

17

STANDING COMMITTEE ON
LABOUR AND WELFARE

(1995-96)

TENTH LOK SABHA

312

MINISTRY OF LABOUR

Action Taken by the Government on the Recommendations/Observations
contained in the Third Report of the Standing Committee on Labour and
Welfare on the Abolition of Child Labour

SEVENTEENTH REPORT



सत्यमेव जयते

LOK : A SECRETARIAT
DELHI

August, 1995/Bhadra, 1917 (Saka)

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STANDING COMMITTEE ON
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**Action Taken by the Government on the Recommendations/Observations
contained in the Third Report of the Standing Committee on Labour and
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सत्यमेव जयते

Presented to Lok Sabha on 26 August, 1995
Laid in Rajya Sabha on 26 August, 1995

LOK SABHA SECRETARIAT
NEW DELHI

August, 1995/Bhadra, 1917 (Saka)

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR
AND WELFARE (1995-96)

Shrimati Chandra Prabha Urs — *Chairperson*

MEMBERS

Lok Sabha

2. Shri D.K. Naikar
3. Shri S.B. Thorat
4. Shri Bheru Lal Mena
5. Shri Khagapati Pradhani
6. Shrimati Kamala Kumari Karreodula
7. Smt. Padmasree Kudumula
8. Shri Siddappa Bhimappa Nyamaguda
9. Dr. P. Vallal Peruman
10. Dr. Chinta Mohan
11. Shri A. Pratap Sai
12. Shri B. Akbar Pasha
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14. Shri Dattatraya Bandaru
15. Shri Chandubhai Deshmukh
16. Prof. Rasa Singh Rawat
17. Shri Ram Narain Berwa
18. Shri Shiv Raj Singh Chauhan
19. Shri Swami Sureshanand
20. Shri Ajoy Mukhopadhyay
21. Shri Vishwa Nath Shastri
22. Shri Rup Chand Murmu
23. Shri Mahendra Baitha
24. Dr. R. Sridhran
25. Shri Govinda Chandra Munda
26. Shri Ram Sagar
27. Shri Yaima Singh Yumnam
28. Shri Satyendra Nath Brohmo Choudhary
29. Shri Anadi Charan Das

Rajya Sabha

30. Maulana Obaidulla Khan Azmi
31. Shri Sushil Barongpa
32. Smt. Vidya Beniwal
33. Shri B.K. Hariprasad

34. Shri Mohinder Singh Kalyan
35. Shri Kank Mal Katara
36. Shri Gundappa Korwar
37. Shri S. Muthu Mani
38. Shri Moolchand Meena
39. Shri Kameshwar Paswan
40. Shri Ram Ratan Ram
41. Shri Vayalar Ravi
42. Shri Jibon Roy
43. Shri Joyanta Roy

SECRETARIAT

1. Shri S.N. Mishra — *Additional Secretary*
2. Shri G.C. Malhotra — *Joint Secretary*
3. Shri Satish Loomba — *Deputy Secretary*
4. Shri R.S. Misra — *Under Secretary*

INTRODUCTION

1. the Chairperson of the Standing Committee on Labour and Welfare having been authorised by the Committee to submit the Report on their behalf, present this Seventeenth Report on the Action Taken by the Government on the recommendations contained in the Third Report of the Standing Committee on Labour and Welfare (Tenth Lok Sabha) on the Ministry of Labour — Abolition of Child Labour.

2. The Third Report was presented to the Lok Sabha on 9 December, 1993. Government furnished their replies indicating action taken on the recommendations contained in that Report on 10 August, 1994. The draft report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 24.8.95. The Committee authorised the Chairperson to finalise the Report.

3. The Report has been divided into following chapters:—

I. Report.

II. Recommendations/Observations which have been accepted by Government

III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply.

IV. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee.

V. Recommendations/Observations in respect of which final replies of Government are still awaited.

4. An analysis of action taken by Government on the recommendations contained in the Third Report of the Standing Committee on Labour and Welfare (Tenth Lok Sabha) is given in Appendix—II. It would be observed that out of 7 recommendations made in the Report, 5 recommendations *i.e.* 71.42% have been accepted by the Government. Final replies of Government in respect of 2 recommendations *i.e.* 28.56% are still awaited.

CHANDRA PRABHA URS

Chairperson,

Standing Committee on Labour and Welfare.

NEW DELHI;

24 August, 1995

2 Bhadra, 1917(Saka)

CHAPTER I

REPORT

This Report deals with the Action Taken by the Government on the recommendations contained in the Third Report (Tenth Lok Sabha) of the Standing Committee on Labour and Welfare of the Ministry of Labour—Abolition of Child Labour.

1.2 The Third Report was presented to Lok Sabha on 9 December, 1993. It contained seven recommendations. Replies of Government in respect of these recommendations have been examined and are categorised as under:

- I. Recommendations and observations which have been accepted by the Government. S. Nos. 1, 2, 3, 6 & 7
- II. Recommendations and observations which the Committee do not desire to pursue taking into consideration the replies of the Government.
NIL
- III. Recommendations and observations replies to which have not been accepted by the Committee and which require reiteration.
NIL
- IV. Recommendations and observations in respect of which final replies have not been received.
Sr. Nos. 4 & 5.

1.3 The Committee will now deal with those recommendations/action taken replies of the Government which need reiteration or merit comments.

Recommendation (Sl. No. 1, Para 2.21)

1.4 The Committee had recommended the institution of a comprehensive socio-economic study of the Child Labour problem in relation to emerging social realities after taking into account the 1991 Census Report and had desired that a comprehensive survey should be conducted State-wise on a time bound scale in areas of Child labour concentration such as Beedi Industry, fire works, glass works, carpet weaving, hoteliering etc. where large number of children are employed for the identification/registration of child labour. The Committee were also of the view that for the purpose of identification/registration, the Government should formulate active Committees at the District level involving officials from the District Administration such as District Commissioner, District Collector/Labour Officer/Welfare Officers, Elected Representatives of the area, Voluntary Organisations and Trade Unions etc. These Committees should meet periodically and monitor the programme.

1.5 In their reply the Ministry of Labour has stated that the Registrar General and Census Commissioner were requested to expedite cross classified data on child labour on the basis of 1991 census.

The relevant economic tables for stage I which processes 10% samples in States with population of 10 million and above and 100% in other States and UTs are expected to be available in early 1995. The second stage tables relating to main workers other than cultivators, agricultural labourers and marginal workers are expected to be available during 1996.

1.6 The Ministry has further stated that the State Governments have been requested to take necessary action for proposing or sponsoring industry-wise surveys in areas of child labour concentration. Steps taken by the Ministry of Labour for having studies conducted in respect of areas of concentration of child labour include the following:—

(a) Socio-economic survey has been made in an integral part of the National Child Labour Projects. Hence such studies are included in the three recently sanctioned new NCL Projects in the States of Orissa, Bihar and Maharashtra. A preliminary survey has also been sanctioned in the State of Gujarat;

(b) A comprehensive national study of child labour in Beedi Industry has been assigned to the women's study centres of five different universities in five States (Tamil Nadu, Karnataka, Madhya Pradesh, Andhra Pradesh and West Bengal);

(c) Surveys of child workers are being undertaken in two projects areas under the ILO assisted project CLASP; and

(d) Funds have been released to NLI for Sector and area specific studies.

1.7 The Ministry of Labour has also stated that the State Governments have been requested to set up active district level Committees. Implementation of the National Child Labour Project is carried out involving, *inter-alia*, the District Magistrate who is the *ex-officio* chairman of the Child Labour Project Society.

Comments of the Committee

1.8 The work of survey seems to have been taken up in a haphazard manner. In order to have a comprehensive survey report the work should have been assigned to one organisation. Moreover, no time limit has been fixed for this work. The Committee while reiterating their earlier recommendation, desire that the Ministry should conduct proper surveys through an experienced and reputed organisation in a time bound manner. They would also like to be apprised of the progress made in this regard within three months time.

1.9 As regards setting up of active Committees at district level involving officials from the district administration for the purpose of identification/registration of child labour, immediate steps should be taken to mobilise the State Governments.

Recommendation (Sl. No. 2, Para 2.22)

1.10 The Committee had recommended that the Ministry should formulate a clear and cogent policy in regard to abolition of Child Labour System.

1.11 In their reply the Ministry has informed that the National Policy on Child Labour 1987 envisages a comprehensive approach of banning child labour in certain areas, allowing its continuance in certain other areas under regulatory conditions of work and taking up welfare and development activities including education and anti-poverty interventions. The importance of universalisation of primary education is being emphasised and State Governments have been requested to include it as an essential element of their strategy.

Comments of the Committee

1.12 The Committee accept the reply of the Ministry. They are, however, concerned to note that while the Ministry agrees in principle that the problem of child labour lies in the prevailing socio-economic environment, they have not detailed the action proposed to be taken for discouraging employers from employing children. The Committee desire that the Ministry should send a complete outline of the action being taken/strategy adopted to achieve the objectives set by the Government.

Recommendation (Sl. No. 4, Para 2.24)

1.13 The Committee had recommended that the Child Labour Prohibition and Regulation Act, 1986 should be amended to provide for stringent punishment for the employers violating the law and responsibility should be fixed on the State Government for the enforcement of the law at the grass root level.

1.14 In their reply the Ministry has stated that the existing penalties under Section 14 of the Child Labour (Prohibition and Regulation) Act providing for a minimum of three months imprisonment and/or a fine of Rs. 10,000/- for the first offence and still higher penalties for subsequent offences are considered to be quite adequate for the purpose of deterrence. Four more laws viz. Beedi and Cigar Workers (Conditions of Employment) Act, 1986, Bonded Labour System (Abolition) Act, 1976, Plantation Labour Act, 1951; and Contract Labour (Regulation and Abolition) Act, 1970 are proposed to be brought within the scope of Section 15 of the Child Labour (Prohibition and Regulation) Act to provide for higher penalty of the Act to apply against violation of provisions relating to child labour under these Acts.

Comments of the Committee

1.15 The Committee note with distress that although the Ministry of Labour had assured the Committee to make the Child Labour (Prohibition and Regulation) Act more stringent by amending the Act, nothing has been done so far, even after a lapse of one and a half years. While reiterating their earlier recommendation the Committee would like to impress upon the

Government to take up the matter urgently. They would also like to be apprised of the progress made in this regard.

1.16 The Committee are concerned to note that the Government have not addressed themselves to the aspect of implementation of the Child Labour Prohibition and Regulation Act, 1986 which is still not being implemented in letter and spirit. They are of the view that the Ministry should evolve some mechanism to ensure that the law is enforced properly and responsibility should be fixed on the State Governments for its implementation at the grass roots levels.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (No. 1, Para 2.21)

2.1 The Committee note with distress that the Ministry of Labour are not having an authentic data regarding the child labour in the age group of 0—14 as they are awaiting the 1991 Census Report. The Committee have been informed by the Ministry that when the National Child Labour Project Programme was started in 1987, few surveys were taken up by State Government and as a result of which nine projects have come up. Since then no proper survey has been conducted by the Ministry barring a few and that too in a haphazard manner. The Committee fail to understand the lackadaisical attitude of the Ministry of Labour towards such a serious problem. In their view unless the Ministry have an authentic data by carrying out surveys in regard to various pockets of child labour concentration of the country, if possible industry-wise, they are not in a position to carry out proper planning for the elimination of the Child Labour System in a phased manner. The Ministry, instead of resting only on the Census Report, should have taken up regular surveys. The Committee, therefore, recommend to institute a comprehensive Socio-economic Study of the Child Labour Problem in relation to emerging social realities after taking into account 1991 Census Report. A comprehensive survey should be conducted State-wise on a time bound scale in certain areas of Child Labour concentration such as Beedi workers, Fire works, Glass works, Carpet weaving, Hotelciring etc. where large number of children are employed for the identification/registration of child labour. The Committee are also of the view that for the purpose of identification/registration, the Government should formulate active Committees at the District level involving officials from the District Administration such as District Commissioner/District Collector/Labour Officer/Welfare Officers, Elected Representatives of the area, Voluntary Organisations and Trade Unions etc. These Committees should meet periodically and monitor the programme.

Reply of Government

2.2 The Registrar General and Census Commissioner was requested to expedite cross-classified data on child labour on the basis of 1991 census. He has informed that the relevant economic tables for Stage I which processes 10% samples in States with population of 10 million and above and 100% in other States and UTs should be available in early 1995. The second stage tables relating to main workers other than cultivators, agricultural labourers and marginal workers are expected to be available during 1996.

State Governments have been requested to take necessary action for proposing or for sponsoring industry-wise surveys in areas of child labour concentration. Steps taken by the Ministry of Labour for having studies conducted in respect of areas of concentration of child labour include the following:

- (a) Socio-economic survey has been made an integral part of the National Child Labour Projects. Hence such studies are included in the three recently sanctioned new NCL projects in the States of Orissa, Bihar and Maharashtra. A preliminary survey has also been sanctioned in the State of Gujarat.
- (b) A comprehensive national study of child labour in beedi industry has been assigned to the women's study centres of five different universities in five States (Tamil Nadu, Karnataka, Madhya Pradesh, Andhra Pradesh and West Bengal).
- (c) Surveys of child workers are being undertaken in two project areas under the ILO assisted project CLASP.
- (d) Funds have been released to NLI for Sector and area specific studies.

State Governments have been requested to set up active district level committees. It may be noted that the implementation of the National Child Labour Projects is carried out involving the District Magistrate who is the ex-officio chairman of the Child Labour Projects Society. Other members of the Society include Labour Officers, Welfare Officers, representatives of voluntary organisations and officers of the State Health and Education Departments.

[Ministry of Labour, O.M. No. 11/3/1/L&W/93, dt. 10 December, 1993]

Recommendation (No. 2, Para 2.22)

2.3 The Committee are concerned to note that the Ministry of Labour have not given a serious thought to study the factors responsible for the continuance of Child Labour System after the submission of Gurupad Swami Committee Report way back in the year 1979. In their view, unless the root cause of the system is eliminated, the system itself cannot be eliminated. The Ministry's assertion, 'very often we say that Child Labour is 'forced to work because of economic circumstances but very often this may not be the very real cause' speak highly of their findings about the continuance of Child Labour System. The Committee are unable to understand the Ministry's Planning in this regard as to whether they are trying to eliminate the Child Labour System or they are legalising the continuance of Child Labour System. The Committee, therefore, recommend that the Ministry should formulate a clear and cogent policy in regard to abolition of Child Labour System.

Reply of Government

2.4 The National Policy on Child Labour announced in 1987 has taken a realistic view of the existing socio-economic environment in the country and proposes progressive elimination of child labour as the practicable way

of addressing the problem. The policy envisages a comprehensive approach of banning child labour in certain areas, allowing its continuance in certain other areas under regulatory conditions of work and taking up welfare and development activities including education and anti-poverty interventions.

The Ministry agrees entirely with the view of the Committee that child labour cannot be eliminated unless the root cause of the system is eliminated. Ministry is aware of the prevailing socio-economic environment which does not encourage parents to send their children to schools and does not discourage employers from employing children. The correlation observed between low school-drop-out rates and low incidence of child labour indicates the importance of universalisation of primary education as an important integral ingredient in any solution for the elimination of child labour. The importance of universalisation of primary education towards this purpose is being emphasised and State Government have been requested to include it as an essential element of their strategy.

[Ministry of Labour, O.M. No. 11/3/1/L&W/93, dt. 10 December, 1993]

Recommendation (No. 3, Para 2.23)

2.5 As regards enforcement of the provisions of the Child Labour Prohibition and Regulation Act, 1986, the Ministry of Labour has admitted that reporting from the States is inadequate. Also there has been nil action on the part of the several States. In view of the fact that various States are not at all implementing the law, the Committee fail to understand the truth behind the commitment of the Central Government towards elimination of Child Labour System. Viewing the situation with great concern, the Committee are of the view that necessary steps should be taken to mobilise the State Governments for the enforcement of the Child Labour Law in letter and spirit. They are also of the view that regular monitoring should be done by the Ministry of Labour in this regard.

Reply of Government

2.6 The need for strict enforcement of child labour laws and its effective monitoring is being increasingly impressed on the State Governments. They have been requested to essentially include more effective enforcement while drawing up the State level action plan for tackling the problem of child labour. Review meetings are held with the State Governments periodically. The issue of child labour was specially highlighted in the 42nd Labour Ministers' Conference held in July, 1993.

Training is being imparted at the National and regional levels to the enforcement staff of the State Governments. Around 600 inspectors have been trained so far through 20 programmes.

[Ministry of Labour, O.M. No. 11/3/1/L&W/93, dt. 10 December, 1993]

Recommendation (No. 6, Para 2.26)

2.7 The Committee note that after announcement of National Policy on Child Labour in 1987, nine projects have been taken up in areas of child

labour concentration to provide basic needs like non-formal education, vocational training, supplementary nutrition, health care etc. for the children withdrawn from employment and 124 special schools have been sanctioned covering 6900 children. In their view, these projects are just like a drop in the ocean towards the elimination of child labour system. The Committee, therefore, desire that more projects in other areas of child labour concentration should be taken up by the Government and more special schools should be opened covering more children on the pattern of 'Learn and Earn Scheme' for the rehabilitation of child labour. The Committee also recommend for opening up of Residential Schools or Child Welfare Homes in a phased manner for those children who are orphans or homeless.

Reply of Government

2.8 Three NCL projects have been sanctioned in the States of Orissa, Bihar and Maharashtra for implementation from the year 1994-95. The number of schools is expected to go up from 125 during the last financial year to 200 covering about 15,000 children as against the present coverage of 7,000 children. Another project in Gujarat is likely to be taken up for implementation during the current year. Coverage under the grant-in-aid scheme of the Ministry of Labour as well as under the International Programme of Elimination of Child Labour are generally areas outside NCL projects. Over 60 projects covering 33,000 children have been cleared for implementation in 16 States under IPEC.

The Ministry of Welfare has been requested to take necessary action regarding the recommendation pertaining to Residential Schools or Child Welfare Homes.

[Ministry of Labour, O.M. No. 11/3/1/L&W/93, dt. 10 Dec. '93]

Recommendation (No. 7, Para 2.27)

2.9 The Committee note that the assistance being received from the external sources such as UNICEF, ILO etc. for the rehabilitation of Child Labour is not sufficient for tackling such a complex problem. In their view, the Government should try to mobilise more funds from other resources to solve this social evil. The Committee are deeply concerned to note that instead of Government coming up with their own projects for the rehabilitation of Child Labour, they are totally dependent on the voluntary agencies on whom they have virtually no control. They are, therefore, of the view that the Government should mobilise more funds from both internal and external resources such as UNICEF, ILO, NRIs etc. for the rehabilitation of Child Labour.

Reply of Government

2.10 Government is making a higher allocation of plan resources for programmes relating to child labour. As against an actual expenditure of Rs. 493 lakhs during the Seventh Plan, for the Eighth Plan period Rs. 1500 lakhs has been allocated. Availability of resources is being enhanced on year to year basis as is evidence by the provision of Rs. 455 lakhs for 94-95 as against Rs. 175 lakhs in the year 92-93. Efforts are also being made

to mobilise resources from external sources including international agencies such as the ILO and the UNICEF.

State Governments have been requested to mobilise their resources for addressing the problem of child labour.

2.11 It may be clarified that two of the three broad action strategy areas that comprise the National Policy of Child Labour (1987) are largely, if not solely, implemented by Government through its own agencies. These two areas are the legislative action Plan and the focussing of development programmes for the benefit of child labour. It is in respect of third component, namely the project based action Plan that involvement of the voluntary sector is sought. In view of the socio-economic-cultural context their involvement is considered appropriate in sensitising the parents and children through awareness campaigns and the making sustained efforts towards rehabilitation. It may be appreciated that committed voluntary agencies are as much equipped for this as the Govt. machinery available at the cutting-edge. Governments' role is viewed more as a catalyst and a facilitator having the responsibility for design, planning, funding and monitoring of schemes rather than exclusively or largely implementing the same themselves. This has been a common approach adopted by the Central Ministries in respect of development and welfare programmes and is also the normal operational strategy that the International Labour Organisation, UNICEF etc. have adopted in project assistance.

2.12 In all cases where other Central Ministries, organisations and State Governments have been requested to take necessary action on the recommendations of Committee. The matter would be further pursued.

[Ministry of Labour, O.M. No. 11/3/1/L&W/93, dt. 10 Dec. '93]

CHAPTER III

**RECOMMENDATIONS/OBSERVATIONS WHICH THE
COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF
GOVERNMENT REPLIES**

Nil.

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH GOVERNMENT'S REPLIES HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

Nil.

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF GOVERNMENT ARE STILL AWAITED

Recommendation No. 4, Para 2.24

5.1 The Committee note with concern that in some of States where the law has been enforced, although the number of prosecutions launched were quite high, the convictions could be done in very few cases. They are, therefore, of the view that the Child Labour Prohibition and Regulation Act, 1986, should be amended to provide stringent punishment for the employers violating the law and responsibility should be fixed on the State Governments for the enforcement of the law at their grass root level.

Reply of Government

5.2 The existing penalties under Section 14 of the Child Labour (Prohibition and Regulation) Act providing for a minimum of three months imprisonment and/or a fine of Rs. 10,000/- for the first offence and still higher penalties for subsequent offences are considered to be quite adequate for the purpose of deterrence. It may be noted that the penal provisions of the CLP&R Act are applicable in respect of violation of the provisions relating to child labour under the Factories Act, 1948, the Mines Act, 1952, the Merchant Shipping Act, 1958 and the Motor Transport Workers Act, 1969. Four more laws are proposed to be brought within the scope of Section 15 through an amendment to provide for the higher penalty of the Act to apply against consideration of provisions relating to child labour under those Acts. These Acts are Beedi & Cigar Workers (Conditions of Employment) Act, 1986, Bonded Labour System (Abolition) Act, 1976, Plantation Labour Act, 1951; and Contract Labour (Regulation and Abolition) Act, 1970.

Recommendation No. 5, Para 2.25

5.3 Welcoming the decisions taken during the Labour Minister's Conference held in July, 1993 for the vigorous enforcement of the Child Labour law, setting up of vigilance Committees, payment of wages to child labour, stipulation of quantum of work, provision of vocational education and creations of child labour council and child labour cells, the Committee are of the view that these decisions should be pressed into practice by the State Governments without further delay. They also recommend that the employers should be brought under necessary legislation so that they contribute certain percentage of money for the welfare, education and health of the child labour. For the purpose, the Child Labour Prohibition and Regulation Act, 1986 may be amended to provide stringent punishment to the employers violating the law. The Committee are also of the

view that the Government should not give any incentive/subsidy for the export of items where Child Labour is involved.

Reply of Government

5.4 The 42nd Conference of Labour Ministers held in July, 1993 recommended that State Governments should ensure strict enforcement of the legal provisions relating to child labour should contribute more effectively towards the implementation of the National Policy on Child Labour, should implement a time-bound action programme for elimination of child labour in 10 States/UTs and should encourage greater involvement of trade unions, employers organisations and NGOs in the implementation of programmes for child labour. State Governments have been requested in this regard to implement recommendations of the Labour Ministers' Conference. The recommendation relating to legislation for employers is being examined. The Ministry of Commerce and Textiles have been requested to consider the recommendation relating to denial of incentive/subsidy for the export of items involving child labour.

NEW DELHI;
24 August, 1995

2 Bhadra, 1917 (Saka)

CHANDRA PRABHA URS,
Chairperson,
Standing Committee on
Labour and Welfare.

ANNEXURE

MINUTES OF THE THIRTEENTH SITTING OF THE STANDING COMMITTEE ON LABOUR AND WELFARE HELD ON 24 AUGUST, 1995

The Committee sat from 15.00 hrs. to 16.30 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Smt. Chandra Prabha Urs — *Chairperson*

MEMBERS

Lok Sabha

2. Shri Bheru Lal Meena
3. Prof. Rasa Singh Rawat
4. Shri Ram Narain Berwa
5. Shri Govinda Chandra Munda
6. Shri Ajoy Mukhopadhyay
7. Shri Vishwanath Shastri
8. Shri Yaima Singh Yumnam
9. Shri Satyendra Nath Brohomo Choudhury
10. Shri Anadi Charan Das

Rajya Sabha

11. Smt. Vidya Beniwal
12. Shri Gundappa Korwar
13. Shri Kameshwar Paswan
14. Shri Jibon Roy

SECRETARIAT

1. Shri G.C. Malhotra — *Joint Secretary*
2. Shri R.S. Misra — *Under Secretary*

The Committee considered and adopted the Draft Report on Action Taken by Government on the recommendations/observations contained in the Third Report of the Committee on Ministry of Labour-Abolition of Child Labour with following modifications:—

Page No.	Para No	Line	Amendments
4	1.8	4	The words 'assigned to one organisation' may be read as 'assigned to an experienced and reputed organisation'.

Page No. Para No	Line	Amendments
6 After 1.15		<p>Add the following:—</p> <p>'The Committee are concerned to note that the Government have not addressed themselves to the aspect of implementation of the Child Labour Prohibition and Regulation Act, 1986 which is still not being implemented in letter and spirit. They are of the view that the Ministry should evolve some mechanism to ensure that the law is enforced properly and responsibility should be fixed on the State Governments for its implementation at the grass root levels.</p>

The Committee authorised the Chairperson to finalise the Report in the light of above amendments and present the same to the Parliament.

The Committee requested the Chairperson to write a letter to the Hon. Minister of Labour for proper implementation of Minimum Wages Act without discrimination between the adults and children.

The Committee then adjourned.

APPENDIX I

Summary of Recommendations/Conclusions

Sl. No.	Para No.	Conclusions/Recommendations
1	2	3
1.	1.8	The work of survey seems to have been taken up in a haphazard manner. In order to have a comprehensive survey report the work should have been assigned to one organisation. Moreover, no time limit has been fixed for this work. The Committee while reiterating their earlier recommendation, desire that the Ministry should conduct proper surveys through an experienced and reputed organisation in a time bound manner. They would also like to be apprised of the progress made in this regard within three months time.
2.	1.9	As regards setting up of active Committees at district level involving officials from the district administration for the purpose of identification/registration of Child Labour, immediate steps should be taken to mobilise the State Governments.
3.	1.12	The Committee accept the reply of the Ministry. They are, however, concerned to note that while the Ministry agrees in principle that the problem of Child Labour lies in the prevailing socio-economic environment, they have not detailed the action proposed to be taken for discouraging employers from employing children. The Committee desire that the Ministry should send a complete outline of the action being taken/strategy adopted to achieve the objectives set by the Government.
4.	1.15	The Committee note with distress that although the Ministry of Labour had assured the Committees to make the Child Labour (Prohibition and Regulation) Act more stringent by amending the Act, nothing has been done so far, even after a lapse of one and a half years. While reiterating their earlier recommendation, the Committee would like to impress upon the Govt. to take up the matter urgently. They would also like to be apprised of the progress made in this regard

1	2	3
5.	1.16	<p>The Committee are concerned to note that the Government have not addressed themselves to the aspect of implementation of the Child Labour (Prohibition and Regulation) Act, 1986 which is still not being implemented in letter and spirit. They are of the view that the Ministry should evolve some mechanism to ensure that the law is enforced properly and responsibility should be fixed on the State Governments for its implementation at the grass roots levels.</p>

APPENDIX II

(Vide Introduction of the Report)

Analysis of Action Taken by Government on the Third Report of the Standing Committee on Labour and Welfare (Tenth Lok Sabha)

	<i>Total</i>	<i>Percentage</i>
I. Total number of recommendations	7	
II. Recommendations/observations, which have been accepted by Government (Nos.: 1, 2, 3, 6 & 7)	5	71.42
III. Recommendations/observations, which the Committee do not desire to pursue in view of Government replies (Nos.: Nil)	Nil	Nil
IV. Recommendations/observations in respect of which Government's replies have not been accepted by the Committee (Nos.: Nil)	Nil	Nil
V. Recommendations/observations in respect of which final replies of Government are still awaited (Nos.: 4 & 5)	2	28.56