

ed. But, as I said, this is not an occasion to do so. I would not, therefore, take the time of the House on that.

With these words, I hope that the House will accept this Bill.

MR. CHAIRMAN: The question is:

"That the Bill to provide for the levy and collection of additional duties of excise on certain textiles and textile articles, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now, we take up clause-by-clause consideration. There are no amendments given notice of. Therefore, I shall put Clauses 2 to 4 to the vote of the House.

The question is:

"That Clauses 2 to 4 stand part of the Bill".

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

The Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

17.12 hrs.

EMPLOYMENT OF CHILDREN
 (AMENDMENT) BILL

THE MINISTER OF PARLIAMEN-
 TARY AFFAIRS AND LABOUR
 (SHRI RAVINDRA VARMA):
 Madam Chairman, I beg to move:

"That the Bill further to amend the Employment of Children Act, 1938, as passed by Rajya Sabha, be taken into consideration."

As the hon. Members will see from the Statement of Objects and Reasons as well as the Clauses of the Bill, the Bill is a non-controversial measure, meant to increase the area of protection extended to children who seek employment. I do not, therefore, want to take the time of the House to make a long speech or explain the objects or provisions of the Bill.

In the last three or four decades, several laws have been enacted to regulate the employment of children. The Employment of Children Act, which this Bill seeks to amend, was enacted exactly 40 years ago, in 1938. The purpose of the Act was to prohibit the employment of children in certain occupations which were regarded as particularly harmful or hazardous for children. The Employment of Children Act of 1938, therefore, prohibited the employment of children in occupations connected with the transport of passengers, goods or mail, and with the port authority within the limits of any port. Several other Acts like the Factories Act, the Shops and Establishment Act, the Plantations Labour Act, the Motor Transport Workers' Act, etc., specify a minimum age for the employment of children and provide for the regulation of the conditions of work that affect children. In spite of many of these regulatory provisions, the number of children working for a living according to the census of 1971 is as high as 10.7 millions.

The Report of the Working Group on Employment of Children that the Department of Social Welfare of the Government of India set up went into the various aspects of the problem of child labour, and suggested that the prohibition of employment of children should be extended to all hazardous occupations, and the minimum age of employment of children should be at least 14 years under all the Acts. This would mean that the lower minimum age specified in Acts like the Plantations Labour Act and the Shops and Establishments Acts will have to be raised.

[Shri Ravindra Varma.]

At present, children are employed in large numbers mainly in rural areas, domestic service, shops and establishments and small and unorganized industries. According to the 1971 census, nearly 87 per cent of the total child labour in the country is in the rural areas—in agricultural work and in plantations and fish and livestock tending. Children are also employed in large numbers in cottage industries like match-manufacture, bangle-making, carpet-weaving, cashew-processing, bidi-making, handloom and powerloom units.

We are aware that the Bill we are now introducing does not deal with all aspects of the problem. The limited object of this Bill is to prohibit the employment of children in some categories of employment not covered by the parent Act. The Bill seeks to prohibit the employment of children in certain additional occupations under the railways, namely, construction work, catering services, track and line work and clearing and picking of ash bits and cinder.

The proposed amendments also provide for legal action against employers for the non-display of notice of certain particulars of child employment. The amendments empower the competent authority to make rules, and also provide for the laying of these rules before the Parliament.

Since child labour is drawn from the vulnerable and socially disabled sections of our population, the amendments that the Bill proposes will add to the protection enjoyed by children of the poorer sections. The provisions of this Bill are modest and affect only some of the occupations in which child labour is being employed to-day. Even so, the passage of the Bill will have wide-ranging affects and will affect the practices and arrangements in quite a few employments.

This will depend on the success we achieve in rousing the public conscience, and in educating the employers, local officias and workers

themselves, on the need to extend increased protection to children and to ensure that children are not exposed to hazards and unhealthy and unwholesome conditions of work.

The Central Board of Workers' Education and the National Labour Institute no doubt have to play their part in this campaign of education. So do trade unions and all other organizations interested in the welfare of the working class. We have to work for the day when children of tender age will no longer have to seek employment, when social conditions and social conscience will save our children from the need to look for employment before they have come of age and acquired the skills necessary for gainful employment in healthy and safe conditions.

Sir, I move that the Bill be taken into consideration.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Employment of Children Act, 1938, as passed by Rajya Sabha, be taken into consideration."

SHRI P. RAJAGOPAL NAIDU (Chittoor): I am glad that the Minister has realised the importance of bringing this prohibition. He also said that the age of plantation labour and the children employed in shops and establishments must be raised. I should have been very glad if these amendments are also brought as soon as possible.

In our country there are 250 million children and 87 per cent of the children are employed in rural areas. These are the statistics given. What is the reason—the Minister knows it very well, because he has the experience of the rural areas. In the rural areas poverty is so much that the parents want to save the children and therefore they will be very much satisfied even if they get gruel or some food by employing them in other's work. That is the pity.

The Minister also knows that in the educational institutions in the 1st standard if there are 100 pupils, when they move up to the III or IVth standard, they will be only 30 or 20. There is so much drop-out. The reason is that the parents want their children to go and earn and to assist them to run their family. Therefore, is it not necessary not only to bring legislation but also have a comprehensive view with regard to this problem and ask other Ministeries to see that in the schools mid-day meals are provided, nutritious food is provided; milk is also provided. If that is done, I think employing of children in rural areas could be reduced.

The Minister is also aware that mechanisation in agriculture is growing especially in Andhra Pradesh, Punjab, Haryana and other States. There, they crush the sugarcane and, for that purpose, mowers and threshers are in vogue and many of the children are employed there and they are losing their limbs. That is because the children employed in agriculture are put to hardships. Therefore, is it not necessary to prohibit employing of children in the agricultural sector?

The International Children's year is coming. Therefore, there must be some contribution made on our behalf. Therefore, the Government should see to it as to how we could reduce the child labour and how we could help the poor children in rural areas by giving them the food. If we can do that, I think we will be doing good to the children of our country. In hazardous industries in towns and cities as also in the railways, as the Minister had said just now, the employment of these children must be prohibited. Even for the household work, small children's employment must be prohibited. For instance, they are employed in agriculture for the purpose of spraying the pesticides. This is hazardous and when they spray this, so many of them die also. Therefore, children should be prohibited in spraying the pesticides.

There are ever so many organisations which look after the welfare of children. They must be given the necessary assistance so that they may care for the children. We are getting so much of milk from CARE and other organisations; also we are getting other food and vitamin. But, they are not being given properly, especially, in the rural areas.

Here the Government should see to it that the things donated by other countries are properly distributed.

श्रीधरी बलबीर सिंह (होशियारपुर) : सभापति महोदय, मैं आपके जगिए मंत्री महोदय को सुबारकबाद देना चाहता हूँ कि उन्होंने यह बिल यहाँ पर पेश किया। छोटे बच्चे जिन्हें आगे चलकर इस देश की बागडोर मम्हालनी है, उन बच्चों को छोटी उम्र में ही उनके घर वाले गरीबी की वजह से काम पर भेज देते हैं। उसके बाद वे बच्चे सारी उम्र बर्तन साफ करते रहते हैं या कोई दूगरी मजदूरी करते रहते हैं। इतना ही नहीं, उन बच्चों को हाई लेबर भी करना पड़ता है। इस चीज को रोकने के लिए पहले जो कानून बना था उसकी कमियाँ को दूर करने की कोशिश इस बिल के जरिए से की जा रही है। मैं तो चाहूँगा कि सिर्फ पोट या रेजवे स्टेशन ही नहीं बल्कि किसी जगह पर भी उनसे काम न लिया जा सके—इस तरह का एक कांफ्रिहेंसिव बिल लाकर उसको पास करना चाहिए। अगर आप पोट या किसी खास जगह की वान करेंगे तो फिर इनमें कानून का मसला चल जायेगा और वह मामला सुप्रीम कोर्ट तक जायेगा। इतनी लम्बी कानूनी लड़ाई कौन लड़ेगा यह मेरी समझ में नहीं आता है। इसलिए आप मुकम्मल तौर पर ऐसा बिल बनाइये कि किसी भी हालत में गरीबी की वजह से बच्चों का कैरियर खराब न होने पाये।

आज हमारे सामने प्रौढ़ शिक्षा की बात है। तीस साल की आजादी के बाद आज प्रौढ़ शिक्षा की जरूरत क्यों पड़ी है? इसकी वजह यह है कि जिन बच्चों को पढ़ाई के लिए स्कूल में जाना चाहिए था वे बजाए पढ़ाई करने के किसी होटल में या किसी और जगह पर गंदगी साफ करने के काम में पड़ गए।

वह पढ़ने के बजाए घरों में जाकर कर काम करने लगे। मुक्त के अन्दर आज एक वातावरण पैदा होना चाहिए कि बच्चे काम की अमानत हैं, सरकार बच्चों के लिये जो खर्च करना चाहती है, वह इन बच्चों के खर्च होना चाहिए, ताकि जो हमारी आनेवाली नस्लें हैं वे अच्छे माहौल में पल सकें, अच्छे माहौल में रह सकें और इस मुक्त के लिये कोई बड़ा काम कर सकें।

हमारे यहाँ बच्चों के दिन मनाए जाते रहे-लेकिन बच्चों की हालत नहीं सुधर सकी। मैं डेफिनेटली इस

[बीधरी बलबीर सिंह]

बात को कह सकता हूँ कि कोई यह कहे कि फलां जगह हम को चेक कर सकते हैं, फलां जगह चेक नहीं कर सकते हैं - यह बेकार बात है, इस का कोई भी चेक नहीं कर सकता। हम लिये कानून इस तरह का होना चाहिए कि जो भी इन को काम पर लगायेगा, उस को सजा दी जायेगी और उन के घरवाले भी उन बच्चों को काम पर नहीं भेज सकेंगे। लेकिन हम के साथ ही यह भी बहुत जरूरी है कि जितने गरीब बच्चें हैं—उन को पढ़ाई का तो मुफ्त इन्तजाम है, लेकिन साथ ही उन के खाने पीने और कपड़ों का भी मुफ्त इन्तजाम चाहिए, तब ही बच्चों को सही शिक्षा मिल सकेगी और वे मल्ल के भविष्य को ठोक करने में मददगार साबित हो सकेंगे। उन पर रोक लगाने का बिल तो तो आप ले आये लेकिन साथ ही उन को इस तरह की फौसनिटोड और इन्सिस्टेंस दिये जायें, ताकि वे काम करने के बजाए इस तरह झा मकें और उनके बाल-देन पर उन के खाने पीने और कपड़े का बोझा न पड़ सके। इन बच्चों को नेशनल - एसेट्स, कोमी सरमायें के तौर पर ट्रीट किया जाना चाहिए।

कानून में बहुत सारी दफायें बनाने से काम नहीं चलेगा—बल्कि आप को अपने कानून में साफ़ तौर से बाज़ा कर देना चाहिए कि इस उम्र से कम उम्र के बच्चों को किसी भी जगह पर वेम के एक्ट में काम पर नहीं लगाया जाएगा। अगर आप इस तरह का कानून बनाएंगे। तब ही आप कामयाब हो सकेंगे, वरना उन को काम पर लगाने के नये-नये रास्ते निकल आयेगे और यह चीज़ उसी तरह में चलती रहेगी, जैसी आज तक कानून के होने हुए भी चलती रही है। बच्चे हर जगह काम करते रहे और किसी ने कोई एक्शन नहीं लिया।

*SHRIMATI V. JEYALAKSHMI (Sivakasi): Madam Chairman, I am very happy that the hon. Minister of Labour has made certain amendments to the Employment of Children Act, 1938. While extending my whole-hearted support to the salutary provisions contained in this Bill, I would like also to refer to certain deficiencies in the implementation of not only this Act but also other allied statutes covering the employment of children in the country.

I come from Sivakasi constituency in which most of the families depend upon the earnings of children. We have match factories in Sivakasi. The crackers and fire-works, which create a happy and joyful atmosphere throughout the country are made in Sivakasi. When you talk of printing industry, Sivakasi would come in

everybody's mind immediately. All these three industries employ children of different ages. The nimble fingers of the blossoming buds of humanity go to swell the coffers of private industrialists. These industrialists are proud to call Sivakasi as a tiny Japan in India whenever they extend welcome to prominent politicians and high dignitaries of both Central and State Governments. I am pained to hear this comparison because there is a common ground between Japan and Sivakasi. The explosion of Atom Bomb in Hiroshima not only took away instantaneously thousands of precious human lives but also maimed many future generations to come, and a similar production of mini-atom bomb cracker in Sivakasi might end human harmony for decades to come. In the cracker industry dangerous chemicals like chlorite, sulphur, red phosphorous, aluminium powder and other high voltage chemicals are used. I need not say that they are all very injurious to health, especially in the case of young children who are easily susceptible to such disease like bronchitis, breathing trouble etc. Since the area is an arid zone and the job opportunities are scarce in this chronically drought-prone area, the parents are perforce to send their children for such hazardous jobs. The industrialists exploit these disabilities for their personal aggrandisement.

Some two years back, a delegation of workers came to my house seeking my support and intervention with the industrialists for their demand of minimum bonus. They stayed in our place just for one hour and after they left, my entire family suffered from splitting headache. I am referring to this to indicate the serious contaminating effects these chemicals have on the people. It can very well be imagined what the effect would be on the children employed in this industry. Most of the pregnant women and

*The Original speech was delivered in Tamil.

young children are afflicted by dread diseases like T.B. etc. From morning 7 to evening 7, the children are confined to dark and dingy rooms without proper lighting and ventilation in Match factories. The industrialists do not care to provide even the minimum amenities for these child workers. They brag about that they give to the Central Government crores of rupees as excise duty. But they are unwilling to spend even a small sum for the welfare of child employees.

The Labour Inspectors and the Explosives Inspectors are all in league with the employees. They are in complicity with them in the matter of circumventing the provisions of Factories Act, Explosives Act etc. The provisions of Factories Act are violated by dividing the work in different segments—pasting boxes in one place and frame-filling in another place. Then all these different processes are brought to the factory and the end-product is assembled here. They are thus able to prove to the authorities that they are employing in any particular activity less than the prescribed number of employees by the Factories Act. The industrialists are benefitted in manifold ways. They exploit the children by not giving the minimum wages to the child-employees. They do not give the statutory minimum bonus to them. They do not spend any money on welfare measures as adumbrated by labour laws. They go scot-free even with patent violation of Factories Act. They are heartlessly exploiting because of the fact that Ramanathanpuram district is a chronically drought-prone area and there are no alternative jobs for them. The Central Government has also declared it as a backward district. The children are to bear all these vocational hazards because of these circumstances. If you declare these as hazardous and dangerous jobs for the children, naturally many lakhs of families would be thrown to the wolf of unemployment. Even for fighting for their legitimate demands, they are nervous and they do not want to lose their livelihood. The only thing that we can do is that

the industrialists must be made to give minimum amenities for the child-employees. We are spending crores of rupees for eradicating illiteracy in the country. In my constituency, the children aged 7 years do not go to the school because they are to earn for time-limit.

We are going to celebrate next year as the International Children's year. The Central Government must look into the problems of such child-employees and come to their rescue. The Central Government must immediately appoint a high-power Committee to go into these questions and suggest remedial measures within a prescribed limit.

The printing industry has come up very well in Sivakasi. In the neighbouring parts of Kerala State, my friends are not able to improve the printing industry because of the persistent and recurring labour trouble. In Sivakasi there is complete harmony. I need not say that the children are employed in hazardous jobs like cutting paper etc. There are occasions when the fingers of children have been cut in this process. Yet the industrialists do not give any compensation to them. When I asked the industrialists why they are not giving the statutory minimum wage and also statutory minimum bonus of 8.33 per cent, they counter me with the question 'why should they'. When I ask them why they are circumventing labour laws and Factories Act, and how they are amassing money exploiting the children, they are threatening me with frightening consequences. After a great deal of discussion and debate, they have given some money as bonus to the child-employees.

In conclusion, I would suggest that steps should be taken to supply nutritious food to the working children. They must get statutory minimum wage and statutory minimum bonus. They must also be given minimum basic amenities so that they can protect themselves from vocational hazards, and part time education must be given to them.

[Smt. V. Jeyalakshmi.]

I demand that a high-power Committee must be appointed to go into the conditions of employment of children in the match industry, fireworks and crackers industry and also in the printing industry in Sivakasi and suggest suitable protective and punitive measures for violation of laws.

With these words I conclude my speech.

श्री अनन्त दवे (कच्छ) सभापित महोदया, हमारे माननीय मंत्री महोदय जो बिल लाये हैं उस के लिए मैं उन को धन्यवाद दे रहा हूँ। लेकिन इस बिल में जितना अमेंडमेंट वे लाये हैं, उतना ही अमेंटमेंट हमारे लिए काफी नहीं है। हमारे देश में जो चाइल्ड लेबर है, उस के लिए पूरा बिल सोच समझ कर लाया जाना चाहिए। 1970 में जब चाइल्ड लेबर का सेन्सम हुआ था तब 10.73 मिलियन चाइल्ड लेबर हमारे देश में थी जिस में से 9.96 मिलियन रूरल एरियाज में थी। हम जो यह अमेंडमेंट लाये हैं वह सिर्फ आकुपेशन इन रेलवे प्रेमिजिज, क्लोरियास आफ एन एण्ड पिट और बिल्डिंग आप्रेशंस इन रेलवे प्रेमिजिज और इन कटरिंग एस्ट्रेब्लिशमेंट में जो काम करते हैं, उनके लिए है। उरी चाइल्ड लेबर के लिए यह अमेंडमेंट बिला लाया गया है। जब हमारे देश में रूरल एरियाज में ज्यादा से ज्यादा चाइल्ड लेबर है तो उस के लिए भी हमें कुछ कानूनी व्यवस्था करनी चाहिए ऐसा मैं मानता हूँ।

जब अगले साल 1979 में युनाइटेड नेशंस ने यह तय किया है कि चाइल्ड इयर सारी दुनिया में सेलेक्ट किया जाएगा तो उमी समय हमारे देश से जा बड़ी मात्रा में चाइल्ड लेबर है, उस के लिए भी कुछ न कुछ अमेंडमेंट किया जाना जरूरी है। ऐसा मैं सुझाव देता हूँ। जो चाइल्ड लेबर एग्रीकल्चर में काम करती हैं उस के लिए भी कुछ प्रावधान होना चाहिए, ऐसा भी मैं मानता हूँ।

इसके साथ-साथ में यह भी कहना चाहना है कि इस बिल को सिलेक्ट कमिटी के पास भेज देना चाहिए। एक एक्सपर्ट ने कहा है:—

“Our first obligation is that working children must be protected from outright exploitation and from hazardous condition of work which threaten their physical and mental development.”

हम देख रहे हैं कि गांवों में छोटे छोटे बच्चे काम करते हैं। उनको पढ़ाई लिखाई के लिए समय नहीं मिलता है। यह देश की एक बहुत बड़ी समस्या है वह एक सोल्यूशन इविल है। गरीब परिवारों के बच्चे

अगर काम नहीं करेंगे तो वे लोग खाएंगे क्या? बिल काम किये उनको खाना नसीब नहीं होता है। यह एक बहुत बड़ी समस्या है जिस को आपकी हाथ में लेना होगा। एक सर्वे के अनुसार देखा गया है कि 18.6 एम्प्लायर बम्बई में यह नहीं जानते थे कि बच्चों के एम्प्लायमेंट के बारे में ऐसा कोई कानून है। एक अन्य संसद के अनुसार 64.6 प्रतिशत पेरेंट्स और 53.4 एम्प्लायर्स इस पक्ष के थे कि चाइल्ड लेबर को एवांशिल न किया जाए। साथ ही 31.7 प्रतिशत पेरेंट्स और 33.3 प्रतिशत एम्प्लायर्स इस व्यू के कि चाइल्ड लेबर को कंवल हँजाईंग एरियाज में ही एवांशिल किया जाए।

आप यह भी देखें कि 1948 में चाइल्ड लेबर 0.48 प्रतिशत थी, 1952 में 0.25 प्रतिशत, 1960 में 0.10 प्रतिशत और 1962 में 0.5 प्रतिशत। अब यह परसेंटेज बढ़ गई है। आप देखेंगे कि रूरल एरियाज में बहुत ज्यादा चाइल्ड लेबर है। वहां पर खेत में काम करने के लिए कोई मजदूर जमींदार के पास जाता है तो यह पृष्ठा जाता है कि उसके बोर्डे बच्चा है तो कितने साल का। अगर दस से चौदह साल के बीच के बच्चे होते हैं तो उनको काम पर लगा लिया जाता है वरना उनको काम नहीं दिया जाता है। इसका कारण यह है कि ये बच्चे उन जमींदारों के खेतपर फ्री में काम करते हैं इस वास्ते में चाहता हूँ कि रूरल एरियाज में आपका इस चीज पर रोक लगाने की व्यवस्था करनी चाहिए और कोई अमेंडमेंट इस आणय का लाना चाहिए

फेक्ट्रीज एक्ट, साइज एक्ट, डाक वर्कर्स एक्ट, मोटर ट्रांसपोर्ट एक्ट, बोडी मिगार एक्ट, कार्टेज लेबर एक्ट, शाप्टम एंड एस्ट्रेब्लिशमेंट एक्ट आदि में जो पाबन्दी लगाई गई है वह दस से चौदह साल तक के बच्चों के एम्प्लायमेंट के लिए लगाई गई है। मैं चाहता हूँ कि आप कोई कम्प्रिहेंसिव बिल लाएं जिस में आप एक एज तय करें ताकि देश के जो अलग अलग भाग हैं वहां पर कहीं भी चाइल्ड लेबर का एक्सप्लायटेशन न हो सके। यह देश की बहुत बड़ी समस्या है। बच्चों को जब लोंग काम पर नहीं भेजेंगे तो परिवार का गुजारा नहीं होगा। इस समस्या के इस पहलू पर आपका ध्यान जाना चाहिए। यह एक बहुत बड़ी जिम्मेदारी हमारे ऊपर है। जो अमेंडमेंट आप लाए हैं इसमें कोई ज्यादा अन्तर पड़ने वाला नहीं है। इस समस्या पर गहराई से विचार करने के लिए और इसका कोई हल निकालने के लिए यह जरूरी है कि आप इस बिल को एक सिलेक्ट कमिटी के पास भेज दें। ऐसा बिल आना चाहिए जो रूरल लेबर पर लागू हो जिसकी संख्या बहुत है। इस बिल को लाने के लिए मैं आपकी धन्यवाद देता हूँ और आशा करता हूँ कि रूरल एरियाज में चाइल्ड लेबर की तरफ भी आप ध्यान देंगे।

SHRI GADADHAR SAHA (Birbhum): Madam Chairman, this is a small amendment with a three-fold object: (1) Enlargement of prohibi-

tion, of employment of a child labour below 15 years of age in certain additional occupations in railway premises, such as (1) cinder picking, (2) cleaning of an Ash Pit, (3) building operation, (4) catering establishment at a Railway Station, (5) construction work and (6) truck and line work, etc.

(2) Provision for displaying a notice of certain particulars of child employment by the Railway and the Port Authority with legal action against employers for non-display of such notice.

3. Provision for laying before Parliament the rules made by the Central Government.

This law is not a progressive and meaningful law. The result of the original Act was not at all encouraging and the present enactment was not so up-dated and modified to avoid the inherent weaknesses prevalent in the old Act.

The existing enactment and statutory provisions regulating the pre-employment conditions and working conditions, housing, insurance and medical and educational facilities for the employed children were not adequate. Same is the case with the present provisions and legislative measures. The provisions were neither so reviewed, extended, modified, nor up-dated to keep pace with the advancement in technology and the resultant now occupational hazards.

The problem that is before us is so acute and vast that this present enactment which does not alter or affect the basic socio-economic structure or system of production but rather secures its continued existence, will not meet the situation at all.

In the old laws according to the Labour Investigation Committee, the law was being infringed openly in several establishments and according to some of the evaluation studies the children of less than 14 years of age can somehow manage to get false cer-

tificate by paying only some fees. This bad practice still persists. No capitalist society can answer it. The answer is to be found in the socialist countries.

The evils of child labour persist perhaps in an aggravated form and according to the National Commission on Labour and 1971 census, this evil persists in varying degrees in organised and unorganised sector and specially in unorganised sector, namely, agricultural operations, plantation, fishery, livestock tending and cottage industries such as bidi-making and match-making, carpet-making, stone-breaking, handicrafts, road-building, etc. the employment of children is frequent and the incidence of child employment is much higher. The present amending Bill is made in such a way that this is not extended to cover the unorganised sector, because some thought it was not harmful. But according to the Labour Investigation Committee, the working conditions in the cottage industries and in some unorganised occupations are worse than in the organised sector, even though regulated by the Factories Act.

The evil of child labour in India is in consonance with the economic system of our country and the capitalist pattern of society. So, so long as this structure continues, this evil will persist and in the present Bill there is little or no genuine effort made to give education and spread educational base at secondary and primary level to all children in the age group up to 14 and make its socially and economically possible for the poorest and lowest to send their children to school for education and for the Government to recognise the right to work. My party view is that this sort of evil is continuing not only in India but in all capitalist countries, but there is no socialist country where there is child labour or exploitation of labour. So, this legislative measure will not meet the situation.

PROF. P. G. MAVALANKAR
(Gandhinagar); Madam, Chairman, I
am happy to rise in support of this

[Prof. P. G. Mavalankar.]

small and apparently minor Bill, and I do so not only because I feel that the measure is necessary, but it is good, and is going in the right direction. I do not think that this Bill need go to a select committee. I do not think that this habit of suggesting that every Bill that is on the anvil here, must necessarily go to the select committee, will serve any useful purpose. After all, a select Committee can go into the merits of a matter if a Bill is comprehensive, big enough with various implications requiring lot of expertise and assistance which the House in a general way, cannot either have the time to devote or the expertise to offer. Therefore, I do not think this need go to a select committee.

I would certainly congratulate the hon. Minister on having brought this Bill at this time of the year especially because the International Children's year is coming next year, i.e. 1979, and I would, therefore, like to tell him that he will take this as an opportunity and occasion to make an intensive survey into the affairs and situations that are obtainable in our country on the basis of legitimate and reliable data, not just hearsay, and do something concrete and effective in terms of a good piece of legislation in the International Childrens' Year to tackle this problem of child labour and the exploitation and the terrible hardships which have gone with this child labour for generations to come. That is why, I feel I ought to give support to this Bill and I am taking this opportunity of doing so.

The question of child labour and the exploitation that has gone with it is there not only in India but in many parts of the world. Let us not be unnecessarily pessimistic by saying that this is only obtainable in India. This question of child labour and the exploitation accompanying it are evident in many parts of the world, in many continents of the world.

SHRI DINEN BHATTACHARYA
(Serampore): It is a feature of the capitalist countries

PROF. P. G. MAVALANKAR: It may be a feature of the capitalist countries, I agree with my friend, Mr. Dinen Bhattacharya. But I may not agree with him if he tells me that non-capitalist societies have altogether eliminated this vicious problem. They have not done it, though they are going in the right direction.

My point is that this child labour and exploitation problem is important and difficult mainly because of the fact that a lot of it is subtle and a lot of it is hidden, and you cannot really assess the magnitude of the problem because searches and researches are either impracticable or unworkable, if not impossible. Therefore, nobody can gauge the magnitude of the problem. But I hope with the techniques of modern and scientific social researches and with the help of institutions like ILO, the Government of India which is, I am sure, a very active Member of the ILO, can do a lot in terms of employing these modern techniques for social researching and surveying and coming to some more accurate understanding of the problem in terms of facts and figures and only then, they can tackle the problem more effectively and more purposefully.

I was saying that because the problem is subtle and hidden we need not feel, therefore, hopeless, about the situation. We should really be more attentive and more alert and go into the problem and move so in a country like ours where because of the general ignorance and general poverty this problem of child labour becomes all the more daunting and all the more challenging. Poverty requires children to work. Ignorance necessitates children to work. In fact, one reason why the family planning programmes does not succeed in this

country is that people want more children so that they can be employed in the factories and on the farms....

MR. CHAIRMAN: Mr. Mavalankar, you may continue your speech tomorrow.

**BUSINESS ADVISORY COMMITTEE
TWENTY-FIFTH REPORT**

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR**

(SHRI RAVINDRA VARMA): Sir, I beg to present the Twenty-Fifth Report of the Business Advisory Committee.

MR. CHAIRMAN: The House stands adjourned to meet tomorrow at

11 A.M.

18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 23, 1978/Agrahayana 2, 1900 (Saka).