

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:1277

ANSWERED ON:08.08.2011

ERADICATION OF CHILD LABOUR

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Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the details of guidelines issued by the Supreme Court in regard to Child Labour in the country;
- (b) the details of child labour (Prohibition and Regulation) Act, 1986;
- (c) whether the aforesaid guidelines/Act was not effectively implemented;
- (d) if so, the reasons therefor;
- (e) the details of the work done by the National Commission for the protection of child's right for the last three years; and
- (f) the steps taken by the Government for complete eradication of child labour in the country?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

(a) to (d): On 10th December, 1996 in Writ Petition(Civil) No.465/1986 M.C. Mehta Vs State of Tamil Nadu, the Supreme Court of India, gave certain direction on the issue of elimination of child labour which are mainly as under:

- (i) Survey for identification of working children.
- (ii) withdrawal of children working in hazardous industries and processes and ensuring their education in appropriate institutions.
- (iii) Contribution @ Rs.20000/- per child to be paid by the offending employers of children to a welfare fund to be established for this purpose.
- (iv) Employment to one adult member of family of the child so withdrawn from work and if that is not possible a contribution of Rs.5000/- to the welfare fund to be made by the State Government.
- (v) Financial assistance to the families of the children so withdrawn to be paid-out of the interest earning on the corpus of Rs.20000/25000 deposited in the welfare fund as long as the child actually sent to school.

The Child Labour (Prohibition and Regulation) Act, 1986 prohibits employment of children below 14 years in occupations/processes specified in Part A and Part B of the Schedule of that Act. It regulates the working conditions, hour and period of work, weekly holidays of children in employments where they are not prohibited from working. The appropriate govt., i.e. Central Govt. in Central sphere and State Govt. in State sphere has been authorized to take punitive action under the provisions of Child Labour (Prohibition and Regulation) Act, 1986.

(e) The details of work done by the National Commission for Protection of Child Rights (NCPCR) during last three years which include but are not limited to the following:-

- (1) Issued guidelines/circulars on child labour, protecting rights of children in the areas of civil unrest etc.
- (2) Building consensus between Govt. Departments, Panchayats, NGOs and Civil Society Groups on the core issues of child rights and child protection through Consultations/ Seminars/ Workshops/ Meetings on child labour.
- (3) Spreading 'child rights literacy' through its Newsletter: 'INFOCUS', Workshops, press releases and celebration of Child Rights Day on 20th November and World Day against Child Labour on 12th June.

(f) The Government of India has adopted a multi-pronged strategy for eradication of child labour which is as follows:

- (i) A legislative action plan in the form of Child Labour (Prohibition & Regulation) Act, 1986.

(ii) Project-based action plan in areas of high concentration of Child Labour under National Child Labour Project Scheme.

(iii) Focus on general development programmes for the benefit of the families of Child Labour.

The above measures have yielded positive results in eradication of child labour.