

The Tripura Child Labour (Prohibition and Regulation) Rules , 1994.

As Amended upto (1stAmendment Rules, 2018) dt. 02.11.2018.

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**GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT**

No. F. 21(3)-LAB/CL/AB/89/2387 Dated, Agartala, the 6th July, 1996.

NOTIFICATION

In exercise of the powers conferred by Sub-Section (1) of Section 18 of the Child Labour Prohibition and Regulation) Act, 1986 (Act. No. 61 of 1986), the Governor of Tripura is pleased to make the following rules, namely, "The Tripura Child Labour Prohibition and Regulation) Rules, 1994 and to direct that these Rules shall come into force with effect from the date of publication of the same in the Tripura Gazette.

**B. K. RAY
JOINT SECRETARY TO THE
GOVERNMENT OF TRIPURA.**

**THE TRIPURA CHILD LABOUR (PROHIBITION AND
REGULATION) RULES, 1994.**

1. Short Title and Commencement ;

- (i) These rules may be called "the Tripura Child Labour (Prohibition and Regulation) Rules, 1994".
- (ii) They shall come into force on the date of their publication in the official gazette.

2. Definition ;

In these rules unless the context otherwise requires.

- (a) 'Act' means the Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986).

- (b) 'Child' means a person who has not completed his fourteenth year of age.
- (c) "Form" means form appended to this rules.
- (d) 'Register' means the register required to maintain under Section 11 of the Act ;
- (e) 'Schedule' means the schedule appended to the Act.
- (f) 'Section' means a Section of the Act ;
- (g) 'Inspector' means Inspector appointed under the Act ;

(2) Words and expressions used here and not defined but defined in the Child Labour (Prohibition & Regulation) Act, 1986 shall have the meanings respectively assigned to them in the Child Labour (Prohibition & Regulation) Act, 1986.

3. Working hours.

(1) No Child shall be required or permitted to work in any establishment :—

- (a) for more than five hours in any day ;
- (b) during the night ;

Explanation—For the purpose of this Section "night" shall mean a period of atleast thirteen consecutive hours which shall include the interval between 7 p. m. and 8 a. m.

(2) The period of work of all children employed in an establishment shall be limited to two shifts which shall not spread over more than 6(six) hours each ;

4. Registers to be maintained under Section 11 of the Act.

(1) The occupier of every establishment in which children are employed shall maintain a register of child workers employed or permitted to work in form 'A'.

(2) No child worker shall be allowed or required to work in any establishment unless his name and other particulars have been entered in the register of Child Workers.

(3) Every occupier of an establishment shall maintain a pay register in form 'C'.

(4) The Registers referred to in sub-rule (1) and (3) shall be maintained on a yearly basis and shall be retained for a period of three years after the date of the last entry therein.

5. Notice of Weekly holidays :—

(1) Every occupier of an establishment shall display in a conspicuous place in the establishment, in Form 'B' specifying a day of the week on

which child employed in such establishment shall be allowed a holiday in whole day with wage and shall preserve it for I(one) year for inspection.

(2) A copy of the notice referred to in sub-rule (1) shall be sent immediately to the Inspector having jurisdiction over the area in which the establishment is situated.

6. Certificate of Age :—

(1) All young persons in employment in any of the occupation set-forth in part—A of the schedule or in any work or establishment wherein any of the processess 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 'D'.

(3) The charges payable to the medical authority for the issue of such certificate shall be the same as prescribed by the State Government for the Medical Board.

(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 a Government Medical Officer not below the rank of Medical Officer Grade—IV.

7. Power of Inspector :—

An Inspector may, within the local limits for which he is appointed—

- (a) enter, with such assistance, being persons in the service of the Government, or any local or other public authority as he thinks fit, any establishment where a child is employed;
- (b) make examination of the premises, plant and machinery, require the production of any prescribed register and any other document relating to the establishment or workshop and take on the spot or other-wise statements of any person which he may consider necessary for carrying out the purposes of the Act;
- (c) exercise such other powers as may be conferred on him by the State Government for carrying out the purposes of the Act:

Provided that no person shall be compelled under this rule to answer any question or give evidence tending to incriminate himself.

8. Cleanliness in the Place of work and its freedom from nuisance.

Every establishment shall be kept clean and free from effluvia arising from any drain, privy, or other nuisance, and in particular:—

- (a) accumulations of dirt and refuse shall be removed daily by sweeping or by any other effective method from the floors and benches of work-rooms and from staircases and passages, and disposed of in a suitable manner;
- (b) the floor of every workroom shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or by some other effective method.
- (c) where a floor is liable to become wet in the course of any manufacturing process to such extent as is capable of being drained, effective means of drainage shall be provided and maintained;
- (d) all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and stair-cases shall—
 - (i) where they are painted otherwise than with washable water-paint or varnished, be repainted or revarnished at least once in every period of five years.
 - (ii) where they are painted with washable water-paint, be repainted with at least one coat of such paint at least once in every period of three years and washed at least once in every period of six months;
 - (iii) where they are painted or varnished or where they have smooth impervious surface, be cleaned at least once in every period of fourteen months by such method as may be specified by order by the State Government;
 - (iv) in any other case be kept white-washed or colour-washed and the white-washing or colour-washing shall be carried out at least once in every period of fourteen months.
- (e) all doors and window frames and other wooden or metallic framework and shutters shall be kept painted or varnished and the painting or varnishing shall be carried out at least once in every period of five years.

(2) If in view of the nature of the operation on in an establishment it is not possible for the occupier to comply with all or any of the provisions of sub-rule (1) the State Government may by order exempt such establishment from any of the provisions of that sub-rule and specify alternative method for keeping the establishment in a clean state.

9. Ventilation and Temperature;

(1) Effective and suitable provisions shall be in every establishment for securing and maintaining in every work-room.

- (a) adequate ventilation by the circulation of fresh air and
- (b) such a temperature as will secure to child workers therein reasonable conditions of comfort and prevent injury to health ; and in particular—
 - (i) walls and roofs shall be of such material and so designed that such temperature shall not be exceeded but kept as low as practicable ;
 - (ii) where the nature of work carried on in any establishment involves or likely to involve the production of excessively high temperatures, such adequate measures as are practicable shall be taken to protect the child workers therefrom by separating the process which produces such temperatures from the work-room, by insulating the hot parts or by other effective means.

(2) The State Government may, by order specify a standard of adequate ventilation and reasonable temperature for any establishment or thereof and direct for a thermometer shall be provided and maintained in such place and position as may be specified.

(3) If it appears to the State Government that in any establishment excessively high temperature can be reduced by such methods as white-washing, spraying or insulating and screening outside walls or roofs or windows or by raising the level of the rooms or by insulating the rooms either by an airspace and double roofs or by the use of insulating roof materials or by other methods, it may direct such of these or other methods as shall be adopted in the establishment.

10. Dust and fume :—

(1) In every establishment in which, by reason of the manufacturing process carried on, there is given off any dust or fume or other impurity of such a nature and to such an extent as is likely to be injurious or offensive to the child worker employed therein, or any dust in substantial quantities, effective measures shall be taken to prevent any inhalation and accumulation in any work-room and if any exhaust appliances is necessary for this purpose it shall be applied as near as possible to the point of origin of dust, fumes or other impurity and such point shall be enclosed so far as possible.

(2) In any establishment no stationery internal combustion engine shall be operated in any no other internal combustion engine shall be operated in any room unless effective measures have been taken to prevent such accumulation or fumes therefrom as are likely to be injurious to child workers employed in the room.

11. Artificial humidification :—

(1) In respect of all establishment in which humidity of the air is artificial, the State Government may by order—

- (a) specify standards of humidification ;

- (b) regulating the methods used for artificially increasing the humidity of the air ;
- (c) directing specified tests for determining the humidity of the air to be correctly carried out and recorded ;
- (d) specify the methods to be adopted for securing adequate ventilation cooling out the air in the workrooms.

(2) In every establishment in which the humidity of the air is artificially increased the water used for the purpose shall be taken from a public supply or other source of drinking water or shall be effectively purified if it is so used.

(3) If it appears to an Inspector that the water used in an establishment for increasing humidity which is required to be effectively purified under sub-rule (2) is not effectively purified he may serve on the occupier of the establishment an order in writing, specifying the measures which in his opinion should be adopted and requiring them to be carried out before specified date.

12. Lighting :—

(1) In every part of the establishment where the child workers are working or passing there shall be provided and maintained sufficient and suitable lighting, natural or artificial or both.

(2) In every establishment all glazed windows and skylights used for the lighting of the work-rooms shall be kept clean on both the inner and outer surfaces.

(3) In every establishment effective provision shall so far as is practicable, be made for the prevention of—

- (a) glare, either directly from a source of light or by reflection from a smooth or polished surface ;
- (b) the formation of shadows to such an extent as to cause eyestrain or the risk of accident to any child worker ;

(4) The State Government may by order specify the standards of sufficient and suitable lighting for establishments of any class or description of establishment.

13. Drinking water :—

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

(2) All such points shall be legibly marked "Drinking water" in a language understood by a majority of the workers employed in the establishments, and no such point shall be situated within 20' feet of any washing place, urinal or latrine unless a shorter distance is approved in writing by the Inspector.

(3) In respect of establishments the State Government may make orders for securing compliance with the provision of sub-rule (1), (2) and (3) and for the examination by an Inspector or other authorities of the supply and distribution or drinking water in establishments.

14. Latrine and Urinal;

(1) In every establishment—

- (a) sufficient latrine and urinal accommodation of specified types shall be provided conveniently situated and accessible to workers and at all times while they are in the establishment;
- (b) separate enclosed accommodation shall be provided for the male and female child workers;
- (c) such accommodation shall be adequately allotted and ventilated and no latrine and urinal shall, unless specially exempted in writing by the Inspector, communicate with any work-room except through an intervening open space or ventilated passage;
- (d) all such accommodation shall be maintained in a clean and sanitary condition at all times;
- (e) sweepers shall be employed whose primary duty it would be to keep clean latrines, urinals and washing places.

(2) The State Government may by order specify the numbers of latrines and urinals to be provided in any establishment in proportion to the numbers of male and female workers ordinarily employed therein, and provide for such further matters in respect of sanitation in establishment including obligation on workers in this regard as it considers necessary in the interest of the health of the workers employed therein.

15. Spittoons;

(1) In every establishment there shall be provided a sufficient number of Spittoons in convenient places and they shall be maintained in a clean and hygienic condition.

(2) The State Government may by order specify for type and the number of spittoons to be provided and their location in any establishment and provide in such further matters relating to their maintenance in a clean hygienic condition.

(3) No person shall spit within the premises of an establishment except in the spittoons provided for the purposes and a notice containing this provision and penalty for its violation shall be permanently displayed at suitable places in the premises.

16. Fencing of machinery;

(1) In every establishment the following, namely;

- (i) every moving part of a prime mover and other flywheel connected to a prime mover, whether the prime mover or flywheel is in the engine house or not;

- (ii) the headrace and tailrace of every water wheel and water turbine ;
- (iii) any part of a stock-bar which projects beyond the head-stock of a lathe ; and
- (iv) unless they are in such position or of construction as to be safe to every person employed in the establishment as they would be if they were securely fenced, the following, namely :—
 - (a) every part of a electric generator, a motor or rotary convertor ;
 - (b) every part of transmission machinery ; and
 - (c) every dangerous part of any other machinery ;
 shall be securely fenced by safeguards of substantial construction which shall be constantly maintained and kept in position while the parts of machinery they are fencing are in motion or in use :

Provided that for the purpose of determining whether any part of machinery is in such position or is of such construction as to be safe as aforesaid, account shall not be taken any occasion when—

- (i) it is not necessary to make an examination of any part of the machinery aforesaid while it is in motion or, as a result of such examination, to carry out lubrication or other adjusting operation while the machinery is in motion, being an examination or operation which it is necessary to be carried out while the part of machinery is in motion, or
- (ii) in case of any part of transmission machinery used in such process as may be specified, it is necessary to make an examination of such part of the machinery while it is in motion or, as a result of such examination, to carry out any mounting or shipping of belts or lubrication or other adjusting operation while the machinery in motion and such examination or operation is made or carried out in accordance with the sub-rule (1) of Rule—17.

(2) The State Government may by order specify such further precaution as it may consider necessary in respect of any particular machinery or part thereof or exempt subject to such condition as may be specified for securing safety of the child workers, any particular machinery or part thereof from the provision of this rule.

17. Work on or near machinery in motion ;

Where in any establishment it becomes necessary to examine any part of the machinery referred to in Rule 16, while the machinery is in motion, or, as a result of such examination, to carry out—

- (a) in case referred to in clause (i) of the proviso to sub-rule (1) of Rule 16, lubrication or other adjusting operation ; or

- (b) in case referred to in clause (ii) of the provsio aforesaid in mounting or shipping of pullies or lubrication or other adjusting operation.

While the machinery is in motion such examination or operation shall be made or carried out only by a specially trained adult male worker wearing type fitting clothing (which shall be supplied by the occupier) whose name has been recorded in the register specified in this behalf and who has been furnished with a certificate of his appointment.

18. Employment of Children on dangerous machines ;

(1) No child shall work at any machine to which this rule applies unless he has been fully instructed as to the danger arising in connection with the machine and precaution to be observed and—

- (a) has received sufficient training in work at the machine ; or
- (b) is under adequate supervision by a person who has a thorough knowledge and experience of the machine.

(2) Sub-rule (1) shall apply to such machine as may be specified by the State Government by order, being machines which in its opinion are of such a dangerous character that the children ought not to work at unless the foregoing requirements are complied with.

19. Devices for cutting of Power :—

(1) In every establishment—

- (a) suitable striking gear or other efficient mechanical appliances shall be provided and maintained and used to move driving belts to and from fast and loose pulleys which form part of transmission machinery, and such gear or appliances shall be so constructed, placed and maintained as to prevent the belt from creeping back on the fast pulley ;
- (b) driving belts when not in use shall not be allowed to rest or ride upon shafting in motion.

(2) In every establishment suitable devices for cutting power emergencies from running machinery shall be provided and maintained in every workroom.

(3) When a device, which can inadvertently, shieft from "Off" to "On" position is provided in an establishment to cut off power, arrangement shall be made for locking the device in safe position to prevent accidental starting of the transmission machinery or other machines to which the devices is fitted.

20. Self-acting machines :—

(1) No travelling part of a self-acting machines in any establishment and no material carried out thereon shall, if the space over it runs is a

space over which any person is liable to pass, whether in the course of his employment or otherwise be allowed to run on its outward or inward traverse within a distance of 18" inches from any structure which is not part of the machine :

Provided that the Government may permit the continued use of a machine installed before the commencement of this rule which does not comply with the requirements of this rule on such condition for ensuring safety as the State Government may think fit to impose.

21. Casing of new machinery :—

(1) In all machinery driven by power and installed in any establishment after the commencement of this Act—

- (a) every set screw, blot or key on any revolving sheft, spindle, wheel or pinion shall be so sunk, enoased on otherwise effectively guarded as to prevent danger ;
- (b) all spur, worm and other too thed or friction gearing which does not require frequent adjustment while in motion shall be completely encased, unless it is so situated to be as safe as it would be if it were completely encased.

(2) No person shall sell or let hire or, as agent of a seller or hirer, cause or procure to be sold or let on hire, for use in an establishment any machinery driven by power which does not comply with the provisions of sub-rule (1) or any order made under sub-rule (3).

(3) The State Government may make order specifying further safeguards to be provided in respect of any other dangerous an particular machine or class or description of machines.

22. Floors, Stairs and means of access :—

In every establishment all floors, stepes, stairs, passages and gangways shall be of sound construction and properly maintained and shall be kept free from obstruction and substances likely to cause persons to slip, and where it is necessary to ensure safety, steps, stairs passages and gangways shall be provided with substantial handrails.

23. Pits, sumps, opening in floors etc. :—

(1) In the establishment every fixed vessel, sump, tank, pit or opening in the ground or in a floor which, by reason of its depth situation, construction or contents is or may be a source of danger, shall be either securely covered or securely fenced.

(2) The State Government may, by order in writing, exempt, subject to such condition as may be specified, any establishment in respect of any vessel, sump, tank, pit or opening from compliance with the provisions of this section.

24. Excessive weights :—

(1) No Child worker shall be employed in any establishment to lift carry or move any load so heavy as to be likely to cause him injury.

(2) The State Government may make orders specifying the maximum weights which may be lifted, carried or moved by Child workers in any establishment or in carrying on any specified process.

25. Protection of eyes ;

In respect of any such manufacturing process carried on in any establishment as may be specified by the State Government by orders, being a process which involves—

- (a) risk of injury to the eyes from particles or fragments thrown off in the source of the process, or
- (b) risk to the eyes by reason of exposure to excessive light, the State Government may, by order, require that effective screens or suitable goggles shall be provided for the protection of persons employed on, or in the immediate vicinity of, the process.

26. Explosive or inflammable dust, gas etc. ;

(1) Where in any establishment any manufacturing process produces dust, gas, fume or vapour of such character and to such extent as to be likely to explode on ignition, all practicable measures shall be taken to prevent any such explosion by—

- (a) effective enclosure of the plant or machinery used in the process.
- (b) removal or prevention of the accumulation of such dust, gas fume or vapour.
- (c) exclusion or effective enclosure of all possible sources of ignition.

(2) Where in any establishment the plant or machinery used in a process such as is referred to in sub-rule (1) is not so constructed as to withstand the probable pressure which such as explosion as aforesaid would produce, all practicable measures shall be taken to restrict the spread and effects of the explosions by the provision in the plant or machinery of chokes, baffles, vents, or other effective appliances.

(3) Where any part of the plant or machinery in an establishment contains any explosive or inflammable gas or vapour under pressure greater than atmospheric pressure, that part shall not be opened except in accordance with the following provisions, namely ;

- (a) before the fastening of any joint of any pipe connected with the part of the fastening of the cover of any opening into the

part is loosened, any flow of the gas or vapour in the part of any such pipe shall be effectively stopped by a stop-valve or other means ;

- (b) before any such fastening as aforesaid is removed, all practicable measures shall be taken to reduce the pressure of the gas or vapour in the part or pipe to an atmospheric pressure ;
- (c) where any such fastening as aforesaid has been loosened or removed effective measures shall be taken to prevent any explosive or inflammable gas or vapour from entering the part or pipe until the fastening has been secured, or, as the case may be securely replaced.

(4) No plant-tank or vessel which contains or has contained any explosive or inflammable substance shall be subjected in any establishment to any welding, brazing, soldering, or cutting operation which involves the application of heat unless adequate measures have first been taken to remove such substance and any fumes arising therefrom or to render such substance and fumes non-explosive or non-inflammable, and no such substance shall be allowed to enter such plant, tank or vessel after any such operation until the metal has cooled sufficiently to prevent any risk of igniting the substance.

(5) The State Government may by order exempt, subject to such conditions as may be specified, any establishment from compliance with all or any of the provision of this rule.

27. Precaution in case of fire ;

(1) In every establishment there shall be provided such means of escape in case of fire as may be specified by order by the State Government.

(2) In every establishment the doors affording exit from any room shall not be locked or fastened so that they can not be easily and immediately opened from the inside while any child worker is within the room, and all such doors, unless they are of the sliding type, shall be constructed to open outwards.

(3) In every establishment, every window, door or other exit affording a means of escape in case of fire, other than the means of exit in ordinary use, shall be distinctively marked in a language understood by the majority of the child workers and in red letters of adequate size or by some other effective and clearly understood sign.

(4) There shall be provided in every establishment effective and clearly audible means of giving warning in case of fire to every child worker employed in the establishment.

(5) A free passage—way giving access to each means of escape in case of fire shall be maintained for the use of all child workers in every room of an establishment.

(6) Effective measures shall be taken to ensure that in every establishment—

- (a) Wherein more than twenty child workers are ordinarily employed in any place above the ground floor; or
- (b) Wherein explosive or highly inflammable materials are used or stored;

all the child workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such case.

(7) The State Government may make order specifying in respect of any establishment the means of escape to be provided in case of fire and the nature and amount of fire-fighting apparatus to be provided and maintained.

(8) Notwithstanding anything contained in sub-rule (1) or sub-rule (7) if the Inspector, having regard to the nature of the work carried on in the establishment, construction of the establishment, special risk to life or safety or any other circumstances, is of the opinion that though such means of escape as may be specified by order have been provided in the establishment, the same is not adequate to permit safe, easy or quick exit of the child workers in case of fire, he may, by order in writing, require that such additional means of escape or other measures as he may consider reasonable and necessary be provided in the establishment before such date as is specified in the order.

(9) If any question arises whether or not the means of escape provided in the establishment is adequate to permit safe, easy or quick exit of the child workers in case of fire, the same shall be referred to the Labour Commissioner, Government of Tripura, who shall, after giving the persons concerned a reasonable opportunity to present their views, decide the same.

(10) Any person aggrieved by the decision of the Labour Commissioner, Government of Tripura under sub-rule (9) may, before the expiry of thirty days from the date on which the decision is communicated to him prefer an appeal to the State Government and the State Government shall after giving the appellant a reasonable opportunity to represent his views, make such order in relation to the appeal as it thinks fit.

28. Maintenance of buildings ;

If it appears to the Inspector that any building or part of a building in an establishment is in such State of disrepair as is likely to conditions detrimental to the health and welfare of the child workers, he may serve on the occupier or manager or both of the establishment an order in writing specifying the measures which in his opinion should be taken and requiring the same to be carried out before such date as is specified in the order.

29. Safety of building and machinery;

(1) If it appears to the Inspector that any building or part of a building or any part of the ways, machinery of Plant in an establishment is in such a condition that it is dangerous to life or safety of child worker, he may serve on the manager of the establishment an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector that the use of any building or part of a building or part of the ways, machinery or plant in an establishment involves imminent danger to life or safety of child worker, he may serve on the manager of the establishment an order in writing prohibiting its use until it has been properly repaired or altered.

FORM—A

Year

Name and address of the Employer Place of work...

Name of the Establishment

Nature of work being done by the establishment.

[illegible]

Signature of Occupier

Date

FORM-B

REGISTER OF DAILY HOURS OF WORK AND REST INTERVALS OF CHILDREN EMPLOYED

1. Name of the establishment :—
2. Name of the Occupier :—
3. Full Postal Address :—
4. Registration No. and Date :—

Establishment opens at closes at

Sl. No.	Name of children employed	Employment commences	Interfresh		Employment ceases	Total hours worked.	Signature/thumb impression of Child.
			From	To			
1	2	3	4	5	6	7	

Signature of Occupier.
Date

Date... ..

Date... ..

FORM—D

(CERTIFICATE OF AGE)

Certificate No.

I hereby certify that I have personally examined
 (name) son/daughter of
 resident 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 9 completed.

His/her descriptive marks are

 Thumb-impression/Signature of child

Place

Dated

Medical Authority
 Designation.

GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT

NO.F.21 (29)-LAB/ENF/CL/2016/V.1/9819-27

Agartala, the

22nd Nov
August, 2018.

NOTIFICATION

Whereas, the Child Labour (Prohibition and Regulation) Act, 1986 (Central Act No. 61 of 1986) has been substantially amended by the Amendment Act, 2016 (Central Act No. 35 of 2016), making it expedient for the State Government to bring necessary changes in the Tripura Child Labour (Prohibition and Regulation) Rules, 1994, to keep conformity with the amended provisions of the said Act,

And, whereas, in compliance with the provision of Sub-Section (1) of Section 18 of the Child Labour (Prohibition & Regulation) Act, 1986 (Central Act No. 61 of 1986), the State Government being intended to amend The Tripura Child Labour (Prohibition & Regulation) Rules, 1994 had published the draft Tripura Child Labour (Prohibition & Regulation) Amendment Rules, 2017 on 27-03-2018 in Tripura Gazette (extra ordinary issue) giving 30 days time for information of all concerned likely to be affected thereby and also to submit objection or suggestion if any to the Labour Commissioner, Government of Tripura, Jackson Gate, Agartala.

And whereas, within the specified time no objection or suggestion was received from any person,

Now, therefore, having regard to that and considering all aspects the State Government in exercise of the powers conferred under Section 18 of the Act hereby makes the following rules namely The Tripura Child Labour (Prohibition & Regulation) (Amendment) Rules, 2018.

TRIPURA CHILD LABOUR (PROHIBITION AND REGULATION) (AMENDMENT)
RULES, 2018

1. Short title and commencement:

- (a) These may be called the "Tripura Child Labour (Prohibition and Regulation) (Amendment) Rules, 2018";
- (b) They shall come into force on and from the date of their publication in the Official Gazette.

2. Amendment of Sub-Rule-(i) of Rule-1:

In the "Tripura Child Labour (Prohibition and Regulation) Rules, 1994 (hereinafter referred to as the Principal Rules), in Sub-Rule (i) of Rule-1 and wherever

these appear, the expressions "Child Labour", shall be substituted with the expressions "Child and Adolescent Labour".

3. Amendment of Rule-2:

- (i) In Clause (a) of Rule-2 of the Principal Rules and wherever it appears, the name of the 'Child and Adolescent Labour (Prohibition and Regulation) Act 1986' shall be substituted with, read and construed as 'Child and Adolescent Labour (Prohibition and Regulation) Act 1986';
- (ii) Clause (b) of Rule-2 of the Principal Rules shall be deleted;
- (iii) After Clause (c) of the Principal Rules, the following new Clauses shall be inserted-
 - (ca) "Fund" means the Child and Adolescent Rehabilitation Fund constituted under Sub-Section (1) of Section 14B of the Act;
 - (cb) "Municipality" means an institution of local self government constituted under Article 243Q of the Constitution;
 - (cd) "Panchayat" means a Panchayat constituted under Article 243B of the Constitution.

(iv) Insertion of a new Rule-30:

In the principal Rules, after Rule 29, the following new Rules shall be inserted-

"Rule-30. Payment of amount to child or adolescent from and out of Child and Adolescent Labour Rehabilitation Fund-

- (i) All funds relating to Child & Adolescent Labour Rehabilitation should be regulated through the "Child & Adolescent Labour Rehabilitation Fund" so created/ to be created as provided under law.
- (ii) The State Government shall by order specifying name of the Bank or any other financial institution, controlled by the Central or State Government with which the amount credited to the Child & Adolescent Labour Rehabilitation Fund shall be deposited and also the manner of depositing the fund with such Bank or financial institution.
- (iii) The amount in the fund and interest accrued on it shall be paid to the Child & Adolescent in whose favour such amount is credited in the following manner:-
 - a) The Inspector or the Nodal Officer having Jurisdiction over the area shall under his supervision, ensure that an account of such Child or Adolescent is opened in a Nationalized Bank and inform the Bank in which the amount of the fund is deposited or, as the case may be, to the Officer responsible to invest the amount of fund under Sub-Section (3) of Section 14B of the Act.
 - b) The interest accrued on the proportionate amount of the fund in favour of the Child & Adolescent shall be transferred every 06 (six) months to the account of the Child or Adolescent, as the case may be, by the Bank or Officer responsible to invest the amount under information to the inspector.
 - c) When the concerned child or adolescent completes the age of eighteen years; then as soon as may be possible forthwith or within a period of three months, the total amount credited, deposited or invested in favour of the child along with interest accrued thereon remaining in the bank or remaining so invested under sub-section (3) of section 14B, shall be

transferred to the said Bank account of child or adolescent, as the case may be; and

- d) The Inspector shall prepare a report of the amount transferred under clause (ii) and clause (iii) with particulars of the concerned child or adolescent sufficient to identify him and send a copy of the report annually to the State Government for information.

(IV) Notwithstanding anything contained under the foregoing provisions, an amount recovered by way of fine or composition of offence, in pursuance of an order or judgment of a Court, in favour of a child or adolescent for the contravention of the provisions of the Act, shall also be deposited in the Fund and shall be spent only in accordance with such order or judgment."

e) Insertion of a new Rule-31:

"Rule-31. Conferment of power to the District Magistrate-

The District Magistrate shall –

- (v) Either himself or by an order, specify such other officer(s) subordinate to him, not below the rank of an Inspector, to be called nodal officer(s), who shall exercise all or any of the powers and perform all or any of the duties for ensuring that the provisions of this Act are properly carried out;
- (vi) The powers and duties, assigned to the nodal officer(s) and the local limits of jurisdiction of such nodal officer(s), shall be specified in that order;
- (vii) Preside over as Chairperson of the Task Force to be formed in a district consisting of –
 - (k) Inspector appointed under this Act, for the purposes of his local limits of jurisdiction,
 - (l) Superintendent of Police for the purpose of his local limits of jurisdiction,
 - (m) Additional District Magistrate, if any, for the purposes of his local limits of jurisdiction,
 - (n) Nodal officer(s), referred to under clause (i), for the purposes of his local limits of jurisdiction, who will also be the Secretary of the Task Force on being nominated by the Chairperson,
 - (o) Two representatives, one each from registered voluntary organizations, involved in rescue and rehabilitation of employed children, preferably having registered office in the concerned district, on rotation basis for a period of two years,
 - (p) A representative of the District Legal Services Authority, to be nominated by the Chairman of the District Legal Services Authority,
 - (q) A member of the District Anti-trafficking Unit, if any,
 - (r) Chairperson of the Child Welfare Committee of the District,
 - (s) District Education Officer,
 - (t) Any other person nominated by the District Magistrate;
- (viii) The Task Force referred to in Clause (iii) shall meet at least once in every month and shall make a comprehensive action plan for conducting the rescue operation, taking into account the time available, point of raid in accordance with the law for the time being in force confidentiality of the plan, protection

of victims and witnesses and the interim relief, in accordance with the guidelines for rescue and repatriation issued by the appropriate Government from time to time”.

f) Insertion of a new Rule-32:

“Rule-32. Manner of compounding offences by the District Magistrate-

- (i) An accused person, who being a parent or a guardian, commits an offence under the said section or who commits an offence for the first time under sub-section (3) of Section 14 of the Act, may file an application to the District Magistrate having jurisdiction for compounding the offence under sub-section (1) of Section 14D;
- (ii) The District Magistrate shall, after hearing the accused person and the Inspector concerned, on an application filed under sub-rule (i), dispose of such application, by an order in writing, and if the application is allowed, issue the certificate of compounding, subject to –
- (a) the payment of a sum, not more than half of the maximum fine prescribed for such offence, within a period to be fixed in the order;
- (b) if the accused person fails to pay the sum of compounding amount within the period specified in the order, the accused shall have to pay an additional sum of twenty-five percent of the maximum fine prescribed for such offence, within a further period as may be fixed by the District Magistrate;
- (c) The sum of compounding amount shall be paid by the accused person to the State Government;
- (iii) If the accused person fails to pay the compounding amount under sub-rule (ii), the proceeding shall be continued as specified under sub-section (2) of Section 14D of the Act.”

By Order of the Governor.

29.8.18
Deputy Secretary

Government of Tripura.

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1. The Manager, Government Press, Agartala with a request to publish the same in the Tripura Gazette, Extra ordinary Issue and to supply 100 spare copies for official use.
2. The Chief Labour Officer/ Labour Officer, West/South/North/ Dhalai/ Sepahijala/ Gomoti/Khowai/ Unakoti District. Agartala/ Belonia/Dharmanagar/Jahawarnagar/ Bishramganj/ Udaipur/ Khowai/Kailashahar for information and necessary action.