सरकार ने उसे जोर-शोर से सेलेब्रेट किया है। मैं उन्हें बधाई दूँगी कि महिला दिवस के बाद वे बहुत महत्वपूर्ण बिल सदन में लेकर आये हैं और मैं इस बिल का समर्थन करके, सरकार को बधाई दूँगी। धन्यवाद।

माननीय अध्यक्ष : श्री रमेश बिधुड़ी केवल दो मिनट में अपनी बात सदन में रखिए।

श्री रमेश विधुड़ी (दक्षिण दिल्ली) : अध्यक्ष महोदया, आपने इस महत्वपूर्ण बिल पर मुझे बोलने का मौका दिया है, इसके लिए मैं आपको धन्यवाद देता हूँ। मेरे पास बहुत बड़ा डेटा नहीं है, लेकिन हमारे देश में अभी तक, 70 साल की आजादी में कितानों में कानून बनते थे। वर्ष 1961 के बाद, वर्ष 2008 में भी, हमारे सामने खड़े साहब बैठे हैं, इनकी सरकार ने ऐसी ... * की थी और इस प्रकार के बिल लाने की बात की थी।

माननीय अध्यक्ष : आप कोई ऐसा शब्द नहीं बोलिए। आप ठीक तरह से बोलिए।

â€!(व्यवधान)

श्री रमेश विधुड़ी : महिलाओं को उनके अधिकार मिले, महिलाओं को भागीदारी मिले, महिलाओं को 33 प्रतिशत, 50 प्रतिशत की भागीदारी मिले, इनके नेता ... * बहुत शोर मचाती थीं। देश के अंदर आये से ज्यादा महिलाएं ऐसी हैं, ... (व्यवधान)

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam Speaker, she is not in the House. Why is he taking her name? ... (Interruptions)

माननीय अध्यक्ष : आप इस बिल के बारे में बोलिए।

â€!(व्यवधान)

SHRI MALLIKARJUN KHARGE: Is he a Minister? ... (Interruptions)

श्री रमेश विधुड़ी : वह हाउस की सदस्य हैं, ... (व्यवधान)

माननीय अध्यक्ष : इस पर अच्छा डिस्कशन हुआ है।

â€!(व्यवधान)

श्री रमेश विधुड़ी : क्या वह हाउस की मैनबर नहीं हैं? ... (व्यवधान) वह नेता नहीं हैं, â€!(व्यवधान)

श्री मल्लिकार्जुन खड़गे : जो कुछ बोलना है, उन्हें बोलने दें, ... (व्यवधान) Why is he taking the name of ... *

श्री रमेश विधुड़ी : क्या ... * हाउस की मैनबर नहीं हैं? ... (व्यवधान) क्या वह अभी भी इटली में रहती हैं? अब वह हिन्दुस्तान की नागरिक बन गयी हैं।

SHRI MALLIKARJUN KHARGE : She is not here. How can you take her name? ... (Interruptions)

माननीय अध्यक्ष : विधुड़ी जी आप अपना भाषण पूरा करें।

â€!(व्यवधान)

श्री रमेश विधुड़ी : यह सुबह से शाम तक प्रधानमंत्री जी के लिए शोर करते रहते हैं, तब रूट्स कहां चले जाते हैं, ... (व्यवधान) क्या प्रधानमंत्री जी हमेशा हाउस में होते हैं? ... (व्यवधान)

माननीय अध्यक्ष : आप अपनी बात कहें।

â€!(व्यवधान)

श्री रमेश विधुड़ी : मैडम, केवल देश को अग्रता कराना चाहता हूँ कि आधी से ज्यादा महिलायें उनको इसलिए नौकरी पर नहीं भेजते थे कि महिला घर की गृहणी के रूप में काम करेंगी। रूट बेट में एक मानसिकता है और 85 प्रतिशत लोग वहीं रहते हैं। देश में 15 प्रतिशत कांग्रेस की मानसिकता के लोग हैं, लेकिन 85 प्रतिशत लोग इसी मानसिकता के हैं, वे इसलिए उनको नौकरी नहीं कराते थे कि बच्चा पैदा होगा तो कैसे रहन-सहन करेंगे, कैसे स्वस्थ बच्चे को लाभ मिलेगा। मैटर्निटी लीव को सैद्धांतिक रूप से 12 हफ्ते से बढ़ाकर 26 हफ्ते करने का काम देश के प्रधानमंत्री जी ने किया है, जिससे कि महिलाओं को उनका अधिकार मिले।

माननीय अध्यक्ष : आप अपनी बात समाप्त कीजिए।

श्री रमेश विधुड़ी : महोदया, मैं अभी भूमिका बना रहा हूँ और मैंने अभी डेटा भी देना है। अभी चौटाला जी कह रहे थे कि असंगठित क्षेत्र में महिलाओं को सुविधा मिलेगी या नहीं मिलेगी, पांच हजार रूपए जुमाना तो कोई भी भर देगा। इस देश में लोग कोयले को बेचकर खा गए। 2-जी घोटेला हुआ, सभी में सजा का प्रावधान था, फिर भी ऐसे घोटेले हुए। मैं कहना चाहता हूँ कि प्रयास तो करना ही चाहिए और सरकार ने प्रयास किया है कि जो बहनें सर्विस करेंगी, उन्हें इसका लाभ अवश्य मिलेगा। डिलिवरी के समय प्रधानमंत्री जी ने छह हजार रूपए की बात कही है, उसके लिए भी खड़े जी बार-बार कहते हैं कि हमने किया है। महिलाओं को डिलिवरी से पहले दो हजार रूपए, डिलिवरी के बाद दो हजार रूपए दिए जाएंगे, क्योंकि जो गरीब लोग हैं, उन्हें डिलिवरी के समय मुश्किल होती है कि माँ को पूरी डाइट नहीं मिल पाती थी। वरिष्ठ महिलाओं को तो इस बात की भी टैशन होती थी कि डिलिवरी से दो महीने पहले डाक्टर भी बताते हैं कि इन्हें रेंट मिलना चाहिए। देहांत में डिलिवरी के बाद महिलाओं को कमरे से निकलने नहीं देते थे कि उन्हें हवा लग जाएगी। इसी कारण महिलाओं से नौकरी नहीं कराते थे। आज महिला बराबर के हक में खड़ी होंगी। उनके और उनके परिवार में विश्वास पैदा होगा कि प्रधानमंत्री जी ने 26 हफ्ते के लिए महिला तथा बच्चे के अच्छे स्वास्थ्य के लिए छुट्टी दी है और उन्हें पूरी सैलरी भी मिलेगी, तो माँ-बाप महिलाओं को बाहर जाने के लिए अलाऊ करेंगे। जो पिछड़ी महिलाएं थीं, उन्हें आगे बढ़ने का मौका देश के प्रधानमंत्री जी ने दिया है। जो दलित, पीड़ित, उपेक्षित वर्ग था, जिनके परिवार की बहू-बेटी काम करने के लिए बाहर जाएगी, तो प्रधानमंत्री जी द्वारा लाए इस बिल, जिसे बंडारू दत्तात्रेय जी ने बनाया है, उन्हें अधिकार मिलेगा और तभी महिलाओं को लगेगा कि हमें हमारा हक मिल रहा है। केवल 50 परसेंट, 30 परसेंट की बात कह कर और नौटंकी करके इसे आगे बढ़ाते रहे कि हमें महिलाओं का वोट मिल जाए।

मैं खड़े साहब से पूछना चाहता हूँ कि क्या पिछले दस सालों में कभी इतने बिलों में अमेंडमेंट हुआ है। पिछले दो साल में सौ कानूनों में बदलाव हुआ है, जो देश के गरीब लोगों के हित के लिए हैं। उन्हीं में से यह एक बिल है और पता नहीं क्यों वर्ष 2008 के बाद से इन्हें इस बिल की याद क्यों नहीं आई और ये महिलाओं के अधिकार की बात कहते हैं। जो विमेन काम करती हैं, कहीं न कहीं उनके अंदर विश्वास पैदा करने के लिए कि जिस एजेंसी में वह काम कर रही हैं और वहां अगर 50 परसेंट से ज्यादा एम्प्लॉई हैं, तो वह महिला अगर घर पर भी काम कर सकती होगी, उसे अगर घर पर काम करने के बाद भी अगर पेमेंट दी जाएगी, तो मैरिसमम परिवार इससे लाभान्वित होंगे। आज कम्प्यूटर का युग है। आज महिलाएं कम्प्यूटर पर घर में काम कर सकती हैं। उन्हें इस बिल में जो लाभ मिलने वाला है, जो सतर साल की आजादी के बाद भी नहीं मिला, लोगों ने सोचा ही नहीं था क्योंकि यहां केवल भाषाबाजी होती थी, लेकिन प्रैक्टिकल रूप से कानून में इम्प्लीमेंट नहीं होता था और न महिलाओं को लाभ मिला करता था। इस बिल के माध्यम से सरकार ने उस वर्ग को, महिलाओं को, बहनों को अधिकार देने की बात कही है, इसलिए मैं इस बिल का समर्थन करते हुए माननीय मंत्री जी और प्रधानमंत्री जी को बहुत-बहुत बधाई देना चाहता हूँ कि देश में जो 50 परसेंट महिलाओं की बात करते हैं, उन्हें भी लगे कि निश्चित रूप से साठ-सतर सालों से महिलाएं आजाद नहीं हुईं, उन्हें आज इस बिल का पूरा लाभ मिलने जा रहा है।

महोदया, आप रिप्ल तलाक की बात ले लीजिए। ये कभी नहीं कहते हैं कि महिलाओं को उनका अधिकार मिलना चाहिए, क्योंकि इन **â€!** * को वोट चाहिए।

SHRIMATI SUPRIYA SULE (BARAMATI): Madam, we are not *â€¦**(*Interruptions*)

श्री रमेश विद्युडी: वोट बैंक की राजनीति के कारण आज महिलाओं के बारे में ट्रिपल तताक की बात कही है, वह भी देश के प्रधानमंत्री जी ने बात कही है और उन्हें भी ये सारे के सारे लोग कहने लगे हैं। इनमें से कोई ट्रिपल तताक के बारे में कुछ बोल कर तो दिखाए। खड़े साहब कोई स्टेटमेंट दे कर तो दिखाए। एक व्यक्ति की एक महिला से शादी होनी चाहिए। महिलाओं के साथ कैसे अत्याचार किए जाते हैं। एक आदमी तीन-तीन बीवियां रखकर 25-25 बच्चे पैदा करेगा...*(व्यवधान)*

KUMARI SUSHMITA DEV (SILCHAR): Ananthkumar ji, you should select some descent speakers....*(Interruptions)*

SHRIMATI SUPRIYA SULE: We are not helpless by any standard....*(Interruptions)*

श्री रमेश विद्युडी: महिलाएं अपने अधिकार के लिए कहां जाएंगी, इसीलिए महिलाओं के सुरक्षा अधिकार की बात करते हुए इस बिल का समर्थन करते हुए अपनी वाणी को विराम देता हूं।

KUMARI SUSHMITA DEV: Look at the quality of the debate in your presence....*(Interruptions)*

श्री महिलकार्जुन खड़गे: महोदया, रिकार्ड में ऐसा नहीं जाना चाहिए। ये स्वयं बिल को पढ़ते हैं या नहीं पढ़ते हैं, ऐसे लोग क्यों अंदर आते हैं, मुझे मातूम नहीं है...*(व्यवधान)*

माननीय अध्यक्ष : आप ऐसा मत बोलिए। मैंने देखा है।

*â€¦**(व्यवधान)*

श्री महिलकार्जुन खड़गे: यह वर्ष 1961 का एक्ट है। इस एक्ट में अमेंडमेंट ला रहे हैं और 12 हफ्ते की लीव की जगह 26 हफ्ते की मैटर्निटी लीव कर रहे हैं। इन्हें तो यह कहने की आदत हो गई है कि पिछले सतर सालों से क्या किया है...*(व्यवधान)*

HON. SPEAKER: Only Minister's statement will go on record.

*â€¦**(Interruptions)**â€¦*

श्री बंडारू दत्तात्रेय : महोदया, मैंने पहले ही कहा था कि यह अमेंडमेंट काफी प्रोग्रेसिव वे में प्रपोज्ड किया गया है। मुझे बहुत खुशी है कि सदन में सभी पक्षों के लोगों ने एकत्र टिपार्टी लाइन इस बिल का समर्थन किया है। विशेषकर, इस विषय पर जिन नौ महिला सदस्यों ने विनम्रतापूर्वक अपनी बात कही है, उन्होंने अपनी भावनाओं को रखा है, उनकी भावनाओं के लिए मैं अपनी ओर से उनको धन्यवाद देना चाहता हूँ। अन्य सदस्यों की ओर से भी काफी सुझाव आये हैं। उन सुझावों को भी मैंने विस्तार से नोट किया है। कुछ सुझाव बहुत ही दूरगामी प्रभाव डालने वाले हैं। ऐसे विषयों के लिए रूल फ्रैम करने की कोशिश करेंगे ताकि महिलाओं को ज्यादा से ज्यादा मैटर्निटी बेनिफिट मिल सके।

इस अमेंडमेंट में कुछ नये प्रावधान किये गये हैं। पुराने बिल में कमिश्निंग मदर या एडॉप्ट मदर के बारे में प्रावधान नहीं था और क्वैच का प्रावधान भी नहीं था। घर से काम करने का प्रावधान भी नहीं था। इसमें प्रमुख बात यह है कि हमारी मजदूर महिलाओं को भर्ती करने समय इंटीमेट करने चाहिए कि आपको मैटर्निटी लीव का प्रावधान है। उनको यह इलैक्ट्रॉनिकली देना चाहिए या लिखित रूप में देना चाहिए। इस प्रकार का इसमें प्रावधान किया गया है। इतना ही नहीं, पहले प्राइवेट में जो क्वैच चलते थे, वे दो ब्रेक्स देते थे, अब इसकी संख्या बढ़ाकर चार तक की गयी है। सबसे महत्वपूर्ण बात यह है कि ट्राइपरटाइट मैकेनिज्म चलती है, उसमें कानून के प्रावधान के अनुसार कानून बनाने का प्रावधान है, जिसमें ट्रेड यूनियन, इम्प्लायर और राज्य सरकारें हैं। सभी लोगों ने इसका समर्थन किया है। इम्प्लायर ने भी इसका समर्थन किया है, ट्रेड यूनियन तो समर्थन करती ही है और इसका समर्थन राज्य सरकारों ने भी किया है। इससे देश में एक संदेश गया है कि महिलाओं को मातृत्व बेनिफिट देने से उनके वर्क फोर्स में बढ़ोतरी आएगी। उनकी वर्किंग कंडिशन और हेल्थ के कंडिशन में इम्प्रोवमेंट लॉ को सही तरीके से लागू करना चाहिए। मेरा आप सभी लोगों से रिवेस्ट है कि Please do not forget that labour is under the Concurrent List and the major role has to be played by respective State Governments. My job is limited to only Central sphere. सेन्ट्रल स्फियर में मैं इसे सही तरीके से कर सकता हूँ। लेकिन मैं एक और कहना चाहता हूँ कि कुछ राज्यों में इससे ज्यादा भी मैटर्निटी बेनिफिट देने की योजना बनायी गयी है, उन राज्य सरकारों का मैं अभिनन्दन करता हूँ।

कंपीटेंट स्पीशिट में भी राज्य आगे जा रहे हैं। वेल्फेयर मेजरर्स को लेने के लिए काफी राज्य आगे आ रहे हैं। इसलिए मैं उनको बधाई देता हूँ। इस अमेंडमेंट के साथ जो ग्रेआ प्रोविजंस हैं, वे भी वैसे ही रहेंगे, जैसे six weeks leave in a case of abortion or medical termination of pregnancy. Secondly, two weeks leave for tubectomy operation and thirdly, maximum leave of one month in a case of pregnancy or child birth related illness. Another one is medial bonus. Earlier the medical bonus facility for the employee for the child birth was only Rs.1000 and now, we have increased it to Rs.3500.

Other important provisions are no dismissal on account of absence due to pregnancy, no reduction of pay during pregnancy or maternity leave, etc. कुछ सदस्यों ने इसके बारे में विंता व्यक्त की थी, इसलिए मैंने इस बिल में इन सारे प्रोविजन्स को लागू किया है। सभी सदस्यों ने इस विषय पर काफी सुझाव दिए हैं। मैं उन सुझावों के समाधानों के संबंध में बताना चाहता हूँ। सुआिज्मता जी ने कृषि के बारे में बताया था। कृषि में केवल मदर ही नहीं, बल्कि फादर भी इसे ले सकते हैं। If necessary, a father can also can go and help. Dr. Pritam Munde talked about counselling and advice to women about the benefits under this Act. हम इसमें अवेयरनेस प्रोग्राम को इन्वैल्यूड कर के और राज्यों से भी इसको लागू करवाने की कोशिश करेंगे। इसके संबंध में ए.आई.डी.एम.के. की मैडम वसंथा जी ने कहा था कि ऑस्ट्रेलिया और ब्रिटेन में 52 वीवस दिया जा रहा है। यह करेक्ट नहीं है। Britain gives leave for 20 weeks only and now we are giving 26 weeks leave.

DR. M. THAMBIDURAI (KARUR): Our Amma declared 36 weeks (nine months) maternity leave.

HON. SPEAKER: He has already said that some States are giving more leave than this.

SHRI BANDARU DATTATREYA: I have already complimented you for that. The State of Tamil Nadu has extended some other new benefits to unorganized workers also. I welcome these steps of Tamil Nadu. रत्ना जी ने इसके अंतर्गत पेनाल्टी के बारे में बताया है। There is a penal provision for those who would violate the provisions of this Act. There is a provision of three months to six months imprisonment and we have increased the fine from Rs.3000 to Rs.5000 as has been suggested by the hon. Members. We have to take care of its proper implementation.

माननीय अरविंद सावंत जी ने भी बताया था कि एस.ई.जेड के इकोनॉमिक जोन्स में भी इसे कवर कर के लागू किया जाता है। अगर वह किसी भी जगह लागू नहीं है, तो आप मुझे उसके बारे में बताइए, मैं उस पर कार्यवाई करूंगा। डॉ. नरसैय्या गौड़ जी ने बताया था कि दो सरवाईविंग विल्डन तक इसे लागू करना है। The provision is already there for that. इसीलिए किया गया है कि हमारी जो गवर्नमेंट ऑफ इण्डिया की एक पॉलिसी चलती आ रही है, उस पॉलिसी के तहत चल रहे हैं, उसके बारे में आप लोगों ने जो ओपीनियन बताया है। मैं सुपिया जी को विशेषकर धन्यवाद देना चाहता हूँ। उन्होंने काफी पॉजिटिव सजेन्स दिए हैं। उन्होंने दो बातों के ऊपर ज्यादा बताया है, दूसरे सदस्यों ने भी अनऑर्गनाइज्ड वर्कर्स के बारे में बताया है। It is true that 93 per cent of workforce is in the unorganised sector. My priority is to see that they get social security. Towards that end, for the first time, this Government headed by Shri Narendra Modi ji has taken a decision that all construction workers would be moved from informal sector to formal sector. Now, they are going to be covered by EPFO and ESIC schemes. The registration for this has already started. Approximately, four crore seventy lakh

construction workers are there in the country. This is a major step that the Government has taken with regard to the construction workers.

Simultaneously, I may emphatically inform this House that in a phased manner this Government is going to create more social security network for workers engaged in the unorganised sector. मैटरनिटी बेनिफिट के बारे में भी मैं आपको हमारे ई.एस.आई.सी. के सेक्ण्ड जेनेरेशन रिफॉर्मर्स के बारे में थोड़ा विस्तार से बताऊंगा, लेकिन हमारे काफी लोगों का एक सुझाव आया था कि इंटरमिनिस्ट्रियल ग्रुप का मैकेनिज्म करना चाहिए। जैसे वूमेन एण्ड वाइल्ड वैल्फेयर मिनिस्ट्री, हेल्थ मिनिस्ट्री और लेबर मिनिस्ट्री। जब भी इंटरमिनिस्ट्रियल की जरूरत होती है, उस पर बराबर काम होता रहता है, लेकिन फिर भी आप लोगों ने जो कहा है, उसका क्या मैकेनिज्म हो सकता है, हम उस पर भी सोच सकते हैं। It is because whatever provisions are there in this amending Act, those should be fully implemented. For that, if necessary, we will devise some mechanism also.

I would also like to inform this august House with regard to the cess amount from the construction workers. Though welfare of construction workers is under the purview of the Central Government, the cess is collected by the respective State Governments. The observation of the Supreme Court in this regard is very serious. The Supreme Court has specifically made a comment. The total amount collected as cess from construction workers amounts approximately to Rs. 24,600 crore and the amount spent by the respective State Governments is only Rs. 3,600 crore. So, a sum of Rs. 21000 crore is the left over amount. Therefore, I would like to request the State Governments to utilise this amount for the welfare of the women workforce, particularly for giving maternity benefits. Though we are in the process of bringing them under the ESIC network, yet the respective State Governments also should make their efforts. I would also like to request all the hon. Members of Parliament from different States to see that this cess amount collected should be properly utilised.

Many other issues were raised. One issue that I wanted to mention here is with respect to ESIC. ESIC is one of the major social security organisations under the Labour and Employment Ministry. We are now having two crores and ten lakhs insured persons and covering eight crores of families. In the second generation of reforms, we are expanding the ESIC to the entire country. Earlier, the new Government which has come to power had thought of, instead of having clusters in geographical area, expanding the coverage of ESIC. It will be expanded at the national level. The ESIC is now having only 393 districts which are covered fully. We want to expand the network of ESIC to 702 districts of the country. 702 जिलों में सारे ई.एस.आई.सी. हॉस्पिटल्स को कवरेज करने के हमारे प्रोग्राम की शुरूआत हो गई है। जैसा उन्होंने कहा था कि इसमें इम्प्लायर का कंटीब्यूट्री फंड 4.75 परसेंट है और इम्प्लायी का 1.75 परसेंट है। फिर भी कुछ लोगों ने सरकार की तरफ से कुछ सोशल सिक्योरिटी फंड के निर्माण का सुझाव भी दिया है, लेकिन इस स्कीम को फेज्ड मैनेर में ई.पी.एफ.ओ., पेंशन, मैडिकल बेनिफिट्स एंड प्रोविडेंट बेनिफिट्स को अनऑर्गेनाइज्ड सैक्टर में ज्यादा ले जाने का एक नया निर्णय हम लोगों ने लिया है और जहां-जहां हमारी डिस्पेंसरीज हैं, उन डिस्पेंसरीज को हमने 6 बड़ेड हॉस्पिटल के रूप में अपग्रेड करने का निर्णय लिया है, आगे आने वाले दो सालों में हम 450 सिविस बड़ेड हॉस्पिटल्स का निर्माण करने वाले हैं और ये सब ग्रामीण क्षेत्रों में आरेंगे।

सैंकेंड जेनेरेशन ऑफ रिफॉर्मर्स में हम दो बातों पर काफी ध्यान दे रहे हैं। इसमें ववालिटी ऑफ सर्विसेज बहुत महत्वपूर्ण है, हम लोग ववालिटी ऑफ सर्विसेज में काफी वेंजिज लाये हैं और डिमोनेटाइजेशन के बाद हमने नये ई.एस.आई.सी. और ई.पी.एफ.ओ. का बेनिफिट देने के लिए वर्कर्स के नये रजिस्ट्रेशन की शुरूआत की है। वर्कर्स के कैम्पस लगाना और उनके बैंक खाते खुलवाने का काम भी बहुत बड़े पैमाने पर आगे बढ़ रहा है। इसलिए मेरा कहना है कि हम अनऑर्गेनाइज्ड को भी आगे बढ़ाने की पूरी जिम्मेदारी ले रहे हैं।

अंत में मैं इतना ही कहूंगा कि if this Bill is approved, then India will be joining 40 nations of the world and India would emerge as one of the countries with the highest number of weeks in Asian Pacific countries. एशियन पेसिफिक कंट्रीज में हम नम्बर वन रहेंगे। I am happy to inform the House that India is now in the Chair.

Our Members were asking about China which is providing maternity benefit for 15 weeks. Japan is providing for 14 weeks, Sri Lanka is providing it for 12 weeks, Bangladesh and Korea are providing for 12 weeks and ten weeks respectively. Germany is providing it for 14 weeks, Spain, France and Netherlands are giving it for 16 weeks. UK is providing it for 20 weeks. Italy is providing for 22 weeks. India is reaching to the third number, that is, 26 weeks. Canada is giving it for 50 weeks.

18.00 hours

इसलिए हम लोग दुनिया के अंदर रिफॉर्मर्स में अपनी पहचान बना रहे हैं। कल अंतर्राष्ट्रीय महिला दिवस देश भर में मनाया गया है। हम देश की महिलाओं को और विशेषकर महिला कामगारों को यह मैटरनिटी बेनिफिट अंतर्राष्ट्रीय महिला दिवस के उपलक्ष में सादर एक निष्पत्ति के रूप में देना चाहते हैं। फिर भी हमारे मंत्रालय का जो लक्ष्य है, प्रधान मंत्री जी ने भी हमें बार-बार आदेश दिया है कि आप असंगठित क्षेत्र में काफी आगे बढ़िए। मुझे बहुत खुशी है, सारे ट्रेड यूनियंस भी जानते हैं कि हम जितने भी रिफॉर्मर्स ला रहे हैं, एक ट्रीपार्टीट मैकेनिज्म से आगे ला रहे हैं और डैमोक्रेटिक प्रिंट से आगे ला रहे हैं। इसलिए मज़दूरों के हित के लिए यह सरकार अच्छा काम करने की कोशिश कर रही है। लेकिन आप लोगों की मदद की बहुत जरूरत है। मेरी आपसे यह विनती भी है कि आप सभी लोग एक पॉजिटिव आउटलुक से मज़दूरों को सबल बनाएं। मैं मज़दूर वर्क से ही आया हूँ। ... (व्यवधान)

माननीय अध्यक्ष : माननीय मंत्री जी एक मिनट रुकिए।

माननीय सदस्यों, सदन की सहमति से यह बिल पास होने तक हम सदन का समय बढ़ाते हैं।

अनेक माननीय सदस्य: मद्दोदया, ठीक है।

माननीय अध्यक्ष : माननीय मंत्री जी, आप अपनी बात जारी रखिए।

श्री बंडारू दत्तात्रेय : मद्दोदया, यह एक बदलता हुआ जमाना है। इसमें हमारी सरकार तीन बातों की ओर ध्यान दे रही है। First one is job security; second one is wage security and the third one is social security. ये तीनों बहुत ही महत्वपूर्ण बातें हैं। इन तीनों बातों पर मैं बहुत विनमतापूर्वक कहता हूँ कि मिनिमम वेज के बारे में हम लोगों ने एक एडवाइज़री दी है। पहली बार नॉन एग्रीकल्चर के लिए मिनिमम वेज हम लोगों ने बढ़ा कर तीन सौ रूपये किया है। पहले यह कम था, अभी 380 बढ़ाया है। वैसे ही जॉब सिक्योरिटी के बारे में, लैजिस्लेशन में परिवर्तन के बारे में हमारी कोशिश चल रही है। सोशल सिक्योरिटी में हम लोगों ने कहा था कि फर्स्ट फेज़ कंस्ट्रक्शन वर्कर्स को हम लोगों ने इनफॉर्मल टू फॉर्मल सैक्टर में लाया है। अब आगे वैसे ही बीड़ी वर्कर्स को, आंगनवाड़ी वर्कर्स को, आशा वर्कर्स को और मिडडे मील वर्कर्स को भी हम महिला एवं बाल विकास मंत्रालय, एवआरडी मंत्रालय और हेल्थ मिनिस्ट्री के साथ मिल कर एक कमेटी बना कर ऑफिशियल एवसर्साइज़ कर रहे हैं। वह एवसर्साइज़ होने के बाद वह स्कीम भी आगे आएगी। उन सभी वर्कर्स के बारे में भी हम लोग एक सोशल सिक्योरिटी देने का विचार कर रहे हैं।

इसलिए आप सब ने जितना समर्थन किया है, उसके लिए आप सभी को धन्यवाद देते हुए इस बिल को पारित कराने के लिए अपना समर्थन दीजिए। मैं अपनी बात समाप्त करता हूँ।

धन्यवाद।

HON. SPEAKER: The question is:

"That the Bill further to amend the Maternity Benefit Act, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

HON. SPEAKER: The House shall now take up clause-by-clause consideration of the Bill.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 Amendment of Section 5

HON. SPEAKER: Shri N.K. Premachandran, are you moving Amendment Nos.3 to 6?

SHRI N.K. PREMACHANDRAN (KOLLAM): I am only moving Amendment No.5 which is regarding the surrogate mother.

I beg to move:

"Page 2, *after* line 17, *insert*,-

"(4A) A woman who bears a child on behalf of another woman, either from her own egg fertilized by the other woman's partner or from the implantation in her womb of a fertilized egg from the other woman (surrogate mother), shall be entitled to maternity benefit for a period of twelve weeks of which not more than four weeks shall precede the date of her expected delivery."

HON. SPEAKER: I shall now put Amendment No.5 to Clause 3 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 Insertion of new Section 11A

HON. SPEAKER: Shri N.K. Premachandran, are you moving Amendment Nos.7 and 8?

SHRI N.K. PREMACHANDRAN: I am not moving.

HON. SPEAKER: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 1 Short title and Commencement

Amendment made:

"Page 1, line 3,-

for "2016",

