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*** Lifting of Ban on Employment of Women on Underground Work in Coal Mines**

The Honourable Dr. B.R. Ambedkar (Labour Member) :
Sir, I am happy that our Lady Member thought it fit to bring forth this adjournment motion. I am glad because it gives me an opportunity to explain to the House a matter which has been weighing very heavily on my mind. I do like to say at the very outset in order that the house may understand my feelings in the matter that I do regard this decision of the Government of India as a great misfortune. I am not happy about it. All that I am saying is that given the circumstances in which the Government of India was forced, I do not regard that this is a mistake on our part. I think the House will understand the distinction that I am making.

The debate to which I have listened has rather impressed me that the lines on which most of the Honourable Members have spoken have been mostly of a humanitarian character. They have been, in my humble judgment, greatly removed from what I would call the plane of reality. And when I speak in this debate, I propose to stick to what I call the realism of the situation. I would also like to say that many points have been brought in during the course of the debate as though they were the points on which the decision of the House was called for. I would particularly say that reference was made to the wages prevalent in the coal mines. Reference was also made to the prevalence of unfair welfare conditions in the coal mines and I shall have something to say about them in the course of the observations that I will make. But I think I am justified in saying that having regard to the terms of the motion,

these are rather incidental matters and not matters on which the House is called upon to record its judgment.

Having made these preliminary observations, the first point that I would like to make is that some Honourable Members have given to me the impression that the Government of India was never serious with regard to this convention of preventing women working underground to which they had given their consent in the year 1939 and had within four years withdrawn from it. Sir, I would like to make a few observations on the point in order to put the matter in the right perspective. The House will recall that the Government of India had accepted the principle of prohibiting women working underground long before the Convention came into existence. The matter, so far as my study of it goes, was first debated in the year 1923 when the Government of India brought in a Bill for the amendment of the Indian Coal Mines Act. I would like to remind the house that the original purpose of the Bill was very limited one. It was a purpose merely to introduce safety measures in coal mines, but when the measure was taken to the Select Committee, the Select Committee in its judgement thought that the Government of India ought to go forward and take a bold step and claim powers in the Act in order to prohibit the working of women underground. In the Select Committee the Government of India accepted the principle. Not only did the Government of India accept the principle but they framed regulations with the definite and deliberate object of eliminating women labour from working underground. As the House will know, the Government of India had laid down a definite programme of annual decrease in women underground. So much so, that two years before the ratification took place in this house, we had, under the policy of the Government of India, no woman labour working in the mines at all. Sir, that fact was referred to by the Honourable the Mover of the Motion. But I was sorry to find that she did not draw the obvious inference which I think I may legitimately draw that the Government of India, long before the convention came into existence, has been very definitely of the opinion that women should not work in the mines and has taken definite steps to bring that state of situation to a close.

The Government of India has been blamed for lifting the ban now on the supposed ground that there has been no justification. I must

confess that I was rather surprised at a statement of that kind. Sir, I would like to point out to the House two considerations, and I would beg of the House to consider whether the two points that I am placing before them do not constitute what I regard as an emergency. Sir, the lifting of the ban on women working underground has a direct reference to coal. That is an indisputable fact. I would like the Honourable members of the House to consider whether coal could not be called a strategic material from every point of view. I ask the House to consider whether it is not a strategic material from the standpoint of the industry, I would ask the House to consider whether it is not a strategic material from the standpoint of transport, whether it is not a strategic material from the point of civil consumption. We are not dealing, I want to emphasise this fact, with an article the use of which we could avoid at our option. It is a thing which we must have, and I submit it is a thing which we must have before we have food or before we have anything else. That is one point I want the House to consider. The second point that I want the House to consider is this. Would it have been possible for the Government of India to wait until the situation had righted out itself. I know very well, as most Honourable Members know, that coal would have been produced in the ordinary course. It may not have been produced in 1943, it may not have been produced in 1944, but it may have been produced in 1945. But the question which I would like the House to consider is this : is it a case in which we could wait ? Is it a case in which we could allow the natural course of things to take its place ? Sir, I make bold to say that this is one of those cases which is of such urgent and immediate importance that steps may be taken and a Government which does not take the steps to right the situation immediately is not a Government worthy of its name. Therefore, let us not forget that we are dealing with an emergency and the lifting of the prohibition from allowing women to work underground is not an idle act or a wanton act on the part of the Government, but is an act which is amply justified by the facts and circumstances of the case. Therefore, Sir, the conduct of the Government must be judged in the light of the emergency. I would request Honourable Members to judge the conduct of the Government in the light of these two circumstances only. Has the Government failed to do something which it ought to have done ? Has the Government done something which it was needless for it to do ? My submission

is that judging it in the light of these two considerations which I have mentioned, I have no hesitation in saying that the Government's action is perfectly justified.

My Honourable friend, Mr. Joshi, said that this was a convention which could not have been broken. I agree that it is one of those conventions which does not contain a clause for its own suspension. But I have no hesitation in saying that every nation has got a right to break an international convention or an international treaty under certain circumstances. That has been a well established principle of international law. I am glad to say that in the debate that took place at Geneva in 1940, in the Governing Body, that was more or less the general opinion. Sir, could we have avoided taking steps that we have taken ? I should like to detail to the House some of the circumstances which have led the Government to take this measure. There is not the slightest doubt that shortage of coal was due to shortage of labour. That is circumstance, which I think, is beyond dispute. Now, Sir, the shortage of labour was due, according to the examination which Government made to three causes. First of all, there was the grow-more-food campaign started by the Government of India. There was the opportunity of increased employment on military works. Any one who dispassionately considers employment in coal mines as against the results of the grow-more-food campaign and the increased opportunities for employment in military works can well understand why there should have been shortage of labour in coal mines. Sir, it is quite clear that in the present circumstances, where prices of foodgrains are rising so rapidly, the grow-more-food policy should attract people to agriculture. If people who have been working in coal mines and who, as every one knows, are purely agriculturists, if they are drawn to grow-more food policy, it would be a matter of no surprise. Similarly, the military works with their increased earnings attract these people. But, Sir, there is one other circumstance which although I know that some Honourable Members who have spoken have made very light of it, is none-the-less a reality. In the first place, it is quite clear to every one that work under coal mines is the most uncongenial work, even dangerous. Nobody likes it and any workman who finds an opportunity to work on the surface is bound to take the earliest opportunity to leave the coal mines. The grow-more-food campaign and the military works

are those works which provide an opportunity to the coal miner to obtain what I call less dangerous and more congenial piece of work. The second thing is, I will repeat it again, that both in the grow-more-food campaign as well as in the military works, the coal miner has the advantage of both earning himself and also having an earning for other members of his family.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

The Honourable Dr. B.R. Ambedkar : I am sorry, Sir.

Mr. President (The Honourable Sir Abdur Rahim) : I have no discretion in the matter. The Honourable Member should conclude.

The Honourable Dr. B.R. Ambedkar : That being so, Sir, there has been a shortage of labour.

I should like to refer to two other points which I think it would be necessary for the House to take into consideration. The first thing is that Government have certainly not gone headlong in this matter as though it was a matter of no consequence. I should like to tell the House that Government have proceeded with great caution. Its first notification applied only to the C.P. and did not apply to the whole of the coal area. It was in November that Government thought that a case had arisen for extending the notification to Bengal and Bihar, and it was only in December that Government extended the notification to Orissa. We have also taken care to see, and this is an important point, that women shall be paid the same wages as men. **It is for the first time that I think in any industry the principle has been established of equal pay for equal work irrespective of the sex.** We have also taken care that women shall not be required to work in a gallery which is less than 5½ feet. The House will also remember that these notifications are of a very temporary character, and I want to emphasise this point. We have not said that these notifications will last during the period of the war; we have kept the matter absolutely fluid; we are in a position to revoke them at any time that we like and that we can. And I should like to tell the House that we regard this as a purely emergency and temporary measure. We are also doing one other thing in order to shorten the period of the notification. For instance, we are instituting a labour camp where we are recruiting male labourers to be sent to the

coal mines. We are taking another measure in order to shorten this period, namely, to employ what we call Labour Supply Committees in order to furnish the contractors who are working on military works for labour so that workers will be released for coal mines.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

The Honourable Dr. B.R. Ambedkar : Sir, if you will give me one minute.....

Mr. President (The Honourable Sir Abdur Rahim): I am afraid I cannot. The rule is somewhat peremptory.

The Honourable Dr. B. R. Ambedkar : The House will therefore see that this is a purely emergency measure and Government have no intention of continuing it a minute longer than the necessities of the case require.

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