

NOTICE FOR PUBLIC INFORMATION

The following Act of Parliament received the assent of the President on the 29th July, 2016, and is hereby published for general information:-

1. The Child Labour (Prohibition and Regulation) Amendment Act, 2016 (No. 35 of 2016) is an Act further to amend the Child Labour (Prohibition and Regulation) Act, 1986, and for the long title, the following shall be substituted, namely:-

“An Act to prohibit the engagement of children in all occupations and to prohibit the engagement of adolescents in hazardous occupations and processes and the matters connected therewith or incidental thereto”.

2. Under Section 1 sub-section (1) this Act may now therefore be called “The Child and Adolescent Labour (Prohibition and Regulation) Act, 1996”.

3. Under Section 2, the following clause shall be inserted, namely:-

- (i) “adolescent” means a person who has completed his fourteenth year of age but has not completed his eighteenth year”.
- (ii) “child” means a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009, whichever is more.

4. The amended Act provides under Section 3 and 3A that “No child shall be employed or permitted to work in any occupation or process”. Further it provides that “No adolescent shall be employed or permitted to work in any of the hazardous occupations or processes set forth in the Schedule”.

5. The Penalties under Section 14 shall be substituted by the following sub-sections, namely:-

- (1) Whoever employs any child or permits any child to work in contravention of the provisions of Section 3 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:
- (1A) Whoever employs any adolescent or permits any adolescent to work in contravention of the provision of Section 3A 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:

6. After Section 14 of the principal Act, the following sections shall be inserted, namely:-

“14A. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence committed by an employer and punishable under Section 3 and Section 3A shall be cognizable”.

“14B. (1) The appropriate Government shall constitute a Fund in every district or for two or more districts to be called the Child and Adolescent Labour Rehabilitation Fund to which the amount of fine realized from the employer of the child and adolescent, within the jurisdiction of such district or districts, shall be credited.

- (2) The appropriate Government shall credit an amount of fifteen thousand rupees to the Fund for each child or adolescent for whom the fine amount had been credited under sub-section (1).

The above provisions are an extract of the relevant portions from the Child Labour (Prohibition and Regulation) Amendment Act, 2016 (No. 35 of 2016) and is published for general information.

Sd/-

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Issued by: DIPR