

GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO.2659
ASPOSED ON 12.12.12
CHIEF LABOUR MINISTERS INDUSTRIES
Dushmuh Shi K. D. Dubi Sen. Pige Sund Gurely Sen. Manuka Sarjap/Hassan Shi Syed Shafwasse

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

- (a) the details of occupation including processes notified as hazardous for child labour in the country;
- (b) whether a number of children are being employed in such occupation in various parts of the country including industries in Delhi;
- (c) if so, the number of child labourers employed including those killed in such hazardous occupation during the last three years and the current year. State-wise and interstate;
- (d) the action taken against employers employing child labour during the past period; and
- (e) the details of the scheme/programmes undertaken for the rehabilitation of child labourers and the effective steps taken for the rehabilitation of child labour in the country?

Answer

MINISTER OF STATE FOR LABOUR AND LABOUR (OVERSIGHTS), BUREAU

(a) The Child Labour (Prohibition & Regulation) Act, 1986, prohibits the employment of children below the age of 14 years in 18 Occupations and 65 Processes. The details of occupations and processes where child labour is prohibited under Child Labour (Prohibition & Regulation) Act, 1986, are as follows:-

(b) & (c) As per 2011 Census, the total number of working children between the age group 5-14 years in the country was 1.26 crore out of which 73 lakh children were found working in hazardous occupations and processes. However, in the Survey conducted by NIOS, in 2004-05 the number of working children were estimated at 90.73 lakh. As per NIOS survey 2010-16, the working children are estimated at 45.84 lakh which shows a declining trend. As per information available from States/UTs, no child labour has been reported/identified in hazardous occupation during last three years.

(d) As per the data received from various States, the details of inspections carried out, prosecutions launched and conditions made under the Child Labour Act during the last three years and current year are given as under:

Sl. No. of Inspections No. of prosecutions No. of convictions

2008 31789 1214 112

2012 23962 898 128

2011 8655 4390 774

2012 2018 714 147

The information is to be received from many States.

(e) Under the Child Labour Policy, Government of India follows a multi-pronged approach with the following three major elements:

1. Legal Action Plan.

2. Focus on general development programmes for the benefit of the families of child labourers.

3. Project-based action in areas of high concentration of child labour.

The Child Labour (Prohibition & Regulation) Act, 1986, prohibits the employment of children below the age of 14 years in 18 Occupations and 65 Processes. The Act regulates the working conditions of children where they are not prohibited from working. Any person who employs a child in the occupation or process where employment of children is prohibited under the Child Labour Act, is liable for punishment with imprisonment for a term which shall not be less than 5 months but which may be extended to one year or with fine ranging from Rs. 10,000 to Rs.20,000. 50 processes of the National Child Labour Policy, the National Child Labour Project Scheme was started in 1986. The scheme seeks to adopt a sequential approach with focus on the rehabilitation of children working in hazardous occupations and processes in the first instance. The scheme is being implemented in 266 districts. Under the Project, children are made to withdraw from work and are enrolled in the special schools, where they are provided with bridge education, vocational training, nutrition, shelter, health care, etc. before being mainstreamed into formal education system. Where NCPL Scheme is not functioning, State & District Child Labour Schemes or District Child Labour Schemes are initiated to run special schools for child labour rehabilitation. Further, the Ministry launches awareness generation campaigns against the sale of child labour and enforcement of child labour laws through literature and print media of the centres as well as at the District level.

ANNEXURE-I

ANNEXURE REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UNSTARRED QUESTION NO.2659 FOR ANSWER ON 12.12.2012, List of Occupations & Processes prohibited under the Act.

Part A

Occupations (Non-Industrial Activity)

Any occupation concerned with:-

(1) Transport of passengers, goods or mail by railways.

(2) Chamber packing, clearing of an ash pit or building operation in the railway premises.

(3) Work in a railway establishment at a railway station, involving the movement of a tender or any other engine of the establishment from the one platform to another or to or out of a siding track.

(4) Work relating to the maintenance of a railway station or with any other work where work is done in close proximity to or before the moving train.

(5) A post authority within the limits of any post.

(6) Work relating to sailing of tenders and ferries in ships with temporary licenses.

(7) Maritime/Seafaring Work.

(8) Automobile workshops and garages.

(9) Puncturing.

(10) Handling of fuel or inflammable substances or explosives.

(11) Machine and power line industry.

(12) Mine underground and other mines and collieries.

(13) Plastic work and film-making workshops.

(14) Street vendors or petty hawkers.

(15) Shops (readable materials, medicines, books, metals, iron shops, electrical, glass or other extraneous industries).

(16) Mining.

(17) Caring of elephants.

(18) Working in the circus.

Part B

Processes (Industrial Activity)

(1) Brick-making.

(2) Carpet-weaving (including preparatory and incidental process thereto).

(3) Cement manufacture, including bagging of cement.

(4) Cloth printing, dying and weaving (including processes preparatory and incidental thereto).

(5) Manufacture of machines, engines and fire-works.

(6) Metal-rolling and quilting.

(7) Metal manufacture.

(8) Soap manufacture.

(9) Tanning.

(10) Wool-cleaning.

(11) Building and construction industry (including processing and packing of granite stones).

(12) Manufacture of slate pencils (including packaging).

(13) Manufacture of products from sugar.

(14) Manufacturing processes using toxic metals and substances such as lead, mercury, arsenic, chromic acid, benzene, pesticides and asbestos.

(15) "Refractory processes" as defined in Sec. 2 (34) and "Shaping operations" as defined in Sec. 2 (35) and section 4 of the Factories Act, 1947 (10 of 1947).

(16) Printing as defined in Section 2 (3) of the Factories Act, 1947 (10 of 1947).

(17) Cotton and cottonseed ginning and processing.

(18) Building processes in electrical industries.

(19) Apparels' manufacturing.

(20) Automobile repairs and maintenance (including processes incidental thereto namely, welding, glass work, auto electric and painting).

(21) Brick kiln and roof tile units.

022 Cutlery grinding and processing and production of cutlery goods.

023 Metalware manufacturing.

024 Fabrication workshops (ferruss and non ferruss)

025 Iron rolling and polishing.

026 Handling of aluminum and magnesium ores.

027 Zinc Smelter Manufacturing and zinc making.

028 Lead Mine and Manufacturing of Lead.

029 Lead Making.

030 Manufacturing processes having exposure to lead such as primary and secondary smelting, refining and casting of lead-painted metal constructions, welding or galvanizing or zinc anodes, preparing alloys, mixing dry blend of crystal glass mass, molding or stamping of lead parts, forming of lead in manufacturing workshops, lead mixing, plating, cable making, wiring potentiating, lead casting, type founding in printing shops, stone engraving, assembling of nets, sheet making and lead glass blowing.

031 Manufacture of cement pipes, cement products and other cement work.

032 Manufacture of glass, glass ware including bottles, fluorescent tubes, bulbs and other similar glass products.

033 Manufacture of glass and glass craft.

034 Manufacturing or handling of pesticides and insecticides.

035 Manufacturing or processing and handling of lacquer and resin adhesives, resin, coating and other resins and other products in chemical industry.

036 Manufacturing of roofing steel and steel fastenings.

037 Manufacturing of agents goods involving exposure to synthetic materials, chemicals and leather.

038 Moulding and processing of Fiberglass and plastic.

039 Oil expelling and refining.

040 Paper making.

041 Petroleum and chemical industry.

042 Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms.

043 Processes in agriculture where tractors, threshing and harvesting machines are used and shaft cutting.

044 Saw Mill - All processes.

045 Mechanical processing.

046 Mining, drying and processes for manufacturing of leather and leather products.

047 Stone breaking and stone crushing.

048 Tobacco processing (including manufacturing of tobacco, tobacco paste and handling of tobacco in dry form.

049 Type setting, repairing, re-setting and graphic letterfetting.

050 Chemical making, polishing and metal buffing.

051 Text making (all processes) -.

052 Clothingmaking

053 Leather processing and incidental processing

054 Finishing or glazing of metals

055 Diamond cutting and polishing

056 Extraction of salts from brines

057 Bag picking and packaging

058 Processes involving exposure to asbestos (e.g. working with asbestos and rock)

059 Mechanical Finishing

060 Food Processing

061 Beverage Industry

062 Timber handling and loading

063 Mechanical handling

064 Warehousing

065 Processes involving exposure to free silica such as stone, gravel industry, stone grinding, stone stone blinding, stone quarrying, and stone industry.