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NEW DELHI, WEDNESDAY, AUGUST 30, 2017/BHADRA 8, 1939

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 30th August, 2017

S.O. 2827(E).—Whereas the draft notification further to amend the Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986) was published vide notification of the Government of India in the Ministry of Labour and Employment number S.O.1022 (E), dated the 31st March, 2017 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of three months from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 3rd April, 2017;

And whereas objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government;

Now therefore, in exercise of the powers conferred by section 4 of the said Act, the Central Government hereby notifies, the following notification further to amend the Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, namely:—

I. In the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, in the Schedule, for the brackets, figures and words -

- ‘(1) Mines.
- (2) Inflammable Substances or Explosives.
- (3) Hazardous Process.

Explanation.- For the purposes of this Schedule, “hazardous process” has the meaning assigned to it in clause (cb) of the Factories Act, 1948 (63 of 1948)’,.

the following shall be substituted, namely:-

“PART A

Hazardous occupations and processes in which adolescents are prohibited to work and children are prohibited to help

- (1) Mines and Collieries (underground and underwater) and related work in,-
 - (i) stone quarries;
 - (ii) brick kilns;
 - (iii) preparatory and incidental processes thereof including extraction, grinding, cutting, splitting, polishing, collection, cobbling of stones or lime or slate or silica or mica or any other such element or mineral extracted from the earth; or
 - (iv) open pit mines.
- (2) Inflammable substances and explosives such as -
 - (i) production, storage or sale of fire crackers;
 - (ii) for manufacture, storage, sale, loading, unloading or transport of explosives as defined under the Explosives Act, 1884 (4 of 1884);
 - (iii) work relating to manufacturing, handling, grinding, glazing, cutting, polishing, welding, moulding, electro-plating, or any other process involving inflammable substances;
 - (iv) waste management of inflammable substances, explosives and their by-products; or
 - (v) natural gas and other related products.

Hazardous processes (serial numbers (3) to (31) below are as specified in the First Schedule of the Factories Act, 1948 (63 of 1948))

- (3) Ferrous Metallurgical Industries
 - (i) Integrated Iron and Steel;
 - (ii) Ferro-alloys;
 - (iii) Special Steels.
- (4) Non-ferrous Metallurgical Industries: Primary Metallurgical Industries, namely zinc, lead, copper, manganese and aluminium.
- (5) Foundries (ferrous and non-ferrous): Castings and forgings including cleaning or smoothening or roughening by sand and shot blasting.
- (6) Coal (including coke) Industries:
 - (i) Coal, Lignite, Coke, similar other substance;
 - (ii) Fuel Cases (including Coal Gas, Producer Gas, Water Gas).
- (7) Power Generating Industries.
- (8) Pulp and paper (including paper products) Industries.
- (9) Fertilizer Industries:
 - (i) Nitrogenous;
 - (ii) Phosphatic;
 - (iii) Mixed.
- (10) Cement Industries: Portland Cement (including slag cement, puzzolona cement and their products).
- (11) Petroleum Industries:
 - (i) Oil Refining;
 - (ii) Lubricating Oils and Greases.

- (12) Petro-chemical Industries.
- (13) Drugs and Pharmaceutical Industries:Narcotics, Drugs and Pharmaceuticals.
- (14) Fermentation Industries (Distilleries and Breweries).
- (15) Rubber (Synthetic Industries).
- (16) Paints and Pigment Industries.
- (17) Leather Tanning Industries.
- (18) Electro-plating Industries.
- (19) Chemical Industries:
- (i) Coke Oven By-products and Coaltar Distillation products;
 - (ii) Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, nitrous oxide, halogenated hydrocarbon, ozone, similar other gas);
 - (iii) Industrial Carbon;
 - (iv) Alkalies and Acids;
 - (v) Chromates and dichromates;
 - (vi) Lead and its compounds;
 - (vii) Electro chemicals (metallic sodium, potassium and magnesium, chlorates, per chlorates and peroxides);
 - (viii) Electro thermal produces (artificial abrasive, calcium carbide);
 - (ix) Nitrogenous compounds (cyanides, cyanamides, and other nitrogenous compounds);
 - (x) Phosphorus and its compounds;
 - (xi) Halogens and Halogenated compounds (chlorine, flourine, bromine and iodine);
 - (xii) Explosives (including industrial explosives and detonators and fuses).
- (20) Insecticides, Fungicides, Herbicides and other pesticides industries.
- (21) Synthetic Resin and Plastics.
- (22) Man-made Fiber (Cellulosic and non-cellulosic) industry.
- (23) Manufacture and repair of electrical accumulators.
- (24) Glass and Ceramics.
- (25) Grinding or glazing of metals.
- (26) Manufacture, handling and processing of asbestos and its products.
- (27) Extraction of oils and fats from vegetable and animal sources.
- (28) Manufacture, handling and use of benzene and substances containing benzene.
- (29) Manufacturing processes and operations involving carbon disulphide.
- (30) Dyes and dyestuff including their intermediates.
- (31) Highly flammable liquids and gases.
- (32) Process involving handling and processing of hazardous and toxic chemicals as specified in Part-II of the Schedule I to the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.
- (33) Work in slaughter houses and abattoirs including work with guillotines.
- (34) Work involving exposure to radioactive substances including electronic waste and incidental processes therein.
- (35) Ship breaking.
- (36) Salt Mining or Salt Pan Work.
- (37) Hazardous processes as specified in Schedule IX to the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998.
- (38) Work in beedi-making or processing of tobacco including manufacturing, pasting and handling tobacco or any drugs or psychotropic substance or alcohol in any form in food processing and beverage industry and at bars, pubs, parties or other similar occasions that serve alcoholic substances.

PART B

List of occupations and processes where children are prohibited to help in family or family enterprises (in addition to PART A)

Occupations

Any occupation concerned with –

1. transport of passengers, goods or mails by railways;
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 tracks;
5. a port authority within the limits of any port;
6. automobile workshops and garages;
7. handloom and powerloom industry;
8. plastic units and fiberglass workshops;
9. domestic workers or servants;
10. dhabas (roadside eateries), restaurants, hotels, motels, resorts;
11. diving;
12. circus;
13. caring of Elephant;
14. power driven bakery machine;
15. shoe making.

Processes

1. Carpet-weaving including preparatory and incidental process thereof;
2. Cement manufacture, including bagging of cement;
3. Cloth printing, dyeing and weaving including processes, preparatory and incidental thereto;
4. Shellac manufacture;
5. Soap manufacture;
6. Wool-cleaning;
7. Building and construction industry including processing and polishing of granite stones; hauling and stacking materials; carpentry; masonry;
8. Manufacture of slate pencils (including packing);
9. Manufacture of products from agate;
10. Cashew and cashew nut descaling and processing;
11. Metal cleaning, photo engraving and soldering processes in electronic industries;
12. Aggarbatti manufacturing;
13. Automobile repairs and maintenance including processes incidental thereto namely, welding, lathe work, dent beating and painting;
14. Roof tiles units;
15. Cotton ginning and processing and production of hosiery goods;
16. Detergent manufacturing;
17. Fabrication workshops (ferrous and non-ferrous);
18. Gem cutting and polishing;
19. Handling of chromite and manganese ores;
20. Jute textile manufacture and coir making;
21. Lime kilns and manufacture of lime;
22. Lock making;
23. Manufacturing processes having exposure to lead such as primary and secondary smelting, welding and cutting of lead-painted metal constructions, welding of galvanized or zincsilicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scraping of leadpaint, burning of lead in enamelling workshops, lead mining, plumbing, cable making, wirepatenting, lead casting, type founding in printing shops. shot making and lead glass blowing;

24. Manufacture of cement pipes, cement products and other related work;
25. Manufacture of glass, glass ware including bangles, florescent tubes, bulbs and other similar glass products;
26. Manufacturing or handling of pesticides and insecticides;
27. Manufacturing or processing and handling of corrosive and toxic substances;
28. Manufacturing of burning coal and coal briquettes;
29. Manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather;
30. Oil expelling and refinery;
31. Paper making;
32. Potteries and ceramic industry;
33. Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms;
34. Processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting;
35. Saw mill – all processes;
36. Sericulture processing;
37. Skinning, dyeing and processes for manufacturing of leather and leather products;
38. Tyre making, repairing, re-treading and graphite beneficiation;
39. Utensils making, polishing and metal buffing;
40. 'Zari' making and processes involving the use of *zari* (all processes);
41. Graphite powdering and incidental processing;
42. Grinding or glazing of metals;
43. Diamond cutting and polishing;
44. Rag picking and scavenging;
45. Mechanized fishing;
46. Food processing;
47. Beverage industry;
48. Cultivating, sorting, drying and packaging in spice industry;
49. Timber handling and loading;
50. Mechanical lumbering;
51. Warehousing;
52. Massage parlours, gymnasiums, or other recreational centres, or in medical facilities;
53. Operations involving the following dangerous machines:-

- (a) hoists and lifts;
- (b) lifting machines, chains, ropes and lifting tackles;
- (c) revolving machinery;
- (d) power presses;
- (e) machine tools used in the metal trades;

54. Composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding, as specified in sub-clause (iv) of clause (k) of section 2 of the Factories Act, 1948.”

II. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. A-42011/2/2016-CL]

RAJEEV ARORA, Jt. Secy.

Note : The Schedule was substituted by the Child Labour (Prohibition and Regulation) Amendment Act, 2016 (35 of 2016) which came into force with effect from the 1st day of September, 2016 and before the substitution, the Schedule was amended by –

- (i) S.O. 404(E), dated, the 5th June, 1989
- (ii) S.O. 263(E), dated, the 29th March, 1994;
- (iii) S.O. 36(E), dated, the 27th January, 1999;
- (iv) S.O. 397(E), dated, the 10th May, 2001;
- (v) S.O. 1742(E), dated, the 10th October, 2006;
- (vi) S.O. 2280(E), dated, the 25th September, 2008; and
- (vii) S.O. 2469(E), dated, the 8th October, 2010.