

(b) if not, whether the unutilized cess funds are proposed to be returned to such organizations to enable them to devise and implement customized labour welfare schemes for their existing labour force; and

(c) whether the present 1 per cent labour cess from the total bill from construction companies, is utilized on well structured Government guidelines or it is left to Government agencies to pick and choose such welfare schemes in isolation and without any consultation with NGOs/SHGs, etc.?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) The entire collected amount in National Capital Region under Building and Other Construction Workers Welfare Cess Act, 1996 has not been spent. During the years 2008, 2009 and 2010 an amount of Rs. 29 crore (approximate) has been spent.

(b) The cess fund is retained by the Delhi Building and Other Construction Workers Welfare Board for various welfare activities and future plans. The organizations are free to devise and implement welfare schemes from their fund for their workforce. There is no provision for returning the unutilized fund.

(c) Cess fund collected @ 1% is utilized for various mandated welfare schemes for registered construction workers as per the provisions of Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Delhi Rules, 2002.

Violation of Child Labour Prohibition and Regulation Act

1679. SHRI A. ELAVARASAN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether child labour still continues unabated across the country even after the Child Labour Prohibition and Regulation Act which prohibited child labour in October, 2006;

(b) if so, the details thereof;

(c) whether neither any enforcement mechanism is seen working nor a comprehensive rehabilitation plan is in place and there is no proper infrastructure to ensure ban is implemented;

(d) if so, the details thereof;

(e) whether there is any proposal to make employment of children a cognizable offence under the Child Labour Prohibition and Regulation Act; and

(f) if so, the details thereof?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) and (b) As per 2001 census, the total number of working children between the age group 5-14

years in the country was 1.26 crore. However, in the Survey conducted by NSSO, in 2004-05 the number of working children were estimated at 00.75 lakhs which shows decline trend.

(c) and (d) The Child Labour (Prohibition and Regulation) Act, 1986, prohibits the employment of children below the age of 14 years in 18 Occupations and 65 Processes. Government monitors the implementation of Child Labour (Prohibition and Regulation) Act, 1986 through periodical reports submitted by the State Governments/UTs which are the appropriate government for implementation of the Act in their respective areas. Government is also implementing the National Child Labour Project (NCLP) Scheme in 266 districts of 20 States. Under the Scheme, children withdrawn from work are enrolled in the Special Schools where they are provided with bridging education, vocational training, nutrition, stipend, health care facilities etc. before mainstreaming into formal education system.

(e) There is no such proposal.

(f) In view of above does not arise.

Twelve hours duty schedule for workers

1680. SHRI PRAVEEN RASHTRAPAL : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state :

(a) whether the Ministry is aware about welfare provisions for employees and workers as per Article 43 of the Constitution;

(b) whether the Ministry is aware about certain private sector and Public Sector Undertakings which have switched over to twelve hours duty for employees and workers; and

(c) if so, what actions are proposed to stop this anti-workers practice ?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) Yes, Sir.

(b) and (c) Whenever reports of violation of labour laws with regard to hours of duty are received, suitable action is taken by the Office of the Chief Labour Commissioner (Central) in respect of establishments falling under the Central Sphere. Similarly, for establishments falling under the State Sphere, the respective State Governments take action under the respective labour laws.

Percentage distribution of employment of rural male

1681. SHRI SHYAMAL CHAKRABORTY: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state the percentage distribution of employment of rural male in India in 1972-73, 2004-05 and 2009-10 ?