

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.3103
TO BE ANSWERED ON 06.12.2019

WORKING CHILDREN

3103. SHRI SHANMUGA:
SHRI SUNDARAM K.:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the Census 2011 figures have pointed out that several children under the age of 14 are still working in different sectors across India and 1.01 crore of children in the age group of 5 to 14 out of 25.96 crore children are working for their families;
- (b) whether the Government is having any data regarding the employment of children, State/UT-wise and religion-wise;
- (c) If so, the details thereof;
- (d) the details of the steps taken by the Government to bring out structural changes in the society to prevent childlabour; and
- (e) whether the Government is having any proposal for strict penal provision in IPC on the lines of Article 24 and Article 39 of the Constitution which provides special protection to children?

ANSWER

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (e): As informed by the Ministry of Labour and Employment, the number of main workers in the age group of 5-14 years, as per Census 2011, State-wise in the country is 43.53 lakh. State wise details of main workers in the age group of 5-14 years as per Census 2011 is **Annexed**.

For elimination of child labour, the Government of India stands committed to the elimination of child labour in the country. The Government has amended the Child Labour (Prohibition & Regulation) Act, 1986 and enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016 which came into force with effect from 1.9.2016. The Amendment Act inter-alia provides for complete prohibition of work or employment of children below 14 years of age 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 the stricter punishment for employers for violation of the Act and has made the offence as cognizable.

As per provisions contained in the Act, whoever employs any child or permits any child to work in contravention shall be punishable with imprisonment for a term which shall not be less than six month but which may extend to two years, or with fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both.

Also whoever employs any adolescent or permits any adolescent to work in contravention of the provisions shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years or with fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both.

The Ministry of Labour and Employment is also implementing the National Child Labour Project (NCLP) Scheme since 1988 for rehabilitation of child labourers. Under the NCLP, the 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. The children in the age group of 5-8 years are directly linked to the formal education system through a close coordination with the SarvaShikshaAbhiyan. To ensure the effective enforcement of the provisions of the Child Labour Act and smooth implementation of NCLP Scheme, a dedicated online portal named PENCiL (Platform for Effective Enforcement for No Child Labour) has been developed in order to make the NCLP successful through better monitoring and implementation ensuring the timely disposal of work with transparency.

As per Section 2 (14) (ii) of The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), a child who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street is included as a "child in need of care and protection", among others. Section 79 of the JJ Act provides, whoever ostensibly engages a child and keeps him in bondage for the purpose of employment or withholds his earnings or uses such earning for his own purposes shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees. The primary responsibility of execution of the Act lies with the States/UTs. The Ministry of Women and Child Development is implementing a centrally sponsored Child Protection Services (CPS) Scheme (erstwhile Integrated Child Protection Scheme) for supporting the children in difficult circumstances. The primary responsibility of implementation of the scheme lies with the State Governments/UT Administrations. The scheme inter-alia provides for setting up of Child Care Institutions (CCIs) by the States/UTs either by themselves or in association with voluntary organisations. The scheme, also provides for non-institutional care wherein support is extended for adoption, foster care and sponsorship. The scheme supports 24x7 outreach helpline service for children in distress. This service is available through a dedicated toll free number, 1098 which can be accessed by children in crisis or by adults on their behalf from any place in the geographical location of India.

Annexure

State wise details of main workers in the age group of 5-14 years as per Census 2011.

S. No	Name of State/UT	No. of main workers in the age group
1.	Andaman & Nicobar UT	999
2.	Andhra Pradesh	404851
3.	Arunachal Pradesh	5766
4.	Assam	99512
5.	Bihar	451590
6.	Chandigarh UT	3135
7.	Chhattisgarh	63884
8.	Dadra & Nagar Haveli UT	1054
9.	Daman and Diu UT	774
10.	Delhi UT	26473
11.	Goa	6920
12.	Gujarat	250318
13.	Haryana	53492
14.	Himachal Pradesh	15001
15.	Jammu and Kashmir	25528
16.	Jharkhand	90996
17.	Karnataka	249432
18.	Kerala	21757
19.	Lakshadweep	28
20.	Madhya Pradesh	286310
21.	Maharashtra	496916
22.	Manipur	11805
23.	Meghalaya	18839
24.	Mizoram	2793
25.	Nagaland	11062
26.	Odisha	92087
27.	Puducherry	1421
28.	Punjab	90353
29.	Rajasthan	252338
30.	Sikkim	2704
31.	Tamil Nadu	151437
32.	Tripura	4998
33.	Uttar Pradesh	896301
34.	Uttarakhand	28098
35.	West Bengal	234275
	TOTAL	4353247