
THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

NO.61 OF 1986

[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 employments.

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

PART I PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the Child Labour (Prohibition and Regulation) Act, 1986.

(2) It extends to the whole of India.

(3) The provisions of this Act, other than Part III, shall come into force at once, and Part III shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States and for different classes of establishments.

2. Definitions.- In this Act, unless the context otherwise requires,-

- (i) "appropriate Government" means, in relation to an establishment under the control of the Central Government or a railway administration or a major port or a mine or oilfield, the Central Government, and in all other cases, the State Government;
- (ii) "child" means a person who has not completed his fourteenth year of age;
- (iii) "day" means a period of twenty-four hours beginning at mid-night;
- (iv) "establishment" includes a shop, commercial establishment, workshop, farm, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment;
- (v) "family", in relation to an occupier, means the individual, the wife or husband, as the case may be, of such individual, and their children, brother or sister of such individual,
- (vi) "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;
- (vii) "port authority" means any authority administering a port;
- (viii) "prescribed" means prescribed by rules made under section 18;
- (ix) "week" means a period of seven days beginning at midnight on Saturday night or such other night as may be approved in writing for a particular area by the Inspector;
- (x) "workshop" means any premises (including the precincts thereof) wherein any industrial process is carried on, but does not include any premises to which the provisions of section 67 of the Factories Act, 1948 (63 of 1948), for the time being, apply.

PART II
PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES

3. Prohibition of employment of children in certain occupations and processes.- No child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on:

Provided that nothing in this section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government.

4. Power to amend the Schedule.- The Central Government, after giving by notification in the Official Gazette, not less than three months notice of its intention so to do, may, by like notification, add any occupation or process to the Schedule and thereupon the Schedule shall be deemed to have been amended accordingly.

5. Child Labour Technical Advisory Committee.- (1) The Central Government may, by notification in the Official Gazette, constitute an advisory committee to be called the Child Labour Technical Advisory Committee (hereafter in this section referred to as the Committee) to advise the Central Government for the purpose of addition of occupations and processes to the Schedule.

(2) The Committee shall consist of a Chairman and such other members not exceeding ten, as may be appointed by the Central Government.

(3) The Committee shall meet as often as it may consider necessary and shall have power to regulate its own procedure.

(4) The Committee may, if it deems it necessary so to do, constitute one or more sub-committees and may appoint to any such sub-committee, whether generally or for the consideration of any particular matter, any person who is not a member of the Committee.

(5) The term of office of, the manner of filling casual vacancies in the office of, and the allowances, if any, payable to, the Chairman and other members of the Committee, and the conditions and restrictions subject to which the Committee may appoint any person who is not a member of the Committee as a member of any of its sub-committees shall be such as may be prescribed.

PART III
REGULATION OF CONDITIONS OF WORK OF CHILDREN

6. Application of Part.- The provisions of this Part shall apply to an establishment or a class of establishments in which none of the occupations or processes referred to in section 3 is carried on.

7. 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.

(3) The period of work of a child shall be so arranged that inclusive of his interval for rest, under sub-section (2), it shall not be spread over more than six hours, including the time spent in waiting for work on any day.

(4) No child shall be permitted or required to work between 7 p.m. and 8 a.m.

(5) No child shall be permitted or required 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.

8. Weekly holidays.- Every child employed in an establishment shall be allowed in each week, a holiday of one whole day, which day shall be specified by the occupier in a notice permanently exhibited in a conspicuous place in the establishment and the day so specified shall not be altered by the occupier more than once in three months.

9. Notice to inspector.- (1) Every occupier in relation to an establishment in which a child was employed or permitted to work immediately before the date of commencement of this Act in relation to such establishment shall, within a period of thirty days from such commencement, send to the Inspector within whose local limits the establishment is situated, a written notice containing the following particulars namely:-

- (a) the name and situation of the establishment;
- (b) the name of the person in actual management of the establishment;
- (c) the address to which communications relating to the establishment should be sent; and
- (d) the nature of the occupation or process carried on in the establishment.

(2) Every occupier, in relation to an establishment, who employs, or permits to work, any child after the date of commencement of this Act in relation to such establishment, shall, within a period of thirty days from the date of such employment, send to the Inspector within whose local limits the establishment is situated, a written notice containing the particulars as are mentioned in sub-section (1).

Explanation.- For the purposes of sub-sections (1) and (2), "date of commencement of this Act, in relation to an establishment" means the date of bringing into force of this Act in relation to such establishment.

(3) Nothing in sections 7, 8 and 9 shall apply to any establishment wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government.

10. Disputes as to age.- If any question arises between an Inspector and an occupier as to the age of any child who is employed or is permitted to work by him in an establishment, the question shall, in the absence of a certificate as to the age of such child granted by the prescribed medical authority, be referred by the Inspector for decision to the prescribed medical authority.

11. Maintenance of register.- There shall be maintained by every occupier in respect of children employed or permitted to work in any establishment, a register to be available for inspection by an Inspector at all times during working hours or when work is being carried on in any such establishment, showing-

- (a) the name and date of birth of every child so employed or permitted to work;
- (b) hours and periods of work of any such child and the intervals of rest to which he is entitled;
- (c) the nature of work of any such child; and
- (d) such other particulars as may be prescribed.

12. Display of notice containing abstract of sections 3 and 14.- 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 a port or at the place of work, as the case may be, a notice in the local language and in the English language containing an abstract of sections 3 and 14.

13. Health and safety.- (1) The appropriate Government may, by notification in the Official Gazette, make rules for the health and safety of the children employed or permitted to work in any establishment or class of establishments.

(2) Without prejudice to the generality of the foregoing provisions, the said rules may provide for all or any of the following matters, namely:-

- (a) cleanliness in the place of work and its freedom from nuisance;
- (b) disposal of wastes and effluents;
- (c) ventilation and temperature;
- (d) dust and fume;
- (e) artificial humidification;
- (f) lighting;
- (g) drinking water;
- (h) latrine and urinals;
- (i) spittoons;
- (j) fencing of machinery;
- (k) work at or near machinery in motion;
- (l) employment of children on dangerous machines;
- (m) instructions, training and supervision in relation to employment of children on dangerous machines;
- (n) device for cutting off power;
- (o) self-acting machines;
- (p) easing of new machinery;
- (q) floor, stairs and means of access;
- (r) pits, sumps, openings in floors, etc.;
- (s) excessive weights;
- (t) protection of eyes;
- (u) explosive or inflammable dust, gas, etc.;
- (v) precautions in case of fire;
- (w) maintenance of buildings; and
- (x) safety of buildings and machinery.

PART IV

MISCELLANEOUS

14. Penalties.- (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 ten thousand rupees but which may extend to twenty thousand rupees or with both.

(2) Whoever, having been convicted of an offence under 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.

(3) Whoever-

- (a) fails to give notice as required by section 9; or
- (b) fails to maintain a register as required by section 11 or makes any false entry in any such register; or

- (c) fails to display a notice containing an abstract of section 3 and this section as required by section 12; or
- (d) fails to comply with or contravenes any other provisions of this Act or the rules made thereunder.

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

15. Modified application of certain laws in relation to penalties.- (1)

Where any person is found guilty and convicted of contravention of any of the provisions mentioned in sub-section (2), he shall be liable to penalties as provided in sub-sections (1) and (2) of section 14 of this Act and not under the Acts in which those provisions are contained.

(2) The provisions referred to in sub-section (1) are the provisions mentioned below:-

- (a) section 67 of the Factories Act, 1948(63 of 1948);
- (b) section 40 of the Mines Act, 1952(35 of 1952);
- (c) section 109 of the Merchant Shipping Act, 1958(44 of 1958); and
- (d) section 21 of the Motor Transport Workers Act, 1961(27 of 1961).

16. Procedure relating to offences.- (1) Any person, police officer or Inspector may file a complaint of the commission of an offence under this Act in any court of competent jurisdiction.

(2) Every certificate as to the age of a child which has been granted by a prescribed medical authority shall, for the purposes of this Act, be conclusive evidence as to the age of the child to whom it relates.

(3) No court inferior to that of a Metropolitan Magistrate or a magistrate of the first class shall try any offence under this Act.

17. Appointment of Inspectors.- The appropriate Government may appoint Inspectors for the purposes of securing compliance with the provisions of this Act and any Inspector so appointed shall be deemed to be a public servant within the meaning of the Indian Penal Code(45 of 1860).

18. Power to make rules.- (1) The appropriate Government may, by notification in the Official Gazette and subject to condition of previous publication, make rules for carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the term of office of, the manner of filling casual vacancies of, and the allowances payable to the Chairman and members of the Child Labour Technical Advisory Committee and the conditions and restrictions subject to which a non-member may be appointed to a sub-committee under sub-section (5) of section 5;
- (b) number of hours for which a child may be required or permitted to work under sub-section (1) of section 7;
- (c) grant of certificates of age in respect of young persons in employment or seeking employment, the medical authorities which may issue such certificate, the form of such certificate, the charges which may be made thereunder and the manner in which such certificate may be issued:

Provided that no charge shall be made for the issue of any such certificate if the application is accompanied by evidence of age deemed satisfactory by the authority concerned;

- (d) the other particulars which a register maintained under section 11 should contain.

19. Rules and notifications to be laid before Parliament or State legislature.- (1) Every rule made under this Act by the Central Government and every notification issued under section 4, shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

(2) Every rule made by a State Government under this Act shall be laid as soon as may be after it is made, before the legislature of that State.

20. Certain other provisions of law not barred.- Subject to the provisions contained in section 15, the provisions of this Act and the rules made thereunder shall be in addition to, and not in derogation of, the provisions of the Factories Act, 1948 (63 of 1948), the Plantations Labour Act, 1951 (69 of 1951) and the Mines Act, 1952 (35 of 1952).

21. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appears to it to be necessary or expedient for removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of three years from the date on which this Act receives the assent of the President.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Houses of Parliament.

22. Repeal and savings.- (1) The Employment of Children Act, 1938 (26 of 1938), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.

23. Amendment of Act 11 of 1948.- In section 2 of the Minimum Wages Act, 1948,-

- (i) for clause (a), the following clauses shall be substituted, namely:-
- (a) “adolescent” means a person who has completed his fourteenth year of age but has not completed his eighteenth year;
- (aa) “adult” means a person who has completed his eighteenth year of age;'
- (ii) after clause (b), the following clause shall be inserted, namely:-
- (bb) “child” means a person who has not completed his fourteenth year of age;'

- 24. Amendment of Act 69 of 1951.-** In the Plantations Labour Act, 1951,-
- (a) in section 2, in clauses (a) and (c), for the word “fifteenth”, the word “fourteenth” shall be substituted;
 - (b) section 24 shall be omitted;
 - (c) in section 26, in the opening portion, the words 'who has completed his twelfth year’ shall be omitted.

25. Amendment of Act 44 of 1958.- In the Merchant Shipping Act, 1958, in section 109, for the word “fifteen”, the word ‘fourteen’ shall be substituted.

26. Amendment of Act 27 of 1961.- In the Motor Transport Workers Act, 1961, in section 2, in clauses (a) and (c), for the word “fifteenth”, the word “fourteenth” shall be substituted.

THE SCHEDULE
[SECTION 3]
PART A
OCCUPATIONS

Any occupation connected with-

- (1) Transport of passengers, goods or mails by railway;
- (2) Cinder picking, clearing of an ash pit or building operation in the railway premises;
- (3) Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
- (4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines;
- (5) A port authority within the limits of any port.
- ¹[(6) Work relating to selling of crackers & fire works in shops with temporary licences;]
- ²[(7) Abattoirs/ slaughter houses]
- ³[(8) Automobile workshop and garages;
- (9) Foundries;
- (10) Handling of toxic or inflammable substances or explosives;
- (11) Handloom and powerloom industry;
- (12) Mines (underground and underwater) and collieries;
- (13) Plastic units and fibreglass workshops.]
- ⁴[(14) Employment of Child as domestic workers or servants;
- (15) Employment of children in dhabas (road-side eateries), restaurants, hotels, motels, tea-shops, resorts, spas or other recreational centres.]

1 Inserted by S.O. 404 (E), dt. 5-6-1989.

2 Inserted by S.O. 263 (E), dt. 29-3-1994.

3 Inserted by S.O. 36 (E), dt. 27-1-1999.

4 Added by S.O. 1742(E), dated 10th October 2006.

PART B
PROCESSES

- (1) Bidi-making.
- ¹[(2) Carpet weaving including preparatory and incidental process thereof.]
- (3) Cement manufacture, including bagging of cement.
- ²[(4) Cloth printing, dyeing and weaving including processes, preparatory and incidental process thereto.]
- (5) Manufacture of matches, explosives and fire-works.
- (6) Mica-cutting and splitting.
- (7) Shellac manufacture.
- (8) Soap manufacture.
- (9) Tanning.
- (10) Wool-cleaning.
- ³[(11) Building and construction industry including processing and polishing of granite stones.
- ⁴[(12) Manufacture of slate pencils (including packing).
- (13) Manufacture of products from agate.
- (14) Manufacturing processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos.]
- ⁵[(15) Hazardous processes' as defined in section 2(cb) and 'dangerous operation' as notified in rules made under section 87 of the Factories Act, 1948 (63 of 1948).
- (16) Printing as defined in section 2(k)(iv) of the Factories Act, 1948 (63 of 1948).
- (17) Cashew and cashewnut descaling and processing.
- (18) Soldering processes in electronic industries.]
- ⁶[(19) "Aggarbatti" manufacturing.
- (20) Automobile repairs and maintenance including processes incidental thereto, namely, welding, lathe work, dent beating and painting.
- (21) Brick kilns and roof tiles units.
- (22) Cotton ginning and pressing and production of hosiery goods.
- (23) Detergent manufacturing.
- (24) Fabrication workshops (ferrous and non-ferrous).
- (25) Gem cutting and polishing.
- (26) Handling of chromite and manganese ores.

1 Substituted by S.O. 36 (E), dt. 27-1-1999.

2 Substituted by S.O. 397 (E), dt. 10-5-2001.

3 Substituted by S.O. 397 (E), dt. 10-5-2001.

4 Inserted by SO 263 (E), dt. 29-3-1994.

5 Inserted by SO 263 (E), dt. 29-3-1994.

6 Substituted by SO 36 (E), dt. 27-1-1999.

- (27) Jute textile manufacture and coir making.
- (28) Lime kilns and manufacture of lime.
- (29) Lock making.
- (30) Manufacturing processes having exposure to lead such as primary and secondary smelting, welding and cutting of lead-painted metal constructions, welding of galvanized or zinc silicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scrapping of lead paint, burning of lead in enamelling workshops, lead mining, plumbing, cable making, wire patenting, lead casting, type founding in printing shops, Store type setting, assembling of cars, shot making and lead glass blowing.
- (31) Manufacture of cement pipes, cement products and other related work.
- (32) Manufacturing of glass, glassware including bangles, fluorescent tubes, bulbs and other similar glass products.
- (33) Manufacture of dyes and dye stuff.
- (34) Manufacturing of handling of pesticides and insecticides.
- (35) Manufacturing or processing and handling of corrosive and toxic substances, metal cleaning and photo engraving and soldering processes in electronic industry.
- (36) Manufacturing of burning coal and coal briquettes.
- (37) Manufacturing of sports goods involving exposure to synthetic materials, chemical and leather.
- (38) Moulding and processing of fibreglass and plastic.
- (39) Oil expelling and refinery.
- (40) Paper making.
- (41) Potteries and ceramic industry.
- (42) Polishing, moulding, cutting, welding and manufacture of brass goods in all forms.
- (43) Process in agriculture where tractors, threshing and harvesting machines are used and chaff cutting.
- (44) Saw mill-all processes.
- (45) Sericulture processing.
- (46) Skinning, dyeing and processes for manufacturing of leather and leather products.
- (47) Stone breaking and stone crushing.
- (48) Tobacco processing including manufacturing of tobacco, tobacco paste and handling of tobacco in any form.
- (49) Tyre making, repairing, re-treading and graphite beneficiation.
- (50) Utensils making, polishing and metal buffing.
- (51) 'Zari' making (all processes).]
- ¹[(52) Electroplating.

- (53) Graphite powdering and incidental processing.
- (54) Grinding or glazing of metals.
- (55) Diamond cutting and polishing.
- (56) Extraction of slate from mines.
- (57) Rag picking and scavenging.]

**THE CHILD LABOUR (PROHIBITION AND REGULATION)
RULES, 1988¹**

In exercise of the powers conferred by sub-section (1) of Sec. 18 of the said Act, the Central Government, hereby makes the following rules, namely:

1. Short title and commencement – (1) These rules may be called the Child Labour (Prohibition and Regulation) Rules, 1988.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions – In these rules, unless the context otherwise requires –

- (a) “Act” means the Child Labour (Prohibition and Regulation) Act, 1986 (61 Of 1986);
- (b) “Committee” means the Child Labour Technical Advisory Committee constituted under subsection (1) of Sec. 5 of the Act;
- (c) “Chairman” means the Chairman of the Committee appointed under sub-section (2) of Sec. 5 of the Act;
- (d) “Form” means a Form appended to these rules;
- (e) “Register” means the register required to be maintained under Sec. 11 of the Act;
- (f) “Schedule” means the schedule appended to the Act;
- (g) “Section” means a section of the Act.

3. Term of office of the members of the Committee – (1) The term of office of the members of the Committee shall be one year from the date on which their appointment is notified in the official Gazette.

Provided that the Central Government may extend the term of office of the member of the Committee for a maximum period of two years.

Provided further that the member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The member appointed under sub-rule(1) shall be eligible for re-appointment.

4. Secretary to the Committee – The Central Government may appoint an officer not below the rank of an Under-Secretary to the Government of India as Secretary of the Committee.

5. Allowances to non-official members – The non-official members and Chairman of the Committee shall be paid such fees and allowances as may be admissible to the officers of the Central Government drawing a pay of rupees four thousand and five hundred or above.

6. Registration – (1) A member may resign his office by writing under his hand addressed to the Chairman.

(2) The Chairman may resign his office by writing under his hand addressed to the Central Government.

¹ Vide G.S.R 847(E), dated 10-08-1988, published in the Gazette of India, Ext Pt. II, S. 3(i) dated 10-08-1988

(3) The resignation referred to in sub-rule (1) and sub-rule (2) shall take effect from the date of its acceptance or on the expiry of thirty days from the date of receipt of such resignation, whichever is earlier, by the Chairman or the Central Government, as the case may be.

7. Removal of Chairman or member of the Committee – The Central Government may remove the Chairman or any member of the Committee at any time before the expiry of the term of office after giving him a reasonable opportunity of showing cause against the proposed removal.

8. Cessation of membership – if a member –

- (a) is absent without leave of the Chairman for three or more consecutive meetings of the Committee; or
- (b) is declared to be of unsound mind by a competent court; or
- (c) is or has been convicted of any offence which, in the opinion of the Central Government, involves moral turpitude; or
- (d) is, or at any time, has been adjudicated insolvent or has suspended his debts or has compounded with his creditors, shall cease to be a member of the Committee.

9. Filling up of casual vacancies – in case a member resigns his office under rule 6 or cases to be a member under rule 8, the casual vacancy thus caused shall be filled up by the Central Government and the member so appointed shall hold office for the unexpired portion of the term of his predecessor.

10. Time and place of meetings – The Committee shall meet at such times and places as the Chairman may fix in this behalf.

11. Notice of meetings – The Secretary to the Committee shall give at least seven days notice to every member of the Committee of the time and place fixed for each meeting along with the list of business to be transacted at the said meeting.

12. Presiding at meetings – The Chairman shall preside at every meeting of the Committee at which he is present; if, however, the Chairman is unable to attend a meeting, any member elected by the members present among themselves shall preside at the meeting.

13. Quorum – No business shall be transacted at a meeting of the Committee unless atleast three members of the Committee other than the Chairman other than the Chairman and the Secretary are present.

Provided that at any meeting in which less than three of the total members are present, the Chairman may adjourn the meeting to a date as he deems fit and inform the members present and notify other members that the business of the scheduled meeting shall be disposed of at the adjourned meeting irrespective of the quorum and it shall be lawful to dispose of the business at such adjourned meeting irrespective of the number of members attending the meeting.

14. Decision by majority – All questions considered at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in the event of equality of votes, the Chairman, or in the absence of Chairman, the member presiding at the meeting, as the case may be, shall have a second or casting vote.

15. Sub-Committees - The Committee may constitute one or more Sub-Committees, whether consisting only of members of the Committee or partly of members of the Committee and partly of other persons as it thinks fit, for such purposes, as it may decide and any Sub-Committee so constituted shall discharge such functions as may be delegated to it by the Committee.

16. Register to be maintained under Sec. 11 of the Act. - (1) Every occupier of an establishment shall maintain a register in respect of children employed or permitted to work, in Form A.

(2) The register shall be maintained on a yearly basis but shall be retained by the employer for a period of three years after the date of the last entry made therein.

17. Certificate of age. - (1) All young persons in employment in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on, shall produce a certificate of age from the appropriate medical authority, whenever required to do so by an Inspector.

(2) The certificate of age referred to in sub-rule (1) shall be issued in Form 'B'.

(3) The charges payable to the medical authority for the issue of such certificate shall be the same as prescribed by the State Government or the Central Government, as the case may be for their respective Medical Boards.

(4) The charges payable to the medical authority shall be borne by the employer of the young person whose age is under question.

Explanation - For the purposes of sub-rule (1), the appropriate "Medical authority" shall be Government medical doctor not below the rank of an Assistant Surgeon of a District or a regular doctor or equivalent rank employed in Employees' State Insurance dispensaries of hospitals.

FORM A
[SEE RULE 16(1)]

Year.....

Name and

Address of employer..... Place of work

Nature of work being done by the establishment.....

Sr. No	Name of Child	Father's name	Date of Birth	Permanent address	Date of Joining the establishment
(1)	(2)	(3)	(4)	(5)	(6)

Name of the work on which employed	Daily hours of work	Intervals of rest	Wages paid	Remarks
(7)	(8)	(9)	(10)	(11)

**FORM B
(CERTIFICATE OF AGE)
[SEE RULE 17 (2)]**

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

.....

Thumb-impression/signature of child.....

Place

Medical Authority

Date.....

Designation

THE CHILDREN (PLEDGING OF LABOUR) ACT, 1933¹

ACT NO. 2 OF 1933

[24th February, 1933.]

An Act to prohibit the pledging of the labour of children.

WHEREAS it is expedient to prohibit the making of agreements to pledge the labour of children, and the employment of children whose labour has been pledged;

It is hereby enacted as follows:--

1. Short title, extent and commencement.- (1) This Act may be called the Children (Pledging of Labour) Act, 1933.

²[(2) It extends to the whole of India ³[***].]

(3) This section and sections 2 and 3 shall come into force at once, and the remaining sections of this Act shall come into force on the first day of July, 1933.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,--

“an agreement to pledge the labour of a child” means an agreement, written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilised in any employment:

Provided that an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services, and terminable at not more than a week's notice, is not an agreement within the meaning of this definition;

“child” means a person who is under the age of fifteen years; and

“guardian” includes any person having legal custody of or control over a child.

3. Agreements contrary to the Act to be void.- An agreement to pledge the labour of a child shall be void.

4. Penalty for parent or guardian making agreement to pledge the labour of a child.- Whoever, being the parent or guardian of a child, makes an agreement to pledge the labour of that child, shall be punished with fine which may extend to fifty rupees.

5. Penalty for making with a parent or guardian an agreement to pledge the labour of a child.- Whoever makes with the parent or guardian of a child an agreement whereby such parent or guardian pledges the labour of the child shall be punished with fine which may extend to two hundred rupees.

1 This Act has been extended to Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and Sch. I; Pondicherry by Reg. 7 of 1963, s. 3 and Sch. I and Laccadive, Minicoy and Amindivi Islands by Reg. 2 of 1970, s. 2 and Sch.

2 Subs. by the A. O. 1950, for sub-section (2).

3 The words “except the State of Jammu and kashmir” omitted by Act 51 of 1970, s. 2 and Sch. (w.e.f. 1-9-1971).

6. Penalty for employing a child whose labour has been pledged.-

Whoever, knowing or having reason to believe that an agreement has been made to pledge the labour of a child, in furtherance of such agreement employs such child, or permits such child to be employed in any premises or place under his control, shall be punished with fine which may extend to two hundred rupees.
