

* The Mines Maternity Benefit (Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member):
Mr. Deputy President, I move :

“That the Bill further to amend the Mines Maternity—Benefit Act 1941, be referred to a select Committee consisting of Mr. M. Ananthasayanam Ayyangar, Prof. N. G. Ranga, Shri K.B. Jinaraja Ilegde, Maulana Zafar Ali Khan, Sir Syed Raza Ali, Mr. Amarendra Nath Chattopadhyaya, Mr. N. M. Joshi, Rao Bahadur N. Siva Raj, Mr. H. G. Stokes, Mr. S. C. Joshi and the Mover with instructions to report on Monday, the 2nd April, 1945, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

Mr. Badri Dutt Pande (Rohilkhand and Kumaon Divisions : Non-Muhammadan Rural): Why is not there a lady Member ?

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore cum North Arcot Non-Muhammadan Rural): I suggest Mrs. Subbarayan.

The Honourable Dr. B. R. Ambedkar : My Honourable friend might move an amendment at a later stage and I will deal with it.

As the House is aware, we have already got the Miners Maternity Benefit Act, which was passed in the year 1941. This Bill seeks to amend that Act and the reasons why this amendment has become necessary can be very briefly stated.

When the Act of 1941 was passed it was intended to cover cases of maternity benefit for women working on surface. We had no such case as we have now of women working underground. Unfortunately, for the reasons which I have explained to the House on more than one occasion ; we had to permit women to work underground in coal mines. As I have stated that provision is of a temporary character and I hope and trust that Government will be able to reimpose the ban very soon. But notwithstanding the fact that the lifting of the ban is of a temporary character, it is felt that in view of the criticisms made in this house as well as outside, it is necessary to amend the Act in order to provide

* Legislative Assembly Debates (Central), Vol. III, 29th March 1945, pp. 2265-66.

for cases of pregnant women working underground. It is to give some benefit to the women working underground that this amendment is intended.

The provisions of this Bill are mainly two. As it is, there is already in the Act a provision which prohibits women working after delivery for four weeks. We now propose to add a provision prohibiting women working underground before confinement. That period will be a period often weeks, so that under the present Bill no woman would be allowed to work underground for ten weeks before her confinement. Similarly there is a provision for the benefit to be given to her. That benefit will be at the rate of twelve annas per day for fourteen weeks in all-ten weeks before confinement and four weeks after confinement. The qualifying condition for enabling her to earn the benefit is 90 days work underground within a period of six months. These are mainly the provisions of this Bill.

Sir, I have noticed that there are certain amendments which have been tabled and I might tell the House that I have also thought of certain amendments which I want to move on behalf of the Government. But as the time is very short and as the matter is urgent, I think the interest of everybody concerned would be served, if the Bill were forthwith sent to the Select Committee. So that the amendments that I have in mind and the amendments that have been tabled could be considered round the table with mutual give and take. It is because of this proposal, viz., to refer the Bill to the select Committee (which was not my original intention) that I do not propose to dilate at any length on this Bill. With these observations I move.

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*** The Honourable Dr. B. R. Ambedkar :** Sir, I do not think I need say much in reply to what has been said by the Honourable Members who have taken part in this discussion. One thing however I would like to say, namely, that I appreciate very much the spirit of the speakers which shows that the two questions, namely, the question of the women working underground and the questions arising out of this Bill should be separated and I am glad to say that they have been separated by the speakers who spoke on the Bill. They have expressed their opinion

* Legislative Assembly Debates (Central), Vol. III, 29th March, 1945, p. 2270.

on the question of the merits of allowing women to work underground. The views of the Government have already been expressed and I have no quarrel with those who differ from Government but I am glad to say that all those who have spoken have realised the necessity of the Bill I have brought forward and I hope I shall continue to have the co-operation which they have exhibited in this house now.

Mr. Deputy President (Mr. Akhil Chandra Datta) : The question is:

“ That the Bill further to amend the Mines Maternity Benefit Act, 1941, be referred to a Select Committee consisting of Mr. M. Ananthasayanam Ayyangar, Prof. N. G. Ranga, Shri K. B. Jinaraja Hegde, Maulana Zafar Ali Khan, Sir Syed Raza Ali, Mr. Amarendra Nath Chattopadhyaya, Mr. N. M. Joshi, Rao Bahadur N. Siva Raj, Mr. H. G. Stokes, Mr. S. C. Joshi and the Mover with instructions to report on Monday, the 2nd April, 1945, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

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