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Title: Shri Basudeb Acharia called the attention of the Minister of Labour and Employment on the need for effective implementation of Child Labour (Prohibition and Regulation) Act, 1986.

SHRI BASU DEB ACHARIA (BANKURA): Sir, I call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and request that he may make a statement thereon:

"On the need for effective implementation of Child Labour (Prohibition and Regulation) Act, 1986."

MR. DEPUTY-SPEAKER: Hon. Minister, if you want to lay your speech on the Table of the House, you can do so.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES): Sir, the issue of child labour has always been an area of concern for the Government, but it has gained much more prominence in the last few years with greater public awareness and focused attention of policy makers. The Government took a major step towards child labour elimination last year by banning the employment of children as domestic servants and in dhabas, roadside eateries, etc. as large number of children in the country were found to be working in these occupations.

While poverty and illiteracy are the main reasons for prevalence of child labour, there are various other socio-economic factors perpetuating this problem. Realizing the multifaceted nature of the problem, including the issues of rehabilitation, the Government has been following a sequential approach to eliminate child labour from the country, beginning with hazardous occupations and processes. For the rehabilitation of child labour, the Government is implementing the National Child Labour Project Scheme in 250 districts of the country for the rehabilitation of the child labour withdrawn from such work. The Government's strategy is multipronged. It involves strict enforcement of the Child Labour (Prohibition and Regulation) Act with simultaneous efforts towards rehabilitation of both parents and children through linkages with poverty eradication and income generation programmes of the Government.

The Ministry is striving to cover the families of child labour under the developmental schemes of other Ministries to help the economic upliftment of parents so that they are not compelled to send their children to work. A Core Group on Convergence has also been formed under the Chairpersonship of Union Labour Secretary involving other concerned Ministries so that these families can get the benefit of anti poverty and development schemes of these Ministries also.

To tackle the issues related to migration and trafficking of children for labour, various preventive steps are being taken to curb the large influx of children from less developed areas of the country to big cities. The Ministry is in the process of developing a detailed protocol for the prevention, rescue, repatriation and rehabilitation of these children and their families. A Committee under Secretary, Labour and Employment has also been formed to look into issues relating to rehabilitation of migrant and trafficked children.

The Ministry is also regularly conducting awareness generation campaigns on the issue. Recently, beginning from 14th November, 2007, a fortnight long nation-wide drive has been launched to step up enforcement of the Child Labour (Prohibition and Regulation) Act.[\[a26\]](#) States have also been requested to take necessary measures for stepping up of enforcement activities and creation of mass awareness against the evil of child labour.

While the Government is taking various measures, considering the magnitude and complexity of the problem, we look forward to the valuable suggestions and support from the hon. Members of Parliament to successfully meet this challenge and eliminate child labour from the country.

SHRI BASU DEB ACHARIA : Sir, at the outset, I would like to say that the problem of child labour continues to pose a challenge to the nation. It is essentially a socio-economic problem inextricably linked to poverty and illiteracy. It requires concerted efforts from all sections of the society to tackle this problem.

Child labour is the most exploited section of the society. Today, the child labours are in large number. A large number of child labours have been engaged even in the hazardous industries where it is prohibited. There are about 40 million child labours in our country. This is the largest number of child labours in the country today.

In the past, in 1979, for the first time, a Committee was constituted under the Chairmanship of Shri Gurupadaswamy and

that Committee recommended various measures for the prohibition of child labour engaged in hazardous industries and to regulate the child labour in other industries. Based on the recommendations of that Committee, a legislation was enacted and the child labour in hazardous industries was prohibited.

As per Section 3 of that Act, any contravention of the provision of Section 3 of the Act is liable for punishment with imprisonment for a term which shall not be less than three months but which may extend to one year or with a fine which shall not be less than Rs.10,000 but which may extend to Rs.20,000 or both. In 1997, the Government of India framed a Policy on Child Labour.[\[R27\]](#)

During these 20 years after enactment of legislation, only from last year, Government is seriously thinking of implementing the various provisions of Child Labour (Prohibition and Regulation) Act, 1986.

MR. DEPUTY-SPEAKER: You are requested to put the question or clarifications.

SHRI BASU DEB ACHARIA : I am coming to the question.

MR. DEPUTY-SPEAKER: Put the question please. I have very little time with me.

SHRI BASU DEB ACHARIA : During these 20 years, what effective steps the government of India has taken? In 2002 again, National Commission on Labour also deliberated on the problems of child labour. That Commission also made certain recommendations. But, nothing has been done till then. The Labour Minister, in his statement, has told us about the measures that the Government of India has taken. He has appointed a certain committee under, Secretary, Ministry of Labour. A fortnight nation-wide drive has been launched. Then, a core group of conversion has also been formed. National Child Labour Project Scheme has also been launched in 220 districts. But, the National Commission has also identified certain areas, certain industries and certain places where child labour is engaged violating the legislation like carpet industry in Mirzapur, match and fireworks industry in Sivakasi, diamond cutting industry in Surat, glass industry in Ferozabad, hotel industry in Khurja, brassware industry in Muradabad etc.

MR. DEPUTY-SPEAKER: Please let me know what you want. आप क्या जानना चाहते हैं, वह पूछिये। मेरे पास आज लिस्ट में दो बिल हैं, वे भी मुझे पास कराने हैं और सप्लीमेंटरी डिमांड्स भी आज पास करानी हैं, इसलिए please put the question or clarifications.

SHRI BASU DEB ACHARIA : But, Sir, this is a very important subject. I am just coming to the question. This is the question about exploitation in the society.

उपाध्यक्ष महोदय : आप वतैश्न पुट करें। आप क्या जानना चाहते हैं, वह पुट करें।

SHRI BASU DEB ACHARIA : I will bring this subject after calling attention. If I am not satisfied with the reply of the Minister, then I will give a notice for discussion on this subject under Rule 193 also. Sir, the Government of India has started National Child Labour Project Scheme in 200 districts of the country. I would like to know from the Minister after launching this scheme, how many of the child labour and their families have been benefited. It is basically a socio-economic problem. It is inextricably linked to poverty also. Recently, a Committee under the Chairmanship of Dr. Arjun Sengupta was appointed. That Committee has submitted its report where it has been stated that 70 per cent of the population of our country has per capita income is Rs. 22 only. [\[MSOffice28\]](#)

Sir, in order to prohibit child labour, what is required is rehabilitation. Thousands of schools have been set up throughout the country and Rs. 100 is being paid to the students who have been admitted in those schools. But unless vocational training is given to those children who have been taken away from the industry and admitted in those schools, the situation will not improve. After education, what will they do? This is one problem relating to child labour engaged in various industries.

Another problem is related to poverty. What does the Government propose to do to eradicate poverty and to rehabilitate the entire family? Only some committees have been constituted, but nothing concrete has been done. Now, in broad day light, provisions of the Child Labour (Prohibition and Regulation) Act are being blatantly violated. I would like to know from the Minister as to what action has been taken against the violators of the provisions of this Act in the last 20 years, how many have been prosecuted, how many have been arrested and put in jail and how many have been fined. There is a fine of Rs. 10,000 for the violators of this Act, but this amount is too less. So, there is a need for amending this Act for strict enforcement.

उपाध्यक्ष महोदय : आप जब चाहें, इन्फोर्समेंट करा सकते हैं। आपको क्या प्रब्लम है?

श्री बसुदेव आचार्य : हम तो करा सकते हैं, लेकिन सरकार क्या कर रही है?

उपाध्यक्ष महोदय : क्या आप सरकार नहीं हैं? सरकार भी तो आपकी है।

Mr. Basu Deb Acharia, please wind up now.

SHRI BASU DEB ACHARIA : I would like to know whether the Government proposes to start a scheme for the rehabilitation of child labour.

Then, there is a need for setting up a residential school in each of the 250 districts which have been identified for launching the National Child Labour Prohibition Programme. So, I would like to know from the Minister whether he will think over starting a residential school in each of the 250 identified districts of our country for the prohibition of child labour so that they can stay in the hostel and study.

Then, what effective measures does the Government propose to take to prohibit child labour in hazardous industries as well as regulate child labour in other industries?

MR. DEPUTY-SPEAKER: Now, I would request the hon. Labour Minister to reply.

श्री आविनाश राय खन्ना (होशियारपुर): महोदय, हमारे नोटिस का ...*(व्यवधान)*

श्री शैलेन्द्र कुमार (चायल) : महोदय, हमने नोटिस दिया है। ...*(व्यवधान)*

प्रो. रासा सिंह रावत (अजमेर) : महोदय, हमारी बात भी सुनी जाए।...*(व्यवधान)*

MR. DEPUTY-SPEAKER: Nobody else will be allowed. The Minister will reply now.

...*(Interruptions)*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Mr. Deputy-Speaker, Sir, before this Session started, in the Leaders Meeting, the hon. Speaker made it clear to leaders of all parties that except the names of Members which are listed in the agenda, nobody else will be allowed. This has been agreed upon by all the leaders of the party in the meeting with the hon. Speaker. ...*(Interruptions)*
ऐसा नहीं होता है, जो नोटिस कालिंग अटेंशन नोटिस के रूप में आएगा, उसे नोटिस में लिया जाएगा। हाउस के अंदर आकर अगर आप नोटिस देंगे, तो वह नहीं लिया जाएगा। ...*(व्यवधान)* [p29] इसका मतलब ही नहीं होता। ...*(व्यवधान)* आप मुझे एक मिनट बोलने दीजिए। मैं सरकार की तरफ से स्पीकर महोदय के आदेश को सूचित करना चाहता हूँ। सभी लीडर्स की मौजूदगी में स्पीकर साहब ने सदन के पहले दिन ही सूचित किया था कि जिनके नाम टेबल में फ़िट होंगे, उनके अलावा कोई दूसरा नाम कालिंग अटेंशन में नहीं लिया जायेगा। यह स्पीकर साहब और सभी लीडर्स की राय थी। ...*(व्यवधान)*

उपाध्यक्ष महोदय : मेरे पास आज बहुत बिजनेस है, इसलिए आप बैठ जाइये। Now, the hon. Minister, please.

SHRI OSCAR FERNANDES : Mr. Deputy-Speaker, Sir, as per the Census 2001, there are 1.26 crore economically active children in the age group of 5 to 14 years, of which approximately 12.6 lakh are working in hazardous occupations.

At present, there are 8,887 NCLP schools being run in the country with enrolment of 3.4 lakh children. About 4.57 lakh working children have already been mainstreamed to regular education under the NCLP Scheme.

Sir, it is our desire and we have proposed to the Planning Commission that we should like to cover all the 600 districts in the country. The matter is under consideration.

Sir, the hon. Member has asked what action we have taken. I thank the hon. Member for saying that we have been serious in the last one year for bringing out a legislation and also for taking active action. Since 1997-98 to 2005-06, overall about 26.3 lakh inspections have been carried out, around 1.61 lakh violations have been detected, 67,691 prosecutions launched and 22,588 convictions obtained. It is not that we have not taken action as convictions have been obtained.

The basic cause for child labour is poverty in the country and our Government has launched a major programme to provide employment to the rural poor and that is 100 days of guaranteed employment with which the parents will be able to earn more to the extent of Rs.6,000 to Rs.10,000 per annum and with which they will be able to send their children to the school.

Not only this, but there is the question of rehabilitating the families. We are trying to link the entire poverty alleviation programme with the child labour. We are trying to locate the family of any child found working and rescued and whatever the Government's programmes for the poor are seen to it that the family gets the benefit of this programme.

Ultimately, we would like to give technical education to every child that we rescue and put in a special school so that the children after their education, and after they are in a position to work, they are able to earn better and support the family.

Sir, we will be intensifying the programme on child labour.

Since November 14th, we have launched this programme all over the country and on the 13th of December, we have called a meeting of the Labour Ministers in the country. In that meeting, we will be discussing it because this is not a matter of children only coming to Delhi, Mumbai and earning, but we have to see that children from States like Bihar, Uttar Pradesh, Jharkhand, Orissa, Tripura, etc. do not come to States.

I have also requested the hon. Home Minister to see that the intelligence network will help us to identify the agents who are bringing these children so that we will be able to stem it in the early stages itself and so that the child labour could be prevented in the country.

These are the various measures that we have taken...(*Interruptions*[\[r30\]](#))

SHRI BASU DEB ACHARIA : There are 250 residential schools in 250 identified districts...(*Interruptions*)

SHRI OSCAR FERNANDES: Exactly, Sir, I have said that we have made a proposal to the Planning Commission that we would like to extend it to other parts of the country. We have special schools. We are giving them technical education. We also will examine this matter of residential schools.

Thank you very much....(*Interruptions*)

(Placed in Library, See No. LT – 7404/07)

14.31 hrs .