

Here is the full content in simple, clear language for your 15-mark answer:

Child Labour (Prohibition and Regulation) Act, 1986

1. What is This Act and Why Was It Made?

Child labour has been a long-standing problem in India, especially in factories, mines, and the informal sector. After independence, India needed a specific law to protect children from exploitation and hazardous work.

Child Labour (Prohibition and Regulation) Act, 1986 aims to eradicate any kind of child abuse in the form of employment and prohibit the engagement of children in any kind of hazardous employment who have not completed 14 years of age.

Simply put — this Act says: **children below 14 years of age cannot be made to work in dangerous places**. And even where they are allowed to work, their working conditions must be safe, limited, and regulated.

The Child Labour (Prohibition and Regulation) Bill, 1986 was passed by both the Houses of Parliament and received the assent of the President on 23rd December, 1986. It is known as Act 61 of 1986.

2. Constitutional Background

The Indian Constitution itself protects children through several articles:

Article 24 explicitly prohibits the employment of children below the age of 14 in hazardous industries.

Articles 39(e) and (f) mandate the State to protect children from exploitation and ensure their economic and educational interests are safeguarded.

Article 45 directs the State to provide for early childhood care and education.

Article 21 guarantees a dignified life, including freedom from child labour.

So this Act is not just a law — it is a **fulfillment of the constitutional promise** made to every child in India.

3. What Does the Act Define as a "Child"?

According to the Act, a "child" is defined as any person who has not completed their fourteenth year of age.

After the **2016 Amendment**, a new category was also added:

An "adolescent" means a person who has completed their fourteenth year of age but has not completed their eighteenth year of age.

So after 2016, the Act protects two groups:

- **Children** — below 14 years → **complete ban** on work in all occupations
 - **Adolescents** — 14 to 18 years → **ban only in hazardous work**
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4. What Does the Act Intend to Do? (Objectives)

This Act intends to:

- (i) ban the employment of children, i.e., those who have not completed their fourteenth year, in specified occupations and processes;
 - (ii) lay down a procedure to decide modifications to the schedule of banned occupations or processes;
 - (iii) regulate the conditions of work of children in employments where they are not prohibited from working;
 - (iv) lay down enhanced penalties for employment of children in violation of the provisions of this Act; and
 - (v) obtain uniformity in the definition of "child" in related laws.
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5. Structure of the Act

The Act is divided into **three main parts**:

Part I — Preliminary: Definitions and extent of the Act.

Part II — Prohibition of Employment of Children: Which jobs children cannot do at all.

Part III — Regulation of Conditions of Work: Rules for hours, rest, safety, and health for children who are permitted to work in certain sectors.

Section 3 —

No child below 14 years can be employed anywhere.

But two exceptions exist:

- A child can help in **family work** (non-hazardous) after school or in vacations
- A child can work as an **artist** in films, TV, ads, or sports — but **not circus**, and it should **not affect studies**

Some examples of **banned occupations** include:

- Bidi making
- Carpet weaving
- Match, explosives, and fireworks manufacturing
- Soap manufacturing
- Printing industry
- Cashew and cashew nut processing
- Slaughterhouses
- Hazardous chemical processes
- Mining and underground work
- Circus

The Government has made it illegal for children to work in slaughterhouses/abattoirs, hazardous procedures, printing, and cashew and cashew nut descaling and processing, as well as soldering procedures in the electrical sector.

Section 4

No adolescent (14–18 years) can work in any hazardous occupation or process listed in the Schedule. However, the Central Government can notify which non-hazardous work adolescents are permitted to do.

(Section 5) - Child Labour Technical Advisory Committee

The Act establishes a **Technical Advisory Committee** to advise the Government on which occupations and processes should be added to or removed from the Schedule of banned jobs.

This Committee consists of experts and professionals who study working conditions and recommend changes — making the Act adaptable to new forms of child exploitation over time.

Rules for Working Hours (Section 7):

According to the Act, the employer cannot make a child employee.

- **No night work** — no work between 7 PM and 8 AM
- cannot work in two establishments on the same day.
- **Maximum 3 hours** of continuous work, then a **1 hour rest break** is mandatory
- **Maximum 6 hours per day** in total (including the rest interval)
- **No overtime** allowed at all
- **Weekly holiday** — every child must get at least one day off per week

Weekly Holidays (Section 8):

Every adolescent must get one full day holiday per week, which must be clearly displayed by the employer in the establishment. This holiday day cannot be changed more than once in 3 months.

Section 9 & 10 — Notice to Inspector & Age Disputes

Every employer must send a **written notice to the Inspector within 30 days** of employing an adolescent, giving details like establishment name, manager's name, address, and nature of work. If there is any **dispute about an adolescent's age**, it is decided by a **prescribed medical authority**.

Section 11 — Maintenance of Register

Every employer must maintain a **register of all adolescents employed**, showing their name, date of birth, working hours, rest intervals, and nature of work. This register must be **available for inspection by an Inspector at any time** during working hours.

Section 12 — Display of Notice

Every employer, railway administration, and port authority must display a **notice in a visible place** at the workplace, station, or port in **local language and English**, containing a summary of **Sections 3A and 14** (prohibition and penalties).

Section 13 Safety and Health: Adequate provisions must be made by the employer for the health and safety of the child employees. Basic facilities such as drinking water, toilets, disposal of waste, ventilation, etc. must be provided by the employer.

Section 14 Penalties & Punishments:

Employing a **child (below 14)** or **adolescent in hazardous work** → imprisonment **6 months to 2 years** + fine **₹20,000 to ₹50,000**.

For **repeat offence** → imprisonment **1 to 3 years**.

Parents are generally not punished **unless they are directly using the child** for commercial gain

Section 14A — Cognizable Offence

Offences under Section 3 and 3A are **cognizable** — meaning police can **arrest without warrant**.

Section 14B — Rehabilitation Fund

A **Child and Adolescent Labour Rehabilitation Fund** is set up in every district. Fine collected from employers is credited to this fund, and the government adds **₹15,000 per rescued child**, which is later **paid to the child**.

Section 17 — Inspectors, Inspection and Monitoring

The appropriate Government appoints **Inspectors (e.g. District Magistrate)** to check that employers are following the law.

Inspectors can:

- Enter any establishment at any time
- Examine registers and records

- Question employers and children
 - Take action against violations
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6. The 2016 Amendment — Major Changes

The 2016 Amendment strengthened the Act, fully prohibited child labour, protected adolescents, and aligned India with global standards.

Key changes under the 2016 Amendment:

The amendment further outlaws the employment of adolescents aged 14 to 18 in dangerous jobs and procedures. Employing kids or adolescents in defiance of the Act by an employer is now a cognizable offence under the amendment — meaning police can arrest without a warrant.

In 2017, India also ratified ILO Conventions 138 and 182 to combat child labour, further aligning domestic law with international standards.

One important exception in the 2016 Amendment:

Children may work in television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures as may be prescribed. However, no such work shall affect the school education of the child.

This means a child can act in a film or TV show **only if their schooling is not disrupted**.