

abled or they are killed while operating these machines. For that I am told the Ministry of Agriculture are taking necessary steps to regulate the manufacture and use of power threshers and other machines. I think that is a matter which is under the active consideration of the Agriculture Ministry. So far as our Ministry is concerned, the Workmen's Compensation Act is there. It is for the State Government to extend this Act to agricultural labour. Nobody can prevent them. That is why I said that there are so many laws and if the State Government wants to extend these laws and give benefit to the agricultural labour, they are at liberty to do so. Again this is a matter for the State Governments to consider.

With these words, I thank the hon. Member who has moved this motion and provided an opportunity not only to the Government but also to the Members to focus the attention of the nation to the problems that the agricultural labour is facing.

19.22 hrs.

HALF-AN-HOUR DISCUSSION

Employment of Children in Hazardous Jobs

MR DEPUTY-SPEAKER : We now go to the next item, Half-an-hour discussion.

Shri Madhavrao Scindia.

SHRI MADHAVRAO SCINDIA (Guna) : According to the ILO India has the largest child labour force in the world—16 1/2 million. I would like to quote from a report on child labour in industry given to the Indian Council for Child Welfare, describing the conditions in which these children ranging from the age of 3 to 15, work.

Bidi industry : Since the work of making bidis, was mainly done at the house, work places are extremely crowded, dark and dingy as the workers live in small congested areas situated in slums of the town. Being house work, there was no stipulation about the hours of work and the daily hours of

work range between 10 to 12 hours a day, according to the survey made by the Labour Bureau in Tiruchirapally. The workers in general are very poor and hard pressed and have to work for longer hours to earn their livelihood, especially in view of the prevailing low wage rates. The children are forced to work in their homes on a wholtime basis and the overall poverty of the people in the area is responsible for such a high magnitude of child labour.

“A survey in Murshidabad, West Bengal revealed that 9% of these children between the ages of 10 to 14 had symptoms of chronic bronchitis and 10% were anaemic. According to the survey, there was reason to suspect a high incidence of tuberculosis brought on by the fact that the children started working at a tender age and had to put in long hours, in overcrowded rooms working in peculiar postures that prevents healthy development of their lungs.”

“Brick kiln industry : The most common disease resulting from working at brick kilns is silicosis—a disease caused by inhaling quartzdust. Its symptom is breathlessness. The child workers are likely to be affected by this disease within 3 or 4 years of regular working at the brick kilns.”

“Secondly, because of the restriction of blood supply to the lungs due to the disease, the children are subject to secondary infections like tuberculosis.”

“Thirdly, among the child workers of brick kilns there are also cases of injuries to eyes and fingers.”

“Glass bangle industry : The children are engaged in all sorts of hazardous jobs, involving handling of red hot glass, blowing making the lomes and cutting the unwanted portions of goods manufactured in the glass factories. Several children of tender age work in almost inhuman conditions with bandages and bone injuries, merely to earn a living. Workers suffer from eye diseases, asthma and bronchitis. The town of Firozabad has an exceptionally high incidence of TB.”

Slate industry—an industry nearer home for me,

“According to *Sunday* (1980) the slate factories of Madhya Pradesh are torture and death chambers. Children are driven by poverty to do this work, where they will swallow dust which will kill them. Few will survive beyond 40, because the inhalation of dust causes silicosis or pneumoconiosis, a lung disease similar to, but much deadlier than TB. It can kill in as little as six weeks of dry cough and suffocation.”

These are the conditions in which our children are being made to work.

The People's Union for Civil Liberties has also undertaken a study which is heart-rending. Sir, Sivakasi is synonymous in popular mind with safety matches and fireworks. Fire works conjure up images of fun and gaiety. But, Sir, the reality is very different. Sivakasi has the largest concentration of child labour in this country. There are 45,000 children working in Sivakasi half of whom under the age of fifteen and many barely three or four years old. I hope you are understanding the implications of these facts. The average working is fourteen hours...

MR. DEPUTY-SPEAKER : Sivakasi is in Tamilnadu and I know the problem very well.

SHRI MADHAVRAO SCINDIA : Very well. If you commute, then it is a staggering sixteen hours. Those below the age of ten get Rs. 2 a day while the others get a meagre Rs. 6. These are horrifying statistics. The laws are flouted brazenly. Sivakasi Chamber of Match Industry to most of these units belong stipulates that no one below the age of ten should be employed. But, most of these units are flouting the stipulation. I would like to quote the I.L.O.'s report on conditions in India.

“The report says about 28,000 children, some of them only five years old, are working in match factories in India for 16 hours a day from three in the morning.

“In Meghalaya, children work in mines of private companies, in trenches 90 cm. wide and one metre high, where adults could only crawl. As

soon as their size is no longer profitable, they are thrown on to the streets’ the report says.”

These are such shocking descriptions of the conditions in democratic India after thirty-five years of Independence. And I think, it is hightime that our Minister and Government took note of this, and the social organisations also put in their bit.

Safety is the greatest casualty in these areas. The Government—I may be forgiven for saying—is callous on-looker of the degrading conditions. These conditions are unsafe and they are detrimental to health—both mental and physical. They are responsible for—respiratory ailments and malnutrition. I shall quote from another report.

“At the Standard Fireworks Unit at Tayyalpathi, safety precautions are maintained superficially, and in small sheds containing piles of gun powder, where only four people can legally work, as many as eight children are at work many making crackers. A pall of dust hangs over the compound to which the sheds are located. Local doctors say there is high incidence of respiratory disease among children, but no systematic investigation has so far been undertaken.”

Sir, I would like to quote again. The Tamilnadu Labour Minister had made a very “brave” statement on 17th April 1979. He had said :

“To ensure safe working conditions for child labour, in match factories in Sivakasi and other areas in Ramana-thapuram, the provisions of the Factories Act would be rigorously enforced, the Tamilnadu Labour Minister, Mr. S. Raghavanandam, told the State Assembly during question time.”

Since then, last year in February, six children were burnt to death in a factory in Tayyalpathi village, in September, 1981 ; thirtytwo persons including six children died following massive explosions in a Fire Cracker Factory which is just on the outskirts of Sivakasi. This is two years after the “brave” statement of the Minister of

Labour in Tamilnadu. It is disappointing that the Khadi and Village Industries Commission are also turning a blind eye. They seem to be totally apathetic to the fact that child labour working in hazardous conditions is being used to produce products which they are marketing. Sir, we are flouting all provisions of the Constitution. We are going against the letter and spirit of the Constitution. We are flouting every single legislation that has been introduced in this country. Article 24 of the Constitution says :

“Prohibition of employment of children in factories, etc.—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.”

Directive Principles No. 39 (e) and (f) say :

“(e) That the health and strength of workers, men and women, and the tender age of children are not abused and the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength ;

(f) That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.”

These are the provisions of the Constitution—Fundamental Rights and Directive Principles. All are being flouted. Sir, the Government cannot simply dump this as the responsibility of the State Government. Great moral issues are involved and, I am sure, we can rise above party lines and create social awareness.

There are almost 12 pieces of legislation in existence that deal with child labour in one form or the other. The major statutes governing child labour are—the Children (Pledging of Labour) Act, 1955, the Employment of Children Act, 1938, the Minimum Wages Act, 1938 and the Factories Act,

1881. Statutory protection of child labour began with the Indian Factories Act, 1881. Amongst other things the Factories Act provides that only children who have completed their fourteenth year and have obtained a certificate of fitness can be employed ; that the maximum number of working hours should be four and a half ; that there should be proper ventilation and at least 500 cubic feet of work space for every child worker as well as hygienic drinking water and sanitation facilities. Sections 35 and 36 of the Act provide that in fire-works factories no electric wiring should be present and wooden slippers should be provided to prevent sparks that might ignite sulphur chemicals. Asbestos over-coats and other safety items are also meant to be provided. Sir, the Sivakasi accident of 1981 was due to electric short-circuit. So, this is a clear proof that this provision is being flouted.

Sir, I would like to quote the existing conditions and nothing can better indicate the helplessness of the enforcing authorities than the dis-armingly naive confession of a top official “you talk of inspections and checks—what checking ? I am the only man in my sphere empowered to do it ; and you expect me to go around all the 200 factories every day...and as for checking whether the factories work at night, I would not dare to do that. These fellows here will skin me alive...”

Sir, this official did not even know how many factories were under his jurisdiction. This kind of indifference characterises almost the entire official machinery, with the result that the manufacturers flourish at the cost of workers lives.

The report further say : “In all the factories I visited I could see men of all ages going out for lunch with their entire body covered with aluminium powder, a chemical used in the manufacture of crackers. It was a ghastly sight. A few seconds inside a shed make one dizzy. There are hundreds of men constantly exposed to it, without any protective clothes on. All factories without exception employ child labour because it is dirt cheap. If any visitor comes across a boy or girl working in a factory, he is blandly told : “You see he does not work here. His parents work here. He came to

bring food for them. While they eat these kids play with things". Sir, these are the lame excuses being offered.

Sir, the major criticism of child labour legislation has been that it lacks uniformity. The various Acts do not conform to a single agreed minimum age, which differs from Act to Act, State to State and industry to industry. The anomalies exist in working hours, rest periods and night employment rules. Besides the existing laws do not touch important segments of economy such as small factories, small plantations, agriculture, air transport, inland vessels and building construction.

Indian laws are also wanting in the matter of medical examination of children by the employers conforming to international standards. Under the Factories Act, medical examination is to be done only upto 18, whereas the ILO convention requires that in occupations involving high health risks medical examination should be done upto 21. The employment of children Act has no provision for medical examination of child workers. Admittedly in conditions of extreme poverty where every extra hand can mean a little more income to support the family, the problem of child labour poses a cruel dilemma in front of the parents. According to U.G. Narainaswamy Naidu, President of Tamil Nadu branch of the Indian People Front (IPF), "Child labour continues in the district because drought and lack of employment forces parents send their children to work. There is also a strategy on the part of the State Government not to develop this area. Ultimately children cannot be organised, so child labour favours the employers." The Harbans Singh report says, "A community of interest has developed between the employers and employees as a result of which employment of children continues without protest."

Ramanathapuram is one of the Tamil Nadu's least developed districts, its agricultural output ranking among the lowest in the state. Scanty rainfall and poor irrigation have led to a sharp and continuous drop in cultivated land. A Plan was devised in 1937 to solve Ramanathapuram's acute water shortage which involved the construction of the Keerayan Alagar Dam in the

Western Ghats to irrigate 3.5 lakhs acres of land in the drought prone district. Since independence, the plan has been reviewed five times but no dam has been built. This is the total inaction of the Government.

The Government inaction on the continuing evil of child labour was illustrated in March 1981 when it rejected a recommendation by the Committee on Child Labour that the minimum age for employment of children should be 15 on the ground that the time was not "ripe" for acceptance of this recommendation. A Child Labour Cell has since been functioning in the Ministry of Labour with an Under Secretary in-charge. It has not been forthcoming with any recommendations in two years since it began operating. What is that Under-Secretary doing? He must be taken to task. An Advisory Board on Child Labour with the Labour Minister as Chairman has also been working to review implementation of existing legislation and to suggest legislative and other measures for the welfare of working children. This Board was also supposed to recommend industries in areas where there must be progressive elimination of child labour. Since the Board was formed, there has been only deafening silence. These are the conditions which are prevailing in this country. I would like to quote the Minister of State for Labour, Mr. Dharma Vir, who informed the Rajya Sabha on 15-3-1983, in this connection. He said :

"He said in a written answer that about 39,686 child workers were employed in the match and fireworks factories in Sivakasi in Tamil Nadu. They were getting wages fixed under the Minimum Wages Act. The children were also covered by Employees State Insurance Scheme and were, therefore, entitled to medical benefits."

This is merely material churned out by his bureaucrats. This is such an issue that must touch the heart of every parent. He may be a Minister, but he is also a parent. Why does he not make a surprise check by visiting the match factories in Sivakasi. This is such a serious thing that they must go and see the conditions of child labour there. They must instil the fear of living death—

metamorphically speaking—in the minds of the officers working there. I would again like to quote the report of the People's Union for Civil Liberties.

“There are 45,000 children aged from four to fifteen working in degrading and hazardous conditions.”

“Puddles of dangerous chemicals on filthy floors, and cramped rooms with no ventilation are but some of the risks the children daily undertake the report said.

Mr. Kothari who visited several factories in Sivakasi said all 12 legislations relating to child labour were flouted by the owners. While children below 10 are not supposed to be employed, thousands of them were seen working in the factories.”

Mr. Kothari, a public-minded person, has taken the trouble of visiting that place. I think it is high time that either you or your Minister of State or Deputy Minister make a surprise visit, not immediately or in a day or two, let them relax a bit, and after a month or two, I would suggest they should make a surprise visit there.

Sir, I would also like to mention about the rules being quoted. Accidents have happened yet “the Chief Controller of Explosives Mr. Dhaba, ruled out on Tuesday i.e. in September 1981, delicensing of the cracker manufacturers whose “illegal unit” “was involved in the recent blast in which 32 persons died. Mr. Dhaba told newsmen after inspecting the blast site that the accident had taken place in a shed far away from the authorised work spots and not in the premises. Licence could not, therefore, be cancelled. He said, We have to go by the rules, after all.”

What rules? Rules only for everyone else, except the factory owners! For factory owners there are no rules and these bureaucrats and officials seem to be in league with them. That is why, Sir, I implore you to please undertake a visit to these areas.

Sir, it has been three years since the International Year of the Child was cele-

brated. Pious declaration were made, but nothing really has taken place in India. Something has to be done. I know the Prime Minister is extremely agitated about this and has a very deep and sympathetic interest in this. The conscience of humanity is at stake.

MR. DEPUTY-SPEAKER : Mr. Scindia, the practice they are following in Sivakasi is that they do not go to any factory and every house is a factory and all the children are working in their own houses. How are you going to solve this problem ?

SHRI MADHAVRAO SCINDIA : Well, I think a beginning has to be made at least by going to the factories and attacking the evil that exists in those factories. That will be a beginning. And after this the net can spread a little wider.

MR. DEPUTY-SPEAKER : Every house consists of all the small children of their relatives and all the children work there. They will be in their house only. Of course, some big factories are there.

SHRI MADHAVRAO SCINDIA : One thing is that the conditions there are not as unhygienic as they are in the factories and they are not woken up at 2.30 in the morning and taken to the factory.

MR. DEPUTY-SPEAKER : In the entire Sivakasi, specially in the huts and slum houses there, you will see all the small children even of three years of age are working there in their own houses.

SHRI MADHAVRAO SCINDIA : But in any way a beginning can be made in those factories.

Finally, before I conclude, I would just like to make a few suggestions pointwise and I would like to have the reaction of the Hon. Minister on these.

My first suggestion is that various laws dealing with the child labour should be consolidated into one comprehensive code with uniform definitions. And whatever problems there may be just as you pointed out earlier in the agricultural labour legisla-

tion, we must try and overcome those problems.

Secondly, loopholes in the existing law must be immediately plugged and there must be stringent penal provisions for violating this law as far as the children are concerned.

Thirdly, there should be direct strong action against the erring Inspectors and the number of Inspectors must be increased.

Fourthly, there must be compulsory informal education, compulsory health checks and the working conditions must improve. You can contemplate an increase in the minimum wage for children, because economic necessity drives them to work. So, if you can increase the minimum wage for children and restrict their hours of work, the parents will still be getting the same amount of income from a smaller amount of time worked. But you must see that hours of work are also restricted. That is important. They must get recreation time. And in the pockets where there is concentration of child labour like in Sivakasi and Meghalaya etc, we should try and improve the economic conditions and opportunities, develop irrigation and industry and give special priority to those areas.

In conclusion, I would like to say that childhood should remain a part of one's life that one can look back upon with a sweet nostalgia, memories of days of fun and laughter. In places like Sivakasi in the fading light of the evening, when hundreds of children are packed into ram shackled buses to go back to their villages, only to come back at 2.30 or 3.00 in the morning. It seems as if the nation lacks a conscience. This descends like a funeral shroud on one's mind. Children must grow in India, as the brightest flowers in our country's garden. Let them not decay and fade away. Otherwise, the future will decay with them, leaving an unruly jungle in place of a fragrant garden.

It is high time Government took steps. Let them ensure that children in places like Sivakasi are not totally robbed of their childhood. Otherwise, as parents and fellow citizens, we will hold you guilty.

I hope the Minister will accept this in the spirit in which it has been made. There is nothing personal.

MR DEPUTY-SPEAKER : This match industry is spreading to Karnataka also.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI VEERENDRA PATIL) : I quite agree with and appreciate the sympathies expressed by hon. Member, Shri Scindia with regard to the plight of child labour in our country. So far as the Government is concerned, we are quite clear in our mind that we are not for the continuance of child labour. Government wants the elimination of child labour, and a total elimination of child labour, if it is possible to have it immediately. But it is not possible to have it immediately ; it has to be eliminated gradually, and as speedily as possible.

According to the National Sample Survey conducted some time in 1978, as on 1st March 1978 the estimated number of child labour in our country was 16.25 million. Out of 16.25 million, according to the information that I have, 86.9% of child labour is working in the agricultural sector, including livestock, forestry, fishing, plantation, orchards etc. And a very negligible number are working in mining and quarrying—about 0.2%. In the manufacturing processes, the percentage of child labour is 6.1 ; in construction it is 0.6 ; in trade and commerce 2% ; transport and communication 0.4, and other services 3.8.

I agree that no parent willingly will allow his child to work during the tender age ; but these are socio-economic compulsions. The parents say that if the children also do not earn, it will be difficult for them to eke out their livelihood. This is the problem in our country. Every body has to work, because living is so costly to-day. So, unless everybody works, it is difficult. Therefore, they say that instead of going to school, let our child go and work, and earn something. So, it is only out of socio-economic compulsions that the parents are allowing it.

So far as Government is concerned, child labour is completely prohibited. I think the hon. Member will agree with this, because there are so many laws and enactments

which have been passed already, and which are in force for protecting the interests of child labour.

Mr Scindia spoke about Children (Pledging of Labour) Act, 1953. According to that Act, the definition of a child is this, viz. a child who is 15 years of age or below.

So, according to this Act, only those who are above 15 years can work, not below 15 years ; they are completely prohibited. Similarly, the definition of the child, according to employment of Children Act, is again 15 years. According to the Factories Act, it is 14 years. That means those who are above 14 years, they can work and others, who are below 14 years, for child labour, their employment is completely prohibited. According to the Mines Act, again it is 15 years ; Plantation Labour Act—12 years ; *Bidi* and Cigar Works Act, 1966—14 years ; State Shops and Commercial Establishment Act—in some area, it is 12 years, in some area, it is 14 years, in some area, it is 15 years. That means, so far as legislation is concerned, for child labour, I think all those children, who are less than 12 years or less than 14 years or less than 15 years, in certain cases, their employment is completely prohibited. But I agree with the hon. member that in spite of these enactments, child labour is prevalent in our country and a large number of children are working. But, why are they working ? They are working because of socio-economic compulsions.

The hon. Member mentioned about Sivakasi. Whatever he mentioned, I think, he has read in some magazine and also it has come prominently in some newspapers which are edited at Madras and other places also. So, I am alive to the situation. When I read the article in magazines and newspapers, immediately, I sent a central team from here ; a senior officer went with another officer. That officer visited Sivakasi and inspected the match works. Then that officer came and made a report to me. I must say that in Sivakasi the children are working. When our officers went there and asked them about the age of the children, nobody was prepared to give the age of those children ; even children were not prepared to tell their age. If an officer goes

there and ask the children who are working there about their age, they are not prepared to disclose age of the children. But the fact is that children are working who are below 14 years in that area. But one thing they have noticed, after visiting all factories ; they have come and made a report to me saying that although children are working in the match factories, but they are not working in the chemical section which is an hazardous job. But, according to the report that I have received from our central team, which visited these factories, the children are not working there. I do not know whether it is correct or not, but that is the report that I have received.

SHRI MADHAVRAO SCINDIA : Actually, the children are working there.

SHRI VEERENDRA PATIL : I think that was in some fire works.

SHRI MADHAVRAO SCINDIA : In Sivakasi.

SHRI VEERENDRA PATIL : Not in the match industry.

SHRI MADHAVRAO SCINDIA : In the match industry.

SHRI VEERENDRA PATIL : After our team went there, they have made several suggestions and I have already taken action on the suggestions that have made been by the central team. So far as the Centre is concerned, they have to take action. We have already initiated action on that. So far as the action for which the State Government is responsible, the State Government has to take action. We have already communicated the suggestions made by the central team and requested the State Government to implement the suggestions that have been made. For Instance, I can quote two or three suggestions that have been made by the central team. They are as follows :

“The State Government may be asked to undertake revision of the minimum wages. The minimum wages were not revised. So, the central team said that the minimum wages have not been revised. Therefore, the State Government should be asked to revise

the minimum wages. On receipt of the report, we have written to the Chief Minister of Tamilnadu to take early action with regard to the revision of the minimum wages. Similarly, the Committee on Child Labour convened by the Collector should meet alternative months and preferably at Sivakasi. The matter has been taken up at the Secretary level with the Chief Secretary to the State Government and transportation arrangement for child labour from the home to the place of the work could be provided by maintenance of the fleet of buses, the operational expenses for which will be met from the Tamilnadu Labour Welfare Fund. The matter has been taken up at the Secretary level with the Chief Secretary to the State Government. The match industry welfare fund be created by suitable levy on the production proceeds of which are to be utilized solely for the integrated development of the area from which the money is collected, and I think the welfare of its working population in particular the child labour...."

This matter is under our consideration.

SHRI MADHAVRAO SCINDIA :
Is it a recent report ?

SHRI VEERENDRA PATIL : Yes, about two or three months back. This is the report I have received. I have no time to read out all the suggestions. After receiving the suggestions, we are taking necessary action at our level on those suggestions which concern us. About other suggestions we are asking the State Governments also to take necessary action.

The State Government has taken some action. According to the report which I have received from the State Government, a Board under the Chairmanship of Collector, Ramanathapuram with representatives of employers and labour unions as members has been constituted since 1980 to ensure welfare measures to the children employed in the factories and to coordinate the activities of the various agencies involved in

mitigating the problem of child labour. The State Government has sanctioned 30 non-formal educational centres in Sivakasi to impart education to the child workers to bring them to the level of VIII standard. These centres located in the factory premises or in a central place having easy access for all are functioning for two hours in the morning or in the evening under the overall control of the Chief Educational Officer, Ramanathapuram. The learners are provided with text books, note books free of cost. The enforcement machinery has been tightened and suitable instructions given to improve the working conditions of child labour in small match units in Sivakasi. In the years 1980, 1981 and 1982 187, 127 and 245 cases respectively were filed against the management for contravention of labour laws relating to employment of children.

This is the report we have received from the State Government. So far as we are concerned, we are in the process of amending the Employment of Children Act by adding building and construction industry in the Schedule. This came as a result of the Supreme Court judgment recently.

These are the steps we have taken and the steps that have been taken by the State Government. Again I must say that so far as the Acts are concerned, though they are central Acts, the appropriate Government for implementing these Acts is the State Government. So, we have got a cell here and an advisory board. We consider and discuss all these problems. And several suggestions that emanate out of the discussion that we have in this advisory board and the cell, we communicate them to the State Governments and we prevail upon the State Governments to see that these Acts are properly implemented and the children's health, their working conditions, education, etc. are properly protected.

We have been impressing upon the State Governments by taking up the matter with the Chief Minister at my level and also with the Secretaries and others at the Secretary's level, to implement the Acts and provisions that are there. We have been sending our teams to different States whenever we have

received complaints about exploitation of child labour.

The hon. Member has made certain valuable suggestions. I will certainly consider them. One of his suggestions is that either I or the Minister of State should visit incognito Sivakasi and Meghalaya where such exploitation is going on. I certainly take note of the suggestion and will take necessary action.

MR. DEPUTY-SPEAKER : When you visit, take Mr. Scindia also along with you.

SHRI VEERENDRA PATIL : Recently I read in the papers that the Tamil Nadu Government has already decided to ban child labour. I do not know what it means. We have written to them to confirm as to what they mean by that. We have not yet received any report from them.

I want to assure the hon. Members that the Government is very keen to protect the children. After all, they are our next generation and the future depends upon how we develop our children.

20.00 hrs.

We want to develop our children. They must come up as healthy children and they must be in a position to take the heavy responsibility of the country. So, we fully realise the importance of developing our children, we are not for exploiting the child labour. I would like to assure the hon. Members that whatever steps are necessary, let them make suggestions, I am prepared to welcome the suggestions and consider those suggestions.

SHRI MADHAVRAO SCINDIA : One more suggestion, Sir. I would suggest that for such a major and very sentimental issue, why don't we set up a Parliamentary Committee to go into the entire issue and submit a report to the Parliament within a certain period of time ?

SHRI VEERENDRA PATIL : So far as the suggestion is concerned, I do not think it is necessary because in the year 1978 or 1979, if I remember aright, one Committee was constituted by the then Government.

That Committee is called Gurupadswamy Committee and they had made 23 recommendations. Out of 23 recommendations, we have accepted 22 recommendations with minor modifications wherever necessary. One recommendation was with regard to the age of children for entry into the employment. They had suggested 15 years but after examining it was thought that the time is not yet ripe to take a decision on that. So, except one recommendation, all the other recommendations have been accepted. I do not think there is any derth so far as these committee reports are concerned. The question is about their implementation. So, I would like to assure the hon. Members that all necessary steps would be taken by the Government to safeguard the interests of the child labour.

SHRI M. RAM GOPAL REDDY : One suggestion, Sir.

MR. DEPUTY-SPEAKER : No, no, suggestion, you give it in writing.

SHRI M. RAM GOPAL REDDY : Not regarding this, Sir. Today you are very considerate, very humane, very kind. Yesterday, the same time, you were sitting elsewhere but you were very harsh and you had passed a cruel judgement on certain issue.

श्री राजेश कुमार सिंह (फिरोजाबाद) : उपाध्यक्ष महोदय, अभी जब माननीय मंत्री जी जवाब दे रहे थे, तो इन्होंने एक बात कही कि इन बच्चों के द्वारा जो जोखिम भरा कार्य किया जा रहा है, तो आजादी के इतने वर्षों बाद भी यह कितने दुःख की बात है कि हम यह कहते हैं कि यह एक आर्थिक और सामाजिक इविल है। मैं यह मानता हूँ कि यह एक आर्थिक इविल है और यह आऊट आफ नैसेसिटी बोन हुआ है और जो बेसिक नैसेसिटी है लाइफ फूड, उसके लिए यह किया जा रहा है। यह कितने शर्म की बात है और कितने दुःख की बात है कि पेट भर खाने के लिए मां-बाप अपने बच्चों को इन फैक्टरियों में भेज देते हैं। अभी सिन्धिया साहब बता रहे थे कि इस देश के अन्दर साढ़े सोलह मिलियन बच्चे हैं, जो इस तरह का काम करते हैं।... (व्यवधान) ... मैं आप

का ज्यादा समय नहीं लूंगा क्योंकि आपकी निगाह मेरी तरफ लगी हुई है। महात्मा गांधी जी ने जब इस देश की आजादी की बात करी थी, तो कितने लोगों ने यह कल्पना की थी कि ऐसा होगा। वे सोचते थे कि हम अपने बच्चों को कुछ बनायेंगे। मैं शिवकाशी के बारे में मैं बाद में आऊंगा। मैं एक छोटा सा प्रश्न करना चाहता हूँ। ये बच्चे आगे चल कर क्या बनेंगे, मैं एक मनोवैज्ञानिक की बात बताना चाहता हूँ, जो कि एकोनामिक टाइम्स में मैंने पढ़ी है। उन्होंने कहा है कि कल क्या होगा :

“But the element of necessity about a child labourer’s work makes it totally detrimental to his mental state.”

किस तरह के लोग बनेंगे, वे कह रहे हैं। जरा आप गौर से सुनें। यह एक आजाद देश की बात वे बता रहे हैं।

“What kind of men will they grow up to be ? It is certain, says the child psychologist, that there is no place for sensitivity and love in their lives or the maturity or the confidence. The work, the ceaseless, abhorrent necessity of work, turns into a kind of violence.”

स्वाभाविक तौर पर बच्चों में बीमारियां फैलेंगी और दुख और दर्द की जिन्दगी वे गुजारेंगे। ये देश के जो भावी नागरिक हैं, क्या बनेंगे यह आपको गम्भीरतापूर्वक सोचना चाहिए।

अभी एग्रीकल्चर लेबर की बात चल रही थी। अब हम बच्चों की चर्चा कर रहे हैं। यह भावुकता वाली बात है।

कमेटी की बात इन्होंने कही है। हम भी शिवकाशी गए हैं और हम लोगों ने भी बच्चे जो वहां काम करते हैं उनकी उम्र के बारे में पता लगाया है। वहां पर लोगों ने घरों में फैक्ट्रियां लगा ली हैं। खादी ग्रामोद्योग कमिशन ने उनको सबसिडी देना और शुरू कर दिया है। वे घरों में काम कर रहे हैं। उस कमेटी की रिपोर्ट ने यह बताया है कि 45,000 बच्चे वहां काम कर रहे

हैं। एस० गुरुपदास्वामी कमेटी की रिपोर्ट 1970 में आई। 1976 में बनी हरबंस सिंह कमेटी का कहना है कि 28000 बच्चे इन मैच और फायर वर्क्स फैक्ट्रियों में काम करते हैं। उस कमेटी ने भी कहा है कि जहां क्रेकर वगैरह बनाए जाते हैं, वहां बच्चे भी काम करते हैं।

चिल्डरन एम्प्लयीज के बारे में स्टेचटरी प्राविजन है एक्ट में। लेकिन उसकी तरफ ध्यान नहीं दिया जाता है। उसके सैक्शन 3 (डी) में यह कहा गया है :

“Maintenance of register. —There shall be maintained by every employer, in respect of children employed or permitted to work . . . a register to be available for inspection by an Inspection at all times during working hours . . .”

आफिस जहां कमिट होता है उमके बारे में प्रेजीडेंसी मैजिस्ट्रेट की बात अभी माननीय सदस्य ने कही है। लेकिन किसी को कोई पनिशमेंट हुआ है, यह पता नहीं चलता है।

इसमें कोई दो रायें नहीं हैं कि जो वर्तमान कानून है उसमें बहुत खामियां हैं। उनको दूर किया जाना चाहिए और एक कम्प्रिहेंसिव कानून लाया जाना चाहिये। यह नितान्त आवश्यक है। गरीबी घूम-घूम कर आपके और हमारे घर में भी रहती है।

अब मैं अपने यहां फिरोजाबाद में जो ग्लास इंडस्ट्री है उस संदर्भ में कुछ कहना चाहता हूँ। आंखों से देखी हुई बात मैं कहता हूँ। 1980 में जो रिपोर्ट आई थी और जिसमें यह कहा गया था कि 15 साल की उम्र कम से कम की जानी चाहिए उसके बारे में सरकार कहती है कि उसका अभी समय नहीं आया है। आर्थिक स्थिति वर्तमान में जो देश की है उसको देखते हुए शायद आप यह कह रहे हैं। हो सकता है कि इस पर आप विचार भी कर रहे हों। फिरोजाबाद में ग्लास, बैंगलज,

चूड़ियां, कांच आदि का काम होता है। वहां बड़ी-बड़ी भट्टियां होती हैं। सैंड, सोडा ऐश और लाइम इन सबको कैमिकल्ज में मिलाकर गर्म किया जाता है। जब कांच गल जाता है तो लोहे की राड से उसको घुमाया जाता है। फिर दुबारा गर्म किया जाता है। यह काम बच्चे करते हैं। चौदह साल की आयु के नीचे बच्चों को ऐसी जगहों पर काम में लगा दिया जाता है। क्या आपने कभी देखा है कि फैक्ट्री एकट लागू हो रहा है या नहीं? आपको आश्चर्य होगा कि भट्टी का टेम्परेचर 1500 सेंटीग्रेड होता है जबकि बाहर 110 और 115 के बीच होता है। इस वातावरण में वे काम करते हैं। आपका कानून यह बताता है कि रात को बच्चे काम नहीं करेंगे। लेकिन, रात को बच्चे काम करते हैं।

It is the slaughter house of the child.

बड़े लोग जो इन बच्चों के साथ बर्ताव करते हैं, वह भी बहुत दर्दनाक होता है। ग्रांड ट्रंक रोड पर जाएं तो आपको पता लगेगा कि जो लड़के रेस्टनरेंट्स में काम करते हैं उनको गुलाम बनाकर रखा जाता है। उनके साथ अमानवीय कृत्य भी वे लोग कर देते हैं। लेकिन, बच्चों की सुनने वाला कोई नहीं होता है। मेरे कहने का मतलब यह है कि सरकार को एक शक्तिशाली कानून बनाकर लागू करना होगा। मैंने खुद अपनी आंखों से देखा है कि होटल का मालिक दिनभर उनसे प्लेटें धुलवाता है और दो रुपए उनके हाथ में थमा देता है। फिरोजाबाद में भी मजदूरों की मजदूरी कुछ भी हो, लेकिन उन्हें दो रुपये देकर टाल दिया जाता है। अगर कोई दो घंटे काम करता है तो उसको अठन्नी दे दी जाती है। ऐसी चीजों को दुरुस्त करना चाहिए। जीवन बीमा की भी इन बाल मजदूरों के लिए व्यवस्था होनी चाहिए। फैक्टरी वाले का और सरकार का भी कंटीन्यूशन होना चाहिए ताकि किसी का एक्सीडेंट हो जाए तो वह कुछ भत्ता पा सके। यही मेरा सुझाव है।

*SHRI KRISHNA CHANDRA HALDER (Durgapur) : Mr Deputy Speaker, Sir, first I will like to thank Shri Madhavrao Scindia for raising this Half-an-hour discussion in this House. You can well understand how indifferent the hon. Members on the other side are towards the children as most of them are absent in the House who are the future of our country. The earlier speakers have quoted various figures and statistics, I will not like to repeat them. Mention has already been made about the miserable conditions of the child labour engaged in the 'Bidi' industry, in mines, in the match factories and in the fireworks units at Sivakasi. A large number of children are employed in the carpet industry also and their conditions of work are equally bad. Sir, what is the purpose of employing child labour in these places? The purpose is plain and simple exploitation of the children in every manner possible. The wages paid to children are much less than that paid to adult workers. No legislation regarding minimum wages are followed in their case. As a result, those who engage child labour make huge profits for themselves at the cost of these children. The children are paid a meagre two or three rupees, this is the ultimate in exploitation. The employers of child labour are making many times more profit. The hon. Labour Minister, Shri Patil, while replying to the previous speaker a short while ago, practically pleaded his helplessness in this matter. He said that there are already 12 central legislations on the subject and that he is going to carry out amendments in them. In spite of that what a large number of child labour is in existence in our country! Shri Scindia has given some figures about them. But there is a slight difference with my figures. In the 'Economic Times' of 10th April last year 1982, it has been stated that there are 20 million child labour in our country. The I.L.O. has stated that the total number of child labour in the entire world is nearly 100 million. That means that about 1/5th of the entire child labour force of the world exist in my country. This shows what tremendous deterioration in the economic conditions of the people have

taken place in the last 35 years of post independence era, the low level of poverty to which our masses have fallen. As a result of this staggering poverty, people are forced to send their children, who are the future of our nation, to work in such sub-human conditions. This is not only a socio-economic problem, Sir, we will have to look at it from a humanitarian point of view also. In this context I will like to quote Sir,

“In 1979 survey was conducted by the Indian Council of Child Welfare. The Survey Report was that working children form 1/6th of the total labour force of our country and 8% of our children population.”

You can understand 1/6th of our total labour force are children working in different organised and unorganised sectors and 8% of our children population. Therefore, the whole thing is a social, economic and humanitarian problem. Every body has agreed that poverty is the main cause due to which people are compelled to send their children to work. We have to go to the root of the evil. Any piece of legislation, it may be comprehensive, it may be total, but it cannot solve the child labour problem of our country. Therefore, we have to go to the basic question which is, the eradication of poverty. You know, Sir, there is no child labour in Socialist countries !

SHRI M. RAM GOPAL REDDY : But there is family planning which you do not do here.

SHRI KRISHNA CHANDRA HALDER : In spite of family planning, you will not be able solve this child labour problem.

SHRI A.K. ROY (Dhanbad) : What about the Soviet Union ?

SHRI M.M. LAWRENCE : In Soviet Union they have given prizes to those who have more children.

SHRI M. RAM GOPAL REDDY : I have been to Soviet Union. I met our Deputy-Speaker there.

SHRI KRISHNA CHANDRA HALDER : The main question is poverty. Man is exploited by man.

One class is exploiting another class of people. That is why the children of my country are the most exploited. Whether at Sivakasi or at any other place employing child labour, no register is maintained. Mr Scindia mentioned about an accident in 1981 in which 32 children were killed. When they visited the site of accident, they found that there were no registers at all ! They were told that no child was working there ! That is the problem. Our approach should be to remove poverty. Such conditions should be created in which children would not be compelled to work as labourers. So long as we are not able to create a social system which is free from exploitation, we will not be able to prevent children from being engaged as labourers.

SHRI MADHAVRAO SCINDIA : It is the exploitation of child by man.

SHRI KRISHNA CHANDRA HALDER : So long as the exploitation is there, not only the labourers will be exploited but even the children of our country will be exploited. To stop this evil, we have to change our society. We have to form a classless society. But it will take time. We have to fight. We have to struggle. We have to change our economic, social and political structure also. Unless we can do that, it is not possible to eradicate this evil.

Before that we must have a comprehensive legislation. I want to put one question to our Labour Minister. Whether you are going to convene a meeting of all the Labour Ministers of different States, trade unions, kisan organisations and social organisations to take their suggestions so that the best form of legislation could be brought forward before Parliament thereby the child labour problem could be minimised to a great extent ?

MR. DEPUTY-SPEAKER : It is a very good question. I am appreciating your question.

(Interruptions)

SHRI KRISHNA CHANDRA HALDER : Don't laugh. Those who employ child labour are anti-national.

MR. DEPUTY-SPEAKER : They are anti-social.

SHRI KRISHNA CHANDRA HALDER : I agree with you, Sir. They are anti-social.

SHRI MADHAVRAO SCINDIA : This is too serious a question to be made a subject of mirth. The general mood in the House should be serious.

SHRI KRISHNA CHANDRA HALDER : I am physically handicapped. I am waiting to put my questions. But most of the hon. Members are absent. I am here. I love our children. I love my nation. I want to say that there should not be exploitation even of children.

Therefore my submission is that we should look to the root of this evil and try to solve the basic problems. Sir, India has 1/5th of the total child labour in the world, 1/6th of total labour force of our country consists of child labour, 8% of our child population is engaged as child labour. This is the magnitude of the problem ! To solve it effectively we have to rise above party considerations, and view this as a national problem and to take steps unitedly at the national level with a national outlook. With that end in view, I suggested to convene a meeting of all the Labour Ministers or Chief Ministers of different States, all trade unions, kisan organisations and social organisations etc., and to consider their suggestions in the matter and a way should be found to combat the evil. If we cannot advance step by step towards a solution of this problem, then these children, the future of the nation, about whom Shri Scindia has rightly said "that they could also bloom like beautiful flowers", they will all wither away untimely. Otherwise they could make the country prosperous, they could make this country strong, and they could carry our country forward. But all these ill fated children are withering away even before they started blooming. I would like a reply to the suggestions given by me. I would like you all to rise above party considerations and view

it as a national problem and to find a solution at the national level. I want to know whether you accept my suggestions in this regard. Unless you do that, the nation will not forgive you. Be it the 20-point programme of Smt. Gandhi or 120 point programme. To save the children who are the future of our nation, the people of our country will take to the battlefield, if necessary and they will unroot the very foundations of this exploitation. You will not be able to stem that tidal wave however hard you may try. Still there is time ! To solve this national problem, whether you will come forward or not on the lines suggested by me, depends on you. I hope you will follow the right path. With that, Sir, I conclude.

SHRI VEERENDRA PATIL : I do not wish to repeat all that I have already said. The one point that is made by one Hon. Member is regarding the prevalence of child labour in Glass and Bangle Factories. It is true that child labour is there. Children are working in these factories in Ferozabad and our Ministry has already undertaken a study of the Glass and Bangle Factory at Ferozabad with reference to child labour. When the study is completed, we will get a report and in the light of the report, whatever necessary action has to be taken to rectify, we will take.

Mr. Krishna Chandra Halder made several points but it was only a repetition.

(Interruptions)

Today the evil of child labour in our country is not because that we are wanting in suitable legislation. So many Acts are there but the question is of proper implementation. It is not being properly implemented. Hon. Members referred to the inspection of factories. In the factories, registers are not maintained. But again I must say, the proper authority for implementing the Factories Act or the provisions of the Factories Act is the State Government and State Governments have appointed Inspectors and Government of India cannot inspect any factory. It is the State Government which inspects the factory and if they find any deficiencies, then they ask the factory employer to rectify the defects. Otherwise,

they take penal action against them. Again it is for the State Governments. So, I agree that child labour is prevalent in our country for want of legislation. But the root cause is poverty. Unless we deal with the problem of poverty, we cannot solve all these problems. As and when our economic situation improves in the country, I think it will automatically eliminate this menace or this evil of this child labour.

Mr. Krishna Chandra Halder suggested that I must convene a meeting of the Labour Ministers to discuss this problem. But he knows that we meet periodically. When we convene a Labour Ministers Conference, not only we discuss this problem but we discuss all the problems. So, next time when the

Labour Ministers Conference is convened, I will see that this problem is also taken up.

MR. DEPUTY-SPEAKER : What about child labour in the carpet industry ?

SHRI VEERENDRA PATIL : I said that so far as labour laws are concerned, child labour is totally bad and prohibited. But despite all the legislations or Acts, child labour is there in our country in violation of these Acts. I have already made that position clear.

20.30 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, May 5, 1983|
Vaisakha 15, 1905 (Saka)*