

**SHRI MOOL CHAND DAGA :** I have already paid that all the offices should remain open together.

**MR. SPEAKER :** You reply to my question. Today you are trying to be evasive.

**SHRI MOOL CHAND DAGA :** You please get me reply to my question. At present, 10 lakh people are working on daily wages. Are you going to give these 10 lakh workers 5 days' wages or 6 days wages? In the Railways, there are 5 lakh such workers, in the Post and Telegraph Department 3 lakhs and in P.W.D. one lakh such daily wage workers are working. Will they get five days' wages or 6 days' wages?

[English]

**SHRI K.P. SINGH DEO :** Sir, I am grateful to the hon. Member for giving us the data of the various countries. The fact is that in the six-day week, a person had to work for 37-1/2 hours. Now, in the present 5-day week, the same number of hours, that is, 37-1/2 hours has been prescribed which a Government servant will have to work. Therefore, there is no loss as far as the working hours are concerned. As far as feed-back is concerned, which is coming from the various Ministries in the last 1-1/2 months, it has been quite satisfactory. It has not yet fully stabilised. It is settling down. At this premature stage, it is not possible to give any objective assessment.

**SHRI THAMPAN THOMAS :** Sir, the Government has introduced this system for the administrative staff working in the Government offices. But for the workers working in the factories and other industries, why can't the Government consider changing the six-day week to five-day week? Now, as per the Industries Act, they have to work for 48 hours a week. Will it be possible for the Government to consider reducing working hours from 48 to 40 hours a week? This will not only create new employment opportunities in the country but also the unemployed youth will get job in various industries. Will the Government consider a proposal for reducing the working hours for the factory workers and also other workers in other sectors from 48 hours to 40 hours a

week so that there will be more employment opportunities for the unemployed youth in the country?

**SHRI K. P. SINGH DEO :** Sir, it is a suggestion and we will look into it.

**SHRI R. PRABHU :** Sir, the present system of 5-day week has been welcomed by all sections of government employees. However, there has been some complaint that the service organisations like the Central Government dispensaries and the Government run Super Bazars remain closed at the week-end. I would like to know from the hon. Minister whether it is a fact that these service organisations remain closed at the week-end and if so, whether he can do something for keeping them open on holidays so that government employees can take advantage of them.

**SHRI K. P. SINGH DEO :** I shall examine this.

#### Women's Right's Vis-A-Vis Offences Like Abortion and Miscarriage

\*26. **SHRI D.K. NAIKAR :** Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government propose to bring forward a legislation to amend the Indian Penal Code to do away with the provisions regarding abortion and miscarriage as these are against the rights of women and discriminative on the basis of sex; and

(b) if so, when?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI-MATI RAM DULARI SINHA) :** (a) and (b) . In the Indian Penal Code (Amendment) Bill, 1978 which was passed by the Rajya Sabha, section 312 of the Indian Penal Code relating to punishment of the offence of causing miscarriage was proposed to be amended so as to harmonise the provisions of that section with those in the Medical termination of Pregnancy Act, 1971, The

Bill lapsed on the dissolution of the Lok Sabha in 1979. Though the proposal for reintroducing legislation on the lines of the lapsed Bill is under active consideration it is not possible to indicate as to when exactly it would be possible to introduce it.

**SHRI D. K. NAIKAR :** Sir, my specific question is about the deletion of the provisions relating to abortion and miscarriage. But the answer given by the hon. Minister is to bring an amendment to harmonise with the provisions of medical termination of Pregnancy Act, 1971. I have read the provisions of the Act of 1971 wherein the right to decide whether the woman can carry pregnancy or not at her free will and desire is not given. That means, she is treated as a machine to conceive and bear a child. So, it violates Articles 14 and 15 of the Constitution. Therefore, I would like to know from the hon. Minister whether he will consider for bringing forward an amendment to delete the provisions in the Act. I would also like to know from the hon. Minister what is the position in this connection to protect the interests of women so far as the termination of pregnancy is concerned. The right should be given to her to decide whether she should carry pregnancy or not.

**SHRIMATI RAM DULARI SINHA :** Sir, the hon. Member's question is whether the Government proposes to bring forward a legislation to amend the Indian Penal Code. In that regard, I would like to inform the hon. Member, as he has already mentioned, that the Indian penal Code is not coming in the way of Medical Termination of Pregnancy Act, 1971.

It is quite liberal and I would request the hon. Member to go through its recommendations and I think, he will be satisfied.

Under the Indian Penal Code, a woman has a right to terminate her pregnancy for saving her life. Under the Medical Termination of Pregnancy Act, 1971, her rights are very much broad-based and in fact, she has great freedom in the matter. Through a medical practitioner, she can terminate even a 20-week pregnancy even if she is emotionally disturbed or agonised due to pregnancy. I will request the hon. Member to let me know if he wants something more than what

is provided in the Act...*(interruptions)*.

**SHRI D. K. NAIKAR :** According to Sections 3 and 4 of the Medical Termination of Pregnancy Act, 1971, the length of pregnancy must not exceed 12 weeks, and for that no medical expert can give his opinion definitely. Further, termination of pregnancy is valid where pregnancy is due to rape, or failure of any contraceptive device in the matter of limiting children, pregnancy is under the age of 18 years, or the person is insane. But no right is given to a woman to decide whether she should carry pregnancy wanted or unwanted at her free will..... *(interruptions)*.

**PROF MADHU DANDAVATE :** He is not replying to her question. Her question is : Do you want anything more than abortion?...*(interruptions)*.

**SHRIMATI GEETA MUKHERJEE :** Why should he be punished for championing the cause of women?

**MR SPEAKER :** You come to his rescue.

#### Division of Big States

\*28. †**SHRI R. P. DAS :**

**SHRI CHITTA MAHATA :**

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government have taken a decision for division of the bigger States into smaller ones and conversion of the State capitals into Union Territories;

(b) if so, the details thereof; and

(c) the reasons for such a decision?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) :** (a) No such proposal is under consideration of the Government of India.

(b) and (c) . Do not arise.