

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

UNSTARRED QUESTION NO:2175

ANSWERED ON:03.08.2015

Child Labour

Chowdhary Shri Pankaj;K. Shri Parasuraman;Khuba Shri Bhagwanth

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

- (a) whether the Government has enforced complete ban on employment of children below 14 years and whether employing them partially in family business, entertainment and sports activities is permitted and if so, the details thereof along with the criteria for exempting any sector;
- (b) the details of children both male and female engaged in various industries/sectors including garment sector in the country during the last three years and the current year;
- (c) whether the Government has prepared any draft for making amendment in the Child Labour (Prohibition and Regulation) Act and if so, the details thereof; and
- (d) whether the draft in this regard proposes to bring down the number of industries where children of upto 14 years are prohibited from being employed which has been restricted for 18 hazardous industries and 65 hazardous processes in the present Act and if so, the details thereof?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a): A Bill to amend the Child Labour (Prohibition & Regulation) Act, 1986 has been introduced in Rajya Sabha in December, 2012. The Government has recently decided to move official amendments to the Amendment Bill. The Official Amendments along with the Amendment Bill inter-alia covers complete prohibition on employment of children below 14 years and linking the age of prohibition with the age under Right of Children to Free and Compulsory Education Act, 2009. However, exceptions have been proposed where:

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- (i) the child helps his family or family enterprises, which is other than any hazardous occupations or processes set forth in the Schedule, after his school hours or during vacations;
- (ii) the child works as an artist in an audiovisual entertainment industry, including advertisement, films, television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures, as may be prescribed, and provided that such work does not affect the school education of the child.

The first exception has been proposed keeping in mind the country's social fabric and socioeconomic conditions where in a large number of families, children help their parents in their occupations like agriculture, artisanship etc. and while helping the parents, children also learn the basics of occupations. The exception is only for 'help' and not for the situation where a relationship of employer-employee exists. Also, an exception has been made for a child working as artist in an audiovisual entertainment industry, except the circus.

Both the exceptions are proposed only if the school education of the child is not affected.

(b): As per the data of Census 2011, there were 43.53 lakh working children in age group of 5-14 years in the country. The sector-wise details on child labour from 2011 Census is not available.

(c): The Child Labour (Prohibition & Regulation) Act Amendment Bill was introduced in Rajya Sabha in December, 2012 and was referred for examination to the Parliamentary Standing Committee (PSC) on Labour. Based on the observations and recommendations of Parliamentary Standing Committee (PSC) on Labour and further consultations, Official Amendments to the Child Labour (Prohibition & Regulation) Amendment Bill, 2012 has been initiated.

(d): No, Madam. The Amendment Bill along with official amendments inter-alia covers prohibition on employment of children below 14 years in all occupations and processes.
