

[**AS**] INTRODUCED IN THE NATIONAL ASSEMBLY]

**A
BILL**

further to amend the Children (Pledging of Labour) Act, 1933

WHEREAS it is expedient to amend the Children (Pledging of Labour) Act, 1933 (II of 1933), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Children (Pledging of Labour) (Amendment) Act, 2017.

(2) It shall come into force at once.

(3) It shall only extend to the Islamabad Capital Territory.

2. **Amendment of section 4, Act II of 1933.**- In the Children (Pledging of Labour) Act, 1933, hereinafter referred to the said Act, in Section 4, for the word "fifty" the words "One hundred thousand" shall be substituted.

3. **Amendment of Section 5, Act II of 1933.**- In the said Act, in Section 5, for the words "two hundred" the words "one hundred thousand" shall be substituted.

4. **Amendment of Section 6, Act II of 1933.**- In the said Act, in Section 6, for the words "fine which may extend to two hundred rupees" the words "imprisonment for a term which shall not be less than six months but which may extend to one year, or with fine which may extend to one hundred thousand rupees or with both" shall be substituted.

5. **Addition of new Sections , Act II of 1933.**- In the said Act, after section 6 as amended, the following new Sections shall be added, namely:-

"7. **Penalty for making second default.**- Whoever, having been convinced of an offence under Section 4, 5, or 6, commits a like offence afterwards, shall be punished with imprisonment of either description for a term which shall not be less than six months but which may extend to two years or with fine of one hundred thousand rupees or with both.

8. **Cognizance of offences by Magistrates.**- All Magistrates of the first class may take cognizance of any offence:

(a) upon receiving a complaint of facts which constitute such offence;

(b) upon a report in writing of such facts made by any police officer;

(c) upon information received from any person other than a police officer, or upon his knowledge or suspicion; that such offence has been committed which he may try or send to the Court of Session for trial.

9. Provision of Pakistan Penal Code, 1860 shall apply in order to execute this Act."

STATEMENT OF OBJECTS AND REASONS

There exists many specific injunctions of Islam on the survival, protection and welfare of children. The Holy Quran and tradition of the Holy Prophet (PBUH) order the parents, guardian and indeed society as a whole to guard the rights and interests of children and protect them against any harm or injury to their person. The Children (Pledging of Labour) Act, 1933, in its present form, does not fully protect the child against the abuse of child labour. The penalties in the above three Sections were fixed some three-quarters of a century ago. The purpose of these penalties was to discourage the people from committing such offences. With the passage of time however, these penalties appear to be too meager and do not serve as deterrent to prevent child labour. It is, therefore, proposed that the existing penalties be revised.

Sd/-

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