

agreement that was reached last year they are thinking of having an enactment of Parliament as soon as possible. Some of the things that he said are not correct.

He said that the Bill in its present form is likely to harm the interests of the institution and create some suspicion in the minds of the engineering institutions which belong to different categories. I would only point out that though there are other categories of engineers, many of them are members of this institution also. For instance, there is the Institution of Tele-Communication Engineers, and the Chairman of that particular branch of engineering is a member, and a very prominent member too, of this institution also. The other instance that I would like to point out is that of the Chairman of the Aeronautical Engineering Section, Dr. Ghatge, who is also a prominent member of this institution. I would not like to go on giving these instances. But what I wanted to say was that so far as this particular institution was concerned, the different engineering branches have been well represented and there is some sort of interlocking arrangement between this institution and the institutions that are being separately run. Therefore, there should not be any suspicion.

What I want the Government to do is to take an active role in bringing these categories of institution together, because it is accepted that such an institution is necessary. Whether you give a charter to the existing institution or not, I am not bothered about it. But if you want to have a national institution as the hon. Minister was kind enough to point out, then necessary steps should be taken early. I am quite sure that the Institute of Engineers, which has a right of Charter just now, will be very happy to surrender its charter and to pool its resources and its knowledge with the other categories of engineers.

In view of the very categorical assurance given to the House by the hon. Minister, I withdraw the Bill.

Mr. Chairman: Does the hon. Member have the permission of the House to withdraw the Bill?

Some hon. Members: Yes.

The Bill was, by leave, withdrawn.

15 28 hrs.

EQUAL REMUNERATION BILL

Mr. Chairman: The House will now take up the consideration of the Equal Remuneration Bill.

Shrimati Renu Chakravartty (Basirhat): I beg to move:

"That the Bill to introduce equal pay for equal work for women workers be circulated for the purpose of eliciting opinion thereon by the 30th September, 1959."

I am sorry that neither of the Ministers in charge of Labour and Employment are present in the House.

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I may say that for the time being I am looking after this Bill.

Shrimati Renu Chakravartty: Thank you very much. It shows....

The Minister of Parliamentary Affairs (Shri Satya Narayan Shukla): I did not foresee.

Shrimati Renu Chakravartty: Now I am a little more frightened, because I thought that at least some more serious consideration would be given to this matter....

Shri Humayun Kabir: I may humbly submit that this is an uncharitable and undeserving reflection.

The Minister of Parliamentary Affairs (Shri Satya Narayan Shukla): The Minister concerned is on his way.

Shrimati Renu Chakravarty: I am a little more frightened—the hon. Minister for Scientific Research is further reinforced by the Minister of Parliamentary Affairs. Because, by himself he might have been able to do a little more justice to this. In any case, the real reason why I find none of the Ministers in charge of this Ministry present here is that this particular question, which is agitating the minds of the working class, not only in our country but the whole world over, has not yet found actual implementation in a very large number of countries in the world. The reason, of course, is quite obvious. Women workers are still under various prejudice and there is a great amount of resistance to introduction of equal pay for equal work, which is a principle which has been fought for over hundreds of years.

I will now come to the 1951 I.L.O. Convention. Before I come to the 1951 Convention of the I.L.O., I should like to point out that in the Directive Principles of State Policy in our Constitution, it is very categorically stated in article 39(a) that citizens, men and women equally, have the right to an adequate means of livelihood. There is no discrimination between men and women. Women too have the right to an adequate means of livelihood. This is further supplemented by article 39(d) of the Constitution, which says:

“that there is equal pay for equal work for both men and women;”

Both these have been inscribed in the articles of the Constitution. In article 15 of our Constitution, it is clearly stated that—

“The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

In spite of this we find that in actual practice and in terms of economic equality, in terms of equal opportu-

nities of work and specially in terms of this Bill to introduce equal pay for equal work for women these are far from having been implemented.

Besides this, in 1951, the world labour movement had been agitating for the implementation of the principle of equal pay for equal work and after a great deal of discussion and agitation, Convention 100 of the International Labour Organisation concerning equal remuneration to men and women workers for work of equal value was passed in June, 1951. A convention was passed which is called Convention 100. Article 2 of that Convention states:—

“Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

This principle may be applied by means of—

- (a) national laws or regulations;
- (b) legally established or recognised machinery for wage determination;
- (c) collective agreements between employers and workers; or
- (d) a combination of these various means.”

The very first principle which has been suggested for the application of this principle of equal pay for equal work is the passing of national laws or regulations. From that point of view I think it is very necessary that our Government, which has also participated in it and which is a part of the International Labour Organisation, should bring forward legislation to actually put it on the statute book and take a step forward in trying to implement this Convention.

Last year, in answer to a question we were told that India also, though belatedly, eight years after the passing of the Convention by the International Labour Organisation, had agreed to ratify the Convention in September, 1958. According to the terms of the ILO agreement, they would be required to actually start the implementation within twelve months, that is, in September, 1959. Therefore I have brought forward this Bill for circulation in order that opinion be had of people interested in the welfare of women workers as well as of those who are interested in seeing the implementation of the Directive Principles of State Policy regarding equal pay for men and women. I am sure that the Ministry will not oppose the circulation of my Bill.

Besides the Convention, there is a recommendation concerning this equal remuneration for men and women workers for work of equal value, which indicates certain procedures for the progressive application of the principles laid down. The Convention lays down the principles and the recommendation tries to indicate certain procedure for the progressive application of the principles laid down in the Convention. In this recommendation they put forward certain appropriate actions to ensure the application of this principle to all employees of Central Government Departments or agencies and to encourage the application of the principle to employees of State, Provincial or local Government Departments or agencies where these have jurisdiction over the rates of remuneration. Besides that appropriate action as rapidly as practicable, they would like to see the application of the principle of equal remuneration for, firstly, the establishment of minimum or other wage rates in industries, that is, wherever the minimum wage rate be actually determined under public authority, the principle of equal pay for equal work should be implemented, secondly, the industries and undertakings operated under public ownership or control and, thirdly, where appropriate work ex-

cuted under the terms of public contract.

An Hon. Member: The hon. Deputy Labour Minister has come.

Shrimati Renu Chakravarty: These recommendations are important because even though we accept the Convention, its implementation is the most important part of the ratification. In the case of our country it is surprising that even for minimum wages that are laid down by the Government it is very categorically accepted that there will be a different wage rate for women as well as for men labour. If one goes through the All-India Agricultural Labour Enquiry Report, one will find that the minimum wages in agricultural show that in every single State there is a different wage rate. For example, in Delhi the minimum daily wage rate is Rs. 1/8/- to Rs. 2 for adult male workers and for female workers it is Rs. 1/4/- to Rs. 1/8/-. In Bihar there is a difference in wages in kind between men and women. In Himachal Pradesh, it is Rs. 1/8/- for men and Rs. 1/4/- for women. In Uttar Pradesh, there is a minimum of Re. 1 a day for the adult workers—sorry, here they do not give the break-up. In PEPSU, we find the same thing. In general, we will find that in each and every State wherever minimum wages for agricultural labour have been formulated there is a difference—by Government itself. There is a different wage rate for women labour and a different wage rate for men labour.

Now, take the case of large numbers of women working in the iron ore mines. If you go to the iron ore mines or to the manganese mines, you will find actually large numbers of Adivasi women labour participating in it. There will actually be thousands of women working. I have got a copy of the application made by the women workers of the Manoharpur Iron Ore mines and sent to the Ministry of Labour. There they say:

"We, the undersigned female workers beg to bring to your kind

[Shrimati Renu Chakravarty]

notice that we have to unload coal from railway wagons, clear off iron ore from the siding as well as load railway wagons with ores along with the male workers. We have to carry out the same job as the male workers do. But the males are paid Rs. -/13/- as wage plus Rs. -/7/- as dearness allowance, that is, a total of Rs. 1/4/- each per day while we are paid Rs. -/11/- as wage and Rs. -/7/- as D.A., that is, a total of Rs. 1/2/- each per day."

So, you see they do exactly the same work. They fill exactly the same size of tubs and do exactly the same nature of work as men. It is very hard and very strenuous work the like of which we, who do not live in the tribal areas, cannot imagine that women can do and yet they are paid at a rate which is less than that for men.

Even more surprising is the case of plantation labour. It is admitted by all that in plantation work, specially in the picking of the tea leaves, women workers are much more dexterous and are much more fitted for the work. Yet, there is a difference in the wages.

If you go to the sugar industry, you will find the same discrimination. In almost every sphere where a large number of women work in factories and mines, this discrimination is there. Generally, in our country, there is lesser discrimination in the white collar workers, i.e. clerical staff or amongst employees or teachers. In that sense, in the higher categories of women workers and men workers, there is much more equality. But, much larger number of women workers are employed in the lower categories, lower in the sense of being unskilled categories. In the case of those who work in the mines and factories, the difference is quite wide and quite usual.

One of the most important reasons why I want this Bill to be circulated

for eliciting public opinion is, there are a large number of arguments which are put forward genuinely by people against the implementation of the principle of equal wages for women workers. One of the arguments is that the consumption unit of a woman worker is less than that of a man worker. As a matter of fact, a very very interesting discussion on this point has been raised by the Labour Appellate Tribunal of India on the Colliery Disputes, where it criticises this point which was raised by the Tribunal award. The Tribunal has said:

"In view of our decision that the wage structure for female labour should provide 2.5 consumption units only the female workers would get 75 per cent of what we award for the male worker. It is, therefore, not a question of denying their right to equal wage, but it is one of assessing their requirements on the basis of a smaller number of consumption units."

In answer to this, the Labour Appellate Tribunal says:

"As regards the finding that the requirements of a female worker, according to needs, should be limited to 2.25 units as against 3 consumption units of a male worker, we think that such an allocation is contrary to principle and fact."

Also, it says about the argument that women actually consume much less:

"It does not appear that there has been any scientific investigation in order to assess the requirements of the female workers in terms of consumption units."

Therefore, the Labour Appellate says that this is not something that we can accept.

Even much more widely used is the argument that income from employment of women is actually subsidiary

income, that is, that she is only supplementing the main income which is earned by the man. This is a point which has to be very very widely discussed and the fallacy behind it has to be properly understood. Firstly, the gap between fair wages and the wage of a man is so big and the gap between rising prices and the wage earned by an individual, a man, even if you like to take it, is so big that a woman worker, even if she gets full income, that is, equal income with that of her husband or the male earner in the family, it is not enough to maintain the family. Therefore, the question of subsidiary income hardly arises in a situation where income of the actual, "main earner" as the man earner is called—where his income ~~which falls far below a living subsistence wage.~~ Therefore, this question is absolutely fallacious.

Furthermore, the Labour Appellate Tribunal on Colliery Disputes makes a very good analysis of this particular point. It says:

"It is not always that a working woman has an earning husband. There must be heaps of cases where women work because, bereft of male support, they have to bring up their children, and also dependants, a father or a mother or younger sisters and brothers to be looked after. Should the employer be allowed to turn round and say that the female worker should be paid less wages just because in some cases, a woman may have a lesser number of dependants? It must be appreciated that even in the case of three consumption units of a man, there must be many cases where the male worker is unmarried or has no dependants or is otherwise entirely alone. Must then the whole class of male workers be given less than three consumption units to support?"

Then it says:

"These matters have been laid at rest by discussion in the Austro-

ian cases, by the Fair Wages Committee's Report and by the decisions of the Labour Appellate Tribunal."

Then, it says categorically,

"In the absence of more evidence on a subject of this character, it is not possible to hold that the female worker should get less simply because women workers as a whole are alleged to have lesser number of dependants to support."

"The next argument that because in the majority of cases the existing basic wage is fixed at about 75 per cent of what the male workers are given, the female workers should not have parity with men, is in our opinion unsustainable. It is no argument at all to those who are familiar with the Indian scene. The female worker has always been placed at a disadvantage in the matter of wages and her wages have always been kept below the wages of the male for equal industrial work done by her. We ourselves have had occasion to observe female workers engaged in strenuous work; and it is monstrous to suggest that in work of that kind she does lesser work than the male;"

That is why the Tribunal makes it clear that it is in favour of equal pay for equal work as far as colliery workers are concerned.

Another argument is brought forward, more so from the side of the employers, that is, that wherever there are women workers, social security measures as enacted by law such as setting up of co-ops maternity benefits, etc., have to be taken. Therefore, the argument is, if these social security measures have to be taken, naturally, the woman worker has to be satisfied with less. On the face of it, this sounds reasonable if we accept the basis on which the owners put forward this argument. At a recent conference of various organisations in Italy—I was reading a very interesting

[Shrimati Renu Chakravartty]

article—this question was raised. It is not something raised in our country alone. It is raised in all countries wherever this problem is there. There, a well known Professor from Perugia University dealt with this and he says:

"We must not ignore the expense imposed on enterprises by the protection of motherhood, but if this protection were thought of as it should be, that is as a social expense to be distributed over the whole national community, then, enterprises would be able to put up with the expenses arising from the application of Convention 100."

The idea is that social security measures are part and parcel of the social security laws of the community itself. If we were not to accept this, any sort of protection for labour, safety laws, anything that entails a certain amount of expenses on the part of the employers would be brought forward as an excuse for cutting down the wages of a worker. Therefore, this directive principle of State policy is that as far as a woman worker is concerned, the State must ensure for her the right to be protected for carrying out her duties as a mother as well as a worker. Both these things have to go side by side. Actually, we find that, because the employer does not want to spend anything more and can only employ women workers as a source of cheap labour power, he brings this argument that we will not give equal wages, because we have to ensure such things as maternity benefits, crèches, etc. This point also has been argued by the Labour Appellate Tribunal.

16 hrs.

"It is lastly mentioned by the Tribunal that special amenities such as maternity benefits, provision for crèches etc., should make up for the difference between 75 per cent and 100 per cent. Comment is futile on arguments

of this character; these women are the mothers of the nation; and the observations of the Tribunal have validity only if we accept the implied suggestion that female workers are in a state of perpetual maternity or their children permanently in crèches."

This is the answer of the Labour Appellate Tribunal. The Government of India, while arguing regarding the non-implementation of Convention 100, earlier to September, 1958, had put forward certain arguments. Although this is one of the Directive Principles of State Policy in the Constitution, and although it is accepted by the Central Pay Commission and the Fair Wages Committee, and was also incorporated in the Fair Wages Bill in 1950, and although it is a fact that equal wages have been awarded by certain tribunals, as, for example, the Bombay textile tribunal and the colliery tribunal, although these tribunals have given awards which give equal wages, yet, this is what Government say:

"Disparities, however, exist in the wage rates of men and women workers in factories, mines, plantations and agriculture...."

And they further say:

"While the Government of India accept the principle underlying the convention, they are not in a position for want of adequate machinery to ensure and enforce its immediate application in full to all workers."

Now, it is time that Government implement the requirements of Convention 100. This machinery has to be set up. And this will require certain things. Firstly, it will require a method for setting up committees for different localities for fixing minimum rates of wages in industries or agriculture where the unskilled workers are mainly women. Up-till now, whatever little might have been done, there has been an accepted wage

differential on the basis of sex. Now, it will be necessary to appoint committees in the different localities for fixing the minimum rates of wages in industries or agriculture where the unskilled workers are mainly women. That is why I have put in this particular requirement in clause 5.

Then, Government will also have to set up expert committees for fixing wage differentials not based on sex but on the type of job; that is, there may be wage differentials between job and job, but they should be based on the type of work, the heaviness of the work or the lightness of the work, the skill employed in that work and so on. The wage differential should be fixed on the basis of these things and not on the basis of whether the worker is a man or a woman. Therefore, I have provided in clause 5(2):

"In fixing wage differentials and effecting classification of work in industries or agricultural undertakings where women are employed, the Government shall appoint an Expert Committee to fix the rates of wages which shall be notified in the Official Gazette."

While this Bill is being circulated, certain other suggestions would also come forward. I am sure Government must be having in mind certain things as to how they are going to bring about this machinery in order to implement Convention 100 and the application of the principle of equal pay for equal work.

One important point which has to be considered in this connection is this. Whenever we try to implement any social labour-laws protecting the workers, whether men or women, and especially in the case of women workers, when it is a question of maternity benefit or it is a question of insisting on equal pay for equal work, immediately, one result is to be seen. The employer under one excuse or another actually retrenches women workers. We had a very interesting

discussion on the resolution regarding decrease in numbers of women employed, moved by me in which Shri Nanda himself participated; he had himself had an evaluation of the entire question undertaken, from which it was clear that in the big factories and mines and plantations, the number of women workers had gone down; and he had stated that it was because of the desire of the employers to engage women labour as a source of very cheap labour power, and that whenever we insisted on the implementation of these social labour-laws, they retrenched them. But this is the natural law of the capitalists. And what is the State going to do in this situation? If that is going to be the position, then there can be no improvement in the living and working conditions of the working classes.

Therefore, I feel that there should be incorporated in any final Act which will be passed by this House, a clause which says that if any employer wishes to retrench women employees, they cannot do so except with the permission of Government, and in order to seek that permission, they have also to put forward the causes for the retrenchment. If we do not have some sort of a clause of that nature, it will only mean that we lay the way open for the capitalists to actually twist the necks of those who really want to guarantee equal pay for equal work and also guarantee the Directive Principles of State Policy as enshrined in the Constitution.

There is one other very important thing which has to go side by side with any such enactment, and that is the raising of the efficiency and the raising of the vocational qualifications of the women workers. But today, what is the position? Women workers in the largest numbers, in factories, mines and plantations are to be found in the most unskilled jobs; they do the most unskilled jobs, and they remain at that level. A large number of them remain as contract labour, although they do work of a permanent nature. They do work of a

[Shrimati Renu Chakravarty]

permanent nature right throughout their lives, but they remain only as contract labour; and they can be retrenched at a moment's notice. They do not have any of the guarantees which a permanent worker gets such as gratuity or pension or provident fund or any such benefit. Secondly, there is absolutely no scope for promotion and no method of promotion. If a woman joins once as a loader, she remains as a loader; if she enters service as a sweeper, she remains a sweeper; if she joins as a picker, she remains as a picker. This is the condition in which the majority of our women workers work.

Therefore, if we really want to implement this principle of equal pay for equal work, we must also help the woman workers to be able to imbibe certain qualifications, certain vocational training and certain efficiency which will enable her to fight for promotions and also equip herself for other types of work.

I was reading an interesting article written by Nina Popova, Secretary, USSR Central Council of Trade Unions, at the International Seminar which was called in Moscow under the General Assembly's recommendation to arrange such seminars. She says that today their women constitute 45.4 per cent of all the factory, office and other workers engaged in industry. And one of the reasons which she advances is very interesting.

"One of the most important conditions, which enable Soviet women so extensively to apply themselves in the various spheres of economy and culture, is the right of woman to acquire an occupation or profession and to improve her skills. This right is realized on the basis of universal, free and compulsory seven-year and now ten-year, general schooling, and easily accessible higher education.

"The network of industrial and technical schools, secondary specialized schools and various courses, where women have the same unlimited chances as men to acquire the desired speciality or skill free of charge, has considerably expanded, compared with the pre-war period."

Then, she says that by individual apprenticeship, this facility for the women workers to gain more skill has been increased.

And she says:

"Our legislation protects the rights of apprentices and requires that they be given normal conditions for training."

Then she gives the very interesting example of a textile mill in Moscow where most of the 5,000 workers are women, and the personnel is trained as follows:

"Different courses are simultaneously attended by 470 people; the school for young workers, which offers a secondary education, has an enrolment of 300; a secondary specialized school is training 100, while an engineering institute is teaching 60 more of the plant people. A special trade school is also training skilled workers for this enterprise."

Therefore, we find in all these places women are able to acquire a higher skill and thereby compete and be able to get promotions and gain greater efficiency.

We feel that it is time that an enactment of this kind is brought here. Public opinion has to be educated. During the discussion on Convention 100 in Geneva, it was the Polish delegate who insisted that the question of equal remuneration for men and women workers for work of equal value should be decided in a definite manner. There are so many "ifs" and "buts", "if it can be done" etc., in

the recommendation, which, of course, means that we accept many of the arguments put forward by the capitalists. However, under the Chapter "Analysis of the Replies" the ILO Report says as following regarding the Polish Government's reply:

"This question has been settled in this way under the most difficult economic conditions by countries which have abolished the capitalist system and founded their social and economic regime on socialist principles. Full equality of remuneration for women, far from increasing the difficulties of these countries, has stimulated economic progress by ~~quitting the women's contribution~~ raising the level of output and of industrial production."

As long as women workers remain a source of cheap labour power, the increase in wages and better conditions of work for the general working class is seriously threatened. We have seen that in many industries, the employers, in order to get cheaper labour, break up the units and give work to the women dispersed in the villages as in the case of the bidi and some other industries as they find it a cheaper source of labour power. Therefore, we say this is something that is very important for the entire working class. It is something that has to be implemented with the help of the Government from the point of view of the Directive Principles of State Policy.

Mr. Chairman: Motion moved:

"That the Bill to introduce equal pay for equal work for women workers be circulated for the purpose of eliciting opinion thereon by the 30th September, 1950."

Shri Panigrahi (Puri): I rise to support this Bill. In my State of Orissa I have had the opportunity of visiting the mining areas and the rice mills also which are in plenty there. I have seen the actual difficulties of the women labourers there.

In the rice mills in Orissa, the woman labourer gets only 12 to 14 annas daily whereas a man doing the same job gets more than Rs. 1-6-0.

Similarly, in the mining areas in Orissa, a woman labourer, performing the same task as a man does, gets 12 to 14 annas per day whereas a male labourer gets more than Rs. 2, and sometimes Rs. 1-8-0.

So, it is really necessary that Government should come forward and take some measures so as to implement the basic principles which underlie our Constitution, and should guarantee equal wages for equal work.

I was going through the Indian Labour Year Book, 1955-56, and I quote the wages which are being paid in the paper industry. In this industry the wages vary in the different States. In Bombay the minimum basic wage per month for a male worker is Rs. 26 and for a female worker it is Rs. 19-8-0. In Andhra it is Rs. 13 minimum basic wage per month for male workers and for females it is Rs. 8-2-0. In Hyderabad it is Rs. 30 for male labourers and Rs. 17-2-0 for women. In Orissa, it is Rs. 24-6-0 for a male worker and Rs. 19-8-0 for a female worker.

These discrepancies exist today in many of the factories. The women labourers in my State are mostly tribal people. I know the hon. Deputy Minister, Shri Abid Ali, has visited many times the mining area in Barabil. He has also heard such grievances from the women labourers there who are mostly Adivasis. They are being very much exploited.

I do not say there is exploitation because the authorities are completely callous, but Government have not given proper thought to this problem because there were other very intricate problems before them which demanded their attention. However, the time has come when the attention of the Government should be focused on this section of labour also, namely the women labourers.

[Shri Panigrahi]

It is because they are most neglected and belong to the most backward section of the community that the tribal people in the mining areas are very much exploited. Not only that. I apprehend that if a Bill like this is going to be enacted and there is no safeguarding clause in it, there is every possibility that hundreds and thousands of women labourers will be discharged from the rice mills and in the mining areas

So, I once again request the hon. Minister that he must move the Government and come forward with a Bill ensuring equal wages for men and women performing equal tasks in the factories and industries

श्रीमती उषा नेहरू (सीतापुर)

श्रीमान् जी, श्रीमती रेणु चक्रवर्ती ने जो बिल पेश किया है, मैं उसको पूरी तरह से सपोर्ट करती हूँ। मैं समझती हूँ कि यहाँ इस हाउस भर में कोई ऐसा न होगा, जो इस बिल से सहमत न होगा, लेकिन यह जरूर है कि हालांकि सहमत सब होंगे और उसके प्रिंसिपल से तो हम एग्री करत हैं, उसको प्रमल में लाने में हमें दिक्कतें मालूम होती हैं। इस बिल के बारे में मेरा कहना यह है कि बिल तो बहुत छोटी सी चीज है, लेकिन इससे मुझे हमारे यहाँ की सामाजिक स्थिति का सारा नक्शा दिखाई दे रहा है, यहाँ पर कितना भी हम लोग कहें, कितना भी सोशल रिफॉर्म लायें, लेकिन उसमें स्त्री की जो स्थिति होनी चाहिये थी, समाज में जो उसकी पोषीयता होनी चाहिये थी, वह अभी तक नहीं है और उसी के कारण हम चारों तरफ देखते हैं कि अगर स्त्री बड़ी काम करती है, जो कि पुरुष करता है, तो भी उस को वे बेजिज नहीं मिलते हैं, जो कि पुरुष को मिलते हैं और यही प्रश्न हमारे सामने है। अगर हम भारत में और निया भर में में देखें, तो हम पाते हैं कि पुरुष और स्त्री में जो ईक्वालिटी होनी चाहिये, वह हमको दिखाई नहीं देती है। हाँ, पश्चिम के कुछ देशों ने स्त्री की तरफ से अपना रवैया के

बदला है और उन्होंने स्त्री को धागे बढ़ाया है। जो मूलक स्त्री को धागे बढ़ाता है और उसके बिल्कुल उसी लेवल पर रखता है, जो कि पुरुष को हासिल है, उस मूलक में प्रासपैरिटी होती है। पश्चिम में ऐसा किया गया है और वहाँ प्रासपैरिटी बड़ी है। हमारे सामने यह एक बड़ा प्रश्न है। हमारे लेबर के मिनिस्टर साहब यहाँ बैठे हुए हैं और वह सब बातों का जबाब भी देंगे। लेकिन इसमें कोई सन्देह नहीं है कि जब हम कारखानों में जाकर देखते हैं या मिल्नों में जाकर देखते हैं और वहाँ पर औरतों की स्थिति को देखते हैं तो यह देख कर इन्हें तकलीफ होती है कि, उनको बहुत ही रद्दी सा काम दे दिया जाता है। टेक्सटाइल मिल्स में हम चारों तरफ जहाँ पर औरतें बैठ कर काम करती हैं देखते हैं कि उनको सूत सुलझाने का काम दे दिया जाता है और बैठ कर वे उस काम को करती रहती हैं। जो चीजें उलझ जाती हैं, पुरुषों द्वारा उनको सुलझाया नहीं जा सकता है, व स्त्रियों को सुलझाने के लिये दी जाती हैं सुलझाने का काम उनका होता है। इतना होने पर भी स्त्रियों को कम बेजिज मिलती है। जब स्त्रियाँ मर्दों के बराबर मेहनत करती हैं मर्दों के बराबर काम करती हैं तो कोई बजह नहीं है कि उनको उतना ही वेज न मिले, उतनी ही तनक्काह न मिले जितनी कि मर्दों को मिलती है।

मैं यहाँ पर पार्लियामेंट में देखती हूँ कि यहाँ यहाँ पर मुट्ठी भर स्त्रियाँ भी नहीं हैं। यहाँ पर पुरुषों को और स्त्रियों को बराबर २१ रुपये रोख मिलत हैं। जब स्त्रियों के साथ डिफ्रेंट सलूक होना होता है तो वहाँ पर भी स्त्रियों को कम पैसे क्यों नहीं दिय जाते हैं और उनके लिए प्रमल कानून क्यों नहीं बनाया जाता। स्त्रियों के भत्ते को तो कम करना चाहिये। लेकिन इनको बराबर पैसे मिलत है। आज वह हम स्त्रियों के बस में बात मानूँ नहीं होती है कि कहाँ तक किस

कामून की हममें मायू करना है। हम हर जगह पर देख रही हैं कि एजुकेशन इंस्टीट्यूट में स्कालरशिप के मामले में, प्रत्यक्षाओं में, वैदिकल इंस्टीट्यूट में, प्रसिद्धिप्राप्त और भिन्न नदों को दी जाती है, औरतों को नहीं दी जाती है। इस बास्ते मुझे बहन रेणु चक्रवर्ती से यह कहना है कि यहां जो हम अभी कर रही हैं वह भी पुरुषों से ही कर रही है, वहीं हमारे चारों तरफ है। यह काम इस तरह से नहीं हो सकता है। हम स्त्रियों को मिल कर काम करना होगा। प्राजिजी से और मित्रता से यह काम होने वाला नहीं है। मैं पुरुषों के खिलाफ नहीं हूँ। लेकिन पुरुषों की हकूमत से मैं खूब बाकिफ हूँ, चाहे वे कांग्रेस के हों, चाहे सोशलिस्टों के हों और चाहे कम्युनिस्टों के हों। सब पुरुष एक ही होते हैं, पुरुषों में भेद नहीं होता है। हमारे कम्युनिस्ट या सोशलिस्ट भाई चाहे कुछ भी कहें और बेशक कहें कि वे इस चीज को मानते नहीं हैं बूकि उन्होंने ऐसा अपना आदर्श नहीं बनाया है, लेकिन दरअसल में औरतों के ईक्वेलिटी की बात उनके दिल में भी घर नहीं कर पाई है। यह हालत मैं आज देख रही हूँ।

इस बास्ते मैं समझता हूँ कि जब तक स्त्रियों में ही स्ट्रैंग नहीं आएगी, मजबूती नहीं आयेगी, अपनी बात मनवाने की ताकत नहीं आयेगी, भाग बढ़ने की शक्ति नहीं आयेगी वे भाग नहीं बढ़ पावेंगी जितना उनको बढ़ना चाहिये था, जब तक अपने हक के सिवे खुद नहीं लड़ेंगी, तब तक उनके लिए बहुत मुश्किल है किसी चीज को पा सकना। चाहे यहां कहा जाए या बाहर यह ठीक है कि वे पुरुषों को दया पर भाग निर्भर हैं। लेकिन हमें जिज्ञा नहीं मांगनी है। मैं उनमें से नहीं हूँ जो जिज्ञा मांगती है। मैं समझती हूँ कि जो मेरा हक है वह मुझे मिलना ही चाहिये। अगर वह सीधी तरह से मिलता है तब तो यह खुश-किस्मती की बात है, लेकिन अगर जैसे नहीं मिलता है, तो उसे जड़ कर देने सेना है, उसके सिद्ध हक को सकना है। मैं नहीं चाहती कि

इस तरह की नीबत आए और अगर यह नीबत आई तो वह बड़ा बदकिस्मत दिन होगा जब स्त्री और पुरुष में शगड़े होने लगेंगे।

इस बास्ते मैं अपने सेबर मिनिस्टर साहब से कहना चाहती हूँ और मुमकिन है वह इन सब बातों के बारे में कहें कि प्रमो विक्कत हैं और यह विक्कत पेश आएगी और वह विक्कत पेश आएगी, कि वह इन विक्कतों को तेष करने के साथ साथ यह तसलीम करें आज इस हाउस में कि यहां यह बेइसाफी औरतों के साथ जकर हो रही है, कारखानों इत्यादि में और दूसरी जगहों पर भी।

ये बेइसाफिया यहां ही हमने नहीं देखी है जहां औरतें हैं। लेकिन अपनी कांस्टीट्यूशन में भी मैंने देखा है... मुझे मालूम नहीं कि कि यह सही है या नहीं है या मैंने सही देखा है या नहीं—कि इसमें औरतों की कोई भी इंडिविजुएलिटी दिखाई नहीं देती है। यहां पर हम इस बात ईक्वल वे और ईक्वल राइट्स की बात कर रहे हैं लेकिन कांस्टीट्यूशन तक में औरत की कोई भी इंडिविजुएलिटी दिखाई नहीं देती। सभी चीजों को देख कर मैं इस नतीजे पर पहुंची हूँ कि अपनी नकनेलिटी वह अपने आप कायम नहीं कर सकती है, उसको अपने पति की नकनेलिटी लेकर चलना होता है। जो लड़की होती है, वह जब विवाह कर लेती है और उसकी इंडियन नकनेलिटी है और फर्ब कीजिये कि उसने इंडियन से विवाह नहीं किया है, तो उसकी नकनेलिटी इंडिपेंडेंसी उसके पति से दूसरी नहीं हो सकती है।

इस बास्ते अगर आप नीर से देखें तो आपको पता चलेगा कि वह बीमारी चारों तरफ फैली हुई है। हम आबाद हो गये हैं और ईक्वेलिटी की दुहाई भी देते हैं, बराबर दंड को पाने बढ़ाना भी चाहते हैं, नफ्सा भी अच्छा चीकते हैं लेकिन दरअसल में उस नफे के अन्दर से सब चीजें दिखाई पड़ती हैं जो कि

[श्रीमती उमा नहृक्]

घोसों के खिलाफ जाती हैं। इस बास्ते ज्यादा न कह कर मैं माननीय मंत्री महोदय से इतना जरूर कहूंगी कि घाप इस पर गौर करें और चूंकि मैं कानून नहीं जानती हूं इस बास्ते कानूनी बात में मैं कोई नहीं कह सकती हूं लेकिन अगर कोई कानूनी इकाइयट न हो, तो इस बिल को सफरुलेशन के लिये घाप जरूर भेज दें।

Shri Shree Narayan Das (Darbhanga): I am glad the hon. lady Member has brought forward in the House a measure which is of very great importance. We have accepted the principle that there will be no difference made between man and woman as regards the services and other things. It has been accepted in the Constitution that there should be no differentiation. So far as democratic India is concerned, from the very beginning we have given equal political rights to women, although these rights were not accepted in several other countries long long ago. It was after many years of the functioning of democracy that equal franchise was given to women. Therefore, we are not backward in respect of this idea. Hence I support the idea embodied in the Bill as it has been accepted in the Constitution.

The measure that has been brought forward is, I think, very desirable. It may be necessary also. But in the present circumstances, I think it is not feasible. One point in support of what I say is that if this measure is enacted just now and made applicable to all industries, agriculture and so on, the employers may not just like to employ a number of women in their establishments. I know there are several establishments and factories—mines and other establishments that the hon. lady Member referred to—where women do equal work with men. But physically constituted as they are, in every establishment

women cannot do as much work as men can. There can be no objection to equal pay if equal work is rendered, as the Bill has suggested. No reasonable person will object to it. But in the present circumstances when a large number of men and a large number of women in the country are unemployed, if we enact this measure, there will be a setback to the employment of women itself, because naturally the employers work with the idea of profit; they employ women because they think that they have to pay less for women; they also think that as at present women are not in a position to render as much work as is expected on an equal basis from them. Therefore, there would be a setback.

The purpose of the Bill is to give equal pay for equal work for women. But in practice, this Bill will be taken advantage of. So long as there are a number of unemployed men in the country, employers will ask—'What is the necessity of employing women? Let us employ men.' That will be very hard on women and to society, as it is constituted. I do not have statistics before me about the number of women working in agriculture and in various industrial establishments in the private and public sectors.

But, I think the number will not be very large. By force of circumstances our womenfolk are compelled to work in such of the establishments where the conditions of work are not quite satisfactory. Due to the social and economic conditions in which they live, they have to support themselves; therefore, they go and work in such establishments, though they get less. They do not fight for equal wages even if they do equal work because, if they do so, the employer will find some means to drive them away.

There is no doubt that it is a fundamental right—equal pay for equal work. But the application of that

fundamental right by some such measure as this would give a very bad set-back to the employment position in the country regarding women.

As has been said by the hon. lady Member, this is only a motion for circulation. It may create some congenial conditions, during the period it is circulated, among the various bodies and individuals. They will forward their opinions and we may be able to consider them. The idea is good. The right that is going to be safeguarded is the fundamental right of women and we have accepted the principle in the Constitution. On moral grounds also it is necessary that there should be no differentiation when women perform equal work with men. On economic grounds also this has to be supported.

Suppose a woman produces as much as a man, why should there be any difference? With all these things to support this measure, I think, the climate in the country or the employment position in the country does not warrant that such a measure, if enacted, would be for the benefit of women.

I would not take much time of the House. I am quite in agreement with the idea. I think there is no Member in this House who would oppose the principle. But regarding the practicability of this measure, I think, the climate of the country is not ripe. If this measure comes after some years of public education or, as has been said by my neighbour Shrimati Uma Nehru, when women could exert their influence, a climate can be created in the country not to ignore the fundamental right of the women in our social structure.

I would not support at present the measure that has been brought forward. But, as it has been proposed that it should be sent for circulation, I think, there would be no harm if the Government accept this motion. The opinions which may be invited may be considered by the Government and the House and, if it is feasible

a measure may be brought forward before the House.

With these words, I support the motion for circulation.

Shri Balkrishna Wasmik (Bhandara—Reserved—Sch. Castes): Mr. Chairman, this is a very important Bill which seeks to bring equality in economic life between men and women and I think there is no reason why Government should oppose it.

Shri V. P. Nayar (Quilon): You may know the reason. Why was your Bill opposed?

Shri Balkrishna Wasmik: In all spheres of life women are enjoying equality. We find that in every walk of life women are there; in many posts we find them. They are ambassadors; they are Governors. They are also in Government service and as Members of Parliament. They have become Judges of the High Court and so on and so forth. If a woman is a Judge of the High Court, we do not find that she gets less wages than man. If the woman is an ambassador, she does not get less salary than the men-ambassadors. We have a cottage industry called the bidi industry and there are about two lakhs of workers in Vidharba itself. In that industry we find that a large number of women are employed but the wages that are given to women are in no way less than the wages given to the male workers. In the same way, in any industry or any work, in which women put in the same skill and labour, there is no reason to give them less wages. In this light, I support this motion and I request the Government that it should not oppose circulation of the Bill for eliciting public opinion.

श्री० रजनीर सिंह (रोहताक) : सभापति महोदय, यह विधेयक एक बहुत सादा सा विधेयक है और इस को संकुलित न करें

[श्री० रणवीर सिंह]

से कोई फायदा होना था नहीं, इसमें मुझे कुछ बोझी सी शिक्षाक मालूम होती है। कौन ऐसा आदमी है जो कि इसके अन्दर जो ध्येय रक्षता गया है उस के विरुद्ध हो ? लेकिन उसके साथ ही साथ एक दूसरी बात भी सही है कि हमारा देश एक बहुत बड़ा देश है और सरकार की बातें तो जाने दीजिए, सरकार कोई नेदमाव को नहीं रखती है, कारकानेदार या जो दूसरे एम्प्लायर हैं, उन को भी जाने दीजिये, आज जो हमारे घरों के अन्दर का नम्रता है उसको देखिये। बहुत सारी मातायें जो आज हैं उनकी देश के अन्दर कैसी हालत है उसको देखिये। किसी के घर में जब बच्चा पैदा होता है, अगर वह लड़का होता है तो किस किस्म की खुशियां मनाई जाती हैं, हमारी बहनें और मातायें मनाती हैं, और अगर लड़की पैदा हो जाय तो बच्चा खुशी के अफ-सोस मनाती हैं। इसमें कोई एम्प्लायर नहीं आता, एम्प्लायी नहीं आता, उसी के घर की बात है। मैं समझता हूं कि इसमें उसके पिता के लिये तो कोई अफसोस की बात नहीं होती कि उसके घर में लड़की हो गई या लड़का हो गया। लड़की की माता ज्यादा अफसोस करती है। मैं इस बात को मानता हूं कि हमारी कुछ बहनें बहुत अच्छा काम कर रही हैं, लेकिन इस वक्त एम्प्लायर और एम्प्लायी के झगड़े में ज्यादा जाने की आवश्यकता नहीं है। हमें अपने समाज को सुधारना है। यही नहीं जब बच्चे की परवरिश का समय होता है तब देखिये कि बच्चे की माता लड़के को कितना मक्खन देती है, कितना दूध देती है या दुधरी पीज देती है और लड़को को कितना देती है वह इसमें बच्चे के बाप की राय नहीं पूछती। माता जो है वह अपनी लड़की के खिलाफ बुरा काम करती है, इसमें पिता का या इस देश के आदमियों का कोई फुल्ल नहीं है।

श्रीमती उमा मेहता : सभापति महोदय, मुझे इस में सख्त आश्चर्य है, जब हमारे आई क्लब्स हैं कि माता जो है वह लड़की को

दूध और मक्खन बँवैरह नहीं देती है, लड़के की ही खिलाती है। दुनिया में कोई ऐसी माता नहीं है जो सिर्फ अपने बच्चे को ही खिलाती हो। वह पराये बच्चों को भी खिलाती है।

एक आत्मनीय सचरव : लड़कों को ज्यादा देती है।

श्री० रणवीर सिंह : सभापति महोदय, इसमें मुझे कोई आपत्ति नहीं है। जैसा मैंने शुरू में कहा, मैं तो यह चाहता हूं कि बहनें और मातायें लड़कियों को ज्यादा मक्खन, दूध और चीजें, ताकि हमारी बहनें मजबूत हों क्योंकि तभी हमारे आई भी मजबूत हो सकेंगे। लेकिन एक बात सही है।

श्री बं० प० नाथर : सही नहीं है।

श्री० रणवीर सिंह : अगर कोई आई इस को गलत कहता है तो उस ने अपने हलके के जो आदमी हैं उन को अच्छी तरह से देखा नहीं है। अब उसके लिए जो चाहिए कह सकते हैं मुझे उस में कोई ऐतराज नहीं है। मैं खुद चाहता हूं कि देश के अन्दर ऐसे हालात पैदा हों जिसमें कि हमारी बहनों के साथ भी उसी तरह का सलूक हो जैसा कि आदमियों के साथ होता है। और, इस बात को तो जाने दीजिये यह तो मैंने आपको देसकी मौजूदा हालत बतलाई। इसको कहने से मेरी मंशा यह है कि अभी हमें हर एक घर में सुधार करना है और हर एक अपनी माता और बहिन में सुधार लाना है। मेरे खयाल में जो आदमी हैं या उनके पिता हैं उनमें तो सुधार हो भी गया है लेकिन माताओं के बीच में इस सिलसिले में सुधार करना है। माताओं का इस सिलसिले में ज्यादा सुधार करना है। मैं यह जानता हूं कि बहनों और माताओं को जो बात मैंने कही है उस में शायद ऐतराज हो क्योंकि सच्ची बात किसी भी आदमी के खिलाफ कही जान ले वह अच्छी बात भी उसको मुँदा ही मरती है।

मैं मानता हूँ और जैसे कि श्री श्रीनारायण दास ने कहा कि कुछ हालात ऐसे हो सकते हैं और देश के अन्दर जैसी आर्थिक हालत है उसमें हम हर एक व्यक्ति को काम नहीं दे सकते और इस में सरकारी कर्मचारी भी आगये, कारखानेदार भी आगये और दूसरे पेहो में काम करने वाले भी आगये ।

जहाँ तक देहातो में स्त्री और पुरुषों द्वारा मजदूरी पर काम करने का ताल्लुक है उसमें स्त्री और पुरुष के बीच में कोई भेदभाव होने नहीं देखा । देहातो में मैंने तो ऐसा नहीं देखा कि एक पुरुष मजदूर को खेत पर काम करने के लिए ज्यादा मजदूरी मिलती हो और खेत में काम करने वाली स्त्री को उसके मुकाबले कम मजदूरी मिलती हो ।

श्रीमती रेणु चक्रवर्ती : आप क्या बात कहते हैं ? स्त्री और पुरुष की मजदूरी में हर जगह फर्क है ।

श्री० रणवीर सिंह : कम से कम देहानो में तो ऐसा नहीं है । अब मुश्किल यह है कि मैं अपनी बहिन रेणु जी को इसका कैसे यकीन दिलाऊँ । हमारी बहिन ने शायद कभी देहातो में कटाई कंसे होती है, इसको नहीं देखा होगा करना वह यह न कहती । अब वहाँ पर तो कटाई जो भी करे पुरुष या स्त्री, जितनी कटाई की जायगी उसके हिसाब से पुरुष या स्त्री को मजदूरी दी जाती है और मजदूरी देने में स्त्री पुरुष का कोई फर्क नहीं किया जाता है । कटाई के हिसाब से उनको पैसे मिलते हैं । अगर हमारी बहिन को पता न हो तो मैं उनको बतला दूँ कि देहातो में जो कोई जितने पूले काटता है उसका दसवा हिस्सा उसको मिलता है । अब अगर किसी पुरुष ने ६० पूले काटे हैं तो उसको दसवा हिस्सा मिल जायेगा अर्थात् ६ मिल जायेगा और अगर किसी स्त्री ने १०० पूले काटे हैं तो उस को उसका दसवा हिस्सा अर्थात् १० मिल जायेगा । मैं जानता हूँ कि हमारी बहुत सी बहिनें मर्दों की अपेक्षा

ज्यादा कटाई करती हैं और वह पुरुष मजदूरों की अपेक्षा ज्यादा मजदूरी भी पाती हैं ।

अब जहाँ तक इस बिल को पब्लिक प्रोपीनियन एलिजिट करने के लिए सफुंलेट करने का सवाल है मैं समझता हूँ कि उसकी कोई जरूरत नहीं है क्योंकि जहाँ तक इस बिल के सिद्धान्तों का सम्बन्ध है मैं समझता हूँ कि इस सदन के किसी सदस्य को उस पर ऐतराज नहीं होगा और उन उसूलों को हम सब मानते हैं और इसलिए मैं तो इसे सफुंलेट करने की कोई आवश्यकता नहीं महसूस करता । हा अब इसको सफुंलेट करने में सरकार का और हम देश का पैसा लगेगा, बिट्टियो और डाक आदि द्वारा और खर्च होगा मैं मानता हूँ कि सरकार की ग्रामदानी बढ़ेगी और अगर इसको सफुंलेट करने में मेरी बहिन का यह मशा है कि इससे सरकार को ज्यादा से ज्यादा ग्रामदानी हो तो मुझे तो उसमें कोई ऐतराज नहीं क्योंकि मैं तो हमेशा से यह चाहता हूँ कि हमारी सरकार की आय बड़े और अगर हमारी बहिन का भी इन में यही इरादा है कि सरकार की आय बड़े तो इसे बड़े शौक से सफुंलेशन के लिए भेज दिया जाय, मुझे उसमें कोई ऐतराज नहीं होगा । लेकिन यह मैं स्पष्ट कर देना चाहता हूँ कि आज के हालात में इस बिल को सफुंलेशन में भेजने से कोई खास फायदा होगा नजर नहीं आता क्योंकि मैं नहीं समझता कि सदन का एक भी माननीय सदस्य ऐसा होगा जो कि यह कहेगा और यह मानेगा कि स्त्री और पुरुषों में वेतन के सम्बन्ध में कोई भेदभाव बना जाना चाहिये । सभी लोग स्त्री और पुरुष में समानता लाने के पक्षपाती हैं ।

जहाँ तक इस बिल के उद्देश्यों का सम्बन्ध है मैं उसके खिलाफ नहीं हूँ और अगर यह बिबेक सरकार द्वारा मजूर कर लिया जाय तो मुझे उसमें कोई ऐतराज नहीं है । अगर कुछ बोड़े सोच विचार की बात हो तो इसे सेलेक्ट कमेटी के सुपुर्द कर दिया जाय लेकिन उसको सफुंलेशन

[श्री० रणबीर सिंह]

में बाहर भेजने की क्या आवश्यकता है? अब जैसे मैंने पहले बताया वह तो घर घर की हालत है। इस देश के भ्रन्दर करीब ३६ करोड़ की आबादी है और ७ करोड़ के करीब घर हैं और उन घरों का नक़्शा मैंने आपके सामने खींच दिया। इस देश के भ्रन्दर मुश्किल से कोई ५० लाख घर ऐसे होंगे कि जहाँ बहिनों और भाइयों के बीच में उनकी माताएं कोई भेदभाव न रखती हों बरना साथे ६ करोड़ घरों में बहिन और भाइयों के बीच में उनकी माताओं द्वारा ही भेदभाव बर्ता जाता है भले ही इसको कोई मानना चाहे या न मानना चाहे, अलबत्ता अगर किसी दूसरे को गाली देने में आनन्द आता हो तो वह तो दूसरी बात है।

इसलिए मैं और अधिक न कह कर केवल यही निवेदन करूंगा कि इसको या तो सेलेक्ट कमेटी के सुपुर्द कर दिया जाय लेकिन अगर इसको ऐसे ही मंजूर करना है तो अभी इसको मंजूर कर लिया जाय पर इसको सर्कुलेशन में भेजने से कोई खास फायदा नहीं है।

श्री जगदीश अचर्यी (बिल्हौर) : सभापति महोदय, श्रीमती रेणु चक्रवर्ती ने सदन के समक्ष जो विधेयक प्रस्तुत किया है कि स्त्रियों को समान काम के लिए समान वेतन मिले, मैं उसका समर्थन करता हूँ।

जहाँ तक इस विधेयक के उद्देश्यों का सम्बन्ध है सदन में लगभग सभी सदस्यों ने उनका समर्थन किया है। यह सत्य ही बात है कि आज हमारे देश के सामाजिक और आर्थिक क्षेत्र में स्त्रियों के साथ बड़ी ही असमानता का व्यवहार किया जाता है। इस विधेयक में उनकी सामाजिक स्थिति के सम्बन्ध में कोई बात नहीं कही गई है। केवल बड़ी कहा गया है कि आर्थिक क्षेत्र में कल, कारखानों में जहाँ कि हमारी माताएं और बहिनें काम करती हैं और पुरुष भी काम करते हैं, उनका जो वेतन भ्रम है उसमें बड़ी ही

विषमता पाई जाती है। अभी हमारे भाई श्री पाणिग्रही ने विभिन्न राज्यों के मजदूरों की वेतन तालिकाएं प्रस्तुत की और उन तालिकाओं को देखने से यह स्पष्ट हो जाता है कि उनमें बहुत कुछ विषमता है और संविधान के अन्तर्गत हमने जो इस बात की प्रतिज्ञा की है कि समान काम के लिए समान वेतन मिलेगा तो हमें यह देखना चाहिये कि प्रायः उसके अनुरूप प्रमल हो। लेकिन मुझे दुःख के साथ कहना पड़ता है कि आज उसको व्यवहार में नहीं लाया जा रहा है और असमानता जारी है। मैं समझता हूँ कि इस में सरकार को भी कोई मतभेद और आपत्ति नहीं होनी चाहिए क्योंकि इस विधेयक में हमने यही कहा है कि विभिन्न राज्यों की राय जानने के लिए और जनता की राय जानने के लिए इस विधेयक को सर्कुलेशन में भेज दिया जाय।

आज हमारे देश में लगभग १७ करोड़ मतदाता हैं जिनमें से मैं समझता हूँ कि करीब आधे अर्थात् कोई ७-८ करोड़ मतदाता स्त्रियाँ हैं तो भी हम देखने हैं कि हर एक क्षेत्र में स्त्रियों को उनका उचित हिस्सा नहीं मिलता है और दूर न जाकर इसी सदन में स्त्रियों को उनकी संख्या के अनुसार प्रतिनिधित्व प्राप्त नहीं है और इसके लिए सदन में जितनी भी पाटियाँ हैं वे सब समान रूप से इसके लिए दोषी हैं। आज यह तथ्य है कि उनकी संख्या के अनुसार उनको सीटें और स्थान नहीं दिये जाते हैं और हर एक क्षेत्र में यही हालत है। कहीं-कहीं हमारे देखने में आया है कि पुरुषों की अपेक्षा स्त्रियों ने मतदान में अधिक दिलचस्पी दिखालाई और अधिक बोट डाले लेकिन अब उनको प्रतिनिधित्व देने का सवाल आता है तो उनको उचित प्रतिनिधित्व जितना कि उनकी संख्या के अनुसार उनको मिलना चाहिए वह नहीं मिलता है।

जहाँ तक शारीरिक भ्रम का सम्बन्ध है उसमें भी हमारी बहिनें पुरुषों के मुकाबले

कम श्रम नहीं करती हैं और आपने सबको पर पुरुषों के साथ स्त्रियों को सिर पर ईंटें उठाते और कम पसीना एक करते देखा होगा और गरमी, जाड़े और बसंत की वर्षा न करते हुए वे अपने सिरों पर इतना बोझ धारण करती हैं कि देखने वालों को उन पर दया आ जाती है लेकिन इस पर भी जो उनको बेतन मिलता है मजदूरी मिलती है वह पुरुषों को मिलने वाली मजदूरी के मुकाबले कम होती है। हमारे देश के अन्दर ऐसी-ऐसी जगह हैं जहाँ पर कि पुरुषों से अधिक स्त्रियाँ शारीरिक श्रम में आगे बढ़ गयी हैं फिर भी मैं नहीं समझता कि उनको पुरुषों के बराबर बेतन क्यों नहीं दिया जाता। जब कि हर प्रकार से शारीरिक श्रम की दृष्टि से वे पुरुषों से अधिक हैं तो फिर उनको पारिश्रमिक इतना कम क्यों दिया जाता है। मैं समझता हूँ कि यह देश और समाज का कर्तव्य है कि स्त्रियों को पुरुषों के समान अधिकार दिये जायें और एक से काम के लिए पुरुष और स्त्रियों के बेतनो में कोई फर्क न रखा जायें। अब जब किसी को इसमें आपत्ति नहीं है कि स्त्रियों के साथ भेदभाव न वर्ता जाय तो मैं नहीं समझता कि अगर इसके लिए कोई विधि द्वारा ऐसे नियम बनाने आवश्यक जान पड़े जिनसे कि हम इस सिद्धान्त को कार्य रूप में परिणत कर सकें, तो उस में किसी को क्या ऐतराज हो सकता है। मुझे इस विषय में और अधिक नहीं कहना है। इस पर सदन के कई माननीय सदस्यों ने काफ़ी विचार प्रकट कर दिये हैं और इसके सम्बन्ध में कोई मतभेद नहीं है। मैं समझता हूँ कि विधेयक प्रति स्पष्ट है और उसके द्वारा यही चाहा गया है कि समान काम के लिए हर एक को समान बेतन मिलना चाहिए। साथ ही हर एक इसमें भी सहमत है कि स्त्रियों को सामाजिक क्षेत्र में और हर एक क्षेत्र में पुरुषों के बराबर लाया जायें और इस विधेयक को जनमत जानने के लिए बाहर सफ़रकट कर दिया जायें। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

The Deputy Minister of Labour (Shri Abid Ali): Mr. Chairman, so far as the principle underlying the Bill is concerned, there can be no two opinions, particularly so far as the Congress is concerned. It is well-known that it is because of the Congress leadership that the respect which Indian women have deserved has been secured for them. The Congress Government has placed them in high positions. So far as this particular motion is concerned, there is no difference of opinion.

My respected sister from U.P. was feeling if there was any legal difficulty to achieve the objective; I may assure her that all that has been done by Government is in its favour and nothing against it. Even the ILO Convention which has been quoted by the Mover has been accepted by the Government. The House will be interested to know that out of 80 member-States of the ILO, 24 have ratified this convention and India is one of those countries. The other countries have not ratified this convention.

The Directive principle contained in article 39(d) of our Constitution enjoins that there should be equal pay for equal work for both men and women. All our awards do not make any difference so far as the sex is concerned for remuneration. The same thing applies to enactments, particularly the Minimum Wages Act. There also an attempt has been made to regulate minimum wages in certain industries and it permits fixation of different rates of minimum wages only in respect of adults, adolescents, children and apprentices; it does not provide for any distinction based on sex. The Central Minimum Wages Advisory Board, the statutory tripartite body, considered the matter and the difficulties in this respect of enforcing the provisions of the Minimum Wages Act in the agricultural sector, where progress has necessarily been slow. There also the Minimum Wages Act or the decision of the Advisory Committee does not make any

[Shri Abid Ali]

difference. Adding another Act to the statute-book will not improve matters.

The hon. Member also mentioned that there is opposition from the employers and pointed out the objections which are likely to be put forth by them. But we are not influenced by them or their arguments. Whatever is necessary for establishing the creches and to secure due facilities and payment for women workers under the Maternity Benefit Act, the enactment is there and we have already decided to amend the Act so that women workers should be entitled to more liberal payment. Of course, this argument is there—on the one hand, equal remuneration and, on the other hand, additional facilities for women workers. But we want to gradually create an atmosphere by which this tendency of reducing the employment opportunities for women is checked. We can pass any Act. But, according to our Constitution and the democratic set-up, it is not possible to compel the employer to employ women only. If they employ women, then the facilities which have been provided in the enactments should be given to them. That will be compulsory under the law. But it will be for them to employ men or women, according to their requirements and convenience. So, this particular factor should be taken into consideration while discussing these matters.

The lady Member from Bengal quoted extensively from the decisions of the labour appellate tribunal. I was happy that at least this particular aspect was appreciated—the appointment of such tribunals has resulted in such good decisions. When the Majumdar Tribunal made differentiation between male and female workers, we ourselves were not happy. Then we appointed the appellate tribunal. There this principle was accepted. I am glad that all that has been appreciated by the hon. Member.

Many wage committees and tribunals have been appointed. So far as textile industry in Bombay is concerned, there is equality; both men and women get the same wages. The difficulty arises when the work is of different kinds. Reference was made to plantations. There it is mostly piece-rated work. As my friend from Punjab has stated, there the remuneration is on the basis of the work. So, there is no differentiation.

In the plantations women are mostly engaged in piece-rated work, as distinct from time-rated work. Then, our intention is to see that there is no difference in pay. In quarries also there is different kind of work for them. In that connection, some figures were also quoted from the wage committee report. It is true that in some places the difference is there. But whenever this argument has been put forth before the committee, the counter-argument, even from the workers' side, has been "Please do not equalise wages immediately, because the risk is there that large number of women will be rendered unemployed". Even the workers' representatives have been giving this argument. The committee also finds itself in a difficult position to say that "women should get less and men should get more". It is likely that the work is of a different nature. Therefore, wages may be for different quantum of work.

My hon. friend from Nagpur has just now told the House that a very large number of women workers employed in the bidi industry are entitled to equal remuneration, that is to say, the same wage as the males get. So, by and large, if this analysis is made of the workers in various industries, everyone will be convinced that in many industries, particularly in the piece-rate work, there is not much difference; otherwise also, there is not much to complain.

17 hrs.

* On the other hand, if you go to the Hindustan Telephone Industries in Bangalore, you will find—she was

telling us that they should not remain unskilled workers and should be encouraged to do semi-skilled and skilled jobs, if she tries to recollect she will be very happy if she visited the factory at Bangalore.....

An. Hon. Member: It is five o'clock.
Shrimati Renu Chakravartty: Let us conclude it.

Mr. Chairman: The hon. Minister will continue next time.

17-01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 4th May, 1959/Vaisakha 14, 1881 (Saka).