

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

LOK SABHA

**UNSTARRED QUESTION NO. 4753
TO BE ANSWERED ON 22.07.2019**

HAZARDOUS AND NON-HAZARDOUS OCCUPATIONS AND PROCESSES

4753. SHRI VINAYAK RAUT:

SHRI CHANDRA SEKHAR SAHU:

SHRI GIRISH BHALCHANDRA BAPAT:

DR. SHRIKANT EKNATH SHINDE:

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

- (a) whether the new legislation divides work into 'hazardous' and 'non-hazardous' occupations and processes;**
- (b) if so, whether there are enough instances where the employment of children and adolescents goes unregulated due to existing loopholes in the law, if so, the reaction of the Government thereto;**
- (c) whether under Indian law, beedi rolling is defined as hazardous work, but a loophole means children who help their parents in their work fall outside the legal framework;**
- (d) the steps taken to ensure that no child or adolescent is engaged in the hazardous occupation and processes of beedi making/rolling at home or in a factory set up; and**
- (e) the action taken against persons/ industry employing a child or adolescent in the hazardous occupation and processes of beedi making/rolling at home or in a factory set up?**

ANSWER

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

(a): Yes, Sir. The Government of India has amended the Child Labour (Prohibition & Regulation) Act, 1986 and enacted Child Labour (Prohibition & Regulation) Amendment Act, 2016 which inter-alia covers complete prohibition on employment or work of children below 14 years of age in all occupations and processes and prohibition on employment of adolescents (14 to 18 years of age) in hazardous

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occupations or processes. Further, the Schedule to the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 which came into effect on 30.08.2017, prescribes 38 hazardous occupations and processes where adolescents (aged 14-18 years) are prohibited to work and also prescribes 107 hazardous occupations and processes where children (aged under 14 years) are prohibited to help (in family or family enterprises).

(b): No, Sir.

(c): No, Sir. Under the Schedule to the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 which came into effect on 30.08.2017, adolescents (aged 14-18 years) are prohibited to work and children (aged under 14 years) are prohibited to help (in family or family enterprises) in hazardous processes such as beedi-making or processing of tobacco.

(d) & (e): The Government of India has been implementing the National Child Labour Project (NCLP) Scheme since 1988. 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 (STCs) under the District Project Societies, 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).

As soon as the information is found about the child or adolescent to be engaged in hazardous work, the child or adolescent is rescued and withdrawn from such work/occupation. The rescued child (if aged 9-14 years) is enrolled in an STC, where he is provided with bridge education, vocational training, mid day meal, stipend, health care, etc. before being mainstreamed into formal education system. The rescued adolescent (aged 14-18 years) is facilitated by vocational training opportunities under existing schemes of skill development.

The Amended Act has also made stricter punishment for the employers contravening the provisions of the Act and has made the offence as cognizable.