

**<sup>1</sup>[Khyber Pakhtunkhwa] EMPLOYMENT OF CHILDREN  
RULES, 1996**

[Gazette of <sup>2</sup>[Khyber Pakhtunkhwa], Extraordinary,  
30th June, 1996]

No. SO(L)/1-35/96, dated 23-6-1996.—The following draft of the rule proposed to be made in exercise of the powers conferred by section 13 of the Employment of Children Act, 1991 (V of 1991), read with section 18 thereof are hereby published for information of all persons likely to be effected thereby and notice is here by given that the draft will be taken into consideration after fifteen days from the date of its publication in the official Gazette.

Any objection or suggestion which maybe received by the Government from any person in respect of the said draft after the expiry of the said period will not be taken into consideration.

1. **short title and commencement.**—(1) These rules maybe called the <sup>3</sup>[Khyber Pakhtunkhwa] Employment of Children Rules, 1996.

(2) They shall come into force at once.

2. **Definitions.**-- In these rules unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,--

(a) “Act” means the Employment of Children Act, 1991;

(b) “certifying surgeon” means a registered medical practitioner appointed as certifying surgeon under section 12 of the Factories Act, 1934 (XXV of 1934);

(c) “Form” means a form appended to these rules;

(d) “Government” means the Government of <sup>4</sup>[Khyber Pakhtunkhwa]; and

(e) “section” means a section of the Act;

3. **Notice of period of work.**--(1) The occupier shall send a notice of period of work in respect of the adolescent and child workers to the Inspector of the Area before commencement of work in the establishment in Form ‘A’:

Provided that in respect of those establishments which were already in existence before the commencement of the Act and enforcement of these rules, the notice shall be sent within a period of thirty days from the date of such enforcement in Form A-I.

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<sup>1</sup> Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

<sup>2</sup> Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

<sup>3</sup> Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

<sup>4</sup> Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

(2) The notice of period of work shall be---

(a) in Form 'B' when all the adolescent and child workers in an establishment are required to work within the same period and when the period of work is the same on each working day of the week; and

(b) in Form 'B-I' when all the adolescent or child workers in an establishment are required to work within the same period and when the period is the same on five working days in a week and shorter on sixth day.

(3) The notice of period of work shall be displayed in bold letters in English as in Vernacular language at the main entrance of the establishment.

4. **Certificate of Fitness.**--(1) A certifying surgeon shall, on the application of any child of adolescent who wishes to work in an establishment to which the provisions of Act are applicable, or, of the parent or guardian of such person, or of the occupier of the establishment in which such person wishes to work, examine such person to ascertain his age and fitness to work.

(2) The certifying surgeon, after examination, may grant to such person, in Form 'C', a certificate of fitness to work in an establishment as a child worker if he is satisfied that such person has completed his twelfth year of age but has not yet reached his fourteenth year of age and a certificate of fitness to work in an establishment as an adolescent if he is satisfied that such person has completed his fourteenth year of age, but has not completed his eighteenth year.

(3) The Inspector, in the absence of a certificate of age in respect of a person working in an establishment, shall refer him to the certifying surgeon for ascertaining his age and issuance of certificate. The fee of the certifying surgeon shall be paid by the occupier.

5. **Register of child workers.**-- (1) The register to be maintained under section 11 shall be in Form 'D'.

(2) The register shall be preserved for at least three years from the date of commencement of work.

6. **Cleanliness and freedom from pollution.**--(1) No rubbish, filth of debris shall be allowed to accumulate or to remain in any part of the establishment, in such position that effluvia therefrom arises.

(2) In every establishment all drains carrying waste of sullage water shall be constructed in mason or other impermeable material and regularly flushed at least once a day and where possible connected with some recognized drainage line.

(3) The floor of the room and the compound surrounding every factory or workshop shall be maintained strictly in a drained and clean condition.

7. **Ventilation and Temperature.**--(1) In every establishment proper ventilation in all working places shall be provided so as to admit a continuous flow of fresh air.

(2) In every establishment where injurious, poisonous or asphyxiating gases, dust or other impurities are evolved from any process carried on, in an establishment, all practicable measures to the satisfaction of Inspector shall be taken to protect the workers against inhalation of such gases, dust or other impurities.

8. **Lighting.**--(1) As long as many workers are present in an establishment, the latrines, passages, stairs, hoists, ground and all others parts of the establishment in so far as the entrance of the said places in not closed, shall be lighted in such manner that safety is fully secured in passing through or remaining in the same.

(2) The illuminance in any part of the work area must not be below 300 Lux.

9. **Drinking Water.**--(1) In every establishment the arrangements of drinking water for the child and adolescent workers shall be provided free of charge in the manner prescribed under the Factories Rules, 1975.

(2) The Inspector may, by order in writing, require the occupier to obtain reports, at such time or at such intervals as may be specified in the order regarding the fitness or otherwise for the purpose of drinking water supplied to child or adolescent workers from a competent health authority.

(3) The Inspector may, if he thinks fit, himself take a sample of water supplied to child workers in any establishment and direct the occupier of such establishment to obtain a report thereon and the occupier shall thereupon obtain a report on such sample and supply a copy of such report to the Inspector through registered post, within fifteen days of the direction given to him in this behalf.

10. **Latrines/ Urinals/Washing/Accommodations.**-- In every establishment urinals and latrines shall be provided, which shall be located in accessible places within the precincts of the establishment and each such urinal and latrine shall be separated from any adjoining urinals or latrines by a partition will not less than six feet in height.

11. **Precaution against Fire.**--(1) Every establishment shall be provided with--

(a) Sample supply of water maintained at a sufficient pressure to reach all parts of the establishment together with the masonry hose-pipe and hydrants for making effective use of the water during the time it is in operation; and

(b) fire-buckets and chemical fire-extinguishers at the rate prescribed under the <sup>5</sup>[Khyber Pakhtunkhwa] Factories Rules, 1975.

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<sup>5</sup> Subs. by the Khyber Pakhtunkhwa Act No IV of 2011.

12. **Fencing of machinery.**--(1) All shafts, couplings, collars, clutches, toothend-wheels, pulleys, driving straps, chains, projecting set screws, keys, nuts and bolts of revolving parts, except such as are in the opinion of Inspector by constructions or position equally safe to every persons employed in the establishment, shall be securely fenced if in motion and within reach of child worker.

(2) The underside of all heavy overhead main driving bolts or ropes if there is any probability of person having to pass under them, shall be securely fenced.

(3) No child worker shall be allowed to work on the following operations of machines when in motion:--

- (a) Lathes, shaping, slating and milling machines;
- (b) Platen machine and gelating cutting machine;
- (c) every-wheel of tool grinding machine;
- (d) Operation of hoist;
- (e) Operation of bend saw or circular saw;
- (f) In blow loom of textile mills;
- (g) Near cotton openers, combined openers, sketchers, lepmachines, hard waste breakers, and carding machine; and
- (h) Welding plant.

(4) All electrical circuits or part of such circuits or any object electrically connected with them whether commonly or occasionally in an electrified condition which by reason of their position could cause injury to any person, shall be protected adequately, either by non-metallic fencing or insulation or by both, in such manner as to remove danger of injury.

(5) Instructions both in Urdu and the Vernacular of the district for the restoration of person suffering from electric shock shall be affixed in a conspicuous place in every establishment using electric energy for lighting or power purpose.

(6) all open tanks and vessels containing either chemical or substances dangerous to human life or safety and all pits, gutters or tanks and excavations two feet or more in depth within the precincts of any establishment shall be securely fenced.

(7) No child worker shall be allowed to be engaged in oiling or adjusting belts or in any work whatsoever within reach of unfenced transmission machinery.

13. **First Aid.--** (1) In every establishment there shall be maintained in good working conditions first aid box containing appliances. The first aid appliances shall be placed under the charge of a responsible person who know to using them and shall be kept in readily accessible place so as to be immediately available during working hours. The works "First Aid" shall be clearly painted on the box or other receptacle containing such appliances.

(2) Every child worker sustaining an injury within the establishment, while working or not, shall be administered "Frist Aid".

14. **Notice of Accident.--** (1) Notice of accidents resulting in death or such injury that there is no reasonable hope the injured child worker will be able to return to work within 48 hours shall be sent--

(a) by telegram, telephone or special messenger, within 24 hours or the occurrence, to the Chief Inspector of factories and Inspector of the area; and

(b) by registered post, within 24 hours of the occurrence to the Commissioner Workmen's Compensation, appointed under the Workmen's Compensation Act, 1923.

(2) The notice shall be sent in the form 'E' (First accident report). the telephonic notice shall be confirmed by a written report in the prescribed form.

15. **Excessive Weight.--**No child worker shall be allowed to lift or carry an weight in excess of ten KG.

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**FORM 'A'**

[Rule 3 (1)]

**NOTICE OF PERIOD OF WORK**

To,

The Chief Inspector/Inspector of the area:

1. The name of the Establishment.....
2. Location of the Establishment.....
3. Address.....  
.....
4. The name of the person in actual management of the Establishment.....
5. Address for communication.....
6. The nature of Occupation, or process carried on in the Establishment.

*Signature of the Occupier.*

**FORM 'A-1'**

[Rule 3 (1)]

**NOTICE OF CLOSED DAY**

Closed day to be ..... day.

1. Name and Address of the Establishment.....

- 2. Name of Occupier.....
- 3. No. of Child Workers/Adolescents.....

*Signature of Occupier.*

**FORM 'B'**

*[Rule 3 (2) (a)]*

**NOTICE OF PERIOD FOR WORK FOR ADOLESCENT/CHILD WORKERS**

Name of Establishment.....

Place where situated.....

Hour of starting work.....

Hour of Closing work.....

Period of rest interval.....from.....to.....

Weekly holidays given on.....

Dated.....

*Signature of Occupier.*

**FORM 'B-1'**

*[Rule 3 (2)(B)]*

**NOTICE OF PERIODS FOR WORK FOR ADOLESCENT/CHILD WORKERS.**

Name of Establishment.....

Place where situated.....

On ordinary working days.....  
 Hour of starting work.....  
 Hour of closing work.....  
 Period of rest interval..... from..... to.....  
 On half holiday which is given:  
 Hour of starting work.....  
 Hour of closing work.....  
 Weekly holidays given on.....

Signature of Occupier.

ted.....

**FORM 'C'**

**(SECTION 10)**

[Rule 4 (2)]

**CERTIFICATE UNDER SECTION 10 OF THE  
EMPLOYMENT OF CHILDREN ACT, 1991**

1. Serial No..... Serial No.....
2. Date..... Date.....
3. Name..... I hereby certify that I have personally examined.
4. Father's Name..... (Name).....
5. Sex and caste of religion. Son/daughter of..... (caste etc.)



|    |                        |  |
|----|------------------------|--|
| 6. | Residence.....         | Residing at.....   |
|    | .....                  | .....  |
|    | .....                  | .....  |
| 7. | Age certified.....     | Who is desirous of being employed in a factory and that his/her age, as nearly as can be ascertained from my examination is..... |
| 8. | Physical fitness.....  | Years and that he/she is fit for employment as a child/adolescent in a factory. His/her descriptive marks are.                   |
| 9. | Distinctive marks..... |  |
|    | Thumb Impression.      | Thump Impression.  |
|    | Examining Surgeon.     | Examining Surgeon.   |
|    | (Countersigned)        | (Countersigned)  |
|    | Certifying Surgeon.    | Certifying Surgeon.  |

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**FORM 'D'**

**(SECTION - 11)**

*[Rule 5 (1)]*

**REGISTER OF CHILD WORKERS UNDER SECTION 11 OF THE ACT**

|                  |                              |
|------------------|------------------------------|
| Working Hours.   | For the month of.....        |
| From.....to..... | Nature of Establishment..... |
| 1st period       | .....                        |
| Rest Interval    | Place where situated         |
| 2nd period       | .....                        |

| S. No. | Name | Father's Name | Date of Birth | Caste or Religion | Nature of work | Group | Relay | Remarks |
|--------|------|---------------|---------------|-------------------|----------------|-------|-------|---------|
|--------|------|---------------|---------------|-------------------|----------------|-------|-------|---------|

### FORM 'E'

[Rule 14 (2)]

#### NOTICE OF ACCIDENT

#### FIRST ACCIDENT REPORT

*(To be submitted within twenty-four hours from the time of occurrence of the accident)*

1. (a) Name and address of the Establishment.  
(b) Telephone No.
2. Name and address of occupier.
3. Principal Product (s) services rendered.  
(i) .....  
(ii) .....
4. Particulars of the injured persons:
  - (a) Name and father's name.
  - (b) Address : (i) Present  
(ii) Permanent.
  - (c) Age
  - (d) Sex
  - (e) Occupation
5. Date and time of accident.

6. Branch/Department/Place where accident occurred.
7. Brief description of:
  - (a) Causes of accident.
  - (b) Nature of Injuries.
8. Name and address of witnesses to the accidents.
  - (a)
  - (b)
9. Name and address of the medical officer under whose treatment the injured person has been placed.
10. Date and time of despatch of report.

*Signature of Occupier.*

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