

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

LOK SABHA

**UNSTARRED QUESTION NO. 2264
TO BE ANSWERED ON 02.12.2019**

CHILD LABOUR ACT, 2016

2264. SHRIMATI SUPRIYA SULE:

DR. AMOL RAMSING KOLHE:

SHRI SUNIL DATTATRAY TATKARE:

SHRI KULDEEP RAI SHARMA:

SHRI A.K.P. CHINRAJ:

DR. SUBHASH RAMRAO BHAMRE:

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

- (a) whether the Child Labour (Prohibition and Regulation) Amendment Act, 2016 has failed to achieve its desired objectives, if so, the details thereof;**
- (b) whether the Government is aware that children are indulging in family and family-based occupations, agriculture and allied sectors in most of the rural/urban areas and are still indulged in hazardous occupation, if so, the details thereof along with the steps taken to tackle it;**
- (c) the details of the list of States which have drafted State Rules on the Child and Adolescent Labour (Prohibition and Regulation) Act, 2016;**
- (d) whether all the States have notified State Rules on the Child and Adolescent Labour (Prohibition and Regulation) Act, 2016, if so, the details thereof;**
- (e) the number of meetings of the Child Labour Technical Advisory Committee held during the last three years and the outcome thereof; and**
- (f) the other steps taken by the Government to eradicate child labour from the country?**

ANSWER

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

(a) & (b): The Child Labour (Prohibition & Regulation) Amendment Act, 2016 prohibits employment of children below 14 years of age in all occupations and processes and the employment of adolescents in hazardous occupations and processes. However, considering the social fabric and socio-economic conditions in the country, an exception has been made where the child is permitted to help his family or in family enterprises, which is other than any processes or hazardous occupations/ processes set forth in the Schedule of the Act , and only after school hours or during vacations.

This “help” doesn’t include “engagement in employment” or the situation where a relationship of “employer-employee “exists. In the Act, “family enterprises” means any work, profession, manufacture or business which is performed by the members of the family of the child with the engagement of other persons.

(c) & (d): The drafting of State Rules on the Child and Adolescent Labour (Prohibition and Regulation) Act, 2016 in many states is under process.

(e): Technical Advisory Committee held several meetings for its deliberations and based on its recommendations, amendment in the Schedule of hazardous occupations and processes of Child and Adolescent Labour (Prohibition and Regulation) Act, 2016 was made.

(f): After strengthening the legislative framework through amendment in Child Labour Act, Government has framed the Child Labour (Prohibition & Regulation) Amendment Rules, 2017 which ensures effective enforcement of the provisions of the Act. Under project based action plan, Government is implementing the National Child Labour Project Scheme for rehabilitation of Child Labour. To provide an enforcement mechanism an online portal PENCiL (Platform for effective enforcement of no child labour) has also been launched by the Ministry of Labour & Employment on 26.09.2017. Ministry has also framed Standard Operating Procedure as a ready reckoner for enforcing agencies and other stake holders.
