

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:3075
ANSWERED ON:10.02.2014
AMENDMENT TO CHILD LABOUR ACT
Meghwal Shri Arjun Ram ;Ramshankar Dr.

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

- (a) whether the menace of child labour still exists in many parts of the country including hazardous factories inspite of stringent child labour laws;
- (b) if so, whether the Government is considering for the amendments of Child Labour (Prohibition and Regulations) Act, 1986 by fixing the accountability of labour officers to ensure that laws relating to child labour are strictly implemented;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether the Government has also received recommendations from various quarters including State Government for amendments/changes in the said law; and
- (e) if so, the details thereof alongwith the reaction of the Government thereto?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI KODIKUNNIL SURESH)

(a): Child Labour is an outcome of various socio-economic problems such as poverty, economic backwardness and illiteracy. As per 2001 census, the total number of working children between the age group 5-14 years in the country was 1.26 crore out of which there were approximately 12 lakh children found working in the hazardous occupations/processes covered under Child Labour (Prohibition & Regulation) Act, 1986 which include hazardous factories. However, in the Survey conducted by NSSO, in 2004-05 the number of working children were estimated at 90.75 lakh. As per NSSO survey 2009-10, the working children are estimated at 49.84 lakh which shows a declining trend.

(b) to (e): To make the provisions of Child Labour Law more stringent, Govt. is amending the Child Labour (Prohibition & Regulation) Act, 1986. The views of different stakeholders including the State Governments have been considered in the proposed amendment. The Child Labour (Prohibition & Regulation) Amendment Bill, 2012 has already been placed in the Parliament. The Amendment Bill inter-alia covers

- (i) complete prohibition on employment of children below 14 years and linking the age of the prohibition with the age under Right to Free and Compulsory Education Act,
- (ii) prohibition of working of Adolescents (14 to 18 years) in mines, inflammable substances or explosives and hazardous processes as defined in the Factories Act, 1948,
- (iii) stricter punishment to the offenders and making the offences under the Act cognizable. These amendments will also bring the national laws of India in conformity with the ILO Conventions 138 & 182 and would remove a major impediment in India's ratification of these important Conventions. Central Government is the appropriate authority for enforcement of the Act in respect of Central Government establishments, railways, ports, mines or oil fields and in all other cases, State Government is the appropriate authority for implementation under the Act. The Labour Officers of State Labour Departments are accountable for enforcement of Child Labour (Prohibition & Regulation) Act, 1986.