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SUPPLEMENT

GOVERNMENT OF GOA

Department of Labour

Notification

24/03/2020-LAB/Part-III/597

The following draft Rules which the Government of Goa proposes to make in exercise of the powers conferred by sections 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No.37 of 2020) are hereby pre-published as required by sub-section (1) of section 133, sub-section (1) of 135 and section 137 of the said Code for information of all the persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government after the expiry of a period of forty-five days from the date of publication of this Notification in the Official Gazette.

All objections or suggestions to the said draft Rules may be submitted online under Policy Feedback section on Goa Single Window System (<https://goaonline.gov.in>) before the expiry of the said period of forty-five days so that they may be taken into consideration at the time of finalization of the said draft Rules.

DRAFT RULES

In exercise of the powers conferred by section 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No.37 of 2020) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

CHAPTER – I

PRELIMINARY

1. Short title and commencement – (1) These rules may be called the Goa (Occupational Safety, Health and Working Conditions) Rules, 2021.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions – (1) In these rules, unless the context otherwise requires, -

- (a) “Appendix” means an appendix appended to these rules;
- (b) “Artificial humidification” means the introduction of moisture into the air of a room by any artificial means whatsoever except the unavoidable escape of steam or water vapour into the atmosphere directly due to a manufacturing process:

Provided that the introduction of air directly from outside through moistened mats or screens placed in openings at times when the temperature of the room is 80 degrees or more, shall not be deemed to be artificial humidification;
- (c) “belt” includes any driving strap or rope;
- (d) “calendar year” means the period of twelve months beginning with the first day of January in any year;
- (e) “Code” means the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No.37 of 2020);
- (f) “degrees” (or temperature) means degrees on the Fahrenheit scale;
- (g) “District Magistrate” includes such other official as may be appointed by the Government in that behalf;
- (h) “Government” means the Government of Goa;
- (i) “Health Officer” means the Health Officer under the Directorate of Health Services or such other officials as may be appointed by the Government in that behalf;
- (j) “Hygrometer” means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance;
- (k) “Inspector-cum-Facilitator” means an officer appointed under section 34 of the Code which includes Chief Inspector-cum-Facilitator, Deputy Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator;
- (l) “Form” means a Form appended to these rules;
- (m) “Fume” includes gas or vapour;
- (n) “Maintained” means maintained in an efficient state, in efficient working order and in good repair;
- (o) “Manager” means the person responsible to the occupier for the working of the factory for the purposes of the Code;
- (p) “portal” means the Goa Single Window System website (<https://goaonline.gov.in>) of the Government for delivering services under the Code and the rules made thereunder;
- (q) ‘Qualified Nurse’ means a person who possesses a qualification as Bachelors Degree in Nursing recognized under the Indian Nursing Council and who is registered with registered body of any State in India;
- (r) “Quarter” means period of three consecutive months beginning on 1st of January, 1st of April, 1st of July and 1st of October;
- (s) “section” means a section of the Code;
- (t) “Wages” means wages as defined in section 2(y) of the Code on Wages, 2019 (Central Act No.29 of 2019);

(2) Words and expressions used herein but not defined shall have the same meanings as are respectively assigned to them in the Code.

3. Competent Person.- (1) The Chief Inspector-cum-Facilitator may recognize any person as 'competent person' within such area and for a period not exceeding twelve months for the purposes of carrying out test, examinations, inspections and certification for such buildings, dangerous machinery, hoists and lifts, lifting machine and lifting tackles, pressure plant, confined space, ventilation system and such other process or plant and equipment as stipulated in the Code and the rules made thereunder, located in a factory, if such person possesses the qualifications, experience and other requirements as set out in the schedule annexed to this rule :

Provided that the Chief Inspector-cum-Facilitator may relax the requirements of qualifications in respect of a 'competent person' if such a person is exceptionally experienced and knowledgeable, but not the requirements in respect of the facilities at his command:

Provided further that where it is proposed to recognize a person employed under the Chief Inspector-cum-Facilitator as a 'competent person', concurrence of the State Government shall be taken and such a person, after being so recognized shall not have powers of an 'Inspector-cum-Facilitator':

Provided further that the 'competent person' recognized under this provision shall not be above the age of 65 years and shall be certified to be physically fit by a qualified Medical Practitioner for the purpose of carrying out the tests, examination and inspection. Tests to be conducted for the purpose of ascertaining the fitness shall consist of physical examination, eye test and any other test(s) which the qualified Medical Practitioner may specify.

(2) The Chief Inspector-cum-Facilitator may recognize an institution of repute, having persons possessing qualification and experience as set out in the Schedule annexed and meeting the criteria specified in second proviso to sub-rule (1) of this rule, for the purposes of carrying out tests, examination, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system as stipulated in the Code and the rules made thereunder, as a 'competent person' within such area and for a period not exceeding twelve months.

(3) The Chief Inspector-cum-Facilitator on receipt of an application in Form 01 or 02, as the case may be, along with a treasury receipt showing payment of twenty thousand rupees towards the fees for the same, which shall be non-refundable from a person or an institution intending to be recognized as a 'competent person, for the purposes of this Code and the rules made thereunder, shall register such application and within a period of sixty days of the date of receipt of application,

either after having satisfied himself as regards competence and facilities available at the disposal of the applicant, recognize the applicant as a 'competent person' and issue a certificate of competency in the Form 03 or reject the application specifying the reasons thereof. The said application shall also be accompanied by a valid calibration certificate of the equipments available at the disposal of the applicant for carrying out tests, examination and inspection.

(4) For the purpose of satisfying himself as regards to competence of the applicant, the person may be called to appear for a test and / or interview before the Chief Inspector-cum-Facilitator and based on result of test and / or interview, as the case may be, the applicant person or the institution may be recognized as 'competent person'. The decision of the Chief Inspector-cum-Facilitator in this regard shall be final.

(5) The Chief Inspector-cum-Facilitator may, after giving an opportunity to the competent person of being heard, revoke the certificate of competency;

(i) if he has reason to believe that a competent person :-

(a) has violated any condition stipulated in the certificate of competency; or

(b) has unauthorizedly carried out a test, examination and inspection or has acted in a manner inconsistent with the intent or the purpose of the Code or the rules made thereunder, or has omitted to act as required under the Code or the rules made thereunder; or

(ii) for any other reason to be recorded in writing;

Explanation: For the purpose of this rule, an institution includes an organization.

(6) The Chief Inspector-cum-Facilitator may, for reasons to be recorded in writing, require recertification of lifting machines, lifting tackles, pressure plant or ventilation system, as the case may be, which has been certified by a competent person outside the State.

(7) Competent person who were already recognized under the provisions of the Factories Act, 1948 (Central Act no.63 of 1948) and the Rules made there under on the date of commencement of these Rules, shall be deemed to be competent person under these Rules till the validity of certificate of competency granted earlier.

SCHEDULE
(see rule 3(1))

Sr. No.	Purpose for which competency is sought	Qualification required	Experience for the purpose	Facilities at his command
(1)	(2)	(3)	(4)	(5)
1.	Issue of Certificate of Degree in Civil or Structural Engineering, Stability for building / shed / structure / work of engineering construction.	(i) A minimum of 10 years experience in the design or construction or testing or repairs of structures; (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 (iii) Ability to arrive at a reliable conclusion with regard to the safety of the structure or the building.	Nil	
2.	Testing, examination and certification of Dangerous Machines	Diploma in Industrial Safety from the Board of Technical Education of any Government after obtaining Degree/Diploma in Electrical or Mechanical or Textile	(i) A minimum of 10 years' experience in - a) the design or operation or maintenance; or b) the testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. (ii) He shall - a) be conversant with the safety devices and their	Gauges for measurement, Instrument for measurement of speed and any other equipment or device as may be recommended by the

Engineering or equivalent	proper functioning; b) be able to identify defects and any other cause leading to the failure; and c) have ability to arrive at a reliable conclusion with regard to the proper functioning of the safety device and appliance and the machine guard.	Chief Inspector-cum-Facilitator to determine the safety in the use of the dangerous machines.
3. Testing, examination and certification of Lifts and Hoists	(i) A minimum experience of 10 years in – a) design or erection or maintenance; or b) inspection and test procedures of lifts and hoists. (ii) He shall be- a) conversant with relevant codes of practices and test procedures that are current; b) conversant with other statutory requirements covering the safety of the Hoists and Lifts ;able to identify the defects and arrive at a reliable conclusion with regard to the safety of the Hoists and Lifts.	Instruments such as Vernier Calliper, Level Gauges, Ultrasonic Thickness Gauge with normal and hot probe, Tensometer / Spring Balancer and any other equipment or device as may be recommended by the Chief Inspector-cum-Facilitator to determine the safe working condition of the Hoists and Lifts.

4. Testing, examination and certification of Lifting Machinery and Lifting Tackles.	<p>(i) A minimum experience of 10 years in –</p> <p>a) design or erection or maintenance; or</p> <p>b) 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 mechanics 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 the lifting machinery, chains, ropes and lifting tackles.</p>	<p>Instruments such as Vernier Calliper, Level Gauges, Ultrasonic Thickness Gauge with normal and hot probe, Tensometer / Spring Balancer and any other equipment or device as may be recommended by the Chief Inspector-cum-Facilitator to determine the safe working condition of the Lifting Machinery and Lifting Tackles.</p>
5. Testing, examination and certification of Pressure plant	<p>(i) A minimum experience of 10 years in –</p> <p>a) design or erection or maintenance; or</p> <p>b) testing, examination and inspection of pressure plants.</p>	<p>Instruments such as Vernier Calliper, Level Gauges, Ultrasonic Thickness</p>

after obtaining Degree/Diploma in chemical or Metallurgical or Mechanical Engineering or its equivalent	(ii) He shall be -.	Gauge with normal and hot probe, calibrated pressure gauges, hydraulic pump and any other equipment or device as may be recommended by the Chief Inspector-cum-Facilitator to determine the safety in the use of pressure plant.
	a) conversant with the relevant codes of practices and test procedures relating to pressure vessels;	
	b) conversant with statutory requirements concerning the safety of unfired pressure vessels and equipment operating under pressure;	
	c) conversant with the non-destructive testing techniques as are applicable to pressure vessels;	
	d) able to identify the defects and arrive at a reliable conclusion with regard to the safety of the pressure plant.	

6. (i) Certification of workplace / equipment free from dangerous fumes / vapour / gas, etc.	Diploma in Industrial Safety from the Board of technical education of any Government after obtaining	(i) A minimum experience of 10 years in collection and analysis of environmental samples and calibration of monitoring equipment;	Meters, instruments and devices duly calibrated and certified and any other equipment or device as may be recommended by the Chief Inspector-cum-
(ii) Certification of workplace / equipment	Degree/Diploma in Chemical Engineering	(ii) He shall be -.	
		a) Be conversant with the hazardous properties of chemicals and their permissible limit.	
		b) Be conversant with the current techniques of sampling and analysis of the environmental	

concerning shipbuilding and ship repairs	or Master's Degree in chemistry.	contaminants and c) Be able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out hot work	Facilitator for carrying out the tests and certification of safety in working in confined spaces.
7. Testing, examination and certification of Ventilation Systems or exhaust of technical Education appliance	Diploma in Industrial Safety from the Board of technical Education of any Government after obtaining Degree/Diploma in Mechanical or Electrical Engineering or its equivalent.	(i) A minimum of 10 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, (ii) He shall be conversant with relevant codes of practice and tests, procedures that are current in respect of ventilation and extraction system for fumes, and shall be able to arrive at a reliable conclusion with regard to effectiveness of the system.	Instruments such as Stack Velocity Meter, Anemometer, Manometer, Pitot Tube and any other equipment or device as may be recommended by the Chief Inspector-cum-Facilitator to determine the efficiency and effectiveness of the system or the appliance.

4. Income from the sources. –For the purposes of clause (x) of sub-section (1) of section 2, the criteria for income from such sources means the income for the dependents as per Central Civil Service (Conduct) Rules, 1964.

Rule prescribed under section 2(zb)

5. Hazardous Substance. - For the purposes of clause (zb) of sub-section (1) of section 2, hazardous substance means a hazardous chemical as defined in clause (e) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and any other such substance which the Government may notify from time to time with or without quantities so specified.

CHAPTER – II

REGISTRATION

6. Registration of establishment. - (1) The application referred to in sub-section (1) of section 3 of the Code, shall be made in Form 04 to the Registering Officer, through online portal, giving details about the establishment and uploading documents related to registration of the establishment, proof of identity and address of the employer as specified in the said form. The applicant shall be responsible for veracity of all the information submitted in the application.

(2) Every application, referred to in sub-rule (1), shall be digitally /electronically signed by the employer.

(3) Every application referred to in sub-rule (1), shall be accompanied by the fee specified in the below given Schedule for registration of the establishment.

(4) Every application referred to in sub-rule (1), shall be accompanied by information on inter-state migrant workers.

(5) The fee to be paid for registration of an establishment shall be as per schedule below:

SCHEDULE

Number of employees to be employed	Fee for Registration
10-20	1000
21-50	2000
51-100	4000
101-150	8000
151-200	12000
201-250	15000
251-500	20000
501-750	25000
751-1000	30000
1001-1500	35000
1501-2000	40000
2001-3000	45000
3001-5000	50000
Above 5000	55000

7. Grant of certificate of registration. - (1) The Registering Officer, after receiving the application under sub-rule (1) of Rule 6, shall register the establishment and issue a certificate of registration to the applicant within seven days from date of receipt of application, if such application has complied with all the requirements as provided in the Code and the rules. The certificate of registration to be granted by the Registering officer shall be in Form 04A.

(2) The Registering Officer shall maintain a register in Form 05, showing the particulars of establishment in relation to which certificate of registration has been issued by him.

8. Payment of additional fees and amendment of registration certificate. - (1) If, in relation to an establishment, any change occurs in the ownership or management or other particulars specified in the certificate of registration, the employer of the establishment, shall intimate to the Registering Officer, within a period of thirty days from the date on which such change takes place, the date and particulars of such change, and the reasons thereof in Form 04.

(2) Where on receipt of intimation under sub-rule (1), the Registering Officer is satisfied that an additional amount of fee is required due to change, he shall require such employer to pay the additional sum.

(3) Where, on receipt of the intimation referred to in sub-rule (1), the Registering Officer is satisfied that a change has occurred in the particulars of the establishment, as entered in the register in Form 05, he shall amend the said register and record therein the change which has occurred.

(4) Notwithstanding anything contained in sub- Rule (2) the employer shall pay amendment fee of rupees five hundred for each amendment sought on certificate of registration.

9. Late fee. – If the application for registration is not made within time as specified in section 3(1) of the Code, a late fee of 25 % of fees payable as prescribed under sub-rule (5) of rule 6 shall be charged.

10. Payment of Fees. - The fees required to be paid under Rules 6, 8 and 9 shall be paid through system prescribed in portal.

11. Notice of commencement and cessation. - Employer shall give notice of commencement / cessation in Form 06 on portal.

CHAPTER – III**DUTIES OF EMPLOYER AND EMPLOYEES, ETC.**

12. Medical examination of employees. - (1) Save as otherwise provided in these Rules, the employees in an establishment shall be medically examined once before employment and thereafter every five years by the Medical Officer appointed under the Code or the Medical Inspector-cum-Facilitator appointed by the Government or a facility set up by the Government including Goa Medical College and Hospital or recognized Factory Medical Officer or a recognized Occupational Health Laboratory:

Provided that fitness of an employee based on the medical examination so conducted initially or periodically shall be valid for a period of five years even if the employee is employed in another establishment during said period of five years provided that such employee is not engaged in dangerous operation or hazardous process in another establishment.

(2) Tests / investigations to be conducted for the purpose of carrying out medical examination of a worker before employment and thereafter at specified intervals, shall consist of blood investigations for hemoglobin, total WBC count, differential count, blood grouping, fasting blood sugar level, serum creatinine, blood urea, electro cardio gram, urine (routine and microscopic), audiometry, X-ray chest, eye test including colour vision, pulmonary function test and any other test(s) which the Medical Officer or the Medical Inspector-cum Facilitator or the facility set up by the Government including Goa Medical College and Hospital or the Factory Medical Officer or the Occupational Health Laboratory may specify.

13. Letter of appointment. - Every employer shall issue an appointment letter to every employee required to work in an establishment in Form 07.

14. Notice of accidents and dangerous occurrences. – (1) When any accident as specified in clause (1) of the Schedule hereto or any dangerous occurrence as specified in clause (2) of the said Schedule takes place in an establishment, the Employer or Manager of the establishment shall, within four hours of the happening of such accident or dangerous occurrence, send a notice thereof by telephone and special messenger or e-mail to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator and to the relatives of the injured or deceased person.

(2) The notice so given under sub-rule (1) shall be confirmed by the Employer or the Manager of the establishment to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator by sending to them a written report in the case of an accident or dangerous occurrence causing death or bodily injury in Form 08 and in case of a dangerous occurrence not causing bodily injury or death in Form 09, within 12 hours of the taking place of any such accident or dangerous occurrence.

(3) When any accident other than as specified in clause (1) of the Schedule hereto takes place in an establishment and it causes such bodily injury to any person which prevents the person injured from working for a period of forty-eight hours or more immediately following the accident or the dangerous occurrence, as the case may be, the Employer or the Manager of the establishment shall send a report thereof to the Inspector-cum-Facilitator in Form 08 within 24 hours after the expiry of 48 hours from the time of the accident or the dangerous occurrence:

Provided that, if the period of disability from working for 48 hours or more referred to in sub-rule (3) does not occur immediately following the accident or the dangerous occurrence, but occurs later on in more than one spell, the report shall be sent to the Inspector-cum-Facilitator in Form 08 within 24 hours immediately following the hour when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes forty-eight hours:

Provided further that in case death occurs to any person injured by such accident or dangerous occurrence after the notices and the reports referred to in the foregoing sub-rules have been sent, the Employer or the Manager of the establishment shall forthwith send a notice thereof by telephone and special messenger or e-mail within twelve hours and also have this information confirmed in writing within 24 hours of the death to the authorities and persons mentioned in sub-rule (1).

SCHEDULE

(see rule 14(1))

- (1) Accidents which cause death or serious bodily injury to a person.
- (2) The following dangerous occurrences, whether or not they are resulting into personal injury or disablement:-
 - (a) Bursting of a vessel or a pipeline used for containing steam under pressure greater than atmospheric pressure other than vessel or pipeline which comes within the scope of the Boilers Act, 1923 (Central Act 5 of 1923);
 - (b) Collapse or failure of a crane, derrick, winch, lift, hoist or other appliances used in raising or lowering persons or goods or any part thereof, or the overturning of the crane;
 - (c) Explosion, fire bursting out, leakage or escape of any molten metal, hot liquor or gas causing damage to any part or portion of the factory in which persons are employed or damage to any plant, machinery or material;
 - (d) Explosion of a receiver or container used in any process or used for storage at a pressure greater than atmospheric pressure of any gas or any gases including air or any liquid or any solid;

- (e) Collapse or subsidence of any “work of engineering construction”, as defined in the Explanation to rule 90, forming part of an establishment or within the compound of an establishment.

Explanation: For the purpose of this rule, ‘serious bodily injury’ means –

- (i) an injury which involves, or in all probability will involve, the permanent loss of the use of, or permanent injury to, any limb or the permanent loss of, or injury to, sight or hearing, or the fracture of any bone, but shall not include, the fracture of bone or joint (not being fracture of more than one bone or joint) of any phalanges of the hand or foot; or
- (ii) Crushed or serious injury to any part of the body due to which loss of the same is obvious or any injury which is likely to cause death; or
- (iii) Severe burns or scalds due to chemicals, steam or any other cause.

15. Notice of certain diseases.- (1) A notice in Form 10 shall be sent forthwith but not later than twelve hours to the Chief Inspector-cum-Facilitator, the Medical Officer appointed under the Code and the Administrative Medical Officer, Employee’s State Insurance Scheme, Panaji, Goa by the employer or the manager of a establishment where a employee contracts any disease specified in the Third Schedule.

(2) If any qualified medical practitioner attends on a person who is or has been employed in a 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 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.

16. Duties of employee under clause (d) and (g) of section 13.- If an employee comes to know 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 in writing or telephonically.

17. 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 along with the copy of the report submitted by the employee under clause (d) of section 13.

CHAPTER – IV**OCCUPATIONAL SAFETY AND HEALTH**

18. State Occupational Safety and Health Advisory Board.- (1) State Occupational Safety and Health Advisory Board shall consist of –

(i)	Hon'ble Minister for Factories and Boilers	Chairperson ex- officio;
(ii)	Secretary, (Factories and Boilers)	Member ex- officio;
(iii)	Commissioner, Labour & Employment	Member ex- officio;
(iv)	Chairman, Goa State Pollution Control Board	Member ex- officio;
(v)	Director, Directorate of Health Services	Member ex- officio;
(vi)	Two representatives of employers nominated by the Government	Member;
(vii)	Two representatives of employees nominated by the Government	Member;
(viii)	Two expert persons connected with the field of Occupational Safety and Health nominated by the Government	Member;
(ix)	Chief Inspector of Factories and Boilers	Member Secretary ex officio;

(2) The terms of office of the members referred to in clauses (vi), (vii) and (viii) shall be of three years.

19. Notice of meeting and the agenda. - Notice intimating the date, time and venue of every meeting together with agenda, to be discussed at the meeting, shall be sent by registered post, email or by special messenger, to each member fifteen days before the meeting:

Provided that when the Chairperson calls a meeting for the consideration of any matter, which in his opinion is urgent, notice of not less than three days shall be deemed sufficient.

20. Absence from the State. – If any member leaves the State for a period of not less than six months without intimation to the Chairperson, he shall be deemed to have resigned from the Board.

21. Transaction of business. - Every question considered at a meeting of the Board shall be decided by a majority of the votes of the members present and voting and in the event of equal votes, the Chairperson shall have and exercise a casting vote.

22. Quorum. - No business shall be transacted at any meeting of the Board, unless at least ten members are present.

23. Minutes of the meeting. - The minutes of every meeting, duly approved by the Chairperson, shall be recorded by the Member- Secretary of the Board which shall be a permanent record.

24. Fees and Allowances. - Every non-official member of the Board shall be paid the allowance for attending a meeting of the Board at the rates as may be fixed by the Government from time to time.

25. Resignation. - A member of the Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Government and the Office of such a member shall fall vacant from the date on which his resignation is accepted by the Government, or the expiry

of thirty days from the date of receipt of the letter of resignation by the Government whichever is earlier.

26. Cessation of Membership. - If any member of the Board, not being an ex-officio member, fails to attend three consecutive meetings of the Board, without obtaining the leave of the Chairman for such absence, he shall cease to be member of the Board:

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

27. Disqualification for Membership. - (1) A person shall be disqualified for being reappointed and for being a member of the Board;

(i) if he is of unsound mind and stands so declared by a competent court; or

(ii) if he is an undischarged insolvent; or

(iii) if he has been or is convicted of an offence which, in the opinion of the Government, involves moral turpitude.

(2) If a question arises as to whether a disqualification has been incurred under sub-rule (1), the Government shall decide the same.

28. Removal from Membership. - The Government may remove from office any member of the Board, if in its opinion such a member has ceased to represent the interest which he purports to represent on the Board:

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

29. Manner of filling vacancies.- When a vacancy occurs or is likely to occur in the membership of the Board, Member Secretary of the Board shall submit a report to the State Government and on receipt of such report, the State Government may, by notification, nominate a person to fill the vacancy in the manner prescribed and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.

30. Safety Committee.- (1) In every establishment-

(i) In case of an establishment which is a factory: -

(a) wherein 100 or more employees are ordinarily employed; or

(b) which involves 'hazardous process' as defined in section 2(za) of the Code;

(c) which handles a hazardous substance as defined in section 2(zb) of the Code or which carries on any process or operation declared to be dangerous under section 82 of the Code and wherein fifty or more employees are ordinarily employed;

(ii) In case of an establishment which is a building or other construction work: -

(a) wherein 250 or more employees are ordinarily employed;

(2) The representative of the management on the safety Committee shall include;

(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 a Factory Medical Officer, wherever available and the Safety Officer in such a case shall be the Secretary of the Committee.
- (c) A representative each from the human resource, production / execution, maintenance and purchase departments.
- (3) The employee's representatives on this Committee shall be elected by the employees.
- (4) The Safety Committee shall consist of equal number of representatives of the management and the employees and the minimum number of representatives shall be six.
- (5) The tenure of the Committee shall be two years.
- (6) Safety Committee shall meet as often as necessary but at least once in every two months. The minutes of the meeting shall be recorded and produced to the Inspector-cum-Facilitator on demand.
- (7) Safety Committee shall have the right to be adequately and suitably informed of:-
 - (a) potential safety and health hazards to which the employees may be exposed at work place.
 - (b) Data on accidents as well as data resulting from surveillance of the working environment and of the health of employees exposed to hazardous substances so far as the establishment is concerned, provided that the Committee undertakes to use the data on a confidential basis and solely to provide guidance and advice on measures to improve the working environment and the health and safety of the employees.
- (8) Functions and duties of the Safety Committee shall include:-
 - (a) Assisting and co-operating with the management in achieving the aims and objectives outlined in the 'Health and Safety Policy' of the Employer.
 - (b) Dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problem encountered.
 - (c) Creating safety awareness amongst all employees.
 - (d) Undertaking educational training promotional activities.
 - (e) Discussion on reports of occupational safety and health surveys, safety audits, risk assessment, on site emergency plans and implementation of the recommendations made in the reports.
 - (f) Carrying out health and safety surveys and identifying 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; and
 - (h) Reviewing the implementation of the recommendation made by it.
- (9) Where, owing to the size of the establishment, or any other reasons, the functions referred to in sub-rule (8) cannot be effectively carried out by the Safety Committee, it may establish sub-committees as may be required to assist it.
- (10) The Provisions of sub-rules (3), (4), (5), (6), (7) and (8) shall apply to the sub-committees also whenever such committees are set up.

31. Safety Officers – (1) Qualifications –

(a) A person shall not be eligible for appointment as a Safety Officer unless he-

(i) possesses-

In case of an establishment which is a factory: -

- (aa) a recognized degree in any branch of engineering or technology and has had practical experience of working in a factory in a supervisory capacity in production / maintainance / safety / engineering projects for a period of not less than 5 years; or
- (bb) a recognized degree in physics or chemistry and has had practical experience of working in a factory in a supervisory capacity in production / safety for a period of not less than 7 years; or
- (cc) a recognized diploma in any branch of engineering or technology and has had practical experience of working in a factory in a supervisory capacity in production / maintainance / safety / engineering projects for a period of not less than 7 years;

In case of an establishment which is a building or other construction work: -

- (aa) a recognized degree in any branch of engineering or technology and has had practical experience of working in a building or other construction work in a supervisory capacity for a period of not less than 5 years; or
- (bb) a recognized diploma in any branch of engineering or technology and has had practical experience of working in a building or other construction work in a supervisory capacity for a period of not less than 7 years;
- (ii) Possesses a degree or diploma in industrial safety awarded by the University or Board of Technical Education of any State Government or Union territory Administration in this behalf after possessing the qualification and experience as specified in clause (i) above, and.
- (iii) had adequate knowledge of the language spoken by majority of the employees in the region in which the establishment where he is to be appointed is situated.

(b) Notwithstanding the provisions contained in clause (a), any person who –

- (i) possesses a recognized degree or diploma in engineering or technology or a degree in physics or chemistry and has had experience of not less than 10 years in a department of the Central or State Government which has dealt with the administration of the law (s) pertaining to occupational safety, health and working conditions of employees;
- (ii) possesses a recognized degree or diploma in engineering or technology or a degree in physics or chemistry and has had experience of not less than 10 years, full time, on training, education, consultancy or research in the field of accident prevention in industry or in any institution or Government department;

shall also be eligible for appointment as a Safety Officer:

(c) Save as otherwise expressly provided in this rule, no person shall be continued as a Safety Officer unless he possesses the requisite qualifications as specified in clause (a) of sub-rule (1) or obtains the said requisite qualifications within such period as the Chief Inspector-cum-Facilitator may specify in writing.

Provided that the Chief Inspector-cum-Facilitator may, subject to such conditions as he may specify, grant exemption from the requirements of this sub-rule, if in his opinion, a suitable person possessing the necessary qualifications and experience is not available for appointment.

(2) *Conditions of service* – (a) Where the number of Safety Officers to be appointed in a factory as required under these Rules 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 as envisaged in sub-rule (3), the other Safety Officers shall be working under his control.

- (b) The Chief Safety Officer or the Safety Officer in the case of factories where only one Safety Officer is required to be appointed shall be given the status of a senior executive and he shall work directly under the control of the chief executive of the factory. 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, i.e. those officers reporting directly to the Chief Executive.
- (d) In the case of dismissal or discharge, a Safety Officer shall have a right to appeal to the Chief Inspector-cum-Facilitator whose decision thereon shall be final.

(3) *Duties of Safety Officers* – (a) The duties of a Safety Officer shall be to advise and assist the factory management in the fulfillment of its obligations, statutory or otherwise, concerning prevention of personal injuries and maintaining a safe working environment. These 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 advise the purchasing and stores department in ensuring the availability of high quality personal protective equipment;
- (v) to provide advice on matters related to carrying out plant safety inspections;
- (vi) to carry out plant safety inspections in order to observe the physical conditions of work and the work practices and procedures followed by employees and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by employees;
- (vii) to render advice on matters related to reporting and investigation of industrial accidents and diseases;
- (viii) to investigate selected accidents;
- (ix) to investigate the cases of industrial diseases contracted and dangerous occurrences reportable under the Code;
- (x) to advise on the maintenance of such records as are necessary relating to accidents, dangerous occurrences and industrial diseases;

- (xi) to promote setting up of safety committees and to act as adviser and catalyst to such committees;
- (xii) to organize in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the employees in establishing and maintaining safe conditions of work and procedures; and
- (xiii) to design and conduct either independently or in collaboration with the training department, suitable training and educational Programme for the prevention of personal injuries.

(4) *Facilities to be provided to Safety Officers* – An employer shall provide each Safety Officer with such facilities, equipment and information as are necessary to enable him to discharge his duties effectively.

(5) *Prohibition of performance of other duties* – No Safety Officer shall be required or permitted to do any work which is inconsistent with or detrimental to the performance of the duties specified in sub-rule (3).

(6) *Recognition of Safety Officers.* – (a) Any person possessing qualification as specified in clause (a) or (b) of sub-rule (1), shall submit an application in Form 11 along with a treasury receipt showing payment of five thousand rupees, which shall be non-refundable, to the Chief Inspector-cum-Facilitator, to recognize him as a Safety Officer, for the purposes of this Code and the rules made thereunder. The Chief Inspector-cum-Facilitator, shall register such application and within a period of sixty days of the date of receipt of application, either after having satisfied himself as regards qualification and experience of the applicant, shall recognize the applicant as a Safety Officer and issue an one time certificate of recognition in Form 12 or reject the application specifying the reasons thereof.

(b) The Safety Officers who were already recognized under the Goa Factories Rules, 1985, as amended from time to time, shall be deemed to be recognized under this Rule.

32. Number of Safety Officers. - (1) In respect of a establishment which is a factory as defined under the Code wherein five hundred or more employees are ordinarily employed, the employer shall employ such number of Safety Officers recognized by the Chief Inspector-cum-Facilitator, as specified in column (3) of the Schedule I herein below for the number of employees mentioned in corresponding entry in column (2) of the said Schedule I.

Schedule I

Sr. No.	Number of employees ordinarily employed	No. of Safety Officers
(1)	(2)	(3)
1.	500 but not exceeding 1000	1
2.	Above 1000 but not exceeding 1500	2
3.	Above 1500 but not exceeding 2000	3
4.	Above 2000 but not exceeding 2500	4
5.	For every 1000 or part thereof exceeding 2500	1

(2) In respect of a establishment which is a factory as defined under the Code which is involved in hazardous process as defined under the Code wherein two hundred fifty or more employees are ordinarily employed, the employer shall employ such number of Safety Officers recognized by the Chief Inspector-cum-Facilitator, as specified in column (3) of the Schedule II herein below for the number of employees mentioned in corresponding entry in column (2) of the said Schedule II.

Schedule II

Sr. No.	Number of employees ordinarily employed	No. of Safety Officers
(1)	(2)	(3)
1.	250 but not exceeding 500	2
2.	Above 500 but not exceeding 1000	3
3.	Above 1000 but not exceeding 1500	4
4.	Above 1500 but not exceeding 2000	5
5.	Above 2000 but not exceeding 2500	6
6.	For every 500 or part thereof exceeding 2500	1

(3) In respect of a establishment which is a factory as defined under the Code and is categorized as “Major Accident Hazard” under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, as amended from time to time and employing less than 250 employees, the employer shall employ atleast one number of Safety Officer recognized by the Chief Inspector-cum-Facilitator.

(4) In respect of a establishment which is a building or other construction work as defined under the Code wherein two hundred fifty or more employees are ordinarily employed, the employer shall employ such number of Safety Officers recognized by the Chief Inspector-cum-Facilitator, as specified in column (3) of the Schedule II herein below for the number of employees mentioned in corresponding entry in column (2) of the said Schedule III.

Schedule III

Sr. No.	Number of employees ordinarily employed	No. of Safety Officers
(1)	(2)	(3)
1.	250 but not exceeding 500	1
2.	Above 500 but not exceeding 1000	2
3.	Above 1000 but not exceeding 1500	3
4.	Above 1500 but not exceeding 2000	4
5.	Above 2000 but not exceeding 2500	5
6.	For every 500 or part thereof exceeding 2500	1

CHAPTER-VII**HOURS OF WORK AND ANNUAL LEAVE WITH WAGES**

33. Intervals for rest. – (1) The periods of work of workers in an establishment each day shall be so fixed that no worker shall work for more than five hours before he / she has had an interval for rest of at least half an hour.

(2) The Chief Inspector-cum-Facilitator, may, by written order and for the reasons specified therein, exempt any establishment from the provisions of sub-rule (1) so however that the total number of hours worked by a worker without an interval does not exceed six.

34. Spreadover. - The periods of work of a worker in an establishment shall be so arranged that inclusive of his intervals for rest, they shall not spreadover for more than nine and a half hours in any day:

Provided that the Chief Inspector-cum-Facilitator may, for reasons to be specified in writing, increase the spread over up to twelve hours.

35. Weekly holidays. - (1) No worker shall be required or allowed to work in an establishment on the first day of the week (hereinafter referred to as the said day), unless-

(a) He has or will have a holiday for a whole day on one of the three days immediately before or after the said day, and

(b) the employer of the establishment has, before the said day or the substituted day under clause (a), whichever is earlier,-

(i) delivered a notice at the office of the Inspector-cum-Facilitator of his intention to require the worker to work on the said day and of the day which is to be substituted, and

(ii) displayed a notice to that effect in the establishment.

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Notices given under sub-rule (1) may be cancelled by a notice delivered at the office of the Inspector-cum-Facilitator and a notice displayed in the establishment not later than the day before the said day or the holiday to be cancelled, whichever is earlier.

(3) Where, in accordance with the provisions of sub-rule (1), any worker works on the said day and has had a holiday on one of the three days immediately before it, that said day shall, for the purpose of calculating his weekly hours of work, be included in the preceding week.

36. Compensatory holidays. - (1) Where, as a result of the passing of an order exempting an establishment or the workers therein from the provisions of rule 33, a worker is deprived of any of the weekly holidays for which provision is made sub-rule (1) of that rule, he shall be allowed,

within the month in which the holidays were due to him or within the two months immediately following that month, compensatory holidays of equal number of the holidays so lost.

(2) Except in the case of workers engaged in any work for which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be allowed under sub-rule shall be so spaced that not more than two holidays are given in one week.

(3) The employer 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 work prescribed under Section of the Code 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.

(4) 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.

(5) (a) The employer shall maintain a Register in Form 13:

Provided that, if the Chief Inspector-cum-Facilitator is of the opinion that any muster roll or register maintained as part of the routine of the establishment or return made by the owner or manager, gives in respect of any or all of the workers in the establishment the particulars required for the enforcement of rule 34, he may, by order in writing, direct that such muster roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that factory.

(b) The register maintained under clause (a) shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector-cum-Facilitator on demand.

37. The total number of hours of overtime. – (1) Where in an establishment a worker works for more than eight hours in a day or for more than forty-eight hours in any week, as the case may be, he shall in respect of such overtime work be entitled to wages at the rate of twice the rate of wages and shall be paid at the end of each wage period subject to –

(i) the total number of hours of work in any day shall not exceed ten;

(ii) the spread over, inclusive of intervals for rest, shall not exceed eleven hours in any one day;

(iii) the total number of hours of work in any week, including overtime, shall not exceed sixty;

(iv) no worker shall be allowed to work overtime, for more than seven days at a stretch and the total number of hours of overtime work in any quarter shall not exceed one hundred hours.

(2) In calculating overtime in 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 eleven hours in any one day under the following works and circumstances in an establishment –

(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 Central Government in the Official Gazette as a work of national importance;

Provided that the exceeding of spread over for the workers above eleven hours in any one day shall be subject to the following conditions, namely:—

(i) the total number of hours of work in any day shall not exceed twelve;

(ii) the spread over, inclusive of intervals for rest, shall not exceed thirteen hours in any one day;

(iii) the total number of hours of work in any week, including overtime, shall not exceed seventy-two;

(iv) no worker shall be allowed to work overtime, for more than seven days at a stretch and the total number of hours of overtime work in any quarter shall not exceed one hundred and twenty-five hours.

(5) For the purposes of sub-rule (1), "rate of wages" means the basic wages plus all the allowances, including the cash equivalent of the advantage accruing through the concessional sale to workers of food grains and other articles, as the worker is for the time being entitled to, but does not include a bonus and wages for overtime work.

(6) The limits imposed by clauses (i) and (ii) of sub-rule (1) and clauses (i) and (ii) of proviso to sub-rule (4) above shall not apply in the case of a shift worker if the said worker is allowed to work the whole or part of the subsequent shift in the absence of a worker who has failed to report for duty provided that the next shift of the said worker shall not commence before a period of sixteen hours has elapsed after the specified stopping time of the shift to which he belongs.

38. Double employment of workers. —

- (a) The Inspector-cum-Facilitator may sanction the employment of workers in more than one establishment on the same day if he is satisfied that such adult worker is allowed to work not more than forty eight hours in a week and is allowed weekly holidays as per section 26.
- (b) A note under the initials of the Inspector-cum-Facilitator shall be made in the remarks column of a Register of such workers permitted to work in more than one establishment.

39. Notice of periods of work. —

(1) There shall be displayed and correctly maintained in every establishment, a notice of periods of work duly approved by Inspector-cum-Facilitator, showing clearly for every day the periods during which workers may be required to work in Form 14.

(2) Where all the workers in an establishment are required to work during the same periods, the employer of the establishment shall fix those periods for such workers generally.

(3) Where all the workers in an establishment are not required to work during the same periods, the employer of the establishment shall classify them into groups according to the nature of their work indicating the number of workers in each group.

(4) For each group which is not required to work on a system of shifts, the employer of the establishment shall fix the periods during which the group may be required to work.

(5) Where any group is required to work on a system of shifts and the relays are not to be subject to predetermined periodical changes of shifts, the employer of an establishment shall fix the periods during which each relay of the group may be required to work.

(6) Where any group is to work on a system of shifts and the relays are to be subject to predetermined periodical changes of shifts, the employer of an establishment shall draw up a scheme of shifts where under the periods during which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

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

CHAPTER-VIII**MAINTAINANCE OF REGISTERS, RECORDS AND RETURNS**

40. Register of adult workers. – The register of adult workers shall be maintained in Form 15, electronically or otherwise.

41. Register of adolescent workers. – The register of adolescent workers shall be maintained in Form 16, electronically or otherwise. This register shall be written up afresh each year and shall be preserved for a period of twelve months.

42. Muster-roll. - (1) A muster-roll of all the workers employed in the establishment shall be maintained in Form 17, electronically or otherwise, showing (a) the name of each worker, (b) the nature of his work, and (c) the daily attendance of the worker.

(2) The muster-roll shall be written up afresh each month and shall be preserved for a period of 3 years from the date of last entry in it:

Provided that if the daily attendance is noted in respect of adults and adolescent workers in the Registers of Workers in Form 15 and 16, respectively, or the particulars required under sub-rule (1) are noted in any other register, and such register are preserved for a period of 3 years from the date of last entry in them, a separate muster-roll required under sub-rule (1) need not be maintained.

43. Attendance Card. - (1) No worker shall be required or allowed to work unless he/she has in his/her possession attendance card with upto date entries, in Form 18 to be supplied by the employer. The attendance card shall always remain with the worker. The employer or his authorised person shall demand it only to make relevant entries therein, whenever necessary.

(2) If a worker loses his attendance card, the employer shall provide him/her with another copy duly completed from his record on payment of twenty-five rupees within two days of the payment.

44. Overtime Muster roll. - The employer of every establishment shall keep a muster roll in Form 19, electronically or otherwise, showing the normal piece work rate of pay or the rate of pay per hour of all the exempted workers in the establishment.

In this muster roll it shall be correctly entered the extent of overtime worked by each worker together with the overtime earnings in respect thereof and the dates of the payment of such earning. The muster roll shall always be available, and produced for inspection whenever required by an Inspector-cum-Facilitator.

45. Overtime slips. – Any work done by a worker beyond the normal specified period of work shall be entered in the overtime slips in duplicate indicating there in the actual period of overtime worked by him. A copy of such overtime slip duly signed by the employer or by a person duly authorised by him in that behalf, shall be given to the worker immediately after completion of the overtime work:

Provided that if the Chief Inspector-cum-Facilitator is satisfied that in view of the nature of work carried out in the factory, it is not possible to issue daily slips to the workers, he may permit issue of weekly slips.

46. Register of leave with wages - (1) The register of leave with wages shall be maintained in Form 20, electronically or otherwise:

Provided that if the Chief Inspector-cum-Facilitator is of the opinion that any muster roll or register maintained as part of the routine of the establishment, or return made by the employer, gives, in respect of any or all of the workers in the establishment, the particulars required for the enforcement of Chapter VII of the Code, he may, by order, in writing, direct that such muster roll or register or return shall to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule in respect of that establishment.

(2) The register of leave with wages shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector-cum-Facilitator on demand.

47. Leave book - (1) The employer shall provide each worker who has become entitled to leave during a calendar year, with a book in Form 21 not later than the 31st January of the following calendar year. The leave book shall be the property of the worker and the employer or his agent shall not demand it except to make relevant entries of the dates of holidays or interruptions in service, and shall not keep it for more than a week at a time:

Provided that in the case of a worker who is discharged or dismissed from service during the course of the year, that is, who is covered under clause (vi) of sub-section (1) of section 32 of the Code, the employer / manager shall issue an abstract from the register of leave with wages (Form 20) within a week from the date of discharge or dismissal as the case may be.

(2) If a worker loses his leave book, the employer / manager shall provide him with another leave book on the payment of rupees twenty five only and shall enter his record thereon.

48. Register of accidents and dangerous occurrences.- (1) The employer of every establishment shall maintain a register of all accidents and dangerous occurrences which occur in the establishment in Form 22 showing the-

- (a) name of injured person (if any);
- (b) date of accident or dangerous occurrence;
- (c) date of report in Form 10 or 11 as the case may be to Inspector-cum-Facilitator;
- (d) nature of accident or dangerous occurrence;
- (e) date of return of injured person to work;
- (f) number of days of absence from work of injured person.

49. Register of wages.- (1) The employer of every establishment shall maintain a register of wages in respect of workers as prescribed under Rules framed by the Government under the Code on Wages, 2019 (Central Act no. 29 of 2019).

50. Display of notices.- (1) In addition to the notices required to be displayed in any establishment by or under these Rules, there shall be displayed in every establishment a notice containing abstracts of the Code and of the rules made thereunder and also the name and address of the Inspector-cum-Facilitator and the Medical Officer.

(2) All notices required by or under this Rules to be displayed in an establishment shall be in English and in a language understood by the majority of the employees in the establishment and shall be displayed at some conspicuous and convenient place at or near the main entrance to the establishment and shall be maintained in a clean and legible condition.

(3) The Chief Inspector-cum-Facilitator may, by order in writing served on the employer of any establishment, require that there shall be displayed in the establishment any other notice or poster relating to the health, safety or welfare of the workers in the establishment.

51. Display of Name and address of establishment. – (1) A Board containing the name and address of the establishment shall be displayed outside the establishment near the main entrance.

(2) Two third of the upper area of the board to be displayed as per sub-rule(1) shall be in English and the rest of the area of the board shall be in a language understood by majority of the general public in the vicinity of the establishment.

52. Wage slips.- (1) Every employer shall issue wage slips, electronically or otherwise to the workers as prescribed under Rules framed by Government under the Code on Wages, 2019 (Central Act 29 of 2019) on or before payment of wages.

53. Returns – The employer of every establishment shall furnish to the Chief Inspector-cum-Facilitator returns in the form, electronically and within the due dates as specified below:-

- (a) annual integrated return in Form 23, on or before 31st January of each year;
- (b) before the end of each year, a return giving before notice of all the days on which it is intended to close the establishment during the next ensuing year. If in any year, an establishment is newly started or re-started after its closure during the previous year, such return shall be submitted before the date of such starting or re-starting for the remaining period of the year:

Provided that the Government may dispense with this return in the case of any specified establishment or of any class of establishment or of the establishments in any particular area.

CHAPTER-IX**INSPECTOR-CUM-FACILITATORS AND OTHER AUTHORITY**

54. Qualifications and experience of Chief Inspector-cum-Facilitator. – The Qualification and experience of Chief Inspector-cum-Facilitator shall be as per the recruitment rules as notified by the Government from time to time.

55. Power to take samples - (1) An Inspector-cum-Facilitator may at any time during the normal working hours of a establishment, after informing the employer of the establishment, take in the manner hereinafter provided a sufficient sample of any article or substance used or intended to be used in the establishment or of the air of the atmosphere in or in the vicinity of any such establishment or premises, such use of article or substance or presence of air being - (a) in the belief of the Inspector-cum-Facilitator is 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, employees 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-rule 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 so requires, provide the appliances 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 a laboratory recognized by the Chief Inspector-cum-Facilitator having accreditation of 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 or to be instituted in respect of the article or substance or air sample.

(5) Any document purporting to be a report under the hand of any Government Analyst or recognized laboratory upon any substance or article or air sample submitted to him for analysis and report under this rule, may be used as an evidence in any proceedings instituted in respect of the substance or article or air sample.

(6) The expenditure of the sampling and analysis, if any, shall be borne by the employer of the establishment.

56. Power to give directions. – Subject to the provisions of the Code, the Chief Inspector-cum-Facilitator or the Inspector-cum-Facilitator may, in exercise of the powers and performance of the functions under the Code, issue any directions in writing to the employer, any officer or authority appointed by the Government and such employer, such officer or authority shall be bound to comply with such directions.

Explanation – The power to issue directions under this rule shall include power to direct,-

- (a) the closure or prohibition of any establishment or any part thereof, operation or process, machinery or plant; or
- (b) the stoppage of supply of electricity, water or any other service or to reinstate it:

Provided that where the directions to be issued under this rule consists of any directions specified in the above explanation, the Chief Inspector-cum-Facilitator shall issue a show cause notice to the employer calling upon him to show cause within a period of seven days as to why such directions should not be issued:

Provided further that no such notice shall be required to be given and the Chief Inspector-cum-Facilitator may issue such directions after recording the reasons in writing and after obtaining due approval of the Government, wherever the reasons for such directions are such that the activity or the manufacturing process so carried out causes pollution or degradation of the general environment and /or the working conditions in an establishment is in such a condition that it involves imminent danger to human life or safety.

57. Qualifications and experience for empanelment as experts. – (1) For the purpose of empanelment as a non-technical expert for matters pertaining to audit and certification of provisions related to welfare specified under Chapter VI of the Code, hours of work and annual leave with wages specified under Chapter VII of the Code, maintenance of registers, records and returns specified under Chapter VIII of the Code, employment of women specified under Chapter X of the Code, contract labour specified under Part I of Chapter XI of the Code, interstate migrant workers specified under Part II of Chapter XI of the Code, audio visual workers specified under Part III of Chapter XI of the Code, beedi and cigar workers specified under Part V of Chapter XI of the Code and plantation specified under Part VIII of Chapter XI of the Code and any other rule related to above provisions specified under the Code by the Central Government or the Government, a person or an organization having persons shall possess –

- (a) (i) Masters Degree in Labour Studies from a recognized University / Institute with fifteen years experience in the field in an establishment in a supervisory or higher capacity;

OR

- (ii) Post Graduate Diploma in Labour Laws and / or Labour Welfare from a recognized University / Institute with eighteen years experience in the field in an establishment in a supervisory or higher capacity;

OR

- (iii) Company Secretary with Labour Laws as an elective subject with fifteen years experience in the field and who is a member of The Institute of Company Secretaries of India established under The Companies Act, 1980;

OR

- (iv) Master Degree in Labour Studies or Post Graduate Diploma in Labour Laws and / or Labour Welfare from a recognized University / Board with ten years experience in a Department of the Central or State Government which deals with the implementation of the labour laws.

(2) For the purpose of empanelment as a technical expert for matters pertaining to audit and certification of provisions related to health, safety and working conditions specified under Chapter V of the Code, employment of women specified under Chapter X of the Code, building or other construction workers specified under Part VI of Chapter XI of the Code, factories specified under Part VII of Chapter XI of the Code, plantation specified under Part VIII of Chapter XI of the Code and any other rule related to above provisions specified under the Code by the Central Government or the Government, a person or an organization having persons shall possess –

- (a) (i) Degree in Mechanical / Electrical / Metallurgical / Chemical / Production / Industrial Engineering or Technology from a recognized University / Institute with fifteen years experience either in production / maintainance / execution of project / safety management of any manufacturing industry in a supervisory or higher capacity;

OR

- (ii) Diploma in Mechanical / Electrical / Metallurgical / Chemical / Production / Industrial Engineering or Technology from a recognized Board with eighteen years experience either in production / maintainance / execution of project / safety management of any manufacturing industry in a supervisory or higher capacity;

OR

- (iii) Degree or Diploma in Mechanical / Electrical / Metallurgical / Chemical / Production / Industrial Engineering or Technology from a recognized University / Institute or a recognized Board, as the case may be, with ten years experience as a recognized Competent Person under the provisions of The Factories Act, 1948 (Central Act no.63 of 1948) and the Rules made there under or the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020), as amended from time to time, for the purpose of conducting test, examinations, inspections and certification of pressure plant, lifting machines and lifting tackles and lifts and hoists, etc on the date of commencement of these Rules;

and

- (b) a Degree or Diploma in Industrial Safety awarded by University or Board of Technical Education of any State Government or Union Territory Administration in this behalf ;

and

- (c) a Certificate of training in “safety and health audit” awarded by Directorate General Factory Advise Services and Labour Institutes, Ministry of Labour and Employment, Government of India or a valid certificate of Lead Auditor for occupational health and safety management system issued by a certification body accredited to National Accreditation Board for Certification Bodies (NABCB);

(3) Notwithstanding the provisions contained in clause (c) of sub-rule (2) above, any person who possesses degree or diploma in engineering or technology from a recognized University / Board with ten years experience in a Department of the Central or State Government which deals with the implementation of the Factories Act, 1948 (Central Act no.63 of 1948) or the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020), as amended from time to time, shall also be eligible for empanelment as technical expert:

Provided that a person possessing Degree or Diploma in the branch of Civil Engineering with fifteen years or eighteen years of experience respectively in execution of building or other construction work in a supervisory or higher capacity and meeting criteria as laid down in clause (b) and (c) above shall be eligible for empanelment as a technical expert in respect of building or other construction work:

Provided further that the Chief Inspector-cum-Facilitator may relax the requirements of a certificate of training in safety and health audit or a valid certificate of Lead Auditor for occupational health and safety management system, if the applicant is already functioning as an Occupational Safety and Health Auditor and is above 45 years of age.

(4) A person to be eligible for empanelment as non-technical or technical expert shall be certified physically fit by a Qualified Medical Practitioner. Tests to be conducted for the purpose of ascertaining the fitness shall consist of physical examination, eye test and any other test(s) which the qualified Medical Practitioner may specify.

(5) Duties and responsibilities of the empanelled non-technical or technical experts shall be as may be notified by the Government in the scheme.

58. Qualifications of Medical Officer. – The Medical Officer required to be appointed under sub-section (1) of section 42 shall have qualification included in Schedules to the Indian Medical Council Act, 1956 (Act 102 of 1956) and possesses Diploma in Occupational and Industrial Health awarded by any recognized University or three months certificate course in Associate Fellow of Industrial Health awarded by the Directorate General of Factory Advice Services and Labour Institute, Mumbai.

59. Duties of Medical Officer. – (1) Save as otherwise expressly provided in the Code, the Medical Officer shall perform following duties, namely. -

- (i) Examination and certification of the employees engaged in the manufacturing process or operations declared to be dangerous under section 82 of the Code and / or of the employees engaged in establishment wherein the “hazardous process” defined under clause (za) of section 2 of the Code is involved or carried out or otherwise;
- (ii) For the purpose of the examination of the employees engaged in the dangerous manufacturing process or operations or hazardous process or otherwise, the Medical Officer shall visit the establishment within the local limits assigned to him at such intervals as are prescribed by the rules relating to such manufacturing process or operations or hazardous process.
- (iii) At such visits the Medical Officer shall examine the persons and if the persons so examined are engaged in the dangerous manufacturing process or operations or hazardous process, he shall record the results of his examination in a register known as the Health Register in Form 24 which shall be kept by the employer and produced to the Medical Officer at each visit.
- (iv) If the Medical Officer finds as a result of his examination that any person employed in such process is no longer fit for medical reasons to work in that process, he shall suspend such person from working in that process for such time as he may think fit and no person after suspension shall be employed in that process without the written sanction of the Medical Officer in the Health Register.

- (v) The employer of an establishment shall afford to the Medical Officer facilities to inspect any process in which any person employed or is likely to be employed.
- (vi) The employer of an establishment shall provide for the purpose of any medical examination which the Medical Officer wishes to conduct at the establishment (for his exclusive use on the occasion of an examination) a room which shall be properly cleaned and adequately ventilated and lighted and furnished with a screen, a table (with writing materials) and chairs.
- (vii) Examination and certification of adolescent for the purpose of ascertaining his fitness for employment, shall be as per the procedure laid under –
 - (a) The Medical Officer shall, on the application of any adolescent or his parent or guardian accompanied by a document signed by the employer of a establishment that such person will be employed therein if certified to be fit for work in a establishment, or on the application of the employer of the establishment in which any adolescent wishes to work, examine such person and ascertain his fitness for work in a establishment.
 - (b) For the purposes of the examination and certification of adolescent who wishes to obtain certificates of fitness, the Medical Officer shall arrange a suitable time and place for the attendance of such persons, and shall give previous notice in writing of such arrangements to the employers of establishments situated within the local limits assigned to him.
 - (c) The Medical Officer, after examination, may grant to such adolescent person, in Form 24A, or may renew, a certificate of fitness to work in a establishment as a adolescent, if he is satisfied that the person has completed his fourteenth year, that he has attained the prescribed physical standards and that he is fit for such work:

Provided that unless the Medical Officer has personal knowledge of the place where the adolescent proposes to work and of the manufacturing process in which he will be employed, he shall not grant or renew a certificate under this rule until he has examined such place.
 - (d) The foil and counterfoil shall be filled in and the signature or the left thumb impression of the person in whose name the certificate is granted shall be taken on them. On being satisfied as to the correctness of the entries made therein and of the fitness of the person examined, he shall sign the foil and initial the counterfoil and shall deliver the foil to the person in whose name the certificate is granted. The foil so delivered shall be the certificate of fitness. All counterfoils shall be kept by the Medical Officer for a period of at least 2 years after the issue of the certificate.
 - (e) If a certificate of fitness issued to an adolescent is lost, on receipt of an application for the grant of a duplicate, the Medical Officer, after making such enquiries as he deems fit, may grant a duplicate thereof. Such application shall be forwarded through the employer of the establishment where the adolescent is employed.
 - (f) (a) A fee of rupees five hundred shall be payable for the issue of every certificate of fitness issued under this rule and shall be paid by the employer;

- (b) A fee of rupees two hundred and fifty shall be payable for the issue of every duplicate of a certificate issued under this rule and shall be paid by the employer.
- (g) A certificate of fitness granted or renewed under this rule shall be valid only for a period of twelve months from the date thereof and may be made subject to conditions in regard to the nature of the work in which the adolescent may be employed, or requiring re-examination of the adolescent before the expiry of the period of twelve months.
- (h) A Medical Officer shall revoke any certificate granted or renewed under this rule if, in his opinion the holder of it is no longer fit to work in the capacity stated therein in an establishment.
- (i) Where a Medical Officer refuses to grant or renew a certificate or a certificate of the kind requested or revokes a certificate, he shall, if so requested by any person who could have applied for the certificate or the renewal thereof, state his reasons in writing for so doing.
- (j) Where a certificate under this rule with reference to any adolescent is granted or renewed subject to such conditions as are referred to in clause (c) above, the adolescent shall not be required or allowed to work in any establishment except in accordance with those conditions.
- (k) Any fee payable for a certificate under this rule shall be paid by the employer and shall not be recoverable from the adolescent, his parents or guardian.
- (viii) The Medical Officer shall, upon request by the Chief Inspector-cum-Facilitator, carry out such examination and furnish him with such report as he may indicate, for any establishment or class or description of establishments where –
- (a) cases of illness have occurred which it is reasonable to believe are due to the nature of the manufacturing process carried out on or other conditions of work prevailing therein; or
- (b) by reasons of any change in the manufacturing process carried on, or in the substances used therein, or by reasons of the adoption of any new manufacturing process or of any new substance for use in a manufacturing process, there is a likelihood of injury to the health of employees employed in that manufacturing process; or
- (c) adolescents are, or are about to be, employed in any work which is likely to cause injury to their health.
- (d) The Chief Inspector-cum-Facilitator has reason to believe that the employees shall be subjected to pre-employment medical check up at the time of joining the organization and periodical medical examination every five years upto the age of 45 years and thereafter every three years.

CHAPTER-X**SPECIAL PROVISION RELATING TO EMPLOYMENT OF WOMEN**

60. Conditions relating to safety, holidays, working hours, etc. – Women with her consent may be employed before 6:00 AM and beyond 7:00 PM subject to the following conditions –

(a) It shall be the duty of the employer to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, statement or prosecution of acts of sexual harassment by taking all steps required.

(b) Employer should take appropriate steps to prevent sexual harassment

(c) In case of any criminal case the employer shall initiate appropriate action in accordance with the penal law without delay and also ensure that victims or witnesses are not victimised or discriminated while dealing with the complaints of sexual harassment and wherever necessary, at the request of the affected worker, shift or transfer the perpetrator, if circumstances warrant. The employer shall take appropriate disciplinary action if such conduct amounts to misconduct in employment.

(d) The employer shall maintain a complaint mechanism in the establishment itself and the said mechanism should ensure time-bound treatment of complaints. Such mechanism should be at any rate to provide, when necessary a Complaint Committee, a special counsellor or other support services including the maintenance of confidentiality.

(e) Such Complaint Committee should be headed by a woman and not less than half of its members should be women, besides a non-governmental organisation's representation in the committee. Such person should be familiar with the issues of sexual harassment.

(f) The female employees should be allowed to raise issues of sexual harassment to employees in the employees' meeting and other appropriate forum.

(g) The female employees should be made aware of their rights in particular by prominently notifying the guidelines on the subject.

(h) Wherever there is a harassment at the instance of a third party, either by an act or omission the employer and person in charge of the establishment should take all steps necessary and reasonable to assist the affected person. in terms of support and preventive action.

(i) The employer shall provide proper lighting not only inside the establishment, but also surroundings of the establishment and to all places where the female employees may move out of necessity in the course of such shift.

(j) The employer shall see that the women employees are employed in a batch not less than ten and the total of the women employees employed in a night shift shall not be less than 2/3rd of the total strength.

(k) Sufficient women security shall be provided during the night shift at the entry as well as exit points.

(l) Sufficient number of work sheds shall be provided for the female employees to arrive in advance and also leave after the working hours.

- (m) Separate canteen facility shall be provided for the female employees.
- (n) Separate transportation facility shall be provided wherever transportation is provided by the employer or the occupier of the establishment.
- (o) Apart from the facilities, which is permissible under the Code, an additional holiday shall be permitted for the women employees during their menstruation period, which shall be a paid holiday for the night shifts.
- (p) The establishment shall provide appropriate medical facilities and also make available at any time of urgency by providing necessary telephone connections and where more than hundred female employees are employed in a shift, a separate vehicle be kept ready to meet the emergent situation such as hospitalisation, whenever there is a case of injury or incidental acts of harassment etc.
- (q) Wherever the establishment provides boarding and lodging arrangements for the female employees, the same shall be kept exclusively for the women under the control of women wardens or supervisors.
- (r) During night shift not less than 1/3rd of strength of the supervisors or shift-in-charge or foreman or other supervisory staff shall be women.
- (s) There shall be not less than twelve consecutive hours of rest or gap between the last shifts and the night shift whenever a woman worker is changed from day shift to night shift and so also from night shift to day shift.
- (t) In other respects, the provisions of the Code and the rules of other statutory provisions with respect to the hours of work and the payment of equal remuneration and all other labour legislations shall be followed by the employer.
- (u) The employer shall appoint not less than two female wardens per night shift who shall go round and work as “Special Welfare Assistants”.
- (v) The female employees who work in night shifts and regular shifts shall have a monthly meeting through their representatives with principal employer once in eight weeks as “Grievance Day” and the employer shall try to comply all just and reasonable grievances.
- (w) The employer shall be at liberty to employ female employees as a whole or in part during night shift, provided, the above directions be complied with.
- (x) The employer shall send a fortnightly report to the Inspector-cum-Facilitator under the Code about the details of employees engaged during night shifts and shall also send express report whenever there is some untoward incident to the Inspector-cum-Facilitator under the Code, and local Police station as well.
- (y) The area Inspector-cum-Facilitator under the Code shall strictly enforce the conditions and make it a point to take note of the non-compliance in their inspection from time to time.

61. The manner of requiring the employer to provide adequate safeguards - The Government, may, from time to time, by written order, prescribe the manner in which the employer is required to provide adequate safeguards prior to the employment of women in dangerous operation, wherever relevant provisions under these rules pertaining to such operation prohibit employment of women.

CHAPTER-XI

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

CONTRACT LABOUR

62. Qualification and Criteria of the Contractor. - For the purposes of obtaining licence, the contractor as an entity or as an individual should not be an un-discharged insolvent or convicted any time during the last two years of an offence which is criminal in nature involving offences which are liable for punishment for more than three months of imprisonment.

63. Conditions of licence under sub-section (3) of section 47.

- (i) The licence shall be non-transferable.
- (ii) The number of workers employed as contract worker in the establishment shall not, on any day exceed the maximum number specified in the licence.
- (iii) Save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the licence shall be non-refundable.
- (iv) in case where the workmen employed by the contractor perform the same kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, Holidays, the hours of work and other conditions of service of workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment.
- (v) The rates of wages payable to the workers by the contractors shall not be less than the rates prescribed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.
- (vi) The licence shall notify any change in the number of workmen or the conditions of work to the licencing officer.
- (vii) In every establishment where 30 or more women workers are ordinarily employed as contract labour there shall be provided a crèche for the use of their children.
- (viii) A copy of the licence shall be displayed prominently at the premise where the contract work is being carried on.
- (ix) The licensee shall, within 15 days of the commencement and completion of each contract work shall submit a return to the Inspector-cum-Facilitator, appointed under section of the Code intimating the actual date of the commencement or, as the case may be, completion of such contract work in Form 24AA.
- (x) Every contractor engaging inter-state migrant workmen shall furnish the details of such workers to the licencing Authority.

64. Form and manner of application for contract labour licence.- Every application by a contractor for the grant of a licence shall be made on-line electronically through official portal in Form 25 to the licensing authority.

65. Form of licence.-Every licence granted shall be in Form 26.

66. Procedure for issue of license.— (1) In granting or refusing to grant a licence, the licensing officer shall take the following matters into account namely:-

(a) Whether the applicant-

- (i) is a minor, or
- (ii) is of unsound mind and stands so declared by a competent court, or

- (iii) is an un-discharged insolvent, or
- (iv) has been convicted (at any time during a period of two years immediately of an offence which is criminal in nature involving offences which are liable for punishment for more than three months of imprisonment.
- (b) Whether there is an order of the appropriate Government or an award or settlement for the abolition of contract labour in the establishment in relation to which the applicant is a contractor,
- (c) Whether the fees for the application have been deposited at the rate specified.
- (d) Before the licence is issued under any rules, an amount calculated at the rate of rupees one thousand for each of the worker to be employed as contract labour, in respect of which the application for license has been made, shall be deposited by the contractor for performance of the conditions of the license and compliance with the provisions of the code or the rules made thereunder.

67. Appeal under sub-section (1) of section 52. – An appeal under sub-section (1) of section 52 of the code shall be made to the appellant authority specified in the said section 52.

68. Fees for grant of licence.– The fees to be paid for grant of licence shall be as specified in Schedule I, alongwith Security Deposit at the rate of Rs.1000/- per worker.

69. Renewal of licence under sub-section (3) of section 48.– (1) Every contractor shall apply electronically on official portal to the licensing officer for renewal of the licence.

(2) Every such application shall be submitted on the said portal not less than sixty days before the date on which the licence expires.

(3) The fees chargeable for renewal of the licence shall be the same as for the grant thereof:

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 in excess of the fee ordinarily payable for the licence shall be payable for such renewal.

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

70. Amendment of licence.– (1) The contractor who desires to have the licence amended shall submit to the licensing officer. an application for an amendment on the portal stating the nature of the amendment and reasons therefor before any change or within 3 days from such change.

(2) (i) If the licensing officer allows the application, he shall require the applicant to furnish fee details for the amount, if any, by which the fees that would have been payable if the licence had been originally issued in the amended form exceeds the fees originally paid for the licence.

(ii) on the applicant furnishing the requisite fees receipt the licence shall be amended according to the orders of the licensing officer.

(3) Where the application for amendment is refused, the licensing officer shall record the reasons for such refusal and communicate the same to the applicant electronically or otherwise.

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

(2) If the Licensing 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 the security, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the applicant.

(4) Any application for refund shall, as far as possible, be disposed of within 60 days of the receipt of the application.

72. Responsibility of Contractor.- (1) A contractor shall be responsible for payment of wages to each worker employed by him as contract labour and such wages shall be paid before the expiry of such period as may be prescribed.

(2) Every principal employer shall nominate a representative duly authorized by him to be present at the place and time of disbursement of wages by the contractor and it shall be the duty of the authorized representative of the principal employer to affix his initials against each entry and further record a certificate at the end of the entries in the following form;

“Certified that the amount shown in the register of payments has been paid to the workman concerned in my presence”.

(3) The rates of wages payable to the workers by the contractor shall not be less than the rates prescribed 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.

(4) In case where the workers employed by the contractor perform the same or similar kind of work as the workers directly employed by the principal employer of the establishment, the wage rate, holidays, hours of work and other conditions of service of the workers 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.

(5) In other cases the wage rates, holidays, hours of work and conditions of service of the workers of the contractor shall be such as specified under the Code and rules made thereunder.

(6) It shall be the duty of the contractor to look after the welfare of the contract workers.

(7) The contractor shall notify any change in the number of workers or conditions of work to the licensing authority electronically or otherwise.

(8) All contract labour shall be made member of EPFO and ESIC subject to applicability under respective provisions of the Code on Social Security, 2020 (no 36 of 2020).

73. Intimation of work order and time limit for intimation.- (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.

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

(3) The intimation shall be sent electronically, or by e-mail or otherwise to the Licensing Authority.

74. Revocation or suspension of license under section 51.- (1) If the Licensing 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 the Part-I, chapter XI of the code or rules made thereunder, the Licensing Authority shall issue a show cause notice of 15 days to the contractor electronically or otherwise by Registered Post or Speed Post. On receipt of the reply if any, from the contractor within 15 days, the Licensing Authority shall examine the same and in case the licensing authority feels that the continuation of contract business by the contractor is going to lead to grave harm to the workers, he may pass a Speaking Order recording the reasons for revocation or suspension or otherwise and communicate to the contractor electronically or otherwise by Registered Post or Speed Post. A copy of the order shall be endorsed to the Labour Commissioner, concerned Inspector-cum-Facilitator and concerned Principal Employer.

(2) If the contractor has complied with the said provision of the Code and rules made thereunder within the stipulated time period, the Licensing Authority shall revoke the suspension giving a speaking order or else the suspension may be continued.

(3) If the contractor fails to comply with the directions as in sub-rule (1), the Licensing Authority may forth with pass an order of revocation of license, recording the reasons thereof and communicate to the contractor electronically or otherwise by Registered post or Speed Post. The copy of the order shall be endorsed to the Labour Commissioner, Inspector-cum-facilitator and concerned principal employer.

75. Responsibility of Payment of wages.- (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) Wages of every worker shall be paid within three days from the end of the wage period in case the wage period is one a week or a fortnight and in all other cases before the expiry of seventh day from the end of the wage period in respect of which the wages are payable.

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

76. Making payment of wages from the security deposit amount.- If the contractor or principal employer does not pay the wages to the contract labour employed by him, the Labour Commissioner or his representative or the competent officer as may be notified, 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.

77. Experience certificate under section 56.- Every concerned contractor shall issue on demand, experience certificate on the letter head giving details of the period, work performed, experience gained in various fields by such contract labour.

78. Prohibition of employment of contract labour.- 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 Registering Authority giving reasons along with supporting documents who shall forward it to the State Government with comments thereon within a period of thirty days from the receipt of the application for further action by the Government in the matter.

INTERSTATE MIGRANT WORKERS

79. Journey allowance to inter-state migrant workers under section 61. —(1) The employer shall pay to the migrant workmen the return fare from the place of employment to the place of residence in the home state of the migrant workman by train (not less than II Class sleeper) or by bus or any other mode of passenger transport, if he has worked for a period of not less than 180 days in the concerned establishment or on his —

- (a) Termination of services before the expiry of the period of employment for any reason whatsoever;
- (b) being incapacitated for further employments on accounts of injury or continued ill-health duly certified as such by a registered medical practitioner;
- (c) cessation of work in the establishments which is not due to any fault on the part of the migrant workman; and

(d) resignation from service on account of non-fulfillment of terms and conditions of employment by the employer:

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 the 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.

80. Setting up of a toll free helpline number to the inter-state migrant worker. – A toll-free helpline number shall be provided by the Labour Department to address queries and grievances of the inter-state migrant workers.

81. Study of inter-state migrant worker 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. The state Government may also consult expert organizations and different stake holders involved in the safety, health and welfare of inter-state migrant workers.

SCHEDULE – I

[See rule 68]

A. Fees payable for registration under Motor Transport undertaking.

Sr. No.	Maximum number of Motor Transport Workers to be employed on any day during the year.	Fees
(1)	(2)	(3)
1.	1 to 10	Rs. 01,200/-
2.	11 to 50	Rs. 01,800/-
3.	51 to 100	Rs. 02,400/-
4.	101 to 250	Rs. 03,000/-
5.	251 to 500	Rs. 04,500/-
6.	501 to 750	Rs. 06,000/-
7.	751 to 1000	Rs. 10,000/-
8.	1000 and above	Rs. 13,000/-

B. Fees payable for registration under Building and Other Construction work.

Sr. No	Number of workers proposed to be employed on contract	Fees
(1)	(2)	(3)
1.	Up to 50	Rs. 0500/-
2.	Exceeds 50 but does not exceed 100	Rs. 1000/-
3.	Exceeds 100 but does not exceed 200	Rs. 2,000/-
4.	Exceeds 200 but does not exceed 400	Rs. 4,000/-
5.	Exceeds 400	Rs. 5,000/-

C. Fees payable for registration under Contract Labour.

Sr. No	Number of workers proposed to be employed on contract	Fees
(1)	(2)	(3)
1.	Is 50	Rs. 12,000/-
2.	Exceeds 50 but does not exceed 100	Rs. 24,000/-
3.	Exceeds 100 but does not exceed 200	Rs. 48,000/-
4.	Exceeds 200 but does not exceed 400	Rs. 96,000/-
5.	Exceeds 400	Rs. 1,20,000/-

D. Fees payable for licence under Contract Labour

Sr. No	Number of workers proposed to be employed on contract	Fees
(1)	(2)	(3)
1.	Is 50	Rs. 03,000/-
2.	Exceeds 50 but does not exceed 100	Rs. 06000/-
3.	Exceeds 100 but does not exceed 200	Rs. 12,000/-
4.	Exceeds 200 but does not exceed 400	Rs. 24,000/-
5.	Exceeds 400	Rs. 30,000/-

AUDIO VISUAL WORKERS**82. Submission of agreement. –**

The copy of agreement shall be forwarded by the producer to the respective Inspector-cum-Facilitator and registering authority declared under section 3 of the Code.

83. Dispute resolution mechanism. –

(1) A District level committee consisting of following members shall resolve the dispute arisen out of agreement between the parties, namely: -

- a. Inspector-cum-Facilitator who shall be the Convener;
- b. A representative of EPFO;
- c. A social worker;
- d. One eminent advocate.

(2) District level body on receiving matter shall start conciliation within 3 days.

(3) The district level body for resolving the dispute, may hold a meeting of the representatives of both parties jointly or of each party separately in the office of concerned Inspector-cum-Facilitator.

(4) The district level body shall conduct proceeding expeditiously and decide within 45 days from date of commencement of conciliation.

(5) The proceeding of dispute resolution shall be maintained by concerned Inspector-cum-Facilitator.

BEEDI AND CIGAR WORK**84. License to industrial premises and person. –**

- (1) Any employer who intends or allows to use any place or premise for beedi or cigar work shall submit an application in Form 27 on portal for the grant of license.
- (2) A licence for an industrial premise shall be granted by the Authority designated by the Government appointed under section 119 of the code in Form 28 in electronic format for a period of five years, as may be requested in the application for grant of licence and on payment of the fees specified in the Schedule specified under sub-rule (3) of rule 92.

85. Plan of the place or premises. – Plan of place or industrial premise to be used for beedi and cigar work shall be as per provisions of these Rules.

86. Renewal of license. –

- (1) A licence granted shall be renewed by the Designated Authority.
- (2) Every application for the renewal of the licence shall be made on portal in Form 27 together with the receipt of the payment of fees for a period of one year or any further period up to five years, as the case may be, and shall be submitted not less than thirty days before the date on which the licence expires.
- (3) The fees for renewal of licence for one year shall be the same as for the grant thereof.

Provided that if the application for renewal, complete in all respects, is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of a fee of twenty five percent in excess of the fees ordinarily payable for the renewal of a licence for one year or five year, for which the application has been received late.
- (4) The Designated Authority under Section 119 of the Code shall grant or renew or refuse the license within 30 days from date of receipt of application.

87. Time limit to file appeal and fees. - An appeal against the order of the Licensing Authority refusing grant or renew license shall-

- (a) be made electronically within a period of thirty days from the date of receipt the order sought to be appealed against;
- (b) be accompanied by a copy of the order appealed against.
- (c) Include Memorandum containing grounds and facts.
- (d) Be filed along with the treasury receipt as a proof of payment of fees as notified from time to time.

FACTORIES

88. Approval of plans.— (1) No site shall be used for the location of a factory or no building in a factory shall be constructed, re-constructed, extended or taken into use as a factory or part of a factory or any other extension of plant or machinery shall be carried out in a factory unless, a previous permission in writing is obtained from the Chief Inspector-cum-Facilitator. An application for such permission shall be made in Form 29 in electronic mode which shall be accompanied by following documents, other particulars as specified under said Form 29 and payment of two thousand rupees towards the fees for the same along with each such fresh application :-

(a) Plans in duplicate shall be 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 fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage ways; and

(b) Where any flammable or non-flammable or toxic or non-toxic compressed gas or petroleum product or any other inflammable substance is intended to be possessed in a cylinder or a vessel or a tank in any factory, application for permission shall also be accompanied by an approval / license, if applicable, as required under the Gas Cylinders Rules, 2016 or the Static and Mobile Pressure Vessels (Unfired) Rules, 2016 or the Petroleum Rules, 2002 or the Inflammable Substances Act, 1952 (Act No.20 of 1952), as the case may be, as amended from time to time, from the authority concerned.

(2) If the Chief Inspector-cum-Facilitator is satisfied that the plans are in consonance with the requirements of the Code, 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:

Provided that no place shall be disapproved unless the applicant is given an opportunity to be heard and the Chief Inspector-cum-Facilitator or as the case may be, the Government has recorded its reasons in that behalf:

Provided further that in respect of factories which are in existence on the date of commencement of these Rules, the approval of plans obtained by such factories under the provisions of The Factories Act, 1948 (Central Act no.63 of 1948) shall be deemed to be obtained under these rules.

89. Use of premises as factory - No occupier shall use any premises as a factory unless:

- (i) The plans are approved from the Chief Inspector-cum-Facilitator in respect of the following items, namely:-
 - (a) site on which the factory is to be situated;
 - (b) building and extension used for the purposes of manufacturing process;
 - (c) the layout of plant and machinery;
 - (d) any changes, total or partial, in the manufacturing process (es).
- (ii) the factory building, extensions, processes and machinery layout are in conformity with the approved plans;
- (iii) the conditions subject to which plans are approved, are complied with;

- (iv) a licence is obtained under rule 7 from the Chief Inspector-cum-Facilitator or renewed under rule 9, and the said licence is valid at the relevant time.

Explanation: For the purpose of this clause a licence shall be deemed to be valid only if-

- (a) the fees, including additional fees, if necessary are paid,
- (b) the employment of workers for which licence is granted is not exceeded.
- (c) the limit of the installed power for which licence is granted is not exceeded.
- (d) existing building / shed / structure / work of engineering construction is in accordance with the plans approved by the Chief Inspector-cum-Facilitator.

90. Certificate of stability – No manufacturing process shall be carried on in any building of a factory constructed, reconstructed or extended, or in any building which has been taken into use as a factory or part of a factory until a certificate of stability, signed by a competent person, in respect of that building in the form annexed to rule 91 has been sent by the occupier or manager of the factory to the Chief Inspector-cum-Facilitator, and accepted by him:

Provided that no manufacturing process (es) shall be carried out in any premises of the factory unless a fresh Certificate of Stability as specified in the form, is obtained from a competent person and submitted to the Chief Inspector-cum-Facilitator, once in a period of five years or after any extension or alteration, repair or addition of any work of engineering construction or replacement or addition of machinery, plant etc:

Provided further that in case the person issuing the Certificate of Stability is a Structural Engineer registered under the provisions of the Goa Land Development and Building Construction Regulations, 2010, as amended from time to time, and who has originally designed the building / shed / structure / work of engineering construction, the Certificate of Stability issued by such person shall be considered in respect of such building / shed / structure / work of engineering construction initially and thereafter once in a period of five years or after any re-construction, extension, alteration, etc. or wherein there is any addition or modification of machinery, plant, lifting tools or lifting machines.

91. Form of certificate of stability. – Certificate of stability to be issued for each building / shed / structure / work of engineering construction in the premises shall be as per the form given below:-

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) Name of the building / shed / structure / work of engineering construction and number of floors on which workers will be employed | ... |
| (7) Nature and amount of moving power H.P. on each floor | ... |

I certify that I have personally inspected the building / shed / structure / work of engineering construction, the plans of which have been approved by the Chief Inspector-cum-Facilitator vide 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 / shed /structure / work of engineering construction, which has been constructed/reconstructed/extended/taken into use is structurally sound and that it's stability will not be endangered by its use as a factory/part of a factory for the manufacture of.....for which the machinery, plant, etc. is / are installed. I hereby undertake to take responsibility and liability for any action in accordance with the law in force in the event of any structural failure endangering human life or safety.

Signature of the Competent Person
Date...

Signature of the Occupier

Name of Engineer (in block letters)
Qualification
Address
Date
If employed by a company or association, name and address of the company or association
Certificate Ref. No

NOTE: - A separate stability certificate shall be issued for each building / shed /structure / work of engineering construction in the premises.

NOTE: - For the purpose of rule 90 and rule 91, the “competent person” means a Structural Engineer registered under the provisions of the Goa Land Development and Building Construction Regulations, 2010, as amended from time to time, and who has originally designed the building / shed /structure / work of engineering construction or a person approved by office of the Chief Inspector-cum-Facilitator, Government of Goa, and in the case of a building / shed /structure / work of engineering construction occupied or erected by the Government, an officer not below the rank of an Executive Engineer.

Explanation: - “Work of engineering construction” means any building, tank, silo, scaffold, platform, chimney, bridge, supporting structural work, retaining wall or any other similar structure.

92. Application for registration and grant of licence. - (1) The occupier and manager of every factory coming within the scope of the Code, after its commencement, shall apply to the Chief Inspector-cum-Facilitator for registration and grant of licence in Form 30 in electronic mode:

Provided further that in respect of factories which are in existence on the date of commencement of these rules, the license granted or renewed under the provisions of the Factories Act, 1948 (Central Act no.63 of 1948) in respect of such factories shall be deemed to be obtained or renewed under these rules and shall remain in force till its validity period.

(2) The occupier or manager of a place to which the provisions of the Code are made applicable by a notification under section 81 of the Code, shall submit an application within 30 days of the date of such notification.

(3) Every such application shall be accompanied by a payment of the fees specified for the purpose in the Schedule below:-

SCHEDULE

Scale of fees payable for licence and annual renewal of licence by factories

Quantity of H. P. Installed (Maximum H.P.)	MAXIMUM NUMBER OF EMPLOYEES TO BE EMPLOYED ON ANY DAY DURING THE YEAR									
	Upto 9	From 10 to 20	From 21 to 50	From 51 to 150	From 151 to 250	From 251 to 500	From 501 to 1000	From 1001 to 2500	From 2501 to 4000	4001 and Above
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nil	0	400	700	3000	4000	8000	16000	32000	48000	63000
Upto 10	600	1100	2700	6000	8000	12000	24000	48000	63000	78000
Above 10 but not above 50	800	3000	4000	8000	12000	16000	32000	59000	72000	86000
Above 50 but not above 100	3000	4000	6000	12000	16000	24000	40000	70000	78000	94000
Above 100 but not above 500	6000	7000	10000	24000	32000	40000	59000	78000	94000	109000
Above 500 but not above 1000	10000	11000	20000	32000	44000	52000	78000	94000	109000	125000
Above 1000 but not above 2000	14000	19000	26000	44000	52000	63000	86000	109000	125000	146000
Above 2000 but not above 5000	19000	26000	44000	52000	63000	86000	109000	125000	146000	159000
Above 5000 but not above 10000	28000	37000	65000	77000	94000	129000	172000	198000	212000	238000
Above 10000	41000	56000	97000	114000	146000	198000	251000	291000	317000	357000

Provided that –

- (i) fees to be charged for the following classes of factories shall, subject to a minimum of rupees five, be half of those specified above, if they do not work for more than 180 days in the aggregate in a calendar year:-
 - (a) Gur Factories,
 - (b) Cashew nut Factories,
 - (c) Rice Mills
- (ii) in the case of other factories working for a part of the year and commencing work on or after 1st day of July, the fees to be charged for the first time shall, subject to a minimum of rupees five, be half of those specified in the Schedule aforesaid.

(3) In case of a factory coming within the scope of the Code, where the application for registration and grant of license is made after the commencement of the manufacturing process, the occupier and manager, from the date of commencement of the manufacturing process till the date of submission of application for registration and grant of license, shall be liable to pay additional fee at the rate of two hundred percent of the fees payable per year, as specified in sub-rule (2).

93. Grant of licence – (1) The Chief Inspector-cum-Facilitator may, on application being made to him under sub-rule (1) of rule 89 and on payment of the fees prescribed in sub-rule (2) of that rule and on being satisfied that there is no objection to the grant of licence applied for, register the factory and grant a licence in Form 31 to the applicant to use as factory such premises as are specified in the application and subject to compliance with such conditions as are specified in the licence:

Provided that subject to the provisions of sub-section (3) of section 79, the Chief Inspector-cum-Facilitator may refuse to register the factory and grant a licence if he is satisfied –

- (i) that the approval of plans has not been obtained from the Chief Inspector-cum-Facilitator as required under rule 88;
- (ii) that the factory has not been constructed in accordance with the plans approved by the Chief Inspector-cum-Facilitator or in compliance with the conditions subject to which the plans are approved;
- (iii) that material requirements of the relevant provisions specified in the Schedules to rule 104 in relation to the factory concerned have not been complied with; or
- (iv) that there is imminent danger to life in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in his opinion have not been taken to remove the danger.

(2) Subject to the provisions hereinafter contained with respect to suspension and unless earlier renewed under rule 95, every such licence shall remain in force until the 31st day of December of the year for which the licence is granted, or renewed under rule 95.

94. Amendment of licence– (1) A licence under rule 93 may be amended by the Chief Inspector-cum-Facilitator.

(2) A licensee shall be required to have his licence amended, if there is change in the name of the factory or in the site on which the factory is situated, or if there is an addition or alteration to the

premises in which the factory is situated, or change in the manufacturing process, or addition of new process or deletion of process, or if the factory, for which the licence is granted, exceeds the limits specified in the licence in regard to horse-power or the number of persons employed. The licensee whose licence is required to be amended shall submit it to the Chief Inspector-cum-Facilitator with an application stating the nature of the amendment and reasons thereof along with Form 30 duly filled in and signed. Where application for the amendment of licence is duly made in accordance with these rules, the factory in respect of which the licence is to be amended, as the case may be, shall be deemed to be duly amended until such licence is amended or until an intimation that the amendment of the licence has been refused is communicated to such person for the reasons recorded in writing:

Provided that no amendment of the licence shall be necessary in respect of changes in the number of workers or horse-power or both unless such changes involve higher licence or renewal fee.

Explanation: -

- (i) For the purpose of this rule, addition or alteration shall not include minor repairs which does not change more than 5% of the existing built up area of the premises and shall also not include built up area added or altered for the purpose of use for activities other than manufacturing process and its allied activities.
- (ii) For the purpose of this rule, change in the manufacturing process, or addition of new process or deletion of process shall not include any change in the manufacturing process, or addition of new process or deletion of process which does not result in change in the category of the finished products being manufactured. However, any such change, which results in change or addition or deletion of raw materials being used, the same shall be intimated, along with the complete details of the raw materials added or deleted, to the Chief Inspector at least fifteen days before such change.

(3) Where a licence is required to be amended under sub-rule (2) the fee to be paid for such amendment shall be equal the difference between the licence or renewal fees due on the basis of the higher number of workers and horse power and the fees for the grant of licence or renewal thereof already paid for the year or part thereof.

95. Renewal of licence - (1) An application for the renewal of licence (for a period not exceeding ten years) shall be made to the Chief Inspector-cum-Facilitator in Form 32 in electronic mode accompanied with payment of the fees specified in the Schedule attached to rule 89 so as to reach him not later than two months before the date on which the license is due to expire:

Provided that where a factory commences work on or after the 1st day of November in any year application for renewal of licence shall be made on or before the 1st day of January next following:-

- (2)
 - (a) On receipt of the application under sub-rule (1), the Chief Inspector-cum-Facilitator may, if he is satisfied that there is no objection to the renewal of the licence, renew the same for a period not exceeding ten years on such conditions as he may specify or may, after recording his reasons, refuse the renewal thereof on any of the grounds specified in the proviso to rule 93.
 - (b) The Chief Inspector-cum-Facilitator may also refuse the renewal of the licence on the ground that the applicant has been guilty of repeated contraventions of the provisions of the Code or these rules or both or the applicant has obtained the licence by fraud or by misrepresentation.

Provided that in any case falling under clause (a) or (b) before refusing any licence the applicant shall be given an opportunity to show cause why the licence should not be refused:

Provided further that if the period for which the renewal of licence is applied is one year or more but does not exceed ten years, the fees payable under this sub-rule therefore per year, shall be at the rate specified in the Schedule attached to rule 89 and in case during the period of validity of the license, there is an increase in the fees payable, the Occupier, within a period of three months from the date of publication of Notification to that effect in the Official Gazette, shall pay the difference in fees payable with effect from the date of such increase till the remainder period of validity of license:

Provided also that where the application for the renewal of the licence is made after the expiry of the due date specified in this sub-rule, the additional graded fees at the percentage of the fees payable for the renewal of the licence specified in column (2) of the Schedule hereto shall be payable for such renewal of the licence for the period of delay specified in column (1) of the Schedule.

SCHEDULE	
Period of delay	Percentage of fees
(1)	(2)
Upto one month	10 percent
Upto two months	20 percent
Upto three months	30 percent
Upto four months	40 percent
Upto five months	50 percent
Above five months	100 percent

96. Revocation of licence.— The Chief Inspector-cum-Facilitator may, at any time before the expiry of the period for which the licence has been granted or renewed, revoke the licence on any of the grounds specified in the proviso to rule 93 or clause (b) of sub-rule (2) of rule 95.

97. When licence deemed to be granted or renewed.— Where application for the grant or for renewal of licence is duly made in accordance with these rules, the factory in respect of which the licence is to be granted or renewed, as the case may be, shall be deemed to be duly licensed until such licence is granted or renewed or until an intimation that the grant or renewal of the licence has been refused is communicated to such person.

Explanation:— For the purpose of this rule, an application for the grant or renewal of a licence shall be deemed to have been duly made only if it is in the prescribed form and is filled in with all relevant particulars and further is accompanied by a treasury receipt or an invoice for book adjustment, as the case may be, for payment of the fees in accordance with the Schedule annexed to rule 92.

98. Procedure for transfer of license.— (1) 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 Code for exercising the powers granted to the licensee by the licence during such time as may reasonably be required to allow him to make an application for the amendment of the licence under rule 8 in his own name for the unexpired portion of the original licence.

(2) Transfer of licence – (i) 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. The notice of occupation in Form 30 shall be given by the new occupier in electronic mode on whose name the license is to be transferred.

(ii) 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.

(iii) A fee of one thousand rupees shall be charged on each such application.

(3) In case of amendment of a license due to change in the name of the factory or change in the organization status, the application for amendment in Form 30 shall be submitted in electronic mode along with payment of one thousand rupees towards the fees for the same.

(4) In case of amendment of a license due to acquisition or merger taking place, the application for amendment of license and notice of occupation in Form 30 shall be given by the new occupier in electronic mode in whose name the license is to be transferred, accompanied by payment of five thousand rupees towards the fees for the same.

99. Mode of payment of fees. – (1) Every application under these rules shall be accompanied by a treasury receipt showing that the appropriate amount of fee has been paid into the local treasury under the relevant head of account.

(2) If an application for the grant, renewal or amendment of a licence is rejected, the fee paid shall be refunded to the applicant.

(3) Where such application is granted, any amount paid by the applicant in excess of the prescribed fee shall be refundable only after the expiry of one year from the date of such grant or the same may be adjusted against payment of any fees due for the next succeeding year.

100. Suspension of licence on request of licensee - (1) If before the 31st October of any year an occupier notifies his intention in writing to the Chief Inspector-cum-Facilitator that during the following year the premises in respect of which licence is issued will not be used for the working of the factory, the Chief Inspector-cum-Facilitator may suspend the licence granted in respect of such factory.

(2) A licence suspended under sub-rule (1) may be revived on receipt of an application for renewal in Form 32 in electronic mode accompanied by the licence, for the remaining part of the year, on payment of a surcharge of 10 per cent in addition to the fees specified in these rules.

101. Notice of occupation. – The notice of occupation shall be in Form 30.

102. Notice of change of manager. – Notice of change of manager shall be in Form 33.

103. Liability of owner of premises in certain circumstances. –

The chief Inspector-cum-Facilitator may, through an order, specify the liability of the owner and occupier jointly or separately on receiving the application from the occupier and owner of the factory.

Provided that in case the occupier or owner does not apply for the same. Both occupier and owner shall be liable for the common services and facilities.

104. Dangerous operations.— The following operations when carried on in any factory a declared to be dangerous operations under section 82:—

- I. Manufacture of aerated water and processes incidental thereto;
- II. Electrolytic plating or oxidation of metal articles by use of an electrolyte containing chromic acid or other chromium compounds;
- 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. Generating petrol gas from petrol;
- VIII. 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;
- IX. Liming and tanning of raw hides and skins and processes incidental thereto;
- X. Certain lead processes carried on in printing presses and type foundries;
- XI. Manufacture of pottery;
- XII. Chemical works;
- XIII. Manufacture of articles from refractory materials;
- 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. Handling or manipulation of corrosive substances;
- XVI. Processing of cashew nuts;
- XVII. Compression of oxygen and hydrogen produced by the electrolysis of water;
- XVIII. Process of extracting oils and fats from vegetables and animal sources in solvent extraction plants;
- XIX. Manufacture or manipulation of manganese and its compounds;
- XX. Manufacture or manipulation of dangerous pesticides;
- XXI. Manufacture, handling and usage of benzene and substances containing benzene;
- XXII. Manufacturing process or operations in carbon disulphide plants;
- XXIII. Manufacture or manipulation of carcinogenic dye intermediates;
- XXIV. Operations involving high noise and vibration levels;
- XXV. Manufacture of Rayon by Viscose Process;
- XXVI. Handling and Processing of Highly Flammable liquids and flammable compressed Gases;
- XXVII. Operations in Foundries
- XXVIII. Fireworks manufactories and match factories;
- XXIX. Manipulation of stone or any other material containing free silica.

(2) The provisions specified in the schedules annexed hereto shall apply to class or description of factories wherein dangerous manufacturing processes or operations specified in each schedule are carried on.

(3) (a) For the medical examinations of the workers to be carried out by the Medical Officer as required by the Schedules annexed to this rule, the occupier of the factory shall pay fees at such rates as may be notified by the Government from time to time for examination of each worker.

(b) The fees prescribed in sub-rule (3) (a) 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.

(4). Notwithstanding the provision specified in the Schedules annexed to this rule, the Inspector-cum-Facilitator may, by issue of orders in writing to the manager or occupier or both, direct them to carry out 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 workers, or to suspend any process, where such process constitutes, in the opinion of the Inspector-cum-Facilitator imminent danger of poisoning or toxicity.

(5). Any register or record of medical examinations and tests connected therewith required to be carried out under any of the Schedules annexed hereto in respect of any workers shall be kept readily available to the Inspector-cum-Facilitator and shall be preserved for a minimum period of fifteen years after retirement or cessation of employment.

(6) Specific tests to be conducted for the purpose of carrying out medical examination of a worker shall be in accordance with the Schedule herein below and the same shall be in addition to the other biochemical, pathological, biological and instrumental investigations which the Medical Officer may specify to assess the occupational health status of a worker.

(7) Other tests / investigations to be conducted for the purpose of carrying out medical examination of a worker before employment and thereafter at specified intervals shall consist of blood investigations for hemoglobin, total WBC count, differential count, blood grouping, fasting blood sugar level, serum creatinine, blood urea, electro cardio gram, urine (routine and microscopic), audiometry, X-ray chest, eye test including colour vision, pulmonary function test and any other test(s) which the Certifying Surgeon may specify.

SCHEDULE

Schedule	Dangerous manufacturing processes or operation	Specific Tests to be conducted
I	Manufacture of aerated water and processes incidental thereto	Nil
II	Electrolytic plating or oxidation of metal articles by use of an electrolyte containing chromic acid or chromium compounds	(i) X-ray chest Pre-employment and then, every five years or earlier if indicated. (ii) Assessment of the chemical in blood/urine such as chromium in blood and urine, nickel in urine and cadmium in urine.

		(iii)Assessment of metabolites (where the chemical cannot be measured) in blood/urine, any other biological sample.
III	Manufacture and repair of electric accumulators	(i) Assessment of chemical in blood / urine such as Aminolevulinic acid in urine, lead in urine and blood, haemoglobin % steadiness test
IV	Glass manufacture	(i) X-ray chest Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function tests (iii)Assessment of lead in blood, urine.
V	Grinding or glazing of metals	(i) X-ray chest Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test
VI	Manufacture and treatment of lead and certain compounds of lead	(i) Assessment of chemical in blood/urine such as lead in blood and urine, Aminolevulinic acid in urine, haemoglobin % steadiness test
VII	Generating petrol gas from petrol	Nil
VIII	Cleaning or smoothing, roughening, etc of articles by a jet of sand, metal shot or grit or other abrasive propelled by blast of compressed air or steam	(i) X-ray chest Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test
IX	Limming and tanning or raw hides and skins and processes incidental thereto	(i) Skin test for dermatitis and detection of anthrax by gram stain.
X	Certain lead processes carried on in printing process and type foundries	(i) Assessment of chemical in blood/urine such as lead in blood and urine, Aminolevulinic acid in urine, haemoglobin % steadiness test
XI	Manufacture of pottery	(i) X-ray chest Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test (iii)Assessment of chemical in blood/urine such as lead in blood and urine, Aminolevulinic acid in urine, haemoglobin % steadiness test

XII	Chemical works	Nil
XIII	Manufacture of articles from refractory materials	(i) X-ray chest Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test
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	(i) Chest X-ray Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test
XV	Handling or manipulation of corrosive substances	Nil
XVI	Processing of cashew nuts	(i) Skin test for dermatitis
XVII	Compression of oxygen and hydrogen produced by the electrolysis of water	Nil
XVIII	Process of extracting oils and fats from vegetable and animal sources in solvent extraction plants	Nil
XIX	Manufacture or manipulation of manganese and its compounds	(i) Assessment of serum calcium, serum phosphate and manganese in blood and urine. (ii) Steadiness test (iii) Neuro-muscular co-ordination test
XX	Manufacture or manipulation of dangerous pesticides	(i) Determination of the chemical in blood and fat tissues, Electroencephalography (EEG) abnormalities and memory test (ii) Depression of cholinesterase in plasma and red blood cells
XXI	Manufacture, handling and usage of benzene and substances containing benzene.	(i) Phenol in urine and determination of urinary sulphide ratio and central nervous system and hematological tests
XXII	Manufacturing process or operations in carbon disulphide plants	Nil
XXIII	Manufacture or manipulation of carcinogenic dye intermediates	(i) Detection of Methemoglobinemia in blood, para-Nitrophenylphosphate in urine (ii) Pulmonary function test (iii) Central nervous system test

XXIV	Operations involving high noise levels	(i) Audiometry
XXV	Manufacture of Rayon by Viscose process	(i) Iodine azide test on urine, cholesterol in serum. (ii) Electro cardiogram (iii) Central nervous system test
XXVI	Highly flammable liquids and flammable compressed gases	Nil
XXVII	Foundry Operations	(i) Chest X-ray Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test
XXVIII	Fireworks manufactories and match factories	Nil
XXIX	Manipulation of stone or any other material containing free silica	(i) Chest X-ray Pre-employment and then every five years or earlier if indicated. (ii) Pulmonary function test.

(7) Other tests / investigations to be conducted for the purpose of carrying out medical examination of a worker before employment and thereafter at specified intervals shall consist of blood investigations for hemoglobin, total WBC count, differential count, blood grouping, fasting blood sugar level, serum creatinine, blood urea, electro cardio gram, urine (routine and microscopic), audiometry, X-ray chest, eye test including colour vision, pulmonary function test and any other test(s) which the Medical Officer may specify.

SCHEDULE I

Manufacture of Aerated Waters and processes incidental thereto

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

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

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

(b) suitable gauntlets for both 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.
- (ii) Where a machine is so constructed that only one arm of the bottle work upon it is exposed to danger, a gauntlet need not be provided for the arm which is not 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, capsuling, sighting or labeling bottles or siphons-

- (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 forefinger.

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

SCHEDULE II

Electrolytic plating or oxidation of metal articles by use of an electrolyte containing chromic acid or other chromium compounds

1. *Definitions* .- For the purposes of this Schedule –

- (a) “electrolytic chromium process” means the electrolytic planting 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; and
- (d) “suspension” means suspension from employment in any process involving contact with liquid from any bath by written certificate in the health register signed by the Medical Officer who shall have power of suspensions as regards all persons employed in any such process.

2. *Exhaust draught.*- (a) 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 near as may be at the point of origin.

(b) 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.

(c) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.

(d) Any defect disclosed by such examination and test shall be rectified as soon as practicable.

(e) A report containing particulars of such examination and test shall be maintained in Form 34.

3. *Prohibition relating to women and adolescent persons.*- No woman or adolescent, shall be employed or permitted to work at a bath unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

4. *Floor of workrooms.*- The floor of every workroom 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 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) waterproof aprons and bibs; and
- (b) for persons actually working at a bath, loose fitting rubber gloves and rubber boots or other waterproof 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. *Cautionary placard.*- A cautionary placard in the form specified by the Chief Inspector-cum-Facilitator and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

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

8. *Medical examination.*- (1) Every person employed in electrolytic chrome process, shall be examined by a Medical Officer within 30 days of his first employment in the said process and if found fit, shall be granted by the Medical Officer a certificate of fitness in Form 24B and after the first examination he shall be examined by the Medical Officer at intervals of not more than one year.

(2) If at any time, the Medical Officer is of the opinion that any person is no longer fit for employment in the said process on the grounds that continuance therein would involve special danger to the health of the worker, he shall cancel the certificate of fitness issued to him.

9. *Weekly examinations.*- (1) The occupier of every factory shall appoint a qualified medical practitioner whose appointment shall be subject to confirmation by the Chief Inspector-cum-Facilitator.

(2) No person shall be employed in electrolytic chrome process unless he has been examined and found fit for the said process by the qualified medical practitioner. Such examination shall include inspection of hands, forearms and nose and will be carried out at intervals of not more than one week. The results of such examination shall be maintained in a health register in Form 24C. The register shall be kept by the manager and shall contain the names of all persons employed in the said process and the certificate of fitness in respect of each person issued by the Medical Officer shall be attached thereto.

(3) If at any time, the qualified medical practitioner is opinion that any person is no longer fit for employment in the electrolytic chrome process, he shall make a record of his findings in the health register and intimate the manager in writing that the said person is unfit for work in the said process.

(4) A person so found unfit by the registered medical practitioner shall be sent by the manager to the Medical Officer with a report from the qualified medical practitioner. The Medical Officer after examination may suspend the said person from working in the said process. No person after suspension shall be employed without written sanction from the Medical Officer entered in or attached to the Health Register.

SCHEDULE III

Manufacture and repair of electric accumulators

1. *Savings.*- This Schedule shall not apply to the manufacture of 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 purpose of this Schedule.

- (a) 'lead process' means the melting of lead or any material containing lead, casting, pasting, lead burning, 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) "suspension" means suspension from employment in any lead process by written certificate in the health register (Form 24) signed by the Medical Officer who shall have power of suspension as regards all persons employed in any such process; and
- (d) "first employment" means first employment in a lead process in a factory or workshop and also re-employment thereof in a lead process following any cessation of employment in such process for a period exceeding three calendar months.

3. *Prohibition relating to women and adolescent persons.*- No woman or adolescent persons shall be employed or permitted to work in any lead process or in any room in which the manipulation of raw oxide of lead or pasting is carried on unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

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 effective 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 burning (racking) necessarily carried on in connection therewith;
- (e) melting down of pasted plates; and
- (f) the grid casting soap.

5. *Air space.*- In every room in which lead process is carried on, there shall be at least 15.0 cubic meters of air space for each person employed therein, and in computing this air space no height over 3.75 meters shall be taken into account.

6. *Ventilation.*- every workroom 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 distance between the centre of the working position of any one paster and that of the paster working nearest to him shall not be less than 1.5 meters.

8. *Floor of workroom.*— (1) The floor of every room in which 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; and
- (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 cleansed 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 cleansed 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; and
- (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 be maintained in sound condition and
- (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-bench used for pasting shall;

- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges; and
- (g) be kept constantly moist while pasting is being carried on;

and every work-bench used for trimming, brushing, filling or may any other abrading or cutting of pasted plates shall—

- (h) be fitted with a top having opening or grill which shall allow any clippings, filling or dust produced to all into a collecting through containing water.

10. *Exhaust draught.*— 1) The following processes 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) tacking in the formation room; and
 - (ii) chemical burning for the making of lead lining for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.
- 2) (a) Such exhaust draught shall be affected by mechanical means and shall operate on the dust or fume given off as nearly as may be at its point of origin, so as to prevent it entering the air of any room in which persons work. (b) 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.
- (c) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.
- (d) Any defect disclosed by such examination and test shall be rectified as soon as practicable.
- (e) A report containing particulars of such examination and test shall be maintained in Form 34.

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 covers shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall kept covered while in the workroom, except when dross is being deposited therein.

13. *Container for lead waste.*— A suitable receptacle shall be provided in every workroom in which old plated and waste material which may give rise to dust shall be deposited.

14. *Racks and shelves in drying room.* — (1) racks or shelves provided in any drying room shall not be more than 2.4 meters from the floor nor more than 60 centimeters in width:

Provided that as regards racks or shelves set or drawn from both sides the total width shall not exceed 120 centimeters

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

15. *Protective clothing.* — (1) 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 persons concerned.

(2) The protective clothing shall consist of waterproof footwear; and in addition as regards persons employed in the manipulation of raw oxide of lead or in pasting, head coverings. The head coverings shall be washed daily.

16. *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 messroom, which shall be furnished with sufficient tables and benches, and adequate means for warming food. The messroom shall be placed under the charge of a responsible person, and shall be kept clean.

17. *Cloakroom.* – There shall be provided and maintained for the use of all persons employed in a lead process-

- (a) a cloakroom for clothing put off during working hours with adequate arrangements for drying the clothing if wet, which accommodation shall be separate from any messroom; and
- (b) separate and suitable arrangements for the storage of protective clothing provided under paragraph 15.

18. *Washing facilities.*- 1) There shall be provided and maintained in a clean 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 60 centimeters 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 60 centimeters; 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 of water laid on;
- (b) 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; and
- (c) a sufficient supply of soap or other suitable cleansing material and of nail brushes.

(2) 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 if required by notice in writing from the Chief Inspector.

19. *Time to be 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 who has been employed in the manipulation of raw oxide of lead or in pasting:

Provided that if there be one basin or 60 centimeters of trough for each such person this paragraph shall not apply.

20. *Facilities for bathing.*- Sufficient bath accommodation to the satisfaction of the Chief Inspector 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.

21. *Food, drinks, etc. prohibited to workrooms.*- No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any workroom in which any lead process is carried on.

22. *Storage of lead oxides.*- All bags containing or having contained oxide of lead shall be kept in a closed room used only for this purpose.

23. Re-use of paper or cloth restricted.-

- (a) Paper once used for backing or drying pasted plates shall not be used again in the factory.
- (b) Cloth once used for backing or drying pasted plates shall not be stored or handled unless it is moist so as not to give off dust.

24. Medical examination.- 1) Every person employed in a lead process shall be examined by the Medical Officer within seven days preceding or following the date of his first employment in such process and thereafter shall be examined by the Medical Officer once in every six months, or at such other intervals as may be specified in writing by the Chief Inspector-cum-Facilitator, on a day of which due notice shall be given to all concerned.

(2) A health register in Form 24 containing the names of all persons employed in a lead process shall be kept.

(3) No person after suspension shall be employed in a lead process without written sanction from the Medical Officer entered in or attached to the health register.

SCHEDULE IV**Glass manufacture****1. Definitions.-** For the purposes 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 degree centigrade 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) “Suspension” means suspension from employment in any process specified in paragraph 3 by written certificate in the health register, Form 7, signed by the Medical Officer who shall have power of suspension as regards all persons employed in any such process:-

2. Exhaust draught. – (1) The following processes shall not be carried on except under an efficient exhaust draught or such other conditions as may be approved by the Chief Inspector:-

- (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 ammoniac vapours are given off;
- (d) all processes in the making of furnace moulds or “pots” including the grinding or crushing of used “pots”; and

(e) all processes involving the use of a dry lead compound.

(2) (a) 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.

(b) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.

(c) Any defect disclosed by such examination and test shall be rectified as soon as practicable.

(d) A report containing particulars of such examination and test shall be maintained in Form 34.

3. *Prohibition relating to women and adolescent persons.* – No woman or adolescent 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 unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

4. *Floor 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 comply with the following requirements –

(a) the floor shall be-

(i) of cement or similar material so as to be smooth and impervious to water;

(ii) maintained in sound conditions; and

(iii) cleansed daily after being thoroughly spread with water at a time when no other work is being carried on in the room; and

(b) the work-benches shall-

(i) have a smooth surface and be maintained in sound condition; and

(ii) 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.

5. *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 as to secure and maintained 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 workplaces shall be so enclosed in projecting hoods that openings 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 gases are exhausted downwards.

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

7. *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 sterilizing his blow pipe.

8. *Food, drinks, etc, prohibited in workroom.* — No food, drinks, pan and supari or tobacco shall be brought into or consumed by any worker in any room or workplace wherein any process specified in paragraph 2 is carried on.

9. *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 2, suitable protective clothing, footwear and goggles according to the nature of the work and such clothing, footwear, etc. shall be worn by the persons concerned.

10. *Washing facilities.*— There shall be provided and maintained in a clean state and in good repair for the use of all persons employed in the processes specified in paragraph 2;

(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 60 centimeters 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 60 centimeters ; 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;

(b) a sufficient supply of lean towels made of suitable material renewed daily with a sufficient supply of soap or any other suitable cleansing material and of nail brushes; and

(c) a sufficient number of stand pipes with taps the numbers and location of which shall be to the satisfaction of the Chief Inspector.

11. *Medical examinations.*— (1) Every person employed in any process specified in paragraph 2 shall be examined by the Medical Officer within seven days preceding or following the date of his first employment in such process and thereafter he shall be examined by the Medical Officer once in every six months or at such other intervals as may be specified in writing by the Chief Inspector-cum-Facilitator, on a day of which due notice shall be given to all concerned.

(2) A health register in Form 24 containing the names of all persons employed in any process specified in paragraph 2 shall be kept.

(3) No person after suspension shall be employed in any process specified in paragraph 2 without written sanction from the Medical Officer entered in or attached to the health register.

12. *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 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 be 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 it.

SCHEDULE V

Grinding, or glazing of metals and processes incidental thereto

1. *Definitions.* – For the purpose of this Schedule –

- (a) “grindstone” means a grindstone composed of natural or manufactured sandstone by does not include a metal wheel 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 up, polishing or finishing by and 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 dress of a revolving grindstone before it is brought into use for the first time;
- (f) “hacking” means the chipping of the surface of a grindstone by a hack or similar tool; and
- (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. *Equipment for removal of dust* - No racing dry grinding or glazing shall be performed without.-

- (a) a hood or other appliance so constructed, arranged places and maintained as substantially to intercept the dust thrown off;
- (b) a duct of 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 to attach thereto any instrument necessary for ascertaining the pressure of air in the said duct; and
- (c) a fan or other efficient means of producing a draught sufficient to extract the dust.

Provided that the Chief Inspector 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.

3. *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.

4. *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.

5. *Hacking and Rodding.* - Hacking or Rodding shall not be done unless during the process either an adequate supply of water is laid on at the upper surface of the grindstone or adequate appliances for the interception of dust are provided in accordance with the requirements of paragraph 2.

6. *Examination of dust equipment.* – (1) All equipment for the extraction or suppression of dust shall at least once in every twelve 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.

(2). A register containing particulars of such examination and test shall be kept in Form 28.

7. *Exception.*— (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 employed in the grinding or glazing of metals.

(2) Nothing in this Schedule except paragraph 3 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.

8. *Exemption.* — The Chief Inspector-cum-Facilitator may by certificate in writing, subject to such conditions as he may specify therein, relax or suspend any of the provisions of the Schedule in respect of any factory if owing to the special methods of work or otherwise such relaxation or suspension is practicable without danger to the health or safety of the persons employed.

SCHEDULE VI

Manufacture and treatment of lead and certain compounds of lead

1. *Application.* — This Schedule in which 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 is carried on;
- (b) the manipulation, treatment or reduction of ashes containing lead, the delivering 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) The handling or mixing of lead tetra-ethyl;
- (f) Any other operation involving the use of a lead compound; and
- (g) The cleansing of workrooms where any of the operations aforesaid are carried on.

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

- (a) “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 percent 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 “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 treatments shall be as follows:-

A weighed quantity of the material which has been dried at 100 degree 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;

- b) “efficient exhaust draught” means localised ventilation affected 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. *Prohibition relating to woman and young persons.*— No women or young person shall be employed or permitted to work in any of the operations specified in paragraph 1.

4. *Requirements to be observed.* - No person shall be employed or permitted to work in any process involving the use of lead compound if the process is such that dust or fumes from a lead compound is produced therein, or the persons employed therein, or the persons employed therein are liable to be splashed their any lead compound in the course of their employment unless the provisions of paragraph 5 to 13 are complied with.

5. *Exhaust draught.* – (a) Where dust, fume, gas or vapour is produced in the process, provision shall be made for removing them by means as to operate on the dust, fume, gas or vapour as closely as possible to the point of origin.

(b) 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.

(c) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.

(d) Any defect disclosed by such examination and test shall be rectified as soon as practicable.

(e) A report containing particulars of such examination and test shall be maintained in Form 34.

6. *Food, drinks, etc. prohibited in workroom.* – No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any workroom in which the process is carried in and no person shall remain in any such room during intervals for meals or rest.

7. *Protective clothing.*— Suitable protective overalls and head coverings shall be provided, maintained and kept clean by the occupier and such overalls and head coverings shall be worn by the persons employed.

8. *Cleanliness of work-rooms, tools, etc.*— The rooms in which the persons are employed and all tools and apparatus used by them shall be kept in a clean state.

9. *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 60 centimeters 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 60 centimeters; 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 brushed, soaps or other suitable cleansing material and clean towels.

(2). The facilities so provided shall be places under the charge of a responsible person and shall be kept clean.

10. *Messroom or canteen.* – The occupier shall provide and maintain for the use of the persons employed suitable and adequate arrangements for taking 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 or warming the 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.

11. *Cloakroom.*– 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 clothes.

12. *Certificate of fitness.*– A person medically examined under paragraph 13 and found fit for employment shall be granted by the Medical Officer a certificate of fitness in Form 24B and such certificate shall be in the custody of the manager of the factory. The certificate shall be kept readily available for inspection by any Inspector and the person granted such a certificate shall carry with him, while at work, a token giving reference to such certificate.

13. *Medical examination.*– (1) The person so employed shall be medically examined by the Medical Officer within 14 days of his first employment in such process and thereafter he shall be examined by the Medical Officer at intervals of not more than six months, and a record of such examination shall be entered by the Medical Officer in the special certificate of fitness granted under paragraph 12.

(2). If at any time in Medical Officer is of opinion that any person is no longer fit for employment on the grounds that continuance therein would involve special danger to his health, he shall cancel the special certificate of fitness of that person.

(3). No person whose special certificate of fitness has been cancelled shall be employed unless the Medical Officer, after re-examination, again certifies him to be fit for employment.

14. *Exemption.*– Where the Chief Inspector 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 provision, subject to such conditions as he may specify.

SCHEDULE VII

Generating petrol, gas from petrol

1. *Prohibition relating to women and adolescent persons.* – No woman or adolescent 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 clause (b) of Section 2 of the Petroleum Act, 1934, is carried on unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

2. *Flame traps.* – The plant for generation of gas from dangerous petroleum 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 erected after the coming into force of the provisions specified in this schedule, shall be erected outside the factory building proper in a separate well ventilated building (hereinafter referred to

as the “generating building”). In the case of such plants 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.

Provided that where the Government is satisfied in respect of any factory that the plant for generating of gas from dangerous petroleum as defined in clause (b) of Section 2 of the Petroleum Act, 1934, is no account of the special precautions adopted or contrivances used for such plant, not likely to expose any persons employed in such factory to any serious risk of bodily injury, the Government may, by notification on the Official Gazette, exempt such factory wholly or partially from the provisions of this clause for such period and on such conditions as it may specify.

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.

5. *Plant to be approved by Chief Inspector.*— Petrol gas shall not be manufactured except in a plant for generation petrol gas, the design and construction of which has been approved by the Chief Inspector.

6. *Escape of petrol.*— Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

7. *Prohibition relating to smoking.*— No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in the generation room or building or in the vicinity thereof and a warning notices 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 unauthorized person shall have access to any petrol or to a vessel containing or having actually contained petrol.

9. *Electric fitting.*— All electric fittings shall be of flameproof construction and all electric conductors shall other 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 a 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 or building.

11. *Repair of containers.*— No vessel that has contained petrol shall be repairs in a generating room pr 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 or inflammable vapour.

SCHEDULE VIII

Cleaning or smoothing, roughing, etc, of articles, by a jet of sand, metal shot, or grit, or other abrasive propelled by a blast of compressed air or steam.

1. *Definitions.*— For the purposes of this Schedule —

- (a) “blasting” means cleaning, smoothing, roughing or removing of any part of the surface of any article by the use as an abrasive of a jet of sand, metal shot or grit or other material propelled by a blast of compressed air or steam.

- (b) “blasting enclosure” means a chamber, barrel, cabinet or any other enclosure designed for the performance of blasting therein.
- (c) “blasting chamber” means a blasting enclosure in which any person may enter at any time in connection with any work or otherwise; and
- (d) “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 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 these rules:

Provided further that no woman or adolescent person shall be employed or permitted to work at any operation of sand blasting unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

3. *Precautions in connection with blasting operations.*- (i) Blasting to be done in blasting enclosure-

Blasting shall not be done except in blasting enclosure and no work other than blasting and any work immediately incidental thereto and clearing and repairing of enclosure including the plant and appliances situated therein, shall be performed in a blasting enclosure. Every door, aperture and joint of blasting enclosure shall be kept closed and airtight while blasting is being done therein.

(ii) Maintenance of blasting enclosure-

Blasting enclosure shall always be maintained in good condition and effective measures shall be taken to prevent dust escaping from such enclosure, and from apparatus connected therewith, into the air of any room.

(iii) 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 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 used for blasting until it has been so separated.

Separating apparatus shall be provided with exhaust draught arrangement to extract and remove the dust by special methods and in such manner so that it shall not escape into air of any rooms in which persons are employed.

Provided that this clause shall not supply, 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.

(iv) 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 or settling device situated in a room in which persons are employed, other than persons attending to such bag or other filtering or setting device, shall be completely separated from the general air of that room in a enclosure ventilated to the open air.

The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided. Any defect disclosed by such examination and test shall be rectified as soon as practicable. A report containing particulars of such examination and test shall be maintained in Form 34.

(v) Operation of ventilating plant-

The ventilating plant provided for the purpose of sub-paragraph (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 three months.

(2) Particulars of the result of every such inspection, examination or test shall forthwith be entered in a register which shall be kept in a form approved by the Chief Inspector and shall be available for inspection by any workman employed 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 available delay.

(3) Every blasting chamber, separating apparatus and ventilating plant shall be thoroughly inspected at an interval of 6 months for detecting any defect in their efficient oppressions, and the defects so notices shall be rectified forthwith.

5. *Provision of protective helmets, 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; and every such person shall wear the helmet provided for this use whilst he is in the chamber and shall not remove until he is outside the chamber.

(2) Each protective helmet shall carry at 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 170 litres per minute.

(4) Suitable gauntlets, overalls, dust-proof goggles and boots 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 gauntlets, overalls, dust-proof goggles and boots so 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 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 ventilating plant connected therewith so that he is exposed to the risk of inhaling dust which has arisen from blasting, all practicable measure shall be taken to prevent such inhalation.

(2) In connection with any cleaning operation referred to in paragraph 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 paragraph 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.

8. *Maintenance and cleaning of protective wear* - All helmets, gauntlets, overalls and other protective devices or clothing provided and worn for the purposes of this schedule, shall be cleaned on every weekday in which they are used. Where dust arising from the taken to prevent 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.

10. *Restriction in employment of adolescent persons.*— No woman or adolescent person shall be employed in blasting or assisting at blasting or in 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 woman or adolescent person 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 separate from any dust coming from the enclosure.

11. *Medical examination.*— (1) Every person 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, shall be medically examined by the Medical Officer within thirty days of his first employment, the record of which shall be entered in Form 24, and if found fit for employment in the said process, he shall be granted by the Medical Officer, a certificate of fitness in Form 24B.

(2) After the first examination, the person so examined shall be examined by the Medical Officer at intervals of twelve months and a record of such examinations shall be entered by the Medical Officer in Form 24.

(3) If at any time the Medical Officer is of the opinion that the person employed in the said process shall be examined radiological by a qualified radiologist, he may direct the occupier to arrange for such examination at his cost and then to submit the standard size chest X-Ray plate of the worker to the Medical Officer.

(4) If at any time the Medical Officer is of the opinion that any person is no longer fit for employment on the grounds that continuance therein would involve special danger to health, he shall cancel the special certificate of fitness in Form No. 26 of that person and record in Form No. 24.

(5) No person whose certificate of fitness in Form No. 24B has been cancelled, shall be employed or permitted to work unless the Medical Officer, after re-examination, again certifies him to be fit for employment in the operations.

(6) The register of the certificate of fitness in Form No. 24B granted by the Medical Officer and the record made in Form No. 24 by him shall be in the custody of the manager of the factory and shall be kept readily available for inspection by an Inspector.

12. *Power to exempt or relax.* – (1) If the Chief Inspector 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 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 an 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-paragraph (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.

SCHEDULE 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 a 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 subsequently 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) If any person employed in the factory is illiterate, effective steps shall be taken to explain carefully to such illiterate person the contents of the notice specified in sub-paragraphs (1), (2) and (4) and if chrome solutions are used in the factory, the contents of the notice specified in sub-paragraph (3).

2. *Protective clothing.* – The occupier shall provide and maintain in good condition the following articles of protective clothing –

- (a) waterproof 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 sub-paragraphs (a) and (b) :

Provided that the gloves aprons, leg coverings or boots may be of rubber, or leather, but the gloves and boots to be provided under sub-paragraphs (a) and (b) shall be of rubber :

Provided further that 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 cloakroom.* – There shall be provided and maintained in a clean 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 of a least 60 centimeters 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 60 centimetres; or 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 cleansing material and clean towels ;
- (b) a suitable mess room, adequate for the number remaining on the premises during the meal intervals, which shall be furnished with sufficient tables and benches and adequate means for warming food and boiling eater. The mess room shall-
 - (i) be separate from any other room or shed in which hides or skins are stored, treated or manipulated;
 - (ii) be separate from the cloakroom; and
 - (iii) be placed under the charges of a responsible person; and
- (c) suitable accommodation for clothing put off during working hours and another accommodation for protective clothing and also adequate arrangements for drying up to the clothing in both the cases, if wet. The accommodation so provided shall be kept clean at all times and places under the charge of a responsible person.

4. *Food, drinks, etc. prohibited in workrooms.*– No food, drinks, pan and supari or tobacco shall be brought into or consumed by any worker in workroom 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 solution to be made twice a week by a responsible person and
- (b) provided and maintained a sufficient supply of suitable ointment and impermeable waterproof plaster in boa readily accessible to the worker and used solely for the purpose of keeping the ointment and paster.

SCHEDULE X

Printing Presses and Type Foundries and certain lead processes carried therein.

1. *Definitions.*— For the purposes of this Schedule —

- (a) “lead material” means material containing not less than five per cent of lead;
- (b) “Lead process” means—
 - (i) the melting of lead or any lead material for casting and mechanical composing;
 - (ii) the recharging of machines with used lead material;
 - (iii) any other work including removal of dross from melting pots and cleaning of plungers; and
 - (iv) manipulation, movement of other treatment of lead material.
- (c) “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 the point where they originate.

2. *Exhaust draught.*—

(1) None of the following processes shall be carried on except with an efficient exhaust draught 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 electrically heated and thermostically controlled melting pots:—

- (a) melting lead material or slugs and
- (b) heating lead material so that vapour containing lead is given off.

(2) (a) 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.

(b) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.

(c) Any defect disclosed by such examination and test shall be rectified as soon as practicable.

(d) A report containing particulars of such examination and test shall be maintained in Form 34.

3. *Prohibition relating to women and adolescent persons.*— No woman or person below 18 years of age shall be employed or permitted to work in any lead process unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

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 processes:—

- (a) melting of lead or any lead material
- (b) casting of lead ingots; and
- (c) mechanical composing.

5. *Container for dross.* – A suitable receptacle with tight fitting cover shall be provided and used for dross as it 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.

6. *Floor of workroom.*– 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 condition; and
- c) Shall be cleansed thoroughly daily after being thoroughly damped with water at a time when no other work is being carried on at the place.

7. *Mess room.*– There shall be provided and maintained for the use of all persons employed in a lead process and remaining in the premises during the meal interval, a suitable mess room which shall be furnished with sufficient tables and benches.

8. *Washing facilities.*– There shall be provided and maintained in a clean state and in a good repair for the use of all persons employed in a lead benches.

- 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 at least 60 centimeters 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 60 centimeters.
 - (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
- (b) a sufficient supply of clean towels made of suitable material, renewed daily with a sufficient supply of soap or other suitable cleansing material.

9. *Food, drinks, etc. prohibited in workrooms.*– No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any workroom in which any lead process is carried on.

10. *Medical examination.*–

(1) Every person employed in a lead process shall be examined by the Medical Officer within 14 days of his first employment in such processes and thereafter shall be examined by the Medical Officer at intervals of not more than 6 months, and a record of such examinations shall be entered by the Medical Officer in the special certificate of fitness in Form 24B.

(2) A health register containing names of all persons employed in any lead process shall be kept in Form 24.

(3) No person after suspension shall be employed in a lead process without the written sanction from the Medical Officer entered in the health register.

11. *Exemption.*– Where the Chief Inspector 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 provision subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector.

SCHEDULE XI

Manufacture of pottery

1. *Savings*.— These provisions shall not apply to a factory in which any of the following articles, but no other pottery are made:-

- (a) unglazed or salt glazed bricks and tiles; and
- (b) architectural terra-cotta made from plastic clay and either unglazed or glazed with a leadless glaze only.

2. *Definitions*.— For the purposes of this Schedule –

- (a) “potter” includes earthenware, stoneware, porcelain, china tiles, and any other articles made from such clay or from a mixture containing clay and other materials such as quartz, flint, feldspar and gypsum;
- (b) “efficient exhaust draught” means localised ventilation effected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into 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) “fettling” includes scalloping, towing, sand papering, sand stocking, 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 weight quantity of the material which has been fired at 100 degrees centigrade and thoroughly mixed shall be continuously shaken for one hour at the common temperature with 1000 times 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’ and
- (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 firing is carried on.

3. *Efficient exhaust draught*.— (1) The following processes shall not be carried on without the use of an efficient exhaust draught:-

- (a) all processes involving the manipulation or use of a dry and unfretted lead compound;
- (b) 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;
- (c) shifting of clay dust as any other material for making tiles or other articles by pressure, except where-
 - (i) this is done in a machine so enclosed as to effectually prevent the escape of dust; or
 - (ii) the material to be shifted is so damp that no dust can be given off;

- (d) pressing of tiles from clay dust, an exhaust opening being connected with each press, and pressing from clay dust of articles other than tiles, unless the material is so damped that no dust is given off;
 - (e) fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on, or with, damp material, and fettling of other articles made from clay dust, unless the material is so damp that no dust is given off;
 - (f) process of loading and unloading of saggars where handling and manipulation of ground powdered flint, quartz, alumina or other material involved.
 - (g) brushing of earthenware biscuit, unless the process is carried on in a room provided with efficient general mechanical ventilation or other ventilation which is certified by the Inspector of Factories as adequate having regard to all the circumstances of the case;
 - (h) fettling of biscuit ware which has been fixed in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust;
 - (i) where cleaning after the application of glaze is done by dipping or other process;
 - (j) 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;
 - (k) 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;
 - (l) grinding of tiles on a power driven wheel unless an efficient water spray is used on the wheel;
 - (m) lifting and conveying of materials by elevators and conveyers 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.
 - (n) Preparation or weighing out of low material lawning of dry colour dusting and colour blowing;
 - (o) mould making unless the bins or similar receptacles used for holding plaster of paris are provided with suitable covers; and
 - (p) Manipulation of calcined material unless the material has been made and remains so wet that no dust is given off.
- (2) (a) The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the dust entering into any room or place in which work is carried on.
- (b) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.
- (c) Any defect disclosed by such examination and test shall be rectified as soon as practicable.
- (d) A report containing particulars of such examination and test shall be maintained in Form 34.

4. *Separation of 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 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; and
- (b) all processes involving the use of a dry lead compound.

5. *Prohibition on use of glaze.* – No glaze which is not a leadless glaze of a low solubility glaze shall be used in a factory in which pottery is manufactured.

6. *Prohibition relating to women and adolescent persons.*– No women or person below 18 years shall be employed or permitted to work in any of the operations specified in paragraph 4, or at any place where such operations are carried on unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

7. *Provision of screen to potter's wheel.*– The potter's wheel (Jolly and Jigger) shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel

8. *Controls of dust during cleaning.*– (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 materials 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.

9. *Floor of certain workrooms.*– 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 an adult male using a most method.

10. *Protective equipment.*– (1) The occupier shall provide and maintain suitable overalls and head coverings for all persons employed in process included under paragraph 3.

(2) The occupier shall provide and maintain suitable aprons of a 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 plug mill workers.

(3) Aprons provided in pursuance of paragraph 10(2) shall be thoroughly cleaned daily by the wearers by sponging or other wet process. All overalls and heads coverings shall be washed, cleaned and mended at least once a week, and this washing, cleaning or mending shall be provided for by the occupiers.

(4) No person shall be allowed to work in emptying sacks of dusty material, weighing out and mixing of dusty materials and charging of ball mills and plungers without wearing a suitable and efficient dust respirator.

11. *Washing facilities.*– (1) The occupier shall provide and maintain, in a clean state and in good repair for the use of all persons employed in any of the processes specified in paragraph 3-

(a) a washing place under cover with either-

(i) a trough with smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least 60 centimeters for every five such persons employed at the one time, and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 centimeters; 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, the tap or stand pipe being spaced not less than 120 centimeters apart; and

(b) a sufficient supply of clean towels made of suitable material changed daily, with sufficient supply of nail brushes and soap.

12. *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 any of the processes mentioned in paragraph 3.

13. *Messroom.* — There shall be provided and maintained for use of all persons remaining within the premises during the rest intervals, a suitable messroom providing accommodation of 0.93 square metres per head and furnished with —

- (a) a sufficient number of tables and chairs or benches with back rest;
- (b) arrangements for washing utensils;
- (c) adequate means for warming food; and
- (d) adequate quantity of drinking water.

(2) The room shall be adequately ventilated by the circulation of fresh air and placed under the charge of a responsible person and shall be kept clean.

14. *Food, drinks, etc. prohibited in workrooms.* — No food, drink, pan and supari or tobacco shall be brought into or consumed by any worked in any workroom in which any of the processes mentioned in paragraph 3 are carried on and no person shall remain in any such room during intervals for meals and rest.

15. *Cloakroom, etc.* — There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in paragraph 3 —

- (a) a cloakroom for clothing put off during working hours and such accommodation shall be separate from any messroom; and
- (b) separate and suitable arrangement for the storage of protective equipment provided under paragraph 10.

16. *Medical examination.* — 1) All persons employed in any process included under paragraph 3 shall be examined by the Medical Officer within 7 days preceding or following the date of their first employment in such process; thereafter all persons employed in any process included under sub-paragraphs 3 (I) and (xiv) shall be examined by the Medical Officer once in every six months, and those employed in any process included in sub-paragraphs (ii) to (xii) (xv) and (xvi) of paragraphs 3 once in every 12 months by the Medical Officer. Records of such examinations shall be entered by the Medical Officer in the health register and certificate of fitness granted to him under paragraph 17.

(2) If at any time the Medical Officer is of opinion that any person employed in any process included in paragraph 3 is no longer fit for employment on the ground that continuance therein would involve danger to his health, he shall cancel the certificate to fitness granted to that person.

(3) No person whose certificate of fitness has been cancelled shall be re-employed unless the Medical Officer after re-examination, again certifies him to be fit for employment.

17. *Certificate of fitness.* — A person medically examined under paragraph 16 and found fit for employment shall be granted by the Medical Officer a certificate of fitness in Form 24B and such certificate shall be in the custody of the manager of the factory. The certificate shall be kept readily available for inspection by any Inspector and the person granted such a certificate shall carry with him while at work a token giving reference to such certificate.

18. *Exemption.* — If in respect of any factory 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 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 Chief Inspector-cum-Facilitator without assigning any reasons.

SCHEDULE XII

Chemical works

1. *Application.* – This Schedule shall apply to all manufactures and processes incidental thereto carried on in chemical works.

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

- (a) “chemical works” means any factory or such parts of any factory as are named in appendix A to this Schedule;
- (b) “breathing apparatus” means (I) a helmet or facepiece with necessary connections by means of which a person using it in a poisonous, asphyxiating or irritant atmosphere breathes ordinary air, or (ii) any other suitable apparatus approved in writing by the Chief Inspector;
- (c) “lifebelt” 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;
- (d) “efficient exhaust draught” means 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 in any place in which work is carried on ;
- (e) “suspension” means suspension by written certificate in the health register, signed by the surgeon, from employment in any process mentioned in the certificate;
- (f) “bleaching powder” means the bleaching powder commonly called chloride of lime;
- (g) “chlorate” means chlorate or perchlorate;
- (h) “caustic” means hydroxide of potassium or sodium;
- (i) “caustic 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 or boiling caustic or other liquor;
- (j) “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; and
- (k) “nitro or amido process” means the manufacture of nitro or amido derivatives of phenol and of benzene or its homologues, and the making of explosive with the use of any of these substances.

PART I

Applying to all the workers in Appendix A

A – GENERAL

3. *Housekeeping* . – (1) Every part of the path-ways, works, machinery and plant shall be maintained in a clean and tidy condition.

(2) Any spillage of materials shall be cleaned up without delay.

(3) Floors, platforms, stairways, passages and gangways shall be kept free of temporary obstructions.

(4) There shall be provided easy means of access to all parts of the plant to facilitate cleaning, maintenance and repairs thereof.

4. *Improper use of chemicals.* – (1) No chemicals or solvents shall be used by workers for any purposes apart from the processes for which they are supplied.

(2) 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 the different sections.

5. *Storage of food.* – No food, drink tobacco, pan or similar article shall be stored or consumed on or near any part of the plant.

6. *Testing of materials.* – 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 the different sections of the factory or plant.

7. *Process hazards.* – (1) 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 thereunder. 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. Where necessary, advice shall be obtained from the Chief Inspector of factories on measures to be taken in this regard.

(2) Information in writing giving details of the process, its hazards and the steps taken or proposed to be taken for the safety of workers as in (1) above shall be sent to the Chief Inspector before commencing manufacture, handling or storage of any of the items covered under Appendix A, whether on experimental, pilot plant or large scale basis.

(3) The design of the buildings and plant shall be based on the information as obtained as in (1) above.

8. *Unauthorized personnel.* – (1) Unauthorized persons shall not be permitted to enter any section of the factory or plant where there are special dangers.

(2) Visitors shall be provided, where necessary with suitable safety equipment and shall be accompanied round dangerous plant by a responsible official.

9. *Instruments.* – All instruments such as pressure gauges, thermometers, flow meters and weighing machines shall be tested at regular intervals by a competent person and records of these tests shall be kept in a register.

10. *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 register. A plan of all service installations shall be kept readily available for perusal.

11. *Manholes.* – No manhole shall be opened for entry until effective fencing has been erected around it.

12. *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 escape of inflammable, poisonous or deleterious gases, vapours, liquids or dusts. These in prominent places in the different sections. All workers shall be trained and instructed as to what action to be taken in such emergencies and to avoid general hazards of their employment.

13. *Protection of reaction mixtures.* – Suitable arrangements shall be made to ensure that no foreign matter of any sort can fall into reaction mixtures.

14. *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.

15. *Place of work.*— (1) Workers shall only be allowed in those places in which they have been given orders to work.

(2) In dangerous sections of a factory, the number of workers shall be kept to a minimum compatible with the need of the process.

16. *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 labelled so that they will be stored and transported in such a manner as to ensure that, in the event of 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.

B-FIRE EXPLOSION RISKS

17. *Requirement regarding location of site, buildings etc.*— (1) Buildings and plant shall be sited with due regards to the dangers which may arise from the processes involved and in particular shall be spaced at distances which are deemed safe from the fire and explosive risks connected with the processes in adjacent buildings. Due consideration shall be given to the effect of any processes carried out in adjacent factories.

(2) Where special dangers exist, separate buildings 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 panels or roofs. Where the risk of fire or explosion is considerable, the building shall be divided by blast or protective screen walls.

(3) 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.

18. *Dangers of ignition (including lighting installations).*— (1) No internal combustion engine and no electric motor or other electrical equipment, and fittings and fixtures capable of generating sparks or otherwise causing combustion shall be installed or used in a building or danger zone. Electrical conductors shall be fitted with screwed steel conduits.

(2) All hot exhaust pipes shall be installed outside a building and other pipes shall be suitably protected.

(3) 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.

(4) Where an inflammable atmosphere may occur, the soles of footwear worn by workers shall have no metal on them and 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 on public lines.

(5) 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 the 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 covers.

(6) Prominent notices in the language understood by the majority of the workers and that can be read by day and by night, prohibiting smoking, the use of naked lights, and the carrying of matches or any apparatus of any kind for producing a naked light or spark, shall be affixed at the entrance of every room or place, where there is 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 they have completed one week at the factory.

(7) 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 may arise, for example, through the production of hydrogen in acid tanks.)

19. *Static electricity*.- (1) 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 connections to the liquids shall have metallic connections to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be controlled.

(2) 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.

20. *Lightning protection*.- Lightning protection apparatus shall be fitted where necessary, and shall be maintained in good conditions.

21. *Process heating*.- The method of 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 of inflammable gas, vapour or dust coming into contact with the flame or exhaust gases or other agency likely to cause ignition. So far as practicable, the heating medium shall be automatically controlled at a predetermined temperature below the danger temperature.

22. *Escape of materials*.- (1) Provision shall be made in all plants, sewers, drains, flues, ducts, culverts and buried pipes to prevent the escape and spread of any liquid, gas, vapour, fume or dust likely to give rise to fire or explosion, both during normal working hours and in the event of accident or emergency.

(2) 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.

23. *Leakage of inflammable liquids*.- (1) Provision shall be made to confine by means of bund walls, sumps, etc. all possible leakage from vessels containing inflammable liquids.

(2) Adequate and suitable fixed fire-fighting appliances shall be installed in the vicinity of such vessels.

24. *Cleaning of empty containers, etc.*- (1) 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.

(2) Combustible and inflammable materials shall not be stored in close proximity to chemicals which are liable to cause ignition.

(3) 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 product containing inflammable or explosive materials shall not be placed on rubbish heaps but shall be destroyed in an appropriate manner.

25. *Installing of pipe lines for inflammable liquids.*— All pipe lines for the 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 thoroughly without the collection of deposits at any part. All flagged 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.

26. *Packing of reaction vessels.*— Packing and joint materials for reaction vessels (including covers, manhole covers, and exhaust pipes) and pipe lines and also the high or low temperature insulating materials shall not contain such materials which are combustible or which react with the products of the plant.

27. *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 pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure and it shall be maintained in good condition. Nothing in this paragraph shall apply to metal bottles or cylinders used for the transport of compressed gases.

28. *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 in the event of an accident.

29. *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.

30. *Alarm systems.*— (1) Gravity or pressure feed systems for supplying inflammable materials to the various parts of the buildings or plant shall be fitted with alarm systems, automatic cutoffs or other devices to prevent over-charging or otherwise endangering of the plant.

(2) The amount of inflammable material taken into a building in bulk containers at any one time shall be kept as low as practicable.

(3) Adequate steps shall be taken to prevent the escape of inflammable and explosive vapours from any container into the atmosphere of any building.

C-GAS, VAPOUR, FUME OR DUST RISKS

31. *Escape of gases etc.*— 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 in air tight chamber or by the provisions of efficient exhaust draught. Effective arrangements shall be made to ensure that in the event of failure of the control measure provided as above the process shall stop immediately and the dangerous gases, vapours, fumes or dust which have escaped are trapped and rendered safe.

32. *Danger due to effluents.*- (1) Adequate precautions shall be taken to prevent the mixing of effluents which may cause dangerous or poisonous gases to be evolved.

(2) 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.

33. *Staging.*- (1) Staging shall not be erected over any open vessel is so constructed and ventilated to prevent the emission of vapours of fumes about such staging.

(2) 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.

(3) Such staging shall be fitted with suitable handrails and to boards and the floors and staging shall be impervious and easily cleaned.

34. *Instructions as regards risk.*- Before commencing work, every worker shall be fully instructed about 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 of the measures to be adopted to deal with such an escape of dangerous gas, fume, vapour or dust in the event of emergency.

35. *Breathing apparatus.*- (1) There shall be provided in every factory where dangerous gas or fume is liable to escape a sufficient supply of-

- (a) breathing apparatus of an approved make for the hazards involved.
- (b) Oxygen and suitable means of its administration; and
- (c) Life-belts.

(2) The breathing apparatus and other appliances required by this paragraph shall

- (a) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector; and
- (b) be thoroughly inspected once every month by a competent person appointed in writing by the occupier and a record of their conditions shall be entered in a book provided for that purpose which shall be produced when required by an Inspector.

(3) Workers shall be trained and given a periodic refresher course, in the use of breathing apparatus and respirators.

(4) Respirators shall be kept properly labelled in clean dry lightproof 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.

36. *Treatment of persons.*- In every room or place so specified in writing by the Chief Inspector, there shall be affixed the official cautionary notice regarding dangerous gases 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.

37. *Personal protective equipment.*- (1) Suitable protective clothing shall be provided for the use of operators.

- (a) When operating on valves or cocks controlling fluids which by their nature, pressure or temperature would be highly dangerous if a blowout were to occur or when cleaning chokes in systems containing such fluids, if pressure is likely to exist behind the chokes.

- (b) When there is danger of injury by absorption of corrosive substance through skin during the performance of normal duties or in the event of emergency.
- (c) Whenever there is risk of poisonous materials being carried away on the clothes of operators.

(2) There shall be provided for the use of all persons employed in the process specified in appendix B an adequate supply of suitable protective equipment including gloves, overalls and protective footwear and of goggles and respirators. Respirators shall be of a type approved in writing by the Chief Inspector.

(3) Protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency.

(4) Arrangements shall be made for the proper and efficient cleaning of all such protective equipment.

38. *Cloakrooms.*— There shall be provided and maintained for the use of all persons employed in the process specified in appendix B, a suitable cloakroom 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.

39. *Special bathing facilities.*— (1) There shall be provided for the use of all persons employed in the processes specified in the appendix C, separate sanitary conveniences and sufficient and suitable bathing facilities, as approved by the Chief Inspector.

(2) A bath register shall be kept containing the names of all persons employed in these processes and an entry of the date on which each person takes a bath.

40. *Entry into vessels.*— (1) Before any person enters, for any purpose except that of rescue, an absorber, boiler culvert, drain, flue, gas purifier, sewer, still, tank, vitriol chamber or other place where there is reason to apprehend the presence of dangerous gas or fumes, a responsible person appointed in writing by the occupier for this purpose, shall personally examine such place and shall certify in writing in a book kept for the purpose either that such place is isolated from every source of such gas or fume and is free from danger, or that it is not to be 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 is wearing a breathing apparatus, and (where there are no cross stays or obstructions likely to cause entanglement) a lifebelt, the free end of the rope attached to which shall be left with man outside whose sole duty shall be to keep watch and to draw out 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.

(2) A person entering for the purpose of rescue into any such place for which a clearance certificate has not been issued shall wear a breathing apparatus and a life-belt in the manner specified in sub-paragraph (1) above.

41. *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.

42. *Storage of acid carboys*,- Carboys contained nitric acid or “mixed” acid shall be stored in open-sided sheds detached from other buildings, and places on a flooring of standstone, bricks or other suitable inorganic materials. A passage way 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 split acid and all precautions shall be taken to prevent workers being exposed to fumes.

43. *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 material impervious and resistant to corrosion so far as practicable.

44. *Leakage*,- (1) All plants 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.

(2) Catch pits, bund walls or other suitable precautions shall be provided to restrict the serious effects of such leakages. Catch pits shall be places below joints in pipelines to prevent danger to workers from such leakage.

(3) Passages and work stations shall not be situated directly below any part of plant where corrosive or deleterious substances and means shall be provided for rendering safe any such escaped corrosive or deleterious substances.

45. *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 escaped corrosive or deleterious substances.

46. *Drainage*,- Adequate drainage shall be provided and shall lead to special treatment tanks where deleterious materials shall be neutralised or otherwise rendered safe before it is discharged into ordinary drains or sewers.

47. *Covering of vessels*,- (1) 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 or the sides.

(2) Such vessels shall, unless its edge is at least 90 centimeters above the adjoining ground or platform, be securely fenced to a height of at least 90 centimeters above such adjoining ground or platform.

(3) No plank or gangway shall be places across or inside any such vessel, unless such plank or gangway is at least 45 centimeters wide, and is securely fenced on both sides by rails spaced at 22.5 centimeters apart to a height of at least 90 centimeters or by other equally efficient means.

(4) Where such vessels adjoin and the space between them, clear of any surrounding brick or other work is either less than 45 centimeters in width or is 45 or more centimeters in width, but is not securely fenced barriers shall be so places as to prevent passage between them.

Provided that sub-paragraph (2) of this paragraph shall not apply to:-

- (a) saturators used in the manufacture of sulphate of ammonia; and
- (b) that part of the sides of brine evaporating pans which require raking, drawing or filling.

48. *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.

49. *Means of escape.*- Adequate ventilation means of escape from rooms or buildings in the event of a leakage of corrosive liquid shall be provided and maintained.

50. *Treatment of personnel.*- (1) In all places where strong acid or any other dangerous corrosive liquids are used, there shall be provided for use in an emergency.-

- (a) adequate and readily accessible means of drenching with cold water the persons and the clothing of persons, who have been splashed with such liquid;
- (b) adequate special arrangements to deal with any person who has been splashed with poisonous material that can be absorbed through the skin; and
- (c) a sufficient number of eye-wash bottles, filled with distilled water or other suitable liquid, kept in boxes or cupboard conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.

(2) Except where the manipulation of such corrosive liquids is 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 cleansed at the close of the day's work and shall be repaired or renewed when necessary.

51. *Maintenance.* - (1) Before any examination or repairs are carried out on plant or pipe lines, a competent person shall issue a clearance certificate permitting such examination or repairs.

(2) Adequate precautions shall be taken to liberate any pockets 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.

52. *Washing facilities.*- (1) There shall be provided and maintained in every 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 "For Women Only" in the language understood by the majority of the workers and shall also be indicated pictorially.

53. *Messroom 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 messroom or canteen accommodation which shall be furnished with sufficient tables and chairs or benches with backrest and where sufficient drinking water is available.

54. *Ambulance room.*- (1) In every factory in which more than 250 persons are employed on the processes to which this Schedule applies, there shall be provided and maintained in good order an ambulance room.

(2) 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 9 square meters and smooth, hard and impervious walls and floor, and shall be provided with ample means of natural and artificial lighting. It shall contain all the items shown in appendix D.

(3) Where persons of both sexes are employed arrangement shall be made at the ambulance room for their separate treatment.

(4) The ambulance room shall be places 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.

55. *Ambulance van.*— In every factory there shall be provided and maintained in good condition a suitably constructed ambulance van for the purpose or 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.

56. *Medical personnel.*— There shall be a whole time medical officer in every factory employing 250 person or more.

57. *Medical examination.*— (1) Workers engaged in the manufacture, processing, formulation or use of the following shall be examined in every six months by the Medical Officer and records maintained.—

- (a) hexaethyl tetraphosphate
- (b) tetra ethyl pyrophosphate;
- (c) O, opdiethyl o-p-nitrophenyl thiophosphate (Perathion);
- (d) Nicotine and nicotine sulphate
- (e) Mercury derivatives;
- (f) Methyl bromide;
- (g) Cyanides
- (h) Arsenical derivatives;
- (i) Chrome process compounds; and
- (j) Nitro or amido process compounds.

(2) A health register containing the names of all persons employed in the process shall be kept in a form approved by the Chief Inspector-cum-Facilitator.

(3) No new person shall be employed for more than 14 days without a certificate of fitness granted after examination by the Medical Officer, who shall make an entry duly signed in the health register.

(4) Every person so employed shall present himself at the appointment for examination by the Medical Officer as provided in sub-paragraph (3)

(5) The Medical Officer shall have the power to suspend any person employed if he has reason to believe that continuance of such person in such employment shall be dangerous to his health and no person after such suspension shall be employed without written sanction from the Medical Officer and entry to that effect in the health register.

58. *Duties of workers.* — (1) Every person employed shall —

- (a) report to his foreman any defect in any fencing, breathing apparatus, appliance or other requisite provided in pursuance of this Schedule, as soon as he becomes aware of such defect;

- (b) use the articles, appliances or accommodation required by this Schedule for the purpose for which they are provided;
- (c) wear the breathing apparatus and life-belt as required under paragraph 40.

(2) *Every person employed-*

- (a) in a process to which paragraph 37 applies shall wear the protective clothing, footwear, respirators, goggles or gloves provided under paragraph 37 and shall deposit overalls or suits or working clothing so provided, as well as clothing put off during working hours, in the places provided under paragraph 38;
- (b) in processes to which paragraph 39 applies, shall carefully wash the hands and face before partaking of any food or leaving the premises; and
- (c) in any processes to which part II of this Schedule applies, shall use the protective appliances supplied in respect of any process in which he is engaged.

(3) *No person shall –*

- (a) remove any fencing provided in pursuance of paragraph 47 unless duly authorised;
- (b) stand on the edge or on the side of any vessel to which paragraph 47 applies;
- (c) pass or attempt to pass any barrier erected in pursuance of paragraph 47;
- (d) place across or inside any vessel to which paragraph 47 applies, any plank or gangway which does not comply with that paragraph 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 a 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; and
- (g) Remove from a first-aid box or cupboard or from the appliance or dressing except for the treatment of injured workers in the premises.

59. *Exemption.*— If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or y process that, owing to the special conditions or special methods of work, or by reason of the frequency of the process or for other reasons, all or any of the requirements of this Schedule 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 any factory or process from all or any of the provisions of this Schedule, subject to such conditions as he may by such order prescribe.

PART II

Applying to the works in Appendix E

60. *Entry into 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 by disconnecting either –

- (a) the pipe leading from the swan neck to the condenser work; or
- (b) the waste gas pipe fixed to the worn-end or received; and

in addition, blank flanges shall be inserted between the disconnected parts and the fitch discharge pipe or cock at the bottom of the still shall be disconnected.

61. *Entry into bleaching power chambers.* – (1) No person shall enter a chamber for the purpose of withdrawing the charge of bleaching powder unless and until –

- (a) the chamber is efficiently ventilated; and
- (b) the air in the chamber has been tested and found to contain not more than 6 grammes of free chlorine gas per cubic meter.

(2) A register containing details of all such tests shall be kept in a form approved by the Chief Inspector-cum-Facilitator.

62. *Special precautions for nitro and amido processes.* – In a nitro or amido process –

- (a) if crystallised substances are broken or any liquor agitated by hand, precautions shall be taken to prevent, as far as practicable, the escape of dust or fume into the air or 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 but by means of a suitable scope;
- (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 workroom;
- (d) no person shall enter a stove to remove the contents until a free current of air has been passed through it; and
- (e) every vessel containing nitric or amido 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 7.6 meters from the ground or the working platform, and at a point from where it cannot be blown back again into the workroom.

63. *Precautions during caustic grinding, etc.* – Every machine used for grinding or crushing caustic shall be enclosed, and where any of the following processes are carried on such as –

- (i) grinding or crushing of caustic;
- (ii) packing of ground caustic
- (iii) grinding, sieving, evaporating or packing in a chrome process and
- (iv) crushing, grinding or mixing of material or cartridge filling in a nitro or amido process.

64. *Cholate manufacture.* – (1) Cholate 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 cement, or other smooth, impervious and incombustible material, and shall be thoroughly cleansed daily.

(2) Wooden vessels shall not be used for the crystallisation of cholate, or to contain crystallised or ground cholate.

Provided that these requirements shall not prohibit the packing of cholate for sale into wooden casks or other wooden vessels.

65. *Restrictions on the employment of adolescent persons and women.* – (1) Persons under 18 years of age and women shall not be employed in any process in which hydrofluoric acid fumes

or ammoniacal vapours are given off or in any of the following operations unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules:-

- (a) Evaporation of brine in open pans;
- (b) Stoving of salt;
- (c) Work at a furnace where the treatment of zinc ores is carried on; and
- (d) The cleansing of workroom where the process mentioned in (c) is carried on.

(2) No person under 18 years of age shall be employed in a chrome process or in a nitro or amido process or in a process in which the following materials are used or where the vapour of such materials is given off namely unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules :-

- (a) Carbon bisulphide
- (b) Chlorides of sulphur;
- (c) Benzene
- (d) Carbon tetrachloride;
- (e) Trichloro-ethylene;
- (f) Any carbon chlorine compound; and
- (g) Any mixture containing any of such materials.

APPENDIX A

Any works or that part of works in which-

- (a) the manufacture or recovery of any of the following is carried on namely:-
 - (i) carbonates, chromates, chlorate, oxides or hydroxide of potassium, sodium, iron, aluminium, cobalt, nickel, arsenic, antimony, zinc or magnesium;
 - (ii) ammonia and the hydroxide and salts of ammonium;
 - (iii) sulphurous, sulphuric, nitric, hydrochloric, hydriodic, hydrosulphuric, boric, phosphoric, oxalic, arsenious, arsenic, lactic, acetic, tartaric or citric acids and their metallic or organic salts; and
 - (iv) cyanogen compounds;
- (b) a wet process is carried on-
 - (i) for the extraction of metal from a ore or from any by-product or residual material; or
 - (ii) in which electrical energy is used in any process of chemical manufacture.
- (c) alkali waste or the drainage therefrom is subjected to any chemical process for the recovery of sulphur, or for the utilisation of any constituent of such waste or drainage;
- (d) 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.
- (e) Bleaching powder is manufactured or chlorine gas is made or is used in any process of chemical manufacture;
- (f) (i) gas tar or coal tar or any compound product or residue of such tars is distilled or is used in the mica manufacture.
- (ii) synthetic colouring matters or their intermediates are made;

- (g) refining of crude shale oil or any process incidental thereto is carried out;
- (h) nitro acid is used in the manufacture of nitro compounds.
- (i) Explosives are made with the use of nitro compounds.
- (j) Phosgene (carbonyl chloride) is manufactured or is used in the process of chemical manufacture; and
- (k) Aliphatic or aromatic compounds or their derivatives or substituted derivatives are manufactured or recovered.

APPENDIX B

1. A nitro or amido process.
2. Grinding raw materials in a chrome process.
3. The crystal department and the packing room in a chrome process.
4. Packing in a chrome process.
5. Any room or place in which cholrate is crystallised, ground or packed.
6. Any room in which caustic is ground or crushed by machinery.
7. Bleaching powder chambers, or in packing charges drawn from such chambers.
8. Drawings off of molten sulphur from sulphur pots in the process of carbon disulphide manufacture.

APPENDIX C

1. A nitro or amido 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.

APPENDIX D

1. A glazed sink with hot and cold water always available.
2. A table with a smooth top.
3. Means for sterilising instruments.
4. A couch
5. A stretcher.
6. Two buckets or containers with close-fitting lids.
7. Two rubber hot water bags.
8. A kettle and spirit stove or others suitable means of boiling water.
9. Twelve plain wooden splints 900 m x 100 m x 6 m.
10. Twelve plain wooden splints 350 m x 75 m x 6 m.
11. Six plain wooden splints 250 m x 50 m x 12 m.

12. Three wooden blankets.
13. One pair artery forceps.
14. One bottle of brandy.
15. Two medium size sponge
16. Three hand towels
17. Two kidney trays.
18. Four carbolic soaps.
19. Two glass tumblers and two wine glasses.
20. Two clinical thermometers.
21. Graduated measuring glass with teaspoon.
22. One eye bath.
23. One bottle (900 gms.) carbolic lotion 1 in 20
24. Two chairs.
25. One screen.
26. One electric hand torch.
27. An adequate supply of anti-tetanus serum.
28. Two first-aid boxes, each containing.
 - (a) twenty four small sterilised dressings;
 - (b) twelve medium size sterilised dressings;
 - (c) twelve large size sterilised dressings;
 - (d) twelve large size sterilised dressings;
 - (e) twelve half-ounce packets of sterilised cotton;
 - (f) one snake-bite lancet;
 - (g) one pair of scissors;
 - (h) two one-ounce bottles of potassium permanganate crystals;
 - (i) one four-ounce bottle containing a two percent alcoholic solution of iodine;
 - (j) one four-ounce bottle of sal volatile having the dose and mode of administration indicated on the label; and
 - (k) one copy of the first-aid leaflet issued by the Directorate General Factory Advice Service and labour Institutes (Government of India) Bombay.

APPENDIX E

1. Any works or that part of works in which-
 - (a) caustic pots are used;
 - (b) cholrate or bleaching powder is manufactured;

- (c) (i) gas tar or coal tar is distilled or is used in any process of chemical manufacture.
 - (ii) a nitro or amido process is carried on;
 - (iii) a chrome process is carried on;
 - (d) crude shale oil is refined or processes incidental thereto are carried on;
 - (e) nitric acid is used in the manufacture of nitric compound.
 - (f) The evaporation of brine in open pans and the stoving of salt are carried on;
 - (g) The manufacture of recovery of hydrofluoric acid or any of its salts is carried on.
2. Work at a furnace where the treatment of zinc ores is carried on.

SCHEDULE XIII

Manufacture of articles from refractory materials.

1. *Application and exemption.*— This schedule shall apply to the following processes:—

- (a) handling, moving, breaking, crushing, grinding or sieving of any refractory materials, containing not less than 25 per cent total silica for the purpose of manufacture—
 - (i) of articles used in the constructions of furnaces and flues;
 - (ii) of crucibles; and
 - (iii) of compositions or other materials used in the preparation of moulds in which metals are cast; or
- (b) any process in the manufacture of refractory bricks as hereinafter defined:

Provided that nothing in this Schedule shall apply—

- (i) to handling, moving, mixing or sieving of natural sand; or
- (ii) to the manipulations of rotten rock in the preparations of moulds, used in metal foundries:

Provided further that if the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or part thereof that owing to the special conditions of work or otherwise, that any of the requirements of this Schedule can be suspended or relaxed without and danger to the health of the person employed therein, he may be an order in writing grant such suspension or relaxation for such period and on such conditions as he may think fit. Any such order may be revoked at any time.

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

- (a) “refractory material” means any refractory material containing not less than 25 per cent total silica;
- (b) “refractory brick” means any brick or article composed of refractory material and containing not less than 25 per cent total silica; and
- (c) “efficient exhaust draught” means localised ventilation by mechanical means for the removal of dust so as far as to prevent dust 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 the dust produced at the point where such dust originates.

3. *Refractory material not to be broken.*- No refractory material shall be broken in pieces by manual labour unless the process is carried out in the open air:

Provided that where it is not practicable to carry out this process in open air, the process shall be carried out under an efficient exhaust draught.

4. *Crushing or grinding of refractory material.*- No refractory material, unless it is so wet that dust will not be produced, shall be crushed or ground in a stone crushing or grinding machines unless such machine is provided with.

- (a) an efficient exhaust draught and efficient dust collecting appliances; or
- (b) an efficient water or steam spray:

Provided that every grinding machine wherein any refractory material is ground in dry state, shall be, totally enclosed and connected to a mechanical exhaust system so as to prevent effectively any escape of dust outside the casing of the machine by maintaining a pressure below the atmospheric pressure within the casing of the machine.

The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided. Any defect disclosed by such examination and test shall be rectified as soon as practicable. A report containing particulars of such examination and test shall be maintained in Form 34.

Provided further that all processes of crushing and grinding shall be effectively isolated from other processes.

5. *Refractory material handling equipment to be enclosed.*- All chutes, conveyors, elevators, screens, sieves and mixers used for manipulating refractory material shall, unless the material is so wet that dust will not be produced, be enclosed and be provided with an efficient exhaust draught.

6. *Precautions material handling refractory material.*- No refractory material so dry as to produce dust shall.-

- (a) be loaded into any wagon or other receptacle for transport unless it has been placed in a suitable dustproof container so damped as to preclude dust;
- (b) be unloaded from any wagon or other receptacle for transport unless it has been so dampened as to preclude dust or unless the work is done under an efficient exhaust draught; or
- (c) be shovelled or raked or otherwise manipulated by means of hand tools in any manufacturing process unless it has been so dampened as to preclude dust or unless the work is done under an efficient exhaust draught:

Provided that sub-paragraph (b) of this paragraph shall not apply to refractory material in the form of rock or pebbles before it is manipulated in any manufacturing process.

7. *Maintenance of floors.*- (1) The floors of all places where refractory bricks are dried, other than the floors of tunnel ovens or chambers driers not normally entered by persons employed shall, after each lot of refractory bricks has been removed, be carefully cleaned of all debris and the part being cleaned shall be kept damp while the cleaning is being done.

(2) There shall be provided in every such place a constant supply of water laid on under adequate pressure with sufficient connections and a flexible branch pipe and sprinkler to enable water to be supplied direct to every part of the floor.

8. *Prohibition of use of drying stove.*- No drying stove in which refractory bricks are baked by fires before being placed in the kilns, shall be used.

9. *Cleaning of floor and suppression of refractory dust.*- The surface of every floor or place where persons are liable to pass shall be cleaned of debris of refractory material once at least during each daily period of employment or where shifts are worked, one during each shift. Such debris unless it is immediately required for use in the processes, shall be effectively dampened and either be placed in covered receptacles, or be otherwise stored in such a manner as to prevent the escape of dust into the air in or near to any place where any person is employed.

10. *Suppression of refractory dust while drying.*- Where plates are used, whether portable or forming part of the floor, on which refractory bricks are dried, such plates shall be freed from adherent material only by a wet method or by such other method or by such other method as will prevent the escape of dust into the air.

11. *Prohibition of use of refractory dust for moulding.*- The dust or powder of refractory materials shall not be used for sprinkling the moulds in refractory brickmaking:

Provided that nothing in this paragraph shall be deemed to prevent the use of natural sand for the purpose of sprinkling the moulds.

12. *Workers not to work in refractory dust atmosphere.*- No worker shall be allowed to work on any dust process or at any place where dust of any refractory materials is present in the atmosphere:

Provided that in an emergency a worker may be allowed to work at such process or place if he wears a suitable and efficient dust mask or breathing apparatus.

13. *Medical examination.*- (1) Every worker employed on any day of the processes specified in sub-paragraphs (a) and (b) of paragraph 1 shall be medically examined in such a manner and at such intervals as may be specified by any rules made under the Workmen's Compensation Act, 1923 or if no such rules have been framed under the said Act, every such worker shall be medically examined by the Medical Officer before employment on any of the aforesaid process and at an intervals not exceeding six months thereafter.

(2) Subject to sub-paragraph (3), a X-ray examination of the chest of every worker referred to in sub-paragraph (1) shall be carried on-

- (a) if he is already employment on the date of coming into force of the sub-paragraph, within six months of such date and at an interval of every three years thereafter;
- (b) if he is employed after such date within one month of the date of his employment and at an interval of every three years thereafter;

and the result such X-ray examination shall be produced before the Medical Officer within a month of the examinations.

(3) If the Medical Officer, during the course of medical examination of any worker under sub-paragraph (1) has reason to suspect onset of any chest disease, he may direct the manager or the occupier to get an X-ray plate before him within a specified time and on receipt is such direction, the manager or the occupier as the case may be, shall carry out the direction.

(4) The Medical Officer shall grant to each worker examined, a certificate specifying therein whether or not the worker was considered fit to be employed on any of the aforesaid processes.

(5) The manager shall maintain a register in which the findings and recommendations of the Medical Officer in respect of every worker and in respect of every worker and in respect of every

medical examination shall be maintained duly signed by the Medical Officer.

(6) A worker not declared fit shall not be employed on any of the aforesaid processes and he shall be employed on only such other examination or treatment as may be directed by the Medical Officer.

(7) No fees shall be charged from any worker for the medical examination and it shall be the responsibility of the occupier and the manager to comply with the provision of this Schedule.

14. *Time limit for compliance in respect of existing plants.*— In case any existing plant or machinery which needs alteration, modification or replacement or in case of any new plant to be installed, is required to comply with the requirements of this Schedule, such alteration, modification, replacement or installations of the plant or machinery shall be carried on within a period not exceeding six months from the date of publication of this Schedule:

Provided that the Chief Inspector of Factories in consideration of special and exceptional circumstances by an order in writing may extend this period to such further period as he may think fit.

SCHEDULE 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.

1. *Application*— This Schedule shall apply to factories in which any of the following processes are carried on:—

- (a) breaking, crushing, disintegrating, opening, grinding, mixture or sieving 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 process;
- (c) making of insulation slabs or sections, composed wholly or partly of asbestos, and processes incidental thereto;
- (d) making or 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 or cement goods;
- (g) application of asbestos by spray method;
- (h) sawing, grinding, turning, abrading and polishing, in the dry state, of articles composed wholly or partly of asbestos; and
- (i) cleaning of any room, vessel, chambers, fixture or appliances for the asbestos dust;

Provided that if the Chief Inspector is satisfied that in respect of any factory or workshop or part thereof by reason of the restricted use of asbestos or the method of working, or occasional nature of work, or otherwise, all or any the provision of this Schedule can be suspended or relaxed without danger to the health of the persons employed therein, he may grant suspension or relaxation in writing under such conditions as he may think fit. Any such certificate may be revoked at any time.

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

- (a) “asbestos” means any fibrous silicate mineral, and any admixture containing any such mineral, whether crude, crushed or opened;
- (b) “asbestos textiles” means yarn or cloth composed of asbestos or asbestos mixed with any other material;
- (c) “preparing” means crushing, disintegrating and any other process in or incidental to the opening of asbestos;
- (d) :approved: means approved for the time being in writing by the Chief Inspector; and
- (e) “breathing apparatus” means a helmet or face piece with necessary connection by mean of which a person using it can breath air free from dust, or any other approved apparatus of like nature.

3. *Exhaust draught.*— (1) An exhaust draught effected by mechanical means with prevents the escape of asbestos dust into the air of any room in which person work, shall be provided and maintained for—

- (a) manufacturing and conveying machinery namely:—
 - (i) preparing, grinding or dry mixing machines;
 - (ii) carding, card waste-end, ring spinning machines and looms;
 - (iii) machines or other plant fed with asbestos; and
 - (iv) machines used for the sewing, grinding, turning, abrading or polishing, in the dry estate, of articles composed wholly or partly of asbestos;
- (b) cleaning, and grinding or the cylinders or other parts of a carding machine;
- (c) chambers, hoppers or other structures into which loose asbestos is delivered or passed;
- (d) work-benches for asbestos waste sorting or for other manipulation of asbestos by hand;
- (e) workplaces at which the filling or emptying of sacks, skips or other portable containers is carried on and weighing or other process incidental thereto is effected by hand; and
- (f) sack cleaning machines;

provided that this clause shall not apply—

- (i) to a machine or other plant which does not give rise to asbestos dust, or is so enclosed as to prevent escape of asbestos dust into the air of any room in which persons works; or
- (ii) where the asbestos is so wet or so treated with greases or other material as to prevent the evolution of dust; or
- (iii) to the making or repairing of insulating mattresses or;
- (iv) to mixing or blending by hand of asbestos.

(2) (a) The exhaust draught appliance shall be examined and tested by a competent person once within a period of twelve months so as to ascertain and maintain the effectiveness of the exhaust draught provided.

(b) Any defect disclosed by such examination and test shall be rectified as soon as practicable.

(c) A report containing particulars of such examination and test shall be maintained in Form 34.

4. *Mixing or blending.*— (1) Mixing or blending by hand of asbestos shall not be carried on except with an exhaust draught effected by mechanical means so designed and maintained as to ensure as far as practicable the suppression of dust during the processes.

(2) In premises which are constructed or reconstructed after the date on which this Schedule comes into force, the mixing or blending by hand of asbestos shall not be done except in a special room or place in which no other work is ordinarily carried on.

(3) (a) The 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.

(b) In every room in which the making and inlet ventilation in accordance with arrangements to be approved in each case shall be provided and maintained;

(i) adequate exhaust and inlet ventilation in accordance with arrangements to be approved in each case shall be provided and maintained.

(ii) no person other than those engaged in filling, beating or levelling shall be present whilst such processes are being carried on and work shall not be resumed in the room after filling, beating or levelling for at least ten minutes.

(iii) the floors and benches shall be kept dampened so as to prevent dust arising therefrom effectively; and

(iv) the covers shall be effectively dampened immediately after being cut out and in the case of fibre filled mattresses shall be kept damp whilst filling, beating or levelling is being carried on.

(4) (a) Storage chambers or bins for loose asbestos shall, in the case of premises constructed or reconstructed after the date on which this Schedule comes into force, be effectively separated from any workroom and, in the case of other premises be effectively separated from any workroom in which the asbestos is not required for the purpose carried on in the room.

(b) Chambers or apparatus for dust settling and filtering shall not be allowed in any workroom.

(c) Arrangements shall be made to prevent asbestos dust discharged from exhaust apparatus being drawn into the air of any workroom.

(5) All machinery used in preparing, grinding or asbestos carding, card roller cleaning and grinding and sacks cleaning and all cards waste-end machines, lattices, elevators, chutes and conveyors shall be so constructed and maintained that dust or debris containing asbestos cannot escape from any part thereof, other than dust removed by air exhaust draught provided in accordance with paragraph 3 of this Schedule.

(6) (a) Cleaning by hand of the cylinders (including the doffer cylinder) of a carding machine, shall not be done whilst any person other than those performing or assisting at the cleaning is present.

(b) After six months from the date on which this Schedule comes into force, such cleaning as aforesaid shall not be done by means of hand strickles or other hand tools:

Provided that the Inspector or the Chief Inspector may direct such other measures and precautions to be taken as may be considered necessary for safeguarding the health of the workers employed on processes and work specified in paragraph 4.

5. *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 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) Every room as aforesaid shall be adequately lighted.

6. *Asbestos sacks not to be cleaned by hand.*— (1) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with paragraph 3 and sub-paragraph (5) of paragraph 4.

(2) All sacks used as containers for the purpose of transport of asbestos within the factory shall be constructed of impermeable material and shall be kept in good repair.

7. *Testing of ventilating plant.*— (1) All ventilating plant used for the purpose of extracting or suppressing dust as required by this Schedule shall at least once in every six months be thoroughly examined and tested by a competent person and any defect disclosed by such examination and test shall be rectified forthwith.

(2) A register containing particulars of such examination and test 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.

8. *Provision of breathing apparatus.*— A breathing apparatus shall be provided for every person employed—

- a) in chambers containing losses asbestos;
- b) in cleaning of dust settling or filtering chambers or apparatus;
- c) in cleaning the cylinders, including the doffer cylinders, of other parts of the carding machine by means of hand-strickles; and
- d) in filling, beating or leveling in the manufacture or repair of insulating mattresses.

9. *Protective equipments.*— There shall be provided and maintained for the use of all persons employed in the cleaning of dust settling and filtering chambers, tunnels and ducts, suitable overalls and head coverings.

10. *Prohibition of employment of adolescent persons.*— No person who is below 18 years shall be employed in or in connection with the manufacture of insulating mattresses, in mixing or blending of asbestos by hand, in sack cleaning, in chambers or apparatus for dust settling or filtering, in chambers containing loose asbestos, or in stripping or grinding the cylinders including the doffer cylinders or other parts of a carding machine.

11. *Medical examination.*— (1) No worker shall be employed in any factory on any of the processes specified in the paragraph 1, unless he has been medically examined by the Medical Officer and has been declared fit and has been granted a certificate of fitness in Form 24B.

(2) Every worker employed on any of the aforesaid processes on the date on which this Schedule comes into force shall be medically examined by the Medical Officer within three months of the said date.

(3) Every worker employed on any of the aforesaid processes on the date on which this Schedule comes into force, shall be radiologically examined by a qualified radiologist at the cost

of the occupier and the standard size chest X-ray plate shall be submitted to the Medical Officer for medical examination within three months of the said date.

(4) Every worker employed on any of the aforesaid processes shall be medically examined by the Medical Officer at intervals of six months after the first medical examination conducted under sub-paragraphs (1) and (2) and radiologically examined at an interval of 3 years after the first radiological examination conducted under sub-paragraphs (1), (2) and (3):

Provided that if at any time the Medical Officer is of the opinion that any person employed in the said processes is required to be radiologically examined by a qualified Radiologist, he may direct the occupier to arrange for such examination at his cost and then to submit the standard size X-ray plate of the worker to the Medical Officer.

(5) A worker already in employment had declared unfit by the Medical Officer shall not be allowed to work on any of the processes specified in paragraph 1, unless he has been re-examined medically and radiological, and had been certified to be fit to work on the said process again.

(6) A worker declared to be unfit to work on any of the aforesaid processes, any be employed on such other work or process as may be considered safe and as may be advised by the Medical Officer :

Provided that if the Medical Officer declares that a worker has been completely incapacitated and he is not fit to be employed on any process, such worker shall not be allowed to continue to work on any work or process.

(7) The Medical Officer may direct that a worker may be subjected to X-ray or he may be subjected to further examination, clinical, pathological or otherwise or that he should undergo a specified treatment, and it shall be the responsibility of the occupier and manager to arrange for the specified examination and/or treatment and to bear all expenses thereof or in connection therewith.

(8) The Medical Officer shall, after each examination grant a certificate in Form 24B.

(9) The manager shall maintain all the certificates in a proper register of file and shall produce all the certificates before an Inspector-cum-Facilitator whenever demanded.

(10) The manager shall maintain the details of every medical examination in Form 7 and the register shall be produced before an Inspector-cum-Facilitator whenever demanded.

SCHEDULE XV

Handling or 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; and
- (b) “corrosive substance” includes sulphuric acid, nitric acid, hydrochloric acid, hydrofluoric acid, carboric acid, phosphoric acid, liquid chlorine, liquid bromine, ammonia or anhydrous liquid ammonia, sodium hydroxide or potassium hydroxide or mixtures thereof, or any other substance which the Government may by notification in the Official Gazette specify to be a corrosive substance.

2. *Flooring.*- The floor of every workroom of a factory in which corrosive operations is carried on shall be made of impervious, corrosion 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 maintain in a sound condition.

3. *Protective equipment* .- (1) 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 suitable respirators. The equipments shall be maintained in good order and shall be kept in clean and hygienic condition by disinfecting them and also suitably treating them to remove the ill effects of any absorbed chemicals. The occupier shall also provide suitable protective creams and other preparations of the workers wherever necessary.

(2) The protective equipment and preparations provided shall be used by the persons employed in any corrosive operation.

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 centimeters from a pipe of 2.5 centimeters diameter and fitted with a quick acting valve so that in case of injury to the worker by any corrosive substances, 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 centimeters and 60 centimeters respectively or such dimensions as are approved by the Chief Inspector places at floor level 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 a corrosive operation 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.

CAUTIONARY NOTICE

DANGER

Corrosive substances cause severe burns and vapours thereof may be extremely hazardous.

Use protective wears.

In case of contact with corrosive substances immediately flood the affected part of body with plenty of water for at least 15 minutes.

Call for medical attention quickly.

6. *Transport*.- (1) Corrosive substances shall not be filled, moved or carried except in containers shall when they are to be transported, the containers shall be placed in crated of sound construction and of sufficient strength.

(2) A container with a capacity of 10.0 litres 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 cart is used for the purpose.

(3) Containers for corrosive substances shall be clearly labelled as such.

7. *Devices for handling corrosive substances*.- (1) Suitable tilting or lifting devices shall be used for emptying jars, carboys and other containers or corrosive substances.

(2) Corrosive substances 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 substances shall be opened with 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.*- (1) 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 material shall be used to prevent productions of arseniuretted hydrogen (Arsine.)

(2) 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 substances had been stored all possible precautions required under Section 36 of the Act shall be taken to ensure the worker's safety.

(3) Wherever possible, before repairs are undertaken on any part of equipments 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.*- (1) Corrosive substances shall not be stored in the same room with other chemicals, such as turpentine, carbides, metallic powders and combustible materials and cyanide salts as the accidental mixing thereof may cause a reaction which is either violent or it may give rise to toxic fumes and gases.

(2) Pumping or 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 shall be so arranged that there is no possibility of any corrosive substance overflowing and causing injury to any person.

(3) Every container having a capacity of twenty litres or more and every pipeline, valve and fitting used for storing or carrying corrosive substances shall be thoroughly examined every year for finding out any defects, and the defects so found out shall be rectified forthwith. A register shall be maintained of every such examination made and shall be produced before the Inspector whenever required.

11. *Fire extinguishers and firefighting equipment.*- An adequate number of suitable types of fire extinguishers or other fire fighting equipments, depending on the nature of chemicals stored, shall be provided. Such extinguishers or other equipments shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used, shall be printed in the language which majority of the workers employed understand and shall be affixed near each extinguisher or other equipment. Sufficient number of workers shall be trained in firefighting methods.

12. *Exemption.*- If on an application made by the manager of any factory the Chief Inspector is satisfied that owing to the exceptional circumstances, or the frequency of the process or for any other reason to be recorded by him in writing, all or any of the provisions of this Schedule are not considered 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.

SCHEDULE XVI

Processing of Cashewnut

1. *Application* .- This Schedule shall apply to all factories in which roasting, scrubbing and shelling of cashewnuts or extracting oil from cashewnuts or cashewnut shells are carried on.

2. *Prohibition of employment of women and adolescent persons*.- No woman or person below 18 years shall be employed in any of the processes specified in paragraph 1 except in shelling of roasted cashewnuts unless adequate safeguards have been provided in the manner as prescribed by the Government by written order under rule 61 of these Rules.

3. *Protective clothing and equipment*.- The occupier shall provide and maintain for the use of all persons employed in roasting and scrubbing of cashewnuts or extracting oil from cashewnuts or cashewnut shell.-

- (a) suitable rubber or washable leather gloves;
- (b) suitable type of impervious aprons with sleeves to cover body down to knees and shoulders and
- (c) suitable type of footwear to afford protection to feet and legs against cashewnut oil; and for the workers employed in cashewnut shelling either
- (d) a protective ointment containing 10% of shellac; 55% of alcohol, 10% of sodium perborate; 5% of carbitol and 20% talc; or
- (e) sufficient quantity of kaolin and coconut oil; and
- (f) any other material or equipment which the Chief Inspector of Factories 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 cashewnut*.- (1) Shells, ashes or oil of cashewnut 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 cashewnuts without using the protective clothing or equipment provided under paragraph 3 above.

6. *Floors of workrooms*.- The floor of every workroom in which processes specified in paragraph 1 are carried in shall be cleaned daily, and spillage of any cashewnut oil in any workroom shall be washed with soap and cleaned immediately.

7. *Seating accommodation*.- Workers engaged in shelling of cashewnuts shall be provided with adequate seats or work benches which shall be cleaned daily.

8. *Restrooms*.- (1) There shall be provided and maintained for the use of all persons employed in processes specified in paragraph 1, a suitable restroom 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 restroom.

9. *Food, drinks, etc. prohibited in workrooms.*— 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 cashewnut or extracting oil for cashewnuts or cashewnut 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, nail brushes and towels at the scale of one tap or stand pipe for every 10 workers, and the taps or stand pipes shall be spaced at a distance 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 processes specified in paragraph 1.

12. *Smoke or gas produced by roasting cashewnuts.*— 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 examination.*—(1) Every person employed in processes specified in paragraph 1 shall be examined by the Medical Officer once in every six months, or at such other intervals as may be specified in writing by the Chief Inspector-cum-Facilitator on a day of which due notice shall be given to all concerned. The Medical Officer shall examine and certify the workers in the premises of the factory.

(2) Every person employed shall present himself at the appointed time for examination by the Medical Officer as provided in sub-paragraph (1).

(3) A health register in Form 24 containing the names of all persons employed in the process specified in paragraph 1 shall be kept.

(4) The Medical Officer shall record the results of the examination against the name of each worker in the health register.

(5) No person whose services have been suspended on health grounds shall be employed in any process specified in paragraph 1, without the written sanction from the Medical Officer duly entered in the health register.

(6) The occupier shall appoint a person trained in first aid who shall inspect daily the hands and feet of the persons employed in processes specified in paragraph 1. The occupier shall keep a record of such inspections in a register in a form approved by the Chief Inspector and any cases of blistering shall be brought to the notice of the Medical Officer who shall direct them for such treatment as may deem to be necessary.

(7) The first-aid box shall also contain Burrow's solution 1 to 20 and aqueous solution tannic acid 10% for treatment of cases of dermatitis.

10. *Exemption.*— The Chief Inspector may grant exemption from the operation of any of these provisions if he is satisfied that their observance is not necessary for safeguarding the health of the workers.