

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

UNSTARRED QUESTION NO:1285

ANSWERED ON:01.12.2014

CONVICTION UNDER CHILD LABOUR LAWS

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

- (a) the details of occupations/industries including processes notified as hazardous for child labour including percentage of inspection of such industrial premises during the last three years and the current year;
- (b) the approximate number of children employed in such occupations in various parts of the country, State/Occupation-wise;
- (c) whether majority of cases of prosecution under the Child Labour Act ends in acquittal and if so, the reasons therefor along with the stringent action taken against such employers during each of the last three years and the current year; and
- (d) the effective steps taken by the Government to check the practice of employing child workers in the said industries including implementation of rehabilitation programme for such children in the country?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The details of occupations and processes where employment of children is prohibited under Child Labour (Prohibition & Regulation) Act, 1986, are at Annexure-I. As per the information received from States/UTs the details of inspections carried out under Child Labour (Prohibition & Regulation) Act, 1986 during the last three years and the current year are as under:

Year	2011	2012	2013	2014
No. of inspections	154217	175196	184898	71168

(b): As per 2001 census, the total number of working children between the age group 5-14 years in the country was 1.26 crore out of which there were approximately 12 lakh children found working in the occupations/processes which are prohibited for employment of children under Child Labour (Prohibition & Regulation) Act, 1986. The number of children employed in these occupations/processes is at Annexure-II.

(c): As per the information received from the States, the details of action taken against employers under Child Labour (Prohibition & Regulation) Act, 1986 are as under:

Year	Violations	Prosecutions	Convictions
2011	14423	6017	984
2012	12052	5018	1144
2013	8991	3563	1061
2014	1027	792	754

As per a study conducted by V. V. Giri National Labour Institute, Noida, in large number of cases, the accused were acquitted by the courts because the prosecution side failed to prove the offence beyond reasonable doubts; failure to produce independent witnesses and casual approach of prosecution witnesses before the trial courts etc.

(d): Considering the magnitude and nature of problem of child labour, Government is adopting multi-pronged strategy which comprises of statutory and legislative measures, rescue & rehabilitation, universal primary education alongwith social protection, poverty alleviation and employment generation. The Child Labour (Prohibition & Regulation) Act, 1986 prohibits the employment of children below the age of 14 years in 18 Occupations and 65 Processes and any person who employs a child in above said occupations or process, is liable for punishment with imprisonment or with fine or with both. For rehabilitation of child labour the Government is implementing the National Child Labour Project (NCLP) Scheme since 1988. Under the Project, children rescued/withdrawn from hazardous occupations and processes are enrolled in the NCLP Special Training Centres which have the provisions of bridge education, vocational training, mid day meal, stipend, health care, etc. before being mainstreamed into formal education system. At present, the Scheme is approved in 270 districts of 21 States in the country.

Further, Government is taking measures for economic upliftment of the families of child labour with convergence between welfare

schemes of different Ministries. The Ministry is also running the awareness generation programme against the evil of child labour.

With the enactment of the Right of Children to Free and Compulsory Education Act, 2009, the efforts to eliminate child labour will receive a big boost as under the Act every child in the age group of 6-14 years is to be provided free and compulsory education.