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## LABOUR & E.S.I. DEPARTMENT

### NOTIFICATION

The 1st July, 2021

**No. LESI-LL2-LABGNC-0002-2019- 5556 /LESI.**— The following draft of certain rules which the State Government proposes to make in exercise of the powers conferred by Sections 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and in supersession of, —

- (1) the Odisha Factories Rules, 1950;
- (2) the Odisha Motor Transport Workers Rules, 1966;
- (3) the Odisha Beedi and Cigar Workers (Conditions of Employment) Rules, 1969;
- (4) the Odisha Contract Labour (Regulation and Abolition) Rules, 1975;
- (5) the Odisha Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980; and
- (6) the Odisha Building and Other Construction Workers (Regulation of Employment and Condition of Services) Rules, 2002,

except as respects things done or omitted to be done before such supersession, is hereby published, as required under sub-section (1) of Section 133 and sub-section (1) of Section 135 for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the State Government after the expiry of a period of forty-five days from the date of publication of this notification in the *Odisha Gazette*;

Objections and suggestions, which may be received from any person in respect of the said draft before expiry of the period so specified above, will be considered by the State Government;

Objection and suggestion, if any, may be addressed to the Labour Commissioner, Odisha, Shrama Bhawan, Unit-III, Kharvel Nagar, Bhubaneswar ([labcom.orissa@gmail.com](mailto:labcom.orissa@gmail.com)) and the Principal Secretary to Government of Odisha, Labour & ESI Department, Kharavel Bhawan, Bhubaneswar ([labsec.or@gmail.com](mailto:labsec.or@gmail.com)) and shall be sent in a proforma containing column (1) specifying the name and address of the person or organization and column (2) specifying the chapter and rule or sub-rule which is proposed to be modified and column (3) specifying the revised rule or sub-rule proposed to be substituted and column (4) reasons therefor.

**Draft**  
**CHAPTER-I**  
**PRELIMINARY**

**1. Short title, extant and commencement** — (1) These rules may be called the Odisha Occupational Safety, Health and Working Conditions Rules, 2021.

(2) They extend to the whole State of Odisha.

(3) They shall come into force on the date of their publication in the *Odisha Gazette*.

- 2. Definitions.**— (1) In these rules, unless the subject or context otherwise requires,
- (a) “appellate officer” means the officer as notified by the State Government under section 4 and include the appellate authority to be notified by the State Government under sub-section (6) of Section 119;
  - (b) “Authority” means an Authority designated by the State Government under sub-section (1) of Section 119;
  - (c) “Board” means the Odisha Occupational, Safety and Health Advisory Board constituted under section 17;
  - (d) “Chief Inspector–cum-Facilitator” means the Chief Inspector-cum-Facilitator appointed by the State Government under sub-section (5) of Section 34;
  - (e) “Code” means the Occupational Safety, Health and Working Conditions Code, 2020;
  - (f) “Compounding Officer” means an officer notified by the State Government under section 114;
  - (g) “electronically” means any information submitted by digital mode or uploading on the designated portal or digital payment in any mode for the purpose of the Code;

- (h) “Enquiry Officer” means the Officer appointed by the State Government for holding enquiry under section 111;
- (i) “Form” means a form annexed to these rules;
- (j) “Inspector-*cum*-Facilitator” means Inspector-*cum*-Facilitator appointed by the State Government under sub-section (1) of Section 34;
- (k) “Major Accident Hazard (MAH) installations” means a factory defined in rule 2(ja) of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 (MSIHC);
- (l) “Manager” means a person nominated or appointed by the employer of the establishment for the purposes of the Code and rule;
- (m) “Registering officer” means the registering officer appointed by the State Government for purpose of these rules;
- (n) “section” means the section of the Code;
- (o) “Schedule” means a Schedule annexed to these rules;
- (p) “State Government” means the Government of Odisha.
- (q) “Social Security Fund” means Odisha Unorganised Workers’ Social Security Fund established under the Code on Social Security, 2020.

(2) The words and expressions used in these rules but not defined shall have the same meaning as respectively assigned to them in the Code.

**3. Income from the sources under explanation to clause (x) of sub section (1) of Section 2.-** A member of the family having income up to Rupees five thousand per month from all sources or any other income notified by the Employees State Insurance Corporation (ESIC) for the purpose of availing medical benefit under the scheme, shall be included as dependent for the purpose of these rules.

## **CHAPTER-II**

### **REGISTRATION**

**4.Application for registration under section 3.—** (1)(i) The employer seeking registration for an establishment not already registered shall apply electronically in Form-I on the designated portal of the State Government by giving details about the establishment, and uploading documents related to registration of the establishment, proof of Identity and address of the employer(s) as specified in the Form and shall be accompanied by the fees, as notified by the State Government by notification from time to time, to be deposited electronically:

Provided that the registering officer may entertain any such application for registration after the expiry of sixty days from the date of applicability of the Code, on payment of an additional fee of twenty five percent, of the fees payable for registration.

- (ii) The said Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.
- (iii) The Permanent Account Number (PAN) of the applicant or the establishment allotted under the Income Tax Act., 1961 or any other unique number allotted to the establishment under any other Act. for the time being in force or any other particular furnished in the Form, may be verified online.
- (iv) The certificate of registration shall be issued in Form-II electronically immediately if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated:

Provided that in exceptional circumstances the State Government may, for such period, by notification, dispense with requirement of electronic registration, in respect of establishment or class of establishment, for part or whole state, and submission of application in Form-I so provided, may be allowed.

- (v) The certificate of registration shall be non-transferable and a copy of the certificate of registration shall be displayed in the premises of the establishment at the conspicuous place(s) in hard copy or electronically.

(2) The registering officer under the Code may direct the employer who fails to comply with the requirements of sub-rule (1), to comply such requirements within the time stated in such direction and such employer shall thereupon comply with the instruction issued by such officer in this behalf.

(3) The employer in respect of an establishment already registered under any State labour law for the time being in force shall, update the registration particulars on the designated portal of the State Government, within six months from the date on which the Code is applicable to the establishment.

(4) Any registration obtained by providing wrong information shall be liable to be cancelled provided that establishment has been given an opportunity to show cause within

a period of thirty days, electronically or by registered post or by speed post, as to why the certificate of registration should not be cancelled.

(5) The employer shall quote the Registration Number on all documents prepared or completed by him in connection with the Code or the Rules or the Regulations or the Scheme, as the case may be, made there under and in all correspondence with the office concerned.

(6) Any change in the ownership, management or any particular furnished in Registration Form submitted on the specified portal, shall be updated on the portal by the employer within thirty days of such change.

(7) The employer of an establishment, to which the provisions of the Code apply and whose business activities are in process of closure, may apply for cancellation of registration online on the designated portal of the State Government after giving complete details of the dues payable under the Central Labour Codes or State labour laws for the time being in force:

Provided that no such application for cancellation of registration shall be entertained unless the employer has furnished all statutory returns, paid all statutory dues under the Central labour Codes and any other Central or State labour laws for the time being in force and submitted a self-certification to that effect along with the application.

(8) The registering officer shall maintain a register of establishment electronically in Form-III showing the particulars of establishment in relation to which certificates of registration have been issued by him.

(9) The employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-*cum*-Facilitator, having jurisdiction in the area where the proposed establishment is situated or as the case may be, the work is to be executed, intimating the actual date of the commencement, completion of work and cessation of establishment, as the case may be, in Form-IV electronically and the same shall be auto-shared to the Employees' Provident Fund Organization (EPFO) and the Employees' State Insurance Corporation (ESIC).

**5. Appeal under section 4.—** (1) The employer aggrieved by the order of Registering Officer, may appeal against such order before the appellate officer appointed by the State Government for such purpose within thirty days from the date of receipt by him of such order, electronically or by registered post or by speed post.

(2) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form or in case there is no provision for electronic form, otherwise, to be kept for the purpose called the register of appeals.

(3) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the registering officer, against whose order the appeal has been preferred and the registering officer shall thereupon send the records of the case to the appellate officer online electronically or by registered post or by speed post.

(4) On receipt of the appeal, the appellate officer shall send a notice electronically or by registered post or speed post to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal. If the appellant is present when the appeal is called on for hearing, the appellate officer shall proceed to hear the appellant or his authorised agent and any other person summoned for this purpose, and pronounce judgement on the appeal confirming, reversing or varying the order appealed against the appeal is preferred.

**6. Notice of commencement and cessation of operation under sub-section (1) of Section 5.-** The employer of every establishment being factory or relating to contract labour or building or other construction works shall within thirty days of the commencement or cessation of operation, submit to the registering officer in Form-IV, electronically and the notice of cessation of operation shall be enclosed with a certificate that the payment of all dues to the workers employed in the establishment which is a factory have been made and the premises are kept free from storage of hazardous chemicals and substances.

### **CHAPTER-III**

#### **DUTIES OF EMPLOYER AND EMPLOYEE**

**7. Annual Health Examination of employees under clause (c) of sub-section (1) of Section 6.—** Every employer of an establishment being a factory, building or other construction work, beedi and cigar establishment and minor dock shall arrange to conduct free of cost, medical examination for every employee drawing wages equal to or less than ceiling specified under the Social Security Code, 2020 (36 of 2020) to become the member of Employees' State Insurance Corporation (ESIC) once in a calendar year who has completed 40 years of age. The medical examination shall be conducted by a qualified medical practitioner as per tests specified in the Form-V. The Medical Examination

Certificate shall be submitted by the qualified medical practitioner to the concerned employer and employee in Form-V.

Provided that an employer may avail facility for medical examination of the employee(s) under relevant rule of Social Security Code Rules, 2021 through Employees' State Insurance Corporation (ESIC).

**8.Letter of appointment to employee under clause (f) of sub-section (1) of Section 6.-** No employee shall be employed in any establishment unless he has been issued a letter of appointment in the format given below:

Provided that, an employee who has not been issued an appointment letter containing the required particulars, shall be issued an appointment letter within three months of coming into force of this rule.

#### **Format**

- (ii) Name of employee:
- (iii) Father's name:
- (iv) Aadhaar number:
- (v) Labour Identification Number (LIN) of the establishment:
- (vi) Universal Account Number (UAN) or Insurance Number (ESIC) (if available):
- (vii) Designation:
- (viii) Category of skill:
- (ix) Date of joining:
- (x) Wages/Basic/Pay and Dearness Allowance:
- (xi) Other allowance including accommodation whichever is/are applicable:
- (xii) Avenue for achieving higher wages or higher position:
- (xiii) Applicability of social security Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC) benefits:
- (xiv) Health check-up:
- (xv) Broad Nature of duties to be performed:
- (xvi) Any other information:

Signature of occupier or employer or owner or agent or manager

**9.Notice of accidents and dangerous occurrences under sub-section (1) Section 10 and Section 11.-** (1) Where at any place in an establishment which is a factory, minor dock work or building or other construction work, an accident occurs which results in the death of any person, the employer or occupier or manager of the

establishment shall forthwith send a notice thereof in Form-VI electronically and inform by telephone to the Inspector-cum-Facilitator and Chief Inspector-cum-Facilitator and District Magistrate or Sub-Divisional Officer, the officer-in-charge of the nearest police station; and the family members of the injured or deceased person.

(2) Where at any place in an establishment which is factory, dock work, building or other construction work, an accident occurs which results in 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, the employer or occupier or manager of the establishment which is a factory shall forthwith send a notice in Form-VI within twelve hours after the completion of forty eight hours, electronically to the Inspector-cum-Facilitator.

(3) Wherein an establishment which is a factory or building or other construction work or minor dock, there is any dangerous occurrence as specified in the Schedule annexed hereto, whether causing any bodily injury or disability or not, a notice in Form-VI shall within twelve hours be sent to:

- (a) The Inspector-cum-Facilitator;
- (b) The District Magistrate or Sub-Divisional Magistrate;
- (c) The Chief Inspector-cum-Facilitator
- (d) Divisional / Joint Labour Commissioner having jurisdiction
- (e) the relatives of the injured or deceased person :

Provided that if in the case of an accident or dangerous occurrence, death occurs to any person injured by such accident or dangerous occurrence after the notices and reports referred to in the foregoing sub-rules have been sent, the employer or occupier or manager of the establishment which is a factory, minor dock or other construction work shall forthwith send a notice thereof by telephone and electronically to the authorities and persons mentioned in sub-rules (1) and (2) and also have this information confirmed in writing within 12 hours of the death:

Provided further that, if the period of disability from working for 48 hours or more referred to in sub-rule (2) does not occur immediately following the accident, or the dangerous occurrence, but later, or occurs in more than one spell, the report referred to shall be sent to the Inspector-cum-Facilitator in the Form- VI within 24 hours following the hours when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes 48 hours.



## **SCHEDULE**

The following classes of dangerous occurrences, whether or not they are attended by personal injury or disablement, namely :—

- (i) Bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.
- (iii) Explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;
- (iv) Explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
- (v) Collapse or failure of lifting appliances or hoist or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears; overturning of cranes used in building or other construction work; falling of objects from height;
- (vi) Collapse of any wall, floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;
- (vii) Spillage or leakage of hazardous substances and damage to their container;
- (viii) Collapse, capsizing, toppling or collision of transport equipment within the establishment;
- (ix) Fall from height of any excavation, loading or transport machinery;
- (x) An instantaneous failure of a pillar, part of a pillar or several pillars of coal (i.e. a bump) in working below ground;
- (xi) A rock-burst in working belowground; a premature collapse of any part of the working;
- (xii) A breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;
- (xiii) Failure of dump or side in opencast working; a blowout;

- (xiv) A failure of any structure or installation whereby the safety of persons may be endangered; or spark generated due to electrical flash-over causing burn injury to any person; a major uncontrolled emission of petroleum or chemical spillage;

**10. Notice of disease under sub-section (1) and (2) of Section 12.-** (1) A notice in the following format shall be sent forthwith electronically, to the Inspector-*cum*-Facilitator or Chief Inspector-*cum*-facilitator, by the employer or occupier or manager of an establishment in which there occurs any disease as notified under the Third Schedule of the Code.

#### **NOTICE OF DISEASE**

- (1) Name and address the employer or Occupier or Manager
- (2) Name and address of establishment:
- (3) Nature of establishment:
- (4) Details of Patient:
  - i. Name of Patient:
  - ii. Worker number of Patient:
  - iii. Address of patient:
  - iv. Precise occupation of patient:
- (5) Nature of disease from which patient is suffering:
- (6) Date of detection of disease:
- (7) Details of medical practitioner:
- (8) Has the case been reported to the Medical Officer:

Date:

Signature of employer or occupier or manager

(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 qualified medical practitioner shall without delay send a report in writing to the office of the Chief Inspector-*cum*- facilitator stating-

- (a) the name and full postal address of the patient,
- (b) the disease from which he believes the patient to be suffering, and
- (c) the name and address of the establishment in which the patient is or was last employed.

**11.Duties of employee under clause (d) and (g) of Section 13.-** If an employee comes to know that of any unsafe or unhealthy condition in the establishment, he shall report to the employer, health and safety representative or safety officer, as soon as practicable, electronically or by registered post or speed post.

**12.Rights of Employee under sub-section (3) of Section 14.—** On receipt of information from the employee relating to the existence of an imminent danger to their safety and health, the employer shall take immediate remedial action in this regard. The employer whether satisfied or not, shall send a report forthwith of such actions taken, to the Inspector-cum-facilitator electronically or by registered post or speed post.

## **CHAPTER-IV OCCUPATIONAL SAFETY AND HEALTH**

**13. State Occupational Safety and Health Advisory Board under sub-section (2) of Section 17.-** (1) Constitution. - The State Occupational Safety and Health Advisory Board shall consist of the following members to advise the State Government on such matters arising out of the administration of this code.

- (a) Secretary, Labour & ESI Department, Odisha ---- Chairman
- (b) Labour Commissioner, Odisha ---- Member
- (c) Special / Additional Secretary, Labour & ESI Department, Odisha ---- Member  
Secretary
- (d) Director of Factories & Boilers, Odisha ---- Member (*ExOfficio*)
- (e) Member Secretary, Odisha State Pollution Control Board ---- Member (*ExOfficio*)
- (f) Deputy General Director, Mines Safety ---- Member
- (g) Deputy Chief Controller of Explosive ---- Member
- (h) Director, ESI Scheme, Odisha ---- Member
- (i) Director, Health Services, Odisha ---- Member
- (j) Two representatives of employers nominated by the State Government ----  
Member
- (k) Two representatives of employees nominated by the State Government ----  
Member
- (l) A representative of professional body associated with the matter for which standards, rules, policies being framed nominated by the State Government ----  
Member

(m) Two eminent persons connected with the field of Occupational Safety and Health, or representatives of reputed research institutions or similar other discipline nominated by the State Government ---- Member

(n) Special invitees for seeking inputs in specific matter nominated by the State Government.

(2) The State Board may meet as often as necessary to discharge the functions as specified in Section 17(1) of the Code.

(3) Resignation.—

(i) A Member of the State Board, not being an *exofficio* member, may resign his office by a letter in writing addressed to the Chairperson of the State Board.

(ii) The seat of such a Member shall fall vacant from the date on which his resignation is accepted by the State Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the State Government whichever is earlier.

(4) Cessation of membership.- If any Member of the State Board, not being an *exofficio* member, fails to attend three consecutive meetings of the State Board, without obtaining the leaves sanctioned by the Chairperson of State Board for such absence, he shall cease to be a member of State Board:

Provided that the State Government may, if it is satisfied that such Member was prevented by sufficient cause from attending three consecutive meetings, direct that such cessation shall not take place and on such direction being made, such Member shall continue to be a Member of State Board.

(5) Disqualification for Membership.- A person shall be disqualified for being a Member of the State Board,—

- (i) if he is of unsound mind and stands so declared by a competent authority;
- (ii) if he is an un-discharged insolvent; or
- (iii) if he has been convicted for an offence, having a penalty of imprisonment of three months or more;

(6) Removal from Membership.- The State Government may remove any Member of the State Board, if in its opinion such Member has ceased to represent the interest which he purports to represent on such State Board:

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making presentation against the proposed action under this rule.

(7) Travelling Allowance for Members.-

- i. The travelling allowance of an official Member of the State Board shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.
- ii. The non-official Members of the State Board shall be paid travelling allowance for attending the meeting of the State Board at such places as per the instructions issued by Finance Department, Government of Odisha from time to time.

(8) Technical committees or Advisory committees.- The State 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 State Government, to assist the State Government or State Advisory Board in discharge of their functions relating to the area falling within their respective jurisdictions.

**14. Safety Committee under Section 22.—** (1) In every establishment:-

- a) wherein 250 or more employees are ordinarily employed; or
- b) which carried on any process of operation declared to be dangerous under section 82 of the Code or
- c) which carried on 'hazardous process' as defined under section 2(1)(zb) of the Code, a Safety Committee shall be constituted.

(2) The tenure of the safety committee shall be for three years. The safety committee shall meet at least once in every month.

(3) Safety Committee shall have the right to be adequately and suitably informed of –

- (a) potential safety and health hazards to which the workers may be exposed at workplace;
- (b) data on accidents as well as data resulting from surveillance of the working environment and of the health of employees, conducted at such establishments.

(4) The owner, employer, occupier, agent or manager shall, within a period of 15 days from the date of receipt of the recommendations of the Safety Committee shall take action to implement the recommendations.

**15. Composition of Safety Committee.—** (1) The representatives of the management on Safety Committee, shall consist of-

- (a) a senior official, who by his position in the establishment can contribute effectively to the functioning of the Committee, shall be the Chairman;

(b) a Safety Officer and Medical Officer wherever available and the safety officer in such a case shall be the Secretary of the Committee ; and

(c) A representative each from the production, maintenance and purchase departments.

- (2) (i) the Safety Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed twenty;
- (ii) the representatives of the employer in the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials in direct touch with or associated with the working of the establishment, preferably the heads of major departments of the establishment;
- (iii) the representative of the workers in the Safety Committee shall be chosen in the following manner, namely:-

(a) where there is a sole negotiating union or negotiating union under sub-section (2) or sub-section(3) of Section 14 or a negotiating council under sub-section(4) of that Section 14 of the Industrial Relations Code,2020 (35 of 2020) or negotiating union or under said sub-section (3) negotiating council, as the case may be, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(b) where there is no such sole negotiating union or negotiating union or negotiating council as referred to the clause (a), the workers of the industrial establishment shall choose amongst themselves the worker's representatives on the Safety Committee:

Provided that, the employer may, deploy an electronic process of conducting the process of choosing representative of workers over an information technology application, online platform or like other platform under:

Provided further that there shall be adequate representation of women workers on the Safety Committee and such representation shall not be less than the proportion of women workers to the total number of workers employed in the industrial establishment:

Provided further that the tenure of the members of the Safety Committee shall be three years.

Provided also that in case there is no recognized both negotiating union or negotiating council and where any dispute arises regarding choosing of the worker's representative to the Safety Committee, the matter may be referred to the concerned Joint

Labour Commissioner having jurisdiction, who shall after hearing the parties decide the matter and his decision shall be final.

(3) The minutes of the meeting of the Safety Committee constituted under sub-rule (1) shall be recorded and sent to the Inspector-*cum*-Facilitator having jurisdiction.

(4) Function and duties of the Safety Committee in an establishment shall include –

(a) assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Safety and Health Policy' of the establishment;

(b) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problems encountered;

(c) creating safety awareness amongst all workers;

(d) undertaking educational, training and promotional activities;

(e) discussing reports on safety, environmental and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports;

(f) looking into the matters likely to cause danger to the safety and health of the workers and suggest corrective measures; and

(g) Reviewing the implementation of the recommendations made by it.

**16. Function and duties of the Safety Committee** – The following are the functions and duties of the Safety Committee, namely:-

(a) Assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Health and Safety Policy' of the establishment;

(b) Dealing with all matters concerning health safety and environment and to arrive at solutions to problems encountered;

(c) Creating safety awareness amongst all employees;

(d) Undertaking educational, training and promotional activities;

(e) Discussing reports on safety, environment and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports;

(f) Carrying out health and safety surveys and identify causes of accidents

(g) Looking into any complaint made on the likelihood of an imminent danger to the safety and health of the employees and suggesting corrective measures;

(h) Reviewing the implementation of the recommendations made by it.

(i) To discuss the report of inquiry into accident, dangerous occurrences etc. and make appropriate recommendation;

(j) To formulate and implement appropriate safety campaign based on analysis of accidents and dangerous occurrences;

(k) To serve as a forum for communication on Safety and occupational health matter; and

(l) To discuss the Standard Operating Procedures prepared for different operations. Where owing to the size of the establishment, or any other reason, the functions referred to in sub-rule.

**17. Safety Officer for Factory, Dock Works and Building or Other Construction Works.-** (1) In every establishment of dock work wherein 500 or more workers, building and other construction work wherein 250 or more workers, factories wherein 500 or more workers and factories involving any hazardous process as per clause (zb) of Section 2 or any operation declared to be dangerous under Section 82 wherein 250 or more workers are ordinarily employed, the employer/ occupier shall employ Safety Officer as per the scale mentioned below:-

**(i) For dock work-**

- a. up to 1000 Dock Workers — one Safety Officer;
- b. up to 2000 Dock Workers – two Safety Officers;
- c. up to 5000 Dock Workers – three Safety Officers;
- d. up to 10,000 Dock Workers –four Safety Officers;
- e. for every additional 5000 dock workers or part thereof- one Safety Officer.

**(ii) For Building or Other Construction works-**

- a. Up to 500 Building Workers- one Safety Officer;
- b. up to 1000 building workers – two Safety Officers;
- c. up to 2000 building workers – three Safety Officers;
- d. up to 5,000 building workers –four Safety Officers;
- e. for every additional 2000 building workers or part thereof- one Safety Officer.

**(iii) For Factories–**

**In every establishment which is a**

- i) factory wherein Five Hundred or more workers, or
- ii) Factory carrying on hazardous process wherein two hundred fifty workers or more
- iii) building and other construction work wherein two hundred and fifty workers or more are ordinarily employed or:
- iv) Major Accident Hazard installation irrespective of number of workers therein,
- v) not less than one safety officer shall be appointed by the employer.

Provided that,-



(a) for a factory specified in sub-clause (i), one additional safety officer shall be appointed if number of workers employed are more than 1000 but not exceeding to 1500. And another safety officer shall be appointed for every additional 1000 workers or part thereof .

(b) for an establishment specified in sub-clause (ii), one additional safety officer shall be appointed if number of workers employed are more than 500 but not exceeding 750. And another safety officer shall be appointed for every additional 500 workers or part thereof.

(2) A person shall not be eligible for appointment as a Safety Officer relating to factory, dock work or building or other construction work, unless he possesses –

- i. a recognized degree in any branch of engineering or technology and has had practical experience of working in a supervisory capacity for a period of not less than 2 years; or
- ii. a recognized degree in physics or chemistry and has had practical experience in a supervisory capacity for a period of not less than 5 years; or
- iii. a recognized diploma in any branch of engineering or technology and has had practical experience in a supervisory capacity for a period of not less than 5 years;
- iv. possesses a degree or diploma in industrial safety recognised by the State Government in this behalf;
- v. must read, write and speak in Odia language.

(3) Notwithstanding anything contained in sub-rule (1) and (2), any person who –

- (i) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than 5 years in a department of the Central or State Government which deals with the administration of the factories, building or other construction works and dock works or
- (ii) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than 5 years, full time, on training, education, consultancy, or research in the field of accident prevention in industry or in any institution; shall also be eligible for appointment as a Safety Officer.

(4) Where the number of required Safety Officer to be appointed in a factory, building or other construction work and dock work exceeds one, one of them shall be designated as the Chief Safety Officer and shall have a status higher than that of the others. The Chief Safety Officer shall be in overall charge of the safety functions envisaged this rule, the other Safety Officer working under his control.

(b) The Chief Safety Officer in case of factory, building or other construction work and dock work shall be given the status of senior executive and shall work directly under the control of the Chief Executive of the factory, building or other construction work and dock work. All other Safety Officers shall be given appropriate status to enable them to discharge their functions effectively.

(c) The scale of pay and the allowances to be granted to the Safety Officers including the Chief Safety Officer and the other conditions of their service shall be the same as those of the other officers of corresponding status in the factory, building or other construction work and dock work.

(d) In the case of dismissal or discharge, a Safety Officer shall have a right to appeal to the State Government, whose decision thereon shall be final.

**18. Duties of Safety Officers in case of factory, dock work and building or other construction works.-** The duties of a Safety Officer shall be to advise and assist in the fulfillment of its statutory obligations, concerning prevention of personal injuries and maintaining a safe working environment and such duties shall include the following, namely; –

- i. to advise the concerned departments in planning and organizing measures necessary for the effective control of personal injuries;
- ii. to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;
- iii. to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- iv. to provide advice on matters related to carrying out plant safety inspections;
- v. to carry out plant safety inspections in order to observe the physical conditions of work and the work practices and procedures followed by workers and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by workers;
- vi. to render advice on matters related to reporting and investigation of industrial accidents and diseases;
- vii. to investigate selected accidents;
- viii. to investigate the cases of notifiable diseases listed in the Third Schedule to the Code;
- ix. to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the

interest of the workers in establishing and maintaining safe conditions of work and procedures;

- x. to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries; to advise the purchasing and stores departments in ensuring high quality and availability of personal protective equipment; and
- xi. to advise on the maintenance of such records as necessary relating to accidents, dangerous occurrences and occupational diseases.

## **CHAPTER-V**

### **HOURS OF WORK AND ANNUAL LEAVE WITH WAGES**

**19. Daily and weekly hours with intervals and spread over under clause (b) of sub-section (1) of Section 25.-** (1) No worker shall be required or allowed to work in an establishment for more than forty-eight hours in a week.

(2) If a worker works on daily basis in an establishment, the period of work of such worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day.

(3) If the worker works in the establishment for six days in a week, the period of work of a worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the worker shall be a paid holiday.

(4) If the worker works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of a worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the worker shall be paid holidays.

Provided that the flexibility in working hours shall be permitted with the consent of sole negotiating union, negotiating union or negotiating council under the Industrial relations Code, 2020 ( 35 of 2020) or with the consent of majority of workers in the absence of such negotiating union or negotiating council.

(5) No worker shall be allowed to work for more than five hours continuously before he has had an interval for rest of at least half an hour.

**20. Weekly holiday under sub-section (2) of Section 26.-** For the purpose of Section 26, there shall be posted up in a conspicuous place outside the office of every establishment a notice showing the weekly holiday. Where the weekly holiday is not the same day for all persons employed in the establishment, the notice shall show the holiday allowed to each relay, or set of persons or individual in English, Odia and Hindi language.

**21. Compensatory holidays.-** (1) Except in the case of worker engaged in any work which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be allowed under sub-section (3) of Section 26 shall be so spaced that not more than two compensatory holidays are given in one week.

(2) The manager of the establishment shall display, on or before the end of the month in which holidays are lost, a notice in respect of workers allowed compensatory holidays during the following month and of the dates thereof, at the place at which the notice of periods of works specified under section 26 is displayed. Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(3) Any compensatory holiday or holidays to which a worker is entitled shall be given to him before he is discharged or dismissed and shall not be reckoned as part of any period of notice required to be given before discharge or dismissal.

**22. Wages for overtime under section 27.-** (1) where in an establishment, a worker:

(a) works for more than eight hours on any day as daily wager, then he shall be entitled for wages for such overtime at the rate of twice the rate of his wages.

(b) works for more than eight hours in a day in a six days week or works for more than forty eight hours in a week, then the worker shall be entitled to wages for such overtime at the rate of twice the rate of his wages. The period of overtime work shall be calculated on daily basis or weekly basis whichever is more favourable to such worker.

(c) works for more than nine and half hours in a day in a five days week or works for more than forty-eight hours in a week, then the worker shall be entitled to wages for such overtime at the rate of twice the rate of his wages. The period of overtime work shall be calculated on daily basis or weekly basis whichever is more favourable to such worker.

(d) works for less than six days in a week and works for more than forty-eight hours in a week then the worker shall be entitled for wages for such overtime at the rate twice the rate of his wages.

(e) works on piece rate basis, the time rate shall be taken as equivalent to the daily average of his full time earnings for the days on which he actually worked during the week immediately preceding the week in which the overtime work has been done, exclusive of

any overtime and such time rate shall be deemed to be the rate for overtime of such worker.

(2) In calculating overtime on any day, a fraction of an hour between 15 to 30 minutes shall be counted as 30 minutes and in case of more than 30 minutes it shall be rounded and shall be counted as an hour on actual basis.

(3) In calculating the wages or earnings in the case of a worker paid by the month, the daily wages shall be 1/26th of his monthly wages; and in the case of any other worker, it shall be the daily wages or earnings as the case may be.

(4) The spread over for the workers shall exceed twelve hours in any one day under the following works and circumstances in respect of dock, factories and building or other construction work, namely:-

- (a) urgent repairs;
- (b) work in the nature of preparatory or complimentary work;
- (c) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest;
- (d) work which for technical reasons must be carried on continuously;
- (e) engaged in making or supplying articles of prime necessity which must be made or supplied every day,
- (f) engaged in a process which cannot be carried on except during fixed seasons;
- (g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;
- (h) engaged in an engine-rooms or boiler-houses or in attending to power-plant or transmission machinery;
- (i) engaged in process on account of the break-down of machinery;
- (j) engaged in the loading or unloading of railway wagons or lorries or trucks;
- (k) exceptional press of work and
- (l) engaged in any work, which is notified by the State Government in the *Odisha Gazette* as a work of national importance;

Provided that no worker shall be allowed to work overtime exceeding one hundred twenty hours in any quarter of a year.

## CHAPTER VI

### MAINTENANCE OF REGISTERS, RECORDS AND RETURNS

**23.Circumstances for exemption from restriction on double employment in a factory under section 30.-** The State Government may by general or special order exempt any establishment or any person on double employment under section 30, in exceptional cases as deem proper, assigning full justification of such order.

**24.Notice of periods of work under sub-section (2) of Section 31.-** (1) The notice referred to in sub-section (2) of Section 31 shall be displayed at conspicuous places on a notice board or electronic board of the establishment and maintained in Form-VII and a copy of such notice shall be sent to Inspector-cum-Facilitator electronically or by registered post or speed post.

**25.Maintenance and production of reports registers and other records under section 33.-** (1) Every employer of establishment shall maintain: -

- i. Register of employees in Form VIII
- ii. Register of attendance-cum-muster roll in Form VIII (A)
- iii. Register of wages, over time and deduction in Form VIII (B).

Registers under this chapter shall be maintained electronically or otherwise.

Entries in the registers shall be made in English, Hindi and Odia language.

Every employer shall produce records and registers, on demand before the Inspector-cum-facilitator or any person authorized in that behalf of the State Government.

All the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein.

(2) Every employer shall issue wage slips, electronically or manually to the employees in Form VIII(C) as prescribed under rule 52 of Odisha Code on Wages Rules 2021 and sub-section (3) of Section 50 of the Code on Wages, 2019 before one day of payment of wages to the employee.

(3) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2020, Social Security Code, 2020 the following registers and wage slips required to be maintained by the employer of the establishment under those Codes and rules made there under shall be deemed to be maintained by the employer under these rules, namely:-

- (a) Register of employees
- (b) Register of Attendance-cum-Muster Roll

(c) Register of Wages, over time and deductions

(d) Wage slip

All registers and other records required to be maintained under the Code and Rules made there under shall be maintained complete and up-to-date and unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place or at a place within a radius of three kilometers.

(4) Annual Returns – (a) The employer to which the provisions of this Code applies on or before the 28th or 29th day of February in each year, upload a unified annual return in Form-IX prescribed under the Rules made in the Occupational Safety, Health and Working Conditions Code, 2020 (No.37 of 2020) online on the designated portal of the State Government, giving information as to the particulars specified in respect of the preceding year; provided that during inspection, the Inspector-*cum*-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

**Explanation** – For the purposes of this sub-rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of Section 2 of the Information Technology Act., 2000 (21 of 2000).

(b) If the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal of the State Government, a further unified return in FORM-IX and IXA referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

(i) in case of manual registers and other records, be legibly entered in ink in English and Odia language;

(ii) be preserved in original for a period of five years after the date of the last report or entry;

Provided that when the original record is lost or destroyed before the expiry of five years period, true copies thereof, if available, shall be preserved for the prescribed period;

(iii) be produced, electronically or by registered post or speed post, on demand before the Chief Inspector-*cum*-Facilitator or an Inspector-*cum*-Facilitator or any person authorized in that behalf of the State Government.

**26. The manner and form of displaying notices under clause (b) of Section 33.-**

Every employer shall cause to display at the conspicuous place of the workplace of the establishment which is a factory under his control, notice showing the name and address of the establishment which is a factory, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment which is a factory for the last five years, name and address of the Inspector-*cum*-facilitator having jurisdiction to such establishment which is a factory and date of payment of unpaid wages to such workers in English and Odia Language.

**27. Return.-** Every employer of an establishment shall send annually a return relating to such establishment in FORM-IX to the Inspector-*cum*-Facilitator having jurisdiction so as to reach him not later than 1st February following the end of each calendar year, electronically.

**28. Register of accident and dangerous occurrences.-** The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of Section 33 of the Code shall be maintained in a Form-X.

**29. Register of leave with wages under clause (a) of section 33.-** (1) The owner, agent or manager of every establishment which is a factory shall maintain in respect of every employee thereof a record of leave with wages electronically or manually in Form-XI.

(2) The register mentioned in sub- rule (1) shall be preserved for a period of two years after the last entry in them has been made and shall not be destroyed even after the expiry of that period unless it has been properly transferred to the new register.

## **CHAPTER VII**

### **Inspector-*cum*-Facilitator and Other Authority**

**30. Qualification and Experience of Chief Inspector-*cum*-Facilitator under sub-section (5) of Section 34.-** The Labour Commissioner, Odisha will be the Chief Inspector-*cum*-Facilitator for the purposes of the execution of the Code in the State, except the following provisions where the Director of Factories and Boilers, Odisha will be the Chief Inspector-*cum*-Facilitator:

- i. Occupational Safety and Health ( Chapter IV)
- ii. Factories (Part VII of Chapter XI)
- iii. Notice of accidents Section 10 and 11
- iv. Clause (b) of Section 6



**31. Power to take samples of any articles or substances under clause (x) of sub-section (1) of section 35.-**

(1) An Inspector-*cum*-Facilitator shall take samples or substances in an establishment as per the inspection scheme mandated under the designated portal of the State Government after informing the employer of the establishment, taken in the manner hereinafter provided a sufficient sample of any substance used or intended to be used in the establishment, such use being –

(a) in the belief of the Inspector-*cum*-Facilitator in contravention of any of the provisions of the code or the rules made thereunder, or

(b) in the opinion of the Inspector-*cum*-Facilitator likely to cause bodily injury to, or injury to the health of employee in the establishment.

(2) Where the Inspector-*cum*-Facilitator takes a sample under sub-rule (1), he shall, in the presence of the person informed under that sub-section unless such person willfully absents himself, divide the sample into three portions and effectively seal and suitably mark them, and shall permit such person to add his own seal and mark thereto.

(3) The person informed as aforesaid shall, if the Inspector-*cum*-Facilitator requires, provide the appliance for dividing, sealing and marking the sample taken under this rule.

(4) The Inspector-*cum*-Facilitator shall-

(a) forthwith give one portion of the sample to the person informed under sub-rule (1);

(b) forthwith send the second portion to a Government Analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) for analysis and report thereon;

(c) retain the third portion for production to the Court before which proceedings, if any, are instituted in respect of the substance.

(5) Any document purporting to be are port under the hand of any Government Analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory upon any substance submitted to him for analysis and report under this section, may be used as evidence in any proceeding instituted in respect of the substance.

**32. Powers and duties of Inspector-cum-Facilitator under clause (xiv) of sub-section (1) of Section 35.-**

(1) Powers of Inspector-*cum*-Facilitator.- An Inspector-*cum*-Facilitator appointed under the Odisha Labour Service (Method of Recruitment and Conditions of Service) Rules, 2019 and the Odisha Factories and Boilers Inspection Service (Recruitment and

Conditions of Service) Rules, 1984 shall for the purposes of the execution of the Code have power to do all or any of the things specified in Section 34 :

Provided that the powers of the public officers, who do not possess the qualifications as prescribed for the post of Assistant Director of Factories/Boilers in the Odisha Factories and Boilers Inspection Service (Recruitment and Conditions of Service) Rules, 1984 as are appointed to inspector-*cum*-facilitator or additional Inspector-*cum*-Facilitator under section 34(9) or otherwise shall not include administration of following provisions of the Code, namely the provisions relating to-

- (a) Occupational safety and health (chapter IV)
- (b) Factories (part VII of chapter XI)
- (c) Notice of accidents under section 10 and 11
- (d) Clause (b) of Section 6

Provided further that in case of a Medical officer appointed under section 42 shall have power to carry out such medical examination as may be necessary for the purpose of his duties under the code and he shall also deal with Health register and Certificate of fitness of workers.

(2) Identification cards:-

(a) All Inspecting Officers shall if requested, produce an authorised identification card.

(b) Identification cards would be issued for Medical officers appointed under section 42, by Director of Medical and Health Services or the Labour Commissioner.

(c) For Inspector-*cum*-Facilitator, the Identification cards would be issued by the Labour Commissioner or the Chief Inspector-*cum*-Facilitator.

**(3) Duties of Inspector-*cum*-Facilitator –**

(a) Inspector-*cum*-Facilitator shall, after every inspection, as may be deemed necessary, issue prohibition or improvement notice pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed there under, to the employer or occupier or owner or master or officer-in-charge of the ship or their agent.

(b) An Inspector-*cum*-Facilitator shall, at each inspection, ascertain to what extent any shortcomings notified at a previous inspection have been rectified and the notices previously issued have been complied with. His findings and any shortcomings which may come to light during the inspection, together with any order passed by him under the Code or the regulations made there under shall be recorded and maintained.

(4) Competent person [section 2(1)(f)].— (a) The Chief Inspector may recognize any person as a 'Competent Person' under section 2(1)(f) within such area and for such period as may be specified for the purposes of carrying out tests, examination, inspections and certification of buildings, hoists and lifts, lifting machines, chains, ropes and lifting tackles, pressure plants, confined space, ventilation system and such other processes or plants and equipments as stipulated in this Act and these rules located in a factory, if such a person possesses the qualifications, experience and other requirements as set out in Schedule-A, annexed to these rules.

**Note-I** – The Chief Inspector may relax the requirements of qualification in respect of a “Competent Person” if such person is exceptionally experienced and knowledgeable.

**Note-II** – The ‘Competent Person’ recognized under this provision shall not be above the age of sixty-five [65] and shall be physically fit for the purpose of carrying out the tests, examination and inspections.

(b) The Chief Inspector may recognise an institution of repute, having persons possessing qualifications and experience as set out in the Schedule for the purpose of carrying out tests, examinations, inspections and certification of buildings, hoists and lifts, lifting machines, chains, ropes and lifting tackles in Form-XXX, pressure plants in Form-XXXI, water-sealed gas holder in Form-XXXII confined space, ventilation systems and such other process or plants and equipments as stipulated in the Act and these rules as a "Competent Person" within such area and for such period as may be specified.

(c) The application for certificate of recognition as in Form-XII shall accompany a registration fee Rs.5,000/- (Rupees five thousand) only in shape of treasury challan under the head of account as notified by Government from time to time for each such applicant. The fees once paid is not refundable.

(d) The Chief Inspector shall constitute a Committee of not less than three Officers of his Directorate, who shall examine the competence and the facility available at the disposal of the applicant and shall recommend for recognition within one month from the date of receipt of the application.

(e) The Chief Inspector on receipt of an application in Form (s) from an applicant or an institution intending to be recognised as a "Competent Person" for the purposes of the Act and these rules shall register such application and within a period of sixty days of the date of receipt of the application, may either recognise the applicant as a "Competent Person" and issue a certificate of competency in the prescribed Form-XIII or reject the application specifying the reason therefore.

(f) Certificate of recognition so granted shall be valid for a period of one year from the date of issue and may be renewed on payment of Rs.2,000/- (Rupees two thousand) only deposited in shape of treasury challan under the head of account as notified by Government from time to time. The fee once paid is not refundable.

(g) The Chief Inspector may, after giving an opportunity to the competent person of being heard, revoke the certificate of competency, if he has reasons to believe that a competent person-

(i) has violated any condition stipulated in the certificates of competency; or

(ii) has carried out a test examination and inspection or has acted in a manner inconsistent with the intent or the purpose of the Act or these rules.

(h) The Chief Inspector may, for reasons to be recorded in writing require rectification of lifting machines, chains, ropes and lifting tackles, pressure plants or ventilation systems as the case may be, which has been certified by a competent person outside the State.

### **33. Specialised qualification and experience, duties and responsibilities of experts to be empanelled under section 37.-**

#### **Third Party Auditor**

(1) The State Government or Chief Inspector-*cum*-Facilitator will publish in public to obtain applications from experts with required qualification for the purpose of such start-up establishments or class of establishment to be specified separately by the State Government.

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

(a) be assigned the third party audit and certification in a randomized manner, by the State 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.

(3) On the basis of applications received a committee of experts will be formed under the chairmanship of the Labour Commissioner / Chief Inspector-*cum*-Facilitator.

(4) The experts empanelled will inspect, advise health and safety provisions to minimize the accidents, perform safety audit, may organize safety training programs and provide certificates to the trainees and may also provide the certificates to concerned establishments.

(5) The Departmental committee for empanelment of Third Party Auditors will from time to time fix the total number of such Safety Auditors to be recognized depending on the total quantum of work available in the State/UT and also the manner in which applications are to be invited.

(6) The Chief Inspector-cum-Facilitator may, after giving an opportunity of being heard to the person recognized as a 'Third Party Auditor cum Expert' revoke the certificate issued to him under rule 33.

(i) if he has reason to believe that the Third Party Auditor :

a) has violated any of the conditions stipulated in the recognition;

b) has carried out a Audit, test, examination and inspection or has otherwise carried in a manner inconsistent with the intent or the purpose of the Code or the Rules made there under; or

c) has omitted to Code as required under the Code and the Rules made there under; or

(7) Academic Qualification and Experience:-

I. degree in branch of Chemical, Mechanical, Electrical or Production Engineering from recognized institution and having ten years of experience in manufacturing, maintenance, design, project or safety department in the supervisory or above capacity in factories; or

II. diploma in branch of Chemical, Mechanical, Electrical, Production Engineering and diploma in industrial safety from recognized institution and having fifteen years' of experience in manufacturing, maintenance, design, project or safety department in the supervisory or above capacity in factories; or degree of Bachelor of Science with Physics and/or Chemistry and diploma in industrial safety from recognized institution and having fifteen years' experience in manufacturing or maintenance or safety Department of any establishment in the supervisory or above capacity in factories, and one year full time Diploma in Industrial Safety recognized by the Board of Technical Education or All India Council of Technical Education or recognized University; or Central or Regional Labour Institutes.

III. degree or diploma in any branch of Engineering and having fifteen years of experience in Factory Inspectorate or Directorate of Industrial Safety and Health or fifteen years of experience in the DGFASLI or Central Labour Institute or Regional Labour Institutes of DGFASLI.

(8) Duties and Responsibilities of Experts:-

- I. Safety Auditor shall maintain a log book of all safety audits undertaken by him indicating the name and address of the audited establishment, name of the person who has carried out safety audit, contact persons, date of the audit and date of submission of the audit report to the Occupier.
- II. It shall be scrutinized and approved by jurisdictional officers of the Chief Inspector-*cum*-Facilitator office.
- III. Safety Auditor and the person authorized to carry out shall not conduct a Safety Audit of any establishment where such auditor or person is employed, or an occupier, partner, director, or manager of that establishment, or of any establishment owned, operated, managed, or conducted by immediate family members, relatives or extended family members or wherein that auditor or such person has any direct or indirect interest whatsoever. An auditor or such person shall not carry out the safety audit of those factories to which that auditor or such person supplies any plant, machinery, raw material, safety equipment or other materials or equipment.
- IV. Safety Auditor and the person authorized to carry out safety audit shall not disclose, even after ceasing to be a recognized auditor or employee of the institution, any manufacturing or commercial secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an auditor. Any failure in this regard, the auditor shall be liable revocation of recognition under the rule and he shall not be eligible for recognition in future.

(9) Standards of Safety Audit.- The Safety Audit shall be carried out as per the standards laid down under IS: 14489: 1998 in the Indian Standard Code of Practice on Occupational Safety and Health Audit or any such standards prevailing at the relevant time whichever is latest by the Safety Auditor or in case of an institution, by the person or employee possessing the qualification, experience and other requirements as set out in sub-rule (2) as a Safety Auditor.

(10) Periodicity for conducting Safety Audit: The Safety Audit shall be conducted once in every two years in General Category factories & for 2cb and MAH industry Safety audit shall be conducted every year.

(11) Safety Audit Report.- The Safety Auditor shall within one month from the date of completion of safety audit shall forward his report with recommendations regarding

improvement of the occupational safety and health in an establishment to the occupier and a copy of the same to be submitted to office of the Chief Inspector-*cum*-Facilitator.

Provided that if the auditor notices any hazard, which is likely to pose danger of causing an accident, during the safety audit, he shall immediately communicate the same in writing to the Occupier & the jurisdictional Inspector and Chief Inspector-*cum*-Facilitator.

(12) Compliance report on Audit Report.- The Occupier shall, within thirty days of the receipt of the Safety Audit report in the format prescribed in Form appended herewith, forward the same to the jurisdictional Inspector along with the action taken report in pursuance to the recommendations made in the Safety Audit Report. The Inspector-*cum*-facilitator shall send a proposal to the Chief Inspector-*cum*-Facilitator for approval of Audit Report.

**34. The manner of providing alternative employment under sub clause (d) of clause (A) of sub section (1) of Section 38.**– The occupier of the factory may take necessary steps for providing employment to the workers affected by the order of prohibition issued by Inspector -*cum*- Facilitator under sub clause (d) of clause (A) of sub section (1) of Section 38 and as far as practicable provide alternate employment to the workers so affected. Where it may not be possible for the occupier to provide such employment, he shall be responsible for making payment of salary/wages to the affected workers during the period for which the prohibition order is in operation.

**35. Appointment of Medical officer under sub-section (1) of Section 42.**- (1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act., 2019(30 of 2019) 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 Section 35, 36, 37 and 40 of the said Act.

**36. Medical supervision and other establishment under clause (b) of sub section (2) of Section 42.**- The Medical Officer shall perform the examination and certification of the workers in a factory or in such other establishments where the 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 and inform the occupier, owner, Chief Inspector-*cum*- Facilitator and the appropriate Government for study and remedial measures as may be required in this behalf.

**37. Other establishment under clause (c) of sub section (2) of Section 42.**- (1) On receipt of a reference under clause (c) sub section (2) of Section 42, the medical officer shall, after giving prior notice regarding date, time and place for medical

examination and upon examining the worker sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the establishment and the worker concerned after retaining a copy thereof.

(2) The medical officer may seek opinion of specialists like radiologist, dentist and orthopedic surgeon as the case may be, for the purpose of determination of age.

(3) Medical Officer shall carry out such examination and furnish such report as State Government may direct-

- (a) for examination and certification of workers in an establishment in such dangerous occupation or processes as specified in First Schedule to the Code;
- (b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to hazardous nature of any process carried on or hazardous condition of work;
- (c) in respect of any establishment or class of establishment or description of establishment in which operations involve any risk of injury to the health of any person or class of persons employed therein;
- (d) to undertake occupational health survey for any or class of an establishment, where cases of illness have occurred or there is prevalence of diseases as specified in Third Schedule to the Code.
- (e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment.

**38. Employment of Women in establishment under Section 43.-** The following conditions shall be met for employment of women during night or before 6.00 a.m. and beyond 7.00 p. m. in any day, namely:-

- (a) the consent of woman employee shall be taken in writing;
- (b) No women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (36 of 2020);
- (c) adequate transportation facilities shall be provided to women employee to pick-up and drop such employee at her residence;
- (d) the work place including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit;
- (e) the toilet, wash room and drinking facilities should be near the work place where such women employees are employed and suitable provisions of Closed-circuit television (CCTV) Surveillance on the way to these facilities shall be provided;
- (f) Provide safe, secure and healthy working condition is provided so that no women employee is disadvantaged in connection with her employment;



(g) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilize them, in case of any exigency or emergency; and

(h) the provisions of the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act., 2013 (14 of 2013), as applicable to the establishments, shall be complied with.

**39. Adequate safety of employment of women in dangerous operations under Section 44.-** The State Government may declare, from time to time, by notification, the class of establishments and the Scheme, and standards for safeguarding of women in hazardous and dangerous processes.

## **CHAPTER-VIII**

### **CONTRACT LABOUR**

**40. Conditions of License under sub-section (3) of Section 47.-** (1) The contractor shall ensure that:

- (a) the hours of work shall conform to these rules relating to Section 25;
- (b) the wages shall be paid in accordance with the Code on Wages, 2019 (29 of 2020).
- (c) if the contract labour of the contractor is working at the premises of the principal employer, then, it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, canteen and crèche; and
- (d) all other facilities and entitlements shall be provided by the contractor.

(2) In case the contractor fails to make payment of minimum wages to the contract labour, then, the Labour Commissioner, Odisha or his representative, shall cause such payment to be made to the contract labours who have not been paid, out of the security deposit referred to in rule 76 including by invoking the bank guarantee.

(3) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order in the manner as specified in rule 47.

**41. Form and manner of application for contractor license under of sub-section (1) of Section 48.-** Every application by a contractor within a state for the grant of a license shall be made on-line electronically through the designated Portal of the State Government in Form-XIV to the authority referred to in Section 119 (hereafter in the chapter referred to as authority).

**42. Forms, terms and conditions of license.-** (1) Every license granted under this chapter shall be in Form-XV.

(2) Every license granted or renewed is subject to the following conditions, namely:—

- (i) the license shall be non-transferable;
- (ii) the number of contract labour employed by the contractor shall not, on any day, exceed the maximum number specified in the license;
- (iii) save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the license shall be non-refundable;
- (iv) the rates of wages payable to the contract labours by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, shall not be less than the rates so fixed.

**43. Procedure for issue of license under sub-section (2) of Section 48.- (1)**

Before a license is issued under this chapter, bank guarantee for an amount of security calculated at the rate of Rupees 1000/- for each of the contract labours to be employed, in respect of which the application for license has been made, shall be deposited by the contractor with the authority for performance of the conditions of the license and compliance with the provisions of the Code and the rules made there under.

If contractor proposes to engage one lakh or more but less than one lakh fifty thousand contract labours an amount of security shall be Rs. 10 Crores, engages one lakh fifty thousand but less than two lakhs contract labour an amount of security shall be Rs. 15 Crores, engages two lakh or more contract labour an amount of security shall be Rupees. 20 Crores.

(2) Wherein the issued contract license had expired, based on the request of the application FORM-XIV, the authority may adjust the security deposit under sub-rule (1) in respect of his application for new license.

(3) The fees to be paid for the grant of a license shall be as specified in the table below, namely:-

(a)	No license is required up to 49 contract labour	Nil.
(b)	50 and above but not exceeding 100 contract labour	Rs. 1000
(c)	101 and above but not exceeding 300 contract labour	Rs. 2000
(d)	301 and above but not exceeding 500contract labour	Rs. 3000
(e)	501 and above but not exceeding 1000 contract labour	Rs. 5000
(f)	1001 and above but not exceeding 5000 contract labour	Rs. 10000
(g)	5001 and above but not exceeding 10000 contract labour	Rs. 20000
(h)	10001 and above but not exceeding 20000 contract labour	Rs. 30000
(i)	20001 and exceeding contract labour	Rs.40000

**44. Renewal of license under sub-section (3) of Section 48.-** (1) Every contractor shall apply electronically on the designated Portal of the State Government to the licensing authority for renewal of the license.

(2) Every such application shall be submitted on the Portal referred to in sub-rule (1) at least 30 days prior to expiry of license period but not before 90 days of such expiry of license.

(3) The fee chargeable for renewal of the license shall be the same as for the grant of license under rule 43.

(4) If the application for renewal is not received within the time specified in sub-rule (2), an additional fee of twenty five per cent, shall be payable for such renewal.

(5) It shall be the responsibility of the authority concerned to renew license within 30 days electronically.

**45. Refund of security deposit.-** (1) On expiry of the period of license the contractor may, if he does not intend to have his license renewed further, make an application electronically to the licensing authority for the refund of the security deposited by him (in form of bank guarantee) along with copy of licence so expired and notice of completion of work and bank details in which amount is required to be refunded.

(2) If the authority is satisfied that there is no breach of the conditions of license or there is no order for the forfeiture of security deposit or any portion thereof, he shall direct the refund of the security deposit to the applicant.

(3) If there is any order directing the forfeiture of any portion of contractor's security deposit, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the contractor within 30 days from the making of application under sub-rule (1). Any application for refund shall, as far as possible, be disposed of within 30 days of the making of such application.

**46. Responsibility of contractor under sub-section (4) of Section 48.-** (1) The rates of wages payable to the workers by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 (29 of 2019) and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

(2) In case where the contract labour employed by the contractor performs the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the holidays, hours of work and other conditions of service of the contract labour of the contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of

work. In case of any dispute whether the work is of similar kind, the matter be referred to the concerned Joint Labour Commissioner whose decision shall be final.

(3) In other cases the wage rates, holidays, hours of work and conditions of service of the contract labour of the contractor shall be such as specified under the Code and rules made there under.

(4) All contract labour shall be made member of Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC) subject to applicability as under respective provisions of the Code on Social Security, (36 of 2020).

(5) The contractor shall notify any change in the number of contract labours or conditions of work to the Authority, electronically.

**47.Intimation of work order and time limit for intimation under section 50.-**

(1) Every contractor shall within fifteen days of the receipt of a contract work order shall intimate about the contract work order containing the details such as the name of the principal employer, address of the premises where work is being undertaken, date of commencement of the contract work, the number of contract labour employed under that work order, duration of work orders to the authority.

(2) the details of work order shall be sent by the contractor or his Authorized Representative.

(3)The intimation shall be sent electronically on the designated portal of the State Government; or by e-mail or by registered post or by speed post to the Labour Commissioner, Odisha; the licensing authority and the Divisional Labour Commissioner, having jurisdiction.

**48.Revocation or suspension of license under sub-section (2) of Section 50.-**

(1) If the contractor has failed to give intimation under sub-section (1) of Section 50 to the designated authority or if the authority is satisfied that the licence has been obtained by mis-representation or suppression of any material fact or if the contractor has failed to comply with the conditions subject to which licence was granted or the contractor has contravened any provision of Part-I of Chapter-XI of the Code or rules made thereunder, the Authority shall issue a show cause notice of fifteen days to the contractor electronically or by registered post or by speed post.

(2) On receipt of the reply if any, from the contractor within fifteen days of the receipt of the notice, the licensing authority shall examine the same and he may pass a speaking order recording the reasons for revocation or suspension or otherwise and communicate the order to the contractor electronically or by registered post or speed post.

A copy of the Order shall also be endorsed to the Labour Commissioner, Odisha and the Divisional Commissioner having jurisdiction.

(3) If the contractor fails to comply with the order in sub-rule (1), the licencing authority may forthwith pass an order of revocation of license, recording the reasons thereof and communicate to the contractor electronically or by registered post or speed post. The copy of the order shall be endorsed electronically to the Labour Commissioner, Odisha and the Divisional Labour Commissioner, having jurisdiction.

**49. Appeal under sub-section (1) of Section 52.-** The appellate authority under sub-section (1) of section 52 shall be the authority as notified by the State Government.

**50. Responsibility of payment of wages under section 55.-** (1) The contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month.

(2) The wages of every person employed as contract labour in an establishment or by a contractor shall be paid before the expiry of seventh day after the last day of the wage period in respect of which the wages are payable.

(3) The wages shall be disbursed through bank transfer or electronic mode only.

Provided that where it is not at all practicable to disburse payment in the mode specified above, then, the payment shall be made in cash or other suitable mode after obtaining prior permission from the principal employer on that behalf with due intimation to the licencing authority and the Divisional Labour Commissioner having jurisdiction.

(4) The wages of contract labours shall be paid without any deductions of any kind, except those specified by the State Government by general or special order in this behalf or permissible under the Code on Wages 2019 (29 of 2019), by the contractors to the contract labour.

(5) A notice showing wage period and date and time of disbursement of wages of contract labour shall be displayed at the place of work and a copy sent by the contractor to the principle employer electronically or in person under acknowledgement.

(6) Every contractor (including the contractors employing less than 50 contract labours) shall send half-yearly return in Form-IXA so as to reach the licensing authority concerned not later than 30 days from the close of the half year, electronically, that is to say January to June and July to December.

(7) In case the contractor fails to make payment of wages to the contract labour within 7 days of completion of wage period, then the principal employer shall take necessary action and make payment of wages in full or the unpaid balance dues, as the case may be, to the concerned contract labour employed by the contractor within 15 days

and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as debt payable by the contractor or from the security deposit lying with the Principal Employer.

(8) Every principle employer of an establishment shall submit annual return in FORM-IX (Part-III) so as to reach the licencing authority and Divisional Labour Commissioner, having jurisdiction so as to reach him not later than 1st February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result.

**51. Making payment of wages from the security deposit amount under sub-section (4) of Section 55.-** If the contractor or principal employer does not pay the wages to the contract labour employed by him, the Labour Commissioner, Odisha or his representative or the competent officer shall conduct or cause to conduct, an inquiry and after giving an opportunity to be heard to the contractor shall pass an order to make payment if any, of such wages from the amount deposited by the contractor as security deposit. The contractor shall re-furnish the security deposit within a period of fifteen days or else his license will be liable to be suspended.

**52. Experience Certificate under section 56.-** Every concerned contractor shall issue on demand, experience certificate in Form-XVI to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

**53. The form and manner of making application under clause (b) of sub-section (2) of Section 57.-** 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, to the Special / Additional Secretary to Government, Labour & ESI Department, Odisha giving reasons along with supporting documents

**54. Period of making report and the period of deciding the question under clause (c) of sub-section (2) of Section 57.-** On receiving the application under clause (b) of sub section (2) of Section 57, the Secretary, Labour and ESI Department, Government of Odisha shall, if deem proper, refer the application to the Labour Commissioner, Odisha for making such enquiry as may be required and the Labour Commissioner, Odisha shall submit the report/ recommendation to the Secretary, Labour and ESI Department, Government of Odisha within thirty days for taking appropriate action under these rules and the Secretary shall decide the matter within one month from the date of receipt of such report / recommendation and communicate the said decision of the

Government to the parties through electronically or by registered post or by speed post for implementation of the said order of the Government.

## **CHAPTER-IX**

### **INTER-STATE MIGRANT WORKERS**

**55. Journey allowance to Inter-State Migrant Worker under section 61.-** The employer shall pay a lump sum amount on account of fare for to & fro journey to inter-state migrant worker by train (not less than II Class Sleeper) or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home state in the event of the following, namely:

if he has worked for a period of not less than one hundred and eighty days in the concerned establishment(s) in preceding twelve months:

Provided that the journey allowance shall be given to an inter-state migrant worker once in twelve months. In the event of change of employer by the inter-state migrant worker during the middle of the employment period and has not availed the journey allowance from his previous employer, then on the basis of a certificate to be given by inter-state migrant worker, the employer where the inter-state migrant worker is now working and the such worker has completed one hundred and eighty days in preceding twelve months including the period spent with the previous employer, then the employer shall give journey allowance.

**56. Setting up of a Toll Free helpline number to the inter-state migrant worker under section 63.-** A Toll-Free help-line number shall be provided by the Labour & ESI Department, Odisha, to address queries and grievances of the inter-state migrant workers.

**57. Study of inter-state migrant workers under section 64.-** The State Government may identify the studies to be carried out to promote safety, health and welfare of *inter-state* migrant workers. Wherever required, the State Government may also consult the Central Government or other State Governments or expert organizations involved in the safety, health and welfare of *inter-state* migrant workers.

## **CHAPTER-X**

### **AUDIO-VISUAL WORKERS**

**58. Agreement for Audio-visual worker and authority to whom a copy of the agreement shall be forwarded by the producer under sub-section (3) of Section 66.-**

(1) The Form of agreement for the audio-visual workers with the producer is given in Form XVII. The agreement shall be registered with the competent authority as may be notified by the State Government.

(2) A copy of the agreement referred to in sub-rule (1) with respect to the employment of the audio-visual worker shall, if such audio-visual worker is covered under the provision of any 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 electronically on the designated Portal of the State Government, or by registered post or by speed post, to the Divisional Labour Commissioner having jurisdiction.

**59. Procedure for reference of disputes to a Conciliation Officer or a Tribunal under sub-section (4) Section 66.-** The procedure for reference of dispute to a conciliation officer or a tribunal shall be in conformity with the Industrial Relations, Code 2020(35 of 2020) and Rules framed there under.

## **CHAPTER-XI**

### **BEEDI AND CIGAR WORKERS**

**60. Form of application and the payment of fees under sub-section (2) of Section 74.-** (1) Every application under sub-section (2) of Section 74 for grant of licence shall be made online electronically through the designated portal of the State Government in Form-XVIII to the licensing authority referred to in section 119 (hereafter in the chapter referred to as authority) and on payment of fees as specified in the table below, namely:-

Number of employees proposed to be employed on any day during the financial year for which the licence is required to be granted or renewed	For Industrial premises in which power driver machinery is used	For Industrial premises in which power driven machinery is not used
Not exceeding 10	Rs. 200	Rs. 150
Between 11 and 20	Rs. 400	Rs. 300
Between 21 and 50	Rs. 800	Rs. 600
Between 51 and 100	Rs.2,000	Rs. 1,500
Between 101 to 250	Rs. 3,500	Rs. 3,000
Exceeding 250	Rs. 6,000	Rs. 5,000

(2) Every licence granted or renewed under section 74 in Form-XIX shall be subject to the following conditions, namely :-

- (i) the manufacturing process shall be carried on only in that part of the industrial premises as specified for the purpose in the licence;



- (ii) the maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence;
- (iii) power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises ;
- (iv) except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like permission, no structural alterations shall be made in any building on such premises;
- (v) the licence shall not be transferable;
- (vi) the fees paid for the grant or renewal of the licence shall be non-refundable.

(3) Before granting a licence, the competent authority shall also take into considerations whether the site of any industrial premises is proposed to be altered, or whether any industrial premises has been closed by the applicant during the period of twelve months immediately preceding the date of the application with a view to causing prejudice to the interests of the labour.

**61. Manner of preparing the plan of the place or premises under sub-section (3) of Section 74.-** Application for licence shall be accompanied by a plan of the place or premises showing-

- (i) the site of such place or premises, the areas therein to be used for manufacturing processes and the immediate surroundings of such place or premises, including adjacent buildings, structures, roads, drains and the like; and
- (ii) the plan, elevation and necessary cross-sections of, the details relating to natural lighting, ventilation, means of escape in case of fire, portion of the plant and machinery, if any used, aisles and passageways in or in relation to, the various buildings which are intended to be used for manufacturing processes;

**62. Other matters under clause (e) of sub-section (4) of Section 74.-** The State Government may prescribe such other matters relating to the beedi and cigar workers under clause (e) of sub-section (4) of section 74, by notification from time to time.

**63. Fees for renewal under sub-section (6) of Section 74.-** (1) Application shall be made to the licensing authority electronically on the designated Portal of the State Government for renewal of the license.

(2) Every such application shall be submitted on the Portal referred to in sub-rule (1) at least 30 days prior to expiry of license period but not before 90 days of such expiry of license.

(3) The fee chargeable for renewal of the license shall be the same as for the grant of license.

Provided that if the application for renewal is not received within the time specified in sub-rule (2), an additional fee of twenty five per cent per annum, shall be payable for such renewal.

(4) It shall be the responsibility of the authority concerned to renew license within fifteen days. Electronically or otherwise.

**64. Time of filing appeal and fees under section 75.-** An appeal under section 75 shall be made electronically or by registered post or by speed post, within a period of 30 days from the date of receipt of the order sought to be appealed against. The fees payable in respect of an appeal under section 75 shall be Rs. 1000.

**65. Record of Outside Work.-** The record to be maintained by the employer of the work permitted under sub-section (1) of Section 76 to be carried on outside the Industrial premises shall be in Form-XX.

## **CHAPTER-XII**

### **FACTORIES**

#### **66. Approval and Licensing of factories under sub-section (1) of Section 79.-**

**(I) Approval of Plans –** (1) The State Government or the Chief Inspector of Factories may require, for the purposes of the Code, submission of plans of any factory which was either in existence on the date of commencement of the code or which has not been constructed or extended, such plans shall be drawn to scale showing -

(a) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc.;

(b) the plan, elevation and necessary cross sections of the factory buildings indicating all relevant details relating to natural lighting ventilation and means of escape in case of fire and the position of the plants and machinery, aisles and passage ways; and

(c) such other particulars, as the State Government or the Chief Inspector-cum-Facilitator of Factories, as the case may be, may require.

(2) No site shall be used for the location of a factory or no building shall be constructed, reconstructed, extended or taken into use as a factory or part of a factory or any other extension of plant or machinery carried out in a factory unless previous permission in writing is obtained from the State Government or the Chief Inspector-cum-Facilitator. Application for permission shall be made in Form-XXI which shall be accompanied by the following documents namely-

(a) a flow chart or the manufacturing process supplemented by a brief description of the process in its various stages;

(b) plans in duplicate drawn to scale showing-

(i) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc.;

(ii) the plan elevation and necessary cross sections of the various buildings indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fires. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage ways; and

(c) such other particulars if the Chief Inspector-cum-Facilitator may require.

[Provided that the Occupier of every factory seeking permission under the provisions of the Odisha Industries (Facilitation) Act, 2004 may apply in the combined application form for establishment which is a factory of industries.]

(3) The application referred to in sub-rule (2) shall be accompanied by payment of a fee at the rate of 3 times the licence fee subject to a 'minimum of [Rs. 2500 (Rupees two thousand five hundred)] only in case of original plan and at the rate of 50% of the licence fee subject to a maximum of [Rs. 30,000 (Rupees thirty thousand)] only in case of extension plans, for the purpose of scrutiny and evaluation of such plans.

(4) If the Chief Inspector-cum- facilitator is satisfied that the plans are in consonance with the requirements of the Act he shall subject to such conditions as he may specify, approve them by signing and returning to the applicant one copy of each plan; or he may call for such other particulars as he may require to enable such approval to be given.

**(II). Certificate of stability.** - No manufacturing process of a factory shall be carried on in any building which has been constructed, reconstructed extended or taken into use as a factory or part of a factory until a certificate of stability in respect of that building, obtained from a competent person in Form-XXII, has been sent by the occupier or manager of the factory to the Chief Inspector and accepted by him.

**(III). Application for renewal of licence.** - The occupier of every factory shall submit application online through designated portal of State Government to the Chief Inspector an application in the prescribed Form XXIII-A for the renewal of the factory and grant of licence with an option to apply for one year term or five year term or ten year term licence:

Provided that the occupier of premises in use as a factory on the date of the commencement of these rules shall submit such application within 30 days from the date of the commencement of these rules.

[Provided further that the occupier of a factory seeking registration and grant of licence under the provision of the Orissa Industries (Facilitation) Act, 2004 shall apply in the combined application form for operation of industries.]

**(IV). Grant of licence to a factory** - (1) A licence for a factory shall be granted by the Chief Inspector -cum- Facilitator in Form-XXIV or XXV prescribed for the purpose and on payment of the fees specified in Schedule-G.

(1-a) A licence for five year or ten year term shall be granted in Form-XXV by the Chief Inspector-cum- Facilitator on payment of five times or as the case may be ten times of the licence fee in vogue.

(2) Every Licence granted or renewed in Form XXIV or XXV under this chapter shall remain in force up to the 31st December of the year for which the licence is granted or renewed.

(3) In case of Factories found to be running without proper application for registration and or renewal of licence the fees payable shall be double the amount prescribed in Schedule-G.

**(V). Amendment of licence which is a factory** - (1) A licence granted under sub-rule (IV) may be amended by the Chief Inspector-cum-Facilitator

(2) A licensee whose licence requires to be amended by virtue of increase in the number of persons employed or in the horse power installed or change in the name of the factory or any change in manufacturing process or all taken together shall submit to Chief inspector of Factories with an application in Form XXIII-A stating the nature of amendment.

(3) The fee for amendment of a licence by virtue of increase in number of persons or in the horse power installed or change in the name of factory or any change in manufacturing process or all taken together shall be Rs.500/-in addition to the amount (if any) by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.

**(VI). Renewal of licence.** - (1) A licence may be renewed by the Chief Inspector-cum-Facilitator.

(2) Every application for the renewal of a licence shall be made online accompanied by the notice of occupation in the prescribed Form and shall reach the Chief Inspector not less than 2 months before the date on which the licence expires

(2-a) The License shall be deemed to be renewed provided that the application and the fee for renewal of licence is received on line with self declaration in Form XXIII-B certifying no

change in manpower, installed power, factory layout, manufacturing process, occupier and manager.

(3) The same fee shall be charged for the renewal of licence as for the grant thereof. Provided that if the application for renewal is not received within the time specified in sub-rule (2) and received thereafter but within the date on which the licence expires, the licence shall be renewed only on payment of a fee 25 percent in excess of the fee ordinarily payable for the licence. If the application is received after the date on which the licence expires, the licence shall be renewed only on payment of a fee 100 percent in excess of the originally payable for licence.]

(4) The occupier shall have the option to apply for renewal of licence for a term of five consecutive calendar years with five times of usual licence fee in vogue.

**(VII) Refusal of licence** - The Chief Inspector may refuse the renewal of licence on the ground that the applicant has been guilty of repeated contravention of safety provisions of the Code or Rules or both or the applicant has obtained the licence by fraud or by misrepresentation:

Provided that before refusing any licence, the applicant shall be given an opportunity to show cause as to why the licence shall not be refused.

**(VIII) Revocation of licence** - The Chief Inspector may, at any time before expiry of the period for which the licence has been granted or renewed, revoke the licence on any of the grounds specified in sub-rule (VII) above or if:-

- (i) there is imminent danger to life and property in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in his option have not been taken to remove the danger; and/or;
- (ii) employment of child worker below 14 years of age noticed;

Provided that before revoking the licence, the applicant shall be given an opportunity to show cause as to why the licence shall not be revoked.

**(IX) Transfer of licence.** - (1) The holder of a licence may, at any time before the expiry of the licence, apply for permission to transfer his licence to another person.

(2) Such application shall be made to the Chief Inspector-cum-Facilitator who shall, if he approves of the transfer, enter upon the licence, under his signature an endorsement to the effect that the licence has been transferred to the person named.

(3) A fee [five hundred rupees] shall be charged on each such application.

**(X). Procedure on death or disability of licensee.** - If a licensee dies or becomes insolvent, the person carrying on the business of such licensee shall not be liable to any penalty under the Act for exercising the powers granted to the licensee by the licence

during such time as may reasonably be required allow him to make an application for the amendment of the licence in his own name for the unexpired portion of the original licence.

**(XI). Loss of licence.** - Where a licence granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of [five hundred rupees

**(XII). Prohibiting running of a factory without a valid licence.**- An occupier shall not use any premises as a factory or carry on any manufacturing process in a factory unless a licence has been issued in respect of such premises and is in force for the time being :

Provided that if a valid application for grant of licence has been submitted and the required fee has been paid, the premises shall be deemed to be licensed until such date as the Chief Inspector grants or renews the licence or refuses in writing to grant or renew the licence.

**(XIII). Notice of change Manager.**— The notice of change of manager shall be in Form-XXVI. The application for change of manager shall be submitted online. The endorsement of change of manager will be made electronically by the Chief Inspector - cum- Facilitator of factories.

**67. Common facilities and services for joint liability of owner of premises and occupiers of the factories under section 80.**- (1) Wherein any premises, separate buildings are leased to different occupiers for use as separate factories, the owner of the premises shall be responsible for the provisions and maintenance of common facilities and services, such as approach road, drainage, water supply, lighting and sanitation.

(2) Where in any premises, independent or self contained floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable as if he were the occupier or manger of the factory, for any contravention of the provisions of this Code, in respect of:-

- (i) latrines, urinals and washing facilities in so far as the maintenance of the common supply of water for these purposes is concerned;
- (ii) fencing of machinery and plant belonging to the owner and not specifically entrusted to the custody or use of an occupier;
- (iii) safeness of access to the floors or flats and maintenance and cleanliness of stair cases and common passages;
- (iv) precautions in cases of fire;
- (v) maintenance of hoists and lifts; and
- (vi) maintenance of any other common facilities provided in the premises.

(3) The Chief Inspector-*cum*-Facilitator shall have subject to the control of the appropriate Government, power to issue orders to the owner of the premises in respect of carrying out of the provisions of sub-section (1) and (2).

(4) The provisions of sub-section (2) relating to the liability of the owner/occupier shall apply where in any premises independent rooms with common latrines, urinals and washing facilities are leased to different occupier for use as separate factories:

Provided that the owner/occupier shall be responsible also for supplying with the requirements relating to the provision and maintenance of latrines, urinals and washing facilities.

**68. Dangerous manufacturing processes or operations.-** (1) The following operations when carried on in any factory are declared to be dangerous manufacturing processes or operations under Section 82 of the code:

- i. Manufacture of aerated water and processes incidental thereto.
- ii. Electrolytic plating or oxidation of metal articles by use of an electrolyte containing acids, bases or salts of metals such as chromium, nickel, cadmium, zinc, copper, silver or gold.
- iii. Manufacture and repair of electric accumulators.
- iv. Glass manufacture.
- v. Grinding or glazing of metals.
- vi. Manufacture and treatment of lead and certain compounds of lead.
- vii. Generation of gas from dangerous petroleum as defined in the Petroleum Act., 1934.
- viii. Cleaning, smoothening or roughening etc. of articles by a jet of sand, metal shot, grit or other abrasive propelled by a blast of compressed air or steam.
- ix. Liming and tanning of raw hides and skins and processes incidental thereto.
- x. Printing presses and Type Foundries (Certain lead processes carried therein)
- xi. Manufacture of pottery.
- xii. Manufactures in chemical works and process incidental thereto
- xiii. Compression of Oxygen and Hydrogen produced by the electrolysis of water:
- xiv. Handling and processing of asbestos, manufacture of any article of asbestos and any other process of manufacture or otherwise in which asbestos is used in any form;
- xv. Manipulation of stone or any other material containing free silica.
- xvi. Handling and manipulation of corrosive substances
- xvii. Solvent extraction plants

- xviii. Manufacture or Manipulation of Carcinogenic dye intermediates;
- xix. Manufacture and manipulation of manganese and its compounds.
- xx. Manufacture Handling and usage of benzene and substance containing benzene
- xxi. Manufacture or Manipulation of dangerous pesticides
- xxii. Processing of cashew nuts
- xxiii. Manufacturing process or operations in carbon disulphide plants
- xxiv. Operations involving High Noise levels.
- xxv. Manufacture of Rayon by Viscose process
- xxvi. Highly Flammable liquids and Flammable Compressed Gases.
- xxvii. Procedure for accretion cutting in kilns of sponge iron plants and integrated steel plants.
- xxviii. Operation in foundries

(2) Prohibiting or restricting the employment of Pregnant woman in the manufacturing process or operation.- Every Occupier or employer shall ensure to prohibit or restrict the employment of pregnant women in hazardous and dangerous operations which exposes them to serious risk of bodily injury, poisoning or disease. However, the Occupier shall make all the necessary arrangements for providing adequate safeguards prior to the employment of pregnant woman in case they are required to work in hazardous or dangerous operations.

(3) Periodical Medical Examination.-

- i. For the medical examination of workers to be carried out by the certifying surgeon as required by all parts of Schedule B, the occupier of the factory shall pay fee at the rate of five hundred rupees per examination of each worker every time he/she is examined;
- ii. The fees prescribed in clause (i) shall be exclusive of any charges for biological, radiological or other tests which may have to be carried out in connection with the medical examinations. Such charges shall be paid by the occupier;
- iii. The fees to be paid for medical examination shall be paid electronically to the Chief Inspector - cum- Facilitator in the manner as may be prescribed by him.

(4) Welfare amenities, sanitary facilities, protective clothing and other necessary requirements for dangerous operations.- The provisions specified in the Schedule B shall apply to any class or description of factories wherein dangerous manufacturing processes or operations specified in each Part of the Schedule are carried on.



(5) Notwithstanding anything contained in Schedule B, the Inspector-cum-Facilitator may issue order in writing to the Manager or Occupier or both, directing them to carry such measures, and within such time, as may be specified in such order with a view to remove conditions dangerous to the health of the worker or to suspend any process, where such process constitutes in the opinion of the Inspector-cum-Facilitator imminent danger of poisoning or toxicity.

(6) Any register or record of medical examinations and tests connected therewith required to be carried out, under any of the part of Schedule B, in respect of any worker, shall be kept readily available to the Inspector-cum-Facilitator and shall be preserved till the expiry of a period of one year after the worker ceases to be in employment of the factory.

#### **69. Site Appraisal Committee.-**

(1) Constitution under section 83 - The following provisions shall govern the functioning of the Site Appraisal Committee (hereinafter referred to as the "Committee" in these rules), namely:-

(a) the State Government may constitute or reconstitute the committee as and when necessary;

(b) the Director of Factories & Boilers / Chief Inspector-cum-Facilitator will be the Chairman of the Committee;

(c) the State Government, to assist the Chief Inspector-cum-Facilitator, may co-opt the following persons as members of the Committee:

(i) a representative of the Fire Service Organization of the State Government;

(ii) a representative of the Department of Industries of the State Government;

(iii) a representative of the State Pollution Control Board;

(iv) a representative of the Director General of Factory Advice Service and Labour Institute, Mumbai;

(2) Applications as appended at Schedule G for appraisal of Sites in respect of the factories covered under section 2(1)(za) of the Code shall be submitted to the Chairman of the Committee along with 15 copies thereof in Form XXXIII annexed to this rule. The committee may dispense with the furnishing of the information on any particular item in the application under consideration.

(3) Chairman of the Committee will devise a mechanism to-

(a) Register the applications received for appraisal of site in a separate register and acknowledge the same within a period of 7 days.

(b) Fix up meeting in such a manner that all the applications received and registered are referred to the Committee within a period of one month from the date of their receipt.

(c) The Committee may adopt a procedure for its working keeping in view the need for expeditious disposal of applications.

(d) The Committee shall examine the application for appraisal of a site with reference to the prohibitions and restrictions on the location of industry and the carrying on the Process and operations in different areas as per the provisions of Rule 5 of the Environment (Protection) Rules, 1986 framed under the Environment (Protection) Act., 1986.

(e) The Committee may call for documents examine experts, inspect the site, if necessary, and take other steps for formulating its view in regard to the suitability of the site.

(f) Wherever the proposed site requires clearance by the Ministry of Industry or the Ministry of Environment and Forests of the Government of India site appraisal will be considered by the Committee only after such clearance has been received.

(4) Travelling Allowance – The Committee will decide from time to time as per existing State Service/ Financial Rules.

(5) The following information shall be supplemented to the application by enclosing copies documents, maps or blue prints etc. wherever necessary

1. Name and address of the applicant.

2. Site ownership Data.

2.1 Revenue details of site such as Survey number, plot number, Allotment /Registration number etc.

2.2 Whether the site is classified as forest and if so, whether approval of the Central Government under section 5 of the Indian Forests Code, 1927 has been obtained.

2.3. Whether the proposed site attracts the provisions of section 3(2)(V) of the Environment (Protection) Act, 1986, if so, the nature of the restrictions.

2.4 Local authority under whose jurisdiction the site is located. 2.5. Documentary evidence of ownership.

3. Site Plan -

3.1. Site Plan with clear identification of boundaries and total area proposed to be occupied and showing the following details nearby the proposed site -

(a) Historical monument, if any, in the vicinity.

(b) Names of neighbouring manufacturing units and human habitats, educational and training institutions, petrol installations, storages of liquefied petroleum gas and other hazardous substances in the vicinity and their distances from the proposed unit.

(c) Water sources (river, streams, canals, dams and water filtration plants etc.) in the vicinity.

(d) Nearest hospitals, fire-stations, civil defense stations and police stations and their distances from the proposed unit.

(e) High tension electrical transmission lines, pipelines for water, oil, gas or sewerage: railway lines, roads, stations, jetties gas and other similar installations in the vicinity.

details of soil conditions and depth at which hard strata obtained.

Contour map of the factory showing nearby hillocks and difference in levels.

Plot plan of the factory showing the entry and exit points roads within, water drains, etc.

#### 4. Project Report -

A summary of the salient features of the project.

Status of the organization (Government, Semi-Government, public or Private etc.)

Maximum number of persons likely to be employed in the factory.

Maximum requirement of power and water and sources of their supply.

Block diagram of the buildings and installations, in the proposed unit.

Details of the proposed housing colony, hospital, school and other infrastructural facilities.

#### 5. Organizational structure for proposed manufacturing unit / factory.

Organization diagram of -

- Proposed enterprise in general and.

- health, safety and environment protection departments and their linkage to operation and technical department.

Proposed health and safety policy.

Area allocated for treatment of wastes and effluents.

Percentage of outlay on safety, health and environment protection measures.

#### 6. Meteorological data relating to the site -

6.1 Average, minimum and maximum of temperature, humidity and wind velocities during the previous ten years.

6.2 Seasonal variations of wind direction.

6.3 Highest water level reached during the floods in the area recorded so far.

6.4 Lightening and seismic data of the area.

#### 7. Communication Links -

Availability of telephone / telex / wireless and other communication facilities for outside communication. Proposed internal communication facilities.

Manufacturing processes Information: Processes flow diagram in detail indicating processes parameters, e.g. temperature, pressure, etc. at various stages of manufacturing processes or Process.

Brief write-up on processes and technology.

Critical processes parameters, such as pressure build-up, temperature rise and runaway reconditions.

Other external effects critical to the processes having safety implications, such as ingress of moisture or water, contact with incompatible substances, sudden power failure.

Highlights of the built - in safety/pollution control devices or measures incorporated in the manufacturing technology.

8. Information on Hazardous Materials - Raw materials, intermediates, products and by-products and their quantities (Enclose material safety data Sheet in respect of each hazardous substance). Main and intermediates, storages proposed for raw materials/ intermediates/ products (maximum quantities at any time to be stored).

Transportation methods to be used for inflow and outflow of materials their quantities and likely routes to be followed.

Safety measures proposed for :

- handling of materials ;
- internal and external transportation ; and
- disposal (packing and forwarding of finished products.)

9. Information of Disposal of Wastes and Pollutants-

Major pollutants (gas, liquid, solid) their characteristics and quantities (average and at peak loads).

Quality and quantity of solid wastes generated, methods of their treatment and disposal.

Air, water and soil pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluents.

10. PROCESS Hazards Information:

A copy of the report on environmental impact assessment be enclosed.

A copy of the report on Risk Assessment study be enclosed.

Published (open or classified) reports, if any on accident situations / occupational health hazards or similar plants elsewhere (within or outside the country).

11. Information of proposed Safety and Occupational Health Measures.

Details of fire fighting facilities and minimum quantity of water, Carbon dioxide and/or other fire fighting measures needed to meet the emergency.

Details of the proposed in house medical facilities.

12. Information on emergency Preparedness:

On-Site emergency plan and detailed disaster control measures.

Proposed arrangements, if any, for mutual aid scheme with the group of neighboring factories.

13. Any other relevant information :

I certify that the information furnished above is correct to the best of my knowledge and nothing of importance has been concealed while furnishing it.

Applicant's full name and address

Signature of the Applicant

**70. Compulsory disclosure of information by occupier under sub-section (1) of**

**section 84.-** (1) All the provisions contained in the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 (MSIHC Rules-1989) and the Chemical Accidents (Emergency Planning, Preparedness, and Response) Rules, 1996 framed under the Environment (Protection) Act, 1986 by Central Government will be the part of these Rules.

(2) Material Safety Data Sheet - Collection and development and Dissemination of information-

1) The occupier of every factory carrying on a hazardous Process shall arrange to obtain or develop information in the form of Material Safety Data Sheet (MSDS) in respect of every hazardous substance or material handled in the manufacture, transportation and storage in the factory. It shall be accessible, upon request, to a worker for reference-

(a) every such material Safety Data Sheet shall include the following information-

(i) the identification mark used on the label;

(ii) hazardous ingredients of the substance;

(iii) physical and chemical characteristics of the hazardous substance;

(iv) the physical hazards of the hazardous substance, including the potential for fire, explosion and reactivity ;

(v) the health hazards of the hazardous substance, including signs and symptoms of exposure, and any medical condition which are generally recognised as being aggravated by exposure to the substance ;

(vi) the primary route or routes of entry ;

(vii) the permissible limits of exposure prescribed by State Government;

- (viii) any generally applicable precautions for safe handling and use of the hazardous substance, which are known, including appropriate hygienic practices, protective measures during repairs and maintenance of contaminated equipment, procedures for cleanup of spills and leaks ;
- (ix) any generally applicable control measures, such as appropriate engineering controls work practices, or use of personal protective equipment;
- (x) emergency and first-aid procedures ;
- (xi) the date of preparation of the Material Safety Data Sheet, or the last change in it ;  
and
- (xii) the name, address and telephone number of the manufacturer, importer, occupier or other responsible party preparing or distributing the Material Safety Data Sheet, who can provide additional information on the hazardous substance and appropriate emergency procedures if necessary.

(b) The occupier while obtaining or developing a Material Safety Data Sheet in respect of a hazardous substance shall ensure that the information, recorded accurately, reflects the scientific evidence used in making the hazard determination. If he become newly aware of any significant information regarding the hazards, the new information shall be added to the Material Safety Data Sheet as soon as practicable.

(c) An example of such Material Safety Data Sheet is given in the Schedule C annexed to this Rule.

2) Every container of a hazardous substance shall be clearly labelled or marked to identify :—

- (a) The contents of the container ;
- (b) The name and address of the manufacturer or importer of the hazardous substances.
- (c) the physical and health hazards ; and
- (d) the recommended personal protective equipment needed to work safely with the hazardous substance.

**71. The Occupational Safety and Health Policy under sub-section (2) of section 84.-** (1) Occupier of every factory shall submit a written statement of his policy at the time of registration in respect of safety and health of workers at work, except factories employing less than 50 workers provided that these are not covered in the First Schedule to the Act referred to in section 2(z a) or carrying out processes or operations declared to be dangerous under section 82 of the Code.

(2) The safety and health policy shall contain or deal with the following, namely :-

(a) declared intention and commitment of the top management to health, safety and environment and compliance, to all the relevant statutory requirements;

(b) organisational set-up to carry out the declared policy, clearly assigning the responsibility at different levels; and

(c) arrangements for making the policy effective and-

(3) The policy shall specify the following, namely :-

(a) arrangements for involving the workers;

(b) intention of taking into account the health and safety performance of individuals at different levels while considering their career advancement;

(c) fixing responsibility of the contractor, sub-contractors, transporters and other agencies entering the premises;

(d) providing a resume of health and safety performance of the factory in its Annual Report;

(e) relevant techniques and methods, such as safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all the remedial measures;

(f) stating its intention to integrate health and safety in all decisions including those dealing with purchase of plant, equipments, machinery and material as well as selection and placement of personnel; and

(g) arrangements for informing, educating and training its employees at different levels and the public in the vicinity, wherever required.

(4) A copy of the declared Health and Safety Policy signed by the Occupier shall be made available to the Inspector having jurisdiction over the factory and to the Chief Inspector.

(5) The Policy shall be made widely known by,-

(a) making copies available to all workers including contract workers, apprentices, transport workers, suppliers, etc.

(b) displaying copies of the policy at conspicuous places; and

(c) any other means of communication in a language understood by majority of workers.

(6) The occupier shall revise the Safety Policy as often as may be appropriate, but it shall necessarily be revised under the following circumstances, namely :-

(a) whenever any expansion or modification having implications on safety and health of persons at work is made; or

(b) whenever new substance(s) or articles are introduced in the manufacturing process having implication on health and safety of persons exposed to such substances.]

**72. The manner of disclosing information by occupier of a factory under sub-section (5) and (7) of Section 84.-**

**(1) Disclosure of information to workers :-**

(i) The occupier of a factory carrying on a 'hazardous process' shall supply to all workers the following information in relation to handling of hazardous materials or substances in the manufacture, transportation, storage and other processes:

- a) Requirements of Sections 84, 85 and 89 of the Code;
- b) A list of 'hazardous processes' carried on in the factory;
- c) Location and availability of all Material Safety Data Sheets as per Rule 58;
- d) Physical and health hazards arising from the exposure to or handling of substances;
- e) Measures taken by the occupier to ensure safety and control of physical and health hazards;
- f) Measures taken by the workers to ensure safe handling, storage and transportation of hazardous substances;
- g) Personal Protective Equipment required to be used by workers employed in 'hazardous process' or 'dangerous operations';
- h) Meaning of various labels and markings used on the containers of hazardous substances as provided under rule 58;
- i) Signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report;
- j) Measures to be taken by the workers in case of any spillage or leakage of a hazardous substance;
- k) Role of workers vis-à-vis the emergency plan of the factory, in particular the evacuation procedures;
- l) Any other information considered necessary by the occupier to ensure safety and health of workers.

(ii) The information required by sub-rule (i) shall be compiled and made known to workers individually through supply of booklets or leaflets and display of cautionary notices at the workplaces. The booklets, leaflets and the cautionary notices displayed in the factory shall be in the language understood by the majority of the workers and also explained to them.



- (iii) The Chief Inspector-cum-Facilitator may direct the occupier to supply further information to the workers as deemed necessary.

**(2) Disclosure of information to General Public :-**

- (i) The occupier of every factory carrying on a 'hazardous process' shall in consultation with the District Emergency Authority designated by the Appropriate Government, take appropriate steps to inform the general public who are likely to be in the area which might be affected by an accident. Such information shall include:

- (a) Name of the factory and address where situated;
- (b) Identification, by name and position, of the person giving the information;
- (c) Confirmation that the factory has approval from the Factories Inspectorate and Pollution Control Board;

(d) An explanation in simple terms of the hazardous process(es) carried on in the premises;

(e) The common names of the hazardous substances used which could give rise to an accident likely to affect them, with an indication of their principal harmful characteristics;

(f) Brief description of the measures to be taken to minimize the risk of such an accident in compliance with its legal obligations under relevant safety statutes;

(g) Salient features of the approved disaster control measures adopted in the factory;

(h) Details of the factory's emergency warning system for the General Public;

(i) General advice on the action members of the public should take on hearing the warning;

(j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimize their effects; and

(k) Details of where further information can be obtained.

**(3) Disclosure of information to the Local Authority**

The occupier of every factory carrying on a 'hazardous process' shall furnish the following information in writing to the local authority having jurisdiction over the area in which the factory is situated

**(4) Disclosure of information to the Chief Inspector-cum-Facilitator**

- i) The occupier of a factory carrying on a hazardous process, shall intimate to the Chief Inspector –cum- Facilitator all information having a bearing on preparation

of an on-site emergency plan and a disaster control and management plan in respect of the factory.

a) a report on status relating to risk assessment and environmental impact assessment and the measures taken for prevention of accidents,

Rules made thereunder.

#### **(5) Onsite Emergency Plan**

- i. The occupier of a factory carrying on a hazardous process shall prepare a draft on-site emergency plan and submit it to the Chief Inspector-*cum*-Facilitator. The Chief Inspector-*cum*-Facilitator may make such modification in the plan as necessary, in consultation with the occupier and approve the same.

The information furnished shall include the quantity of the solid and liquid wastes generated per day their characteristic and the methods of treatment such as incineration of solid wastes, chemical and biological treatment of liquid wastes, and arrangements for their final disposal. It shall also include information on the quality and quantity of gaseous waste discharge through the stacks or other openings and arrangements such as provisions of scrubbers, cyclone separators, electrostatic precipitators of similar such arrangements made for controlling pollution of the environment.

(2) The occupier shall also furnish the information prescribed in the sub-rule (1), and (2) to the State Pollution Control Board.

#### **(6) Confidentiality of Information**

- (i) The occupier of a factory carrying on 'hazardous process' shall disclose all information needed for protecting safety and health of the workers and the general public in the neighbourhood –

- a. His workers;
- b. District Emergency Authority;
- c. Local Inspector-*cum*-Facilitator; and
- d. Chief Inspector-*cum*-Facilitator

as required under sub rules (3), (6) and (7) of Rule 72. If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely affect his business interests, he may make a representation to the Chief Inspector-*cum*-Facilitator stating the reasons for withholding such information. The Chief Inspector-*cum*-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation.

- (ii) An occupier aggrieved by an order of Chief Inspector cum facilitator may prefer an appeal before the State Government within a period of 30 days. The State

Government shall give an opportunity to the occupier of being heard and pass an order. The order of the Government shall be final.

**73. The conditions for accessibility of the record by the workers under clause (a) of Section 85.-** (1) The occupier of every factory carrying out a 'hazardous process' shall make accessible the health records including the record of worker's exposure to hazardous process or, as the case may be, the medical records of any worker for his perusal under the following conditions:-

- i. Once in every six months or immediately after the medical examination, whichever is earlier;
- ii. If the factory Medical Officer is of the opinion that the worker has manifested signs and symptoms of any notifiable disease as specified in the Third Schedule of the Code.
- iii. If the worker leaves the employment;
- iv. If any one of the following authorities so direct
  - (a) the Chief Inspector cum facilitator;
  - (b) the Health Authority of the State Government;
  - (c) the Commissioner of Employees Compensation;
  - (d) the Director, Employees State Insurance Corporation (Medical Benefits); and
  - (e) the Director General, Factory Advice Service and Labour Institutes.

(2) A copy of the up to date health records including the record of worker's exposure to hazardous process or, as the case may, the medical records shall be supplied to the worker on receipt of an application from him.

X-ray plates and other medical diagnostic reports may also be made available for reference to his medical practitioner.

**74. 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.-** (1) All persons who are required to supervise the handling of hazardous substances shall possess the following qualifications and experience:

(2) The syllabus and duration of the above training and the organisations conducting the training shall be approved by the DGFASLI or the appropriate Government in accordance with the guidelines issued by the DGFASLI.

**75. The manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of section 85.-** (1) Workers employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner herein after referred to as a Factory Medical Officer, in the following manner:-

- i. Once before employment, to ascertain physical fitness of the person to do the particular job:-
- ii. Once in a period of 12 months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed and in cases where in the opinion of the Factory Medical Officer it is necessary to do so at a shorter interval in respect of any workers.
- iii. The details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the Health Register in the Form-XXVII.

(2) No person shall be employed for the first time without a certificate of fitness in Form-XXVIII granted by the Factory Medical Officer. If the Factory Medical Officer declares a person unfit for being employed in any process covered under sub-rule (1), such a person shall have the right to appeal to the Inspector who shall refer the matter to the Medical Officer whose opinion shall be final in this regard. If the Inspector is also a Medical Officer, he may dispose of the application himself.

(3) Any findings of the Factory Medical Officer revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the Medical Officer / Chief Inspector-*cum*-Facilitator who shall in turn, examine the concerned worker and communicate his findings to the occupier within 30 days. If the Medical Officer is of the opinion that the worker so examined is required to be taken away from the process for health protection, he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the worker so taken away shall be provided with alternate placement unless he is in the opinion of the Medical Officer, fully incapacitated in which case the worker affected shall be suitably rehabilitated.

(4) A Medical Officer on his own motion or on a reference from an Inspector may conduct medical examination of a worker to ascertain the suitability of his employment in a hazardous process or for ascertaining his health status. The opinion of the Medical Officer in such a case shall be final. The fee required for this medical examination shall be paid by the occupier.

(5) The worker taken away from employment in any process under sub-rule (2) may be employed again in the same process only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the Health Register.

(6) The worker required to undergo medical examination under these rules and for any medical survey conducted by or on behalf of the State Government shall not refuse to undergo such medical examination.

## **76. The measures or standards under sub-section (1) of section 86.-**

### **(1) OCCUPATIONAL HEALTH CENTRES**

In respect of any factory carrying on 'hazardous process', there shall be provided and maintained in good order an Occupational Health Centre with the services and facilities as per scale laid down here under:-

#### **i. For factories employing upto 100 workers-**

a. The services of a Factory Medical Officer on retainer-ship basis, in his clinic to be notified by the occupier. He will carry out the pre-employment and periodical medical examination as stipulated in rule 75 and render medical assistance during any emergency.

b. A minimum of 5 persons trained in first-aid procedures amongst whom at least one shall always be available during the working period;

c. A fully equipped first-aid box.

#### **ii. For factories employing 100 to 500 workers—**

a. An occupational Health Centre having a room with a minimum floor area of 15 sq meter with floors and walls made of smooth and impervious surface and with adequate illumination and ventilation as well as equipment as per the Schedule D.

b. A part-time Factory Medical Officer shall be in overall charge of the Centre who shall visit the factory at least twice in a week and whose services shall be readily available during medical emergencies;

c. One qualified and trained dresser-cum-compounder on duty throughout the working period;

d. A fully equipped first aid box in all the departments;

#### **iii. For Factories employing above 500 workers;**

a. One full-time Factory Medical Officer for factories employing above 500 workers and one more Medical Officer for every additional 1000 workers or part thereof;

b. An Occupational Health Centre having at least 2 rooms each with a minimum floor area of 15 sq. metre with floors and walls made of smooth and impervious surface and adequate illumination and ventilation as well as equipment as per the Schedule D.

c. There shall be one nurse, one dresser-cum-compounder and one sweeper-cum-ward boy through out the working period;

d. The Occupational Health Centre shall be suitably equipped to manage medical emergencies.

(2) The Factory Medical Officer required to be appointed under clause (a) shall have qualifications included in Schedule to the Indian Medical Degrees Act. of 1916 or in the

Schedules to the Indian Medical Council Act., 1956 and possess a Certificate of Training in Industrial Health of minimum three months duration recognised by the State Government:  
Provided that –

- (i) A person possessing a Diploma in Industrial Health or equivalent shall not be required to possess the certificate of training as aforesaid;
- (ii) The Chief Inspector -cum- Facilitator may, subject to such conditions as he may specify, grant exemption from the requirement of this sub-rule, if in his opinion a suitable person possessing the necessary qualification is not available for appointment;
- (iii) In case of a person who has been working as a Factory Medical Officer for a period of not less than 3 years on the date of commencement of this rule, the Chief Inspector- *Cum*- Facilitator may, subject to the condition that the said person shall obtain the aforesaid certificate of training within a period of three years, relax the qualification.

(3) The syllabus of the course leading to the above certificate, and the organisations conducting the Course shall be approved by the Directorate General of Factory Advice Service / Directorate of Health Services of State Government in accordance with the guidelines issued by the DGFASLI.

(4) Within one month of the appointment of a Factory Medical Officer, the occupier of the Factory shall furnish to the Chief Inspector- *Cum*- Facilitator the following particulars:

- i. Name and address of the Factory Medical Officer;
- ii. Qualifications
- iii. Experience, if any, and
- iv. The sub-rule under which appointed.

(5) AMBULANCE VAN

- (i) In any factory carrying on 'hazardous process', there shall be provided and maintained in good condition, a suitably constructed ambulance van equipped with items as per sub-rule (5) and manned by a full time Driver- *cum*-Mechanic and a Helper trained in first aid, for the purposes of transportation of serious cases of accidents or sickness. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will normally be stationed at or near to the Occupational Health Centre.

Provided that a factory employing less than 200 workers, may make arrangements for procuring such facility at short notice from a nearby hospital or other places, to meet any emergency.

(ii) The Ambulance should have the following equipment: -

a. General

- A wheeled stretcher with folding and adjusting devices; with the head of the stretcher capable of being tilted upward;
- Fixed suction unit with equipment;
- Fixed oxygen supply with equipment;
- Pillow with case; -Sheets; - Blankets; -Towels;
- Emesis bag; - Bed pan; - Urinal; -Glass

b. Safety equipment

- Flares with life of 30 minutes; - Floodlights;
- Flash lights; -Fire extinguisher dry power type;
- Insulated gauntlets

c. Emergency Care Equipment

Resuscitation

- Portable suction unit; Portable oxygen units;
- Bag-valve-mask, hand operated artificial ventilation unit;
- Airways; -Mouth gags; - Tracheostomy adapters;
- Short spine board; I.V. Fluids with administration unit;
- B.P. Manometer; - Cunn;-Stethoscope

Immobilization

- Long and short padded boards; - Wire ladder splints;
- Triangular bandage; - Long and short spine boards

Dressings

- Gauze pads – 4” x 4”; - Universal dressing 10” x 36”,
- Roll of aluminum foils; - Soft roller bandages 6” x 5 yards; -Adhesive tape in 3” roll; -

Safety pins;

- Bandage sheets; - Burnsheets.

Poisoning

- Syrup of Ipecac; - Activated Charcoal Pre packeted in dozes; - Snake bite kit;
- Drinking water
- As per requirement (under the advice of Medical Officer only)

(6) DECONTAMINATION FACILITIES

In every factory, carrying out ‘hazardous process’, the following provisions shall be made to meet emergency:-

- i. fully equipped first aid box;

- ii. readily accessible means of water for washing by workers as well as for drenching the clothing of workers who have been contaminated with hazardous and corrosive substance; and such means shall be as per the scale shown in the Table below:

#### **TABLE**

Sl. No. No. of persons employed at any time No. of drenching showers

(i) Upto 50 workers 2

(ii) Between 51 to 200 workers 2+ 1 for every additional 50 or part thereof

(iii) Between 201 to 500 workers 5 + 1 for every additional 100 or part thereof

(iv) 501 workers and above 8 + 1 for every additional 200 or part thereof

- iii. a sufficient number of eye wash bottles filled with distilled water or suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.

#### **(7) ISSUE OF GUIDELINES**

For the purpose of compliance with the requirements under sub-sections (1) (4) and (7) of Section 84 or Section 85 of the Code, the Chief Inspector-*cum*-Facilitator may, if deem necessary, issue guidelines from time to time to the occupiers of factories carrying on 'hazardous process'. Such guidelines may be based on National Standards, Codes of Practice, or recommendations of International Bodies such as ILO and WHO.

**77. Permissible levels of certain chemical substances in work environment under section 88.-** Without prejudice to the requirements in any other provisions of the code, the requirements specified in the Schedule-E appended to this rule shall apply to all factories.

**78. Procedure in appeal. -** (1) An appeal presented under section 90 shall lie to the Chief Inspector-*cum*-Facilitator, or in cases where the order appealed against is an order passed by that officer, to the State Government or to such authority as the State Government may appoint in this behalf and shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and bearing Court-fees stamp in accordance with Article 11 of Schedule II to the Court-fees Act., 1870, and shall be accompanied by a copy of the order appealed against.

(2) *Appointment of assessors-* On receipt of the memorandum of appeal, the appellate authority shall if it thinks fit or if the appellant has requested that the appeal should be heard with the aid of assessors, call upon the body declared under sub-rule (3) to be representative of the industry concerned, to appoint an assessor within a period of 14 days. If an assessor is nominated by such body, the appellate authority shall appoint a second assessor itself. It shall then fix a date for the hearing of the appeal and shall give



due notice of such date to the appellant and to the Inspector whose order is appealed against, and shall call upon the two assessors to appear upon such date to assist in the hearing of the appeal.

(3) The appellant shall state in the memorandum presented under sub-rule (1) whether he is a member of one or more of the following bodies

[1. ....]

\*2 .....

\*3.....

\*4.....]

The body empowered to appoint the assessor shall-

(a) if the appellant is a member of one of such bodies, be that body;

(b) if he is a member of two such bodies, be the body which the appellant desires should appoint such assessor; and

(c) if the appellant is not a member of any of the aforesaid bodies or if he does not state in the memorandum which of such bodies he desires should appoint the assessor, be the body which the appellate authority considers as the best fitted to represent the industry concerned.

(4) *Remuneration of assessors*-An assessor appointed in accordance with the provisions of Sub-rules (2) and (3) shall receive for the hearing of the appeal, a fee to be fixed by the appellate authority, subject to a maximum of fifty rupees *per diem*. He shall also receive the actual travelling expenses. The fees and travelling expenses shall be paid to the assessor by Government; but where assessors have been appointed at the request of the appellant and the appeal has been decided wholly or partly against him the appellate authority may direct that the fees and travelling expenses of the assessor shall be paid in whole/in part by the appellate authority.

**79. Persons defined to hold positions of supervision or management under clause (a) of sub-section (1) of section 91.**- (1) The following persons shall be deemed to hold positions of supervision or management:-

i). all persons specified in the Schedule F; and

ii). any other person who, in the opinion of the Inspector-Cum-Facilitator, holds a position of supervision or management as given in Schedule F.

(2) All timekeepers employed in a factory within the meaning of sub-section (1) of Section 2 shall be deemed to be employed in a confidential position in the factory.

**80. Exemptions under clause (b) of sub-section (1) of Section 91.**- Adult workers engaged in factories specified in column 2 of the Schedule G on the work specified in

column 3 of the said schedule shall be exempted from the provisions of the sections specified in the column 4 subject to the conditions, if any, specified in column 5 of the said schedule.

## **CHAPTER-XIII**

### **PLANTATION**

**81.Facilities for workers in plantation under section 92.-** Without prejudice to the generality of Sections 23 and 24, the State Government may, by notification, make the provisions relating to the matters under clause (a) to (d) of sub-section (1) of Section 92 for the workers employed in plantation.

**82.Safety of workers in plantation under section 93.-** The State Government may, by notification, make the provisions for safety under sub-sections (2), (3), (4), (5), (7) and (9) of Section 93 for the workers employed in plantation.

## **CHAPTER-XIV**

### **OFFENCES AND PENALTIES**

**83. Manner of holding enquiry under sub-section (1) of Section 111.-** The State Government may by notification in the official gazette appoint any Group-A officer not below the rank of District Labour Officer / Assistant Director of Factories & Boilers having jurisdiction for holding enquiry and imposing penalty in such manner as may be prescribed by the Central Government under this Section.

**84.Form and manner of preferring appeal and the fee to accompany such appeal under sub-section (3) of Section 111.-** (1) The employer aggrieved by the order of enquiry officer, may appeal against such order before the appellate officer at least one level higher the enquiry officer, appointed by the State Government for such purpose within thirty days from the date of receipt by him of such order, electronically or by registered post or by speed post along with fees at the rate of twenty-five percent of penalty imposed to be deposited in the official account of the appellate authority electronically or otherwise.

2. Where the memorandum of appeal is in order, the appellate authority shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form or otherwise to be kept for the purpose called the register of appeals.

3. When the appeal has been admitted, the appellate authority shall send the notice of the appeal to the enquiry officer, against whose order the appeal has been preferred and the enquiry officer shall thereupon send the records of the case to the appellate authority online electronically or otherwise.

4. On receipt of the appeal, the appellate authority shall send a notice to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal electronically or by registered post or speed post.

5. If on the date fixed for hearing, the appellant does not appear, the appellate authority may dismiss the appeal for default of appearance of the appellants by sending the copy of the order to the applicant electronically or by registered post or speed post.

6. Where an appeal has been dismissed, the appellant may apply electronically or by registered post or speed post to the appellate authority for the restoration of the appeal within thirty days from the date of receipt of the order and if the appellate authority is satisfied that the appellant was prevented by sufficient cause from appearing, the appellate authority shall restore the appeal subject to costs at the discretion of the authority.

7. The order of the appellate authority shall be communicated electronically or by registered post or speed post to the appellant and copy thereof shall be sent to the enquiry officer against whose order the appeal has been preferred and shall be disposed of within a period of thirty days from the date of receipt of appeal.

**85. Manner of compounding under sub-section (1) of Section 114.-** (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of Section 114 shall issue electronically or by registered post or by speed post, a compounding notice for the offences which are compoundable under sub-section (1) of Section 114.

(2) The person so noticed may apply to the officer electronically or by registered post or by speed post and deposit the entire compounding amount by electronic transfer or otherwise, within thirty days of the receipt of the notice.

(3) The compounding officer shall issue a composition certificate within twenty days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within thirty days before the institution of prosecution, the prosecution shall be proceeded with before the competent Court.

(5) No prosecution shall be instituted without giving an opportunity to the employer to comply with such provisions subjected to proviso of sub-section (1) of Section 110 and compounding as under Section 114.

## **CHAPTER-XV**

### **SOCIAL SECURITY FUND**

#### **86. Other sources of Odisha Unorganized Workers Social Security Fund.- (1)**

There shall be constituted by the State Government a Fund under sub-section (5) of Section 141 of the Code on Social Security, 2020 (36 of 2020) read with the Odisha Social Security Rules, 2021 namely Odisha Unorganized Workers' Social Security Fund.

(2) Besides the sources as specified under sub-section (1) of Section 115, the fund may also be funded by the sources as specified under the Code on Social Security, 2020 (36 of 2020) read with the Odisha Social Security Rules, 2021 or such other sources as may be notified by the State Government from time to time.

**87. Manner of administering and expending Odisha Unorganized Workers Social Security Fund.-** The Odisha Unorganized Workers Social Security Fund shall be administered and expended for welfare of the unorganised workers in the manner as specified under the Code on Social Security, 2020 (36 of 2020) read with the Odisha Social Security Rules, 2021.

## **CHAPTER-XVI**

### **MISCELLANEOUS**

**88. 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.-** (1) If a person desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under sub-section (1) or sub-section (2) of Section 47 in more than one districts or for the whole State then he shall apply electronically on the designated portal of the State Government in Form-XIV to the Labour Commissioner, Odisha who shall be the licensing authority appointed by the State Government for the purpose of licence in respect of industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works.

For the purpose of licence of factories, the application shall be transferred to the Chief Inspector of Factories & Boilers, Odisha, who shall issue the licence to the applicant through the designated portal of the State Government.

(2) If a person or contractor desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under

sub-section (1) or sub-section (2) of Section 47 limited to a single jurisdiction, then he shall apply electronically on the designated portal of the State Government in Form-XIV to the licensing authority appointed by the State Government by notification in this behalf under sub- section (1) of Section 119 of this code.

For the purpose of licence of such factory, the application shall be transferred to the Chief Inspector of Factories and Boilers, Odisha, who shall issue the licence to the applicant through the designated portal of the State Government.

(3) License issued under this rule shall be valid for five years.

**89.Actions, manner of taking actions and inquiry under sub-section (3) of Section 119.**— Where the Authority referred to in sub section (3) of Section 119 is satisfied that the common licence may be issued in respect of factory, industrial premises and for construction establishment engaging contract worker or any combination thereof, a single licence for any one of them under these rules shall be issued in Form – XV electronically within 45 days of the receipt of the said application. In case the Authority rejects the application, he shall assign the reasons for such rejection and communicate to the party within the above mentioned period electronically.

**90.The form of appeal, the fee to be accompanied there with and the appellate authority under sub-section (6) of Section 119.**— (1) Any person aggrieved by an order passed under this section by the licensing authority referred to sub-rule (1) of rule 87, shall prefer an appeal before the Secretary, Labour and ESI Department, Government of Odisha.

(2) Any person aggrieved by an order passed under this section by the licensing authority referred to sub-rule (2) of rule 87, shall prefer an appeal before the Labour Commissioner, Odisha or the Director of Factories & Boilers, as the case may be.

(3) The Application for the appeal shall be accompanied with the rejection order of the licensing authority and fee receipt of Rs. 1000/- to be deposited in the official account of the Appellate Authority.

**91. The manner of survey under sub-section (2) of Section 121.**— The State Government may appoint a committee and prescribe the manner to undertake a survey as referred under sub section (2) of Section 121 by way of notification from time to time.

**92. Grievance redressal mechanism for contract labour.-**

(1) The contract labour may submit his grievance(s) relating to health, working conditions and wages, at the level of principal employer, who shall look into the matter and redress grievance(s) if any.

(2)A committee may be constituted consisting of a chairman, who shall be the authorized representative of the principal employer. The committee shall have representatives of principal employer and contractors. The aforesaid committee shall hear and dispose of the grievance(s) of the contract labour within a period of one month.

(3)In case, the grievance(s) is not redressed within one month of raising of such grievance(s), the principal employer shall forward the grievance(s) to the concerned Inspector-cum-Facilitator electronically or through registered post or speed post.

**93. Annual increment of regular worker of a contractor.-** A worker who is regularly employed by the contractor for any activity and his employment is governed by mutually accepted standards of the condition of employment shall be such that he gets an annual increment of not less than two percent of his wages.

**94. Any other matter which is required to be, or may be, prescribed under this code.-** The State Government may at any time after publication of these rules make such amendments and insertions as it deem proper by way of notification for carrying out any of the provisions under this code.

**95. Adoption of procedure prescribed by Central Government.-** Notwithstanding anything contained in these Rules, wherein the State Government is the appropriate Government, but the Central Government has been empowered to prescribe any procedure under the Code, the State Government shall adopt the same procedure as prescribed by the Central Government.

## SCHEDULE-A

(See rule-32)

### (Qualification and experience of competent person)

Sl. No.	Section or Rules under which competency is recognised	Qualification required	Experience for the purpose	Facilities at his command.
1	2	3	4	5
1.	Certificate of stability for buildings.	Degree in Civil or Structural Engineering or equivalent.	<div>(i) A minimum of 10 years of experience in the design or construction of testing or repairs of structures;</div> <div>(ii) Knowledge of non-destructive testing, various codes of practices that are current and the effect of the vibrations and natural forces on the stability of the building, and</div> <div>(iii) Ability to arrive at a reliable conclusion with regard to the safety of the structure or the building.</div>	
2	Hoists and lifts	A degree in Electrical and/or Mechanical Engineering or its equivalent.	<div>(i) A minimum experience of 7 years in design or erection or maintenance; or inspection and test procedure of lifts and hoists.</div> <div>(ii) He shall be-</div> <div>(a) Conversant with relevant codes of practices and test procedures that are current;</div>	Facilities for load testing, tensile testing, gauges equipments/ gadgets for measurement and any other equipment required for determining the safe working conditions of the Hoists and Lifts.

1	2	3	4	5
			<p>(b) conversant with other statutory requirements covering the safety of Hoists and Lifts;</p> <p>(c) able to identify the defects and arrive at a reliable conclusion with regard to the safety of the Hoists and Lifts.</p>	
3	Lifting Machinery, chains, ropes and lifting tackles.	Degree in Mechanical or Electrical. Metallurgical Engineering or its equivalent	<p>(i) A minimum experience of 7 years in design or erection or maintenance, or testing, examination and inspection of lifting machinery, chains, ropes and lifting tackles.</p> <p>(ii) He shall be-</p> <p>(a) conversant with the relevant codes of practices and test procedures that are current;</p> <p>(b) conversant with fracture machines and metallurgy of the material of construction;</p> <p>(c) conversant with heat treatment/stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles;</p> <p>(d) capable of identifying defects and arriving at a reliable conclusion with regard to the safety of lifting machines, chains, ropes and lifting tackles.</p>	Facilities for load testing tensile testing, heat treatment, equipment/ gadget for measurement, gauges and such other equipment to determine the safe working conditions of the lifting machinery, tackles.



1	2	3	4	5
4	Pressure Plant	Degree in Chemical or Electrical or Metallurgical or Mechanical Engineering or its equivalent.	<p>(1) A minimum experience of 10 years in design or erection or maintenance or Testing, examination and inspection of pressure plants.</p> <p>(ii) He shall be-</p> <p>(a) conversant with the relevant codes of practices and test procedures relating to pressure vessels;</p> <p>(b) conversant with other statutory requirements concerning the safety of unfired pressure vessels and equipment operating under pressure;</p> <p>(c) conversant with the non-destructive testing techniques as are applicable to pressure vessels;</p> <p>(c) able to identify the defects and arrive at a reliable conclusion with regard to the safety of the pressure plant.</p>	Facilities for carrying out hydraulic test, non-destructive test, gauges equipment/gadgets for measurement and any other equipment or gauges to determine the safety in the use of pressure vessels.
5	(i) Precautions against dangerous fumes.	Master's degree in Chemical Engineering or equivalent.	A minimum of 7 years in collection, analysis of environmental samples and calibration of monitoring equipment.	Meters, instruments and devices duly calibrated certified for carrying out the tests and certification of safety in working In confined spaces.

1	2	3	4	5
6	Ventilation systems	Degree in Mechanical or Electrical Engineering or equivalent.	(i) A minimum of 7 years in the design fabrication, installation, testing of ventilation system and systems used for extraction and collection of dusts fumes and vapours and other ancillary equipment.	Facilities for testing the ventilation system instruments and gauges for testing the effectiveness of the extraction systems for dusts, vapours and fumes and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of the system
	<p>(i) Grinding or glazing of metals and process incidental thereto;</p> <p>(ii) Cleaning or smoothing, roughening, etc. of articles, by a jet of sand, metal shot, or grit, or other abrasive propelled by a blast of compressed air or steam.</p> <p>(iii) Handling and processing of Asbestos.</p> <p>(iv) Manufacturing of Rayon by viscose process.</p>		(ii) He shall be conversant with relevant codes of practice and tests procedures that are current in respect of ventilation and a traction system for furnaces and shall be able to arrive at a reliable conclusion with regard to effectiveness of the system.	

## **SCHEDULE –B**

**(See rule 68)**

### **(Part-I)**

#### **Manufacture of aerated waters and processes incidental thereto**

**1. Fencing of machines**-All machines for filling bottles or syphons shall be so constructed, placed or fenced as to prevent as far as may be practicable, a fragment of bursting bottle or syphon from striking any person employed in the factory.

**2. Face guards and gauntlets**-(1) The occupier shall provide and maintain in good condition for the use of all persons engaged in filling bottles or syphons ;

(a) suitable face-guards to protect face, neck and throat ; and

(b) suitable gauntlets for both arms to protect the whole hand and arms:

Provided that-

(i) paragraph 2 (1) shall not apply where bottles are filled by means of an automatic machine so constructed that no fragment of a bursting bottle can escape; and

(ii) where a machine is so constructed that only one arm of the bottler at work upon it is exposed to danger, a gauntlet need not be provided for the arm which is not exposed to danger.

(2) The occupier shall provide and maintain in good condition for the use of all persons engaged in corking, crowning, screwing, wiring, foiling, compulsory sighting, labelling bottles or syphons-

(a) suitable face-guards to protect the face, neck and throat and

(b) suitable gauntlets for both arms to protect the arm and at least half of the palm and the space between the thumb and forefingers.

**3. Wearing of face guards and gauntlets**-AW persons engaged in any of the processes specified in paragraph 2 shall, while at work in such processes, wear the face-guards and gauntlets provided under the provisions of the said paragraph.

### **(Part-II)**

#### **Electrolytic Plating or Oxidation of metal articles by use of an Electrolyte containing Chromic acid or other Chromium compound**

##### **1. Definitions**-For the purposes of this schedule-

(a) "Electrolytic chromium process" means the electrolytic plating or oxidation of metal articles by the use of an electrolyte containing chromic acid or other chromium compounds.

(b) "Bath" means any vessel used for an electrolytic chromium process or for any subsequent process.

(c) "Employed" means in paragraphs 5, 7, 8, and 9 of this schedule, employed in any process involving contact with liquid from a bath.

(d) [\* \* \*]

**2. Exhaust draught**-An efficient exhaust draught shall be applied to every vessel in which an electrolytic chromium process is carried on. Such draught shall be provided by mechanical means and shall operate on the vapour or spray given off in the process as may be at the point of origin, The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

**3. Prohibition relating to women and young persons**-No woman, adolescent or child shall be employed or permitted to work at bath.

**4. Floor of workrooms**-The floor of every room containing a bath shall be impervious to water. The floor shall be maintained in good and level condition and shall be washed down at least once a day.

**5. Protective clothing** - (1) The occupier of the factory shall provide and maintain in good and clean condition the following articles of protective clothing for the use of all persons employed on any process at which they are liable to come in contact with liquid from a bath and such clothing shall be worn by the persons concerned-

(a) water-proof aprons and bibs, and

(b) for persons actually working at a bath, loose-fitting rubber gloves and rubber boots or other water-proof footwear.

(2) The occupier shall provide and maintain for the use of all persons employed suitable accommodation for the storage and adequate arrangements for the drying of the protective clothing.

**6. Medical requisites**-The occupier shall provide and maintain a sufficient supply of suitable ointment and impermeable water-proof plaster in a separate box readily accessible to the workers and used solely for the purpose of keeping the ointment and plaster.

**7. Medical facilities and records of examinations and tests** - (1) The occupier of every factory in which electrolytic chrome process are carried on shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector-*cum*-Facilitator;

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a); and

(c) maintain a sufficient supply of suitable ointment and impermeable water-proof plaster in a separate box readily accessible to the workers and used solely for the purpose of keeping the ointment and the plaster.

(2) The medical practitioner shall examine all workers before they are employed in electrolytic chrome processes. Such examination shall include inspection of hands, forearms and nose and will be carried out at intervals of not more than one week.

(3) The record of the examination referred to in Sub-paragraph (2) shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**2. Medical examination by the Medical Officer-**(1) Every worker employed in the electrolytic chrome processes shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for chromium in urine and nasal septum perforation. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for Such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every three calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified under Subparagraph (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be kept in the custody of the manager of the factory. The record of each examination carried out under Sub-paragraphs (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents, shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in Sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer after further examination; again certifies him fit for employment in these processes.]

### **(Part-III)**

#### **Manufacture and repair of electric accumulators**

**1. Savings-**This Schedule shall not apply to the manufacture or repair of electric accumulators or parts thereof not containing lead or any compound of lead, or to the repair on the premises, of any accumulator forming part of a stationary battery.

**2. Definitions-**For the purposes of this Schedule -

(a) "Lead process" means the melting of lead or any material containing lead, casting, pasting, lead burning, or any other work, including trimming, or any other abrading or cutting of pasted plates, involving the use, movement or manipulation of, or contact with, any oxide of lead.

(b) "Manipulation of raw oxide of lead" means any lead process involving any manipulation or movement of raw oxides of lead other than its conveyance in a receptacle or by means of an implement from one operation to another.

(c) [\* \* \*]

**3. Prohibition relating to women and young persons-**No woman or young person shall be employed or permitted to work in any lead process or in any room in which the manipulation of raw oxide or lead pasting is carried on.

**4. Separation of certain processes-**Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another, and from any other process-

(a) Manipulation of raw oxide of lead;

(b) Pasting;

(c) Drying of pasted plates;

(d) Formation with lead during ("tacking") necessarily carried on in connection therewith;

(e) Melting down of pasted plates.

**5. Air space-**In every room in which a lead process is carried on, there shall-be at least 500 cubic feet of air space for each person employed therein, and in computing this air space no height over 12 feet shall be taken into account.

**6. Ventilation-**Every work room shall be provided with inlets and outlets, of adequate size as to secure and maintain efficient ventilation in all parts of the room.

**7. Distance between workers in pasting room**-In every pasting room the distances between the centre of the working position of any paster and that of the paster working nearest to him shall not be less than five feet.

**8. Floor of work rooms**-(1) The floor of every room in a lead process is carried on shall be-

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition;
- (c) kept free from materials, plant, or other obstruction not required for or produced in the process carried on in the room.

(2) In all such rooms other than grid casting shops the floor shall be cleaned daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

(3) In grid casting shops the floor shall be cleaned daily.

(4) Without prejudice to the requirements of Sub-paragraphs (1), (2) and (3) where manipulation of raw oxide of lead or pasting is carried on, the floor shall also be-

- (a) kept constantly moist while work is being done;
- (b) provided with suitable and adequate arrangements for drainage;
- (c) thoroughly washed daily by means of a hose pipe.

**9. Work-benches**-The work benches at which any lead process is carried on shall-

- (a) have a smooth surface and maintained in sound condition;
- (b) be kept free from all materials or plant not required for, or produced in the process carried on thereat;

and all such work-benches other than those in grid casting shops shall-

- (c) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat;

and all such work-benches in grid casting shops, shall-

- (d) be cleansed daily; and every work-benches used for pasting shall-
- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges;
- (g) be kept constantly moist while pasting is being carried on.

**10. Exhaust draught**-The following process shall not be carried on without the use of an efficient exhaust draught;

- (a) Melting of lead or materials containing lead;
- (b) Manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the workroom;

(c) Pasting;

(d) Trimming, brushing, filing or any other abrading or cutting of pasted plates giving rise to dust;

(e) Lead burning, other than-

(i) "taking" in the formation room,

(ii) chemical burning for the making of lead linings for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.

Such exhaust draught shall be effected by mechanical means and shall operate on the dust or fume given off as nearly as may be at its points of origin, so as to prevent it entering the air of any room in which persons work.

**11. Fumes and gases from melting pots-**The products of combustion produced in the heating of any melting pot shall not be allowed to escape into a room in which persons work.

**12. Container for dross-**A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the work-room, except when dross is being deposited therein.

**13. Container for lead waste-**A suitable receptacle shall be provided in every work-room in which old plates and waste material which may give rise to dust shall be deposited.

**14. Racks and shelves in drying room-**The racks or shelves provided in any drying room shall not be more than 8 feet from the floor nor more than 2 feet in width; provided that as regards racks or shelves set or drawn from both sides the total width shall not exceed 4 feet.

Such racks or shelves shall be cleaned only after being thoroughly damped unless an efficient suction cleaning apparatus is used for this purpose.

**15. Medical facilities and records of examinations and tests-**(1) The occupier of every factory in which manufacture and repair of electric accumulators are carried on shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a)-

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief



Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**15-A. Medical examination by Medical Officer-**(1) Every worker employed in lead processes shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine, haemoglobin content stippling of cells and steadiness test. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit or such employment by the Medical Officer.

(2) Every worker employed in the said process shall be re-examined by a Medical Officer at least once in every three calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate include tests specified in Sub-paragraph (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under Sub-paragraphs (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(6) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in Subparagraph (5) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.]

**16. Protective clothing-**Protective clothing shall be provided and maintained in good repair for all persons employed in-

- (a) manipulation of raw oxide of lead)
- (b) pasting;
- (c) the formation room;

and such clothing shall be worn by the person concerned. The protective clothing shall consist of a water-proof apron and water-proof footwear; and also as regards persons

employed in the manipulation of raw oxide of lead or in pasting, head coverings. The head coverings shall be washed daily.

**17. Mess-room**-There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable mess-room, which shall be furnished with (a) sufficient tables and benches and (b) adequate means for warming food.

The mess-room shall be placed under the charge of a responsible person, and shall be kept clean.

**18. Cloak-room**-There shall be provided and maintained for the use of all persons employed in a lead process-

(a) a cloak-room for clothing put off during working hours with adequate arrangements for drying the clothing, if wet. Such accommodation shall be separate from any mess-room.

(b) Separate and suitable arrangement for the storage of protective clothing provided under paragraph 16.

**19. Washing facilities**-There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in a lead process-

(a) A wash place under cover, with either-

(i) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet ; or

(ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply-water laid down;

(iii) a sufficient supply of clean towels made of suitable materials renewed daily which supply, in the case of pasters and persons employed in the manipulation of raw oxide of lead shall include a separate marked towel for each such worker or;

(iv) a sufficient supply of soap of other suitable cleaning material and of nail brushes.

(b) There shall in addition be provided means of washing in close proximity to the rooms in which manipulation of raw oxide of lead or pasting is carried on, it required by notice in writing from the Chief Inspector-cum-Facilitator.

**20. Time to be allowed for washing**-Before each meal and before the end of the days work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person who has been employed in the manipulation of raw oxide of lead or in pasting ;

Provided that, if there be one basin of two feet or trough for each such person this paragraph shall not apply.

**21. Facilities for bathing**-Sufficient bath accommodation to the satisfaction of the Chief Inspector-cum-Facilitator shall be provided for all persons engaged in the manipulation of raw oxide of lead or in pasting, and a sufficient supply of soap and clean towels.

**22. Foods, drinks, etc., prohibited in work-rooms**-No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any lead process is carried on.

## **(Part-IV)**

### **Glass Manufacture**

**1. Exemption**-If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or any class of process that, owing to the special methods of work or the special conditions in a factory or otherwise, any of the requirements of this Schedule can be suspended or relaxed without danger to the persons employed therein, or that the application of this Schedule or any part thereof is for any reason impracticable he may, by certificate in writing, authorise such suspension or relaxation as may be indicated in the certificate for such period and on such conditions as he may think fit.

**2. Definitions** - For the purpose of this Schedule-

(a) "Efficient exhaust draught" means localised ventilation effected by mechanical means, for the removal of gas vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas vapour, fume or dust originate.

(b) "Lead compound" means any compound of lead other than galena which when treated in the manner described below, yields to an aqueous solution of hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent of the dry weight of the portion taken for analysis. The method of treatment shall be as follows :

A weighed quantity of the material which has been dried at 100° C. and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of Hydrochloric acid containing 0.25 per cent by weight of Hydrogen chloride. This solution shall thereafter be allowed to stand for one hour

and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

(c) [\* \* \*]

**3. Exhaust draught**-The following processes shall not be carried on except under an efficient exhaust draught or under such other conditions as may be approved by the Chief Inspector-cum-Facilitator:

- (a) The mixing of raw materials to form a "batch".
- (b) The dry grinding glazing and polishing of glass or any article of glass.
- (c) All processes in which Hydrofluoric acid fumes or ammonical vapour are given off.
- (d) All processes in the making of furnace mould or "pots" including the grinding or crushing of used "pot".
- (e) All processes involving the use of a dry lead compound.

**4. Prohibition relating to women and young persons** - No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 3 or at any place where such operations are carried on.

**5. Floors and work-benches**-The floor and work-benches of every room in which a dry compound of lead is manipulated or in which any process is carried on giving off silica dust shall be kept moist and shall comply with the following requirements :

The floors shall be-

- (a) of cement or similar material, so as to be smooth and impervious to water;
- (b) maintained in sound condition; and
- (c) cleansed daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

The work-benches shall-

- (a) have a smooth surface and be maintained in sound condition; and
- (b) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat.

**6. Use of Hydrofluoric acid**-The following provisions shall apply to rooms in which glass is treated with Hydrofluoric acid;

- (a) There shall be inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room :
- (b) The floor shall be covered with gutta-percha and be tight and shall slope gently down to a covered drain ;

(c) The work places shall be so enclosed in projecting foods that opening required for bringing in the objects to be treated shall be as small as practicable; and

(d) The efficient exhaust draught shall be so contrived that the gasses are exhausted downwards.

**7. Storage and transport of Hydrofluoric acid**-Hydrofluoric acid shall not be stored or transported except in cylinders or receptacles made of lead or rubber.

**8. Blow-pipes**-Every glass blower shall be provided with a separate blow-pipe bearing the distinguishing mark of the person to whom it is issued and suitable facilities shall be readily available to every glass blower for sterilising his blow-pipe.

**9. Food, drinks, etc., prohibited in work-rooms**-No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any room or work-place wherein any process specified in paragraph 3 is carried on.

**10. Protective clothing**-The occupier shall provide, maintain in good repair and keep in a clean condition for the use of all persons employed in the processes specified in paragraph 3 suitable protective clothing, foot wear and goggles according to the nature of the work and such clothing, foot-wear, etc., shall be worn by the persons concerned.

**11. Washing facilities** - There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in the processes specified in paragraph 3-

(a) a wash place with either-

(i) a trough with a smooth impervious surface fitted with a waste-pipe without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time, and having a constant supply of water from taps of jets above the trough at intervals of not more than 2 feet; or

(ii) at least one wash basin for every five such persons employed at any one time fitted with a waste-pipe and plug and having an adequate supply of water laid on or always readily available;

and a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleansing material and nail brushes;

and (b) a sufficient number of stand-pipes with taps-the number and location of such stand-pipes shall be to the satisfaction of the Chief Inspector-cum-Facilitator.

[12. Medical facilities and record of examinations and tests - (1) The occupier of every factory in which glass manufacturing processes are carried out shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector-*cum*-Facilitator ; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The records of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-*cum*-Facilitator, which shall be kept readily available for inspection by the Inspector-*cum*-Facilitator.

12-A. Medical examination by Medical Officer-(1) Every worker employed in processes specified in paragraph 2 shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include pulmonary function tests and in suspected cases chest X-ray as well as tests for lead in blood and urine. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-paragraph (1).

(3) The Medical Officer after examining a worker shall issue a Certificate, of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-*cum*-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officers, after further examination again certifies him fit for employment in those processes.]

## **(Part-V)**

### **Grinding or glazing of metals and process incidental thereto**

#### **1. Definitions-**For the purpose of this schedule-

- (a) "Grindstone" means a grindstone composed of natural or manufactured sandstone but does not include a metal wheel or cylinder into which blocks of natural or manufactured sandstone are fitted.
- (b) "Abrasive wheel" means a wheel manufactured of bonded emery or similar abrasive.
- (c) "Grinding" means the abrasion, by aid of mechanical power, of metal by means of a grindstone or abrasive wheel.
- (d) "Glazing" means the abrading, polishing or finishing, by aid of mechanical power, of metal, by means of any wheel, buff, mop or similar appliance to which any abrading or polishing, substance is attached or applied.
- (e) "Racing" means the turning up, cutting or dressing of a revolving grindstone before it is brought into use for first time.
- (f) "Hacking" means the chipping of the surface of a grindstone by hack or similar tool.
- (g) "Rodding" means the dressing of the surface of a revolving grindstone by the application of a rod, bar or strip of metal to such surface.

**2. Exceptions-**(1) Nothing in this Schedule shall apply to any factory in which only repairs are carried on except any part thereof in which one or more persons are wholly or mainly employed in grinding or glazing of metals.

(2) Nothing in this Schedule except paragraph 4 shall apply to any grinding or glazing of metals carried on intermittently and at which no person is employed for more than 12 hours in any week.

(3) The Chief Inspector-cum-Facilitator may by certificates in writing subject to such condition as he may specify therein, relax or suspend any of the provisions of this Schedule in respect of any factory, if owing to the special methods of work or otherwise such relaxation or suspension is practicable without clanger to the health or safety of the persons employed.

**3. Equipment for removal of dust-**No racing, dry grinding or glazing shall be performed without - ,

(a) a hood or other appliance so constructed, arranged, placed and maintained as substantially to intercept the dust thrown off ; and

(b) a duct of a adequate size, air tight and so arranged as to be capable of carrying away the dust, which duct shall be kept free from obstruction and shall be provided with

proper means of access for inspection and cleaning, and where practicable, with a connection at the end remote from the fan to enable the Inspector-cum-Facilitator to attach thereto any instrument necessary for ascertaining the pressure of air in the said duct;

(c) a fan or other efficient means of producing a draught sufficient to extract the dust ;

Provided that the Chief Inspector-cum-Facilitator may accept any other appliance that is in his opinion, as effectual for the interception, removal and disposal of dust thrown off as a hood, duct and fan would be.

**4. Restriction on employment on grinding operations-**Not more than one person shall at any time perform the actual process of grinding or glazing upon a grindstone, abrasive wheel or glazing appliance :

Provided that this paragraph shall not prohibit the employment of persons to assist in the manipulations of heavy or bulky articles at any such grindstone, abrasive wheel or glazing appliance.

**5. Glazing-**Glazing or other processes, except processes, incidental to wet grinding upon a grindstone shall not be carried on in any room in which wet grinding upon a grindstone is done.

**6. Hacking aid rodding-**Hacking or rodding shall not be done unless during the process either (a) an adequate supply of water is laid on at the upper surface of the grindstone; or (b) adequate appliances for the interception of dust are provided in accordance with the requirements of paragraph 3.

**7. Examination of dust equipment-**(a) All equipment for the extraction or suppression of dust shall at least once in every six months be examined and tested by a competent person, and any defect disclosed by such examination and test shall be rectified as soon as practicable.

(b) A register containing particulars of such examinations and tests shall be kept in Form No. 24.

[7-A. Medical facilities and record of examinations and tests-(1) The occupier of every factory in which grinding or glazing of metals are carried out, shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a). .

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief



Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

7-B. Medical examination by Medical Officer-(1) Every worker employed in grinding or glazing of metal and processes incidental thereto shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include pulmonary function tests and, in suspected cases, chest X-rays. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate include tests as specified in sub-paragraph (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

## **(Part-VI)**

### **Manufacture and treatment of lead and certain compounds of lead**

1. *Exemptions*-Where the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed, he may by certificate in writing exempt any factory from all or any of such provisions, subject to such conditions as he may specify therein.

2. *Definitions*-For the purposes of this Schedule-

- (a) "Lead Compound" means any compound of lead other than galena which, when treated in the manner prescribed below, yields to an aqueous solution, of Hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent of the dry weight of the portion taken for analysis. In the case of paints and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media.

The method of treatment shall be as follows :

A weighed quantity of the material which has been dried at 100° C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of Hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. The solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

- (b) "Efficient Exhaust draught" means localised ventilation effected by heat or mechanical means for the removal of gas, vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate.

3. *Application*-This Schedule shall apply to all factories or parts of factories in which any of the following operations are carried on-

- (a) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on.
- (b) The manipulation, treatment or reduction of ashes containing lead, the desilverising of lead or the melting of scrap lead or zinc.
- (c) The manufacture of solder or alloys containing more than ten per cent of lead.

- (d) The manufacture of any oxide, carbonate, sulphate, chromate acetate, nitrate or silicate of lead.
- (e) Handling or mixing of lead tetraethyl.
- (f) Any other operation involving the use of a lead compound.
- (g) The cleaning of work rooms where any of the operations aforesaid are carried on.

4. *Prohibition relating to women and young persons*- No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 3.

5. *Requirement to be observed*- No person shall be employed or permitted to work in any process involving the use of lead compounds if the process is such that dust or fume from a lead compound is produced therein, or the persons employed therein are liable to be splashed with any lead compound in the course of their employment unless the provisions of paragraphs 6 to 14 are complied with.

6. *Exhaust draught*-Where dust, fume gas or vapour is produced in the process, provision shall be made for removing them by means of an efficient exhausted draught so contrived so to operate on the dust fume, gas or vapour as closely as possible to the point of origin.

[7. Medical facilities and records of examinations and tests - (1) The, occupier of every factory to which the Schedule applies shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a). (2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.]

[8. Medical examination by Medical Officer-(1) Every worker employed in the processes referred to in paragraph 1 shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include test for lead in blood and urine. ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every three calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate include tests specified in sub-paragraph (1).

(3) The Medical Officer, after examining a worker shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the test, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer after further examination, again certifies him fit for employment in those processes.]

9. *Food, drinks, etc., prohibited in work rooms*-No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room in which the process is carried on and no person shall remain in any such room during intervals for meals or rest,

10. *Protective clothing*-Suitable protective overalls and head coverings shall be provided, maintained and kept clean by the factory occupier and such overalls and head coverings shall be worn by the persons employed.

11. *Cleanliness of work-rooms, tools, etc.*-The rooms in which the persons employed and all tools and apparatus used by them shall be kept in a clean state.

12. *Washing facilities*-(1) The occupier shall provide and maintain for the use of all persons employed suitable washing facilities consisting of -

- (a) a trough with a smooth impervious surface fitted with a waste pipe without plug and of sufficient length to allow at least two feet for every ten persons employed at any one time, and having a constant supply of clean water from taps or jets above the trough at intervals of not more than two feet; or
- (b) at least one wash-basin for every ten persons employed at any one time fitted with a waste pipe and plug and having a constant supply of clean water;

together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material and clean towels.

(2) The facilities so provided shall be placed under the charge of a responsible person and shall be kept clean.

13. *Mess-room or canteen*-The occupier shall provide and maintain for the use of the persons employed, suitable arrangements for taking their meals. The arrangements shall consist of the use of a room separate from any workroom which shall be furnished with sufficient tables and benches, and unless a canteen serving hot meals is provided, adequate means of warming food. The room shall be adequately ventilated by the circulation of fresh air, shall be placed under the charge of a responsible person and shall be kept clean.

14. *Cloak-room*-The occupier shall provide and maintain for the use of persons employed, suitable accommodation for clothing not worn during working hours, and for the drying of wet clothing.

## **(Part-VII)**

### **Generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934**

1. *Prohibition relating to women and young persons* - No woman or young person shall be employed or permitted to work in or shall be allowed to enter any building in which the generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934, is carried on.

2. *Flame traps*-The plant for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934, and associated piping and fittings shall be fitted with at least two efficient flame traps so designed and maintained as to prevent a flash back from any burner to the plant. One of these traps shall be fitted as close to the plant as possible. The plant and all pipes and valves shall be installed and maintained free from leaks.

3. *Generating building or room*-All plants for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934, erected after the coming into force of the provisions specified in the Schedule, shall be erected outside the factory buildings proper in a separate well-ventilated building (hereinafter referred to as the "generating building"). In the case of such plant erected before the coming into force of the provisions specified in this Schedule there shall be no direct communication between the room where such plants are erected (hereinafter referred to as "the generating room") and the remainder of the

factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

4. *Fire extinguishers*-An efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934.

5. *Plant to be approved by Chief Inspector-cum-Facilitator* -Petrol gas shall not be manufactured except in a plant for generating petrol gas, the design and construction of which has been approved by the Chief Inspector-cum-Facilitator.

6. *Escape of petrol* - Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

7. *Prohibition relating to smoking, etc.*-No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in the generating room or building or in the vicinity thereof and a warning notice in the language understood by the majority of the workers shall be posted in the factory prohibiting smoking and the carrying of matches, fire or naked light or other means of producing a naked light or spark into such room or building.

8. *Access to petrol or container*-No unauthorised person shall have access to any petrol or to a vessel containing or having actually contained petrol.

9. *Electric fittings*-All electric fittings shall be of flame-proof construction and all electric conductors shall either be enclosed in metal-conduits or be lead-sheathed.

10. *Construction of doors*-All doors in the generating room or building shall be constructed to open outwards or to slide and no door shall be locked or obstructed or fastened in such manner that it cannot be easily and immediately opened from the inside while gas is being generated and any person is working in the generating room or building.

11. *Repair of containers*-No Vessel that has contained petrol shall be repaired in a generating room or building and no repairs to any such vessel shall be undertaken unless live steam has been blown into the vessel and until the interior is thoroughly steamed out or other equally effective steps have been taken to ensure that it has been rendered free from petrol of inflammable vapour.

## **(Part-VIII)**

### **Cleaning or smoothing, roughening, etc., of articles, by a jet of sand, metal shot, or other abrasive propelled by a blast of compressed air or steam (Blasting Regulations)**

#### **1. Definitions** - For the purposes of this Part, -

"Blasting" means cleaning, smoothing, roughening or removing of any part of the surface of any article by the use as air abrasive of a jet of sand, metal shot or grit or other material, propelled by a blast of compressed air or steam,

"Blasting enclosure" means a chamber, barrel cabinet or any other enclosure designed for the performance of blasting therein. "Blasting enclosure" means a blasting enclosure in which any person may enter at any time in connection with any work or otherwise.

"Cleaning of castings" where done as an incidental or supplemental process in connection with the making of metal castings, means the freeing of the casting from adherent sand or other substance and includes the removal of cores and the general smoothing of a casting, but does not include the free treatment.

**2. Prohibition of sand blasting**-Sand or any other substance containing free silica shall not be introduced as an abrasive into any blasting apparatus and shall not be used for blasting :

Provided that this clause shall come into force two years after the coming into operation of this Schedule :

Provided further that no woman or young person shall be employed or permitted to work at any operation of sand blasting.

#### ***Precautions in connection with Blasting Operations***

**3. Blasting to be done in blasting enclosure**-(1) Blasting shall not be done except in a blasting enclosure and no work other than blasting and any work immediately incidental thereto and clearing and repairing of the enclosure including the plants and appliances situated therein, shall be performed in a blasting enclosure. Every door, aperture and joint of blasting enclosure shall be kept closed and air tight while blasting is being done therein.

(2) **Maintenance of blasting enclosure**-Blasting enclosure shall always be maintained in good condition and effective measure shall be taken to prevent dust escaping from such enclosures, and from apparatus connected therewith, into the air of any room.

(3) **Provision of separating apparatus**-There shall be provided and maintained for and in connection with every blasting enclosure efficient apparatus for separating, so far as practicable abrasive which has been used for blasting and which is to be used again as an abrasive from dust or particles of other materials arising from blasting; and no such

abrasive shall be introduced into any blasting apparatus and use for blasting until it has been so separated :

Provided that this clause shall not apply, except in the case of blasting chambers, to blasting enclosures constructed or installed before the coming into force of this Schedule if the Chief Inspector-cum-Facilitator is of opinion that it is not reasonably practicable to provide such separating apparatus.

(4) *Provision of ventilating plant*-There shall be provided and maintained in connection with every blasting enclosure efficient ventilating plant to extract by exhaust draught effected by mechanical means, dust produced in the enclosure. The dust extracted and removed shall be disposed of by such method and in such manner that it shall not escape into the air of any room; and every other filtering device situated in a room in which persons are employed, other than persons attending to such bag or other filtering or settling device, shall be completely separated from the general air of that room in an enclosure ventilated to the open air.

(5) *Operation of ventilating plant*-The ventilating plant provided for the purpose of subparagraph (4) shall be kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is actually taking place therein, and in the case of a blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning.

4. *Inspection and examination* - (1) Every blasting enclosure shall be specially inspected by a competent person at least once in every week in which it is used for blasting every blasting enclosure, the apparatus connected therewith and the ventilating plant, shall be thoroughly examined and in the case of ventilating plant, tested by a competent person at least once in every month.

(2) Particulars of the result of every such inspection, examination and test shall forthwith be entered in a register, which shall be kept in a form approved by the Chief Inspector-cum-Facilitator and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the occupier, manager or other appropriate person and without prejudice to the foregoing requirements of this Schedule, shall be removed without avoidable delay.

5. *Provision of protective helmet, gauntlets and overalls*-(1) There shall be provided and maintained for the use of all persons who are employed in a blasting chamber, whether in blasting or in any work connected therewith or in cleaning such a chamber,



protective helmets of a type approved by a certificate of the Chief Inspector-cum-Facilitator; and every such person shall wear the helmet provided for this use whilst he is in the chamber and shall not remove it until he is outside the chamber.

(2) Each protective helmet shall carry distinguishing mark indicating the person by whom it is intended to be used and no person shall be allowed or required to wear a helmet not carrying his mark or a helmet which has been worn by another person and has not since been thoroughly disinfected.

(3) Each protective helmet when in use shall be supplied with clean and not unreasonably cold air at a rate of not less than six cubic feet per minute.

(4) Suitable gauntlets and overalls shall be provided for the use of all persons while performing blasting or assisting at blasting and every such person shall while so engaged wear the gauntlet and overall provided.

*6. Precautions in connection with cleaning and other work-*(1) Where any person is engaged upon cleaning of any blasting apparatus or blasting enclosure or of any apparatus or ventilating plant connected therewith or the surroundings thereof or upon any other work in connection with any blasting apparatus or blasting enclosure or with any apparatus or ventilators plant connected therewith so that he is exposed to the risk of inhaling dust which has arisen from blasting. All practicable measures shall be taken to prevent such inhalation.

(2) In connection with any cleaning operation referred to in Clause 5, and with the removal of dust from filtering or settling devices all practicable measures shall be taken to dispose of the dust in such a manner that it does not enter the air of any room. Vacuum cleaners shall be provided and used wherever practicable for such cleaning operations.

*7. Storage accommodation for protective wear-*Adequate and suitable storage accommodation for the helmets, gauntlets and overalls required to be provided by Clause 5 shall be provided outside and conveniently near to every-blasting enclosure and such accommodation shall be kept clean. Helmets, gauntlets and overalls when not in actual use shall be kept in this accommodation.

*3. Maintenance and cleaning of protective wear-*All the helmets, gauntlets, overalls and other protective devices or clothings provided and worn for the purposes of this Schedule; shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every week day in which they are used. Where dust arising from the cleaning of such protective clothing or devices is likely to be inhaled, all practicable measures shall be taken to prevent such inhalation. Vacuum cleaners shall, wherever practicable, be used for

removing dust from such clothing and compressed air shall not be used for removing dust from any clothing.

9. *Maintenance of vacuum cleaning plant*-Vacuum cleaning plant used for the purpose of this Schedule shall be properly maintained.

[9-A. Medical facilities and records of examinations and test-(1) The occupier of every factory to which the Schedule applies, shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-*cum*-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-*cum*-Facilitator, which shall be kept readily available for the inspection by the Inspector-*cum*-Facilitator.

9-B. Medical examination by Medical Officer-(1) Every worker employed in any of the processes to which this Schedule applies shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include pulmonary function test and chest X-ray. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include pulmonary function test and chest X-ray once in every three years.

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-*cum*-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said

Certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work in the said processes as said in sub-paragraph (5)- shall be re-employed or permitted to work unless the Medical Officer after further examination, again certifies him fit for employment in those processes.]

10. *Restrictions in employment of young persons*-(1) No person under 18 years of age shall be employed in blasting or assisting at blasting or in any blasting chamber or in the cleaning of any blasting apparatus or any blasting enclosure or any apparatus or ventilating plant connected therewith or be employed on maintenance or repair work at such apparatus, enclosure or plant.

(2) No person under 18 years of age shall be employed to work regularly within twenty feet of any blasting enclosure unless the enclosure is in a room and he is outside that room where he is effectively separated from any dust coming from the enclosure.

11. *Power to exempt or relax*-(1) If the Chief Inspector-cum-Facilitator is satisfied that in any factory or any class of factory, the use of sand or other substance containing free silica as an abrasive in blasting is necessary for a particular manufacture or process (other than the process incidental or supplemental to making of metal castings) and that the manufacture or process cannot be carried on without the use of such abrasive or that owing to the special conditions or special method of work or otherwise any requirement of this Schedule can be suspended either temporarily or permanently, or can be relaxed without endangering the health of the persons employed or that application of any of such requirements is for any reason impracticable or inappropriate, he may, with the previous sanction of the State Government, by an order in writing exempt the said factory or class of factory from such provisions of this Schedule, to such extent and subject to such conditions and for such period as may be specified in the said order.

(2) Where an exemption has been granted under Sub-clause (1) a copy of the order shall be displayed at a notice board at a prominent place at the main entrance or entrances to the factory and also at the place where the blasting is carried on.

**(Part-IX)**

**Liming and tanning of raw hides and skins and processes incidental thereto**

1. *Cautionary notices*-(1) Cautionary notices as to anthrax in the form specified by the Chief Inspector-cum-Facilitator shall be affixed in prominent positions in the factory where they may be easily and conveniently read by the persons employed.

(2) A copy of warning notice as to anthrax in the form specified by the Chief Inspector-cum-Facilitator shall be given to each person employed when he is engaged, and subsequent if still employed, on the first day of each calendar year;

(3) Cautionary notices as to the effects of chrome on the skin shall be affixed in prominent positions in every factory in which chrome solutions are used and such notices shall be so placed as to be easily and conveniently read by the persons employed.

(4) Notices shall be affixed in prominent places in the factory stating the position of the "First Aid" box or cupboard and the name of the person in charge of such box or cupboard.

[5. "Medical facilities and records of examination and tests"-(1) The occupier of every factory to which this Schedule applies, shall-

(a) employ a qualified practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator;

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a);

(c) arrange for inspection of the hands of all the persons keeping in contact with chromium substances to be made twice a week; and

(d) provide and maintain and supply suitable ointment and plaster in a box readily accessible to the workers and solely used for the purpose of keeping the ointment and the plaster.

(2) The record of the medical examinations, and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator-which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

[6. Medical examination by Medical Officer - (1) Every worker employed in any of the processes to which this Schedule applies shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include skin test for dermatitis and detection of anthrax bacillus from local lesion by gram stain. No worker shall be

allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-paragraph (1).

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall be entered by the Medical Officer in a health Register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes, unless the Medical Officer after further examination, again certifies him fit for employment in those processes.]

[2. Protective clothing-The occupier shall provide and maintain in good condition the following articles of protective clothing :

(a) Water proof, footwear, leg coverings, aprons and gloves for persons employed in processes involving contact with chrome solutions, including the preparation of such solutions;

(b) Gloves and boots for persons employed in lime yard; and

(c) Protective footwear, aprons and gloves for persons employed in processes involving the handling of hides or skins, other than in processes specified in Clauses (a) and (b) ;

Provided that-

(i) the gloves, aprons, leg coverings or boots, may be of rubber or leather, but the gloves and boots to be provided under Sub-clauses (a) and (b) shall be of rubber;

(ii) the gloves may not be provided to persons fleshing by hand or employed in processes in which there is no risk of contact with lime, sodium sulphide or other caustic liquor.]

3. Washing facilities, mess-room and cloak-room-There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed-

(a) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least two feet for every ten persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet; or

(b) at least one wash basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water; together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleaning material, and clean towels;

(c) a suitable mess-room, adequate for the number remaining on the premises during the meal intervals, which shall be furnished with (1) sufficient tables and benches; and (2) adequate means for warming food and for boiling water.

The mess-room shall (1) be separated from any room or shed in which hides or skins are stored, treated or manipulated; (2) be separated from the cloak room; and (3) be placed under the charge of a responsible person;

[(d) The occupier shall provide and maintain, for the use of all persons employed, suitable accommodation for clothing put off during working hours and another accommodation for protective clothing and shall also make adequate arrangements for drying up the clothing in both the cases, if wet. The accommodation so provided shall be kept clean at all times and placed under the charge of a responsible person.]

4. Food, drinks etc., prohibited in work-rooms-No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room or shed in which hides or skins are stored, treated or manipulated.

5. First-aid arrangements-The occupier shall-

(a) arrange for an inspection of the hands of all persons coming into contact with chrome solutions to be made twice a week by a responsible person;

(b) provide and maintain a sufficient supply of suitable ointment and impermeable waterproof plaster in a box readily accessible to the worker and used solely for the purpose of keeping the ointment and plaster.

**(Part- X)**

**Printing Presses and Type Foundries- (Certain lead processes carried therein)**

1. Exemption-Where the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of persons employed he may, by certificate in writing, exempt any factory from all or any of such provisions subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector-cum-Facilitator.

2. Definitions-in these regulations-

"Lead material" means material containing not less than five per cent of lead.

"Lead process" means-

(a) the melting of lead or any lead material for casting and mechanical composing; and

(b) the recharging of machines with used lead material; or

(c) any other work including removal of dross from melting pots, cleaning of plungers; and

(d) manipulation, movement or other treatment of lead material.

"Efficient exhaust draught" means localised ventilation effected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove gas, vapour, fume or dust at they point where they originate.

3. Exhaust draught - None of the following processes shall be carried on except with an efficient exhaust draught :

(a) melting lead material or slugs;

(b) heating lead material so that vapour containing lead is given off;

or, unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on;

or, unless carried on in electrically heated and thermostatically controlled melting post.

Such exhaust draught shall be effected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as closely as may be at its point of origin.

4. Prohibition relating to women and young persons-No woman or young person shall be employed or permitted to work in any lead process.

5. Separation of certain processes - Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another and from any other process-

(a) melting of lead or any lead material;

(b) casting of lead ingots;

(c) mechanical composing.

6. Container for dross - A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom near the machine except when the dross is being deposited therein.

7. Floor of work-room-The floor of every work-room where lead process is carried on shall be-

(a) of cement or similar material so as to be smooth and impervious to water;

(b) maintained in sound conditions; and

(c) shall be cleaned throughout daily after being thoroughly damped with water at a time when no other work is being carried on at the place.

8. Mess-room-There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals a suitable mess-room which shall be furnished with sufficient tables and benches.

9. Washing facilities-There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in a lead process-

(a) a wash place with either-

(i) a trough with smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least two feet for every five such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than 2 feet; or

(ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having an adequate supply of water laid on or always available; and

(b) a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleaning material.

[10. Medical facilities and records of examinations and tests-(1) The occupier of every factory to which this Schedule applies, shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief



Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.]

[10A. Medical examination by Medical Officer-Every worker employed in a lead process shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin, stippling of cells and steadiness test. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said process shall be re-examined by a Medical Officer at least once in every six calendar months such reexamination shall, whenever the Medical Officer considers appropriate, include tests as specified in sub-paragraph (1).

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer 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, he shall make record of his findings in the said certificate and the health register. The entry of his findings in those documents shall include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination again certifies him fit for employment in those processes.]

11. Food, drinks, etc., prohibited in work-rooms-No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any led process is carried on.

## **(Part- XI)**

### **Manufacture of Pottery**

1. Definitions-For the purposes of this Schedule, unless the context otherwise requires-

(a) "Pottery" includes earthenware, stoneware, porcelain, China tiles and any other articles made from clay or from a mixture containing clay and other materials such as quartz, flint, feldspar and Gypsus.

(b) "Efficient exhaust draught" means localised ventilation effected by mechanical or other means for the removal of dust or fume so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates.

(c) "Fetting" includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery ware in which dust is given off.

(d) "Leadless glaze" means a glaze which does not contain more than one per cent of its dry weight of a lead compound calculated as lead monoxide.

(e) "Low solubility glaze" means a glaze which does not yield to dilute Hydrochloric acid more than five per cent of its dry weight of a soluble lead compound calculated as lead monoxide when determined in the manner described below :

A weighed quantity of the material which has been dried at 100° C and thoroughly mixed shall be continuously shaken for one hour at the common temperature with 1,000 times its weight of an aqueous solution of Hydrochloric acid containing 0.25 per cent by weight of Hydrogen Chloride.

This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

(f) "Ground or powdered flint or quartz" does not include natural sands.

(g) "Potter's shop" includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing for the biscuit fire is carried on.

2. Efficient exhaust draught-The following processes shall not be carried on without the use of an efficient exhaust draught, namely :

(i) All processes involving the manipulation or use of a dry and unfitted lead compound.

(ii) The fettling operations of any kind, whether on green-ware or biscuit; provided that this shall not apply to the wet fettling and to the occasional finishing of pottery articles without the aid of mechanical power.

- (iii) The shifting of clay dust or any other material for making tiles or other articles by pressure, except where-
- (a) this is done in a machine so enclosed as to effectually prevent the escape of dust; or
  - (b) the material to be shifted is so damp that no dust can be given off.
- (iv) (a) The pressing of tiles from clay dust, an exhaust opening being connected with each press;
- (b) The pressing from clay dust of articles other than tiles unless the material is so damp that no dust is given off.
- (v) (a) The fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on, or with, damp material, (b) The fettling of other articles made from clay dust, unless the material is so damp that no dust is given off.
- (vi) The process of loading and unloading of sugars where handling and manipulation of ground and powdered flint, quartz, alumina or other materials are involved.
- (vii) The brushing of earthenware biscuit, unless the process is carried on in a room provided with an efficient general mechanical ventilation or other ventilation which is certified by the Inspector-cum-Facilitator as adequate having regard to all the circumstances of the case.
- (viii) Fettling of biscuit ware which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust.
- (ix) Ware cleaning after the application of glaze by dipping or other process.
- (x) Crushing and dry grinding of materials for pottery bodies and saggars, unless carried on in machines so enclosed as to effectively prevent the escape of dust or is so damp that no dust can be given off.
- (xi) Sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials unless it is so damp that no dust can be given off.
- (xii) Grinding of tiles on a power-driven wheel unless an efficient water spray is used on the wheel.
- (xiii) Lifting and conveying of materials by elevators and conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near to any place in which persons are employed.
- (xiv) The preparation of weighing out of flow material, lawning of dry colours dusting and colour blowing.
- (xv) In mould making unless the bins or similar receptacles used for holding plaster of Paris are provided with suitable covers.

(xvi) The manipulation of calcined material unless the material has been made and remains so wet that no dust is given off.

3. Each of the following processes shall be carried on in such a manner and under such conditions so as to secure effectual separation from one another, and from other wet processes :

(a) Crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and green-ware loading and unloading of saggars;

(b) All processes involving the use of a dry lead compound.

4. No glaze which is not a leadless glaze or a low solubility glaze shall be used in a factory in which pottery is manufactured.

5. No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 2 or at any place where such operations are carried on.

6. The potter's wheel (Jolly and Jaggery) shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel.

7. (1) All practical measures shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.

(2) Damp saw dust or other suitable material shall be used to render the moist method effective in preventing dust rising into the air during the cleaning process which shall be carried out after work has ceased.

8. The floors of potter's shops, slip houses, dipping houses and ware cleaning rooms shall be hard, smooth and impervious and shall be thoroughly cleaned daily by a moist method by an adult male.

[9. Medical facilities and records of examinations and tests-(1) The occupier of every factory in which manufacture of pottery is carried on shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

10. Medical examination by Medical Officer-(1) Every worker employed in any processes mentioned under paragraph 2, shall be examined by a Medical Officer within fifteen days of

his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content, stippling of cells and pulmonary function tests and chest X-ray for workers engaged in processes mentioned in Clauses (i) and (xiv) of paragraph 2 and pulmonary function tests and chest X-ray for the others. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) All persons employed in any of the processes included under Clauses (i) and (xiv) of paragraph 2, shall be examined by a Medical Officer once in every three calendar months. Those employed in any other processes mentioned in the remaining clauses of paragraph shall be examined by a Medical Officer once in every twelve calendar months. Such examinations in respect of all the workers shall include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in three years.

(3) The Medical Officer, after examining a worker, shall issue Certificate of Fitness in Form XXVIII. The record of examinations and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the result of the tests, shall also be entered by The Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officers is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make record of his findings in the said Certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes, unless the Medical Officer, after further examination again certified him fit for employment in those processes.]

11. Protective equipment-(1) The occupier shall provide and maintain suitable overalls and head coverings for all persons employed in processes included under paragraph 2.

(2) The occupier shall provide and maintain suitable aprons of waterproof or similar material which can be sponged daily, for the use of the dippers, dippers' assistants, throwers, jolly workers, casters, mould makers and filter press and pug mill workers.

(3) Aprons provided in pursuance of paragraph 11 (2) shall be thoroughly cleaned daily by the wearers by sponging or other wet process. All overalls and head coverings shall be washed, cleaned and mended at least once a week, and this washing, cleaning and mending shall be provided for by the occupier.

(4) No person shall be allowed to work in emptying sacks of dusty materials, weighing out and mixing of dusty materials and charging of ball mills and plungers without wearing a suitable and efficient dust respirator.

12. Washing facilities-The occupier shall provide and maintain, in a cleanly state and in good repair for the use of all persons employed in any of the process specified in paragraph 2 a wash place under cover, with either-

(a) (i) a trough with smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow at least two feet for every five such persons employed at any one time, and having a constant supply of clear water from taps or jets above the trough at intervals of not more than two feet; or

(ii) at least one tap or stand pipe for every five such persons employed at any one time and having a constant supply of clean water, and such tap or stand pipe being spaced not less than 4 feet apart; and

(b) a sufficient supply of clean towels made of suitable materials changed daily, with sufficient supply of nail brushes and soap.

13. Time allowed for washing-Before each meal and before the end of the days' work at least ten minutes in addition to the regular meal time, shall be allowed for washing to each person employed in any of the processes mentioned in paragraph 2.

14. Mess-room-(1) There shall be provided and maintained for use of all persons remaining within the premises of the potter's shop during the rest intervals, a suitable mess-room providing accommodation of 10 square feet per head and furnished with-

(i) a sufficient number of tables and chairs or benches with back rest;

(ii) arrangements for washing utensils;

(iii) adequate means for warming food;

(iv) adequate quantity of drinking water.

(2) The room shall be adequately ventilated by the circulation of fresh air placed under the charge of a responsible person and shall be kept clean.

15. Food, drinks, etc., prohibited in work-rooms-No food, drinks, pan and supari, or tobacco shall be brought into or consumed by any worker in any work-room in which any of the processes mentioned in paragraph 2 are carried on and no person shall remain in any such room during intervals for meals or rest.

16. Cloak-room, etc.-There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in paragraph 2 :

(a) a cloak-room for clothing put off during working hours and such accommodation shall be separate from any mess-room;

(b) separate and suitable arrangements for the storage of protective equipment prescribed under paragraph 11.

17. These rules shall not apply to a factory in which any of the following articles, but no other pottery, are made, namely :

(a) unglazed or salt glazed bricks and tiles; and

(b) architectural terra cotta made from plastic clay either unglazed or glazed with a leadless glaze only.

18. Exemption-If in respect of any factory the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of these rules are not necessary for the protection of the persons employed in such factory he may, by a certificate in writing, exempt such factory from all or any of such provisions, subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the said Chief Inspector-cum-Facilitator without assigning any reasons.

## **(Part -XII)**

### **Manufactures in chemical works and processes incidental thereto**

#### **Definitions-**

"Chemical work" means any factory or such parts of any factory as are named in Annexure I to these rules.

"Breathing apparatus" means (1) a helmet or face-piece with necessary connections by means of which a person using it in poisonous, asphyxiating or irritant atmosphere breathes ordinary air, or (2) any other suitable apparatus approved in writing by the Chief Inspector-cum-Facilitator.

"Life-belt" means a belt made of leather or other suitable material which can be securely fastened round the body, with a suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man.

"Efficient exhaust draught" means a localised ventilation effected by mechanical or other means for the removal of gas, vapour fume, or dust to prevent it from escaping into the air of any place in which work is carried on.

"Surgeon" means a Medical Officer appointed under Section 42 of the OSH Code, 2020.

"Suspension" means suspension by written certificate in the Health Register signed by the Surgeon, from employment in any process mentioned in the certificate.

"Bleaching powder" means the bleaching powder commonly called chloride of lime.

"Chlorate" means chlorate or perchlorate,

"Caustic" means hydroxide of potassium or sodium.

"Chrome pot" means a metal pot fixed over a furnace or flue and surrounded by brickwork, such as is commonly used for concentrating caustic liquor, whether such pot be used for concentrating of boiling caustic or other liquor.

"Chrome process" means the manufacture of chromate or bichromate of potassium or sodium or the manipulation, movement or other treatment of these substances in connection with their manufacture.

"Nitro or Amino process" means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues and the making of explosives with the use of any of these substances.

Exceptions-If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or any process that, owing to the special conditions or special methods of work, or by reason of the infrequency of the process or for other reasons all or any of the requirements of those rules are not necessary for the protection of persons employed in any factory or process, he may, by order in writing (which he may in his discretion revoke) exempt such factory or process from all or-any of the provisions of these rules, subject to such conditions as he may, by such order, prescribe.

### **Applying to all the works in Annexure I**

#### **General**

1. House-keeping-(a) Every part of the ways, works, machinery and plant shall be maintained in a clean and tidy condition.

(b) Any spillage of materials shall be cleaned up without delay.

(c) Floors, platform, stairways, passages and gangways shall be kept free of temporary obstructions.

(d) There shall be provided easy means of access to all parts of the plant to facilitate cleaning, maintenance and repairs.

2. Improper use of chemicals-(a) No chemicals or solvents shall be used by workers for any purposes apart from the processes for which they are supplied.



(b) Workers shall be instructed on the possible dangers arising from such misuse. These instructions shall further be displayed in bold letters in prominent places in different sections.

3. Storage of food-(a) No food, tobacco, pan or similar article shall be stored or consumed on or near any part of the plant.

(b) Testing-Workers shall be instructed on the possible dangers arising from the testing of materials, or of the use for drinking purposes of any vessel used in or in connection with the manufacture of chemicals. These instructions shall further be displayed in bold letters in prominent places in different sections.

4. Process hazards - Before commencing any large-scale experimental work, or any new manufacture, all possible steps shall be taken to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions. The properties of the raw materials used, the final products to be made and any by-products arising during manufacture, shall be carefully studied and provisions shall be made for dealing with any hazards including effects on workers which may arise during manufacture.

The design of the buildings and plant shall be based on the information so obtained.

5. Unauthorised personnel - (a) Unauthorised persons shall not be permitted to enter any section of the factory or plant where there are special dangers.

(b) Visitors-Visitors shall be provided, where necessary, with suitable safety equipment and shall be accompanied round dangerous plant by a responsible official.

6. Instruments-All instruments such as pressure gauges, thermometers, flow meters and weighing machines shall be tested at regular intervals by competent person and records of these tests shall be kept in a register.

7. Cocks and valves-Suitable valves shall be provided in all service lines at sufficiently short intervals for convenience in blanking off, etc. All cocks and valves shall be operated at least once a month, and tested periodically by a competent person; and records of these tests shall be kept in a register. A plan of service installations shall be kept readily available for perusal.

8. Manholes-No manhole shall be opened for entry until effective fencing has been erected round it.

9. Emergency instructions-Simple and special instructions shall be framed to ensure that effective measures will be carried out in cases of emergency, to deal with escapes of inflammable, poisonous or deleterious gases, vapours, liquids, or dusts. These instructions shall further be displayed in bold letters in prominent places in the different sections. All

workers shall be trained and instructed in the action to be taken in such emergencies, and in the general hazards of their employment.

10. Precaution of reaction mixtures-Suitable arrangements shall be made to ensure that no foreign matter of any sort can fall into reaction mixtures.

11. Electrical apparatus-Electrical plant, fittings and conductors shall, if exposed to a damp or corrosive atmosphere be adequately protected. Periodic tests shall be carried out on all circuits.

12. Place of work - (a) Workers shall only be allowed in those places in which they have been given orders to work.

(b) In dangerous sections of a factory, the number of workers shall be kept to a minimum compatible with the need of the process.

13. Packing, storage and transport of chemicals-Chemicals shall be packed and stored in containers suitable for the purpose and of adequate strength for storage or transport. All such containers shall be suitably labelled so that they will be stored and transported in such a manner as to ensure that, in the event of a spillage they will neither produce a reacting mixture, nor cause the development of toxic or fire risks in contact with other products in its vicinity, or with walls, floors, or dust thereon.

#### Fire and explosion risks

14. Site-(a) Buildings and plant shall be sited with due regard to the danger which may arise from the processes involved, and in particular shall be spaced at distances which are deemed safe for the fire and explosive risks connected with the processes in adjacent buildings. Due consideration shall be given to the effect of processes carried out in adjacent factories.

(b) Isolation of buildings-Where special dangers exist, separate building shall be used for the different parts of a process. They shall be spaced at sufficient distances apart and shielded to prevent damage to each other in the event of fire or explosion, and shall be safeguarded by the provision of suitable blow-out pannels or roots. Where the risk of fire or explosion is considerable, the building shall be divided by blast or protective screen walls.

(c) Fire resistance-No combustible materials shall be used in the erection of working buildings, unless there are special reasons necessitating their use, when they shall be rendered fire-resistant. The roof shall be of light fire-resistant construction and floors shall be of impervious fire-resistant material and shall be regularly maintained in such condition.

15. Dangers of ignition (including lighting installations)-(a) No internal combustion engine, and no electric motor or other electric equipment, capable of generating sparks or

otherwise causing combustion shall be installed or used in a building or danger zone. Electric conductor shall be fitted with screwed steel conduct.

(b) All hot exhaust pipes shall be installed outside a building and other hot pipes shall be suitably protected.

(c) Portable electric hand lamps shall not be used unless of an intrinsically safe type, and portable electric tools connected by flexible wires shall not be used, unless of the flame-proof type.

(d) Where an inflammable atmosphere may occur the soles of footwear worn by workers shall have no metal on them, and the wheels of trucks or conveyors shall be of conducting non-sparking materials. Adequate precautions shall be taken to prevent the ignition of explosive or inflammable substances by sparks emitted from locomotives or other vehicles operated in the factory or on public lines.

(e) No electric arc lamp or naked light, fixed or portable, shall be used and no person shall have in his possession any match or any apparatus of any kind for producing a naked light or spark in or on, or about any part of tire factory where there is liability to fire or explosion from inflammable gas, vapour or dust, and all incandescent electric lights in such parts shall be in double air-tight glass covers.

(f) Prominent notices in the language understood by the majority of the workers and legible by day and by night, prohibiting smoking, the use of naked lights, and the carrying of matches or any apparatus for producing a naked light or spark, shall be affixed at the entrance of every room or place where there is the risk of fire or explosion from inflammable gas, vapour or dust. In the case of illiterate workers the contents of the notices shall be fully and carefully explained to them when they commence work in the factory for the first time and again when they have completed one week at the factory.

(g) Non-sparking tools-A sufficient supply of spades, scrapers and pails made from non-sparking material shall be provided for the use of persons employed in cleaning out or removing residues from any chamber, still, tank, or other vessel where an inflammable or explosive danger may occur.

(Note-The risk is not always obvious and arise, for example, through the production of hydrogen in acid tanks).

16. Static electricity - (a) All machinery and plant, particularly, pipe lines and Belt drives, on which static electricity is likely to accumulate, shall be effectively earthed. Receptacles for inflammable liquids shall have metallic connection to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be controlled.

(b) Mobile tank wagons shall be earthed during filling and discharge and precautions shall be taken to ensure that earthing is effective before such filling or discharge takes place.

(c) Lighting condition-Lighting protection apparatus shall be fitted where necessary, and shall be maintained in good condition.

17. Process heating-The method providing heat for a process shall be as safe as possible and where the use of naked flame is necessary, the plant shall be so constructed as to prevent any escaping inflammable gas, vapour or dust coming into contact with the flame, or exhaust gases, or other hot agency likely to cause ignition. So far as practicable, the heating medium shall be automatically controlled at a pre-determined temperature below the danger temperature.

18. Escape of materials-(a) Provision shall be made in all plant, sewers, drains, flues, ducts culverts and buried pipes to prevent the escape and spread of any liquid, has vapour, fume or dust likely to give rise to fire or explosion, both during normal working and in the event of accident or emergency.

(b) If escape occurs, such substances shall be removed expeditiously and efficiently at the point of liberation. The effluent shall be trapped and rendered safe outside the danger area.

19. Leakage of inflammable liquids-(a) Provision shall be made to confine by means of bound walls, sumps, etc., possible leakages from vessels from containing inflammable liquids.

(b) Adequate and suitable fixed fire-fighting appliances shall be installed in the vicinity of such vessels.

20. Cleaning of empty container - (a) All empty containers which have held inflammable liquids, and metal containers which have held sulphuric acid shall be rendered permanently safe as soon as practicable, and shall not be repaired or destroyed until such cleaning has been completed.

(b) Storage of combustible materials-Combustible and inflammable materials shall not be stored in close proximity to chemicals which are liable to cause ignition.

(c) Rubbish shall be removed from buildings without delay and placed in special metal containers provided with close fitting lids. The contents shall be removed daily and suitably dealt with. Waste products containing inflammable or explosive materials shall not be placed on rubbish heaps but shall be destroyed in an appropriate manner.

21. Installing of pipe lines for inflammable liquids-All pipe lines for the transport of inflammable liquids shall be protected from breakage, shall be arranged so that there is no risk of mechanical damage from vehicles and shall be so laid that they drain throughout

without the collection of deposits at any part. All flanged joints, bends and other connections shall be regularly inspected. Cocks and valves shall be so constructed that explosive residues cannot collect therein. The open and closed positions of all cocks and valves shall be clearly indicated on the outside.

22. Packing of reaction vessels-Packing and jointing materials for reaction vessels (including covers, manhole covers and exhaust pipes) and in pipe lines and high or low temperature insulating materials shall not contain materials which are combustible or which react with the products of the plant.

23. Safety valves-Every still and every closed vessel in which gas is evolved or into which gas is passed, and in which the pressure is liable to rise to a dangerous degree, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure, maintained in good condition. Nothing in these rules shall apply to metal bottles or cylinders used for the transport of compressed gasses.

24. Vigorous or delayed reactions-Suitable provision, such as automatic and distant control shall be made for controlling the effects of unduly vigorous or delayed reactions. Automatic flooding or blanketing shall be provided for in the event of an accident.

25. Examination, testing and repair of plant-Examination, testing and repair of plant parts which have been in contact with explosive and inflammable material, or which is under pressure, shall only be carried out under proper supervision.

26. Alarm systems-(a) Gravity or pressure feed systems of supplying inflammable materials to the various parts of the buildings or plant shall be fitted with alarm systems, automatic cut-offs or other devices to prevent overcharging or otherwise endangering the plant.

(b) The amount of inflammable material taken into a building in bulk containers at any one time shall be kept as low as practicable.

(c) Adequate steps shall be taken to prevent the escape of inflammable and explosive vapours from any container into the atmosphere of any building.

Gas, vapour, fume or dust risks

27. Escape of gases, etc.-(a) Effective steps shall be taken to prevent the escape of dangerous gases, vapours, fumes or dust from any part of the plant by the total enclosure of the process involved or by the provision of efficient exhaust draught. Effective arrangements shall be made to ensure that in the event of failure of the control measure provided in compliance of the forgoing, the process shall stop immediately.

(b) In the event of any such escape, provision shall be made to trap the materials and render them safe.

28. Danger due to effluent - (a) Adequate precautions shall be taken to prevent the mixing of effluents which may cause dangerous or poisonous gases to be evolved.

(b) Effluents which may contain or give rise in the presence of other effluents to such gases shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

29. Staging -(a) Staging shall not be erected over any open vessel unless the vessel is so constructed and ventilated to prevent the remission of vapour or fumes about such staging.

(b) Where such staging is provided to give access to higher levels in large plants, effective means shall be provided at all levels with direct means of access to the outside of the room or building and thence to ground level.

(c) Such staging shall be fitted with suitable handrails and toe boards, and the floors and staging shall be impervious and easily cleaned.

30. Instructions as regards risk-Before commencing work, every workers shall be fully instructed oh the properties of the materials they have to handle, and of the dangers arising from any gas, fume, vapour or dust which may be evolved during the process. Workers shall also be instructed in the measures to be taken to deal with such an escape in the event of emergency.

31. Breathing apparatus-(a) There shall be provided in every factory where dangerous gas or fume is liable to escape a sufficient supply of-

(i) breathing apparatus of an approved make for the hazards involved;

(ii) Oxygen and suitable means of its administration; and

(iii) Life-belts.

The breathing apparatus and other appliances required by this rule shall-

(i) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector-cum-Facilitator; and

(ii) be thoroughly inspected once every month by a competent person, appointed in writing by the occupier, and a record of their condition shall be entered in a book provided for that purpose, which shall be produced when required by an Inspector-cum-Facilitator.

(b) Workers shall be trained, and given a periodic refresher course, in the use of breathing apparatus and respirators.

(c) Respirators shall be kept properly labelled in clean dry light-proof cabinets, and if liable to be affected by fumes, shall be protected by suitable containers. Respirators shall be dried and cleaned after use and shall be periodically disinfected.

32. Treatment of persons-In every room or place wherever required in writing by the Chief Inspector-cum-Facilitator there shall be affixed the official cautionary notice regarding

grazing and burns. Such notices shall be legible by day and by night and shall be printed in the language understood by the majority of the workers.

33. Personal protective equipment - (a) Suitable protective clothing shall be provided for the use of operatives-

(i) when operating valves or cocks controlling fluids which, by their nature, pressure or temperature would be highly dangerous if a blow-out occurred or when cleaning chokes in systems containing such fluids if pressure is likely to exist behind the chokes;

(ii) when there is danger of injury by absorption through the skin during the performance of normal duties or in the event of emergency;

(iii) whenever there is the risk of injury in handling corrosive substances, hot or cold articles and sharp or rough objects; and

(iv) when there is the risk of poisonous materials being carried away on their clothes.

(b) There shall be provided for the use of all persons employed in the processes specified in Annexure-II to these rules an adequate supply of suitable protective equipment including gloves, overalls and protective foot-wear, and of goggles and respirators. Respirators shall be of a type approved in writing by the Chief Inspector-cum-Facilitator.

(c) Protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions in an emergency.

(d) Arrangements shall be made for the proper and efficient cleaning of all such protective equipments.

34. Cloak rooms-There shall be provided and maintained for the use of all persons employed in the processes specified in Annexure II to these rules a suitable cloak room, for clothing put off during working hours and a suitable place separate from the cloak room, for the storage of overalls or working clothes. The accommodation so provided shall be placed in charge of a responsible person, and shall be kept clean.

35. Special bathing accommodation-(a) There shall be provided for the use of all persons employed in the processes specified in Annexure III to these rules separate sanitary conveniences and sufficient and suitable bathing facilities which shall be to the satisfaction of the Chief Inspector-cum-Facilitator.

(b) A bath register shall be kept containing the names of all persons employed in these processes and an entry of the date when each person takes a bath.

36. Entry into vessels-(a) Before any person enters, for any purpose except that of rescue, any absorber, boiler, culvert, drain, flue gas purifier, sewer, still, tank, tower vitriol chamber or other place where there is reason to apprehend the presence of dangerous gas or fume a responsible person appointed in writing by the occupier for the purpose, shall personally

examine such place and shall certify in writing in a book kept for the purpose either that such place is isolated and sealed from every source of such gas or fume and is free from danger, or that it is not so isolated and sealed and free from danger. No person shall, enter any such place which is certified not to be so isolated and sealed and free from danger unless he wears a breathing apparatus, and (where there are no cross stays or obstructions likely to cause entanglement) a life-belt, the free end of the rope attached to which shall be left with a man outside whose sole duty shall be to keep watch and to draw out the wearer if he appears to be affected by gas or fume. The belt and rope shall be so adjusted and worn that the wearer can be drawn up head foremost through any manhole or opening.

(b) A person entering for the purpose of rescue in any such place for which a clearance certificate has been issued shall wear a breathing apparatus and a life-belt in the manner specified.

37. Examination and repair of plant-Where poisonous materials are likely to be present the examination and repair of plant and piping shall only be done under the supervision of a competent person, and after the plant and piping has been thoroughly cleaned and ventilated. When opening vessels and breaking joints in pipe lines, respirators, goggles and protective clothing shall be worn to the extent required by the competent person.

38. Storage of acid carboys - Carboys containing nitric acid or "mixed acid" shall be stored in open-sided sheds detached from other buildings, and placed on a flooring of sandstone, bricks, or other suitable inorganic material. A passageway shall be provided and kept free from obstruction between every four rows of such carboys. An ample supply of water shall be available for washing away spilt acid and all precautions shall be taken to prevent workers being exposed to fumes.

Corrosive or deleterious substances risks

39. Buildings - All buildings and plant shall be sited with due regard to possible dangers from accidental liberation or splashing of corrosive and deleterious liquids, and shall be so designed as to facilitate thorough washing and cleaning. The construction of staging and other parts of buildings shall be carried out with materials impervious and resistant to corrosion so far as practicable.

40. Leakage - (a) All plant shall be so designed and constructed as to obviate the escape of corrosive liquid. Where necessary separate buildings, rooms, or protective structures shall be used for the dangerous stages of the process and the buildings shall be so designed as to localise any escape of liquid.



(b) Catch pits, bund walls, or other suitable precautions shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipe-lines where there is danger involved to maintenance and other workers from such leakage.

(c) Passages and work-stations shall not be situated directly below any part of plant where there is risk of escape of dangerous liquid. Access to such part shall, so far as practicable, be prohibited, and danger notices shall be affixed at suitable points.

41. Precautions against escape - Adequate precautions shall be taken to prevent the escape of corrosive or deleterious substances and means shall be provided for rendering safe any such escape.

42. Drainage-Adequate drainage shall be provided and shall lead to special treatment tanks where deleterious material shall be neutralised or otherwise rendered safe before it is discharged into ordinary drain or sewers.

43. Covering of vessels-(a) Every fixed vessel or structure containing any dangerous material, and not so covered as to eliminate all reasonable risk of accidental immersion in it of any portion of the body of a worker, shall be so constructed that there is no foothold on the top of the sides.

(b) Such vessel shall, unless its edge is at least three feet above the adjoining ground or platform, be securely fenced to a height of at least three feet above such adjoining ground or platform.

(c) No plank or gangway shall be placed across or inside any such vessels, unless such plank or gangway is at least 18 inches wide, and is securely fenced on both sides by rails, spaced at 9 inches apart to a height of at least 3 feet, or by other equally efficient means.

(d) Where such vessels adjoin and the space between them clear of any surrounding brick or other work, is either less than 18 inches in width or is 18 or more inches in width, but is not securely fenced on both sides to a height of at least three feet, secure barriers shall be so placed as to prevent passage between them :

Provided that paragraph (b) of this rule shall not apply to-

(i) saturators used in the manufacture of Sulphate of Ammonia; and

(ii) that part of the sides of brine evaporating pans which require ranking, drawing or filling.

44. Ventilation-Adequate ventilation shall be provided and maintained at all times in rooms or buildings where dangerous gas, vapour, fume or dust may be evolved.

45. Means of escape-Adequate means of escape from rooms or buildings in the event of a leakage of corrosive liquid shall be provided and maintained.

46. Treatment of personnel-In all places where strong acids or dangerous corrosive liquids are used-

(a) there shall be provided for use in an emergency-

(i) adequate and readily accessible means of drenching with cold water, persons and the clothing of persons, who have become splashed with, such liquid;

(ii) adequate special arrangements to deal with any person who has been splashed with poisonous material that can be absorbed through the skin;

(iii) a sufficient number of eye-wash bottles, filled with distilled water or other suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.

(b) Except where the manipulation of such corrosive liquids is so, carried on as to prevent risk of personal injury from splashing or otherwise, there shall be provided for those who have to manipulate such liquid sufficient and suitable goggles and gloves or other suitable protection for the eyes and hands. If gloves are provided, they shall be collected, examined and cleaned at the close of the day's work and shall be repaired or renewed when necessary.

47. Maintenance-(a) Before any examination- or repairs are carried out on plant or pipelines, a competent person shall issue a clearance certificate permitted such examination or repairs.

(b) Adequate precautions shall be taken to liberate any packets of gas or liquid which may have been formed in pipe-lines, and which may cause corrosive spray at the point where dismantling takes place.

48. Washing facilities-(1) There shall be provided and maintained in any factory for the use of employed persons adequate and suitable facilities for washing which shall include soap and nail brushes or other suitable means of cleaning and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

(2) If female workers are employed separate washing facilities shall be provided and so enclosed or screened that the interiors are not visible from any place where persons of the other sex work or pass. The entrance to such facilities shall bear conspicuous notice in the language understood by the majority of the workers "For women only" and shall also be indicated pictorially.

49. Mess-room facilities - In every factory there shall be provided and maintained for the use of those remaining on the premises during the rest intervals, suitable and adequate mess-room or canteen accommodation which shall be furnished with sufficient tables and chairs or benches with back rests and where sufficient drinking water is available.

50. Ambulance room-(a) (i) In every factory in which more than 250 persons are employed on the process for which these rules apply there shall be provided and maintained in good order an Ambulance Room.

(ii) The Ambulance Room shall be a separate room used only for the purpose of treatment and rest. It shall have a floor space of not less than 100 square feet, and smooth, hard and impervious walls and floor, and shall be provided with ample means of natural and artificial lighting. It shall contain all items shown in Annexure IV.

(iii) Where persons of both sexes are employed, arrangements shall be made at the Ambulance Room for their separate treatment.

(iv) The Ambulance Room shall be placed under the charge of a qualified nurse or other person trained in First Aid, who shall always be readily available during working hours, and shall keep a record of all cases of accidents or sickness treated in the room.

(b) In every factory there shall be provided and maintained in good condition a suitably constructed ambulance van of the removal of serious cases of accident or sickness, unless arrangements have been made with a hospital or other place in telephonic communication with the factory for obtaining such a carriage immediately when required.

51. Medical personnel-There shall be whole time Medical Officer in every factory employing 250 persons or more.

52. Medical examination-In manufacture, processing, formulation or use of-

(i) Hexathyl tetra phosphate;

(ii) Tetraothyle Pyrophosphate;

(iii) O.O. Diethyl O.P. nitrophenyle, thiophosphate (Parathion);

(iv) Nicotine, nicotine sulphate;

(v) Mercury derivatives;

(vi) Methyle Bromide;

(vii) Cyanides;

(viii) Arsenical derivatives;

(ix) Chrome process compounds;

(x) Nitro or amino process compounds.

(a) A Health Register containing the names of all persons employed in the manufacture, processing, formulation or use of the above chemicals shall be kept in a form approved by the Chief Inspector-cum-Facilitator;

(b) No person shall be newly employed for more than fourteen days without a certificate of fitness granted after examination by the Medical Officer by a signed entry in the Health Register;

- (c) Every person shall be examined by the Medical Officer once in three months on a date or dates of which due notice shall be given to all concerned;
- (d) Every person so employed shall present himself at the appointed time for examination by the Medical Officer as provided in (b) and (c) of this rule;
- (e) The Medical Officer shall have power of suspension as regards all persons employed and no person after suspension shall be employed without written sanction from the Medical Officer entered in the Health Register.

53. Duties of workers-Every person employed shall-

- (a) report to his foreman any defect in any fencing, breathing apparatus, appliance or other requisite provided in pursuance of these rules, as soon as he becomes aware of such defect;
- (b) use of articles, appliances or accommodation required by these rules for the purpose for which they are provided;
- (c) wear the breathing apparatus and life-belt where required under Rule 36 (a) and (b).

54. No person shall-

- (a) remove any fencing provided in pursuance of Rule 43 unless duly authorised ; or
- (b) stand on the edge or on the side of any vessel to which Rule 43 applies;
- (c) pass or attempt to pass any barrier erected in pursuance of Rule 43;
- (d) place across or inside any vessel to which Rule 43 applies any plank or gangway which does not comply with that rule or make use of any such plank or gangway while in such position;
- (e) take a naked light or any lamp or matches or any apparatus for producing a naked light or spark into or smoke in, any part of the works where there is liability to explosion from inflammable gas, vapour or dust;
- (f) use of metal spade, scraper or pail when cleaning out or removing the residues from any chamber, still, tank or other vessel which has contained sulphuric acid or hydrochloric acid or other substance which may cause evolution of arseniuretted hydrogen;
- (g) remove from a First Aid box or cupboard or from the Ambulance Room any First Aid appliance or dressing-except for the treatment of injuries in the works.

## Annexure I

"Chemical works" means any work or that part of a work in which-

1. The manufacture or recovery of any of the following is carried

(a) Carbonates, chromates, chlorates, oxides or hydroxides of potassium, sodium, iron, aluminium, cobalt, nickel, arsenic, antimony, zinc or magnesium;

(b) Ammonia and the hydronide and salts of ammonium;

(c) Sulphurous, sulphuric, nitric, hydrochloric, hydrofluoric, hydriodic hydrosulphuric, boric, phosphoric, oxalic, arsenious, arsenic, lactic, acetic, tartaric or citric acids and their metallic or organic salts; and

(d) Cyanogen compounds.

2. A wet process is carried on-

(a) for the extraction of metal from ore or from any by-product or residual material; or

(b) in which electric energy is used in any process of chemical manufacture.

3. Alkali waste or the drainage therefrom is subject to any chemical process for the recovery of sulphur, or, for the utilisation of any constituent of such waste or drainage.

4. Carbon bisulphide is made or hydrogen sulphide is evolved by the decomposition of metallic sulphides or hydrogen sulphide is used in the production of such sulphides.

5. Bleaching powder is manufactured or chlorine gas is made or issued in any process of chemical manufacture.

6. (a) Gas tar or coal tar or any compound product or residue of such tars is distilled or is used in any process of chemical manufacture.

(b) Synthetic colouring matters or their intermediates are made.

7. Refining of crude shale oil or any process incidental thereto is carried out.

8. Nitric acid is used in the manufacture of nitro compounds.

9. Explosives are made with the use of nitro compounds.

10. Insecticides which may be phosphorus, nicotine, mercury, naphthalene, cyanogen, arsenic, flourine, copper, benzene and ethane compounds, derivatives and methyl bromide are manufactured, mixed, bonded and packed.

The following insecticides and pesticides have been declared to be poisonous, vide Government of India, Ministry of Home Affairs, Notification No. 28.2-1958-P-IV, dated the 8th August, 1958 :

Insecticides-

(1) Parathion

(2) Tetraethyl pyrophosphate

Rodenticides-

Alpha naphthyl Thiourea

Fungicides-

- (1) Ethyl Mercury chloride
- (2) Ethyl Mercury phosphate
- (3) Phenyl Mercury acetate
- (4) Ethyl Mercury chloride
- (5) Phenyl Mercury chloride
- (6) Phenyl Mercury urea.

Fungicides-

- (1) Methyl Bromide
- (2) Cyanides, viz., the following Liquid Hydrocyanic acid Sodium cyanide

Potassium cyanide

Calcium cyanide

Preparation-

Any preparation containing any of the aforesaid poisons.

## **Annexure II**

1. A nitro or amino process (overalls or suits or working clothes and protective footwear).
2. Grinding raw materials in chrome process (overall suits).
3. The crystal department and in packing in a chrome process (protective coverings).
4. Packing in a chrome process (respirators).
5. Any room or place in which chlorate is crystallised, ground or packed (clothing of woollen material and boots or overshoes, the soles of which have no metal on them).
6. Any room in which caustic is ground or crushed by machinery (goggles and gloves or other suitable protection for the eyes and hands).
7. Bleaching powder chambers, or in packing charges drawn from such chambers (suitable respirators).
8. Drawing off of molten sulphur from sulphur pots in the process of carbon disulphide manufacture (overalls, faceshields, gloves and footwear of fireproof material).
9. (a) Manufacture, mixing, blending and packing of insecticides which are phosphorous, nicotine, naphthalene, cyanogen arsenic, fluorine, mercury and copper compounds or derivatives and methyl bromide (rubber aprons, chemical type goggles and suitable respirators and in addition rubber gloves and boots for phosphorus and nicotine derivatives, synthetic rubber aprons, gloves and boots when working with oil solutions; and washable working clothes laundered daily).

(b) Manufacture, mixing, blending and packing of insecticides which are derivatives of bexene or ethane (rubber aprons, and suitable respirators; separate work clothes, laundered frequently).

### **Annexure III**

1. A nitro or amino process.
2. The crystal department and the packing room in a chrome, process.
3. The process of distilling gas or coal-tar (other than blast furnace tar) and any process of chemical manufacture in which such tar is used.
4. The manufacture, mixing, blending and packing of the insecticides mentioned in Annexure I.

### **Annexure IV**

- (i) A glazed sink with hot and cold water always available.
- (ii) A table with a smooth top.
- (iii) Means for sterilising instruments.
- (iv) A couch.
- (v) Stretcher.
- (vi) Two buckets or containers with close-fitting lids.
- (vii) Tow rubber hot water bags.
- (viii) A kettle and spirit stove or other suitable means for boiling water.
- (ix) Twelve plain wooden splints, 36" x 4" x ¼".
- (x) Twelve plain wooden splints, 14" x 3" x ¼".
- (xi) Six plain wooden splints, 10" x 2" x ½".
- (xii) Three woollen blankets.
- (xiii) One pair artery forceps.
- (xiv) One bottle of brandy.
- (xv) Two medium size sponges.
- (xvi) Three hand towels.
- (xvii) Two kidney trays.
- (xviii) Four carbolic soaps.
- (xix) Two glass tumblers and two wine glasses.
- (xx) Two clinical thermometers.
- (xxi) Graduated measuring glass with teaspoon.
- (xxii) One eye bath.

- (xxiii) One bottle (2.lbs.) carbolic lotion 1 in 20.
- (xxiv) Two chairs.
- (xxv) One screen.
- (xxvi) One electric hand torch.
- (xxvii) An adequate supply of anti-tetanus serum.
- (xxviii) Two first aid boxes, each containing
  - (a) 24 small sterilized dressings,
  - (b) 12 medium size sterilized dressings,
  - (c) 12 large size sterilized dressings,
  - (d) 12 large size sterilized burn dressings,
  - (e) 12 half ounce packets sterilized cotton wool,
  - (f) one snake bit lancet,
  - (g) one pair scissors,
  - (h) two (1 oz.) bottles of potassium permanganate crystals,
  - (i) one (4 oz.) bottle containing a two per cent alcoholic solution of iodine,
  - (j) one (4 oz.) bottle of sal-volatile having the dose and mode of administration indicated on the label,
  - (k) 1 copy of the first aid leaflet issued by the Chief Advisor of Factories, Government of India.

Applying to works or parts thereof in which

- I. Caustic pots are used; or
  - II. Chlorate or bleaching powder is manufactured; or
  - III. (a) Gas tar or coal tar is distilled or is used in any process of chemical manufacture ; or
  - (b) A nitro or amino process is carried on ; or
  - (c) A chrome process is carried on ; or
  - IV. Crude shale oil is refined or processes incidental thereto are carried on ; or
  - V. Nitric acid is used in the manufacture of nitro compounds ; or
  - VI. The evaporation of brine in open pans and the stoving of salt are carried on ; or
  - VII. The manufacture or recovery of hydro-fluoric acid or any of its salts is carried on ; and
  - VIII. Work at a furnace where the treatment of zinc ores is carried on.
  - IX. Insecticides mentioned in Annexure I are manufactured, mixed, blended or packed.
1. Entry of gas tar or coal tar still-Before any person enters a gas tar or coal tar still for any purpose except that of rescue, it shall be completely isolated from adjoining tar stills, either by disconnecting-



(a) the pipe leading from the swan neck to the condenser worm, or

(b) the waste gas pipe fixed to the worm or receiver;

and in addition, blank flanges shall be inserted between the disconnected parts, and the pitch discharge pipe or cock at the bottom of the still shall be disconnected.

2. Entry into bleaching powder chambers-No person shall enter a chamber for the purpose of withdrawing the charge of bleaching powder unless and until-

(i) the chamber is efficiently ventilated ; and

(ii) the air in the chamber has been tested and found to contain not more than 2.5 grains of free chlorine gas per cubic foot.

A register containing details of all such tests shall be kept in a form approved by the Chief Inspector-cum-Facilitator or Factories.

3. Special precautions for nitro and amino processes-In a nitro or amino process-

(a) If crystallised substances are broken or any liquor agitated by hand, means shall be taken to prevent, as far as practicable, the escape of dust or fume into the air of any place in which any person is employed. The handles of all implements used in the operations shall be cleansed daily.

(b) Cartridges shall not be filled by hand except by means of suitable scoop.

(c) Every drying stove shall be efficiently ventilated to the outside air in such a manner that hot air from the stove shall not be drawn into any work-room.

(d) No person shall enter a stove to remove the contents until a free current of air has been passed through it.

(e) Every vessel containing nitro or amino derivatives of phenol or of benzene or its homologues shall, if steam is passed into or around it, or if the temperature of the contents be at or above the temperature of boiling water be covered in such a way that steam or vapour shall be discharged into the open air at a height of not less than 25 feet from the ground or the working platform, and at a point where it cannot be blown back again into the work-room.

4. Precautions during caustic grinding, etc. - (a) Every machine used for grinding or crushing caustic shall be enclosed ; and

(b) where any of the following processes are carried on-

(i) grinding or crushing of caustic;

(ii) packing of ground caustic;

(iii) grinding, sieving, evaporating or packing in a chrome process;

(iv) crushing, grinding or mixing of material or cartridge filling in a nitro or amino process;  
an efficient exhaust draught shall be provided;

(v) the insecticides mentioned in Annexure I are manufactured, mixed, blended or packed.

#### Explanatory note

The insecticides which belong to the highly toxic group are the following:

Hexaethyl tetra phosphate ; Tetra ethyl pyrophosphate ; O.O Diethyl O-P-nitrophenyl thiophosphate (parathion) ; and Nicotine, Nicotine sulphate, Mercury derivatives Methylbromide; cyanides.

The active chemical in these insecticides can be quickly and easily absorbed through the unbroken skin ; poisoning can occur from breathing the vapour of the active chemical or dusts impregnated with these chemicals; minute amounts if accidentally swallowed are quite likely to be fatal.

The plant requirements for ensuring safety to the workers are--

- (1) Instruct all personnel with regard to properties and characteristic (Draft chemical Rule 30 ensures this).
- (2) Enclosure and ventilation on all mixing, blending and packing operations (Draft chemical work Rule 27 meets this requirement).
- (3) Full protective clothing, including natural rubber gloves, boots and aprons .(Synthetic rubber when working with oil solutions) include a provision to this effect in Annexure II.
- (4) Washable working clothes laundered daily (To be added to Annexure II).
- (5) Separate locker for street clothing (Draft chemical works Rule 34 ensures this).
- (6) Respiratory protection and chemical type goggles (To be provided in Annexure II).
- (7) No food or smoking on the job (Draft chemical works Rule 3 covers this).
- (8) Excellent personnel hygiene (Draft chemical works Rule 35 covers this).
- (9) Proper labelling and antidote and suggestions to doctor for treatment (This can be covered by issue of a cautionary notice).

The following insecticides belong to the moderately toxic group :

Hexachlor-hexahydro-dimethauro-naphthalen (aldrin).

Hexachlor-epoxy-octa hydro-dimethenonphtholene (dieldrin). Arsenate of lead and calcium ; copper arsenite ; copper arsenate (paris green) and Sodium fluo aluminate (cryelite).

They require all the general precautions as for the highly toxic group excepting that rubber boots and gloves may be dispensed with excepting when working with oil solutions.

The following belong to the slightly toxic group :

Benzene hexachloride (gammexane or B.H.C.)

Dichloio-diphenyl Dichloro ethane (D.D.D.)

Dichloro dipherly-trichloro ethane (D.D.T.)

Tetrachloro-dipheryl ethane (T.D.E.)

General precautions are-

- (1) in the various operations, where there is derstiness use filter type respirators;
- (2) use separate work clothes, frequently laundered;
- (3) do not consume food etc., in the work-rooms;
- (4) have daily showers after work.

5. Chlorate manufacture-(a) Chlorate shall not be crystallised, ground or packed except in a room or place not used for any other purpose, the floor of which room or place shall be of cement or other smooth, impervious and incombustible material, and shall be thoroughly cleansed daily.

(b) Wooden vessels shall not be used for the crystallisation of chlorate, or to contain crystallised or ground chlorate ; provided that this regulation shall not prohibit the packing of chlorate for sale into wooden casks or other wooden vessels.

6. Restrictions on the employment of young persons and women - (a) Persons under 18 years of age and women shall not be employed in any process in which hydro-fluoric acid fumes or ammonical vapours are given off or in any of the following operations ;

- (i) evaporation of brine in open pans;
- (ii) stoving of salt;
- (iii) work at a furnace where the treatment of zinc ores is carried on; and
- (iv) the cleaning of work-rooms where the process mentioned in (iii) is carried on.

(b) No person under 18 years of age shall be employed in a chrome process or in a nitro or amino process in which the following materials are used or where the vapour of such materials is given off :

Carbon bisulphide, chlorides of sulphur, benzene;

Carbon tetrachloride, trichlorethiene; and

Carbon chlorine compound, or any mixture containing any of such materials.

7. Dates of employees-Every person employed-

(a) in a process to which Rule 33 applies shall wear the protective clothing, footwear, respirators, goggles or gloves provided under Rule 33 and shall deposit overalls or suits or working clothing so provided as well as clothings put off during hours, in the places provided under Rule 34.

(b) in a process to which Rule 35 applies shall carefully wash the hands and face before partaking of any food or leaving premises;

(c) in any processes to which Part-II of these rules applies shall use the protective appliances supplied in respect of any process which he is engaged.

### **(Part-XIII)**

#### **Compression of oxygen and hydrogen produced by the electrolysis of water**

1. The room in which electrolyser plant is installed be separate from the plant for storing and compressing the oxygen and hydrogen and also the electric generator room.

[2. (a) The purity of oxygen and hydrogen shall be tested by a competent person at least once in every shift at following points :

(i) in the electrolysis room;

(ii) at the gas holder inlet ; and

(iii) at the suction end of compressor.

(b) The purity figures shall be entered in the register and signed by the person carrying out such tests :

Provided, however, that if the electrolyser plant is fitted with automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient if the purity of the gases is tested at the suction and of the compressor only.]

3. The oxygen and hydrogen gas shall not be compressed, if their purity as determined under Clause (2) above falls below 98 per cent at any time.

4. In addition to the limit switch in the gas-holder, a sensitive negative pressure switch shall be provided in or adjacent to the suction main for hydrogen close to the gas holder and between the holder and the hydrogen compressor to switch off the compressor motor in the event of the gas holder being emptied to the extent as to cause vacuum.

5. The bell of any gas holder shall not be permitted to go within 30 cm. (12 in) of its lowest position when empty, and a visual and an audible warning signal shall be fitted to the gas holder to indicate that this limit is reached.

6. The water and caustic soda used for making dye shall be chemically pure within pharmaceutical limits.

7. Electrical connections at the electrolyser cells and at the electric generator terminals shall be so constructed as to preclude the possibility of wrong connections leading to the reversal of polarity and in addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switch board or at the electric generator terminals.

8. Oxygen and hydrogen gas pipes shall be painted with distinguishing colours and in the event of leakage at the joints of the hydrogen gas pipe, the pipe after re-connection shall be purged of all air before drawing in hydrogen gas.

9. All electrical wiring and apparatus in the electrolyser room shall be of flame-proof construction or enclosed in flame-proof fitting and no naked light or flame shall be allowed

to be taken either in the electrolyser room or where compression and filling of the gases is carried on and such warning notices shall be exhibited in prominent places.

10. No part of the electrolyser plant and the gas holders and compressor shall be subjected to welding, brazing soldering or cutting until steps have been taken to remove any explosive substance from that part and render the part safe for such operations and after the completion of such operations no explosive substance shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

11. No work or operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or repair shall be switched on to the electrolyzers unless the same is certified by the competent persons under whose direct supervision erection or repairs are carried on to be in a safe condition and the terminals have been checked for the polarity as required by Rule 7.

12. Every part of the electrolyser plant and the gas holders and compressor shall have a regular schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

#### **(Part- XIV)**

##### **Handling and processing of Asbestos, manufacture of any article of Asbestos and any other processes of manufacture or otherwise in which Asbestos is used in any form**

1. Application-This Schedule shall apply to all factories or parts of factories in which any of the following processes is carried on-

- (a) breaking, crushing, disintegrating, opening, grinding, mixing or selving of asbestos and any other processes involving handling and manipulation of asbestos incidental thereto;
- (b) all processes in the manufacture of asbestos textiles including preparatory and finishing processes; .
- (c) making of insulation slabs or sections, composed wholly or partly of asbestos, and processes incidental thereto;
- (d) making of repairing of insulating mattresses, composed wholly or partly of asbestos, and processes incidental thereto;
- (e) manufacture of asbestos cardboard and paper;
- (f) manufacture of asbestos cement goods;
- (g) application of asbestos by spray method;

- (h) sawing, grinding, turning, abrading and polishing in dry state of articles composed wholly or partly of asbestos;
- (i) cleaning of any room, vessel, chamber, fixture or appliance for the collection of asbestos dust; and
- (j) any other processes in which asbestos dust is given off into the work environment.

2. Definitions-For the purpose of this Schedule-

- (a) "asbestos" means any fibrous silicate mineral and any admixture containing actionlite, amosite, anthophyllite, dhrysolite, crocidolite tremolite or any mixture thereof, whether crude, crushed or opened;
- (b) "asbestos textiles" means yarn or cloth composed of asbestos or asbestos mixed with any other material;
- (c) "approved" means approved for the time being by the Chief Inspector-cum-Facilitator;
- (d) "breathing apparatus" means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust, or any other approved apparatus;
- (e) "efficient exhaust draught" means localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;
- (f) "preparing" means crushing, disintegrating, and any other processes in or incidental to opening, of asbestos;
- (g) "protective clothing" means overalls and head covering, which (in either case) will, when worn, exclude asbestos dust.

3. Tools and equipment-Any tools or equipment used in processes to which this Schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

4. Exhaust draught-(1) An efficient exhaust draught shall be provided and maintained to control dust from the following processes and machines-

- (a) manufacture and conveying machinery, namely ;
  - (i) preparing, grinding or dry mixing machines;
  - (ii) carding, card waste arid ring spinning machines, and looms;
  - (iii) machines or other plant bed with asbestos; and
  - (iv) machines used for the sawing, grinding, turning, drilling abrading or polishing in the dry state, of .articles composed wholly or partly of asbestos;
- (b) cleaning and grinding of the cylinders or other parts of a carding machine;

- (c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;
- (d) work-benches for asbestos waste sorting or for other manipulation
- (e) work places at which the filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;
- (f) sack cleaning machines;
- (g) mixing and blending of asbestos by hand; and
- (h) any other process in which dust is given off into the work environment.

(2) Exhaust ventilation equipment provided in accordance with sub-paragraph (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.

(3) Arrangements shall be made to prevent asbestos dust discharged from exhaust apparatus being drawn into the air of any work-room.

(4) The asbestos bearing dust removed from any work-room by the exhaust system shall be collected in suitable receptacles or filter bags which shall be isolated from all work areas.

5. Testing and examination of ventilating systems-(1) All ventilating systems used for the purpose of extracting or suppressing dust as required by this Schedule shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of twelve months. Any defects found by such examinations or test shall be rectified forthwith.

(2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alterations, if any, found to be necessary shall be kept and shall be available for inspection by an Inspector-cum-Facilitator.

6. Segregation in case of certain process-Mixing or blending by the hand of asbestos or making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in any room in which any other work is done.

7. Storage and distribution of loose asbestos-(1) All loose asbestos shall, while not in use be kept in suitable closed receptacles which prevent the escape of asbestos dust therefrom and such asbestos shall not be distributed within a factory except in such receptacles or in a totally enclosed system of conveyance.

8. Asbestos sacks-(1) All sacks used as receptacles for the purpose of transport of asbestos within the factory shall be constructed of impermeable materials and shall be kept in good repair.

(2) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine complying with paragraph 3.

9. Maintenance of floors and work places-(1) In every room in which any of the requirements of this Schedule apply-

(a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and

(b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.

(2) The cleaning as mentioned in Sub-rule (1) shall, so far as is practicable, be carried out by means of vacuum cleaning equipment so designed and constructed and so used that, asbestos dust neither escapes nor is discharged into the air of any work place.

(3) When the cleaning is done by any method other than that mentioned in sub-paragraph (2), the persons doing cleaning work and any other person employed in that room shall be provided with respiratory protective equipment and protective clothing.

(4) The vacuum cleaning equipment used in accordance with provisions of sub-paragraph (2), shall be properly maintained and after each cleaning operation, its surfaces kept in clean state and free from asbestos waste and dust.

(5) Asbestos waste shall not be permitted to remain on the floor or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.

10. Breathing apparatus and protective clothing-(I) An approved breathing apparatus and protective clothing shall be provided and maintained in good conditions for use of every person employed -

(a) In chambers containing loose asbestos;

(b) in cleaning, dust settling or filtering chambers or apparatus;

(c) in cleaning the cylinders, including the doffer cylinders, or other parts of a carding machine by means of hand-strickles; and

(d) in filling, beating, or levelling in the manufacture or repair of insulating mattresses; and

(e) in any other operation or circumstance in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.



(2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons, when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when, not in use.

(3) All breathing apparatus and protective clothing when not in use shall be stored in the accommodation provided in accordance with sub-paragraph (2).

(4) All protective clothing in use shall be de-dusted under an efficient exhaust draught or by vacuum cleaning and shall be washed at suitable intervals. The cleaning schedule and procedure shall be such as to ensure the efficiency,, in protecting the wearer.

(5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector-cum-Facilitator.

(7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.

(8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person, unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

11. Separate accommodation for personal clothing-A separate accommodation shall be provided in a conveniently accessible/position for all persons employed in operations to which this Schedule applies for storing of personal clothing. This shall be separated from the accommodation provided under sub-paragraph (2) of paragraph 10 to prevent contamination of personal clothing.

12. Washing and bathing facilities-(1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by the Schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every fifteen persons employed.

(2) The washing places shall have standpipes placed at intervals of not less than one metre.

(3) Not less than one half of the total number of washing places shall be provided with bath rooms.

(4) Sufficient supply of clean towels made of suitable material shall be provided :

Provided that such towels shall be supplied individually for each worker if so ordered by the Inspector-cum-Facilitator.

(5) Sufficient supply of soap and nail brushes shall be provided.

13. Mess room-(1) There shall be provided and maintained for the use of all workers employed in the factory covered by this Schedule, remaining on the premises during the rest intervals, a suitable mess room which shall be furnished with-

(a) sufficient tables and benches with back rest; and

(b) adequate means for warming food.

(2) The mess room shall be placed under the charge of a responsible person and shall be kept clean.

14. Prohibition of employment of young persons-No young person shall be employed in any of the process covered by this Schedule.

15. Prohibition relating to smoking-No person shall smoke in any area where processes covered by this Schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.

16. Cautionary notices-(1) Cautionary notices shall be displayed at the approaches and along the perimeter of every asbestos processing area to warn all persons regarding-

(a) hazards to health from asbestos dust;

(b) need to use appropriate protective equipment;

(c) prohibition of entry to unauthorised persons, or authorised person but without protective equipment.

(2) Such notices shall be in the language understood by majority of the workers.

17. Air monitoring-To ensure the effectiveness of the control measures, monitoring of asbestos fibre in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purpose.

18. Medical facilities and records of medical examinations and tests-(1) The occupier of every factory or part of the factory to which this Schedule applies, shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers covered by this Schedule whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator;

(b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief

Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspectors-cum-Facilitators.

19. Medical examination by Medical Officer - (1) Every worker employed in the processes specified in paragraph 1 shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include pulmonary function tests, tests for detecting asbestos fibres in sputum and chest X-ray. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the process referred to sub-paragraph (1) shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such examinations shall, wherever the Medical Officer considers appropriate, include all the tests specified in sub-paragraph (1) except chest X-ray which will be carried out once in three years.

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes, unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

20. Exemptions - If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may, by a certificate in

writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

## **(Part- XV)**

### **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 five per cent by weight of free silica.

3. Precautions in manipulation-No manipulation shall be carried out in a factory or part of a factory unless one or more of the following measures, namely:

(a) damping the stone or other material being, processed,

(b) providing water spray,

(c) enclosing the process,

(d) isolating the process, and

(e) providing localised exhaust ventilation,

(f) are adopted so as to effectively control the dust in any place in the factory where any person is employed at a level equal to or below the maximum permissible level for silica dust as laid down in Rule 88

(g) Provided that such measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible level referred to.

4. Maintenance of floors-

(1) All floors or places where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning.

(2) The surface of every floor of every work-room or place where any work is carried on or where any person has to pass during the course of his work, shall be cleaned to dedust once at least during each shift after being sprayed with water or by any

other suitable method so as to prevent dust being airborne in the process of cleaning.

5. Prohibition relating to young persons-No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried on.

6. Medical facilities and records of examinations and tests-

(1) The occupier of every factory to which this Schedule applies, shall-

(a) employ a qualified medical officer for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical officer all the necessary facilities for the purpose referred to in Clause (1).

(2) The record of medical examination and appropriate tests carried out by the said medical officer shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

7. Medical examination by Medical Officer-

(1) Every worker employed in the processes specified in paragraph 1, shall be examined by a Medical Officer within fifteen days of his first employment. Such medical examination shall include pulmonary function tests and chest X-ray. No worker shall be allowed to work after fifteen days, unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in three years.

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of re-examination carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the Manager of the Factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.

(6) No person who has been found unfit to work as said in Sub-paragraph (5), shall be re-employed or permitted to work in the said processes, unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

8. Exemptions - If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or the frequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may, by a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

## **(Part-XVI)**

### **Handling and manipulation of corrosive substances**

1 . Definitions-For the purpose of this Schedule-

(a) "Corrosive operation" means an operation of manufacturing, storing, handling, processing, packing or using any corrosive substance in a factory.

(b) "Corrosive substance" includes sulphuric acid, nitric acid, hydrochloric acid, hydrofluoric acid, carboric acid, phosphoric acid, liquid chlorine, liquid bromine, ammonia, sodium hydroxide and potassium hydroxide and a mixture thereof and any other substance, which the State Government by notification in the Official Gazette specify to be a corrosive substance.

2. Flooring-The floor of every work-room of a factory, in which corrosive operation is carried on, shall be made of impervious, corrosive and fire resistant material and shall be so constructed as to prevent collection of any corrosive substance. The surface of such flooring shall be smooth and cleaned as often as necessary and maintained in a sound condition.

3. Protective equipment-

(a) The occupier shall provide for the use of all persons, employed in any corrosive operation, suitable protective wear for hands and feet, suitable aprons, face shields

chemical safety goggles and respirators. The equipments shall be maintained in good order and shall be kept clean and hygienic condition by suitably treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The occupier shall also provide suitable protective creams and other preparations, wherever necessary.

(b) The protective equipment and preparations provided shall be used by the persons employed in any corrosive operations.

4. Water facilities-Where any corrosive operation is carried on, there shall be provided, as close to the place of such operation as possible, a source of clean water, at a height of 210 cms. (7 Ft.), from a pipe of 1.25 cm. ( $\frac{1}{2}$  inch) diameter and fitted with a quick acting valve, so that in case of injury to the workers by any corrosive substance, the injured part can be thoroughly flooded with water. Whenever necessary in order to ensure continuous water-supply, a storage tank having a minimum length, breadth and height of 210 cms., 120 cms. and 60 cms. respectively or such dimensions, as are approved by the Chief Inspector-cum-Facilitator shall be provided as the source of clean water.

5. Cautionary notice-A cautionary notice in the following form and printed in the language which majority of the workers employed understand shall be displayed prominently, close to the place, where any of the operations mentioned in paragraph 2 above, is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate, effective steps shall be taken to explain, carefully to him the contents of the notice so displayed.

<p style="text-align: center;">Cautionary Notice</p> <p style="text-align: center;">Danger</p> <p>Corrosive substances cause severe burns and vapours thereof, may be extremely hazardous. In case of contact, immediately flood the part affected with plenty of water for at least 15 minutes.</p>
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6. Transport-

(a) Corrosive substances shall not be filled, moved, or carried except in containers and when they are to be transported, they shall be included in crates of sound construction and sufficient strength.

(b) A container with a capacity of (11.5 litres),  $2\frac{1}{2}$  gallons or more of a corrosive substance, shall be placed in a receptacle or crate, and then carried by more than one person at a height below the waist line, unless a suitable rubber wheeled truck is used for the purpose.

(c) Containers for corrosive substances shall be plainly levelled.

7. Device for handling corrosives-

(a) Suitable tilting or lifting device shall be used for emptying jars, carboys and other containers of corrosive.

(b) Corrosive substance shall not be handled by bare hands but by means of a suitable scoop or other device.

8. Opening of valves-Valves fitted to containers holding a corrosive substance shall be opened with a great care if they do, not work freely they shall not be forced open. They shall be opened by a worker suitably trained for the purpose.

9. Cleaning tanks, stills, etc.-

(a) In cleaning out or removing residues from stills or other large chambers used for holding any corrosive substance, suitable implements made of wood or other materials shall be used to prevent production of arseni-uretted hydrogen (Arsine).

(b) Whenever it is necessary, for the purpose of cleaning or other maintenance work for any worker to enter chamber, tank, vat, pit or other confined space, where a corrosive substance had been stored, all possible precautions, required under the Code shall be taken to ensure the workers' safety.

(c) Wherever possible, before repairs are undertaken to any part of equipment in which a corrosive substance was handled such equipment or part thereof shall be freed of any adhering corrosive substance by adopting suitable methods.

10. Storage-

(a) Corrosive substances shall not be stored in the same room with other chemicals such as turpentine, carbides, metallic powders and combustible materials, the accidental mixing with which may cause a reaction which is either violent or gives rise to toxic fumes and gases.

(b) Pumping of filling overhead tanks, receptacles, vats or other containers for storing corrosive substances, shall be so-arranged, that there is no possibility of any corrosive substance overflowing and causing injury to any person.

(c) Every container having a capacity of twenty litres or more and every pipeline, valves, and fittings used for storing or carrying corrosive substances shall be thoroughly examined every year for finding out any defects and such defects shall be removed forthwith. A register shall be maintained of every such examination made and shall be produced before the Inspector-cum-Facilitator, whenever required.



11. Fire extinguishers and fire-fighting equipment-An adequate number of suitable type of fire extinguishers or other fire-fighting equipment depending on the nature of chemicals stored, shall be provided. Such extinguishers or other equipment shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used, printed in the language which majority of the workers employed understand, shall be affixed near each extinguisher or other equipment.

12. Exemption-If in respect of any factory, on an application made by the Manager, the Chief Inspector-cum-Facilitator is satisfied, that owing to the exceptional circumstances, or the infrequency of the process for any other reasons to be recorded by him in writing all or any of the provisions of this Schedule, are necessary for the protection of the persons employed therein, he may, by a certificate in writing which he may at any time revoke, exempt the factory from such of the provisions and subject to such conditions, as he may specify therein.

### **(Part-XVII)**

#### **Solvent extraction plants**

##### **1. Definitions-**

(a) "Solvent extraction plant" means the plant in which the process of extracting vegetable oils from oil-cakes by the use of solvents is carried on;

(b) "solvent" means an inflammable liquid such as pentene, hexene and heptane used for the recovery of vegetable oils;

(c) "flame-proof" enclosure as applied to electrical machinery or apparatus means an enclosure that will withstand when covers or other process doors, are properly secured, an internal explosion of the flammable gas or vapour which may enter or which may originate inside the enclosure without suffering damage and without communicating internal inflammation or explosion to the external flammable gas or vapour;

(d) "competent person" for the purpose of this Schedule shall be at least a Member of the Institution of Engineers (India) or an Associate Member of the said Institution with ten years' experience in a responsible position as may be approved by the Chief Inspector-cum-Facilitator;

Provided that a Graduate in Mechanical Engineering or Chemical Technology with specialised knowledge of oils and fats and with a minimum experience of five years in a solvent extraction plant shall also be considered to be a competent person:

Provided further that the State Government may accept any other qualifications if in its opinion they are equivalent to the qualifications aforesaid.

(2) Location and layout-

- (a) No solvent extraction plant shall be permitted to be constructed or extended to within a distance of thirty metres from the nearest residential locality.
- (b) A 1.5 meter high continuous wire fencing shall be provided around the solvent extraction plant up to a minimum distance of fifteen metres from the plant.
- (c) No person shall be allowed to carry any matches or an open flame or fire inside the area bound by the fencing.
- (d) Boiler house and other buildings where open flame processes are carried on shall be located at least thirty metres' away from the solvent extraction plant.
- (e) If godowns and preparatory processes are at less than three metres' distance from the solvent extraction plant, it shall be at least fifteen metres' distance from the plant and a continuous barrier wall of non-combustible material of 1.5 metres' high shall be erected at a distance of not less than fifteen metres' from the solvent extraction plant so that it extends to (at least thirty metres' of vapour travel around its ends from the plants to) the possible sources of ignition.

3. Electrical installations-(a) All electrical metres' and wiring and other electrical equipments installed or housed in a solvent extraction plant shall be of flame proof construction.

- (b) All metal parts of the plant and building including various tanks and containers where solvents are stored or are present and all parts of electrical equipment not required to be energised shall be properly bounded together and connected to earth so as to avoid accidental rise in the electrical potential of such parts above the earth potential.

(4) Restriction on smoking - Smoking shall be strictly prohibited with fifteen metres' distance from solvent extraction plant. For this purpose "No smoking" signs shall be permanently displayed in the area.

(5) Precautions against friction-

- (a) All coils and equipments including ladders, chains and other lifting tackles required to be used in solvent extraction plants shall be of non-sparking type.
- (b) No machinery or equipment in a solvent extraction plants shall be belt-driven unless the belt used is of such type that it does not permit accumulation of static electricity to a dangerous level.

(c) No person shall be allowed to enter and work in a solvent extraction plant by wearing clothes made of nylon or such other fibre that can generate static electrical charge, or wearing footwear which is likely to cause sparks by friction.

6. Fire-fighting apparatus –

(a) Adequate number of portable fire extinguishers suitable for use against flammable liquid fires shall be provided in the solvent extraction plants.

(b) An automatic water spray sprinkler system on a wet pipe or open head deluge system with sufficient supply of storage water shall be provided over solvent extraction plant and throughout the building housing such plant.

7. Precautions against power failure-Provision shall be made or the automatic cutting off of steam in the event of power failure and also for emergency overhead water-supply for feeding water by gravity to condensers which shall come into play automatically with the power failure.

8. Magnetic separators-Oil-cake shall be fed to the extractor by a conveyor through a hopper and a magnetic separator shall be provided to remove any pieces of iron during its transfer.

9. Venting-

(a) Tanks containing solvents shall be protected with emergency venting to relieve excessive internal pressure in the event of fire.

(b) All emergency relief vents shall terminate at least six metres' above the ground and be so located that vapours will not re-enter the building in which solvent extraction plant is located.

10. Waste water - Processed waste water shall be passed through a flash evaporator to remove any solvent before it is discharged into sump.

11. Ventilation-This solvent extraction plant shall be well ventilated and if the plant is housed in a building, the building shall be provided with mechanical ventilation with provision for at least six air changes per hour.

12. House keeping-

(a) Solvents shall not be stored in an area covered by solvent extraction plant except in small quantities which shall be stored in approved" safety cans.

(b) Waste materials such as, oil rags, other wastes and absorbants used to wipe off solvent, and paints and oils shall be deposited in approved containers and removed from the premises at least once a day.

(c) Space within the solvent extraction plant and within fifteen metres' from the plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleaned up immediately.

13. Examination and repairs-

(a) The solvent extraction plant shall be examined by a competent person to determine any weakness of corrosion and wear once in every twelve months. Report of such examination shall be supplied to the Inspector-cum-Facilitator with his observation as to whether or not the plant is in safe condition to work.

(b) No repairs shall be carried out to the machinery or plant except under the direct supervision of the competent person.

(c) Facility shall be provided for purging the plant with inert gas or steam before opening for cleaning or repairs and before introducing solvent after repairs.

14. Operating Personnel-The operation of the plant and machinery in the solvent extraction plant shall be in the charge of such duly qualified and trained person as are certified by the competent person to be fit for the purpose and no other person shall be allowed to operate the plant and machinery.

15. Employment of women and young persons-No woman or young person shall be employed in the solvent extraction plant.

16. Vapour detection-A suitable type of combustible gas indicator shall be provided and maintained in good working order and schedule of routine sampling of atmosphere at various locations as approved by the Chief Inspector-cum-Facilitator shall be drawn out and entered in a register maintained for the purpose.

17. Exemption - If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the process or for any other reason, all or any of the provisions of this Schedule is not necessary for the protection of workers in the factory, the Chief Inspector-cum-Facilitator may, by a certificate in writing which he may, at his discretion, revoke at any time exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.]

**(Part-XVIII)**

**Manufacture or manipulation of carcinogenic dye intermediates**

1. Application-This Schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned in paragraphs 3 and 4 are formed, manufactured, handled or used and the process incidental thereto in the course of which

these substances are formed are carried on. The processes indicated in this paragraph shall be referred to as "the said processes" and such a reference shall mean any or all the processes described in this paragraph.

2. Definitions-For the purpose of this Schedule the following definitions shall apply unless the context otherwise requires-

- (a) "controlled substances" means chemical substances mentioned in paragraph 4 of this Schedule;
- (b) "first employment" means first employment in the said process and also re-employment in such process following cessation of employment for a continuous period exceeding three calendar months;
- (c) "efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originates;
- (d) "prohibited substances" means chemical substances mentioned in paragraph 3 of this Schedule.

3. Prohibited substances - For the purpose of this Schedule the following chemical substances shall be classified as prohibited substances except when these substances are present or are formed as by-product of a chemical reaction in a total concentration not exceeding one per cent-

- (a) Beta naphthylamine and its salts;
- (b) Benzidine and its salts;
- (c) 4-Amino diphenyle and its salts;
- (d) 4-Nitro diphenyl and its salts; and
- (e) any substance containing any of these compounds.

4. Controlled substances-For the purpose of this Schedule the following chemical substances shall be classified as "controlled substances" ;

- (a) Alpha-naphthylamine or alpha-naphthylamine containing not more than one per cent of beta-naphthylamine either as a by-product of chemical reaction or otherwise and its salts;
- (b) Otho-tolidine and its salts;
- (c) Dianisidine add its salts;
- (d) Dichlorobenzidine and its salts;
- (e) Auramine;
- (f) Mangnata.

5. Prohibition of employment-No person shall be employed in the said processes in any factory in which any prohibited substance is formed, manufactured, processed handled or used except as exempted by the Chief Inspector-cum-Facilitator as stipulate in paragraph 23.
6. Requirements for processing or handling controlled substances - (1) Wherever any of the controlled substances referred to in paragraph 4 are formed, manufactured, processed, handled or used, all practical steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substances by the workers while engaged in processing that substances and its storage or transport within the plant or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas.
- (2) As far as possible all operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process.
- (3) The controlled substances shall be received in the factory in tightly close containers and shall be kept so except when these substances are in process or in use. The controlled substances shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labelled to indicate the contents.
7. Personal protective equipment - (1) The following items of personal protective equipments shall be provided and issued to every worker employed in the said processes :
- (a) long trousers and shirts or overalls with full sleeves and head coverings. The shirt or overall shall cover the neck completely.
- (b) Rubber gun boots.
- (2) The following items of personal protective equipments shall be provided in sufficient numbers for use by workers employed in the aid processes when there is danger of injury during the performance of normal duties or in the event of emergency-
- (a) rubber hand gloves;
- (b) rubber aprons;
- (c) airline respirators or other suitable respiratory protective equipment.
- (3) It shall be the responsibility of the Manager to maintain ail items of personal protective equipments in a clean and hygienic condition and in good repair.

8. Prohibition relating to employment of women and young persons-No woman or young person shall be employed or permitted to work in any room in which the said processes are carried on.
9. Floors of work-room-The floor of every work-room in which the said processes are carried on shall be (a) smooth and impervious to water; provided that asphalt or tar shall not be used in the composition of the floor; (b) maintained in a state of good repair ; (c) with a suitable slope for easy draining and provided with gutters; and (d) thoroughly washed daily with the drain water being let into a sewer through a closed channel.
10. Disposal of empty containers-Empty containers used for holding controlled substances shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded.
11. Manual handling-Controlled substances shall not be allowed to be mixed, filled, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.
12. Instructions regarding risk-Every worker on his first employment in the said processes shall be fully instructed on the properties of the toxic chemicals to which he is likely to be exposed, of the dangers involved and the precautions to be taken. Workers shall also be instructed on the measures to be taken to deal with an emergency.
13. Cautionary placards-Cautionary placards in the form specified in Appendix attached to this Schedule and printed in the language of the majority of the workers employed in the said processes shall be affixed in prominent places frequented by them in the factory, where the placards can be easily and conveniently read. Arrangements shall be made by the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.
- [14. Medical facilities and records of examinations and tests-(1) The occupier of every factory to which this Schedule applies shall-
- (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and
  - (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).
- (2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the

Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator]

15. Medical examination by the Medical Officers-(1) Every worker employed in the said processes shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for detection of methemoglobin in blood (Haematological tests). Paranitrophenol in urine pulmonary function tests and C. N. S. tests. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.
- (2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every six calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests specified in sub-paragraph (1).
- (3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in Form V.
- (4) The certificate of fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- (5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said processes.
- (6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination again Certifies him fit for employment in those processes.
16. Obligations of the workers-It shall be the duty of the persons employed in the said processes to submit themselves for the medical examination including exfoliative cytology of urine by the Medical Officer or the qualified medical practitioner as provided for under these rules.



17. Washing and bathing facilities-(1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the said processes :
- (a) A wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with at least one stand pipe for every five such workers.
  - (b) 56 per cent of the stand pipes provided under Clause (a) shall be located in bath rooms where both hot and cold water shall be made available during the working hours of the factory and for one hour thereafter.
  - (c) The washing and bathing facilities shall be in close proximity of the area housing the said processes.
  - (d) Clean towels shall be provided individually to each worker.
  - (e) In addition to the taps mentioned under Clause (a) one stand pipe in which warm water is made available shall be provided on each floor.
- (2) Arrangement shall be made to wash factory uniforms and other work clothes everyday.
18. Food, drinks, etc., prohibited in work-room-No worker shall consume food, drink, pan, supari or tobacco or shall smoke in any workroom in which the said processes are carried on and no worker shall remain in any such room during intervals for meals or rest.
19. Cloak room-There shall be provided and maintained in a clean state in good repair for the use of the workers employed in the said processes (a) a cloak room with lockers having two compartments one for street clothes and the other for work clothes ; and (b) a place separate from the locker room and the mess-room, for the storage of protective equipments provided under paragraph 7. The accommodation so provided shall be under the care of a responsible person and shall be kept clean.
20. Mess room-There shall be provided and maintained for the use of workers employed in the said processes who remain on the premises during the meal intervals a mess room which shall be furnished with tables and benches and provided with suitable means for warming food ; provided that where a canteen or other proper arrangement exists for the workers to take their meals, the requirement of a mess-room shall be dispensed with.
21. Time allowed for washing-Before the end of each shift 30 minutes shall be allowed for bathing for each worker who is employed in the said processes. Further, at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

22. Restriction on age of persons employed-No worker under the age of 40 years shall be engaged in the factory in the said processes for the first time after the date on which the schedule comes into force.
23. Exemptions-Prohibited substances-(1) The Chief Inspector-cum-Facilitator may by certificate in writing (which he may at his discretion revoke at any time) subject to such conditions, if any, as may be specified therein, exempt any process in the course of which any of the prohibited substances is formed, processed, manufactured, handled or used, from the provisions of paragraph 5 if he is satisfied that the process is carried out in a totally enclosed and hermetically sealed system in such manner that the prohibited substance is not removed from the system except in quantities no greater than that required for the purpose of control of the processes or such purposes as is necessary to ensure that the product is free from any of the prohibited substances.
- (2) The Chief Inspector-cum-Facilitator may allow the manufacture, handling or use of benzidine hydrochloride ; provided that all the processes in connection with it are carried out in a totally enclosed system in such a manner that no prohibited substance other than benzidine hydrochloride is removed therefrom except in quantities no greater than that required for the purpose of control of the processes or such purposes as is necessary to ensure that the product is free from prohibited substances and that adequate steps are taken to ensure that benzidine hydrochloride is, except while not in a totally enclosed system, kept wet with not less than one part of water to two parts of benzidine hydrochloride at all times.
24. Exemption (General)-If in respect of any factory the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for the protection of the workers in the factory the Chief Inspector-cum-Facilitator may by a certificate in writing (which he may at his discretion revoke at any time) exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

**Appendix**  
**Cautionary Placard Notice**  
**Carcinogenic dye intermediates**

1. Dye intermediates which are nitro or amino derivatives or aromatic hydrocarbons are toxic. You have to handle these chemicals frequently in this factory.
2. Use the various items of protective wear to safeguard your own health.
3. Maintain scrupulous cleanliness at all time. Thoroughly wash hands and feet before taking meals. It is essential to take a bath before leaving the factory.
4. Wash off any chemical falling on your body with soap and water. If splashed with a solution on the chemical remove the contaminated clothing immediately. These chemicals are known to produce cyanosis. Contact the medical officer or appointed doctor immediately any get his advice.
5. Handle the dye intermediates only with long handled scoops, never with bare hands.
6. Alcoholic drinks should be avoided as they enhance the risk of poisoning by the chemicals.
7. Keep your food and drinks away from work place. Consuming food, drinks or tobacco in any form at the place of work is prohibited.
8. Serious effects from work with toxic chemicals may follow after many years. Great care must be taken to maintain absolute cleanliness of body, clothes, machinery and equipment.

**(Part-XIX)**

**Manufacture or manipulation of manganese and its compounds**

1. Definitions-For the purpose of this Schedule-
  - (a) "Manganese process" means processing, manufacture or manipulation of manganese or any compound of manganese or any ore or any mixture containing manganese.
  - (b) "First employment" means first employment in any manganese process and includes also re-employment in any manganese process following any cessation of employment for a continuous period exceeding three calendar months.
  - (c) "Manipulation" means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping or otherwise handling of manganese, or a compound of manganese or an ore or mixture containing manganese.
  - (d) "Efficient exhaust ventilation" means localised ventilation effected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from

escaping into the atmosphere of any place where any work is carried on. No draught shall be deemed to be efficient which fails to remove the dust or fume or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a work place.

2. Application-This Schedule shall apply to every factory in which or in any part of which any manganese process is carried on.
3. Exemption-If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to any exceptional 'circumstances, or frequency of the process or for any other reasons, application of all or any of the provisions of this Schedule is not necessary for the protection of the persons employed in such factory, he may by an order in writing which he may at his discretion revoke, exempt such factory from all or any of the provisions of such condition; and for such period as he may specify in the said order.
4. Isolation of a process-Every manganese process which may give rise to dust, vapour or mist containing manganese shall be carried on in totally enclosed system or otherwise effectively isolated from other processes so that other plants and processes and other parts of the factory and persons employed on other processes may not be affected by the same.
5. Ventilation of process-No process in which any dust, vapour or mist containing manganese is generated shall be carried out except under an efficient exhaust ventilation which shall be applied as near to the point of generation as practicable.
- [6. Medical facilities and records of examination and tests-(1) The occupier of every factory to which this Schedule applies shall-
  - (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator ; and
  - (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).
- (2) the record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator which shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- 6-A. Medical examination by Medical Officer-(1) Every worker employed in any manganese process shall be medically examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for detection of serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests and

other neuro-muscular co-ordination tests. No worker shall be allowed to work after fifteen days of his first employment in the factory, unless certified for such employment by the Medical Officer.

- (2) Every worker employed in a manganese process shall be re-examined by a Medical Officer at least once in every three calendar months and such examination shall, wherever the Medical Officer considers appropriate, include all the tests in Sub-paragraph (1).
- (3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in Form V.
- (4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- (5) If at any time the Medical Officer is of the opinion that the 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, he shall make a record of his findings in the said certificate and health register, the entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said process.
- (6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said process, unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.]
- (7). Personal protective equipment-(1) The occupier of the factory shall provide and maintain in good and clean condition suitable overalls and head coverings for all persons employed in any manganese process and such overalls and head coverings shall be worn by the persons while working on a manganese process.  
(2) The occupier of the factory shall provide suitable respiratory protective equipment for use by workers in emergency to prevent inhalation of dust fumes or mists. Sufficient number of complete sets of such equipment shall always be kept near the work place and the same shall be properly maintained and kept always in a condition to be used readily.

- (3) The occupier shall provide and maintain for the use of all persons employed suitable accommodation for the storage and make adequate arrangements for cleaning and maintenance of personal protective equipments.
8. Prohibition relating to women and young persons-No woman or young person shall be employed or permitted to work in any manganese process.
9. Food, drinks prohibited in the work-rooms-No food, drinks, pan and supari or tobacco shall be allowed to be brought into or consumed by any worker in any work-room in which any manganese process is carried on.
10. Mess-room-There shall provided and maintained for the use of the persons employed in a manganese process a suitable mess-room which shall be furnished with sufficient tables and benches and adequate means for warming of food. The mess-room shall be placed under the charge of a responsible person and shall be kept clean provided that where a canteen or other proper arrangements exist for the workers to take their meals, the requirements of a mess-room shall be dispensed with.
11. Washing facilities-There shall be provided and maintained in a clean state and in good condition, for the use of persons employed on manganese process a wash place under cover with either-
- (1) a trough with a smooth impervious surface fitted with a waste pipe without plug. The trough shall be of sufficient length to allow at least sixty centimetres for every ten such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than 60 centimetres or at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water; and
- (2) sufficient supply of rope or other suitable cleaning material and nail brushes and clean towels.
12. Cloak room-If the Chief Inspector-cum-Facilitator so requires there shall be provided and maintained for the use of persons employed in manganese process a cloak room for clothing put off during working hours with adequate arrangement for drying the clothing.
13. Cautionary placard and instructions-Cautionary notices in the following form and printed in the language of the majority of the workers employed shall be affixed in prominent places in the factory where they can be easily and conveniently read by the workers and arrangement shall be made by the occupier to instruct periodically all workers employed in a manganese process regarding the health hazards connected with their duties and the best preventive measure and methods to protect themselves. The notices shall always be maintained in a legible condition.

## **Cautionary Notice**

### **Manganese and manganese compound**

1. Dust, fumes and mists of manganese and compounds are toxic when inhaled or when ingested.
2. Do not consume food or drink near the work place.
3. Take good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothings and equipments provided.
6. When required to work in situations where dusts, fumes or mists are likely to be inhaled, use respiratory protective equipment provided for the purpose.
7. If you get severe headaches, prolonged sleeplessness or abnormal sensation on the body report to the manager who would made arrangements for your examination and treatment.

## **(Part - XX)**

### **Manufacture, handling and usage of benzene and substances containing benzene**

1. This Schedule shall apply in respect of factories or parts thereof in which benzene or substances containing benzene are manufactured, handled, or used.
2. Definitions-Fox the purpose of this Schedule-
  - (a) "substances containing benzene" means substances wherein benzene content exceed 1 per cent by volume;
  - (b) "substitute" means a chemical with his harmless or less harmful than benzene and can be used in place of benzene;
  - (c) "enclosed system" means a system which will not allow escape of benzene vapours to working atmosphere;
  - (d) "efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gases, vapours and dust or fumes so as to prevent them from escaping into the air of any work-room. No draught shall be deemed to be efficient if it fails to remove smokes generated at the point where such gases, vapours fumes, or dusts originate.
3. Prohibition and substitution-(a) Use of benzene and substances containing benzene is prohibited in the following process :
  - (1) Manufacture of varnishes, paints and thinners;
  - (2) Cleaning and greasing operations.

- (b) Benzene or substances containing benzene shall not be used as a solvent or dilute unless the process in which it is used is carried on in an enclosed system or unless the process is carried on in a manner which is considered equally safe as if it were carried out in an enclosed system.
  - (c) Where suitable substitutes are available they shall be used instead of benzene or substances containing benzene. This provision, however, shall not apply to the following processes :
    - (1) Production of benzene;
    - (2) Process where benzene is used for chemical synthesis;
    - (3) Motor spirits (used and fuel).
  - (d) The Chief Inspector-cum-Facilitator may subject to confirmation by the State Government permit exemption from the percentage laid down in Clause 2 (a) and also from the provisions of Sub-clause (c) temporarily under conditions and within limits of time to be determined after consultation with the employers and workers concerned.
4. Protection against inhalation-
- (a) The process involving the use of benzene or substances containing benzene shall as far as practicable be carried out in an enclosed system.
  - (b) Where however it is not practicable to carry out the process in an enclosed system the work-room in which benzene or substances containing benzene are used be equipped with an efficient exhaust draught or other means for removal of benzene vapours to prevent their escape into the air of the work-room so that the concentration of benzene in the air does not exceed 25 parts per million by Column 3 or 80 mg/m.
  - (c) Air analysers for the measurement of concentration of benzene vapours in air shall be carried out every 8 hours or at such intervals as may be directed by the Chief Inspector-cum-Facilitator at places where process involving use of benzene is carried on and the result of such analysis shall be recorded in a register specially maintained for this purpose. If the concentration of benzene vapours in air as measured by air analysis, exceeds 25 parts per million by volume of 80 mg/m. The Manager shall forthwith report the concentration to the Chief Inspector-cum-Facilitator stating the reasons for such increase.
  - (d) Workers who for special reasons are likely to be exposed to concentration of benzene in the air of the work-room exceeding the maximum referred to in Clause (b) shall be



provided with suitable respirators or face masks. The duration of such exposure shall be limited as far as possible.

5. Measures against skin contact-(a) Workers who are likely to come in contact with liquid benzene or liquid substances containing benzene shall be provided with suitable gloves, aprons, boots and where necessary, vapour tight chemical goggles, made of material not affected by benzene or its vapours.  
(b) The protective wear referred to in Sub-clause (a) shall be maintained in good condition and inspected regularly.
6. Prohibition relating to employment of women and young persons-No woman or young person shall be employed or permitted to work in any work-room involving exposure to benzene or substance containing benzene.
7. Labelling-Every container holding benzene shall have the word "Benzene" and approved danger symbols clearly visible on it and shall also display information on benzene content, warning about toxicity and warning about inflammability of the chemical.
8. Improper use of benzene-(a) The use of benzene or substances containing benzene by workers for cleaning their hands or their work clothing shall be prohibited.  
(b) Workers shall be instructed on the possible dangers arising from such misuse.
9. Prohibition of consuming food, etc., in work-room-No worker shall be allowed to store or consume food or drink in the workroom in which benzene or substances containing benzene are manufactured, handled or used. Smoking and chewing tobacco or pan shall be prohibited in such work-rooms.
10. Instructions as regards risks-Every worker on his first employment shall be fully instructed on the properties of benzene or substances containing benzene which he has to handle and of the dangers involved. Workers shall also be instructed on the measures to be taken to deal within an emergency.
11. Cautionary notices-Cautionary notices in the form specified in Appendix and presented in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the work-rooms where benzene or substances containing benzene are manufactured, handled or used.
12. Washing facilities, cloak-room and mess-room-In factories in which benzene or substances containing benzene are manufactured, handled or used the occupier shall provide and maintain in clean state and good repairs-  
(a) washing facilities under cover of the standard of at least one tap for every 10 persons having constant supply of water with soap and clean towel provided individually to each worker if so ordered by the Inspector-cum-Facilitator;

- (b) cloak-room with lockers for each worker having two compartments, one for street clothing and one for work clothing;
- (c) a mess-room furnished with tables and benches with means for warming food ; provided that where a canteen or other proper arrangement exists for the workers to take their meals, the requirements of a mess-room shall be dispensed with.

[13. Medical facilities and records of examinations and tests-(1) The occupier of every factory to which this Schedule applies, shall-

- (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and
  - (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).
- (2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.]

14. Medical examination by the Medical Officer-(1) Every worker employed in processes mentioned in paragraph (1) shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for detection of phenol in urine and determination of urinary sulphide ratio and C. N. S. and haematological tests. No worker shall be allowed to work after fifteen days of his first employment in the factory, unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve calendar months and such examination shall, wherever the Medical Officer considers appropriate, include all the tests specified in subparagraph (1). Further, every worker shall also be examined once in every three calendar months by the factory Medical Officer.

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under subparagraphs (1) and (2) including in the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in Form V.

- (4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- (5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said processes.
- (6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

### **Appendix**

#### **Cautionary Notice**

- (a) Hazards-(i) Benzene and substances containing benzene are harmful; (ii) prolonged or repeated breathing of benzene vapours may result in acute or chronic poisoning; (iii) benzene can also be absorbed through skin which may cause skin and other diseases.
- (b) Preventive measures-(i) Avoid breathing of benzene vapours; (ii) avoid prolonged or repeated contact of benzene with skin; (iii) remove benzene soaked or wet clothing promptly; (iv) if at any time you are exposed to high concentration of benzene vapours and exhibit the signs and symptoms such as dizziness, difficulty in breathing, excessive excitation and losing of consciousness, immediately inform your factory manager; (v) keep all the containers of benzene closed; (vi) handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on floor; (vii) maintain good house-keeping.
- (c) Protective equipment-(i) Use respiratory protective equipment in places where benzene vapours are present in high concentration; (ii) in emergency, use self-generating oxygen mask or oxygen or air cylinder masks; (iii) wear hand gloves, aprons, goggles and gum boots to avoid contact of benzene with your skin and body parts.
- (d) The first aid measure in case of acute benzene poisoning-(i) If liquid benzene enters eyes, flush thoroughly for at least 15 minutes with clean running water and immediately secure medical attention; (ii) in case of unusual exposure to benzene vapour call a physician immediately. Until he arrives do the following :

If the exposed person is conscious-

- (a) move him to fresh air in open;
- (b) lay down without pillow and keep him quiet and warm.

If the exposed person is unconscious-

- (a) lay him down preferably on the left side with head low;
- (b) remove any false teeth, chewing gum, tobacco or other foreign objects which may be in his mouth;
- (c) provide him artificial respiration in case difficulty is being experienced in breathing;
- (d) in case of shallow breathing or cyanosis (blueness of skin, lips, ears, finger nail, beds) he should be provided with medical oxygen or oxygen carbon dioxide mixture. If needed he should be given artificial respiration. Oxygen should be administered by a trained person only.

### **(Part-XXI)**

#### **Manufacture or manipulation of dangerous pesticides**

1. Application-This Schedule shall apply in respect of all factories or any part thereof in which the process of manufacture or manipulation of dangerous pesticides (hereinafter referred to as the said manufacturing process) is carried on.
2. Definitions-For the purpose of this Schedule-
  - (a) "dangerous pesticides" means any product proposed or used for controlling, destroying or repelling any pest or for preventing growth or mitigating effects of such growth including any of its formulation which is considered toxic under and is covered by the Insecticides Act, 1968 and the rules made thereunder and any other produces as may be notified from time to time by the State Government;
  - (b) "manipulation" includes mixing, blending, formulating, filling, emptying, packing or otherwise handling;
  - (c) "efficient exhaust draught" means localised technical ventilation for removal of smoke, gas, vapour, dust, fume or mist so as to prevent them from escaping into the air of any work-room in which work is carried on. No exhaust draught shall be considered efficient if it fails to remove smoke generated at the point where such gas, fume, dust, vapour or mist originates from the process;
  - (d) "first employment" shall mean first employment in any manufacturing process to which this Schedule applies and shall also include re-employment in the said manufacturing process following any cessation of employment for a continuous period exceeding three calendar months ; and

[(e) \* \* \*]

3. Instruction to workers-Every worker on his first employment shall be fully instructed on the properties including dangerous properties of the chemicals handled in the said manufacturing process and the hazards involved. The employee shall also be instructed about the measures to be taken to deal with any emergency. Such instructions shall be repeated periodically,
4. Cautionary notices and placards-Cautionary notices and placards in the form specified in Appendix to this Schedule and printed in the language of the majority of the workers shall be displayed in all work places in which the said manufacturing, process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier and the Manager of the factory to periodically instruct the workers regarding health hazards arising in the said manufacturing process and methods of protection. Such notices shall include brief instruction regarding the periodical clinical tests required to be undertaken for protecting the health of the workers.
5. Prohibition relating to employment of women or young persons-No woman or young person shall be employed or permitted to work in any room in which the said manufacturing process is carried on or in any room in which dangerous pesticide is stored.
6. Food, drinks and smoking prohibited-(1) No food, drink, tobacco, pan or supari shall be brought into or consumed by any worker in any work-room in which the said manufacturing process is carried out.  
(2) Smoking shall be prohibited in any work-room in which the said manufacturing process is carried out.
7. Protective clothing and protective equipment-(1) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process.  
(2) (a) Protective equipment consisting of rubber gloves, gum boots, rubber aprons, chemical safety goggles and respirators shall be provided for all workers employed in the said manufacturing process.  
(b) Gloves, boots and aprons shall be made from synthetic rubber where a pesticide contains oil.  
(3) Protective clothing and equipments shall be worn by the workers supplied with such clothing and equipments.

- (4) Protective clothing and equipments shall be washed daily from inside and outside of the workers handle pesticides containing, nicotine or phosphorous and shall be washed frequently if handling other pesticides.
  - (5) Protective clothing and equipment shall be maintained in good repair.
8. Floors and work benches-(1) Floors in every workroom where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface.
- (2) Floors shall be maintained in good repair, provided with adequate slope leading to a drain and thoroughly washed once a day with hose pipe.
  - (3) Work benches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned at least once daily.
9. Spillage and waste-(1) If a dangerous pesticide during its manipulation splashes or spills on the work bench, door or on the protective clothing, work by a worker, immediate action shall be taken for thorough decontamination of such areas or articles.
- (2) Cloths, rags, papers or other material soaked or soiled with a dangerous pesticide shall be deposited in a suitable receptacle with tight fitting cover. Contaminated waste shall be destroyed by burning at least once a week.
  - (3) Suitable deactivating agents, where available shall be kept in a readily accessible place for use while attending to a spillage.
  - (4) Easy means of access shall be provided to all parts of the plant for cleaning maintenance and repairs.
10. Empty containers used for dangerous pesticides-Containers used for dangerous pesticides shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded or destroyed.
11. Manual handling-(1) A dangerous pesticide shall not be required or allowed to be manipulated by hand except by means of a long handled scoop.
- (2) Direct contact of any part of the body with a dangerous pesticide during its manipulation shall be avoided.
12. Ventilation - (1) In every work-room of area where a dangerous pesticide is manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air.
- (2) Unless the process is completely enclosed, the following operations during manipulation of a dangerous pesticide shall not be undertaken without an efficient exhaust draught :

- (a) emptying a container holding a dangerous pesticide;
  - (b) blending a dangerous pesticide;
  - (c) preparing a liquid or powder formulation containing a dangerous pesticide ; and
  - (d) changing or filling a dangerous pesticide into a container, tank, hopper or machine or small size containers.
- (3) In the event of a failure of the exhaust draught provided or the above operation the said operations shall be stopped forthwith.
13. Time allowed for washing-(1) Before each meal and before the end of the days work at least ten minutes in addition to the regular rest, interval shall be allowed for washing to each worker engaged in the manipulation of dangerous pesticides.
- (2) Every worker engaged in the manipulation of dangerous pesticides shall have a thorough wash before consuming any food and also at the end of the day's work.
14. Washing and bathing facilities-(1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the factory where the said manufacturing process is carried on adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 5 persons employed.
- (2) The washing places shall have stand pipes spaced at intervals of not less than one metre.
- (3) Not less than one half of the total number of washing places shall be provided with bath rooms.
- (4) Sufficient supply of clean towels made of suitable materials shall be provided :  
Provided that such towels shall be supplied individually for each worker, if so ordered by the Inspector-cum-Facilitator.
- (5) Sufficient supply of soap and nail brushes shall be provided.
15. Cloak room - There shall be provided and maintained for the use of all workers employed in the factory where the said manufacturing processes carried on-
- (a) a cloak room for clothing put off during working hours with adequate arrangements for drying clothing if wet ; and
  - (b) separate and suitable arrangements for the storage of protective clothing provided under paragraph 7.
16. Mess-room -(1) There shall be provided and maintained for the use of all workers employed in the factory in which the said manufacturing process is carried on and remaining on the premises during the rest intervals, a suitable mess-room which shall be furnished with -

- (a) sufficient tables and benches with back rest ; and
  - (b) adequate means for warming food.
- (2) The mess room shall be placed under the charge of a responsible person and shall be kept clean ; provided that where a canteen or other proper arrangement exist for the workers to take their meals, the requirements of a mess-room shall be dispensed with.
17. Manipulation not to be undertaken-Manufacture or manipulation of a pesticide shall not be undertaken in any factory unless a certificate regarding its dangerous nature or otherwise is obtained from the Chief Inspector-cum-Facilitator.
- [18. Medical facilities and records of examinations and tests-(1) The occupier of every factory to which this Schedule applies shall.
- (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator ; and
  - (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in Clause (a).
- (2) the record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.
19. Medical examination by Medical Officer-(1) Every worker employed in the processes mentioned in paragraph 1 shall be examined by the Medical Officer within fifteen days of his first employment. Such examination in respect of Halogenated Pesticides shall include tests for determination of the chemical in blood and in fat tissues. EEG abnormalities and memory tests. In respect of organo phosphorous compounds, such examinations shall include test for depression of cholinesterase in plasma and red blood cells. No worker shall be allowed to work after fifteen days of his first employment in the factory, unless certified fit for such employment by the Medical Officer-
- (2) Every worker employed in the said process shall be re-examined by a Medical Officer at least once in every six calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include the tests specified in Sub-paragraph (1) further every worker employed in the said process shall also be examined once in every three months by the factory medical officer.



- (3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2) including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in Form V.
- (4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- (5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said processes.
- (6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes, unless the Medical Officer, after further examination again certifies him fit for employment in those processes.]
20. Exemption-If in respect of any factory the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or the infrequency of the said manufacturing process or for any other reasons which he shall record in writing all or any of the provisions of this Schedule are not necessary for the protection of the workers employed in the factory he may, by a certificate in writing, exempt such factory from all or any of the provisions on such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector-cum-Facilitator after recording his reason therefor.

## **Appendix**

### **Cautionary Notice**

#### **Insecticides and pesticides**

1. Chemicals handled in this plant are poisonous substances.
2. Smoking, eating food or drinking, chewing tobacco in this area is prohibited. No food stuff or drink shall be brought in this area.
3. Some of these chemicals may be absorbed through skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. A good wash shall be taken at the end of the shift.

6. Protective clothing and equipment supplied shall be used while working in this area.
7. Containers of pesticides shall not be used for keeping food stuff.
8. Spillage of the chemicals on any part of the body or on the floor or work bench shall be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately.
10. Scrupulous cleanliness shall be maintained in this area.
11. Do not handle pesticides with bare hands, use scoops provided with handle.
12. In case of sickness like nausea, vomiting, giddiness, the Manager should be informed who will make necessary arrangements for treatment.
13. All workers shall report for the prescribed medical tests regularly to protect their own health.]

### **(Part-XXII)**

#### **Processing of cashew nuts**

1. Application-This Schedule shall apply to all factories in which roasting, scrubbing and shelling of cashew nuts or extracting oil from cashew nuts or cashew nuts shells are carried on.
2. Prohibition of employment of women and young persons-No woman or young person shall be employed in any processes specified in paragraph 1 except in shelling of roasted cashew nuts.
3. Protective clothing and equipment-The occupier shall provide and maintain for the use of all persons employed in roasting and scrubbing of cashew nuts or extracting oil from cashew nuts or cashew nuts shells-
  - (a) suitable rubber or washable leather gloves;
  - (b) suitable types of impervious aprons with sleeves to cover body down to knees and shoulders; and
  - (c) suitable types of footwear to afford protection to feet and legs against cashew nut oil and for the workers employed in cashew nut shelling, either-
  - (d) a protective ointment containing 10 per cent of shells, 55 per cent of alcohol, 10 per cent of sodium perborate, 5 per cent of carbitol and 20 per cent talc ; or
  - (e) sufficient quantity of kaolin and coconut oil ; and
  - (f) any other material or equipment which the Chief Inspector-cum-Facilitator may deem to be necessary for the protection of the workers.
4. Use of protective clothing and equipment - Every person employed in processes specified in paragraph 1 shall make use of protective clothing and equipment

supplied and arrangements shall be made by the occupier to supervise its use, maintenance and cleanliness.

5. Disposal of shells, ashes or oil of cashew nuts-(1) Shells, ashes or oil of cashew nuts shall not be stored in any room in which workers are employed and shall be removed at least twice a day to any pit or enclosed place in the case of shells and ashes and to closed containers kept in a separate room in the case of oil.

(2) No worker shall be allowed to handle shells or oil of cashew nuts without using the protective clothing or equipment provided under paragraph 3 above.

6. Floors of work-rooms-The floor of every work-room in which processes specified in paragraph 1 are carried on shall be of a hard material so as to be smooth and impervious and of even surface and shall be cleaned daily, and spillage of any cashew nut oil in any work-room shall be washed with soap and cleaned immediately.

7. Seating accommodation-Workers engaged in shelling of cashew nut shall be provided with adequate seats or work benches which shall be cleaned daily.

8. Rest-room - (1) There shall be provided and maintained for the use of all persons employed in processes specified in paragraph 1, a suitable rest-room furnished with sufficient tables and chairs or benches.

(2) Separate lockers shall be provided where food, etc. shall be stored by workers before it is consumed in the rest-room,

9. Food, drinks, etc. prohibited in work-rooms - No food, drink, pan, supari or tobacco shall be brought or consumed by any worker in any room in which processes specified in paragraph 1 are carried out and no person shall remain in any such room during intervals for meals or rest.

10. Washing facilities-Where roasting, scrubbing and shelling of cashew nuts or extracting oil from cashew nut or cashew nut shells is carried on, there shall be provided and maintained in a clean state and good repair washing facilities, with a sufficient supply of soap, coconut oil, brushes and towels at the scale of one tap or stand pipe for every ten workers, and the taps or stand pipes shall be space not less than 1.2 metres apart.

11. Time allowed for washing-Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in process specified in paragraph 1.

12. Smoke or gas produced by roasting cashew nuts-Where smoke or gas is produced in the operation of roasting provision shall be made for removing the

smoke or gas through a chimney of sufficient height and capacity or by such other arrangements as may be necessary to prevent the gas or smoke escaping into the air or any place in which workers are employed.

13. Storage of protective equipment-A suitable room or a portion of the factory suitably partitioned off shall be provided exclusively for the storage of all the protective equipment supplied to the workers and no such equipment shall be stored in any place other than the room or places so provided.

14. Medical facilities and records of examinations and tests - (1) The occupier of every factory to which this Schedule applies, shall-

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the medical practitioner all the necessary facilities for the purpose referred to in Clause (a).

(2) The said medical practitioner shall inspect daily the hands and feet of all the persons employed in the processes specified in paragraph 1.

(3) The record of such examinations carried out by a medical practitioner shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(4) The First-aid Box maintained shall also contain Burrough's solution (1 : 20) and aqueous solution of tannic acid (10%) for treatment of cases of dermatitis.

15. Medical examination by Medical Officer-(1) Every worker employed in the process specified in paragraph 1 shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include skin test for dermatitis and no worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every three calendar months. Such examinations shall, wherever the Medical Officer considers appropriate, include asking test of dermatitis.

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-

paragraphs (1) and (2), including the nature and the results of these tests, shall also be entered by the Medical Officer in the health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit to work in the said processes.

(6) No person who has been found unfit to work as said in sub-paragraph (6) shall be re-employed or permitted to work in the said processes, unless the Medical Officer after further examination again certifies him fit for employment in these processes.

16. Exemption - The Chief Inspector-cum-Facilitator may grant exemptions from the operation of any of these where he is satisfied that their observance is not necessary for safeguarding the health of the workers.

### **(Part- XXIII)**

#### **Manufacturing process or operations in carbon disulphide plants**

1. Application - This Schedule shall apply to all electric furnaces in which carbon disulphide is generated and all other plants where carbon disulphide after generation is condensed, refined and stored. This Schedule is in addition to and not in derogation of any of the provisions of the Act and Rules made thereunder.

2. Construction, installation and operation - (1) The buildings in which electric furnaces are installed and carbon disulphide after generation is condensed and refined shall be segregated from other parts of the factory and shall be of open type to ensure optimum ventilation and the plant layout shall be such that only a minimum number of workers are exposed to the risk of any fire or explosion at any one time.

(2) Every electric furnace and every plant in which carbon disulphide is condensed, refined and stored with all their fittings and attachments shall be of good construction, sound material and adequate strength to sustain the internal pressure to which the furnace or the plant may be subjected to and shall be designed that carbon disulphide liquid and gas are in closed system during their normal working.

(3) The electric furnace supports shall be firmly grouted about sixty centimetres in concrete or by other effective means.

(4) Every electric furnace shall be installed and operated according to manufacturer's instructions and these instructions shall be clearly imparted to the personnel in charge of construction and operation.

(5) The instructions regarding observance of correct furnace temperature sulphur dose, admissible current of power consumption and periodical checking of charcoal level shall be strictly complied with.

3. Electrodes-(1) Where upper ring electrodes made of steel are used in the electric furnace they shall be of seamless tube construction and shall have arrangement for being connected to cooling water system through a siphon built in the electrodes or through a positive pressure water-pump.

(2) The arrangement for cooling water referred to in sub-paragraph (1) shall be connected with automatic alarm system which will actuate in the event of interruption of cooling water in the electrodes and give visible and audible alarm signals in the control room and simultaneously stop power supply for the furnace operation and stop the further supply of water. The alarm system and the actuating device shall be checked everyday.

4. Maintenance of charcoal level-When any electric furnace is in operation it shall be ensured that the electrodes are kept covered with charcoal bed.

5. Charcoal separators-A cyclone type of charcoal separator shall be fitted on the off-take pipe between the electric furnace and sulphur separator to prevent entry of pieces of charcoal into the condensers and piping.

6. Rupture discs and safety seal-(1) At least two rupture discs of adequate size which shall blow off at a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe, as close as possible to the furnace.

(2) A safety water seal shall be provided and tapped point from a between the charcoal separator and the sulphur separator.

7. Pyrometer and manometers-(1) Each electric furnace shall be fitted with adequate number of pyrometers to give an indication of the temperature as correctly as reasonably practicable at various points in the furnace. The dials for reading the temperatures shall be located in the control room.

(2) Monometers or any other suitable devices shall be provided for indicating pressure-

- (a) in the off-take pipe before and after the sulphur separators; and
- (b) in primary and secondary condensers.

8. Check valves-All piping carrying carbon disulphide shall be fitted with check valves at suitable positions so as to prevent gas from flowing back into any electric furnace in the event of its shut down.

9. Inspection and maintenance of electric furnaces - (1) Every electric furnace shall be inspected internally by a competent person.

- (a) before being placed in service after installation;
- (b) before being placed in service after reconstruction or repairs; and
- (c) periodically every time the furnace is opened for cleaning or dishing or for replacing electrodes.

2. When an electric furnace is shut down for cleaning or dishing:

- (a) the brick lining shall be checked for continuity and any part found defective remove;
- (b) after removal of any part of the lining referred to in Clause (a) the condition of the shell shall be closely inspected ; and
- (c) any plates forming shell found corroded to the extent that safety of the furnace is endangered shall be replaced.

10. Maintenance of records-The following hourly records shall be maintained in a log book

- (a) manometer readings at the points specified in sub-paragraph 7(2);
- (b) gas temperature indicated by pyrometers and all other vital points near the sulphur separator and primary and secondary condensers;
- (c) water temperature and flow of water through the siphon in the electrodes; and
- (d) primary and secondary voltages and current and energy consumed.

11. Electrical apparatus, wiring and fittings-All buildings in which carbon disulphide is refined or stored shall be provided with electrical apparatus, wiring and fittings which shall afford adequate protection from fire and explosion.

12. Prohibition relating to smoking-No person shall smoke or carry matches' fire of naked light or other means of producing a naked light or spark in buildings in which carbon disulphide is refined or stored, and a notice in the language understood by a majority of the workers shall be posted in the plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms.

13. Means of escape-Adequate means of escape shall be provided and maintained to enable persons to move to a safe place as quickly as possible, in case of an emergency. At least two independent staircases of adequate width shall be provided in every building housing the at reasonable intervals at opposite ends. These shall always be kept clear of all obstructions and so designed as to afford easy passage.

14. Warning in case of fire-There shall be adequate arrangements for giving warnings in case of fire or explosion which shall operate on electricity and in case of failure of electricity by some mechanical means.

15. Fire-fighting equipment-(1) Adequate number of suitable fire extinguishers or other fire-fighting equipment shall be kept in constant readiness for dealing with risks involved and depending on the amount and nature of materials stored.

(2) Clear instructions as to how the extinguishers or other equipment shall be used printed in the language which the majority of the workers employed understand shall be affixed to each extinguisher or other equipment and the personnel trained in their use.

16. Bulk sulphur - (1) Open or semi-enclosed spaces for storage of bulk sulphur shall be sited with due regard to the danger which may arise from sparks given off by nearby locomotives etc. and precautions shall be taken to see that flames, smoking and matches and other sources of ignition do not come in contact with the clouds of dust arising during handling of bulk sulphur.

(2) All enclosure for bulk sulphur shall be of non-combustible construction, adequately ventilated and so designed as to provide a minimum of ledges on which dust may lodge.

(3) The bulk sulphur in the enclosures shall be handled in such a manner as to minimise the formation of dust clouds and no flame, smoking and matches or other sources of ignition shall be employed during handling, and non-sparking tools shall be used whenever sulphur is shovelled or otherwise removed by hand.

(4) No repairs involving flames, heat and use of hand or power tools shall be made in the enclosure where bulk sulphur is stored.

17. Liquid sulphur-Open flames, electric sparks and other sources of ignition, including smoking and matches, shall be excluded from the vicinity of molten sulphur.

18. Training and supervision - (1) All electric furnaces and all plants in which carbon disulphide is condensed, refined or stored shall be under adequate supervision at all times while the furnaces and plant are in operation.



(2) Workers in charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

19. Washing facilities-(1) The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed, wash place under cover with at least one tap or stand-pipe, having a constant supply of clean water for every five such persons, the taps or stand-pipes being spaced not less than one hundred and twenty centimetres apart with a sufficient supply of soap and clean towels, provided that towels shall be supplied individually to each worker if so ordered by the Inspector-cum-Facilitator.

(2) All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

20. Personal protective equipment-(1) Suitable and protective clothing consisting of overalls without pockets, gloves and foot-wear shall be provided for the use of operatives ;

(a) when operating valves or cocks controlling, fluids etc.;

(b) drawing off of molten sulphur from sulphur pots ; and

(c) handling charcoal or sulphur.

(2) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency.

(3) Arrangements shall be made proper and efficient cleaning of all such protective equipment.

21. Cloak-room-There shall be provided and maintained for the use of all persons employed in the processes a suitable cloak-room for clothing put off during work hours and a suitable place separate from the cloakroom for the storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of a responsible person and shall be kept clean.

22. Unauthorised persons-Only maintenance and repair personnel persons directly connected with the plant operation and those accompanied by authorised persons shall be admitted in the plant.

#### **(Part- XXIV)**

##### **Operations involving High Noise Levels**

1. Application-This Schedule shall apply to all operations in any manufacturing process having high noise level.

2. Definition - For the purpose of this Schedule-

- (a) "Noise" means any unwanted sound;
- (b) "High noise level" means any noise level measured on the A-weighted scale is 90 dB or above;
- (c) "Decibel" means one-tenth of "Bela" which is the fundamental division of a logarithmic scale used to express the ratio of two specified or implied quantities, the number of "Bela" denoting such a ratio being the logarithm to the base of 10 of this ratio. The noise level (or the sound pressure level) corresponds to a reference pressure of  $20 \times 10^{-6}$  newtons per square metre or 0.0002 dynes per square centimetre which is the threshold of hearing ; that is, the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB;
- (d) "Frequency" is the rate of pressure variations expressed in cycles per second or hertz;
- (e) "dBA" refers to sound level in decibels as measured on a sound level meter operating on the A-weighting network with slow meter response ;
- (f) "A-Weighting" means making graded adjustments in the intensities of sound of various frequencies for the purpose of the noise measurements, so that the sound pressure level measured by an instrument reflects the actual response of the human ear to the sound measured.

3. Protection against noise-(1) In every factory 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 or of a short- terms exposures) per day in hours	Sound pressure level in d- BA number
(1)	(2)
8	90
6	92
4	95
3	97

1½	100
1	102
¾	105
½	107
¼	110
	115

Notes-1. No exposure, in excess of 115 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 in pressure level dB	Permitted number of impulses or impact per day
(1)	(2)
140	100
135	315
130	1,000
125	3,160
120	10,000

Notes-1 - No exposures in excess of 140 dBA peak sound pressure level is permitted.

2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in Column (1), the permitted number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

(2) For the purposes of this Schedule, if the variations in the noise level involve maxima at interval of one second or less, the noise is to be considered as a continuous one and the criteria given in Table 1 could apply, in other cases, the

noise is to be considered as impulsive or impact noise and the criteria given in Table 2 would apply.

(3) When the daily noise exposure is composed of two or more periods of noise exposure at different levels their combined effect shall be considered, rather than the individual effect of each. The mixed exposure shall be considered to exceed the limit value if the sum of the fractions

$$\frac{C_1}{T_1} + \frac{C_2}{T_2} + \dots + \frac{C_r}{T_n} \text{ exceeds unity}$$

Where, the C, C<sub>2</sub>, etc. indicate the total time of actual exposure at a specified noise level and T<sub>1</sub>, T<sub>2</sub>, etc. denote the time of exposure permissible at that level. Noise exposure of less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub-paragraph (1) by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measures, and each worker so exposed shall be provided with suitable ear protectors so as to reduce the exposure of noise to the levels specified in sub-paragraph (1).

(5) Where the ear protectors provided in accordance with sub-paragraph (2) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level, to a level permissible under Table 1 or Table 2, as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposures specified in sub-paragraph (1).

(6) (a) In all cases where the prevailing sound levels exceed the permissible levels specified in sub-paragraph (1), there shall be administered an effective hearing conservation programme which shall include among other hearing conservation measures, pre-employment and periodical auditory surveys conducted on workers exposed to noise exceeding the permissible levels, and rehabilitation of such workers either by reducing the exposure to the noise levels or by transferring them to places where noise levels are relatively less or by any other suitable means.

(b) Every worker employed in areas where the noise exceeds the maximum permissible exposure levels specified in sub-paragraph (1) shall be subjected to an auditory examination by a Medical Officer within fourteen days of his first employment and thereafter, shall be re-examined at least once in every twelve months. Such initial and periodical examination shall include tests which the Medical Officer may consider appropriate, and shall include determination of auditory threshold for pure tones of 125, 250, 500, 1,000, 2,000 4,000 and 8,000 cycles per second.

### **(Part –XXV)**

#### **Manufacture of rayon by viscose process**

1. Definitions-For the purpose of this Schedule-

- (a) "approved" means a approved for the time being in writing by the Chief Inspector-cum-Facilitator;
- (b) "breathing apparatus" means a helmet or face piece with necessary connections by means of which the person using it in a poisonous, asphyxiating or irritant atmosphere breathes unpolluted air, or any other approved apparatus;
- (c) "Churn" means the vessel in which alkali cellulose pulp is treated which carbon disulphide;
- (d) "dumping" means transfer of cellulose xanthate form a dry churn to a dissolver;
- (e) "efficient exhaust draught" means localised ventilation by mechanical means for the removal of any gas or vapour, so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient if it fails to control effectively any gas or vapour generated at the point where such gas or fume originates;
- (f) "fume process" means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;
- (g) "life belt" means a belt made of leather or other suitable material which can be securely fastened round the body with a suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man;
- (h) "protective equipment" means apron, goggles, face shields, footwear, gloves and overalls made of suitable materials.

2. Ventilation-(1) In all work-rooms where a fume process is carried on, adequate ventilation by natural or mechanical means shall be provided so as to control in association with other control measures, the concentration of carbon-di-sulphide

and hydrogen sulphide in the air of every work environment within the permissible limits.

(2) Notwithstanding the requirements in sub-paragraph (1) an efficient exhaust draught shall be provided and maintained to control the concentration of carbon-di-sulphide and hydrogen sulphide in the following locations :

- (a) dumping hoppers of dry churns,
- (b) spinning machines,
- (c) trio-rollers and cutters used in staple fibre spinning,
- (d) hydro-extractors for yarn cakes,
- (e) after treatment process, and
- (f) spin baths.

(3) In so far as the spinning machines and tri-tollers and cutters used in staple fibre spinning are concerned they shall be, for the purpose of ensuring the effectiveness of the exhaust draught to be provided as required in sub-paragraph (1) enclosed as fully as practicable and provided with suitable shutters in sections to enable the required operations to be carried out without giving rise to undue quantities of Carbon-di-sulphide and hydrogen sulphide escaping to the work environment.

(4) No dry churn shall be opened after completion of reaction without initially exhausting the residual vapours of carbon-di-sulphide by operation of a suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated as long as the churn is kept opened.

(5) Wherever any ventilation apparatus normally required for the purpose of meeting the requirements in sub-paragraphs (2), (3) and (4) is ineffective, falls or is stopped for any purpose whatsoever, all persons shall be required to leave the work areas where the equipment or processes specified in the above said sub-paragraphs are in use, as soon as possible, and in any case not later than fifteen minutes after such an occurrence.

(6) (i) All ventilating systems provided for the purposes as required in sub-paragraphs (2), (3), and (4) shall be examined and inspected once in every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of twelve months. Any defects found by such examinations or test shall be rectified forthwith.

(ii) A register containing particulars of such examinations and tests, and the state of the systems and the repairs or alternations, if any, found to be necessary shall be kept and shall be available for inspection by an Inspector-cum-Facilitator.

3. Waste from spinning machines-Waste yarn from the spinning machines shall be deposited in suitable containers provided with close fitting covers. Such waste shall be disposed off as quickly as possible after decontamination.

4. Lining of dry churns - The inside surface of all dry churns shall be coated with a non-sticky paint so that cellulose xanthate will not stick to the surface of the churn. Such coating shall be maintained in good condition.

5. Air monitoring-(1) To ensure the effectiveness of the control measures, monitoring of carbon-di-sulphide and hydrogen sulphide in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purposes.

(2) For the purpose of the requirement in sub-paragraph (1) instantaneous gas detector tubes shall not be used. Samples shall be collected over a duration of not less than ten minutes and analysed by an approved method. The locations where such monitoring is to be done shall be as directed by the Inspector-cum-Facilitator.

(3) If the concentration of either carbon-di-sulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas as laid down in Rule 17-B, suitable steps shall be taken for controlling the concentrations in air of such contaminants. A report of such occurrences shall be sent to the Chief Inspector-cum-Facilitator forthwith.

6. Prohibition to remain in fume process room-No person during his intervals for meal, or rest, shall remain in any room wherein fume process is carried on.

7. Prohibition relating to employment of young persons-No young person shall be employed or permitted to work in any fume process or in any room in which any such process is carried on.

8. Protective equipment-(1) The occupier shall provide and maintain in good condition protective equipment as specified in the Table given below for use of persons employed in the processes referred to therein.

**Table**

	Process	Protective equipment
1.	Dumping	Overalls, face-shields, gloves and footwear-all made of suitable material
2.	Spinning	Suitable aprons, gloves and foot-wear
3.	Process involving or likely to involve contact with viscose solution	Suitable gloves and footwear

4.	Handling of sulphur	Suitable chemical goggles
5.	Any other process involving contact with hazardous chemicals	Protective equipment as may be directed by the Chief Inspector-cum-Facilitator by an order in writing.

(2) A suitable room, rooms or lockers shall be provided exclusively for the storage of all the protective equipment supplied to workers and no such equipment shall be stored at any place other than the room, rooms or lockers so provided.

9. Breathing apparatus-(1) There shall be provided in every factory, where fume process is carried on, sufficient supply of-

(a) breathing apparatus;

(b) oxygen and suitable appliances for the administration; and

(c) life belts.

(2) (i) The breathing apparatus and other appliances referred to in sub-paragraph (1) shall be maintained in good condition and kept in appropriate locations so as to be readily available.

(ii) The breathing apparatus and other appliances referred to in Clauses (a) and (b) of sub-paragraph (1) shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(iii) A record of the maintenance and of the condition of the breathing apparatus and other appliances referred to in sub-paragraph (1) shall be entered in a register provided for that purpose which shall be readily available for the inspection by an Inspector-cum-Facilitator.

(3) Sufficient number of workers shall be trained and periodically retrained in the use of breathing apparatus and administering artificial respiration so that at least two such trained person would be available during all the working hours in each room in which fume process is carried on.

(4) Breathing apparatus shall be kept properly labelled in clean, dry, light proof cabinets and if liable to be affected by fumes, shall be protected by placing them in suitable containers.

(5) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph, unless he has been fully instructed in the proper use of that equipment.

(6) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person, unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.



10. Electric fittings-All electric fittings in any room in which carbon-di-sulphide is produced, used or given off or is likely to be given off in the work environment, other than a spinning room, shall be of flame-proof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

11. Prohibition relating to smoking, etc.- No person shall smoke or carry matches, fire or naked light, other means of producing a naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of the workers shall be posted in prominent locations in the plant prohibiting smoking and carrying of matches, fire of naked light or other means of producing naked light or spark into such room :

Provided that fire, naked light or other means of producing a naked light or spark may be carried on in such room only when required for the purposes of the process itself under the direction of a responsible person.

12. Washing and bathing facilities-(1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by this Schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every twenty-five persons employed.

(2) The washing places shall have stand pipes placed at intervals of not less than one metre.

(3) Not less than, one-half of the total number of washing places shall be provided with bath rooms.

(4) Sufficient supply of clean towels made of suitable material shall be provided :

Provided that such towels shall be supplied individually for each worker, if so ordered by the Inspector-cum-Facilitator.

(5) Sufficient supply of soap and nail brushes shall be provided.

13. Rest-room-(1) A rest-room shall be provided for the workers engaged in doffing operations of filament yarn spinning process.

(2) Such rest-room shall be provided with fresh air supply and adequate sitting arrangement.

14. Cautionary notice and instructions-(1) The following cautionary notice shall be prominently displayed in each fume process room-

"Cautionary Notice :

1. Carbon disulphide (CS<sub>2</sub>) and Hydrogen sulphide (H<sub>2</sub>S) which may be present in this room are hazardous to health.

2. Follow safety instructions.
3. Use protective equipment and breathing apparatus as and when required.
4. Smoking is strictly prohibited in this area."

This notice shall be in a language understood by the majority of the workers and displayed where it can be easily and conveniently read. If any worker is illiterate, effective step shall be taken to explain carefully to him the contents of the notice so displayed.

(2) Arrangements shall be made to instruct each worker employed in any room in which a fume process is carried on regarding the health hazards connected with their work and the preventive measures and methods to protect themselves. Such instructions shall be given on his first employment and repeated periodically.

(3) Simple and special instructions shall be framed to ensure that effective measures will be carried out in case of emergency involving escape of carbon disulphide and hydrogen sulphide. These instructions shall be displayed in the concerned areas, and workers shall be instructed and trained in the actions to be taken in such emergencies.

15. Medical facilities and records of examinations and tests (1) - The occupier of each factory to which this Schedule applies, shall-

(a) employ a qualified medical officer for medical surveillance of the workers employed in the fume process whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

(b) provide to the said medical officer all the necessary facilities for the purpose referred to in Clause

(2) The record of medical examination and appropriate tests carried out by the said medical officer shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

16. Medical examination by the Medical Officer-(1) Every worker employed in the fume process shall be examined by a Medical Officer within fifteen days of his first employment. Such examination shall include tests for estimation of exposure coefficient (iodine azide test on urine), and cholesterol, as well as electrocardiogram (ECG) and State Nervous System (CNS) tests. No worker shall be allowed to work after fifteen days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the fume process shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in subparagraph (1).

(3) The Medical Officer, after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form V.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(5) If at any time the Medical Officer is of the opinion that, a worker is no longer fit for employment in the fume process on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the fume process.

(6) No person, who has found unfit to work as said in subparagraph (5) above shall be re-employed or permitted to work in the fume process, unless the Medical Officer, after further examination again certifies him fit for employment in such process.

17. Exemptions - If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for protection of the workers in the factory the Chief Inspector-cum-Facilitator may, by a certificate in writing which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

### **(Part- XXVI)**

#### **Highly flammable liquids and flammable compressed gases**

1. Application-This Schedule shall be applicable to all factories where highly flammable liquids or flammable compressed gases are manufactured, stored, handled or used.

## 2. Definitions-For the purpose of this Schedule-

(a) "highly flammable liquid" means any liquid including its solution, emulsion or suspension which when tested in a manner specified by Sections 14 and 15 of the Petroleum Act, 1934 (30 of 1934) gives off flammable vapours at a temperature less than 32 degrees centigrade;

(b) "flammable compressed gas" means flammable compressed gas as defined in Rule 2 of the Static and Mobile Pressure Vessels (Unfired) Rules, 1981 framed under the Indian Explosives Act, 1884.

3. Storage-(1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in suitable fixed storage tank or in suitable closed vessel located in a safe position under the ground, in the open or in a store room of adequate fire resistant construction.

(2) Except as necessary for use, operation or maintenance every, vessel or tank which contains or had contained a highly flammable liquid or flammable compressed gas shall be always kept closed and all reasonably practicable steps shall be taken to contain or immediately drain off to a suitable container any spill or leak that may occur.

(3) Every container, vessel, tank, cylinder, or store room used for storing highly flammable liquid or flammable compressed gas shall be clearly and in bold letters marked "Danger-Highly Flammable Liquid" or "Danger -Flammable Compressed Gas".

4. Enclosed systems for conveying highly flammable liquids-Wherever it is reasonably practicable highly flammable liquids shall be conveyed within a factory in totally enclosed systems consisting of pipe lines, pumps and similar appliances from the storage tank or vessel to the point of use enclosed systems shall be so designed, installed, operated and maintained as to avoid leakage or the risk of spilling.

5. Preventing formation of flammable mixture with air-Wherever there is a possibility for leakage or spilling of highly flammable liquid or flammable compressed gas from an equipment, pipe line, valve, joint or other part of a system all practicable measures shall be taken to contain, drain off or dilute such spilling or leakage as to prevent formation of flammable mixture with air.

6. Prevention of ignition-(1) In every room, work place or other location where highly flammable liquid or flammable combustible was is stored, conveyed, handled or

used or where there is danger of fire or explosion from accumulation of highly flammable liquid or flammable compressed gas in air, all practicable measures shall be taken to exclude the sources of ignition such precautions shall include the following :

- (a) All electrical apparatus shall either be excluded from the area of risk or they shall be of such construction and so installed and maintained as to prevent the danger of their being a source of ignition;
- (b) effective measures shall be adopted for prevention of accumulation of static charges to a dangerous extent;
- (c) no person shall wear or be allowed to wear any foot wear having iron or steel nails or any other exposed ferrous materials which is likely to cause sparks by friction;
- (d) smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;
- (e) transmission belts with iron fasteners shall not be used; and
- (f) all other precautions, as are reasonably practicable shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or plant, chemical or physical-chemical reaction and radiant heat.

7. Prohibition of smoking-No person shall smoke in any piece where highly flammable liquid or flammable compressed gas is present in circumstances that smoking would give rise to a risk of fire. The occupier shall take all practicable measures to ensure compliance with this requirement including display of a bold notice indicating prohibition of smoking at every place which this requirement applies.

8. Fire fighting-In every factory where highly flammable liquid or flammable compressed gas is manufactured, stored, handled or used, appropriate and adequate means of fighting a fire shall be provided. The adequacy and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing material procedures and the process of fire fighting, shall be to the standards and levels prescribed by the Indian Standards applicable, and in any case not inferior to the stipulations under Rule 61.

9. Exemptions-If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this Schedule is not

necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from sit or any of such provisions-subject to such conditions, if any, as he may specify there.

### **(Part-XXVII)**

#### **Procedure for accretion cutting in kilns of sponge iron plants and integrated steel plants**

1. Application : — Provision of this Schedule shall apply to all parts of factories where any of the following manufacturing processes or operations are carried on.

- (a) Manufacture of sponge iron
- (b) Integrated steel

2. Definitions : — For the purpose of this Schedule :—

**Sponge Iron:** — Direct reduced iron process based on melting of iron ore with a mix of coal, dolomite or lime stone at a temperature below the melting point of iron by means of rotary kiln. This results in a spongy mass, known as a bloom, consisting of a mix of incandescent wrought iron and slag.

#### **Direct Reduced Iron : —**

This means Direct Reduced Iron, is a virgin iron source that is relatively uniform in composition, virtually free from tram elements. It is used increasingly in electric furnace steel making to dilute the contaminants present in the scrap used in these processes. It has an associated energy value in the form of combined carbon which has a tendency to increase furnace efficiency. For captive Direct Reduced Iron production facilities, there is the added advantage that the delivery of hot Direct Reduced Iron to the furnace can reduce energy consumption 16 to 20%.

#### **Integrated Steel Plant : —**

Integrated Steel Plant means different manufacturing process within one precinct covering conversion of iron ore to molten iron and then to steel in shape of billet and other rolling products using iron ore, coal (or coke), lime stone and other alloying agents.

#### **Rotary Kiln : —**

The kiln which is lined with refractory castables and bricks supported on rolls stations and stations and rotated by means of variable speed A/C motor and grith gear mechanism.

#### **Wet Scrubbers : —**

The wet scrubbers is to provide contact between the scrubbing liquid, usually water and the particulate to be collected. The contact can be achieved in a variety of ways as the particles are confronted with so called impaction targets which can be wetted surfaces or individual droplets.

Stacker : —

Means a large machine used in bulk material handling applications.

**Induction Furnace : —**

An electrical furnace in which the heat is applied by induction heating of a conductive medium (usually a metal) in a crucible around which water water-cooled magnetic coils are wound usually used for melting of ferrous and non-ferrous metals.

**After Burning Chamber : —**

Exhaust gas from the Direct Reduced Iron kiln having surplus carbon and carbon containing materials is after burnt in a fluidised bed reactor called after burning chamber so as to minimize the particulate substances and contents of harmful gases like SO<sub>2</sub>, NO<sub>x</sub>, etc. and to utilize surplus energy before stack emission.

**Dust Settling Chamber: —**

Dust Settling Chamber located below the After Burning Chamber is used for collection of ash and other non-combustible substances contained in the exhaust gas of Direct Reduced Iron Kiln which is periodically removed by Wet Scraper.

**Process Engineer Supervisor : —**

Means a person possessing a Bachelor's Degree in Science, Diploma or Degree in Mechanical, Electrical, Chemical, Metallurgical branch of Engineering having sufficient knowledge in the process of operation and maintenance of the plants and equipments.

### **3. Procedure for Accretion Cutting—**

The occupier of each factory where the process of sponge iron and / or integrated steel production is carried on shall abide by the following : —

- (i) During shut down of the kiln for accretion cutting, it must be ensured that the deposited mass in the After Burn Chamber and Dust Settling Chamber be completely removed after temperature in the kiln falls to ambient temperature.
- (ii) The stack cap, doors on it and doors on the must be kept open before accretion cutting.
- (iii) A work permit system has to be in force indicating therein isolation of the equipments and temperature duly signed by the authorized maintenance person and the agency who is deployed in the maintenance job.

- (iv) All the works are to be carried out under strict supervision of experienced supervisors or process engineers and the persons is to be identified by the management.
- (v) Any deposits in the After Burn Chamber and Dust Settling Chamber must be cleaned before permitting entry of any person for accretion cutting.
- (vi) Adequate technical manpower is to be deployed for the process and maintenance work.
- (vii) All the workers must be provided with the required personal protective equipments like shoes, helmet and the face shield for the purpose of work.
- (viii) Only 24-volts bulbs are to be used inside the kiln for the purpose.
- (ix) Induction training to all the new workers employed must be imparted by the management before assigning any work and records maintained.
- (x) In case of any burn injury during the process of work, the affected person is to be immediately quenched with cool water for sufficient time.
- (xi) It must be kept in mind while cooling down, water may be poured on the hot object but not the *vice versa* as it may cause explosion.

#### **4. Safe Operation Procedure : —**

The following procedure must be ensured : —

- (i) Daily temperature monitoring of Dust Settling Chamber / After Burn Chamber is to be carried out and maintained in a logbook ; and such monitoring may be carried out by use of infrared pyrometers.
- (ii) Adequate steps be taken to maintain prescribed temperature in the DSC and ABC to avoid quick formation / sticking of fused materials to the walls.
- (iii) The wet scrubber must be functional.
- (iv) Provision of vertical slits on the Dust Settling Chamber bottom may help in ensuring functioning of Dust Settling Chamber.
- (v) Provision of an auto control pump be provided to spray water in After Burn Chamber, when the desired temperature shoots up and is cut off when the temperature is within the prescribed limit.

#### **5. Safe Maintenance Procedure: —**

The process of accretion cutting shall be made by way of (i) Manual Process; (ii) Mechanised process.

- (i) Manual process:— Below 300 Tons Per Day capacity kilns shall carry out manual accretion cutting by a team of suitable trained personnel well



equipped with personal protective equipments and to be allowed to work after the kiln comes to room temperature.

- (ii) Mechanized process :— 300 Tons Per Day capacity and above kilns are prohibited to carry out accretion cutting manually. The mechanized process to be applied for accretion cutting after the kiln comes to room temperature.

Further, the following facilities shall also be made available : —

- (a) Provision of suitable stair ladder, platform and personal protective equipment be made available for height works.
- (b) Provision of pull cord be made available in the belt conveyor system with guarding of the tail end.
- (c) Safety tips to be imparted to all the workers before their engagement in accretion cutting work in the rotary kiln, dust settling chamber and after burn chamber.
- (d) Records of imparting safety tips be maintained in a register which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**6. Medical Facilities and Records of Examinations and Tests: —**

- (1) The occupier of every factory to which this Schedule applies shall—
  - (a) conduct health check up by a qualified medical practitioner for medical surveillance of workers employed therein.
  - (b) Provide to the medical practitioner all the necessary facilities for the purpose referred to in clause (a).
- (2) The record of such examinations carried out by the medical practitioner shall be maintained in a separate register which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**7. Medical Examination by Medical Officer: —**

Every worker employed in the processes shall be examined by a Medical Officer within 15 days of his first employment. No worker shall be allowed to work unless certified fit for such employment by the Medical Officer.

**8. Periodical Health Check up: —**

Periodical health check up of every worker shall be conducted at an interval not exceeding twelve months and records of such examination be maintained in a separate register. The register shall be made available for verification on demand by the Inspector-cum-Facilitator.

## **9. Maintenance of Register for Accretion Cutting: —**

The occupier of every factory to which this Schedule applies shall maintain a register for accretion cutting indicating kiln number, date(s) of such cutting, kiln temperature and the precautionary measures taken prior to commencement of accretion cutting and duly signed by the shop-floor supervisor and head of concerned section. Such records shall be kept ready for verification on demand by the Inspector-cum-Facilitator.

### **(Part-XXVIII)**

#### **Operations in Foundries and Furnaces**

**1. Application :-** Provisions of this schedule shall apply to all parts of factories where any of the following operations or processes are carried on : —

- (a) the production of iron castings or, as the case may be, steel castings by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell moulding, or by centrifugal casting and any process incidental to such production;
- (b) the production of non-ferrous castings by casting metal in moulds made of sand, loam, metal, moulding composition or other material or mixture of materials, or by shell mouldings, die-casting (including pressure diecasting), centrifugal casting or continuous casting and any process incidental to such production, and
- (c) the melting and casting of non-ferrous metal for the production of ingots, billets, slabs or other similar products, and the stripping thereof.

**2. Definition :-** For the purpose of this part, —

- (a) “approved respirator” means a respirator of a type approved by the Chief Inspector-cum-Facilitator;
- (b) “cupola of furnace” includes a receiver associated therewith;
- (c) “dressing or fettling operations” includes stripping and other removal of adherent sand, cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include (i) the removal of metal from a casting when performed incidentally in connection with the machining or assembling of castings after they have been dressed or fettled, or (ii) any operation which is knock-out operation within the meaning of this schedule;
- (d) “foundry” means those parts of a factory in which the production of iron or steel or non-ferrous castings (not being the production of pig iron or the production of steel

in the form of ingots) is carried on by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell moulding or by centrifugal casting in metal moulds lined with sand, or diecasting including pressure diecasting, together with any part of the factory in which any of the following processes are carried on as incidental processes in connection with and in course of, such production, namely, the preparation and preparation of moulds and cores, knock out operations and dressing or fettling operations;

- (e) “knock-out operations” means all methods of removing castings from moulds and the following operations, when done in connection therewith, namely, stripping, coring-out and the removal of runners and risers;
- (f) “pouring aisle” means an aisle lading from a main gangway or directly from a cupola or furnace to where metal is poured into moulds.
- (g) Qualified Supervisor :- Means a person possessing a Bachelor’s Degree in Science or Diploma or Degree in Engineering with Certificate on ferrous/non-ferrous technology from any recognized institute.

### 3. Prohibition of use of certain materials as parting materials: —

- (1) A material shall not be used as a parting material if it is a material containing compounds of silicon calculated as silica to the extent more than 5 per cent by weight of the dry material:

Provided that this prohibition shall not prevent the following being used as a parting material if the material does not contain an admixture of any other silica —

- (a) Zirconium silicate (Zircon)
- (b) Calcined china clay
- (c) Calcined aluminous fireclay
- (d) Sillimanite
- (e) Calcined or fused alumina
- (f) Olivine
- (g) Natural sand

- (2) Dust or other matter deposited from a fettling or blasting process shall not be used as a parting material or as a constituent in a parting material.

### 4. Arrangement and storage—For the purposes of promoting safety and cleanliness in workrooms the following requirements shall be observed : —

- (a) moulding boxes, loam plates, ladles, patterns, pattern plates, frames, boards, box weights, and other heavy articles shall be so arranged and placed as to enable work to be carried on without unnecessary risk;

- (b) suitable and conveniently accessible racks, bins, or other receptacles shall be provided and used for the storage of other gear and tools;
- (c) where there is bulk storage of sand, fuel, metal scrap or other materials or residues, suitable bins, bunkers or other receptacles shall be provided for the purpose of such storage.

#### 5. Construction, Installation and Operation—

- (a) The precinct in which induction furnace is installed shall be of adequate strength and shall be segregated from the other parts of the factory in such a way so that minimum number of workers is exposed to the risk of any fire or explosion at any time;
- (b) Furnace shed shall be well ventilated;
- (c) All the fittings and attachment of induction furnace shall be of good construction, sound material and adequate strength;
- (d) Adequate arrangements shall be made to avoid tilting of the ladles while transportation;
- (e) Ladle shall not be filled with molten metal more than  $\frac{3}{4}$ <sup>th</sup> of its volume to avoid spillage of molten metal while being carried by the crane;
- (f) The refractory material of the induction furnace shall be strong at high temperature, resistant to thermal shock, chemically inert, low thermal conductivity and coefficient of expansion and of adequate uniform thickness;
- (g) The lining of the induction furnace shall be checked by qualified supervisor every week for any wear and tear and damage and records maintained thereof.
- (h) Adequate precautions shall be taken during repair of induction furnace.

#### 6. Construction of floors—

- (1) Floors of indoor workplaces in which the processes are carried on, other than parts which are of sand, shall have been surface of hard material.
- (2) No part of the floor of any such indoor workplace shall be of sand except where this is necessary by reason of the work done.
- (3) All parts of the surface of the floor of any such indoor workplace which are of sand shall, so far as practicable, be maintained in an even and firm condition.

#### 7. Means of Escape in case of Imminent Danger :—

There shall be at least two ways of escape with adequate width at opposite ends of the furnace platforms. Onsite emergency plan shall be submitted for acceptance by Chief Inspector-*cum*-Facilitator.

#### 8. Display of notice : —

Notice regarding non-use of water, etc. near induction furnace shall be displayed.

9. Charging of scrap in Induction Furnace : —

- (a) No scrap material with close cavities shall be charged in the induction furnace. Scrap to be charged shall be dry and shall not contain oil or any other liquid or moisture.
- (b) No scrap material shall be fed into Induction Furnace unless it is thoroughly checked in the presence of qualified supervisor.
- (c) No closed container scrap shall be fed into the furnace unless it is cut into pieces.  
Such container shall be rendered safe by suitable means.
- (d) No wet scrap material shall be charged into the induction furnace.
- (e) Scrap received in the form of pressed bundle should be opened, sorted and only then fed into furnace.

10. Cleanliness of indoor workplaces : —

- (1) All accessible parts of the walls of every indoor workplace in which the processes are carried on and of everything affixed to those wall shall be effectively cleaned by a suitable method to a height of not less than 4.2 metres from the floor at least once in every period of twelve months. A record of the carrying out of every such effective cleaning in pursuance of this paragraph including the date (which shall be not less than five months nor more than nine months) after the last immediately preceding washing, cleaning or other treatment.
- (2) Effective cleaning by a suitable method shall be carried out at least once in every working day of all accessible parts of the floor of every indoor workplace in which the processes are carried on, other than parts which are of sand; and the parts which are of sand shall keep in good order.

11. Manual operations involving molten metal : —

- (1) There shall be provided and properly maintained for all persons employed on manual operations involving molten metal with which they are liable to be splashed, a working space for that operation —
  - (a) which is adequate for the safe performance of the work; and
  - (b) which, so far as reasonably practicable, is kept free from obstruction.
- (2) Any operation involving the carrying by hand of a container holding molten metal shall be performed on a floor all parts of which where any person walks while engaged in the operation shall be on the same level.

Provided that, where necessary to enable the operation to be performed without undue risk, nothing in this paragraph shall prevent the occasional or exceptional use of a working space on a different level from the floor, being a space provided with a safe means of access from the floor for any person while engaged in the operation.

12. Gangways and pouring aisles :—

(1) In every workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this Schedule and, so far as reasonably practicable, in every other workroom to which this Paragraph applies, sufficient and clearly defined main gangway shall be provided and properly maintained, which —

- (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;
- (b) shall be kept, so far as reasonably practicable, free from obstruction;
- (c) if not used for carrying molten metal, shall be at least 920 millimetres in width;
- (d) if used for carrying molten metal shall be
  - (i) where truck ladles are used exclusively, at least 600 millimetres wider than the overall width of the ladle;
  - (ii) where hand shanks are carried by not more than two men, at least 920 millimetres in width;
  - (iii) where hand shanks are carried by more than two men, at least 1.2 metres in width; and
  - (iv) where used for simultaneous travel in both directions by men carrying hand shanks, at least 1.8 metres in width.

(2) In workroom to which this Paragraph applies constructed, reconstructed or converted for use as such after the making of this Schedule, sufficient and clearly defined pouring aisles shall be provided and properly maintained which -

- (a) shall have an even surface of hard material and shall, in particular, not be sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;
- (b) shall be kept so far as reasonably practicable free from obstruction;
- (c) if molten metal is carried in hand ladles or bulk ladles by not more than two men per ladle, shall be at least 460 millimetres wide, but where any moulds

alongside the aisle are more than 510 millimetres above the floor of the aisle, the aisle shall be not less than 600 millimetres wide;

(d) if molten metal is carried in hand ladles or bull ladles by more than two men per ladle, shall be at least 760 millimetres wide;

(e) if molten metal is carried in crane, trolley or truck ladles, shall be of a width adequate for the safe performance of work.

(3) Requirements of sub-paragraph (1) and (2) shall not apply to any workroom or part of a workroom if, by reason of the nature of the work done therein, the floor of that workroom or, as the case may be, that part of a workroom has to be of sand.

(4) In this paragraph "workroom to which this paragraph applies" means a part of a ferrous or non-ferrous foundry in which molten metal is transported or used, and a workroom to which this paragraph applies shall be deemed for the purposes of this paragraph to have been constructed, reconstructed or converted for use as such after the making of this schedule if the construction, reconstruction or conversion thereof was begun after making of this schedule.

#### 13. Work near cupolas and furnaces : —

No person shall carry out any work within a distance of 4 metres from a vertical line passing through the delivery end of any spout of a cupola or furnace, being a spout used for delivering molten metal, or within a distance of 2.4 metres from a vertical line passing through the nearest part of any ladle which is in position at the end of such a spout, except, in either case, where it is necessary for the proper use or maintenance of a cupola or furnace that work should be carried out within that distance of that work is being carried out at such a time and under such conditions that there is no danger to the person carrying it out from molten metal which is being obtained from the cupola or furnace or is in a ladle in position at the end of the spout.

#### 14. Dust and fumes : —

(1) Open coal, coke or wood fires shall not be used for heating or drying ladles inside a workroom unless adequate measures are taken to prevent, so far as practicable, fumes or other impurities from entering into or remaining in the atmosphere of the workroom.

(2) No open coal, coke or wood fires shall be used for drying moulds except in circumstances in which the use of such fires is unavoidable.

(3) Mould stoves, core stoves and annealing furnaces shall be so designed, constructed, maintained and worked as to prevent, so far as practicable, offensive or

injurious fumes from entering into any workroom during any period when a person is employed therein.

(4) All knock-out operations shall be carried out –

- (a) in a separate part of foundry suitably partitioned off, being a room or part in which, so far as reasonably practicable, effective and suitable local exhaust ventilation and a high standard of general ventilation are provided; or
- (b) in an area of the foundry in which, so far as practicable, effective and suitable local exhaust ventilation is provided, or where compliance with this requirement is not reasonably practicable, a high standard of general ventilation is provided.

(5) All dressing or fettling operations shall be carried out –

- (a) in a separate room or in a separate part of foundry suitably partitioned off; or
- (b) in an area of the foundry set for the purpose; and shall, so far as reasonably practicable, be carried out with effective and suitable local exhaust ventilation or other equally effective means of suppressing dust, operating as near as possible to the point of origin of the dust.

15. Maintenance and examination of exhaust plant: —

- (1) All ventilation plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be properly maintained.
- (2) All ventilating plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person approved by the Chief Inspector-cum-Facilitator at least once in every year. Such examination and test shall be entered in a register which shall be made available for inspection by an Inspector-cum-Facilitator. Any defect found on any such examination and carrying out the examination and test shall be intimated by the competent person forthwith to the occupier or manager of the factory for compliance under intimation to the Inspector-cum-Facilitator.

16. Protective equipment: —

- (1) The occupier shall provide and maintain personal protective equipment specified for the protection of workers.
  - (a) Suitable gloves to other protection for the hands for workers engaged in handling any hot material likely to cause damage to the hands by burn, scald, or scar, or in handling pig iron, rough castings or other articles likely to cause damage to the hands by cut or abrasion;



- (b) Approved respirators for workers carrying out any operations creating a high dust concentration which cannot be dispelled quickly and effectively by the existing ventilation arrangements.
- (2) No respirator provided for the purposes of clause 1(b) has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.
- (3) Persons who for any of their time –
- (a) work at a spout of or attend to, a cupola or furnace in such circumstances that material therefrom may come into contact with the body, being material at such a temperature that its contact with the body would cause a burn; or
  - (b) are engaged in, or in assisting with, the pouring of molten metal; or
  - (c) carry by hand or move by manual power any ladle or mould containing molten metal; or
  - (d) are engaged in knocking-out operations involving material at such a temperature that its contact with the body would cause a burn;
- shall be provided with suitable footwear and gaiters which worn by them prevent, so far as reasonably practicable, risk of burns to his feet and ankles.
- (4) Where appropriate, suitable screens shall be provided for protection against flying materials (including splashes of molten metal and sparks and chips thrown off in the course of any process).
- (5) The occupier shall provide and maintain suitable accommodation for the storage and make adequate arrangements for cleaning and maintaining of the protective equipment supplied in pursuance of this paragraph.
- (6) Every person shall make full and proper use of the equipment provided for his protection in pursuance of sub-paragraphs (1) and (4) and shall without delay report to the occupier, manager, or other appropriate person any defect in, or less of, the same.
- (7) Workers working in the furnace / casting pit area shall be provided with cotton clothes, safety shoes, leg guards, apron, face shield, hand gloves and safety helmet.
- (8) Workers employed for segregation of scrap shall be provided with safety shoes and hand gloves.
- (9) Fire retardant and heat retardant clothing shall be provided to all the workers working on platform of induction furnace.

17. Training and Supervision: —

- (a) All operations under this Schedule shall be carried out under the supervision of qualified supervisors at all times.
- (b) Workers carrying out operations and maintenance activities in foundries and furnaces shall be adequately trained.

18. Washing and Bathing facilities : —

- (1) Washing and bathing facilities shall be provided and maintained in clean state and good repair for the use of all workers employed in the foundry – (a) a wash place under cover with either –

- (i) a trough with impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least 60 centimetres for every 10 such persons employed at any one time and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 centimetres; or
- (ii) at least one tap or stand pipe for every 10 such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 1.2 metres apart; and
- (b) not less than one half of the total number of washing places provided under clause(a) shall be in form of bath rooms.
- (c) a sufficient supply of clean towels made of suitable material changed daily, with sufficient supply of nail brushes and soap.

- (2) The facilities provided for the purposes of sub-paragraph (1) shall be placed in charge of a responsible person or persons and maintained in a clean and orderly condition.

19. Disposal of dross and skimming : —

Dross and skimming removed from molten metal or taken from a furnace shall be placed forthwith in suitable receptacles.

20. Disposal of waste : —

Appropriate measures shall be taken for the disposal of all waste products from shell moulding (including waste burnt sand) as soon as reasonably practicable after the castings have been knocked-out.

21. Material and equipment left out of doors: —

All material and equipment left out of doors (including material, and equipment so left only temporarily or occasionally) shall be so arranged and placed as to avoid unnecessary risk. There shall be safe means of access to all such material and

equipment and, so far as reasonably practicable, such access shall be by roadways or pathways which shall be properly maintained. Such roadways or pathways shall have a firm and even surface and shall, so far as reasonably practicable be kept free from obstruction.

22. Medical facilities and records of examinations and tests: —

- (1) The occupier of every factory to which this Schedule applies, shall –
  - (a) conduct health check-up by a qualified medical practitioner for medical surveillance of the workers employed therein; and
  - (b) provide to the medical practitioner all necessary facilities for the purpose referred to in clause (a).
- (2) The record of such examinations carried out by the medical practitioner shall be maintained in a separate register, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

23. Medical examination by Medical Officer –

- (1) Every worker employed in the processes specified in paragraph (1) shall be examined by a Medical Officer within 15 days of his first employment. Such examinations shall include skin test for dermatitis and 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 Medical Officer.
- (2) Every worker employed in a manganese process shall be re-examined by a Medical Officer at least once in every three calendar months and such examination shall, wherever the Medical Officer considers appropriate, include all the tests in sub-paragraph (1).
- (3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form XXVIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraph (1) and (2) including the nature of the results of these tests, shall also be entered by the Medical Officer in a health register in Form V.
- (4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator.
- (5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in

those documents should also include the period for which he considers that the said person is unfit to work in the said process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(7) Workers working in the furnace / casting pit area shall be medically examined by qualified medical officer once in a year.

#### 24. Exemptions : —

If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances of infrequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for the protection of the workers in the factory, the Chief Inspector-cum-Facilitator may issue a certificate in writing for the purpose, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions, subject to the conditions, if any, as he may specify therein.

### **SCHEDULE-C**

**(See rule-70)**

#### **MATERIAL SAFETY DATA SHEET**

##### 1. Chemical Identity :

Chemical Name Chemical Classification

Synonyms Trade Name

Formula C.A.S. No. U. N. No.

Regulated Identification Shipping Name Hazechem No.

Codes / Label

Hazardous Waste I.DNo.

Hazardous Ingredients C.A.S. No. Hazardous Ingredients

C.S.A. No.

1.3

2.4

2. Physical and

## Chemical Data

Boiling Range / Point 0C Physical State Appearance

Melting / Freezing Point 0C Vapour Pressure

Vapour Density (Air-1) @35^0C mmHg Others

Solubility in Water

30^0C mmHg

Specific Gravity pH

Water-1

### 3. Fire and Explosion Hazard Data :

Flammability Yes/No UEL% Flash Point 0C Autoignition

Temperature^ 0C

TDG Flammability UEL% Flash Hazardous Products of  
Point 0C combustion

Explosion Sensitivity to Impact Explosion Sensitivity to Static Electricity

Hazardous

Polymerisation

Combustible Liquid Explosive Material Corrosive Material

Flammable Material Oxidiser Others

Pyrophoric material Organic Peroxide

### 4. Reactivity Data :

Chemical Stability

Incompatibility with other materials

Reactivity Hazardous Products of Reaction

### 5. Health Hazard Data :

Routes of Entry Effects of Exposure / Symptoms

Emergency Treatment

TLV (ACGIH) ppm. Mg/m3 STEL ppm. Mg/m3

Permissible Exposure limit ID50 ppm. Mg/m3 Order ppm

Threshold mg/m3 LD50

NFPA Hazard Signals

Health Flammability

Stability Special

6. Preventive Measures :

Personnel Protective Equipments

Handling and Storage Precautions

7. Emergency and First Aid Measure :

Fire

Fire Extinguishing Media

Special Procedures

Unusual Hazards

Exposure

First Aid Measures

Antidotes / Dosages

Spills

Steps to be taken

Waste Disposal Method

8. Additional Information / References :

9. Manufacture / Suppliers Data :

Contact Person in Emergency

Name of Firm Mailing Address

Local Bodies

involved

Telephone / Telex no. Telegraphic

Address

Standard Packing

Tremcard Details / Reference

Others

10. Disclaimer :

## **SCHEDULE–D**

**(See rule-76)**

### **Equipments for Occupational Health Centre in Factories**

1. A glazed sink with hot and cold water always
2. A table with a smooth top at least 180 cm x 105cm.
3. Means for sterilizing instruments
4. A cough
5. Two buckets or containers with close fitting lids
6. A kettle and spirit stove or other suitable means of boiling water
7. One bottle of spiritus ammoniac aromaticus (120ml.)
8. Two medium size sponges
9. Two 'kidney' trays
10. Four cakes of toilet, preferably antiseptic soap
11. Two glass tumblers and two wineglasses
12. Two clinical thermometers
13. Two tea spoons
14. Two graduated (120 ml) measuring glasses
15. One wash bottle (1000 cc) for washing eyes
16. One bottle (one litre) carbolic lotion 1 to20.
17. Three chairs
18. One screen
19. One electric hand torch
20. An adequate supply of tetanustoxied
21. Coramine liquid (60ml)
22. Tablets – antihistaminic, antispasmodic (25each)
23. Syringes with needles – 2cc, 5 cc and 10cc
24. Two needle holders, big and small suturing needles and materials
25. Suturing needles and materials
26. One dissecting forceps
27. One dressing forceps
28. One scalpels
29. One stethoscope
30. Rubber bandage – pressure bandage
31. Oxygen cylinder with necessary attachments
32. One Blood Pressure apparatus

33. One Patellar Hammer
34. One Peak-flow meter for lung function measurement
35. One stomach wash set
36. Any other equipment recommended by the Factory Medical Officer according to specific need relating to manufacturing process
37. In addition—
  - (1) For factories employing 51 to 200 workers—
    - Four plain wooden splints 900 mm x 100mm x6mm
    2. Four plain wooden splints 350 mm x 75mm x6mm
    3. Two plain wooden splints 250 mm x 50mm x12mm
    4. One pair artery forceps
    5. Injections – morphia, pethidine, atronine, adrenaline, coramine, novacan (2each)
    6. One surgical scissors
  - (1) For factories employing above 200 workers—
    1. Eight plain wooden splints 900 mm x 100mm x6mm
    2. Eight plain wooden splints 350 mm x 75mm x6mm
    3. Four plain wooden splints 250 mm x 50mm x12mm
    4. Two pairs arteryforceps
    5. Injections – morphia, pethidine, atronine, adrenaline, coramine, novacan (2each)
    6. One surgical scissors

### **AMBULANCE VAN**

In any factory carrying on 'hazardous process', there shall be provided and maintained in good condition, a suitably constructed ambulance van equipped with items as per sub-rule (2) and manned by a full time Driver- cum-Mechanic and a Helper trained in first aid, for the purposes of transportation of serious cases of accidents or sickness. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will normally be stationed at or near to the Occupational Health Centre. Provided that a factory employing less than 200 workers, may make arrangements for procuring such facility at short notice from a nearby hospital or other places, to meet any emergency.

The Ambulance should have the following equipment:

#### **a. General**

- i. A wheeled stretcher with folding and adjusting devices; with the head of the stretcher capable of being tilted upward;



- ii. Fixed suction unit with equipment;
- ii. Fixed oxygen supply with equipment;
- iii. Pillow with case;
  - Sheets; - Blankets; - Towels;
- iv. Emesis bag; - Bed pan;
  - Urinal; - Glass
- b. Safety equipment
- v. Flares with life of 30 minutes;
  - Floodlights;
  - Flash lights;
  - Fire extinguisher dry power type;
- vi. Insulated gauntlets
- vii. Emergency Care Equipment

(ii) Resuscitation - Portable suction unit; Portable oxygen units;

- Bag-valve-mask, hand operated artificial ventilation unit;
- Airways; - Mouth gags;
- Tracheostomy adapters;
- Short spine board; I.V. Fluids with administration unit;
- B.P. Manometer; - Cunn; - Stethoscope

(iii) Immobilization - Long and short padded boards;

- Wire ladder splints; - Triangular bandage;
- Long and short spine boards

(iv) Dressings - Gauze pads – 4" x 4";

- Universal dressing 10" x 36", - Roll of aluminum foils;
- Soft roller bandages 6" x 5 yards;
- Adhesive tape in 3" roll; - Safety pins;
- Bandage sheets; - Burn sheet.

(v) Poisoning - Syrup of Ipecac;

- Activated Charcoal Pre picketed in dozens;
- Snake bite kit;
- Drinking water

(vi) Emergency Medicines - As per requirement (under the advice of Medical Officer only)

## DECONTAMINATION FACILITIES

In every factory, carrying out 'hazardous process', the following provisions shall be made to meet emergency :-

- iv. fully equipped first aid box;
- v. readily accessible means of water for washing by workers as well as for drenching the clothing of workers who have been contaminated with hazardous and corrosive substance; and such means shall be as per the scale shown in the Table below:

**TABLE**

No. of persons employed at anytime	No. of drenching showers
Upto 50workers	2
Between 51 to200workers	2 + 1 for every additional 50 or part thereof
Between 201 to 500 workers	5 + 1 for every additional 100 or part thereof.
501 workers and above	8 + 1 for every additional 200 or part thereof.

- vi. a sufficient number of eye wash bottles filled with distilled water or suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.

## SCHEDULE-E

**(See rule-77)**

### 1. *Definitions*-For the purpose of this Schedule-

- (a) "*mg/m<sub>3</sub>*" means milligrams of a substance per cubic meter of air;
- (b) "*mappcm*" means million particles of a substance per cubic meter of air;
- (c) "*ppm*" means parts of vapour or gas per million parts of air by volume at 250C and 760 mm of mercury pressure;
- (d) "*time weighted average concentration*" means the average concentration of a substance in the air at any work location in a factory computed from evaluation of giving adequate number of air samples taken at that location, spread over the entire shift on any day after giving weightage to the duration for which each such

sample is collected and the concentration prevailing at the time of taking the sample;

$$\text{Time Weighted average concentration} = \frac{C_1 T_1 + C_2 T_2 + \dots + C_n T_n}{T_1 + T_2 + \dots + T_n}$$

Where C, represents the concentration of the substance, for duration T<sub>n</sub> (in hours),  
C<sub>2</sub> represents the concentration of the substance for duration T<sub>n</sub> (in hours), and  
C<sub>n</sub> represents the concentration of, the substance for duration T<sub>n</sub> (in hours);

(e) "*Work location*" means a location in a factory at which a worker works or may be required to work at any time during any shift on any day.

## 2. *Limit of concentrations of substances at work locations-*

(i) The time weighted average concentration of any substance listed in Table 1 or 2 of the Schedule at any work location in a factory during any shift on any day shall not exceed the limit of the permissible time weighted average concentration specified in respect of that substance:

Provided that in the case of a substance mentioned in Table 1 in respect of which a limit in terms of short term maximum concentration is indicated, the concentration of such a substance may exceed to permissible limit of the time weighted average concentration for the substance for short periods not exceeding fifteen minutes at a time, subject to the conditions that-

- (a) such periods during which the concentration exceeds the prescribed time weighted average concentration are restricted to not more than four per shift;
  - (b) the time interval between any two such periods of higher exposure shall not be less than sixty minutes; and
  - (c) at no time the concentration of the substance in the air shall exceed the limit of short term maximum concentration.
- (ii) In the case of any substance given in Table 3, the concentration of substance at any work location in a factory at any time during any day shall not exceed the limit of exposure for that substance specified in the said Table.
- (iii) In the cases where the word "skin" has been indicated against any substance mentioned in Tables I and 3 appropriate measures shall be taken to prevent absorption through cutaneous routes particularly skin, mucous membranes and eyes as the limits specified in these Tables are for conditions where the exposure is only through respiratory tract.

- (iv) (a) In case the air at any work location contains a mixture of such substances mentioned in Table 1, 2 or 3, which have similar toxic properties, the time weighted concentration of each of these substances during the shift should be such that when these time weighted concentrations divided by the respective permissible time weighted average concentration specified in the above mentioned Table, and the fractions obtained are added together, the total shall not exceed unity, i.e.

$$\frac{C_1}{L_1} + \frac{C_2}{L_2} + \dots + \frac{C_n}{L_n}$$

should not exceed unity. When  $C_1, C_2, \dots, C_n$  are the time weighted concentration of toxic substance 1, 2 and respectively, determined after measurement at work location and  $L_1, L_2, \dots, L_n$  are the permissible time weighted average concentration of the toxic substance 1, 2 and n respectively.

- (b) In case the air at any work location contains a mixture of substances, mentioned in Table 1, 2 or 3, and these do not have similar toxic properties, then the time weighted concentration of each of these substances shall not exceed the permissible time weighted average concentration specified in the above-mentioned Table, for that particular substance.

- (c) The requirement in Clauses (a) and (b) shall be in addition to the requirement in paragraphs 2 (i) and 2 (ii).

3. *Sampling and evolution procedures* -(1) Notwithstanding the provisions in any other paragraphs, the sampling and evaluation procedures to be adopted for checking compliance with the provisions in the Schedule shall be as per standard procedures in vogue from time to time.

(2) Notwithstanding the provisions in paragraphs 5, the following conditions regarding the sampling and evaluation procedures relevant to checking compliance with the provisions in this Schedule are specified-

- (a) For determination of the number of particles per cubic meter in item 1 (a) (i) (1) in Table 2, samples are to be collected by standard or midge impinger and the counts made by light field technique.
- (b) The percentage of quartz in the 3 formula given in 1 (a) (i) of Table 2 is to be determined from airborne samples.

(c) For determination of number of fibres as specified in item 2 (a) of Table 2, the membrane filter method at 430 X magnification (4 mm objective) with phase contrast illumination should be used.

(d) Both for determination of concentration and percentage of quartz for use of the formula given in item 1 (a) (1) (2) of Table 2, the fraction passing through a size selector with the following characteristics should only be considered.

Aerodynamic diameter (Unit density sphere)	Percentage allowed by size selector
2.0	90
2.5	75
3.5	50
5.0	25
10.0	0

4. *Power to require assessment of concentration of substances* - (1) An Inspector may, by an order in writing, direct the occupier or manager of a factory to get before any specified date, the assessment of the time weighted average concentration at any work location of any of the substances mentioned in Table 1, 2 or 3 carried out.

(2) The results of such assessment as well as the method followed for air sampling and analysis for such assessment shall be sent to the Inspector within three days from the date of completion of such assessment and also a record of the same kept readily available for inspection by an Inspector.

5. *Exemption* - If in respect of any factory or a part of a factory, the Chief Inspector is satisfied that, by virtue of the pattern of working time of the workers at different work locations or on account of other circumstances, no worker is exposed, in the air at the work location, to a substance or substances specified in Table 1, 2 or 3 below to such an extent as is likely to be injurious to his health, the Chief Inspector may, by order in writing, exempt the factory or a part of the factory from the requirements in paragraph 2 subject to such conditions, if any, as he may specify therein.

**Table- I**

Substance		Permissible limits of exposure			
		Time weighted average concentration.		Short-term maximum Concentration.	
		ppm	mg/m3	ppm	mg/m3
1		2	3	4	5
Acetic Acid	...	10	25	15	7
Acrolein	...	0.1	0.25	0.3	0.8
Aldrin (Skin)	...	...	0.25	...	0.75
Ammonia	...	25	18	35	27
Aniline (Skin)	...	2	10	5	20
Anilidine (Opisomers Skin)	...	0.1	0.5	...	...
Arsenic & Compounds (as As)	...	...	0.2	...	...
Benzene	...	10	30	...	...
Bromine	...	0.1	0.7	0.3	2
2 Butanone (Methyl-Ethyl Ketone MEK)	...	200	590	300	885
n-Butyle Acetate	...	150	710	200	950
Sec./tert. Butyl Acetate	...	200	950	250	1190
Cadmium dust and salts (as Cd)	...	...	0.05	...	0.2
Calcium Oxide	...	...	2	...	...
Carbaryl (Sevin)	...	...	5	...	10
Carbofuran (Furadan)	...	...	0.1	...	...
Carbon disulphide (Skin)	...	20	60	30	90

Carbon monoxide	...	50	55	400	440
Carbon tetrachloride (Skin)	...	10	65	20	130
Carbonyl chloride (phosgene)	...	0.1	0.4	...	...
Chlordane (Skiri)	...	...	0.5	...	2
Chlorobenzene (monochloro-Bezene)	...	75	350	...	...
Chlorine	...	1	3	3	9
Bis-chloromethyl ether	...	0.001	...	...	...
Chromic acid and Chromites (as Cr.)	...	...	0.05	...	...
Chromium, Sel. Chormic Chromous	...	...	0.5	...	...
Salts (as Cr.)	...	...	...	...	...
Copper Fume	...	...	0.2	...	...
Cotton dust raw	...	...	0.2	...	0.6
Cresol, all isomers (Skin)	...	5	22	...	...
Cyanides (as CN)- (Skin)	...	...	5	...	...
Cyanogen	...	10	20	...	...
DDT (Dichloriodiphenyl trichloroethane)	...	...	1	...	3
Demeton skin	...	0.01	0.1	0.03	0.3
Diazinon-skin	...	...	0.1	...	0.3
Dibutyle Phthalate	...	...	5	...	10
Dichlorves (DD VP)-skin	...	0.01	1	0.3	3
Dield-rin-skin	...	...	0.25	...	0.75

Dinitro Benzene (all isomers-skin)	...	0.15	1	0.5	3
Dinitrotoluene-skin	...	...	1.5	...	4
Diphenyl	...	0.2	1.5	0.6	4
Endosulfan (Thinodan)-skin	...	...	0.1	...	0.3
Endrin-skin	...	...	0.1	...	0.3
Ethyl Acetate	...	400	1	...	...
Ethyl Amine	...	10	18	...	...
Ethyl Alcohol	...	1000	1900	...	...
Flourides (as F)	...	...	2.5	...	...
Flourine	...	1	2	2	4
Hydrogen cyanide- skin	...	10	11	15	16
Hydrogen Sulphide	...	10	15	15	27
Iron oxide from (Fe <sub>2</sub> O <sub>3</sub> as Fe)	...	...	5	...	10
Isoamyl Acetate	...	100	525	125	655
Isobutyl Alcohol	...	100	360	125	450
Isoamyl Alcohol	...	50	150	75	225
Lead, inorg, fumes and dust (as Pb)	...	...	0.15	...	0.15
Linda-he-skin	...	...	0.5	...	1.5
Malathoion-skin	...	...	10	...	...
Manganese fume (as Mn)	...	...	1	...	3
Mercury (as Hg)	...	...	0.05	...	0.15
Mercury (aikyl)	...	0	0.01	0.003	0.03
Compounds skin) (as Hg)	...	...	...	...	...
Methyl Alcohol (methanol) skin	...	200	260	250	310
Methyl collosove- skin (2-methoxy	...	25	80	35	120



ethanol)					
Methyl isobutyl Ketone-skin	...	100	410	125	510
Napthalene	...	10	50	15	75
Nickel carbonyl (as Ni)	...	0.05	0.35	...	...
Nitric Acid	...	2	5	4	10
Nitric Oxide	...	25	30	35	45
Nitrobenzine-skin	...	1	5	2	10
Oil mist-mineral	...	...	5	...	10
Parathion-skin	...	...	0.1	...	0.3
Phenol-skin	...	5	19	10	38
Phroate (Thimet)- skin	...	...	0.05	...	...
Phosgene (Carbonyl chloride)	...	0.1	0.4	...	...
Phosphine	...	0.3	0.4	1	1
Phosphorus (Yellow)	...	...	0.1	...	0.3
Posphorus pentachloride	...	...	1	...	3
Phosphorus trichloride	...	0.5	3	...	...
Picric acid-skin	...	...	0.1	...	0.3
Pyridine	...	5	15	10	30
Sila-ne (Silicon tetrahydrine)	...	0.5	0.7	1	1.5
Styrene, monomer (phenyl, othylene)	...	100	420	125	525
Sulfur dioxide	...	5	15	...	...
Sulfuric acid	...	...	1	...	...
Toluene (toluo) skin	...	100	375	1545	560
O-Toludine	...	5	22	10	44

Trichloroethylene	...	100	535	150	800
Vinyl chloride	...	5	10	...	...
Welding Fumes (NOC)	...	...	5	...	...
Xylene (o-m-p- isomers) skin	...	100	435	150	655

**Table-2**

Substance		Permissible time-weighted average concentration.
1		2
1. Silica-		
(a) Crystalline-		
(i) Quartz-		
(1) In terms of dust count		$\frac{1060}{\% \text{ Quartz} + 10} \text{ mppcm}$
(2) In terms of respirable dust		$\frac{10}{\% \text{ respirable}} \text{ Mg/m}^3 \text{ quartz} + 2$
(3) In terms of total dust		$\frac{30}{\% \text{ quartz} +} \text{ Mg/m}^3$
(ii) Cristobalite	...	Half the limits given against quartz.
(iii) Tridymite	...	Half the limits given against quartz.
(iv) Silica fused	...	Same limit as for quartz.
(v) Tripoli	...	Same limit as in formula in item 2 given against quartz.
(b) Amorphous 705 mppcm.		
2. Silicate having less than 1% free silica by weight-		
(a) Asbestos (fibres longer than 5 microns) 2 fibres per cubic centimeter		
(b) Mica	...	705 mppcm.
(c) Mineral wool fibre	...	10 mg/m <sup>3</sup>
(d) Perlite	...	1060 mppcm.

(e) Portland cement	...	1060 mppcm.
(f) Soap stone	...	705 mppcm.
(g) Talc (non-abosti form)	...	705 mppcm.
(h) Talc (fibrous)	...	Same limit as for asbestos.
(i) Tromolite	...	Same limit as for asbestos.
3. Coal dust-		
(1) For air born dust having less than 5% silicon dioxide by weight.		2mg/m3
(2) For air-borne dust having over 5% silicon dioxide against quartz.		Same limit as prescribed by formula item

**Table-3**

Substance		Permissible limit of exposure.	
		ppm	mg/m3
Acetic anhydride	...	5	20
O-Dichlorobenzene	...	50	300
Formaldehyde	...	2	3
Hydrogen Chloride	...	5	7
Manganese 1 Compounds (as Mn)	...	...	5
Nitrogen-dioxide	...	5	9
Nitroglycerine-skin	...	02	2
Potassium hydroxide	...	...	2
Sodium hydroxide	...	...	2
2, 4, 6 - Trinitrotoluene (TNT)	...	...	0.5

## SCHEDULE-F

(See rule-79)

1. Managers
2. Assistant managers
3. Engineers
4. Foremen
5. Weaving masters and spinning masters in textile mills.
6. Head electricians

• Persons defined to hold confidential positions.- All timekeepers employed in a factory shall be deemed to be employed in a confidential position in the factory.

7.....

8.....

• List to be maintained of persons holding confidential position or position of supervision of management.-A list showing the names and designations of all persons to whom the provisions of sub-section (1) of section 91 have been applied shall be maintained in every factory.

• Exemption of certain adult workers.- Adult workers engaged in factories specified in column 2 of the schedule hereto annexed on the work specified in column 3 of the said schedule shall be exempted from the provisions of the sections specified in the column 4 subject to the conditions, if any, specified in column 5 of the said schedule.

**SCHEDULE-G**  
**(See rule 66 and rule 80)**

Total amount of power installed (in K.W.)	Maximum number of persons to be used															
	20	50	100	250	500	750	1000	1500	2000	2500	3000	5000	7500	10000	15000	25000
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Not exceeding 10	600	900	1500	2250	3750	5250		9000	12000	15000	18750	30000	37500	45000	52500	60000
Exceeding 10 but not exceeding 50	1200	1500	2250	3000	5250	7500	12000	15000	22500	30000	33000	42000	52500	56250	60000	75000
Exceeding 50 but not exceeding 100	1500	2250	3000	5250	6000	15000	18750	22500	30000	33000	42000	52500	56250	60000	75000	82500
Exceeding 100 but not exceeding 200	2250	3000	5250	6000	7500	18750	22500	30000	33000	42000	52500	56250	60000	75000	82500	90000
Exceeding 200 but not exceeding 400	3000	5250	6000	7500	11250	22500	30000	33000	42000	52500	56250	60000	75000	82500	90000	105000

Exceeding 400 but not exceeding 800	5250	6000	7500	11250	16500	30000	33000	42000	52500	56250	60000	75000	82500	90000	105000	112500
Exceeding 800 but not exceeding 1500	6000	7500	11250	16500	22500	33000	42000	52500	56250	60000	75000	82500	90000	105000	112500	120000
Exceeding 1500 but not exceeding 4000	7500	11250	16500	22500	24000	42000	52500	56250	60000	75000	82500	90000	105000	112000	120000	135000
Exceeding 4000 but not exceeding 6000	11250	16500	22500	24000	42000	52500	56250	60000	75000	82500	90000	105000	112500	120000	135000	150000
Exceeding 6000 but not exceeding 8000	16500	22500	24000	42000	45000	56250	60000	75000	82500	90000	105000	112500	120000	135000	150000	165000
Exceeding 8000 but not exceeding 25000	22500	24000	42000	45000	60000	60000	75000	82500	90000	105000	112500	120000	135000	150000	165000	180000
Exceeding 25000	24000	42000	45000	60000	75000	75000	82500	90000	105000	150000	120000	135000	150000	165000	180000	195000
Exceeding 50000 but not exceeding 100000	42000	45000	60000	75000	9000	82500	90000	105000	150000	165000	135000	150000	165000	180000	195000	210000

Exceeding 100000 but not exceeding 200000	45000	60000	75000	9000	105000	90000	105000	150000	165000	180000	150000	165000	180000	195000	210000	225000
Exceeding 200000 but not exceeding 300000	60000	75000	9000	105000	120000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000
Exceeding 300000 but not exceeding 400000	75000	9000	105000	120000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000
Exceeding 400000 but not exceeding 500000	9000	105000	120000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000
Exceeding 500000 but not exceeding 600000	105000	120000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000
Exceeding 600000 but not exceeding 700000	120000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000	345000
Exceeding 700000 but not exceeding 800000	135000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000	345000	360000

Exceeding 800000 but not exceeding 900000	150000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000	345000	360000	375000
Exceeding 900000 but not exceeding 1000000	165000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000	345000	360000	375000	390000
Exceeding 1000000 but not exceeding 1500000	180000	195000	210000	225000	240000	255000	270000	285000	300000	315000	330000	345000	360000	375000	390000	405000
Exceeding 1500000 but not exceeding 100000	225000	240000	255000	270000	285000	300000	315000	330000	345000	360000	375000	390000	405000	420000	435000	450000
Exceeding 50000 but not exceeding 2000000	255000	270000	285000	300000	315000	330000	345000	360000	375000	390000	405000	420000	435000	450000	465000	480000
Exceeding 2000000 but not exceeding 3000000	300000	315000	330000	345000	360000	375000	390000	405000	420000	435000	450000	465000	480000	495000	510000	525000
Exceeding 3000000	345000	360000	375000	390000	405000	420000	435000	450000	465000	480000	495000	510000	525000	540000	555000	570000



**Form I**

**[See rule-4(1)(i)]**

**Application for Registration for existing establishments/ New establishment / Amendment  
to certificate of Registration**

**A. Establishment Details.**

1. Retrieve details of Establishment through LIN:
2. Name of Establishment:
3. Location and Address of the Establishment:

**3a. PAN:**

4. Others details of Establishment:
  - a. Total Number of employees engaged directly in the establishment:
  - b. Total Number of the contract employees engaged:
  - c. Total Number of Inter-State Migrant workers employed:

**5 (a) For factories:**

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

**5 (b) For building and other construction work:**

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

**5 (c) For Motor Transport Undertaking:**

Name of Motor Transport Undertaking	Types of Transport (Freight / Passenger Services)	Maximum number of vehicles attached	Maximum number of workers engaged					
			Permanent			Contract		
			Male	Female	Total	Male	Female	Total
1	2	3	4	5	6	7	8	9

6. Ownership Type/Sector:

7. Activity as per National Industrial Classification:

8. Details of Selected NIC Code:

9. Identification of the establishment e-sign/ digital sign of employer/ representative:

**B. Details of Employer:-**

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc. :
2. Designation :
3. Father's/ Husband's Name of the Employer :
4. Email Address, Telephone& Mobile No. :

**C. Manager/ Agent Details**

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No. :

#### **D. Contractor Details**

Name and Address Contractor	Email address & Mobile of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement / Probable date of Completion of work
1	2	3	4	5

#### **E. Others Details:-**

**Signature/ E-sign/digital sign of employer**

Dated:-

Place;-

## Form II

{See rule-4(1)(iv)}

### Certificate of Registration of Establishment

Registration No.

Date

**A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (...37 of 2020) to.....(Name of the establishment)**

1. Nature of work carried on in the establishment (Please tick mark)

- (a) Factory
- (b) Contract Work
- (c) Building and Other Construction Works
- (d) Motor Transport Undertaking
- (e) any other work (not covered above)

2. Details of the establishment:

- a. Total Number of employees engaged directly in the establishment:
- b. Total Number of the employees engaged through contractor .....
- c. Total Number of Contractors and their details:
- c. Number of inter-state migrant workers engaged:**

3 (a) For factories

Details of the manufacturing process	Full postal address and situation of the factory along with plan Approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

3 (b) For building and other construction work

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

3 (c) For Motor Transport Undertaking:

Name of Motor Transport Undertaking	Types of Transport (Freight / Passenger Services)	Maximum number of vehicles attached	Maximum number of workers engaged					
			Permanent			Contract		
			Male	Female	Total	Male	Female	Total

4. Remarks of registering officers

**Place:**

**Date:**

**Signature E -Sign/DSC of Registering Officer  
along with designation**

Conditions of Registration

(1) Every certificate of registration issued under rule 4 shall be subject to the following conditions, namely:

- (a) the certificate of registration shall be non-transferable;
- (b) The number of workers employees employed in an establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the certificate of registration; and
- (c) Save as provided in these rules, the fees paid for the grant of registration certificate shall be non-refundable.

(2) The employer shall intimate the change, if any, in the number of workers employees or the conditions of work to the registering officer within 30 days.

(3) The employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment or as the case may be work is to be executed, intimating the actual date of the commencement or, as the case may be, completion of establishment such work in Form IV annexed to these rules electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

**Form III**  
**{See rule-4(8)}**  
**Register of Establishment**

Sl. No.	Nature of work	Registration No. and Date	Name and Address, location of the establishment registered	Name, Address and Contact Details of Employer	Total number of Workers and Total Horsepower ( if any)	Total number of Contract Workers	Remarks
1	2	2	3	4	5	6	7
	Factories, Building and other Construction work Contract work, Inter-State Migrant Work, Motor Transport Undertaking, Any other Work (not covered above)						

**Form IV**

**[See rule-4(9) and rule-6]**

**A-Notice of Commencement / completion of work /cessation of Establishment:**

1. Registration No:
2. Name and Address of Establishment:-
3. Name and Designation of employer/ Port authority (who has ultimate control over the affairs of the establishment :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-
6. In case of the notice is for commencement of work the approximate duration of work:-
7. in case of completion of work/cessation of establishment, the date of completion /cessation:

I/We here by intimate that the work of establishment having registration No.        dated  
..... is likely to commence/ cessation is  
likely to be completed with effect from .....  
(Date)/ On    (Date)

**In case of cessation of work:**

**I/we hereby certify that the payment of all dues to the workers employed in the establishment has been made and the premises are kept free from storage of hazardous chemicals and substances.**

**Signature of the Employer**

**To,**

**The Inspector-cum-Facilitator**

**Form V**  
**(See rule-7)**

**Medical Examination**

PART –A (Sl.No.1-11) : To be filled by the Employee:

1. Name of employee.....
2. Sex.... ..
3. Age (with DOB).....
4. Company.....
5. Designation.....
- 5a. UAN:.....
6. In-charge Employer / Executive Contacts.....
7. Complete personal /plant Address .....
8. Mobile /Phone .....
9. Email.....
10. Medical illness (Current) and under treatment & medication, If any.....

-----

11. Nature of Job (furnish more details, if hazardous and work-related viz. Physical, Chemical, Biological, Ergonomic etc) .....

Date:

Signature of Employee

-----



**PART-B:**

12. Medical Test Carried out & Reports to be Attached as Annex . Medical Officer's interpretation/ Opinion of the Tests below (To indicate only if abnormal, referring the attached Test reports) :

- a. Ht. Wt. Chest, Waist Circumference, Body Mass Index: .....
  - b. Vision (Ophthalmologist tests):
    - i. Visual Acuity both Right & left eyes .....
    - ii. Colour Vision.....
  - c. Blood Pressure .....
  - d. Complete Blood Count: .....
  - e. Blood Sugar (Fasting/PPBS/HbAC1).....
  - f. SpO<sub>2</sub>.....
  - g. Blood Urea Nitrogen (BUN).....
  - h. SGOT/SGPT.....
  - i. Lipid profile.....
  - j. ESR.....
  - k. Thyroid profile.....
  - l. X-ray Chest etc.....
  - m. ECG.....
  - n. Others if any.....
- 

13.Final Diagnosis/ Opinion / Treatment if any, advise by qualified medical practitioner  
.....

14. Does the person has seizure (s) related disorders or difficulties working at Height ? If yes, explain the works to be avoided: Yes/No/ NA (Not applicable)

Date:

**Signature of the qualified medical  
practitioner**

**SEAL**

NOTE: All the above information is highly confidential between the Applicant and the Examining Physician. Sharing of the above with Employer or any other agency/persons is permitted only on obtaining Consent from the Applicant/Employee.

**Form VI**  
**(See rule-9)**

**NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE**

E.S.I.C. Employer's Code number:      E.S.I.C. Insurance Number of the injured person  
:

1. Name of employer      :
2. Address of works / premises where the accident or dangerous occurrence took place  
:
3. Nature of industry and LIN of the establishment:
4. Branch or department and
5. Exact place where the accident or dangerous occurrence took place      :
6. Name and address of the injured person      :
  - (a) Sex :
  - (b) Age (at the last birthday)      :
  - (c) Occupation of the injured person      :
7. Local E.S.I.C. Office to which the  
injured person is attached      :
8. Date, shift and hour of accident  
or dangerous occurrence      :
9. Hour at which the injured person started work on the day of  
accident or dangerous occurrence:
  - (a) whether wages in full or part are payable to him for the day of the accident or  
dangerous occurrence:
  - (b) Cause or nature of accident  
or dangerous occurrence      :
10. If caused by machinery-

Give the name of machine and the part causing the accident or dangerous occurrence :  
State whether it was moved by mechanical power at the time of accident or dangerous  
occurrence :

State exactly what the injured person was doing at the time of accident or dangerous  
occurrence :

In your opinion, was the injured person at the time of accident or dangerous occurrence -  
acting in contravention of provisions of any law applicable to him; or  
acting in contravention of any orders given by or on behalf of his employer; or

acting without instructions from his employer?

In case reply to (d) (i), (ii) or (iii) is in the affirmative, state whether the act was done for the purpose of and in connection with the employer's trade or business. :

In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether-

the injured person was travelling as a passenger to or from his place of work; :

the injured person was travelling with the express or implied permission of his employer; :

the transport is being operated

by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with

the employer; and :

the vehicle is being/not being operated in the ordinary course

of public transport service :

In case the accident or dangerous occurrence took place while meeting emergency, state-

(a) its nature; and

(b) whether the injured person at the time of accident or dangerous occurrence was Employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place. :

Describe briefly how the accident or

dangerous occurrence took place :

Names and addresses of

witnesses : (1)

(2)

(a) Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

(a) If the accident or dangerous

Occurrence was not fatal, state whether the injured person was disabled for more than 48 hours :

(b) date and hour of return of work :

(a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment :

(b) Name of dispensary/panel doctorelected by the injured person :

(a) Has the injured person died ? :

If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/

employer /manager/agent

Date of dispatch of report :

Place:

### Form No. VII

(See rule 24)

### Notice of period of work

Name of factory.....

Period of work.	Men (adult)														
Groups	Total number of men employed.														
	A			B			C			D			E		
Relays	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
On working days															
From 6 A.M. to 2 P.M. from 2 P.M.															
To 10 A.M. From 12 midnight To 6 A.M.															
From.....															
To.....															
On partial working days															
From.....															
To.....															

Women (adult)															Children										
Total number of women employed															Total number of children employed										
F			G			H			I			J			K		L		M		N				
1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	1	2	1	2	1	2			

Description of Group															Remarks									
Group letter					Nature of work																			
A																								
B																								
C																								
D																								
E																								

Date on which this notice first exhibited

(Signed)  
Manager

N.B. : - "1" - 1st shift

"2" - 2nd shift

"3" - 3rd shift

"4" - 4th shift

**Form VIII**  
**(See rule 25)**  
**EMPLOYEE REGISTER**

Name of Establishment:		
Name of the Employer/owner:		
Labour Identification Number (LIN)/Registration Number of Establishment		
To be maintained for all employees of the establishments		
1.	Employee Code	
2.	Name	
3.	Surname	
4.	Gender	

5.	Father's/Spouse's Name	
6.	Date of Birth	
7.	Place of Birth	
8.	Nationality	
9.	Education level	
10.	Date of Joining	
11.	Designation	
12.	Category (unskilled, semi-skilled, skilled or highly skilled)	
13.	Type of employees / worker	
14.	Mobile Number	
15.	Universal Account Number (UAN)	
16.	PAN	
17.	PPF No.	
18.	Nominee	
19.	EPS/NPS	
20.	Details of Family	
21.	Details of Posting	
22.	Scale of Pay	
23.	Promotion	
24.	ESIC Insurance No.	
25.	Aadhaar number	
26.	Bank A/c No.	
27.	Bank	
28.	Branch(IFSC)	
29.	Present address	
30.	Permanent address	
31.	Service Book No.	
32.	Date of Exit	
33.	Reason for Exit	
34.	Mark of Identification	
35.	Photo	
36.	Specimen Signature/Thumb Impression	
37.	Remarks	

**Form VIII (A)****(See Rule 25)****ATTENDANCE REGISTER-CUM-MUSTER ROLL**

															For the Month of ..... , year 20.....															
Name of Establishment:																														
Name of the Employer/owner:																														
Labour Identification Number (LIN)/Registration Number of Establishment																														
1.	Serial Number																													
2.	Employee Code																													
3.	Name																													
4.	Designation																													
5.	Shift or relay																													
6.	Place of work/department/section																													
7.	Date and timings of In and Out																													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15															
	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31														
8.	Total number of days worked																													
9.	Total number of extra hours worked																													
10.	In case of tour or assignments outside the work place suitable entries may be made																													
11.	Signature of Register keeper																													

**Form VIII (B)****[(See rule 25)]****REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS**

Name of Establishment:	
Name of the Employer/owner:	
Labour Identification Number (LIN)/Registration Number of Establishment	

Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
1.	Serial Number	
2.	Employee Code Number	
3.	Name	
4.	Designation	
5.	Rate of Wage	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Total	
6.	No. of days worked	
7.	Overtime hours worked	
8.	Amount of Wages Earned	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Payment of overtime	
	e)Total wages earned	
9.	Deductions	
	a)EPF	
	b)ESIC	
	c)Society	
	d)Income Tax	
	e)Insurance	
	f)Others	
	g)Recovery of Fine	
	h)Recovery of Damaged/Losses	
	Total Deductions	
10.	Net Payment	
11.	Receipt by Employees/Bank Transaction ID	
12.	Date of Payment	
13.	Initials of Employer/Representative	
14.	Remarks	



**Form VIII (C)****Wage slip****(See rule 25)**

Name of the Establishment .....				
Address:.....			Period:.....	
1.	Name of the Employee:			
2.	Father's/Spouse's Name:			
3.	Designation:			
4.	UAN:			
5.	Bank Account Number:			
6.	Wage period:			
7.	Rate of wages payable	a) Basic	b) D.A.	c) other allowances
8.	Total attendance/unit of work done:			
9.	Overtime wages			
10.	Gross wages payable			
11.	Total deductions	a) PF	b) ESI	c) Others
12.	Net wages paid			

**Form IX**  
**[See rule-25(4)]**  
**ANNUAL RETURN**

**FOR THE YEAR .....ENDING 31<sup>st</sup> December.**

Single Annual Integrated Return to be filed On-line under the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Industrial Relations, 2020, the Code on Social Security, 2020, and the Code on Wages, 2019 and the rules made there under.

**Instructions to fill up the Annual Return**

- (1) This return is to be filled-up and furnished on or before 1<sup>st</sup> February every year.
- (2) The return has two parts i.e. Part-I to be filled up by all establishments.
- (3) Part-II to be filled-up by the establishments who are a Mine only in addition to Part-I.
- (4) The terms Establishment and Mines shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.
- (5) This return is to be filled-up in case of Contractor or manpower supplier who have engaged more than 50 workers and in case of Mines even if there is one worker employed in the relevant period.

**Applicable to All Establishments - Part-I**

**A. General Information:**

Sl. No.			Instructions for filling the column
1.	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2.	Period of the Return	From - To-	Period should be calendar year
3.	Name of the Establishment		
4.	Email ID (employer)		
5.	Telephone No. (employer)		
6.	Mobile number (employer)		
7.	Premise name		
8.	Sub-locality		
9.	District		
10.	State		
11.	Pin code		
12.	Geo Co-ordinates		
B(a).	Hours of Work in a day		

B(b).	Number of Shifts Number of hours in a shift	
C. Details of Manpower Deployed		
Details	Directly employed	Employed through Contractor GrandTotal

Skill Category	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled
(i) Maximum No. of employees employed in the establishment in any day during the year	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T
(ii) Average No. of employees employed in the establishment during the year	No. to be indicated	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T
(iii) Maximum number of Migrant Worker during the	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T

year (Section 59 of OSH Code)								
(iv) Number of fixed term employee engaged	M/F/T	M/F/T	M/F/T	M/F/T				

**D. Details of contractors engaged in the Establishment:**

Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

**E. Details of various Health and Welfare Amenities provided.**

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling
1.	Whether facility of Canteen provided (as per section 24(v) of OSH Code, 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments wherein hundred or more worker including contract labour ordinarily employed
2.	Crèches (as per section 67 of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments where fifty or more workers are employed
2a	If 2 above is not given than whether Crèches allowance under Social Security Code, 2020 given.	Tick yes or no in the box and not applicable	Reference .. Code on Social Security, 2020
3.	Ambulance Room (as per section 24(2)(i) of OSH Code, 2020)	Tick yes or no in the box and not applicable	Applicable to building and other construction work wherein more than five hundred workers are ordinarily employed

4.	Safety Committee (as per Section 22(1) of OSH Code, 2020.	Tick yes or no in the box and not applicable	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BoCW employing 250 workers or more workers.
5.	Safety Officer(as per Section 22(2) of OSH Code, 2020)	No. of safety officers appointed	In case of mine 100 or more workers and in case of BoCW 250 or more workers are ordinarily employed.
6.	Qualified Medical Practitioner(as per Section 12(2) of OSH Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:			Instructions for filling
1.	Is the Works Committee has been functioning.(Section 3 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.		
2.	Whether the Safety Redressal Committee constituted (Section 4 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment employing 20 or more workers
3.	Number of registered Unions in the establishments.		
4.	Whether any negotiation union exist(Section 14 of IR Code, 2020)	Yes/No	
5.	Whether any negotiating council is constituted (Section 14 of IR Code,	Yes/No	

	2020)		
6.	Number of workers discharged/dismissed, retrenched or whose services were terminated during the year:		
	Dismissed	Retrenched	Discharged /Terminated or Removed
			Grand Total
7.	Man-days lost during the year on account of		

Sl. No.	Reasons	Period / Date	No. of man-days lost	
(a)	Strike			
(b)	Lockout			
8.	Details of retrenchment / lay off			
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees No. of workers laid off during the period	No. of man-days lost due to lay-off	Applies on industrial establishment employing 300 or more workers

**G. Details pertaining to maternity benefit:**

No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

**H. Details of payment of bonus:**

Sl. No.	No. of employees covered under the	Total amount of bonus actually paid	Date on which the Bonus paid
---------	------------------------------------	-------------------------------------	------------------------------

	Bonus provision		
I. Details of accidents, dangerous occurrence and notifiable diseases:			
Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per Section 10 of the OSH Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH Code, 2020
J. Mandays and Production Lost due to accidents / dangerous occurrence			
Sl. No.	Accident/Dangerous Occurrence	Man days lost	Production Lost

### PART III

[See Rule-50(8)]

#### ANNUAL RETURN period ending 31<sup>st</sup> December (to be submitted by the principal employer)

1. Name of the principal employer:
2. Name of the establishment:
3. Registration number (LIN) of the establishment:
4. Details of the Contractors, wages paid, etc.:

Sl. No.	Month	Name and address of the contractors	LIN of the contract or	Name of the work	Maximum number of contract worker employed	Amount paid against wage bill (if applicable) to the contractor	Date of payment of wage bill (if applicable)	Amount of the wages paid directly to the contract labour by	Date of payment of wages paid directly to the contract labour	Remarks

						(including EPF, ESIC, Bonus etc.)		Principal Employer (in case the contract or fails to pay)	by Principal Employer (in case the contract or fails to pay)	

Signature of the principal employer

Date:



**Form IXA****(See rule-25 & 50)****(Half Yearly Return (January to June / July to December) to be submitted by Contractor)**

1. Name and address of the contractor:
2. Name and address of the principal employer and LIN:
3. LIN of the contractor:
4. License number of the contractor (if applicable):
5. Name of the contract work with location/station:
5. Details of the number of Contract Workers, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Over time	Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7th of the month or due date as applicable Yes/No	Remark
	January									
	February									
	March									
	April									
	May									
	June									

Signature of the contractor:

**Date:**

**Form X**

**(See rule-28)**

**REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES**

Name of Injured/deceased person (if any)	Date of Accident or dangerous occurrence	Date of report to Inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured Person to work	Number of days the injured Person was absent from work
1	2	3	4	5	6

**Form XI**  
**[See rule-29]**  
**REGISTER FOR LEAVE WITH WAGES**

Part I - Adults

Part II - Adolescents

Establishment:  
 worker :

Name of

Department :

Father's Name:

Sl. No	Sl. No. in the register of workers	Date of entry into service	Interruptions					Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Remarks
			Sickness and accidents	Authorized Leave	Lock Out or Legal Strike	Involuntary unemployment	Others					Date of Discharge	Date and amount of payment made in lieu of leave due	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Note: - Separate page shall be allotted to each worker

**Form XII**  
**(See rule-32)**

**(Form of Application for grant of certificate of competency to a person)**

1. Name
2. Father's name
3. Date of birth
4. Permanent Address
5. Name of the Organisation  
(if not self-employed)
6. Designation
7. Educational qualification (copies of testimonials to be attached)
8. Details of professional experience (in chronological order)

Name of the Organisation	Period of service	Designation	Area of responsibility
(1)	(2)	(3)	(4)

9. Membership, if any of professional bodies
10. (i) Details of facilities s (examination, testing etc. at his disposal)  
(ii) Arrangements for calibrating and maintaining the accuracy of the facilities.
11. Purpose for which competency Certificate is sought (Section or Sections of the Act should be stated).
12. Whether the applicant has been declared as a competent person under any statute (If so, the details)
13. Any other relevant information ..
14. Declaration by the applicant ..  
I.....hereby declare that the Information furnished above is true, I undertake-  
(a) that in the event of any change in the facilities at my disposal (either addition or deletion) or my leaving the aforesaid organisation, I will promptly inform the Chief Inspector.  
(b) to maintain the facilities in good working order, calibrate periodically as per manufacturers instructions or as per National Standards; and

(c) to fulfil and abide by all the conditions stipulated in the Certificate of competency and instructions issued by the Chief Inspector from time to time.

Place & date

Signature of the applicant

Declaration by the Institution (if employed)

I,.....certify that Shri.....whose details are furnished above, is in our employment and nominate him on behalf of the organisation for the purposes of being declared as a competent person under the Act, I also undertake that I will-

- (a) notify the Chief Inspector in case the competent person leaves our employment;
- (b) provide and maintain in good order all facilities at his disposal as mentioned above;
- (c) notify the Chief Inspector any change in the facilities (either addition or deletion);

Signature.....

Designation.....

Tel. No.....

Date.....

Official Seal

### Form XIII

(See rule-32)

CP (O) No.      Date.....

Certificate of Recognition as Competent Person

[Issued in pursuance of Section 2(ca) of the Occupational Safety, Health & Working Conditions Code, 2020 and the rules made thereunder]

The Chief Inspector-cum-Facilitator and Boilers, Orissa in exercise of the power's conferred under Section 2(ca) of the Factories Act and Rules made thereunder, hereby recognise \*.....represented by \*\*..... to be a competent person for the purpose of carrying out test, examination inspection and certifications for \*\*\*.....used in factories subject to the conditions overleaf.

The jurisdiction extends all over Orissa/is restricted to M/s.....

This certificate is valid from .....

Official Seal

Chief Inspector-cum-Facilitator , Odisha

### Revalidation Details

From	To	Signature of authority
(1)	(2)	(3)

\* Name of Institution

\*\* Name of the Competent Person

\*\*\* (a) Building

(b) Hoists

(c) Lifts

(d) Chains

(e) Lifting Machines

(f) Ropes

(g) Lifting Tackles

(h) Pressure Plant

(i) Ventilation System

(j) Confined space

(k) Plants & equipments of dangerous processes as applicable.

This certificate is issued subject to the conditions stipulated hereunder

- (i) tests examinations and inspections shall be carried out in accordance with the provisions of the Act and the Rules made thereunder and that prescribed in National Standard.
- (ii) tests, examinations and inspections shall be carried out under direct supervision of the Competent person or by a person so authorised by an institution recognised to be a Competent Person;
- (iii) the Certificate of Competency issued in favour of a person shall stand cancelled if the person leave's the organisation mentioned in this application;
- (iv) the institution recognised as a Competent Person shall keep the Chief inspector informed of the names, designation and qualifications of the person authorised by it to carry out tests, examination and inspections;
- (v) the Competent Person should be physically present at the time of testing and examination;
- (vi) records of daily work done should be maintained in a log book incorporating therein the details regarding the date, the work done, observations made, directives given etc;

- (vii) copies of examination on certificates in all cases where defects are noticed and repairs are ordered or any conditions imposed on its use are to be marked to the Inspector of Factories concerned;
- (viii) application for renewal of certificate along with a brief account of work done during the period of validity of the certificate may be made at least one month before the certificate expires together with fees prescribed for the purposes;
- (ix) this recognition is subject to constant review and liable to be cancelled if deficiencies come to notice.

**Form XIV**  
**(See rule-41 & 88)**  
**APPLICATION FOR LICENCE**

On Line Application for License/ Renewal of License/Amendment of License (including Common/single license)	
Government of Odisha, Labour & ESI Department	
ESTABLISHMENT PROFILE:	
Labour Identification Number	Date
Acknowledgement Number: ..... Date of Application: .....	
I. Particulars of Establishment for which licence required:	
1. Name of Establishment:	
2. Address of establishment	
(a) Head Office address along with email Id :	
(b) Corporate office address along with email Id:	
3. Telephone Number :	
4. Activity as per National Industrial Classification : (Select all applicable activities given)	
5. Details of selected NIC Code:	
6. Nature of work carried on in main establishment :	
7. Identifier of the Establishment : (Select) : e-sign/digital sign	
II. Details of Employer:	
1. Full Name of Employer: .....relationship with establishment.	
2. Full Address of Employer:	

3. Email Id of employer:
4. Mobile No. of employer:
III. Particulars of the Contract Labour to be employed / is employed (If licence is required work wise)

Locations of worksites	Name of works	Activity as per national industrial classification	Date of commencement	Date of completion	Name of Establishments in which contract labour is/proposed to be employed	Name Address, email id of the Site Incharge
1	2		3	4	5	6

5. Maximum number of workmen proposed to be employed on the Establishment on any date: 24
6. Amount of Licence Fee: INR ( Transaction Id : )
7. Amount of Security Deposit: INR ( Transaction Id : )
IV. DETAILS OF ESTABLISHMENTS FOR WHICH COMMON LICENCE REQUIRED , (IF APPLYING FOR)

Type of Establishments	Name & Address of establishment	(i)Nature of work carried out in the establishment (ii) Activity as per National Ind'l classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of employees employed/ proposed to be employed	Maximum number of employees employed/ proposed to be employed
1	2	3	4	5	6	7

V. DETAILS OF ESTABLISHMENTS FOR WHICH SINGLE LICENCE IS REQUIRED (IF APPLYING FOR)
---

Name of States in	Name of each work	Maximum number of labour will be/is	Date of commencement	Permanent establishment or	Maximum number of employees employed/	Registration number, if obtained, then details
-------------------	-------------------	-------------------------------------	----------------------	----------------------------	---------------------------------------	--



which the establis hments are situated		employed		probable date of completi on	proposed to be employed	thereof
1	2	3	4	5	6	7

Signature of Contractor

(eSign/DSC)

Note: This is an online application summary applied on Shram Suvidha Portal or designated Portal.

**APPLICATION FOR RENEWAL OF LICENCE**

1. Licence No. Date :

2. LIN & PAN

3. Name and address of the establishment:

4. Date of expiry of previous licence :

5. Whether the licence of the employer/contractor was suspended or revoked:

6. Details of Fees paid : (Enclose e-payment receipt): Amount .... date of payment :

E-sign /digital sign of the employer/contractor date:

**APPLICATION FOR AMENDMENT OF LICENCE :**

1. Licence No Date:

2. LIN & PAN

3. Name and address of the establishment:

4.Details for which amendment is sought :

(a). Maximum number of worker presently employed : (If there is increase in the maximum number of workers to be employed, then additional fees/security deposit as per law needs to be deposited:

(b). Details of fees paid through e payment date on which made :

(c). Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required)

E-sign /digital sign of the employer/contractor

date of application.

Date

Place



**Form XV**  
**(See rule 42 & 89)**  
**PROFORMA OF LICENSE**

Licence No. ----- Reg. No. ----- Date of Reg. -----

Licence is hereby granted to -----

for the premises known as -----

situated at -----

nature of work \_\_\_\_\_

for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

The ----- 20..

Issuing Authority

Sl. No.	Period of issue	Valid For	Fee	Date of Payment	Excess fee for late payment	Date of payment	Signature of the Issuing Authority
		Maximum number of Contract labour /workers on any one day					

**AMENDMENTS:**

Year when Amended	Maximum number of Contract labour /workers on any one day	Date of payment of amendment fee	Date of Payment	Signature of the Issuing Authority

E-sign /digital sign of the designated authority

**Form XVI**  
**(See rule-52)**

**EXPERIENCE CERTIFICATE OF CONTRACT EMPLOYEE**

<u><b>To whom so ever concerned</b></u>
1. Name of contractor/employer*:
2. LIN/PAN No. of the contractor/employer *:
3. Email Id of the contractor /employer *:
4. Mobile No. of the contractor/employer *:
5. Nature and location of work:
6. Name of Principal Employer*:
7. LIN/PAN No. of the Principal Employer :*
8. Email Id of the Principal Employer : *
9. Mobile No. of the Principal Employer :*
10. Name of the worker*:
11. UAN / Aadhaar No.:
12. Mobile No. :
13. Serial Number in the Employee Register :
14. Registration number, date and name of the Board if the building and other construction worker is registered as a beneficiary:
15. Period of Employment:
16. Designation:
<b>Seal and Signature of Contractor</b>
*Please strike off whichever is not applicable.

**Form XVII**  
**(See rule-58)**

**Agreement between Producer and Audio-visual worker**

This agreement is made on this day ..... month .....year..... between Messers..... having office at .....(hereinafter referred to as the “Producer”) on the first part and Shri/Smt/Kum .....son/daughter/wife of Shri ..... residing at

..... (herein after referred to as the “audio-visual worker”) on the second part. The terms ‘Producer’ and ‘audio-visual worker’ shall include their heirs, successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual and this period shall not exceed consecutive months.
2. That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by him in writing.
3. That inconsideration of the audio-visual worker services, as aforesaid, the Producer agrees to pay and the audio-visual worker agrees to receive a sum of Rs. ....(Rupees ..... ) payable as advance on signing of this agreement and the balance of Rs. ....payable in ..... equal installments.
4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.
5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.
6. That the audio-visual worker shall, if so required,
  - (a) attend the studios, location or work-place, as the case may be, earlier than the a scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs. ....per hour or part thereof for such early attendance.
  - (b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs..... for the work during the extended hours and refreshments, and transport facilities.
7. That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer’s and audio-visual worker’s representative organizations.

8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

9. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.

10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be titled to employ another audio-visual worker in his/her place.

12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another

audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audio-visual worker whether or not to allow his/her name to go on the credit titles of the film.

14. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.

15. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

16. That the Producer shall also pay for all traveling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

17. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.

18. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

19. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.

20. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are provided before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favor of such termination and the audio-visual worker has been paid all his dues.

21. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audio-visual workers whether or not to allow his/her name to go on the credit titles of the film.

22. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.

23. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

24. That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.

25. That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.



26. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.

27. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses.

1. Witness

Producer

**Name Address**

2. Witness

audio-visual worker

Name Address

### **Form-XVIII**

**[See Rules-60]**

#### **Application for grant or renewal of licence for the financial year**

1. Full name of the industrial premises

2. (i) Full postal address and situation of the industrial premises...

(ii) Full address to which communication relating to the industrial premises should be sent.....

(iii) Full address of the applicant.....

3. Maximum number of employees proposed to be employed on any one day during the financial year.....

4. Full name and residential address of the person who shall be the employer for the purposes of the Act.....

5. If the employer is a partnership company, etc., full name and residential address of other partners or directors, etc.....

(See Note 1 at the end)

6. Financial resources of the employer (e.g., particulars and value of movable and immovable properties, bank reference, income tax assessment, (etc.).....

7. Whether the employer is a trade mark holder registered under the Trade and Merchandise Marks Act, 1958.....

8. Value of beedies or cigars or both manufactured at the industrial premises during the preceding financial year.....

9. Previous experience of the applicant in the industry.....

10. Whether the proposed site of the industrial premises amounts to the alteration of the site of any existing industrial premises and, if so, the reasons for such alteration.....

11. Whether any industrial premises was closed by the applicant during the period of twelve months immediately preceding the date of the application and, if so, the reasons therefor.....

12. Source of obtaining tobacco.....

13. Whether the beedies or cigars or both manufactured by the applicant will be sold and marketed by himself or through a proprietor or a registered user of a trade mark registered under the Trade and Merchandise Marks Act, 1958, or any other person.....

14. Whether the plans of the premises are enclosed.....

15. Amount of fees Rs.....(Rs.....) paid in Treasury on vide Challan No. enclosed.

I hereby declare that the particulars furnished by me in the form are to the best my knowledge and belief accurate.

Date :

Signature of applicant

Note 1 -Where the industrial premises are run or proposed to be run by a contractor for or on behalf of another person or persons or company, etc., the said other person or persons or company, etc., is under the Act the employer and particulars to be entered for "employer" in the Form should be in regard to such person, persons or company, etc.. The applicant for licence may, however, be either the contractor or the employer.

Note 2 - (1) This Form shall be completed in ink in block letters or typed.

(2) If any Person named against item 5 is a minor, the fact shall be stated clearly.

**FORM-XIX**  
**(See Rule-60)**  
**Licence**

Fee Rs.....

Licence No.....

Registration No.....

Licence is hereby granted to.....

Valid only for the premises described below for use as an industrial premises employing not more than employees on any one day during the year.....subject to the conditions specified in annexure.

The licence shall remain in force till the 31st day of March.....name of the industrial premises..... Situation of the industrial premises.

Permission is also granted for the installation of power-driven machinery.

Date :

Signature and seal of the competent authority

Renewal  
(See Rule-60)

Date of renewal	Fees paid for renewal	Date of expiry
(1)	(2)	(3)
1.		
2.		
3.		
4.		

Date :

Signature and seal of the competent authority

Annexure

This licence is subject to the following conditions :

1. The manufacturing process shall be carried on only in that part of the industrial premises specified for the purpose in the licence.
2. The maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence.
3. Power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises.
4. Except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like permission, no structural alterations shall be made in any building on such premises.
5. The licence shall not be transferable.

**Form XX**  
**(See rule-65)**

**Record of outside work**

Number and date of Government's order permitting work outside the Industrial premises.....

Date	Place of places where outside work was permitted	Nature of work	Name of employee	Remarks
1	2	3	4	5

**Form XXI**  
**(See rule-66)**

Application for permission to construct/extend or take into use any building / premises as a  
factory

1. Applicant's Name :
- Age :
- Father's Name :
- Permanent address- :
- Village/Plot No./Street/Lane :
- P.O. :
- P.S. :
- Town/City/District :
- State :
- PIN :
- Calling :
2. Full name and postal address of the:  
factory
3. Address for correspondence :
4. Location of the Factory - :
- State :
- District :

Sub-division :

P.S. :

Near of village or town, nearest Rly.:  
Station

5. Particulars of plants to be installed:  
(Separate sheet where necessary be  
annexed)

6. (a) Number of persons proposed to  
be engaged

Men

Women

(In case of extension, increase of  
number of persons due to extension  
and No. of persons engaged in  
existing portion be mentioned  
separately)

(b) Amount of power proposed to be  
installed

(The list of machines with K.W. rating  
of their prime movers be annexed. In  
case of extension, such list for  
existing portions and for extension be  
mentioned separately).

7. Proposed date of commencement of  
construction

8. Particulars of no objection  
Certificate/Consent letter of Orissa  
State Pollution Control Board,  
Bhubaneswar/Local Authority.

(Attested copy to be enclosed)

9. Amount of fee paid..... Chalan No..... Date.....  
Treasury/Bank name.....

Date.....

Place.....

(Signature of applicant)

Note - This application shall be accompanied by the following documents

- (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages.
- (b) Plans, in duplicate, drawn to scale, showing
  - (i) the site of the factory and immediate surroundings including adjacent building and other structures, roads, drains, etc; and
  - (ii) the Plan elevation and necessary cross Sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage way; and
- (b) Such other particulars as the Chief Inspector may require.)

### **Form XXII**

**(See Rule-66)**

#### **Form of Certificate of Stability**

1. Name of the factory.....
2. Village, town and district in which the factory is situated.....
3. Full postal address of the factory.....
4. Name of the occupier of the factory .....
5. Nature of manufacturing process to be carried on in the factory .....
6. Number of floors on which workers will be employed.....

I certify that I have inspected the building/buildings, the plans of which have been approved by the Chief Inspector in his letter No.....dated ..... and examined the various parts including the foundations with special reference to the machinery, plant, etc., that have been installed. I am of the opinion that the building/buildings which has/have been constructed/reconstructed/extended/taken into use is/are in accordance with the plans approved by the Chief Inspector in his letter mentioned above, that it/they is/are structurally sound and that its/their stability will not be endangered by its/their use as a factory/part of a for which the machinery plant, etc., factory for the manufacture of installed are intended.

Signature.....

Qualification.....

Address.....

Date.....

Note-Where the competent person is a person employed by a company or association the name and address of such company of association shall be given.

**Form-XXIII-A**

**[see rule-66(V)]**

**Application for registration and grant for renewal of licence for the year ..... and notice of  
occupation specified in Sections 6 and 7**

*(To be submitted in duplicate)*

1. Full name of the factory with factory licence number if already registered from before.....
2. (a) Full postal address and situation of the factory.....  
(b) Full address to which communications relating to the factory should be sent
3. Nature of manufacturing process/processes-  
(a) carried on in the factory during the last twelve months (in the case of factories already in existence).....  
(b) to be carried on in the factory during the next twelve months (in the case of all factories).....
4. Names and values of principal products manufactured during the last twelve months.....
5. (i) Maximum number of workers proposed to be employed on any one day during the year.....  
(ii) Minimum number of workers employed on any one day during the last twelve months.....  
(iii) Number of workers to be ordinarily employed in the factory.....
6. (i) Nature and total amount of power (H. P.) installed or proposed to be installed.....  
(ii) Maximum amount of power (H. P.) proposed to be used.....
7. Full name and residential address of the person who shall be the Manager of the factory for the purposes of the Act.....
8. Full name and residential address of the occupier i.e.,-  
(i) The proprietor of the factory in case of private firm/proprietary concern.....  
(ii) Directors in case of public limited liability company/firm.....  
(iii) Where a Managing Agent has been appointed the name of Managing Agents and Directors thereof.....  
(iv) Share-holders in case a private company where no Managing Agents have been appointed.....  
(v) The Chief Administrative Head in case of a Government of local Fund factory.....
9. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in Section 93.....
10. In the case of a factory constructed or extended after the date of the commencement of the rules-

(a) reference number and date of approval of the plans for site whether for old or now building and for construction or extension of a factory by the State Government/Chief Inspector.....

(b) reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the note of the authority granting such approval.....

11. Amount of fee Rs.....(Rupees .....)

(i) Paid in.....Treasury on.....

(ii) Vide Challan No.....(enclosed).

Signature of occupier

Date.....

Signature of Manager

Date.....

*Note-1. This Form should be completed in block letter or typed.*

*2. If the power is not used at the time of filling up this Form, but is introduced later the fact should be communicated to the Chief Inspector immediately.*

*3. If any of the persons named against item 8 is minor the fact should be clearly stated.*

*4. In the case of a factory, where under the proviso to Sub-sections (1) and (2) of Section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.*

*5. In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1913 (VII of 1913), information required in item 8 should be supplied only in respect of that person or persons.*



**Form XXIII-B**  
**[see rule-66(VI)]**

(Self declaration by the Occupier and Manager for renewal of factory licence)

I / We \_\_\_\_\_ Son/Daughter of  
\_\_\_\_\_ resident of  
\_\_\_\_\_ P.O. - \_\_\_\_\_ /

PS \_\_\_\_\_, District \_\_\_\_\_ State  
\_\_\_\_\_, Pin \_\_\_\_\_ do hereby declared as under .

1. That, I Sri / Smt. \_\_\_\_\_ am the occupier of the  
factory M/s. \_\_\_\_\_, Registration No.  
\_\_\_\_\_ situated at  
\_\_\_\_\_ P.O. \_\_\_\_\_, PS.  
\_\_\_\_\_, District \_\_\_\_\_, Pin \_\_\_\_\_.

2. That, Sri / Smt. \_\_\_\_\_ is the Manager of the  
factory.

3. That, the factory license for the preceeding year is \_\_\_\_\_ is in  
force for \_\_\_\_\_ KW and manpower of  
\_\_\_\_\_.

4. That, there is no change in manpower and installed power in the factory.

5. That, there is no change in factory layout and manufacturing process, no addition and alteration  
made with reference to plan approved in letter No. \_\_\_\_\_ dt.....  
of the \_\_\_\_\_

Further, we undertake that, we will be held liable for penal action, if the information  
furnished above are found to be false at any stage in future.

\_\_\_\_\_  
Signature of Occupier

\_\_\_\_\_  
Signature of Manager

**Form XXIV**

**[See Rule-66(IV)]**

**Registration and licence to work a factory**

Registration No.....

Fee Rs. ....

Serial No.....

Licence is hereby granted to valid only for the premises described below for use as a factory employing not more than persons in any one day during the year and using motive power not exceeding H.P., subject to the provisions of the Occupational Safety, Health & Working Conditions Code, 2020 and the rules made thereunder.

This licence shall remain in force till the 31st day of December, 20..

Chief Inspector-cum-Facilitator, Odisha

The ..... 20.....

**Description of the licensed premises**

The licensed premises shown on Plan No.....dated ; are situated in .....and consist of .....

Date of renewal	Date of expiry	Signature of Licensing Authority

**Form-XXV-A**

**(See Rule-66)**

**REGISTRATION AND GRANT / RENEWAL OF LICENCE TO WORK A FACTORY**

Registration No. ....

Fees Rs. .... per annum

Serial No.....

Licence granted to ..... Valid only for the premises shown on plan approved vide letter No..... dt..... are situated at ..... P.O. .... Dist ..... for use as a factory manufacturing .....  
.....  
.....

....

.....  
.....  
under the name M/s. .... employing not more than .....  
Persons on any one day during the period and using motive power not exceeding ..... KW  
subject to the provisions of the Occupational Safety, Health and Working Conditions Code, 2020  
and Rules made thereunder. The licence is hereby granted / renewed for a period of five years/  
ten years.

The licence shall remain in force from ..... to .....

Chief Inspector–cum-Facilitator, Odisha

Chief Inspector–cum-Facilitator, Odisha

N.B. – Any change in manpower/motive power / manufacturing process / occupier be  
promptly notified in the prescribed manner to the Chief Inspector-cum-Facilitator.

### **FORM XXVI**

**[See Rule-66(XIII)]**

### **Notice of change of Manager**

1. Name of the factory with current licence number.....
2. Postal address.....
3. Name of the outgoing Manager.....
4. Name of the new Manager with postal address .....
5. His father's name with postal address.....
6. Date and time of transfer of charge (forenoon or afternoon).....

Signature of new Manager

Signature of Occupier

**FORM-XXVII**  
**(See Rule-75)**  
**HEALTH REGISTER**

S.No	Department /Works	Name of Worker	Sex	Age (at last birthday)	Date of employment on present work	Date of leaving or transfer to other work with reasons for discharge or transfer	Nature of job or occupation	Raw materials, products or byproducts likely to be exposed to	Dates	Result Fit or Unfit	Signs and symptoms observed during examination	Nature of tests and results thereof	If declared unfit for work, state period of suspension with reasons in details	Whether certificate of unfitness issued	Re-certified fit to resume duty on	Signature of the Certifying surgeon with date
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

**FORM XXVIII**  
**(See Rule-75)**  
**CERTIFICATE OF FITNESS**

Serial number :

I certify that I have personally examined (name) ..... Son of (father's name)..... residing at (address).....

Who is desirous of being employed as (designation) ..... in (process, department and factory)..... and that his age, as nearly as can be ascertained from my examination, is.....years, and that he is, in my opinion, fit/unfit for employment in the above mentioned factory as mentioned above.

2. He may be produced for further examination after a period of.....

3. The serial number of the previous certificate is..... Signature or left hand thumb impression of person examined:

Signature or left hand thumb impression of person examined:

Signature of Medical Officer:

Date :

I certify that I examined the person mentioned above on	I extend this certificate until (if certificate is not extended, the period for which the worker is considered unfit for work is to be mentioned)	Signs and symptoms Observed during Examination	Signature of the Medical Officer

### FORM XXIX

[See Schedule-B (Part V) under rule-68]

#### Report of examination and test of dust extraction - Suppression system

1. Description of system
2. Hood
  - (a) Serial No. of hood.....
  - (b) Contaminant capture.....
  - (c) Capture velocities (at points to be specified).....

Design value	Actual value
--------------	--------------
  - (d) Volume exhausted at hood.....
  - (e) Hood static pressure.....
3. Total pressure drop at-
  - (a) Joints.....
  - (b) Other points of system (to be specified).....
4. Transport velocities in dust (at points along dusts to be specified).....
5. Air cleaning device-
  - (a) Type used .....
  - (b) Velocity at inlet .....
  - (c) Static pressure at inlet .....
  - (d) Velocity at outlet .....
  - (e) Static pressure at outlet .....

6. Fan-

- (a) Type used .....
- (b) Volume handled .....
- (c) Static pressure .....
- (d) Pressure drop at outlet of fan.....

7. Fan motor-

- (a) Type .....
- (b) Speed and horse power .....

8. Particulars of defect, if any, disclosed during test in any of the above components.

I certify that on this day of the above dust extraction system was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination. I further certify that on the said date, I thoroughly examined the above dust extraction system including its components and fittings and that the above is a true report of my examination.

Signature  
Qualification  
Address  
Date.....

**FORM XXX**

**[See Rule 32(4)]**

**Report of examination of hoist or lift**

Occupier (or owner) of premises.....

Address .....

1. (a) Type of hoist or lift and identification number or description

(b) Date of construction or reconstruction (if ascertained).....

2. Design and construction :

Are all parts of the hoist or lift of good mechanical construction, sound material and adequate strength (so far as ascertainable) ?

3. Maintenance :

Are the following parts of the hoist or lift properly maintained and in good working order ? If not, state what defects have been found-

(a) Enclosure of hoist way or lift way.....

(b) Landing gates and cage-gate(s).....

(c) Interlocks and the landing gates and cage-gate(s).....

(d) Other gate fastenings.....

(e) Cage and platform and fittings, guides, buffers, interior of the hoist way or lift way.....

(f) Overtaking devices .....

(g) Suspension ropes or chain and their attachments.....

(h) Safety gear, i.e., arrangements for preventing fall of platform or cage brakes... ..

(i) Brakes.....

(j) Worms or spur gearing .....

(k) Other electrical equipment.....

(l) Other parts.....

4. What parts (if any) were inaccessible.....

5. Repairs, renewal or alterations (if any) required and the period within which they should be executed.....

6. Maximum safe working load subject to repairs, renewals or alterations (if any) specified in item 5.....

7. Others.....

I/We certify that on.....I/we thoroughly examined this hoist or lift and that the above is a correct report of the result.

Signature.....

Countersignature.....

If employed by a company/  
association, give name and address

Qualification.....

Address.....

Date.....

Note-Details of any renewals or alteration required should be given in 5 above.]

**FORM XXXI**

**[See rule 32(4)]**

**Report of examination of pressure vessel or plant**

1. Name of occupier (or factory).....
2. Situation and address of factory..
3. Name, description and distinctive number of pressure vessel or plant.....
4. Name and address of manufacture and reference to the test certificate or certificate of competent person.....
5. Nature of process in which it is used.....
6. Particulars of pressure vessel or plant-
  - (a) Date of construction.....
  - (b) Thickness of walls.....
  - (c) Date on which the pressure vessel or plant was first taken into use.....
  - (d) Maximum permissible working pressure.....
  - (e) Design pressure, if known (the history should be briefly given and the examiner should state whether he has seen the last previous report).....
7. Date of last hydrostatic test (if any) and pressure applied.....
8. Is the pressure vessel or plant in open, or otherwise exposed to weather or to damp ?  
.....
9. What parts are if any, inaccessible ?
10. What examination and tests were made ? (specify pressure if hydrostatic test was carried out)
11. Condition of pressure vessel or plant (state any defects materially affecting the maximum permissible working pressure or the safe working of the pressure vessel or plant)  
External .....Internal.....
12. Are the required fittings and appliances provided in accordance with the Rules ?
13. Are all fittings and appliances properly maintained and in good condition? Have the pressure settings been checked and corrected ?
14. Repairs (if any) required ; and period within which they should be executed ; and any other condition which the person making the examination thinks it necessary to specify for securing safe working.....
15. Maximum permissible working pressure, calculated from dimensions and from the thickness and other data ascertained by the present examination, due allowance being made for conditions of working if unusual or exceptionally severe (state minimum thickness of walls measured during the examination).



16. Where repairs affecting the maximum working pressures are required state the working pressure :

(a) Before the expiration of period specified in 14.....

(b) After the expiration of such period if the required repairs have not been completed.....

(c) After the completion of the required repairs.....

17. Other observations.....

I certify that on ..... the pressure vessel or plant described above was thoroughly cleansed and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure vessel or plant, including its fittings, and that the above is a true report of my examination.

Signature.....

Qualification.....

Address.....

Date.....

If employed by a company or association, give name and address.

**FORM XXXII**

**[See rule 32(4)]**

**Report of examination of water sealed gas-holder**

1. Name of occupier of factory-.....
2. Situation and address of factory.....
3. Name, description, distinguishing number of letter and, type of gasholder.....
4. Name and address of the manufacturer.....
5. (a) Number of lifts.....
- (b) Maximum capacity in cubic meters (cm).....
- (c) Pressure thrown by holder when full of gas.....
6. Particulars of gas to be stored in the holder.....
7. Particulars as to the condition of-
  - (a) crown.....
  - (b) side sheeting, including grips and cups.....
  - (c) guiding mechanism (Roller carriages, rollers, pins, guide rails or ropes).....
  - (d) tank.....
  - (e) other structure, if any (columns, framing and bracing).....
8. Particulars as to the position of the lifts at the time of examination.....
9. Particulars as to whether the tank and lifts were found sufficiently levelled for safe working and if not, as to steps taken to remedy the defect.....
10. Date of examination and by whom it was carried out
11. Condition of vessel-
  - (1) External
  - (2) Internal
12. Are all fittings, appliances properly maintained and in a good condition? Repairs if any required and period within which they should be executed; and any other condition which the person making the examination thinks it necessary for safe working.....
13. Other observations.....

I certify that on.....: the gasholder described above was thoroughly examined and such of the tests as were necessary made on the same day and that the above is a true report of my examination.

Signature.....

Qualification.....

Address.....

Date.....

If employed by a Company or Association, give name and address.

14. A copy of the report in Form 33 shall be kept in the register and both the registers and the report shall be readily available for inspection.

**FORM XXXIII**  
**(See rule-69)**  
**APPLICATION FOR THE SITE APPRAISAL COMMITTEE**

1. Name and address of the applicant.
2. Site Ownership Data:
  - 2.1. Revenue details of the site such a Survey No., Plot No.
  - 2.2. Whether the proposed site attracts the provisions of section 3 of Environments Protection Act, 1986, if so the nature of the restrictions: and
  - 2.3. Local authority under whose jurisdiction the site is located.
3. Site Plan :
  - 3.1. Site plan with clear identification of boundaries and total area proposed to be occupied and showing details nearby the proposed site
    - a) Name of adjoining manufacturing units and human habits, educational and training institutions, petrol installations, storages liquified Petroleum Gas and other hazardous substances, if any, within one kilometer from the proposed unit.
    - b) Water sources (crivers, streams, canal dams, water filtration plants) in the vicinity.
    - c) Nearest hospitals, Fire-stations, Civil Defence Stations and Police Station and their distances.
    - d) Details of high tension electrical transmission lines, pipe lines for oil, gas sewerage, if any, passing through the site, and e) Location of railway stations, railway lines, Scheduled road, bye pass, if any near the site.
  - 3.2. Plot Plan of the factory, showing entry and, exit points, roads.
4. Project Report.
  - 4.1. A summary of the salient features of Project.
  - 4.2. Maximum number of persons like be working in the factory.
  - 4.3. Maximum amount of power and requirements and source of supply.
  - 4.4. Block diagrams of the buildings installations, in the proposed and
  - 4.5. Details of housing colony, hospital, school and other infrastructural facilities proposed.
5. Organisation structure of the proposed manufacturing unit/factory :
  - 5.1. Person responsible far protection of safety, health and environment.
  - 5.2. Proposed health and safety policy of the proposed enterprise.
6. Manufacturing Process Information:
  - 6.1. Process flow diagrams.
  - 6.2. Brief write up on process and technology.
  - 6.3. Critical Process parameters such as pressure build up, temperature rise and run-away reaction.
  - 6.4. Other external effections critical to the process having safety implications such as in grass of moisture or water, contact with in compatiabile substances sudden power failure ; and
  - 6.5. High lights of the built-in-safety/pollution control devices or measures incorporated in the manufacturing technology.
7. Information of Hazardous Materials :

- 7.1. Raw materials, intermediates, products and bye products and their quantities (enclosed Material Safety Data Sheet in respect of each hazardous substances).
- 7.2. Main and intermediate storages proposed for raw material /intermediates/products/Bye Products(maximum quantities to be stored at any time)
- 7.3. Transportation methods to be used for materials inflow and out flow, their quantities to be stored at anytime ; and
8. Safety measures proposed for : • Handling of materials. • internal and external transportation, and • Disposal (packing and forwarding of finished products).
9. Information on Dispersal/Disposal of wastes and pollutants ;
- 9.1. Major Pollutants (gas, liquids, solid) their characteristics and quantities (average and at peak loads).
- 9.2. Quality. And quantity of solid wastes generated, methods of their treatment and disposal.
- 9.3. Air, Water and Soil Pollution problems anticipated and the proposed measures to control. the same, including treatment and disposal of effluents.
10. Process Hazards Information :
- 10.1. Enclose a copy of the report on environmental impact assessment.
- 10.2. Enclosed a copy of the report on Risk Assessment Study : and
- 10.3. Published (open or classified) reports if any, on accident situation/occupational health hazards or similar plants (within or outside the country).
11. Information of proposed Safety and Occupational Health Measure ;
- 11.1. Details of fire fighting facilities and minimum quantity of water carbon dioxide and other fire fighting measures needed to meet the emergencies;
- 11.2. Details of in-house medical facilities Proposed.
12. Information on Emergency preparedness:
- 12.1. On Site Emergency Plan; and
- 12.2. Proposed arrangements, if any for mutual aid scheme with the group of neighbouring factories.

I certify that the information furnished above is correct to the best of my knowledge and nothing has been concealed while furnishing it.

Signature

Date

Designation

By the order of the Governor  
CHITHRA ARUMUGAM  
Principal Secretary to Government