

I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY SPEAKER : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI PIYUS TIRAKY : I introduce the Bill.

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FAMILY WELFARE BILL*

[English]

SHRI DIGVIJAY SINH (Surendranagar) : I beg to move for leave to introduce a Bill to promote planned parenthood and for matters connected therewith.

MR. DEPUTY SPEAKER : The question is :

“That leave be granted to introduce a Bill to promote planned parenthood and for matters connected therewith.”

The motion was adopted.

SHRI DIGVIJAY SINH : I introduce the Bill.

While introducing the Bill, I have also to bring to the notice of the House that Clauses 8, 9 and 10 of the Bill, which were to be printed in thick type, have not been so printed.

MR. DEPUTY SPEAKER : We will take care of it.

15.48 hrs.

WORKING WOMEN WELFARE
BILL—Contd.

[English]

MR. DEPUTY SPEAKER : The House will now take up further consideration of the following motion moved by Shrimati Bibha Ghosh Goswami on 26 April, 1985 namely :

“That the Bill to provide for the welfare of women employed in various industries and establishments, be taken into consideration.”

Shri Manoj Pandey to continue his speech.

[Translation]

SHRI MANOJ PANDEY (Bettiah) : Mr. Deputy Speaker, Sir, I had raised some points regarding condition of the women working as agricultural labour in the rural areas and had put forward some suggestions also.

First of all, I would like to tell the hon. Labour Minister that many women are working as a skilled labour in brick kilns. Mr. Deputy Speaker, Sir, you might also be aware of it. These women belong to rural areas and are considered to be skilled labour. Banking of maximum bricks in the shortest time is skilled work and some women of Orissa and of the Santhal Pargana in Bihar are considered to be very skilled in this work and these women have made a great contribution in brick kiln work and especially in Bihar these women are in great demand in brick kilns.

As you know there is a great demand for bricks in the country, but it is a

matter of regret that the women working in the brick kilns are not getting even the minimum wages. They are being subjected to great exploitation. I personally know that even now the women working in brick kilns are being paid a daily wage of Rs. 3 to 3.50. Such a large-scale exploitation in our society is not confined to Bihar only. In other neighbouring States also, where these women go for work in brick kilns, even the minimum wages are not being paid to them. Although the number of women working in the brick kilns can be assessed only through a survey, yet according to my estimate, half of the population of the villages, particularly of Chhota Nagpur, which consists of women, work in these brick kilns. They have only one skill, i.e., banking bricks. I would request the hon. Labour Minister through you that schemes should be formulated to secure minimum wages for these women. For this purpose he should hold discussions with the State Governments and he should convene a meeting of the Labour Ministers in particular to know whether minimum wages are being paid to these women or not.

Secondly, attention should be paid towards those women also who work in agro-industries. In Bihar, the State to which I belong, agro-industries have not been developed in a planned manner, but where agro-industries are developed and where women are working, only those women should be given employment who are connected with that sector. For instance, women engaged in the cultivation of maize should be given preference in employment in the maize based industries, e.g., maize-oil factories, so that the women working in the maize fields may be able to get an opportunity to work in the industry based on maize. In this way, we may be able to solve the problems of the agricultural labourers particularly of women to a great extent.

Besides, I would like to draw your attention towards widows. We want

to help the widows in a planned way. Bills to this effect have also been brought forward. We have programmes in this regard also. But it has been observed that widows are not getting security pension properly. We do claim so but they are not getting the pension. I have seen in Bihar particularly that when the date of disbursement of security pension falls due, the widows are not intimated in advance and as a result the security pension drawn in their name is disbursed to other persons. Such irregularities often take place. So I would like to make submission through you that the programmes relating to widows should be implemented properly.

I have dealt with only agricultural labour in my speech and pleaded that they should get an opportunity to work in the organised sector. At present they are working in the unorganised sector and as such the benefit of the schemes is not reaching them. So the first step should be to organise this sector so that the facilities being enjoyed by women in the industrial sector are made available to the workers in this unorganised sector. I would like to submit some more points to the hon. Labour Minister. I went to give a suggestion pertaining to maternity and child health and welfare. Facilities should be provided in our Primary Health Centres. There is no scheme for maternity leave to the working women. It is not sufficient to say that we are thinking of something for the unorganised sector. The women workers, who are agricultural workers, should be registered in the Primary Health Centres. They should be provided with the same facilities as are being provided to the women in the industrial sector. For instance, their children should be covered under the immunisation programme so that they are vaccinated at the proper time. This will enable that section of society, whose children do not get an opportunity to advance in life, to make arrangement for the education of their children. I think

by doing so we shall be fulfilling a commitment. In the end, I would like to make a submission. We must invariably ensure the implementation of minimum wage scheme in regard to women working in any field. For this purpose we should call a meeting of the State Governments and take an initiative in the matter. The wages given to the women workers should not in any way be less than the wages given to male workers because our society consists of men and women and both are complementary to each other.

[English]

SHRIMATI PHULRENU GUHA (Contai) : First of all, let me congratulate Shrimati Bibha Ghosh Goswami for bringing in the Working Women Welfare Bill. It is really a thoughtful one, but I have some reservations on certain points. I will come to them later.

I would like to say that a majority of the Women in our country are the greatest sufferers. They suffer in the society they suffer in their families, and they suffer also at their work-site. Though equal wages for equal work legislation is there, in most of the places, except in the Government sector, we find that they are not paid equally. Employers find some clue or lacuna somewhere, and as a result women are deprived. I must also say that in most cases women are not so organized so; they are not able to fight and they are deprived.

16 hrs.

I wish that this Bill was more comprehensive. Though it is a very good Bill. First of all, I said that it was a very thoughtful Bill. So, I congratulated her. At the same time, I would say that the Bill should be expanded in some other areas also. I find that nothing is said in page two under clause (2) regarding agricultural workers, construction workers and brick workers. As you know

a large number of women work in the construction sector. The previous speaker has already spoken about the brick kilns and I am not going into it again. Another point I would like to say is regarding the PWD contractors. PWD contractors are engaged by PWD, i.e. by Government. But whenever you approach the Government, Government will say that they are not their workers. And this happens in most of the States.

Another point I would like to make is about clause 3 in page 2 of the Bill. I hope my hon. friend will excuse me if I say that I disagree with her when she says that women employees shall not be required to contribute anything to the fund. But I feel that they must contribute, whatever may be the amount, even just one per cent must be contributed, so that there is respect for them. It may be very little, but they must contribute. The employers and others may contribute and women also should contribute, though it may be very little.

Now I come to page 3, sub-clause (XV) in which the hon. member suggests that hostel facilities for women employees, both married and unmarried, nearest to the place of work should be provided. Here, I would like to point out that according to the norms of the hostel facilities nowadays existing in the country for our women, it may be difficult for all the women employees to live in hostels with their husbands and children. So, the nomenclature should be changed so as to enable the women to stay in the hostels along with their families.

In clause 5, a point is made regarding representation of women employees in trade unions formed for the purposes of working classes. Here I am myself in a dilemma. If the trade union is managed by men, there is no hope for women. I am sorry to say this. I am not a trade union worker. But I have studied the issue. Because of the status of women

in India, we have seen that our women workers do not get any facilities and they hardly come up to the higher positions in trade union movement except for a few who can fight and achieve the standard. So, I must say that this clause should be changed. Otherwise women will not get any benefit out of it or they may get only a very little benefit from it. So, it must be changed in some other fashion. You kindly see page 3 and para 5 of the Bill. I do not know what is the position according to the law. But what I would like to say is that it should be extended to the State Governments and the public undertakings in the State Governments; it should be mentioned specifically. It is not very clear; I am sorry to say that it is not even clear to me.

Then you kindly again see page 3, para 15 of the Bill—*avahas*. There is a different nomenclature: you have to change that nomenclature because *avaha*, whatever may be, some of them are very good trained *avahas*, but they are not respected as trained workers. I think that word should be changed. The women are the most sufferers; they suffer in all fields particularly in working places. I just want to tell you about their sufferings. I was in one of the undertakings of the Government of India. There one woman officer was working. She was very well educated, very well placed, but she was alone. She told me that she had to leave a house because of the torture of her landlord. That is the attitude of men towards women in most of the cases. I don't say in all cases. She had to leave that house because of the torture of her landlord, she is living with one of her relations now. In this connection, we can find out the conditions of women in all respects. I do not want to go into them because we have discussed about women's affairs and we have mentioned about the present conditions of women. So, I would like to see this Bill a comprehensive, one, it could be more comprehensive; and I would request, through you, to the Government to think over and

bring forward a more comprehensive Bill. I also want that the Government should give an assurance to the House that they will bring forward a more comprehensive Bill, because what I feel as a worker is that this type of Bill should come from the Government; it should not be a Private (Members) Bill; it should be a Government Bill. I would request my colleague to withdraw this Bill and give a chance to the Government to bring forward a comprehensive Bill.

There are a lot of things to be told about the sufferings of women, but due to shortage of time I only want to point out what are the lacunae and what points should be included in the overall Bill which must come from the Government. There are many points which are not included here.

But I feel that in this Bill some provision has to be made for women who after going through the operation or treatment of the Family Planning have to be looked after. Some provision has to be made here for their welfare, because it is absolutely necessary. We need family planning in our country, we also should see that our women get some more facilities after the treatment. So, that is my point and I again say that I must thank Shrimati Bibha Ghosh Goswami for thinking about the working women's welfare and bringing up this Bill. I also request the Government to come before us with a more comprehensive Bill for the welfare of the working women, including the agricultural women workers, usually they do not work in groups, though sometimes they working in groups also. I understand that it becomes difficult for an organisation to execute it or for the administrators to execute some scheme for them. You have to think over and do it. We can all decide and do. After all, agricultural women workers are producing food for us. We cannot forget. They are the main people who are producing the food for us. We may not be able to do much for them, but at the same time we

should not forget them. Whenever there is some facility to be given to them, we should give them. We cannot forget the agricultural women who are the real base of our country and who are feeding all of us.

MR. DEPUTY-SPEAKER : Shri A. Shanmugam.

[Translation]

*SHRI A.C. SHANMUGAM (Vellore): Mr. Deputy Speaker, Sir, I thank you very much for giving me this opportunity to say a few words on the Working Women Welfare Bill, 1985 that has been introduced by hon. lady Member, Shrimati Bibha Ghosh Goswami. The hon. lady Member who preceded me stated that the Government should come forward with a comprehensive Bill of this kind for the welfare of working women in the country. I am also of the same view that the Government should take the earliest opportunity for bringing forward a Bill of this nature incorporating some more provisions in the light of discussions taking place in this House.

At the very outset, I would like to point out not as an allegation but as a suggestion—that the State Government of West Bengal should implement a law of this nature and since the State is ruled by the Marxist Party which is committed to the upliftment of downtrodden and the have nots, a law of this kind if implemented by the Government of West Bengal will gather greater momentum in other parts of the country. I would like to know from the Mover of this Bill whether this is being done in the State of West Bengal from where she has been elected.

According to 1981 Census, for every 100 men there are 93 women; in other words about 50% of the population of the country is women. For the first time, in the Sixth Five Year Plan, the

“Women and Development” Chapter was included to highlight the need for attending to the problems of women in our country. This Chapter dealt with Education, Employment and Health of the women of our country. Our hon. Prime Minister, Shri Rajive Gandhi, has recently announced that girls’ education upto higher secondary level will be free. I take this opportunity to demand that this should be implemented from the next academic year itself. In Tamil Nadu the girls’ education upto higher secondary level has been made free long ago. In fact, Tamil Nadu occupies a pre-eminent place in the matter of girls’ education. I will refer later in my speech to the advances made by the Government of Tamil Nadu under the beloved leader Dr. M.G.R.

By the end of March 1984 in the organised sector there were 30.55 lakh women employees. So far as public sector is concerned, the increase in the employment of women has been of the order of 4.5%; unfortunately in the private sector it has declined by 0.5%. I do not know the reasons. I demand that the Government should ensure that employment opportunities for women in private sector do not go down; in fact, the ladies should have more opportunities in the private sector.

By the end of 1984 in all the employment exchanges of the country 40.02 lakhs of women had registered themselves for employment. Of course, there are special counters and also there are women Officers to assist the women registrants. But the women candidates are facing untold hardships in getting jobs. I would request the hon. Minister of Labour that he should bestow his personal attention in redressing the genuine grievances of women registrants and he must extend all assistance in procuring jobs for them.

Sir, there are about 1000 hostels in the country for the working women.

*The speech was originally delivered in Tamil.

But this is negligible, when you see that lakhs of women are employed in public undertakings and in local bodies like Municipalities, Corporations etc. More hostels should be constructed. I suggest that an autonomous authority should be constituted specially for the purpose of constructing and maintaining hostels for working women. More hostels for women should be constructed on war footing. The voluntary organisations engaged in constructing and running such hostels for working women are getting grants from the Government. I suggest that the grants should be enhanced for them so that they are induced and enthused to go in for large scale construction of hostels.

If a male does not get employment with the prescribed age limit, he can somehow eke out his livelihood. But it is not so easy for women. I demand that there should be no age ceiling for women in regard to employment. I want the hon. Minister of Labour to get this age ceiling for women removed at the earliest.

I find from the Annual Report of the Ministry that there are about 5000 creches for the children of working women. As I told you earlier, when there are 31 lakhs of women employees in the organised sector, this is a measly effort. We should have more number of creches.

In order to enhance the standard of living of women, we have got the scheme of Science and Technology, under which 40 projects are being implemented throughout the country. They are mainly to minimise the drudgery of daily chores of women in our country by introducing scientific techniques. This scheme should be expanded further for the good of women in our country.

The hon. lady member who preceded me referred to the plight of agricultural women workers in the unorganised sector. The mover of this Bill has not

made any provision for them in her Bill. She says that there are so many imponderables in doing that. Even after 38 years of independence, if this is the approach to the problem of women agricultural workers, who number about 11 crores, then all I can say is that eternally injustice will be perpetrated on the women workers in the unorganised sector. The efforts of All India Women's Conference, the Central Social Welfare Board and the State Social Welfare Boards have been tardy, in fact I should say dismal, in this matter. If we do not make an earnest endeavour to look into the problems of 11 crores of agricultural women workers living in 5.6 lakhs of villages, then we are committing a crime against humanity. I will draw the attention of this august House to the fact that the minimum wages were fixed some thirty years ago and the Minimum Wages Act has not yet been amended so far. Do you think that the wage of Rs. 11 or Rs. 10 per day will be enough for a worker to meet the daily needs in the unhappy environment of soaring prices of essential commodities? I demand that the worker's daily wage should be enhanced to Rs. 25 per day and the Minimum Wages Act should be amended suitably.

Sir, it is a common sight in the rural areas to see the infants of women agricultural workers sleeping in cloth-hangings from trees in the hot sun and in the pouring rain. Poisonous insects and crawling snakes are their companions when these infants are on the ground, while their mothers are working in the fields. I wish that the Minister of Labour tries to see the appalling conditions of living of our women workers in rural areas. I demand that the creches of the sort you have in urban areas should be opened in rural areas.

There is no equal pay for equal work. The women workers are discriminated against. The Equal Remuneration Act, 1976 is not being implemented effectively. If a male worker gets Rs. 10 as daily wage, then the women worker gets

Rs. 7 ; if it is Rs. 15 for male, then it is Rs. 10; for female worker. The provisions of Equal Remuneration Act should be implemented effectively.

The plight of women construction workers in towns and cities is no different. Behind the superstructures of 20 stories or 30 stories, you will agree with me if I say there is the blood and sweat of women construction workers. Their children are sleeping near the gutters; they live in hovels and pavements. They are all semi-clothed, if not almost naked. It is really a stigma on our society that we allow the inhuman conditions of living of these people in the midst of plenty and extravagance. Food, cloth and shelter are the primary needs of working women. The Central and the State Governments should ensure that the working women are provided with these basic requirements.

Here I would like to bring to the notice of the House that if there is one State Government in the country which has dedicated itself to the upliftment of hapless women workers, it is the Government of Tamil Nadu headed by our Puratchi Thalavivar Dr. M. G. R. I am proud to say here that the status of women in Tamil Nadu is really a matter for other States to emulate. The woman agricultural worker no longer worries about her children when she goes for work. Their children are given nutritious noon meals. For the children in the age group of 3 to 5, we have in Tamil Nadu children's homes; they may be called Rural L.K.G. From 8 AM to 5 PM these children are looked after carefully. The women workers's burden of anxiety about their children has been removed by our Chief Minister who has made all these arrangements. He has also ensured that the destitute women and the women deserted by their husbands and the widows are given priority in employment. They are all being rehabilitated in happy environment. They are given respectable and decent livelihood. There is old-age grant of Rs. 35 per month, rice and a sari every year for old

and disabled woman. The State Government arranges for this. Some 1,76,000 widows have been given jobs in the nutritious meals centres. These jobs are exclusively reserved for them. He has got the relevant Act amended for reserving 15% jobs for women in Panchayats, Panchayat Unions, Municipalities and Corporations in the the State of Tamil Nadu. Unfortunately, a stay has been obtained in the Court and presently this is not being implemented by the State Government.

In Kodaikanal the Government of Tamil Nadu have opened the first ever exclusive Women's University. It was inaugurated by Mother Teresa and our Chief Minister presided over the function. This has been done for ensuring scientific and technological progress of women in the State. I want that such exclusive Women's Universities should be opened in all other States also. I have no hesitation in openly declaring here that the moral, spiritual and social force behind the Government of Tamil Nadu is the progress of women that has been achieved in the State. Our Chief Minister has dedicated his life for the progress of women in the State. When he fell sick recently, lakhs and lakhs of women in Tamil Nadu rushed to the Temples in the State and offered prayer for his speedy recovery. Many of them did not hesitate to offer their lives so that the life of the Chief Minister could be spared. For them, our Chief Minister is the walking God on earth, their elder brother and their beacon light. Our Chief Minister has been repeatedly stressing that the provisions of Suppression of Immoral Traffic Act are being made applicable to women only. He is convinced that the men are equally guilty and they should also be booked for indulging in this anti-human activity. I hope that the hon. Minister will look into this also and amend the act accordingly.

I suggest that the Working Women's Welfare Fund should be substituted by

Agricultural Working Women's Welfare Fund. With such necessary modifications in the legislation, I demand that the Government on their own should bring before this House a Bill, a comprehensive Bill, for the welfare of working women both in the organised and organised sectors in the country.

With these words I conclude my speech.

SHRI MOOL CHAND DAGA : (Pali)
Mr. Deputy Speaker, Sir, the Articles of the constitution categorically vest all powers in you. There are some short comings in this Bill. I welcome the spirit behind it and would like to give some suggestions.

[English]

Now, article 14 of the Constitution says :

"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

Article 15 says :

"(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex place of birth or any of them."

Article 16 says :

"(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State."

Article 23 (1) says :

"Traffic in human beings and *begar* and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law."

Now, there are Directive principles of State Policy under the Constitution. Now, article 39 says :

"The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood ;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good.

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment ;

(d) that there is equal pay for equal work for both men and women ;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength ; ..."

Article 42 says :

"The State shall make provision for securing just and humane conditions of work and for maternity relief."

Article 44 says :

“The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.”

Article 325 says that no person is to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.

[*Translation*]

There are other Articles also in the Constitution which I can quote. Equal rights have been given to the women and there should be no discrimination.

SHRI RAM PYARE PANIKA (Roberstsgang) : It has of course been provided, but what has actually been done ?

SHRI MOOL CHAND DAGA : If you read the Bill, you will come to know

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI RAM DULARI SINHA) : What treatment is meted out to woman.

SHRI MOOL CHAND DAGA : Some women are very strong. I was saying that there was no penal clause in the Bill.

16.29 hrs.

[**SHRI N. VENKATA RATNAM** in the Chair]

Mr. Chairman, Sir please let me know who would be punished ? I would request the hon. Minister to bring forward a Bill to safeguard to interest of women. In the Bill it has been suggested that Committees should be constituted for this purpose but the entire amount would be wasted on these Committees. There is suggestion for constituting Advisory Committees also. At lot of hard work

has been done in drafting the Bill which would be appreciated and her reputation would also be enhanced among the women. The Bill provides :

[*English*]

“The Central Government shall constitute for each area, where industries and establishments are situated, Advisory Committees in respect of the area at the city level, district level and an apex body at State level”.

How many Advisory Committees ? One at the city level, the other is at district level and the third is at State level.

They do not have any statutory backing.

[*Translation*]

If such committees are constituted, then the entire amount will be spent on them. I do not know what benefits will accrue by constituting these committees.

[*English*]

SHRI NARAYAN CHOUBEY (Midnapore) : Look at the content, not the form.

SHRI MOOL CHAND DAGA : It must be effective.

SHRI NARAYAN CHOUBEY : Let the Government give the assurance . . .

SHRI MOOL CHAND DAGA : You can go to your house and tell your wife that certain Bill has been passed. She will put certain questions to you and you will have to answer !

SHRI NARAYAN CHOUBEY : I shall take your help to explain to my wife !

SHRI MOOL CHAND DAGA :
Kindly hear and try to understand.

SHRI NARAYAN CHOUBEY : I
understand.

(Interruptions)

MR. CHAIRMAN : Please continue.

SHRI MOOL CHAND DAGA : I am
making my speech. You must kindly
protect me.

MR. CHAIRMAN : I am requesting
you not to detract from your speech.

SHRI MOOL CHAND DAGA : There
are the district level committees and the
apex body. So, there are three advisory
committees. For what purpose? What
will they do?

(Interruptions)

MR. CHAIRMAN : You please get
along. You seem to be willing to discuss.
Get along.

SHRI MOOL CHAND DAGA : I
have just quoted Clause 3 and Articles
of the Constitution.

[Translation]

What will be the term of these Advi-
sory Committees, who will be their
Members and what will be the qualificat-
ions of the Members? These things have
not been specified in the Bill. The Bill
also does not prescribe the procedure
that will be adopted for their working.
The intention of the Member is not clear
from the Bill.

[English]

SHRIMATI BIBHA GHOSH GOS-
WAMI (Nabadwip) : You please see
Article 2.

SHRI MOOL CHAND DAGA : "To
ensure the right to work for the women
employees in any industry or establish-
ment."

[Translation]

There is no provision in the Bill
about the authority to whom cases of
violation will be referred. Only the day
before yesterday, the Supreme Court
delivered a judgement.

[English]

"It is proved. But there is
nothing before me. Under what
rule, under what law, I can
punish for that offence."

[Translation]

The Bill is not clear about the autho-
rity which would take action in case
there is breach of law.

[English]

Will the Labour Inspector look into
it? or will the Labour Commissioner
look into it? Who will do this? . . .

SHRI E. AYYAPU REDDY
(Kurnool) : May I clear this doubt?
Rights are conferred on citizens. A citi-
zen has a right to approach the High
Court under article 226 for a writ of
Mandamus against those persons who are
violating it. There is always the citizen's
right under article 226. The High
Courts are enforcing them. There is no
difficulty. There is no clause which
makes that punishable in criminal court.
It is not necessary to have a penal clause
in every statute.

SHRI MOOL CHAND DAGA : But
there should be a machinery. Where the
complaint can be lodged against the
employer. (Interruptions)

SHRIMATI BIBHA GHOSH GOSWAMI : You go through the Bill carefully; then you will know.

[Translation]

SHRI MOOL CHAND DAGA : This Bill will involve an expenditure of Rs 5 crores and further non-recurring expenditure of Rs. 5 lakhs. When already more powers have been provided in the Constitution in the various Article that I have read out for in the Bill, then what are sought, what is the need for bringing forward this Bill ?

I would request the hon. Minister to bring a comprehensive legislation which may be more useful. When there is already a law for dealing with cases of social exploitation of women then what is the need of bringing forwards a separate legislation ? Already when there are laws for ensuring better facilities to women, why should this duplication be there ? I would like the hon. Member to withdraw this Bill.

I would like the hon. Minister to bring forward a comprehensive legislation to provide more facilities to women. Now who will make arrangement for uniforms for the women workers ? You have asked Government to give 10 per cent amount to the employees. How much amount Government would like to provide ?

This is not clear from the memorandum attached to the Bill. I think you have presented this Bill in a great hurry. I do not think that this Bill will serve any purpose. More powers have been provided in the Constitution than what have been sought for in the Bill. Our Labour Minister should bring forward a comprehensive Bill based on them. Then after passing the Bill, a machinery should be set up to implement the Bill equitably. Only then women can be benefited and not otherwise.

An hon. Member has stated that under Article 226, one can go to the

High Court. The Bill should designate the Court for the purpose and there should be power to take the matter to the designated court. It should be made clear who will hear the case, who will file the case, how much punishment will be awarded, and how they will get compensation. In my opinion the Bill will not serve any useful, purpose.

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Chairman, Sir, the hon. lady Member deserves our congratulations for bringing forward this Bill for the working women. The most important thing is that our Finance Minister had emphasised a few days back that they were taking the country on the path of socialism and he did not care if the Opposition criticised them. This Bill clearly express him. If you cannot bring equality between men and women, then your assertion of socialism will be nothing but hypocrisy. What is the condition of women workers both in the organised as well as the unorganised sector ? What is happening in BCCL today ? A circular has been issued by the company wherein they have been asked to get voluntary retirement because they cannot work in the collieries. Instead, they have been given a choice to get their husband, son or any other relative employed in their place. This process is still going on. Now what will happen to a widow working there if she has no family, and is forced to seek voluntarily retirement ? If they cannot work in side the collieries, they should be given some job outside the mines. You should think about this. Voluntary retirement of women workers as a result of the BCCL circular should be stopped. This matter comes under the Central Government. What is the condition of the women who work in the unorganised sector. Just not an hon. Member draw the attention of the House towards the miserable condition of the women workers of brick-kilns. A large number of women are working in those kilns and they should be paid the minimum wages. There are no checks for their children also. The result is that while they remain busy in bricks-

kilns, their children get drowned in the Ganga or killed in some road accident. Creches should be arranged for their children. You say that it is a welfare Government. If it is so, then creches should be set up either by Government or by the Company at all such places where the number of women workers in the brick-kilns is between 500 to 1000.

As I come from a rural area, I shall talk about that area. It is a matter of shame that the women who work in the fields are not paid wages equal to those of the male workers. You have enacted a law but that is not being enforced. Even now there is a difference between the wages of the men and women workers. There is no one to take care of those women's children. They shut their children in their houses and they simply crawl there. This disparity should be removed. To those who claim that they are marching on the path of socialism, I would cite the above instance to show that they are indulging in hypocrisy as they have not been able to improve the women's lot.

The women who work in factories and big mills are also not getting proper wages. Once I went to Calcutta. There were many workers from Bihar with whom I had talk. They told me that during the rule of the previous Congress Government, they were treated worse than a dog. With the Left Front coming into power, they had this much respect that at least they were being treated as regular workers whether they worked in a Cement godown or any other godown. The women who work privately do not get proper wages. If they ask for proper wages, they are shunted out, when they or their children start starving, they agree to do work on those wages. The senior officers of the Labour Ministry and the Labour Minister should consider this matter and take steps to improve the condition of the working women which is going from bad to worse. You must make efforts in

this respect. Our hon. Members have rightly said.

(Interruptions)

[English]

MR. CHAIRMAN: The time allotted is over. Shall we extend it by one hour with the consent of the House?

SEVERAL HON. MEMBERS: Yes.

SHRI G.M. BANATWALLA (Ponnani): You may extend the time for it. But what about the next Bill? For the next Bill you may please leave at least 5 minutes or so.

MR. CHAIRMAN: Next Bill will certainly be reached. There need not be any doubt.

[Translation]

SHRI RAMASHRAY PRASAD SINGH: A Bill should be introduced by Government to protect the interests of these workers. With these words I conclude.

SHRI RAM PYARE PANIKA (Robertsganj): Mr. Chairman, Sir, first of all I thank my sister Shrimati Bibha Ghosh Goswami for drawing the attention of the country through this Bill towards the welfare of women. The objective of the Bill, otherwise is limited. It is true that we belong to a country where it has been said.

“Yatra Naaryastu Pujyante Tatra Ramante Devta.”

We live in an India of which we are proud but unfortunately during the last two or three hundred years the situation has changed. If we go into the figures, we find that women are nowhere. It is true that when the constitution was framed, a Shri Daga has also referred to those Articles, many

provisions were included in it which related to the welfare of women. I would like to submit that welfare of women cannot be ensured by merely providing for equal opportunity in the Constitution and law. Equal opportunity is meaningless unless there is equality in the means required to attain it. 50 per cent of the population of the country consists of women. The country can march forward only when both men and women are given equal opportunities. It is not sufficient to provide certain facilities rather we shall have to consider this aspect afresh. It is a fact that the new Prime Minister and this Government had done a commendable job. They have added the term 'Women' with the Ministry of Social Welfare. This clearly indicates that Government intend to do something for women. There is no doubt that during the last 37 to 38 years, some work has been done but that cannot be called adequate, whether that work relates to adult education, working women or opening hostels for them or for the upliftment of women belonging to the backward communities Scheduled Castes or Scheduled Tribes. No work done for them can be termed as adequate.

We celebrated 1975 as the International Women's Year and that programme lasted 10 years. During those 10 years it looked as if only in India but in the world, something would be done for women. As I have said about 50 per cent of our population consists of women and we should be thankful to our founding fathers that they included many rights for women in the Constitution. They thought of giving equal rights to women in the country and made provision to that effect but there is also the other aspect relating to implementation. We must implement those programmes with good intentions so that women may come at par with men. Only then can we achieve our aims.

As I said, after 1975, the International Women's Year was celebrated

for 10 years but what should have been done for the upliftment of women has not been done. Of course India has contributed its mite according to its resources and it is a matter of happiness that, as has been said here just now, India has contributed \$ 20,000 (U.S.) to the International Women's Welfare Fund. But this amount of \$ 20,000 (U.S.) is not sufficient. But of course, we are paying our attention towards this aspect.

The need of the hour is to create equal educational opportunities for women. There are certain professions like teaching in which we can absorb more women. They can be good clerks and telephone operators. How this thinking does not hold good that women cannot work efficiently. Many women now a days have joined administrative services, I.P.S. etc, and have proved successful in every field..(Interruptions).. not only Ministers, they have become Prime Minister also and the whole world is proud of them. So far no personality like the late Shrimati Indira Gandhi has emerged on the horizon of the world. If we turn the pages of the Puranas, the Shastras and study Indian culture, we shall find that our Shastras and Puranas are replete with stories of the valour and glory of women. It is said that our ancestors used to eat pure ghee and now we cannot have ghee even to smell. But while basking in the glory of the past we cannot forget the realities of today. There is a serious problem before us in relation to women. We often hear reports about atrocities on women. During the last 5 to 7 years we have enacted many laws for them but even then their problems have not been solved. Therefore, the need of the hour is to accord proper status to women in the society. It should not be only in the shape of wages but as Shri Daga was saying, we should adopt the policy of equal wages for equal work. The hon. Labour Minister is sitting here. It would have been better if our Social Welfare Minister

had also been here and heard the different views. We have to take comprehensive steps for the welfare of women. This is just a part of it. You have enacted many laws but even after 37 to 38 years of independence they have not got their requisite place. That is what I feel. You say women are exploited in the private sector but in the public sector also justice is not meted out to them. Moreover, in all other Government works like plantation in the Forest Department, wages for women have been fixed less than that of male workers whereas both have to do the same type of work. In many fields women can do work in a better way than men and people want to employ them also but they are given lesser wages. Now the time has come that we should make it clear to the Private Sector at the time of giving industrial licence that they will have to reserve a certain percentage of the posts for women. They can do certain jobs in a better way. They can do secretarial work; they can prove good clerks. Now a days women have entered the field of engineering etc. and they are proving successful in every field. Therefore, the Labour Minister should make a provision to the effect that whenever an industrial licence is given, it should be given only on the condition that a certain percentage will have to be reserved for women in that industry. In the Public Sector and the Government Departments, their rights should of course be protected but in the Private Sector industries also a condition to this effect should be imposed that they will have to employ as much of percentage of women as are getting education. My esteemed sister, while introducing the Bill today has rightly said that wherever women are employed, they are exploited. Separate toilet. Canteens, Common rooms and other necessary facilities should be provided to them. These facilities are not provided to them. The Indian women can do work very efficiently but these big capitalists and big industrial Houses of the country do not employ them.

Therefore, it is necessary that Government should enact such laws as may provide more jobs opportunities to them. If we want a balanced development of the country, we shall have to give equal share of work to women. When both the wheels are equally strong, only then the country can be strong. Otherwise, the vehicle will be stranded. For this, women will have to be provided with more and more work. Only then the country can march forward on the path of progress.

The hon. lady Member, Shrimati Phulreme Guha, has correctly said that today in our country there are crores of women agricultural workers and their plight is miserable. We talk of child workers. This topic was discussed here also but I want to raise the matter of the girls who are employed for domestic chores. They are provided with neither education facility nor any other facility and they are leading a very hard life. They are engaged in the work of banking bricks only. They remain busy throughout the day in making bricks oblivious of the outside world. When the work of banking bricks comes to an end in July, they start working in the farms again. Brick kiln owners do not keep clearcut accounts. When the women workers leave, they are involved in false theft cases. Sometimes, the balance is shown against some of the workers on the pretext that she had taken loan and had not repaid it. In this way the brick kiln owners do not make the full payment due to them and pocket that money themselves. A law is proposed to be enacted in this regard. I would like to submit that while enacting such a law a provision should be made for female labour so that the brick kiln owners are compelled to provide residential accommodation to women employed in the kilns, to make full payment of wages due to them and not to involve them in false theft cases. If it is done, it will be a good thing because these owners never think of their

welfare. They are always after making money.

Sir, as you are aware, besides doing their work, the female labour have to look after their children also. There small babies need nutritious food. I would like to ask whether public schools are meant for children of affluent persons only? Better education facilities should be provided to the children of common man. Only then can there be equality. You say that there must be equality. But I would like to say that equality will have no meaning unless everybody gets an opportunity to come at par with others. The need of the hour is that we should do work for the upliftment of women because they are not only women but teachers of children also, who are the builders of the future. The children will take after their mothers. It is, therefore, essential that women should be educated.

Mr. Chairman, Sir, at present there is a lot of corruption in Maternity and Child Care Centres functioning in the country. State Government employees and some anti-social elements misappropriate the entire funds.

So, merely talking about employment will not serve the purpose; monitoring arrangements should also be made at the place of work. Now, there is a separate Ministry for Welfare of Women. It would have been better if the Minister for Welfare of Women had been present here. Sir, labour is a very potent force which has not only made our economy sound, but has built the nation by braving sun, rain and other inconveniences. They work day and night and only then they get money. The hands of our Labour Minister are very strong. I would like to submit that a monitoring cell should be set up for all the schemes relating to welfare of women.

Women do household chores also. What type of life are they leading in

Delhi? You can see it for yourself. They reside in the space adjacent to the staircase in M.P.s.' flats. Who is there to see all these things? Even after Independence, women clean utensils and do other household chores. There is great necessity to ensure that women are not exploited at any level. A large number of women from Orissa and Madhya Pradesh are working in Delhi. They belong to respectable families, but nobody is prepared to treat them as such. Is it not our duty to pay attention towards this matter even after Independence? We shall have to ensure proper wages and other facilities for women working in the houses or at shops. If some woman is working as a domestic servant, she should be provided with residential accommodation. Does it look nice that she should sleep on the footpath or in the space adjacent to the staircase? I humbly submit. If we have to restore the glory of India, that it is a country where women were worshipped. Then women should be given a status in society and they should be paid equal wages for equal work.

I again thank Shrimati Bibha Ghosh Goswami for introducing a Bill which provided us with an opportunity to express our views. I urge the hon. Minister to bring forward a comprehensive Bill and request Shrimati Goswami to withdraw this Bill.

SHRI VIRDHI CHANDER JAIN (Barmer) : Mr. Chairman, Sir, I support the working Women's Welfare Bill, 1985 introduced by Shrimati Bibha Ghosh Goswami.

In our culture, women have been given a very high place. A Women's name is always prefixed to any name e. g. Sita Ram, Radhey Shyam. In 'Sita Ram' Sita and in 'Radhey Shyam', Radha have been accorded importance. In this way, in our religion and culture, women have been given a very high status. Despite this, women are being subjected to cons-

tant exploitation. The women, who are financially weak, have to do chores like cleaning utensils, grinding, etc, which are below their dignity or state, but they are compelled to do these jobs in order to earn their livelihood.

In our country, the Purdah' system is still there among 75 per cent of women. They still wear a veil. In our district about 90 per cent women wear a veil.

The custom of wearing veil and the Devdasi system are still in vogue in our country. Atrocities on account of dowry still take place. Women are subjected to severe injustice and atrocities and sometimes they lose their lives also.

Now, I come to the present Bill. This Bill has been brought forward to ensure the welfare of women working in factories and other institutions. In this Bill, about 16 special measures have been suggested for their welfare. In case they get all these facilities, it will serve a very good purpose and this will become a model Act. In the prevailing circumstances, if the objectives of the Bill are achieved it would be an indication of our progress and development. But within limited resources it is very difficult for us and for those who are running factories and institutions to provide all these facilities. If all these facilities are provided to them, then I think, it will be great justice to them. It would rather be an atonement for injustice meted out to them.

At the time of recruitment, efforts are made to ensure that no woman labour is recruited in these factories. If a woman is at all recruited, she is not paid wages equal to that paid to men. The reason given is that she cannot do as much work as man can do. It is, therefore, necessary to provide for equal wages for women. This situation is not prevailing in factories and institutions only. If a contractor employs a woman, he too does not pay her wages equal to those of men. She should get equal

wages for equal work. In the Famine Code also there is a provision that a woman should be paid less than what is paid to a man. We have seen that man is dishonest and does not put in full day's work, whereas a woman works with dedication. Still, for unknown reasons she gets less wages. In Rajasthan also, women are paid less than men. There should be equal wages for equal work. It is her right. It should not be violated anywhere. If in any Act there is a provision, which violates this principle, then that Act should be amended, so that they can get equal wages for equal wages for equal work.

In addition, I would like to make the following points item-wise :

"To ensure steady and definite increase of the women employees in the total work force;"

It should be made mandatory for any factory, industry or establishment to employ 20 per cent or 25 per cent women employees. Only then they will be able to get their due place, and not otherwise, I, therefore, support this measure.

"to ensure, after suitable amendments, proper application of the existing labour laws for the benefit of the women employees;"

A provision to this effect should be made in the labour laws so that the women can get due benefit of their right.

"to ensure child care facilities for the women employees with minimum needs like milk, tiffin, clothes, toys and trained aya to look after the children;"

In big factories such facilities have not been provided. It is true that in certain factories of Birlas and Tatas, sports and creche facilities and toys for children,

etc. do exist. Such facilities must be provided in our public undertakings. Implementation of such a provision should be ensured.

“to ensure mobile child care facilities for agricultural women employees;”

Such arrangements do not exist anywhere. The condition of women working in farms is appalling. The condition of landless women farmers is pitiable. They are employed for a period of 10 days after which they are thrown out. There is no certainty about their job. They should be given such facilities.

“to ensure retiring rooms with adequate facilities like bath-rooms, latrines, etc. at the work-site for the women employees;”

Such arrangements exist at very few establishments, out of so many industries, institutions and establishments. Such facilities should be provided everywhere. Women should definitely get this facility in this democratic age. Besides women, other workers should also get this facility. Every effort should be made to provide this facility. There are provisions to this effect in the labour laws, but these are not being implemented. Strict compliance with these provisions should be ensured.

“to ensure residential facilities for the women employees nearest to the place of work;”

At present they live in dilapidated jhompri. There should be proper arrangement for construction of houses for them. They should be provided with this facility by constructing suitable houses for them near place of work.

“to ensure recreation facilities for the kids of the women employees at the child care centres;”

There is provision for it in the labour laws. What is required is their implementation.

“to ensure proper and adequate security arrangements for the women employees at the work site, as well as, to and from their residential places;”

Their safety and security is at the mercy of God only. They have not even been provided with transport facilities to go from their residence to their place of work.

Whenever their situation has improved, they certainly have the facility of bicycle. As cycle is a cheap mode of transport, the workers have got this facility. For that also the workers should be given certain concessions such as loans at the minimum rate of interest. What I mean to say is that I welcome this Bill. When we are marching on the path of development and making progress in the field of science and technology, it becomes imperative on our part that labour loans be made stick and efforts made to ensure compliance with them and then implementation. We should do all that we can do for the welfare of the women. We should strive for their development, progress and upliftment.

With these words, I support the Working Women Welfare Bill, 1985 moved by Shrimati Bibha Gosh Goswami.

[English]

SHRI RAJ MANGAL PANDE (Deoria): I would not like to say that if enactment of laws could have been sufficient enough to wipe out injustices from the earth, then naturally this world would have been a heavenly abode. But I am sorry to point out that we are more concerned to catch the eye of the press and get popular support outside Parliament House on this issue.

We have spoken much about the women welfare. But the fact is not

that way. There is no disparity between a women worker and a male worker. If the nature has given that much of disparity, then the Government or any other agency could not help otherwise. If physically they are much weak and are unable to put in arduous or strenuous work which they are expected to do, how could a Government help it? Naturally we have to give them much more than what they are getting. Our tradition has been such that we have respected and adorned our women-folk. Virtually they are the masters of the house. From this we can very well see how predominantly they govern our homes. It is they whose wishes are carried and males are tamed and they have no voice in their houses.

It is said here in the Bill that more social justice is required, more amenities should be given, more intensive care units should be established in case of their sickness, their children should be given facilities and all that. Nobody will deny them these facilities. But the difficulty is that 50 per cent of the demands made in the Bill are so impracticable that no Government howsoever benevolent it might be, could afford to give. In brick kiln industry they are employed for hardly two or three months on contractual basis and they get more than what their counterpart gets in Government service as casual labourer in a year. But the Bill demands that they should have houses, hospital and other facilities. How could it be possible when their actual stay is hardly for three months? So, this will not help them much.

I was the Labour Minister in Uttar Pradesh. I know that in Uttar Pradesh the labour problem is so acute that if the labour from Bihar does not come to harvest our crop, 50 per cent of it will remain in the field and get destroyed. The tragedy is only in respect of the educated youth who have no jobs to be offered. Here in Delhi or any other big city you will not find a working woman either as a cook or a maid ser-

vant in any price or pay which you would like to give. It is not that the women as a class are suffering most. It is those who are educated and who do not find a job who are suffering most. For the women labour folk you have such potentialities that if they want to do the work, I think no woman could remain unemployed. I think there will hardly be any person who will not favour the amenities asked for, but I am opposed to such kind of demands which are impracticable and which nobody, howsoever benevolent he might be, will be able to give. We have all the praise for our traditions and our women folk, but our traditions go a long way to see that women do not come out of their houses. Their education is very meagre. Even those who have got education, do not have the audacity to come in the open field. In many States of the country, except in Kerala and some other States, even now their education percentage is hardly 12 to 13 per cent and even out of those, 8 to 9 per cent are drop-outs. So, if we want to give them equality, which everybody will like to give, the question is what kind of jobs you could offer to them. At the most they could be a clerk or a telephone operator. They could not be sent to the army, they could not be offered arduous work, they could not be offered such types of work where more physical labour is involved. After all, what kind of work they could be entrusted to do? I think the Government is already doing its best. We should see to it that women are done any kind of injustice. The society is changing now and women are progressing at a fast rate. I do not think there is any kind of injustice from the male side or from the Government side. So, I think this kind of a legislation which is seeking more than what anybody or any Government could give, should be dropped and the Government should enact a legislation whereby some such kind of help should be given to women which is possible and which the Government could afford to give.

[*Translation*]

SHRIMATI PRABHAWATI GUPTA (Motihari): Mr. Chairman, Sir, I welcome the Bill moved by the hon. Member, Shrimati Bibha Ghosh Goswami. I was very much surprised to listen to such things from a revolutionary leader like Shri Raj Mangal Pandey who had been a Labour Minister in his State. I did not want to speak, but after listening to his speech, a sloka from 'Manu Smriti'—comes to my mind :

“Yatra naaryastm pujyante
Ramante tatra devta.”

and Prasadji has also said in his Kamyani :

“Nari tum kewal shraddha ho
Jiwan ke antasthal mein Piyush
srot si baha karo.”

Merely saying so would not serve the purpose. You praise women, you appreciate them and you may write many articles in their praise or you may compose a lot of poetry to eulogise them, but what purpose would it serve? Today we see in modern India and in the modern world that women are working shoulder to shoulder with men. Even when our country was under subjugation, women made a great contribution in the freedom struggle, made sacrifices and undertook all sorts of difficult tasks. Shrimati Indira Gandhi, who is revered by everyone, is no more with us. There is no task which she did not accomplish. Did she not set an example for others? There is no task, which a man could do, and which she did not do. If we look at the example of Rani Lakshmi Bai or we go through our ancient history, the Ramayana and the Ram Charit Manas, though it might be called mythology, do we not find that when war broke out, Rani Kaikeyi went to war with king Dasharath? The brave Lakshmi Bai had also fought in the battlefield. What do all these things indicate? You say that the work

of the armed forces is difficult. Do the armed forces not have women in various branches? There are lady doctors, nurses and there are many items of work in which women make a significant contribution. I do not want that all the jobs should be given to the women, but there are certain items of work like primary education which can be reserved for women.

Jobs should be provided to them in big institutions and industrial workers. Women work in hospitals, small creches and in the Telephone Department and they are discharging their duties very efficiently. Women are in no way less efficient than men. I would, therefore, welcome the Bill which has been put forward here, as this Bill would provide protection to the interests of the women. Government should accept this Bill, because no body is subjected to so much exploitation as women are. The class most exploited is that of women.

Mr. Chairman, Sir, I have been contesting elections since 1952 and I visit rural areas also. Now I have been elected to Lok Sabha, you can see how big this House is. There might be 500 Members in this House, but in this House only 30 or 35 women Members have been elected. Even then on Pandeyji talks about equality. You may see the composition of the Cabinets, whether these are State Cabinets or the Union Cabinet. How many lady Ministers are there? Their numbers is negligible.

SHRI RAJ MANGAL PANDEY :
For the elections of M.L.As. and M.Ps, 20 per cent tickets were allotted to women, but out of them only 7.5 per cent have been elected. Even then they are demanding fifty per cent seats.

SHRIMATI PRABHAWATI GUPTA :
In my view women are in no way deficient in intellect or merit than men. It might be politics or any other sphere of activity, but the women are in no way

lagging behind. Even then they do not get equal wages. Women actually shoulder double the responsibility. They discharge their office work and then attend to their domestic work. Men only work outside the house and do not attend to domestic work at all. I do say that women should not do their domestic work. In my view it is in our culture and tradition that women should do the domestic work. Men simply work outside and relax at home and either their mother, sister or wife looks after their comfort.

I want that the women who stay at their homes and are only house wives, should be given unemployment allowance. It is my demand which should be accepted by Government.

I would like to say that this Bill is in the public interest and it should be passed. It would not put any financial burden on Government. It would effect only the factory owners. A provision of ten per cent has been made in this Bill. I would submit that it should be raised to 25 per cent and the industrialists and factory owners should bear this burden.

When I listened to the views of a revolutionary leader like Shri Raj Mangal Pandey, I had to speak on this Bill so that I could inform him about the plight of women.

With these words, I support this Bill.

[English]

SHRI P. R. KUMARAMANGALAM (Salcm): Mr. Chairman, Sir, in so far as the basic objectives and reasons of the Working Women's Welfare Bill are concerned, I personally feel they may be welcome, but, however, I think it is necessary for all of us to realise that the women may be the fairer sex, but definitely they do not seem to be the weaker sex. Without going into the matter of

discrimination, the speech made just before me would definitely identify who would be the weaker sex.

PROF. MADHU DANDAVATE :
From your speech you seem to be the weaker sex

SHRI P. R. KUMARAMANGALAM :
I am not denying it. I admit it, professor. But the fact is without doubt that though women have after independence moved forward a lot and progressed and they have, in fact, moved in all fields, whether it be the professional or not and even if it is engineering or high technology or even when it is daily manual labour, they have moved forward and got more and more share in employment opportunities that are available.

In so far as politics is concerned, without any doubt the women of India specially have impressed the world that they could be greater statesmen, in a way definitely not lesser than any male anywhere in the world. After all, our great leader, Indira Gandhi, was a woman undoubtedly, and a very beautiful lady at that, and she did impress the world with her calibre and statesmanship. So, one cannot really say that women in India have not established beyond doubt, that they are no match to any man, let alone in India, but anywhere in the world.

So far as this welfare Bill goes, it is the one which talks of creation of a working women's welfare fund and carrying out the objectives of the Act. Why should it only be working women's welfare? Why can't it be workers' welfare? Let us treat both men and women as equals. After all, the working men themselves require a lot of support, a lot of facilities. When we talk of unemployment dole to the working women, why don't we talk equally about the working men also? Mr. Chairman, Sir, undoubtedly the working class in India do not have those facilities which the working class in the

advanced countries, in the developed countries, do have. It is a fact that the workers though often criticised for fighting for their rights only, really have not got their rights. So, when we talk of workers, we find that whether it is men or women, the facilities that are provided for them are not sufficient and undoubtedly there is a lot to be done for them. In fact, even the workers in the public sector, whether it be a woman or a man, do not have the facilities which we have promised in the Directive Principles of our Constitution. There, they have promised a living wage. They have said, 'We shall strive to achieve a living wage? Have we given a living wage? Why this is so? Is it not necessary for us to think not just only in terms of women, but think in terms of human beings? Let us not forget that workers are as much citizens and human beings of our country as any other section of people and it is the working class which is the backbone of any country. If the working class of any country—why working class, Mr. Chairman? I humbly submit, it includes not just the organised labour, not just the unorganised labour of industry, but it includes every man who works for his living and does not use capital and exploitation to earn his living, and that undoubtedly is the majority. (Interruptions). In this circumstance, Mr. Chairman, Sir, I would submit that I would be extremely obliged personally, and I am since the House will welcome a Bill by the hon. Minister for Labour for welfare of workers in totality, bringing within its scope better facilities, giving them a living wage and giving them a chance of moving forward in life.

17.33 hrs.

[SHRI SHARAD DIGHE *In the Chair*]

It is unfortunate that it is only in the lucrative private sector we find the workers getting a chance of talking of a little bit of living wage.

Mr. Chairman, Sir, with these words I humbly submit, and I request the Labour Minister to consider bringing to this House a Bill which talks of welfare in general. Thank you.

[*Translation*]

THE MINISTER OF STATE FOR THE MINISTRY OF LABOUR (SHRI T. ANJIAH): Mr. Chairman, Sir, many M.Ps have expressed their views on this Bill. Nothing new has been said about women, as we all are aware of the difficulties faced by them. Whatever progress we have made in this country, has contributed towards enhancing the prestige of women and we are continuously striving to enhance it. The condition in the villages is the same for all the people living there, because the people of our country are dependent mostly on agriculture. The people engaged in it are facing difficulties. In some other sectors. You will find that our women have made tremendous progress. They are respected very much in India. At many places a few problems arise. Some women have made a complaint that they are teased in industries and equal remuneration for equal work is also not being paid to them. A committee has also been set up for this purpose. Bidi workers are also facing some difficulties. The Central Government has imposed some cess as part of exercise duty in this industry so that some benefits could be provided to these workers. There are many industries in which only women are employed. You know that women work very hard. It is wrong to say that there is no respect for women in India. I have visited many other countries also. Many things are said in the politics of today. It is our first and foremost duty to respect women. You know that our country is called Bharat, Hindustan and Bharat Mata as well. Our Prime Minister has instituted a Shram Devi Award for women workers. In this way we are trying to move forward in various spheres of activities. It is not a fact that the number of

women in the total work force has gone down. I have got the figures with me. It is correct that they are not being provided with transport facility when they work during night. The women are unable to reach their homes. That is why we are asking the industries either to provide transport facilities to them or women should not be asked to work in night shifts. Some such arrangement should be made so that women might feel safe in their occupation, as they have to face many difficulties. So far a payment of less remuneration to them in certain industries is concerned, we are asking all the State Governments to set up advisory boards in their respective States to ensure equal remuneration for equal work and these board should also be delegated the power of prosecution. It is very difficult for me to say whether this directive is being implemented properly or not. As the Labour Minister's conference is scheduled to be held tomorrow, we would, therefore, discuss this subject in the conference.

Many other things have been said regarding women here. A demand has been made to provide facilities to them, but I think the question of wages is the most important question. Many Members have said that women are paid much less wage in our country, but so far as the Public Sector is concerned, I do not have any information regarding the injustice being done to them there because we have taken a decision regarding the public sector. They are facing difficulties only in the private sector as in the textiles mills, jute mills or in other factories. In such industries women are being paid much less wages than male workers. We have also received such complaints that some capitalists and industrialists force the children and the women to work more, but they are paid less wages and this is going on. We are making continuous effort, to check such things. Laws have been enacted in this regard. Through laws and other methods, we are trying to check this injustice being done to

them. I think that women should be put on light work such as telephone, electronics, shops and typing work and the women should be given reservation indirectly in such jobs in all the industries in the country. But as you know whenever the question of reservation comes up, we have to face many difficulties. It is a separate matter that the condition in the socialists countries is a bit different and the women there have many opportunities to rise in industries and I agree that they are much advanced in comparison to us, but our country is also not far behind. We are also advancing in that direction slowly. Even then you know that most of the women are traditional and conservative. Moreover, we want that they should not become so much forward as we see in the advertisements in newspapers in magazines and in films. Some capitalists in our country are engaged in exploiting the women. They take their photographs and publish them in the magazines, produce films and make a very meagre payment for their photographs. We are making all efforts to check such exploitation. We want to condemn such exploitation and would like to take action against them. The reason for this is that it has been the history of our country that for ages we have been providing protection to women you have read in the Ramayana also how a big war was fought for Sitaji. Similarly, a war was fought for Draupadi also. So far as women are concerned, Mahatma Gandhi and many other leaders have made efforts in this direction...

PROF. MADHU DANDAVATE
(Rajapur) : Did you read the Ramayana...

SHRI T. ANJIAH : Yes Sir, I have seen the Ramayana...(*Interruptions*)... Secondly, Ram Lila is played in our country. In our country, the people take inspiration from the Ramayana. To say that there are a few such people is true; they are seen everywhere. You take any country today, the evils

in society are there in every country. But the question is that we are paying attention to what our sister Bibha Ghosh has said. She is the Home Minister in her house. There are women who not only rule but also do not heed the biddings of their menfolk.

We are already giving consideration to bringing forward a separate legislation for women as sought for by her. There are many suggestions in this Bill, which it would be difficult to country with. In this connection, we propose to bring forward a comprehensive legislation and our intention is to bring a forward a separate Bill for women. But, this is not so simple. We shall discuss it with the Department of Labour and shall endeavour to bring forward a legislation for women independent of others. The Bill so drafted will have to be sent to the Department of Law for legal opinion and it will take some time. Therefore, I shall request my sister to withdraw her Bill.

***SHRIMATI BIBHA GHOSH GOSWAMI (Nabadwip) :** Mr. Chairman Sir, at the very outset I wish to thank all the Hon Members who have participated in the discussion on my Bill. Some have supported this Bill and some have criticised or opposed it. Most of them have supported the sentiments and principles behind this Bill and on the whole it has become apparent from their speeches that the existing enactments in this respect are not adequate and do not fulfil the needs of welfare for the working women and that amendments in the existing enactment and also enactment of new legislation to give the contemplated welfare benefits to the working women are necessary. Shri Shantaram Naik has spoken about comprehensive legislation in this respect and the Hon. Labour Minister has also spoken about the same. Shri Harish Rawat and Shri Naik has said that in certain industries and establishments only women workers should be employed.

The 'objects' of the Bill are not at conflict or with this view. Atleast I don't think so. Shri Naik has also said that in the matter of forming trade unions by women workers some leniency or relaxation in the existing rules and laws is necessary. I support that view but in the present Bill no provision regarding forming of trade unions or trade union rights of women workers has been made. Mr. Naik has said that the Advisory Committee must compulsorily be composed of women. Here I do not agree with him. Because I think that half of society as a whole the member consists of women who are inseparable from the society as such. We want welfare for the women as a part of that society. There in the man are not only not untouchables but they are co-workers and co-sympathisers. This point of mine will be clear from the speeches of most of the male members who spoke on this Bill. Since the Labour Minister has given a categorical assurance that he will bring forth a comprehensive Bill in this respect, I am not going in detailed discussion of various clauses of this Bill separately. Shri Daga raised a question about penal provisions. If the employer does not supply the required information then what action will be taken against them? I think that when licenses are issued for any industrial establishment at that time itself they are made liable to furnish any such information required by the Government. The employers are obliged to furnish all such information. Therefore, I think that the penalty requirements of this Bill will be covered under that. Shri Harish Rawat has said that at present there are 350 hostels for working women. This is not at all adequate. Many more are needed. I fully support his view. Shri Manoj Pandey and many others said that there is nobody to look after the interests or voice the grievances of the women in the unorganised sector particularly those working in the agricultural field. It is very necessary to organise them. I entirely agree with this view of Shri Manoj Pandey. At the same time I want

*The speech was originally delivered in Bengali,

to point out that, we, the workers of democratic movements are trying to organise the women. Wherever strong leftist democratic movements are in existence, we have set-up strong womens' organisations also. We have strengthened them. This can be seen in West Bengal, Kerala, Tripura, etc. There the rural women are getting organised in ever-increasing numbers and are also able to extract higher wages. This holds good in all spheres. If the women are organised, they will be able to get enforced the provisions of the minimum wages. Act or to get equal wages for equal work etc. Shri Monaj Pandey is not present here, but I want to tell him and all other hon. members to try to organise the rural women in their respective areas wherever they may come from. Ask them to demand their rights, so that they may be able to extract their demands and right to minimum wages. Without being organised, what to say of women even men do not get the minimum wages. Therefore, getting organised is of the prime importance. I am grateful to respected Smt. Phulrenu Guha who has supported my Bill. She has spoken about the construction workers, the brick-kiln workers etc., and has said that she does not agree with the provision of the Bill that the women workers should not contribute anything themselves. She said that she does not want that the women should go begging. But the question of begging does not arise here at all. This Bill envisages that the Working Womens' Welfare and the welfare of their children will be taken up by the Government as a national responsibility, and as such they will contribute 10 p. c. The question of begging does not arise. There is no point of degrading the women. Shrimati Phulrenu Guha mentioned about clause 5 of the Bill. I think it is in order. It says the Government shall ensure representation of women employees in various Committees of trade unions formed for the purposes of working class. Provision has been made only for the representation of women employees. Therefore, I do not think that Phulrenuji had any

objection to that. Shri Shanmugam asked whether the State Government has framed any such Bill. I want to tell him that only the Central Government is competent to pass such a legislation. No State Government is empowered to do that. He mentioned that the Tamil Nadu Government has made education free and has taken some other welfare measures. All such steps are welcome and everybody will support them. Many other States have taken similar measures. The West Bengal Government has provided free education upto class XII both for boys as well as girls, and mid-day meals are being provided there for a large number of primary class children. He highlighted the problems of the 11 crores of women engaged in agriculture. Here too I am in full agreement with him and I support him. Shri Daga quoted extensively from the constitution and said that all these rights and benefits have already been provided in the Constitution. We all know that constitutional provisions are there. Then where is the need for making other legislation or enactments? Constitutional provisions are there but actually these benefits have not been made available to the women. That is why the need has arisen for this Bill. The Minister has also to accept this position and to state that he will bring forth a comprehensive Bill in this connection. Shri Ram Piyare Ji has given the right reply to Shri Daga, and he has rightly raised the Question of the women belonging to Scheduled Castes and Scheduled Tribes. If the comprehensive Bill comes, as assured by the hon. Minister, then the SC/ST working women will also be surely equally benefited there by. This Bill also has been drafted in a manner that will bestow equal benefits on them too. I think Shri Jain for supporting this Bill and for what he said in this connection. He also rightly talked about social revolution. Without social revolution women can never get equal rights. He strongly upheld the Question of 'right of equal wages for equal work'. I fully support what he said. Shri Raj Mangal Pande raised certain issues. Of course, respected

Shrimati Prabhavati Gupta has given a fitting reply to him. Shri Pande said, that if the women are so weak physically that they cannot do any strenuous work then what can the Government do? I know that in many parts of the country specially in Uttar Pradesh such type of thinking and mentality does exist in some influential circles for a long time. This mentality continues even today. The 'Committee on Status of women in India' had submitted a report. There in they mentioned about this sort of mentality prevailing in U. P. The report says that at one time a request had come from U.P. That women may not be accepted as trainees in the I. A. S. and I. F. S. cadres. Even if women are taken as trainees, then at the completion of the training they may not be posted in U. P. Now that particular section of people with anti-women mentality is represented here by Shri R. M. Pande. Smt. Prabhavati Gupta has already given a fitting reply to him. I therefore do not wish to go into that. So long as this type of mentality against women will remain in our society and in this House, it will be extremely difficult to work for achieving equal right for our women. Shri Kumaramangalam said that he does not like speaking about the women separately and distinctly. He is right, but so long as in our society the disparity and discrimination is so pronounced, we will have to speak about our women and their children separately. We shall have to clear the backlog first. Otherwise merely by saying so, they cannot get equal rights. Equal rights can not be bestowed on them in this manner.

In the end I will thank the Hon. Labour Minister. He has admitted that the working women are faced with many hardships and difficulties. According to him the Government is attending to the question of equal wages for women in the public sector. But in the private sector the women are not getting equal wages at most places. He is contemplating a comprehensive legislation to remedy that situation, at an early date.

Sir, I will conclude with one more point. I will request the Minister to consider how to enact a legislation separately for the women in the unorganised sector, specially those engaged in agriculture. I request the Hon. Minister to ponder ever this in consultation with go to Ministry of Women Welfare. I have got one clear suggestion about it. I said it earlier also while speaking on the demands of the Ministry of Women's Welfare and that is the Government shall have to take the responsibility of granting maternity leave to the women employees with full pay in the entire unorganised sector. One member raised the Question that the brick-kiln workers work for only 3 months in a year. How can the welfare provisions be made applicable to them? But my demand is that every working women in any part of the country, whether she works in a factory or mill or in the fields or in any other place, must be allowed maternity leave with pay and this shall be the responsibility of the Government. Then only, this problem can be solved. How this legislation can be enacted it has to be found out. We are also thinking about it. Sir, in view of the categorical assurance by the Hon. Labour Minister that he will bring forth a comprehensive Bill in this respect, I withdraw my Bill.

18 hrs.

[*English*]

MR. CHAIRMAN : The question is :

"That leave be granted to withdraw the Bill to provide for the welfare of women employed in various industries and establishments."

The motion was adopted.

SHRIMATI BIBHA GHOSH GOSWAMI: I withdraw the Bill.

MR. CHAIRMAN : Before we go to the next item of business, Shri Khursheed Alam Khan will make a statement on Sri Lanka.