

## **Orissa Child Labour (Prohibition and Regulation) Rules, 1994**

Notification No. S.R.O. 219/94, dated 24th February, 1994.

Whereas, the draft of the Orissa Child Labour (Prohibition and Regulation) Rules, 1993, was published as required by subsection (18)(1) of the Child Labour (Prohibition and Regulation) Act (No. 61 of 1986), in the Extraordinary issue No. 1154 of the Orissa Gazette, dated 23rd August, 1993, under the notification of the Government of Orissa in the Labour and Employment Department (No. 9628-IIIC-3-20/93-L.E.), dated 26th July, 1993, as S.R.O. No. 700/93 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of two months from the date of publication of the said notification in the Orissa Gazette;

And whereas no objection or suggestion has been received from any person in respect of the said draft by the State Government during the aforesaid period;

Now, therefore, in exercise of the powers conferred by sections 13 and 18 of the said Act, the State Government do hereby make the following rules, namely:

### **Section 1. Short title and commencement.**

(1) These rules may be called the Orissa Child Labour (Prohibition and Regulation) Rules, 1994.

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

### **Section 2. Definitions.**

(1) In these rules, unless the context otherwise requires:

- (a) "Act" means the Child Labour (Prohibition and Regulation) Act (No. 61 of 1986);
- (b) "Committee" means the Child Labour Technical Advisory Committee constituted under subsection (5)(1);
- (c) "Chairman" means the Chairman of the Committee appointed under subsection (5)(2);
- (d) "Form" means a Form specified under these Rules;
- (e) "Register" means the register required to be maintained under section 11;
- (f) "Schedule" means the Schedule to the Act;
- (g) "section" means a section of the Act.

(2) All other words and expressions used in these rules but not defined shall have the same meaning as respectively assigned to them in the Act.

### **Section 3. Working hours.**

The number of hours of work which shall constitute a normal working day as required under subsection (7)(1) of the Act shall be four and a half hour with one hour rest after first three hours of work.

#### **Section 4. Maintenance of register under section 11.**

(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 yearly basis but shall be retained by the employer for a period of three years, after the date of the last entry made therein.

#### **Section 5. Certificate of age.**

(1) All young persons in employment or seeking 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 appropriate "medical authority" for the purpose of subsection (1) shall be a Government Medical Officer not below the rank of an Assistant Civil Surgeon of a District or a regular doctor of equivalent rank employed in the Employees' State Insurance Dispensaries or Hospitals.

(3) The certificate of age as referred to in subsection (1) shall be issued in Form "B" and no fee shall be charged for the same.

**Section 6. Prohibition of employment of child labour in dangerous operations.** The following areas shall be deemed to be of dangerous character where the employment of child labour shall be prohibited, namely:

(a) dangerous machines, including power process other than hydraulic process, milling machines used in metal trades, guillotine machines, circular saws plates and printing machines;

(b) work machinery in motion;

(c) self-acting machines;

(d) carrying of excessive weights beyond 16 kgs in case of male child, and 13 kgs in case of female child;

(e) explosives;

(f) inflammable dust, gas, etc;

(g) exposure to chemical and toxic substances; and

(h) cotton ginning.

#### **Section 7. Protection of child labour.**

(1) The establishment employing child labour shall provide the following protection in the following works for child labour, namely:

(a) Protection of eyes. Effective screening and suitable goggles shall be provided for protection of eyes in the following processes, namely:

(i) welding or cutting of metals by means of an electric OZY - acetylene or similar processes,

(ii) all works on furnaces where there is risk of exposures to excessive light,

(iii) processes relating to cutting or forging of metals, and

(iv) any other processes where there is risk to eyes.

(b) Fencing of machinery;

(c) Protection from fire and explosive risks;

(d) Protection from leakage of inflammable liquids; and

(e) Safety valves for closed vessels in which gas is passed and in which the pressure is liable to risk to a dangerous degree.

(2) Adequate precautions shall be taken to prevent the emission of effluents which may be dangerous or poisonous.

(3) Breathing apparatus shall be provided in operations, where dangerous gas or fume is liable to escape.

### **Section 8. Health measures.**

(1) Every establishment shall be kept clean and free from effluvia arising from any drain, privy or other nuisance.

(2) Effective and suitable provisions shall be made in every establishment for securing and maintaining healthy atmosphere in work room by providing the following facilities, namely:

(a) adequate ventilation for the circulation of fresh air; and

(b) such temperatures as will require for the workers for reasonable conditions of comfort and prevention of injury to health.

(3) In every establishment effective arrangement shall be made to provide and maintain at suitable points conveniently situated for all child labourers employed therein a sufficient supply of wholesome drinking water.

(4) In every establishment sufficient latrines and urinal accommodations shall be provided.

**Section 9. Safety education.** Every establishment employing child labour shall impart sufficient safety education to the child labour before their engagement.

**FORM "A"**

[Register to be maintained by occupier under rule 4(1)]

Year .....

Place of work .....

Name and address of employer .....

*Nature of work being done by the establishment*

Sl.	Name of child	Father's name	Date of birth	Permanent address	Date of joining the establishment
(1)	(2)	(3)	(4)	(5)	(6)

Nature of 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 5(3)]

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/impressions/signature of child .....

Place: .....

Date: .....

Medical Authority Designation

[No. 2296-IIIC/3-20/93-L.E.]

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