

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

LOK SABHA

**UNSTARRED QUESTION NO. 2309
TO BE ANSWERED ON 08.07.2019**

CHILD LABOUR IN HAZARDOUS OCCUPATIONS

**2309. SHRI JAGDAMBIKA PAL:
SHRI GAUTAM GAMBHIR:**

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the details of occupations/ industries including processes notified as hazardous for child labour;**
- (b) the approximate number of children employed including those killed in such occupations in various parts of the country during the last ten years and the current year, year-wise and State-wise;**
- (c) whether the Government has conducted any assessment of the number of work-related deaths of children in such hazardous industries during the last five years and if so, the details thereof;**
- (d) the number of children rescued and rehabilitated during the said period along with the action taken against their employers; and**
- (e) the effective steps being taken by the Government to check the practice of employing child workers in the said industries?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

- (a): The details of occupations/industries including processes which are hazardous for child labour are at Annexure-I and Annexure-II.**
- (b): Information in this regard is not maintained centrally.**
- (c): No, Sir.**

Contd..2/-

(d): As per information received from the District Project Societies set up under the National Child Labour Project (NCLP) Scheme, a total number of 320488 children were rescued from all forms of child labour, and were rehabilitated and mainstreamed to formal education system during the last five years.

As per information received from the State Governments/UT Administrations, the number of violations detected during the inspections conducted, the number of prosecutions launched and the number of convictions made in the last five years in respect of the Child & Adolescent Labour (Prohibition & Regulation) Act, 1986 is given hereunder:-

Year	Violations	Prosecutions	Convictions
2014	5595	2923	998
2015	4319	2481	748
2016	3993	1730	677
2017	1691	1276	695
2018	942	624	586
Total	16540	9034	3704

(e): Child Labour is an outcome of various socio-economic problems such as poverty, economic backwardness and illiteracy. The Central Government has taken cognizance of the practice of child labour still going on in various parts of the country in spite of a ban on it and is committed to eradicate the problem of child labour from all parts of the country.

For elimination of child labour, the Government has enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016 which came into force w.e.f. 1.9.2016. The Amendment Act inter alia provides for complete prohibition of work or employment of children below 14 years in any occupation and process and prohibition of adolescents in the age group of 14 to 18 years in hazardous occupations and processes. The Amendment Act also provides stricter punishment for employers for violation of the Act and has made the offence as cognizable.

The Government is also implementing the National Child Labour Project (NCLP) Scheme since 1988 for rehabilitation of child labour. Under the NCLP Scheme, children in the age group of 9-14 years are rescued/withdrawn from work and enrolled in the NCLP Special Training Centres, where they are provided with bridge education, vocational training,

mid-day meal, stipend, health care, etc. before being mainstreamed into formal education system. Children in the age group of 5-8 years are directly linked to the formal education system through a close coordination with the Sarva Shiksha Abhiyan (SSA). To ensure effective enforcement of the provisions of the Child Labour Act and smooth implementation of the National Child Labour Project (NCLP) Scheme, a separate online portal PENCIL (Platform for Effective Enforcement for No Child Labour) has been launched w.e.f. 26.9.2017.

As per Section 2 (14) (ii) of Juvenile Justice (Care and Protection of Children) act, 2015 (JJ Act), a child who is found living in contravention of labour laws for the time being in force is included as a 'child in need of care and protection', the JJ Act, 2015 mandates a security net of service delivery structures to provide institutional and non-institutional care to these children. The primary responsibility of execution of the Act, as such, lies with the State/UTs.

Ministry of Women and Child Development is implementing 'Child Protection Services' (CPS) (erstwhile Integrated Child Protection Scheme), for care, protection, rehabilitation and reintegration of children in difficult circumstances. Under CPS, financial assistance is provided to State Governments/UT Administrations, for, inter alia, undertaking a situational analysis of children in difficult circumstances, for setting up and maintenance of various types of Child Care Institutions (CCIs).

ANNEXURE REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UN-STARRED QUESTION NO.2309 FOR 08.07.2019 BY SHRI JAGDAMBIKA PAL AND SHRI GAUTAM GAMBHIR REGARDING CHILD LABOUR IN HAZARDOUS OCCUPATIONS

Hazardous occupations and processes in which adolescents are prohibited to work and children are prohibited to help

- (1) Mines and Collieries (underground and underwater) and related work in, -
 - (i) stone quarries;
 - (ii) brick kilns;
 - (iii) preparatory and incidental processes thereof including extraction, grinding, cutting, splitting, polishing, collection, cobbling of stones or lime or slate or silica or mica or any other such element or mineral extracted from the earth; or
 - (iv) open pit mines.
- (2) Inflammable substances and explosives such as -
 - (i) production, storage or sale of fire crackers;
 - (ii) for manufacture, storage, sale, loading, unloading or transport of explosives as defined under the Explosives Act, 1884 (4 of 1884);
 - (iii) work relating to manufacturing, handling, grinding, glazing, cutting, polishing, welding, moulding, electro-plating, or any other process involving inflammable substances;
 - (iv) waste management of inflammable substances, explosives and their by-products; or
 - (v) natural gas and other related products.

Hazardous processes (serial numbers (3) to (31) below are as specified in the First Schedule of the Factories Act, 1948 (63 of 1948))

- (3) Ferrous Metallurgical Industries
 - (i) Integrated Iron and Steel;
 - (ii) Ferro-alloys;
 - (iii) Special Steels.
- (4) Non-ferrous Metallurgical Industries: Primary Metallurgical Industries, namely zinc, lead, copper, manganese and aluminium.
- (5) Foundries (ferrous and non-ferrous): Castings and forgings including cleaning or smoothening or roughening by sand and shot blasting.
- (6) Coal (including coke) Industries:
 - (i) Coal, Lignite, Coke, similar other substance;
 - (ii) Fuel Cases (including Coal Gas, Producer Gas, Water Gas).
- (7) Power Generating Industries.
- (8) Pulp and paper (including paper products) Industries.
- (9) Fertilizer Industries:
 - (i) Nitrogenous;
 - (ii) Phosphatic;
 - (iii) Mixed.
- (10) Cement Industries: Portland Cement (including slag cement, puzzolona cement and their products).
- (11) Petroleum Industries:
 - (i) Oil Refining;
 - (ii) Lubricating Oils and Greases.
- (12) Petro-chemical Industries.
- (13) Drugs and Pharmaceutical Industries: Narcotics, Drugs and Pharmaceuticals.

- (14) Fermentation Industries (Distilleries and Breweries).
- (15) Rubber (Synthetic Industries).
- (16) Paints and Pigment Industries.
- (17) Leather Tanning Industries.
- (18) Electro-plating Industries.
- (19) Chemical Industries:
 - (i) Coke Oven By-products and Coaltar Distillation products;
 - (ii) Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, nitrous oxide, halogenated hydrocarbon, ozone, similar other gas);
 - (iii) Industrial Carbon;
 - (iv) Alkalies and Acids;
 - (v) Chromates and dichromates;
 - (vi) Lead and its compounds;
 - (vii) Electro chemicals (metallic sodium, potassium and magnesium, chlorates, per chlorates and peroxides);
 - (viii) Electro thermal produces (artificial abrasive, calcium carbide);
 - (ix) Nitrogenous compounds (cyanides, cyanamides, and other nitrogenous compounds);
 - (x) Phosphorus and its compounds;
 - (xi) Halogens and Halogenated compounds (chlorine, fluorine, bromine and iodine);
 - (xii) Explosives (including industrial explosives and detonators and fuses).
- (20) Insecticides, Fungicides, Herbicides and other pesticides industries.
- (21) Synthetic Resin and Plastics.
- (22) Man-made Fiber (Cellulosic and non-cellulosic) industry.
- (23) Manufacture and repair of electrical accumulators.
- (24) Glass and Ceramics.
- (25) Grinding or glazing of metals.
- (26) Manufacture, handling and processing of asbestos and its products.
- (27) Extraction of oils and fats from vegetable and animal sources.
- (28) Manufacture, handling and use of benzene and substances containing benzene.
- (29) Manufacturing processes and operations involving carbon disulphide.
- (30) Dyes and dyestuff including their intermediates.
- (31) Highly flammable liquids and gases.
- (32) Process involving handling and processing of hazardous and toxic chemicals as specified in Part-II of the Schedule I to the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.
- (33) Work in slaughter houses and abattoirs including work with guillotines.
- (34) Work involving exposure to radioactive substances including electronic waste and incidental processes therein.
- (35) Ship breaking.
- (36) Salt Mining or Salt Pan Work.
- (37) Hazardous processes as specified in Schedule IX to the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998.
- (38) Work in beedi-making or processing of tobacco including manufacturing, pasting and handling tobacco or any drugs or psychotropic substance or alcohol in any form in food processing and beverage industry and at bars, pubs, parties or other similar occasions that serve alcoholic substances.

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List of occupations and processes where children are prohibited to help in family or family enterprises (in addition to Annexure-I)

Occupations

Any occupation concerned with -

1. transport of passengers, goods or mails by railways;
2. cinder picking, clearing of an ash pit or building operation in the railway premises;
3. work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
4. work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway tracks;
5. a port authority within the limits of any port;
6. automobile workshops and garages;
7. handloom and powerloom industry;
8. plastic units and fiberglass workshops;
9. domestic workers or servants;
10. dhabas (roadside eateries), restaurants, hotels, motels, resorts;
11. diving;
12. circus;
13. caring of Elephant;
14. power driven bakery machine;
15. shoe making.

Processes

1. Carpet-weaving including preparatory and incidental process thereof;
2. Cement manufacture, including bagging of cement;
3. Cloth printing, dyeing and weaving including processes, preparatory and incidental thereto;
4. Shellac manufacture;
5. Soap manufacture;
6. Wool-cleaning;
7. Building and construction industry including processing and polishing of granite stones; hauling and stacking materials; carpentry; masonry;
8. Manufacture of slate pencils (including packing);
9. Manufacture of products from agate;
10. Cashew and cashew nut descaling and processing;
11. Metal cleaning, photo engraving and soldering processes in electronic industries;
12. Aggarbatti manufacturing;
13. Automobile repairs and maintenance including processes incidental thereto namely, welding, lathe work, dent beating and painting;
14. Roof tiles units;

15. Cotton ginning and processing and production of hosiery goods;
16. Detergent manufacturing;
17. Fabrication workshops (ferrous and non-ferrous);
18. Gem cutting and polishing;
19. Handling of chromite and manganese ores;
20. Jute textile manufacture and coir making;
21. Lime kilns and manufacture of lime;
22. Lock making;
23. Manufacturing processes having exposure to lead such as primary and secondary smelting, welding and cutting of lead-painted metal constructions, welding of galvanized or zincsilicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scraping of lead paint, burning of lead in enamelling workshops, lead mining, plumbing, cable making, wire patenting, lead casting, type founding in printing shops. shot making and lead glass blowing;
24. Manufacture of cement pipes, cement products and other related work;
25. Manufacture of glass, glass ware including bangles, florescent tubes, bulbs and other similar glass products;
26. Manufacturing or handling of pesticides and insecticides;
27. Manufacturing or processing and handling of corrosive and toxic substances;
28. Manufacturing of burning coal and coal briquettes;
29. Manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather;
30. Oil expelling and refinery;
31. Paper making;
32. Potteries and ceramic industry;
33. Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms;
34. Processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting;
35. Saw mill – all processes;
36. Sericulture processing;
37. Skinning, dyeing and processes for manufacturing of leather and leather products;
38. Tyre making, repairing, re-treading and graphite beneficiation;
39. Utensils making, polishing and metal buffing;
40. 'Zari' making and processes involving the use of *zari* (all processes);
41. Graphite powdering and incidental processing;
42. Grinding or glazing of metals;
43. Diamond cutting and polishing;
44. Rag picking and scavenging;
45. Mechanized fishing;
46. Food processing;
47. Beverage industry;
48. Cultivating, sorting, drying and packaging in spice industry;
49. Timber handling and loading;
50. Mechanical lumbering;
51. Warehousing;
52. Massage parlours, gymnasiums, or other recreational centres, or in medical facilities;
53. Operations involving the following dangerous machines:-
 - (a) hoists and lifts;

- (b) lifting machines, chains, ropes and lifting tackles;
- (c) revolving machinery;
- (d) power presses;
- (e) machine tools used in the metal trades;

54. Composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding, as specified in sub-clause (iv) of clause (k) of section 2 of the Factories Act, 1948.
