

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

***Professor &
Lawyer***

***Puttu Guru
Prasad***

VVIT, NAMBUR

93 94 96 98 98

pgpjntuk@gmail.com

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986.

The Act came in force from 23rd December, 1986.

An Act to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employment.



SOME IMPORTANT DEFINITIONS

Child: means a person who has not completed his fourteenth year of age.

Establishment: includes a shop, commercial establishment, workshop, farm, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

Occupier: in relation to an establishment or a workshop, means the person who has the ultimate control over the affairs of the establishment or workshop.



PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES.

No Child shall be employed or permitted to work in:

1. Transport, catering or construction by railways.
2. Firecracker shop.
3. Slaughter House.
4. Automobile workshop/garages.



PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES.

5. Foundaries.
6. Handloom/Powerloom.
7. Mines.
8. Plastic units and fibreglass workshop.
9. Domestic Servants.
10. Dhabas, restaurants, hotels, motels, tea shops, resorts, spas, or other recreational centres.
11. Bidi-making.



PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES.

12. Carpet weaving industry.
13. Cement Manufacture.
14. Cloth printing, dyeing and weaving.
15. Manufacture of matches, explosives and fire-works.
16. Mica-cutting and splitting.
17. Shellac Manufacture.
18. Soap manufacture.



PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES.

19. Building and construction.

20. Gem cutting and polishing.

21. Cotton Industry.

22. Manufacturing of pesticides and insecticides.

23. Paper making.

24. Oil refinery.

25. Beverage industry.



HOURS AND PERIOD OF WORK

1. No child shall be required or permitted to work in any establishment in excess of such number of hours as may be prescribed for such establishment or class of establishments.
2. The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has had an interval for rest for at least one hour.



HOURS AND PERIOD OF WORK

3. The period of work shall not be spread over more than six hours.
4. No child shall be permitted or required to work between 7 p.m. and 8 a.m.
5. No child shall be required or permitted to work overtime.
6. No child shall be required or permitted to work in any establishment on any day on which he has already been working in another establishment.
7. There shall be holiday for one whole day for every week.



NOTICE TO INSPECTOR

Every occupier of establishment in which there is working child shall send written notice to Inspector.

The notice to contain:

1. Name and situation of establishment;
2. Name of person in actual management of the establishment.
3. Address for communication;
4. Nature of occupation carried in establishment.



EXCEPTION

The above section does not apply:-

1. To any workshop carried on by the occupier with the aid of his family; or
2. To any school established by Government or receiving assistance or recognition from Government.



CHILD LABOUR TECHNICAL ADVISORY COMMITTEE.

This committee shall advise the Central Government about the additions of any industry or occupations to exclude prohibit child employment.

The Committee shall consists of Chairman and other members not exceeding in total ten.



DISPUTE AS TO AGE

If any question arises between an Inspector and Occupier as to the age of any child who is employed or is permitted to work by him in an establishment in absence of any certificate as to age, refer the question to the decision of prescribed medical authority.



MAINTENANCE OF REGISTER

Every occupier shall maintained register for inspection by Inspector at all times during working hours showing:

1. Name and birth of working child;
2. Hours and periods of work and intervals of rest;
3. Nature of work given to child;
4. Such other particulars as may be prescribed.



DISPLAY OF NOTICE

Every railway administration, every port authority and every occupier shall cause to be displayed in a conspicuous and accessible place at every station on its railway or within the limits of port or at the place of work, a notice in local language and in English Language containing abstract about prohibition of child labour and penalties.



HEALTH AND SAFETY

The appropriate Government shall makes rules for child employment regarding:

1. Cleanliness at work place;
2. Disposal of wastes and effluents
3. Ventilation and temperature;
4. Dust and fume;
5. Lighting and drinking water etc.



PENALTIES

Whoever employs any child in contravention of this act shall be punished with imprisonment for a term which shall not be less than three months but which may extend to one year or fine which shall not be less than ten thousand rupees but which may extend to twenty thousand rupees or with both.

If any one again commits similar offence for second time than he will be punished for imprisonment for term not less than six months but which may extend to two years.



PENALTIES

Whoever fails to give notice to Inspector;

- 1. Fails to maintain register or makes entries;**
- 2. Fails to display notice**
- 3. Fails to comply with or contravenes any other provisions of this Act or rules**

Shall be punished with simple imprisonment which may extend to one month or with fine which may extend to ten thousand rupees or with both.



PENALTIES APPLICABLE TO OTHER ACTS

Similar provision with respect to prohibition of child employment is found in section 67 of the Factories Act, 1948, section 40 of the Mines Act, 1952, section 109 of the Merchant Shipping Act, 1958 and section 21 of the Motor Transport Workers Act, 1961. the contravention of this sections are punishable as per provisions of this Act.



PROCEDURE

Any person, police officer or inspector may file a complaint of the commission of an offence under this Act in any Metropolitan Magistrate's Court or Court of Magistrate of First class.

The certificate by prescribed medical authority shall be conclusive evidence of the age of child.



THE CHILD LABOUR (PROHIBITION AND REGULATION) RULES, 1988.

These rules came in force from 10th August 1988.

The term of Child labour Technical advisory Committee shall be one year which may be extended for two years.

The officer not below the rank of under secretary to the Government of India may be appointed as secretary of the Committee.

REGISTER TO BE MAINTAINED



Sr. No	Name of Child	Father's Name	Date of birth	Permanent address	Date of joining the establishment	Name of the work on which employed	Daily hours of work	Interval of rest	Wage paid	Remarks.
1	2	3	4	5	6	7	8	9	10	11

CERTIFICATE OF AGE

Certificate No.....

I hereby certify that I have personally examined
(name).....son/daughter of.....
residing at.....and that he/she has
completed his/her fourteenth year and his/her
age, as nearly as can be ascertained from my
examination, is.....
.....years (completed). His/her
descriptive marks are.....

Thump impression/signature of child

Place.....

Medical Authority

Date.....

Designation.

THANK YOU.



SCHOOL -
DAHAGHAT - Rd. Mang'ur Gaj Mahal Chowk

CLASS 7th

MADE BY
SAMRUDDHI JAIN

1