

THE EMPLOYMENT OF CHILDREN (AMENDMENT)
ACT, 1985

No. 62 OF 1985

[4th December, 1985.]

An Act further to amend the Employment of Children Act, 1938.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Employment of Children (Amendment) Act, 1985.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Section 4 of the Employment of Children Act, 1938 shall be re-numbered as sub-section (3) thereof and—

Amendment of section 4.

(a) before sub-section (3) as so re-numbered, the following sub-sections shall be inserted, 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 three months but which may extend to one year or with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees or with both.

(2) Whoever having been convicted of an offence under section 3 for employing any child or permitting any child to work in contravention of the provisions of section 3 commits a like offence afterwards, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years:

Provided that the court may, for any adequate and special reasons to be recorded in the judgment, impose a sentence of imprisonment for a term of less than six months.”;

(b) in sub-section (3) as so re-numbered, clause (a) shall be omitted.

¹ 28-8-1986 : vide Notification No. S. O. 505 (E), dated 28-8-1986, Gazette of India, Extraordinary, 1986, Part II, section 3 (ii).