

- (a) access to shops, public restaurants, hotels and places of public entertainment; or ...”

This is one of the provisions of the Indian Constitution which only reflects the national strong opposition to apartheid in any form. Therefore, when this news appeared in the *Asian Age* and I believe, also in the *Indian Express* that something of this kind has happened, naturally everyone was disturbed. But on enquiry, we found that facts were not as were indicated. The facts were different.

We also tried to contact or rather the Government of Maharashtra tried to contact the air-hostesses who were stewardesses in the South African Airlines. But on the 20th of June, both of them had left. I do not want to go into elaborate process that the Maharashtra Government tried to undertake in order to see that the facts are found out. But this particular suggestion that the hon. Member has given, I shall certainly see that it is done.

SHRI MUKUL WASNIK : Sir, for a change, I am satisfied.

Child Labour

*484. SHRI RAM TAHAL CHAUDHARY : Will the Minister of LABOUR be pleased to state:

(a) whether there is any proposal to redefine the definition of hazardous industries to effectively implement the Prime Minister's Action Plan to free child labourers from the hazardous industries; and

(b) if so, the details thereof?

[*Translation*]

THE MINISTER OF LABOUR (DR. SATYANARAYAN JATIYA) : (a) and (b) Hazardous Industry has not been defined in the Child Labour (Prohibition & Regulation) Act, 1986 at present. The occupations/processes considered hazardous are added to the schedule to the Child Labour (Prohibition & Regulation) Act, 1986 on the advice of the Technical Advisory Committee constituted under Section 5 of the Act. Employment of children in such occupations/processes is prohibited. Presently, 7 such occupations and 18 processes stand included in parts A & B respectively of the Schedule to the Child Labour (Prohibition & Regulation) Act, 1986.

SHRI RAM TAHAL CHAUDHARY : Hon'ble Speaker, Sir, I am not satisfied with the answer of the Hon'ble Minister. Today even after fifty years there is the problem of child labour in India, every now and then it is discussed in the Parliament also and new laws are also passed but this menace is on the regular increase. Practically it is this that unless the provision is made for the livelihood of child labour, this problem is not going to end because they work for the sustenance of their parents and run the household. So nothing will happen by lectures or making laws. A practical and solid programme will have to be made to get this problem solved. I had asked as to what was the proposal regarding redefining the hazardous industries for proper implementation of the Prime Minister's action plan to release the child labour from hazardous industries. I want to know what are those 18 processes that are considered hazardous?

DR. SATYANARAYAN JATIYA : Hon'ble Speaker, Sir, a schedule is there in parts A and B of the Child Labour Prohibition Act and that schedule is under parts A and B of the Schedule to the Child Labour (Prohibition and Regulation) Act. The occupations enumerated in part A include.

[*English*]

"Any occupation connected with

- (1) Transport of passengers, goods or mails by railway;
- (2) Cinder picking, cleaning of ash pit or building operation in the railway premises;
- (3) Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
- (4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity or between the railway lines;
- (5) A port authority within the limits of any port;
- (6) Work relating to selling of crackers and fireworks in shops with temporary licenses; and
- (7) Abattoirs/Slaughter houses.

[Translation]

These are the occupations prohibited by the Government, and the processes in which child labour should not be engaged and are prohibited, include.

[English]

- (1) Bidi making
- (2) Carpet-weaving
- (3) Cement manufacture, including bagging of cement
- (4) Cloth printing, dyeing and weaving
- (5) Manufacture of matches, explosives and fireworks
- (6) Mica-cutting and splitting
- (7) Shellac manufacture
- (8) Soap manufacture
- (9) Tanning
- (10) Wool-cleaning
- (11) Building and construction industry
- (12) Manufacture of slate pencils (including packing)
- (13) Manufacture of products from agate
- (14) Manufacturing processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos.
- (15) "Hazardous processes" as defined in Section 2 (cb) and 'dangerous operations' as notified in Rules made under Section 87 of the Factories Act, 1948
- (16) Printing as defined in Section 2(k) (iv) of the Factories Act, 1948
- (17) Cashew and Cashewnut descaling and processing
- (18) Soldering processes in electronic industries

[Translation]

There are 18 such occupations in which child labour is prohibited.

SHRI RAM TAHAL CHAUDHARY : Hon'ble Speaker, Sir, my second supplementary question remains.

Hon'ble Speaker, Sir, whatever the Hon'ble Minister has just said, I would like to know as to what action plan of the Prime Minister is there to eradicate poverty, Please tell about that. In the second part of the supplementary question I want to ask as to how many cases have been registered statewide since 1986 under the Children's Act, 1986 and whether anybody has been punished as per the decision on the registered cases. Are you making any arrangements for the livelihood of these Children? If you will punish them and will not allow them to work then it is not practical, I want an answer to it.

DR. SATYANARAYAN JATIYA : Actually there is the provision under the sections of the Law for banning child labour, and it is there under various factory acts also. If a child is employed in any occupation, violating any provision then the person violating it will be punished with imprisonment for a period not less than three months but extendible upto one year, or a fine for an amount not less than Rs. 10,000 but liable to be increased upto Rs. 29,000 ... (Interruptions) This question is related to the Department of Labour but if you ask, I will answer it. I have the information about the manner in which the provisions have been made about children and the schemes are there under this. Certainly I have state-wise information with regard to way measures have been taken in various states to check it with a view to take them out of the hazardous processes. Measures have been taken to check it by prosecuting people. We have taken many measures to check it in compliance with the labour laws.

SHRI RAM TAHAL CHAUDHARY : We were not told as to how many cases have been registered.

[English]

SHRI P.S. GHATOWAR : In spite of the Child Labour Prohibition and Regulation Act, it is a fact of life that

there is inhuman exploitation of child labour in our country. Recently a European country has prohibited the import of carpets where child labour are engaged. Last week it was shown on television that about 400 boys were engaged as child labour in the carpet industry in a very inhuman condition and they were exploited like animals. I want to know from the hon. Minister whether there is any effective provision in law to punish the erring management who engage child labour in their industry and exploit them. They even take the child from the family and there is no punishment given to the rich carpet manufacturers. I want to know whether the Government is thinking of putting any provision in the Act so as to prevent the engagement and exploitation of child labour especially in the carpet industry.

[Translation]

DR. SATYANARAYAN JATIYA : Hon'ble Speaker, Sir, keeping in view the concern expressed by the hon'ble members. We are continuously increasing the list of hazardous industries. Any child below the age of 14 years should not be employed anywhere. We are regularly increasing this list. A technical committee constituted in this regard have given their recommendations in which a lot of industries have been included. I think it proper to give information for the benefit of Hon'ble Members that the occupations include handling of toxic substances and inflammables and explosives also. The others that we are in the process of including are:—

[English]

Plastic units, automobile workshop and garages, mines, potteries and ceramic industry, gem cutting and polishing, utensil making, stone breaking and crushing, polishing of moulding, cutting and manufacture of brass goods, manufacturing of dyes and dye stuff ... (*Interruptions*)

MR. SPEAKER : You can send the reply to him.

... (*Interruptions*)

SHRI P.S. GHATOWAR : I want to know from the hon. Minister about those child labour who had met the

hon. Labour Minister last week and who were taken away from the carpet industry by some voluntary organisations. They had come and met the hon. Labour Minister. I want to know whether he has ordered any inquiry for giving punishment to these employers.

[Translation]

DR. SATYANARAYAN JATIYA : I agree to your concern and want to say that we are in the process to include more industries under child labour act.

[English]

SHRI P.S. GHATOWAR : What is the use of showing it on the national TV when you have not ordered an inquiry against those employers? ... (*Interruptions*)

MR. SPEAKER : Let him complete, please.

[Translation]

DR. SATYANARAYAN JATIYA : This will be done under same law. ... (*Interruptions*)

SHRI BASU DEB ACHARIA : What action is being taken? Please tell this also.

SHRI P.S. GHATOWAR : What action you are going to take against those people who met you?

DR. SATYANARAYAN JATIYA : If you listen, I would like to tell regarding child labour that hon. members are concerned and regarding carpet industry, it is our opinion that wherever there is child labour, it should be abolished and to abolish it the rule is that we cannot take more than three hours work from child labour.

MR. SPEAKER : They are asking this. What is the action you have taken?

[Translation]

DR. SATYANARAYAN JATIYA : We are thinking seriously to include more industries in it.

[English]

SHRI ANNASHEB M.K. PATIL : Sir, child labour is a social and economic problem. It cannot be eradicated only by laws, regulations and legislations. Most of the people are of the opinion that poverty and illiteracy are also one of the reasons behind it and thus, they have to be eradicated. In that case, I would ask the Minister whether the Government has got any scheme to reduce the number of child labour and if so, what are the schemes under it?

[Translation]

DR. SATYANARAYAN JATIYA : It has been endeavoured to make the present rule, regarding child labour more effective and implement it. For this inspection is carried out and wherever there are violations of it case registered thereafter prosecution is carried out and subsequently conviction also takes place. I am having record of last year. According to figures of 1992-93, 28183 inspections were conducted and the number of cases of violation was 1890. Number of prosecutions was 1875 out of these cases the number of cases in which conviction took place was 162. According to provisional figures available with me of 1998-99, there were 1325 cases of inspections, the number of violation cases was 958, that of prosecution was 676 and that of conviction was 69 took place.

SHRI BUTA SINGH : Mr. Speaker Sir, the child labour problem is country's most serious problem. Country's children in numbers are made bonded, they are exploited in hazardous industries and work is taken from them and their health is not taken care of. Both male and female children are exploited such an example it cannot be found in any other country. Besides children in thousands are sent out of country from where they never come back to the country.

Heinous child trafficking is going on. By giving small amount of money to them they are sent outside the country. Keeping this in view, I want to ask the Minister about law which he was talking, that to implement it the machinery is more dangerous than the industrialist in whose industries these children are working. Figures which he presented here denote that they have failed to detect

the children where they have been working. The machinery becomes active only when it comes to know either through newspapers or through any accident. I want to ask the Minister—whether he would like to present white paper regarding child labour so that the present scenario of child labour in the country may be known. The second question is whether you are going to constitute a National Commission regarding child labour, empowering it to punish because in our country though life is given to children but they have not been given the right to live, so that through National Commission right is given to them. I would like to know Government of India is going to constitute a National Commission for such children, empowering it to give punishment wherever they are exploited to save children.

DR. SATYANARAYAN JATIYA : We all agree to Hon. Buta Singh ji's concern, but implement the child welfare schemes, keeping in view all these we have started working and we have launched schemes covering one lace children. To implement these schemes in every state of the country, we have selected districts. ... (Interruptions)

[English]

SHRI BUTA SINGH : Sir, this is not the answer. The Government must bring a White Paper on the Child Labour to the Parliament. The Parliament has the right to know about it ... (Interruptions)

MR. SPEAKER : Shri Buta Singh, let him speak, now.

DR. SATYANARAYAN JATIYA : Hon'ble Speaker, as Hon. Member is concerned that law regarding child labour is being misused. These rules should be made more strict, so that such kind of things do happen. No one can deny it. But we have to work under the available provisions.

SHRI SHAILENDRA KUMAR : Mr. Speaker Sir, I want to ask the Minister through you, whether there is any provision in child labour act to prevent the children from working in carpet industries, working as motor mechanics and working on various cross-roads. ... (Interruptions) Is there any provision with the Government to link education with employment.

Hon. Minister, please tell it?

DR. SATYANARAYAN JATIYA : The manner in which Hon. Member has expressed his concern.... (Interruptions) Next time we are going to move proposal to keep children away from automobile workshop and garrages, we are going to make provisions regarding it. ... (Interruptions)

[English]

MR. SPEAKER : They want a Short Duration Discussion Mr. Minister, do you have any objection?

DR. SATYANARAYAN JATIYA : No, Sir.

MR. SPEAKER : He has agreed. Please take your seats. The Minister has agreed to discuss it.

[Translation]

Import of Edible Oils

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*485. SHRI RAVINDRA KUMAR PANDEY :
SHRI RAMCHANDRA BAINDA :

Will the Minister of FOOD AND CONSUMER AFFAIRS be pleased to state :

(a) the names of countries from which edible oils have been imported during each of the last three years alongwith the quantity of oils imported, country-wise;

(b) the total requirement of edible oils in the country during 1998-99;

(c) whether the Government are able to meet the requirement through its domestic production;

(d) if not, whether the Government propose to import edible oils to meet its requirement during the current year;

(e) if so, the details thereof;

(f) whether the import of edible oils has becomes costlier due to imposition of additional custom duty; and

(g) if so, the details thereof and the steps taken by the Government in this regard?

[English]

THE MINISTER OF CHEMICALS AND FERTILIZERS
AND MINISTER OF FOOD AND CONSUMER AFFAIRS

(SARDAR SURJIT SINGH BARNALA) : (a) to (g) A statement is laid on the Table of the House.

Statement

(a) The State Trading Corporation (STC) have been importing only RBD Palmolein, of Malaysian and Indonesian origin, on Government Account, exclusively for the Public Distribution System for a number of years. The details of RBD Palmolein imported on Government Account during the last three years are as under:—

Financial Year	Quantity imported from (in lakh MT)		Total import for PDS in lakh MT
	Malaysia	Indonesia	
1995-96	1.66	0.36	2.02
1996-97	1.43	0.06	1.49
1997-98	0.48	0.41	0.89

A statement giving the imports of edible oils, in the last three years, country-wise, both on Government and private account is given in the Annexure.

(b) The requirement of edible oils for the current year is estimated to be 82.00 lakh MTs.

(c) No, Sir.

(d) Yes, Sir.

(e) Government have decided to import 1.5 lakh MTs of RBD Palmolein for distribution through the Public Distribution System during the festival months of August-November, 1998. In addition, since import of edible oils (except Cocount Oil, Palm Kernel Oil, RBD Palm Oil and RBD Stearin), is also allowed under the OGL, substantial quantity of edible oils is being imported by private parties under OGL to meet the shortfall in supply.

(f) to (g) The special additional duty on imports as imposed in the regular Budget of the current year, is not applicable to the imports made for trading purposes. Hence the imported for further sale to consumers, costlier. However, considering the high prices of edible oils in the international market, the government has recently reduced the basic customs duty on edible oils from 20% to 10% so as to facilitate import of edible oils, (the surcharge of 5% remaining unchanged).