

The Children (Pledging Of Labour) Act, 1933

UNION OF INDIA

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Act 2 of 1933

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Statement of Objects and Reasons.-The Royal Commission of Labour found evidence in such widely separated areas as Amritsar, Ahmedabad and Madras of the practice of pledging child labour, that is, the taking of advances by parents or guardians on agreements, written or oral, pledging the labour of their children. In some cases, the children so pledged were subjected to particularly unsatisfactory working conditions. The Commission considered that the State would be justified in adopting strong measures to eradicate the evil, and the Bill seeks to do so by imposing penalties on parents by agreements pledging the labour of children and on person knowingly employing children whose labour has been pledged.[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 of children, and the employment of children whose labour has been pledged; It is hereby enacted as follows:-

The Act has been extended to the new province and Merged States by Merged States (Laws) Act, 1949 (59 of 1449) and to the Union Territories of Manipur, Tripura, Vindhya Pradesh by the Union Territories Laws Act, 1950 (30 of 1950) Nanipur and Trupura are full-fledged States now, see Act 81 of 1971. Vindhya Pradesh now forms part of the State of Madhya Pradesh, see Act 37 of 1956, Section 9 (w.e.f. 1.11.1956).

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.

6. Penalty for employing a child whose labour has been pledged .-Whoever, knowing or having reason to believe that an agreement has been made to pledge the labour of a child, in furtherance of such agreement employs such child, or permits such child to be employed in any premises or place under his control, shall be punished with fine which may extend to two hundred rupees.