

CHILD AND ADOLSCENT LABOUR RULE 1998

The Child Labour (Prohibition and Regulation) Rules, 1988 Labour Department Notification No. G.S.R. 847(E) dated 10th •.—In exercise of the powers conferred by sub-section (1) of section 18 of 1988 Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986), the 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 Gazette



2. Definitions.—In these rules, unless the context otherwise requires,— (a) - Act- means the Child Labour (Prohibition and Regulation) Act (61 of 19S6); -Committee- means the Child Labour Technical Advisory Committee constituted under sub-section (1) of section 3 of the Ace (c) -Chairman- means the Chairman of the Committee appointed under sub-section (2) of section 5 of the Act; (d) -



Form- means a Form appended to these rules; (e) •register- means the register required to be maintained under section 11 of the Act; (t) Schedule- means the Schedule appended to the Act; (S) -section- means a section of the Act. Term of office of the members of the Committee.—(1) The term of Office of the

Committee shall be one year from the date on which their is roe,hed in the Official Gazette : +eat the Central Government may extend the term of office of the Connvttee for a maximum period of two years : fur-her that the member shall. notwithstanding the expiration Of tern to office until his successor enters upon his office. (2) members appointed under sub-rule (1) shall be eligible for re- Secretary to the Committee.—lhe Central Government may appoint an the rank of an Under Secretary to the Government of India as dated to-sss (12) 1988 fro 847 (3.0 10 1986 (1986 61) 18 (1) frqq, 1988 t I "3fiTfiqq" (1986 61) 11 (N) (3) (3) 3. ÄGü.--() 11 3(i) 10-S-SS 1-4 I (12) 13 The Child Labour (Prohibitio n and Regulation) Rides 5. Allowances to non-official members.—The non-official Chairman of the Committee shall be paid such fees and 1988 admissible to the officers of the Central Government drawing a pay of 6. A member may resign his office by writing under (2) The Chairman may resign his office by writing under his hand to the Central Government. (3) The resignation referred to in sub-rule (1) and sub-rule (2) shall take e from the date of its acceptance or on the expiry Of thirty days from the of such whichever is earlier, by the Chairman or the 7. Removal of Chairman or member of the Com mittee.—The Centu Government may remove the Chairman or any member of the Committee time before the expiry of the term of office after giving him a reasonable 8. Cessation of membership.—If a member— (a) is absent without leave of the Chairman for three or 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 ofthe Central Government, involves moral turpitude; or 3R-åfra--d t ; (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 member of the Committee

9. Filling up of casual vacancies.—In case a member resigns his office under rule 6 or ceases to be a member under rule 8, the casual vacancy thus caused shall be filled up by the Central Government and the member so appointedshall t' 8 t, hold office for the unexpired portion of the term of his predecessor. IO. Time and place of meetings.—The Committee shall meet at such time and places as the Chairman may fix in this behalf. 10. *It, 11. Notice of meetings.—The Secretary to the Committee shall give at I seven days notice to every member of the Committee of the time and place fixed for each meeting alongwith the list of business to be transacted at the said 7 12. Presiding at meetings.—The Chairman shall preside at every meetingof I the Committee at which he is present; if, however, the Chairman is unable to 12. t, attend a meeting, any member elected by the members present among O, themselves shall preside at the meeting. *7111 13. Quorum.—No business shall be transacted at a meeting of the Committee unless at least three members of the Commiffee other than the Chairman and 13. Provided that at any meeting in which less than three of the total are present, the Chairman may adjourn the meeting to a date as he deems fit inform the members Present and notify other members that the business of the 13 The Child Labour (Prohibition artd R 14 egulqti0h) R scheduled meeting shall be disposed of at the adjourned meeting the quorum and it shall be lawful to dispose of the business at such Pecti füfrqr:FT) 1988 meeting irrespective of the number ofmembers attending the meeting Committee shall be decided by a majority of votes of the membe at a meetin voting and in the event of equality of votes, the Chairman, or in Chairmam the member presiding at the meeting, as the case may be, 15. Sub-Committees.—The Committee may constitute one or Committees, whether consisting only of members of the committee @TTT I more Sib members of the Committee and partly of other persons as it thinks purposes, as it may decide and any sub-Committee so discharge such functions as may be delegated to it by the Committee. Shal •it 16. Register to be maintained under section 11 of the Act. — occupier of an establishment shall maintain a register in respect of (2) The register shall be maintained on a yearly basis but shall be the employer for a period of three years after the date of the last entry 17. Certificate of All young persons in employment in any occupations set-forth in Part A of the Schedule or in any workshop wherein am of the processes set forth in Part B of the Schedule is carried on, shall certificate of age from the appropriate medical authority, whenever required t (2) The certificate of age referred to in sub-rule (1) shall be issued in Formb (3) The charges payable to the medical authority for the issue of sucl certificate shall be the same as prescribed by the State Government or the Centri Government, as the case may be, for their respective Medical Boards. (4) The charges payable to the medical authority shall be borne by th employer of the young person whose age is under

question. Explanation.—FoY the purposes of sub-rule (1), the appropriate "Medica Authority" shall be Government medical doctor not below the rank of Assistant Surgeon of a District or a regular doctor of equivalent rank employed in Employees' State Insurance dispensaries or hospitals. FORM A [See rule 16(1)J Year Name and address of employer..... Nature of work being done by the establishment Place of work Sl. Name of Father's Date of Permanent Date of joining No. child name the birth address 1 2 3 4 establishment 6, 17. -g-qqfirta fefr, OTT, Adi..... 2 3 16 (1) 4 S 6 15 Name of the work on which employed 7 Certificate No.... The Child Lnbour (Prohibition and Regulation) Rul es, 1988 Daily hours Intervals of Wages paid Remarks of work 8 rest 9 FORM B 10 11 7 15 frag, 1988 10 9 8 3Tt" (fiqq 17 (2) [See rule Certificate of age 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 years (completed). His/ ascertained from my examination, is her descriptive marks are Place ...e.... Date Thumb impression/ Signature of child Medical Authority Designation The Children (Pledging of Labour) Act, 1933 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 ot 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) It extends to the whole of India. (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. (16) 1933 2 q 1933 124 19331 33 1933 2. fiT(tt (16) The Children (Pledging 17 6. Penalty for employing a child whose labour has b 31fifiqq, 1933 firrâr Whoever, knowing or having reason to believe the an agreement control shall bepunished with fine which may extend to two