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* Mines Maternity Benefit (Amendment) Bill

The Honourable Dr. B..R. Ambedkar (Labour Member): Sir, I move:

> "That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

Sir, the Bill, I must admit, has been considerably modified by the Select Committee. In view of that it is only proper that I should call the attention of the house to some of the important changes in the Bill which have been made by the Select Committee.

(At this stage, Mr. President (The honourable Sir Abdur Rahim) resumed the Chair.

The first change which the Select Committee has made is with regard to the period of prohibition of pregnant women on women working under-ground. The original Bill had provided that the prohibition should operate for ten weeks before confinement and for four weeks after confinement. The Select Committee has made no change in the period originally proposed, for prohibition before confinement. But with regard to the period of prohibition after confinement, the changes they have made are somewhat extensive. In the first place, the period of prohibition is extended from four weeks lo thirty-six weeks. This period of thirty-six weeks is broken up into two parts : There is a period of complete prohibition which is followed by a period of partial prohibition. The period of complete prohibition, is extended by the Select Committee from four weeks to twenty-six weeks. The period of partial prohibition covers ten weeks. The period of partial prohibition is again made subject to two different prescriptions dependent upon the existence or non-existence of a creche. During the period of partial prohibition, a woman is not to work underground for more than four hours if there is no creche, and, secondly, she is not to work

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* Legislative Assembly Debates (Central) Vol. IV, 11th April 1945, pp. 2788-89.

underground for more than four hours at any time even if there is a creche. These are the changes made by the Select Committee with regard to the period of prohibition on work underground.

Coming to the question of maternity benefits to be paid to a woman working underground, the Select Committee has made the following changes; Originally the Bill had laid down two conditions which a woman working underground was required to satisfy before she became entitled to maternity benefit. Those conditions were, firstly, a minimum period of work extending to six months in a mine before confinement, and the second condition was minimum of 90 days work underground during such period of six months. The Select Committee has removed the first condition, namely the requisite period of six months of service in a mine, so that under the amended Bill all that a woman need do is to satisfy the condition of having worked for ninety days underground within the period of six months prior to delivery and she becomes entitled to maternity benefit.

The Select Committee has also made certain amendments with regard to the period of benefit. In the original Bill, the period of benefit was ten weeks before confinement and four weeks after confinement. The select Committee has changed the period of benefit after confinement from four weeks to six weeks. Siimilarly changes have been made in the amount of benefit. Originally the amount of benefit was eight annas per day. The select Committee has changed it to six rupees a week, which is a little less than fourteen annas a day. Then the whole of the period of benefit is now declared to be a period of authorised leave, so that during this period an employer is not entitled to dismiss a woman who comes under the present Bill.

Another important provision made by the Select Committee is to require that the medical examination of a woman entitled to benefit shall be by a woman doctor if the woman demands it, a provision which did not exist in the original Bill. I might also draw the attention of the House to the fact that during this period of thirty-six weeks of prohibition on work underground, a woman is free to work otherwise than on work underground during a period of thirty-two weeks and supplement her earnings, which was not provided in the original Bill. The only period during which she will not be free to work is four weeks after delivery. So that under the Amendment Bill, a woman is not only

entitled to get the maternity benefit of a woman working on the surface from eight to twelve annas. That is to say, she has also got an increase of fifty per cent over the previous benefit, admissible to her under the original Act.

These are some of the important changes which the Select Committee has made. As I have said the Bill has been very considerably altered by the Select Committee. All the same, Government do not propose to raise any difficulty with regard to the amendments and having regard to the peculiar circumstances of the case they arc quite prepared to accept the Bill as amended by the Select Committee.

Sir, I move :

Mr. President (The Honourable Sir Abdur Rahim): Motion moved :

> " That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

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