

new year dawns, it will dawn with our tri-colour flag flying high and our National Anthem being sung throughout the length and breadth of this country. Now, what is the true position? The true position is that every man, woman and child shall salute the National Flag and every man, woman and child shall sing the National Anthem when it is required to be sung. Neither law nor dialectics shall deflect us from this path. This is the will of the people. A Fundamental Duty has been enshrined under article 51A of the Constitution to respect the National Flag and the National Anthem. I believe, the whole House representing the will of the people will endorse and support Government's determination to ensure implicit obedience to this Fundamental Duty. I once again thank all hon. Members.

SHRI AZIZ QURESHI (Satna) : I particularly mentioned in my speech regarding Mr. Mohammad Yunus, a veteran freedom-fighter and Chairman of the Trade Fair Authority of India, who, for expressing his views on the National Anthem after Supreme Court judgement, has been forced to stand on the dock on a defamation case in the Supreme Court. I would like to know whether the Government will initiate action to save him from any harassment.

SHRI P. CHIDAMBARAM : Shri Mohammad Yunus is adequately represented in the court and I have no doubt that no harm will come to him.

[**SHRI ZAINUL BASHER** *in the Chair*]

15.05 hrs.

CHILD LABOUR (PROHIBITION AND REGULATION), BILL, 1986

As passed by Rajya Sabha

[*English*]

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P.A. SANGMA) : Sir, I beg to move :

"That the Bill to Prohibit the engagement of children in certain employments and to regulate the

conditions of work of children in certain other employments, as passed by Rajya Sabha, be taken into consideration"

According to the Planning Commission's estimates made in March 1985, child workers number approximately 17.58 million. Most of these children moreover work in the unorganised sector where few labour laws are applicable. This has been causing the Government a great deal of concern. In India, as in many other developing countries, children belonging to the poorest families contribute in substantial measure to the income of their families. In these circumstances, it would neither be desirable nor possible to impose a total ban on all child labour. On the other hand, there can be no two opinions on the point that in certain employments/industries, the employment of children is hazardous in the extreme and should, on no account, be allowed.

As of today, the employment of children in certain industries/occupations is prohibited under the law. The Constitution of India stipulates that children below the age of 14 years should not be employed in any factory, mine or hazardous employment. Labour laws, like the Factories Act and the Mines Act, prohibit the employment of children below a certain age in factories and mines. The Employment of Children Act prohibits the employment of children in certain industrial occupations and processes. In other Acts also, like the Plantations Labour Act, the Merchant Shipping Act, the Motor Transport Workers Act, and the State Shops and Establishments Act the employment of children below a certain age is prohibited. However, there is no uniformity in these Acts, nor is there any procedure laid down for deciding the employments from which child labour should be banned.

In most of the areas where child labour today is not banned by law, children work without the benefit of protection of labour laws. There are no maximum working hours, no periods of rest, and no holidays prescribed for these children. Consequently, many children work under conditions of exploitation.

One of the reasons for the existing

[Shri P.A. Sangma]

restrictions on child labour not being effective is that the penalties prescribed in the different Acts are not stringent enough. They are also not uniform. Several employers who have been found guilty of employing children in violation of the provisions of different Acts, have, therefore, got off with light sentences. To ensure that the penalties have a more deterrent effect on employers, the Employment of Children Act, 1938, was amended in December, 1985, enhancing both the fine and the imprisonment prescribed. It is felt, however, that the offence of employing the exploiting child labour is an extremely serious one and therefore the penalties should be further enhanced.

It is to take care of these aspects that the present Bill has been introduced. The Bill seeks to do primarily three things : (a) ban the employment of children below 14 years from employment in certain specified occupations and processes considered hazardous and set up a procedure for identification of employments/occupations which are hazardous for children and where their employment needs to be banned. (b) regulate the working conditions of children in areas which are not hazardous and where their employment is not banned by law, in such a manner that child workers cannot be exploited. (c) enhance the penalties for violations of the provisions relating to child labour to make them sufficiently deterrent. The penalty for the first offence, now proposed, is imprisonment from 3 months to one year or fine from Rs. 10,000 to Rs. 20,000, or both, and for a second offence, mandatory imprisonment for a term of not less than 6 months and upto a period of two years.

Central and State Governments will be empowered to frame rules pertaining to the safety and health of children working in any establishment. The rules would pertain to matters like drinking water, safety of buildings and machinery, dust and fumes, lighting etc.

We are aware that the existence of a law prohibiting and regulating child labour will not in itself solve the problem of child labour. Child workers are among the

most deprived persons of our society, and are often unable to get access to facilities like education, health care, vocational training etc. For this purpose a concerted action plan pooling the resources of all concerned Ministries in the Central and State Governments is being drawn up in consultation with the concerned Ministries. This plan is expected to be finalised soon.

I request that the Bill as passed by the Rajya Sabha be taken up for consideration.

MR. CHAIRMAN : Motion moved :

"That the Bill to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments, as passed by Rajya Sabha, be taken into consideration."

DR. T. KALPANA DEVI (Warangal) : Mr. Chairman, I welcome this Child Labour (Prohibition and Regulation) Bill, 1986. I am unhappy as the Bill prohibits engagement of children only in certain employments like hazardous industries. It means the Government is not banning the child labour completely. This leads to child labour in some establishments and thus will create competition in children employment and the child workers of urban areas and those who are working in the prohibited industries are compelled to go on the streets for begging as Government has not created any other alternative for their livelihood or to meet their basic needs.

Complete abolition of the child labour is the cherished goal of a civilized society. I think it is not difficult to reach that goal if awareness is created; if growth process is based on the development of citizens beginning with the childhood and going right through life.

Further, I would like to say that there is nothing new in this Bill. Article 24 of the Constitution says that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment. We have not been able to implement this all these

years. No other Constitution—not even United Nations constitution—prohibits child labour in such unequivocal terms. In spite of that India has the largest child labour force. According to World Bank estimate children in India account for 23 per cent of the total family income. That is why we are not achieving family planning targets both in rural areas and slums as addition of another child is an asset to the family as they start earning by their fifth year and supplement the family income.

According to 1971 census there are 10.74 million child workers in the country, namely, 4.66 per cent of the total child population and 5.95 per cent of the total labour force. Out of this figure 7.9 millions are boys and 2.8 millions are girls. According to national sample survey the number of children as on March 1973 is 163 million, that is, one-third of the world child labour population. By 1986 the child labour population might have further multiplied. I would like to say that just like so many other laws by simple legislation existing on the paper without efficient implementation will be of no use. This law also can be flouted just like so many other laws without enjoying the benefits of the law by child labour.

One of the reasons why the parents send their children at this tender age to work in establishments, mines and hazardous industries is poverty. Poverty is the principal cause for several social evils in a developing society. Due to certain inherent factors in the existing situation, child labour is preferred in certain sectors to adult workers.

Child labour is one of the cause for adult unemployment. The entrance of the child labour into industries reduces the volume of adult labour. Child labour is paid extremely low wages even though they are made to work in exploitative conditions in which their physical and mental health is affected. As long as poverty exists it is practically difficult to ban the child labour.

Coming to the Bill it intends to ban the employment of children who have not completed their 14th year in specified occupation and processes. The Government is, therefore, encouraging and allowing

the children, who are below the age of 14 years, to work in certain establishments like tea stalls. There is no age limit specifically at which they can work in an establishment. That has not been specifically mentioned in the Bill.

According to the survey of the Institute of Social Understanding, about three million children are working for 12 to 14 hours in all types of jobs in metropolitan cities. Most of them are engaged in tea shops, shoe-polishing and motor repair shops etc. In the capital city of Delhi itself, about twenty thousand children are engaged in shoe polishing, milk distribution and newspaper vending. Under what Act will these children be covered and how the law would be enforced by the Government? Has the Government ever thought of these children? I would like to know that from the hon. Minister.

Further, some children have been made crippled and these handicapped children were made professional beggars in some big cities like Bombay, Calcutta etc. How are you going to take care of them? How are you going to punish the people responsible for making these children as beggars.

In part III regarding regulation of conditions of work of children, the period of work on each day shall be so fixed that no period shall exceed three hours and no child shall work for more than three hours before he has had an interval for rest for at least one hour. How are the working hours monitored? Secondly, what are the amenities provided to the child labour in their rest hours? Are there any specific instructions to the establishments in this respect? Thirdly, if they are left like that after their working hours without any other alternative measures like education facility, or some other recreation and if they are not kept busy they may become problem to the society especially in the metropolitan cities.

Then, there is no mention of any welfare measures to child labour in the Bill, such as education facilities in their rest hours, skill development training centres, transport facility, compulsory medical check-up, economic development by fixing the wages, etc,

[Dr. T. Kalpana Devi]

Another fact is that the child workers are ignorant of their rights and privileges. The children, therefore, must be made aware of the facts regarding their wages, working hours and the minimum facilities to be provided by the establishments. Parents should also be discouraged by educating them, by creating awareness regarding the health hazards, and by creating income generating resources, thereby decreasing the child labour and this will lead to creating opportunities for adult labourers. If the child labour is banned completely, about 17 to 20 million adult workers would get employment, and thereby the family income would be raised.

Lastly, the Government should help these children by providing basic needs to them like education, food and clothing, and unless that is done, it is impossible to control the child labour with legislation only. As many as 73 per cent of boys and 80 per cent of girls drop out in primary and middle schools. The drop out percentage is much higher in slums and drought-prone villages and marginal families. In order to minimise the drop outs, the income of the parents should be raised by creating income generating sources like small scale industries in rural areas.

With the cooperation and coordination of other Ministries like Education, Women Welfare, Social Welfare, a comprehensive infrastructure should be made to bring up children as useful citizens.

There should be a total ban on begging in our country. The Government should also ban child labour completely, so that we enter into the 21st century with educated and healthy citizens.

[*Translation*]

SHRI MOOL CHAND DAGA (Pali) : Mr. Chairman, Sir, in our country, the life of a poor labourer is worth a dime. In our country 310 lakh people are doing this sort of job for whom our efficient and alert Minister for labour has introduced this piece of legislation in the House. It appears to me that he has done a verbatim copying of the law of 1938. You should study that law

thoroughly. You also possess the data of the whole country and other information. The Article 24 says that :

[*English*]

“No child below the age of fourteen years shall be employed to work in factory or mine or engaged in any other hazardous employment.”

[*Translation*]

On the other hand the part E of the Article 39 says that :

[*English*]

“The health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength”.

[*Translation*]

You can very well understand the spirit of our Constitution by studying these two Articles. I do not understand why you give false assurances to the poor of the country. Whenever you introduce a legislation, you always say that you have done or you are going to do such and such thing for the welfare of the worker, but you please tell me the number of persons who have been punished so far under the Act of 1938. Every time you give an assurance to the people that whosoever violates the law shall be severely punished. Here, I want to draw your attention towards the 15 November issue of the Economics and Politics weekly, in which the subject of child labour has been discussed at length. Mr. Chairman, Sir, I shall not take much of your time, I know that you will press the bell immediately, but sometimes you should kindly do some favour to us.

Today, the Bill which we have been discussing here is regarding the children and, through this we wish to improve their condition. It has been mentioned in the Economics and Politics weekly that :

[*English*]

“It is a farcical legislation.”

[*Translation*]

It is obvious that you want to make a farcical legislation. You may call it a joke or anything else. What legislation have you framed :

[*English*]

'Now those Industries which are known to be extremely hazardous to the health of small children such as Slate pencil and glass industries can continue to legally employ children.'

[*Translation*]

So far as the question of Firozabad of Uttar Pradesh is concerned, children in large number are working in the factories where the temperature of furnaces is as high as 1400 degrees centigrade. The children work barefoot in the heat, which is so intense even that it is not possible to see it with naked eye. You have also given permission to employ children there whose lives are always in danger. On the other hand we say that these children are national assets and the future of India depends on them. Do you want these children to fall victim to tuberculosis by working in the mines of slate and pencils. The same situation is prevalent in Sivakasi where children of 3 to 15 years of age have to work for twelve hours each day. You can very well imagine the meaning of working for twelve hours continuously. If we have to sit in Parliament for 7 hours, we take tea thrice. But this is the situation in Sivakasi and in the Patna case, the children were beaten mercilessly and the Supreme Court and High Court have ordered that they be released. More than one lakh children work in the diamond industry in Surat. Sir, I want to say that wherever you see, the children are being maltreated. 15,000 children are working in Bhiwandi. Has our hon. Minister ever visited Sivakasi, Bhiwandi and Firozabad and seen the sad plight of the children working there in factories. Have you ever seen children working in the bidi industry, they all are suffering from tuberculosis. During the SAARC conference in our country you had taken a decision to frame a law for the welfare of the children of the country, but I am surprised that you have not so far introduced a comprehensive Bill in this regard. You should go through this Bill, What is written in it,

MR. CHAIRMAN : Mr. Daga, you conclude within two-three minutes.

SHRI MOOL CHAND DAGA : I would like to draw the attention of the hon. Minister towards clause 3, in which it has been stated :

[*English*]

"No child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set-forth in part B of the Schedule is carried on :

Provided that nothing in this section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from Government."

[*Translation*]

They have stated that this law shall not apply if anybody works in his house.

Mr. Chairman, Sir, you are not only handsome but kindhearted also. What sort of law you have framed which allows the children employed in the houses to die...

SHRI VIR SEN (Khurja) : Dagaji, I admire your choice.

SHRI MOOL CHAND DAGA : You have provided it. Sir, this proviso should be withdrawn. What a law you have framed. A child shall not work for more than six hours a day.

[*English*]

"No child shall be required or permitted to work in any establishment in excess of such number of hours as may be prescribed for such establishment or class of establishments."

Because of shortage of time and you are also in hurry I am going to clause 9.

[*Translation*]

6, 7 and 8 and again you have included a proviso to clause 9—

[*English*]

"Nothing in sections 7, 8, 9 shall apply to any establishment wherein any

[Shri Mool Chand Daga]

process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government."

[*Translation*]

On the one hand clause (9) provides that children can work for any number of hours in the houses and they may work even upto 12 hours. On the other hand Article 45 speaks of education of children upto the age of 11 years. There is contradiction between this provision and the Bill presented by you. It is an illegal Bill as it is against the spirit of the Constitution. I hope that all the Members will unanimously oppose this Bill and ask the Minister to withdraw it and introduce a new comprehensive Bill containing the provision that a minor child upto the age of 14 years shall not be employed in this trade. Whether the advice of the council is taken into consideration or not is a separate thing, but I have taken your valuable time, as it is the question of the children and it is completely a wrong Bill.

You ask the hon. Minister to withdraw this Bill gracefully. Otherwise, the hon. Members will declare it ultra vires of the Constitutions. I urge you to accept my amendment and I will not move the amendment.

[*English*]

PROF. N.G. RANGA (Guntur) : Mr. Chairman, Sir : I cannot make any comments upon the very learned suggestion made by my hon. friend Mr. Mool Chand Daga. He studies these Bills much more carefully than most other Members. Therefore, it is quite possible that he is right in his comments, except that on one point I would like to offer an observation about his remarks. I do not think any harm will be done by this piece of legislation. It may not be enough. Certainly it is not enough. And indeed I personally apologize on behalf of the people of my age group, and also on behalf of those people who were responsible for the formulation of our Constitution, for our failure as a nation to come to the rescue of our children till now. But then, we have to

apologize for very many other things also, in regard to the Directive Principles which we have not been able to fulfil so far, even to a minimum extent. The difficulty lies in our general poverty, as also the careless manner in which we control our Police forces, and lead them on.

We find children, even in this metropolitan city, in the broadways just as cars move up and down along with scooters and several other more dangerous vehicles, trying to sell the afternoon papers and some other papers as well, taking a terrible risk of losing their lives. We also see so many children, as Kalpana Ji just mentioned, who have been maimed purposely, either by their parents or by others who have stolen them, or have purchased them from their parents, children who do not find any solace at all from their so-called guardians or owners. On the contrary, they are badly treated for their failure to bring, or to collect, enough money by the evening, *i.e.* when they return for their meals. So many horrors are happening; and the Police who are there, do not act. That is the kind of Police force that we have. Now, so many of these Bill are being passed by us.

How are they to be implemented? It is because the Government of India find it not possible to implement them sincerely, this Bill now seeks authority to give advice to the State Government. What is it the poor State Government can do when the Government of India itself is not in a position to do. Nevertheless, it is a move in the right direction, right direction in the sense that we realised our failure; we see evils; we recognise such and such evils; we want to deal with them. This is the manner in which we find it possible today to come forward before this House with this kind of a Bill. It is not at all enough; it is not even an effective effort even to offer an apology. Nevertheless, I am prepared to accept this apologia in the name of the government and on behalf of government I offer my apology also the nation for having failed till now both myself as well as the nation as a whole to effort minimum possible protection for our children.

DR. SUDHIR ROY (Burdwan) : Mr. Chairman, I oppose this Bill with all the force at my command. The government

is trying to lime wash the ugly reality which vitiates India because it goes against the provision of the ILO, provisions of Indian Constitution, provisions of the UN Charter. The ILO always pleaded that there should be a total prohibition of child labour. The UN Charter on children says :

“The child shall enjoy special protection and shall be given opportunities and facilities, by law and other means, to enable him to develop physically, mentally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic in any forms.”

Then we find our Constitution also tries to protect child from all sorts of exploitation. Article 15, clause (3) categorically says that there may be special provisions for children. Article 23 lays down that there must not be any traffic in human beings and there must not be any ‘begar’. Article 24 prohibits employment of children below 14 in mines and dangerous factories or in any other hazardous occupation. Then Article 39, Article 42 and Article 45 clearly say that children are the treasure of the nation; they should be given protection; there should be compulsory education for them and they must be saved from any dangerous and hazardous occupation; But this Bill seeks to defend the *status-quo*.

What is the present reality ? We find that throughout the whole world, according to World Bank estimates there are more than 52 million child labour. Out of whom 17 85 million child labour work in India. 90 per cent of them work in agricultural establishment; millions of them work as domestic hands. There are lakhs of children working in factories. In the carpet and shawl weaving factories of Mirzapur and Srinagar and in the Match-Box and fire works factories at Sivakasi lakhs of children work.

Then as our learned friend, Shri Daga observed that in the glass factories in Ferozabad, in the fire work factories of Sivakasi, there are lakhs of children who are working in abominable conditions. In the

glass work, children have to work in 1400 degree celsius Sir, already there are 13 Acts. But these Acts are honoured more in breach rather than in observance. There are so many Acts which have been passed after independence—Factory Act, Mines Act, Plantation Act, etc.

But we must remember that 90 per cent of the child labourers work in the unorganised sector, they work as farm hands, they work as beedi workers, and even the factory inspectors know it very well. But most of the inspectors are bribed, they are hoodwinked. Of course, some of them think that if they give adverse reports these children would starve because they will be thrown out of employment. That is the reality. Then, what is the necessity for this piece of legislation ?

Sir, we find that already the child labourers who are working in India do not get the prescribed minimum wages. They work from 12 to 14 hours a day and we find that from the age of three they are compelled to work. Hence I do not find any validity in this Bill. It tries to defend the *status-quo* only. There is a pious platitude that within ten years child labour will be abolished. Sir, such pious platitudes from the Government are meant for the consumption of the people, for the voters. So our contention is that this Bill should be withdrawn and instead, there should be free and compulsory education for children below the age of 14. There should be a political will to introduce free and compulsory education, the ICDS services should cover all children living in rural areas, living in slum areas. They are now compelled to earn their livelihood at a very early age of their childhood. Not only this; all school going children should be provided with free meals, free uniforms, and free text-books, etc. All such facilities should be there if the children do not become the victims of exploitation. With these words, I conclude.

SHRI SOMNATH RATH (Aska) : I rise to support the Bill. It is alleged that this Bill is a blatant violation of Article 24 and a retired Judge of the Supreme Court has observed that this Bill has legalised child labour.

Sir, despite Article 24 and many laws prohibiting child labour, in our country it

[Shri Somnath Rath]

is still existing; because of the economic condition of our people and to other reasons. Children are being employed in industries, hotels, and various other places, such as carpet-weaving, match and fire work under health hazardous conditions.

I would like to say that this Bill has made an honest attempt to rationalise this situation and to clearly define the areas where the child labour will be prohibited and where and how it can be regulated on the basis of a scientific survey to be done by a statutory committee called the Child Labour Technical Advisory Committee. It is not a comprehensive Bill. The aims of the Bill are not going to be fulfilled by this Bill alone. But, certainly, it is an honest beginning. It is also intended to associate voluntary agencies and to create awareness among the people. What is stated in this Bill is that there will be time gap in between two working hours. While framing the rules, it must be seen that a meal is provided to the children during that leisure period. Sufficient education should be given to the children so that after a few years, when they leave the factory, they will serve the country as men of learning, not that they will be working as labour throughout their lives. This measure should be provided in the rules. Inspectors, who are to inspect these factories or where the children are allowed to work, should often see that the provisions of Bill are implemented. The laws are there to prohibit child labour in such areas. But in fact, the parents of these children are having understanding with the employers, so that in spite of the laws existing in the country, the child labour do exist. To earn the livelihood of the family it has become necessary that the children should work. So, it is linked with the economic condition of not the child labour but the parents. Steps should be taken to see that the parents are also rehabilitated, especially the women labour, who is no other than the mother of the child labour. Women labour, who are equally victimised as the child labour, and they should be taken care of also. Unless social condition of these people is improved, the intention of this legislation will not work.

In our country 90 per cent of the workers are in the unorganised sector. I just invite your attention to the speech made by our Prime Minister in ILO in 1985 and I quote :

"The living and working conditions of labour have improved significantly. But we are still only talking about those who are employed. What about the unemployed? What about those who are unorganised, as the vast majority of workers in developing countries are? 90 per cent of all Indians earn less than organised workers. These are the millions spread over our countryside who work as landless labour or as contract labour on building sites, in quarrying, road construction and in service trades, all at low income levels. In addition, there are millions who can find no work or who are grossly under employed."

This is what the Prime Minister has said in ILO in 1985.

Our new 20 Point programme includes payment of minimum wages to agricultural and industrial workers in unorganised sector. This unorganised sector of child labour requires specific attention of the Government. It is not sufficient that we should pass a Bill and convert it into an Act, but it must be strictly implemented. Of course, the hon. Minister of labour has started some programme. In fact, by way of a Pilot project at Sivakasi, an attempt has been made to see that the parents of the child labour are rehabilitated. There is a programme for another area also. It is not sufficient that such an organisation should be started only at particular places, it must be started throughout the country. In whichever industry children work, they should be given sufficient scope for learning, health care and food.

SHRI SHYAM LAL YADAV (Varanasi) : Mr. Chairman, Sir, I would like to extend my support to the Bill to the extent to which an attempt has been made to reduce employment of children as far as possible. Although we know that more than a dozen laws have been enacted by the Parliament on this subject but still the evil is there. Why do children get into the jobs? A study by the Bombay

regional centre of the ICSSR on urban child labour, as quoted by Dr. S.C. Jain, Head of the Department of Rural Studies, South Gujarat University, revealed that 88 per cent of the children came to work due to poverty, three per cent due to neglect of parents and four per cent due to parents' compulsions. These figures related to the urban work force sampled in Bombay. I think the same is the factual position in respect of other metropolitan towns. Further, in a paper presented some time ago to a seminar on child labour in India organised jointly by the Gandhi Labour Institute, Ahmedabad and the Antar Bharati, Dr. Jain said that 40 per cent of parents, who wanted to educate their children but could not, feared that they would be trapped into delinquency if not put to work. Employers prefer children because they are agile and nimble, more amenable to discipline, consume less food and do not unionise. The problem is high turn over and vulnerability to moods. The last, however, is tackled by harsh disciplinary action. This Gandhi Labour Institute presented another paper saying that children labour because they must. It is both an economic practice and a social evil. Giving a historic perspective they found that child labour was sought in the country since the middle of the 19th century when factories first started as a means to lower overheads and increase profits.

So, these studies do reveal a very dismal picture. Therefore attempt is being made to provide disincentives, to provide punishment for those employers who are tempted to employ children to work in their factories, or where children are employed in unorganised sectors. It is further said how we can combat this evil. I think we have ignored it for a long period and today child labour is no longer a medium of economic exploitation it is necessitated by the economic compulsions of the parents and in many cases that of the child himself. They work because they must, for their own survival and that of their families. Therefore, any attempt through legislation will not be successful unless we provide something for these children, provide for their education first. What is the position and the fate of education for those children below fourteen years? We have mentioned in our Constitution that we shall provide

them free and compulsory education, but as Prof. Ranga just a few minutes before said and offered his apologies also, we have not been able to provide free and compulsory education. In fact, the primary education is becoming more and more costlier. Primary education institutions run by the State Governments are not functioning properly. There are no buildings, no furniture. There are no teachers. Boys do not know where to go. Therefore, parents put them to work. Thus, the Committee that was appointed by the Labour Ministers in 1983—the Senat Mehta Committee, has made a very valuable suggestion and they call for a programme in an acceptable time frame for the gradual elimination of child labour covering legislation and welfare arrangements including education and economic development.

“Mere attempts at enforcement of the existing laws or enactment of new laws will not yield the desired results and that might result in loss of employment of these young persons without corresponding increase in the level of adult employment and economic development.”

Therefore, these hardships are to be avoided. I hope the Government will give due consideration and provide some welfare activities also.

Before I conclude, I would like to say about the hazardous occupations that have been provided in the proposed Bill. Those are prescribed in Schedule A and B and there are no doubt many hazardous occupations in which children below the age of fourteen years should not be employed. But Carpet Weaving Industry has also been included in Schedule B. Carpet industry is an export oriented industry and export has always been increasing from Rs. 41.3 crores during 1975-76 it has gone to Rs. 160 crores during 1985-86.

The carpet industry to-day is facing very keen competition in the world market from many other countries like China, Pakistan, Iran, etc. This is a Cottage industry or the carpet weaving is done mostly in villages in the house by the families and in the families some people are doing agriculture also and part job is

[Shri Shyam Lal Yadav]

weaving also and in that family children also work. The family takes the wool yarn and other raw materials from the traders and dealers, exporters. They weave the carpet in their houses and then give it back to those traders and dealers and exporters. They sell it out. The Senat Mehta Committee went into this question. They visited Varanasi and Mirzapur. These districts are the headquarters and mostly in these districts the carpet weaving industry is prospering. It was represented to them. I think the hon. Minister may be aware and it is submitted that this carpet weaving industry is not a hazardous occupation. There is a zero rate of accident in the industry. There is no chance of accident and this carpet weaving, I think the Government will agree cannot be bracketed with industry like match, fire-works, glass and bangles, cement, tobacco, etc. The quality of inputs used in the carpet weaving is mostly mill spun woollen yarn *i.e.* about 95% mill spun woollen yarn which is used in carpet weaving. This is free from dust. There is no short wool fibre also which can go in the lungs of the children and the general health of the children I think we have seen is in no way inferior.

SHRI SYED SHAHABUDDIN (Kishanganj) : What about the eyes and the back ? I have seen children working in this carpet weaving factory not only in Mirzapur but also in Kashmir. I know the children lose their eyes within a few years.

SHRI SHYAM LAL YADAV : In our parts it is not like that.

SHRI SOMNATH CHATTERJEE : Is it different in Mirzapur ?

SHRI SHYAM LAL YADAV : In Kashmir they are weaving finer quality. (*Interruptions*) This can be regulated. I think employment of children in this carpet industry should be regulated. If it is there, so I would like to make some suggestions whenever they are allowed to work on looms they should be allowed for five or six hours and they should be given recess in between. And they should be

16.00 hrs.

provided with nutritious food, lunch etc. They should be paid proper wages. and they should not be allowed to work in the night or more than 5-6 hours at a stretch, and they should be provided with free medical facilities and free medical help also, and they should be given proper education also. This is the situation. It is easy to...

MR. CHAIRMAN : Mr. Yadav, you will continue tomorrow. Now, the Finance Minister may move his motion.

16.01 hrs.

MOTION RE : GENERAL ECONOMIC SITUATION IN THE COUNTRY

[*English*]

THE MINISTER OF FINANCE (SHRI VISHWANATH PRATAP SINGH) : Sir, I beg to move :

"That this House do consider the general economic situation in the country."

I welcome this occasion to have a discussion in the House on the general economic situation in the country. I would like to take this opportunity to share with the House my perception of our economic achievements as well as the problems we face and the solutions that we must jointly endeavour to find.

16.02 hrs.

[SHRI VAKKOM PURUSHOTHAMAN
in the Chair]

The present economic situation is characterised by several favourable factors. As the House is aware, the momentum of economic growth is being maintained. It is a matter of particular satisfaction that in the first two years of the Seventh Plan we have been able to finance over 40 per cent of the Central Plan target in real terms at 1984-85 prices. This is unprecedented. We have substantially stepped up programmes for the poor and taken new initiatives for the benefit of the workers. The infrastructure sectors of the economy are performing very well. The price situation is under control. New issues in the