



इंडोशन्युज़ INDOSHNEWS

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Director General
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Ministry of Labour and Employment
Govt. of India



MESSAGE

I am glad that we are bringing out the July-December, 2020 issue of "INDOSHNEWS". The current INDOSHNEWS is a special issue on Occupational Safety, Health and Working Conditions Code, 2020.

I take this opportunity to welcome Shri Apurva Chandra, IAS, who has assumed the charge of Secretary, Ministry of Labour & Employment, Govt. of India. We are sure that under his dynamic leadership Occupational Safety and Health standards in the country will be scaling to new heights.

The Occupational Safety, Health and Working Conditions Code, 2020 has been assented by the Hon'ble President of India on 28th September, 2020, which will subsume 13 legislations on Occupational Safety, Health and Working Conditions, as a major step towards enhancing Safety, Health and Working Conditions at workplaces. The objective of the Occupational Safety, Health and Working Conditions Code, 2020 is to consolidate and amend the laws regulating Occupational Safety, Health and Working Conditions of persons employed in organizations and for matters connected therewith or incidental thereto.

I am glad to convey that DGFASLI has published Standard Reference Note, 2019, which consists of Occupational Safety & Health data and the same is available in DGFASLI website. It may also be noted that Safety Card and Award Schemes operates by Ministry of Labour and Employment, Directorate General Factory Advice Service & Labour Institutes, Govt. of India have been included in this issue for your information and reference.

Ministry of Labour and Employment, Directorate General Factory Advice Service & Labour Institutes, Govt. of India operate the following Awards:(a) Prime Minister's Shram Award (PMSA) to recognize the outstanding contributions made by workmen, as defined in the Industrial Dispute Acts, 1947 and working in organizations both in public and private sector; (b) Vishwakarma Rashtriya Puraskar (VRP) to recognize the outstanding contributions made by a worker or a group of workers in an organization covered under the Factories Act, 1948, The Dock Workers (Safety, Health and Welfare) Act, 1986, the Building & other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Installations under the Atomic Energy Regulatory Board (AERB); and, (c) National Safety Awards (NSA) which at present consists of twelve award schemes. The Schemes I to X are applicable to the factories registered under the Factories Act, 1948, construction sites under the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and installations under Atomic Energy Regulatory Board (AERB). The Schemes XI to XII are applicable to establishments under Ports.

The nominations for Prime Minister's Shram Award (PMSA), Vishwakarma Rashtriya Puraskar (VRP), National Safety Awards (NSA) for the year 2019 is closing on 31st March, 2021 and I would appeal to the stakeholders to spread the information and request to participate by submitting applications.

The World Day for Safety and Health at Work is celebrated on 28th April every year and the theme for the year 2021 is "Anticipate, Prepare and Repond to Crisis – Invest Now In Resilient OSH System".The crisis management in workplaces attains utmost importance for ensuring occupational safety and health and business continuity planning. Hence, it is the need of the hour that we spread awareness in crisis management and establish resilient OSH system at our workplaces.

I wish to take this opportunity to request all of you to adhere to the safety guidelines issued by the Governments at your places to protect from COVID-19 and thus ensuring Safe, Healthy and Decent Workplaces.

(Dr R K Elangovan)

CONTENTS

Sl. No.	Topics	Page No
1.	The Occupational Safety, Health and Working Conditions Code, 2020	1
2.	Articles	73
3.	Safety Card	90
4.	OSH Workshop and Training Programmes	91
5.	Abstract of OSH Studies, Audits & Surveys	94
6.	OSH in Factories	95
7.	CIF / DISH Corner	97
8.	OSH in Docks	105
9.	Accident Case Studies	106
10.	OSH News	110
11.	Awards	112
12.	Safety Posters	140
13.	Training Programmes on OSH	153
14.	Forthcoming events on OSH	161

1.0 THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020

THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020

NO. 37 OF 2020

[28th September, 2020.]

An Act to consolidate and amend the laws regulating the occupational safety, health and working conditions of the persons employed in an establishment and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Occupational Safety, Health and Working Conditions Code, 2020.

Short title, commencement and application.

(2) It shall come into force on such date as the Central Government may, by notification appoint; and different dates may be appointed for different provisions of this Code and any reference in any such provision to the commencement of this Code shall be construed as a reference to the coming into force of that provision.

(3) It shall not apply to the offices of the Central Government, offices of the State Government and any ship of war of any nationality:

Provided that the Code shall apply in case of contract labour employed through contractor in the offices of the Central Government or in the offices of the State Government, where, the Central Government or, as the case may be, the State Government is the principal employer.

Definitions.

2. (1) In this Code, unless the context otherwise requires,—

(a) "adolescent" shall have the same meaning as assigned to it in clause (i) of section 2 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986;

(b) "adult" means a person who has completed his eighteenth year of age;

(c) "agent" when used in relation to a mine, means every person, whether appointed as such or not, who, acting or purporting to act on behalf of the owner, takes part in the management, control, supervision or direction of such mine or of any part thereof;

(d) "appropriate Government" means—

(i) in relation to, establishments [other than those specified in sub-clause (ii)] carried on by or under the authority of the Central Government or concerning any such controlled industry as may be specified in this behalf by the Central Government or the establishment of railways including metro railways, mines, oil field, major ports, air transport service or telecommunication service, banking company or any insurance company (by whatever name called) established by a Central Act or a corporation or other authority established by a Central Act or a Central public sector undertaking or subsidiary companies set up by the Central public sector undertakings or autonomous bodies owned or controlled by the Central Government, including establishment of contractors for the purposes of such establishment, corporation or other authority, Central public sector undertakings, subsidiary companies or autonomous bodies, as the case may be, the Central Government;

Provided that in the case of Central Public Sector Undertakings the appropriate Government shall continue to be the Central Government even if the holding of the Central Government reduces to less than fifty per cent. equity of the Central Government in that Public Sector Undertakings after the commencement of this Code; and

61 of 1986.

(ii) in relation to a factory, motor transport undertaking, plantation, newspaper establishment and establishment relating to beedi and cigar including the establishments not specified in clause (i), the concerned State Government where it is situated.

Explanation.—For the removal of doubts it is hereby clarified that State Government shall be the appropriate Government in respect of occupational safety, health and working conditions in a factory situated in that State;

(e) "audio-visual production" means audio-visual produced wholly or partly in India and includes—

(i) animation, cartoon depiction, audio-visual advertisement;

(ii) digital production or any of the activities in respect of making thereof; and

(iii) features films, non-feature films, television, web-based serials, talk shows, reality shows and sport shows;

(f) "audio-visual worker" means a person, who is employed, directly or through any contractor, in or in connection with the audio-visual production to work as an artist including actor, musician, singer, anchor, news reader, dancer, dubbing artist or stunt person or to do any work, skilled, unskilled, manual, supervisory, technical, artistic or otherwise, and his remuneration with respect to such employment in or in connection with the production of audio-visual does not exceed, where remuneration is by way of monthly wages or where such remuneration is by way of lump sum, in each case, such amount as may be notified by the Central Government;

10 of 1949.

(g) "banking company" means a banking company as defined in clause (c) of section 5 of the Banking Regulation Act, 1949 and includes the Export-Import Bank of India, the Industrial Reconstruction Bank of India, the Small Industries Development Bank of India established under section 3 of the Small Industries Development Bank of India Act, 1989, the Reserve Bank of India, the State Bank of India, a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980;

39 of 1989.

5 of 1970.

40 of 1980.

(h) "building or other construction work" means the construction, alteration, repairs, maintenance or demolition in relation to buildings, streets, roads, railways, tramways, airfields, irrigation, drainage, embankment and navigation works, flood control works (including storm water drainage works), generation, transmission and distribution of power, water works (including channels for distribution of water), oil and gas installations, electric lines, internet towers, wireless, radio, television, telephone, telegraph and overseas communications, dams, canals, reservoirs, watercourses, tunnels, bridges, viaducts, aqua-ducts, pipelines, towers, cooling towers, transmission towers and such other work as may be specified in this behalf by the Central Government, by notification, but does not include building or other construction work which is related to any factory or mine and the building or other construction work where such work is for own residential purposes of an individual or group of individuals for their own residence and the total cost of such work does not exceed rupees fifty lakhs or such higher amount and employing more than such number of workers as may be notified by the appropriate Government;

(i) "building worker" means a person who is employed to do any highly skilled, skilled, semi-skilled or unskilled, manual, technical or clerical work for hire or reward, whether the terms of such employment are express or implied, in connection with any building or other construction work, but does not include any such person who is employed mainly in a managerial or supervisory or administrative capacity;

(j) "cargo" includes anything carried or to be carried in a ship or other vessel, or vehicle;

(k) "Chief Inspector-cum-Facilitator" means a Chief Inspector-cum-Facilitator appointed under sub-section (5) of section 34;

(l) "competent person", means a person or an institution recognised as such by the Chief Inspector-cum-Facilitator for the purposes of carrying out tests, examinations and inspections required to be done in an establishment

having regard to—

(i) the qualifications and experience of the person and facilities available at his disposal; or

(ii) the qualifications and experience of the persons employed in such institution and facilities available therein:

Provided that in case of mines the competent person includes such other person who is authorised by the manager referred to in section 67 to supervise or perform any work, or to supervise the operation of machinery, plant or equipment and is responsible for such duties assigned to him and also includes a shot firer or blaster;

(m) "contract labour" means a worker who shall be deemed to be employed in or in connection with the work of an establishment when he is hired in or in connection with such work by or through a contractor, with or without the knowledge of the principal employer and includes inter-State migrant worker but does not include a worker (other than part time employee) who is regularly employed by the contractor for any activity of his establishment and his employment is governed by mutually accepted standards of the conditions of employment (including engagement on permanent basis), and gets periodical increment in the pay, social security coverage and other welfare benefits in accordance with the law for the time being in force in such employment;

(n) "contractor", in relation to an establishment, means a person, who—

(i) undertakes to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, through contract labour; or

(ii) supplies contract labour for any work of the establishment as mere human resource, and includes a sub-contractor;

(o) "controlled industry" means any industry the control of which by the Central Government has been declared under any Central Act in the public interest;

(p) "core activity of an establishment" means any activity for which the establishment is set up and includes any activity which is essential or necessary to such activity:

Provided that the following shall not be considered as essential or necessary activity, if the establishment is not set up for such activity, namely:—

(i) sanitation works, including sweeping, cleaning, dusting and collection and disposal of all kinds of waste;

(ii) watch and ward services including security services;

(iii) canteen and catering services;

(iv) loading and unloading operations;

(v) running of hospitals, educational and training Institutions, guest houses, clubs and the like where they are in the nature of support services of an establishment;

(vi) courier services which are in nature of support services of an establishment;

(vii) civil and other constructional works, including maintenance;

(viii) gardening and maintenance of lawns and other like activities;

(ix) housekeeping and laundry services, and other like activities, where these are in nature of support services of an establishment;

(x) transport services including, ambulance services;

(xi) any activity of intermittent nature even if that constitutes a core activity of an establishment;

(q) "day" means a period of twenty-four hours beginning at mid-night;

(r) "District Magistrate", in relation to any mine, means the District Magistrate or the Deputy Commissioner, as the case may be, who is vested with the executive powers of maintaining law and order in the revenue district in which the mine is situated:

Provided that in case of a mine, which is situated partly in one district and partly in another, the District Magistrate for the purpose shall be the District Magistrate authorised in this behalf by the Central Government;

(s) "dock work" means any work in or within the vicinity of any port in connection with, or required for, or incidental to, the loading, unloading, movement or storage of cargoes into or from ship or other vessel, port, dock, storage place or landing place, and includes—

(i) work in connection with the preparation of ships or other vessels for receipt or discharge of cargoes or leaving port;

(ii) all repairing and maintenance processes connected with any hold, tank structure or lifting machinery or any other storage area on board the ship or in the docks; and

(iii) chipping, painting or cleaning of any hold, tank, structure or lifting machinery or any other storage area on board the ship or in the docks;

(t) "employee" means,—

52 of 1961.

(i) in respect of an establishment, a person (other than an apprentice engaged under the Apprentices Act, 1961) employed on wages by an establishment to do any skilled, semi-skilled, unskilled, manual, operational, supervisory, managerial, administrative, technical, clerical or any other work, whether the terms of employment be express or implied; and

(ii) a person declared to be an employee by the appropriate Government, but does not include any member of the Armed Forces of the Union:

Provided that notwithstanding anything contained in this clause, in case of a mine a person is said to be "employed" in a mine who works as the manager or who works under appointment by the owner, agent or manager of the mine or with the knowledge of the manager, whether for wages or not—

(a) in any mining operation (including the concomitant operations of handling and transport of minerals up to the point of dispatch and of gathering sand and transport thereof to the mine);

(b) in operations or services relating to the development of the mine including construction of plant therein but excluding construction of buildings, roads, wells and any building work not directly connected with any existing or future mining operations;

(c) in operating, servicing, maintaining or repairing any part of any machinery used in or about the mine;

(d) in operations, within the premises of the mine, of loading for dispatch of minerals;

(e) in any office of mine;

(f) in any welfare, health, sanitary or conservancy services required to be provided under this Code relating to mine, or watch and ward, within the premises of the mine excluding residential area; or

(g) in any kind of work, whatsoever, which is preparatory or incidental to, or connected with, mining operations;

(u) "employer" means a person who employs, whether directly or through any person, or on his behalf, or on behalf of any person, one or more employees in his establishment and where the establishment is carried on by any Department of the Central Government or the State Government, the authority specified, by the head of

such Department, in this behalf or where no authority, is so specified, the head of the Department and in relation to an establishment carried on by a local authority, the Chief Executive of that authority, and includes,—

(i) in relation to an establishment which is a factory, the occupier of the factory;

(ii) in relation to mine, the owner of the mine, agent or manager referred to in section 67;

(iii) in relation to any other establishment, the person who, or the authority which has ultimate control over the affairs of the establishment and where said affairs are entrusted to a manager or managing director, such manager or managing director;

(iv) contractor; and

(v) legal representative of a deceased employer;

(v) "establishment" means—

(i) a place where any industry, trade, business, manufacturing or occupation is carried on in which ten or more workers are employed; or

(ii) motor transport undertaking, newspaper establishment, audio-video production, building and other construction work or plantation, in which ten or more workers are employed; or

(iii) factory, for the purpose of Chapter II, in which ten or more workers are employed, notwithstanding the threshold of workers provided in clause (w); or

(iv) a mine or port or vicinity of port where dock work is carried out:

Provided that in sub-clauses (i) and (ii), the threshold of worker specified therein shall not be applicable in case of such establishment or class of establishments, in which such hazardous or life threatening activity is being carried on, as may be notified by the Central Government:

Provided further that notwithstanding any threshold provided in the definition of factory in clause (w), for the purposes of Chapter II, the establishment specified in sub-clause (i) or sub-clause (ii) or sub-clause (iii) shall be deemed to be the establishment within the meaning of this clause though the number of employees employed are ten or more;

(w) "factory" means any premises including the precincts thereof—

(i) whereon twenty or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power, or is ordinarily so carried on; or

(ii) whereon forty or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on without the aid of power, or is ordinarily so carried on, but does not include a mobile unit belonging to the armed forces of the Union, railways running shed or a hotel, restaurant or eating place:

Provided that where under any law for the time being in force in a State immediately before the commencement of this Code, the number of workers specified is more or less than the number specified in clause (i) or clause (ii), then, the number specified under the law of the State shall prevail in that State till it is amended by the competent Legislature.

Explanation I.—For computing the number of workers for the purposes of this clause all the workers (in different groups and relays) in a day shall be taken into account.

Explanation II.—For the purposes of this clause, the mere fact that an Electronic Data Processing Unit or a Computer Unit is installed in any premises or part thereof, shall not be construed as factory if no manufacturing process is being carried on in such premises or part thereof;

(x) "family", when used in relation to a worker, means—

(i) spouse;

(ii) children including adopted children of the worker who are dependent upon him and have not completed the age of eighteen years; and

(iii) parents, grand-parents, widowed daughter and widowed sister dependent upon such worker.

Explanation.—For the purposes of this clause, such dependents shall not be included who are, for the time being, getting such income from such sources, as may be prescribed by the appropriate Government;

(y) "godown" means any warehouse or other place, by whatever name called, used for the storage of any article or substance required for any manufacturing process which means any process for, or incidental to, making, finishing or packing or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal as finished products;

(z) "hazardous" means involving danger or potential danger;

(za) "hazardous process" means any process or activity in relation to an industry or plantation specified in the First Schedule where, unless special care is taken, raw materials used therein or the intermediate or finished products, bye-products, hazardous substances, wastes or effluents thereof or spraying of any pesticides, insecticides or chemicals used therein, as the case may be, would—

- (i) cause material impairment to the health of the persons engaged in or connected therewith, or
- (ii) result in the pollution of the general environment;
- (zb) "hazardous substance" means any substance or such quantity of the substance as may be prescribed by the appropriate Government or preparation of which by reason of its chemical or physio-chemical properties or handling is liable to cause physical or health hazards to human being or may cause harm to other living creatures, plants, micro-organisms, property or the environment;
- (zc) "industrial premises" means any place or premises (not being a private dwelling house), including the precincts thereof, in which or in any part of which any industry, trade, business, occupation or manufacturing is being ordinarily carried on with or without the aid of power and includes a godown attached thereto;
- (zd) "industry" means any systematic activity carried on by co-operation between an employer and worker (whether such worker is employed by such employer directly or by or through any agency, including a contractor) for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes (not being wants or wishes which are merely spiritual or religious in nature), whether or not,—
 - (i) any capital has been invested for the purpose of carrying on such activity; or
 - (ii) such activity is carried on with a motive to make any gain or profit, but does not include—
 - (a) institutions owned or managed by organisations wholly or substantially engaged in any charitable, social or philanthropic services; or
 - (b) any activity of the appropriate Government relating to the sovereign functions of the appropriate Government including all the activities carried on by the Departments of the Central Government dealing with defence research, atomic energy and space; or
 - (c) any domestic service; or
 - (d) any other activity as may be notified by the Central Government;
- (ze) "Inspector-cum-Facilitator" means an Inspector-cum-Facilitator appointed under sub-section (1) of section 34;
- (zf) "inter-State migrant worker" means a person who is employed in an establishment and who—
 - (i) has been recruited directly by the employer or indirectly through contractor in one State for employment in such establishment situated in another State; or
 - (ii) has come on his own from one State and obtained employment in an establishment of another State (hereinafter called destination State) or has subsequently changed the establishment within the destination State, under an agreement or other arrangement for such employment and draws wages not exceeding the amount of rupees eighteen thousand per month or such higher amount as may be notified by the Central Government from time to time;
- (zg) "machinery" means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to perform work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy;
- (zh) "major port" means a major port as defined in clause (8) of section 3 of the Indian Ports Act, 1908;
- (zi) "manufacturing process" means any process for—
 - (i) making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing, or otherwise treating or adapting any article or substance with a view to its use, sale, transport, delivery or disposal; or
 - (ii) pumping oil, water, sewage or any other substance; or
 - (iii) generating, transforming or transmitting power; or

15 of 1908.

60 of 2002.

(iv) composing, printing, printing by letter press, lithography, offset, photogravure screen printing, three Dimensional or four Dimensional printing, prototyping, flexography or other types of printing process or book binding; or

(v) constructing, reconstructing, repairing, refitting, finishing or breaking up ships or vessels; or

(vi) preserving or storing any article in cold storage; or

(vii) such other processes as the Central Government may notify;

(z) "medical officer" means the medical officer appointed under sub-section (1) of section 42;

(zk) "metro railway" means the metro railway as defined in sub-clause (i) of clause (1) of section 2 of the Metro Railways (Operation and Maintenance) Act, 2002;

(zl) "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes—

(i) all borings, bore holes, oil wells and accessory crude conditioning plants, including the pipe conveying mineral oil within the oilfields;

(ii) all shafts, in or adjacent to and belonging to a mine, whether in the course of being sunk or not;

(iii) all levels and inclined planes in the course of being driven;

(iv) all open cast workings;

(v) all conveyors or aerial ropeways provided for bringing into or removal from a mine of minerals or other articles or for the removal of refuse there from;

(vi) all adits, levels, planes, machinery, works, railways, tramways and sidings in or adjacent to and belonging to a mine;

(vii) all protective works being carried out in or adjacent to a mine;

(viii) all workshops and stores situated within the precincts of a mine and under the same management and used primarily for the purposes connected with that mine or a number of mines under the same management;

(ix) all power stations, transformer sub-stations, converter stations, rectifier stations and accumulator storage stations for supplying electricity solely or mainly for the purpose of working the mine or a number of mines under the same management;

(x) any premises for the time being used for depositing sand or other material for use in a mine or for depositing refuse from a mine or in which any operations in connection with such sand refuse or other material is being carried on, being premises exclusively occupied by the owner of the mine;

(xi) any premises in or adjacent to and belonging to a mine on which any process ancillary to the getting, dressing or preparation for sale of minerals or coke is being carried on;

(xii) a mine owned by the Government;

(zm) "minerals" means all substances which can be obtained from the earth by mining, digging, drilling, dredging, hydraulic, quarrying or by any other operation and includes mineral oils (such as natural gas and petroleum);

(zn) "motor transport undertaking" means a motor transport undertaking employing motor transport worker and engaged in carrying passengers or goods or both by road for hire or reward, and includes a private carrier;

(zo) "motor transport worker" means a person who is employed in a motor transport undertaking directly or through an agency, whether for wages or not, to work in a professional capacity on a transport vehicle or to attend the duties in connection with the arrival, departure, loading or unloading of such transport vehicle and includes a driver, conductor, cleaner, station staff, line checking staff, booking clerk, cash clerk, depot clerk, time-keeper, watchman or attendant, but does not include any such person—

(i) who is employed in a factory;

(ii) to whom the provisions of any other law for the time being in force regulating the conditions of service of persons employed in shops or commercial establishments apply;

(zp) "newspaper" means any printed periodical work containing public news or comments on public news and includes such other class of printed periodical work as may, from time to time, be notified in this behalf by the Central Government;

(zq) "newspaper establishment" means an establishment under the control of any person or body of persons, whether incorporated or not, for the production or publication of one or more newspapers or for conducting any news agency or syndicate and includes following newspaper establishments which shall be deemed to be one establishment, namely:—

- (i) two or more newspaper establishments under common control;
- (ii) two or more newspaper establishments owned by an individual and his or her spouse unless it is shown that such spouse is a sole proprietor or partner or a shareholder of a corporate body on the basis of his or her own individual funds;
- (iii) two or more newspaper establishments publishing newspapers bearing the same or similar title and in the same language in any place in India or bearing the same or similar title but in different languages in the same State or Union territory.

Explanation 1.—For the purposes of sub-clause (i) two or more establishments shall be deemed to be under common control where—

- (a) (i) the newspaper establishments are owned by a common individual or individuals;
- (ii) the newspaper establishments are owned by firms, if such firms have a substantial number of common partners;
- (iii) the newspaper establishments are owned by bodies corporate, if one body corporate is a subsidiary of the other body corporate, or both are subsidiaries of a common holding company or a substantial number of their equity shares are owned by the same person or group of persons, whether incorporated or not;
- (iv) one establishment is owned by a body corporate and the other is owned by a firm, if a substantial number of partners of the firm together hold a substantial number of equity shares of the body corporate;
- (v) one is owned by a body corporate and the other is owned by a firm having bodies corporate as its partners if a substantial number of equity shares of such bodies corporate are owned, directly or indirectly, by the same person or group of persons, whether incorporated or not, or

(b) there is functional integrality between concerned newspaper establishments.

Explanation 2.—For the purposes of this clause,—

- (i) different departments, branches and centres of newspaper establishments shall be treated as parts thereof;
- (ii) a printing press shall be deemed to be a newspaper establishment if the principal business thereof is to print newspaper;

(zr) "notification" means a notification published in the Gazette of India or the Official Gazette of a State, as the case may be, and the expression "notify" with its grammatical variations and cognate expressions shall be construed accordingly;

(zs) "occupier" of a factory means the person who has ultimate control over the affairs of the factory:

Provided that—

- (i) in the case of a firm or other association of individuals, any one of the individual partners or members thereof;
- (ii) in the case of a company, any one of the directors, except any independent director within the meaning of sub-section (6) of section 149 of the Companies Act, 2013;
- (iii) in the case of a factory owned or controlled by the Central Government or any State Government, or any local authority, the person or persons appointed to manage the affairs of the factory by the Central Government, the State Government or the local authority or such other authority as may be prescribed by the Central Government, shall be deemed to be the occupier;

Provided further that in the case of a ship which is being repaired, or on which maintenance work is being carried out, in a dry dock which is available for hire, the owner of the dock shall be deemed to be the occupier for all purposes except the matters as may be prescribed by the Central Government which are directly related to the condition of ship for which the owner of ship shall be deemed to be the occupier;

(zf) "office of the mine" means an office at the surface of the mine concerned;

(zu) "open cast working" means a quarry, that is to say, an excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, not being a shaft or an excavation which extends below superjacent ground;

(zv) "ordinarily employed" with reference to any establishment or part thereof, means the average number of persons employed per day in the establishment or part thereof during the preceding calendar year obtained by dividing the number of man days worked by the number of working days excluding rest days and other non-working days;

(zw) "owner", in relation to a mine, means any person who is the immediate proprietor or lessee or occupier of the mine or of any part thereof and in case of a mine the business whereof is being carried on by a liquidator or receiver, such liquidator or receiver; but does not include a person who merely receives a royalty, rent or fine from the mine, or is merely the proprietor of the mine, subject to any lease grant or licence for the working thereof, or is merely the owner of the soil and not interested in the minerals of the mine; but any contractor or sub-lessee for the working of a mine or any part thereof shall be subject to this Code in like manner as if he were an owner but not so as to exempt the former from any liability;

(zx) "plantation" means—

(a) any land used or intended to be used for—

(i) growing tea, coffee, rubber, cinchona or cardamom which admeasures five hectares or more;

(ii) growing any other plant, which admeasures five hectares or more and in which persons are employed or were employed on any day of the preceding twelve months, if, after obtaining the approval of the Central Government, the State Government, by notification, so directs.

Explanation.—Where any piece of land used for growing any plant referred to in this sub-clause admeasures less than five hectares and is contiguous to any other piece of land not being so used, but capable of being so used, and both such pieces of land are under the management of the same employer, then, for the purposes of this sub-clause, the former piece of land shall be deemed to be a plantation, if the total area of both such pieces of land admeasures five hectares or more; and

(b) any land which the State Government may, by notification, declare and which is used or intended to be used for growing any plant referred to in sub-clause (a), notwithstanding that it admeasures less than five hectares:

Provided that no such declaration shall be made in respect of such land which admeasures less than five hectares immediately before the commencement of this Code; and

(c) offices, hospitals, dispensaries, schools and any other premises used for any purpose connected with any plantation within the meaning of sub-clause (a) and sub-clause (b); but does not include factory on the premises;

(zy) "prescribed" means prescribed by rules made by the appropriate Government under this Code;

(zz) "principal employer", where the contract labour is employed or engaged, means—

(i) in relation to any office or Department of the Government or a local authority, the head of that office or Department or such other officer as the Government or the local authority, may specify in this behalf;

(ii) in a factory, the owner or occupier of the factory and where a person has been named as the manager of the factory, the person so named;

(iii) in a mine, the owner or agent of the mine;

(iv) in relation to any other establishment, any person responsible for the supervision and control of the establishment;

(zza) "producer", in relation to audio-visual production, means the company, firm or other person by whom the arrangements necessary for producing such audio-visual (including the raising of finances and engaging audio-visual workers for producing audio-visual) are undertaken.

Explanation.—For the purposes of this clause, the expressions "company" and "firm" have the same meaning as respectively assigned to them in the Companies Act, 2013 and the Indian Partnership Act, 1932;

18 of 2013.
9 of 1932.

(zzb) "qualified medical practitioner" means a medical practitioner who possesses any recognised medical qualification as defined in clause (i) of section 2 of the Indian Medical Council Act, 1956 and who is enrolled on a Indian Medical Register as defined in clause (e) and on a State Medical Register as defined in clause (l) of the said section;

102 of 1956.

(zzc) "railway" means the railway as defined in clause (31) of section 2 of the Railways Act, 1989;

24 of 1989.

(zzd) "relay" means a set of two or more persons carrying out the same kind of work during different periods of the day and each such period is called a "shift";

(zze) "sales promotion employees" means any person by whatever name called employed or engaged in any establishment for hire or reward to do any work relating to promotion of sales or business, or both, but does not include any such person who,—

(i) being employed or engaged in a supervisory capacity, draws wages exceeding eighteen thousand rupees per mensem or an amount as may be notified by the Central Government from time to time; or

(ii) is employed or engaged mainly in a managerial or administrative capacity.

(zzf) "Schedule" means the Schedule appended to this Code;

(zzg) "serious bodily injury" means any injury which involves, or in all probability will involve, the permanent loss of any part or section of a body or the use of any part or section of a body, or the permanent loss of or injury to the sight or hearing or any permanent physical incapacity or the fracture of any bone or one or more joints or bones of any phalanges of hand or foot;

(zzh) "standards", "regulations", "rules", "bye-laws" and "orders" respectively means standards, regulations, rules, bye-laws and orders made or declared, as the case may be, under this Code;

(zzi) "telecommunication service" means the telecommunication service as defined in clause (k) of sub-section (1) of section 2 of the Telecom Regulatory Authority of India Act, 1997;

24 of 1997.

(zzj) "wages" means all remuneration whether by way of salaries, allowances or otherwise, expressed in terms of money or capable of being so expressed which would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes,—

(i) basic pay;

(ii) dearness allowance; and

(iii) retaining allowance, if any, but does not include—

(a) any bonus payable under any law for the time being in force, which does not form part of the remuneration payable under the terms of employment;

(b) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a general or special order of the appropriate Government;

(c) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;

(d) any conveyance allowance or the value of any travelling concession;

(e) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment;

- (f) house rent allowance;
- (g) remuneration payable under any award or settlement between the parties or order of a court or Tribunal;
- (h) any overtime allowance;
- (i) any commission payable to the employee;
- (j) any gratuity payable on the termination of employment;
- (k) any retrenchment compensation or other retirement benefit payable to the employee or any *ex gratia* payment made to him on the termination of employment:

Provided that, for calculating the wages under this clause, if payments made by the employer to the employee under sub-clauses (a) to (i) exceeds one-half, or such other per cent. as may be notified by the Central Government, of the all remuneration calculated under this clause, the amount which exceeds such one-half, or the per cent. so notified, shall be deemed as remuneration and shall be accordingly added in wages under this clause:

Provided further that for the purpose of equal wages to all genders and for the purpose of payment of wages, the emoluments specified in sub-clauses (d), (f), (g) and (h) shall be taken for computation of wages.

Explanation.—Where an employee is given in lieu of the whole or part of the wages payable to him, any remuneration in kind by his employer, the value of such remuneration in kind which does not exceed fifteen per cent. of the total wages payable to him, shall be deemed to form part of the wages of such employee;

(zzk) "week" means a period of seven days beginning at midnight on Saturday night or such other night as may be approved in writing for a particular area by the Chief Inspector-cum-Facilitator;

(zzl) "worker" means any person employed in any establishment to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and includes working journalists and sales promotion employees, but does not include any such person—

(i) who is subject to the Air Force Act, 1950, or the Army Act, 1950, or the Navy Act, 1957; or

45 of 1950.
46 of 1950.
62 of 1957.

(ii) who is employed in the police service or as an officer or other employee of a prison; or

(iii) who is employed mainly in a managerial or administrative capacity; or

(iv) who is employed in a supervisory capacity drawing wage exceeding eighteen thousand rupees per month or an amount as may be notified by the Central Government from time to time;

(zzm) "Working Journalist" means a person whose principal avocation is that of a journalist and who is employed as such, either whole-time or part-time, in, or in relation to, one or more newspaper establishment, or other establishment relating to any electronic media or digital media such as newspaper or radio or other like media and includes an editor, a leader-writer, news editor, sub-editor, feature-writer, copy- tester, reporter, correspondent, cartoonist, news-photographer and proof-reader, but does not include any such person who is employed mainly in a managerial, supervisory or administrative capacity;

(2) For the purposes of this Code, a person working or employed in or in connection with mine is said to be working or employed—

(a) "below ground" if he is working or employed—

(i) in a shaft which has been or is in the course being sunk; or

(ii) in any excavation which extends below superjacent ground; and

(b) "above ground" if he is working in an opencast working or in any other manner not specified in clause (a).

CHAPTER II
REGISTRATION

Registration of
certain
establishments.

3. (1) Every employer of any establishment,—

(a) which comes into existence after the commencement of this Code; and
(b) to which this Code shall apply, shall, within sixty days from the date of such applicability of this Code, make an application electronically to the registering officer appointed by the appropriate Government (hereinafter referred to as the registering officer) for the registration of such establishment:

Provided that the registering officer may entertain any such application for registration after the expiry of such period on payment of such late fees as may be prescribed by the appropriate Government.

(2) Every application under sub-section (1) shall be submitted to the registering officer in such manner, in such form, containing such particulars including the information relating to the employment of inter-State migrant workers and shall be accompanied by such fees as may be prescribed by the appropriate Government.

(3) After the receipt of an application under sub-section (1), the registering officer shall register the establishment and issue a certificate of registration electronically to the employer thereof in such form and within such time and subject to such conditions as may be prescribed by the Central Government:

Provided that if the registering officer fails to register an establishment under the application so made or to entertain the application within the prescribed period, then, such establishment shall be deemed to have been registered under this Code immediately on the expiration of such period and the electronic certificate of registration shall be auto generated and the responsibility of such failure shall be on the registering officer.

(4) Any change in the ownership or management or in any particulars referred to in sub-section (2) which occurs after the registration of an establishment under this Code, shall be intimated by the employer electronically to the registering officer within thirty days of such change in such form as may be prescribed by the Central Government and thereafter the registering officer shall make amendment in the certificate of registration electronically in such manner as may be prescribed by the Central Government.

(5) The employer of an establishment shall, within thirty days of the closing of the establishment—

(a) inform the closing of such establishment; and
(b) certify payment of all dues to the workers employed in such establishment,

to the registering officer in such manner as may be prescribed by the Central Government and the registering officer shall, on receiving such information and certificate remove such establishment from the register of establishments maintained by him and cancel the registration certificate of the establishment within sixty days from the receipt of such information :

Provided that if the registering officer fails to cancel the registration certification of the establishment under this sub-section within such sixty days, then, the registration certificate of such establishment shall be deemed to have been cancelled under this Code immediately on the expiration of such period of sixty days and the cancellation of registration certificate shall be auto generated and the responsibility of such failure shall be on the registering officer.

(6) If an employer of an establishment—

(a) has obtained the registration of his establishment by misrepresentation or suppression of any material fact, or

(b) has obtained the registration of his establishment so fraudulently or otherwise that the registration has become useless or ineffective to run the establishment,

then, in case of clause (a) such misrepresentation or suppression of any material fact shall be deemed to be the contravention of the provisions of this Code for prosecution of the employer under section 94 without affecting the

registration and running of the establishment and in case of clause (b) the registering officer may, after giving an opportunity to the employer of the establishment to be heard, revoke the registration by an order and such process for revocation shall be completed by the registering officer within sixty days from coming into his notice the facts specified in clause (b).

(7) No employer of an establishment who—

(a) has not registered the establishment under this section; or

(b) has not preferred appeal under section 4 against the cancellation of the registration certificate of the establishment under sub-section (5) or revocation of the registration of the establishment under sub-section (6) or the appeal so preferred has been dismissed,

shall employ any employee in the establishment.

(8) Notwithstanding anything contained in this Code, where any establishment, to which this Code applies, has already been registered under any—

(a) Central Labour law; or

(b) any other law which may be notified by the Central Government and which applies to the establishment which is in existence at the time of the commencement of this Code,

shall be deemed to have been registered under the provisions of this Code, subject to the condition that the registration holder provides the details of registration to the concerned registering officer within such time and in such form as may be prescribed.

Appeal.

4. (1) Any person aggrieved by an order made under section 3 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to an appellate officer who shall be a person notified in this behalf by the appropriate Government:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate officer shall, after giving the appellant an opportunity of being heard, dispose of the appeal within a period of thirty days from the date of receipt of such appeal.

Notice by employer of commencement and cessation of operation.

5. (1) No employer of an establishment being factory or mine or relating to contract labour or building or other construction work shall use such establishment to commence the operation of any industry, trade, business, manufacturing or occupation thereon without sending notice of such purpose in such form and manner and to such authority and within such time as may be prescribed and shall also intimate the cessation thereof to the said authority in such manner as may be prescribed by the appropriate Government.

(2) The notice or intimation under sub-section (1) shall be given electronically.

CHAPTER III

DUTIES OF EMPLOYER AND EMPLOYEES, ETC.

Duties of employer.

6. (1) Every employer shall,—

(a) ensure that workplace is free from hazards which cause or are likely to cause injury or occupational disease to the employees;

(b) comply with the occupational safety and health standards declared under section 18 or the rules, regulations, bye-laws or orders made under this Code;

(c) provide such annual health examination or test free of costs to such employees of such age or such class of employees of establishments or such class of establishments, as may be prescribed by the appropriate Government;

(d) provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of the employees;

(e) ensure the disposal of hazardous and toxic waste including disposal of e-waste;

(f) issue a letter of appointment to every employee on his appointment in the establishment, with such information and in such form as may be prescribed by the appropriate Government and where an employee has not been issued such appointment letter on or before the commencement of this Code, he shall, within three months of such commencement, be issued such appointment letter;

(g) ensure that no charge is levied on any employee, in respect of anything done or provided for maintenance of safety and health at workplace including conduct of medical examination and investigation for the purpose of detecting occupational diseases;

(h) relating to factory, mine, dock work, building or other construction work or plantation, ensure and be responsible for the safety and health of employees, workers and other persons who are on the work premises of the employer, with or without his knowledge, as the case may be.

(2) Without prejudice to the generality of the provisions of sub-section (1), the duties of an employer shall particularly in respect of factory, mines, dock, building or other construction work or plantation include—

(a) the provision and maintenance of plant and systems of work in the workplace that are safe and without risk to health;

(b) the arrangements in the workplace for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances;

(c) the provision of such information, instruction, training and supervision as are necessary to ensure the health and safety of all employees at work;

(d) the maintenance of all places of work in the workplace in a condition that is safe and without risk to health and the provision and maintenance of such means of access to, and egress from, such places as are safe and without such risk;

(e) the provision, maintenance or monitoring of such working environment in the workplace for the employees that is safe, without risk to health as regards facilities and arrangements for their welfare at work.

7. (1) The owner and agent of every mine shall jointly and severally be responsible for making financial and other provisions and for taking such other steps as may be necessary for compliance with the provisions of this Code and the rules, regulations, bye-laws and orders made thereunder, relating to mine.

(2) In the event of any contravention by any person whatsoever of any of the provisions of this Code or of the rules, regulations, bye-laws or orders made thereunder, relating to mine, except those which specifically require any person to do any act or thing or prohibit any person from doing an act or thing, besides the person who contravenes, then, each of the following persons shall also be deemed to be guilty of such contravention unless he proves that he had used due diligence to secure compliance with the provisions and had taken reasonable means to prevent such contravention, namely:—

(a) the official or officials appointed to perform duties of supervision in respect of the provisions contravened;

(b) the manager of the mine;

(c) the owner and agent of the mine;

(d) the person appointed, if any, to carry out the responsibility under section 24.

(3) It shall not be a defence in any proceedings brought against the owner or agent of a mine under this section that the manager and other officials have been appointed in accordance with the provisions of this Code or that a person to carry the responsibility under section 24 has been appointed.

8. (1) Every person who designs, manufactures, imports or supplies any article for use in any establishment shall—

Duties and responsibilities of owner, agent and manager in relation to mine.

Duties of designers,

manufacturer,
importers or
suppliers.

(a) ensure so far as is reasonably practicable, that the article is so designed and constructed in the establishment as to be safe and without risk to the health of the workers when properly used;

(b) carry out or arrange for the carrying out of such tests and examination in the establishment as may be considered necessary for the effective implementation of the provisions of clause (a);

(c) take steps as may be necessary to ensure that adequate information will be available—

(i) in connection with the use of the article in any establishment;

(ii) about the use for which such article is designed and tested; and

(iii) about any conditions necessary to ensure that the article, when put to such use, shall be safe, and without risk to the health of the workers:

Provided that where an article is designed or manufactured outside India, then it shall be obligatory on the part of the importer to see—

(A) that the article conforms to the same standards of such article manufactured in India; or

(B) if the standards adopted in the country outside India for the manufacture of such article is above the standards adopted in India, that the article conforms to such standards in such country;

(C) if there is no standard of such article in India, then, the article conforms to the standard adopted in the country from where it is imported at its national level.

(2) The designer, manufacturer, importer or supplier shall also comply with such duties as the Central Government may, in consultation with the National Occupational Safety and Health Advisory Board referred to in sub-section (1) of section 16, by regulations specify.

(3) Every person, who undertakes to design or manufacture any article and substance for use in any factory, may carry out or arrange for the carrying out of necessary research with a view to the discovery and, so far as is reasonably, practicable, the elimination or minimisation of any risks to the health or safety of the workers to which the design or manufacture of article and substance may give rise to such risk.

(4) Nothing contained in sub-sections (1) and (2) shall be construed to require a person to repeat the testing, examination or research which has been carried out otherwise than by him or at his instance in so far as it is reasonable for him to rely on the results thereof for the purposes of the said sub-sections.

(5) Any duty imposed on any person by sub-sections (1) and (2) shall extend only to things done in the course of business carried on by him and to matters within his control.

(6) Every person,—

(a) who erects or installs any article for use in a factory, shall ensure, so far as practicable, that such article so erected or installed does not make it unsafe or a risk to health when that article is used by the persons in such factory;

(b) who manufactures, imports or supplies any substance for use in any factory shall—

(i) ensure, so far as practicable, that such substance when used in the factory does not make it unsafe or a risk to health of persons working in such factory;

(ii) carry out or arrange for carrying out of such tests and examination in relation to such substance as may be necessary;

(iii) take such steps as are necessary to secure that the information about the results of tests carried out in connection with the use of the substance as referred to in sub-clause (ii) is available in a factory along with conditions necessary to ensure its safe use and no risks to health;

(c) who undertakes the manufacture of any substance for use in any factory shall carry out or arrange for carrying out of any necessary research with a view to discover and, so far as practicable, to ensure the elimination or minimisation of any risks to health or safety to which the substance may give rise out of such manufacture or research;

(7) For the purposes of this section, an article and substance is not to be regarded as properly used, if they are used without regard to any information or advice relating to their use which has been made available by the person who has designed, manufactured, imported or supplied the article and substance.

Explanation.—For the purpose of this section—

- (a) "article" shall include plant and machinery;
- (b) "substance" means any natural or artificial substance whether in a solid or liquid form or in the form of a gas or vapour; and
- (c) "substance for use in any factory" means such substance, whether or not intended for use by persons working in a factory.

9. (1) It shall be the duty of the architect, project engineer or designer responsible for any building or other construction work or the design of any project or part thereof relating to such building or other construction work to ensure that, at the planning stage, due consideration is given to the safety and health aspects of the building workers and employees who are employed in the erection, operation and execution of such projects and structures as the case may be.

Duties of architect, project engineer and designer.

(2) Adequate care shall be taken by the architect, project engineer and other professionals involved in the project referred to in sub-section (1), not to include anything in the design which would involve the use of dangerous structures or other processes or materials, hazardous to health or safety of building workers and employees during the course of erection, operation and execution as the case may be.

(3) It shall also be the duty of the professionals, involved in designing the buildings structures or other construction projects, to take into account the safety aspects associated with the maintenance and upkeep of the structures and buildings where maintenance and upkeep may involve such hazards as may be notified by the appropriate Government.

Notice of certain accident.

10. (1) Where at any place in an establishment, an accident occurs which causes death, or which causes any bodily injury by reason of which the person injured is prevented from working for a period of forty-eight hours or more immediately following the accident or which is of such nature as may be prescribed by the appropriate Government, then,—

- (a) employer or owner or agent or manager referred to in section 67 of such establishment if it is mine; or
- (b) employer or manager in relation to such establishment if it is factory or relates to dock work; or
- (c) the employer of a plantation or an establishment relating to building or other construction or any other establishment, shall send notice thereof to such authorities, in such manner and within such time, as may be prescribed by the appropriate Government.

Notice of certain dangerous occurrences.

(2) Where a notice given under sub-section (1) relates to an accident causing death in a plantation or an establishment relating to building or other construction work or any other establishment, the authority to whom the notice is sent shall make an inquiry into the occurrence within two months of the receipt of the notice or if there is no such authority, the Chief Inspector-cum-Facilitator shall cause the Inspector-cum-Facilitator to make an inquiry within the said period.

11. Where in an establishment there is any dangerous occurrence of such nature, (whether causing any bodily injury or disability, or not) the employer shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed by the appropriate Government.

Notice of certain diseases.

12. (1) Where any worker in an establishment contracts any disease specified in the Third Schedule, the employer of the establishment shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed by the appropriate Government.

Duties of employee.

(2) If any qualified medical practitioner attends on a person, who is or has been employed in an establishment, and who is, or is believed by the qualified medical practitioner, to be suffering from any disease specified in the Third Schedule, the medical practitioner shall without delay send a report in writing to the office of the Chief Inspector-cum-Facilitator in such form and manner and within such time as may be prescribed by the appropriate Government.

(3) If any qualified medical practitioner fails to comply with the provisions of sub-section (2), he shall be punishable with penalty which may extend to ten thousand rupees.

13. Every employee at workplace shall,—

(a) take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at the workplace;

(b) comply with the safety and health requirements specified in the standards;

(c) co-operate with the employer in meeting the statutory obligations of the employer under this Code;

(d) if any situation which is unsafe or unhealthy comes to his attention, as soon as practicable, report such situation to his employer or to the health and safety representative and in case of mine, agent or manager referred to in section 67, safety officers or an official for his workplace or section thereof, as the case may be, who shall report it to the employer in the manner as may be prescribed by the appropriate Government;

(e) not wilfully interfere with or misuse or neglect any appliance, convenience or other thing provided at workplace for the purpose of securing the health, safety and welfare of workers;

(f) not do, wilfully and without reasonable cause, anything, likely to endanger himself or others; and

(g) perform such other duties as may be prescribed by the appropriate Government.

14. (1) Every employee in an establishment shall have the right to obtain from the employer information relating to employee's health and safety at work and represent to the employer directly or through a member of the Safety Committee as constituted under section 22, if constituted by the employer for such purpose, regarding inadequate provision for protection of his safety or health in connection with the work activity in the workplace, and if not satisfied, to the Inspector-cum-Facilitator.

(2) Where the employee referred to in sub-section (1) in any workplace has reasonable apprehension that there is a likelihood of imminent serious personal injury or death or imminent danger to health, he may bring the same to the notice of his employer directly or through a member of the Safety Committee referred to in sub-section (1) and simultaneously bring the same to the notice of the Inspector-cum-Facilitator.

(3) The employer or any employee referred to in sub-section (1) shall take immediate remedial action if he is satisfied about the existence of such imminent danger and send a report forthwith of the action taken to the Inspector-cum-Facilitator in such manner as may be prescribed by the appropriate Government.

(4) If the employer referred to in sub-section (3) is not satisfied about the existence of any imminent danger as apprehended by his employees, he shall, nevertheless, refer the matter forthwith to the Inspector-cum-Facilitator whose decision on the question of the existence of such imminent danger shall be final.

15. No person shall intentionally or recklessly interfere with, damage or misuse anything which is provided in the interest of health, safety or welfare under this Code.

Rights of employee.

Duty not to interfere with or misuse things.

CHAPTER IV

OCCUPATIONAL SAFETY AND HEALTH

16. (1) The Central Government shall, by notification, constitute the National Occupational Safety and Health Advisory Board (hereinafter in this Code referred to as the National Board) to discharge the functions conferred on it by or under this Code and to advise the Central Government on the matters relating to—

National
Occupational
Safety and
Health Advisory
Board.

(a) standards, rules and regulations to be declared or framed under this Code;

(b) implementation of the provisions of this Code and the standards, rules and regulations relating thereto;

(c) the issues of policy and programme relating to occupational safety and health referred to it, from time to time, by the Central Government; and

(d) any other matter in respect of this Code referred to it, from time to time, by the Central Government.

(2) The National Board shall consist of—

(a) Secretary, Ministry of Labour and Employment—Chairperson *ex officio*;

(b) Director General, Factory Advice Service and Labour Institutes, Mumbai— Member *ex officio*;

(c) Director General, Mines Safety, Dhanbad—Member *ex officio*;

(d) Chief Controller of Explosives, Nagpur—Member *ex officio*;

(e) Chairman, Central Pollution Control Board, New Delhi—Member *ex officio*;

(f) Chief Labour Commissioner (Central), New Delhi—Member *ex officio*;

(g) Principal Secretaries dealing with labour matters of four States (by rotation as the Central Government may deem fit)—Member *ex officio*;

(h) Director General, Employee's State Insurance Corporation, New Delhi— Member *ex officio*;

(i) Director General, Health Services, New Delhi—Member *ex officio*;

(j) five representatives of employers—Member *ex officio*;

(k) five representatives of employees—Member *ex-officio*;

(l) a representative of professional body associated with the matter for which standards, rules, policies being framed—Member;

(m) five eminent persons connected with the field of Occupational Safety and Health, or representatives from reputed research institutions or similar other discipline—Member;

(n) special invitees from the State Government or the Government of Union territory for seeking inputs in specific matters or industry or sector which is predominant in that State or Union territory—Member;

(o) Joint Secretary, Ministry of Labour and Employment—Member Secretary *ex officio*.

(3) The terms of office of the Members referred to in clauses (g), (j), (k), (l) and (m) of sub-section (2) shall be of three years and the procedure for their nomination, and discharge of their functions shall be such as may be prescribed by the Central Government.

(4) The Central Government may, in consultation with the National Board, determine the number, nature and categories of other officers and employees required to assist the National Board in the efficient discharge of its functions and terms and conditions of service of such officers and employees of the National Board shall be such as may be prescribed by the Central Government.

(5) The Central Government may constitute as many technical committees or advisory committees consisting of such number of members having such qualifications as may be prescribed by the Central Government, to assist the National Board in discharge of its function specified in sub-section (1).

(6) The National Board shall consult the State Governments whose Principal Secretaries are the Members of the National Board as required under clause (g) of sub-section (2) of section 16 and in case of specific issues relating to plantation, factories and like other issues, the State Government concerned may be invited by the National Board as special invitee for obtaining their inputs on such issues.

17. (1) The State Government shall constitute a Board to be called the State Occupational Safety and Health Advisory Board (hereinafter referred to as "State Advisory Board") to advise the State Government on such matters arising out of the administration of this Code as may be referred to it by the State Government.

(2) The constitution, procedure and other matters relating to State Advisory Board shall be such as may be prescribed by the State Government.

(3) The State Government may constitute as many technical committees or advisory committees of the State Advisory Board including site appraisal committees, consisting of such number of members and having such qualifications as may be prescribed, to assist the State Government or State Advisory Board in discharge of their functions relating to the area falling within their respective jurisdictions.

18. (1) The Central Government shall declare, by notification, standards on occupational safety and health for workplaces relating to factory, mine, dock work, *beedi* and cigar, building and other construction work and other establishments.

Occupational
safety and
health
standards.

(2) In particular and without prejudice to the generality of the power to declare standards to be followed under sub-section (1), such standards shall relate to—

(a) physical, chemical, biological and any other hazards to be dealt with for the working life of employee to ensure to the extent feasible on the basis of the best available evidence or functional capacity, that no employee will suffer material impairment of health or functional capacity even if such employee has regular exposure to such hazards;

(b) the norms—

(i) appraising the hazards to employees and users to whom such hazards are exposed;

(ii) relating to relevant symptoms and appropriate energy treatment and proper conditions and precautions of safe use or exposure;

(iii) for monitoring and measuring exposure of employees to hazards;

(iv) for medical examination and other tests which shall be made available, by the employer or at his cost, to the employees exposed to hazards; and

(v) for hazard evaluation procedures like safety audit, hazard and operability study, fault free analysis, event free analysis and such other requirements;

(c) medical examination including criteria for detection and reporting of occupational diseases to be extended to the employees even after he ceases to be in employment, if he is suffering from an occupational disease which arises out of or in the course of employment;

(d) such aspects of occupational safety and health relating to workplaces which the Central Government considers necessary on the report of the authority designated by such Government for such purpose;

(e) such safety and health measures as may be required having regard to the specific conditions prevailing at the workplaces relating to mine, factory, building and other construction work, *beedi* and cigar, dock work or any other establishments notified; and

(f) matters specified in the Second Schedule to this Code.

(3) Notwithstanding anything contained in section 131, the Central Government may, on the basis of the recommendation of the National Board and after notifying its intention so to do for not less than forty-five days, by notification, amend the Second Schedule.

Research related activities.

(4) The State Government may, with the prior approval of the Central Government, by notification amend the standards made under sub-section (1) and sub-section (2) for the establishment for which it is the appropriate Government situated in the State.

19. It shall be the duty of such institutions in the field of occupational safety and health as the Central or State Government may notify to conduct research, experiments and demonstrations relating to occupational safety and health and thereafter submit their recommendations to the Central Government or the State Government, as the case may be:

Provided that the State Government shall consult National Board before notifying conduct of research, experiments and demonstration relating to occupational safety and health.

Safety and occupational health surveys.

20. (1) At any time during the normal working hours of an establishment or at any other time as he may deem necessary,—

- (a) the Chief Inspector-cum-Facilitator in the case of factory or mine; or
- (b) the Director General of Factory Advice Service and Labour Institute in the case of factory; or
- (c) the Director General of Mines Safety in the case of mine; or
- (d) the Director General of Health Services in the case of factory or mine; or
- (e) such other officer as may be authorised by the appropriate Government in the case of any other establishment or class of establishments,

after giving notice in writing to the employer, conduct survey of the factory or mine or such other establishment or class of establishments and such employer shall afford all facilities for such survey, including facilities for the examination and testing of plant and machinery and collection of samples and other data relevant to the survey.

Explanation.—For the purposes of this sub-section, the expression "employer" includes manager for the factory or in the case of any other establishment or class of establishments such person who is for the time being responsible for the safety and the occupational health of such other establishment or class of establishments, as the case may be.

(2) For the purpose of facilitating surveys under sub-section (1) every worker shall, if so required by the person conducting the survey, present himself to undergo such medical examination as may be considered necessary by such person and furnish all information in his possession which is relevant to the survey.

(3) Any time spent by a worker for undergoing medical examination or furnishing information under sub-section (2) shall, for the purpose of calculating wages and extra wages for overtime work, be deemed to be working hour for him.

Explanation.—For the purposes of this section, the report submitted to the appropriate Government by the person conducting the survey under sub-section (1) shall be deemed to be a report submitted by an Inspector-cum-Facilitator under this Code.

Collection of statistics and portal for inter-State migrant workers.

21. (1) For the purposes of this Code, the Central Government and the State Government shall collect, compile and analyse occupational safety and health statistics in such form and manner as may be prescribed.

(2) The Central Government and the State Governments shall maintain the database or record, for inter-State migrant workers, electronically or otherwise in such portal and in such form and manner as may be prescribed by the Central Government:

Provided that an inter-State migrant worker may register himself as an inter-State migrant worker on such portal on the basis of self-declaration and Aadhaar:

Provided further that the workers who have migrated from one State to any other State and are self-employed in that other State may also register themselves on that portal.

Explanation.—For the purposes of this sub-section, the expression "Aadhaar" shall have the same meaning as assigned to it in clause (a) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.

22. (1) The appropriate Government may, by general or special order, require any establishment or class of establishments to constitute in the prescribed manner a Safety Committee consisting of representatives of employers and workers engaged in such establishment in such manner that the number of representatives of workers on the Committee shall not be less than the number of representatives of the employer and the representatives of the workers shall be chosen in such manner and for such purpose as may be prescribed by the appropriate Government.

Safety Committee and safety officers.

- (2) In every establishment which is a—
- (a) factory wherein five hundred workers or more; or
 - (b) factory carrying on hazardous process wherein two hundred fifty workers or more; or
 - (c) building or other construction work wherein two hundred fifty workers or more; or
 - (d) mine wherein one hundred workers or more, are ordinarily employed, the employer shall also appoint such number of safety officers, who shall possess such qualifications and perform such duties, as may be prescribed by appropriate Government.

CHAPTER V

HEALTH, SAFETY AND WORKING CONDITIONS

23. (1) The employer shall be responsible to maintain in his establishment such health, safety and working conditions for the employees as may be prescribed by the Central Government.

Responsibility of employer for maintaining health, safety and working conditions.

(2) Without prejudice to the generality of the power conferred under sub-section (1), the Central Government may prescribe for providing all or any of the following matters in the establishment or class of establishments, namely:—

- (i) cleanliness and hygiene;
- (ii) ventilation, temperature and humidity;
- (iii) environment free from dust, noxious gas, fumes and other impurities;
- (iv) adequate standard of humidification, artificially increasing the humidity of the air, ventilation and cooling of the air in work rooms;
- (v) potable drinking water;
- (vi) adequate standards to prevent overcrowding and to provide sufficient space to employees or other persons, as the case may be, employed therein;
- (vii) adequate lighting;
- (viii) sufficient arrangement for latrine and urinal accommodation to male, female and transgender employee separately and maintaining hygiene therein;
- (ix) effective arrangements for treatment of wastes and effluents; and
- (x) any other arrangement which the Central Government considers appropriate.

CHAPTER VI

WELFARE PROVISIONS

24. (1) The employer shall be responsible to provide and maintain in his establishment such welfare facilities for the employees as may be prescribed by the Central Government, including,—

Welfare facilities in the establishment, etc.

- (i) adequate and suitable facilities for washing to male and female employees separately;

(ii) bathing places and locker rooms for male, female and transgender employees separately;

(iii) place of keeping clothing not worn during working hours and for the drying of wet clothing;

(iv) sitting arrangements for all employees obliged to work in a standing position;

(v) facilities of canteen in an establishment for employees thereof, wherein one hundred or more workers including contract labourers are ordinarily employed;

(vi) in case of mines, medical examination of the employees employed or to be employed in the mines, before their employment and at specific intervals;

(vii) adequate first-aid boxes or cupboards with contents readily accessible during all working hours; and

(viii) any other welfare measures which the Central Government considers, under the set of circumstances, as required for decent standard of life of the employees.

(2) Without prejudice to the generality of the powers referred to under sub-section (1), the Central Government may also prescribe for the following matters, namely:—

(i) ambulance room in every factory, mine, building or other construction work wherein more than five hundred workers are ordinarily employed;

(ii) medical facilities at the operating centres and halting stations, uniforms, raincoats and other like amenities for protection from rain or cold for motor transport workers;

(iii) adequate, suitable and separate shelters or rest-rooms for male, female and transgender employees and lunch-room in every factory and mine wherein more than fifty workers are ordinarily employed and in motor transport undertaking wherein employee is required to halt at night;

(iv) the appointment of welfare officer in every factory, mine or plantation wherein two hundred and fifty or more workers are ordinarily employed and the qualification, conditions of service and duties of such welfare officer;

(v) for providing by the employer temporary living accommodation, free of charges and within the work site or as near to it as may be possible, to all building workers employed by him and for causing removal or demolition of such temporary living accommodation and for returning by the employer the possession of any land obtained by him for such purpose from Municipal Board or any other local authority;

(vi) for payment by the principal employer the expenses incurred on providing the accommodation to the contractor, where the building or other construction work is done through the contractor;

(vii) any other matter which may be prescribed.

(3) The Central Government may make rules to provide for the facility of creche having suitable room or rooms for the use of children under the age of six years of the employees at suitable location and distance either separately or along with common facilities in establishments wherein more than fifty workers are ordinarily employed:

Provided that an establishment can avail common crèche facility of the Central Government, State Government, municipality or private entity or provided by non-Governmental organisation or by any other organisation or group of establishments may pool their resources for setting up of common crèche in the manner as they may agree for such purpose.

CHAPTER VII

HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

25. (1) No worker shall be required or allowed to work, in any establishment or class of establishment for more than—

(a) eight hours in a day; and

Daily and weekly working hours, leave, etc.

(b) the period of work in each day under clause (a) shall be so fixed, as not to exceed such hours, with such intervals and spread overs, as may be notified by the appropriate Government:

Provided that subject to clause (a) in the case of mines,—

(i) the persons employed below ground in a mine shall not be allowed to work for more than such hours as may be notified by the Central Government in any day;

(ii) no work shall be carried on below ground in any mine except by a system of shifts so arranged that the period of work for each shift is not spread over more than the daily maximum hours as notified under clause (i);

(iii) no person employed in a mine shall be allowed to be present in any part of a mine below ground except during the periods of work shown in respect of him in the register maintained under clause (a) of section 33:

Provided further that subject to clause (a) that the hours of work in case of motor transport worker shall include—

(i) the time spent in work done during the running time of the transport vehicle;

(ii) the time spent in subsidiary work; and

(iii) period of mere attendance at terminals of less than fifteen minutes.

Explanation.—For the purposes of this sub-section—

(a) "running time" in relation to a working day means the time from the moment a transport vehicle starts functioning at the beginning of the working day until the moment when the transport vehicle ceases to function at the end of the working day, excluding any time during which the running of the transport vehicle is interrupted for a period exceeding such duration as may be prescribed by the Central Government during which period the persons who drive, or perform any other work in connection with the transport vehicle are free to dispose of their time as they please or are engaged in subsidiary work;

(b) "subsidiary work" means the work in connection with a transport vehicle, its passengers or its load which is done outside the running time of the transport vehicle, including in particular—

(i) the work in connection with accounts, paying of cash, signing of registers, handover of service sheets, the checking of tickets and other similar work;

(ii) taking over and garaging of the transport vehicles;

(iii) travelling from the place where a person signs on to the place where he takes over the transport vehicle and from the place where he leaves the transport vehicle to the place where he signs off;

(iv) work in connection with the upkeep and repair of the transport vehicle; and

(v) the loading and unloading of the transport vehicle;

(c) "period of mere attendance" means the period during which a person remains at his post solely in order to reply to possible calls or to resume action at the time fixed in the duty schedule.

(2) Notwithstanding anything contained in sub-section (1), the hours of work for working journalist shall, subject to a maximum of one hundred and forty-four hours of work during any period of four consecutive weeks and a period of not less than twenty-four consecutive hours of rest during any period of seven consecutive days, be such as may be prescribed by the Central Government.

(3) Notwithstanding anything contained in sub-sections (1) and (2), a sales promotion employee or the working journalist,—

(i) in addition to such holidays, casual leave or other kinds of leave as may be prescribed by the Central Government, shall be granted, if requested for—

(a) earned leave on full wages for not less than one-eleventh of the period spent on duty;

(b) leave on medical certificate on one-half of the wages for not less than one-eighteenth of the period of service;

(ii) may accumulate earned leave up to such maximum limit as may be prescribed by the Central Government;

(iii) shall be entitled for the limit up to which the earned leave may be either encashed or availed of at a time by him and the reasons for which such limit may be exceeded shall be such as may be prescribed by the Central Government;

(iv) shall,—

(a) when he voluntarily relinquishes his post or retires from service; or

(b) when his services are terminated for any reason whatsoever (not being termination as punishment), be entitled to cash compensation, subject to such conditions and restrictions as may be prescribed by the Central Government (including conditions by way of specifying the maximum period for which such cash compensation shall be payable), in respect of the earned leave earned by him and not availed of;

(v) who dies while in service, his heirs shall be entitled to cash compensation for the earned leave earned by him and not availed of his heirs shall be paid the cash compensation in respect of any period of earned leave for which he or his heirs, is or are entitled to cash compensation under clause (iv) or clause (v), which shall be an amount equal to the wages due to him for such period.

(4) Notwithstanding anything contained in this section, the working hours of an adolescent worker shall be regulated in accordance with the provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

26. (1) No worker shall be allowed to work in an establishment for more than six days in any one week:

Weekly and compensatory holidays.

Provided that in any motor transport undertaking, an employer may, in order to prevent any dislocation of a motor transport service, require a worker to work on any day of weekly holiday which is not a holiday so arranged that the worker does not work for more than ten days consecutively without a holiday for a whole day intervening.

(2) The appropriate Government may, by notification, exempt such workers as it thinks fit from the provisions of sub-section (1), subject to such conditions as may be prescribed.

(3) Where, as a result of the passing of an order or the making of a rule under the provisions of this Code exempting an establishment or the workers therein from the provisions of sub-section (1), a worker is deprived of any of the weekly holidays, the worker shall be allowed, within the month in which the holidays were due or within the two months immediately following that month, compensatory holidays of equal number to the holidays, so deprived.

27. There shall be paid wages at the rate of twice the rate of wages in respect of overtime work, where a worker works in an establishment or class of establishment for more than such hours of work in any day or in any week as may be prescribed by the appropriate Government and the period of overtime work shall be calculated on a daily basis or weekly basis, whichever is more favourable to such worker:

Extra wages for overtime.

Provided that a worker shall be required to work overtime by the employer subject to the consent of such worker for such work:

Provided further that the appropriate Government may prescribe the total number of hours of overtime.

28. Where a worker in an establishment works on a shift which extends beyond midnight,—

Night shifts.

(a) for the purposes of section 26, a weekly holiday for a whole day shall mean in his case a period of twenty-four consecutive hours beginning when his shift ends;

(b) the following day for him shall be deemed to be the period of twenty-four hours beginning when such shift ends, and the hours he has worked after midnight shall be counted in the previous day.

29. (1) The work shall not be carried on in any establishment by means of a system of shifts so arranged that more than one relay of workers is engaged in work of the same kind at the same time.

Prohibition of overlapping shifts.

(2) The appropriate Government or subject to the approval of the appropriate Government, the Chief Inspector-cum-Facilitator, may, by written order and for the reasons specified therein, exempt on such conditions as may be deemed expedient, any establishment or class of establishments or any department or section of an establishment or any category or description of workers therein from the provisions of sub-section (1):

Provided that the provisions of this sub-section shall not apply to mines.

30. No worker shall be required or allowed to work in a mine or factory if he has already been working in any other such similar establishment within the preceding twelve hours, save in such circumstances as may be prescribed by the appropriate Government.

Restriction on double employment in factory and mine.

31. (1) There shall be displayed and correctly maintained in every establishment a notice of periods of work, showing clearly for every day the periods during which workers may be required to work in accordance with the provisions of this Code.

Notice of periods of work.

(2) The form of notice required by sub-section (1), the manner of display of such notice and the manner in which such notice shall be sent to the Inspector-cum-Facilitator shall be such as may be prescribed by the appropriate Government.

(3) Any proposed change in the system of work in any establishment which will necessitate a change in the notice referred to in sub-section (1) shall be intimated to the Inspector-cum-Facilitator before the change is made, and except with the previous sanction of the Inspector-cum-Facilitator, no such change shall be made until one week has elapsed since that last change.

Annual leave with wages, etc.

32. (1) Every worker employed in an establishment shall be entitled for leave in a calendar year with wages subject to the following conditions, namely:—

(i) that he has worked one hundred and eighty days or more in such calendar year;

(ii) that he shall be entitled for one-day leave for every twenty days of his work,

in the case of adolescent worker for fifteen days of his work, and in case of worker employed below ground mine, at the rate of one day for every fifteen days of his work, in such calendar year;

(iii) any period of layoff, maternity leave or annual leave availed by such worker in such calendar year shall be counted for calculating the period of one hundred and eighty days or more under clause (i), but he shall not earn leave for the period so counted;

(iv) any holidays falling between the leave availed by such worker (in a calendar year or prefixed or suffixed holiday) shall be excluded from the period of leave so availed;

(v) in case of such worker whose service commences otherwise than on the first day of January shall be entitled to leave with wages at the rate specified in clause (ii), if he has worked for one-fourth of the total number of days in the remainder of the calendar year;

(vi) in case such worker is discharged or dismissed from service or quits employment or is superannuated or dies while in service, during the course of the calendar year, such worker or his heir or nominee, shall be entitled to wages in lieu of the quantum of leave to which such worker was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death, calculated as specified in preceding clauses, even if such worker has not worked for the required period under this sub-section making such worker eligible to avail such leave, and such payment shall be made—

(a) where such worker is discharged or dismissed or quits employment before the expiry of the second working day from the date of such discharge, dismissal or quitting; and

(b) where such worker is superannuated or dies while in service, before the expiry of two months from the date of such superannuation or death;

(vii) if such worker does not in any one calendar year take the whole of the leave allowed to him under this sub-section and the rules made thereunder, then, any leave not taken by him shall be added to the leave to be allowed to him in the succeeding calendar year so that—

(a) the total number of days of leave that may be carried forward to a succeeding year shall not exceed thirty days; and

(b) such worker, who has applied for leave with wages but has not been given such leave in accordance with this sub-section and the rules made thereunder shall be entitled to carry forward the leave refused without any limit;

(viii) without prejudice to clause (vi) such worker shall be entitled on his demand for encashment of leave at the end of calendar year;

(ix) such worker shall be entitled, where his total number of leave exceeds thirty days under sub-clause (a) of clause (vii), to encash such exceeded leave.

(2) The appropriate Government may, by notification, extend the provisions of sub-section (1) to any other establishment except railway establishment.

(3) The provisions of sub-section (1) shall not operate to the prejudice of any right to which a person employed in a mine may be entitled under any other law or under the terms of any award, agreement or contract of service:

Provided that if such award, agreement or contract of service, provides for longer annual leave with wages than that provided in sub-section (1), the quantum of leave, which the person employed shall be entitled to, shall be in accordance with such award, agreement or contract of service but leave shall be regulated in accordance with the provisions of sub-section (1) with respect of matters not provided for in such award, agreement or contract of service:

Provided further that where the Central Government is satisfied that the leave rules applicable to persons employed in any mine provide benefits which in its opinion are not less favourable than those provided for in sub-section (1) it may, by order in writing and subject to such conditions as may be specified therein exempt the mine from all or any of the provisions of sub-section (1).

CHAPTER VIII

MAINTENANCE OF REGISTERS, RECORDS AND RETURNS

33. An employer of an establishment shall—

(a) maintain register in prescribed form, electronically or otherwise, containing such particulars of workers as may be prescribed by the appropriate Government including,—

- (i) work performed by them;
- (ii) number of hours of work constituting normal working hours in a day;
- (iii) day of rest allowed in every period of seven days;
- (iv) wage paid and receipts given therefor;
- (v) leave, leave wages, overtime work, attendance and dangerous occurrences; and

(vi) employment of adolescent;

(b) display notices at the work place of the workers in such manner and form as may be prescribed by the appropriate Government;

(c) issue wage slips to the workers, in electronic forms or otherwise; and

(d) file such return electronically or otherwise to the Inspector-cum-Facilitator in such manner and during such periods as may be prescribed by the appropriate Government.

Maintenance of registers, records and filing of returns.

CHAPTER IX

INSPECTOR-CUM-FACILITATORS AND OTHER AUTHORITY

Appointment of Inspector-cum-Facilitators.

34. (1) The appropriate Government may, by notification, appoint Inspector-cum-Facilitators for the purposes of this Code who shall exercise the powers conferred on them under this Code throughout their respective jurisdiction specified in the notification.

(2) The Inspector-cum-Facilitators appointed under sub-section (1) shall, apart from other duties to be discharged by them under this Code, conduct such inspections as specified in sub-section (3).

(3) The appropriate Government may—

(i) for the purposes of inspection referred to in sub-section (2), by notification, lay down an inspection scheme which may provide for the generation of web-based inspection and calling of information under this Code, electronically and such scheme shall, *inter alia*, have provisions to cater to special circumstances for assigning inspection and calling for information from establishment or any other person besides web-based inspections; and

(ii) without prejudice to the provisions of sub-section (2), by notification, under the scheme, provide for the randomised selection of establishment and the Inspector-cum-Facilitator for inspection.

(4) Without prejudice to the powers of the appropriate Government under this section, the inspection scheme referred to in sub-section (3) may be designed taking into account, *inter alia*, the following factors, namely:—

(a) assignment of unique number, to each establishment (which will be same as the registration number allotted to the establishment registered under section 3), unique number to each Inspector-cum-Facilitator and to each inspection in such manner as may be notified by the appropriate Government;

(b) timely uploading of inspection reports in such manner and subject to such conditions as may be notified in the scheme;

(c) provisions for special inspections based on such parameters as may be notified by the appropriate Government; and

(d) the characteristics of employment, the nature of work, and characteristics of the workplaces based on such parameters as may be notified by the appropriate Government.

(5) The appropriate Government may, by notification, appoint any person or persons possessing the prescribed qualifications and experience to be Chief Inspector-cum-Facilitator for the purposes of such establishments or class of establishments and for such local limits of jurisdiction as may be specified in the notification:

Provided that a Chief Inspector-cum-Facilitator may be appointed for the purposes of a State or more than one States or for the purposes of the whole of the Country.

(6) The appropriate Government may, by notification, appoint for the purposes of establishments as may be notified by that Government, as many Additional Chief Inspector-cum-Facilitators, Joint Chief Inspector-cum-Facilitators and Deputy Chief Inspector-cum-Facilitators or any other officer of any designation as it thinks appropriate, to exercise such powers of the Chief Inspector-cum-Facilitator within his jurisdiction, as may be specified in the notification.

(7) Every Additional Chief Inspector-cum-Facilitator, Joint Chief Inspector-cum-Facilitator, Deputy Chief Inspector-cum-Facilitator and every other officer appointed under sub-section (6) shall, in addition to the powers of a Chief Inspector-cum-Facilitator specified in the notification by which the officer is appointed, exercise the powers of an Inspector-cum-Facilitator within such local limits as may be specified in the notification.

(8) No person shall be appointed under this section or having been so appointed, shall continue to hold office, who is, or who becomes, directly or indirectly interested in a workplace or work activity or in any process or business carried on in any workplace or in any plant or machinery connected therewith.

(9) The appropriate Government may also, by notification, appoint such public officers as it thinks fit to be Inspector-cum-Facilitators in addition to existing Inspector-cum-Facilitator for exercising the powers and discharging the duties of Inspector-cum-Facilitator for all or any of the purposes of this Code within such local limits as may be specified in such notification.

(10) Without prejudice to the other functions of the Inspector-cum-Facilitator under this Code, an Inspector-cum-Facilitator may in respect of any establishment or class of establishments in local area or areas of his jurisdiction where the Chief Inspector-cum-Facilitator with the approval of the appropriate Government and subject to such restrictions or conditions as he may think fit to impose, by order in writing authorise the Inspector-cum-Facilitator to exercise such of the powers of the Chief Inspector-cum-Facilitator as may be specified in such order:

Provided that the Chief Inspector-cum-Facilitator, with the approval of the appropriate Government, may by order in writing, prohibit the exercise, by any Inspector-cum-Facilitator or any class of Inspector-cum-Facilitators specified in such order, of any such power by such Inspector-cum-Facilitator or class of Inspector-cum-Facilitators.

(11) Every Chief Inspector-cum-Facilitator, Additional Chief Inspector-cum-Facilitator, Joint Chief Inspector-cum-Facilitator, Deputy Chief Inspector-cum-Facilitator, Inspector-cum-Facilitator and every other officer appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, and shall be officially subordinate to such authority as the appropriate Government may specify in this behalf.

45 of 1860.

35. (1) Subject to any rules made in this behalf, an Inspector-cum-Facilitator may—

Powers of
Inspector-cum-
Facilitators.

(i) enter, with such assistance of persons, being persons in the service of the Government, or any local or other public authority, or with an expert, as he thinks fit, any place which is used, or which he has reason to believe, is used as a work place;

(ii) inspect and examine the establishment, any premises, plant, machinery, article, or any other relevant material;

(iii) inquire into any accident or dangerous occurrence, whether resulting in bodily injury, disability or death or not and take on the spot or otherwise statement of any person which he may consider necessary for such inquiry;

(iv) subject to any rules made by the State Government in this behalf, within his jurisdiction, examine the crops grown in any plantation or any worker employed therein or require the production of any register or other document maintained in pursuance of this Code, and take on the spot or otherwise statement of any person which he may consider necessary for carrying out the purposes of this Code relating to plantation;

(v) supply information and sensitise the employers and workers regarding the provisions of this Code and compliance thereof;

(vi) require the production of any register or any other document relating to the workplace or work activity;

(vii) search or seize, or take copies of, any register, record or other document or any portion thereof, as he may consider necessary in respect of any offence under this Code, which he has reason to believe, has been committed;

(viii) direct the concerned occupier or employer that any premises or any part thereof, or anything lying therein, shall be left undisturbed (whether generally or in particular respects) for so long as is necessary for the purpose of any inspection or inquiry;

(ix) take measurements, photographs and videographs and make such recordings as he considers necessary for the purpose of any examination or inquiry;

(x) take samples of any articles or substances found in any establishment or premises into which he has power to enter and of the air of the atmosphere in or in the vicinity of any such establishment or premises in such manner as may be prescribed by the appropriate Government;

(xi) in case of any article or substance found in any establishment or premises, being an article or substance which appears to him as having caused or is likely to cause danger to the health and safety of the employees, direct it to be dismantled or subject it to any process or test (but not so as to damage or destroy it unless the same is, in the circumstances necessary, for carrying out the purposes of any provision of this Code) and take possession of any such article or substance or a part thereof, and detain it for so long as is necessary for such examination;

(xii) issue show cause notice relating to safety, health and welfare provisions arising under this Code, rules, regulations and bye-laws made thereunder;

(xiii) prosecute, conduct or defend before any court any complaint or other proceeding arising under this Code, the rules and regulations made thereunder; and

(xiv) exercise such other powers and perform such other duties as may be prescribed by the appropriate Government.

(2) Any person required to produce any document or to give any information required by an Inspector-cum-Facilitator under sub-section (1) shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code.

(3) The provisions of the Code of Criminal Procedure, 1973, shall, so far as may be, apply to such search or seizure under sub-section (1) as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code.

45 of 1860.

2 of 1974.

Powers and duties of District Magistrate.

36. The District Magistrate shall, within the local limits of his jurisdiction, exercise such powers and duties of the Inspector-cum-Facilitator in respect of mines as may be prescribed by the Central Government.

Third party audit and certification.

37. (1) The appropriate Government may, by notification, formulate a scheme to empanel experts possessing such qualifications and experience as may be prescribed for the purpose of such start-up establishments or class of establishments, as may be specified in the notification.

(2) The experts empanelled under sub-section (1), shall,—

(a) be assigned the third party audit and certification in a randomised manner, by the appropriate Government through a web-based scheme;

(b) carry out the audit and certification in the manner and for the purpose specified in the scheme referred to in sub-section (1);

(c) perform such duties as may be specified in such scheme and submit his report to the concerned employer and to the Inspector-cum-Facilitator.

Special powers of Inspector-cum-Facilitator in respect of factory, mines, dock work and building or other construction work.

38. (1) Without prejudice to the other powers of an Inspector-cum-Facilitator in this Code, an Inspector-cum-Facilitator,—

(A) shall have the following special powers in respect of a factory, namely:—

(a) where it appears to the Inspector-cum-Facilitator that conditions in a factory or part thereof are such that they may cause serious hazard or imminent danger by way of injury or death to the persons employed therein or to the general public in the vicinity, he may, by order in writing to the occupier of the factory, state the particulars in respect of which he considers the factory or part thereof to be the cause of such serious hazard or imminent danger and prohibit such occupier from employing any person in the factory or any part thereof other than the minimum number of persons necessary to attend to the minimum tasks till the hazard or danger is removed;

(b) any order issued by the Inspector-cum-Facilitator under sub-clause (a) shall have effect for a period of three days until extended by the Chief Inspector-cum-Facilitator by a subsequent order;

(c) any person aggrieved by an order of the Inspector-cum-Facilitator under sub-clause (a), and the Chief Inspector-cum-Facilitator under sub-clause (b), shall have the right to appeal to the High Court;

(d) any person whose employment has been affected by an order issued under sub-clause (a), shall, without prejudice to the rights of the parties under the Industrial Disputes Act, 1947, be entitled to wages and other benefits and it shall be the duty of the occupier to provide alternative employment to him wherever possible in such manner as may be prescribed by the appropriate Government;

(B) shall have the following special powers in respect of mines, namely:—

(a) if, in respect of any matter for which no express provision is made by or under this Code, it appears to the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator that any mine or part thereof or any matter, thing or practice in or connected with the mine, or with the control, supervision, management or direction thereof, is dangerous to human life or safety or is defective so as to threaten or tend to cause, the bodily injury of any person, he may give notice in writing thereof to the employer of the mine stating therein the particulars in respect of which he considers the mine or part thereof or the matter, thing or practice to be dangerous or defective and require the same to be remedied within such time and in such manner as he may specify in the notice;

(b) where the employer of a mine fails to comply with the terms of a notice given under sub-clause (a) within the period specified therein, the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator may, by order in writing, prohibit the employment in or about the mine or any part thereof of any person whose employment is not in his opinion reasonably necessary for securing compliance with the terms of the notice;

(c) without prejudice to the provisions contained in sub-clause (a), the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator may, by order in writing addressed to the employer of a mine, prohibit the extraction or reduction of pillars or blocks of minerals in the mine or part thereof, if, in his opinion, such operation is likely to cause the crushing of pillars or blocks of minerals or the premature collapse of any part of the workings or otherwise endanger the mine or the life or safety of persons employed therein or if, in his opinion, adequate provision against the outbreak of fire or flooding has not been made by providing for the sealing off and isolation of the part of the mine in which such operation is contemplated and for restricting the area that might be affected by fire or flooding;

(d) if the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator authorised, by general or special order in writing by the Chief Inspector-cum-Facilitator, is of opinion that there is urgent and immediate danger to the life or safety of any person employed in any mine or part thereof, he may, by order in writing containing a statement of the grounds of his opinion, prohibit until he is satisfied that the danger is removed, the employment in or about the mine or any part thereof of any person whose employment is not in his opinion reasonably necessary for the purpose of removing the danger;

(e) every person whose employment is prohibited under sub-clause (b) or sub-clause (d) shall be entitled to payment of full wages for the period for which he would have been, but for the prohibition, in employment and the employer shall be liable for payment of such full wages of that person:

Provided that the employer may instead of paying such full wages provide such person with an alternative employment at the same wages which such person was receiving in the employment which was prohibited;

(f) where a notice has been given under sub-clause (a) or an order is made under sub-clause (b) or sub-clause (c) or sub-clause (d) by an Inspector-cum-Facilitator, the employer of the mine may, within ten days after the receipt of the notice or order, as the case may be, appeal against the same to the Chief Inspector-cum-Facilitator who may confirm, modify or cancel the notice or order;

(g) the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator sending a notice under sub-clause (a) or making an order under sub-clause (b) or sub-clause (c) or sub-clause (d) and the Chief Inspector-cum-Facilitator making an order (other than an order of cancellation in appeal) under sub-clause (f) shall forthwith report the same to the Central Government;

(h) if the employer of the mine objects to a notice sent under sub-clause (a) by the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator or to an order made by the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator under sub-clause (b) or sub-clause (c) or sub-clause (d) or sub-clause (f), as the case may be, he may, within twenty days after the receipt of the notice containing the requisition or of the order or after the date of the decision on appeal, as the case may be, send his objection in writing stating the grounds thereof to the Central Government which shall, ordinarily within a period of one month from the date of receipt of the objection, decide the matter;

(i) every notice under sub-clause (a), or order under sub-clause (b) or sub-clause (c) or sub-clause (d) or sub-clause (f), to which objection is made under sub-clause (h), shall be complied with, pending the objection with the concerned Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator of the mine, for the decision of the Central Government:

Provided that the Central Government may, on the application of the employer, suspend the operation of a notice under sub-clause (a), pending its decision on the objection;

(j) nothing in this section shall affect the powers of a magistrate under section 144 of the Code of Criminal Procedure, 1973;

(k) where in respect of any matter relating to safety of mine for which express provision is made by or under this Code, the employer of a mine fails to comply with such provisions, the Chief Inspector-cum-Facilitator may give notice in writing requiring the same to be complied with within such time as he may specify in the notice or within such extended period of time as he may, from time to time, specify thereafter;

(l) where the employer fails to comply with the terms of a notice given under sub-clause (k) within the period specified in such notice or within the extended period of time specified under that sub-clause, the Chief Inspector-cum-Facilitator may, by order in writing, prohibit the employment, in or about the mine or any part thereof, of any person whose employment is not, in his opinion, reasonably necessary for securing compliance with the terms of the notice;

(m) every person whose employment is prohibited under sub-clause (l), shall be entitled to payment of full wages for the period for which he would have been, but for the prohibition, in employment, and the owner, agent or manager referred to in section 67 shall be liable for payment of such full wages of that person:

Provided that the employer may, instead of paying such full wages, provide such person with an alternative employment at the same wages which such person was receiving in the employment which was prohibited under sub-clause (l);

(n) the provisions of sub-clauses (g), (h) and (i) shall apply in relation to a notice issued under sub-clause (k) or an order made under sub-clause (l) as they apply in relation to a notice or an order under sub-clause (b);

(o) the Chief Inspector-cum-Facilitator may, for reasons to be recorded in writing, reverse or modify any order passed by him under this Code or under any regulation, rule or bye-law made thereunder in relation to mine;

(p) no order prejudicial to the owner, agent or manager of a mine shall be made under this section unless such owner, agent or manager has been given a reasonable opportunity of making representation;

(q) the Central Government may reverse or modify any order passed by Chief Inspector-cum-Facilitator under this Code or under any regulation, rule or bye-laws thereunder in relation to mine;

(C) shall have the following special powers in respect of dock work namely:—

(a) if it appears to an Inspector-cum-Facilitator that any place where any dock work is being carried on is in such a condition that it is dangerous to life, safety or health, of workers employed in dock work, he may, in writing, serve on the employer, an order prohibiting any dock work, in such place, until measures have been taken to remove the cause of the danger to his satisfaction;

2 of 1974.

(b) an Inspector-cum-Facilitator after serving an order under clause (a) shall endorse a copy thereof to the Chief Inspector-cum-Facilitator who may modify or cancel the order without waiting for an appeal;

(c) any person aggrieved by an order under clause (a) or clause (b) may, within fifteen days from the date on which the order is communicated to him, prefer an appeal to the Chief Inspector-cum-Facilitator or where such order is by the Chief Inspector-cum-Facilitator, to the Central Government and the Chief Inspector-cum-Facilitator or the Central Government shall, after giving the appellant an opportunity of being heard, dispose of the appeal within sixty days:

Provided that the Chief Inspector-cum-Facilitator or the Central Government may entertain the appeal after the expiry of the said period of fifteen days, if he or it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time:

Provided further that an order under clause (a) or an order modified under clause (b) shall be complied with, pending the decision of the Chief Inspector-cum-Facilitator or the Central Government.

(2) Without prejudice to the other powers of an Inspector-cum-Facilitator elsewhere in this Code,—

(a) if it appears to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator that any site or place at which any building or other construction work is being carried on, is in such condition that it is dangerous to life, safety or health of building workers or the general public, he may, in writing serve, on the employer of building workers working at such site or place or on the employer of the establishment in which such site or place is situated or on the person in charge of such site or place, an order prohibiting any building or other construction work at such site or place until measures have been taken to remove the cause of the danger to his satisfaction;

(b) an Inspector-cum-Facilitator serving an order under clause (a) shall endorse a copy of the order to the Chief Inspector-cum-Facilitator;

(c) such prohibition order made by the Inspector-cum-Facilitator shall be complied with by the employer forthwith.

(3) Any person aggrieved by an order under clause (a) of sub-section (2), may, within fifteen days from the date on which the order is communicated to him, prefer an appeal to the Chief Inspector-cum-Facilitator or where such order is by the Chief Inspector-cum-Facilitator, to the appropriate Government and the Chief Inspector-cum-Facilitator or the appropriate Government, as the case may be, shall, after giving the appellant an opportunity of being heard, dispose of the appeal within sixty days:

Provided that the Chief Inspector-cum-Facilitator or the appropriate Government may, entertain the appeal after the expiry of the said period of fifteen days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time:

Provided further that the order under clause (a) of sub-section (2), shall be complied with, subject to the decision of the Chief Inspector-cum-Facilitator or the appropriate Government as the case may be.

39. (1) All copies of, and extracts from, registers or other records pertaining to any establishment and all other information relating to any manufacturing or commercial business or any working process acquired by the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator or by any one assisting him, in the course of the inspection or survey of any establishment under this Code or acquired by any officer authorised under section 20 in the exercise of his duties thereunder, shall be regarded as confidential and shall not, while in service or after leaving the service, be disclosed to any person or authority unless the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator considers disclosure necessary to ensure the health, safety or welfare of any person employed in establishment.

(2) Nothing in sub-section (1) shall apply to the disclosure of any such information to—

- (a) any court;
- (b) any Committee or Board constituted under this Code;
- (c) an official superior or the employer of the establishment concerned;

Secrecy of information by Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator, etc.

(d) a Commissioner for employees' compensation appointed under the Employees' Compensation Act, 1923;

8 of 1923.

(e) the Controller, Indian Bureau of Mines; and

(f) any such officer, authority or authorised person as may be specified in this behalf by the appropriate Government.

(3) Notwithstanding anything contained in the Right to Information Act, 2005, no Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator shall disclose the source of any complaint, made to him regarding the contravention of the provisions of this Code without the consent of the complainant and shall also not while making an inspection under this Code in pursuance of such complaint, disclose to the employer concerned or any of his representative that the inspection is being made in pursuance of such complaint.

22 of 2005.

Facilities to be afforded to Inspector-cum-Facilitator.

40. Every employer of an establishment shall afford the Chief Inspector-cum-Facilitator and every Inspector-cum-Facilitator having jurisdiction or every person authorised by the Chief Inspector-cum-Facilitator all reasonable facilities for making any entry, inspection, survey, measurement, examination or inquiry under this Code.

Powers of special officer to enter, measure, etc., in relation to mine.

41. Any person in the service of the Government duly authorised in this behalf by a special order in writing of the Chief Inspector-cum-Facilitator or of an Inspector-cum-Facilitator may, for the purpose of surveying, leveling or measuring any mine or any output therefrom, after giving not less than three days' notice to the manager of such mine, enter the mine and may survey, level or measure the mine or any part thereof or any output therefrom at any time by day or night:

Provided that, where in the opinion of the Chief Inspector-cum-Facilitator or of an Inspector-cum-Facilitator an emergency exists, he may, by order in writing, authorise any such person to enter the mine for any of the aforesaid purposes without giving any such notice.

42. (1) The appropriate Government may appoint medical practitioners having prescribed qualification to be medical officers for the purposes of this Code in relation to factory, mines, plantation, motor transport undertakings and in any other establishment as may be prescribed:

Medical officer.

Provided that the medical officers so appointed shall before entering into their office shall disclose to the appropriate Government their interest in the concerned establishment.

(2) The medical officer shall perform the following duties, namely:—

(a) the examination and certification of workers in a mine or factory or in such other establishment engaged in such dangerous occupations or processes as may be prescribed;

(b) the exercise of such medical supervision for any factory, mines, plantation, motor transport undertaking and for such other establishment as may be prescribed by the appropriate Government where cases of illness have occurred which it is reasonable to believe are due to the nature of any process carried on or other conditions of work prevailing in such establishments;

(c) the examination and certification of adolescent for the purpose of ascertaining his fitness for employment in factory, plantation, motor transport undertakings and in any other establishment as may be prescribed by the appropriate Government in any work which is likely to cause injury to their health.

CHAPTER X

SPECIAL PROVISION RELATING TO EMPLOYMENT OF WOMEN

43. Women shall be entitled to be employed in all establishments for all types of work under this Code and they may also be employed, with their consent before 6 a.m. and beyond 7 p.m. subject to such conditions relating to safety, holidays and working hours or any other condition to be observed by the employer as may be prescribed by the appropriate Government.

Employment of women.

44. Where the appropriate Government considers that the employment of women is dangerous for their health and safety, in an establishment or class of establishments or in any particular hazardous or dangerous processes in such establishment or class of establishments, due to the operation carried out therein, such Government may in the prescribed manner, require the employer to provide adequate safeguards prior to the employment of women for such operation.

Adequate safety of employment of women in dangerous operation.

CHAPTER XI

SPECIAL PROVISIONS FOR CONTRACT LABOUR AND INTER-STATE MIGRANT WORKER, ETC.

PART I

CONTRACT LABOUR

45. (1) This Part shall apply to—

(i) every establishment in which fifty or more contract labour are employed or were employed on any day of the preceding twelve months through contract;

(ii) every manpower supply contractor who has employed, on any day of the preceding twelve months, fifty or more contract labour.

(2) This Part shall not apply to the establishment in which work only of an intermittent or casual nature is performed:

Provided that if a question arises as to whether work performed in an establishment is of an intermittent or casual nature, the appropriate Government shall decide that question after consultation with the National Board or a State Advisory Board and its decision thereon shall be final.

Explanation.—For the purpose of this sub-section, work performed in an establishment shall not be deemed to be of an intermittent nature—

(i) if it was performed for more than one hundred and twenty days in the preceding twelve months; or

(ii) if it is of seasonal character and is performed for more than sixty days in a year.

46. The appropriate Government may, by an order, appoint such persons, being Gazetted officers of the Government, as it thinks fit to be designated as authority under sub-section (1) of section 119 and specify the limits of their jurisdiction and vest with such powers and duties including dealing with issuance and revocation of licences electronically as may be specified therein.

Appointment of designated authority.

Licensing of contractors.

47. (1) No contractor to whom this Part applies shall—

(a) supply or engage contract labour in any establishment; or

(b) undertake or execute the work through contract labour,

except under and in accordance with a licence issued to him by the authority referred to in sub-section (1) of section 119 in accordance with the provisions of that section after satisfying that the contractor fulfills such requisite qualifications or criteria as may be prescribed by the Central Government and such licence shall, in addition to the requisite particulars and conditions specified in sub-section (3), specify the number of such contract labour who can be supplied or engaged and the amount of security to be deposited by the contractor.

(2) Where the contractor does not fulfil the requisite qualifications or criteria referred to in sub-section (1), the authority referred to in sub-section (1) of section 119 may issue him a "work specific licence" electronically renewable within such period as may be prescribed by the Central Government to supply or engage the contract labour, or execute the work through contract labour, only for the concerned work order as may be specified in such licence and subject to such conditions as may be specified in such licence.

(3) Subject to the provisions of this Part,—

Applicability of this Part.

(a) a licence under sub-section (1) may contain such conditions including, in particular, conditions as to hours of work, fixation of wages and other essential amenities in respect of contract labour as may be prescribed by the appropriate Government;

(b) the licence referred to in sub-section (1) or sub-section (2), shall be obtained from, if for such establishment the appropriate Government is—

(i) the Central Government, the authority referred to in sub-section (1) of section 119 designated by that Government; and

(ii) the State Government, the authority referred to in sub-section (1) of section 119 designated by that Government:

Provided that where the contractor is desirous of obtaining licence for supplying or engaging contract labour or undertaking or executing the contract works under sub-section (1) or sub-section (2) in more than one States or for the whole of India, then, he may obtain the licence from the authority referred to in sub-section (1) of section 119 designated by the Central Government for such purpose and the provisions of that section shall apply:

Provided further that before issuing such licence the authority referred to in the first proviso shall consult the concerned State or States authorities designated under sub-section (1) of section 119, electronically before issuing licence for the establishments for which the appropriate Government is the State Government.

48. (1) Subject to the provisions of section 119, every application for issuing a licence under section 119 for the purposes of sub-section (1) or sub-section (2) of section 47 shall be made electronically in such form and manner and shall contain such particulars regarding the number of contract labour, nature of work for which contract labour is to be employed and such other particulars including the information relating to the employment of inter-State migrant workers as may be prescribed by the appropriate Government.

(2) Subject to the provisions of section 119, the authority referred to in sub-section (1) thereof shall follow such procedure as may be prescribed by the appropriate Government.

(3) Subject to the provisions of section 119, the licence issued for the purposes of sub-section (1) of section 47 shall be valid for a period of five years in respect of the number of contract labour specified therein and in case the contractor wants to increase the number of the contract labour, he shall apply in the prescribed manner for the amendment to the licence for such purpose to the authority referred to in sub-section (1) of section 119 and if the licence is so amended, the number of contract labour shall be increased to such extent by depositing such security deposit as specified in the amended licence for the balance period.

(4) Subject to the provisions of section 119, the licence issued for the purposes of sub-section (1) of section 47 shall contain responsibility of the contractor as may be prescribed by the appropriate Government.

49. The contractor shall not charge directly or indirectly, in whole or in part, any fee or commission from the contract labour.

50. (1) When a contractor receives work order from an establishment either to supply contract labour in the establishment or to execute the contract through contract labour in the establishment he shall, within such time and in such manner as may be prescribed, intimate to the authority referred to in section 119.

(2) Where the contractor fails to give intimation under sub-section (1), the designated authority may, after giving the holder of the licence an opportunity of showing cause, suspend or cancel the licence in such manner as may be prescribed by the appropriate Government.

51. (1) If the authority referred to in sub-section (1) of section 119 is satisfied, either on a reference made to him in this behalf or otherwise, that—

Procedure for issue or renewal of licence.

No fees or commission or any cost to workers.

Information regarding work order to be given to the appropriate Government.

Revocation, suspension and amendment of licence.

(a) a licence granted for the purposes of this Part has been obtained by misrepresentation or suppression of any material fact, or

(b) the holder of a licence has, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of this Part or the rules made thereunder, then,

without prejudice to any other penalty to which the contractor may be liable under this Code, the authority referred to in sub-section (1) of section 119 may, after giving the contractor an opportunity of showing cause, revoke or suspend the licence in accordance with the procedure as may be prescribed by the Central Government.

(2) Subject to any rules that may be made in this behalf, the authority referred to in sub-section (1) of section 119 may amend a licence granted for the purposes of this Part.

Appeal.

52. (1) Any person aggrieved by an order made under section 47, section 48 or section 51 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to an appellate authority prescribed by the appropriate Government under sub-section (6) of section 119:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal within thirty days from the date on which the appeal is preferred.

Liability of principal employer for welfare facilities.

53. Welfare facilities specified under section 23 and section 24 shall be provided by the principal employer of the establishment to the contract labour who are employed in such establishment.

Effect of employing contract labour from a non-licensed contractor.

54. Where any principal employer of an establishment is employing contract labour through a contractor who is required to obtain a licence under this Part, but he has not obtained such licence, then, such employment shall be deemed to be in contravention of the provision of this Code.

Responsibility for payment of wages.

55. (1) A contractor shall be responsible for payment of wages to each contract labour employed by him and such wages shall be paid before the expiry of such period as may be prescribed by the appropriate Government.

(2) Every contractor shall, make the disbursement of wages referred to in sub-section (1) through bank transfer or electronic mode and inform the principal employer electronically the amount so paid by such mode:

Provided that where it is not practicable to disburse payment in the mode specified in this section, then, the payment shall be made in such manner as may be prescribed by the appropriate Government.

(3) In case the contractor fails to make payment of wages referred to in sub-section (1) within the prescribed period or makes short payment, then, the principal employer shall be liable to make payment of the wages in full or the unpaid balance due, as the case may be, to the concerned contract labour employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

(4) The appropriate Government, in the event the contractor does not pay the wages to the contract labour employed by him, shall pass the orders of making payment of such wages from the amount deposited by such contractor as security deposit under the licence issued by the licensing officer to the contractor, in such manner as may be prescribed by such Government.

Experience certificate.

56. Every concerned contractor shall issue, on demand, experience certificate, in such form as may be prescribed by the appropriate Government, to the contract labour giving details of the work performed by such contract labour.

Prohibition of employment of contract labour

57. (1) Notwithstanding anything contained in this Part, employment of contract labour in core activities of any establishment is prohibited:

Provided that the principal employer may engage contract labour through a contractor to any core activity, if—

(a) the normal functioning of the establishment is such that the activity is ordinarily done through contractor; or

(b) the activities are such that they do not require full time workers for the major portion of the working hours in a day or for longer periods, as the case may be;

(c) any sudden increase of volume of work in the core activity which needs to be accomplished in a specified time.

(2) (a) The appropriate Government may, by notification, appoint a designated authority to advise that Government on the question whether any activity of an establishment is a core activity or otherwise;

(b) if a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application in such form and manner as may be prescribed, to the appropriate Government for decision;

(c) the appropriate Government may refer any such question *suo motu* or refer the application to the designated authority, which on the basis of relevant material in its possession, or after making such an enquiry as it deems fit, shall report to the appropriate Government, within such period and thereafter the appropriate Government shall decide the question within such period as may be prescribed.

58. The appropriate Government may, in the case of an emergency, direct, by notification, that subject to such conditions and restrictions, if any, and for such period, as may be specified in the notification, all or any of the provisions of this Code or the rules made thereunder shall not apply to any establishment or class of establishments or any class of contractors.

Power to exempt in special cases.

PART II

INTER-STATE MIGRANT WORKERS

59. This Part shall apply to every establishment in which ten or more inter-State migrant workers are employed or were employed on any day of the preceding twelve months.

Applicability of Part II.

60. It shall be the duty of every contractor or the employer, of an establishment employing inter-State migrant workers in connection with the work of that establishment—

Facilities to inter-State migrant workers.

(i) to ensure suitable conditions of work to such worker having regard to the fact that he is required to work in a State different from his own State;

(ii) in case of fatal accident or serious bodily injury to any such worker, to report to the specified authorities of both the States and also the next of kin of the worker;

(iii) to extend all benefits to such worker which are available to a worker of that establishment including benefits under the Employees' State Insurance Act, 1948 or the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 or any other law for the time being in force and the facility of medical check-up as available to a worker under clause (c) of sub-section (1) of section 6.

34 of 1948.
19 of 1952.

61. The employer shall pay, to every inter-State migrant worker employed in his establishment, in a year a lump sum amount of fare for to and fro journey to his native place from the place of his employment, in the manner taking into account the minimum service for entitlement, periodicity and class of travel and such other matters as may be prescribed by the appropriate Government.

Journey allowance.

62. The appropriate Government shall make schemes to provide—

Benefits of public distribution system, etc.

(a) option to an inter-State migrant worker for availing benefits of public distribution system either in his native State or the destination State where he is employed; and

Toll free helpline.

Study of inter-State migrant workers.

Past liabilities.

(b) for portability of the benefits of the inter-State migrant worker working for building or other construction work out of the building and other construction cess fund in the destination State where such inter-State migrant worker is employed.

63. The appropriate Government may provide facility of toll free helpline to the inter-State migrant workers in such manner as may be prescribed by that Government.

64. The appropriate Government may provide for study of inter-State migrant workers in such manner as may be prescribed by that Government.

65. No suit or other proceeding shall lie in any court or before any authority for the recovery of debt or any part thereof relating to an inter-State migrant worker after the completion of his employment where it remains unsettled obligation to the contractor or the principal employer and such debt or part thereof shall, on the completion of the period of employment of such worker, be deemed to have been extinguished.

PART III

AUDIO-VISUAL WORKERS

Prohibition of employment of audio-visual worker without agreement.

66. (1) No person shall be employed as an audio-visual worker in or in connection with production of any audio-visual programme unless,—

- (a) an agreement in writing is entered into—
- (i) with such person by the producer of such audio-visual programme; or
 - (ii) with such person by the producer of such audio-visual programme with the contractor, where such person is employed through such contractor; or
 - (iii) with such person by the contractor or other person through whom such person is employed; and

(b) such agreement is registered with the competent authority, to be notified by the appropriate Government, by the producer of such audio-visual programme.

(2) Every agreement, referred to in sub-section (1) shall,—

- (a) be in the prescribed form;
- (b) specify the name and such other particulars as may be prescribed by the appropriate Government with respect to, such person to be employed under the agreement as audio-visual worker;

(c) include, where such audio-visual worker is employed through a contractor, a specific condition to the effect that in the event of the contractor failing to discharge his obligations under the agreement to the audio-visual worker with respect to payment of wages or any other matter, the producer of the audio-visual programme shall also be liable to discharge such obligations and shall be entitled to be reimbursed with respect thereto by the contractor.

(3) A copy of the agreement referred to in sub-section (1) with respect to the employment of the audio-visual worker shall, if such audio-visual worker is covered under the provision of an enactment for the time being in force for providing the benefit of provident fund to him, also be forwarded by the producer of the audio-visual programme to such authority as may be prescribed by the appropriate Government.

(4) Notwithstanding anything contained in Chapters V, VI and VII, the agreement referred to in sub-section (1) shall include,—

- (i) nature of assignment;
- (ii) wages and other benefits (including provident fund, if covered under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952);
- (iii) health and working conditions;
- (iv) safety;
- (v) hours of work;
- (vi) welfare facilities; and
- (vii) dispute resolution process or mechanism, the constitution and other details of which shall be prescribed by the appropriate Government:

19 of 1952.

14 of 1947.

Provided that in case of failure of the resolution of the dispute in such dispute resolution process or mechanism, either party in the dispute may invoke the jurisdiction of the Industrial Tribunal established by the appropriate Government under section 7A of the Industrial Disputes Act, 1947 and for such purpose such dispute shall be deemed to be industrial dispute within the meaning of that Act and it shall be the responsibility of the producer of the audio-visual programme to provide the facilities specified in the agreement to the audio-visual worker and the payment of wages shall be through electronic mode.

PART IV

MINES

67. (1) Save as may be otherwise prescribed, every mine shall be under a sole manager who shall have such qualifications as may be prescribed by the Central Government and the owner or agent of every mine shall appoint a person having such qualifications to be the manager:

Managers.

Provided that the owner or agent may appoint himself as manager if he possesses the prescribed qualifications.

(2) Subject to any instructions given to him by or on behalf of the owner or agent of the mine, the manager shall be responsible for the overall management, control, supervision and direction of the mine and all such instructions when given by the owner or agent shall be confirmed in writing forthwith.

(3) Except in case of an emergency, the owner or agent of a mine or anyone on his behalf shall not give, otherwise than through the manager, instructions affecting the fulfilment of his statutory duties, to a person, employed in a mine, who is responsible to the manager.

68. (1) The provisions of this Code, except those contained in sections 35, 38, 40, 41 and 44, shall not apply to—

Code not to apply in certain cases.

(a) any mine or part thereof in which excavation is being made for prospecting purposes only and not for the purpose of obtaining minerals for use or sale subject to such conditions relating to number of employees, depth of excavation and other matters as may be prescribed by the Central Government;

(b) any mine engaged in the extraction of kankar, murrum, laterite, boulder, gravel, shingle, ordinary sand (excluding mouldings and glass sand and other mineral sands), ordinary clay (excluding kaolin, china clay, white clay or fire clay), building stone, slate, road metal, earth, fullers earth (marl, chalk) and lime stone subject to such conditions relating to workings, open cast workings and explosives as may be prescribed by the Central Government.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may declare that the provisions of this Code shall apply to such mine or part thereof as may be prescribed by the Central Government.

(3) Without prejudice to the provisions contained in sub-section (2), if at any time any of the conditions specified in clause (a) or clause (b) of sub-section (1) is not fulfilled in relation to any mine referred to in that sub-section, the provisions of this Code not set out in sub-section (1), shall become immediately applicable, and it shall be the duty of the employer of the mine to inform about such non-fulfilment to such authority in such manner and within such time as may be prescribed by the Central Government.

Exemption from provision regarding employment.

69. (1) In case of an emergency involving serious risk to the safety of the mine or of persons employed therein, or in case of an accident, whether actual or apprehended, or in case of any act of God or in case of any urgent work to be done to machinery, plant or equipment of the mine as a result of breakdown of such machinery plant or equipment, the manager may, subject to the provision of clause (B) of sub-section (1) of section 38 and in accordance with the provisions of section 25 relating to exemption from hours of work above ground, hours of work below ground and notification regarding hours of work and weekly day of rest relating to mines under section 26, permit persons to be employed in contravention of sections 25 and 30 and

sub-section (1) of section 31 on such work as may be necessary to protect the safety of the mine or of the persons employed therein:

Provided that in case of any urgent work to be done to machinery, plant or equipment under this section, the manager may take the action permitted by this section, although the production of mineral would thereby be incidentally affected, but any action so taken shall not exceed the limits necessary for the purpose of avoiding serious interference with the ordinary working of the mine.

(2) Every case in which action has been taken by the manager under sub-section (1), shall be recorded together with the circumstances relating thereto and a report thereof shall also be made to the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator.

Employment of persons below eighteen years of age.

70. (1) No person below eighteen years of age shall be allowed to work in any mine or part thereof.

(2) Notwithstanding anything contained in sub-section (1), apprentices and other trainees, not below sixteen years of age, may be allowed to work, under proper supervision, in a mine or part thereof by the manager as referred to in section 67:

Provided that in the case of trainees, other than apprentices, prior approval of the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator shall be obtained before they are allowed to work.

(3) The Central Government may prescribe the provisions for medical examination of apprentice, other trainee and employee in the mine to ensure their fitness to work and to prevent the persons below sixteen years of age to work as apprentice or trainee and those who are not adults to work as such employee.

Explanation.—In this section, "apprentice" means an apprentice as defined in clause (a) of section 2 of the Apprentices Act, 1961.

52 of 1961.

Exemption to certain persons.

71. The Central Government may make rules to provide for exemption to certain persons or category of persons employed in mines from the provisions of sub-section (1) of section 25, sub-section (1) of section 26, section 30 and sub-section (1) of section 31.

Establishment, maintenance of rescue services and vocational training.

72. The Central Government may prescribe vocational training and rescue and recovery services for persons employed in a mine.

73. If any question arises as to whether any excavation or working or premises in or adjacent to and belonging to a mine, on which any process ancillary to the getting, dressing or preparation for sale of minerals or of coke is being carried on in a mine within the meaning of this Code, the Central Government may decide the question, and a certificate signed by a Secretary to the Government of India in the Ministry of Labour and Employment shall be conclusive proof thereof.

Decision of question whether a mine is covered under this Code.

PART V

BEEDI AND CIGAR WORKERS

74. (1) Save as otherwise provided in this Part, no employer shall use or allow to use any place or premises as an industrial premises unless he holds a valid licence issued under section 119 for the purposes of this Part and no such premises shall be used except in accordance with the terms and conditions of such licence.

Licence to industrial premises and person.

(2) Subject to the provisions of section 119, any person who intends to use or allows to use any place or premises specified in sub-section (1) shall make an application to the authority referred to in sub-section (1) of section 119, in such form and on payment of such fees as may be prescribed by the State Government, for a licence to use, or allow to use, such premises as an industrial premises.

(3) Subject to the provisions of section 119, the application shall specify the maximum number of employees proposed to be employed at any time of the day in the place or premises and shall be accompanied by a plan of the place or premises prepared in such manner as may be prescribed by the State Government.

(4) Subject to the provisions of section 119, the authority referred to in sub-section (1) thereof shall, in deciding whether to grant or refuse to grant a licence, have regard to the following matters, namely:—

(a) the suitability of the place or premises which is proposed to be used for the manufacture of beedi or cigar or both;

(b) previous experience of the applicant or he has employed experienced person or has entered into agreement with the experienced person for employment for the period of licence;

(c) the financial resources of the applicant including his financial capacity to meet the demands arising out of the provisions of the laws for the time being in force relating to welfare of labour;

(d) whether the application is made *bona fide* on behalf of the applicant himself or in *benami* of any other person;

(e) welfare of the labour in the locality, the interest of the public generally and such other matters as may be prescribed by the State Government.

(5) Subject to the provisions of section 119, a licence granted under the said section for the purposes of this section shall be valid for five years and may be renewed thereafter.

(6) Subject to the provisions of section 119, an application for the renewal of a licence for the purposes of this Part shall be made at least thirty days before the expiry of the period thereof, on payment of such fees as may be prescribed by the State Government, and where such an application has been made, the licence shall be deemed to continue, notwithstanding the expiry of the period thereof, until the renewal of the licence, or, as the case may be, the rejection of the application for the renewal thereof:

Provided that the authority referred to in sub-section (1) of section 119 shall not grant or renew a licence unless it is satisfied that the provisions of this Part and the rules made thereunder have been complied with:

Provided further that the authority referred to in sub-section (1) of section 119 shall renew or refuse to renew the licence within such period as may be prescribed by the State Government and in deciding whether to renew a licence or to refuse a renewal thereof shall have regard to the matters specified in sub-section (4).

(7) Subject to the provisions of section 119, the authority referred to in sub-section (1) thereof may, after giving the holder of a licence an opportunity of being heard, cancel or suspend any licence granted or renewed under section 119 for the purposes of this Part, if it appears to it that such licence has been obtained by misrepresentation or fraud or that the licence has contravened or failed to comply with any of the provisions of this Part or the rules made thereunder or any of the terms or conditions of the licence.

(8) The State Government may issue in writing to an authority referred to in sub-section (1) of section 119 such directions of a general character as that Government may consider necessary in respect of any matter relating to the grant or renewal of licence under section 119 relating to this section.

(9) Subject to section 119 and the foregoing provisions of this section, the authority referred to in sub-section (1) of section 119 may grant or renew licence relating to this Part on such terms and conditions as it may determine and where such authority refuses to grant or renew any licence, it shall do so by an order communicated to the applicant, giving the reasons in writing for such refusal.

Appeals.

75. Any person aggrieved by the decision of the authority referred to in sub-section (1) of section 119 refusing to grant or renew a licence, or cancelling or suspending a licence, relating to this Part may, within such time and on payment of such fees as may be prescribed, appeal to the appellate authority referred to in sub-section (6) of section 119, and such authority may by order confirm, modify or reverse any order refusing to grant or renew a licence, or cancelling or suspending a licence, relating to this Part.

Permission to work by employees outside industrial premises.

76. (1) The State Government may permit the wetting or cutting of beedi or tobacco leaves by employees outside the industrial premises on an application made to it by the employer on behalf of such employees, subject to such conditions as may be prescribed.

(2) The employer shall maintain the record of the work permitted under sub-section (1), to be carried on outside the industrial premises, in such form as may be prescribed.

(3) Save as otherwise provided in this section, no employer shall require or allow any manufacturing process connected with the making of beedi or cigar or both to be carried on outside the industrial premises:

Provided that nothing in this sub-section shall apply to any worker who is given raw material by an employer or a contractor to make beedi or cigar or both at home.

Part not to apply to self-employed persons in private dwelling houses.

77. Nothing contained in this Part shall apply to the owner or occupier of a private dwelling house, not being an employee of an employer to whom this Part applies, who carries on any manufacturing process in such private dwelling house with the assistance of the members of his family living with him in such dwelling house and dependent on him.

Explanation.—For the purposes of this section,—

(i) "family" does not include child, as defined in the Child and Adolescent (Prohibition and Regulation) Act, 1986, for this section;

(ii) "private dwelling house" means a house in which persons engaged in the manufacture of beedi or cigar or both reside.

61 of 1986.

PART VI

BUILDING OR OTHER CONSTRUCTION WORKERS

78. No person, about whom the employer knows or has reasons to believe that he is a deaf or he has a defective vision or he has a tendency to giddiness, shall be required or allowed to work in any such operation of building or other construction work which is likely to involve a risk of any accident either to the building worker himself or to any other person.

Prohibition of employment of certain persons in certain building or other construction work.

PART VII

FACTORIES

79. (1) The appropriate Government may make rules in respect of factory or class or description of factories for—

(a) the submission of plans including specifications, nature and certification thereof;

(b) the previous permission for the site on which the factory is to be situated and for the construction or extension thereof; and

(c) subject to the provision of sub-section 119, licensing and renewal thereof including fees to be payable for such, licensing and renewal, if required, as the case may be.

Approval and licensing of factories.

(2) If on an application for permission referred to in clause (b) of sub-section (1) accompanied by the plans and specifications required by the rules made under clause (a) of that sub-section, sent to the State Government or Chief Inspector-cum-Facilitator in the electronic mode, no order is communicated to the applicant within such period not exceeding thirty days, the permission applied for in the said application shall be deemed to have been granted.

(3) Where a State Government or a Chief Inspector-cum-Facilitator refuses to grant permission to the site, construction or extension of a factory and licensing of a factory, the applicant may within thirty days of the date of such refusal appeal to the Central Government if the decision appealed from was of the State Government and to the State Government in any other case.

Explanation.—A factory shall not be deemed to be extended within the meaning of this section by reason only of the replacement of any plant or machinery or within such limits as may be prescribed, of the addition of any plant or machinery if such replacement or addition does not reduce the minimum clear space required for safe working around the plant or machinery or adversely affect the environmental conditions from the evolution or emission of steam, heat or dust or fumes injurious to health.

80. Where any premises or separate buildings are leased to different occupiers for use as separate factories, the owner of the premises and occupiers of the factories utilising such common facilities which include safety and fire prevention and protection, access, hygiene, occupational health, ventilation, temperature, emergency preparedness and response, canteens, shelter, rest rooms and crèches shall jointly and severally be responsible for provision and maintenance of such common facilities and services as may be prescribed by the appropriate Government.

Liability of owner of premises in certain circumstances.

81. (1) The appropriate Government may, by notification, declare that all or any of the provisions of this Part shall apply to any place wherein a manufacturing process is carried on with or without the aid of power or is ordinarily carried on irrespective of the number of workers working in the factory.

Power to apply Code to certain premises.

(2) After a place is so declared, it shall be deemed to be a factory for the purposes of this Code, and the owner shall be deemed to be the occupier, and any person working therein, a worker.

Explanation.—For the purposes of this section, "owner" shall include a lessee or mortgagee with possession of the premises.

Dangerous operations.

82. The appropriate Government may by rules make the provisions relating to any factory or class or description of factories in which manufacturing process or operation is carried on which exposes any of the persons employed in it to a serious risk of bodily injury, poisoning or disease, for—

(a) specifying the manufacturing process or operation and declaring it to be dangerous;

(b) prohibiting or restricting the employment of pregnant women in the manufacturing process or operation;

(c) the periodical medical examination before, or at any time during the employment to ascertain the fitness of a worker or employee for such employment on the cost of the occupier; and

(d) welfare amenities, sanitary facilities, protective equipment and clothing, and any other requirement necessary for dangerous operations.

Constitution of site appraisal committee.

83. (1) The appropriate Government may, constitute one or more site appraisal committees consisting of a chairman and other members, for such purpose as may be prescribed including to consider and to give recommendations on an application for grant of permission for the initial location of a factory involving a hazardous process or for the expansion of such factory.

(2) The site appraisal committee referred to in sub-section (1) shall make its recommendation within a period of thirty days of the receipt of the application for any of the purpose referred to in the said sub-section in such form, as may be prescribed.

Compulsory disclosure of information by occupier.

84. (1) The occupier of every factory involving a hazardous process shall disclose in the manner prescribed by the State Government all information regarding dangers, including health hazards and the measures to overcome such hazards arising from the exposure to or handling of the materials or substances in the manufacture, transportation, storage and other processes, to the workers employed in the factory, the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator, the local authority within whose jurisdiction the factory is situate and the general public in the vicinity.

(2) The occupier shall, at the time of registering the factory involving a hazardous process, lay down a detailed policy with respect to the health and safety of the workers employed therein and intimate such policy to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator and the local authority and, thereafter, at such intervals as may be prescribed by the State Government, inform the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator and the local authority of any change made in the said policy.

(3) The information furnished under sub-section (1) shall include accurate information as to the quantity, specifications and other characteristics of wastes and the manner of their disposal.

(4) Every occupier shall, with the approval of the Chief Inspector-cum-Facilitator, draw up an on-site emergency plan and detailed disaster control measures for his factory and make known to the workers employed therein and to the general public living in the vicinity of the factory the safety measures required to be taken in the event of an accident taking place.

(5) Every occupier of a factory shall, if such factory proposes to engage in a hazardous process at any time after the commencement of this Code, within a period of thirty days before the commencement of such process, inform the Chief Inspector-cum-Facilitator about the nature and details of the process in such form and in such manner as may be prescribed by the State Government.

(6) Where any occupier of a factory contravenes the provisions of sub-section (5), the licence issued under section 79 to such factory shall, notwithstanding any penalty to which the occupier of factory shall be subjected to under the provisions of this Code, be liable for cancellation.

(7) The occupier of a factory involving a hazardous process shall, with the previous approval of the Chief Inspector-cum-Facilitator, lay down measures for the handling, usage, transportation and storage of hazardous substances inside the factory premises and the disposal of such substances outside the factory premises and publicise them in the manner prescribed by the State Government among the workers and the general public living in the vicinity.

85. Every occupier of a factory involving any hazardous process shall—

(a) maintain accurate and up-to-date health records or, as the case may be, medical records, of the workers in the factory who are exposed to any chemical, toxic or any other harmful substances which are manufactured, stored, handled or transported and such records shall be accessible to the workers subject to such conditions as may be prescribed by the State Government;

(b) appoint persons who possess prescribed qualifications and experience in handling hazardous substances and are competent to supervise such handling within the factory and to provide at the working place all the necessary facilities for protecting the workers in the manner prescribed by the State Government:

Provided that where any question arises as to the qualifications and experience of a person so appointed, the decision of the Chief Inspector-cum-Facilitator shall be final;

(c) provide for medical examination of every worker—

(i) before such worker is assigned to a job involving the handling of, or working with, a hazardous substance; and

(ii) while continuing in such job, and after he has ceased to work in such job, at intervals not exceeding twelve months, in such manner as may be prescribed by the State Government.

Specific responsibility of the occupier in relation to hazardous processes.

86. (1) The Central Government may, in the event of the occurrence of an extraordinary situation involving a factory engaged in a hazardous process, direct the National Board to inquire into the standards of health and safety observed in the factory with a view to finding out the causes of any failure or neglect in the adoption of any measures or standards prescribed by the State Government for the health and safety of the workers employed in the factory or the general public affected, or likely to be affected due to such failure or neglect and for the prevention of recurrence of such extraordinary situations in future in such factory or elsewhere.

National Board to inquire into certain situations.

(2) The recommendations of the National Board shall be advisory in the nature.

87. (1) Where the Central Government is satisfied that no standards of safety have been prescribed in respect of a hazardous process or class of hazardous processes, or where the standards so prescribed are inadequate, it may direct the Directorate General Occupational Safety and Health formerly known as the Directorate General of Factory Advice Service and Labour Institutes or any Institution authorised in matters relating to standards of safety in hazardous processes, to lay down emergency standards for enforcement of suitable standards in respect of such hazardous processes.

Emergency standards.

(2) The emergency standards laid down under sub-section (1) shall, until they are incorporated in the rules made under this Code, be enforceable and have the same effect as if they had been incorporated in the rules made under this Code.

88. The maximum permissible limits of exposure of chemical and toxic substances in manufacturing process in any factory shall be of the value as may be prescribed by the State Government.

Permissible limits of exposure of chemicals and toxic substances.

89. (1) Where the workers employed in any factory engaged in a hazardous process have reasonable apprehension that there is a likelihood of imminent danger to their lives or health due to any accident, they may, bring the same to the notice of the occupier, agent, manager or any other person who is in-charge of the factory or the process concerned directly or through their representatives in the Safety Committee and simultaneously bring the same to the notice of the Inspector-cum-Facilitator.

Right of workers to warn about imminent danger.

(2) It shall be the duty of such occupier, agent, manager or the person in-charge of the factory or process to take immediate remedial action if he is satisfied about the existence of such imminent danger and send a report forthwith of the action taken to the Inspector-cum-Facilitator.

(3) If the occupier, agent, manager or the person in-charge referred to in sub-section (2) is not satisfied about the existence of any imminent danger as apprehended by the workers, he shall, nevertheless, refer the matter forthwith to the Inspector-cum-Facilitator whose decision on the question of the existence of such imminent danger shall be final.

90. The appropriate Government may prescribe provisions providing the manner in which and the appropriate authority to whom the manager or occupier of the factory may make appeal against the order of the Inspector-cum-Facilitator and the procedure for disposing of such appeals.

Appeal against the order of Inspector-cum-Facilitator in case of factory.

91. (1) The appropriate Government may make rules,—

Power to make rules to exempt.

(a) specifying the persons who hold positions of supervision or management or are employed in a confidential position in a factory or empowering the Chief Inspector-cum-Facilitator to declare any person, other than a person so specified, as a person holding position of supervision or management or employed in a confidential position in a factory if, in the opinion of the Chief Inspector-cum-Facilitator, such person holds such position or is so employed, and the provisions of this Code, shall not apply to any person so defined or declared;

(b) in respect of any worker or class of workers in any establishment or class of establishment, for providing the exemption, extent of exemption and conditions subject to which such exemption may be given.

(2) The appropriate Government or the Chief Inspector-cum-Facilitator may, by order in writing, exempt subject to such conditions as it may deem expedient, any or all of the adult workers in any establishment or class of establishments.

PART VIII

PLANTATION

Facilities for workers in plantation.

92. (1) Without prejudice to the generality of sections 23 and 24, the State Government may prescribe requiring every employer to make provisions in his plantation for—

(a) necessary housing accommodation including drinking water, kitchen and toilet to every worker employed in the plantation (including his family);

(b) crèches facilities where in the plantation fifty or more workers (including workers employed by any contractor) are employed or were employed on any day of the preceding twelve months:

Provided that,—

(i) an establishment may avail common crèche facility of the Central Government, State Government, municipality or private entity or provided by non-Governmental organisation or by any other organisation; or

(ii) a group of establishments may agree to pool their resources for setting up of common crèche;

(c) educational facilities for the children of the workers employed in the plantation where the children between the ages of six to twelve of the workers exceed twenty-five in number;

34 of 1948.

(d) health facilities to every worker employed in the plantation (including his family) or provide coverage under the Employees State Insurance Act, 1948; and

(e) recreational facilities for the workers employed in the plantation.

(2) An employer of a plantation shall be responsible to provide and maintain welfare facilities for which the workers in the plantation are entitled under this Code either from his own resources or through the schemes of the Central Government or State Government, Municipality or Panchayat for the locality in which the plantation is situated.

Explanation.—For the purposes of this sub-section—

(i) the expression "Municipality" has the same meaning as assigned to it in clause (e) of article 243 of the Constitution; and

(ii) the expression "Panchayat" has the same meaning as assigned to it in clause (d) of article 243 of the Constitution.

93. (1) In every plantation, arrangement shall be made by the employer to provide for the safety of a worker in connection with the use, handling, storage and transport of insecticides, pesticides and chemicals and toxic substances.

Safety.

(2) The State Government may prescribe for special safeguards for employment of women or adolescents in using or handling hazardous chemicals.

(3) The employer of a plantation shall appoint persons possessing the prescribed qualifications to supervise the use, handling, storage and transportation of insecticides, chemicals and toxic substances in his plantation.

(4) Every employer of a plantation shall ensure that every worker in plantation employed for handling, mixing, blending and applying insecticides, chemicals and toxic substances, is trained about the hazards involved in different operations in which he is engaged, the various safety measures and safe work practices to be adopted in emergencies arising from spillage of such insecticides, chemicals and toxic substances and such other matters as may be prescribed by the State Government.

(5) Every worker in a plantation who is exposed to insecticides, pesticides, chemicals and toxic substances shall be medically examined periodically, in such manner as may be prescribed by the State Government.

(6) Every employer of a plantation shall maintain health record of every worker in plantation who is exposed to insecticides, pesticides, chemicals and toxic substances which are used, handled, stored or transported in a plantation, and every such worker shall have access to such record.

(7) Every employer of a plantation shall provide—

(a) washing, bathing and clock room facilities; and

(b) protective clothing and equipment, to every worker engaged in the handling insecticides, pesticides, chemicals and toxic substances in such manner as may be prescribed by the State Government.

(8) Every employer of a plantation shall display in the plantation, a list of permissible concentrations of insecticides, pesticides, chemicals and toxic substances in the breathing zone of the workers engaged in the handling and application of insecticides, pesticides, chemicals and toxic substances in the plantation.

(9) Every employer of a plantation shall exhibit such precautionary notices in the plantation as may be prescribed by the State Government indicating the hazards of insecticides, pesticides, chemicals and toxic substances.

CHAPTER XII

OFFENCES AND PENALTIES

General penalty for offences.

94. Save as otherwise expressly provided in this Code, if in, or in respect of, any establishment, there is any contravention of the provisions of this Code or regulations or rules, or bye-laws or any of standards, made thereunder or of any order in writing given under this Code or such regulations or rules or bye-laws or standards, the employer or the principal employer of the establishment, as the case may be, shall be liable to penalty which shall not be less than two lakh rupees but which may extend up to three lakh rupees, and if the contravention is continued after the conviction, then, with further penalty which may extend to two thousand rupees for each day till such contravention continues.

Punishment for causing obstruction to Chief Inspector-cum- Facilitator or Inspector-cum- Facilitator, etc.

95. (1) Whoever wilfully—

(i) prevents or causes obstruction to a Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator or an officer of the appropriate Government or a person authorised to discharge any duty or to exercise any powers under this Code or the rules or the regulations or the bye-laws made thereunder, from discharging such duty or exercising such power; or

(ii) refuses entry to the Chief Inspector-cum-Facilitator or the Inspector-cum- Facilitator or person or public authority referred to in clause (i) of sub-section (1) of section 35 or expert referred to in section 37, to any place where such Chief Inspector- cum-Facilitator or Inspector-cum-Facilitator or such person or authority or expert is entitled to enter; or

(iii) fails or refuses to produce any document which he is required to produce; or

(iv) fails to comply with any requisition or order issued to him, under this Code or the rules, regulations or bye-laws made thereunder he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both.

(2) Where any person convicted of an offence punishable under sub-section (1) is again convicted of an offence under the same provision, then, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which shall not be less than one lakh rupees but which may extend to two lakh rupees, or with both.

Penalty for non-maintenance of register, records and non-filing of

96. (1) Any person, who is required under this Code or the rules or regulations or bye-laws or order made thereunder, to—

(i) maintain any register or other document or to file returns, omits or fails to maintain such register or document or to file such returns; or

returns, etc.

(ii) produce any register or plan or record or report or any other document, omits or fails to produce such register or plan or record or report or such other document, he shall be liable to penalty which shall not be less than fifty thousand rupees but which may extend to one lakh rupees.

(2) Where any person convicted of an offence punishable under subsection (1) is again convicted of an offence under the same provision, then, he shall be liable to penalty which shall not be less than fifty thousand rupees but which may extend to two lakh rupees.

97. (1) Any person, who, save as permitted by or under this Code, contravenes, any—

(i) provision of this Code or of any rule, regulation or bye-laws; or

(ii) order made under this Code prohibiting, restricting or regulating the employment of workers including women, audio-visual worker and contract labour and employee below eighteen years of age in case of mines, he shall be liable to penalty which shall not be less than fifty thousand rupees but which may extend to one lakh rupees.

(2) Where any person convicted of an offence punishable under subsection (1) is again convicted of an offence under the same provision, then, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two lakh rupees, or with both.

98. (1) Whoever—

(a) produces false records or counterfeits or knowingly makes or produces or uses a false statement, declaration or evidence regarding any document in connection with compliance of any of the provisions of this Code or any rules, regulations or bye-laws or any order made thereunder; or

(b) falsifies any plan or section, the maintenance of which is required by or under this Code or produces before any authority such plan or section, knowing the same to be false; or

(c) makes, gives or delivers knowingly a false plan, section, return, notice, record or report containing a statement, entry or detail, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both.

(2) Where any person convicted of an offence punishable under subsection (1) is again convicted of an offence under the same provision, then, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which shall not be less than one lakh rupees but which may extend to two lakh rupees, or with both.

99. Any person who, without reasonable excuse the burden of proving which shall lie upon him, omits to make or furnish in the prescribed form or manner or at, or within, the prescribed time any plan, section, return, notice, register, record or report required by or under any provision of this Code to be made or furnished, he shall be liable to penalty which shall not be less than one lakh rupees but which may extend to two lakh rupees.

100. (1) Whoever being the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator or any other person referred to in section 39 or section 121 discloses, contrary to the provisions of that section, any such information as is referred to in that section without the consent of the appropriate Government, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both.

(2) No court shall proceed with the trial of any offence under this section except with the previous sanction of the appropriate Government.

101. Whoever, except in so far as it may be necessary for the purposes of a prosecution for any offence punishable under this Code, publishes or discloses to any person the results of an analysis, of a sample of substance used or intended to be used in any process under this Code, shall be punishable with imprisonment for a term, which may extend to six months, or with fine, which may extend to fifty thousand rupees, or with both.

102. (1) Whoever fails to comply with or contravenes any of his duties specified under—

Punishment for contravention of certain provisions.

Punishment for falsification of records, etc.

Penalty for omission to furnish plans, etc.

Punishment for disclosure of information.

Punishment for wrongfully disclosing results of analysis.

Punishment for contravention of

provisions of duties relating to hazardous processes.

(i) clauses (a) to (h) of sub-section (1) or sub-section (2) of section 6 or clause (d) of section 13 in so far as such duty relates to hazardous processes; or

(ii) section 80, shall, in respect of such failure or contravention, be punishable with an imprisonment for a term which may extend to two years and with fine which may extend to five lakh rupees, and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues, after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to three years or with a fine of twenty lakh rupees, or with both.

Punishment for contravention of provisions of duties relating to safety provisions resulting in an accident.

103. (1) If a person fails to comply with or contravenes any duties under this Code or the regulations, rules, bye-laws or orders made thereunder and such non-compliance or contravention has resulted in an accident or dangerous occurrences causing—

(a) death, he shall be punishable with imprisonment for a term which may extend to two years, or with a fine which shall not be less than five lakh rupees, or with both; or

(b) serious bodily injury to any person within the establishment, he shall be punishable with imprisonment for a term which may extend to one year, or with a fine which shall not be less than two lakh rupees but not exceeding four lakh rupees, or with both:

Provided that while imposing the fine under this section, the court may direct that a portion of the fine, which shall not be less than fifty per cent. thereof, shall be given as compensation to the victim or to the legal heirs of the victim, in the case of his death.

(2) Where a person having been convicted under sub-section (1) is again convicted thereunder, shall be punishable with double the punishment provided under that sub-section for first conviction.

Special provision for contravention of order under section 38.

104. Whoever continues to work in contravention of any general or special order issued under the provisions of section 38, shall be punishable with imprisonment for a term which may extend to two years and shall also be liable to fine which may extend to five lakh rupees:

Provided that the court shall not impose a fine under this section which shall be less than two lakh rupees without recording in the judgment the reasons for imposing such fine.

Failure to appoint manager in mine.

105. Whoever in compliance of the provisions of section 67, fails to appoint a manager shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both.

106. (1) Subject to the provisions of section 13, except clause (d) thereof, if any employee employed in a workplace contravenes any provision of this Code or any rules or orders made thereunder, imposing any duty or liability on employee, he shall be punishable with penalty which may extend to ten thousand rupees.

Offences by employees.

(2) Where an employee is convicted of an offence punishable under sub-section (1), the employer of the establishment shall not be deemed to be guilty of an offence in respect of that contravention, unless it is proved that he failed to take all reasonable measures for its prevention.

107. No prosecution shall be instituted against any owner, agent or manager of a mine for any offence under this Code except at the instance of the Chief Inspector-cum-Facilitator or of the District Magistrate or of Inspector-cum-Facilitator authorised in this behalf by general or special order in writing by the Chief Inspector-cum-Facilitator:

Prosecution of owner, agent or manager of mine.

Provided that the Chief Inspector-cum-Facilitator or the District Magistrate or the Inspector-cum-Facilitator as so authorised shall before instituting such prosecution satisfy himself that the owner, agent or manager of a mine had failed to exercise due diligence to prevent the commission of such offence:

Provided further that in respect of an offence committed in the course of the technical direction and management of a mine, the District Magistrate shall not institute any prosecution against an owner, agent or manager of a mine without the previous approval of the Chief Inspector-cum-Facilitator.

108. Where the owner, agent or manager of the mine or employer or occupier of the factory is charged with an offence punishable under this Code he shall be entitled, upon complaint duly made by him and on giving to the prosecutor not less than three clear days' notice in writing of his intention so to do, to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the owner, agent or manager of the mine or occupier or manager of the factory, as the case may be, proves to the satisfaction of the Court—

(a) that he has exercised due diligence to enforce the execution of this Code, or

(b) that the said other person committed the offence in question without his knowledge, consent or connivance, that other person shall be convicted of the offence and shall be liable to the like punishment as if he was the owner, agent or manager of the mine or occupier or manager of the factory, as the case may be, and the owner, agent or manager of a mine or the occupier or the manager of the factory shall be, discharged from any liability under this Code in respect of such offence:

Provided that in seeking to prove as aforesaid the owner, agent or manager of a mine or the occupier or manager of the factory, as the case may be, may be examined on oath, and his evidence and that of any witness whom he calls in his support, shall be subject to cross-examination on behalf of the person he charges as the actual offender and by the prosecutor:

Provided further that, if the person charged as the actual offender by the owner, agent or manager of the mine or occupier or manager of the factory, as the case may be, cannot be brought before the court at the time appointed for hearing the charge, the court shall adjourn the hearing from time to time for a period not exceeding three months and if by the end of the said period the person charged as the actual offender cannot still be brought before the court, the court shall proceed to hear the charge against the owner, agent or manager of the mine or occupier or manager of the factory, as the case may be, and shall, if the offence be proved, convict him.

109. (1) Where an offence under this Code has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Code has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, company secretary or other officer of the company, such director, manager, company secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means anybody corporate and includes a firm or other association of individuals; and

(b) "director" means,—

(i) in relation to a firm a partner thereof; or

Exemption of owner, agent or manager of mine or occupier of factory from liability in certain cases.

Offences by companies, etc.

Limitation of prosecution and cognizance of offences.

(ii) the owner of a mine being a firm or other association of individuals or a company; or

(iii) in case of association of individuals other than specified in sub-clause (ii), any of its members.

110. (1) Notwithstanding anything contained in this Chapter, the Inspector-cum-Facilitator shall, not initiate prosecution proceeding against an employer for any offence under this Chapter, give an opportunity to comply with relevant provisions of this Act within a period of thirty days from the date of notice giving opportunity, and, if the employer complies with such provisions within such period, then, no such proceeding shall be initiated against such employer:

Provided that no such opportunity shall be accorded to an employer in case of an accident and if the violation of the same nature of the provisions under this Code is repeated within a period of three years from the date on which such first violation was committed and in such case the prosecution shall be initiated in accordance with provisions of sub-section (2).

(2) No court shall take cognizance of any offence punishable under this Code, unless a complaint in respect thereof is made within six months of the date on which the alleged commission of the offence came to the knowledge of the Inspector-cum-Facilitator and a complaint is filed in that regard by him.

(3) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the First Class shall try any offence punishable under this Code.

Explanation.—For the purposes of this section,—

(a) in the case of a continuing offence, the period of limitation shall be computed with reference to every point of time during which the offence continues;

(b) where for the performance of any act, time is granted or extended on an application made by the employer of an establishment, the period of limitation shall be computed from the date on which the time so granted or extended expired.

111. (1) Notwithstanding anything contained in section 110, for the purpose of imposing penalty under sub-section (3) of section 12 or sections 94, 96, 97, 99, 106 and sub-section (3) of section 114, the appropriate Government may appoint any officer not below the rank of Under Secretary to the Government of India or an officer of equivalent rank in the State Government, as the case may be, for holding enquiry in such manner, as may be prescribed by the Central Government.

(2) While holding the enquiry, the officer referred to in sub-section (1) shall have the power to summon and enforce attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of such officer, may be useful for or relevant to the subject-matter of the enquiry and if, on such enquiry, he is satisfied that the person has committed any offence under the provisions referred to in sub-section (1), he may impose such penalty as he thinks fit in accordance with the provisions of that sub-section.

(3) Any person aggrieved by an order made by the officer under sub-section (2) may prefer an appeal, in such form and manner and accompanied by such fee as may be prescribed, to the appellate authority to be appointed by the appropriate Government from amongst officers not below the rank of Deputy Secretary to the Government of India or an officer of equivalent rank in the State Government, as the case may be, within sixty days from the date on which the copy of the order made by the officer referred to in sub-section (1) is received by the aggrieved person.

(4) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of appeal.

(5) Where a person fails to pay the penalty so imposed within a period of ninety days from the date of receipt of the copy of the order, he shall be punishable with fine which shall not be less than twenty-five thousand rupees but which may extend up to two lakh rupees.

(6) The amount of penalty imposed and received under this section shall be credited to the fund established under sub-section (1) of section 115.

Power of officers of appropriate Government to impose penalty in certain cases.

112. For the purposes of conferring jurisdiction on any court in relation to an offence under this Code or the rules, regulation or bye-laws made thereunder in connection with an establishment, the place where the establishment is for the time being situated, shall be deemed to be the place where such offence has been committed.

Jurisdiction of court for entertaining proceedings, etc., for offence.

113. (1) Where the employer of a mine or a factory or a dock is convicted of an offence punishable under this Code, the court may, in addition to awarding him any punishment, by order in writing, require him within the period specified in the order (which may be extended by the court from time to time on application made in this behalf) to take such measures as may be specified in the order for remedying the matters in respect of which the offence was committed.

Power of court to make orders.

(2) Where an order is made under sub-section (1), the employer of the mine or the factory shall not be liable under this Code in respect of the continuance of the offence during the period or extended period, if any, but if on the expiry of such period or extended period the order of the court has not been fully complied with, employer shall be deemed to have committed a further offence and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one hundred rupees for every day after such expiry on which the order has not been complied with, or with both.

2 of 1974.

114. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any penalty under sub-section (3) of section 12 or section 94 or section 96 or sub-section (1) of section 97 or section 99 or section 106 or sub-section (3) or any offence under sub-section (2) of section 97 or sub-section (1) of section 100 or section 101 or clause of sub-section (1) of section 103 or section 105 or sub-section (2) of section 113 may either before or after the holding the enquiry or, as the case may be, of institution of prosecution may be compounded by such officer of the appropriate Government as may be notified by that Government in the manner as may be prescribed by it—

Composition of certain offences.

(a) in a case of penalty for a sum of fifty per cent. of the maximum penalty provided for such penalty; and

(b) in a case of offence for a sum of seventy-five per cent. of the maximum fine provided for such offence.

(2) Where a penalty or an offence has been compounded under sub-section (1), the person liable for penalty or the offender, as the case may be, shall be discharged of the penalty or offence and there shall be no further proceedings against him in respect of such penalty or offence.

(3) Any person who fails to comply with an order made by the officer referred to in sub-section (1), shall be liable to pay a penalty equivalent to twenty per cent. of the maximum penalty or fine provided for the penalty or the offence, as the case may be, in addition to the penalty or fine.

(4) The amount of composition received under sub-section (1) shall be credited to the fund established under sub-section (1) of section 115 for the unorganised workers.

(5) Nothing contained in sub-section (1) shall apply to a penalty or an offence committed by a person for a second or subsequent time within a period of three years from the date of penalty or offence, as the case may be,—

(a) which was earlier compounded; or

(b) for which such person was earlier convicted.

CHAPTER XIII

SOCIAL SECURITY FUND

Social security fund.

115. (1) There shall be established by the appropriate Government a social security fund for the welfare of the unorganised workers to which there shall be credited the amount received from composition of the offence as specified in sub-section (4) of section 114 and the amount of the penalty as specified in sub-section (6) of section 111.

(2) The fund may also be funded by such other sources as may be prescribed by the appropriate Government.

(3) The fund shall be administered and expended for welfare of the unorganised workers in such manner as may be prescribed by the appropriate Government including the transfer of the amount in the fund to any fund established under any other law for the time being in force for the welfare of the unorganised workers.

Explanation.—For the purpose of this section the expression "unorganised worker" shall have the same meaning as is assigned to it under clause (m) of section 2 of the Unorganised Workers Social Security Act, 2008.

33 of 2008.

CHAPTER XIV

MISCELLANEOUS

Delegation of powers.

116. The Central Government may, by notification, direct that any power exercisable by it under this Code or rules made thereunder shall, in relation to such matters and subject to such conditions, if any, as may be specified in the notification, be exercisable also by the State Government or by such officer or authority subordinate to the State Government as may be specified in the said notification.

117. (1) When any offence is committed under this Code involving an issue of a certain age of a person and such person is in the opinion of the court *prima facie* under such age, the burden shall be on the accused to prove that such person is not under such age.

Onus as to age.

(2) The medical authority prescribed by the Central Government shall, while examining a worker for issuing the certificate of age for the purposes of this Code, take into account the Aadhaar card of the worker, and in the absence thereof, the date of birth certificate from school or the matriculation or equivalent certificate from the concerned examination Board of the worker, if available, and in the absence thereof, the birth certificate of the worker given by a corporation or a municipal authority or a Panchayat, and only in the absence of any of the methods specified in this sub-section, the age shall be determined by such medical authority through an ossification test or any other latest medical age determination test.

118. In any proceeding for an offence for the contravention of any provision of this Code or regulations or bye-laws or rules made thereunder consisting of a failure to comply with a duty or requirement to do something, it shall be for the person who is alleged to have failed to comply with such duty or requirement, to prove that it was not reasonably practicable or all practicable measures were taken to satisfy the duty or requirement.

Onus of proving limits of what is practicable, etc.

119. (1) Notwithstanding anything contained in this Code, any person desirous of obtaining common licence in respect of a factory, industrial premises for *beedi* and cigar work and for engaging contract workers or any combination thereof or single licence for any one of them under this Code shall make an application electronically or otherwise to such authority as may be designated, by notification, by the appropriate Government.

Common licence for contractor, factories and to industrial premises, etc.

(2) The application under sub-section (1),—

(a) shall be in such form and filed in such manner and accompanied by such fee and contain such information as may be prescribed by the appropriate Government;

(b) shall, in so far as it relates to the licence for engaging contract labours, contain the number of inter-State migrant workers employed.

(3) On receipt of an application under sub-section (1), the authority referred to in that sub-section shall take such actions in such manner and make such inquiry as may be prescribed by the appropriate Government.

(4) Where the authority referred to in sub-section (1) is satisfied that the common licence may be issued in respect of a factory, industrial premises for *beedi* and cigar work and for engaging contract workers or any combination thereof or single licence for any one of them under this Code, such authority shall issue a licence electronically within forty-five days of the receipt of application failing which the licence shall be deemed to be issued and shall be auto generated and the responsibility of such failure shall be on such authority:

Provided that where the licence is deemed to be issued, no further inquiry shall be made:

Provided further that the form of licence shall, as far as practicable, be similar throughout India:

Provided also that where such authority rejects the application he shall assign the reason for such rejection.

(5) Notwithstanding anything contained in this Code, any licence in respect of a factory, industrial premises for *beedi* and cigar work and for engaging contract labour has been obtained under any Central labour law before the commencement of this Code, in respect of any establishment shall be deemed to have been obtained under the provisions of this Code and shall be valid for the period for which it was issued and shall have to be obtained afresh after its expiration.

(6) Any person aggrieved by an order passed under this section by the authority referred to in sub-section (1) may file, within thirty days from the date of the order, an appeal in such form, accompanied with such fee to such appellate authority as may be prescribed by the appropriate Government and the appeal shall be disposed of electronically within thirty days of the filing of the appeal.

Effect of law and agreements inconsistent with Code.

120. (1) The provisions of this Code shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement or contract of service whether made before or after the commencement of this Code:

Provided that where under any such award, agreement, contract of service or otherwise an employee is entitled to benefits in respect of any matters which are more favourable to him than those to which he will be entitled to under this Code, the employee shall continue to get the former notwithstanding that he receives benefits in respect of other matters under this Code.

(2) Nothing contained in this Code shall be construed as precluding any employee from entering into an agreement with an employer for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Code.

Power of appropriate Government to direct inquiry in certain cases.

121. (1) The appropriate Government may, in the event of the occurrence of an accident in an establishment which has caused or had the potentiality to cause serious danger to employees and other persons within, and in the vicinity of the workplace or whether immediate or delayed, or any occupational disease as specified in the Third Schedule, which has been or is suspected to have been contracted, in epidemic proportions, appoint one or more persons possessing legal or special knowledge to act as assessors or competent persons in such inquiry in order to inquire into the causes of the accident and disease, fix responsibilities and suggest a plan of action for the future to prevent such accidents or diseases and submit the report to the appropriate Government.

(2) The appropriate Government may direct a Chief Inspector-cum-Facilitator or any other officer under the control of the Government concerned or appoint a committee to undertake a survey in such manner as may be prescribed by the appropriate Government on the situation relating to safety or health at work at any workplace or class of workplaces or into the effect of work activity on the health of the employees and other persons within and in the vicinity of the workplace.

(3) The officer directed or committee appointed, under sub-section (1) or sub-section (2), to hold an inquiry, shall have the powers of a civil court under the Code of Civil Procedure, 1908, for the purposes of enforcing the attendance of witnesses and compelling the production of documents and material objects, and may also so far as may be necessary for the purposes of the inquiry, exercise such powers of an Inspector-cum- Facilitator under this Code as may be necessary.

5 of 1908.

Publication of reports.

(4) The Central Government may make rules for regulating the procedure of inquiry and survey and other related matters under this section.

Powers of Central Government to give directions.

122. The appropriate Government may, if it thinks fit, cause to be published any report submitted to it by the National Board or State Advisory Board or any extracts from any report submitted to it under this Code.

123. The Central Government may give directions to a State Government for the implementation of the provisions of this Code.

General restriction on disclosure of information.

124. (1) No person shall in respect of the establishment, disclose any information relating to any manufacturing or commercial business or any working process which may come to his knowledge in the course of his official duties.

(2) Nothing in sub-section (1) shall apply to any disclosure of information made with the previous consent in writing of the owner of the business or process or for the purposes of any legal proceeding (including adjudication or arbitration), pursuant to any of the relevant statutory provisions or of any criminal proceeding under this Code which may be taken, whether pursuant to any of the relevant statutory provisions or otherwise, or for the purposes of any report of any such proceedings.

125. No civil court shall have jurisdiction in respect of any matter to which any provision of this Code applies and no injunction shall be granted by any civil court in respect of anything which is done or intended to be done by or under this Code.

Jurisdiction of civil courts barred.

126. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Code or any rule or regulation or bye-laws or order made thereunder.

Protection of action taken in good faith.

(2) No prosecution or other legal proceeding shall lie against the Government, any Board or committees constituted under this Code or any member of such Board or any officer or employee of the Government or the Board or any other person authorised by the Government or any Board or committee, for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Code or any rule or regulation or bye-laws or order made or issued thereunder.

127. (1) The appropriate Government may, by notification and subject to such conditions and restrictions, if any, and for such period or periods as may be specified in the notification, direct that all or any of the provisions of this Code or the rules or the regulations made thereunder shall not apply to or in relation to any establishment or class of establishments.

Power to exempt in special cases.

(2) Without prejudice to the generality of sub-section (1), where the State Government is satisfied in the public interest that it is necessary to create more economic activities and employment opportunities, it may, by notification, exempt, subject to such conditions as it may think fit, any new factory or class or description of new factories from all or any of the provisions of this Code for such period from the date on which such commercial production starts, as may be specified in the notification:

63 of 1948.

Provided that any notification issued by a State Government under the Factories Act, 1948 for the time being in force in the State prior to the commencement of this Code to achieve the same purpose as is specified in this sub-section, shall remain in force after such commencement for its remaining period as if the provisions of this Code, to the extent they defeat any purpose to be achieved by such notification issued by the State Government, were not in force.

Explanation.—For the purpose of this sub-section, the expression "new factory or class or description of new Factories" means such factory or class or description of Factories which are established and whose commercial production start within such period as may be specified in the notification.

128. In case of a public emergency or disaster or pandemic in whole of India or part thereof, the appropriate Government may, by notification, exempt any workplace or work activity or class thereof from all or any of the provisions of this Code for such period and subject to such conditions as it may think fit:

Provided that no such notification shall be made for a period exceeding one year at a time.

Explanation.—For the purposes of this section "public emergency" means a grave emergency whereby the security of India or any part of the territory thereof is threatened, whether by war or external aggression or internal disturbance.

129. The appropriate Government may exempt, subject to such conditions as it may consider necessary, any workshop or workplace where a manufacturing process is carried on and which is attached to a public institution maintained for the purposes of education, training, research or information, from all or any of the provisions of this Code:

Provided that no such exemption shall be granted from the provisions relating to hours of work and holidays unless the persons having the control of the institution submit, for the approval of the appropriate Government, a scheme of the regulation of the hours of employment, intervals for meals, and holidays of the persons employed in or attending the institution or who are inmates for the institution, and the appropriate Government is satisfied that the provisions of the scheme are not less favourable than the corresponding provisions of this Code.

130. Every person required to give any notice or to furnish any information to any authority in relation to the provisions of this Code shall be legally bound to do so within the meaning of section 176 of the Indian Penal Code.

131. The Central Government may, by notification, amend any Schedule by way of addition, alteration or omission therein and on any such notification being issued, the Schedule shall be deemed to be amended accordingly.

132. (1) If any difficulty arises in giving effect to the provisions of this Code, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Code, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date on which this Code comes into force.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

133. (1) The appropriate Government may, subject to the condition of previous publication and by notification, make rules for carrying out the purposes of this Code.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) income from the sources under *Explanation* to clause (x) of sub-section (1) of section 2;

(b) substance or quantity of substance under clause (zb) of sub-section (1) of section 2;

(c) the late fee under the proviso to sub-section (1) of section 3;

(d) the manner of submitting application under sub-section (2) of section 3 and the form of such application and the particulars to be contained therein and the fees to be accompanied therewith;

Power to exempt during public emergency.

Power to exempt public institution.

Persons required to give notice, etc., legally bound to do so.

Power of Central Government to amend Schedule.

Power to remove difficulties.

Power of appropriate Government to make rules.

45 of 1860.

- (e) the form and manner of sending the notice and the authority to whom the notice shall be sent and the manner of intimating the authority under sub-section (1) of section 5;
- (f) annual health examination or test free of costs, age of employees or class of employees or establishment or class of establishments under clause (c) of sub-section (1) of section 6;
- (g) the information to be included in the letter of appointment and the form of such letter under clause (f) of sub-section (1) of section 6;
- (h) the nature of bodily injury and the manner of notice and the time within which the notice shall be sent and the authority to which notice shall be sent under sub-section (1) of section 10;
- (i) nature of dangerous occurrence and the form of notice, the time within which and the authority to which notice shall be sent under section 11;
- (j) the form of notice related to certain diseases and the time within which the notice shall be sent and the authority to which the notice shall be sent under sub-section (1) of section 12;
- (k) the form and manner of the report and the time within which such report shall be sent to the office of the Chief Inspector-cum-Facilitator under sub-section (2) of section 12;
- (l) manner of making report by employee under clause (d) and other duties of employees under clause (g) of section 13;
- (m) manner of sending report of action taken under sub-section (3) of section 14;
- (n) the manner of constituting a safety committee and the manner and the purpose for choosing the representative of the workers in the Safety Committee under sub-section (1) of section 22;
- (o) the qualifications, duties and number of safety officers under sub-section (2) of section 22;
- (p) conditions for exemption of workers from weekly and compensatory holidays under sub-section (2) of section 26;
- (q) the total number of overtime under second proviso to section 27;
- (r) circumstances for exemption from restriction on double employment in factory and mine under section 30;
- (s) the form of notice and manner of display of such notice and the manner in which such notice shall be sent to the Inspector-cum-Facilitator under sub-section (2) of section 31;
- (t) the form of register and particulars of workers under clause (a) of section 33;
- (u) the manner and form of displaying notices under clause (b) of section 33;
- (v) return, manner of filing the return and periods of filing return to the Inspector-cum-Facilitator under clause (d) of section 33;
- (w) the qualification and experience of Chief Inspector-cum-Facilitator under sub-section (5) of section 34;
- (x) the manner of taking samples of any article or substance found in any premises and air of atmosphere under clause (x) of sub-section (1) of section 35;
- (y) the other powers and duties under clause (xiv) of sub-section (1) of section 35;
- (z) the specialised qualification and experience, duties and responsibilities of experts to be empanelled under section 37;
- (za) the manner of providing alternative employment under sub-clause (d) of clause (A) of sub-section (1) of section 38;
- (zb) the qualification for the appointment of medical practitioner and other establishment under sub-section (1) of section 42;
- (zc) other establishment engaged in the dangerous occupation or processes under clause (a) of sub-section (2) of section 42;
- (zd) medical supervision and other establishment under clause (b) of sub-section (2) of section 42;
- (ze) other establishment under clause (c) of sub-section (2) of section 42;

(zf) conditions relating to safety, holidays and working hours or any other condition to be observed by the employer under section 43;

(zg) the manner of requiring the employer to provide the adequate safeguards under section 44;

(zh) conditions including, in particular, conditions as to hours of work, fixation of wages and other essential amenities in respect of contract labour under clause (a) of sub-section (3) of section 47;

(zi) the form and manner of application and the particulars which such application shall contain regarding the number of contract labour, nature of work for which contract labour is to be employed and other particulars including the information relating to the employment of inter-State migrant workers under sub-section (1) of section 48;

(zj) the procedure under sub-section (2) of section 48;

(zk) manner of applying for the renewal of licence and the manner of renewal of licence under sub-section (3) of section 48;

(zl) responsibility of the contractor under sub-section (4) of section 48;

(zm) the manner of intimation of work order and time-limit for such intimation under sub-section (1) of section 50;

(zn) the manner of suspending or cancelling the licence under sub-section (2) of section 50;

(zo) the period before which the wages shall be paid under sub-section (1) of section 55;

(zp) the mode of payment of wages under proviso to sub-section (2) of section 55;

(zq) the manner of payment of wages from security deposit under sub-section (4) of section 55;

(zr) the form of issuing experience certificate under section 56;

(zs) the form and manner of making application under clause (b) of sub-section (2) of section 57;

(zt) period of making report and the period of deciding the question under clause (c) of sub-section (2) of section 57;

(zu) minimum service for entitlement, class of travel and other matters under section 61;

(zv) manner of providing facility of toll free helpline under section 63;

(zw) manner of providing for study on inter-State migrant workers under section 64;

(zx) authority to whom a copy of the agreement shall be forwarded by the producer under sub-section (3) of section 66;

(zy) details under clause (vii) of sub-section (4) of section 66;

(zz) rules in respect of factory or class or description of factories under sub-section (1) of section 79;

(zza) mode of submission of application under sub-section (2) of section 79; (zzb) common facilities and services for joint liability of owner of premises and occupiers of the factories under section 80;

(zzc) rules under section 82;

(zzd) purposes under sub-section (1) of section 83;

(zze) form of application under sub-section (2) of section 83;

(zzf) the appellate authority for appeal against the order of Inspector-cum-Facilitator of factory and the manner of appeal under section 90;

(zzg) rules under section 91;

(zzh) manner of holding enquiry under sub-section (1) of section 111;

(zzi) form and manner of preferring appeal and the fee to accompany such appeal under sub-section (3) of section 111;

(zzj) manner of compounding under sub-section (1) of section 114;

(zzk) other sources of fund under sub-section (2) of section 115;

(zzl) the manner of administering and expending the Fund under sub-section (3) of section 115;

(zzm) the form of application, manner of filing the application and the fee to be accompanied therewith including the information relating to the employment of inter-State migrant workers under sub-section (2) of section

119;

(zzn) actions, manner of taking actions and inquiry under sub-section (3) of section 119;

(zzo) the form of appeal, the fee to be accompanied therewith and the appellate authority under sub-section (6) of section 119;

(zzp) the manner of survey under sub-section (2) of section 121;

(zzq) any other matter which is required to be, or may be, prescribed under this Code.

134. (1) The Central Government may, subject to the condition of previous publication and by notification, make rules for carrying out the purposes of this Code.

Power of Central Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the other authority under sub-clause (iii) of clause (zs) of sub-section (1) of section 2;

(b) the matters which are directly related to the condition of ship under the proviso to sub-clause (iii) of clause (zs) of sub-section (1) of section 2;

(c) other period under clause (a) of sub-section (1) of section 3;

(d) the form of certificate of registration, the time within which and the conditions subject to which such certificate shall be issued under sub-section (3) of section 3;

(e) the form of intimation by the employer electronically and the manner of amendment in the certificate electronically under sub-section (4) of section 3;

(f) the manner of informing closing of establishment and certifying payment to the registering officer under sub-section (5) of section 3;

(g) procedure for nomination and discharge of functions of Members of National Board under sub-section (3) of section 16;

(h) the terms and conditions of service of officers and employees of the National Board under sub-section (4) of section 16;

(i) the number of members of technical committees or advisory committees and their qualifications under sub-section (5) of section 16;

(j) the form and manner of collecting, compiling and analyzing occupational safety and health statistics under sub-section (1) of section 21;

(k) the form and manner of maintaining database electronically or otherwise and the documents to be produced under sub-section (2) of section 21;

(l) health and working conditions under sub-section (1) of section 23;

(m) regarding matters specified in sub-section (2) of section 23;

(n) welfare facilities for the employees under sub-section (1) of section 24;

(o) regarding matters specified in sub-section (2) of section 24;

(p) facility of crèche under sub-section (3) of section 24;

(q) definition of "running time" in relation to a working day under clause (a) of the *Explanation* to sub-section (1) of section 25;

(r) the hours of work for working journalist under sub-section (2) of section 25;

(s) other kinds of leave under clause (i) of sub-section (3) of section 25;

(t) the maximum period of accumulating leave under clause (ii) of sub-section (3) of section 25;

(u) the limit up to which the earned leave may be availed of at a time and the reasons for which such leave may be exceeding under clause (iii) of sub-section (3) of section 25;

(v) conditions and restrictions for entitlement of cash compensation under clause (iv) of sub-section (3) of section 25;

(w) powers and duties of District Magistrate under section 36;

(x) requisite qualifications or criteria under sub-section (1) of section 47;

(y) period of renewal of licence under sub-section (2) of section 47;

(z) procedure under clause (b) of sub-section (1) of section 51;

- (za) form of agreement under clause (a), and the name and other particulars under clause (b) of sub-section (2) of section 66;
- (zb) the matter which may be saved and the qualifications of sole manager under sub-section (1) of section 67;
- (zc) the conditions relating to number of employees, depth of excavation and other matters under clause (a) of sub-section (1) of section 68;
- (zd) conditions relating to workings, opencast workings and explosives under clause (b) of sub-section (1) of section 68;
- (ze) to declare the mines and part thereof for the purpose of applicability of the provisions of this Code under sub-section (2) of section 68;
- (zf) the authority, the manner of informing such authority and the time limit for making such information under sub-section (3) of section 68;
- (zg) to provide for medical examination of apprentice, other trainee or employee under sub-section (3) of section 70;
- (zh) to exempt certain persons or category of persons holding positions of supervision or management and the persons employed in mine and the persons employed therein under section 71;
- (zi) to provide for vocational training and rescue and recovery services to the persons employed in a mine under section 72;
- (zj) medical authority under sub-section (2) of section 117;
- (zk) rules under sub-section (4) of section 121;
- (zl) the language of the bye-laws under sub-section (7) of section 139;
- (zm) any other matter which is required to be, or may be prescribed.

135. (1) The State Government may, subject to the condition of previous publication and by notification, make rules for the carrying out the provisions of this Code.

Power of State Government to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the constitution, procedure and other matters relating to State Advisory Board under sub-section (2) of section 17;
- (b) the number of members and their qualifications under sub-section (3) of section 17;
- (c) the form of application and the payment of fees under sub-section (2) of section 74;
- (d) the manner of preparing the plan of the place or premises under sub-section (3) of section 74;
- (e) other matters under clause (e) of sub-section (4) of section 74;
- (f) fees under sub-section (6) of section 74;
- (g) period under the second proviso to sub-section (6) of section 74;
- (h) the time of filing appeal and fees under section 75;
- (i) the form of application by the employee and conditions under sub-section (1) of section 76;
- (j) form of maintaining the record of the work under sub-section (2) of section 76;
- (k) the manner of disclosing information by occupier of a factory under sub-section (1) of section 84;
- (l) the interval of informing Chief Inspector-cum-Facilitator and the local authority about the policy with respect to the health and safety of the workers under sub-section (2) of section 84;
- (m) the form and manner of informing Chief Inspector-cum-Facilitator under sub-section (5) of section 84;
- (n) the manner of publicising among the workers and the general public living in the vicinity of the factory the measures and disposal laid down under sub-section (7) of section 84;
- (o) the conditions for accessibility to the record by the workers under clause (a) of section 85;
- (p) the qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under clause (b) of section 85;

- (q) the manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of section 85;
- (r) the measures or standards under sub-section (1) of section 86;
- (s) the value of the maximum permissible limit of exposure of chemical and toxic substances in manufacturing process in any factory under section 88;
- (t) requiring every employer to make in his plantation provisions in respect of as specified in clauses (a) to (d) of sub-section (1) of section 92;
- (u) for prohibiting or, restricting employment of women or adolescents under sub-section (2) of section 93;
- (v) qualifications under sub-section (3) of section 93;
- (w) other matters under sub-section (4) of section 93;
- (x) manner of periodical medical examination of worker under sub-section (5) of section 93;
- (y) the manner of providing facilities, clothing and equipment under sub-section (7) of section 93;
- (z) precautionary notices under sub-section (9) of section 93;
- (za) any other matter which is required to be, or may be, prescribed.

(3) The Central Government may, by notification and in consultation with the State Government, make rules for the purposes of bringing uniformity, throughout the country, in occupational safety, health or such other matters as it considers necessary in respect of factories.

Power of Central Government to make regulations in relation to mines and dock work.

136. The Central Government may, by notification, make regulations consistent with this Code for all or any of the following purposes, namely:—

- (a) for specifying the qualifications required for appointment as Inspector-cum-Facilitator;
- (b) for specifying and regulating the duties and powers of the Chief Inspector-cum-Facilitator and of Inspector-cum-Facilitators in regard to the inspection of mines under this Code;
- (c) for specifying the duties of owners, agents and managers of mines and of persons acting under them, and for specifying the qualifications (including age) of agents and managers of mines and of persons acting under them;
- (d) for requiring facilities to be provided for enabling managers of mines and other persons acting under them to efficiently discharge their duties;
- (e) for regulating the manner of ascertaining, by examination or otherwise, the qualifications of managers of mines and persons acting under them, and the granting and renewal of certificates of competency;
- (f) for fixing the fees, if any, to be paid in respect of such examinations and of the grant and renewal of such certificates;
- (g) for determining the circumstances in which and the conditions subject to which it shall be lawful for more mines than one to be under a single manager, or for any mines to be under a manager not having the specified qualifications;
- (h) for providing for inquiries to be made under this Code, including any inquiry relating to misconduct or incompetence on the part of any person holding a certificate under this Code and for the suspension or cancellation of any such certificate and for providing, wherever necessary, that the person appointed to hold an inquiry shall have all the powers of a civil court under the Code of Civil Procedure, 1908, for the purpose of enforcing the attendance of witnesses and compelling the production of documents and material objects;
- (i) for regulating, subject to the provisions of the Indian Explosives Act, 1884, and of any rules made thereunder, the storage, conveyance and use of explosives;
- (j) for prohibiting, restricting or regulating the employment of women in mines or in any class of mines or on particular kinds of labour which are attended by danger to the life, safety or health of such persons and for limiting the weight of any single load that may be carried by any such person;

5 of 1908.

4 of 1884.

(k) for providing for the safety of the persons employed in a mine, their means of entrance there into and exit therefrom, the number of shafts or outlets to be furnished, and the fencing of shafts, pits, outlets, pathways and subsidences;

(l) for prohibiting the employment in a mine either as manager or in any other specified capacity of any person except persons paid by the owner of the mine and directly answerable to the owner or manager of the mine;

(m) for providing for the safety of the roads and working places in mines, including the siting, maintenance and extraction or reduction of pillars or blocks of minerals and the maintenance of sufficient barriers between mine and mine;

(n) for the inspection of workings and sealed off fire- areas in a mine, and for the restriction of workings in the vicinity of the sea or any lake or river or any other body of surface water, whether natural or artificial, or of any public road or building, and for requiring due precaution to be taken against the irruption or inrush of water or other liquid matter into, outbreak of fire in or premature collapse of, any workings;

(o) for providing for the ventilation of mines and the action to be taken in respect of dust, fire, and inflammable and noxious gases, including precautions against spontaneous combustion, underground fire and coal dust;

36 of 2003.

(p) for regulating, subject to the provisions of the Electricity Act, 2003, and of any rules made thereunder, the generation, storage, transformation, transmission and use of electricity in mines and for providing for the care and the regulation of the use of all electrical apparatus and electrical cables in mines and of all other machinery and plant therein;

(q) "for regulating the use of machinery in mines, for providing for the safety of persons employed on or near such machinery and on haulage roads and for restricting the use of certain classes of locomotives underground;

(r) for providing for proper lighting of mines and regulating the use of safety lamps therein and for the search of persons entering a mine in which safety lamps are in use;

(s) for providing against explosions or ignitions of inflammable gas or dust or irruptions of or accumulations of water in mines and against danger arising therefrom and for prohibiting, restricting or regulating the extraction of minerals in circumstances likely to result in the premature collapse of workings or to result in or to aggravate the collapse of workings or irruptions of water or ignitions in mines;

(t) for specifying type of accidents for the purposes of notice under section 10 and for specifying the notices of accidents and dangerous occurrences, and the notices, reports and returns of mineral output, persons employed and other matters

provided for by regulations, to be furnished by owners, agents and managers of mines, and for specifying the forms of such notices, returns and reports, the persons and authorities to whom they are to be furnished, the particulars to be contained in them, and the time within which they are to be submitted;

(u) for requiring owners, agents and managers of mines to have fixed boundaries for the mines, for specifying the plans and sections and field notes connected therewith to be kept by them and the manner and places in which such plans, sections and field notes are to be kept for purposes of record and for the submission of copies thereof to the Chief Inspector-cum-Facilitator, and for requiring the making of fresh surveys and plans by them, and in the event of non-compliance, for having the survey made and plans prepared through any other agency and for the recovery of expenses thereof in the same manner as an arrear of land revenue;

(v) for regulating the procedure on the occurrence of accidents or accidental explosions or ignitions in or about, mines; for dealing effectively with the situation;

(w) for specifying the form of, and the particulars to be contained in, the notice to be given by the owner, agent or manager of a mine under section 5;

(x) for specifying the notice to be given by the owner, agent or manager of a mine before mining operations are commenced at or extended to any point within forty-five meters of any railway subject to the provisions of the Indian Railways Act, 1989 or of any public roads or other works as the case may be, which are maintained by the Government or any local authority;

24 of 1989.

(y) for the protection from injury, in respect of any mine when the workings are discontinued, of property vested in the Government or any local authority or railway company as defined in the Indian Railways Act, 1989;

24 of 1989.

(z) for requiring protective works to be constructed by the owner, agent or manager of a mine before the mine is closed, and in the event of non-compliance, for getting such works executed by any other agency and for recovering the expenses thereof from such owner in the same manner as an arrear of land revenue;

(za) for requiring the fencing of any mine or part of a mine or any quarry, incline, shaft, pit or outlet, whether the same is being worked or not, or any dangerous or prohibited area, subsidence, haulage, tramline or pathway, where such fencing is necessary for the protection of the public;

(zb) for specifying the number of officials to be appointed;

(zc) for specifying the qualifications of the officials to be appointed; (zd) for specifying the qualifications and experience of the agents;

(ze) for specifying the period during which the agent shall be resident in India;

(zf) for specifying duties and responsibilities of suppliers, designers, importer and contractors for safety in mines;

(zg) for requiring the owners, agents and managers of mines to formulate, maintain and enforce safety management plan in their mines;

(zh) for requiring the managers of mines to formulate and implement codes of practice or standard operating procedure in respect of any machinery or operation used in the mines;

(zi) for providing for the safety in opencast mines and associated operations and machineries used therein;

(zj) for regulating the extraction of methane from working or abandoned coal mines or from virgin coal seam;

(zk) for specifying the forms of returns which shall be filed by the establishments or the class of establishments under this Code;

(zl) for the general requirement relating to the construction, equipping and maintenance for the safety of working places on shore, ship, dock, structure and other places at which any dock work is carried on;

(zm) for the safety of any regular approaches over a dock, wharf, quay or other places which dock workers have to use for going for work and for fencing of such places and projects;

(zn) for the efficient lighting of all areas of dock, ship, any other vessel, dock structure or working places where any dock work is carried on and of all approaches to such places to which dock workers are required to go in the course of their employment;

(zo) providing and maintaining adequate ventilation and suitable temperature in every building or an enclosure on ship where dock workers are employed;

(zp) providing for the fire and explosion prevention and protection;

(zq) providing for safe means of access to ships, holds, stagings, equipment, lifting appliances and other working places;

(zr) providing for the safety of workers engaged in the opening and closing of hatches, protection of ways and other openings in the docks which may be dangerous to them;

(zs) providing for the safety of workers on docks from the risk of falling overboard being struck by cargo during loading or unloading operations;

(zt) providing for the construction, maintenance and use of lifting and other cargo handling appliances and services, such as, pallets containing or supporting loads and provision of safety appliances on them, if necessary;

(zu) providing for the safety of workers employed in freight container terminals or other terminals for handling unitised cargo;

(zv) providing for the fencing of machinery, live electrical conductors, steam pipes and hazardous openings;

(zw) providing for the construction, maintenance and use of staging; (zx) providing for the rigging and use of ship's derricks;

(zy) providing for the testing, examination, inspection and certification as appropriate of loose gears including chains and ropes and of slings and other lifting devices used in the dock work;

(zz) providing for the precautions to be taken to facilitate escape of workers when employed in a hold, bin, hopper or the like or between decks of a hold while handling coal or other bulk cargo;

(zza) providing for the measures to be taken in order to prevent dangerous methods of working in the stacking, unstacking, stowing and unstowing of cargo or handling in connection therewith;

(zzb) providing for the handling of dangerous substances and working in dangerous or harmful environments and the precautions to be taken in connection with such handling;

(zzc) providing for the work in connection with cleaning, chipping, painting, operations and precautions to be taken in connection with such work;

(zzd) providing for the employment of persons for handling cargo, handling appliances, power operated hatch covers or other power operated ship's equipment, such as, door in the hull of a ship, ramp, retraceable car deck or similar equipment or to give signals to the drivers of such machinery;

(zze) providing for the transport of dock workers;

(zzf) providing for the precautions to be taken to protect dock workers against harmful effects of excessive noise, vibrations and air pollution at the workplace;

(zzg) providing for protective equipment or protective clothing;

(zzh) providing for the sanitary, washing and welfare facilities;

(zzi) providing for—

(i) the medical supervision;

(ii) the ambulance rooms, first aid and rescue facilities and arrangements for the removal of dock workers to the nearest place of treatment;

(iii) the safety and health organisation; and

(iv) the training of dock workers and for the obligations and rights of the dock workers for their safety and health at the workplace;

(zzj) providing for the investigation of occupational accidents, dangerous occurrences and diseases, specifying such diseases and the forms of notices, the persons and authorities to whom, they are to be furnished, the particulars to be contained in them and the time within which they are to be submitted;

(zzk) providing for the submission of statement of accidents, man-days lost, volume of cargo handled and particulars of dock workers; and

(zzl) any other matter which is required to be or may be specified by regulation.

Prior publication of rules, etc.

137. The power to make rules, regulations, and bye-laws under this Code shall be subject to the condition of the previous publication of the same being made, in the following manner, namely:—

(a) the date to be specified after a draft of rule, regulation, and bye-laws proposed to be made will be taken under consideration, shall not be less than forty-five days from the date on which the draft of the proposed rule, regulation and bye-laws is published for general information;

(b) rule, regulation and bye-laws shall be published in the Official Gazette and on such publication, shall have effect as if enacted in this Code.

Power to make regulation without previous publication

138. Notwithstanding anything contained in section 137, regulations under section 136 may be made without previous publication and without reference to the National Occupational Safety Health Advisory Board constituted under sub-section (1) of section 16, if the Central Government is satisfied that for the prevention of apprehended danger or the speedy remedy of conditions

likely to cause danger and to avoid delay it is necessary to dispense with from such publication and reference.

Bye-laws.

139. (1) The employer of a mine may, and shall, if called upon to do so by the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator, frame and submit to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator a draft of such bye-laws, not being inconsistent with this Code or any rules or regulations or standards for the time being in force, governing the use of any particular machinery or the adoption of a particular method of working in the mine, as the employer may deem necessary to prevent accidents and provide for the safety, convenience and discipline of the persons employed in the mine.

(2) If any such employer—

(a) fails to submit within two months a draft of bye-laws after being called upon to do so by the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator; or

(b) submits a draft of bye-laws which is not in the opinion of the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator sufficient, the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator may—

(i) propose a draft of such bye-laws as appear to him to be sufficient; or

(ii) propose such amendments in any draft submitted to him by the employer as will, in his opinion, render it sufficient, and shall send such draft bye-laws or draft amendments to the employer for consideration.

(3) If within a period of two months from the date on which any draft bye-laws or draft amendments are sent by the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator to the employer under the provisions of sub-section (2), the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator and the employer are unable to agree as to the terms of the bye-laws to be made under sub-section (1), the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator shall refer the draft bye-laws for settlement to the technical committee constituted under sub-section (5) of section 16 in respect of mines.

(4) When such draft bye-laws have been agreed to by the employer and the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator, or, when they are unable to agree, have been settled by the technical Committee constituted under sub-section (5) of section 16 in respect of mines, a copy of the draft bye-laws shall be sent by the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator to the Central Government for approval:

Provided that the Central Government may make such modification of the draft bye-laws as it thinks fit:

Provided further that before the Central Government approves the draft bye-laws, whether with or without modifications, there shall be published, in such manner as the Central Government may think best adapted for informing the persons affected, a notice of the proposal to make the bye-laws and of the place where copies of the draft bye-laws may be obtained, and of the time (which shall not be less than thirty days) within which any objections with reference to the draft bye-laws, made by or on behalf of persons affected should be sent to the Central Government.

(5) Every objection under second proviso to sub-section (4) shall be in writing and shall state—

(i) the specific grounds of objections, and

(ii) the omissions, additions or modifications asked for.

(6) The Central Government shall consider any objection made within the required time by or on behalf of persons appearing to it to be affected, and may approve the bye-laws either in the form in which they were published or after making such amendments thereto as it thinks fit.

(7) The employer shall cause a copy of the bye-laws, in English and in such other language or languages as may be prescribed by the Central Government, to be pasted up in some conspicuous place at or near the mine, where the bye-laws may be conveniently read or seen by the persons employed; and, as and when the same become defaced, obliterated or destroyed, shall cause them to be pasted again.

Powers to regulate general safety and health.	<p>(8) The Central Government may, by order in writing rescind, in whole or in part, any bye-law so made, and thereupon such bye-law shall cease to have effect accordingly.</p> <p>140. Notwithstanding any law for the time being in force, the Central Government may make rules to regulate general safety and health of the persons residing in whole or part of India, in the event of declaration of an epidemic, pandemic or disaster, for such period as may be notified by the Central Government.</p>	
Laying of regulations, rules, bye-laws, etc., before Parliament.	<p>141. Every rule, regulation, standard and bye-laws notified or made by the Central Government under this Code shall be laid, as soon as may be after it is notified or made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, regulation, standard or bye-law or both Houses agree that the rule, regulation, standard or bye-law should not be made, the rule, regulation, standard or bye-law shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, regulation, standard or bye-law, as the case may be.</p>	
Laying of rules made by State Government.	<p>142. Every rule made by the State Government under this Code shall be laid, as soon as may be, after it is made, before the State Legislature.</p>	
Repeal and Savings.	<p>143. (1) The following enactments shall stand repealed on and from the dates the notification referred to in sub-section (2) of section 1 is issued, namely:—</p> <ul style="list-style-type: none"> (a) The Factories Act, 1948; (b) The Plantations Labour Act, 1951; (c) The Mines Act, 1952; (d) The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955; (e) The Working Journalists (Fixation of Rates of Wages) Act, 1958; (f) The Motor Transport Workers Act, 1961; (g) The Beedi and Cigar Workers (Conditions of Employment) Act, 1966; (h) The Contract Labour (Regulation and Abolition) Act, 1970; (i) The Sales Promotion Employees (Conditions of Service) Act, 1976; (j) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979; (k) The Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981; (l) The Dock Workers (Safety, Health and Welfare) Act, 1986; (m) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. <p>(2) Every Chief Inspector, Additional Chief Inspector, Joint Chief Inspector, Deputy Chief Inspector, Inspector and every other officer appointed for the purposes under any of the provisions of the enactments repealed by this Code, shall be deemed to have been appointed under this Code for such purposes under this Code.</p> <p>(3) Notwithstanding repeal under sub-section (1), anything done or any action taken under the enactments so repealed (including any rule, regulation, bye-laws, notification, nomination, appointment, order or direction made thereunder) shall be deemed to have been done or taken under the corresponding provisions of this Code and shall remain in force to the extent they are not contrary to the provisions of this Code till they are repealed by the Central Government.</p> <p>(4) Without prejudice to the provisions of sub-section (2), provisions of section 6 of the General Clauses Act, 1897 shall apply to the repeal of such enactments.</p>	<p>63 of 1948.</p> <p>69 of 1951.</p> <p>35 of 1952.</p> <p>45 of 1955.</p> <p>29 of 1958.</p> <p>27 of 1961.</p> <p>32 of 1966.</p> <p>37 of 1970.</p> <p>11 of 1976.</p> <p>30 of 1979.</p> <p>50 of 1981.</p> <p>54 of 1986.</p> <p>27 of 1996.</p>
10 of 1897.		

THE FIRST SCHEDULE

[See section 2(za)]

List of Industries involving hazardous processes:

1. Ferrous Metallurgical Industries
 - Integrated Iron and Steel
 - Ferro-alloys
 - Special Steels.
2. Non-ferrous metallurgical Industries
 - Primary Metallurgical Industries, namely, zinc, lead, copper, manganese and aluminium.
3. Foundries (ferrous and non-ferrous)
 - Castings and forgings including cleaning or smoothening/roughening by sand and shot blasting.
4. Coal (including coke) industries
 - Coal, Lignite, Coke and like other substances
 - Fuel Gases (including Coal Gas, Producer Gas, Water Gas).
5. Power Generating Industries.
6. Pulp and paper (including paper products) industries.
7. Fertiliser Industries
 - Nitrogenous
 - Phosphatic
 - Mixed.
8. Cement Industries
 - Portland Cement (including slag cement, puzzolona cement and their products).
9. Petroleum Industries
 - Oil Refining
 - Lubricating Oils and Greases.
10. Petro-chemical Industries.
11. Drugs and Pharmaceutical Industries
 - Narcotics, Drugs and Pharmaceuticals.
12. Fermentation Industries (Distilleries and Breweries).
13. Rubber (Synthetic) Industries.
14. Paints and Pigment Industries.
15. Leather Tanning Industries.
16. Electro-plating Industries.
17. Chemical Industries.
 - (a) Coke Oven by-products and Coaltar Distillation products:
 - (b) Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, nitrous oxide, halogenated hydrocarbon, ozone, or any like gases);
 - (c) Industrial Carbon;
 - (d) Alkalies and Acids;
 - (e) Chromates and dichromates;
 - (f) Lead and its compounds;
 - (g) Electrochemicals (metallic sodium, potassium and magnesium, chlorates, perchlorates and peroxides);
 - (h) Electrothermal produces (artificial abrasive, calcium carbide);
 - (i) Nitrogenous compounds (cyanides, cyanamides and other nitrogenous compounds);
 - (j) Phosphorous and its compounds;
 - (k) Halogens and Halogenated compounds (Chlorine, Fluorine, Bromine and Iodine);
 - (l) Explosives (including industrial explosives and detonators and fuses).
18. Insecticides, Fungicides, Herbicides and other Pesticides Industries.
19. Synthetic Resin and plastics.
20. Manmade Fibre (Cellulosic and non-cellulosic) industry.

21. Manufacture and repair of electrical accumulators.
22. Glass and Ceramics.
23. Grinding or glazing of metals.
24. Manufacture, handling and processing of asbestos and its products.
25. Extraction of oils and fats from vegetable and animal sources.
26. Manufacture, handling and use of benzene and substances containing benzene.
27. Manufacturing processes and operations involving carbon disulphide.
28. Dyes and Dyestuff including their intermediates.
29. Highly flammable liquids and gases.
30. Printing and dyeing on fabrics in textiles and plywood and laminate manufacturing process.
31. Process involving usage of radium or Radioactive Substances.
32. Stone Crushing industry.
33. Extraction of Oil and Raw material from the scrap tyres.
34. Cigarette manufacturing industry.
35. Ship breaking industry.
36. Hazardous waste and e-waste processing plants.
37. Semiconductor manufacturing industry.
38. Styrene manufacturing, handling and processing industry.
39. Nano-particles utilising industry.
40. Manufacturing, processing, preparation and utilisation of Mercury or Compounds of Mercury, Lead Tetra-ethyl, Manganese, Arsenic, Chrome, Aliphatic series, Beryllium, Phosgene and Isocyanates.

THE SECOND SCHEDULE

[See section 18(2)(f)]

List of matters:

- (1) fencing of machinery;
- (2) work on or near machinery in motion;
- (3) employment of adolescents on dangerous machines;
- (4) striking gear and devices for cutting off power;
- (5) self acting machines;
- (6) casing of new machinery;
- (7) prohibition of employment of women, children and adolescent near cotton openers;
- (8) hoists and lifts;
- (9) lifting machines, chains, ropes and lifting tackles;
- (10) revolving machinery;
- (11) pressure plant;
- (12) floors, stairs and means of access;
- (13) pits, sumps, openings in floors and other similar indentation of area;
- (14) safety officers;
- (15) protection of eyes;
- (16) precautions against dangerous fumes, gases, etc.;
- (17) precautions regarding the use of portable electric light;
- (18) explosive or inflammable dust, gas, and other like dusts or gases;
- (19) safety committee;
- (20) power to require specifications of defective parts or tests of stability;
- (21) safety of buildings and machinery;
- (22) maintenance of buildings;
- (23) prohibition in certain cases of danger;
- (24) notice in respect of accidents;
- (25) court of inquiry in case of accidents;
- (26) safety management in plantation;
- (27) the general requirement relating to the construction, equipments and maintenance for the safety of working places on shore, ship, dock, structure and other places at which any dock work is carried on;
- (28) the safety of any regular approaches over a dock, wharf, quay or other places which dock worker have to use for going for work and for fencing of such places and projects;
- (29) the efficient lighting of all areas of dock, ship, any other vessel, dock structure or working places where any dock work is carried on and of all approaches to such places to which dock workers are required to go in the course of their employment;
- (30) adequate ventilation and suitable temperature in every building or an enclosure on ship where dock workers are employed;
- (31) the fire and explosion preventions and protection;
- (32) safe means of access to ships, holds, stagings, equipment, appliances and other working places;
- (33) the construction, maintenance and use of lifting and other cargo handling appliances and services, such as, pallets containing or supporting loads and provision of safety appliances on them, if necessary;
- (34) the safety of workers employed in freight container terminals of other terminals for handing unitized cargo;
- (35) the fencing of machinery, live electrical conductors, steam pipes and hazardous openings;
- (36) the construction, maintenance and use of staging;
- (37) the rigging and use of ship's derricks;
- (38) the testing, examination, inspection and certification as appropriate of loose gears including chains and ropes and of slings and other lifting devices used in the dock work;

- (39) the precautions to be taken to facilitate escape of workers when employed in a hold, bin, hopper or the like or between decks of a hold while handling coal or other bulk cargo;
- (40) the measures to be taken in order to prevent dangerous methods of working in the stacking, unstacking, stowing and unstowing of cargo or handling in connection therewith;
- (41) the handling of dangerous substances and working, in dangerous or harmful environments and the precautions to be taken in connection with such handling;
- (42) the work in connection with cleaning, chipping, painting, operations and precautions to be taken in connection with such work;
- (43) the employment of persons for handling cargo, handling appliances, power operated batch covers or other power operated ship's equipment such as, door in the hull of a ship, ramp, retraceable car deck or similar equipment or to give signals to the drivers of such machinery;
- (44) the transport of dock workers;
- (45) the precautions to be taken to protect dock workers against harmful effects of excessive noise, vibration and air pollution at the work place;
- (46) protective equipment and protective clothing;
- (47) the sanitary, washing and welfare facilities;
- (48) the medical supervision;
- (49) the ambulance rooms, first aid and rescue facilities and arrangements for the removal of dock workers to the nearest place of treatment;
- (50) the investigation of occupational accidents, dangerous occurrences and diseases, specifying such diseases and the forms of notices, the persons and authorities to whom, they are to be furnished, the particulars to be contained in them and the time within which they are to be submitted;
- (51) the submission of statement of accidents, man-days lost, volume of cargo handled and particulars of dock workers.
- (52) the safe means of access to, and the safety of, any working place, including the provision of suitable and sufficient scaffolding at various stages when work cannot be safely done from the ground or from any part of a building or from a ladder or such other means of support;
- (53) the precautions to be taken in connection with the demolition of the whole or any substantial part of a building or other structure under the supervision of a competent person for the avoidance of danger from collapse of any building or other structure while removing any part of the framed building or other structure by shoring or otherwise;
- (54) the handling or use of explosive under the control of competent persons so that there is no exposure to the risk of injury from explosion or from flying material;
- (55) the erection installation, use and maintenance of transporting equipment, such as locomotives, trucks, wagons and other vehicles and trailers and appointment of competent persons to drive or operate such equipment;
- (56) the erection, installation, use and maintenance of hoists, lifting appliances and lifting gear including periodical testing and examination and heat treatment where necessary, precautions to be taken while raising or lowering loads, restrictions on carriage of persons and appointment of competent persons on hoists or other lifting appliances;
- (57) the adequate and suitable lighting of every workplace and approach thereto, of every place where raising or lowering operations with the use of hoists, lifting appliances or lifting gears are in progress and of all openings dangerous to building workers employed;
- (58) the precautions to be taken to prevent inhalation of dust, fumes, gases or vapours during any grinding, cleaning, spraying or manipulation of any material and steps to be taken to secure and maintain adequate ventilation of every working place or confined space;
- (59) the measures to be taken during stacking or unstacking, stowing or unstowing of materials or goods or handling in connection therewith;

- (60) the safeguarding of machinery including the fencing of every fly-wheel and every moving part of prime mover and every part of transmission or other machinery, unless it is in such a position or of such construction as to be safe to every worker working only of the operations and as if it were securely fenced;
- (61) the safe handling and use of plant, including tools and equipment operated by compressed air;
- (62) the precaution to be taken in case of fire;
- (63) the limits of weight to be lifted or moved by workers;
- (64) the safe transport of workers to or from any workplace by water and provision of means for rescue from drowning;
- (65) the steps to be taken to prevent danger to workers from live electric wires or apparatus including electrical machinery and tools and from overhead wires;
- (66) the keeping of safety nets, safety sheets and safety belts where the special nature or the circumstances of work render them necessary for the safety of the workers;
- (67) the standards to be complied with regard to scaffolding, ladders and stairs, lifting appliances, ropes, chains and accessories, earth moving equipment and floating operational equipments;
- (68) the precautions to be taken with regard to pile driving, concrete work, work with hot asphalt, tar or other similar things, insulation work, demolition operations, excavation, underground construction and handling materials;
- (69) the safety policy, that is to say, a policy relating to steps to be taken to ensure the safety and health of the building workers, the administrative arrangements therefore and the matters connected therewith, to be framed by the employers and contractors for tile operations to be carried on in a building or other construction work;
- (70) emergency standards for enforcement of suitable standards in respect of hazardous processes in a factory;
- (71) the maximum permissible threshold limits of exposure of chemical and toxic substances in manufacturing processes (whether hazardous or otherwise) in any factory;
- (72) lightning; and
- (73) any other matter which the Central Government considers under the circumstance for better working condition for safety at the workplace.

THE THIRD SCHEDULE

[See section 12(1)]

List of Notifiable Diseases:

1. Lead poisoning, including poisoning by any preparation or compound of lead or their sequelae.
2. Lead-tetra-ethyle poisoning.
3. Phosphorus poisoning or its sequelae.
4. Mercury poisoning or its sequelae.
5. Manganese poisoning or its sequelae.
6. Arsenic poisoning or its sequelae.
7. Poisoning by nitrous fumes.
8. Carbon bisulphide poisoning.
9. Benzene poisoning, including poisoning by any of its homologues, their nitro or amido derivatives or its sequelae.
10. Chrome ulceration or its sequelae.
11. Anthrax.
12. Silicosis.
13. Poisoning by halogens or halogen derivatives of the hydrocarbons of the aliphatic series.
14. Pathological manifestations due to—
 - (a) radium or other radio-active substances;
 - (b) X-rays.
15. Primary epitheliomatous cancer of the skin.
16. Toxic anaemia.
17. Toxic jaundice due to poisonous substances.
18. Oil acne or dermatitis due to mineral oils and compounds containing mineral oil base.
19. Byssionosis.
20. Asbestosis.
21. Occupational or contact dermatitis caused by direct contact with chemicals and paints. These are of two types, that is, primary irritants and allergic sensitizers.
22. Noise induced hearing loss (exposure to high noise levels).
23. Beryllium poisoning.
24. Carbon monoxide poisoning.
25. Coal miners' pneumoconiosis.
26. Phosgene poisoning.
27. Occupational cancer.
28. Isocyanates poisoning.
29. Toxic nephritis.

Occupational Safety & Health Hazards and their Prevention and Control at Workplaces

Our country is making rapid strides towards industrialisation. Productivity is the crying need of the day. In this transformation stage from the agriculture oriented society towards an industrialised one, many problems are to be encountered. The most important aspect is the health, safety and welfare of the workers.

Healthy worker is an asset to the management, as only a healthy worker can give his maximum output in terms of productivity. Most management realise that health is an important factor, hence they see to it that they employ healthy workers, by subjecting the selected worker to pre-employment medical examinations and the worker is taken on job only when he is medically fit in all respects. It is the duty of the management to see it that fit worker does not suffer from any illness on account of his work subsequently.

Health of the worker is influenced by:

1. Occupational factors (working environment)
2. Non-occupational factors (food, clothing, water, housing, food habits, personal hygiene, habits like smoking, drinking etc.)

The interaction of the worker with his working environment may result in the impairment of his health leading to work related illness.

In the industry workers are exposed to various health hazards, namely:

- i. Physical hazards like heat and cold, improper illumination, noise, vibrations, radiation, pressure changes etc.
- ii. Chemical agents like various types of gases, dusts, fumes and vapours, acids, alkalis, solvents etc.
- iii. Mechanical factors like unguarded and defective machines, lifting of heavy weights, foreign bodies etc.
- iv. Biological agents like viruses, bacteria etc.
- v. Psychological factors like tension, worry, anxiety, monotony, insecurity etc.

Mere presence of these hazards at the work place does not necessarily result in an occupational disease or injury. The hazards are to be identified, assessed and kept under control by appropriate measures to avoid work related illness.

The more important physical hazards are considered below:

HEAT:

The common physical hazard in most industries is heat. The direct effects of heat exposure

are burns, heat exhaustion, heat stroke and heat cramps. The indirect effects are decreased efficiency, increased fatigue and enhanced accident rates. For gainful work involving sustained and repeated effort, a reasonable temperature must be maintained in each work room.

LIGHT:

The workers may be exposed to the risk of poor illumination or excessive brightness. The acute effects of poor illumination are eye strain, headache, lachrymation, congestion around the cornea, land eye fatigue. The chronic effects include 'miners nystagmus'. Exposure to excessive brightness leads to discomfort, annoyance and visual fatigue.

NOISE:

The effects of noise are of two types:

- i. Auditory effects which consist of temporary and permanent noise induced hearing loss.
- ii. Non-auditory effects which consists of nervousness, fatigue, interference with communication by speech, decreased efficiency and annoyance. Noise also contributes to severe job stress.

VIBRATIONS:

Vibration may be encountered in work with pneumatic tools such as drills and hammers. Vibration usually affects the hands and arms. After some months or years of exposure the fine blood vessels of the fingers may become increasingly sensitive to spasm (white fingers). Exposure to vibrations may also produce injuries to the joints of the hands, elbow and shoulders.

ULTRAVIOLET RADIATION:

Occupational exposure to UV radiation occurs mainly in arc welding. Such radiation mainly affects the eyes, causing intense conjunctivitis and keralitis. Prolonged exposure to UV radiation may cause permanent damage to the cornea leading to fall of vision.

INFRARED RADIATION:

The primary effect of IR on biological tissues is thermal. The skin provides its own warning mechanism by having a pain threshold below that of burn threshold. In the eye, however, there is no

adequate warning mechanism to protect against lenticular damage. Cataracts may be produced by prolonged exposure to IR as in glass blowers and furnace men. The effect of IR on the retina and choroid is thermal in nature. Prolonged exposure to IR may result in retinal and choroidal burns. The effects of IR on the lid and cornea can be considered as ordinary cutaneous burns.

CHEMICAL HAZARDS:

Chemical hazards are equally common. There is hardly any industry which does not make use of chemicals. Chemical agents act in three ways, namely – local action, inhalation and ingestion. The ill effects produced depend upon the duration of exposure, the quantum of exposure, and individual susceptibility. In the petroleum industry, personnel are exposed to one or more of the following:

- Crude Oil
- Gasoline (Motor and aviation)
- Kerosene of various grades
- Diesel
- Furnace oil
- Paraffin wax
- Lubricants
- Grease
- Bitumen
- Gasoline and lubricant additives
- Liquified petroleum gas
- Solvents E.g. Benzene
 - Toluene
 - Xylene etc.

In general, with the exception of benzene, the hazards of these fuel products are relatively slight, except for their flammability.

The health hazards of these fuel products may be divided into three types.

1. Anaesthetic and asphyxiating properties:

The gaseous petroleum fractions, e.g. gasoline, have a mild anesthetic action. The gases may exist in sufficiently high concentrations to displace oxygen below the critical concentration of 16% and thus act as a simple asphyxiant. In order to control the fire and explosion hazard, the safety engineer will restrict concentration of these materials to 20% of the lower explosive limit. Even this concentration is far above the exposure limit values. The objective, therefore, should be to restrict the concentration of these materials for regular working conditions to the exposure limit.

In case of accidental exposure to hydrocarbons, the individual should be removed from exposure area to fresh air and artificial respiration applied until normal breathing starts. Suitable

respirators should be readily available in the work area.

2. Aspiration Hazards:

The lower boiling point liquid fuel products like gasoline, kerosene etc., produce a severe chemical pneumonitis if inhaled into the lungs. Principally at risk are children who accidentally drink these materials. Workers should be cautioned against mouth pipetting of such materials and encourage to use suitable bulb type pipettes and siphons.

In case of accidental ingestion, the patient should be hospitalized. Stomach washes, induced vomiting etc., should be avoided if the danger of further aspiration. Supportive therapy, if necessary antibiotics are advocated till complete recovery occurs.

3. Dermatitis:

Dermatitis may develop usually due to defatting effects on the skin. Fat replacement ointments and barrier creams may be helpful, but prevention through the avoidance of repeated contact is more important. Employees should be discouraged from washing their hands in gasoline or kerosene.

Heavier, more viscous products may plug skin follicles and lead to follicular dermatitis. Avoid contact by using protective clothing, gloves etc., and good personal hygiene.

Certain heavy fuel oils may contain carcinogens and cause skin cancer. Repeated exposures should be avoided using protective clothing wherever necessary and washing thoroughly with soap and water if contact has occurred.

A small percentage of people may develop a skin sensitivity to petroleum products or its additives.

Additional hazards arise due to an alkali lead anti-knock agent (TEL or TML) present in the leaded petrol.

LUBRICATING OILS:

In general, lubricating oils have a low order of toxicity. But certain lubricating oil additives may increase the toxicity of the base oil. The number of such additives is quite large and may vary from country to country and even from company to company. If at all a lubricating oil may have caused a toxicity problem, this would be probably due to an additive.

PETROLEUM WAX:

Petroleum wax is an essentially innocuous material. Although scrotal cancers have been reported among production workers, the finished waxes are

usually highly refined and free from personal hazard. It may cause 'Wax-boils' due to poor personal hygiene.

CRUDE OIL:

Hydrogen sulfide in the crude oil can vaporize to form lethal gas. In addition crude oil may also contain chemicals like sulfur, cadmium, arsenic and its compounds.

LPG:

Liquified petroleum gas as is a simple asphyxiant and may cause central nervous system depression, light headedness, drowsiness etc.

PETROLEUM SOLVENTS:

Acute benzene exposure causes central nervous system depression. Chronic exposure results in depression of the haemopoietic system and is said to be associated with an increased incidence of leukemia.

Toluene is less toxic when compared to benzene. Toluene exposure does not result in the hemopoietic effects like anemia and leukemia.

Xylene vapour is an irritant to eyes, mucous membranes and skin. At high concentrations it causes narcosis.

Tetraethyl lead, a gasoline additive to prevent 'knocking' in motors is highly toxic and affects the nervous system and causes mental aberrations, including psychoses, mania and convulsions. Exposure occurs by inhalation, skin absorption and ingestion.

PSYCHOLOGICAL HAZARDS:

In the present situation, the role played by these psychological hazards is very significant. Emotional tension, fear, frustration, lack of job

satisfaction etc., are some of the psychological causes which may undermine both physical and mental health of the workers. A disturbed state of mind over a period of time may give rise to organic disease. Industrial neurosis, hypertension, peptic ulcer ischaemic heart disease, alcoholism etc. are some of the diseases of psychological origin.

THE HIERARCHY OF CONTROLS FOR OCCUPATIONAL SAFETY AND HEALTH HAZARDS

To intervene, identify and mitigate exposures to occupational hazards before work begins is the overall objective of all safety and health measures.

The hierarchy of control for ensuring occupational safety and health at workplace are as given below:

- Elimination – Physically remove the hazard.
- Substitution – Replace the hazard.
- Engineering Controls – Isolate people from the hazard.
- Administration controls – Change the way people work.
- Personal Protective Equipment (PPE) – Protect the worker with PPE.



Noise at Workplace

Abstract:

Noise is one of the commonest workplace hazard present in industries. Exposure to high noise leads to a varying presentation of symptoms that may further progress into Noise Induced Hearing Loss (NIHL). To protect workers from ill effects of noise and preserving hearing capacity in workers is the main objective of a hearing conservation program. For a successful Hearing conservation program in industries, workers active participation is necessary. Creating awareness among workers on Noise as a workplace hazard and its ill effects on human body is the key to a successful hearing conservation program. Audiometry is the primary screening tool to access hearing capacity of the worker. This article is intended to provide basic information on noise and its various aspects to provide basic awareness to the workers in industries.

SOUND

Sound is a form of energy waves resulting from vibration in an object when two object strike. These waves are received on our eardrum which generate electrical signal in our inner ear. Signals from inner ear are transmitted to brain via Auditory Nerve where the signals are interpreted into sound. Hearing is one of the five major senses in humans. We are surrounded by different sources of sound originating from various living and non-living sources.



Pinna- Receives Auditory Signals and directs it towards ear drum.

Ear Drum - Sound waves fall on ear drum and cause vibration in it.

Three Middle Ear Bones- Work as an amplifier and amplify sound waves reaching inner ear.

Cochlea or inner ear - translate the vibrations into electrical signals.

Auditory Nerve- Carries the electrical impulse to brain.

Semi-circular Canals- helps in maintaining balance and identifying direction of sound

Structure of Human Ear

Humans not only hear through ears but also vibrations in our bones are transmitted to ears which are then interpreted as sound. This bone conduction is affected last until auditory nerve is affected.

Noise - An unpleasant sound is called noise. Most of the unpleasant sounds are generated by non-living sources like Industrial Machinery, Music Systems, Modes of transportation etc.

Characteristics of Sound - Sound generating from various sources are quantified in terms of their pitch and Loudness.

- I. **Pitch:** Pitch or shrillness of sound depends on the frequency of the sound waves reaching our eardrums and is measured in terms of Hertz which is expressed as Hz. Human ears of capable of hearing sound waves ranging from 20 Hz to 20,000 Hz. Sounds between frequency range of 2000 Hz and 6000 Hz are best perceived by human ears.
- II. **Loudness:** Loudness of Sound is a subjective perception of intensity of sound waves perceived by

our ears. It is also called as Sound Pressure Level (SPL) or Sound Power (SP). Human ear can detect sound between the levels of 20 μ Pa to 200 Pa. To simplify calculations, the sound pressure level is expressed on logarithmic scale in terms of Decibel, written as dB. A SPL of 0dB corresponds to a sound pressure level of 20 μ Pa. Loudness of sound in normal conversation varies between 40dB and 60dB. Sounds with intensity of more than 120dB cause pain in our ears and exposure to a sound wave of intensity 140dB or more, may lead to spontaneous rupture of our eardrum.

Health effects of Noise

The main effect of exposure to high noise is decrease in hearing capacity to a variable extent. However, health effects of noise can be categorised into

(i) **Non-auditory Health Effects**- due to altered secretion of our stress hormones Adrenaline and nor adrenaline, secreted by adrenal gland. This results in increased level of stress and may manifest as

- a) **Cardiovascular Diseases**- High Blood Pressure and ischaemic heart diseases.
- b) **Sleep Disturbance**.
- c) **Cognitive and Stress related disorders** like decreased concentration, impaired communication with co-workers and family, anxiety, irritability, decreased self-esteem etc.

(ii) **Auditory Health Effects**- The main brunt of high noise exposure is experienced by our ears resulting into Hearing impairment. Hearing impairment is defined as complete or partial loss of hearing in one or both ears. The extent of hearing loss is classified as detailed in the table 1.1.

Deafness or profound hearing loss is defined as decrease in hearing capacity of an individual 81 dB or greater hearing threshold, averaged at frequencies 0.5, 1, 2, 4 kHz.

Hearing loss may be of temporary or permanent in nature. Depending on type of hearing organ affected it is classified as

- a. **Conductive Hearing loss**- due to damage in eardrums or middle ear infections.

- b. *Sensory Hearing Loss* – due to damage in inner ear or auditory nerve and
- c. *Mixed Hearing loss*- which is a mix of above two.

Ear Wax, Infection in ears and injury to ear drum are the commonest causes of temporary deafness. Some amount of permanent loss in hearing capacity is common with increasing age. The onset and progression of deafness in a person depends on his physical health, lifestyle habits and his workplace conditions.

Table 1.1

Grade of hearing	Audiometric ISO value	Performance
0 no impairment	≤25 dB (better ear)	No, or very slight, hearing problems. Able to hear whispers
1 Slight impairment	26–40 dB (better ear)	Able to hear and repeat words spoken in normal voice at 1 m.
2 Moderate impairment	41–60 dB (better ear)	Able to hear and repeat words using raised voice at 1 m
3 Severe Impairment	61–80 dB (better ear)	Able to hear some words when shouted into better ear
4 Profound impairment including deafness	>81 dB (better ear)	Unable to hear and understand even a shouted voice.

NOISE AT WORKPLACE

Noise is a physical hazard present in workplace environment. It is the second most common workplace hazard present in industries across the globe. Workers across all the industries are incessantly exposed to noise of varying intensity throughout their working life. Exposure to noise over a period of time may lead to gradual decrease in hearing loss. Hearing impairment developed in workers due to continuous exposure to high noise over a period is known as Noise Induced hearing Loss (NIHL). Hearing impairment due to exposure of high noise at workplace is progressive in nature.

- i. *Temporary Threshold Shift*- it is transient deafness due to sudden exposure to high noise. This recovers automatically with noise rest.
- ii. *Standard Threshold Shift*- is observed where worker is continuously working in High Noise area without any hearing protection. This shift varies from 10dB to 25dB. It signifies workers sensitivity towards developing permanent deafness. Preventive measures at this stage may lead to recovery in hearing capacity of the worker to some extent.
- iii. *Permanent Threshold Shift*- when hearing deficit exceeds 25dB it is labelled as permanent threshold shift. This is an irreversible stage.
- iv. *NIHL or Noise Induced Hearing Loss* – is a statutory term referred to the cases where deafness is for more than 40dB. These cases must be reported to authorities.

Noise induced Hearing loss is bilateral in nature i.e. in both ears simultaneously.

In industries and other sectors, exposure to high Noise not only affects health of workers but also increases the burden resulting from

- reduced productivity,
- decreased ability to monitor the work environment (warning signals, equipment sounds);
- increased injuries from impaired communication and isolation;
- Increased medical cost and
- Decreased employee morale.

STATUTORY PROVISIONS RELATED TO EXPOSURE TO NOISE

The Factories Act, 1948 and Model Factories Rules framed thereunder has prescribed various provisions to protect workers from ill effects of noise.

1. Part-A of Schedule XXIV of the Model Factories Rules under its para 2(b) defines any noise level measured on A weighted scale of 85 dB or above as high Noise area. Under para (3) it prescribes the measures to protect worker from exposure to Noise and has also sets Permissible Exposure Limit of continuous noise exposure It also mentions under its notes 1: of this schedule that no exposure in excess of 110 dB is to be permitted.
2. Industries generating high noise in their operations are classified as dangerous operations under state rules framed under section 87 of the Factories Act, 1948.
3. Section 87 of the Factories Act, 1948 mandates periodical Medical Examination of workers working in dangerous operations and prohibits employment of a person in such processes unless declared fit
4. The Third Schedule under Section 89 and 90 of the Factories Act, 1948 lists Noise Induced Hearing Loss (NIHL) as a notifiable disease.
5. The Model Factories Rules 80 makes provision for providing suitable Personal Protective Equipments and under its sub rule (2)-vi stating that "Ear protection when exposed to noise: Protection against the effects of noise exposure shall be provided when the sound levels exceed the prescribed Standards. The relevant National Standard shall be followed while selection of suitable ear protection. Periodic disinfection of reusable ear protectors shall be carried out to eliminate hearing loss caused by infection, discharge, pain etc. in the ear."

Model Factories Rules (Schedule XXIV) gives the detailed statutory provisions related to High Noise in Industries as

- "High noise level" means any noise level measured on the A-weighted scale is 85 dB or above.
- In every factory, suitable, a suitable engineering control or administrative measures shall be taken to ensure, so far as is reasonably practicable, that no worker is

exposed to sound levels exceeding the maximum permissible noise exposure levels specified in Tables 1 and 2.

Table 1: Permissible exposure in cases of continuous noise

Total time of exposure (continuous short term exposures)	Sound pressure level in or a number of dBA per day, in hours
8	85
6	87
4	90
3	92
2	95
1 ^{1/2}	97
1	100
3/4	102
1/2	105
1/4	110

Notes: 1. No exposure in excess of 110 dBA is to be permitted.
2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

Table 2: Permissible exposure levels of impulsive or impact noise

Peak sound pressure level in dB	Permitted number of impulses or impact per day
140	100
135	315
130	1,000
125	3,160
120	10,000

Notes: 1.No exposure in excess of 140 dB peak sound pressure level is permitted.

MEDICAL EXAMINATION FOR HEARING ASSESSMENT

Medical examination of the workers should include the specific parameters affecting workers health related to the workplace Hazards present in the working environment of the workers. Its aim is to not only find out any adverse effect of the workplace hazard on the workers health but also to check workers fitness to work in such work environment. Medical examination of workers working under high noise area should include

- i. General Physical Examination of the worker
- ii. Laboratory parameters to rule out any underlying disease and
- iii. Audiometry to screen Hearing capacity of the worker.

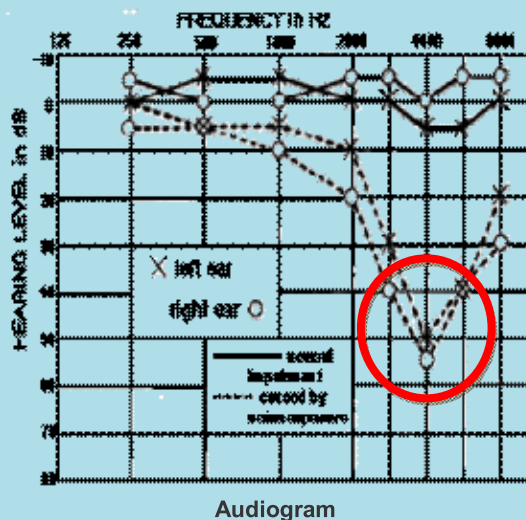
AUDIOMETRY

The screening test conducted on workers exposed to working in high noise area for screening of hearing capacity is Pure tone audiometry test. In this test hearing capacity of the worker is assessed for defined

frequency range in Hz and at defined loudness level in dB. Certain important points must be kept in mind before conducting this test.

- Audiometry examination of the worker should be done at the intervals as prescribed by the authorities.
- Before conducting Audiometry Noise Rest of minimum 24 hours should be advised for the worker.
- History of medical condition and intake of any Medicine should be noted before audiometry and must be included in the final report.
- Examination of workers ears must be done before conducting Audiometry.
- Audiometry should be done in a sound proof booth.
- Before conducting audiometry, the worker must be explained to clearly understand the process.
- During audiometry testing tone selection should be from lower to higher intensity to overcome any noise inertia due to sudden exposure to loud sound.
- Reports of Audiometry test conducted during Pre-employment and Exit Medical Examination must be retained as a reference.

After completing the test, the results are expressed in form of an Audiogram.



An NIHL Audiogram typically shows a sharp dip in hearing between 2000-6000 Hz. This dip is known as CAHARTS Notch. This notch is characteristic of Noise Induced hearing loss.

Audiometry Examination report should be evaluated by the factory medical officer and if any abnormality is noticed it should be discussed with specialist to confirm the diagnosis before discussing it with the worker and authorities.

It is a good practice to discuss the report of normal audiometry with worker to create sensitisation among the workers and ensure a successful implementation of Hearing conservation Program.

HEARING CONSERVATION PROGRAM

Promoted by OSHA, Hearing Conservation Programme is an integrated approach to preserve and protect workers health from ill effect of noise at workplace. Hearing conservation programs strive to prevent initial occupational hearing loss, preserve and protect remaining hearing, and equip workers with the knowledge and hearing protection devices necessary to safeguard themselves. Employers are required to measure noise levels; provide free annual hearing exams, hearing protection, and training; and conduct evaluations of the adequacy of the hearing protectors in use (unless changes made to tools, equipment, and schedules result in worker noise exposure levels that are less than the 85 dBA) It involves an integrated approach. It puts special focus on management commitment and worker participation besides Annual audiometry.

The components of a Hearing Conservation Program are

- i. Written policy for Hearing Conservation.
- ii. Mapping of High Noise Areas.
- iii. Regular Medical Examination.
- iv. Regular training to workers.
- v. Display of awareness posters.
- vi. Provision of Hearing protective devices.
- vii. Regular review on effectiveness of the program.

Noise at workplace has direct effect on workers health not only in terms of his hearing ability but also may lead to other health related issues in them. This will lead to increased accidents and decreased

productivity. Industries classified under dangerous operation as High Noise industries should have a well-established Hearing Conservation Program at workplace. While designing this program key focus should be on ensuring creating awareness and worker participation. Only then we can fulfil the objective of Zero Accident.

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Pulmonary Function Tests, Spirometry and Its Interpretation

Abstract:

Pulmonary function tests are a battery of investigation to evaluate the performance of the respiratory system, which include test for ventilation, test for diffusion, test for perfusion, test for respiratory muscle function, test for respiratory center function, etc. Test for ventilatory function of lung is known as spirometry. Spirometry is the most common pulmonary function test for screening of occupational lung diseases among the industrial workers. It can also be used for definitive diagnosis and treatment follow-up for occupational lung diseases. Occupational lung diseases are broadly classified into obstructive type, restrictive type or mixed type. Interpretation of spirometric findings are based on comparing the observed values with predicted values for a set of different lung volumes or parameters like Forced Vital Capacity (FVC), Forced Expiratory Volume in One Second (FEV₁). Predicted values for the set of lung volumes or parameters are derived from mathematical equations proposed by different researchers based on scientific studies on different population. Some fixed criteria have been set by international scientific societies or organizations for differentiating obstructive and restrictive lung diseases. These fixed criteria-based approaches have some limitations. To overcome those limitations to some extent, statistical Z-Score derived Lower Limit of Normality (LLN) based criteria have been proposed, accepted and endorsed by international scientific societies or organizations like American Thoracic Society (ATS), European Respiratory Society (ERS), the National Institute for Occupational Safety and Health (NIOSH), and the American College of Occupational and Environmental Medicine (ACOEM).

1. INTRODUCTION

Occupational Lung disease is one of the oldest but important public health problems among the working population. The prevalence of occupational lung diseases varies from country to country. As estimated by the International Labour Organization (ILO), respiratory diseases share 9% of global compensation cost related to occupational diseases and accidents.(1)Development of occupational lung disease is primarily attributed to long term and repeated exposure to different irritant at the workplace which lead to a spectrum of changes in the respiratory system. The changes in the respiratory system may progress with varying degree of impact even after cessation of the exposure. Onset and severity of occupational lung disease is multi-factorial. Risk factors are type of irritant and its concentration in the working environment, duration of exposure, individual susceptibility, smoking habit, etc. Along with medical history and imaging technology, pulmonary function test plays an important role in the diagnosis of occupational lung disease.(2)Pulmonary function test are a battery of investigation to evaluate the performance of the respiratory system, which include test for ventilation, test for diffusion, test for perfusion, test for respiratory muscle function, test for respiratory center function, etc. Test for ventilatory function of lung is known as spirometry. Spirometry is most widely used and basic mode of investigation for evaluation of pulmonary function. It measures the air flow and capacity in the respiratory tract during inspiration and expiration. It is a noninvasive procedure, can be performed easily by any trained healthcare professional, virtually in anywhere with a device called spirometer. Diffusion test under pulmonary function test measures the gas exchange capacity between lungs tissue and blood stream. It is commonly assessed by measuring the diffusing capacity of the

lung for carbon monoxide or DLCO. Abnormal test result indicates towards lung diseases, such as interstitial fibrosis, asbestosis, sarcoidosis and emphysema. Body plethysmography, another important pulmonary function test to assess primarily the functional residual capacity (FRC) of lung and specific airway resistance. In combination with deep inspirations and expirations, residual volume (RV) and total lung capacity (TLC) and can also be determined by this body plethysmography. Other pulmonary function Tests includes test for ventilation perfusion by Ventilation / perfusion (V/Q) scan or Nitrogen wash out test, Arterial blood gas (ABG) analysis for measurement of level of oxygen and carbon dioxide in the blood, tests for respiratory center function includes CO₂ stimulation test, tests for respiratory muscle function include measurement of maximal inspiratory pressure (PI max) and maximal expiratory pressure (PE max). Bedside tests for assessment of pulmonary function include measurement of Peak expiratory flow rate (PEFR), transcutaneous O₂ (SpO₂) and CO₂ (tCO₂). As spirometry is most widely used and basic mode of investigation for evaluation of pulmonary function, it has been briefly discussed in the following sections.

2. SPIROMETRY IN OCCUPATIONAL HEALTH SETTING

In all level of prevention i.e. Primary, Secondary and Tertiary level, spirometry plays an important role in occupational health setting. It is used for both screening and diagnostic purpose. During pre-employment medical examination and periodic medical examination spirometry is used as a screening tool for respiratory function evaluation. It can also be used for diagnosis of occupational lung diseases. It also helps to assess the severity of the diseases along with objective guidance in response to management

protocol. It is also tool for pre-operative anesthetic evaluation.

3. CONTRAINDICATION OF SPIROMETRY

In some patients due to increased risk of health, spirometry should not be advised which includes hemoptysis i.e. coughing up of blood or blood mixed sputum from respiratory tract, pneumothorax, thoracic or abdominal aneurysm, recent myocardial infarction, unstable angina, recent thoracic or abdominal surgery, current painful ear infection etc.

4. IMPORTANT PARAMETERS OF SPIROMETRY

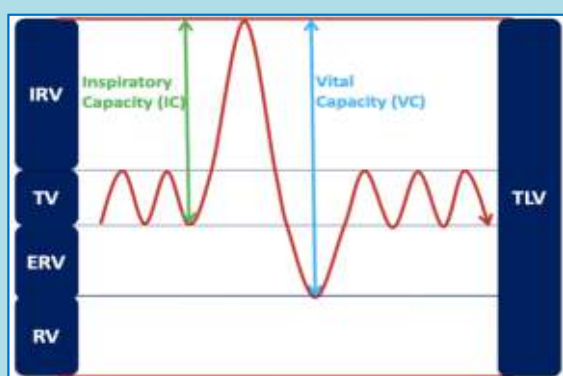


Fig-1: Different Lung Volumes and Capacities

Tidal Volume (TV): The volume of air inhaled or exhaled during normal breathing.

Inspiratory Reserve Volume (IRV): It is the extra volume of air that can be inhaled forcefully over and above a normal tidal volume.

Inspiratory Capacity (IC): From the end of expiration, maximum volume of air that can be inhaled forcefully. It is the summation of TV and IRV.

Expiratory Reserve Volume (ERV): It is the extra volume of air that can be exhaled forcefully over and above tidal volume.

Vital Capacity (VC): It is the maximum volume of air that can be exhaled forcefully after a maximum forceful inspiration. It is the summation of TV, IRV and ERV.

Forced Vital Capacity (FVC): It is the maximum volume of air that can be forcefully exhaled as rapid and complete as possible, after a full forceful inspiration.

Residual Volume (RV): This is the volume of air that remains trapped in the lung after a forceful expiration. RV cannot be measured with a spirometer.

Total Lung Volume (TLV): It is the maximum volume of air present in the lung after a forceful inspiration.

$$TLV = TV + IRV + ERV + RV$$

Forced Expiratory Volume in One Second (FEV_1): It is the maximum volume of air that can be forcefully exhaled in the first second after a maximum forceful inspiration. It is one of the most important parameters used for interpretation of spirometry result.

FEV_1 / FVC Percentage (FEV_1/FVC %): It is the proportion (expressed as percentage) of Forced Vital Capacity (FVC) which forcefully exhaled in the first second after a maximum forceful inspiration (FEV_1).

Peak Expiratory Flow Rate (PEFR): It is the maximum speed of air that is exhaled during maximum forceful expiration after a maximum forceful inspiration.

5. INTERPRETATION OF SPIROMETRY RESULT BASED ON FIXED CRITERIA AND PREDICTED VALUES

Conventionally spirometry results are interpreted based on predicted values obtained from established mathematical equations. Internationally NHANES III (Third National Health and Nutrition Examination Survey, USA) reference equation and European Community for Steel and Coal (ECSC, Europe) equations were widely used for calculation normal reference values of lung function parameters.(3) For Indian population, normal reference values can be calculated from the equation proposed by Kamat SR et. al.(4) Reference equations established by Chatterjee et. al. is well known for its applicability among the population from Eastern India.(5) Recently, DasGupta et. al. also published reference equation for spirometry interpretation for the population from Eastern India.(6) Based on the established reference equation, predicted normal values of FVC, FEV_1 , etc. can be obtained according to specific age, sex, height and race. Result or values of FVC, FEV_1 , etc. obtained from the spirometry expressed as percentage of predicted normal values of FVC, FEV_1 , etc. from reference equation is used for interpretation of spirometry data. Obstructive Lung Disease such as bronchiectasis, bronchial asthma, chronic obstructive pulmonary disease can be suspected if the percentage of $FEV_1(\text{observed})/FVC(\text{observed})$ is less than 70% in adults (Global Initiative for Chronic Obstructive Lung Disease-GOLD 2020 Criteria) and $FEV_1(\text{observed})/FVC(\text{observed})$ is more than 70% in adults with an FVC% (Percentage of Observed FVC/Predicted FVC) less than 75% then restrictive lung disease i.e. Interstitial lung disease (Pulmonary fibrosis) or chest wall deformities is suspected. (7)(8)

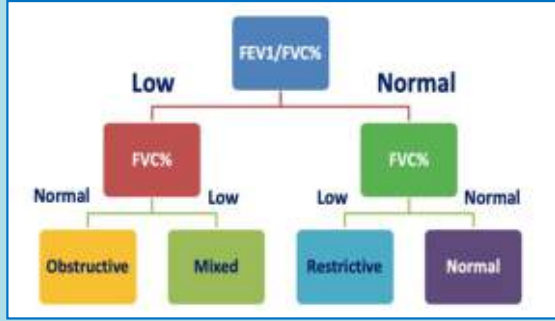


Fig-2: Interpretation of spirometry result based on fixed criteria and predicted values

6. CONCEPT OF STATISTICAL Z-SCORE & LOWER LIMIT OF NORMALITY (LLN) FOR INTERPRETATION OF PFT

Different scientific studies have identified that using Fixed Criterion like FEV₁/FVC less than 70% as per GOLD-2020 Criteria) can fail to detect fifty percent of young adults with obstructive pulmonary impairment.(9) On the other hand, determination of Lower Limit of Normal (LLN) with classic percentage of predicted value (%Predicted) based interpretation of FVC or FEV₁ considerably varies with age. FEV₁ value based on %predicted of an 80 years old person may be normal but it would not be normal for a 30 years young person. Recently scientific bodies or authorities in the field of pulmonary medicine and occupational lung diseases like Occupational Safety and Health Administration (OSHA, USA), American Thoracic Society (ATS), and American Academy of Family Physicians (AAFP) advocates for interpretation of spirometric findings based on Z-Score & LLN concept.(10)

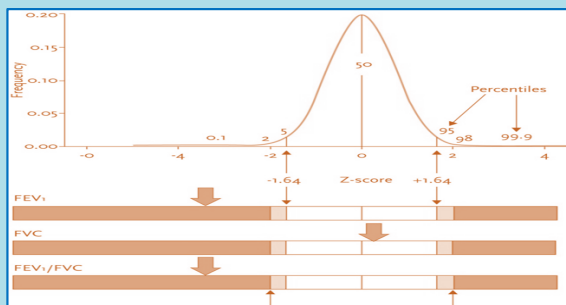


Fig-3: Interpretation of spirometry result based on fixed criteria and predicted values

The Z-Score based interpretation of LLN is independent of Age. In a normal distribution curve, Z score 1.64 corresponds to 5% (5th Percentile) of normally distributed data. This point (Z score – 1.64) is taken as LLN value for interpretation of spirometric data. Statistically, only 5% of normal population may have observed spirometric value less than LLN. As per the recommendation from European Respiratory

Society (ERS), interpretation of spirometry should be made based on value of Lower Limit of Normality (LLN) derived from Global Lung Function Initiative (GLI) network. (3) Lower Limit of Normality (LLN) and Z score of lung function parameters based on GLI reference can be calculated online from the portal <http://glistransfer.org.au/calcs/spiro.html>. It is an official link provided by European Respiratory Society (ERS) under GLI network.(11) A simple algorithm has been represented for easy interpretation of spirometric parameters for screening of occupational lung diseases.

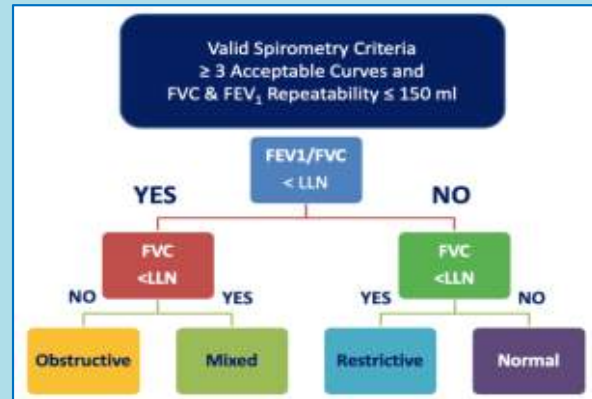


Fig-4: Interpretation of spirometry result based on z-score & lower limit of normality (LLN)

7. CONCLUSION

All the equation for calculation of predicted values of lung parameters are based on regression modeling. Like every mathematical modeling, these equations are also based on various assumptions with different limitations. Apart from this fixed criterion based % predicted values sometimes makes the interpretation inaccurate especially among younger population. At the same time this fixed criterion differs to some extent from authority to authority. That makes the interpretation of spirometry more confusing. So, statistically derived Lower Limit of Normality (LLN) & Z-score based interpretation approach of spirometry makes it simpler and less confusing.

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First Aid and Management of Animal Bite: All You Need to Know

Abstract:

Rabies infection causes viral encephalitis in human which is almost 100% fatal. It may develop few days to several years after the exposure with a warm blooded animal. In India dog bite is the most common cause of rabies in human. Rabies is endemic in India, but some part of the country like Islands of Andaman and Nicobar and Lakshadweep have been reported to be rabies free. Though it is 100% fatal, it is almost 100% preventable. Appropriate Pre or Post Exposure prophylaxis is the key to success for its prevention. To address the issue of rabies in the India, National Rabies Control Programme (NRCP) was approved during the 12th Five Year Plan by Standing Finance Committee meeting held on 03.10.2013 as a Central Sector Scheme to be implemented under the Umbrella of National Health Mission (NHM) with a goal to eliminate it by 2030 to participate in the global call "RABIES: ZERO BY 2030". Recently, National Centre for Disease Control (NCDC) under Directorate General of Health Services, Ministry of Health and Family Welfare, Govt. of India, published the National Guidelines for Rabies Prophylaxis in 2019.

1. INTRODUCTION

Rabies is an acute viral disease with 100% fatality among humans. Not a single other documented virus has a 100% fatality rate in humans.

(1) It has been estimated that annually 20000 life lost due to rabies in India, which share 36% of global death due to it.

(2) Under the Integrated Disease Surveillance Project (IDSP) of Govt. of India, annually approximately 6-7 million animal bites are reported in India. So, in the 21st century also, in India, it remains a major public health problem. Dogs are responsible for about 97% of human rabies, followed by cats (2%), jackals, mongoose, and others (1%).

(3) To achieve zero rabies death by 2030 in India, National Action Plan for Rabies Elimination has been prepared and implemented.

2. TRANSMISSION, PATHOGENESIS AND INCUBATION PERIOD

Rabies virus causes fatal encephalomyelitis in all the warm-blooded animals including man. The virus is found in wild animals like foxes and some domestic animals like dog and cat. It is transmitted to other animals and to humans through their saliva following bites, scratches, licks on broken skin, and contact with mucous membranes. After inoculation in the muscle or connective tissue, it replicates at the nearby site followed by attachment to the nerve ending and traverses through the peripheral nervous system to the central nervous system. After ascending to the brain, it spreads centrifugally to many tissues like skeletal muscle, heart muscle, salivary gland, etc. which causes the appearance of signs and symptoms of rabies. The incubation period of human rabies is highly variable from 7 days to many years which depend on various factors like site of the bite, amount of virus injected, number of wounds, the severity of the bite, protection by clothing, time of initiation of wound management.

3. CLINICAL MANIFESTATION OF RABIES IN HUMAN

Initial symptoms of rabies are very similar with flu like illness i.e. general weakness, fever, headache,

bodyache which may last for few days. There may be some itching or pricking or burning sensation at the site of exposure. After initial symptoms, cerebral dysfunction, confusion, anxiety, agitation, hallucination, delirium, Hydrophobia and sometimes aerophobia develops as it progresses. After few days of appearance of sign and symptoms, it progresses to coma and death due to cardio-respiratory failure.

4. FIRST AID AND GENERAL TREATMENT FOR ANIMAL BITE

4.1 GENERAL CONSIDERATION

Rabies is entirely preventable provide any animal bite or exposure is managed properly and timely. Every human exposure to rabid animal should be considered as a medical emergency. Local wound management, active and passive immunization are the key elements of rabies prevention. First Aid for animal bite is the appropriate management of the local wound. Studies on animal have demonstrated that appropriate local wound management can reduce the chances of rabies by up to 80%. (4)

4.2 APPROPRIATE MANAGEMENT OF LOCAL WOUND

- **Cleansing:** Any kind of human exposure to animal though bite or lick or touch, the contact area must be thoroughly flushed and washed immediately or as early as possible with soap and plenty of running water at least for 10-15 minutes. If not done immediately, washing of bite wound or exposed area with soap under running water must be performed even after several hours or days have elapsed. Never touch the wound with bare hand during local wound management and don't apply any kind of local irritant or indigenous or local products like turmeric, chilis, oils, paper, soil etc.
- **Application of Antiseptic Solution:** After proper cleaning with soap under running water, followed by drying the wound, antiseptic solution with viricidal activity like Povidone Iodine, Alcohol, etc. should be applied locally. Regular wound dressing should be continued as advised by the treating physician.

- **Avoid Suturing:** As far as possible, suturing of the bite wound should be avoided to prevent the spread of virus to deeper tissues. Bleeding from the wound may be controlled by application of pressure bandage. If suturing is absolutely necessary, it should be done after 24-48 hours with minimum possible loose stitches and under the cover of local infiltration of Rabies Immunoglobulin (RIG).
- **Anti-Tetanus Prophylaxis:** Depending on patient's past immunization status, active immunization with purified Tetanus toxoid (adsorbed), 0.5 ml, Intra Muscular (IM), injected into deltoid, with or without co-administration of Human Tetanus Immunoglobulin, should be initiated as per current national protocol for prevention of tetanus.
- **Antibiotics:** A suitable antibiotics may be started only when it is prescribed by a Registered Medical Practitioner.
- **Analgesic:** If absolutely necessary and not contraindicated, a safer analgesic like Paracetamol may be taken to reduce pain preferably under the supervision of a Registered Medical Practitioner.
- **Counseling:** Counseling is very important to alleviate the physical stress due to bite wound and emotional stress due to fear about death. The victim should be counseled about the importance of adherence and compliance with the prescribed treatment and timely completion of the post exposure prophylaxis.

5. PREVENTION OF HUMAN RABIES

5.1 CATEGORY AND TYPE OF EXPOSURE WITH RECOMMENDED POST-EXPOSURE PROPHYLAXIS

Assessment of risk due to animal bite and exposure to rabies virus is a complex process. In case of any doubt Post Exposure Prophylaxis (PEP) should be initiated promptly with standard wound management.(5)

Category of Exposure	Type of Exposure	Recommended Post Exposure Prophylaxis
I	<ul style="list-style-type: none"> • Touching or feeding of animals, • licks on intact skin, • contact of intact skin with secretions/excretion of rabid animal/human case 	<ul style="list-style-type: none"> • None, if reliable case history is available • Wash exposed area with Water & Soap and apply antiseptic

II	<ul style="list-style-type: none"> • Nibbling of uncovered skin • Minor scratches or abrasions without bleeding 	<ul style="list-style-type: none"> • Wound Management • Anti-Rabies Vaccine
III	<ul style="list-style-type: none"> • Single or Multiple transdermal bites or scratches • Licks on broken skin • Contamination of mucous membrane with saliva (i.e. licks) • Bite by any wild animal and all bites in forest areas 	<ul style="list-style-type: none"> • Wound Management • Anti-Rabies Vaccine • Rabies Immunoglobulin

Note: In immunocompromised individuals such as suffering from HIV/AIDS, on immunosuppressive therapy like steroid or cancer chemotherapy, congenital agammaglobulinemia etc. Rabies Immunoglobulin (RIG) should be administered in both category II and III exposure.

5.2 TYPES OF VACCINE, IMMUNOGLOBULINS AND HUMAN BIOLOGICS COMMONLY AVAILABLE IN INDIA FOR PREVENTION OF RABIES IN HUMAN

5.2.1 ANTI-RABIES VACCINE (ARV)

- Purified Verocell Rabies Vaccine (PVRV)
- Purified Chick Embryo Cell Vaccine (PCECV)
- Purified Duck Embryo Vaccine (PDEV)
- Human Diploid Cell Culture Vaccine (HDCV)

5.2.2 RABIES IMMUNOGLOBULINS (RIG)

- Equine Rabies Immunoglobulins (ERIG)
- Human Rabies Immunoglobulins (HRIG)

5.2.3 HUMAN BIOLOGICS-MONOCLONAL ANTIBODIES (MAbs)

- Cocktail of Two Monoclonal Antibodies (Docaravimab and Miromavimab)

5.3 POST-EXPOSURE PROPHYLAXIS (PEP) FOR PERSON WHO HAVE NEVER BEEN VACCINATED WITH RABIES VACCINE

After proper wound care for any kind of exposure, Anti-Rabies Vaccine (ARV) is recommended in all Cat-II & Cat-III exposure along with Rabies Immunoglobulin (RIG) in all Cat-III exposure and immunocompromised individuals or conditions or under immunocompromised medications.

5.3.1 ANTI-RABIES VACCINE REGIMEN:

Two regimens are most commonly practiced in India one is Intramuscular Regimen and another one is Intradermal Regimen. Immune response after Intradermal vaccine administration is comparable to Intramuscular rabies vaccine schedule. Intradermal regimen is particularly suitable in health clinic where attendance of animal bite cases is more.

5.3.1.1 ESSEN Regimen: 05 Doses (1-1-1-1-1) – 05 Visits, One Site-Intramuscular (IM) Injection

- Day "0" is the date of administration of the first dose of vaccine which may or may not be the first day of bite or exposure
- It is recommended to start the vaccine schedule as early as possible after Cat-II & Cat-III exposure.
- It is essential that every batch of ARV have minimum potency of 2.5 IU/ IM Dose.
- The deltoid muscle is ideal for the administration of the ARV. Never administer in Gluteal region. In case of infants and young children, ARV may be administered at anterolateral aspect of the thigh.
- Depending on the type of vaccine Dose is 0.5 ml or 1 ml after reconstitution
- Switching the route of administration and type of vaccine is not recommended

SITE	1	1	1	1	1	1
DAY	0	3	7	14	14	28

- People taking Chloroquine, Hydroxychloroquine, long term corticosteroid or other immunosuppressive therapy or Immunocompromised individuals should receive as per this IM regimen.
- People who present for management even after months or years of possible rabies exposure should be treated as same for recent exposure
- After reconstitution with sterile diluent, the vaccine should be administered immediately or within 6 hours if stored at 2-8°C
- Vaccinated person should be kept under observation for at least 20 minutes
- Do not rub or apply anything to the injection site
- Take the vaccine on the scheduled date and complete the course
- Example of an IM Schedule: if "0" day is Tuesday (21.07.2020), Next doses on "3" day will be on Friday (24.07.2020), "7" day will be on next Tuesday (28.07.2020), "14" day will be on next Tuesday (04.08.2020) and "28" day will be next to next Tuesday (18.08.2020).

5.3.1.2 Updated Thai Red Cross Regimen: 08 Doses (2-2-2-0-2) – 4 Visits, Two Site-Intradermal (ID) Injection

- Day "0" is the date of administration of the first dose of vaccine which may or may not be the first day of bite or exposure
- It is recommended to start the vaccine schedule as early as possible after Cat-II & Cat-III exposure.
- It is essential that every batch of ARV have minimum potency of 2.5 IU/ IM Dose
- Only the ARV approved by DGCI for ID administration should be used by ID route
- Skin over the deltoid region, an inch above the insertion of deltoid muscle, is ideal for the administration of the ARV. Never administer in Gluteal region. In case of infants and young children, ARV may be administered at skin over anterolateral aspect of the thigh or suprascapular region.
- Injection of 0.1 ml of reconstituted vaccine, irrespective of reconstituted volume for IM dose (0.5ml or 1 ml), is administered on Two sites per visit (0.2 ml per visit) (one on each deltoid area) on days 0, 3, 7 and 28. No vaccine is given on day 14.

Site	2	2	2	2	0	2
DAY	0	3	7	14	14	28

- People taking Chloroquine, Hydroxychloroquine, long term corticosteroid or other immunosuppressive therapy or Immunocompromised individuals should not receive as per this ID regimen.
- People who present for management even after months or years of possible rabies exposure should be treated as same for recent exposure.
- After reconstitution with sterile diluent, the vaccine should be administered immediately or within 6 hours if stored at 2-8°C
- Vaccinated person should be kept under observation for at least 20 minutes
- Do not rub or apply anything to the injection site
- Take the vaccine on the scheduled date and complete the course
- Example of an ID Schedule: if "0" day is Tuesday (21.07.2020), Next doses on "3" day will be on Friday (24.07.2020), "7" day will be next Tuesday (28.07.2020), and "28" day will be next to next to next Tuesday (18.08.2020).

Name of some firms who manufacture Anti-Rabies Vaccine that can be used as per both IM and ID regimen.

- M/s Human Biological Limited, Hyderabad
- M/s Cadila Healthcare Limited, Ahmedabad
- M/s Chiron Behring Vaccines Ltd, Gujarat
- M/s Serum Institute of India Pvt. Ltd., Pune
- M/s Bharat Biotech International Ltd. Hyderabad

Please read the instructions provided by the manufactures before use of any Anti-Rabies Vaccine.

5.3.2 RABIES IMMUNOGLOBULIN (RIG):

Anti-Rabies Serum or Immunoglobulin is the most effective to provide passive immunity in the form of ready-made antibodies to neutralize the rabies viruses and render them ineffective. It should be administered in all Category-III bite. In immunocompromised individuals such as suffering from HIV/AIDS, on immunosuppressive therapy like steroid or cancer chemotherapy, congenital agammaglobulinemia etc. rabies Immunoglobulin (RIG) should be administered in both categories II and III exposure. Following two types of Rabies Immunoglobulins are available in India

5.3.2.1 Equine Rabies Immunoglobulin (ERIG):

Compared to older generation, currently available ERIG are highly purified form of Fab 2 fragments and reduced incidence of adverse events. It carries a low (1 in 150000) risk of anaphylactic reaction. Skin test before administration of ERIG is not required but physicians should always be prepared to manage anaphylaxis reactions. Most commonly available strength and vial is 300 IU/ml or 1500 IU/5ml. Recommended dose for ERIG administration is 40 IU/Kg Body Weight.

Name of some firms who manufacture ERIG in India.

- M/s Central Research Institute, Solan, HP
- M/s Haffkine Biopharmaceuticals Corporation Limited, Pune
- M/s Virchow BiotechPvt. Ltd, Telengana
- M/s Serum Institute of India Pvt. Ltd., Pune
- M/s Bharat Serum and Vaccine Ltd. Mumbai

5.3.2.2 Human Rabies Immunoglobulin (HRIG):

Human Rabies Immunoglobulin is of homologous origin and relatively safer in terms of adverse events compared to ERIG. Most commonly available strength of HRIG is 150 IU/ml. Recommended dose for HRIG administration is 20 IU/Kg Body Weight. It is costlier than ERIG.

Name of some firms who manufacture HRIG in India.

- M/s Bharat Serum and Vaccine Ltd. Mumbai
- M/s Plasmagen Biosciences Pvt. Ltd, Karnataka
- M/s Prosper Channel Life Science India Pvt. Ltd, New Delhi

Type of RIG	Dose
Equine Rabies Immunoglobulin (ERIG)	40 IU / Kg Body Weight
Human Rabies Immunoglobulin (HRIG)	20 IU / Kg Body Weight

PROTOCOL FOR ADMINISTRATION OF RABIES IMMUNOGLOBULIN (RIG):

- RIG must never be administered intravenously.

- The mode of action of RIG is to neutralize the rabies virus at the site of exposure before production of patients own antibodies as a result of rabies vaccination. Proper active antibody response following a rabies vaccination with recommended dose and schedule starts from 7th day onwards after first vaccination. So, RIG should be administered along with first dose of rabies vaccine or as soon as possible after initiation of rabies vaccine. It is not recommended after the 7th day of the first dose of rabies vaccination.
- It should be brought to room temperature (25^oC – 30^oC) before administration.
- The entire calculated dose of RIG should be infiltrated carefully into or as close as possible to the wounds or exposed sites as much as anatomically possible, avoiding possible compartment syndrome. Try to avoid multiple needles pricking during infiltration. If there is any remaining RIG is available after local infiltration as much as possible, the remaining volume should be injected intramuscularly as close as possible to the bite wound or presumed exposure site but as distant as possible from the rabies vaccine administration site, avoiding possible compartment syndrome.
- In case of mucosal exposure with no wound rinsing with RIG can be considered and in case of suspected exposure to rabies virus through aerosol, intramuscular injection of RIG is recommended.
- RIG and Rabies Vaccine never be administered with the same syringe or at the same anatomical site. RIG and Rabies to be administered as distant as possible from each other.
- Tip of the toes, fingers, nose, ear lobes, around the eye can safely be infiltrated with RIG but should be careful about possible compartment syndrome.
- As a general protocol for all immunization, the person should be kept under medical supervision at least for 20 minutes after administration of RIG.

5.3.3 HUMAN BIOLOGICS-MONOCLONAL ANTIBODIES (MAbs):

Cocktail of Two Monoclonal Antibodies (Docaravimab and Mirodavimab) is recently been recommended by World Health Organization (WHO) and licensed by DGI (Drug Controller General of India) as an alternative for RIG in Post Exposure Prophylaxis. As per expert group recommendation its role as a replacement to RIG needs to be studied more with respect to its effectiveness and safety in multi centric studies before incorporation in National Guidelines.

5.4 PRE-EXPOSURE PROPHYLAXIS (PrEP)

Pre-Exposure Prophylaxis is recommended for High Risk groups like Veterinarians, Animal handlers, Wildlife wardens, dog catchers, laboratory staffs working with rabies virus or infected samples, clinicians and health workers attending human rabies cases. Indian Association of Pediatrics (IAP)

recommends voluntary pre-exposure prophylaxis of children.

The same vaccine, used for IM or ID Post-Exposure Prophylaxis (PEP) schedule, is recommended for Pre-Exposure Prophylaxis (PrEP) also.

5.4.1 DOSES SCHEDULE: 3 VISIT – 1 SITE

Pre-Exposure Prophylaxis can be administered either by Intramuscular schedule or Intradermal Schedule.

Intramuscular schedule: 1reconstituted full vial (0.5 ml or 1 ml, depending on type of vaccine) of injection to be injected intramuscularly on days 0, 7 and a booster either on 21 or 28 day. "0" day means the day of starting of vaccine schedule.

Intradermal schedule: 0.1 ml of injection to be injected intradermally on one site at days 0, 7 and a booster either on 21 or 28 day. "0" day means the day of starting of vaccine schedule.

IM DOSE	0.5 OR 1ML	0.5 OR 1 ML	0.5 OR 1 ML	O R	0.5 OR 1ML
IM SITE	1	1	1		
Day	0	3	21		28
ID SITE	1	1	1		1
ID DOSE	0.1 ML	0.1 ML	0.1 ML		0.1 ML

5.4.2 FOLLOW-UP FOR HIGH RISK GROUP:

- After a complete course of PrEP, high risk individuals should be monitored with estimation of rabies neutralizing antibody titre every 6 months for initial 2 years followed by at an interval of every two years. A booster dose of ARV is recommended if rabies neutralizing antibody titre dropped to less than 0.5 IU/ml.

5.5 POST-EXPOSURE PROPHYLAXIS (PEP) FOR PERSON WHO HAS BEEN PREVIOUSLY VACCINATED WITH RABIES VACCINE EITHER BY PREVIOUS PEP OR PrEP

- This recommendation is for re-exposed persons who have been previously vaccinated (documentary evidence is required) with complete course of PEP more than 3 months ago or newly exposed individuals who have been previously vaccinated (documentary evidence is required) with PrEP more that 3 months ago.
- In case of documented evidence of complete PEP or PrEP within last three (03) months of any exposure, only appropriate wound washing and wound management is required otherwise 1 reconstituted full vial (0.5 ml or 1 ml, depending on type of vaccine) of vaccine should be administered one site intramuscularly on days 0 and 3 or 0.1 ml

of injection to be administered intradermally on one site at days 0, 3. "0" day means the day of starting of vaccine schedule, ideally it should be the day of bite otherwise as early as possible after the bite.

- Simultaneous administration of RIG is not required.
- Individual who has been previously immunized with Neural Tissue Vaccine (NTV) or has no documentary evidence of complete previous PrEP or PEP or immunized with vaccine of unproven potency or in case of any doubt, he or she should be treated as a fresh case of rabies exposure and full PEP as per protocol is recommended.

IM DOSE	0.5 OR 1ML	0.5 OR 1ML	RABIES IMMUNOGLOBULIN IS NOT REQUIRED
IM SITE	1	1	
Day	0	3	
ID SITE	1	1	
ID DOSE	0.1 ML	0.1 ML	

5.6 POST-EXPOSURE PROPHYLAXIS (PEP) FOR IMMUNE-COMPROMISED INDIVIDUALS

In immunocompromised individuals, such as suffering from HIV/AIDS, on immunosuppressive therapy like steroid or cancer chemotherapy, congenital agammaglobulinemia or suffering from cancer, or any other disease which may cause an immunocompromised state, there may have a significantly lower or undetectable antibody response to ARV. So, following protocol should be practiced

- Appropriate wound management followed by local infiltration of RIG as per dose in both Cat-II and Cat-III exposure followed by complete course of ARV only as per IM route (ESSEN Regimen) in both Cat-II and Cat-III
- If possible, estimation of rabies neutralizing antibody titre should be done after 14 days of the completion of the ARV schedule to assess the need for additional booster doses if titre less than 0.5 IU/ml.

5.7 RECENT ADVANCEMENT

Fortunately, development of rabies can be prevented to a large extent if animal bites are managed appropriately and in time. In this regard the post-exposure treatment of animal bite cases is of prime importance.

5.8 SOME SPECIAL CONSIDERATION

- Bite by any warm-blooded animals, whether provoked or not, needs to be considered for PEP

- Exposure to any wild animal or any known animal in forest area should be treated as Cat-III
- Exposure to domestic rodents like rat, pet hamster, rabbits, hare ordinarily don't require PEP, but any rodent bite in forest areas require administration of PEP as per protocol.
- The risk of human to human transmission is low and there is no well documentation of such case worldwide, so, human bite case ordinarily doesn't require PEP. In case of close contact or exposure with a rabies patient or suspected rabies patient, PEP may be offered as a precaution.
- Irrespective of vaccination status of the biting animal, PEP should be started and completed as per protocol.
- There is no contraindication of rabies PEP in general. The recommended schedule is same for pregnant women, lactating mothers, neonates, infants, children, adolescents, adults and old age population group. Following ARV and RIG/MAbs administration, the vaccinated person should be kept under medical observation at least for 20 minutes.
- Previous history of allergic reaction to any component of PEP is a contraindication to use the same component in PEP or PrEP.
- In case of any doubt with respect to potential rabies exposure and category of exposure, PEP should be initiated it should be treated as Cat-III and consult a specialist at nearest Anti Rabies Clinic.

CONCLUSION:

Take home message for prevention from this 100% fatal disease is as follows:

Management of Animal Bite	
WASH IT RIGHT	
W	Wound Washing With soap under running Water
A	Application of Antiseptic solution locally, and optional Antibiotic
SH	Suture to be Hold off
IT	Immunization against Tetanus
RI	Rabies Immunization with or without Immunoglobulin
GH	Go to Home after Twenty minutes following immunization
T	Timely complete the immunization schedule

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Government of India
Ministry of Labour and Employment



DGFASLI SAFETY CARD

Construction Work Personal Protective Equipment (PPE)

Construction industry is one of the world's major industries accounting for the high rate of accidents. For the construction workers, fall is one of the most common causes of fatality and major injury followed by struck by object, electrocutions, caught-in-between etc.

When engineering and administrative controls are not sufficient to minimize these risks to an acceptable level, the Personal Protective Equipment (PPE) is used as the last line in protection workers form exposure to hazards PPE does not eliminate the hazard at source but it works as a shield between the person and the hazard.

Proper use of PPEs controls the hazards. To protect our body, following are some of the commonly used PPEs.



Head Protection

In the case of possible danger from falling or flying object, accident collision with fixed objects or contact with electrical hazards, workers must wear the Safety Helmets. Safety Helmets should be maintained in good condition. Regular inspection should be carried out for the dents, cracks or deterioration. If required, replace immediately.



Eye and Face Protection

In the case of possible danger to eye or face from foreign objects like flying particles during

work operations such as welding, cutting, brazing, grinding, nailing, harmful chemicals and / or exposure to any electrical hazards or energized electrical systems, workers must wear the Safety Glasses or Face shields.



Hearing Protection

In the work areas of high noise, suitable earplugs / canal plugs / earmuffs should be used. To maintain the cleanliness and hygiene, PPEs should be cleaned or replaced regularly. Remember! Plain cotton does not provide hearing protection.



Hand Protection

To protect hands against abrasions, bruises, cuts, puncture, chemical exposure, electric shock and burns etc works should wear the suitable and prescribed gloves. Heavy-duty rubber gloves for concrete work, welding gloves for welding, insulated gloves and sleeves when exposed to electrical hazards should always be used.



Foot Protection

To protect foot against falling of heavy or sharp objects to prevents crushing of toes workers should wear safety shoes or gumboots with slip resistant and puncture-resistant soles.



Fall Protection

To protect against falling form height the fall arrest system consisting of full body harness, lanyards etc., should always be used in the prescribed manner. Half body harness should not be used.

All harnesses and lanyards must be inspected before each use for burns, cuts or signs of chemical damage, loose or broken stacking and frayed web material.

Remember! PPE is the line of defense for protecting workers.

4.0 OSH WORKSHOP AND TRAINING PROGRAMMES

Central Labour Institute, Mumbai



●The Staff Training & Productivity Division conducted a half day online training programme on “Effective Participative Skills in Industries” on 24th August, 2020. The programme was attended by thirteen participants from four organisations.

●The Staff Training & Productivity Division conducted a half day online workshop for Small / Medium Scale Industries to Improve Productivity, Safety and Working Conditions” on 31st August, 2020. The programme was attended by twenty four participants from seventeen organisations.

● The Industrial Safety Division conducted a half day online training programme on “Safe Use of Lifting Machines and Lifting Tackles” on 28th August, 2020. The programme was attended by forty three participants from thirty organisations.

●The Industrial Safety Division conducted a half day online training programme on “Accident Reporting and Investigation” on 23rd September, 2020. The programme was attended by thirty one participants from twenty eight organisations.

●The Industrial Safety Division conducted a half day online training programme on “Safety Management” on 28th September, 2020. The programme was attended by twenty seven participants from twenty organisations.

●The Industrial Safety Division conducted a half day online training programme on “Safety in working at height” on 8th October, 2020. The programme was attended by fifteen participants from fifteen organisations.

●The Industrial Safety Division conducted a half day online training programme on “External Safety Audit” on 27th October, 2020. The programme was attended by forty eight participants from thirty five organisations.

●The Industrial Medicine Division conducted a half day online training programme on “Refresher Course on Occupational Health for Medical Officers” on 21st September, 2020. The programme was attended by twenty one participants from fifteen organisations.

●The Industrial Hygiene Division conducted a half day online training programme on “Heat Stress Amidst COVID-19” on 11th August, 2020. The programme was attended by thirteen participants from thirteen organisations.

●The Industrial Hygiene Division conducted a half day online Training Programme on “Management of Workplace Hazards” on 20th November, 2020. The programme was attended by fifty participants from twenty two organizations.

●The Work Environment Engineering Division conducted a half day online training programme on “Evaluation and Control of Industrial Ventilation” on 24th September, 2020. The programme was attended by fourteen participants from eleven organisations.

●The Work Environmental Engineering Division conducted online training programme on “Evaluation and Control of Industrial Noise” on 7th October, 2020”. The programme was attended by twenty five participants from nineteen organizations.

●The Major Accident Hazards Control Division conducted a half day online training programme on “Chemical Emergency Preparedness” on 17th August 2020. The programme was attended by thirty three participants from fourteen organisations.

●The Major Accident Hazards Control Division conducted a half day online training programme on “Major Accident Hazards Control” on 9th October, 2020. The programme was attended by fifty participants from fifteen organisations.

●The Major Accident Hazards Control Division conducted a half day online training programme on “Management of Hazardous Chemicals” on 23rd November, 2020. The programme was attended by fifty participants from thirty organisations.

●The Factory Advice Service Division conducted a half day online training programme on “Fire Safety in Factories and Docks” on 5th October’ 2020. The programme was attended by twenty six participants from twenty organisations.

●The Factory Advice Service Division conducted a half day online training programme on “The Factories Act, 1948 and Model & State Factories Rules” on 12th October’ 2020. The programme was attended by thirty seven participants from thirty six organisations.

●The RTL/NRTL Division conducted a half day online training programme on “Personal protective equipments” on 26th November, 2020. The programme was attended by ten participants from eight organisations.

Regional Labour Institute, Chennai



- The Institute conducted a half day online training programme on “Occupational chemical exposure and Control in Industries and Ports” on 29th September, 2020. The programme was attended by eight participants from eight organisations.
- The Institute conducted a half day online training programme on “Occupational health in Industries and Ports” on 6th October, 2020. The programme was attended by fourteen participants from ten organisations.
- The Institute conducted a half day online training programme on “Safety with Lifting Appliances and Loose Gears Utilized in Factories and Docks” on 16th October, 2020. The programme was attended by thirty nine participants from twenty five organisations.
- The Institute conducted a half day online training programme on “Effective functioning of Safety Committee Members in Industries and Major Ports” on 19th October, 2020. The programme was attended by eight participants from eight organisations.
- The Institute conducted a half day online training programme on “Accident Investigation and Reporting system in industries and Major Ports” on 29th October, 2020. The programme was attended by thirty eight participants from thirty organisations.
- The Institute conducted a half day online training programme on “Safety in Chemical Industries” on 17th November, 2020. The programme was attended by twenty two participants from thirteen organisations.
- The Institute conducted a half day online training programme on “Investigation and Prevention of Accidents in factories and Docks”, on 18th November, 2020. The programme was attended by sixteen participants from seven organisations.
- The Institute conducted a half day online training programme on “Work Environment Monitoring in Industries” on 19th November, 2020. The programme was attended by eight participants from eight organisations.
- The Institute conducted a half day online training programme on “Dust Exposure and its Assessment at Industrial Workplaces” on 25th November, 2020. The programme was attended by eleven participants from six organisations.

Regional Labour Institute, Faridabad



- The Institute conducted a half day online training programme on “Safety Management System in Workplace activities” on 14th September, 2020. Thirty two participants from twenty six organisations attended the programme.
- The Institute conducted a half day online training programme on “Monitoring of Workplace Environment” on 22nd September, 2020. Thirty one participants from twenty eight organisations attended the programme.
- The Institute conducted a half day online training programme on “Safety and health for Safety Committee Members” on 16th November, 2020. Thirty seven participants attended the programme.

Regional Labour Institute, Kanpur



- The Institute conducted a half day online training programme on “Introduction to Occupational Health & Basic first Aid” on 11th September, 2020. Fifty participants from twenty one organizations from eight organizations attended the programme.
- The Institute conducted a half day online training programme on “Safety Audit, its Methodology in Industries” on 15th September, 2020. Forty one participants from thirty nine organisations attended the programme.
- The Institute conducted half day online training programme on “Introduction to Occupational Health Practices for Medical Officers” on 18th September,

2020 Thirty seven participants from twenty seven organizations attended the programme.

- The Institute conducted half day online training programme on “Introduction to Occupational Health & Basic First Aid” on 30th September, 2020. Fifty participants from forty four organizations attended the programme.

- The Institute conducted half day online training programme on “Management of work environmental Hazards in industries” on 13th October, 2020. Thirty five participants from twenty two organizations attended the programme.

- The Institute conducted half day online training programme on “Occupational Safety & Health for Safety Committee Members” on 20th October, 2020. Thirty two participants from twenty two organizations attended the programme.

- The Institute conducted half day online training programme on “Fundamental of Occupational Health & Occupational Lung Disease” on 10th November, 2020. Fifty participants from twenty two organizations attended the programme.

- The Institute conducted half day online training programme on “Occupational Health Practice for Nurses & Medical Assistance working in Occupation Heath Centre” on 12th November, 2020. Fifty participants from twenty five organizations attended the programme.

- The Institute conducted half day online training programme on “Material Handling in Industries” on 27th November, 2020. Eighteen participants from sixteen organizations attended the programme.

Regional Labour Institute, Kolkata



- The Institute conducted a half day online training programme on “Occupational Health for Safety Officers and Occupational Health Personnel” on 8th September, 2020. The programme was attended by fifteen participants from fifteen organisations.

- The Institute conducted a half day online training programme on “Selection and effective use of PPE’s in industries” on 16th September, 2020. The programme was attended by twenty two participants from sixteen organisations.

- The Institute conducted a half day online training programme on “Internal safety audit” was conducted on 14th October 2020. The programme was attended by twenty eight participants from twenty seven organisations.

- The Institute conducted a half day online training programme on “Occupational Safety and Health for Safety Committee Members” was conducted on 15th October 2020. The programme was attended by fourteen participants from eight organisations.

- The Institute conducted a half day online training programme on “Occupational health for Non-Medical Executive and Safety officers” on 11th November, 2020. The programme was attended by three participants from three organisations.

- The Institute conducted a half day online training programme on “Industrial Disasters” on 13th November, 2020. The programme was attended by twenty nine participants from nineteen organisations.

- The Institute conducted a half day online training programme on “Principles and practice of industrial Hygiene in industry” on 24th November, 2020. The programme was attended by seven participants from three organisations.

Regional Labour Institute, Shillong

- The Institute conducted a half day online Training programme on “Occupation Safety and Health in Cement Factories” was conducted on 23rd October 2020. The programme was attended by thirty five participants from ten organisations.

Safety Audit at Chennai Port Trust, Chennai in Tamil Nadu (Nijalingappa, G.P., Ravi B.J., Gnanasundaram D., Regional Labour Institute, Chennai)

The Safety audit was carried out in Chennai Port Trust Cargo Handling area's viz. Docks, Berths, Wharfs, Transit Sheds and Roads, all Lifting Appliances used for Cargo handling operation, Storage areas, Port Railways, Oil Terminals, Heavy Workshop, Electrical Substation, Fire Stations, Port Hospital, Canteens and other Welfare facilities. The report covers the detailed methodology, Safety organization, Safety and Health Education and Training, Hazard identification and control system, Plant Safety Inspections and Emergency Action Plan, Medical Examination of Dock workers, Observation, Findings and summary of recommendations. Each of the management and Technical elements were audited. The Port Trust has a Safety Policy which has to be reviewed. The Port was advised to implement and ensure proper Safety, Health and Welfare measures.

Safety audit at Thermal Power Plant in, Haryana (Sanjeev Kumar, Regional Labour Institute, Faridabad)

The Safety Audit was carried out at thermal power plant which generates and transmits power to Haryana. It was carried out for systematic, critical appraisal of all potential hazards involving plant, plant personnel, storage, operation and maintenance and to evaluate Safety & Health system in the plant and recommended measured wherever required to improve overall safety & health performance of the plant. Different plant processes/operations, storages, inspection & maintenance procedures were thoroughly reviewed at the time of audit. Based on the observations and discussion several recommendations are made to improve the safety performance of the plant. Some of the main recommendations are: Safety officer should have the statutory qualification. Welfare Officer may be appointed and assigned the duties as per the Punjab Welfare Officers (Recruitment & Conditions of Service) Rules, 1952, The safety committee may be re-constituted as per the requirements under the Section 41G of the Factories Act, 1948 and Rule 67B of the Punjab Factory Rules, 1952 as Applicable in The State of Haryana thereby having equal representation from the employers and employees representatives/contractors, Safety budget should find a place in the annual report of the company.

Safety Audit at power plant in West Bengal (Chandan Tanoj, Dr. Chaugule S, Meena H., Regional Labour Institute, Kolkata)

The safety audit was carried out in captive Power Plant in West Bengal. The area covered during audit was Boiler, Turbine, Coal Handling Plant, Ash Handling Plant, Silo, Substation, Transformers, DM plant etc. The findings were Exposure of Dust, oil, mist, improper Earthlings, lack of LOTO system, Fire Fighting, etc.

Several recommendations are made like, Ventilation study is recommended in all heat prone areas. It is suggested to ensure that the gas cylinders painted with the recommended colours as per IS 4379:1981 are taken delivery from suppliers. Calibration must be carried out periodically for all the emergency care equipment of Hospital/ OHC and record shall be maintained. Use of respiratory PPE by the workers exposed to toxic gases/dust shall be strengthened etc. the environment monitoring was suggested to be carried out regularly.

HAZOP Study” at Thermal Power Station in West Bengal (Chandan Tanoj, Dr. Chaugule S, Regional Labour Institute, Kolkata)

HAZOP Study was carried out at Thermal Power Station in West Bengal. The study was carried to evaluate deviation and possible cause as per standards in operation. The hazards in operation by using guidewords stipulated in HAZOP study has been used. The finding and recommendations are given below:

Reduce hot air flow from Primary air Heater, Plugged Pressure Tap/leak - Check purge air and clean pressure taps as required - Check Primary air heater Operation - Check Air flow Control system. High Flow From primary Air Heater, High Flow in cold air damper, Low temperature from temperature control pulverize, outlet thermocouple malfunction. - Check Primary air heater Operation - Check cold damper Operation High flow from primary air system ,High Flow in hot air damper, High Temperature in primary air inlet temperature sensor, Outlet thermocouple malfunction - Check temperature control pulverize - Check thermocouple in Output pulverize. Excessive Cold Air Damper too High (Malfunction), Excessive Hot Air Damper too low High Differential Pressure PA Fans Inlet Cold Air Damper - Check Cold Air Damper - Check PA Fans Inlet Cold Air Damper Overloaded pulverize, Plugged pulverize pressure tap, Excessive mill air flow Insufficient open area around the bowl - Reduce feed rate to pulverize check feeder calibration, check coal grind ability - Adjust classifier blades (open) - Check purge air and clean - Check airflow control system.

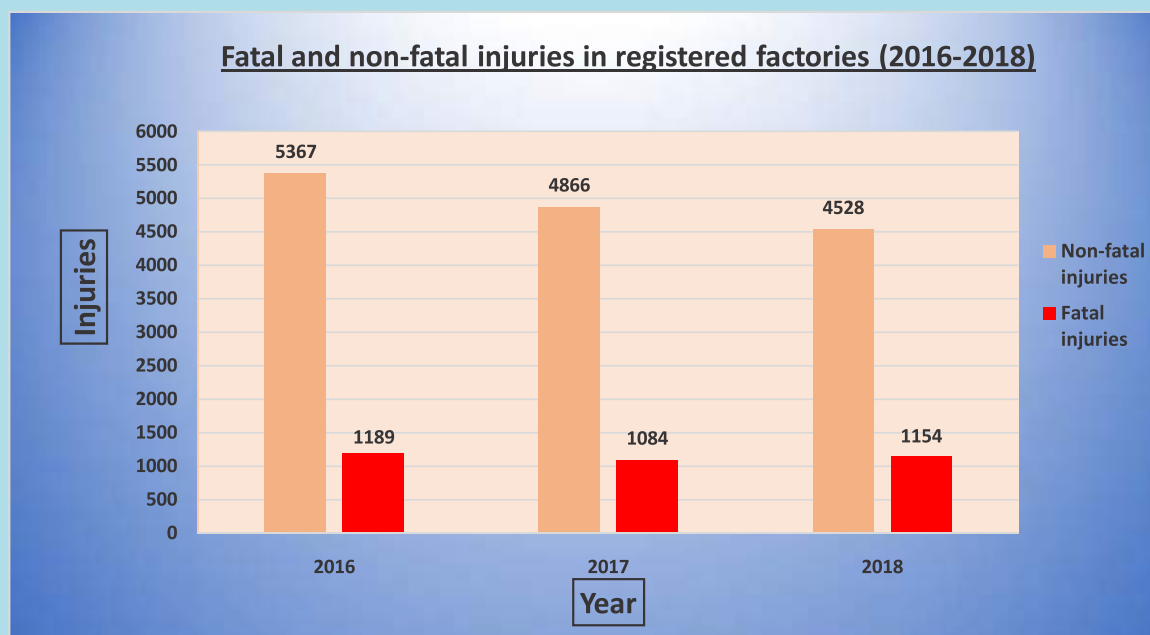
About Statistics Cell, DGFASLI

The Statistics Cell works under the Factory Advice Service Division of the DGFASLI headquarters. The main functions of the Statistics Cell are to collect and compile Occupational Safety and Health (OSH) statistics and other information related to the administration of the Factories Act, 1948 and Rules framed there under. This information base/database is used in planning and implementation of national policies concerning OSH as well as preparing replies to the various parliament questions and queries related to RTI. Apart from this Statistics Cell publishes various publications pertaining to the OSH data at regular basis.

Trend Analysis: Fatal and non-fatal injuries in registered factories (2016-2018)

Year	No. of registered factories	Employment in working factories	Fatal injuries	Non-fatal injuries	Fatal injuries per lakh workers	Non-Fatal injuries per lakh workers	Fatal injuries per thousand registered factories	Non-Fatal injuries per thousand registered factories
2016	360949	17376854	1189	5367	6.84 (1.21%)	30.89 (-75.03%)	3.29 (3.68%)	14.87 (-74.42%)
2017	339931	16409493	1084	4866	6.61 (-3.46%)	29.65 (-3.99%)	3.19 (-3.19%)	14.31 (-3.73%)
2018	364268	18724733	1154	4528	6.16 (-6.81%)	24.18 (-18.45%)	3.17 (-0.63%)	12.43 (-13.13%)
Percentage change during 2016-18	0.92%	7.76%	-2.94%	-15.63%	-9.94%	-21.72%	-3.64%	-16.41%

Note: Figures in the bracket indicate percentage change compared to the previous year



As seen in the above table, both the fatal and non-fatal injuries registered a decline during the year 2016-2018. There is decline in the number of fatal injuries in the registered factories since 2016 to 2018 i.e. from 1189 to 1154. There is a continual declining trend in the number of non-fatal injuries in the registered factories since 2016 to 2018 i.e. 5367, 4866 and 4528.

The number of fatal injuries per lakh workers increased in the year 2016 by 1.21% while it saw a decline of 3.46% and 6.81% during 2017 and 2018 respectively. While the number of non-fatal injuries per lakh workers during the year 2017 and 2018 saw a decline of 3.99% and 9.49% respectively.

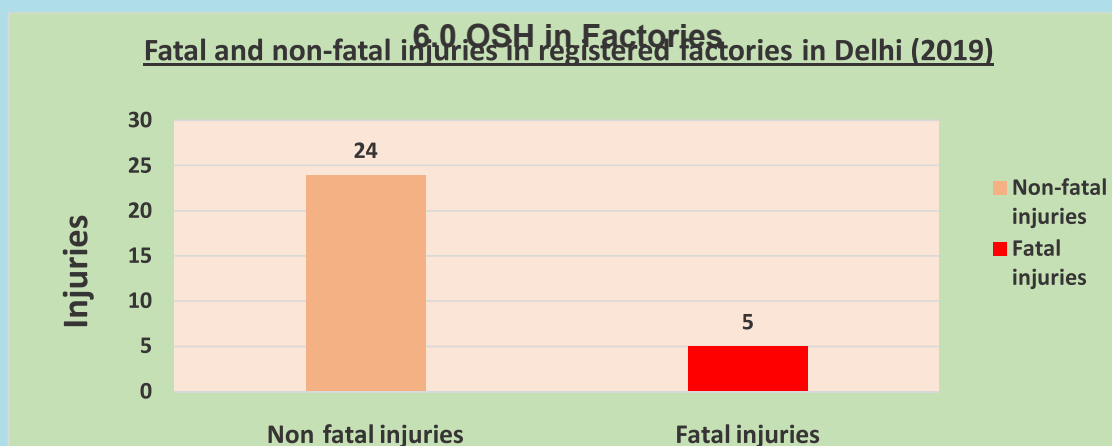
Overall, since 2016 till 2018, there's been a decline of 2.94 % in the fatal injuries; while non-fatal injuries registered a large decline of 15.63 %. Also, the number of fatal injuries per thousand registered factories and non-fatal injuries per thousand registered factories saw a decline of 3.64% and 16.41% during 2016-2018. While, the number of fatal injuries per lakh workers and non-fatal injuries per lakh workers saw a decline of 9.94% and 21.72% respectively during the same period.

Incidents of Major Accidents/Dangerous Occurrence in the State of Assam

1. One fire incident occurred at a pharmaceutical factory on 31.08.2019. Fire caught in the Solar panel at the roof top. The roof top material which consists of Poly Urethane Foam layer sandwiched in between galvanized iron sheets lost their strength and stability resulted in deformation of the entire roof. This facilitated the entry of heavy smoke and fire (resulting from the burning of PUF, solar panel and GI sheet) into the service floor and the heavy smoke entered into the service floor and the people who were working there got suffocated and 2 persons were died due to the condition. Due to power cut done after the fire, the near zero visibility and smoke and too long exit passage (not continuous, obstructed and absence of artificial lighting) in case of emergency, the persons could not escape.
2. One burn incident occurred on 4th July, 2019 at a pharmaceutical factory, the boiler operator joined his regular duty night shift at 23:00 hrs on 3rd July with two helpers. As per schedule Boiler CB-50-Capacity 5TPH (Briquette fired) vide Registration no. A/2101 is due for annual inspection by Inspector of Boilers, Assam on 16th of July, 2019. To prepare the Boiler for annual inspection, it was stopped at 24:00 Hrs on 03/07/2019 and was allowed for pressure reduction and cooling. At 7AM on 4th July, 2019 on observing pressure is zero at main pressure gauge of steam drum. They started opening the steam drum man hole and suddenly pressurized hot water splashed on their body which led to death of two persons.
3. In a printing industry, a worker was engaged to measure a viscosity of ink used in KOLEY-6 machine for flexi printing. The ink is predominantly a mixture of two high flammable liquids namely Toluene and Ethyl Acetate, which even catches fire under the influence of Static Electricity.

But the containers containing the ink were not properly earthed. While measuring the viscosity, suddenly the ink contained in the tank caught fire and in a moment spread to the leg of worker and he got severe burn injury.

The Fatal and Non-Fatal Injuries in the Registered Factories in Delhi



The fatal and non-fatal injuries in the registered factories in Delhi as reported by the CIF of Delhi for the year 2019 are:

Year	Non-fatal injuries	Fatal injuries
2019	24	5

Contribution on Occupational Safety and Health by Department of Factories & Boilers, Kerala.

After considering the objections and suggestions on the draft amendment Rules, Government of Kerala notified the amendment to schedule XIII, to Rule 122 of Kerala Factories Rules as per G.O. (P) No. 19/2020/LBD dated 03/02/2020.

GOVERNMENT OF KERALA
Labour and Skill (B) Department
NOTIFICATION

G.O(P) No. 19/2020/LBR

Dated, Thiruvananthapuram 3rd February 2020

S.R.O. No. 226/2020

20th Makaram. 1195

WHEREAS the draft rules further to amend the Kerala factories rules, were published as required under section 115 of the Factories Act, 1948 (Central Act 63 of 1948) as per notification issued under GO(P) no. 31/2019/LBR dated 9th April 2019 in the Kerala Gazette extraordinary number 1163 dated 14th May, 2019 inviting, objection or suggestion from all persons likely to be affected thereby;

AND, WHEREAS, the objections and suggestion received from the public in respect of the said draft rules have been considered by the Government;

(11) in rule 81 AA of alter sub rule (3), the following shall be inserted as clause (c), namely: -

“(c) The Application shall accompany with a fee of 1% of the total project cost, subject to a maximum of Rs. 1, 00,000/- (Rupees One Lakh only) remitted in a Government Treasury or remitted through online payment”.

(12) in Rule 81AJ, in sub-rule (1),-

(i) in item (iii) of clause (b) for the words and symbols “dresser-cum-compounder” the words “Pharmacist” shall be substituted;

(ii) in item (iii) of clause (c) for the words and symbols “dresser-cum-compounder and sweeper-cum-wardboy” the words “Pharmacist” and “attender” shall be substituted respectively.

(13) (i) in the “SCHEDULES” under the heading “PART A” of sub-rule (1) of rule 122,-

(i) for the entries against items (xiv) (xxiv), the following items and entries shall, respectively be, substituted, namely:-

“(xiv) Handling and processing of Asbestos, manufacture of any article out of Asbestos and any other process of manufacture wherein Asbestos is used in any form”.

(xxiv) Operations involving high Noise and Vibration levels.

(xxv) Flammable Liquefied or Compressed Gasses and Highly Flammable Liquids”.

(ii) for schedules xiii, the following schedule shall be substituted, namely:-

SCHEDULE- XIII

MANIPULATION OF STONE OR ANY OTHER MATERIAL CONTAINING FREE SILICA

1. Application - This schedule shall apply to all factories or parts of factories in which manipulation of stone or any other material containing free silica is carried on.

2. Definitions- For the purpose of this Schedule-

(a) “manipulation” means crushing breaking chipping dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material:

- (b) "Stone or any other material containing free silica" means a stone or any other solid material containing not less than 5% by weight of free silica.

PART 1

PROCESS RISKS IN STONE CRUSHING

1. Location and Lay out-(1) No crusher plant shall be constructed or extended to within a distance of 200 meters from the centre of the proposed crusher unit to the periphery of the structure of any residence or public building or place of worship. Exception is allowed only for store and office room.
- (2) In cases where environmental factors such as terrain and greenery are conducive to reduce spread of pollution and where advanced technology that reduce noise and dust is employed, the minimum distance may be further reduced to 150 meters with stringent control measures such as enclosure of crushers, classifiers, screens and other noise/dust producing units with 40cm thick solid wall (not hollow brick) false roofing and dust extraction system.
- (3) There should be a minimum clear distance of 100 meters from the centre of crusher of any industry to the centre of crusher of another industry.
- (4) There should be a clear distance of 200 meters from the centre of the proposed crusher to State or National Highway. For crushers fulfilling the requirements of 2nd above, the minimum distance is reduced to 150 meters.
- (5) Crushers, classifiers, screen and other noise and/or dust producing units should be housed in buildings with solid wall (not hollow block) of minimum 23 centimetre thickness and with suitable roofing.
2. Electrical Installations - (1) Keep the main switch box in good condition, protected from the weather in a separate room. An appropriately sized Earth Leakage Circuit Breakers (ELCB) in all circuits shall be installed and provide good earth or ground connection for all installation to protect the operators from electrical hazards.
- (2) Electrical cables should be laid into the underground cable trench in shock-proof material or taken over head. Cables should be run in extra plastic conduits.
- (3) For work on electrical equipment insulation materials such as approved Insulation/rubber mats shall be provided in front of the distribution boards and main conduits.
- (4) Lock out-tag out system shall be used for all installations which are under maintenance or repair, to prevent others from switching on the machines while another worker is repairing it.
- (5) All distribution points should be marked legibly in an understandable language, marking the feeding points, voltage, and identification number. This will help to Log-Out and make shutdown quicker in case of emergency.
- (6) Required numbers of fire bucket filled with sand or portable-size Carbon Dioxide type fire extinguishers shall be provided for use in case of fire.
- (7) Necessary personal protective equipment like shoes and rubber gloves shall be provided for those deployed in electrical work.
3. Risk at intake hoppers, bunkers for intermediate products- (1) wheel chokers of adequate strength and height such as raised steel girder or bump shall be provided to prevent accidental fall of trucks into intake hoppers.
- (2) Railing shall be provided for work platforms near all bunkers.
4. Risk of moving parts- (1) Guards shall be installed around all power transmission moving parts such as shafts couplings, pulleys and drive belts, chains and sprockets and all other moving parts.
- (2) Nip and shear points of conveyors belts with emergency stop cables that extend the entire length of the conveyor belt to allow access to the cable from any point along the belt.
- (3) Provide continuously accessible conveyor belts with emergency stop cables that extend the entire length of the conveyor belt to allow access to the cable from any point along the belt.
- (4) Install clearly marked unobstructed emergency stop buttons or pull cords within easy reach of workers in the areas where they are deployed for duty.
- (5) Use prominent awareness devices such as warning signs or lights to alert workers to the conveyor operation when it is not feasible to install guarding devices and such unguarded moving parts shall be located away from workers.

(6) All conveyor opening such as wall and floor opening, and chutes and hoppers have fencing when the conveyor is not in use.

(7) Electrical panel room for crushers, conveyors, vibrators and all other machines in crushing unit shall be kept under lock and key for unauthorized operation of these equipments or accidental operation during maintenance or emergency.

(8) All accesses and aisles that cross over or under or are adjacent to the conveyor should have adequate clearance and hand rails or other guards.

(9) Where a conveyor passes over areas, aisles, or thoroughfares, suitable guards/protected ceilings shall be provided to protect employees required to work below the conveyors.

(10) Post appropriate hazard warning signs at all crossovers, aisles, and passageways.

(11) Conveyors should be periodically inspected and tested for safety mechanisms, such as alarm, emergency stops, and safeguarding methods once in every month and log book shall be maintained.

(12) Screw conveyor housing should completely enclose the moving elements of the conveyor except for the loading and discharge points. If such guarding is not feasible, the entire conveyor should be fenced by railing unless it is guarded by location. Alternatively, the side walls should be high enough to prevent employees from reaching over falling into the trough.

5. Clothing-No worker wearing loose clothing shall be permitted to work near moving machinery and conveyors.

6. Training-(1) No worker shall be allowed to work in stone crushing units without attaining training on the hazards associated with stone crushing process and safe working procedures.

(2) Refresher training on the above subject shall also be attended by all the workers once in every year.

PART-2

RISKS DUE TO SILICA DUST

1. Preventive Control Measures- No manipulation of stone containing silica shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted namely-

I. Engineering Control Measures-

(1) Wet Methods- (a) Airborne Silica Dust should be minimized or suppressed by wetting or drenching the manipulated area with water;

(b) Machine with water drenching nozzles shall be used for drilling or cutting of concrete or masonry;

(2) Ventilation - (a) An effective Local exhaust system should be provided and maintained to control/remove silica dust from industrial processes.

(b) Dilution/Ventilation with proper dust collection shall be used to reduce free silica dust concentration to within the permission limits in large areas. No direct ventilation to atmosphere shall be resorted to.

(c) Dust collectors/high Efficiency Particulate Air (HEPA) filter shall be set up so that dust is removed from the source and all the transfer points to prevent contaminating work areas,

(d) Ventilation systems should be kept in good working conditions.

(3) Isolation-(a) Effective containment methods should be used while carrying out sand blasting. Wet blasting shall be ideal.

(b) Cutting and drilling of cabins of vehicles or machinery that might contain free silica should be effectively enclosed and sealed.

(4) Dust Control -(a) Vacuum system with High Efficiency particulate Air (HEPA) filter shall be used to remove dust from work areas and from all transfer points;

(b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length of travel;

Provided that such control measures as above are not necessary, if the process or operation being carried on, is such that, the level of dust created and prevailing is within the permissible limit of exposure specified in the second schedule of the act and on which measurements are made from time to time as part of air monitoring studies and records maintained.

II. Medical Control Measures- (1) The occupier of every where a worker is employed in the processes specified in sub rule clause I of paragraph I, shall ensure that every worker employed is examined by a Certifying Surgeon within 15 days of his first employment. Such medical examination shall include pulmonary function test and chest X ray – Posterior Anterior (PA) view to be compared with standard ILO Radiographs in case of suspected Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by a Certificate Surgeon or tested and examined by a Certifying Surgeon outside as insisted by the Occupier and advised by an Inspector.

(2) Every worker employed in the said processes shall be re-examined by a Certifying Surgeon at least once in the every twelve months. Such re-examination shall, wherever the Certifying Surgeon considers appropriate, include all the tests as specified in sub-paragraph (1) above except the chest X-ray which shall be analyzed by a radiologist specialized or trained in the field of analyzing it with reference to ILO Radiograph specimens on Pneumoconiosis and chest X-ray in such suspected cases shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes from the date on which the schedule has come into force, shall be radiologically examined by a qualified Radiologist at the cost of the occupier using standard size X-ray plates and with X-ray machine of capacity more than 300 milli Ampere (mA.) The report of such X-ray shall be submitted to the Medical Officer/Certifying/Chief Inspector within three months of the said date.

(4) If at any time the Medical Officer/Certifying Surgeon is of the opinion that a worker is no longer fit for employment in the said process, on the ground that continuance therein would involve special danger to the Health of the worker, then he shall make a record of his findings in the said certificate and the health register. The entry of his findings shall contain the period for which he rectons the said person unfit for work in the said process / processes. The worker so removed from the process shall be provided with alternate placement facilities in the factory on job rotation basis unless he is fully incapacitated in the opinion of the Certifying Surgeon and in that case, the person affected shall be suitable rehabilitated and compensated.

(5) No person who has been found unfit to work as stated in sub-paragraph (4) above shall be re-employed or permitted to work in the said processes unless the Certifying Surgeon, after further examination, again certifies him fit for employment in those processes.

(6) A worker already in employment and declare unfit by the Medical Inspector of Factories/Certifying Surgeon shall not be allowed to work on any of the processes, specified in clause I of paragraph I, unless he has been examined again using standard size chest X-ray plate by a qualified Radiologist, at the cost of the occupier and certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/Certifying Surgeon appointed by an occupier, a room in the factory premises shall be maintained, properly cleaned, adequately lighted/ventilated and equipped with screen, table and with office stationary, chairs and other facilities and other equipments/ instruments including X-ray analysing arrangements for radiological examinations and such other equipments as may be prescribed by the Chief Inspector from time to time shall be provided. The Medical Practitioner so appointed shall perform the following duties.-

- (a) Maintain health register
- (b) Undertake medical supervision and examination of workers employed in the factory;
- (c) Look after the well-being and rehabilitation of sick, injured or affected workers;
- (d) Carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.
- (e) Educate the workers of the health hazards involved and motivate them to wear proper personal protective equipments at work place.

(8) The health records of the workers exposed to silicosis, shall be kept up for a minimum period of 40 years from beginning of the employment or for 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or to their authorised representatives.

(9) For the record of medical examination and appropriate tests carried out the said Medical practitioner, a certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector of Factories, and shall be kept readily available for inspection by the Inspector on demand.

III Administrative Control Measures - (1) Workplace/Environment Monitoring- The Occupier shall ensure that work place and environment monitoring are performed to determine the magnitude of exposure and evaluate the engineering controls, respiratory protections, work practices and the need for medical surveillance and take corrective control measures as and when needed.

- (a) Exposure/concentration measurements shall be made in close proximity of the employee's actual breathing zone.
- (b) Total sampling time shall be at least 7 hours.
- (c) Workplace and environment monitoring shall be repeated quarterly;
- (d) The occupier shall make available the report of dust sampling to the nearby public on demand.

(2) Training/Awareness: Workers shall be trained in the following:-

- (a) Health effects of free silica dust exposure;
- (c) Operation and materials that produce free silica dust hazards;
- (d) Engineering controls and way of work controls that reduce dust concentrations;
- (e) The important of good housekeeping and cleanliness;
- (f) Proper use of personal protective equipment such as respirators etc;
- (g) Personal hygiene practices to reduce exposure.

(3) House Keeping; Maintenance of floors: (a) All floors or places where fine dust is likely to settle and whereon any person has to work or pass occasionally shall be made of impervious material and maintained in such condition that it can be thoroughly cleaned by any wet methods or any other methods which would prevent dust from being airborne in the process and shall be done at least once during each shift.

(b) For removing dust dry sweeping or Compressed air shall not be used but wet methods or vacuum system with High Efficiency Particulate Air (HEPA) filter shall be used.
(c) Dust settled over-head, over a period of time, should be removed using any wet methods before it becomes air borne again due to vibration, random air currents etc.

(4) Change room and washing facilities-(a) Washing and bathing facilities shall be conveniently located sufficiently away from toilets and easily accessible to the workers.

- (b) Cloak room with individual lockers shall be provided for employees to store cleaned clothing;
- (c) Workers shall take bath and change the clothing before they leave the work site;
- (d) Clothing worn during work shall not be cleaned by blowing or shaking;
- (e) Eateries/lunch areas shall be located away from exposed areas.

(5) Display of Notices -(a) Warning signs/Posters shall be displayed conspicuously in a prominent place, visited by majority of the workers;

(b) The warning signs/poster shall listern the Hazards and the Precautions to be taken;

(c) The Notice shall be in the local language as well as in the language understood by the majority of the workers;

(6) Personal Protective Equipment -The occupier of every factory to which this schedule apply shall proved the following Personal Protective Equipment (PPEs) as per relevant National Standard or International Standard and as applicable to a Particular workplace.

- (a) Dust Respirator
or
- (b) High Efficiency Particulate Air (HEPA) filter respirator or fume respirator
or
- (c) High Efficiency Particular Air (HEPA) filter respirator with full face piece

- or
- (d) Self contained breathing apparatus (SCBA)
- or
- (e) Active air respirator with a full face piece, helmet or hood.
- or
- (f) Self contained breathing apparatus (SCBA) with full face piece
- or
- (g) Powered air purifying respirator with a High Efficiency Particular Air (HEPA) filter.

(7) Prohibition of young Persons- No young person shall be employed or permitted to work in any of the operations involving manipulation of stone containing silica or at any place where such operations are carried out.

(8) Exemption- (1) If in respect of any factory, the Chief Inspector is satisfied that owing to the exceptional circumstances or the lesser frequency of the processes carried on or for any other genuine reason may relax all or any of the provisions of this schedule necessary for protection of the workers, by a certificate in writing which he may in his discretion revoke at any time and exempt any factory from all or any of such provisions subject to such conditions, as he may think fit and specify therein.

(2) The notification of Silicosis and free silica related occupational diseases shall be strictly notified by the Medical Practitioners/Certifying Surgeon and in case of any lapses in concealing or failure to notify; the Medical Practitioner/Certifying Surgeon shall be liable to be prosecuted under subsection (4) of section 89 of the Factories Act, 1948.

(iii) for Schedule XIV, the following SCHEDULE shall be substituted namely as under:-

SCHEDULE-XIV

HANDLING AND PROCESSING, MANUFACTURE OF ANY ARTICLE OUT OF ASBESTOS AND ANY OTHER PROCESS OF MANUFACTURE WHEREIN ASBESTOS IS USED IN ANY FORM

1. **Application**-(1) This schedule shall apply to all manufacturing process as defined under Section 2 (k) of the Act, carried on in a factory involving exposure of workers to asbestos and/or exposure of workers to product containing Asbestos.

(2) The Government may, at any time, for the purpose of giving effect to any scientifically validated evidence for a particular disease or cause made out of any research and development by specialised institutions or experts in the field, notify in the Official Gazette and make suitable changes in the said Schedule.

(3) The provisions of this schedule shall apply to all workers exposed to asbestos in the factory and it shall be the responsibility of the occupier of the factory to comply with the provisions of the schedule in true spirit of it and in full.

(4) (a) The occupier of the factory wherein asbestos or substances containing asbestos are in use, shall modify evolve and the adopt newer work procedures and practices generated out of any scientific research and technological updations and present it for approval by the Chief inspector and follow such approved procedures thereafter.

(b) Notwithstanding anything contained in sub-paragraph (1) above use of asbestos is prohibited in the manufacturing process as notified by the Government in this behalf;

(c) (i) Spraying of all forms of asbestos is prohibited in a factory;

(ii) The prohibition in respect of spraying of asbestos referred to in sub-para (i) may be exempted by the chief Inspector if the Occupier represents that such spraying is inevitable owing to the specific nature of the product and that he had taken adequate measures for ensuring the safety and health of workers to the satisfaction of the Chief Inspector.

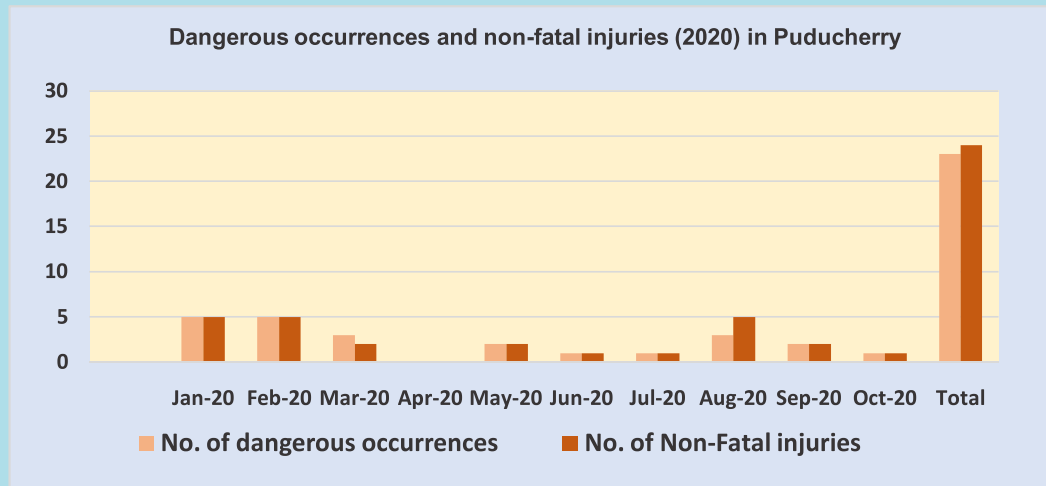
2. **Definitions** -For the purpose of this Schedule:-(a) "asbestos" means any fibrous silicate mineral and any admixture containing actionlite amosite, anthophyllite chrysotile, crocidolite, termolite or any mixture thereof, whether crude, crushed or opened.

(b) "asbestos textiles" mean yarn or clothing composed of asbestos or asbestos mixed with any other material;

(c) "approved" mean approved for the time being in writing by the Chief Inspector;

(d) "breathing apparatus" means a helmet or face piece with necessary air connection by.

No. of Dangerous occurrences, Fatal Injuries and Non-Fatal Injuries (2020) reported in the Factories Registered under the Factories Act, 1948 In Puducherry



Month	No. of dangerous occurrences	Cumulative (No. of dangerous occurrences)	No. of Non-Fatal injuries	Cumulative (No. of Non-Fatal injuries)	No. of Fatal injuries	Cumulative (No. of Fatal injuries)
January 2020	5	5	5	5	0	0
February 2020	5	10	5	10	0	0
March 2020	3	13	2	12	1	1
April 2020	0	13	0	12	0	1
May 2020	2	15	2	14	0	1
June 2020	1	16	1	15	0	1
July 2020	1	17	1	16	0	1
Aug 2020	3	20	5	21	0	1
Sep 2020	2	22	2	23	0	1
Oct 2020	1	23	1	24	0	1
Total	23	23	24	24	1	1

OSH Statistics in Docks

The Dock Workers (Safety, Health and Welfare) Act, 1986 and the Regulations 1990 framed there-under cover safety, health and welfare aspects of all the workers engaged in dock work within the port premises. These statutes are in line with the ILO Convention No. 152 on Occupational Safety and Health (Dock Work).

The DGFASLI through the Inspectorates of Dock Safety set up in all the major ports in India, enforces the Dock Workers (Safety, Health and Welfare) Act, 1986 and the Regulations, 1990 and strives to ensure Safety, Health and Welfare of dock workers. The Chief Inspector of Dock Safety is also an authority for enforcement of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 framed under the Environment (Protection) Act, 1986 in the major ports.

The above statutes are enforced by the Inspectors posted at Inspectorate Dock Safety at all the major ports viz. Mumbai, Kolkata, Chennai, Kandla, Mormugao, New Manglore, Kochi, Tuticorina, Visakhapatnam, Paradip and Jawaharlal Nehru Port except Ennore where the Inspectorate is being set up. Presently, the enforcement in this Ennore Port is carried out by the Inspectors posted in Inspectorate Dock Safety Chennai.

The main function of Inspectorates is to ensure the compliance with the provisions under the statutes. The statutory responsibilities of Inspectors include inspection of ships, tankers, loose-gears, container-handling equipment, docks container-yard and terminal, issuing improvement/show cause Notices, attending to complaints, providing advisory services. The Inspectorate also prosecutes the agency responsible for serious violation of provisions of the Act and Regulations framed there-under.

Activities carried out from July, 2020 to September, 2020

Activity	Total
Total number of Ship Inspected	83
Total number of Gear Inspected	169
Total number of Dock/Shed/Yard/ Warehouse/Go-down/storage yard, etc. Inspected	259
Total number of other visits carried out	341
Total number of Hazardous Installations Inspected	06
Total number of reportable Fatal Accidents as per dock safety statutes	08
Total number of reportable Non-Fatal Accidents as per dock safety statutes	04
Total number of reportable Accidents as per dock safety statutes	12

Accident Case Studies - Port Sector

Case Study no. 1.

Steel Plates bundles were being loaded in the hatch of the ship with the help of ship's crane, in the mid-stream. After lowering the bundles while placing/adjusting the bundles inside the hatch in a row by heavy duty FLT, the victim (who was supervisor) got crushed/pressed between bundles and sustained serious head injuries. He succumbed to injuries on the spot.

Remedial measures:

- Cargo handling should be carried out under the direction of qualified and reliable 'signaller' only.
- Ensure that FLT operator is having valid driving license and FLT is operated under strict control & slow speed in the narrow space.
- Walky-talky should be used for communication in case of visual obstructions while handling cargo with the help of lifting appliances like FLT, Crane, etc.
- Suitable type of PPEs should be provided & ensured its use by all dock workers.
- Facilities like suitable stretcher & water ambulance for shifting of victim should be readily available.
- Ensure periodical & initial medical examination/physical fitness of dock worker before employing them on dock work.
- Ensure OSH Training part is imparted on all the dock workers before engaging them on dock work.
- Worker's training, skill and experience should be taken into account before employing them on the dock work. Similarly, sufficient instructions should be given to dock worker about hazards available in that kind of work and precautions to be taken.
- Cargo handling should be carried out under effective supervision.



Case Study no. 2.

One empty lorry employed on transportation of met coke from coal storage yard of the port, was moving straight with a permissible speed towards weighbridge for weighment. At the same time one motorcycle driven by one of the supervisors reaching his site for dock work, tried to overtake from left side of the lorry and cross it to take sharp right turn, while struck by the lorry & he was run-over along with bike and crushed below the tyres of the lorry. He died on the spot. His bike was also damaged extensively.

Remedial measures:

- Only valid license holder of bike/motorcyclist should be permitted to enter in the port.
- Ensure use of suitable PPEs like helmet before allowing any person inside the port premises.
- Signaller/Helper/cleaner should be appointed on the lorry for giving signal to driver in case of obstructions in the clear vision during driving.

- Notice boards related with 'permissible speed' and 'to follow traffic rules strictly' should be reflected at prominent places inside the port.
- Traffic control system including CCTV Camera System should be provided to monitor & control/restrict haphazard movements of such motor cyclists, transport vehicles & pedestrians.
- Proper physical condition of the transport vehicles & RTO fitness certificate should be verified before providing 'Entry Permit' by the port authorities.
- Ensure periodical & initial medical examination/physical fitness of dock worker before employing them on dock work.
- Ensure OSH Training part is imparted on all the dock workers before engaging them on dock work.
- As far as possible two wheelers should be banned from entering the port premises. To compensate bus services may be provided for internal travel.



Case Study no. 3.

One trailer (40^{ft}) transporting two 20^{ft} containers (one laden & another empty) to container yard. After unloading empty container the said trailer was moving towards another designated place in the Terminal to unload the laden container. While taking sharp left turn at very high speed he has applied sudden brakes. The twist locks provided on the chassis were in un-locked position. The high speed of the trailer, unlocked position of the container & application of sudden brakes on sharp turn, caused the loaded container to slide towards front side & hit the trailer driver's cabin. The high impact exerted has crushed the driver's cabin completely followed by toppling of container partly on the ground & on the cabin. He was rescued by clearing the container & damaged cabin and rushed to the hospital where he was declared brought dead.

Remedial measures:

- Designated separate entry and exit points to the container terminal/yard should be provided.
- Specific route should be marked in-side the container terminal/yard for the movement of vehicles along with suitable signs or signals indicating terminal roads and pedestrian traffic.
- Ensure the container required to be firmly secured to the chassis of Truck/Trailer by means of twist locks before it is transported.
- Traffic control system including CCTV Camera System should be provided to monitor & control/restrict haphazard & speedy movements of such trailers.
- Ensure that the trailer operator(s) is/are having valid driving license.
- Ensure periodical & initial medical examination/physical fitness of driver(s) (dock worker) before employing them on dock work.
- Ensure OSH Training part is imparted on all the Driver(s) (dock worker) before engaging them on dock work.
- Sufficient instructions should be given to driver (dock worker) about hazards available in that kind of work and precautions to be taken.

- Movement of trailer in the container yard should be carried out under effective & strict supervision.



Case Study no. 4.

Handling of break bulk cargo was in process in the godown. The residual cargo was filled in the sling & hands of the sling have been tied with extended forks of the FLT which were lifted upto maximum upper level. While lifting, the net sling got entangled with twist lock located at the rear end of the chassis. It caused FLT to get pull in angle from side & topple. The FLT operator/victim tried to jump & escape but he trapped under fall over structure of FLT. He sustained serious neck & other internal injuries and succumbed to injuries during treatment in the hospital.

Remedial measures:

- All areas of a dock and all approaches on which lifting appliances and transport equipment are used should be soundly constructed, surfaced with good wearing material and sufficiently even and free from holes and cracks to afford safe transport of cargo and shall be properly maintained.
- Stability test of FLT has to carry out periodically before being taking into use.
- Ensure provision of safety belt on the seat of the FLT driver.
- Use of mobile crane is advisable in such cases where net sling having long hands are existed.
- Such type of cargo should be handled under effective & strict supervision.
- Qualified & reliable signalers should be provided while handling such cargo.
- Ensure physical fitness of FLT driver(s) & truck driver and OSH Training part is imparted before employing them on dock work.



Accident Case Studies – Manufacturing Sector

Case Study no. 1

Report on boiler blast at a thermal power station

The boiler blast at thermal power station left 6 dead and 17 injured.

The root causes of the accident, as arrived by the committee, are given as follows:

- ✓ the insufficient knowledge amongst staff,
- ✓ insufficient knowledge of the chemical properties of lignite, especially formation of water gas when water is applied on the lignite in hot conditions,
- ✓ poor safety protocol,
- ✓ poor safety awareness,
- ✓ inadequate risk assessment and response,
- ✓ poor process safety management systems and failure in conducting awareness programs among all the employees and workers about handling the smouldering.

Case Study no.2

Large crane comes down crashing at a Shipyard.

A massive 70-tonne crane under trial run in a Shipyard came crashing down on, crushing 11 victims to death in a ship-building company.

An independent committee of engineers, comprising heads of departments of civil, mechanical and electrical engineering of Andhra Engineering College constituted to investigate the cause of the crane accident. The committee, comprising Andhra University professors from the departments of ECE, mechanical, civil and mechanical engineering, and an R&B engineer, led by the Visakhapatnam urban RDO submitted its report to District Collector. The accident occurred between building dock and spillway berth. Manufacturing and design defects in a crane had caused it to collapse, the committee that probed the incident stated in its report.

Shri Apurva Chandra, IAS joins as Secretary, Ministry of Labour & Employment

Shri Apurva Chandra who belongs to the 1988 batch of the Indian Administrative Service (IAS), Maharashtra Cadre assumed charge as Secretary, Ministry of Labour & Employment on 01st October 2020. Prior to this he was serving as Special Director General, Defence Acquisition, Ministry of Defence, a position where he played a key role in contributing towards AtmaNirbhar Bharat in terms of greater defence acquisition from domestic industry and at the same time keeping Defence Forces equipped with all its challenging requirements.



A Civil Engineer, Shri Chandra obtained his bachelor's Degree in Civil Engineering and Masters's in Structural Engineering from IIT Delhi. He has long experience of dealing with issues relating to industries while working in Government of Maharashtra and Government of India.

Shri Chandra has spent more than seven years in the Ministry of Petroleum & Natural Gas in the Government of India. He has been involved in framing policies with regard to fuel supplies to industries, supply logistics, transportation, storage & distribution of fuel products etc. He was directly associated with Natural Gas transportation infrastructure, setting up of city gas distribution companies, LNG import terminals and allocation of gas to industries. Shri Chandra has served on the Board of Directors of Maharatna PSU, GAIL (India) and petronet LNG. Shri Chandra also served as Joint Secretary, Union Ministry of HRD, Department of School Education & literacy from August 2011 to February 2013.

Shri Chandra has worked for over four years between 2013 and 2017 as Principal Secretary (Industries) in the Government of Maharashtra. Maharashtra led the country in attracting FDI and other investments over the period. Shri Chandra was instrumental for a slew of new policies like Electronic Policy, Retail policy, Single Window Policy to attract new investments. The first smart industrial township under the Delhi-Mumbai Industrial corridor (DMIC) has operationalized at Aurangabad in Maharashtra under the leadership of Shri Chandra. More than 70 clusters for MSMEs have been operationalised to make available modern technology through common facility centres. Shri Apurva Chandra joined as Director General (Acquisition) in Ministry of Defence w.e.f. 01.12.2017 with the mandate of strengthening the Indian Armed Force by expediting the acquisition process. He chaired the Committee to draft the new Defence Acquisition Procedure.

National Study for Safety and health issues faced by workers in Textile Industry

The data from 22 States/UTs have been received from Chief Inspectorate of Factories /Director of Industrial Safety and health (CIF/DISH) of the States and UTs. Further, remaining 13 States/UTs have been approached for sending the details at the earliest. The data received are being compiled. The field visits for the National Study for safety and health issues faced by workers in Textile Industry under the chairmanship of Dr R K Elangovan, Director General, DGFASLI with experts from engineering, hygiene and medical areas are scheduled. The National Study for Textile Industry has been grouped into four regions, viz., South Region, North Region, East Region and West Region. In the first phase, factories situated in South States/UTs are being taken up. The study team is expected to submit the report by the end of March 2021 subject to Covid-19 pandemic situation.

Sub Committee under the Chairmanship of Dr R K Elangovan, Director General , DGFASLI for framing draft rules on the Occupational Safety, Health and Working Conditions Code, 2020 constituted by Shri Gopal Prasad, Economic Advisor, Ministry of Labour and Employment.

Ministry of Labour and Employment has constituted a committee under the chairmanship Shri Gopal Prasad, Economic Advisor, Ministry of Labour and Employment. Further, a sub-committee was constituted under the Chairmanship of Dr R K Elangovan, Director General, DGFASLI for framing draft rules on the Occupational Safety, Health and Working Conditions Code, 2020. The draft rules under section 133 and section 134 of Occupational Safety, Health and Working Conditions Code, 2020 were framed and submitted to Ministry on 12-11-2020.

A. Prime Minister's Shram Awards

The Prime Minister's Shram Awards (PMSA) was instituted in 1985 by the Government of India. The objective of the PMSA is to recognize the outstanding contributions made by workmen, as defined in the Industrial Dispute Act, 1947 and working in organizations both in public and private sector and who have distinguished record of performance, devotion to duty of a high order, specific contribution in the field of productivity, proven innovative abilities, presence of mind and exceptional courage and also to the workmen who have made supreme sacrifice of laying down their lives in the conscientious discharge of their duties.

The Awards are presented to the workmen employed in the Departmental Undertakings of the Central and State Governments, Central and State Public Sector Undertakings as also private sector and having minimum of 500 employees on roll and engaged in manufacturing and productive processes and whose performance is assessable. However workmen solely engaged in routine service or duties are not eligible. The performance should have resulted in any or some of the followings:-

1. Improving productivity;
2. Workers who have made outstanding contribution in the field of productivity, safety and who have also shown innovative ability of high order;
3. Increasing the efficiency of the organization;
4. Innovations and improvements that bring about saving in materials including fuel, power and explosive;
5. Improvement in the utilization of plant and equipment;
6. Improvement in quality/safety of products for users;
7. Better utilisation of waste or scrap material & conservation of resources;
8. Substitution of indigenous process/material for imported one.

Eligibility Criteria for the PMSA are as follows:-

1. The nominated worker should be a workman as defined in the Industrial Disputes Act, 1947;
2. He / She should have worked continuously at least for the past 10 years in the nominating establishment;
3. He/she should have distinguished record of performance in the industry/company;
4. He / She should have regularity and punctuality in attendance;
5. The nominated worker should not have caused any type of reportable accident during his/her service period;
6. The worker should have displayed courage by risking or sacrificing his/her life in the discharge of his/her duties, if applicable;
7. He / She should be trustworthy;
8. He/She should have good character, good temperament, traits of good team work including good relations with fellow employees and be amenable to discipline etc;
9. His/her police record should be good;
10. He/She should be an Indian Citizen.

Details of the Awards

S.No.	Name of Award	No.of Awards	Cash Prize	Criteria
1.	Shram Ratna	1	Rs. 2,00,000	Highest Award will be given to a worker who has really outstanding calibre and has made exceptional all round contribution.
2.	Shram Bhushan	4	Rs.1,00,000 each	Workers who have made outstanding contribution in productivity, & also shown innovative abilities of high order.
3.	ShramVir / Shram Veerangana	12	Rs 60,000 each	Workers who have a continuous record of dedicated service and has achieved high order of productivity.
4	ShramShree/ Devi	16	Rs 40,000 each	Workers who have shown extra ordinary zeal and enthusiasm for work and have made remarkable contribution towards productivity.

The Shram Ratna Award is common for both the Public and Private Sectors and the remaining 32 awards are shared equally by both the sectors, i.e. 16 each for Public and Private Sectors. In case of awards being shared by a worker with team and/or different teams/other individual worker, the award money is equally shared by the total number of workers. While the total number of awards in one year is thirty three, in case awards for any one or more categories are not being given, these can be distributed among the other lower categories. It may not be mandatory to give all the prizes every year. Besides the cash prize, awardees also receive a "SANAD" from the Hon'ble Prime Minister. The awardees are also eligible for 75% concession in 2nd Class Rail Fare.

B. Vishwakarma Rashtriya Puraskar

"Suggestion Schemes" are being operated in many progressive industrial undertakings in the country. These "Schemes" operate on plant wise basis. Good suggestions leading to outstanding achievement or good performance on the part of workers in increasing productivity, quality, safety, working conditions, import substitution etc. are suitably rewarded by the management at the enterprise level with financial & non-financial incentives including prizes & citation. The quantum of the prize money is generally related to the anticipated annual savings in the cost of production, resulting from the implementation of the suggestion at the plant level.

With the growing tempo of industrialization, it was considered desirable to provide for public recognition of outstanding achievement on the part of the workers, at the national level, so that, the workers could feel that they were accorded a place similar to that of other recipient of Rashtriya Puraskars for outstanding achievements in the other walks of life. The Government of India, Ministry of Labour & Employment has, therefore, instituted Vishwakarma Rashtriya Puraskar Scheme (previously known as Shram Vir National Awards) in the year 1965 for rewarding & recognizing the efforts of workers from the industrial undertakings at the national level. Since then, this scheme has been in operation. The objective of the Vishwakarma Rashtriya Puraskar (V.R.P.) is to recognize the outstanding contributions made by a worker or a group of workers in an organization covered under the Factories Act, 1948, The Dock Workers (Safety, Health and Welfare) Act, 1986, The Building & other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Installations under the Atomic Energy Regulatory Board (AERB), through his/her/their contributions to improve productivity, occupational safety & health, environment and working conditions as well as quality & safety of product.

Basis of Awards

The scheme is open to such industrial undertakings where suggestion schemes in the form of quality circles, general suggestion scheme, safety suggestion scheme, kaizen schemes & small group activities etc. are in operation. Suggestions accepted by the management and adopted during the previous calendar year in respect of any of the following qualify for the consideration of Vishwakarma Rashtriya Puraskar (VRP).

1. Inventions and improvements that bring about saving in materials including fuel & power reduction in production time and improvement in the utilization of plant and equipment;
2. Improving ways and means for using indigenous materials in the place of imported ones (Import substitution);
3. Better utilization of machinery & equipment, waste or scrap material for raising productivity;
4. Lightening physical efforts/ergonomic interventions in certain operations and thereby leading to reduced fatigue & increased productivity;
5. Improvement of working conditions including safety, health and welfare, safety standards, safety devices and environmental conditions and improvement in methods for prevention of occupational diseases;
6. Increased efficiency of the organization and management;
7. Improvement in quality of products or their designs & packing methods;
8. Making general working environment safe.

There are total twenty eight (28) awards under the following three classes:

Class or Shreni	No. of awards	Amount
A or Pratham	5	Rs. 75,000/- EACH
B or Dwitiya	8	Rs. 50,000/- EACH
C or Tritiya	15	Rs. 25,000/- EACH

Each year applications are invited in the prescribed format for the grant of awards through advertisement in important national & local newspapers. Respective managements of the organization where these suggestion schemes are in operation are required to send the applications on behalf of the workers. The accepted applications are evaluated by both Internal and External Evaluation Committees consisting of Three Experts in each with specialization in Mech. Engg. /Production Engg. / Indust. Engg./ Elect. Engg. /Chemical Engg. /Ergonomics /Envir. Engg / General Mgt. The applications so evaluated by both the Committees are adjudged by a Tripartite Awards Committee constituted by the Ministry of Labour & Employment, Government of India, solely on the basis of their technical ability and expertise. The Tripartite Awards Committee consists of representatives from Government, Employers & Employees.

Procedure for the Grant of Awards

Every year applications are invited in the prescribed form for the grant of the awards through advertisement in important national and regional newspapers and also through the official website of DGFASLI. Organisations are required to apply for Awards under the scheme as applicable to them. The applications are assessed by an assessment committee comprising of three external members and three internal members of DGFASLI. The assessment of the assessment committee is adjudged by a Tripartite Awards Committee constituted by the Ministry of Labour and Employment. The decision of the tripartite committee is put up for approval of the Hon'ble Minister of Labour and Employment.

Awards Distribution Function

The award distribution function for Viswakarma Rashtriya Puraskar (VRP) is held jointly with the awards distribution function of National Safety Awards (NSA) for each Performance Year. Awards are granted to the awardees by the Hon'ble Union Labour & Employment Minister, Govt. of India, in a special function held at New Delhi. Usually the function is held each year on 17th September to coincide with the Vishwakarma Day.

C. National Safety Awards

To give recognition to good safety performance on the part of Industrial Establishments and to stimulate and maintain the interest of both the managements and the workers in accident prevention and safety promotion programmes, the Government of India instituted National Safety Awards (NSA) in the year 1965. Initially the NSA was instituted for factories registered under the Factories Act, 1948 which work One million man-hours or more during the performance year. From the year 1971, separate schemes were introduced for factories working less than One million man hours and also for Ports. From the year 1978, two more schemes were introduced for factories working more than one lakh and less than two and half lakh man hours during each year of the contest period. Further, the schemes which existed prior to 1978 were modified in 1978 as per the decision of the Awards Committee specially constituted for this purpose by the Ministry of Labour and Employment, Govt. of India. At present there are twelve schemes. These schemes are operated by the Directorate General Factory Advice Service and Labour Institutes (DGFASLI), Mumbai, under the Ministry of Labour and Employment, Government of India.

The Schemes I to X are applicable to the factories registered under the Factories Act, 1948, construction sites under the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and installations under Atomic Energy Regulatory Board (AERB). The Schemes XI to XII are applicable to establishments under Ports.

Basis of Awards

For factories/construction sites/installations under AERB, based on the below mentioned criteria:

- (i) Lowest Average Frequency rate and
- (ii) Accident free year
 - for working one million man hours and more (Scheme I & II),
 - for working less than one million man hours subject To a minimum of half a million man hours (Scheme III & IV),
 - for working less than half million man hours subject to a minimum of one quarter million man hours (Scheme V & VI),
 - for working less than one quarter million man hours subject to minimum of one lakh man hours (Scheme VII & VIII) and
 - for working less than one lakh man hours subject to minimum of fifty thousand man hours (Scheme IX & X)

For Ports

Scheme XI : For work on ships (Based on Lowest Average Frequency Rate) provides for the grant of three awards to employer handling any cargo, except bulk oil on board the ship who achieves the lowest average weighted frequency rate of accidents over a period of three consecutive years ending in the performance year. One award is for employers who work a minimum of 1,00,000 man-hours(Group A) during each of the three consecutive years ending in the performance year. The second award is for employers who work a minimum of 50,000 man hours but less than 1,00,000 man hours(Group B) and the third award is for employers who work a minimum of 25,000 man hours but less than 50,000 (Group C) man hours during each of the three consecutive years. Under each group, a shield is given to the winner and the runner-up. A certificate of merit is also given to the awards winners.

Scheme XII : For work on shore (Based on Lowest Average Frequency Rate) provides for the grant of three awards for shore employers, including port authorities, who achieve the lowest average weighted frequency rate over a period of three consecutive years ending in the performance year. One award is for employers who work a minimum of 2,50,000 man hours(Group A) during each of the three consecutive years ending in the performance year. The second award is for employers who work a minimum of 1,00,000 man hours but less than 2,50,000 man hours (Group B) and the third award is for employers who work less than 1,00,000 man hours but subject to minimum of 25,000 man hours (Group C) during each of the three consecutive years. Under each group, a shield is given to the winner and runner-up. A certificate of merit is also given to the awards winners.

Procedure for the Grant of Awards

Every year applications are invited in the prescribed form for the grant of the awards through advertisement in important national and regional newspapers and also through the official website of DGFASLI. Organisations are required to apply for Awards under the scheme as applicable to them. The applications are adjudged by a Tripartite Awards Committee constituted by the Ministry of Labour and Employment. The decision of the tripartite committee is put up for approval of the Hon'ble Minister of Labour and Employment.

Awards Distribution Function

The award distribution function for National Safety Awards (NSA) is held jointly with the awards distribution function of Viswakarma Rashtriya Puraskar (VRP) for each Performance Year. Awards are granted to the awardees by the Hon'ble Union Labour & Employment Minister, Govt. of India, in a special function held at New Delhi. Usually the function is held each year on 17th September to coincide with the Vishwakarma Day.

AWARD APPLICATION FORMS FOR YEAR 2019

(Closing date: 31/03/2021)

A) Prime Minister's Shram Awards (PMSA)

B) Vishwakarma Rashtriya Puraskar (VRP)

C) National Safety Awards (NSA)

A) Prime Minister's Shram Awards (PMSA)

AFFIX NOMINATED
PERSON'S
PASSPORT SIZE
ATTESTED
PHOTOGRAPH

GOVERNMENT OF INDIA/ MINISTRY OF LABOUR AND EMPLOYMENT

NOMINATION FOR PRIME MINISTER'S SHRAM AWARDS 2019

The nomination form giving full particulars as specified and as per instructions should reach before closing date i.e. **31.03.2021** to the Under Secretary, Ministry of Labour and Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110001, along with Crossed Demand Draft of value of Rs. 500/- drawn in favour of "Pay & Accounts Officer (MS), Ministry of Labour, New Delhi" payable at New Delhi in respect of nominations pertaining to Public Sector. The manufacturing units employing 500 or more workers in the Private Sector may forward their applications along with two demand drafts, each for Rs. 500/-, one in favour of "Pay & Accounts Officer (MS), Ministry of Labour, New Delhi" payable at New Delhi and the other drawn in favour of the concerned Nodal Agency. **THE DECISION OF THE GOVERNMENT REGARDING THE SELECTION WILL BE FINAL.**

NOTE

Before filling up the form, please read the following instructions carefully

1. Nomination form received directly from an individual worker will not be accepted.
2. The filled in Nomination Form along with the recommendation typed on separate sheet should be routed through the Administrative Central Ministry/ State Government Department/National level Association/Chambers.
3. Please type the information against respective columns/ items.
4. Strike out whichever is not applicable.
5. Enclose two separate passport size attested photographs duly signed at the back side.
6. Incomplete nomination form in any manner is liable to be rejected,
7. Any type of undue influence/ recommendations on the committee by the nominee or employer will result in disqualification of the nomination.
8. Ensure that the **phone numbers** (Office & Residential) along with the **Fax number** (with **STD Code**) be furnished without fail.

I. PARTICULARS OF THE WORKER

1. Name in full (block letters) :
(in Roman and Devanagri script)
2. Designation :
3. Parent/Spouse's Name :
4. Date and place of birth : Age: Sex:

5. Present Postal Address :
6. Phone Number (with STD code) :
7. Permanent Postal Address :
8. Family background :
- (State the composition of the family, their occupation, etc.)

S. No.	Name of Family member	Age	Relationship with the applicant	Occupation

9. Whether physically challenged:

QUALIFICATION:

EDUCATIONAL	TECHNICAL	PROFESSIONAL

NOTE : 1. Please attach certified copies of the Certificates/Mark Sheets about qualification duly attested by Executive Magistrate or Gazetted Officer of the Govt or Principal of the School/College.

EXPERIENCE :

Date of Appointment	Designation		Years of Experience	Remarks
	At the time of appointment	Present		

- i) Nature of work :
- ii) Duties and responsibilities entrusted to the worker :
- iii) Present Salary :

NOTE: Please attach a separate sheet wherever needed.

II. ABOUT THE INDUSTRY/ COMPANY WHERE THE NOMINATED PERSON IS EMPLOYED.

Name & address of the company/ factory	Name & address of the employer	Tel. No./ Fax. No./ e- mail	No. of workers employed

Registration No. under relevant Act	Enforcement Authority	
	Name of the officer with postal address	Tel. No./Fax. No./ e-mail

I. BRIEF HISTORY OF NOMINATED PERSON

- a) *About personal characteristics of the nominated person in general:*
- b) *About the service;*
 - i) *with previous employer* :
 - ii) *with present employer* :
- c) *Any other information relevant and* :
which is not reflected in the form highlighting the other activities
of the nominated person

II. PARTICULARS OF AWARDS GRANTED TO NOMINATED PERSON IN THE PAST:

a)

Year in which Award conferred	Name of the Award Conferred	Name & Address of the Organisation/ Body	Tel.No./ Fax No./e-mail

b) Brief highlight of each Award conferred:

Note: Please attach certified copies of the Awards certificates as a documentary proof.

CITATION

(To be given by the Head of the Organisation/Company/Chief Executive Officer)

NOTE: To be submitted in typed form in not more than 600 words giving details on following points.

1. Meritorious service
2. Achievements

Place :

Date :

Signature

Name & Designation

Address:

OFFICE SEAL

CERTIFICATE

(To be signed by Nominated person)

I _____ the undersigned Shri/Smt./Kum.
_____ hereby give my willingness to accept the Award and Sanad awarded to me under the Prime Minister's Shram Awards Scheme. If I am selected for such Award, I shall abide by the rules and regulations prescribed by the Committee and the Committee's decision will be binding on me.

Date:

*Signature/Thumb Impression
of the Nominated person
(Left hand Thumb Impression, if
Male and Right hand Thumb
Impression, if Female.)*

DECLARATION OF NOMINATED PERSON

I.....hereby declare that all the statements made in the nomination form are true, complete and correct In the event of any information being found false/incorrect or ineligibility being detected before or after the declaration of the Prime Minister's Shram Award, my nomination will stand automatically cancelled. I am also aware that the Government reserves the right to withdraw the Award with penal action, if any irregularity is detected at a later stage.

I further declare that I am a citizen of India.

*Place: Signature/Thumb Impression of the Nominated person
(Left hand Thumb Impression, if Male and Right hand Thumb Impression, if Female.)*

Date :

EMPLOYER'S CERTIFICATE

1. This is to certify that our Industry/Company is registered under the _____ Act. Our Registration No. is _____ and further it is certified that Shri/Smt./Kum. _____ is a temporary/permanent employee of our industry/Company M/s. _____ situated _____ at _____ and that he/she is working with us from _____ and holding a post of _____ in our Industry/Company.

2. Further it is certified that particulars furnished by Shri/Smt./Kum. _____ have been verified from his/her record and found correct.

3. No vigilance case is either pending or confemp/afed against Shri/Smt./Kum. _____ His/her Integrity is beyond doubt

4. No major or minor penalty was imposed on Shri/Smt./Kum. _____ during last 10 years.

5. He/she is hard working, sincere and honest in discharging the duties allotted to him /her:

6. He/she has not caused any reportable accident during last 10 years.

7. I am also aware that if any irregularity/false information is detected before or after the declaration, penal action may be taken against me.

We wish him / her grand success.

The undersigned is duly authorized to sign this certificate.

Date:
Place :

Signature
Name & Designation
Tel. No.

OFFICE SEAL

(TO BE OBTAINED BY THE RECOMMENDING AUTHORITY)

NOMINATED
PERSON'S
PASSPORT SIZE
PHOTOGRAPH

**VERIFICATION CERTIFICATE
FROM THE LOCAL POLICE STATION**

This is to certify that Shri/Smt./Kum. _____ son of/ wife of/
daughter of _____ is not involved in any case and
no criminal case is registered against him/her. His/her record is good and he/she is residing at _____
Further, it is certified that he/she does not have any anti-
social/criminal case record.

Other remarks, if any.

Place:
Date :

Signature
Name of the Police Officer with
Full address, Tel. No., Fax No.

OFFICE SEAL

NOTE: The officer issuing the Verification certificate should attest the photograph of the nominated person with a signature and rubber stamp in such a way that one half of the signature and stamp appears on the photograph and the other half on the certificate.

Full name of worker in Devanagari Script duly signed (in original) by the worker.

(Signature of worker)

NOTE : THE NEAREST BRANCH OF UNION BANK OF INDIA MAY PLEASE BE INDICATED IN CAPITAL LETTERS.

B) Vishwakarma Rashtriya Puraskar (VRP)

PART - I

1. (अ) संगठन का पता / (A) ADDRESS OF THE ORGANISATION:

फोन नं. (एसटीडी के साथ), फैक्स और ई-मेल आई.डी के साथ संगठन का नाम और पता Name and address of the Organization with telephone No. (With S.T.D.), FAX No. & E-mail ID	अगर फरीदाबाद का पता हो तो फोन नं, फैक्स नं और ई-मेल आई.डी. Faridabad address, if any with telephone No., FAX No. & E-mail ID
मोबाइल नं. तथा फोन नं. एसटीडी कोड के साथ संपर्क व्यक्ति का विवरण Details of the contact person with Mobile & landline number with STD code.	फरीदाबाद म संपर्क व्यक्ति का मोबाइल नं./ फोन नं. Details of the contact person in Faridabad with Mobile / landline Number

1.(ब) उ योके प्रकार के साथ मिक संबंधी विवरण / (B)TYPE OF INDUSTRY WITH MANPOWER DETAILS:

उ योका स्व प और विनिर्मित उत्पाद NATURE OF INDUSTRY AND PRODUCTS MANUFACTURED	नियोजित मिक की संख्या NO. OF WORKERS EMPLOYED		म घंट की संख्या – 2019 NO. OF MANHOURS WORKED IN 2019	
	नियमित REGULAR	ठेके पर CONTRACT	नियमित REGULAR	ठेकेपर CONTRACT

1. (स) गत वर्ष प्राप्त वीआरपी पुरस्कार के विवरण
Details of VRP Awards received in the previous year

वर्ग Category	पुरस्कार प्राप्त करने का वर्ष Year of receiving awards	पुरस्कार विजेताओं के नाम Name of the winners	टिप्पणी Remarks

1. (D) संगठन की पंजीकरण तथा लाइसंस संख्या

संगठन की पंजीकरण तथा लाइसंस सं की एक प्रति संलग्न कर।

REGISTRATION No. & LICENCE No. OF THE ORGANISATION:

enclose copy of Registration No. and Licence No. of the organisation.

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2. सुझाव देने वाले कामगार का विवरण / PARTICULARS OF THE SUGGESTOR(S):

क्रमांक Sl. No.	पूरा नाम FULL NAME	जन्म तिथि DATE OF BIRTH	उम्र एवं पु ष/स्त्री AGE & SEX	अर्हता QUALIFICATION	काम का अनुभव- वर्ष ई EXPERIENCE IN YEARS
1	2	3	4	5	6

विभाग DEPARTMENT	कुशलता ंणी SKILL BAND कृपया (√) चिह्न लगाएं				पदनाम DESIGNATION	काम का स्व प NATURE OF WORK
	7	8				
	अतिकुशल/ HIGHLY SKILLED	कुशल SKILLED	अर्धकुशल/ SEMI- SKILLED	अकुशल/ UNSKILLED		

3. सुझाव का प्रकार तथा दिए गए पुरस्कार का विवरण / TYPE OF SUGGESTION & AWARDS GRANTED:

<p>(क) यदि सुझाव योजना निम्नलिखित किसी एक से संबंधित है तो, कृपया(√) चिह्न लगाएं :1) सामान्य सुझाव 2) सुरक्षा सुझाव 3) क्वालिटी सर्किल 4) कैजन 5) लघुसमूह क्रियाकलाप</p> <p>(a) Please put(√) whether the suggestion scheme pertains to any one of the following: 1) General suggestion 2) Safety Suggestion 3) Quality Circle 4)Kaizen 5) Small Group Activity</p>	<p>** (ख) कंपनी की अपनी "सुझाव योजना" के अंतर्गत प्रबंधक वारकांमगार को दिए गए प्रमाणपत्र, नकद पुरस्कार या अन्य किसी सम्मान आदि के विवरण</p> <p>** (b) Particulars of the Award granted to the Suggestor(s) of this Application under Company's 'Suggestion Scheme' in the form of Certificate, Cash Award, any other honour etc</p> <p>1)</p> <p>2)</p>
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**इस सूचना के बिना प्राप्त आवेदन र कर दिया जाएगा।

**Note:- Without this information the application shall be rejected.

4. सुझाव एवं क्रियान्वयन विवरण / SUGGESTION & IMPLEMENTATION DETAILS:

जिस तारीख से मूल्यांकन के लिए आंतरिक सुझाव योजना म सुझाव प्रस्तुत किया / When the Suggestion was submitted to the internal Suggestion Scheme for evaluation.			जिस तारीख से संगठन म सुझाव क्रियान्वित हुआ / Date, when the suggestion was Implemented in the organization.		
तारीख/ Date	माह/ Month	वर्ष/ Year	तारीख/ Date	माह/ Month	वर्ष/ Year

5. सुझाव की मौलिकता की व्याख्या कर / DESCRIBE THE ORIGINALITY OF THE SUGGESTION
6. सुझाव के कारण वित्तीय बचत की गणना बताएं / INDICATE THE CALCULATION OF THE FINANCIAL SAVING DUE TO SUGGESTION
7. सुझाव की उपयोगिता/अनुप्रजोय्यता के विवरण बताएं / EXPLAIN THE UTILITY / APPLICABILITY OF THE SUGGESTION.
8. सुझाव क्रियान्वित होने के पूर्व एवं बाद के संक्षिप्त सार, रेखाचित्र और फोटोग्राफ के साथ विवरण संलग्न कर/

ALSO ATTACH COPY OF DETAILS OF THE DRAWINGS, PHOTOGRAPHS OF SUGGESTION IMPLEMENTED BEFORE AND AFTER IMPLEMENTATION ALONG WITH A BRIEF SUMMARY OF THE SUGGESTION WHEREVER APPLICABLE.

9. प्रवेश शुल्क के विवरण / ENTRY FEE DETAILS *

डीजीफासली को ऑनलाइन भरा जाने वाला आवेदन - प्रति आवेदन प्रवेश शुल्क @ Rs. 200/- कृपया इसे www.bharatkosh.gov.in के माध्यम से भेज			
Details of ENTRY FEE paid to DGFASLI online @ Rs. 200/- per Application through www.bharatkosh.gov.in			
संचालन आई डी सं Transaction ID no.	दिनांक/ Date	राशि/ Amount	टिप्पणी यदि कोई Remark If any

*एक बार जमा किया गया प्रविष्टि (आवेदन) शुल्क वापस नहीं होगा।Receiptof payment आवेदन पत्र के साथ ही संलग्न कर।

* Entry (Application) fees once paid cannot be refunded. Attach the receipt of payment along with the application form.

10. आप की कंपनी के समीप यदि यूनियन बक ऑफ इंडिया की कोई शाखा हो, तो उसके विवरण द:
Indicate the branch of Union Bank of India (UBI) nearest to your company, if any :

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11. सुझावकर्ता (ओं) के फोटोग्राफ/ SUGGESTOR(S) PHOTOGRAPH(S)

** कृपया नीचे दी गई जगह पर सुझावकर्ता (ओं) के फोटो (4 से.मी. x 3 से.मी.) चिपकाएं।

Please affix stamp size photograph (4 cm x 3 cm) of the suggestor (s) in the following space:

	सुझावकर्ता (1) Suggestor (1)	सुझावकर्ता (2) Suggestor (2)	सुझावकर्ता (3) Suggestor (3)	सुझावकर्ता (4) Suggestor (4)
फोटोग्राफ Photographs				
नाम (साफ अक्षर म) और हस्ताक्षर Name (in Capital Letters only) & Signature				

टिप्पणी:

1. यदि सुझावकर्ता चार से अधिक ह , तो कृपया इस आवेदन पत्र के साथ फोटोग्राफ जोड़ दे।
2. आवेदक के फोटोग्राफ और हस्ताक्षर के बिना प्राप्त आवेदन र कर दिया जाएगा।

Note:

1. If the suggestors are more than four, please affix the photographs along with this application form.
2. Without applicant's photograph and signature, the application will be rejected.

PART -II

नीचे दिए गए विवरण पर अपने सुझाव (दो डीवीडी सहित एक प्रति) प्रस्तुत कर।

Attach brief summary of the suggestion (**one hard copy and two copies in DVDs**) under the following headings, viz.:

- I. उद्योग प्रकार/ Nature of Industry :
- II. आवेदक के वैयक्तिक विवरण/ Personal Data of the Applicant (s)
- a) आवेदक की संख्या /No. of Applicant (s) :
- b) पदनाम /Designation :
- c) अर्हता /Qualification :
- d) आयु/पुंश या स्त्री/अनुभव/Age/Sex/Experience :
- e) कार्य का प्रकार /Nature of Work :
- f) प्राप्त किये गए पुरस्कार /Awards received
- i) कंपनी का स्तर / Company level :
- ii) राष्ट्रीय स्तर / National level :
- iii) सुझावकर्ता को नकद पुरस्कार /Cash Amount awarded to the suggestor(s)

III. विद्यमान प्रक्रिया के बारे में: अधिकतम 150 – 200 शब्दों में प्रक्रिया के विभिन्न प्रक्रिया पैरामीटरों, यथा व्यक्ति, मशीन, सामग्री, तरीका एवं पर्यावरण में उचित संबंध स्थापित करते हुए, प्रक्रिया के संबंध में संक्षिप्त विवरण दें।

ABOUT THE EXISTING PROCESS: (furnish brief details in not more than 150 - 200 words about the Process by establishing proper relationship amongst various process parameters viz., the man , machine, material, methods and the environment).

IV. समस्याएं: अधिकतम 150 – 200 शब्दों में समस्याओं को कालक्रमानुसार क्रम बद्ध रूप से प्रस्तुत कर और वर्तमान प्रणाली/प्रक्रिया पर उसके प्रतिकूल प्रभाव के बारे में उल्लेख करें।

PROBLEMS EXPERIENCED: (provide in not more than 150-200 words in the chronological details of the problems experienced and their adverse impact on the existing system/process)

V. समस्या का समाधान एवं कार्यान्वयन: अधिकतम 150 – 200 शब्दों में स्पष्ट करें कि इन समस्याओं का समाधान कैसे किया गया 'जिसमें सुझाव के क्रियान्वयन में हुई लागत शामिल हो'।

SOLUTIONS SUGGESTED & IMPLEMENTED: (explain in not more than 150-200 words the details of how the said problem was overcome "including the cost of implementation of the suggestion."

VI. उत्पादकता, गुणवत्ता, ऊर्जा बचत, सुरक्षा, स्वास्थ्य, पर्यावरण संबंधी तथा कार्यपरिस्थिति आदि के अनुभवों पर सुझाव के लाभ अधिकतम 200-150 शब्दों में प्रस्तुत करें।

BENEFITS ACCRUED: (Highlight the benefits of the suggestion not more than **150-200** in terms of Productivity, Quality, Power Saving, Safety, Environment aspects, Health & Working Conditions etc.)

VII. वित्तीय बचत: आवर्ती/अनावर्ती (केवल राशि) /

FINANCIAL SAVINGS: Recurring/Non-recurring (Amount only)

सुझाव से बचत / **SAVINGS OF THE SUGGESTION**

अवधि/ Period	भारतीय मुद्रा/ Indian Currency		विदेशीमुद्रा/ Foreign currency	
से/ Fromतक/ To	आवर्ती/ Recurring	अनावर्ती / Non-recurring	आवर्ती/ Recurring	अनावर्ती / Non-recurring
12 महीन की अवधि म की जानेवाली संभावित बचत/ Projected savings for a period of 12 months				

VIII. सुझाव की मौलिकता संबंधी विवरण / DETAILS OF ORIGINALITY OF THE SUGGESTION:

<p>क) यदि निम्नलिखित म से किसी से मौलिकता संबद्ध हो तो कृपया (√) चिह्न लगाएं: a) STATE THE ORIGINALITY OF THE SUGGESTION IN TERMS OF THE FOLLOWING. PLEASE PUT (√):</p>
<p>1) आविष्कार/ Invention* 2) अपनाना / ज्ञात विचार का विस्तार Adoption/Extension of known idea 3) वि यमामद्धति / प्रक्रिया म सुधार Improvisation of existing methods/Process 4) लघु सुधार/ परिवर्तन Small Improvements/Changes</p>
<p>टिप्पणी/Note * अगर आविष्कार का पेटेन्ट प्राप्त कर लिया है, तो कृपया विवरण द /Please provide the details of patent obtained in case of any Invention</p>

IX. सुझाव की उपयोगिता का विवरण/DETAILS OF UTILITY OF THE SUGGESTION

<p>निम्नलिखित के आधार पर सुझाव की उपयोगिता/ अनुप्रजोज्यता बताएं। कृपया (√) चिह्न लगाएं State the Utility/Applicability of the suggestion in terms of the following. Please put tick (√)</p>
<p>1. क्या यह एक से अधिक संगठन /उ योक्के लिए लागू है? (सुझाव के सारांश के प म विवरण द) Whether applicable to more than one organization /industry? (Furnish details in the summary of suggestion)</p> <p>2. क्या यह आप के प्लांट /संगठन की विभिन्न कार्यस्थितिय के लिए लागू है (कृपया विवरण द) Whether applicable to various work situations /areas in your plant /organization?(Furnish details in the summary of suggestion)</p> <p>3. क्या यह अनेक समूह (बैच /बड़े पैमाने पर उत्पादन के लिए लागू है? (कृपया विवरण द) Whether applicable to multiple batches/mass production? (Furnish details in the summary of suggestion)</p> <p>4. क्या यह एक ही वर्तमान कार्य क्षेत्र / एकल समूह (बैच) के लिए लागू है? (कृपया विवरण द) Whether applicable to present area of work /single batch? (Furnish details in the summary of suggestion)</p>

अभिधारक द्वारा प्रमाण पत्र
CERTIFICATE BY THE OCCUPIER

में प्रमाणित करता हूं कि / I certify that:-

(i) मेरी जानकारी के अनुसार, उपर्युक्त सूचनाएं सही हैं।

The information furnished above is correct to the best of my knowledge.

(ii) सुझाव समिति के अंतर्गत पाया गया सुझाव प्रबंधन द्वारा इस कार्य के लिए बनाई गई समिति द्वारा मूल्यांकित किया गया है, जिसमें कामगारों का एक प्रतिनिधि भी शामिल है।

The suggestion received under the suggestion scheme has been evaluated by a Committee assigned for the purpose by the management, which has a worker representative.

(iii) यह भी प्रमाणित किया जाता है कि यह एक व्यक्तिगत या संयुक्त सुझाव है।

Further, it is certified that it is an Individual or Joint suggestion.

(iv) **वी.आर.पी.** 2019 के आवेदन पत्र में दिए गए सुझाव का कार्यान्वयन निष्पादन वर्ष 2019 में किया गया।

The suggestion given in this **VRP- 2019** application was implemented during the performance year 2019 in the company.

घोषणा / DECLARATION

हम यह घोषणा करते हैं कि यदि पुरस्कार समिति द्वारा **वी.आर.पी .पुरस्कार** के लिए इस आवेदन पत्र में दिया गया सुझाव चुना जाता है तो सुझावकर्त्ताओं को पुरस्कार ग्रहण करने के लिए व्यक्तिगत रूप से पुरस्कार समारोह में भेजा जाएगा।

We hereby declare that if the suggestion contained in this application is selected for VRP Award by the Awards Committee, then the suggestor(s) will be deputed to receive the award in person at the Awards Function.

तारीख /Date:

स्थान /Place:

अभिधारक का नाम और हस्ताक्षर

Name & Signature of the Occupier

कंपनी की मोहर
COMPANY'S SEAL

टिप्पणी: कंपनी की सील / मोहर के बिना आवेदन रद्द कर दिया जाएगा।

Note: Without company's seal/stamp the application shall be rejected.

C) National Safety Awards (NSA)

क. संगठन के बारे में जानकारी

A. INFORMATION ABOUT THE ORGANIZATION

1.

फोन नं. (एसटीडी कोड के साथ), फैक्स नं. तथा ई-मेल आई डी के साथ संगठन का नाम और पता Name and address of the organization with telephone No. (With STD), Fax No. & E-mail ID	यदि फरीदाबाद का पता हो तो फोन नं., फैक्स नं. तथा ई-मेल आई डी, Faridabad address, if any with telephone No., Fax No. & E-mail ID
मोबाइल नं. / फोन नं. एसटीडी कोड के साथ संपर्क व्यक्ति का विवरण Details of the contact person with Mobile phone /phone with STD Code.	फैक्स नं. / FAX No. फरीदाबाद में संपर्क व्यक्ति का मोबाइल नं./ फोन नं. Details of contact person in Faridabad with Mobile No. / Phone No.

2.

कारखाना अधिनियम, 1948 तथा भवन और अन्य निर्माण कामगार (रोज़गार का विनियमन और सेवा शत) अधिनियम 1996 और परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थापन का रजिस्ट्रेशन क्रमांक Registration No. under Factories Act, 1948 / The Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 / Installations under Atomic Energy Regulatory Board (AERB)	(अ) कंपनी / निर्माण स्थल / परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थापन का आकार (a) Size of the company / Construction Site / Installations under AERB	(ब) निष्पादन वर्ष 2019 के दौरान कुल बिक्री (.करोड़ में) (b) Turnover during the performance year 2019 (Rs. in crore)
पंजीकृत सं. Reg. No: #	लघु/मध्यम/बड़ा Small/Medium/Large	
लाइसंस सं. Licence No: #		

संगठन की पंजीकरण तथा लाइसंस सं की एक प्रति संलग्न कर।

Enclose copy of Registration No. and Licence No. of the organization.\

3.

*उ योक्ता वर्गीकरण: (संलग्न अनुसूची के अनुसार) * Classification of Industry : (As per Schedule attached)	* कारखाने / निर्माण स्थल / परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थापन के मुख्य विनिर्माण कार्य का उल्लेख कर *Major manufacturing activities of the factory/ construction site/ Installation under AERB	इन वर्षों का कामगार की औसत संख्या: Average number of workers during the years
		2017
		2018
		2019

*जानकारी न देने पर, आवेदन र हो सकता है।

*

Failure to provide information may lead to rejection of application.

ख. योजना I / III/ V/ VII/ IX (निम्नतम औसत आवृत्ति दर पर आधारित)

B. SCHEME I / III / V / VII / IX (LOWEST AVERAGE FREQUENCY RATE)

(जिस योजना के लिए आवेदन पत्र प्रस्तुत किया जा रहा है, उस पुरस्कार योजना की संख्या पर चिह्न लगाएं)

(Please tick mark the number of the Awards Scheme for which the application is submitted)

4. इन वर्षों के दौरान कुल म घंटे/ Total man-hours worked during the years.

(यह वास्तविक म घंटे होने चाहिए और इनम कारखाना अधिनियम 1948 की परिभाषा के अनुसार कारखाने के भीतर किया गया समयोपरि कार्य शामिल होना चाहिए। इसमें ठेके का काम भी शामिल हो) (This should be the actual number of man-hours including overtime worked inside the factory / construction site / installations under AERB as defined in the Factories Act, 1948. This also includes Contract Labour).	2017	
	2018	
	2019	

5.

कारखाना अधिनियम, 1948 तथा भवन और अन्य निर्माण कामगार (रोज़गार का विनियमन और सेवा शत) अधिनियम 1996 और परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थापन के अंतर्गत इन वर्षों में 48 घंटे अथवा उससे अधिक समय-हानि वाली सूचित करने योग्य दुर्घटनाओं की संख्या Number of accidents reportable under Factories Act, 1948/The Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 / Installations under Atomic Energy Regulatory Board (AERB) causing loss of time for 48 hours or more during the years.	वर्ष Year	सूचित करने योग्य दुर्घटनाओं की संख्या Number of reportable accidents		
		क) घातक a) Fatal	ख) पूर्ण स्थाई विकलांगता b) Permanent total disability	ग) अघातक c) Non-fatal
	2017			
	2018			
2019				

पूर्ण स्थाई विकलांगता का अर्थ ऐसी दुर्घटनाओं से है, जिससे कामगार की कमाने की क्षमता पूर्ण रूप से समाप्त हो जाए।

Permanent total disability means such accident cases, which lead to total loss of earning capacity of the worker.

6.

वर्ष Year	घातक दुर्घटनाओं के लिए मूल्यांकित आवृत्ति दर Weighted frequency rate of fatal accidents**	पूर्ण स्थायी विकलांगता दुर्घटनाओं के लिए मूल्यांकित आवृत्ति दर Weighted Frequency rate of permanent total disability**	अघातक दुर्घटनाओं के लिए मूल्यांकित आवृत्ति दर Weighted Frequency Rate for non-fatal accidents**	कुल दुर्घटनाओं की मूल्यांकित आवृत्ति दर (नं. 2,3 व 4 का योग) Weighted Frequency rate of all accidents (sum of Col.2,3 & 4)	तीन वर्षों के औसत आवृत्ति दर Average Frequency Rate over a period of 3 years
1	2	3	4	5	6
2017					
2018					
2019					

**आकलित आवृत्ति दर प्राप्त करने के लिए संलग्न पत्र में सूत्र दिया गया है।

**The formula for calculating the Weighted Frequency Rate is given in enclosed instruction sheet.

ग. योजना II / IV / VI / VIII / X (दुर्घटना मुक्त वर्ष)

C. SCHEME II / IV / VI / VIII / X (Accident Free Year)

(जिसके लिए आवेदनपत्र प्रस्तुत किया जा रहा है, उस पुरस्कार योजना की संख्या पर चिह्न लगाएं) (Please tick mark the number of Awards Scheme for which the application is submitted)

7.

- 1) दुर्घटना मुक्त वर्ष-2019 (जनवरी 2019 - दिसंबर 2019) के लिए म घंटे
Man-hours for Accident Free Year 2019 (Jan. 2019– Dec. 2019) _____.
- 1) वर्ष 2019 म घातक/ अघातक दुर्घटनाओं एवं पीटीडी मामलों की संख्या, यदि हो तो
No. of Fatal / Non-fatal accidents & cases of PTD in the year 2019, if any _____.

टिप्पणी: कंपनी चाहे केवल योजना II / IV / VI / VIII / X (दुर्घटना मुक्त वर्ष) के अंतर्गत आवेदन कर रही हो, तो भी पृष्ठ संख्या 3 पर कॉलम नं. 4 म आंकड़े देना ज री है।

Note: Figures at column No. 4, page No. 3 are mandatory, even though the company applies only under Scheme II /IV /VI /VIII /X (Accident Free Year).

8. कारखाने / निर्माण स्थल के क्षेत्राधिकार के अंतर्गत मुख्य निरीक्षक /कारखाना निरीक्षक तथा मुख्य निरीक्षक / भवन एवं निर्माण स्थल निरीक्षक / परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थान के निरीक्षक वास्तुत्यापन।
VERIFICATION BY CHIEF INSPECTOR / INSPECTOR OF FACTORIES / BUILDING AND CONSTRUCTION HAVING JURISDICTION OVER THE FACTORY / CONSTRUCTION SITE / INSPECTOR OF A.E.R.B. HAVING JURISDICTION OVER THE INSTALLATIONS

मद संख्या 3, 4, 5, 6 और 7 म दी गई सूचना और आंकड़ का सत्यापन किया गया है और वे सही पाए गए। इसके अलावा वर्ष 2019. के दौरान कारखाना / निर्माण स्थल / संस्थापन ने कारखाना अधिनियम, 1948 के अंतर्गत तथा निर्माण स्थल भवन और अन्य निर्माण कामगार (रोजगार का विनियमन और सेवा शत) अधिनियम 1996 और परमाणु ऊर्जा नियामक बोर्ड के अधीन संस्थापन के अंतर्गत उपबंध का कोई उल्लंघन नहीं किया है। ईएसआईसी के साथ आंकड़ की परस्पर जांच कर ली गई है।

The information and data given under item 3, 4, 5, 6 & 7 are certified by me and found to be correct. Further, the factory / construction site / installations has not been convicted for any breach of provision under the Factories Act, 1948 / The Building & other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 / AERB Act, during the year 2019. The figures have also been cross checked with ESIC.

तारीख/ Date:

स्थान/ Place:

निरीक्षक का नाम और हस्ताक्षर

Name & Signature of the Inspector

कार्यालय की मोहर

Office Seal

टिप्पणी: निरीक्षक की सील/ मोहर के बिना आवेदन खारिज कर दिया जाएगा।

Note : Without Inspector seal / stamp the application shall be rejected.

1. प्रवेश शुल्क के विवरण
ENTRY FEE DETAILS

योजना सं./ SCHEME NO.	संचालन आई डी सं Transaction ID	दिनांक Date	राशि Amount	टिप्पणी यदि कोई any Remark If
(1) योजना I / III / V / VII / IX SCHEME I / III / V / VII / IX				
(2) योजना II / IV / VI / VIII / X SCHEME II / IV / VI / VIII / X				

(डिमांड ड्राफ्ट का ब्यौरा उस योजना के अंतर्गत भर, जिसके लिए आवेदनपत्र भेजा गया है। योजना की संख्या पर भी चिह्न लगाएं।)
(Fill up the details of the demand draft against that Scheme under which the application is submitted.
Also tick mark (✓) the scheme number)

प्रमाणपत्र / CERTIFICATE

2. म प्रमाणित करता हूँ कि/
I certify that :-

- I. मेरी जानकारी और विश्वास के अनुसार, उपर्युक्त सूचनाएं सही ह।
The information furnished above is correct to the best of my knowledge and belief.
- II. उ योगप्रतिष्ठान राष्ट्रीय औ योगिकर्गीकरण के अनुसार वर्गीकृत है।
The industry/establishment is classified as per the National Industrial Classification (NIC).
- III. दिया हुआ सुझाव एक समिति वास्त्र्यांकित और अनुमोदित किया गया है। यह समिति इसी कार्य के लिए प्रबंधन वास्त्राठित की गई है और इसम कामगार का प्रतिनिधि भी शामिल है।
The details furnished have been scrutinized and approved by a Committee assigned for the purpose by the management, which has a worker representative.

घोषणा / DECLARATION

हम यह घोषणा करते हैं कि यदि कंपनी विजेता घोषित की जाती है, तो वह पुरस्कार समारोह के दौरान पुरस्कार ग्रहण करेगी।
We hereby declare that in case the company is adjudged as a winner / runner up, the award will be received by the company during the Award Function.

तारीख/ Date

स्थान/ Place:

प्राधिकृत प्रबंधक का नाम और हस्ताक्षर
Name & signature of Authorized Manager

कंपनी की मोहर / COMPANY'S SEAL

टिप्पणी: कंपनी की सील/ मोहर के बिना आवेदन र कर दिया जाएगा ।

Note : Without company's seal / stamp the application shall be rejected.





FACE MASK

IS

REQUIRED

FOR YOUR OWN
SAFETY AND
EVERYONE ELSE'S

AND

FOLLOW SOCIAL DISTANCING

DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



सत्यमेव जयते

Welding, brazing and soldering

Using bitumen and tar boilers

Grinding and cutting

The use of hot air blowers and lead heaters

The use of open flames, blow-lamps and torches

Thawing pipes

HOT WORK

COMMON TYPES OF HOT WORK INCLUDE



Fire hazards posed by hot work include:

Flammable swarf, molten metals, slag, cinder and filling

Heat conduction when working on pipes

Explosive atmospheres

Flying sparks

Hot surface

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GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



CORRECT SITTING POSTURE

MONITOR

Adjust distance
high top of the monitor
at eye-level and
slightly tilted

ARMS

Relax shoulders,
forearms paralel
to the floor.
Minimal
bend at the wrist

CHAIR

Should have a
back rest, arm rest and
height adjustment

LEGS

Thighs parallel to
the floor

FEET

Parallel to the floor.
use a foot rest if
necessary

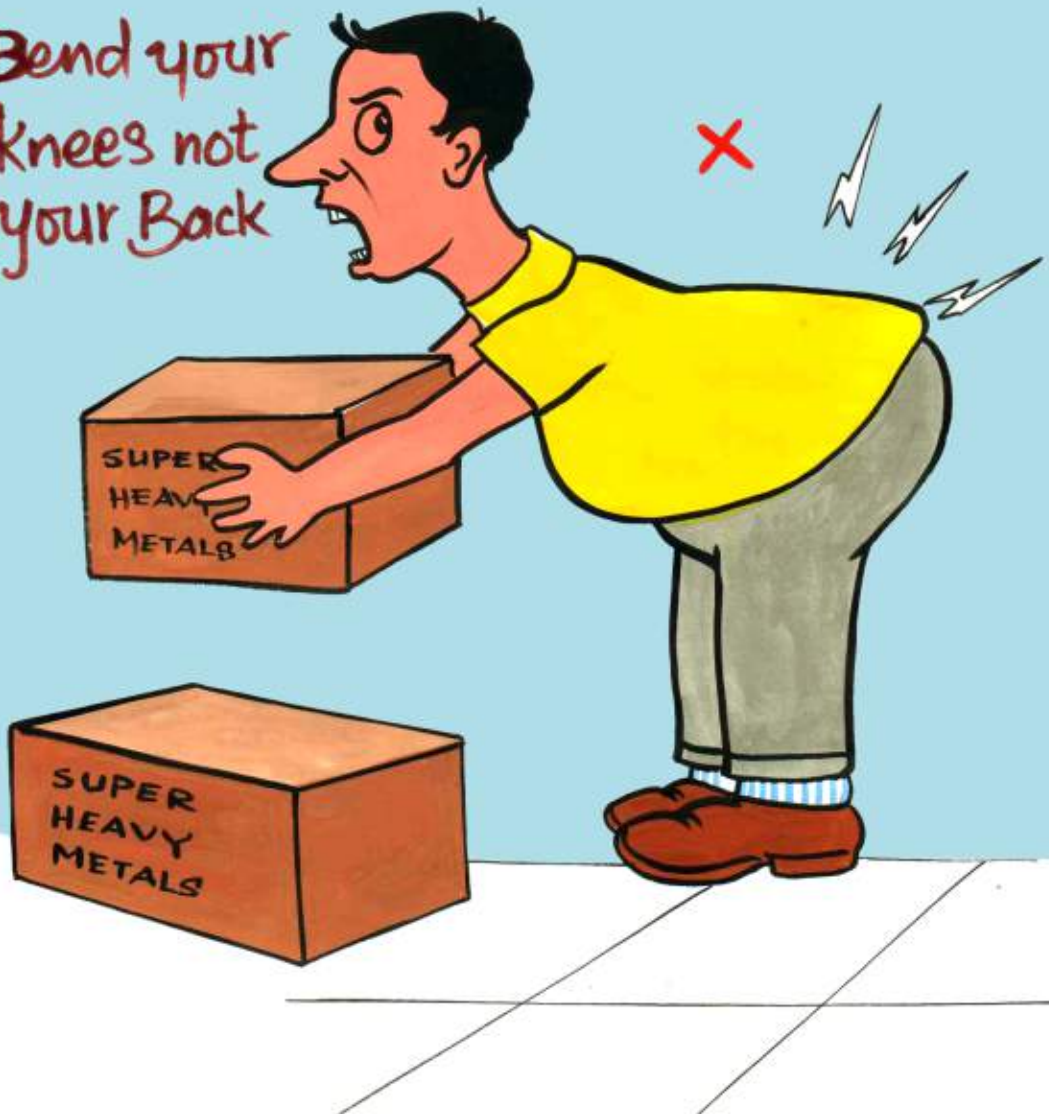


DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



Manual Handling

Bend your
knees not
your Back



DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



**GO
HOME
SAFELY**



**ALWAYS WEAR YOUR
PPE**

DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



FALL PROTECTION

Safety first



DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



WEAR
SAFETY BELTS
WHEN
WORKING AT
HEIGHT

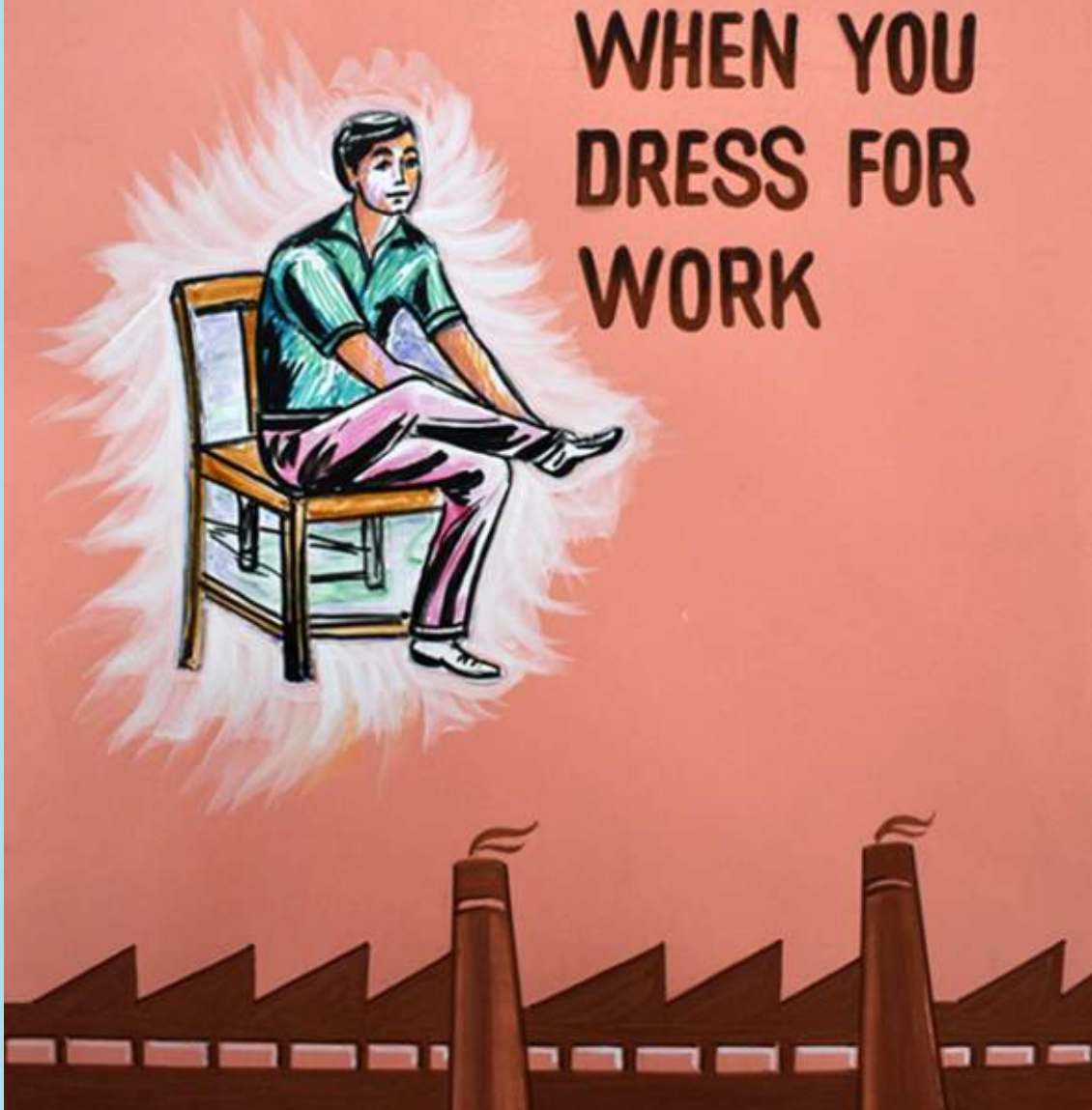


DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
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SAFETY STARTS

WHEN YOU
DRESS FOR
WORK



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WEAR YOUR



PERSONAL
PROTECTIVE
EQUIPMENT

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GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



Wear Your
HELMET



**Protect Your Head
From Falling Objects**

DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



Use Safety
Goggles



Eye Protection
Required

DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT



PROTECT YOUR HANDS



DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT

13.0 TRAINING PROGRAMMES ON OSH

Online Training Programme conducted by DGFASLI Organization

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode	No. of Participants	No. of Organization
1	Training Programme on Heat Stress Amidst COVID-19	Central Labour Institute, Mumbai	Industrial Hygiene Division	11 th August, 2020 (1400-1700 Hrs)	Half a day Online	13	13
2	Training Programme on " Chemical Emergency Preparedness"	Central Labour Institute, Mumbai	MAHCA Division	17 th August, 2020 (10.00 – 13.00 Hrs)	Half a day Online	33	14
3	Training Programme on "Effective Participative Skills in Industries"	Central Labour Institute, Mumbai	Staff Training / productivity	24 th August, 2020 (10.00 – 13.00 Hrs)	Half a day Online	13	04
4	Training Programme on "Safe Use Of Lifting Machines And Lifting Tackles"	Central Labour Institute, Mumbai	Industrial Safety Division	28 th August, 2020 (10.00 – 13.00 hrs)	Half a day Online	43	30
5	Training Workshop for Small / Medium Scale Industries to Improve Productivity, Safety and Working Conditions.	Central Labour Institute, Mumbai	Staff Training / productivity	31 st August, 2020 (10.00 – 13.00 Hrs)	Half a day Online	24	17
6	Training Programme on "Occupational Health for Safety Officers and Occupational Health Personnel"	Regional Labour Institute, Kolkata	Industrial Medicine Division	8 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	15	15
7	Training Programme on Introduction to Occupational and first -aid	Regional Labour Institute, Kanpur	Industrial Medicine Division	11 th September, 2020 (10.00 - 13.00 hrs)	Half a Day Online	50	21
8	Training Programme on Safety Management Systems In Work Place Activities."	Regional Labour Institute, Faridabad	Industrial Safety Division	14 th September, 2020 (10.00 – 13.00 Hrs)	Half a Day	32	26
9	Training Programme on "Safety Audit, its Methodology in Industries."	Regional Labour Institute, Kanpur	Industrial Safety Division	15 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	41	39
10	Training Programme on "Selection And Effective Use Of PPEs In Industries"	Regional Labour Institute, Kolkata	Industrial Hygiene Division	16 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	23	17

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode	No. of Participants	No. of Organization
11	Training Programme on "Occupational Health Practice for Medical Officers"	Regional Labour Institute, Kanpur	Industrial Medicine Division	18 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	37	27
12	Training Programme on "Refresher Course on Occupational Health For Medical Officers"	Central Labour Institute, Mumbai	Industrial Medicine Division	21 st September, 2020 (10.00 – 13.00 hrs)	Half a day Online	21	15
13	Training Programme on Monitoring of Workplace Environment	Regional Labour Institute, Faridabad	Industrial Hygiene Division	22 nd September, 2020 (10.00 – 13.00 hrs)	Half a Day Online	31	28
14	Training Programme on "Accident Reporting & Investigation"	Central Labour Institute, Mumbai	Industrial Safety Division	23 rd September, 2020 (10.00 – 13.00 hrs)	Half a day Online	31	28
15	Training Programme on "Evaluation and Control of Industrial Ventilation"	Central Labour Institute, Mumbai	Work Environment Engineering Division	24 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	14	11
16	Training Programme On "Safety Management"	Central Labour Institute, Mumbai	Industrial Safety Division	28 th September, 2020 (10.00 – 13.00 hrs)	Half a day Online	27	20
17	Occupational Chemical Exposure & Control in Industries and Ports	Regional Labour Institute, Chennai	Industrial Hygiene Division	29 th September, 2020 (10.00-13.00hrs)	Half a day online	08	08
18	Training Programme on Occupational Health & Basic First-Aid for Non-Medical Executives	Regional Labour Institute, Kanpur	Industrial Medicine Division	30 th September, 2020 (10.00–13.00hrs)	Half a day online	50	44
19	Training Programme on "Fire Safety in Factories and Docks"	DGFASLI – HQ	FAS Division	5 th October, 2020 (10.00 – 13.00 hrs)	Half a day Online	26	20
20	Occupational Health in Industries And Ports	Regional Labour Institute, Chennai	Industrial Medicine Division	06 th October, 2020 (10.00 to 13.00 hrs)	Half a day online	14	10
21	Training Programme on "Evaluation and Control of Industrial Noise"	Central Labour Institute, Mumbai	Work Environment Engineering Division	7 th October, 2020 (10.00 – 13.00 hrs)	Half a day Online	25	18
23	Training Programme on Major Accident Hazards Control"	Central Labour Institute, Mumbai	MAHCA Division	9 th October, 2020 (10.00 – 13.00 hrs)	Half a day Online	50	15
24	Training Programme on "The Factories	DGFASLI – HQ	FAS Division	12 th October, 2020	Half a day	37	36

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode	No. of Participants	No. of Organization
	Act, 1948 and Model & State Factories Rules”			(10.00 – 13.00 hrs)	Online		
25	Training Programme on “Management of Work Environmental Hazards in Industries”	Regional Labour Institute, Kanpur	Industrial Hygiene Division	13 th October, 2020 (10.00 – 13.00 hrs)	Half a day Online	35	22
26	Training Programme on “Half A Day Online Training Programme On “Internal Safety Audit”	Regional Labour Institute Kolkata	Industrial Safety Division	14 th October, 2020 (10.00 - 13.00 hrs)	Half a day Online	28	27
27	Training Programme on Occupational Safety And Health For Safety Committee Members	Regional Labour Institute Kolkata	Industrial Safety Division	15 th October, 2020 (10.00 - 13.00 hrs)	Half a day Online	14	08
28	Training Programme on “Safety in lifting appliances and loose gears utilized in factories and Docks”	Regional Labour Institute Chennai	Industrial Safety Division	16 th October, 2020 (10.00 - 13.00 hrs)	Half a day Online	39	25
29	Training Programme on “Effective functioning of Safety committee members in Industries and major Ports.”	Regional Labour Institute Chennai	Industrial Safety Division	19 th October, 2020 (10.00 - 13.00 hrs)	Half a day Online	08	08
30	Training Programme on “Occupational Safety & Health for Safety Committee Members”	Regional Labour Institute, Kanpur	Industrial Safety Division	20 th October, 2020 (1000 – 1300 hrs)	Half a day online	32	22
31	Training Programme on “ OSH Cement Industries”	Regional Labour Institute, Shillong	Industrial Safety Division	23 rd October, 2020 (1000 – 1300 hrs)	Half a day online	35	10
32	Training Programme on “External Safety Audit.”	Central Labour Institute, Mumbai	Industrial Safety Division	27 th , October, 2020 (1000 – 1300 hrs)	Half a day online	48	40
33	Training Programme on “Accident investigation and reporting system in industries and major ports.”	Regional Labour Institute, Chennai	Industrial Safety Division	29 th , October, 2020 (1000 – 1300 hrs)	Half a day online	38	30
34	Training Programme on “Fundamentals of Occupational Health and Occupational Lung Diseases”	Regional Labour Institute, Kanpur	Industrial Medicine Division	10 th November, 2020 (10.00 - 13.00 hrs)	Half a day Online	50	22
35	Training Programme on “Occupational	Regional Labour	Industrial Medicine	11 th November, 2020	Half a day	03	03

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode	No. of Participants	No. of Organization
	Health For Non-Medical Executive and Safety Officers”	Institute, Kolkata	Division	(10.00 - 13.00 hrs)	Online		
36	Training Programme on “Occupational health practices for Nurses and medical assistants working in Occupational Health centre”	Regional Labour Institute, Kanpur	Industrial Medicine Division	12 th November, 2020 (10.00 - 13.00 hrs)	Half a day Online	50	25
37	Training Programme on “Industrial Disasters.”	Regional Labour Institute, Kolkata	Industrial Safety Division	13 th November, 2020 (10.00 - 13.00 Hrs)	Half a day Online	29	19
38	Training Programme on “Safety and health for safety committee members”	Regional Labour Institute, Faridabad	Industrial Safety Division	16 th November, 2020. (10.00 - 13.00 hrs)	Half a day Online	37	8
39	Training Programme on “Safety In Chemical Industries.”	Regional Labour Institute, Chennai	Industrial Safety Division	17 th November, 2020 (10.00 - 13.00 Hrs)	Half a day Online	22	13
40	Training Programme on “Investigation And Prevention of Accidents In Factories And Docks	Regional Labour Institute, Chennai	Industrial Safety Division	18 th November, 2020 (10.00 - 13.00 Hrs)	Half a day Online	16	7
41	Training Programme on “Work Environment Monitoring (WEM) In Industries”	Regional Labour Institute, Chennai	Industrial Hygiene Division	19 th November, 2020 (10.00 - 13.00 Hrs)	Half a day Online	08	08
42	Training Programme on “Management of Workplace Hazards”	Central Labour Institute, Mumbai	Industrial Hygiene Division	20 th November, 2020 (10.00 - 13.00 Hrs)	Half a day Online	50	22
43	Training Programme on “Management of hazardous substances”	Central Labour Institute, Mumbai	MAHCA Division	23 rd November, 2020 (10.00 – 13.00 hrs)	Half a day online	50	30
44	Training Programme on “Principles And Practice of Industrial Hygiene In Industry”	Regional Labour Institute, Kolkata	Industrial Hygiene Division	24 th November, 2020 (10.00 - 13.00 hrs)	Half a Day online	07	03
45	Training Programme on “Dust Exposure and its Assessment at Industrial Workplaces”	Regional Labour Institute Chennai	Industrial Hygiene Division	25 th November, 2020 (10.00 - 13.00 hrs)	Half a day online	11	06
46	Training Programme on “Personal Protective Equipments”	Central Labour Institute Mumbai	NTL/NRTL	26 th November, 2020 (10.00 - 13.00 hrs)	Half a day online	10	08
47	Training Programme	Regional	Industrial	27 th November,	Half a	18	16

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode	No. of Participants	No. of Organization
	on " Material Handling in Industries"	Labour Institute, Kanpur	Safety Division	2020 (10.00 - 13.00 hrs)	day online		
48	Training Programme on "Safety Audit"	Regional Labour Institute, Chennai	Industrial Safety Division	1 st December, 2020 (10.00 - 13.00 hrs)	Half a day online	29	20
49	Training Programme on "Hazard Identification and Risk Assessment"	Regional Labour Institute, Faridabad	Industrial Safety Division	2 nd December, 2020 (10.00 - 13.00 hrs)	Half a day online	41	19
50	Training Programme on "Occupational Lung Diseases"	Regional Labour Institute, Chennai	Medical Division	4 th December, 2020 (10.00 - 13.00 hrs)	Half a day online	17	14

Online Training Programme to be conducted by DGFASLI Organization

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode
1	Training Programme on "Safe use of Hand Tools and Portable power tools in Industries"	Regional Labour Institute ,Chennai	Industrial Safety Division	8 th December, 2020 (10.00 - 13.00 hrs)	Half a day online
2	Training Programme on "Safety Measures for Noise and Vibration in industries"	Regional Labour Institute, Chennai	Industrial Safety Division	9 th December, 2020 (1000 to 1300 hrs)	Half a day online
3	Training Programme on Safety with Hand Tools and Portable Power Tools	Regional Labour Institute, Faridabad	Industrial Safety Division	15 th December, 2020 (1000 to 1300 hrs)	Half a day online
4	Training Programme on "Safety in Use of Cranes, Lifting Appliances / Tackles in Industries"	Regional Labour Institute, Kanpur	Industrial Safety Division	16 th December, 2020 (1000 to 1300 hrs)	Half a day online
5	Training Programme on "Evaluation & Control of Industrial Illumination"	Central Labour Institute, Mumbai	Work Environment Engineering Division	17 th December, 2020 (1000 to 1300 hrs)	Half day online
6	Training Programme on "Effective Promotion of safety, Health and Welfare in industries"	Regional Labour Institute, Kanpur	Industrial Safety Division	18 th December, 2020 (1000 to 1300 hrs)	Half a day online
7	Training Programme on "Safety and Productivity"	Central Labour Institute, Mumbai	Staff Training/ Productivity Division	22 nd December, 2020 (1000 to 1300 hrs)	Half a day online
8	Training Programme on "Management of Heat Stress in Industries"	Regional Labour Institute, Kanpur	Industrial Safety Division	23 rd December, 2020 (1000 to 1300 hrs)	Half a day online
9	Training Programme on "External Safety Audit"	Central Labour Institute, Mumbai	Industrial Safety Division	24 th December, 2020 (1000 to 1300 hrs)	Half day online
10	Training Programme on "Occupational Health, Hygiene and Safety in Industries and Ports."	Regional Labour Institute, Kanpur	Industrial Medicine Division	5 th January, 2021 (1000 to 1300 hrs)	Half day online
11	Training Programme on "Safety, Health and Environment at work place in hazardous Processes"	Central Labour Institute, Mumbai	Industrial Safety Division	6 th January, 2021 (1000 to 1300 hrs)	Half day online
12	Training Programme on "Evaluation and Control of Industrial Vibration"	Central Labour Institute, Mumbai	Work Environment Engineering Division	8 th January, 2021 (1000 to 1300 hrs)	Half day online
13	Training Programme on "Medical Surveillance for	Regional Labour	Industrial Medicine	12 th January, 2021	Half day online

Sl. No.	Name of programme	Institute	Division	Date	Duration /Mode
	Prevention of Occupational Diseases.”	Institute, Kanpur	Division	(1000 to 1300 hrs)	
14	Training Programme on “Management of Heat Stress in Industries.”	Regional Labour Institute, Kanpur	Industrial Hygiene Division	13 th January, 2021 (1000 to 1300 hrs)	Half day online
15	Training Programme on “Management of Physical and Chemical Hazards in Industries.”	Regional Labour Institute, Kanpur	Industrial Safety Division	15 th January, 2021 (1000 to 1300 hrs)	Half day online
16	Training Programme on “Work Environmental Monitoring in Industries”	Regional Labour Institute, Kanpur	Industrial Hygiene Division	19 th January, 2021 (1000 to 1300 hrs)	Half day online
17	Training Programme on “Machine Safety.”	Regional Labour Institute, Kanpur	Industrial Safety Division	27 th January, 2021 (1000 to 1300 hrs)	Half day online
18	Training Programme on “Occupation Safety and Health in Cement Factories.”	Regional Labour Institute, Shillong	Industrial Safety Division	28 th January, 2021 (1000 to 1300 hrs)	Half day online
19	Training Programme on “Safety Engineering.”	Regional Labour Institute, Kanpur	Industrial Safety Division	29 th January, 2021 (1000 to 1300 hrs)	Half day online

For any queries or information, please write to cli-training@dglasli.nic.in

14.0 FORTHCOMING EVENTS ON OSH

Forthcoming International Events on OSH (January – July, 2021)

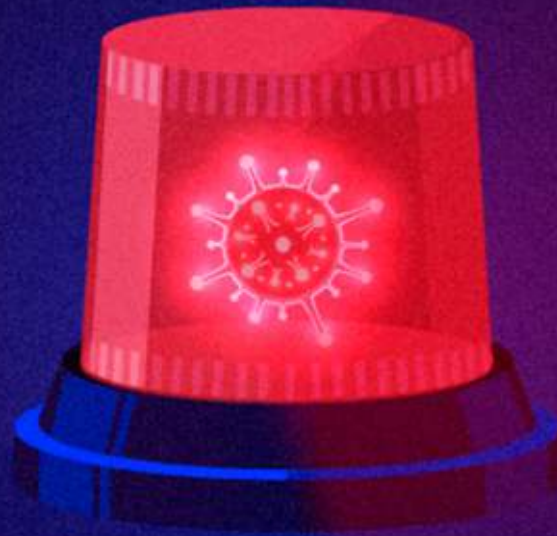
S.No	Name	Date	Place	Sponsored Organisation	Contact Detail
1	Changing Landscape of UK Fire Safety and Rescue Services	18 th February 2021	Virtual	Government Events, UK	https://firesafetyrescue.co.uk
2	The Power of Thought – Critical Thinking for Occupational Health and Safety Professionals	25 th February 2021	Virtual	American Industrial Hygiene Association (AIHA), Falls Church, Virginia	www.aiha.org
3	20th International Conference on Environmental Toxicology and Ecological Risk Assessment	04 th -05 th March, 2021	Virtual	Conference Series LLC Ltd, London	https://www.conferenceseries.com
4	North Africa conference on gender equality in the world of work	9 th -11 th March, 2021	Cairo, Egypt	ILO, Geneva	https://www.ilo.org
5	4th International Conference on Natural Hazards and Disaster Management	15 th -16 th March, 2021	Virtual	Conference Series LLC Ltd, London	https://www.conferenceseries.com
6	ICOH 2021 Congress	21 st -26 th March, 2021	Melbourne, Australia	ICOH Congress, Australia	www.icoh2021.org
7	NSC Safety Congress & Expo	29 th -31 st March, 2021	Virtual	National Safety Council, America	https://congress.nsc.org
8	Florida Chamber Safety Council Annual Conference & Expo	29 th -31 st March, 2021	Disney Coronado Springs Resort, Florida	Florida Chamber Safety Council	https://www.flchamber-safety.com
9	50th Annual New Hampshire Safety & Health Conference	06 th -07 th April, 2021	Virtual	National Safety Council, Northern New England	https://www.nscnne.org
10	4th World Congress on Environmental Toxicology and Health Safety	12 th -13 th April, 2021	Virtual	Conference Series LLC Ltd, London	https://www.conferenceseries.com
11	International Conference on Workplace Safety and Health Policy (ICWSHP)2021	15 th -16 th April, 2021	Digital Mode	World Academy of Science, Engineering and Technology (Waset)	https://waset.org
12	2021 Labor Relations / Human	22 nd -23 rd April, 2021	Royal Sonesta	American Fuel & Petrochemical Manufacturers	https://www.afpm.org

	Resources Conference		Houston, US	(AFPM), Washington	
13	American Occupational Health Conference	02 nd -05 th May, 2021	Virtual	American College of Occupational and Environmental Medicine, USA	https://10times.com
14	Occupational Health and Safety Conference	12 th -13 th May, 2021	Virtual	Safety Services Manitoba, Canada	https://10times.com
15	The Vision Zero Safety Future Summit	12 th -14 th May, 2021	Lloret de Mar, Spain	ETALON Association	https://osha.europa.eu/en/oshevents/vision-zero-safety-future-summit
16	2021 International Petrochemical Conference	23 rd -25 th May, 2021	Grand Hyatt San Antonio, San Antonio, TX	American Fuel & Petrochemical Manufacturers (AFPM), Washington	https://www.afpm.org
17	AIHce EXP 2021	24 th -26 th May, 2021	Virtual	American Industrial Hygiene Association (AIHA), Falls Church, Virginia	www.aiha.org
18	2nd Global Summit on Earth Science and Climate Change	7 th -8 th June, 2021	Prague, Czech Republic	Conference Series LLC Ltd, London	https://earthscience.conferenceseries.com
19	109th Session of the International Labour Conference	7 th -18 th June, 2021	Geneva	ILO, Geneva	https://www.ilo.org
20	Safety & Health Expo 2021	12 th -14 th July, 2021	ExCeL London	The Informa Markets Division of Informa PLC, London	https://www.safety-health-expo.co.uk
21	FIREX International Expo	12 th -14 th July, 2021	ExCeL London	The Informa Markets Division of Informa PLC, London	https://www.firex.co.uk



International
Labour
Organization

▶ Anticipate, prepare
and respond to crises



**INVEST NOW
IN RESILIENT
OSH SYSTEMS**

**World Day for Safety
and Health at Work**

28 April 2021

ilo.org/safeday

LIST OF OFFICES OF INSPECTORATE DOCK SAFETY (IDS)

Sl. No.	Inspectorate Dock Safety office address	Office Tel. / Fax No. and email ID
1.	Chief Inspectorate Dock Safety, Mumbai N.S. Mankikar Marg, Sion, Mumbai - 400022	Office Tel.: 022-24060609 022-24074358 Email : fasli@dgfasli.nic.in
2.	Inspectorate Dock Safety, Mumbai MbPT OSC Bldg., 3 rd Floor, Opp GPO, P. D'Mello Road, Mumbai- 400038	Office Tel.: 022 – 22692180 66565511/58 Fax: 022-22613391 Email : idsmumbai@dgfasli.nic.in
3.	Inspectorate Dock Safety, Kandla Near Bunder Gate, Kandla Port, New Kandla, Post Box No.18,Dist Kutch, Pin – 370210, Gujarat.	Office Tel.: 02836 - 270249 Fax: 02836 - 270249 Email : idskandla@dgfasli.nic.in
4.	Inspectorate Dock Safety, Mormugao Civil Maintenance Office Building Mormugao Port Trust, Headland Sada, Mormugao, Goa- 403804.	Office Tel.: 0832-2520752 Fax: 0832 – 2520752 Email : idsmormugao@dgfasli.nic.in
5.	Inspectorate Dock Safety, Kolkata Nizam Palace, 1 st floor, 2 nd M.S.O. Bldg. 234/4 A.J.C. Bose Road, Kolkata-700020.	Office Tel.: 033-2830718/22830719 Fax: 033-22830718 Email : idskolkata@dgfasli.nic.in
6.	Inspectorate Dock Safety, Paradip Badapadia, Post Box NO.126 Paradip – 754142, Orissa.	Office Tel.: 06722-222413 Fax: 06722- 222413 Email : idsparadip@dgfasli.nic.in
7.	Inspectorate Dock Safety, Visakhapatnam Ex. D.L.B. Bldg., 5 th Floor, Visakhapatnam Port Area, Visakhapatnam-530 035.	Office Tel.: 0891-2563857 Fax no. : 0891-2563857 Email : idsvizag@dgfasli.nic.in
8.	Inspectorate Dock Safety, Chennai 3 rd Floor, Anchor Gate Bldg., Rajaji Salai, Chennai – 600 001.	Office Tel.: 044- 25220888, 25246419 Fax: 044-25220888 Email : idschennai@dgfasli.nic.in
9	Inspectorate Dock Safety, Tuticorin Tuticorin Port Trust, Admin. Office Bldg. Harbour Estate, Tuticorin – 628004.	Office Tel.:0461-2352372 Fax: 0461- 2352372 Email : idstuticorin@dgfasli.nic.in
10.	Inspectorate Dock Safety, Kochi C.D.L.B. Dispensary Bldg., G.V.Ayyar Road, Willington Island, Cochin – 682 003.	Office Tel.: 0484-2666532 Fax: 0484-2666532 Email : idscochin@dgfasli.nic.in
11.	Inspectorate Dock Safety, New Mangalore New Mangalore Port, Panambur, New Mangalore – 575010.	Office Tel.: 0824-2407781 Fax: 0824- 2407781 E-mail : idsmangalore@dgfasli.nic.in
12.	Inspectorate Dock Safety, Navi Mumbai Jawaharlal Nehru Port Trust, P.O.C. Canteen Bldg., Ground Floor, Sheva, Navi Mumbai – 400 707.	Office Tel.: 022-27245099 022-67815099 022-24060510 Fax: 022-22623391 Email : idsjnpt@dgfasli.nic.in

LOCATION MAP OF DGFASLI ORGANIZATION



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