

GOVERNMENT OF BIHAR
LABOUR RESOURCES AND MIGRANT WORKERS WELFARE
DEPARTMENT
NOTIFICATION
CHAPTER – I
PRELIMINARY

In exercise of powers conferred by Sections 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) read with section 24 of General Clauses Act, 1897(10 of 1897) and in supersession of the following rules:-

1. The Bihar Building and Other Construction Workers (Regulation of Employment and Condition of Services) Rules, 2005;
2. The Bihar Factories Rules, 1950;
3. The Contract Labour (Regulation and Abolition) State Rules, 1972;
4. The Bihar Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) State Rules, 1980.
5. The Bihar Motor Transport Workers Rule, 1962
6. The Bihar Beedi and Cigar Workers (Condition of Employment) Rule, 1968.

the Governor of Bihar pleased to make the following rules, namely:-

1. Short title, extent and commencement-

- (1) The rules shall be called "The Occupational Safety, Health and Working Conditions (Bihar) Rules, 2026.
- (2) It extend to whole of the State of Bihar.
- (3) It shall come into force on the date of their publication in the Official Gazette.

2. Definition-

(1) In these rules, unless the context otherwise requires, -

- (a) **“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 26.5 degrees centigrade or more, shall not be deemed to be artificial humidification;

- (b) **“Belt”** includes any driving strap or rope;
- (c) **“Board”** means the Board constituted under section 17 of the Code;
- (d) **“Calendar year”** means the period of twelve months beginning with the first day of January in any year;
- (e) **“Casual leave”** means leave to cover casual absence of the employees from duty for personal reasons;
- (f) **“Code”** means “The Occupational Safety, Health and Working Conditions Code, 2020”
- (g) **“Degrees”** (of temperature) means degrees on the centigrade scale;
- (h) **“Electronically”** means any information or communication submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;
- (i) **“Fume”** includes gas or vapour;
- (j) **“Form”** means a form annexed to these rules;
- (k) **“Health Officer”** means the Municipal Health Officer or District Health Officer or such other official as may be appointed by the State Government in that behalf;

- (l) **"Hygrometer"** means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance;
- (m) **"Qualified Medical Practitioner"** means a person holding a qualification granted by an authority specified in the schedule to the Indian Medical Degree Act 1916 (7 Of 1916) or in the schedule to Indian Medical Council Act 1956 (102 Of 1956)
- (n) **'Registering Officer'** means the registering officer appointed by the State Government for purpose of these rules.
- (o) **"Schedule"** means schedule appended to these rules.
- (p) **'Section'** means the Section of the Code.
- (q) **"Shop"** means any premises where goods are sold, either by retail or wholesale, or where services are rendered to customers, and includes an office, a storeroom, a godown, a warehouse, a workhouse, or a workplace where distribution or packaging or repackaging of finished goods is carried on; but it does not include a shop attached to a factory where persons employed in such shop are allowed the benefits provided under CHAPTER XI, PART VII of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020). For the purpose of this code, a shop is also considered an establishment wherever required.
- (r) **"Standard Safe Operating Procedures"**- means the practice followed for the safety and health of workers and safe operation of machinery, process and equipment used in such practices and such practices conform to all or any of the following, namely: -
 - (i) relevant standards approved by Bureau of Indian Standards or International Standards;
 - (ii) national building code;
 - (iii) manufacturers instruction on safe use of equipment and machinery;

(iv) Code of practice on safety and health practices published by International Labour Organization and amended from time to time.

(2) The words and expressions used in these rules which are not defined herein, but are defined in the Code or rules made thereunder, shall have their respective meaning as assigned to them in the Code or Rules.

(3) "Procedure for the Grant of a Certificate of Competency under Clause (1) of Sub-section (1) of Section 2":

(1) The Chief Inspector cum facilitator may recognize any person as a 'competent person' within such area and for such period as may be specified for the purposes of carrying out tests, examinations, inspections and certification for such buildings, dangerous machinery, hoists and lifts, lifting machines 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 there under, located in a factory, if such a person possesses the qualifications, experience and other requirements as set out in the **SCHEDULE- I** 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 the 'competent person' recognised under this provision shall not be above the age of 62 and shall be physically fit for the purpose of carrying out the tests, examination and inspection.

(2) The Chief Inspector cum facilitator may recognise an institution of repute, having persons possessing qualifications and experience as set out in the schedule I annexed to sub-rule (1) for the purpose of carrying out tests, examinations, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines 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 there under, as a 'competent person' within such area and for such period as may be specified. The Chief Inspector cum facilitator may recognise an institution of repute, having persons possessing qualifications and experience as set out in the schedule I annexed to sub-rule (1) for the purpose of carrying out tests, examinations, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines 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 there under, as a 'competent person' within such area and for such period as may be specified.

(3) The Chief Inspector cum facilitator on receipt of an application in the prescribed form from a person or an institution intending to be recognise as a 'competent person' for the purposes of this Act and the Rules made there under, 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 recognise the applicant as a 'competent person' and issue a certificate of competency in the prescribed form or reject the application specifying the reasons therefore.

(4) The Chief Inspector cum facilitator, if he has reason to believe that 'competent person': -

- a. has violated any condition stipulated in the certificate of competency;
- b. has carried out a test, examination and inspection or has acted in manner inconsistent with the intent or the purpose of this Code or the Rules made there under, or has omitted to act as required under the Code or Rules made there under;
- c. for any other reasons to the recorded in writing; may revoke the

certificate of competency after giving an opportunity to the 'competent person' for being heard.

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

(5) 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.

(6) **Income from the sources under Explanation to clause (x) of sub-section (1) of section 2-** If any dependent for the time being having income more than Rs.9000/- per month, such dependents shall not be included as dependents for the purpose of Sub-clause (ii) and (iii) of clause (x) of sub-section (1) of section 2 of the Code .

(7) **Substance or quantity of substance under clause (zb) of sub-section (1) of section 2-** For the purpose of clause (zb) of sub-section (1) of section 2 of the Code, the hazardous substance and its quantity is specified in **Schedule- II**.

Chapter-II

Registration

3. Manner of submitting application under Section 3 and the form of such application and the particulars to be contained therein and the fees to be accompanied therewith and late fee under the proviso to sub-section (1) of section 3 :-

(1) (i) The employer seeking registration for an establishment not already registered shall apply electronically in **Form-I** on the Online Portal by giving details about the establishment, and uploading documents related to Registration of the establishment, proof of Identity and address of the employer(s) as specified in the Form along with the fee prescribed in the Sub-rule (10) of Rule

3. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

(ii) The Permanent Account Number (PAN) of the applicant or the establishment allotted under Income Tax Act, 1961 or any other unique number allotted to the establishment under any other Act for the time being in force or any other particular furnished in the form, may be verified online.

(iii) The certificate of registration shall be issued in **Form-II** electronically immediately if the application is complete in all respect but not later than Seven days from the date of submission of complete application, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated. The Registering Officer shall facilitate registration and shall not reject the application merely on superficial matters.

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

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

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

(3) The employer in respect of an establishment already registered under any other Central Labour Laws for the time being in force shall, update the registration particulars on the Online Portal, within six months from the date on which the Code comes into force.

(4) Any registration obtained by providing wrong information shall be liable to be cancelled provided that establishment has been given an opportunity to show cause, electronically or by registered post, as to why the certificate of registration should not be cancelled.

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

(6) Any change in the ownership, management or any particular furnished in Registration Form submitted on the specified portal shall be updated on the portal by the employer within thirty days of such change and amended registration certificate as prescribed in Form II shall be issued by the registering officer within seven days incorporating the said changes and the previously issued registration certificate shall stand cancelled.

(7) The employer of an establishment to which the provisions of the Code apply and whose business activities are in process of closure may apply for cancellation of registration on the Online Portal after giving complete details of the dues payable under the Labour Codes:

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

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

(9) The employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment or as the case may be,

the work is to be executed, intimating the actual date of the commencement, completion of work and cessation of establishment, as the case may be, in **Form-IV** annexed to these rules electronically and the same shall be auto-shared to EPFO and ESIC.

(10) (1) In case of Establishments existing before the commencement of the Code there shall be no fees for registration if the applicant apply for registration within 60 days from the date of applicability of this code, however, for new establishment fee for registration will be paid as specified in table below. Late fees in both cases, to be paid for the purpose of grant of a licence under Sub-section (1) and (2) of Section 3 of an establishment shall be as specified in the table below, namely;

Sl.	Number of workers/ employees	For the new Establishment	Late Fees for both new and existing Establishment		
		Up-to 60 days	From 61-to 90 days	From 91-to 180 days	From 181 or more days
<i>a</i>	10 but does not exceed 49	Rs. 500	Rs. 1000	Rs. 5000	Rs. 10000
<i>b</i>	50 but does not exceed 100	Rs. 1000	Rs. 2000	Rs. 10000	Rs. 20000
<i>c</i>	101 but does not exceed 300	Rs. 2000	Rs. 4000	Rs. 20000	Rs. 40000
<i>d</i>	301 but does not exceed 500	Rs. 3000	Rs. 6000	Rs. 30000	Rs. 50000
<i>e</i>	501 but not exceeding 1000	Rs. 4000	Rs. 8000	Rs. 40000	Rs. 60000
<i>f</i>	1001 but not exceeding 5000	Rs. 5000	Rs. 10000	Rs. 50000	Rs. 70000
<i>g</i>	5001 and above	Rs. 6000	Rs. 12000	Rs. 60000	Rs. 80000

(2) In deciding the late fee, the date of utility connection in the name of establishment owner/ employer/ occupier may be taken into account by Registering Officer.

(3) Notwithstanding anything contained in these Rules, any establishment to which the Code applies and which has already been registered under—

(a) any Central Labour Law; or

(b) any other law as may be notified by the Central Government, applicable to such establishment and in force at the time of commencement of the Code, shall be deemed to have been registered under the provisions of the Code:

Provided that the holder of such registration shall furnish the particulars of the registration to the concerned Registering Officer in Form-I within a period of 60 days from the date of publication of these Rules, in the case of an existing establishment, and within 60 days from the date of registration, in the case of a new establishment.

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

(ii) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form to be kept for the purpose called the register of appeals.

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

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

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

(vi) Where an appeal has been dismissed, the appellant may apply electronically to the appellate officer for the restoration of the appeal within thirty days from the date of receipt of the order and if the appellate officer is satisfied that the appellant was prevented by sufficient cause from appearing, the appellate officer shall restore the appeal.

(vii) The order of the Appellate Officer shall be communicated electronically or by registered post to the appellant and copy thereof shall be sent to the registering officer against whose order the appeal has been preferred and shall be disposed of within a period of thirty days from the date of receipt of appeal.

5. Notice of commencement and cessation of operation under Section 5.-

The employer of every establishment being factory or relating to contract labour or building or other construction works to which the provisions of the code applies shall within thirty days of the commencement or cessation of operation, submit to the Registering Officer in **Form-IV**, electronically and the notice of cessation of operation shall be enclosed with a certificate that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Chapter-III

Duties of Employer and Employee.

6. Annual Health Examination of employees under clause (c) of sub-section (1) of Section 6.- Every employer of factory, motor transport undertaking, plantation, building or other construction work or any other establishment as notified by the State Government from time to time, shall arrange to conduct free of cost, medical examination for every worker annually i.e. within 120 days from the commencement of every calendar year who has completed 40 years of age. The medical examination shall be conducted by a qualified medical practitioner as per Performa in the **Form-V**. The Medical Certificate shall be submitted by the qualified medical practitioner to the concerned employer and employee.

7. Letter of appointment to employee under clause (f) of sub-section (1) of Section 6.- (i) No employee shall be employed in any establishment unless he has been issued a letter of appointment in the prescribed format as appended to this rule at time of joining.

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

Format

- (i) *Name of employee:*
- (ii) *Date of Birth :*
- (iii) *Father's name:*
- (iv) *Aadhar number:*
- (v) *Labour Identification Number (LIN) / Registration Number of the establishment:*
- (vi) *Universal Account Number (UAN)*
- (vii) *Insurance Number (ESIC) (if applicable):*
- (viii) *Designation:*

- (ix) *Category of skill (unskilled, semi skilled, skilled and highly skilled):*
- (x) *Date of joining:*
- (xi) *Wages (in Rs.)*
- (xii) *Other allowances including accommodation whichever is/are applicable:*
- (xiii) *Broad Nature of duties to be performed:*
- (xiv) *Any other information:*
- (xv) *Nature of Employment (Permanent, Temporary, Seasonal, Daily Wage Worker, Fixed Term Employment, Contract Worker, If any other Please specify):*

Signature

(Occupier/employer/owner/agent/manager)

(ii) An Identity Card shall be issued to all workers except Daily Wage Worker containing the Registration Number and Name of Establishment, Name of Employee, Date of Birth, Father Name and Address, Nature of Employment and Validity.

The Identity Card shall be duly signed by the Occupier/employer/owner/agent/manager.

8. Notice of accidents and dangerous occurrences under sub-section (1) Section 10 and Section 11.-

(1) Where at any place in an establishment which is a factory, motor transport undertaking, plantation, newspaper establishment and establishment relating to beedi and cigar and such other establishment to which these rules apply an accident occurs which results in the death of any person, the employer or occupier or manager of the establishment shall forthwith inform by telephone or Mobile Phone to the Inspector cum-facilitator, Chief Inspector cum facilitator and District Magistrate or Sub-divisional Officer and the officer-in-charge of the nearest police station; and the family members/kin of the injured or

deceased person and send a notice thereof in **Form-VI** electronically within 24 hours to the Inspector cum facilitator and the Chief Inspector cum facilitator.

(2) Where at any place in an establishment which is a factory, motor transport undertaking, plantation, newspaper establishment and establishment relating to beedi and cigar and such other establishment to which these rules apply, an accident occurs which results in bodily injury by reason of which the person injured is prevented from working for a period of 48 hours or more immediately following the accident, the employer or occupier or manager of the establishment shall forthwith send a notice in **Form-VI** within twenty four hours after the completion of forty eight hours, electronically to the Inspector-cum-Facilitator **and Chief Inspector cum facilitator**.

(3) Wherein any factory, motor transport undertaking, plantation, newspaper establishment and establishment relating to beedi and cigar and to such other establishment to which these rules apply there is any dangerous occurrence as specified in the schedule annexed hereto, whether causing any bodily injury or disability or not, a notice in **Form-VI** shall within twentyfour hours be sent to:

- (a) The Inspector-cum-facilitator and Chief Inspector-cum- facilitator;
- (b) District Magistrate **and** Sub-divisional Officer;

Provided that if in the case of an accident or dangerous occurrence, death occurs to any person injured by such accident or dangerous occurrence after the notices and reports referred to in the foregoing sub-rules have been sent, the employer or occupier or manager of the establishment shall send a notice thereof by telephone and electronically to the authorities and persons mentioned in sub-rules (1) and (2) and also have this information confirmed in writing within 24 hours of the death.

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

prescribed form within 24 Hours following the hours when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes 48 hours.

SCHEDULE

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

(i) Bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;

(ii) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.

(iii) Explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;

(iv) Explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

(v) collapse or failure of lifting appliances or hoist or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears; overturning of cranes used in building or other construction work; falling of objects from height;

(vi) collapse of any wall, floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;

(vii) Spillage or leakage of hazardous substances and damage to their container;

(viii) collapse, capsizing, toppling or collision of transport equipment within the establishment;

(ix) fall from height of any excavation, loading or transport machinery;

(x) an instantaneous failure of a pillar, part of a pillar or several pillars of coal (i.e., a 'bump') in working below ground;

(xi) a rock-burst in working belowground; a premature collapse of any part of the working;

(xii) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;

(xiii) a slide causing injury to any person, damage to any machinery, or interruption of normal mining operations;

(xiv) failure of dump or side in opencast working; a blowout;

(xv) a failure of any structure or installation whereby the safety of persons may be endangered; or spark generated due to electrical flash-over causing burn injury to any person;

(xvi) a major uncontrolled emission of petroleum or chemical spillage;

Provided that notwithstanding anything contained in the above schedule to remove any ambiguity, any failure and damage of machinery and equipment and damage or collapse of structure leading to death or injury of workers due to explosion of boiler or its accessories and mountings as defined in The Boilers Act, 2025 will not be covered under this schedule.

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

NOTICE OF DISEASE

- (1) *Name of establishment:*
- (2) *Nature of establishment:*
- (3) *Name & address of Employer or Occupier or Manager*
- (4) *Address of the Establishment*
- (5) *Details of Patient:*
 - (a) *Name of Patient:*
 - (b) *Works number of Patient:*
 - (c) *Address of Patient:*
 - (d) *Precise occupation of patient:*
- (6) *Nature of disease from which patient is suffering:*
- (7) *Date of Detection of Disease:*
- (8) *Details of Medical Practitioner:*
- (9) *Has the case been reported to the Medical Officer?*

Date:

Signature of employer or occupier or manager

(2) If any qualified medical practitioner attends on a person who is or has been employed in an establishment and who is or is believed by the qualified medical practitioner to be suffering from any disease specified in the Third Schedule, the qualified medical practitioner shall without delay send a report in writing to the office of the Chief Inspector-cum-Facilitator stating-

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

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

registered post or speed post or in writing or telephonically and such representative or officer or agent or manager, as the case may be report to the employee electronically or by registered post or speed post.

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

Chapter-IV

Occupational Safety and Health

12. State Occupational Safety and Health Advisory Board under sub-sections (1), (2) and (3) of Section 17.- (1) The State Occupational Safety and Health Advisory Board shall consist of-

- a) Additional Chief Secretary/Principal Secretary/ Secretary, Labour Resources and Migrant Labour Welfare Department, Bihar- Chairperson;
- b) Additional Chief Secretary/Principal Secretary/ Secretary, Industries Department, Bihar or his representative not below the rank of Director, Industries- **Member-ex-officio**
- c) Additional Chief Secretary/Principal Secretary/ Secretary, Mines & Geology Department, Bihar or his representative not below the rank of Joint Secretary - **Member-ex-officio**
- d) Chairmen, State Pollution Control Board, Bihar- **Member-ex-officio**
- e) Labour Commissioner, Bihar - **Member-ex-officio**
- f) Director, Medical Services ESI, Govt. of Bihar- **Member-ex-officio**
- g) Chief Inspector-cum -Facilitator of Factories- **Member-ex-officio**
- h) Chief Inspector of Boiler - **Member-ex-officio**
- i) five representatives of employers- **Member**

- j) five representatives of employees- **Member**
- k) five eminent persons connected with the field of Occupational Safety and Health, or representatives from reputed research institutions or similar other discipline, out of which one member may be from State Health Society, Bihar— **Member**
- l) Joint Labour Commissioner dealing with the OSH Code - **Member Secretary -ex-officio**

(2) The State Advisory Board may meet as often as necessary to discharge the functions as specified in Section 17(1) of the Code, but at least once in a year.

13. Resignation- (1) A member of the State Advisory Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Chairperson of the State Advisory Board.

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

14. Cessation of membership.-If any member of the State Advisory Board, not being an ex-officio member, fails to attend three consecutive meetings of the State Advisory Board, without obtaining the leave sanctioned by the Chairperson of such State Advisory Board for such absence, he shall cease to be a member of State Advisory Board:

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

15. Disqualification for membership- A person shall be disqualified for being a member of the State Advisory Board—

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

16. Removal from membership.—The State Government may remove any member of the State Advisory Board, if in its opinion such member has ceased to represent the interest which he purports to represent on such State Advisory Board:

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

17. When vacancy occurs in the membership of the Board, the 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 and the person so nominated, shall hold office for remainder of the term of office of the member in whose place he is nominated.

18. Travelling Allowance for members- (1) The travelling allowance of an government member of the Board shall be governed by the rules applicable to them for the journey performed on official duties and shall be paid by the authority paying the salary.

(2) Every non-official member of the Board shall be entitled to travelling and halting allowance for attending the meetings of the Board, at the rates and subject to the conditions applicable under the provisions of rule 144(1) of the Bihar Travelling Allowance Rules, 1949, as may be notified by the Labour Resources and Migrant Workers Welfare Department from time to time.

Explanation.— For the purposes of this rule, the expression “official member” shall mean regular government officers, officiating as members of the Board in that capacity and “non-official member” shall be who are not “official members”.

19. Collection of statistics and portal for inter-State migrant workers under sub-sections (1) of Section 21.- The employer shall submit the details of occupational safety and health statistics electronically on web portal designated for the purpose Sub-Section (1) of Section 21 of the Code.

20. Safety Committee and Safety officers under Section 22.-

(1) In every establishment which is a factory, motor transport undertaking, plantation, newspaper establishment and establishment relating to beedi and cigar and to such other establishment to which these rules apply; there shall be a safety committee :-

- (a) Wherein 100 or more workers are ordinarily employed; or
- (b) Which carries on any process or operation declared to be dangerous under Section 82 of the Code; or
- (c) Which carries on 'hazardous process' as defined under Section 2 (1) (za) of the Code;

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

(3) The representative of the workers shall be chosen by the registered trade Union. In case where there is no registered trade union the members may be chosen by the workers of the establishment.

Provided that there shall be adequate representation of the women workers in the committee.

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

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

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

21. Composition of Safety Committee.- (1) The representatives of the management on Safety Committee, shall consist of –

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

(b) A Safety Officer or a member nominated by the Chairman as the case may be shall be the Secretary of the Committee

(c) A Medical practitioner, wherever available.

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

(e) The safety committee shall consist of equal number of members representing the employer and the worker which shall not exceed thirty.

(2) The workers representatives on the Safety Committee referred to in sub-rule (1) shall be chosen by the workers.

(3) The minutes of the meeting of the Safety Committee referred to in sub-rule (1) shall be recorded and sent to the Inspector -cum-Facilitator.

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

(a) potential safety and health hazards to which the workers may be exposed at workplace;

(b) data on accidents as well as data resulting from surveillance of the working environment and of the health of workers exposed to hazardous substances.

(5) Function and duties of the Safety Committee referred to in sub-rule (1) shall include –

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

- (b) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problems encountered;
- (c) creating safety awareness amongst all workers;
- (d) undertaking educational, training and promotional activities;
- (e) discussing reports on safety, environmental and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports;
- (f) looking into the matters likely to cause danger to the safety and health of the workers and suggest corrective measures; and
- (g) reviewing the implementation of the recommendations made by it.

22. The qualifications, duties and number of safety officers under sub-section (2) of section 22 except mines-

(1) A person shall not be eligible for appointment as a safety officer relating to factory (including factory carrying on hazardous process) and building or other construction work unless he possesses –

- (i) a recognised degree in any branch of engineering or technology and has had practical experience in a supervisory capacity for a period of not less than 2 years; or
- (ii) a recognised degree in physics or chemistry and has had practical experience in a supervisory capacity for a period of not less than 5 years; or
- (iii) a recognised diploma in any branch of engineering or technology and has had practical experience in a supervisory capacity for a period of not less than 5 years; and
- (iv) possesses a degree or diploma in industrial safety recognized by the State or Central Government in this behalf; or has qualified at a written & viva-voce examination conducted by the Chief Inspector cum facilitator,

Provided that such examination shall be conducted only till adequate no. of persons possess degree or diploma in safety recognized by the state or central Govt are not available.;

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

(i) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than 5 years in a department of the Central or State Government which deals with the administration of the Factories, Building or other Construction works and or

(ii) possesses a recognized degree or diploma in engineering or technology and has had experience of not less than 5 years, full time, on training, education, consultancy, or research in the field of accident prevention in industry or in any institution; shall also be eligible for appointment as a safety officers :

(3). Factory wherein 500 or more persons are ordinarily employed, Safety Officer(s) shall be appointed on a scale of atleast one up to a total manpower of 500 and additional one for every additional 500 manpower.

(4) Factory carrying on hazardous process and building or other construction work wherein 250 or more persons are ordinarily employed, Safety Officer(s) shall be appointed on a scale of atleast one up to a total manpower of 250 and additional one for every additional 250 manpower.

(5) Duties of Safety Officers - (1) The duties of a Safety Officer shall be to advise and assist in the fulfilment of its obligations, statutory, concerning prevention of personal injuries and maintaining a safe working environment and such duties shall include the following, namely. -

(i) to advise the concerned departments in planning and organizing measures necessary for the effective control of personal injuries;

(ii) to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;

(iii) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;

(iv) to provide advice on matters related to carrying out plant safety inspections;

(v) to carry out plant or site safety inspections in order to observe the physical conditions of work and the work practices and procedures followed by workers and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by workers;

(vi) to render advice on matters related to reporting and investigation of industrial accidents and diseases;

(vii) to investigate accidents and dangerous occurrences.;

(viii) to investigate the cases of notifiable diseases listed in the Third Schedule to the Code;

(ix) to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the workers in establishing and maintaining safe conditions of work and procedures; and

(x) to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries.

(xi) The safety officer shall ensure that an appropriate emergency plan as required under these regulations is put in place and the requirements of the same are implemented.

(xii) The safety officer shall maintain in a bound paged book a detailed record of the work performed by him.

(xiii) to assist the manager in any other matter relating to safety.

(2) Except in an emergency, no duties other than those specified above shall be assigned to the Safety officer.

Chapter-V

Working Hours, Weekly Holidays and Compensatory Leave

23. Daily and weekly working hours under clause (b) of sub-section (1) of Section 25-

- (1) No employee shall be required or allowed to work in an establishment for more than forty-eight hours in a week.
- (2) Where a worker works in an establishment on daily basis, any work performed beyond eight hours (exclusive of interval of rest) in a day shall be treated as overtime work.
- (3) Where an employee or worker works in an establishment for six days in a week, any work performed beyond eight hours (exclusive of interval of rest) in a day or beyond forty-eight hours in a week shall be treated as overtime work.
- (4) Where an employee or worker works in an establishment for five days in a week, any work performed beyond nine and half hours (exclusive of interval of rest) in a day or beyond forty-eight hours in a week shall be treated as overtime work.
- (5) Where an employee or worker works in an establishment for four days in a week, any work performed beyond eleven and a half hours (exclusive of interval of rest) in a day or beyond forty-eight hours in a week shall be treated as overtime work.
- (6) The period of work of the employee shall be arranged so that, inclusive the interval for rest, it does not spread over more than twelve hours in a day.
- (7) The flexibility in working hours shall be permitted with the consent of negotiating union/negotiating council or with the consent of employee(s) or worker (s) in the absence of negotiating union/negotiating council.
- (8) No employee or worker shall be allowed to work for more than five hours in the case of a six-day working week and six hours in the case of a less than six-day working week continuously before he has had an interval for rest of at least half an hour.

(9) Where an employed person has worked for less than a normal working day, wages proportionate to the hours of work done by him shall be paid to him:

Provided that if such person has worked for more than three quarters of a normal working day, he shall be deemed to have worked for the full day.

Provided that where a worker is engaged in an establishment on a monthly basis, and the establishment remains closed due to any national holiday or festive holiday or Labour Day or for reason(s) personal to the employer, the worker shall be paid wages for twenty-six days in the month, except for any day on which the worker is unwilling to work.

24. Weekly day of rest under Section 26.-

(1) For the purpose of section 26, a notice shall be posted in a conspicuous place outside the office of every establishment showing the weekly day of rest. Where the weekly day of rest is not the same day for all persons employed in the establishment, the notice shall show the day of rest allowed to each relay, or set of persons or individual.

(2) Subject to the provisions of this rule, an employee shall be allowed rest of one day or more than one day as the case may be, every week (hereinafter referred to as "the rest days") which in case of six day week shall ordinarily be Sunday and in case *less than six day week shall include Saturday and Sunday, but the employer may fix any other days of the week as the rest days for any employee or class of employees.*

Provided that in a six day working week or less than six day working week, as the case may be, the remaining days of the week shall be paid rest days for such employees.

Provided that an employee shall be entitled for the rest days under this sub-rule if he has worked under the same employer in case of six day week for a continuous period of *not less than six days and in case of less than six day working week for a continuous period of the stipulated number of working days as the case may be.*

Provided further that the employee shall be informed of the days fixed as the rest days and of any subsequent change in the rest days before the change is effected, by display of a notice to that effect at a conspicuous place in the place of employment.

Explanation.- For the purpose of computation of the continuous period of not less than six days or the stipulated number of working days in a week specified in the second proviso to this sub-rule,

- (a) any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work,
- (b) any day on which an employee is laid off on payment of compensation under the Industrial Relation Code, 2020 and
- (c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week as the case may be, immediately preceding the rest days, shall be deemed to be days on which the employee has worked.

(3) Any such employee shall not be required or allowed to work on the rest day unless he has or will have a substituted rest day for a whole day on one of the five days immediately before or after the rest day:

Provided that no substitution shall be made which will result in the employee working for more than ten days consecutively without a rest day for a whole day.

(4) Where in accordance with the foregoing provisions of this rule, any employee works on a rest day and has been given a substituted rest day on any one of the five days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(5) An employee shall be granted-

(a) for rest day wages calculated at the rate applicable to the next preceding day; and

(b) where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day;

(6) the spread over for the workers shall exceed twelve hours in any one day under the following works and circumstances in factories, and building or other construction, namely;

(a) urgent repairs;

(b) work in the nature of preparatory or complimentary work;

(c) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest;

(d) work which for technical reasons must be carried on continuously;

(e) engaged in making or supplying articles of prime necessity which must be made or supplied every day,

(f) engaged in a process which cannot be carried on except during fixed seasons;

(g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;

(h) engaged in an engine-rooms or boiler-houses or in attending to power-plant or transmission machinery;

(i) engaged in process on account of the break-down of machinery;

(j) engaged in the loading or unloading of railway wagons or lorries or trucks;

(k) exceptional press of work and

(l) engaged in any work, which is notified by the State Government in the Official Gazette as a work of State importance;

Provided that no employee or 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 forty-four hours. An employee or worker shall be required to work overtime subject to the written consent of such employee or worker for such work.

(7) Compensatory holidays. -

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

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

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

(8) Wages for overtime under section 27.-

(1) where in an establishment, a worker works for more than normal working hours as prescribed under rule 23, on any day as daily wage, 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 his rate of wages and shall be paid at the end of each wage period.

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

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

25. Circumstances for exemption from restriction on double employment in factory under section 30- No adult worker shall be required or allowed to work in any factory on any day on which he has already been working in any other factory, except in cases as notified by the state government from time to time.

Chapter-VI

Maintenance of Registers, Records and Returns:

26. Notice of periods of work under sub-section (2) of Section 31.-

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

27. Maintenance and production of reports, registers and other records under Section 33.-

1. Every employer of establishment shall maintain: -

- Register of employees in **FORM VIII**
- Register of attendance-cum-muster roll in **FORM VIII A**
- Register of wages, over time and deduction in **FORM VIII B**.
- Wage slip in **FORM VIII C**.

Registers under this chapter shall be maintained electronically or otherwise. Entries in the registers shall be made in English or Hindi.

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

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

2. Every employer shall issue wage slips, electronically or manually to the employees in FORM as prescribed under (Sub-section (3) of Section 50 of the Code on wages, 2019 before one day of payment of wages to the employee.

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

- (a) Register of employees
- (b) Register of Attendance-cum-Muster Roll
- (c) Register of Wages, over time and deductions
- (d) Wage slip

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

4. **Annual Returns** – (a) The employer to which the provisions of this Code applies on or before the 28th or 29th day of February in each year, upload a unified annual return in FORM-IX and IXA prescribed under the Rules made in the Occupational Safety, Health and Working Conditions Code, 2020 (No.37 of 2020) online on the web portal of the State Government , giving information as to the particulars specified in respect of the preceding year;

Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

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

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

(c) in case of manual registers and other records, be legibly entered in ink in English and Hindi or the language understood by a majority of the persons employed;

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

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

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

28. Display of notice board.—Every employer shall cause to display at the conspicuous place of the workplace of the establishment under his control, notice showing the name and address of the establishment, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the

Inspector-cum-Facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English **and** Hindi.

29. Return.- Every employer of an establishment shall send annually a return relating to such establishment in **FORM-IX** related to category of employees, health & welfare facilities retrenchment/ layoffs, bonus, maternity benefits etc. to the inspector -cum-facilitator having jurisdiction so as to reach him not later than 1st February following the end of each calendar year with a copy to Director General Labour Bureau electronically.

30. Register of accident and dangerous occurrences.—The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of section 33 of the Code shall be maintained in a **Form-X**. Every such Register shall be communicated in electronic form to Inspector - cum - Facilitator once in three months.

31. Register of leave with wages under clause (a) of section 33.-

(1) The owner, agent or manager of every establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or manually in **Form-XI**.

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

Chapter-VII

Inspector-cum-Facilitator and Other Authority

32. The qualification and experience of Chief Inspector-cum-Facilitator under sub-section (5) of section 34- (1) Qualification and experience of Chief Inspector-cum-Facilitator for the purpose of sub-section (5) of Section 34 shall be notified by State Government.

(2) **Inspection scheme** – the state government by notification shall mandate inspection of all establishments defined under this rule and lay down a web-

based inspection scheme based on risk assessment of the establishment assigning inspecting authorities based on their respective jurisdiction.

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

(1) An Inspector-cum-facilitator shall take samples or substances in an establishment as per the inspection scheme mandated under the Online Portal or in case of any enquiry after informing the employer of the establishment, taken in the manner hereinafter provided a sufficient sample of any substance used or intended to be used in the establishment, such use being—

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

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

(2) Where the Inspector-cum-facilitator takes a sample under sub-rule (1), he shall, in the presence of the person informed under that sub-section unless such person will fully 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 appliance for dividing, scaling and marking the sample taken under this section.

(4) The Inspector-cum-facilitator shall—

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

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

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

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

34. Powers and duties of Inspector-cum-facilitator under clause (xiv) of sub-section (1) of Section 35.-

(1) Inspector-cum-Facilitator shall, after every inspection or enquiry as may be deemed necessary, issue prohibition or improvement notice in the **Form-XII** pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed thereunder, to the employer or occupier or owner or agent, manager of the establishment.

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

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

(4) The Inspector-cum-facilitator shall-

- (a) forthwith give one portion of the sample to the person informed under sub-rule (1);
- (b) forthwith send the second portion to a Government Analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) for analysis and report thereon;
- (c) retain the third portion for production to the Court before which proceedings, if any, are instituted in respect of the substance.

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

35. The specialised qualification and experience, duties and responsibilities of experts to be empanelled under section 37- The specialised qualification and experience, duties and responsibilities of experts to be empanelled under section 37 for such start up establishment or class of establishment shall be notified by the State Government from time to time.

36. The manner of providing alternative employment under sub-clause (d) of clause (A) of sub-section (1) of section 38- If any person whose employment has been affected by an order issued under Sub-Clause (a) of Clause (A) of Sub-Section (1) of Section 38, the Inspector-Cum-Facilitator may give direction to the occupier to provide alternative employment to the person whose employment has been affected in the same capacity and under same service condition to other alternative employment in his factory or other factory which is under the control of that Occupier.

Provided further that the wages of the affected person shall not be reduced due to alternate employment.

37. Appointment of Medical officer under sub-section (1) of Section 42.-

(1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019(30 OF 2019) and who is enrolled on a Indian Medical Register as defined in clause (c) and on a State Medical Register as defined in clause (l) of section 35, section 36, section 37 and section 40 of the said Act. 38

(2) The Medical Officer shall be trained in Occupational Health course including International Labour Organisation (ILO) classification of chest Radiograph duly recognized by the central government.

38. Other establishment engaged in the dangerous occupation or processes under clause (a), (b) and (c) of sub-section (2) of section 42- For the purpose of clause (a), (b) and (c) of sub-section (2) of section 42, the State Government may notify establishment engaged in dangerous occupations or other such establishments from time to time.

39. Duties of Medical Officer under sub-section (2) of Section 42.-

(1) On receipt of a reference under clause (c) sub section (2) of section 42 of the code, the Medical Officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the person sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the establishment concerned after retaining a copy thereof.

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

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

- (a) for examination and certification of workers in an establishment in such dangerous occupation or processes as specified in First Schedule to the Code;
- (b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to hazardous nature of any process carried on or hazardous condition of work;
- (c) in respect of any establishment or class of establishment or description of establishment in which operations involve any risk of injury to the health of any person or class of persons employed therein;

- (d) to undertake occupational health survey for any or class of an establishment, where cases of illness have occurred or there is prevalence of diseases as prescribed in Third Schedule of the code.
- (e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment.

40. Employment of Women in establishment under Section 43.- (1) The following conditions shall be met for employment of women during night or before 6.00 a.m. and beyond 7.00 p.m. in any day, namely:-

- (a) the **written** consent of women employ shall be taken;
- (b) No women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (36 of 2020);
- (c) adequate transportation facilities with CCTV coverage shall be provided to women employee to pick-up and drop such employee at her residence;
- (d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit;
- (e) the toilet, washroom and drinking facilities should be near the workplace where such women employee are employed; and
- (f) Provide safe, secure and healthy working condition such that no women employee is disadvantaged in connection with her employment.
- (g) Not less than 2 women employees shall be on duty at any work place at the same time.
- (h) The provisions of the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), as applicable to the establishments, shall be complied with.
- (i) Adequate lighting shall be provided at the workplace, as well as CCTV coverage of areas inside and outside the factory where women

workers can access them as needed. CCTV footage shall be preserved for a minimum of 45 days.

- (j) If the State Government deems it appropriate, it may issue a notification providing for other protective provisions relating to the employment of women working in night shifts.

41. Adequate Safety of employment of women in dangerous operations under Section 44.-The State government may declare by notification the class of establishments and the scheme, and standards for safeguarding of women in hazardous and dangerous processes

Chapter-VIII

Contract Labour

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

- (a) the hours of work shall conform to the rules made under Section 25 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).
- (b) the wages shall be paid in accordance with the Code on Wages, 2019 (29 of 2020).
- (c) if the contract worker of the contractor is working at the premises of the principal employer then it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, Canteen and Crèche and all other facilities and entitlements shall be provided by the contractor.
- (d) In case, the Contractor is working at a premise other than that of the Principal Employer and the premise has functional amenities and facilities mentioned in clause (c), the contract labour can utilize facilities like toilet, washroom, drinking water, bathing facilities if required, changing room and first aid box. In all other cases all facilities and utilities under the the Code shall have to be provided by Contractor.

43. Form and manner of application for contractor license under of sub-section (1) of Section 48.-

(1) Every application by a contractor for the grant of a license shall be made on-line electronically through Online Portal in **Form-XIII** to the licensing authority.

(2) Licence for Contractor –

(1) If a contractor desirous of obtaining licence for:-

(i) supplying or engaging contract labour or

(ii) undertaking or executing the contract works under sub-section (1) or sub-section (2) of section 47, then he shall apply electronically on the online portal in **Form-XIII** to the licensing authority as notified by the State government.

(2) Application for licence shall be submitted electronically to the authority notified in this behalf under subsection (1) of section 119 of this code.

(3) Forms, terms and conditions of license.-

(1) Every license granted shall be in **Form-XIV**.

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

(i) the license shall be non-transferable;

(ii) the number of workers employed as contract labour by the contractor shall not, on any day, exceed the maximum number specified in the license;

(iii) save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the license shall be non-refundable;

(iv) the rates of wages payable to the workers by the contractor shall not be less than the rates prescribed under the Code on Wages, 2019 and where the higher rates have been fixed by agreement,

settlement or award, the rates of wages payable shall not be less than the rates so fixed.

44. Procedure for issue of license under sub-section (2) of section 48.-

(1) Before a license is issued under any rule of these rules, security deposit (in form of bank guarantee) of an amount calculated at the rate of Rupees 1000/- 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.

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

<i>Sl.</i>	Number of Contract Labours	Fees
<i>a</i>	No License is required up to 49 Contract Labours	NIL.
<i>b</i>	50 but does not exceed 100 Contract Labours	* Rs. 1000
<i>c</i>	101 but does not exceed 300 Contract Labours	Rs. 2000
<i>d</i>	301 but does not exceed 500 Contract Labours	Rs. 3000
<i>e</i>	501 but not exceeding 1000 Contract Labours	Rs. 5000
<i>f</i>	1001 but not exceeding 5000 Contract Labours	Rs. 10,000
<i>g</i>	5001 but not exceeding 10000 Contract Labours	Rs. 20,000
<i>h</i>	10001 but not exceeding 20000 contract labours	Rs 30000
<i>i</i>	20001 and above contract labours	Rs.40000

45. Renewal of license under Sub-Section (3) of Section 48.-(1) Every contractor shall apply electronically on the Online portal to the licensing authority for renewal of the license.

(2) Every such application shall be submitted on the before the expiry of license period but not before 90 days of such expiry of license.

(3) The security deposit and the fee chargeable for renewal of the license shall be the same as for the grant of license under rule 47.

Provided that if the application for renewal of the licence is not received within the time specified in sub-rule (2), an additional fee of 25 per cent shall be payable for such renewal. Provided that the licence shall not be renewed after one year from the date of expiry of the validity of the licence.

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

46. Refund of security deposit-(1) On expiry of the period of license the contractor may, if he does not intend to have his license renewed further, make an application electronically to the licensing authority for the refund of the security deposited by him (in form of bank guarantee) along with copy of licence 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 contractor's security deposit, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the contractor.

(4) Any application for refund shall, as far as possible, be disposed of within 30 days of the receipt of the application.

47. Responsibility of contractor under sub-section (4) of Section 48.- (1) The rates of wages payable to the workers by the contractor shall not be less than the rates 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 fixed.

(2) In case where the worker employed by the contractor perform the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the wage rates, 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. In case of any dispute whether the work is of similar kind, the matter be referred to the Inspector-Cum Facilitator whose decision shall be final.

(3) 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.

(4) All contract labour shall be made member of EPFO and ESIC subject to applicability as under respective provisions of the Code on Social Security, 2020.

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

48. Intimation of work order and time limit for intimation under Sub-section (1) and the manner of suspending or cancelling the licence under sub-section (2) of section 50.-

(1) Every principal employer and 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 on the Online portal.

(4) In case the contractor fail to give intimation under Sub-Section (1) of Section 50, the designated authority may, after giving the holder of the license an opportunity of showing cause, suspend or cancel the license and inform the holder electronically or otherwise.

49. Appeal under sub-section (1) of section 52: The appellate authority under sub-section (1) of section 52 of the Code shall be notified by the State Government as per sub-section (6) of section 119.

50. Responsibility of Payment of wages under sub-section (1) and sub-section (2) of Section 55-

(1) The contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month.

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

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

(4) In case where it is not possible to disburse payment in the mode specified in sub- rule (3), the Contractor shall take permission from Deputy Labour Commissioner of respective jurisdiction of the manner in which the payment shall be done.

51. Making payment of wages from the security deposit amount under sub-section (4) of section 55 –

If the contractor or principal employer does not pay the wages to the contract labour employed by him, the Labour Commissioner, Bihar 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.

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

53. Prohibition of employment of contract labour under clause (b) and (c) of sub-section (2) of section 57.- (1). 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 Labour Commissioner, Bihar giving reasons along with supporting documents and the State Government shall decide the question accordingly.

CHAPTER-IX

INTER-STATE MIGRANT WORKER

54. Journey allowance to Inter-State Migrant Worker under Section 61.- The employer shall pay a lump sum amount on account of fare for to & fro journey to inter-state migrant worker by train (not less than II Class Sleeper) or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home state in the event of the following, namely: if he has worked for a period of not less than 180 days in the concerned establishment(s) in preceding twelve months;

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

the period spent with the previous employer, then the employer shall give journey allowance.

55. Setting up of a Toll Free helpline number to the inter-state migrant worker under Section 63.-A Toll-Free help-line number shall be provided by the State Government, to address queries and grievances of the inter-state migrant workers. For the purpose of this rule any existing Toll-Free help-line number or new Toll-Free help-line number shall be specified by the State Government through notification.

56. Study of inter-state migrant workers under Section 64.-The State Government may identify the studies to be carried out to promote safety, health and welfare of inter-state migrant workers. Wherever required the State Government may also consult the Central Government or expert organizations involved in the safety, health and welfare of inter-state migrant workers. For this purpose, the state government can take the help of Dashrath Manjhi Institute of Labour and Employment Studies or any other reputed institute of the state which is working in the field of labour.

CHAPTER-X

AUDIO- VISUAL WORKER

57. Agreement for audio-visual worker under clause (a) of sub-section (2) of section 66.- (1) The Form of agreement for the audio-visual workers with the producer is given in **Form-XVI**.

(2) The agreement shall be registered with the competent authority as may be notified by the State Government.

58. Authority to whom a copy of the agreement shall be forwarded by the producer under sub-section (3) of section 66- Copy of the agreement shall be forwarded by the producer to the authority as may be notified by the State Government.

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

CHAPTER XI

BEEDI AND CIGAR WORKERS

60. The form of application, the payment of fees, manner of preparing the plan of section 74-(1) Every application for a licence to use or allow to be used any place or premises used for manufacturing of Beedi or Cigar or both as an industrial premises shall be in **Form XVII** electronically.

(2) The application shall be accompanied by the following documents, namely:

(a) plans uploaded electronically showing-

(i) the site of such place or premises, the areas therein to be used for manufacturing processes and the immediate surroundings of such place or premises, including adjacent buildings, structures, roads, drains and the like; and

(ii) the plan, elevation and necessary cross-sections the details relating to natural lighting, ventilation, means of escape in case of fire, position of the plant and machinery, if any, used, aisles and passage-ways in or relation to, the various buildings which are intended to be used for manufacturing processes;

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

(4) The application for the purpose of Sub-Section (2) of Section 74 shall be made at least thirty days before the proposed date of opening of the establishment.

(5) The fees to be paid for the grant or renewal of a licence shall be as specified in the table below, namely;

<i>Sl.</i>	Number of employees proposed to be employed on any day for the period for which the license is granted or renewed-	Fees
<i>a</i>	No License is required up to 10 employees	NIL
<i>b</i>	10 but does not exceed 50 employees	Rs. 100
<i>c</i>	51 but does not exceed 100 employees	Rs. 250
<i>d</i>	101 but does not exceed 250 employees	Rs. 500
<i>e</i>	251 but not exceeding 500 employees	Rs. 750
<i>j</i>	501 and above employees	Rs. 1000

(6) The Authority granting the license shall take into account the conditions mentioned under clause (b) to (e) of sub-section (4) of section 74 before granting the license.

61. Time of filing appeal and fees under section 75- (i) The employer aggrieved by the order of authority under Sub-Section (1) of Section 119, may appeal against such order before the appellate officer appointed by the State Government for such purpose within **Ninety** days from the date of receipt by him of such order, electronically.

(ii) The appellate officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form to be kept for the purpose called the register of appeals.

(iii) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the authority, against whose order the appeal has been

preferred and the authority shall thereupon send the records of the case to the appellate officer online electronically.

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

(v) The Appellate Officer shall decide the appeal in not more than 60 days from the date of filing of appeal, by a reasoned order.

(vi) The order of the Appellate Officer shall be communicated electronically or by registered post to the appellant and copy thereof shall be sent to the registering officer against whose order the appeal has been preferred and shall be disposed of within a period of thirty days from the date of receipt of appeal.

(vii) There shall be no Fees for appeal.

62. Form of application by the employee and conditions under sub-section (1) of section 76- The employer on the behalf of such employee to who want to work outside the industrial premises used for manufacturing of Beedi or Cigar or both shall apply for permission to the concerned authority in **Form XIX** electronically and keep records in **Form XX**.

63. Form of maintaining the record of the work under sub-section (2) of section 76- Every employer shall provide free of cost to each home-worker two books in **Form XXI** (hereinafter referred to as the 'home-workers' log-books) and the home-worker shall keep a record of the daily work done by him, the number of beedis and cigars manufactured by him and the wages received by him in the said book and the supply of books shall be so arranged that one book remains with the home-workers at all times during the period between two successive supplies of raw materials by the employer.

Chapter-XII

Factory

64. Rules in respect of factory or class or description of factories under sub-section (1) of section 79-

(1) Submission of plans- The State Government or **Chief Inspector-Cum-Facilitator** shall require, for the purposes of the **Code**, submission of plans of any factory which was either in existence on the date of commencement of the **Code** or which has not been constructed or extended since then. Such plans shall be drawn to the scale showing –

- (a) the site of the factory together with latitude and longitude of all corner and immediate surroundings including adjacent buildings and other structure, roads, drains, etc.;
- (b) the plan, elevation and necessary cross sections of the factory buildings indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire, and the position of the plant and machinery, aisles and passageways; and
- (c) such other particulars as the State Government or the Chief Inspector-Cum-Facilitator, as the case may be, may require.

(2) Approval of plans. –

(i) No site shall be used for the location of a factory or no building in a factory be constructed, reconstructed, extended or taken into use as a factory or part of a factory, or any other extension of plant or machinery carried out in a factory unless previous permission is obtained from the State Government or the **Chief Inspector-Cum-Facilitator of Factories**.

(ii) Application for such permission shall be made in **Form XXII** and shall be accompanied electronically along with documents mentioned in the Form.

(iii) 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 electronically; or he may call for such other particulars as he may require to enable such approval to be given electronically.

(iv) If the Chief Inspector-Cum -Facilitator is of the opinion that the plans uploaded under sub-rule (ii) are not in accordance with the requirements of the Code, or if he finds it fit or expedient to specify any conditions of approval, including conditions relating to cancellation or modifications of prior approvals, he shall, after giving the applicant a reasonable opportunity of being heard, send to the applicant a speaking order through online either approving the plans subject to such conditions as may be specified therein or refuse the permission applied for.

(v) If no order is communicated to the applicant within thirty days from the date on which the application has been uploaded through online, the permission applied for shall be deemed to have been granted and certificate of deemed approval shall be automatically sent to the applicant electronically.

(3) 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 issued by a Competent person as defined in Section 2(l) of the Code and the same been accepted by chief inspector cum Facilitator.

(4) Applications for grant of licence.- The occupier of every factory shall submit to the inspector -cum-facilitator of the area concerned under whose jurisdiction the factory is situated an application electronically in **Form XXIII** for grant of a license.

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

(5) Grant of licence-

(i) The Occupier of every factory, shall at least fifteen days before commencing any manufacturing process in any factory upload through online an application for grant of the licence in the prescribed **Form XXIII** along with online payment of licence fee as per **SCHEDULE III**.

(ii) The Occupier of every factory, shall at least fifteen days before commencing any manufacturing process in any factory shall apply for grant of licence to work a factory in **Form XXIII** along with online payment of licence fee as per **SCHEDULE III** and such application shall be submitted to the Inspector cum facilitator of Factories of the area concerned under whose jurisdiction the factory is situated who after making such enquiries as he may deem fit , about the correctness of the particulars and on payment of fees specified in the specified Schedule grant a licence for the factory in **Form XXIV** on such terms and conditions as may be specified with the approval of the Chief Inspector cum facilitator of Factories.

(iii) The Inspector-cum-facilitator on notice any defect in the license application or violation of any provision may be a speaking order and after giving the applicant a reasonable opportunity of being heard, refuse to grant a licence electronically:

Provided that if no order is communicated to the occupier within a period of 30 days from the date on which the occupier has sent intimation under sub rule (ii) (a), the license shall be deemed to have been granted and thereupon the license shall be issued forthwith.

(iv) If the grant of license has not been refused in accordance with sub-rule (iii), the Inspector shall grant the license in **Form No. XXIV** and send the license to the applicant electronically.

(v) Every Licence granted shall cease to remain valid after the closure of manufacturing process or any other change in the current issued licence or it has been duly cancelled and shall be valid up to a maximum of 10 years.

(6) Renewal of licence-

(i) Initially the licence shall be issued for the period of 10 years and it shall be auto-renewed thereafter for the number of years applied for, subject to maximum of ten years at one time and on payment of prescribed fee as per the Schedule II. Provided the Factory meets the safety guidelines.

(ii) An application for renewal of licence shall also be in **Form XXIII** along with self declaration that no specification change has occurred, and shall be submitted electronically to the Inspector-cum-Facilitator of the area concerned not later than the date on which the licence expires..

(iii) If the application for renewal of license is not done within 30 days of the expiration of licence the prescribed late fee for Renewal shall be 50% of prescribed fee and after 90 days of the expiration of licence, the prescribed late fee for Renewal shall be 100% of the prescribed fee.

(iv) If the licence is not renewed within 02 years from the expiration of licence, the licence shall be cancelled.

(7) Amendment of licence-

(i) The occupier of a factory shall, within fifteen days of occurrence of any change in the name or in particulars of the maximum power installed or maximum number of persons employed, or any other change in the existing licence, apply through online for amendment of the licence stating the nature of amendment to be made and the reasons there for together with online payment of prescribed fee to inspector -cum-facilitator of the area concerned in **Form XXV**.

(ii) When there is any increase in the number of workers employed or in the rated capacity of the machinery and plants installed in terms of H.P. or K.W. installed, resulting in an increase in the amounts of fee payable for the license as compared to the fee already paid or when there is any other change requiring amendment in the license already granted or renewed, the occupier of the factory shall, within 15 days of the increase or change as the case may be,

submit an application in **Form XXV** to the Inspector cum facilitator of factories for amendment of the license, stating therein the nature of amendment required and the reasons therefor.

(iii) The fee for the amendment of license shall be five hundred rupees.

Provided that when there is any increase in the number of workers employed or in the rated capacity of the machinery and plants installed in terms of H.P or. K.W. installed, resulting in an increase in the amounts of fee payable for the license as compared to the fee already paid, fee for amendment of license shall be five hundred rupees plus the amount by which the fee that would have been payable if the license had originally been issued in the amended form exceeds the fee originally paid for the license

(iv) The license already granted shall cease to remain valid after the change or increase in the number of the workers or in the installed capacity or any other change as aforesaid unless the occupier has filed an application and paid the required fee as laid down in these rules within fifteen days from the said date of change or increase.

(v) Provided further that no such amendment of a license will be made by the Inspector cum facilitator without obtaining prior approval of the Chief Inspector cum facilitator.

(8) **Transfer of licence-** (i) When there is any change of the occupier of factory before the expiry of the licence the new occupier shall within 30 days of the transfer, apply to the Inspector cum facilitator cum facilitator of Factories of the area concerned for transfer of licence electronically application in **Form XXVI** through online along with requisite documentary evidence which may prove that the occupation of the factory has been transferred to the applicant. mentioned therein by remitting the transfer fee

(ii) The prescribed fee for transfer of license shall be one thousand rupees.

(iii) **Procedure on death or disability of licensee.-** If a licensee dies or becomes insolvent, the person succeeding or taking over the factory and functioning as

the occupier shall apply for transfer of the license for the remaining period within a period of 01 month after the death or insolvency of previous occupier 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 transfer of the licence under rule 64(8) (1) or for amendment of licence under rule 64 (7) as the case may be, in his own name for the unexpired portion of the original licence.

(iv) Provided further that no such transfer of a licence will be made by the Inspector cum facilitator without obtaining prior approval of the Chief Inspector cum facilitator.

(9) **Payment of fees;** (i) Every application under these rules shall be accompanied with appropriate fees deposited thorough online mode.

(ii) If an application under this rule is rejected, the fee paid shall be non-refundable to the applicant.

(10) **Prohibition of use of premises as factory without a valid licence.-** An occupier shall not use any premises as a factory or carry on any manufacturing process in a factory unless a licence has been issued in respect of such premises.

65. Mode of submission of application under sub-section (2) of section 79; An application for permission shall be accompanied with plans and specifications required by the rules shall be sent to the State Government or Chief Inspector-cum-Facilitator in the electronic mode and if no order is communicated to the applicant within such period not exceeding thirty days, the permission applied for in the said application shall be deemed to have been granted.

66. Common facilities and services for joint liability of owner of premises and occupiers of the factories under section 80;- (i) Common facilities in joint liability of owner of premises and occupiers of the factories shall include safety, fire prevention and protection, access, hygiene, occupational health,

ventilation, temperature, emergency preparedness and response, canteens, shelter, rest rooms and crèches.

(ii) Other services provided by **owner of premises and occupiers of the factories** in joint liability may be notified by the State Government from time to time.

67. Rules under section 82 for Dangerous manufacturing processes or operations.- (i) The following manufacturing processes or operations when carried on in any factory are declared to be dangerous manufacturing processes or 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) Highly flammable liquids and flammable compressed gases.
- (IX) Liming and tanning of raw hides and skins and processes incidental thereto.
- (X) Lead Process carried in Printing Press and Types Foundries.
- (XI) Chemical Works.
- (XII) Manufacture of Pottery.
- (XIII) Compression of Oxygen and Hydrogen by the Electrolysis of Water.
- (XIV) Cleaning or smoothing roughening, etc. of articles by a jet of sand, metal shots, or grit or other abrasive propelled by a blast of compressed air or steam.
- (XV) 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.

- (XVI) Handling and manipulation of corrosive substances.
- (XVII) Manufacture of articles from refractory materials.
- (XVIII) Solvent Extractions Plants.
- (XIX) Carbon Di-sulphide plants.
- (XX) Manufacture or Manipulation of Manganese and its compounds.
- (XXI) Applicable to factories in which Benzene or substances containing Benzene are manufactured, handled or used.
- (XXII) Manufacture of Slate Pencils.
- (XXIII) Manufacture or manipulation of dangerous pesticides.
- (XXIV) Manufacture or manipulation of carcinogenic dye intermediates.
- (XXV) Operations involving high noise levels.
- (XXVI) Manufacture Rayon by viscose process.
- (XXVII) Operations in Foundries.
- (XXVIII) Transformation of stone or any other material containing free silica.
- (ii) The provisions specified in the **Schedule IV** shall apply to any class or description of factories wherein dangerous manufacturing processes or operations specified in each schedule are carried on.
- (iii) (a) For the medical examination of workers to be carried out by the **Qualified Medical Practitioner** as required by the **Schedule IV** annexed to this rule and fees for medical examination shall be paid by the occupier.
(b) Before employment of a person in dangerous operation a person shall be medically examined and thereafter he shall be examined by a qualified medical practitioner from time-to-time but not letter than six months.
- (iv) Notwithstanding the provision specified in the **Schedule IV** annexed to this Rule, the Inspector may by issues of order 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 removing conditions dangerous to the health of the workers, or to suspend any process, where such process

constitutes, in the opinion of the Inspector, imminent danger of poisoning or toxicity.

(V) Any register or record of medical examinations and tests connected therewith required to be carried out under the **Schedule IV** annexed hereto in respect of any worker shall be kept readily available to the Inspector-Cum-Facilitator and shall be preserved till the expiry of one year after the worker ceases to be in employment of the factory.

68. Site Appraisal Committee under sub-section (1) of section 83.

(i) Constitution:

(a) The State Government may by notification constitute a Site Appraisal Committee and reconstitute the Committee as and when necessary, as follows:

Chief Inspector-Cum-facilitator – Chairman

A representative of the Fire Service Organisation of the State Government

A representative of the State Department of Industries

A representative of the Director General of Factory Advice Service and Labour Institutes, Bombay or Regional Labour Institute, Calcutta

A representative of Department of Forest, Environment and Climate Change

A representative of Bihar State Pollution Control Board

Inspector-Cum-Facilitator of Concerned area – Member

Inspector-Cum-Facilitator with qualification in Chemical Engineering to be the Secretary of the Committee

(b) The committee may co-opt a representative of District Administration during the site visit.

(ii) **No member**, unless required to do so by a Court of Law, shall disclose otherwise than in connection with the purpose of the Act, at any time any information relating to manufacturing or commercial business or any working process which may come to his knowledge during his tenure as a Member on this Committee.

(iii) Applications for appraisal of sites:

(a) Applications in **Form XXVII** for appraisal of sites in respect of the factories covered under Section 2(za) of the Code shall be submitted electronically to the Labour Resource and Migrant Workers Welfare Department, Government of Bihar, which shall forward it immediately to the Site Appraisal Committee.

(iv) Functions of the Committee:

(a) The Secretary shall arrange to register the applications received for appraisal of site in a separate register and acknowledge the same within a period of 7 days.

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

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

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

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

(f) Wherever the proposed site requires a clearance by the Ministry of Industry or the Ministry of Environment and Forests, the application for Site Appraisal will be considered by the Site Appraisal Committee only after such clearance has been received.

69. Manner of disclosing information by occupier of a factory under subsection (1) of section 84;

(A) DISCLOSURE OF INFORMATION TO WORKERS (1) The occupier of a factory carrying on a 'hazardous process' shall supply to all workers the following information in relation to handling of hazardous materials or substances in the manufacture, transportation, storage and other processes:

- (a) Requirements of Sections 84(1) of the Code;
- (b) A list of 'hazardous processes' carried on in the factory
- (c) Location and availability of all Material Safety s as per **Schedule V**;
- (d) Physical and health hazards arising from the exposure to or handling of substances;
- (e) Measures taken by the occupier to ensure safety and control of physical and health hazards;
- (f) Measures taken by the workers to ensure safe handling, storage and transportation of hazardous substances;
- (g) Personal Protective Equipment required to be used by workers employed in 'hazardous process';
- (h) Meaning of various labels and markings used on the containers of hazardous substances as provided under **Schedule V**;
- (i) Signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report;
- (j) Measures to be taken by the workers in case of any spillage or leakage of a hazardous substance
- (k) Role of workers vis-à-vis the emergency plan of the factory, in particular the evacuation procedures;
- (l) Any other information considered necessary by the occupier to ensure safety and health of workers.

(2) The information required by sub-rule (1) shall be compiled and made known to workers individually through supply of booklets or leaflets and display of cautionary notices at the work places.

(3) The booklets, leaflets and the cautionary notices displayed in the factory shall be in the language understood by the majority of the workers and also explained to them.

(4) The Chief Inspector may direct the occupier to supply further information to the workers as deemed necessary.

(B) DISCLOSURE OF INFORMATION TO GENERAL PUBLIC

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

(a) Name of the factory and address where situated;

(b) Identification, by name and position, of the person giving the information;

(c) Confirmation that the factory has approval from the Factories Inspectorate and Pollution Control Board;

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

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

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

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

- (h) Details of the factory's emergency warning system for the General Public;
 - (i) General advice on the action members of the public should take on hearing the warning;
 - (j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimise their effects; and
 - (k) Details of where further information can be obtained.
- (2) The occupier shall also supply any further information – (a) to general public as directed by the District Disaster Management Authority from time to time; (b) to the elected representatives of the general public on request.
- (3) The occupier shall endeavour to enter an agreement with the District Disaster Management Authority for the area, within whose jurisdiction the factory is situated, for the District Disaster Management Authority to take appropriate steps to inform the general public outside the factory who are likely to be affected by an accident as required in sub-rule (1).
- (4) The information prescribed in sub-rule (1) shall be in Hindi and English and shall also be displayed in big hoarding at conspicuous places around the outside boundary of the factory as well as in the habitation likely to be affected by it.

(C) DISCLOSURE OF INFORMATION TO THE LOCAL AUTHORITY

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

- (a) the information furnished to general public as prescribed in the Rule 73B;
- (b) a statement of the names and quantities generally stored or in process of hazardous substances included in the list of chemicals prescribed under clauses (vi) and vii) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986.

(D) DISCLOSURE OF INFORMATION TO THE CHIEF INSPECTOR-CUM-FACILITATOR

(1) The occupier of every factory carrying on 'hazardous process' shall furnish, in writing, to the Chief Inspector a copy of all the information furnished to the workers, local authority and general public.

(2) A copy of compilation of Material Safety Data Sheets as per **SCHEDULE V** in respect of hazardous substances used, produced or stored in the factory shall be furnished to the Chief Inspector, and the local Inspector.

(3) The occupier shall also furnish any other information asked for by the Chief Inspector-cum-Facilitator from time to time.

(E) Disclosure of information to District Emergency Authority: -

The occupier of a factory carrying on a hazardous process, shall intimate the District Emergency Authority designated by the State Government, all information having a bearing on preparation of an off- site emergency plan and a disaster control and management plan in respect of the factory.

Without prejudice to the generality of this clause, the occupier shall furnish to the district Emergency Authority the following:

- (a) a report on status relating to risk assessment and environmental impact assessment and the measures taken for prevention of accidents;
- (b) completion of Material Data Sheets in respect of hazardous substances used, produced or stored in the factory;
- (c) a statement on all possible sources of accidents involving fire, explosion, release or leakage of toxic substances and the plan of the premises where such an accident may occur;
- (d) a statement on resources and facilities available for dealing with an emergency including any agreement entered into with a neighbouring factory for aid and assistance in the event of an emergency;
- (e) a map of the area showing the approach to the factory, location of emergency facilities such as hospitals, police, fire service;

- (f) the organisation of the management and the responsibility for safety indicating therein the persons responsible for on-site Emergency action;
- (g) details relating to alert system;
- (h) information on availability of antidotes for poisoning resulting from an accident;
- (i) any other information as may be considered relevant by the occupier or asked for by the District Emergency Authority.

(F) Emergency Plan

- (1) The Occupier of a factory carrying on a hazardous process shall prepare a draft onsite emergency plan and submit it to the Chief Inspector cum facilitator of factories . The Chief Inspector cum facilitator may make such modifications in the plan as necessary in consultation with the occupier and approve the same.
- (2) The Occupier will submit a copy of the approved plan to the District Emergency Authority.
- (3) The occupier will intimate the workers the provisions of the emergency plan and held rehearsals of the plan periodically. He shall review the plan from time to time and make necessary changes therein under information to the Chief Inspector cum facilitator of factories and the District Emergency Authority.
- (4) The Chief Inspector cum facilitator of factories may issue guidelines relating to formulation of emergency plans. He may also direct modifications of the emergency plan in respect of any factory as may be necessary, from time to time.

(G) Disaster Control and Management Plan

- (1) The occupier of every factory carrying on a hazardous process, shall prepare a draft disaster control and management plan in respect of his factory and submit the same to the Chief Inspector cum facilitator of factories and the District Emergency Authority.
- (2) The District Emergency Authority on receipt of the plan shall hold consultation with the occupier, representatives of the Chief Inspector cum

facilitator, Local Authority as well as police, health, fire brigade and other authorities concerned and finalise the plan.

(3) The District Emergency Authority shall forward a copy of the final plan to the occupier and all authorities concerned. The occupier shall intimate the workers the contents of the plan.

(4) The occupier in consultation with the district emergency Authority will arrange rehearsals of the plan at least once a year.

(5) The Chief Inspector cum facilitator may issue guidelines for formulation of disaster control and management plans. The Chief Inspector cum facilitator as well as the District Emergency Authority in consultation with the Chief Inspector cum facilitator may also direct modifications of the disaster control and management plan in respect of a factory as may be necessary from time to time.

(H) Confidentiality of information

The occupier of a factory carrying on hazardous process shall disclose all information needed for protecting safety and health of the workers and the general public in the neighbourhood to:

- (a) his workers;
- (b) the Chief Inspector cum facilitator of factories , and
- (c) District Emergency Authority.

As required under this rule, If the occupier is of the opinion that the disclosure of details regarding the process and formation, while adversely affect his business interests, he may make a representation to the Chief Inspector cum facilitator stating the reasons for withholding such information. The Chief Inspector cum facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation.

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

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

70. Interval of informing Chief Inspector-cum-Facilitator and the local authority about the policy with respect to the health and safety of the workers under sub-section (2) of section 84- (1) The occupier of every factory, except as provided for in sub-rule (2), shall prepare a written statement of his policy in respect of health and safety of workers at work.

(2) All factories – (a) covered under Section 2(w) (i) but employing less than 50 workers; (b) covered under Section 2(w)(ii) but employing less than 100 workers; are exempted from requirements of sub-rule(1): Provided that they are not covered under the First Schedule under Section 2(za) or carrying out processes of operations declared to be dangerous under Section 82 of the Code.

(3) Notwithstanding anything contained in sub-rule(2) the Chief Inspector-cum-Facilitator may required the occupiers of any of the factories or class or description of factories to comply with the requirements of sub-rule(1) if, in his opinion, it is expedient to do so.

(4) The Health and Safety Policy should contain or deal with: (a) declared intention and commitment of the top management to health, safety and environment and compliance with all the relevant statutory requirements; (b) organisational set-up to carry out the declared policy clearly assigning the responsibility at different levels; and (c) arrangements for making the policy effective.

(5) In particular, the Policy should specify the following:

(a) arrangements for involving the workers; (b) intention of taking into account the health and safety performance of individuals at different levels while considering their career advancement; (c) fixing the responsibility of the contractors, sub-contractors, transporters and other agencies entering the premises; (d) providing a resume of health and safety performance of the factory in its Annual Report; (e) relevant techniques and methods, such as

safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all the remedial measures; (f) stating its intentions to integrate health and safety, in all decisions including those dealing with purchase of plant, equipment, machinery and material as well as selection and placement of personnel; (g) arrangements for informing, educating and training and retraining its own employees at different levels and the public, wherever required.

(6) A copy of the declared Health and Safety Policy signed by the occupier shall be made available to the Inspector-cum-Facilitator having jurisdiction over the factory and to the Chief Inspector-cum-Facilitator and local authority annually;

(7) The Policy shall be made widely known by –

- (a) making copies available to all workers including contract workers, apprentices, transport workers suppliers, etc.
- (b) displaying copies of the policy at conspicuous places; and
- (c) any other means of communication; in a language understood by majority of workers.

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

- (a) whenever any expansion or modification having implications on safety and health of persons at work is made; or
- (b) whenever new substance(s) or articles are introduced in the manufacturing process having implications on health and safety of persons exposed to such substances.

71. Compulsory disclosure of information for a Factory starting hazardous process to Chief Inspector-cum-Facilitator under sub-section (5) of section 84; (i) The Information desired under this Rule shall be furnished electronically. (ii) In the event of any change in the process or operations or methods of work or when any new substance is introduced in the process or in the event of a serious accident taking place, the information so furnished shall be reviewed and modified to the extent necessary.

72. Manner of publicising among the workers and the general public living in the vicinity of the factory the measures and disposal laid down under sub-section (7) of section 84- For the purpose of Sub-section (7) of Section 84, the occupier of a factory shall publicize measure for the handling, usage, transportation and storage of hazardous substances inside the factory premises and the disposal of such substances outside the factory premises to workers and the general public living in vicinity by print and electronic media, hoarding or any other mode of communication which is suitable for this purpose and a record thereof.

73. Conditions for accessibility to the record by the workers under clause (a) of section 85;

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

(a) One in every six months or immediately after the medical examination whichever is earlier.

(b) If the Medical Officer/Civil Surgeon is of the opinion that the worker has manifested signs and symptoms of any notifiable disease as specified in the Third Schedule of the Act;

(c) If the worker leaves the employment;

(d) If any of the following authorities so direct;

- the Chief Inspector-Cum-Facilitator;
- the Health Authority of the Central or State Government;
- Competent authority of Employees Compensation under the Social Security Code, 2020;
- The Director General, Employees State Insurance Corporation;
- The Director Employees State Insurance Corporation (Medical Benefits); and
- The Director General, Factory Advice Service and Labour Institutes.

(2) A copy of the up-to-date health records including the record of worker's exposure to hazardous process or, as the case may be, the medical records shall be supplied to the worker on receipt of an application from him, X-Ray plates and other medical diagnostic reports may also be made available for reference to his medical practitioner.

74. Qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under clause (b) of section 85;

(1) All persons who are required to supervise the handling of hazardous substances shall possess the following qualification and experience:

- (a)
 - (i) A degree in Chemistry or Diploma in Chemical Engineering or Technology with 5 years experience; or
 - (ii) A Master's Degree in Chemistry or a Degree in Chemical Engineering or Technology with 5 years, experience.

The experience stipulated above shall be process operation and maintenance in the Chemical Industry.

(b) The Chief Inspector may require the Supervisor to undergo training in Health and Safety.

(2) The Syllabus and duration of the above training and the organisations conducting the training shall be approved by the Director General, Factory

Advice Service and Labour Institutes or the State Government in accordance with the guidelines issued by the Director General, Factory Advice Service and Labour Institutes.

75. Manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of section 85;

(1) Workers employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner in the following manner:-

(1) Workers employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner in the following manner: -

- (a) Once before employment, to ascertain physical fitness of the person to do the particular job;
- (b) Once in a period of 6 months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed; and in cases where in the opinion of the Medical Officer it is necessary to do so at a shorter interval in respect of any worker;
- (c) The details of pre employment and periodical medical examination carried out as aforesaid shall be recorded in the Health Register in **Form XXVIII**.

(2) No person shall be employed for the first time without a certificate of Fitness in **Form XXIX** granted by the Medical Officer. If the Medical Officer declares a person that for being employed in any process covered under sub-rule (1), such a person shall have the right to appeal to the inspector -cum-facilitator who shall refer the matter to the Civil Surgeon of that area whose opinion shall be final in this regard.

(3) Any findings of the Medical Officer revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the chief Inspector cum facilitator and Civil Surgeon of that area and who shall in turn, examine the concerned worker and communicate his

findings to the occupier within 30 days, If the Civil Surgeon is of the opinion that the worker so examined is required to be taken away from the process for health protection he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the worker so taken away be provided with alternate placement unless he is fully incapacitated, in the opinion of the Civil Surgeon, in which case the worker affected shall be suitably rehabilitated:

(4) The worker taken away from employment in any process under sub-rule (2) may be employed again in the same process only after obtaining the fitness certificate from the Civil Surgeon of that area and after making entry to that effect in the Health Register.

(5) An inspector -cum-facilitator may, if he deems it necessary to do so refer worker to the Civil Surgeon of that area or medical officer for medical examination as required under sub-rule (1) and the opinion of the Civil Surgeon or medical officer in such a case shall be final. The fee required for this medical examination shall be paid by the occupier.

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

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

76. Value of the maximum permissible limit of exposure of chemical and toxic substances in manufacturing process in any factory under section 88-

The Permissible Levels of exposure of Chemical Substances in manufacturing process in a factory for the purpose of Section 88 shall be as per the **Schedule I.**

77. Appellate authority for appeal against the order of Inspector-cum-Facilitator of factory and the manner of appeal under section 90; (1) An

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

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

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

- (1) The Bihar Chamber of Commerce.
- (2) The Bihar Sugar Mills Association.
- (3) The Bihar Industries Association.
- (4) The Engineering Association of India.

The body empowered to appoint the assessor shall-

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

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

(4) Remuneration of assessors.-An assessor appointed in accordance with the provisions of sub-rules (2) and (3) shall receive for the hearing of the appeal, also to be fixed by the State Government. He shall also receive the actual travelling expenses. The fees and travelling expenses shall be paid to the assessor by Government; but where assessors have been appointed at the request of the appellant and the appeal has been decided wholly or partly against him, the State Government may direct that the fees and travelling expenses of the assessor shall be paid in whole or in part by the appellant.

78. Rules under section 91; (1) Persons defined to hold positions of supervision or management and confidential positions- The State Government may make rule under Section 91 (1) (a) or (b) an exempt by an order in writing any or all of the adult worker or any establishment or class of establishment for such condition as it may deemed expedient. Such order shall become effective after the publication in gazette.

Chapter-XIII

Plantation

79. Facilities for workers in plantation under sub-section (1) of section 92; Facilities to workers-

(A) Housing accommodation for workers.-

(1) Every employer shall provide for workers and his family residing in a plantation, housing accommodation as near as possible to the place of work.

(2) All housing accommodation for workers in a plantation shall have separate rooms for women employees. Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained

sufficient and suitable natural or artificial lighting. The rooms or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 10 square meters excluding area of kitchen and toilet for each person making use of the room. The accommodations shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(3) Sites for housing accommodation.-

(i) The housing accommodation shall be provided on dry well-drained land which has supplies of potable drinking water.

(ii) Adequate lighting arrangements shall be provided in and around the area in which housing accommodation is provided.

(iii) The employer shall maintain in good condition the approach roads and paths to the area where houses are located as also the sewers and drains in that area.

(iv) The employer shall keep houses hygienic and also provide for drainage and sewage.

(4) Maintenance of houses:- The houses shall be kept in good condition.

(B) Creches facilities -Every employer of the plantation wherein fifty or more workers(including workers employed by any contractor) are employed or were employed on any day of the preceding twelve months, shall provide crèches facilities.

(C) Educational facilities for worker's children :- Every employer shall if the number of worker's children between the ages of six to **fourteen** in his plantation exceeds 25, provide and maintain a Primary School or Schools for imparting Primary education to the children or facilitate admission in Government school.

(D) Health Facilities- (i) The employer shall give basic health facilities to its worker and covered them in Employee State Insurance Scheme.

(ii) State Government may notify additional facilities through a Gazette notification.

80. Prohibiting or, restricting employment of women or adolescents under sub-section (2) of section 93- No adolescent worker shall be permitted to be engaged in handling or storage or transport of insecticide, pesticide, hazardous chemicals and other toxic substances.

81. Qualifications under sub-section (3) of section 93; The use, handling, storage and transportation of insecticides, chemicals and toxic substances shall be supervised by a competent person who should possess the following qualifications—

(1) He shall be a graduate in Agriculture or in Chemistry or he shall possess a Certificate Course on handling of chemicals and toxic substances conducted by the recognized institutes.

(2) He should also possess a valid certificate from a recognized institute for giving first aid treatment to workers.

82. Training of Workers under sub-section (4) of section 93; - (1) The workers involved in handling insecticides, chemicals, and toxic substances shall be arranged for suitable training by the supervisor mentioned in Section 93(3) or any other person having similar qualification.

83. Manner of periodical medical examination of worker under sub-section (5) of section 93; (1) Every worker who is engaged in the work of handling, dealing, or spraying or mixing insecticides, chemical and toxic substances shall be medically examined initially at the time of employment and thereafter once in six months.

(2) The medical examination and tests shall be recorded as per the **Form XXVIII**.

(3) Every employer shall maintain a health record of every worker such as annual medical examination or any other examination when required shall be kept in plantation and every such worker shall have access to such record.

84. Manner of providing facilities, clothing and equipment under sub-section (7) of section 93; -

(1) Every employer shall provide washing, bathing and cloak room facilities to the workmen, who are employed in handling insecticides, pesticides, chemicals and toxic substances.

(2) Protective clothing and equipment.—

(a) Persons handling insecticides, chemicals and toxic substances during its operation, distribution, mixing, spraying shall be adequately protected with appropriate clothing.

(b) The protective clothing shall be made of materials which prevent or resist the penetration of any form of insecticide, chemical and toxic formulations. The materials shall also be washable so that the toxic elements may be removed after each use.

(c) A complete suit of protective clothing shall consist of the following dresses, namely.—

- Protective outer garment with hat.
- Rubber gloves or such other protective gloves extend way up to the fore arm made of materials impermeable to liquids.
- Dust proof goggles.
- Boots.
- Reusable cloth masks.

85. Precautionary notices under sub-section (9) of section 93; Every employer in the plantations shall display the following precautionary notices at or near the place where the insecticides, chemicals and toxic substances are handled.—

- (i) Use protective clothing like overalls, gloves, rubber gum-boots and wide brimmed hats.
- (ii) Do not wear clothes contaminated with insecticides and pesticides.
- (iii) Clean the protective clothing by washing with soap and water.

- (iv) Do not allow children, sick persons and pregnant women and nursing mothers to handle insecticides and pesticides.
- (v) Do not eat, drink, smoke or chew while handling insecticides and pesticides.
- (vi) Never blowout clogged nozzles with your mouth.
- (vii) Do not use leaking sprayers. Avoid contamination of the skin, mouth and eyes.
- (viii) Do not inhale the insecticides unattended in the fields.
- (ix) Never spray insecticides and pesticides against the wind.
- (x) Do not leave insecticides and pesticides unattended in the fields.
- (xi) Do not allow humans and livestock to enter the insecticides and pesticides sprayed fields for a period of time, suggested by the manufacturers.
- (xii) Do not wash insecticides and pesticides containers near a well or running stream.
- (xiii) Keep clean water, soaps and towels ready for use.
- (xiv) Wash hands and exposed skin thoroughly with soap and water before eating, drinking, smoking or, chewing and after work.
- (xv) Keep the insecticides and pesticides locked in the store room and out of reach of children and other unauthorized persons.
- (xvi) Do not enter the sprayed field. Follow the re-entry periods for all insecticides and pesticides including herbicides, suggested by the manufacturers.
- (xvii) Keep insecticides and pesticides in their original, labeled containers.
- (xviii) Do not decant insecticides and pesticides into unlabeled containers except for immediate use.
- (xix) Dispose the containers safely after thoroughly emptying and washing. They may be buried in a place away from a water source.
- (xx) Never reuse the container for any other purposes if it is impossible to remove the traces of insecticides and pesticides from the containers.

Chapter-XIV

OFFENCES AND PENALTIES

86. Manner of compounding under sub-section (1) of section 114; Manner of compounding of offences by the authorized officer specified under sub-section (1) of section 114.-

(1) (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 114 shall issue electronically a notice for compounding of offences for the offences compoundable under sub-section (1) of section 114 of the Code.

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

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

(4) If a person so noticed fails to deposit the composition amount after one month of serving the notice for compounding amount, the prosecution shall be proceeded henceforth before the competent Court.

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

Chapter-XV

MISCELLANEOUS

87. Other sources of fund under sub-section (2) of section 115; In addition to source of fund mentioned in Clause (i) sub-section (2) of Section 115, the amount received from the following sources shall be credited to the Fund:-

(i) Amount given by the State Government for the establishment of the fund.

(ii) The amount of grant given by the Government of India, the State Government and other authorities and statutory bodies.

(iii) Amount received for registration/renewal of beneficiaries and their contribution.

(iv) Amount received for implementation of the scheme notified by the Government of India.

(v) Amount received for implementation of the scheme notified by the State Government.

(vi) Contribution or donation or any other financial support from employer, their association or from Corporate Social responsibility (CSR) Fund as determined by the State Government by general or special order.

(vii) Any other source which is approved by State Government time-to-time through notification.

88. Manner of administering and expending the Fund under sub-section (3) of section 115; The manner of administering and expending the Fund shall be notified by State Government.

89. Form of application, manner of filing the application and the fee to be accompanied therewith including the information relating to the employment of inter-State migrant workers under sub-section (2) of section 119;

(i) Any person seeking common licence or single licence for the purpose **sub-section (2) of section 119** shall apply electronically in **Form-XIII** on the Online Portal by giving details about the establishment(s), and uploading relevant documents related to that licence, proof of Identity and address of the employer(s) as specified in the Form along with the fee prescribed in sub rule 2 of rule 44 for contract workers, sub rule 5 of rule 60 for beedi and cigar establishments and sub rule 5 of rule 64 for factories. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

(ii) Where the authority is satisfied that the common licence may be issued respect of a factory, industrial premises for beedi and cigar work and for engaging contract workers or any combination thereof or single licence for any one of them under this Code, such authority shall issue a licence in Form-XIV electronically within **30 days** of the receipt of application failing which the licence shall be deemed to be issued and shall be auto generated and the responsibility of such failure shall be on such authority.

(iii) The licence shall be non-transferable.

(iv) The licence for engaging contract labours, contain the number of inter-State migrant workers employed.

(2) Any licence obtained by providing wrong information shall be liable to be cancelled provided that person has been given an opportunity to show cause, electronically or by registered post, as to why the licence should not be cancelled.

90. Actions, manner of taking actions and inquiry under sub-section (3) of section 119 - Actions, manner of taking actions and inquiry under sub-section (3) of section 119 as may be notified by State Government.

91. Form of appeal, the fee to be accompanied therewith and the appellate authority under sub-section (6) of section 119; Form of appeal, the fee to be accompanied therewith and the appellate authority under sub-section (6) of section 119- (i) The person aggrieved by the order of authority under Sub section (1) of Section 119, may appeal against such order before the appellate officer appointed by the State Government for such purpose within thirty days from the date of receipt by him of such order, electronically.

(ii) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form to be kept for the purpose called the register of appeals.

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

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

(v) If on the date fixed for hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellants by sending the copy of the order to the applicant electronically.

(vi) Where an appeal has been dismissed, the appellant may apply electronically to the appellate officer for the restoration of the appeal within thirty days from the date of receipt of the order and if the appellate officer is satisfied that the appellant was prevented by sufficient cause from appearing, the appellate officer shall restore the appeal.

(vii) The order of the Appellate Officer shall be communicated electronically or by registered post to the appellant and copy thereof shall be sent to the registering officer against whose order the appeal has been preferred and shall be disposed of within a period of thirty days from the date of receipt of appeal.

92. Manner of survey under sub-section (2) of section 121- The Chief Inspector- cum- Facilitator, officer or the committee so appointed by state government to undertake survey in accordance with provisions of section 121(2) of the code, may, at any time during the normal working hours of an establishment, or at any other time as is found by him or the committee to be necessary, after giving notice in writing to the employer or manager of the establishment or any other person who for the time being purports to be in charge of the establishment, undertake survey relating to safety and health in the establishment and outside.

(1) Employer or manager or other person shall afford all facilities for such survey, including facilities for the examination and testing of plant and machinery and collection of samples and other data relevant to the survey.

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

(3) Any time spent by a worker for undergoing medical examination or furnishing information under sub rule (2) shall, for the purpose of calculating wages and extra wages for overtime work, be deemed to be time during which such worker worked in the establishment.

93. Amendment in Fees- Any fees prescribed under these rules may be amended by the Labour Resources and Migrant Workers Welfare Department through gazette notification.

SCHEDULE – I

Form of Application for grant of Certificate of Competency to a person under clause-1 of sub-rule (3) of Rule 2

1. Name
2. Date of Birth
3. Name of the Organization (if not self-employed)
4. Designation
5. Educational qualification (copies of testimonials to be attached)
6. Details of professional experience (in chronological order)

Name of the Organization	Period of Service	Designation	Area of Responsibility
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7. Membership, if any, of professional bodies
8. (i) Details of facilities (examination, testing, etc.) at his disposal.
(ii) Arrangements for calibrating and maintaining the accuracy of these facilities.
9. Purpose for which Competency Certificate is sought (section or sections of the code should be stated).
10. Whether the applicant has been declared as a competent person under any statute (if so, the details)
11. Any other relevant information as demanded by the authority.

Declaration by the applicant: -

I,....., hereby declare that the information furnished above is true.

I undertake

- (a) that in the event of any change in the facilities at my disposal (either addition or deletion) or my leaving the aforesaid Organization, I will promptly

inform The Chief Inspector cum facilitator of Factories ;

- (b) to maintain the facilities in good working order, calibrated periodically as per manuurer's instructions or as per National Standards; and
- (c) to fulfill and abide by all the conditions stipulated in the certificate of competency and instructions issued by The Chief Inspector cum facilitator of factories from time to time.

Place & Date

Signature of the applicant:

Declaration by the Institution (if employed)

I,, certify that Shri whose details are furnished above, is in our employment and nominate him on behalf of the organization for the purposes of being declared as a competent person under the code . I also undertake that I will.

- (a) notify The Chief Inspector cum facilitator of factories in case the competent person leaves our employment;
- (b) * provide and maintain in good order all facilities at his disposal as mentioned above;
- (c) notify The Chief Inspector cum facilitator of factories any change in the facilities (either addition or deletion)

Signature

Designation

Telephone No

Date:

Official Seal

Form of Application for grant of Certificate of Competency to an Institution under Sub Rule 3 of Rule-2.

1. Name and full address of the Organization
2. Organization's status (specify whether Government, Autonomous, Co-operative, Corporate or Private)
3. Purpose for which Competency Certificate is sought (specify Section(s) of the code)
4. Whether the Organization has been declared as a competent person under this or any other statute. If so, give details.
5. Particulars of persons employed and possessing qualification and experience as set out in Schedule annexed to sub-rule (3) of Rule 2.

S.No.	Name and Designation	Qualifications	Experience	Section(s) and the Rules under which Competency is sought for
1				
2				

6. Details of facilities (relevant to item 3 above) and arrangements made for their maintenance and arrangements made for their maintenance and periodic calibration.

7. Any other relevant information.

I, hereby, on behalf of Certify the details furnished above are correct to the best of my knowledge. I undertake to -

- (i) maintain the facilities in good working order, calibrated periodically as per manufacturer's instructions or as per National Standards; and
- (ii) to fulfill and abide by all the conditions stipulated in the certificate of competency and instructions issued by The Chief Inspector cum facilitator of factories from time to time.

Signature of Head of the Institution or
of the persons authorized to sign on his behalf.

Designation
Place & Date

**Form of Certificate of Competency issued to a person or an institution in
pursuance to sub rule-3 of Rule-2**

I,....., in exercise of the powers conferred on me under Section 2(1) of the Occupational Safety, Health and Working Conditions Code 2020 and the Rules made there under, hereby recognize (Name of the Institution) or Shri (Name of the person) employed in (Name of the Institution) to be a competent person for the purpose of carrying out tests, examinations, inspections and certification for such buildings, dangerous machinery, lifts and hoists, lifting machines and lifting tackles, pressure plants, confined space, ventilation system and process or plant and equipment as the case may be, used in a factory located in under Section and the Rules made there under.

Strike out the words not applicable.

This certificate is valid fromto

This certificate is issued subject to the conditions stipulated hereunder: -

- (i) Tests, examinations and inspections shall be carried out in accordance with the provisions of the code and the Rules made there under;
- (ii) Tests, examination and inspections shall be carried out under direct supervision of the competent person or by a person so authorized by an institution recognised to be a competent person.
- (iii) The certificate of competency issued in favour of a person shall stand cancelled if the person leaves the Organization mentioned in his application;
- (iv) The institution recognised as a competent person shall keep The Chief Inspector cum facilitator of factories informed of the names, designations and qualifications of the persons authorized by it to carry out tests, examinations and inspections.

(v)

(vi)

Station Official Seal Signature of The Chief Inspector cum facilitator Date

SCHEDULE

S. No.	Section or Rules under which competency is recognised	Qualification required	Experience for the purpose	Facilities at his command
1.	Certificate of stability for buildings - Rules 62 (3) made under Section 133(2)(zzq)	Degree in Civil or Structural Engineering; or Equivalent	i) A minimum of 10 years' experience in the design of 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.	Facilities to carry out NDT's (Non Destructive Tests)
2.	"Dangerous Machines - Under Section 133(2) (zzq)	Degree in Electrical, Mechanical, or equivalent.	(i) a minimum of 7 years' experience in- a) design or operation or maintenance; or b) testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. (ii) he shall - a) be conversant with safety devices and their proper functioning; b) be able to identify defects and any other cause leading to failure; and c) have ability to arrive at a reliable conclusion with regard to the proper functioning of safety device and appliance and machine guard.	Gauges for measurement; instruments for measurement of speed and any other equipment or device to determine the safety in the use of the dangerous machines.
3.	Lifts and Hoists Under Section 133(2) (zzq)	A degree in Electrical and /or Mechanical Engineering or the equivalent	(i) A minimum experience of 7 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	Facilities for load testing, tensile testing, gauges equipment/ gadgets for measurement and any other equipment required for determining the safe working conditions of Hoists and Lifts.

			requirements conversing the safety of the Hoists and Lifts; (c) able to identify defects and arrive at a reliable conclusion with regard to the safety of Hoists and Lifts.	
4.	Lifting Machinery and Lifting Tackles - Under Section 133(2) (zzq)	Degree in Mechanical or Electrical or Metallurgical Engineering or its equivalent	A minimum experience of 7 years in- (a) design or erection or maintenance; or (b) testing, examination and inspection, of lifting machinery, chains, ropes and lifting tackles. He shall be – (a) Conversant with the relevant codes of practices and test procedures that are current; (b) Conversant with fracture mechanics and metallurgy of the material of construction; (c) Conversant with heat treatment/stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles; (d) capable of identifying defects and arriving at a reliable conclusion with regard to the safety of lifting machinery, chains, ropes, and lifting tackles.	Facilities for load testing, tensile testing, heat treatment equipment/gadget for measurement, gauges and such other equipment to determine the safe working conditions of the lifting machinery tackle.
5	Pressure Plant* - Rule 68 (schedule III) (sub-schedule 33) made under Section 133(2) (zzq) *	Degree in Chemical or Electrical or Metallurgical or Mechanical Engineering or its equivalent.	A minimum experience of 10 years in- (a) design or erection or maintenance; or (b) testing, examination and inspection of pressure plants. He shall be – (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 non-destructive testing techniques as are applicable to pressure vessels;	Facilities for carrying out hydraulic test, non-destructive test, gauges equipment/ gadgets for measurement and any other equipment or gauges to determine the safety in use of pressure vessels.

			(d) able to identify defects and arrive at a reliable conclusion with regard to the safety of pressure plants.	
6	Precautions against dangerous fumes,- Rule 18 made under section 82 and Section 133(2) (zzq)	Master's degree in Chemistry, or a degree in Chemical Engineering.	(i) a minimum of 7 years in collection and analysis of environmental samples and calibration of monitoring equipment; He shall - (a) be conversant with the hazardous properties of chemicals and their permissible limit values; (b) be conversant with the current techniques of sampling and analysis of the environmental contaminants; and (c) be able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out hotwork.	Meters, instruments and devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces.
7	Ventilation systems- and Rule 18 made under section 82 and Section 133(2) (zzq)	Degree in Mechanical or Electrical Engineering or equivalent.	(i) A minimum of 7 years in the design, fabrication, installation, testing of the 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 a traction system for fumes, and shall be able to arrive at a reliable conclusion with regard to effectiveness of the system.	Facilities for testing the ventilation system, instruments and gauges for testing the effectiveness of the extraction systems for dusts, vapours and fumes, and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of the system.

SCHEDULE-II

[see rule 2(7)]

Sub Schedule-1

List of Hazardous Chemicals

Sl.	Name of the Chemical
1.	Acetone
2.	Acetone Cyanohydrine
3.	Acetylene Chloride
4.	Acetlone (Ethyne)
5.	Arcolein (2-Propenal)
6.	Acrylonitrile
7.	Aldicarb
8.	Sldrine
9.	Alkyl Phthaiate
10.	Allyl Alcohol Acid and Salts.
11.	Allylamine
12.	AlphaNaphthylThiourea (Antu)
13.	4-Aminodiphenyl Asbestos
14.	2-Aminophenol
15.	Amiton
16.	Ammonia
17.	Ammonium Nitrate
18.	Ammonium Nitrate in Fertilizers
19.	Ammonium Sulfamate
20.	Anabasine
21.	Aniline

22.	P-Anisidine
23.	Antimony & Compounds
24.	Antimony Hydride (Stibine)
25.	Arsenic Hydride (Arisine)
26.	Arsenic Pentoxide, Arsenic (v)
27.	Arsenic Trioxide, Arsenious (III)
28.	Acid and Salts.
29.	Azinphos-Ethyl
30.	Azinphos-Methyl
31.	Barium Azide
32.	Benzene
33.	Benzidine
34.	Benzidine Salts
35.	Benzoquinone
36.	Benzoyl Chloride
37.	Benzoyl Peroxide
38.	Benzyle Chloride
39.	Benzyl Canide
40.	Beryllium (Powders, Compounds)
41.	Biphenyl
42.	Bis (2-Chloromethyl) Ketone
43.	Bis (2, 4, 6-Trinitrophenyl) Amine
44.	Bis (2-Chloroethyl) Sulphide
45.	Bis (Chloromethyl) Ether

46.	2, 2-Bis (Tert-Butylperoxy) Butane
47.	1, 1 -Bis (Tert-Butylperoxy) Cyclonexane
48.	Bis-1,2 (Tribromophenoxy) Ethane
49.	Bisphenol
50.	Boron and Compounds
51.	Bromine
52.	Bromine Pentafluoride
53.	Bromoform
54.	1, 3-Butadiene
55.	Butane
56.	N-Butanethiol
57.	2-Butanone
58.	Butoxy Ethanol
59.	Butyl Glycidal Ether
60.	Tert-Butyl Peroxacetate
61.	Tert-Butyl Peroxyisobutyrate
62.	Tert-Butyl Peroxyisopropyl Carbonate
63.	Tert-Butyl Peroxymalate
64.	Tert-Butyl Peroxypivalate
65.	Butyl Vinyl Ether Acids and Salts.
66.	Butylamine
67.	C9-Aromatic Hydrocarbon Fraction
68.	Cadmium and Compounds
69.	Cadmium Oxide (Fumes)

70.	Calcium Cyanide
71.	Captan
72.	Captofol
73.	Carbaryl (Sevin)
74.	Cabofuran
75.	Carbon Disulphide
76.	Carbon Monoxide
77.	Carbon Tetrachloride
78.	Carbophenothion
79.	Cellulose (use in explosives)
80.	Chlorates (use in explosives)
81.	Chlordane
82.	Chlorfenvinphos
83.	Chlorinated Benzenes
84.	Chlorine
85.	Chlorine Dioxide
86.	Chlorine Oxide
87.	Chlorine Trifluoride
88.	Chlormequate Chloride
89.	Chloroacetal Chloride
90.	Chloroacetaldehyde
91.	2-Chloroaniline
92.	4-Chloroaniline
93.	Chlorobenzene

94.	Chlorodiphenyl
95.	Chloroepoxypropane
96.	Chloroethanol
97.	ChloroethylChloroformate
98.	Chlorofluorocarbons
99.	Chloroform
100.	4-(Chloroformyl) Morpholine
101.	Chloromethane
102.	Chloromethyl Ether
103.	Chloronitrobenzene
104.	Chloroprene
105.	Chlorosulphuric Acid
106.	Chloroprintrobenzene
107.	Chloroxuron
108.	Chromium and Compounds
109.	Cobalt and Compounds
110.	Copper and Compounds
111.	Coumafuryl
112.	Coumaphos
113.	Coumatetralyl
114.	Crimidine
115.	Crimidine
116.	Cumene
117.	Cyanophos

118.	Cyanothecate
119.	Cyanuric Fluoride
120.	Cyclehexane
121.	Cyclohexanol
122.	Cyclohexanone
123.	Cyclphexamide
124.	Cyclopentadiene
125.	Cyclopentane
126.	Cyclotetranethylenetrinitramine
127.	Cyclototimethylenetrinitra
128.	DDT
129.	Decabromodiphenyl Oxide
130.	Demeton
131.	Di-Isobutyryl Peroxide
132.	Di-n-Propyl Peroxydicarbonate
133.	Di-sec-Butyl Peroxydicarbonate
134.	Dialifos
135.	Diazedinitrophenol
136.	Diazomethane
137.	Dibenzyl Peroxydicarbonate
138.	Dichloroacetylene
139.	O-Dichlorobenzene
140.	P-Dichlorobenzene
141.	Dichloroethane

142.	Dischloroethyl Ether
143.	2, 4-Dichlorophenol
144.	DiprophyleneGlycolmethylether
145.	2, 4 Dichlorophenoxy Acetic Acid(2,4-D)
146.	1, 2-Dichlorosalicylic Acid
147.	3, 5-Dichlorosalicylic Acid
148.	Dichlorovos (DDVP)
149.	Dicrotophos
150.	Dieldrin
151.	Diepoxybutane
152.	Diethyl Peroxydicarbonate
153.	Diethylene Glycol Dinitrate
154.	DiethyleneTriamine
155.	Diethyleneglycol Butyl 1 Ether/ Diethyleneglycol Butyl Acetate
156.	Diethylenetrlamine (Deta)
157.	Diglycidyl Ether
158.	2, 2-Dihydroperoxypropone
159.	Disobutryl Peroxide
160.	Dimefox
161.	Dimethoate
162.	Dimethyl Phosphoramidosyanidic Acid
163.	Dimethyl Phthaiate
164.	Dimethylcarbomoyl Chloride
165.	Dimethylnitrosomine

166.	Dinitrophenol Salts
167.	Dinitrotoluene
168.	Diitro-o-Cresol
169.	Dioxane
170.	Dioxathion
171.	Dioxolane
172.	Diphacinone
173.	DiphosphoramicOctamethyl
174.	Formaldehyde
175.	Disulfoton
176.	Endosulfan
177.	Endrin
178.	Epichlorohydrine
179.	EPN
180.	1, 2-Epoxypropane
181.	Ethion
182.	Ethyl Carbamate
183.	Ethyl Ether
184.	Ethyl Haxanol
185.	Ethyl Mercaptan
186.	Ethyl Methacrylate
187.	Ethyl Nitrate
188.	Ethylene
189.	Ethylene Chlorohydrine

190.	Ethylene Diamine
191.	Ethylene Dibromide
192.	Ethylene Dichloride
193.	Ethylene Glycol Dinitrate
194.	Ethylene Oxide
195.	Ethyleneimine
196.	Fluometil
197.	Pentachlorophenol
198.	Fluometil
199.	4-Fluoro, 2-Hydroxybutyric Acid and Salts, Esters, Amides,
200.	Fluoroacetic Acid and Salts, Esters, Amides
201.	Fluorobutyric Acid and Salts, Esters, Amides
202.	4 Fluorochloroacetic Acid and Salts, Esters, Amides
203.	Glyconitrile (Hydroxyacetonitrile)
204.	1, Guanyl-4 Nitrosamino guanyl 1-Tetrazene
205.	Heptachlor
206.	Hexachlorocyclopentadiene
207.	Hexachlorocyclohexane
208.	Hexachlorocyclopropane
209.	1, 2, 3, 7, 8, 9-Hexachloro-2,3,7,8-tetrachlorodibenzo-p-dioxin.
210.	Hexafluoropropene
211.	Hexamethylphosphoramide
212.	3, 3, 6, 6, 7, 8, Hexamethyl 1, 2, 4, 5, Tetraoxacycloheptane
213.	Hexamethylenediamine

214.	Hexane
215.	2, 2, 4, 4, 6, 6-Hexanitrostilbene
216.	Hexavalent Chromium
217.	Hydrazine
218.	Hydrazine Nitrate
219.	Hydrochloric Acid
220.	Hydrogen
221.	Hydrogen Bromide (Hydrobromic Acid)
222.	Hydrogen Chloride (Liquefied gas)
223.	Hydrogen Cyanide
224.	Hydrogen Fluoride
225.	Hydrogen Scienide
226.	Hydrogen Sulphide
227.	Hydroquinone
228.	Iodine
229.	Isobenzan
230.	Isodrin
231.	IsophoroneDisocyanate
232.	Isopropyl Eather
233.	Juglone (5-Hydroxynaphthalene 1,4-Dione)
234.	Lead (Inorganic fumes and dusts)
235.	Lead 2, 4, 6-Trinitroreso-crinoxide (Lead Styphnate)
236.	Lead Azide
237.	Leptophos

238.	Lindand
239.	Liquefied Petroleum Gas (LPG)
240.	Maleic Anhydride
241.	Manganese and Compounds
242.	MercaptoBenzothiazole
243.	Mercury Alkyl
244.	Mercury Fuslminate
245.	Mercury Methyl
246.	Methacrylic Anhydride
247.	Methacrylonitrile
248.	Methacryloyl Chloride
249.	Methacryloyl Chloride
250.	MethanesuphonylFluride
251.	Methanethiol
252.	Methoxy Ethanol (2-Methyl Cellosolve)
253.	MethoxyEthylmercuric Acetate
254.	Methyl Acrylate
255.	Methyl Alcohol
256.	Methyl Alcohol
257.	Methyl Bromide (Bromomethane)
258.	Methyl Chloride
259.	Methyl Chloroform
260.	Nitrogen Trifluoride
261.	Methyl Cyclohexene

262.	Methyl Ethyl Ketone Peroxide
263.	Methyl Hydrazine
264.	Methyl Isobutyl Ketone
265.	Methyl Isobutyl Ketone Peroxide
266.	Methyl Isocyanate
267.	Methyl Isothiocyanate
268.	Methyl Mercaptan
269.	Methyl Methacrylate
270.	Methyl Parathion
271.	Methyl Phosphoric Dichloride
272.	N-Methyl, 2, 4, 6-Tetranitroaniline
273.	Methylene Chloride
274.	4,4-Methylenebis (2 Chloroaniline)
275.	Methyltrichlorosilane
276.	Mevinphos
277.	Molybdenum and compounds
278.	N-Methyl-N, 2, 4, 6-N-Tetranitro-aniline
279.	Naphtha (Coal Tar)
280.	2-Naphthylamine
281.	Nickel and Compounds
282.	Nickel Tetracarbonyl
283.	O-Nitroaniline
284.	P-Nitroaniline
285.	Nitrobenzene

286.	P-Nitrochlorobenzene
287.	Nitrocyclohexane
288.	Nitroethane
289.	Nitrogen Dioxide
290.	Pentachloroethane
291.	Nitroglycerine
292.	P-Nitrophenol
293.	1-Nitropropate
294.	2-Nitropropate
295.	Nitrosodi, ethylamine
296.	Nitrololune
297.	Octabromophenyl Oxide
298.	Olcum
299.	Oleylamine
300.	oo-Diethyl S-Ethylsulphinyi methyl Phosphorothioate
301.	oo-Diethyl S- EthylsulphonylmethylPhosphorothioate
302.	oo-Diethyl S- EthylthiomethylPhosphorothioate
303.	oo-Diethyl S- IsopropylthiomethylPhosphordithioate
304.	oo-Diethyl S- PropylthiomethylPhosphorodithioate
305.	Oxyamyl

306.	Oxy-lisulfoton
307.	Oxygen (Liquid)
308.	Oxygen Difluoride
309.	Ozone
310.	Paraoxon (Diethyl 4-Nitrophenyl Phosphate)
311.	Paraquat
312.	Parathion Methyl
313.	Paris Green (BisAceto Hex-a metraarsenitoterta Copper)
314.	Pentaborane
315.	Pentabromodiphenyl Oxide
316.	Pentabromophenol
317.	Pentachlorophenol
318.	PentacrythrifolTetranitrate
319.	Pentane
320.	Peracetic Acid
321.	Perchloroethylene
322.	PerchloromethylMercaptan
323.	2-Pentanone, 4-Methyl
324.	Penol
325.	Phenyl Glycidal Ether
326.	Phenylene P-Diamine
327.	Phenylmercury Acetate
328.	Phorate

329.	Phosacetim
330.	Phosacetim
331.	Phosfolan
332.	Phosgene (Carbonyl Chloride)
333.	Phosmet
334.	Phosphamiden
335.	Phosphine (Hydrogen Phosphide)
336.	Phosphoric Acid and Esters
337.	Phosphoric Acid, BromoethylBromo (2, 2-Dimethyl Propyl) Bromoethyl Ester
338.	Phosphoric Acid, BromoethylBromo (2, 2-Dimethylpropyl) Chloroethyl Ester
339.	Phosphoric Acid, ChloroethyliBromo (2, 2-Dimethoxycpropyl) Chloroethyl Ester
340.	Phosphorous and Compounds
341.	Phostalan
342.	Picric Acid (2, 4, 6-Trinitro-Phenol)
343.	Pentachoro Naphthalene
344.	Potassium Arsenite
345.	Potassium Chlorate
346.	Promurit (3, 4-Dichlorophenyl 3- Triazenethiocarboxamide)
347.	1, 3-Propanesultone
348.	1 Propen-2-Omoro 1, 3-Diol-diacetate
349.	Propylene Dichloride
350.	Propylene Oxide

351.	Propylenelimine
352.	Pyrazoxon
353.	Selenium Nexmuoride
354.	SemicarbazideHydrochlorde
355.	Sodium Arseun
356.	Sodium Azice
357.	Sodium Chlorate
358.	Sodium Cyanide
359.	Sodium Picramate
360.	Sodium Selenite
361.	Styrene, 11, 2, 2-Terachloroethane
362.	Sulfotep
363.	Sulphur Dichloride
364.	Sulphur Dioxide
365.	Sulphur Trioxide
366.	Sulphuric Acid .
367.	Sulphoxide, 3-Chloropropyioctyl
368.	Tellurium
369.	Tellurium Hexafluoride
370.	TEPP
371.	Terbufos
372.	Alpha-Terabromobisphenol
373.	2, 2, 5, 6-Tetrachloro-2, 5-Cyclohexadiene-1, 4-Dione
374.	2, 3, 7, 8-Tetrachlorodibezo-p Diosin (CDD)

375.	Tetrafluoroethane
376.	TetramethyleneDiulphotetramine.
377.	Tetramethyl Lead
378.	Tetranitromethane
380.	Thallium and Compounds
381.	Thionazin
382.	Thionyl Chloride
383.	Tirpate
384.	Toluene
385.	Tolune-2-4-Diisocyanate
386.	0-Toluidine
387.	Toluene 2, 6-Diisocyanate
388.	Trans-1, 4 Chlorobutene
389.	1-TRI, (Cyclohexyl) StannyMH 1, 2, 4 Triazole
390.	1, 2, 4 Triazole
391.	2, 5 Triamino 2, 4, 5, Trinitrobenzene.
392.	2, 4, 6-Tribromophenol
393.	Trichloro Acetyl Chloride
394.	Trichloro Ethane
395.	TrichloroNapethalene
396.	TrichloroChloromethylsilane
397.	TrichloroDichlorophenylsilane
398.	1, 1-Trichloroethane
399.	TrichloroethylSillane

400.	Trichloroethylene
401	Trichloromethanesulphenyl
402	2, 4, 5-Trichlorophenol
403	Triethylamine
404	Triethylenemelamine
405	Trimethylchlorosilane
406	TrimethylopropanePhosphite
407	Trinitroaniline
408.	2, 4, 6 Trinitroanisole
409.	Trinitrobenzene
410.	Trinitrobenzoic Acid
411.	2, 4, 6-Trinitroresorcinol (Styphnic Acid)
412.	Trinitrotoluene
413.	Tricrthocresyl Phosphate
414.	Triphenylin Chloride
415.	Terpentine
416.	Uranium and Compounds
417.	Venadium and Compunds
418.	Vinyl Chloride
419.	Vinyl Fluoride Chloride
420.	Warfarin
421.	Xylene
422.	Xylidine
423.	Zinc and Compounds
424.	Zironium and Compounds.

Sub-Schedule-2

Isolated storage of Installation

(a) The quantities set out below relate to each installation or group of installations belonging to the occupier where the distance between installations is not sufficient to avoid in foreseeable circumstances, any aggravation of major accident hazards. These quantities apply in any case to each of the installations belonging to the same occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is:-

(i) in that part of any pipeline under the control of the occupier having control of the site which is within 500 metres of that site and connected to it;

(ii) at any other site under the control of the occupier any part of the boundary of which is within 500 metres of the said site; and

(iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it.

But no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft for transporting it.

Serial no.	Chemical or group of chemicals	Quantity (tonnes)
1	2	3
1.	Acrylonitrile	5,000
2.	Ammonia	601
3.	Ammonium nitra (a)	2,500*
4.	Ammonium nitrate fertilizers (b)	10,000
5.	Chlorine	25

6.	Flammable gases as defined in Schedule 1 paragraph (b) (i)	300
7.	Highly flammable liquids as defined in Schedule 1, paragraph (b) (ii)	1,00,000
8.	Liquid oxygen	2,000
9.	Sodium chlorate	250
10.	Sulphur dioxide	50
11.	Sulphur trioxide	100

* Where this chemical is in a state which gives it properties capable of creating a major accident hazard.

(a) This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28 percent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90 percent by weight.

(b) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 percent by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

Sub-Schedule -3

(a) The quantities set out below relate to each installation or group of installations belonging to the same occupier where the distance between the installation is not sufficient to avoid foreseeable circumstances, any aggravation of major accident hazards. These quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the quantity of a hazardous chemical in an industrial installation, account shall also be taken of any hazardous chemical which is :-

(i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;

(ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site; and

(iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 meters of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

Part-1

Named Chemicals

Serial no.	Chemical	Quantity		CAS number
1	2	3		4
Group-I Toxic Chemicals		kg-		
1.	Aldicarb	100	...	116-06-3
2.	4-Aminodipheny	1	...	92-67-1
3.	Amiton	1	...	78-53-5
4.	Anabasine	100	...	494-52-0
5.	Arsenic pentoxide, Arsenic (V) acid and salts	500	...	...
6.	Arsenic trioxide, Arsenious (III) acid and salts	100	...	...
7.	Arsine (Arsenic hydride)	10	...	778442-1
8.	Azinphos-ethyl	100	...	2642-71-9
9.	Azinphos-methyl	100	...	86-50-0
10.	Benzidine	1	...	92-87-5
11.	Benzidino salts	1	...	...
12.	Beryllium (powders, compounds)	10	...	...
13.	Bis (2-chloroethyl) sulphide	1	...	505-60-2
14.	Bis (chloromethyl) ether	1	...	542-88-1
15.	Carbofuran	160	...	1563-66-2
16.	Carbophenothion	160	...	786-19-6
17.	Chlorofenvinphos	100	...	470-90-6
18.	4-(Chloroformy) morpholire	1	...	15159-10-7
19.	Chloromethyl methyl ether	1	...	107-30-2
20.	Cobit metal, oxide, Carbonates sulphides, as powders	1t	...	...
21.	Crimidme	100	...	535-89-7

22.	Cyanthoate	100	...	3734-95-0
23.	Cycloheximide	100	...	66-81-9
24.	Demeton	100	...	8065-48-3
25.	Dialifos	100	...	10311-84-9
26.	Co-Diethyl S-enthylsulphanyl methyl phosphorothiate	100	...	2588-06-8
27.	oc-Diethyl S-ethylsulphonyl, Methyl	100	...	2588-06-9
28.	Phosphorothioate Diethyl	100	...	2600-69-3
29.	S-othylthiomethyl, phosphorothioateoc-Diethyl S-isoprophithio-methyl	100	...	78-52-4
30.	phosphorodihioateoc-Diethyl	100	...	3309-68-0
31.	S-prophlthiomethylphosphorothioateDimefox	100	...	115-26-4
32.	Dimethylcarbamoyl chloride	1	...	70-44-7
33.	Dimethylcarbamoyl	1	...	62-75-9
34.	Dimethylphosphoramidocyanidic acid	1	...	63917-41-9
35.	Diphacinone	100	...	82-66-6
36.	Disulfoton	100	...	298-04-4
37.	EPN	100	...	2104-64-5
38.	Ethion	100	...	563-12-2
39.	Fensulfothion	100	...	115-90-2
40.	Flueretil	100	...	4301-50-2
41.	Fluoroacetic acid	100	...	144-94-0
42.	Fluoroacetic acid esters	1	...	...
43.	Ditto	1	...	...
44.	Fluoroacetic acid amides	1	...	...
45.	4-Fluorobutyric acid	1	...	462.23-7
46.	4-Fluorobutyric acid salts	1	...	...
47.	4-Fluorobutyric esters	1	...	...
48.	4-Fluorobutyric acid amides	1	...	...
49.	Fluorocrotonic acid	1	...	37759.72-1
50.	Ditto	1	...	...
51.	Ditto	1	...	...
52.	4.4 Fluorocrotonic acid, amides	1	...	...
53.	Fluoro-2-hydroxy butyric acid	1	...	...
54.	4-Fluoro-2-hydroxy butyric acid, salts	1	...	...
55.	4-Fluoro-2-hydroxy butyric acid esters.	1	...	...
56.	4-Fluoro-2-hydroxy butyric acid, amides.	1	...	...
57.	Glycolonitrile (hydroxyacetonitrile.)	100	...	107-16-4
58.	1, 2, 3, 7, 8, 9-Hexachlorodibonzo p-dioxin.	100	...	19408-74-3
59.	Hexamethylphosphoramide	11	...	680-31-9
60.	Hydrogesslelexide	10	...	7783-07-5

61.	Isodrin	100	...	297-78-9
62.	Isodrin	100	...	465-73-6
63.	Juglone (5-Hydroxynaphthalene-1, 4-dione.)	100	...	481-39-0
64.	4,4-Methylenebis (2-chloroaniline).	1	...	101.14.0
65.	Methyl isocyanate	150	150 kg.	624-83-9
66.	Mevinphos	100	...	7786-34-3
67.	2-Naphthyl lamine	1	...	91-59-3
68.	Nickel metal, oxides, carbonates sulphide, as powders.	1t	...	...
69.	Nickel tetracarbonyl	10	...	13463-39-3
70.	Oxydiisulfoton	100	...	13463-39-3
71.	Oxygen diffucide	10	...	7783-41-7
72.	Paraoxon (diethyl 4-nitrophenyl phosphate)	100	...	311-45.5
73.	Parathion	100	...	56-38-2
74.	Parathion-methyl	100	...	298.000.0
75.	Pentaborane	100	...	19624.22-7
76.	Phoratel	100	...	298.02-2
77.	Parathion	100	...	56-38-2
78.	Phosgene (carbonyl chloride)	750	75 ½ kg	75-44.5
79.	Phosphamidon	100	...	13171-21.6
80.	Phosphine (Hydrogen phosphide)	100	...	7803-51.2
81.	Promurit (1 -(3, 4-Dichlorophenyl)-3-triazenethio carboxamide).	100	...	5836-73-7
82.	1, 3 Propanesultone	1	...	1120-71-4
83.	1 -Propen-2-chloro-1, 3-diol discetate)	10	...	10118-72-6
84.	Pyrazoxon	100	...	108-34.9
85.	Selenium hexafluoride	10	...	7783-79-1
86.	Sodium selenite.	100	...	10102-18.8
87.	Stibine (Antimony hydride)	100	...	7803-52-3
88.	Sulfotop	100	...	3689-24.5
89.	Sulphur dichloride	1t	...	10545-99.0
90.	Telurium hexafluoride	100	...	7783-80-4
91.	TEPP	100	...	107-49.3
92.	2, 3, 7, 8 Tetrachlorodibenze-P-dioxin (TCDD)	1	...	1746-01.6
93.	Tetramethyldiscul-phetetramine	1	...	80-12.6
94.	Thionazin	100	...	297-97-2
95.	Triplate (2, 4-Dimethyl-1, 3-dithio-lane-2-carboxaldehyde 0- methyl-carbameylexime).	100	...	26419-73-8
96.	Trichlermethanesulphenyl chloride.	100	...	194-42-3
97.	1-Tri (cyclohexyl) stannyl 1-1 -H 1, 2, 4-	100	...	41083-11-8

	triazole.			
98.	Triethylenemelamine	10	...	51-18.3
99.	Warfarin	100	...	81-81-2
Group 2 Toxic Chemicals (Quantity-1 tonne)				
100.	Acetone cyanhydrin	200t	...	75-86-5
101.	Acrelecin (8-Propenal)	20t	...	107-02-8
102.	Acrylonitrile	20t	200t	107-13-1
103.	Allylcohol (2-propen-1-ol)	200t	...	107-13-1
104.	Allylamine	200t	...	107-11-9
105.	Ammonia	50t	500t	7664-41-7
106.	Bromine	40t	...	7726-95-6
107.	Carbon disulphide	20t	200t	75-15-0
108.	Chlorine	10t	25t	7782-50-5
109.	Diphenyl methane di-isocyanate (MDI)	20t	...	101-68-8
110.	Ethylene dibromide (1, 2-Dibromo-methane).	5t	...	106-93-4
111.	Ethyleneimine	50t	...	151-56-4
112.	Formaldehyde (concentration 9%)	5t	...	50.00.0
113.	Hydrogen cyanide (liquefied gas)	25t	250t	7647-01.0
114.	Hydrogen cyanide	5t	20t	74-91.8
115.	Hydrogen fluoride	5t	50t	7664-39.3
116.	Hydrogen fluoride	5t	50t	7783-06.4
117.	Methyl bromide (Bromomethane)	20t		74-83.9
118.	Nitrogenoxides	50t	...	11104-93-1
119.	Propyleneimine	50t	...	75-55-8
120.	Sulphur dioxide	20t	250t	7446-09-5
121.	Sulphur trioxide	15t	75t	746-11-9
122.	Tetramethyl lead	5t	...	75-74-1
123.	Tetraethyl lead	5t	...	75-74-1
124.	Toluene di-isocyanate (TDI)	10t	...	584-84-9
Group 3- Highly reactive chemicals				
125.	Acetylene (ethyne)	5t	...	74-86-2
126.	Ammonium nitrate (1)	350t	250t	6484-52-2
127.	1,2Bis (tert-butyl-peroxycyclohexane) cyclohexane (concentration-80%)	5t	...	3006-86-8
128.	1,1-Bis (tert-butyl-peroxy) cyclohexane (concentration-80%)	5t	...	3006-86-8
129.	Tert-Butyl peroxyacetate (concentration-70%)	5t	...	107-71-1
130.	Tert-Butyl peroxyisobutyrate (concentration-80%)	5t	...	109-13-7
131.	Tert-Butyl peroxy-isopropyl carbonate	5t	...	2372.21-6

	(concentration-80%)			
132.	Tert-Butyl peroxy-maleate (concentration-80%)	5t	...	1931-62.0
133.	Tert-Butyl peroxy-pivalate (concentration-77%)	50t	...	927-07.1
134.	Dibenzylperodicarbonate (concentration-90%)	5t	...	2144-45.8
135.	Di-sec-butyl peroxydicarbonate (concentration-80%)	5t	...	19910-65.7
136.	Diethyl peroxydicarbonate (concentration-30%)	50t	...	14666-78.5
137.	2, 2-Dihydroperoxypropane (concentration-30%)	5t	...	2614-76.8
138.	Di-isobutylperoxide (concentration-50%)	50t	...	3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration-80%)	5t	...	16066-38-9
140.	Ethylene oxide	5t	50t	75-21-8
141.	Ethyl nitrate	50t	...	625-58-1
142.	3, 3, 6, 6, 9, 9-Hexamethyl-1, 2, 4, 5-tetroxacyclonane (concentration-75%)	50t	...	22397-33-7
143.	Hydrogen	2t	50t	1333-74-0
144.	Liquid oxygen	200t	...	7782-44-7
145.	Methylethyl ketone peroxide (concentration-60%)	5t	...	1338-23.4
146.	Methylisobutyl ketone peroxide (concentration-60%)	50t	...	37206-20.5
147.	Peracetic acid (concentration-60%)	50	...	79-213
148.	Propylene oxide	5t	...	75-56-9
149.	Sodium chlorate	25t	...	7775-09-9
Group 4-Explosive Chemicals				
150.	Barium azide	50t	...	18810-58-7
151.	Bis (2, 4, 6-trinitro phenyl) amine	50	...	131-73-7
152.	Chloetetrinitrobenzene	50t	...	28260-61-9
153.	Cellulose nitrate (Containing 12.9% nitrogen)	50t	...	9004-70-0
154.	Cyclo-tetramethylenetetranitramine	50t	...	2691-41-0
155.	Cyclo-trimethylenetrinitroamine	50t	...	121-82-4
156.	Diazodinitrophenol	10t	...	7008-81-3
157.	Diethyleneglyceldinitrate	10t	...	693-21-0
158.	Dinitrophenol, salts	50t	...	
159.	Ethylene glyceldinitrate	10t	...	628-96-6
160.	1 -Guanyl-4-nitrosamineoguanyl 1 -tetrazene	10t	...	109-27-3

161.	2, 2, 14, 4, 6, 6-Hexanitrostilbeneo	50	...	20062-22-0
162.	Hydrazine nitrate	50t	...	13464-97-6
163.	Lead azide	50t	...	13424-46-9
164.	Lead styphnate (lead 2, 4, 6-trinitro-resorcineoxide).	50t	...	15245-44-0
165.	Mercury Fulminate	10t	...	628-86-4
166.	N-Methyl-N, 2, 6-tetranitroaniline	50t	...	479.45-8
167.	Nitroglycerine	10t	10t	55-63-0
168.	Pentacrylthritoltetranitrate	50t	...	78-11-5
169.	Picric acid (2, 4, 6-Trinitrophenol)	50t	...	81-89-1
170.	Sodium kpicramate	50t	...	831-52-7
171.	Styphnic acid (2, 4, 6-Trinitroreser-cinol).	50t	...	82-71-3
172.	1, 3, 5-Triamino-2, 4, 6-trinitrobenzene	50t	...	3058-38-6
173.	Trinitroaniline	50t	...	26952-42-1
174.	2, 4, 6-Trinitroanisole	50t	...	606-35-9
175.	Trinitrobenzene	50t	...	25377-32-6
176.	Trinitrobenzoic acid	50t	...	35860-50-5
177.	Trinitrocresol	50t	...	28905-71-7
178.	2, 4, 6, Trinitrophenetole	50t	...	4732-14-3
179.	2, 4, 6 Trinitrotoulene	50t	50t	118-96-7

**Schedule-III
Schedule-A**

Fee

(See Rules 64(5))

(a) Fee payable for original licence and for Renewal of licence for Factories defined under code.

Other than Electricity Generating, Transforming or Transmitting Section / Factory.

Sr. No.	Total rated Capacity (Power) of the machineries and plants Installed expressed in HORSE POWER	Maximum number of persons proposed to be employed on any one day during the year for which license is to be taken													Over 25000
		19	50	100	250	500	750	1000	2000	5000	10000	25000			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
1	Nil	-	600	2340	2700	3300	4500	6000	9000	10500	12000	13500	14700	18000	
2	H.P. Not Exceeding	10	1350	2400	3300	4500	6900	12000	15000	18000	27000	57000	60000	150000	
3	"	50	2700	3900	4500	6300	99000	12900	18600	21000	30000	60000	72000	180000	
4	"	100	3900	6000	9000	12900	15000	24000	27000	33000	39000	75000	90000	186000	
5	"	250	6000	9000	12900	15000	24000	27000	33000	39000	48000	94500	151500	225000	
6	"	500	21600	27000	28500	30000	33000	42180	49740	56250	101250	126630	197340	292500	
7	"	1000	27000	28500	30000	36900	42750	50040	56250	70290	110040	135000	216540	304200	
8	"	2000	28500	30000	36900	50100	56250	71250	75300	81300	118140	143790	226800	315000	
9	"	5000	36900	50100	54000	57300	60000	75300	81300	84450	135000	154650	246000	332100	
10	"	10000	54000	57000	60000	75300	81300	84450	135000	154650	183000	246000	273900	363000	
11	"	25000	81360	84460	135000	154650	183000	246000	273900	303300	330000	363000	480000	51000	
12	" Over	25000	84450	154650	183000	246000	273900	303300	330000	393000	480000	507000	510000	540000	

Schedule-B

Fee payable for original licence and for Renewal of licence for Electricity Generating,
Transforming Section / Factory.

	Total installed Generating Capacity in K.W.	Generating Station	Transforming (Including Conversion Station)
	KW	Rs.	Rs.
Not more than	50	1500	900
-do-	100	2700	1500
-do-	150	3900	2700
-do-	300	4500	4200
-do-	500	6000	4500
-do-	750	9000	6750
-do-	1000	12000	9000
-do-	2500	21000	12900
-do-	5000	27000	15000
-do-	10000	33000	18000
-do-	25000	45000	27000
-do-	50000	72000	36000
-do-	75000	91200	45000
-do-	100000	117000	54000
-do-	150000	144000	72000
-do-	200000	180000	108000
-do-	300000	234000	144000
-do-	300000	288000	180000

(b) All Transmitting Centre (Factory)- 32,500/-

Explanations. -

1. Total rated Capacity(power) of machinery of plants means:-
 - (a) In case of machinery of plants which generates or provides power, the rated generating or producing capacity (power) expressed in Horse Power.
 - (b) In case of any prime-mover the raised capacity expressed in Horse Power.
 - (c) In case of any other plant or machinery the power expressed in Horse Power required K.W. to operate the machine at its normal rated capacities.
 - (d) In case of electric furnaces, ovens or like plants, the consumption thereof for its rated or a normal operation converted in terms of Horse Power.
 - (e) In case of furnaces, ovens, and like plants fired by coal, oil, gas or any other fuel the equivalent electric power converted into Horse Power.
 - (f) In case of Steam Boilers and Steam Generators, the rated capacity of the Boiler expressed in terms of Horse Power.

For the Boiler used for supply of process steam evaporation capacity of 34.5 lbs. of water per hour would be taken as equivalent to Horse Power.

2. Where a factory has its own electric power generating plants, to the amount of fees payable for the whole factory shall be the amount obtained by adding the amount payable for the factory excluding the power generating plant calculated as per Schedule "A" and that payable for the power generating unit as per Schedule "B" respectively.

Where a factory has its own transforming station the amount of fees payable shall be calculated in a like manner.

Where a factory has its own generating station as well as transforming station for drawing additional power from an external source, the fee payable shall be the amount obtained by adding the fees which would have been payable for the Generating Station, Transforming Station and the rest of the factory, respectively as if they were separate factories.

3. In a steam power station, the capacities of the Generating units only would be taken in to account and not of the Boilers.

But if any such power station contains any boiler for supply of process steam, such boiler or part of boiler shall be separately counted for calculating the installed Horse Power.

4. In the calculation of Installed capacity all spare stand by and emergency machines and plants shall be taken into account, and shall be deemed to be working units and they shall not be excluded merely on the ground that they were only stand by, spare or emergency units, which are to be operated only on special occasions and in emergencies.

5. Where any machine is driven by an electric motor or any other prime-mover the rated capacity in Horse Power of the said motor shall be deemed to be the rated capacity of the machine, and the capacity of the motor or the prime-mover and that of the driven machine shall not be counted separately.

6. Where an electricity generating factory includes a transmitting or converting station or plant meant for recovering transforming, converting or transmitting of electric power supplied from a source outside the Generating Station and which is not meant for transforming, converting or transmitting power generated in the Generating Station itself the fees payable shall be the total of the fees payable by the Generating and Transforming (including converting) Station, calculated separately in accordance with the rate of fees prescribed under sub-head (a) and by the Transmitting Station under-sub-head (b),

SCHEDULE-IV

Sub-Schedule-1

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 condition for the use of all persons engaged in filling bottles or safeness-

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

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

Provided that-

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

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

(2) The occupier shall provide and maintain in good condition for the use of all persons engaged in corking, crowing, screwing, wiring, foiling, capsulin, sighting or labeling bottles or siphon-

(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 shall, while at work in such processes wear the face-guards and gauntlets provided under the provisions of the said paragraph.

4. Medical Examination by the medical officer - (1) Every worker employed in the processes this schedule applies to, shall be examined by a medical officer. He shall issue fitness on form 28.

(1) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the Aerated Waters processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

(2) No person who has been found unfit to work shall be re-employed or permitted to work in the said processes unless the medical officer, after further examination, again certifies him fit for employment in those processes.

(3) Fitness and health register shall be maintained and shall be kept readily available for inspection by the Inspector cum facilitator .

Sub-Schedule-2

Electrolytic plating or oxidation of metal articles by use of an electrolyte containing acids, bases or salts of metals such as chromium, nickel, cadmium, zinc, copper, silver, gold, etc.

1. Definition. - For the purposes of this Schedule,-

(a) "*electrolytic process*" means the electrolytic plating or oxidation of metal articles by the use of an electrolyte containing acids, bases or salts of metals such as chromium, nickel, cadmium, zinc, copper, silver, gold, etc.;

(b) "*bath*" means any vessel used for an electrolytic process or for any subsequent process;

(c) "*employed*" means employed in any process involving contact with liquid from a bath.

2. Exhaust draught. - An efficient exhaust draught shall be applied to every vessel in which an electrolytic 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. The exhaust draught appliance shall be so constructed, arranged and maintained to prevent the vapour or spray entering into any room or place in which work is carried on.

3. Prohibition relating to pregnant women and lactating mothers and adolescent. - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work at a bath.

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

5. Protective devices. - (1) The occupier shall provide and maintain in good and clean condition the following articles of protective devices 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 devices shall be worn by the persons concerned:-

(a) water-proof aprons and bibs; and

(b) for persons actually working at a bath, loose fitting rubber gloves and rubber boots or other waterproof footwear and chemical goggles.

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

6. Water facilities. - (1) It shall be provided and maintained in good repairs for the use of all persons employed in electrolytic process and processes incidental to it-

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

(i) a trough with a smooth impervious surface fitted with a waste pipe, and of sufficient length to allow at least 60 cm. for every 5 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 cms.; or

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

(b) a sufficient supply of clean towels renewed daily, and soap or other suitable cleaning material.

(2) In addition to the facility in sub-paragraph (1) an approved type of emergency shower with eye fountain shall be provided and maintained in good working order. Wherever necessary, in order to ensure continuous water supply storage tank of 1500 liters capacity shall be provided as a source of clean water for emergency use.

7. Cautionary placard. - A cautionary placard in the form specified below 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.

Cautionary Notice

Electrolytic Plating

1. Chemicals handled in this plant are corrosive, and poisonous.
2. Smoking, chewing, tobacco, eating food or drinking, in this area is prohibited. No food stuff or drink shall be brought in this area.
3. Some of these chemicals may be absorbed through the skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. Protective devices supplied shall be used while working in this area.
6. Spillage of the chemicals on any part of the body or on the floor shall be immediately washed away with water.
7. All workers shall report for the prescribed medical tests regularly to protect their own health.
8. Medical facilities and examination by the medical officer - (1) The occupier

of every factory in which electrolytic processes are carried on shall-

(a) make arrangement of a qualified medical practitioner for medical surveillance of the workers employed therein

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

(c) maintain a sufficient supply of suitable barrier cream, ointment and impermeable water proof plaster in a separate box readily accessible to the workers and used solely for the purpose of keeping substances. In case cyanides are used in the bath, the box shall also contain an emergency cyanide kit.

(2) The Every worker employed in the electrolytic processes shall be examined by a medical officer. He shall issue fitness on form 28.

(3) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

(4) No person who has been found unfit to work shall be re-employed or permitted to work in the said processes unless the medical officer, after further examination, again certifies him fit for employment in those processes.

(5) The record of the examinations shall be maintained and shall be kept readily available for inspection by the Inspector cum facilitator .

Sub-Schedule-3

Manufacture and repair of electric accumulators

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

2. Definition. - For the purposes of this Schedule-

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

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

3. Prohibition relating to pregnant women and lactating mothers and adolescents - No pregnant women and lactating mothers or adolescents shall be employed or permitted to work in any lead process or in any room in which the manipulation of raw oxide or lead or pasting is carried on.

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

(a) Manipulation of raw oxide of lead;

(b) Pasting;

(c) Drying of pasted plates;

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

(e) Melting down of pasted plates.

5. Air space. - In every room in which a lead process is carried on, there shall be at least fourteen cubic meter of air space for each person employed therein,

and in computing this air space no height over three meters shall be taken into account.

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

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

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

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

(2) In all such rooms other than grid casting shops the floor shall be- (a) 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;
- (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;

(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;

(g) be kept constantly moist while pasting is being carried on.

10. Exhaust draught. - 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 work-room;

(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;

(ii) chemical burning for the making of lead linings for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable. Such exhaust draught shall be effected by mechanical means, and shall operate on the dust or fume given off as nearly as may be at its point of origin, so as to prevent it entering the air of any room in which person work.

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

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

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

14. Racks and shelves in drying-room. - The racks or shelves provided in any drying-room shall not be more than 8 feet from the floor nor more than 2 feet in width:

provided that as regards racks or shelves set or drawn from both sides the total width shall not exceed 4 feet. Such racks or shelves shall be cleaned only after being thoroughly damped unless an efficient suction cleaning apparatus is used for this purpose.

15. Medical facilities and examination by the medical officer - (1) The occupier of every factory in which manufacture and repair of electric accumulators is carried on shall-

(a) make arrangement of a qualified medical practitioner for medical surveillance of the workers employed therein, and

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

(2) Every worker employed in lead processes shall be examined by a medical officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine haemoglobin content, stippling of cells and steadiness tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical officer.

Every worker employed in the said process shall be re-examined by a medical officer at least once in every three calendar months. Such re-examination shall,

wherever the medical officer considers appropriate, include tests specified in sub-paragraph (1).

(3) Every worker employed in the manufacture and repair of electric accumulators shall be examined by a medical officer. He shall issue fitness on form 28.

(4) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(6) The Health Certificate and Health Register shall be maintained in such a manner as to be immediately available for inspection to the Inspector-cum-Facilitator and the Medical Inspector-cum-Facilitator.

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

(a) manipulation of raw oxide of lead;

(b) pasting;

(c) the formation-room;

and such clothing shall be worn by the persons concerned. The protective clothing shall consist of waterproof apron and waterproof footwear, and also, as regards persons employed in the manipulation of raw oxide of lead or in pasting, head coverings. The head coverings shall be washed daily.

17. Mess-room. - It shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals a suitable mess-room which shall be furnished with (a) sufficient tables and benches, and (b) adequate means for warming food. The mess-room shall be placed under the charge of a responsible person, and shall be kept clean.

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

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

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

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

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

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

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

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

(iv) a sufficient supply of soap or other suitable cleansing material and of main brushes.

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

20. Time to be allowed for washing. - Before each meal and before the end of the 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 is one basin or 60 centimeter of trough for each such person, this rule shall not apply.

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

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

Sub-Schedule-4

Glass Manufacture

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

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

(a) "*Efficient exhaust draught*" means localised ventilation effected by mechanical means, for the removal of gas, vapour, dust or fumes so as to

prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fume, or dust, originate;

(b) "*Lead compound*" means any compound of lead other than galena which, when treated in the manner described below, yield 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 weight quantity of the material which has been dried at 190°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 percent 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 weighted as lead sulphate.

3. Exhaust draught. - The following processes shall be carried on except under an efficient exhaust draught or under such other conditions as may be approved by the Chief Inspector cum facilitator :-

(a) The mixing of raw materials to form a "batch".

(b) The dry grinding, glazing and polishing of glass or any article of glass.

(c) All processes in which hydrofluoric acid fumes or, ammonia vapours are given off.

(d) All processes in the making of furnace moulds or "pots" including the grinding or crushing of used "pots".

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

4. Prohibition relating to woman and adolescent. - No woman or adolescent shall be employed or permitted to work in any of the operations specified in Paragraph 3 or at any place where such operations are carried on.

5. 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 shall comply with the following requirements:-

The floors shall be-

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

The work-benches shall-

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

6. Use of hydrofluoric acid. - The following provisions shall apply to rooms in which glass is treated with hydrofluoric acid :-

- (a) There shall be inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room;
- (b) The floor shall be covered with guttaparcha and be tight, and shall slope gently down to a converted drain;
- (c) The work-places 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.

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

8. Blow-pipes. - Every glass-blower shall be provided with a separate blow pipe bearing the distinguishing mark of the person to whom it is issued and suitable

facilities shall be readily available to every glass-blower for sterilising blow pipe.

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

10. Protective clothing. - The occupier shall provide, maintain in good repair and keep in a clean condition of the use of all persons employed in the processes specified in paragraph 3 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.

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

(a) a wash place with either-

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

(ii) at least one wash basin for every five such persons employed at any one time, fitted, with a waste pipe and plug and having an adequate supply of water laid on or always readily available; and a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleaning material and of nail brushes; and

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

12. Medical facilities and examination by the medical officer –(1)The occupier of every factory in which glass manufacturing processes are carried on shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) Every worker employed in the Glass Manufacture shall be examined by a medical officer. He shall issue fitness on form 28.

(3) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(5) The record of the examinations shall be maintained which shall be kept readily available for inspection by the Inspector cum facilitator .

Sub-Schedule-5

Grinding or Glazing of Metal and Processes incidental thereto

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

(a) "*grindstone*" means a grindstone composed of natural or manufactured sandstone but does not include a metal wheel or cylinder into which blocks of natural or manufactured sandstone are fitted;

(b) "*abrasive wheel*" means a wheel manufactured of bonded emery or similar abrasive;

(c) "*grinding*" means the abrasion, by aid of mechanical power, of metal, by means of a grindstone or abrasive wheel;

(d) "*glazing*" means the abrading, polishing or finishing, by aid of mechanical power of metal, by means of any wheel, buff, mop or similar appliance to which any abrading or polishing substance is attached or applied;

(e) "*racing*" means the turning up, cutting or dressing of a revolving grindstone before it is brought into use for the first time;

(f) "*hacking*" means the chipping of the surface of grindstone by a hack or similar tool;

(g) "*rodding*" means the dressing of the surface of a revolving grind stone by the application of a rod, bar or strip of metal to such surface.

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

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

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

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

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

(b) a duct of adequate size, air tight and so arranged as to be capable of carrying away the dust, which duct shall be kept free from obstruction, and shall be provided with proper means of access for inspection and cleaning, and where practicable, with a connection at the end remote from the fan to enable the Inspector cum facilitator to attach there to any instrument necessary for ascertaining the pressure of air in the said duct; and

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

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

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

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

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

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

7. Examination of dust equipment. - (a) All equipment for the extraction or suppression of dust shall at least once in every six months be examined and

tested by a competent person, and any defect disclosed by such examination and test shall be rectified as soon as practicable.

(b) A register containing particulars of such examination and test shall be kept in a form No 30.

9. Medical facilities and examination by the medical officer - (1) The occupier of every factory in which glazing of metal and processes are carried on shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) Every worker employed in the Grinding or Glazing of Metal and Processes incidental thereto shall be examined by a medical officer. He shall issue fitness on form 28 .

(3) If at any time, the medical officer is of the opinion that a worker is no longer fit for employment in the Grinding or Glazing processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(5) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator .

Sub-Schedule-6

Manufacture and Treatment of Lead and certain compounds of Lead

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

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

(a) "*lead compound*" means any compound of lead other than galena which, when treated in the manner 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. In the case of paints and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media;

The Method of treatment shall be as follows :-

A weight quantity of the material which has been dried at 100°C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1000times its weight of an aqueous solution of hydrofloric acid containing 0.25 percent by weight to hydrogen chloride. This solution shall thereafter be allowed to stand for one hour, and then filtered. The lead salt contained in 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 work is carried on. No

draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate.

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

- (a) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on.
- (b) The manipulation, treatment or reduction of ashes containing lead, the desilverising of lead or the melting of scrap lead or zinc.
- (c) The manufacture of solder or alloys containing more than ten per cent or lead.
- (d) The manufacture of any oxide, carbonate, sulphate, chromate, acetate nitrate or silicate of lead-ethyl.
- (e) Handling or mixing of lead tetra-ethyl.
- (f) Any other operation involving the use of a lead compound.
- (g) The cleaning of work-rooms where any of the operations aforesaid are carried on.

4. Prohibition relating to pregnant women and lactating mothers and adolescents. - No pregnant women and lactating mothers or young person shall be employed or permitted to work in any of the operations specified in paragraph 3.

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

6. Exhaust draught. - Where dust, fume, gas or vapour is produced in the process provision shall be made for removing them by means of an efficient

exhaust so draught so contrived as to operate on the dust, fume, gas or vapour as closely as possible to the point of origin.

7. Medical facilities and examination by the medical officer - (1) The occupier of every factory to which this schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) Every worker employed in the processes referred to in paragraph -1 shall be examined by a medical officer within 15 days of his first employment. Such examination shall include tests of lead in blood and urine, ALA in urine haemoglobin contents, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical officer.

(3) Every worker employed in the said process shall be re-examined by a medical officer at least once in every three calendar months. Such re-examination shall, wherever the medical officer considers appropriate, include tests as specified in sub-paragraph (1).

(4) Every worker employed in the Manufacture and Treatment of Lead and certain compounds of lead processes incidental thereto shall be examined by a medical officer. He shall issue fitness on form 28.

(5) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the lead processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he

is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(7) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator .

8. Food, drinks, etc., prohibited in work-rooms. - No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room in which the process is carried on, and no person shall remain in any such room during intervals of meals or rest.

9. Protecting clothing. - Suitable protective overalls and head coverings shall be provided, maintained and kept clean by the factory occupier and such overalls and head coverings shall be worn on by the persons employed.

10. 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.

11. Washing facilities. - (1) The occupier shall provide and maintain for the use of all persons employed suitable washing facilities consisting of-

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

(b) at least one wash basin for every ten persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of clean water; together with in either case, a sufficient supply of nail brushes, soap or other suitable cleaning material and clean towels.

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

12. Mess-room or canteen. - The occupier shall provide and maintain for the use of the persons employed suitable and adequate arrangements for taking their meals. The arrangements shall consist of the use of a room separate from any work-room which shall be furnished with sufficient tables and benches, and unless a canteen serving hot meals is provided adequate means of warming food shall be provided. 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.

13. Cloak-room. - The occupier shall provide and maintain for the use of persons employed suitable accommodation for clothing not worn during working hours, and for the drying of wet-clothing.

Sub-Schedule-7

Generating petrol gas from petrol

1. Prohibition relating to pregnant women and lactating mothers and adolescents. - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work in or shall be allowed to enter any building in which the generating of petrol gas from petrol is carried on.

2. Flame traps. - The plant for generating petrol gas from petrol 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 generating petrol gas from petrol 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 plant erected before the coming into force of the provisions specified in this schedule there shall be on direct communication between the room where such plants are erected(hereinafter referred to as "the generating-room"); and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire resisting materials.

4. Fire-extinguishers. - A efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generating petrol gas from petrol.

5. Plant to be approved by Chief Inspector cum facilitator . - 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 cum facilitator.

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

7. Prohibition relating to smoking, etc. - No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in the generating room or building or in the vicinity thereof and a warning notice in the language understood by the majority of the workers shall be posted in the factory prohibiting smoking and the carrying of matches, fire or naked light or other means of producing a naked light or spark into such room or building.

8. Access to petrol or container. - No unauthorised person shall be access to any petrol or to a vessel containing or having actually contained petrol.

9. Electric fittings. - All electric fittings shall be of flame- proof construction and all electric conductors shall either be enclosed in mental 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 side 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-room or building.

11. Repair of containers. - No vessel that has contained petrol shall be repaired in a generating-room or building and no repairs to any such vessel shall be undertaken unless live steam has been blown into the vessel and until the interior is thoroughly steamed out or other equally effective steps have been taken to ensure that it has been rendered free from petrol or inflammable vapour.

12. Medical examination by the medical officer - (1) Every worker employed in generating petrol gas from petrol processes shall be examined by a medical officer. He shall issue fitness on form 28.

(1) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

(2) No person who has been found unfit to work shall be re-employed or permitted to work in the said processes, unless the medical officer, after further examination, again certifies him fit for employment in those processes.

(3) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

13. In these Rules Petrol means dangerous petroleum as defined in the Petroleum Act, 1937.

Sub-Schedule-8

High Flammable Liquids and Flammable Compressed Gases

1. Application. - This schedule shall apply to all factories where high flammable liquids or flammable compressed gases are manufactured, stored, handled or used.

2. Definition. - For the purpose of this Schedule-

(a) "*highly flammable liquid*" means the liquid including its solution, a emulsion or suspension which when tested in a manner specified by Sections 14 and 15 of the Petroleum Act, 1934 gives off flammable vapour at a temperature less than 32 degree celsius;

(b) "*Flammable compressed gas*" means flammable compressed gas defined in Rule 2 of the Static and Mobile Pressure Vessels (Unfired) Rules, 1981 framed under the Explosives Act, 1948 (No. IV of 1948).

3. Storage. - (1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in suitable fixed storage tank, or in suitable closed vessel located in a safe position under the ground, in the open or in a store room of adequate fire resistant construction.

(2) Except as necessary for use, operation or maintenance every vessel or tank which contains or had contained a highly flammable liquid or flammable compressed gas shall be always kept closed and all reasonably practicable steps shall be taken to contain or immediately drain off to a suitable container any spill or leak that may occur.

(3) Every container, vessel, tank, cylinder or store room used for storing highly flammable liquid or flammable compressed gas shall be clearly and in bold letters marked "Danger-Highly Flammable Liquid" or "Danger-Flammable Compressed Gas."

4. Enclosed systems for Conveying Highly Flammable Liquids. - Where it is reasonably practicable, highly flammable liquids shall be conveyed within a factory in totally enclosed systems consisting of pipe lines, pumps and similar

appliances from the storage tank or vessels to the point of use. Such enclosed systems shall be so designed installed, operated and maintained as to avoid leakage or the risk of spilling.

5. Preventing Formation of Flammable Mixture with Air. - Where there is possibility for leakage or spill of highly flammable liquid or flammable compressed gas from an equipment, pipe line, valve joint or other part of a system, all practicable measures shall be taken to contain, drain off or dilute such spills or leakage as to prevent formation of flammable mixture with air.

6. Prevention of Ignition. - (1) In every room work place or other location where highly flammable liquid or flammable combustible is stored, conveyed, handled or used or where there is danger or fire or explosion from a accumulation of highly flammable liquid or flammable compressed gas in air all practicable measure shall be taken to exclude the sources of ignition. Such precautions shall include the following :-

- (a) all electrical apparatus shall either be excluded from the area of risk or they shall be of such construction and so installed and maintained as to prevent the danger of their being a source of ignition;
- (b) effective measures shall be adopted for prevention of accumulation of static charge to a dangerous extent;
- (c) no person shall wear or be allowed to wear any foot wear having iron or steel nails or any other exposed ferrous materials which is likely to cause sparks by friction;
- (d) smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;
- (e) transmission belts with iron fasteners shall not be used;
- (f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or plant, chemical or physical-chemical reaction and radiant, heat.

7. Prohibition of smoking. - No person shall smoke in any place where highly flammable liquid or flammable compressed gas is present in circumstances that smoking would give rise to a risk of fire. The occupier shall take all practicable measures to ensure compliance with this requirements including display of a bold notice indicating prohibition of smoking at every place where this requirement applies.

8. Fire Fighting. - In every factory where highly flammable liquid or flammable compressed gas is manufactured, stored, handled or used an appropriate and adequate means of fighting a fire shall be provided. The adequate and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing materials, procedures and the process of fire fighting shall be to the standards and levels prescribed in the rules.

9. Medical examination by the medical officer - (1) Every worker employed in processes where high flammable liquids or flammable compressed gases are manufactured, stored, handled or used shall be examined by a medical officer. He shall issue fitness on form 28.

(1) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

(2) No person who has been found unfit to work as said in sub-paragraph (6) shall be re-employed or permitted to work in the said processes unless the

medical officer, after further examination, again certifies him fit for employment in those processes.

(3) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator .

10. Exemptions. - If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory the Chief Inspector cum facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

Sub-Schedule-9

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, not subsequently if still employed, on the first 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, as 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 notices specified in paragraphs 1, 2 and 4, and if chrome solutions are used in the factory, the contents of the notice specified in paragraph 3.

2. Protective Clothing. - The occupier shall provide and maintain in good conditions the following articles of protective clothing :-

(a) Waterproof footwear, leg coverings, aprons and gloves for persons employed in processes involving contact and chrome solutions, including the preparation of such solutions;

(b) Gloves and boots for persons employed in lime yard; and

(c) Protective footwear, aprons and gives of persons employed in processes involving the handling of hides or skins, other than in process specified in clauses (a) and (b):

Provided that-

(i) the gloves, aprons, leg coverings, or boots, may be of rubber or leather, but the gloves and boots to be provided under sub-clauses (a) and (b) shall be of rubber;

(ii) the gloves may not be provided to persons flushing by hand or employed in processes in which there is no risk of contact with lime, sodium sulphide or other caustic liquor.

3. Washing facilities, mess-room and cloak-room. - There shall be provided and maintained in a clearly state and in good repairs for the use of all persons employed-

(a) a trough with a smooth, impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least 600mm 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 600mm; or

(b) at least one wash basin for every ten such persons employed at any one time, fitted with a waste pipe, and plug and having a constant supply to water;

together within, in either case, a sufficient supply of nail brushes, soap or other suitable cleaning material, and clean towels;

(c) a suitable mess-room adequate of the number remaining on the premises during the meal intervals which shall be furnished with (1) sufficient tables and benches, and

(2) adequate means for warming food and for boiling water.

The mess-room shall-(1) be separate from any room or shed in which hides or skins are stored, treated or manipulated, (2) be separate from the cloak-room, and (3) placed under the charge of a responsible person;

(d) The occupier shall provide and maintain, for the use of all persons employed, suitable accommodation for clothing put off during working hours and another accommodation of protective clothing and shall also make adequate arrangements for drying up the clothing in both the case, if wet. The accommodation so provided shall be kept clean at all time and place in the charge of a responsible person.

4. Food, drinks, etc., prohibited in work-rooms. - No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work room or shed in which hides or skins are stored, treated or manipulated.

5. Medical Examination -(1) The occupier of every factory to which this schedule applies; shall-

(a) make arrangement a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(c) arrange for inspection of the hands of all the persons keeping in contact with chromium substances to be made twice a week; and

(d) provide and maintain and supply suitable ointment and plaster in a box readily accessible to the workers and solely used for the purpose of keeping the

ointment and the plaster.

(2) Every worker employed in liming and tanning of raw hides and skins and processes incidental thereto shall be examined by a medical officer. He shall issue fitness on form 28.

(3) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the liming and tanning of raw hides and skins and processes incidental there to processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

(4) No person who has been found unfit to work shall be re-employed or permitted to work in the said processes unless the medical officer, after further examination, again certifies him fit for employment in those processes.

(5) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-10

Lead processes carried in Printing Presses and Type Foundries

1. Exemption. - Where the Chief Inspector cum facilitator is satisfied that all or any of the provisions of his schedule are not necessary for the protection of persons employed he may, by certificate in writing, exempt any factory from all or any such provisions subject to such conditions as he specifies therein. Such certificate may at any time be revoked by the Chief Inspector cum facilitator.

2. Definitions. - For the purpose of this schedule, 'Lead Material' means material containing not less than five per cent of lead.

'Lead Process' means-

- (a) the melting of lead or any lead material for casting and mechanical composing;
- (b) the recharging of machines with used lead material;
- (c) any other work including removal of dross from melting pot cleaning of plungers; and
- (d) manipulation, movement or other treatment of lead material;

"Efficient exhaust draught" means localised ventilation effected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove gas, vapour, fume or dust at the point where they originate.

3. Exhaust draught. - None of the following processes shall be carried on except with an efficient exhaust draught :-

- (a) melting lead material or slugs;
- (b) heating lead material so that vapour containing lead is given off; or unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on or unless carried on in electrically heated and thermostatically controlled melting pot. Such exhaust draught shall be effected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as closely as may be at its point of origin.

4. Prohibition relating to pregnant women and lactating mothers and adolescents. - No pregnant women and lactating mothers or young person shall be employed or permitted to work in any lead process.

5. Separation of certain process. - 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 material :-

- (a) melting of lead or any lead material;
- (b) casting of lead ingots;

(c) mechanical composing.

6. Container for dross. - A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting. Such receptacle shall be kept covered while in the workroom near the machine except when the dross is being deposited therein.

7. Floor of workroom. - The floor of every workroom 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 cleaned throughout daily after being thoroughly damped with water at a time when no other work is being carried on at the place.

8. Mess-room. - It shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable mess room which shall be furnished with sufficient tables and benches.

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

- (a) 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 two feet for every five such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than 2 feet(600 mm); or
 - (ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having an adequate supply of water laid on or always readily available; and
- (b) a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleaning material.

10 Medical facilities and Examination -(1) The occupier of every factory to which this schedule applies, shall-

(a) make arrangement a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) Every worker employed in a lead process shall be examined by a medical officer within 15 days of his first employment. Such examination shall include tests of lead in urine and blood. ALA in urine haemoglobin, stippling of cells and steadiness tests. No workers shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical officer.

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

(4) Every worker employed in lead processes carried in Printing Presses and type Foundries processes shall be examined by a medical officer. He shall issue fitness on form 28.

(5) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground,that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(7) The record of the examinations form 28 and 29, shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

11. Food, drinks, etc., prohibited in work-room. - No food, drink, pan and "Supari" or tobacco shall be consumed or brought by any worker into any work-room in which any lead process is carried on.

Sub-Schedule-11

Part I-Chemical Works

1. Application. - This schedule shall apply to all manufacture and processes incidental thereto carried on in chemical works.

2. Definitions. - For the purpose of this schedule-

(a) "*Chemical works*" means any factory or such part of any factory as are listed, in Appendix 'A' to this schedule;

(b) "*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 of any place in which work is carried on;

(c) "*bleaching powder*" means the bleaching powder commonly called chloride of lime;

(d) "*chlorate*" means chlorate or perchlorate;

(e) "*caustic*" means hydroxide of potassium or sodium;

(f) "*chrome process*" means the manufacture of chromate or bichromate of potassium or sodium or the manipulation, movement or other treatment of these substances;

(g) "*nitro or amino process*" means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues, and the making of explosives with the use of any of these substances;

(h) "*the term 'permit to work' system*" means the compliance with the procedures laid down under para 20 of Part II;

- (i) *"toxic substances"* means all those substances which when they enter into the human body, through inhalation or ingestion or absorption through skin, in sufficient quantities cause fatality or exert serious affliction of health or chronic harmful effects on the health of persons exposed to it due to its inherent chemical or biological effects. In respect of substances whose TLV exceeding the concentration specified therein in the rules would make the substance toxic;
- (j) *"emergency"* means a situation or condition leading to a circumstance or set of circumstances in which there is danger to the life or health of persons or which could result in big fire or explosion or pollution to the work and outside environment, affecting the workers or neighbourhood in a serious manner, demanding immediate action;
- (k) *"dangerous chemical reactions"* means high speed reactions, runaway reactions, delayed reactions, etc. and are characterized by evolution of large quantities of heat, intense release of toxic or flammable gases or vapours, sudden pressure build-up etc.
- (l) *"manipulation"* means mixing, blending, filling, emptying, grinding sieving, drying, packing, sweeping, handling, using etc.
- (m) *"approved personal protective equipment"* means items of personal protective equipment conforming to the relevant ISI specifications or in the absence of it, personal protective equipment approved by the Chief Inspector cum facilitator ;
- (n) *"appropriate personal protective equipment"* means that when the protective equipment is used by the worker, he shall have no risk to his life or health or body;and
- (o) *"confined space"* means any space by reason of its construction as well as in relation to the nature of the work carried therein and hazards to the persons entering into or working inside exist or are likely to develop during working.

Part II-General requirements applying to all the works in Appendix 'A'

1. Housekeeping. - (1) Any spillage of materials shall be cleaned up before further processing.

(2) Floors, platforms, stairway, passages and gangways shall be kept free of any obstructions.

(3) There shall be provided easy means of access to all parts of the plant to facilitate cleaning.

2. Improper use of chemicals. - No chemicals or solvents or empty containers containing chemicals or solvents shall be permitted to be used by workers for any purposes other than in the processes for which they are supplied.

3. Prohibition of the use of food, etc. - No food, drink, tobacco, pan or any edible item shall be stored or heated or consumed on or near any part of the plant or equipment.

4. Cautionary Notice and Instructions. - (1) Cautionary notices in a language understood by the majority of workers shall be prominently displayed in all hazardous areas as drawing the attention of all workers about the hazards to health, hazards involving fire and explosion and any other hazard such as consequences of testing of material or substances used in the process or using any contaminated container for drinking or eating, to which the workers' attention should be drawn for ensuring their safety and health.

(2) In addition to the above cautionary notice, arrangement shall be made to instruct and educate all the process including the specific hazards to which they may be exposed to, in the normal course of their work. Such instructions and education should also deal with the hazards involved in unauthorized and unsafe practices including the properties of substances used in the process under normal conditions as well as abnormal conditions and the precautions to be observed against each and every hazard. Further an undertaking from the workers shall be obtained within one month of their employment and for old workers employed, within one month of coming into operation of the rules, to

the effect that they have read the contents of the cautionary notices and instructions, understood them and would abide by them. The training and instructions to all workers and all supervisory personnel shall include the significance of different types of symbols and colours used on the labels stuck or painted on the various types of containers and pipe lines.

5. Evaluation and provision of safeguards before the commencement of process. - (1) Before commencing any process or any experimental work, or any new manufacture covered under Appendix 'A', the occupier shall take all possible steps to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions including the dangerous chemical reactions. The properties of the raw materials, used the final products to be made, and any by-products derived during manufacturing, shall be carefully studied and provisions shall be made for dealing with any hazards including effects on workers, which may occur during manufacture.

(2) Information in writing giving details of the process, its hazards and the steps taken or proposed to be taken from the design stage to disposal stage for ensuring the safety as in sub-para (1) above should be sent to the Chief Inspector cum facilitator and the Industrial Hygiene laboratory of State Government at the earliest, but in no case less than 15 days before commencing manufacture, handling, or storage of any of item covered under Appendix 'A', whether on experimental basis, or as pilot plant or as trial production, or as large scale manufacture.

(3) The design, construction installation, operation, maintenance and disposal of the buildings, plant and facilities shall take into consideration effective safeguards against all the safety and health hazards so evaluated.

(4) The requirements under the sub-para (1) to (3) shall not act in lieu of or in derogation to, any other provisions contained in any Act governing the work.

6. Authorised entry. - Authorised persons only shall be permitted to enter any section of the factory or plant where any dangerous operations or processes are

being carried on or where dangerous chemical reactions are taking place or where hazardous chemicals are stored.

7. Examination of instruments and safety devices. - (1) All instruments and safety devices used in the process shall be tested before taking into use and after carrying out any repair to them examined once in a month by a competent person. Records of such tests and examinations shall be maintained in a register.

(2) All instruments and safety devices used in the process shall be operated daily or as often as it is necessary, to ensure its effective and efficient working at all times.

8. Electrical installations. - All electrical installations used in the process covered in Appendix 'A' shall be of an appropriate type to ensure safety against the hazard prevalent in that area such as suitability against dust, dampness, corrosion, flammability and explosivity etc. and shall conform to the relevant ISI specifications governing their construction and use for that area.

9. Handling and storage of chemicals. - (1) The containers for handling and storage of chemicals shall be adequate strength taking into consideration the hazardous nature of the contents. They shall also be provided with adequate labelling and colour coding arrangements to enable identification of the containers and their contents indicating to the respective ISI standards. The instructions given in the label shall be strictly adhered to. Damaged containers shall be handled only under supervision of knowledgeable and responsible person and spillage shall be rendered innocuous in safe manner using appropriate means.

(2) The arrangements for the storage of chemicals including charging of chemicals in reactions vessels and containers shall be such as to prevent any risk of fire or explosion or formation of toxic concentration of substances above the limits specific in Rule.

(3) Without prejudice to the generality of the requirements in sub-para (2) above, the arrangements shall have suitable ventilation facilities and shall

enable the maintenance of safe levels in vessels and containers. Such arrangements shall also be taken into consideration, the type of flooring and the capacity of flooring and the compatibility requirements of substances with other chemicals stored nearby.

(4) (a) Storage of chemicals and intermediate product which are highly unstable or reactive or explosive shall be limited to the quantities required for two months use.

(b) Where the quantities laid down in the above clause (a) are to be exceeded, the permission of the Chief Inspector cum facilitator shall be obtained.

(c) Notwithstanding anything contained in clauses (a) and (b) above, the Chief Inspector cum facilitator may direct any factory carrying out processes covered in Appendix 'A' to further limit the storage of hazardous substances to quantities less than two months on consideration of safety.

(5) Standby arrangements equal to the biggest container shall always be available to transfer the toxic substances quickly into the stand by storage facility if any defect develops in any of the container resulting in the release of toxic substances.

(6) Any storage facility constructed using non-metallic material such as Fibre glass Reinforced Plastics (FRP) all glass vessels etc., shall have adequate strength to withstand and stress, if any, exerted by the contents and shall be properly anchored, working platforms, access ladders, pine-lines etc. used in such storage facility shall not have any support on the structure of the storage facility and shall be independently supported.

10. Facility for isolation. - The plant and equipment shall be so constructed and maintained as to enable quick isolation of plant or part of plant or equipment, with appropriate indication. One copy of the layout plan indicating the isolation facilities shall always be available with the security personnel, the maintenance and the health and safety personnel and these isolating facilities shall be checked for its effectiveness once in a month.

11. Personal protective equipment. - (1) All workers exposed to the hazards in the processes covered by this Schedule shall be provided with appropriate and approved type of personal protective equipment. Such equipment shall be in a clean, and hygienic condition before issue.

(2) The occupier shall arrange to inform, educate and supervise all the workers in the use of personal protective equipment while carrying out the job.

(3) As regards any doubt regarding the appropriateness of any personal protective equipment, the decision of the Chief Inspector cum facilitator will be final.

12. Alarm systems. - (1) Suitable and effective alarm systems giving audible and visible indications, shall be installed at the control room as well as in all strategic locations where process control arrangements are available so as to enable corrective action to be taken before the operational parameters exceed the predetermined safe levels or lead to conditions conducive for an outbreak of fire or explosion to occur. Such alarm systems shall be checked daily and tested every month at least once to ensure its performance efficiency at all times.

(2) The Chief Inspector cum facilitator may direct such system to be installed in case of plants or processes where toxic materials are being used and spillage or leakage of which may cause wide spread poisoning in or around the plant.

13. Control of escape of substances into the work atmosphere. - (1) Effective arrangements such as, enclosure, or by pass, or efficient exhaust draught, maintenance of negative pressure etc., shall be provided in all plants, containers, vessels, sewers, drains, flues, ducts, culverts, and spread of substances which are likely to give rise to fire or explosion or toxic hazards during normal working and in the event of accident or emergency.

(2) In the event of the failure of the arrangements for control resulting in the escape of substances in the work atmosphere immediate steps shall be taken to control the process in such a manner, that further escape is brought down to the safe level.

(3) The substances that would have escaped into the work atmosphere before taking immediate steps as required in sub-para (2), shall be rendered innocuous by diluting with air or water or any other suitable agent or by suitable treating the substances.

14. Control of dangerous chemical reactions. - Suitable provisions, such as automatic and/or remote control arrangement shall be made for controlling the effects of dangerous chemical reactions. In the event of failure of control arrangement shall come into operation.

15. Testing, examination and repair of plant and equipments. - (1) All parts of plant, equipment and machinery used in the process which in the likely event of their failure may give rise to an emergent situation shall be tested by a competent person before commencing process and retested at an interval of two years or after carrying out repairs to it. The competent person shall identify the parts of the plant, equipment and machinery required to be tested as aforesaid and evolve a suitable testing procedures. In carrying out the test as mentioned above in respect of pressure vessels or reaction vessels the following precautions shall be observed, namely :-

(a) before the test is carried out, each vessel shall be thoroughly cleaned and examined externally, and as far as practicable, internally also for surface defects, corrosion and foreign matter. During the process of cleaning and removal of sludge, if any, all due precautions shall be taken against fire or explosion, if such sludge is of pyrophoric nature or contains spontaneously combustible chemicals;

(b) as soon as the test is completed, the vessel shall be thoroughly dried internally and shall be clearly stamped with the marks and figures indicating the person by whom testing has been done and the date of test; and

(c) any vessel which fails to pass the test or for any other reason is found to be unsafe for use shall be destroyed or rendered unusable under intimation to the Chief Inspector cum facilitator.

(2) All parts of plant, equipment, machinery which in the likely event of failure may give rise to an emergent situation shall be examined once in a month by the competent person.

(3) Records of testing and examination referred to in paragraphs (1) and (2) shall be maintained as long as that part of the plant, equipment and machinery are in use.

(4) All repair work including alteration, modification and addition to be carried out to the plant, equipment and machinery shall be done under the supervision of a responsible person who shall evolve a procedure to ensure safety and health of person doing the work. When repairs or modification is done on pipelines, and joints are required to be welded but welding of joints are required to be welded, the responsible person shall regulate the aforesaid work through a 'permit to work system'.

16. Staging. - (1) All staging that is erected for the purpose of maintenance work or repair work or for work connected with entry into confined spaces and used in the processes included in Appendix 'A' shall be stable, rigid and constructed out of substantial material of adequate strength. Such staging shall conform to the respective Indian Standard specifications.

(2) Staging shall not be erected over any closed or open vessel unless the vessel is so constructed and ventilated to prevent exposure of persons working on the stages.

(3) All the staging constructed for the purpose of this work shall have appropriate access which are safe and shall be fitted with proper hand rails to a height of one metre and toe-board.

17. Seating arrangements. - The seating arrangements provided for the operating personnel working in processes covered in Appendix 'A' shall be located in a safe manner as to prevent the risk of exposure to toxic, flammable and explosive substances evolved in the work environment in the course of manufacture or repair of maintenance, either due to failure of plant and

equipment or due to the substances which are under pressure, escaping into the atmosphere.

18. Entry into or work in confined spaces. - (1) The occupier of every factory to which the provisions of this schedule apply, shall ensure the observance of the following precautions before permitting any person to enter or work inside the confined spaces :-

(a) identify all confined spaces and the nature of hazards that are encountered in such spaces, normally, or abnormally, and arrange to develop the most appropriate safeguards for ensuring the safety and health of persons entering into or working inside, the confined spaces;

(b) regulate the entry or work inside the confined spaces through a 'permit to work system' which should include the safeguards so developed as required under sub-clause (a) above;

(c) before testing the confined space for entry into or work, the place shall be rendered safer by washing or cleaning with neutralizing agents or purging with steam or inert gases and making adequate forced ventilation arrangements or such measure which will render the confined space safe;

(d) shall arrange to carry out such tests as are necessary for the purposes by a competent person and ensure that the confined space is safe for the person to enter or work. Such testing shall be carried out as often as is necessary during the course of work to ensure its continued safety;

(e) shall arrange to educate and train the personnel who would be required to work in confined spaces about the hazards involved in the work. He shall also keep in readiness the appropriate and approved personal protective equipment including arrangements for rescue, resuscitation and first aid, and shall arrange supervision of the work at all times by a responsible and knowledgeable person.

(2) The manager shall maintain a log of all entry into a work-in, confined spaces and such record shall contain the details of persons assigned for the work, the location of the work and such other details that would have a bearing on the

safety and health of the persons assigned for this work. The log book so maintained shall be retained as long as the concerned workers are in service and produced to the Inspector cum facilitator when demanded.

19. Maintenance work etc. - (1) All the work connected with the maintenance of plants and equipment including cleaning of empty containers which have held hazardous substances used in the processes covered in this Schedule, shall be carried out under 'permit to work system' employment trained personnel and under the supervision of responsible person having knowledge of the hazards and precautions required to deal with them.

(2) Maintenance work shall be carried out in such a manner that there is no risk to persons in the vicinity or to persons who pass by. If necessary, the place of such work shall be cordoned off or the presence of unconnected persons effectively controlled.

20. Permit to work system. - The permit to work system shall *inter alia* include the observance of the following precautions while carrying out a specified work to be subjected to the permit to work system :-

(a) all work subject to the permit to work system shall be carried out under the supervision of a knowledgeable and responsible person;

(b) all sorts of plant or machinery or equipment on which permit to work system is carried out, shall remain isolated from other parts throughout the period of permit to work and the place of work including the parts of plant, machinery shall be rendered safe by cleaning, purging, washing, etc.;

(c) all work subject to the permit to work system shall have predetermined work procedures which integrate safety with the work. Such procedures shall be reviewed whenever any change occurs in material or equipment so that continued safe/safety is ensured;

(d) persons who are assigned to carry out the permit to work system shall be physically fit in all respects taking into consideration the demands and nature, of the work before entering into the confined space. Such person shall be

adequately informed about the correct work procedures as well as the precautions to be observed while carrying out the permit to work system;

(e) adequate rescue arrangements wherever considered necessary and adequate first aid, rescue and resuscitation arrangements shall be available in good working condition near the place of work while carrying out the permit to work system, for use in emergency;

(f) appropriate and approval personal protective equipment shall be used carrying out the 'permit to work system';

(g) after completion of work subject to the 'permit to work system' the person responsible shall remove all the equipment and tools and restore to the original condition so as to prevent any danger while carrying out regular process.

21. Safety sampling personnel. - The occupier shall ensure the safety for persons assigned for collecting sample by instructing them on the safe procedure. Such personnel shall be provided with proper and approval personnel protection equipment, if required.

22. Ventilation. - Adequate ventilation arrangements shall be provided and maintained at all times in the process area where dangerous or toxic or flammable or explosive substances could be evolved. These arrangements shall ensure that concentrations, which are either harmful could result in explosion, are not permitted to be build up in the work environment.

23. Procedures for meeting emergencies. - (1) The occupier of every factory carrying out the works covered in Appendix 'A', shall arrange to identify all types of possible emergencies that could occur in the processes during the course of work or while carrying out maintenance work or repair work. The emergencies so identified shall be reviewed every year.

(2) The occupier shall formulate a detailed plant to meet all such identified emergencies including arrangements for summoning outside help for rescue and firefighting and arrangements for making available urgent medical facilities.

(3) The occupier shall send the list of emergencies and the details of procedures and plans formulated to meet the emergencies, to the Chief Inspector cum facilitator

(4) The occupier shall arrange to install distinctive and recognizable warning arrangements to caution all persons inside plant as well as the neighboring community, if necessary, to enable evacuation of persons and to enable the observance of emergency procedures by the persons who are assigned emergency duties. All concerned must be well informed about the warning arrangements and their meaning. The arrangements must be checked for its effectiveness every month.

(5) Alternate power supply arrangements shall be made and interlocked with the normal power supply system so as to ensure constant supply of power to the facilities and equipment meant for compliance with requirements of paragraphs 10, 11, 12, 13, 14, 18, 22 and this paragraph of Part II, Part III, Part IV and Part V of this Schedule.

(6) The occupier shall arrange to suspend the further process work in a place where emergency is established and shall forthwith evacuate all persons in that area except workers who have been assigned emergency duties.

(7) All the employees of the factory shall be trained about the action to be taken by them including evacuation procedures during emergencies.

(8) All emergency procedures must be rehearsed every three months and deficiencies, if any, in the achievement of the objectives shall suitably be corrected.

(9) The occupier shall arrange to have ten per cent of the workers trained in the use of first aid fire fighting appliances and in rendering of specific first aid measure taking into consideration the special hazards of the particular process.

(10) The occupier shall furnish immediately on request the specific chemical identity of the hazardous substance to the treating physician when the

information is needed to administer proper emergency or first-aid treatment to exposed.

24. Danger due to effluents. - (1) Adequate precautions shall be taken to prevent the mixing of effluents from different processes and operations which may cause dangerous or poisonous gases to be evolved.

(2) Effluents which contain or give rise in the presence of other effluents to poisonous gases shall be provided with independent drainage system to ensure that they may be trapped and rendered safe.

Part III-Fire and Explosions Risks

1. Sources of ignition including lighting installation. - (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 or any other source of ignition or any naked light shall be installed or permitted to be used in the process area where there could be fire and explosion hazards.

(2) All hot exhaust pipe shall be installed outside a building and other hot pipes or hot surface or surfaces likely to become hot shall be suitably protected.

(3) The classification of work areas in terms of its hazard potential and the selection of electrical equipment or other equipment that could constitute a source of ignition shall be in accordance with the respective Indian Standard.

(4) Where a flammable atmosphere may be prevalent or could occur, the soles of footwear worn by workers shall have no metal on them, and the wheels of trucks or conveyors shall be conductive type.

(5) All tools and appliances used for work in this area shall be of non-sparking type.

(6) Smoking in process areas where there are risks of fire and explosion shall be prohibited and warning notices in the language understood by majority of workers shall be posted in the factory prohibiting smoking into specified areas.

2. Static electricity. - (1) All machinery and plant, particularly, pipe lines and belt drives, on which static charge is likely to accumulate, shall be effectively earthed. Receptacles for flammable liquids shall have metallic connections to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be regulated.

(2) Mobile tanker 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.

3. Lightning protection. - Lightning protection arrangement shall be fitted where necessary, and shall be maintained.

4. Process heating. - The method of providing heat for a process likely to result in fire and explosion 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 flammable gas, vapor or dust coming into contact with the flame, or exhaust gases, or other sources likely to cause ignition. Wherever possible the heating arrangement shall be automatically controlled at a predetermined temperature below the danger temperature.

5. Leakage of flammable liquids. - (1) Provision shall be made to confine by means of bund walls, dykes, sumps etc. possible leakages from storage vessels containing flammable liquids.

(2) Waste material in contact with flammable substances shall be disposed off suitably under the supervision of knowledgeable and responsible person.

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

6. 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 above the atmospheric pressure, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure. These appliances shall be maintained in good condition.

7. Installation of pipe line etc. - All pipe lines carrying flammable or explosive substances shall be protected from mechanical damage and shall be examined by a responsible person once in a week to detect any deterioration or defects, or accumulation of flammable or explosive substances, and record kept of any defects found and repairs made.

8. Fire fighting systems. - (1) Every factory employing 500 or more persons and carrying out processes listed in Appendix 'A' shall provide:-

(a) Trained and responsible fire fighting squad so as to effectively handle the firefighting and life saving equipment in the event of fire or other emergency. Number of persons in this squad will necessarily depend upon the size or risk involved, but in no case shall be less than 8 such trained persons to be available at any time. The squad shall consist of watch and ward personnel, fire pump man and departmental supervisors and operators trained in the operation of fire and emergency services.

(b) Squad leaders shall preferably be trained in a recognized government institution and their usefulness enhanced by providing residence on the premises.

(c) Squad personnel shall be provided with clothing and equipment including helmets, boots and belts.

(2) A muster roll showing the duties allocated to each member of the squad shall be prepared and copies supplied to each leader as well as displayed in prominent places so as to be easily available for reference in case of emergency.

(3) The pump man shall be thoroughly conversant with the location of all appliances. He shall be responsible for maintaining all fire fighting equipment in proper working order. Any defect coming to his notice shall be immediately be brought to the notice of squad leader.

(4) As far as is practicable, the fire pump room and the main gate(s) of the factory be connected to all manufacturing or storing areas through telephone interlinked and placed in a convenient location near such areas.

Part IV-Risk of Toxic Substances

1. Leakage. - (1) All plants shall be so designed and constructed as to prevent the escape of toxic substances. 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 toxic substances.

(2) Catch pits, bund walls, dykes, or other suitable safeguards shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipelines where there is danger involved to maintenance and other workers from such leakage.

2. Drainage. - Adequate drainage shall be provided and shall lead to collection tanks specifically provided for this purpose wherein deleterious material shall be neutralized treated or otherwise rendered safe before it is discharged into public drains or sewers.

3. Covering of vessels. - (1) Every fixed vessel or structure containing any toxic substance and not so covered as to eliminate all reasonable risk of accidental contact of any portion of the body of a worker, shall be so constructed as to avoid physical contact.

(2) Such vessel 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) 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 on both sides to a height of at least 90 centimeters, secure barriers shall be so placed 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.

4. Continuous exhaust arrangement. - (1) Any process evolving toxic vapour, gas, fume and substance shall have efficient continuous exhaust draught. Such arrangement shall be interlocked in the process control wherever possible.

(2) In the event of failure of continuous exhaust arrangement means shall be provided to automatically stop the process.

5. Work bench. - All the work benches used in processes involving the manipulation of toxic substances, shall be graded properly and shall be made of smooth impervious surface which shall be washed daily after the completion of work.

6. Waste disposal. - (1) There shall be provided a suitable receptacle made of non-absorbable material with a tightly fitting cover for depositing waste material soiled with toxic substances, and the contents of such receptacle shall be destroyed by burning or using other suitable methods under the supervision of a responsible person.

(2) During the course of manufacture, whenever any batch or intermediate products having toxicity is rejected on consideration of quality, sufficient precautions shall be taken to render them innocuous or otherwise treat them or inactive them, before disposal.

(3) The empty containers of toxic substances shall be cleaned thoroughly before disposal under the supervision of a responsible person.

Part V-Special Provisions

1. Special precautions for Nitro or Amino Processes. - (1) Unless the crystallized nitro or amino substances or any of its liquor is broken or agitated in a completely enclosed process so as not to give rise to dust or fume, such process shall be carried on under an efficient exhaust draught or by adopting any other suitable means in such a manner as to prevent the escape of dust or fume in the working atmosphere.

(2) No part of the plant or equipment or implements which was in contact with nitro or amino compounds shall be repaired, or handled unless they have been emptied and thoroughly cleaned and decontaminated.

(3) Filling of containers with nitro or amino compounds shall be done only by using a suitable scoop to avoid physical contact and the drying of the containers in the stove shall be done in such a manner that the hot and contaminated air from the stove is not drawn into the work-room.

(4) Processes involving the steaming into or around any vessel containing nitro or amino compounds or its raw materials shall be carried out in such a manner that the steam or vapor is effectively prevented to be blown back into the working atmosphere.

(5) Suitable antidotes such as methylene blue injections shall always be available at designated places of work for use during emergency involving the poisoning with nitro or amino compounds.

2. Special precautions for 'chrome processes'. - (1) Grinding and sieving of raw materials in chrome processes shall be carried on in such a manner and under such condition as to secure effective separation from any other processes and under an efficient exhaust draught.

(2) There shall be washing facilities located very near to places where wet chrome processes such as leaching, acidification, sulphate settling evaporation, crystallisation, centrifugation or packing are carried out, to enable quick washing of affected parts of body with running water.

(3) Weekly inspection of hand and feet of all persons employed in chrome process shall be done by a qualified nurse and record of such inspections shall be maintained in a form approved by the Chief Inspector cum facilitator.

(4) There shall be always available at designated places of work suitable ointment such as glycerine, vaseline, etc. and water proof plaster in a separate box readily accessible to the workers so as to protect against perforation of nasal septum.

3. Special precautions for processes carried out in all glass vessels. -

(1) Processes and chemical reactions such as manufacture of vinyl chloride, benzyl chloride etc. which are required to be carried out in all glass vessels shall have suitable means like substantial wiremesh covering to protect persons working nearby in the event of breakage of glass vessel.

(2) The personal protective equipment like overall, etc. provided for the chlorate workers shall not be taken from the place of work and they shall be thoroughly cleaned daily.

(3) Adequate quantity of water shall be available near the place of chlorate process for use during fire emergency.

(4) Wooden vessel shall not be used for the crystallisation of chlorate or to contain crystallised ground chlorate.

(5) Special precautions in the use of plant and equipment made from reinforced plastics-

(1) All plants and equipments shall conform to appropriate Indian or any other National Standard.

(2) Care shall be taken during storage, transport, handling and installation of plant and equipments to avoid accidental damage.

(3) All plants and equipments shall be installed in such a way as to ensure that loads are distributed as intended in design or as per the recommendation of the manufacturers.

(4) All pipe work shall be supported so that total loads local to the branches on the vessel or tank do not exceed their design values.

(5) After erection all plants and equipments shall be subjected to a pressure test followed by a thorough examination by a competent person. The test and examination shall be as per relevant standard. A certificate of test and examination by competent person shall be obtained and kept available at site.

(6) All plants and equipments shall be subjected to periodical test and examination and record maintained as per paragraph 15 in Part II of this Schedule.

(7) Plant and equipments during their use shall not be subjected to over filling or overloading beyond rated capacity.

Part VI-Medical Requirements

1. Decontamination facilities. - In all places where toxic substances are used in processes listed in Appendix 'A' the following provisions shall be made to meet an emergency :-

- (a) fully equipped first aid box;
- (b) readily accessible means of drenching with water persons, parts of body of persons, and clothing of persons who have been contaminated with such toxic and corrosive substances and such means shall be as shown in the table below :-

Table

No. of persons employed at any time	No. of means of drenching with water
Upto 50 persons	2
Between 51 to 100	3
Between 101 to 200	3+1 per 50 person above 100 person
every 50 persons thereafter Between 201 to 400	5 + 1 per 100 person above 200 person
Between 401 and above	7 + 1 per 200 person above 400 person

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

2. (1) For factories employing upto 50 workers. - (a) The services of a qualified medical practitioner hereinafter known as Medical Officer/practitioner

, available on a retainer basis, in his notified clinic near factory for seeking medical help during emergency. He will also carry out the pre-employment and periodical medical examinations as stipulated in paragraph 4 of this Part.

(b) A minimum of five persons trained in first aid procedures, amongst whom at least one shall always be available during the working period.

(c) A fully equipped first aid box.

(2) For factories employing 51 to 200 workers. - (a) The occupational health centre shall have a room having a minimum floor area of 15 sq. mtr, with floor and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.

(b) A part time Factory Medical Officer will be in over all charge of the Centre who shall visit the factory minimum twice in a week and whose services shall be readily available during emergencies.

(c) There shall be one qualified and trained dresser-cum-compounder on duty throughout the working period.

(d) A fully equipped first aid box.

(3) For factories employing above 200 workers. - (a) There shall be one full time Medical Officer/practitioner for factories employing up to 500 workers and one more medical officer for every 1000 workers or part thereof.

(b) The occupational health centre in this case shall have a minimum of 2 rooms each having a minimum floor area of 15 sq. m. with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.

(c) There shall be one trained nurse, one dresser-cum-compounder and one sweeper-cum-ward boy throughout the working period.

(d) The Occupational Health Centre in this case shall be suitably equipped to manage medical emergencies.

3. Ambulance van. - (1) In every factory carrying out processes covered in Appendix'A' there shall be provided and maintained in good condition a suitably

constructed and fully equipped ambulance van as per Appendix 'C' manned by a full-time driver-cum-mechanic and helper trained in the first aid for the purposes of transportation of serious cases of accidents or sickness unless arrangements for procuring such facility at short notice during emergencies have been made with the nearby hospital or other places. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will always be available near the Occupational Health Centre.

(2) The relaxation to procure Ambulance Van from nearby places provided for in sub-para (1) above will not be applicable to factories employing more than 500 workers.

4. Medical examination .(1) Workers employed in processes covered in Appendix 'A' shall be medically examined by a Factory Medical Officer in the following manner:-

(a) once before employment, to ascertain physical suitability of the person to do the particular job;

(b) once in a period of 6 months, to ascertain the health status of the worker; and

(c) the details of pre-employment and periodical medical examinations carried out as aforesaid shall be recorded in the prescribed form.

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

Provided that the Medical officer on his own may examine any other worker whom he feels necessary to be examined for ascertaining the suitability of his employment in the process covered in Appendix 'A' or for ascertaining the health status of any other worker and his opinion shall be final.

(3) No person shall be newly appointed without the Certificate of Fitness granted by the Factory Medical Officer. If the Factory Medical Officer declares a person, unfit for being appointed to work in the process covered in Appendix 'A', such person shall have a right of appeal to the medical officer/civil surgeon, whose opinion shall be final in this regard.

(4) The worker suspended from the process owing to the circumstances covered in sub-para (2) shall be employed again in the same process only after obtaining the Fitness Certificate from the medical officer and after making entries to that effect in the health register.

(5) Every worker employed in the processes of this schedule shall be examined by a medical officer. He shall issue fitness on form 28.

(6) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in these processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(8) The record of the examinations form 28 and 29, shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Part VII-Additional Welfare Amenities

1. Washing facilities. - (1) There shall be provided and maintained in every factory for the use of all the workers taps for washing, at the rate of one tap for every 15 persons including liquid soap in a container with tilting arrangement and nail brushes or other suitable means for effective cleaning. Such facilities shall be conveniently accessible and shall be kept in clean and hygienic condition.

(2) If washing facilities as required above are provided for women, such facilities shall be separate for them and adequate privacy at all times shall be ensured in such facilities.

2. Mess room facilities. - (1) The occupier of all the factories carrying out processes covered in Appendix 'A' and employing 50 workers or more, shall provide for all the workers working in a shift mess room facilities which are well ventilated and provided with tables and sitting facilities along with the provisions of cold and hygienic drinking water facilities.

(2) Such facilities include suitable arrangement for cleaning and washing and shall be maintained in a clean and hygienic condition.

3. Cloak room facilities. - (1) The occupier of every factory carrying out any process covered in Appendix 'A' shall provide for all the workers employed in the process cloak room facilities with lockers. Each worker shall be provided with two lockers, one for work clothing and another separately for personal clothing and the lockers should be such as to enable the keeping of the clothing in a hanging position.

(2) The cloak room facilities so provided in pursuance of sub-para (1) shall be located as far as possible near to the facilities provided for washing in pursuance of para 1 (1). If it is not possible to locate the washing facilities the cloak room

facilities shall have adequate and suitable arrangements for cleaning and washing.

4. Special bathing facilities. - (1) The occupier of any factory carrying out the process covered under Appendix 'B' shall be provided special bathing facilities for all the workers employed and such facilities shall be provided at the rate of 1 for 25 workers and part thereof, and shall be maintained in a clean and hygienic condition.

(2) The occupier shall insist all the workers employed in the processes covered in Appendix 'B' to take bath after the completion of the day's or shift work using the bathing facilities so provided and shall also effectively prevent such if those workers taking bath in any place other than the bathing facilities.

(3) Notwithstanding anything contained in sub-para (1) above, the Chief Inspector cum facilitator may require in writing the occupier of any factory carrying out any other process for which in his opinion bathing facilities are essential from the health point of view, to provide special bathing facilities.

Part VIII

1. Duties of workers. - (1) Every worker employed in the processes covered in Appendix 'A' and Appendix 'B' not make any safety device or appliance or any guarding or fencing arrangement, in operative or defective and shall report the defective condition of the aforesaid arrangement as soon as he is aware of any such defect.

(2) Before commencing any work, all workers employed in processes covered in Appendix 'A' shall check their work place as well as the machinery, equipment or appliance used in the processes and report any mal-function or defect immediately to the supervisor or any responsible person of the management.

(3) All workers shall co-operate in all respects with the management while carrying out any work or any emergency duty assigned to them in pursuance of

this schedule and shall always use all the personal protective equipments issued to them in a careful manner.

(4) All workers employed in the processes covered in Appendix 'A' or Appendix 'B' shall not smoke in the process area or storage area. If special facilities are provided by the management only such facilities should be used.

(5) All workers employed in the processes covered in Appendix 'A' shall not remain in unauthorized place or carry out unauthorized work or improvise any arrangement or adopt short cut method or misuse any of the facilities provided in pursuance of the Schedule, in such a manner as to cause risk to themselves as well as or to others employed.

(6) The workers shall not refuse undergoing medical examination as required under these rules.

Part IX

Restriction on the employment of adolescents under 18 years of age and pregnant women and lactating mothers.

(1) The Chief Inspector cum facilitator of factories may by an order in writing, restrict or prohibit the employment of pregnant women and lactating mothers and adolescents under the age of 18, in any of the processes covered in Appendix 'A' of the Schedule on consideration of health and safety of women and adolescents.

(2) Such persons who are restricted or prohibited from working in the process due to the order issued in pursuance of sub-para (1) above shall be provided with alternate work which is not detrimental to their health or safety.

Part X-Exemptions

1. **Power of exemption.** - The State Government or subject to the control of the State Government, the Chief Inspector cum facilitator may exempt from the compliance with any of the requirements of this Schedule partly or fully, any

factory carrying out processes covered in Appendix 'A' if it is clearly and satisfactorily established by the occupier that the compliance with any of the requirement is not necessary to ensure the safety and health of persons employed as suitable and effective alternate arrangements are available to any of the requirements covered in this schedule.

Appendix 'A'

Any works or that part of works in which - (a) The manufacture, manipulation or recovery of any of the following is carried on :-

- (i) sodium, potassium, iron, aluminium, cobalt, nickel, copper, arsenic, antimony, chromium, zinc, selenium, magnesium, cadmium, mercury, beryllium and the inorganic and inorganic salts, alloys, oxides and hydroxides;
- (ii) ammonia, ammonium hydroxide and salts of ammonium;
- (iii) the organic or inorganic compounds or sulphurous, sulphuric, nitric, nitrous, hydrochloric, hydrofluoric, hydroiodic, hydrosulphuric, hydrobromic, boric;
- (iv) cyanogen compounds, cyanide compounds, cyanate compounds;
- (v) phosphorous and its compounds other than organo-phosphorous insecticides;
- (vi) chlorine.
- (b) hydrogen sulphide is evolved by the decomposition of metallic sulphides, or hydrogen sulphide is used in the production of such sulphides;
- (c) bleaching powder is manufactured or chlorine gas is produced in chloralkali plants;
- (d) (i) gas tar or coal tar or bitumen or shale oil asphalt or any residue of such tar is distilled or is used in any process of chemical manufacture;
- (ii) tar based synthetic colouring matters or their intermediates are produced;
- (e) nitric acid is used in the manufacture of nitro compounds;
- (f) explosives are produced with the use of nitro compounds;

(g) aliphatic or aromatic compounds or their metallic and non-metallic derivatives or substituted derivatives, such as chloroform, ethylene glycol, formaldehyde, benzylechloride, phenol, methyl ethyl ketone peroxide, cobalt, carbonyl, tungsten carbide etc. are manufactured or recovered.

Appendix 'B'

Concerning Special Bathing Accommodation in pursuance of para 4 of Part IV-

- (1) Nitro or amino processes.
- (2) All chrome processes.
- (3) Processes of distilling gas or coal tar or processes of chemical manufacture in which tar is used.
- (4) Processes involving manufacture, manipulation, handling or recovery of cyanogens compound, cyanide compound, cyanate compounds.
- (5) Processes involving manufacture of bleaching powder or production of chlorine gas in chloralkali plants.
- (6) Manufacture, manipulation or recovery of nickel and its compounds.
- (7) All processes involving the manufacture, manipulation or recovery of aliphatic or aromatic compounds or their derivatives or substituted derivatives.

Appendix 'C'

Ambulance :

Ambulance should have the following equipments :-

General :

An wheeled stretcher with folding and adjusting devices;

Head of the stretcher must be capable of being tilted upward;

Fixed oxygen supply with equipments Fixed oxygen supply with equipments;

Pillow with cases;

Sheets;

Blankets;

Towels;
Emosis bag;
Bed pan;
Urinal;
Glass.

Safety equipment :

Flares with life of 30 minutes;
Flood lights;
Flash lights;
Fire extinguisher dry powder type;
Insulated guantlets.

Emergency care equipments :

Resuscitation :

Portable suction unit;
Portable oxygen unit;
Bag-valve-mask, hand operated artificial ventilation unit;
Airways;
Mouth gage;
Tracheostomy adaptors;
Short spine board;
I.V. Fluids with administration unit;
B.P. manometer;
Cugg;
Stetheoscope.

Immobilization :

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

Dressings :

Gauze pads 4" x 4";

Universal dressing 10" X 36";

Roll of aluminium foils;

Soft roller bandages 6" x 5 yards;

Adhesive tape in 3" roll;

Safety pins;

Bandage sheets;

Bandage sheet;

Poisoning :

Syrup of Ipecac;

Activated charcoal; Pre packeted in doses

Snake bite left;

Drinking water.

Emergency Medicines :

As per requirement (under the advice of Medical Officer only)

Sub-Schedule-12**Manufacture of Pottery**

1. **Definitions.** - (a) "Pottery" includes, earthenware, stoneware,, porcelain, china,tiles and any other articles made from clay or from mixture containing clay and other materials such as quartz, flint feldspars and gypsum.

(b) "Efficient exhaust draught" means localised ventilation effected by mechanical or other means for the removal of dust or fume so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates.

(c) "Fettling" includes scalloping towing, sand papering, and sticking, brushing or any other process of cleaning of pottery where in which dust is given off.

(d) "Leadless glaze" means a glaze which does not contain more than one percent 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 percent of its dry weight of a soluble lead compound calculated as lead monoxide when determined in the manner described below :-

A weighed quantity of the material which has been dried at 100°C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1000 times of weight of an aqueous solution of hydrochloric acid containing 0.25 percent 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 weighted as lead sulphate.

(f) Ground or ordered flint or quartz does not include natural sands.

(g) "Potter's shop" includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing on the biscuit fire is carried on.

2. Efficient exhaust draught. - The following processes shall not be carried on without the use of an efficient exhaust draught-

Operations	Locations
(i) All processes involving the manipulation or use of dry and unfitted Lead compound.	Preparing mix for frit.
(ii) The fettling operations of any kind, whether on green ware or Biscuit, provided that this shall not apply to the wet fettling, and to the occasional finishing of pottery articles without the aid of mechanical power.	Finishing on wheels (of fettling machine) Hand finishing, Blowing of dust, before glazing, pipe, turning and polishing. Finishing of Biscuits. Rubbing before glazing.

(iii)The shifting of clay dust or any other material for making tiles or other articles by pressure, except where:- (a) This is done in a machine so enclosed as to effectually prevent the escape of dust, or (b) The material to be shifted is so damp that no dust can be given off.	Making body for Toggle press and Tile press.
(iv)The pressing of tiles from clay dust, an exhaust opening being connected with each press, this clause shall also apply to the pressing from clay dust of articles other than tiles, unless the material is so damp that no dust is given off.	Tiles press, Toggle press or Dye-press.
(v) The fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on or with damp material, this clause shall also apply to the fettling of other articles made from clay dust, unless the material is so damp that no dust is given off.	Hand finishing.
(vi) The process of loading and unloading of saggers where handling and manipulation of ground and powdered flint, quartz, alumina, or other materials are involved.	Loading of saggers, doubling unloading of saggers.
(vii)The brushing of earthenware biscuits, unless the process is carried on in a room provided with efficient general mechanical ventilation or other ventilation which is certified by the Inspector cum facilitator as	Hand Finishing of Biscuits.

adequate having regard to all the circumstances of the case.	
(viii) Felling of Biscuits were, which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust.	Finishing Biscuits.
(ix) Ware cleaning after the application of glaze by dipping or other process.	Glazing & Dusting
(x) Crushing and dry grinding of materials for potter bodies, and saggars, unless carried on in machines, so enclosed as to effectually prevent the escape of dust or is so damp that no dust can be given off.	Low crushing of quartz, feldspars etc. Edge runner or pebble mill grinding. Grinding for tile body. Grog disintegrator.
(xi) Sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials unless it is so damp that no dust can be given off.	Fire clay disintegrator. Hand sieving of grog and Fire Clay. Filling bags with mix for sagger. Charging of tanks and mixing the Materials.
(xii) Grinding of tiles on power driven wheel unless an efficient water spray is used on the wheels.	
(xiii) 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.	Jaw crushing of quartz, feldspar etc. Edge runner or pebble mill grinding. Grinding for tile body. Note.-Elevators were close to the crushers and grinders.
(xiv) The preparation or weighing out of flow	Spary glazing. Glazing and

material, lawning of dry colours, colour dusting and colour blowing.	dusting.
(xv) In mould making unless the bins or similar receptacles used for holding plaster of Paris are provided with suitable covers.	Mould making.
(xvi) The manipulation of calcined material unless the materials have been made and remains so wet that no dust is given off.	Calcining gypsum. Sieving Plaster of Paris.
(xvii) Protective Equipment.	Weighing of raw materials charging the blunder charging the ball mill. Filling bags with mix forsagger. Charging of the tanks and mixing the materials.

3. Each of the following processes shall be carried on in such manner and under such conditions so as to secure effectual separation from one another and from other processes :-

- (a) Crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading of saggars.
- (b) All processes involving the use of a dry lead compound.

4. No glaze which is not leadless glaze or a low solubility glaze shall be used in a factory in which pottery is manufactured.

5. No woman or adolescent shall be employed or permitted to work any of the operation specified in clause 2 or at any place where such operations are carried on.

6. The potter's wheel (Jolly and Jigger) shall be provided with screens or so constructed as to prevent clay scappins being thrown off beyond the wheel.

7. (1) All practical measure shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.

(2) Damp saw dust or other suitable material shall be used to render the moist method effective in preventing dust rising into the air during the cleaning process which shall be carried out after work has ceased.

8. The floors of potter shops, slip houses, dipping houses and ware cleaning rooms shall be hard, smooth and impervious and shall be thoroughly cleaned daily by moist method by an Adult male.

9. Medical facilities and Examination - (1) The occupier of every factory in which a manufacturing of pottery is carried on, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained which shall be kept readily available for inspection by the Inspector cum facilitator .

(3) Every worker employed in any process mentioned under paragraph 3, shall be examined by medical officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content, stippling of cells and pulmonary function test and chest X-ray for workers engaged in processes mentioned in items (i) to (iv) of paragraphs 2 and pulmonary function tests and chest X-rays for the others. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical officer.

(4) All persons employed in any of the process included under item (i) to (iv) shall be examined by a medical officer once in every 3 calendar months. Such examinations in respect of all the workers shall include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in 3 years.

(5) Every worker employed in pottery processes shall be examined by a medical officer. He shall issue fitness on form 28.

(6) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(8) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

10. Protective equipment. - (1) The occupier shall provide and maintain suitable overalls and head coverings for all persons employed in process included under clause 2.

(2) The occupier shall provide and maintain suitable aprons of a water proof or similar material, which can be sponged daily, for the use of the dippers, assistants, throwers, jolly workers, casters, mound makers and filter press and pug mill workers.

(3) Aprons provided in pursuance of clause 11 (2) shall be thoroughly cleaned daily by the weavers by sponging or other wet process. All overalls and head covering shall be washed, cleaned and mended at least once a week and this washing, cleaning or mending shall be provided for by the occupier.

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

11. Washing Facilities. - (1) The occupier shall provide and maintain, in a cleanly state and in good repair for the use of all persons employed in any of the processes specified in clause 2, a wash 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 two feet for every five such persons employed at any one time, and having constant supply of clean water from taps or jets above the trough at intervals of not more than two feet, or

(ii) at least one tap or stand pipe for every five such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 1.2 meters apart; and

(2) A sufficient supply of clean towels made of suitable material changed daily, with sufficient supply of nail brusher and soap.

12. Time allowed for washing. - Before each meal and before the end of the days work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in any of the processes mentioned in clause 2.

13. Mess-room. - (1) There shall be provided and maintained for use of all persons remaining within the premises during the rest intervals, a suitable mess-room, providing accommodation of 10 square feet per head and furnished with-

(i) a sufficient number of tables and chairs or benches with back rest;

(ii) arrangements for washing utensils;

(iii) adequate means for warming food;

(iv) adequate quantity of drinking water.

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

14. Food, drinks, etc., prohibited in work-rooms. - No food, drinks, pan and supari, or tobacco shall be brought into or consumed by any worker in any work-room in which any of the processes mentioned in clause 2 are carried on and no person shall remain in any such room during intervals for meals or rest.

15. **Cloak-room etc.** - There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in clause 2 :-

- (a) a cloak-room for clothing put off during working hours and such accommodation shall be separate from any mess room;
- (b) separate and suitable arrangements for the storage of protective equipment provided under clause II.

16. These regulations shall not apply to a factory in which any of the following articles, but no other pottery, are made

- (a) unglazed or salt brick and tiles, and
- (b) architectural terra cotton made from plastic clay and either unglazed or glazed with a leadless glaze only.

17. **Exemptions.** - 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 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.

Sub-Schedule-13

Compression of Oxygen and Hydrogen produced by the electrolysis water.

- (1) The room in which electrolyser plant is installed shall be separate from the plant for storing and compressing the oxygen and hydrogen.
- (2) The purity of oxygen and hydrogen shall be tested by a competent person at hourly intervals at the following points :-
 - (i) in the electrolyser room;
 - (ii) at the gas holder inlet; and
 - (iii) at the section end of the compressor.

The purity figure shall be entered and signed by the person carrying out such tests in the register:

Provided, however, that if the electrolyser plant is fitted with automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient if the purity of the gases is tested at hourly intervals at the suction end of the compressor only.

(3) The oxygen and hydrogen gases shall not be compressed, if their purity as determined under clause 2 above falls below 98 per cent at any time.

(4) There shall be at least two gas holders for each kind of gas and the gas holders for same gas shall not be fitted with inter-locked valves or levers and three way cocks at the junction of their outlets in such a way that no gas holder is connected to the compressor and to the electrolyser at the same time, and only one gas holder is connected to the compressor, line at any one time.

(5) The bell of any gas holder shall not be permitted to go within 30 cm. of its lowest position when empty, a visual and an audible warning signal shall be fitted to the gas holder to indicate that this limit is reached.

(6) The water and caustic soda used for making shall be chemically pure within pharmaceutical limits.

(7) Electrical connections at the electrolyser cells and at the generator terminals shall be constructed as to preclude the possibility of wrong connections leading to the reversal of polarity.

(8) Oxygen and hydrogen gas pipes shall be painted with distinguishing colours and in the event of leakage at the joints of the hydrogen gas pipe, the pipe after reconnection shall be purged of all air before drawing in hydrogen gas.

(9) All electrical wiring and apparatus in the electrolyser room shall be of flame-proof construction or enclosed in flame-proof fitting and no naked light or flame shall be taken either in the electrolyser room or where compression and filling of the gases is carried on and such warning notices shall be exhibited in prominent places.

(10) No part of the electrolyser plant and the gas holders and compressor shall be subjected to welding, brazing, soldering or cutting until steps have been taken to remove any explosive substance from that part and render the part safe for such operations and after the completion of such operations no explosive substance shall be allowed to enter that part until the metal has cooled sufficient to prevent risk of explosion.

(11) No work of operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work.

12. Medical Examination -(1) Every worker employed in the process of compression of Oxygen and Hydrogen produced by the electrolysis water shall be examined by a medical officer. He shall issue fitness on form 28.

(2) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(4) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-14

Cleaning or smoothening, roughening, etc., of articles by a jet of sand, metal shot, orgrit, or other abrasive propelled by a blast of compressed air or steam.

Blasting Regulations

1. Definitions. - For the purposes of this Schedule :-

"Blasting" means cleaning, smoothening, roughening, 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.

"Blasting enclosure" means a chamber, barrel, cabinet or any other enclosure designed for the performance of blasting therein.

"Blasting chamber" means a blasting enclosure in which any person may enter at anytime in connection with any work or otherwise.

"Cleaning of castings" where done as an incidental or supplemental process in connection with the making of metal castings means the freeing of the casting from adherent sand or other substance and includes the removal of cores and the general smoothing of a casting, but does not include the free treatment.

2. Prohibition of Sand Blasting. - Sand or any other substance containing free silica shall not be introduced as an abrasive into any business apparatus and shall not be used for blasting :

Provided that this clause shall come into force two years after the coming into operation of the Schedule :

Provided further that no woman or adolescent shall be employed or permitted to work at any operation of sand blasting.

3. Precautions in connection with Blasting Operations. - (1) *Blasting to be done in blasting enclosure.* - Blasting shall not be done except in a blasting enclosure and no work other than blasting any work immediately incidental thereto and clearing and repairing of the enclosure including the plants and appliances situated therein, shall be performed in a blasting enclosure. Every

door, aperture and joint of blasting enclosure, shall be kept closed and air tight while blasting is being done therein.

(2) *Maintenance of blasting enclosure.* - Blasting enclosure shall always be maintained in good condition and effective measures shall be taken to prevent dust escaping from such enclosure, and from apparatus connected therewith, into air of any room.

(3) *Provision of separating apparatus.* - There shall be provided and maintained for and in connection with every blasting enclosure, efficient apparatus for separating, so far as practicable abrasive which has been used for blasting and which is to be used again as an abrasive from dust or particles of other materials arising from blasting; and no such abrasive shall be introduced into any blasting apparatus and used for blasting until it has been so separated :

Provided that this clause shall not apply, except in the case of blasting chambers, to blasting enclosures constructed or installed before the coming into force of this Schedule, if the Chief Inspector cum facilitator is of opinion that it is not reasonable practicable to provided such separating apparatus.

(4) *Provision of ventilating plant.* - There shall be provided and maintained in connection with every blasting enclosure efficient ventilating plant to extract by exhaust draught effected by mechanical means, dust produced in the enclosure. The dust extracted and removed shall be disposed of by such method and in such manner that it shall not escape into the air of any room; and every other filtering or settling device situated in a room in which persons are employed, other than persons attending to such bag or other filtering or settling device, shall be completely separated from the general air of that room in an enclosure ventilated to the open air.

(5) *Operation of ventilating plant.* - The ventilating plant provided for the purpose of 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 blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning.

4. Inspection and Examination. - (1) Every blasting enclosure shall be specially inspected by a competent person at least once in every week in which it is used for blasting. Every blasting enclosure, the apparatus connected therewith and the ventilating plant, shall be thoroughly examined and in the case of ventilating plant, tested by a competent person at least once in every month.

(2) Particulars of the result of every such inspection, examination and test shall forthwith be entered in a register, which shall be kept in a form approved by the Chief Inspector cum facilitator and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the Occupier, Manager or other appropriate person and without prejudice to the foregoing requirements of this Schedule, shall be removed without avoidable delay.

5. Provision of protective 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 cum facilitator and every such person shall wear the helmet provided for this use whilst he is in the chamber and shall not remove it until he is outside the chamber.

(2) Each protective helmet shall carry a distinguishing mark indicating the person by whom it is intended to be used and no person shall be allowed or required to wear a helmet not carrying his mark or a helmet which has been worn by another person and has not since been thoroughly disinfected.

(3) Each protective helmet when in use shall be supplied with clean and not unreasonably cold air at a rate of not less than six cubic feet per minute.

(4) Suitable gauntlets and overalls shall be provided for the use of all persons while performing blasting or assisting at blasting, and every such person shall while so engaged wear the gauntlet and overall provided.

6. Precautions in connection with cleaning and other work. - (1) Where any person is engaged upon cleaning of any blasting apparatus or blasting enclosure or of any apparatus or ventilating plant connected therewith or the surroundings thereof or upon any other work in connection with any blasting apparatus or blasting enclosure or with any apparatus or ventilating plant connected therewith so that he is exposed to the risk of inhaling dust which has arisen from blasting. All practicable measures shall be taken to prevent such inhalation.

(2) In connection with any cleaning operation referred to in clause 5, and with the removal of dust from filtering or settling devices all practicable measures shall be taken to dispose of the dust in such a manner that it does not enter the air of any room. Vacuum cleaners shall be provided and used where practicable for such cleaning operations.

7. Storage accommodation for protective wear. - Adequate and suitable storage accommodation for the helmets, gauntlets and overalls required to be provided by clause 5 shall be provided outside and conveniently near to every blasting enclosure and such accommodation shall be kept clean. Helmets, gauntlets and overalls when not in a actual use shall be kept in this accommodation.

8. Maintenance and cleaning of protective wear. - All helmets, gauntlets, overalls and other protective devices or clothings provided and worn for the purposes of this Schedule, shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every week day in which they are used, Where dust arising from the cleaning of such protective clothing or devices is likely to be inhaled; all practicable measures shall be taken to prevent such inhalation. Vacuum cleaners shall wherever practicable, be used for

removing dust from such clothing and compressed air shall not be used for removing dust from any clothing.

9. Maintenance of vacuum cleaning plant. - Vacuum cleaning plant used for the purpose of this Schedule shall be properly maintained.

10. Restrictions in employment of adolescents. - (1) No person under 18 years of age shall be employed in blasting or assisting at blasting or in any blasting chamber or in the cleaning of any blasting apparatus or any blasting enclosure or any apparatus or ventilating plant connected therewith or be employed on maintenance or repair work at such apparatus, enclosure or plant.

(2) No person under 18 years of age shall be employed to work regularly within 8 meters of any blasting enclosure unless the enclosure is in a room and he is outside that room where he is effectively separated from any dust coming from the enclosure.

11. Power to exempt or relax. - (1) If the Chief Inspector cum facilitator is satisfied that in any factory or any class of factory, the use of sand or other substance containing free silica as an abrasive in blasting is necessary for a particular manufacture or process (other than the process incidental or supplemental to making of metal castings) and that the manufacture or process cannot be carried on without the use of such abrasive or, that owing to the special conditions, or special method of work or otherwise any requirement of this schedule can be suspended either temporarily or permanently or can be relaxed without endangering the health of the persons employed or that application of any of such requirements is for any reason impracticable or inappropriate, he may, with the previous sanction of the State Government, by an order in writing exempt the said factory or class of factory from such provisions of this Schedule, to such 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-clause (1), a copy of the order shall be displayed at a notice board at a prominent place at the main

entrance or entrances to the factory and also at the place where the blasting is carried on.

12. Medical facilities and Examination -(1) The occupier of every factory to which schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained which shall be kept readily available for inspection by the Inspector cum facilitator .

(3) Every worker employed in the process of cleaning or smoothening, 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 shall be examined by a medical officer. He shall issue fitness on form 28.

(4) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in these processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(6) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-15

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 all factories or parts of factories in which any of the following processes are carried on :-

- (a) breaking, crushing, disintegrating, opening, grinding, mixing 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 processes;
- (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 cement goods;
- (g) application of asbestos by sprays methods;
- (h) sawing, grinding, turning, abrading and polishing in dry state of articles composed wholly or partly of asbestos;
- (i) cleaning of any room vessel, chamber, fixture or appliance for the collection of asbestos dust; and
- (j) any other processes in which asbestos dust is given off into the work environment.

2. Definitions. - For the purpose of this schedule-

- (a) "*asbestos*" means any fibrous silicate mineral and any admixture containing actinolite, amosite anthophyllite, chrysotile crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;
- (b) "*asbestos textiles*" means yarn or cloth composed of asbestos or asbestos mixed with any other material;
- (c) "*approved*" means approved for the time being in writing by the Chief Inspector cum facilitator ;
- (d) "*breathing apparatus*" means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust or any other approved apparatus;
- (e) "*efficient exhaust draught*" means localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on, draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates.
- (f) "*preparing*" means crushing, disintegrating, and any other processes incidental to the opening of asbestos;
- (g) "*protective clothing*" means overalls and head covering, which (in either case) will when exclude asbestos dust.

3. Tools and Equipment. - Any tools or equipment used in processes to which this schedule applied shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

4. Exhaust draught. - (1) An efficient exhaust draught shall be provided and maintained to control dust from the following processes and machines :-

- (a) manufacture and conveying machinery namely :-
 - (i) preparing grinding or dry mixing machines;
 - (ii) carding, card waste and ring spinning machines, and looms;
 - (iii) machines or other plant fed with asbestos; and
 - (iv) machines used for the sawing, grinding, turning, drilling, abrading or polishing; in the dry state of articles composed wholly or partly of asbestos;

- (b) cleaning, and grinding of the cylinders or other parts of a carding machines;
- (c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;
- (d) work-benches for asbestos waste sorting or for other manipulation of asbestos by hand;
- (e) workplaces at which filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;
- (f) sack cleaning machines;
- (g) mixing and blending of asbestos by hand; and
- (h) any other process in which dust is given off into the work environment.

(2) Exhaust ventilation equipment provided in accordance with sub-paragraph (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.

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

(4) The asbestos bearing dust removed from any workroom by the exhaust system shall be collected in suitable receptacles or filter bag as which shall be isolated from all work areas.

5. Testing and examination of ventilating systems. - (1) All ventilating systems used for the purpose of extracting or suppressing dust as required by this schedule shall be examined and inspected once in every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.

(2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alternations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector cum facilitator.

6. Segregation in case of certain process. - Mixing or blending by the hand of asbestos, or making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in any room in which any other work is done.

7. Storage and distribution of loose asbestos. - (1) All loose asbestos shall while not in use, be kept in suitable closed receptacles which prevent the escape of asbestos dust there from such asbestos shall not be distributed within a factory except in such receptacles or in a totally enclosed system of conveyance.

8. Asbestos sacks. - (1) All sack used as receptacle for the purpose of transport of asbestos within the factory shall be constructed of impermeable materials and shall be kept in good repair.

(2) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with paragraph 3.

9. Maintenance of floors and workplaces. - (1) In every room in which any of the requirements of this schedule apply-

(a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and

(b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.

(2) The cleaning as mentioned in sub-rule (1) shall so far as is practicable, be carried out by means of vacuum cleaning equipment so designed and constructed and so used that asbestos dust neither escape nor is discharged into the air of any workplace.

(3) When the clearing is done by any method other than that mentioned in subparagraph (2), the persons doing cleaning work and any other person employed in that room shall be provided with respiratory protective equipment and protective clothing.

(4) The vacuum cleaning equipment used in accordance with provisions of subparagraph (2) shall be properly maintained and after each cleaning operation, its surfaces kept in a clean state and free from asbestos waste and dust.

(5) Asbestos waste shall not be permitted to remain on the floors or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.

10. Breathing apparatus and protective Clothing. - (1) An approved breathing apparatus and protective clothing shall be provided and maintained in good conditions for use for every person employed-

- (a) in chambers containing loose, asbestos;
- (b) in cleaning, dust settling or filtering chambers or apparatus;
- (c) in cleaning the cylinders, including the doffer cylinders, or other parts of a carding machine by means of hand-strickers; and
- (d) in filling, beating or leveling in the manufacture or repair of insulating mattresses; and
- (e) in any other operation of circumstances in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.

(2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when not in use.

(3) All breathing apparatus and protective clothing when not in use shall be stored in the accommodation provided in accordance with sub-rule (2) above.

(4) All protective clothing in use shall be deducted under an efficient exhaust draught or by vacuum cleaning and shall be washed at suitable intervals. The cleaning schedule and procedure should be such as to ensure the efficiency in protecting the weaver.

(5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector cum facilitator.

(7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.

(8) So breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

11. Separate accommodation for personal clothing. - A separate accommodation shall be provided in a conveniently accessible position for all persons employed in operations to which this schedule applied for storing of personal clothing. This should be separated from the accommodation provided under sub-paragraph (2) to prevent contamination of personal clothing.

12. Washing and bathing facilities. - (1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by the schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 15 personsemployed.

(2) The washing places shall have standpipes placed at intervals of not less than one meter.

(3) Not less than one half of the total number of washing places shall be provided with bathroom.

(4) Sufficient supply of clean towels made of suitable material shall be provided:

Provided that such towels shall be supplied individually for each worker if so order by the Inspector cum facilitator .

(5) Sufficient supply of soap and nail brushes shall be provided.

13. Mess-room. - (1) There shall be provided and maintained for the use of all workers employed in the factory covered by this schedule, remaining on the premises during the rest intervals, a suitable mess-room which shall be furnished with

(a) sufficient tables and benches with back rest; and

(b) adequate means for warming food.

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

14. Prohibition of employment of adolescents. - No adolescent shall be employed in any of the process covered by this schedule.

15. Prohibition relating to smoking. - No person shall smoke in any area where processes covered by this schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.

16. Cautionary Notices. - (1) Cautionary notices shall be displayed at the approaches and along the perimeter of every asbestos processing area to warn all persons regarding-

(a) hazards to health from asbestos dust;

(b) need to use appropriate protective equipment;

(c) prohibition of entry to unauthorised person, or authorised persons but without protective equipment.

(2) Such notices shall be in the language understood by the majority of the workers.

17. Air Monitoring. - To ensure the effectiveness of the control measures, monitoring of asbestos fibre in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purpose.

18. Medical facilities and examination. (1) The occupier of every factory or part of the factory to which the schedule applies shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained and kept readily available for inspection by the Inspector cum facilitator cum facilitate to.

(3) Every worker employed in the processes specified in paragraph 1 shall be examined by a medical officer within 15 days of his first employment. Such examination shall include pulmonary function tests, tests for detecting asbestos fibres in sputum and chest X-ray. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical officer .

(4) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(5) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in these processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his

findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(7) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator

20. Exemptions. - If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any as he may specify therein.

Sub-Schedule-16

Handling and manipulation of Corrosive substances

1. Definitions. - For the purpose of this Schedule-

(a) "*Corrosive operation*" means an operation of manufacturing, storing, handing, processing, packing, or using any corrosive substance in a factory

(b) "*Corrosive substance*" includes sulphuric acid, nitric acid hydrochloric acid, hydrofluoric acid, carboric acid, phosphoric acid, liquid chlorine, liquid bromine, ammonia, sodium hydroxide and potassium hydroxide and a mixture thereof and any other substance which the State Government by notification in the *Official Gazette* specify to be a corrosive substance.

2. Flooring. - The floor of every work-room of a factory in which corrosive operation is carried on shall be made of impervious, 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 maintained in sound condition.

3. Protective equipment. - (a) The Occupier shall provide for the use of all persons employed in any corrosive operation suitable protective wear for hands and feet, suitable aprons, face shields, chemical safety goggles, and respirators. The equipments shall be maintained in good order and shall be kept in clean and hygienic condition by suitable treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The Occupier shall also provide suitable protective creams and other preparations wherever necessary.

(b) The protective equipment and preparations provided shall be used by the person 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 2.1 meters, from a pipe of 1.25 cm. diameter and fitted with a quick acting valve so that in case of injury to the worker by any corrosive substance, the injured part can be thoroughly flooded with water. Wherever necessary, in order to ensure continuous water supply, a storage tank having a minimum length, breadth and height of 210 cm., 120 cm. and 60 cm. respectively or such dimensions as are approved by the Chief Inspector cum facilitator of Factories, shall be provided as the source of clean water.

5. Cautionary Notice. - A cautionary notice in the following form and printed in the language which majority of the workers employed understand, shall be displayed prominently close to the place where any of the operations mentioned in paragraph 2 above is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

Cautionary Notice

Danger

Corrosive substances cause severe burns and vapors thereof may be extremely hazardous. In case of contact, immediately flood the part effected with plenty of water for at least 15 minutes and get medical attention quickly.

6. Transport. - (a) Corrosive substances shall not be filled, moved, or carried except in containers and when they are to be transported, they shall be included in crates of sound construction and sufficient strength.

(b) A container with a capacity of (11.5 litres) (2½ gallons) or more of a corrosive substances shall be placed in a receptacles or crate and then carried by more than one person, at a height below the waist line unless a suitable rubber wheeled truck is used for the purpose.

(c) Containers for corrosive substances shall be plainly labeled.

7. Devices for handling Corrosives. - (a) Suitable tiling or lifting device shall be used for emptying jars, carboys and other containers of corrosives.

(b) Corrosive substance shall not be handled by hands but by means of a suitable scoop or other devices.

8. Opening valves. - Valves fitted to containers holding a corrosive substance 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. - (a) In cleaning out or removing residues from stills or other large chamber used for holding any corrosive substance, suitable implements, made of wood or other material shall be used to prevent production of arseniuretted hydrogen (Arsine).

(b) Whenever it is necessary for the purpose of cleaning or other maintenance work for any worker to enter chamber tank, vat, pit or other confined space where a corrosive substance had been stored, all possible precautions shall be taken to ensure the workers' safety.

(c) Wherever possible, before repairs are undertaken to any part of equipment in which a corrosive substance was handled, such equipment or part thereof shall be freed of any adhering corrosive substance by adopting suitable methods.

10. Storage. - (a) Corrosive substances shall not be stored in the same room with other chemicals, such as turpentine, carbides, metallic powders and combustible materials the accidental mixing with which may cause a reaction which is either violent or gives rise to toxic fumes and gases.

(b) Pumping or filling overhead tanks, receptacles, vats or other containers storing corrosive substances shall be so arranged that there is no possibility of any corrosive substance overflowing and causing injury to any person.

(c) Every container having capacity of twenty liters or more and every pipe line, valves and fitting used for storing or carrying corrosive substances shall be thoroughly examined every year for finding out any defects, and defects shall be removed forthwith. A register shall be maintained of every such examination made and shall be produced before the Inspector cum facilitator whenever required.

11. Fire extinguishers and fire fighting equipment. - An adequate number of suitable type of fire extinguishers or other fire fighting equipment, depending on the nature of chemicals stored, shall be provided. Such extinguishers or other equipment shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used printed in the language which majority of the workers employed understand, shall be affixed near each extinguisher or other equipment.

12. Medical Examination-(1) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(2) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record

of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(4) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

13. Exemption. - If in respect of any factory on an application made by the manager, the Chief Inspector cum facilitator, is satisfied that owing to the exceptional circumstances, or their 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 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.

Sub-Schedule-17

Manufacture of Articles from Refractory Materials

Application: This Schedule shall apply to the following processes:

(1) handling, moving, breaking, crushing, grinding or sieving of any refractory materials, containing not less than 25 percent total silica for the purpose of manufacture.

(a) of articles used in the construction of furnaces and flues:

(b) of crucibles; and

(c) of compositions or other materials used in the preparation of moulds in which metals are cast; or

(2) any process in the manufacture of refractory bricks as hereinafter defined:

Provided that nothing in this Schedule shall apply:

(a) to handling, moving, mixing or sieving of natural sand; or

(b) to the manipulation of rotten rock in the preparation of moulds used in metal foundries:

Provided further that if the Chief Inspector of Factories is satisfied in respect of any factory or part thereof that owing to the special conditions of work or otherwise, any of the requirements of this Schedule can be suspended or relaxed without any danger to the health of the persons employed therein, he may by 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

(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.

(c) "Efficient exhaust draught" means localised ventilation by mechanical means for the removal of dust so 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. 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. No refractory material unless it is so wet that dust will not be produced, shall be crushed or ground in a stone crushing or a grinding machine 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 and escape of dust outside the casing of the machine by maintaining a pressure below the atmospheric pressure within the casing of the machine:

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

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

6. No refractory material be 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 dust-proof container so damped as to preclude dust; or
- (b) be unloaded from any wagon or other receptacle for transport unless it has been so damped as to preclude dust or unless the work is done under an efficient exhaust draught:
- (c) be shoveled or raked or otherwise manipulated by means of hand tools in any manufacturing process unless it has been so damped as to preclude dust or unless the work is done under an efficient exhaust draught:

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

7. (a) The floors of all places where refractory bricks are dried, other than the floors of tunnel ovens or chamber driers not normally entered by person 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.

(b) 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 directly to every part of the floor.

8. No drying stoves in which refractory bricks are baked by fires before being placed in the kilns shall be used.

9. 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, once during each shift. Such debris unless it is immediately required for use in the process shall be effectively damped and either be placed in covered receptacles, or be otherwise stored in such manner as to prevent the escape of dust into the air in or near to any place where any person is employed.

10. 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 as will prevent the escape of dust into the air.

11. The dust or powder of refractory materials shall not be used for sprinkling the moulds in refractory brick making:

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

12. No worker shall be allowed to work on any dusty 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:

(a) Every worker employed on any of the processes specified in subparagraphs (1) and (2) of paragraph 1 shall be medically examined in such manner and at such intervals as may be specified by any Rules made under the Workmen's Compensation Act, 1923 (VIII of 1923) or if no such Rules have been framed under the said Act, every such worker shall be medically examined by the Certifying Surgeon before employment on any of the aforesaid processes and at intervals not exceeding six months thereafter.

(b) Subject to subparagraph (c), an Xray examination of the chest of every worker referred to in subparagraph (a) shall be carried out:

(i) If he is already in 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;

(ii) 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 of every such Xray examination shall be produced before the Certifying Surgeon within a month of the examination.

(c) If the Certifying Surgeon, during the course of medical examination of any worker under subparagraph (a), has reason to suspect onset of any chest disease, he may direct the manager or the occupier to get an Xray examination of the worker done and to produce the Xray plate before him within a specified time and on receipt of such direction the manager or the occupier, as the case may be, shall carry out the direction.

(d) The Certifying Surgeon 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.

(e) The manager shall maintain a register in which the findings and recommendations of the Certifying Surgeon in respect of every worker and in respect of every medical examination shall be maintained duly signed by the Certifying Surgeon.

(f) A worker not declared fit shall not be employed on any of the aforesaid processes and he shall be employed on only such other process or he shall be subjected to such other examination or treatment as may be directed by the Certifying Surgeon.

(g) 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 provisions of this Schedule.

14. In case any existing plant or machinery needs alteration, modification or replacement or in case any new plant is required to be installed, to comply with the requirements of this Schedule, such alteration, modification, replacement or installation of the plant or machinery shall be carried on within a period not exceeding one year from the date of publication of this Rule:

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

Sub-Schedule-18

Solvent extraction Plants

Process of Extracting Oils and Fats from vegetable and animal sources in

Solvent Extraction Plants

1. Definitions. - In this schedule unless the context otherwise requires :-

(a) "*Solvent Extraction Plant*" means a plant in which the process of extracting oils and fats from vegetable and animal sources by use of solvents is carried on.

(b) "*Solvent*" means an inflammable liquid such as pentane hexane and heptane used for the extraction of vegetable oils.

(c) "*Flame roof*" enclosure as applied to electrical machinery or apparatus means an enclosure that will withstand, when covers or other access doors are properly secured, an internal explosion of the flammable gas or vapour which may enter, or which maybe originally inside the enclosure without suffering damage and without communicating internal inflammation for explosion to the external flammable gas or vapour.

(d) "*Competent Person*" for the purpose of this schedule shall be at least Member of the Institution of Engineers (India) or an Associate Member of the said institution with 10 years experience in a responsible position as may be approved; by the Chief Inspector cum facilitator :

Provided that a graduate in Mechanical Engineering or Chemical Technology with specialised knowledge of oils and fats and with a minimum experience of 5 years in a solvent extraction plant shall also be considered to be competent person :

Provided further that the Chief Inspector cum facilitator may accept any other person having suitable qualification and experience as a competent person for purposes of this Schedule.

2. Location and Lay-out. - (a) No solvent extraction plant shall be constructed or extended to within a distance of 30 meters from the nearest residential locality.

(b) A 1.5 metre high continuing fencing shall be provided around the solvent extraction plant up to minimum distance of 15 meters from the plant.

(c) No person shall be allowed to carry any matches or an open flame or fire inside the area bound by the fencing.

(d) Boiler house and other building where open flame process are carried on shall be located at least 30 meters away from the solvent extraction plant.

(e) If godowns and preparatory processes are at less than 30 metres distance from the solvent extraction plant, there shall be atleast 15 metres distance from the plant, and a continuous barrier wall of non-combustible material 1.5 metres

high from the solvent extraction plant so that it extends to at least 30 meters of vapour travel around its ends from the Plant to the possible sources of ignition.

3. Electrical Installation. - (a) All electrical motors and wiring and other electrical equipment installed or housed in Solvent Extraction Plant shall be of flame proof construction.

(b) All metal parts of the plant and building including various tanks and containers where solvents are stored or are present and all parts of electrical equipment not required to be energised shall be properly bounded together and connected to the earth so as to avoid accidental rise on the electrical potential of such part above the earth potential.

4. Restriction on Smoking. - Smoking shall be strictly prohibited within 15 metres distance from Solvent Extraction Plant. For this purpose 'No Smoking' signs shall be permanently displayed in the areas.

5. Precaution against friction. - (a) All tools and equipments including ladders, chains, and other lifting tackle required to be used in Solvent Extraction Plant shall be of non sparking type.

(b) No machinery or equipment in Solvent Extraction Plant shall be belt driven unless the belt is made of conductive material.

(c) No person shall be allowed to enter in the Solvent Extraction Plant if wearing clothes made of Nylon or such other Fibre that can generate static electrical charge, or wearing foot wear which is likely to cause sparks by friction.

6. Fire-fighting apparatus. - (a) Adequate number of portable fire extinguisher suitable for use against flammable liquid fire shall be provided in the Solvent Extraction Plant.

(b) An automatic water sprinkler system overhead deluge system with sufficient supply of storage water shall be provided over Solvent Extraction Plant and throughout the building housing such plant.

7. Precaution against power failure. - (a) Provision shall be made for the automatic cutting off of steam in the event of power failure and also.

(b) For emergency over head water supply for feeding water by gravity to condensers which shall come into play automatically with the power failure.

8. Magnetic Separators. - The material under extraction shall be fed to the extractor by a conveyer through a hopper and a magnetic separator shall be provided to remove any piece of iron during its transfer.

9. Venting. - (a) Tanks containing solvents shall be protected with emergency venting to relieve excessive internal pressure in the event of fire.

(b) All emergency relief vents shall be terminated at least 6 metres above the ground and be so located that vapours will not re-enter the building in which solvent extraction plant is located.

10. Waste water. - Process waste water shall be passed through a flash evaporator to remove any solvent before it is discharged into a sump which should be located within the fenced area, but not closer than 8 m. to the fence.

11. Ventilation. - The Solvent Extraction Plant shall be well ventilated and if the Plant is housed in a building the building shall be provided with mechanical ventilation with provision for at least six air changes per hour.

12. House keeping. - (a) Solvent shall be stored in an area covered by Solvent Extraction Plant except in small quantity which shall be stored in approved safety cans.

(b) Waste materials such as oily-rags, other waste and absorbents used to wipe off solvent and paints and oils shall be deposited in approved containers and removed from the premises at least once a day.

(c) Space within the Solvent Extraction Plant and within 15 metres from the Plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleared up immediately.

13. Examination and Repairs. - (a) The Solvent Extraction Plant shall be examined by the competent person to determine any weakness or corrosion and

wear, once in every 12 months. Report of such examinations shall be supplied to the Inspector cum facilitator with his observations as to whether or not the Plant is in safe condition to work.

(b) No repairs shall be carried out to the Machinery or Plant except under the direct supervision of the competent person.

(c) Facility shall be provided for purging the plant with inert gas or steam before opening for cleaning or repairs and before introducing solvent after repairs.

14. Operating personnel. - The operation of the plant and machinery in the Solvent Extraction Plant shall be in the charge of such duty qualified and trained persons as are certified by the competent persons to be fit for the purpose and no other person shall be allowed to operate the plant Machinery.

15. Employment of pregnant women and lactating mothers and adolescents. - No pregnant women and lactating mothers or adolescents shall be employed in the solvent extraction plant.

16. Vapour Detection. - A suitable type of the flame proof and portable combustible gas indicator shall be provided and maintained in good working order and a schedule of routine sampling of atmosphere at various locations as approved by the Chief Inspector cum facilitator shall be drawn out and entered in a register maintained for the purpose.

17. Log Book. - A log book of plant operation shall be maintained in a proforma approved by the Inspector cum facilitator.

18. Medical Examination-(1) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(2) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which

he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(4) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-19

Carbon Disulphide Plants

1. Application. - This Schedule shall apply to all electric furnaces in which carbon-disulphide is generated and all other Plants where carbon disulphide after generation is condensed, refined and stored. These Rules are in addition to and not in derogation of any of the provisions of the Act and Rules made thereunder.

2. Construction, Installation and Operations. - (a) The buildings in which electric furnaces are installed and carbon disulphide after generation is condensed and refined shall be segregated from other parts of the factory and shall be open type to ensure optimum ventilation and the plant layout shall be such that only a minimum number of workers are exposed to the risk of any fire or explosion at any one time:

(b) Every electric furnace and every Plant in which carbon disulphide is condensed, refined and stored with all their fittings and attachments shall be of good construction, sound material and of adequate strength maintained in good order to sustain the internal pressure to which the furnace or the plant may be

subjected and shall be so designed that carbon disulphide liquid and gas are in closed system during their normal working.

(c) The Electric furnace supports shall be firmly grounded about 60 centemeter in concrete or by other effective means.

(d) Every electric furnace shall be installed and operated according to manufacturer's instructions and these instructions shall be clearly imparted to the personnel incharge of construction and operation.

(e) The instructions regarding observations of correct furnace temperature sulphur doze, admissible current/power consumption and periodical checking of charcoal level shall be strictly complied with. These instructions shall be exhibited at conspicuous place near the furnace.

3. Electrodes. - (a) Where upper ring electrode(s) or straight electrodes made of steel are used in the electric furnace, they shall be of steamless tube constructed and shall have arrangement for being connected to cooling water system through a siphon-built in the electrodes or through positive pressure water pump.

(b) The arrangement for cooling water referred to in clause (a) shall be connected with automatic alarm system which will actuated in the event of interruption of cooling water in the electrodes and given visible and audible alarm signals in the control room and simultaneously stop power supply for the furnace operation and to stop the further supply of water. The alarm system and the actuating device shall be checked every day.

4. Rapture Discs and Safety Seal. - (a) At least two rapture discs of adequate size which shall blow off at a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe as close as possible to the furnace.

(b) A safety water shall be provided and tapped from a point between the charcoal separator and the sulphur separator.

5. Pyrometer and Manometers. - (a) Each electric furnace shall be fitted with adequate number of pyrometers to give an indication of the temperature as correctly as reasonably practicable at various points in the furnace. The dials for reading the temperature shall be located in this control room.

(b) Manometers or any other suitable devices shall be provided for indicating pressure :-

(i) In the off take pipe before and after the sulphur separator; and

(ii) In primary and secondary condensers.

6. Check Valves. - All piping carrying carbon disulphide shall be fitted with check valves at suitable position so as to prevent gas from flowing back into any electric furnace in the event it is shut down.

Inspection and Maintenance of Electric Furnace

7.(a) Every electric furnace shall be inspected internally by a competent person:-

(i) Before being placed in service after installation;

(ii) Before being placed in service after reconstruction or repairs; and

(iii) Periodically every time the furnace is opened for cleaning and de-ashing or for replacing electrodes.

(b) When an electric furnace shut down for cleaning and deashing :-

(i) The brick lining shall be checked for continuity and any part found defective be removed.

(ii) After removal of any part of the lining referred to in (a) the condition of the shell be closely inspected; and

(iii) Any plates forming shell found corroded to the extent that safety of the furnace is endangered shall be replaced.

8. Maintenance of Records. - The following hourly records shall be maintained in a log book :

(i) Manometer reading at the points specified in (5) (b) (i) and (ii).

(ii) Gas temperature indicated by pyrometers and all other vital points near the sulphur separator and primary and second condensers.

- (iii) Water temperature and flow of water through the siphon in the electrodes.
- (iv) Primary and secondary voltages and energy consumed.

9. Electrical Apparatus-Wiring and Fittings. - All buildings in which carbon disulphide is refined or stored shall be provided with electrical apparatus, wiring and fittings which shall afford adequate protection from fire and explosion.

10. 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 buildings in which carbon disulphide is refined or stored and a notice in the language understood by a majority of the workers shall be pasted in the Plant prohibiting smoking and carrying of matches, fire or naked light or spark into such rooms.

11. Means of Escape. - Adequate means of escape shall be provided and maintained to enable persons to move to a safe place as quickly as possible in case of an emergency. At least two independent staircases of not less than 110 cm. in width and making an angle of not more than 45 from the horizontal shall be provided in every building housing the furnaces at reasonable intervals at opposite ends. These shall always be kept clear of all obstructions and so designed as to afford easy passage.

12. Warning in case of fire. - There shall be adequate arrangements for giving warnings in case of fire or explosion which shall operate on electricity and in case of failure of electricity by some mechanical means.

13. Fire fighting equipments. - (a) Adequate number of suitable fire extinguishers or other fire fighting equipment shall be kept in constant readiness for dealing with risks involved and depending on the amount and nature of material stored.

(b) Clear instructions as to how the extinguishers or other equipment should be used printed in the language which the majority of the workers employed understand shall be affixed to each extinguisher or other equipments.

(c) Adequate number of persons shall be trained in the use of fire fighting equipments.

14. Bulk Sulphur. - (a) Open or semi-enclosed spaces for storage of bulk sulphur shall be sited with due regard to the dangers which may arise from sparks given by locomotives etc. and precautions shall be taken to see that flames, smoking and matches, and other sources of ignition do not come in contact with the clouds of dust arising during handling of bulk sulphur.

(b) All enclosures for bulk sulphur shall be of non-combustible construction, adequately ventilated and so designed as to provide a minimum of ledges on which dust may lodge.

(c) The bulk sulphur in the enclosure shall be handled in such manner as to minimize the formation of dust clouds and no flame, smoking and matches or other sources of ignition shall be allowed and non-sparking tools shall be used whenever sulphur is shoveled.

(d) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosure where bulk sulphur is stored.

15. Liquid Sulphur. - Open flames, electric sparks and other sources of ignition including smoking and matches, shall be excluded from the vicinity of molten sulphur.

16. Training and Supervision. - (1) All electric furnaces and all Plants in which carbon disulphide is condensed, refined or stored shall be under adequate supervision at all times while the furnaces and plants are in operation.

(b) Workers incharge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

17. Washing facilities. - The occupier shall provide and maintain in a clean state and in good repair for the use of all persons employed wash place under cover with atleast one tap or standpipe having a constant supply of clean water for every five such person, the taps or stand-pipes being space not less 120 cm. apart with sufficient supply of soap and clean towels. All the workers employed

in the sulphur storage, handling and melting operations shall be provided with nail brush.

18. Personal Protective Equipment. - (a) Suitable goggled and protective clothing consisting of overalls without pockets, gloves and foot wear shall be provided for the use of operators :-

(i) When operating valves or cocks controlling fluids etc.

(ii) Drawing off of molten sulphur from pots; and

(iii) Handling charcoal or sulphur.

(b) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency.

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

19. Cloak-Rooms. - There shall be provided and maintained for the use of all persons employed in the process a suitable cloak-room for clothing put off during work hours and a suitable place separate from the cloak-room of that storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of responsible person and shall be kept clean.

20. Unauthorised Persons. - (a) Only maintenance and repair personnel, person directly connected with plant operating and those accompanied by authorised person shall be admitted into the plant.

21. Medical Examination-(1) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(2) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The

person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(4) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-20

Manufacture manipulation of "Manganese" and its compound

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

(a) "*Manganese Process*" means processing manufacture of manipulation of manganese or any compound of manganese or any area of any mixture containing manganese.

(b) "*First employment*" means first employment in any manganese process and includes also re-employment in any manganese process following any cessation of employment for a continuous period exceeding 3 calendar months.

(c) "*Manipulation*" means mixing, blending, filling, emptying, grinding, sewing, drying, packing, sweeping or otherwise handling of manganese or a compound of manganese, or an ore of mixture containing manganese.

(d) "*Efficient Exhaust Ventilation*" means localized ventilation effected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from escaping into the atmosphere of any place where any work is carried on. No draught shall be deemed to be efficient which fails to remove the dust or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a work place.

2. Application. - This Schedule shall apply to every factory in which or in any part of which any manganese process is carried on.

3. Exemption. - If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to any exceptional circumstances, or infrequency of the process or for any other reason application of all or any of the provisions of this schedule is not necessary for the protection of the persons employed in such factory he may, by an order in writing which he may at his discretion revoke, exempt such factory from all or any of the provisions of such condictions and for such period as he may specify in the said order.

4. Isolation of process. - Every manganese process which may give rise to dust, vapour or mist containing manganese, shall be carried on in a totally enclosed system or otherwise effectively isolated from other processes so that other plants and process and other parts of the factory and persons employed on other work of process may not be affected by the same.

5. Ventilation of process. - No process in which any dust, vapour or mist containing manganese is generated, shall be carried but except under an efficient exhaust ventilation which shall be applied as near to the point of generation as practicable.

6. Medical Examination-(1) The occupier of every factory to which this Schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

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

(2) The record of medical examination and appropriate tests carried out by the said medical practitioner shall be maintained in a separate register which shall be kept readily available for inspection by the Inspector cum facilitator.

(3) Every worker employed in any manganese processes shall be medically examined by a medical practitioner within 15 days of his first employment. Such examination shall include tests for detection of a serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests other neuromuscular coordination tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified for such employment by the medical practitioner.

(4) Every worker employed in the processes of this schedule shall be examined by a medical officer. He shall issue fitness on form 28.

(5) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register on form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(7) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

7. Personal Protective Equipment. - (1) The Occupier and Manager of the Factory shall provide and maintain in good and clean condition suitable overalls and head coverings for all persons employed in any manganese process and such overalls and head coverings shall be worn by the persons while working on a manganese process.

(2) The occupier and Manager of the factory shall provide suitable respiratory protective equipment for use by workers in emergency to prevent inhalation of dust fumes. Sufficient number of complete sets of such equipment shall always be kept near the work place and the same shall be properly maintained and kept always in a condition to be used readily.

(3) The Occupier and Manager shall provide and maintain for the use of all persons employed suitable accommodation for the storage and make adequate arrangements for cleaning and maintenance of personal protective equipment.

8. Prohibition relating to pregnant women and lactating mothers and adolescents. - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work in any manganese process.

9. Food, drinks prohibited in the work-rooms. - No food, drink, pan and supari or tobacco shall be allowed to be brought into or consumed by any worker in any work-room in which any manganese process carried on.

10. Mess Room. - There shall be provided and maintained for the use of the persons employed in a manganese process a suitable mess room which shall be furnished with sufficient tables and benches and adequate means for warming of food. The mess room shall be placed under the charge of a responsible person and shall be kept clean.

11. Washing Facilities. - There shall be provided and maintained in a clean state and in good condition, for the use of persons employed in manganese process a wash place under cover, with either :-

(1) A trough with a smooth impervious surface fitted with a waste pipe without plug. The trough shall be of sufficient length to allow at least to 60 centimeters for every ten such persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than 60 centimetres; or at least one wash basin for every five such persons at any one time, fitted with a waste pipe and plug and having a constant supply of water; and

(2) Sufficient supply of soap or other suitable cleaning material and nail brushes and clean towels.

12. Cloak Room. - If the Chief Inspector cum facilitator so requires there shall be provided and maintained for the use of persons employed in manganese process a cloak-room for clothing put off during working hours with adequate arrangement for drying the clothing.

13. Cautionary Playcard and instructions. - Cautionary notice in the following form and printed in the language of the majority of the workers employed shall be affixed in prominent places in the factory where they can be easily and conveniently read by the workers and arrangement shall be made by the manager or occupier to instruct periodically all workers employed in a manganese process regarding the health hazards connected with their duties and the best preventive measure and methods and to protect themselves. The notice shall always be maintained in a legible conditions.

Cautionary Notice

Manganese and Manganese compound

1. Dust fumes and mists of Manganese and compounds are toxic when inhaled or when injected.
2. Do not consume food or drink near the work place.
3. Take a good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothing and equipments provided.
6. When required to work in situations where dust, fumes or mists are likely to be inhaled, use respiratory protective equipment provided for the purpose.
7. If you get severe headaches, prolonged sleeplessness or abnormal sensations on the body, report to the Manager who would make arrangements for your examination and treatment.

Sub-Schedule-21

This Schedule shall apply to factories in which benzene or substances containing benzene are manufactured, handled or used.

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

- (a) "*Substance containing benzene*" means substance wherein benzene content exceeds one percent by volume;
- (b) "*Substitute*" means a Chemical which is harmless or less harmful than benzene and can be used in place of benzene;
- (c) "*enclosed system*" means a system which will not allow escape of benzene vapours to the working atmosphere;
- (d) "*efficient exhaust draught*" means localised ventilation effected by mechanical means for the removal of gases, vapours and dusts or fumes so as to prevent them from escaping into the air of any work-room and no draught shall be deemed to be efficient if it fails to remove smoke/generated at the point where such gases, vapours, fumes or dust originates.

3. Prohibition and substitution. - [(a) use of Benzene and substances containing Benzene is prohibited in the following processes :-

- (i) Manufacture of Varnishes, paints and thinners; and
 - (ii) Cleaning and degreasing operations.
- (b) Benzene or substances containing benzene shall not be used as a solvent or diluent unless the process in which it is used is carried on in an enclosed system or unless the process is carried on in a manner which is considered equally safe as if it were carried out in an enclosed system.
- (c) Where suitable substitutes are available, they shall be used instead of benzene or substances containing benzene. This provision, however, shall not apply to the processes specified in Appendix A.
- (d) The Chief Inspector cum facilitator may, subject to confirmation by the State Government, permit, exemptions from the percentage laid down in clause 2(a) and also from the provisions of sub-clause (b) temporarily under conditions

and within limits of time to be determined after consultation with the employers and workers concerned.

4. Protection against inhalation. - (a) The process involving the use of benzene or substances containing benzene shall, as far as practicable be carried out in an enclosed system.

(b) Where, it is not practicable to carry out the process in an enclosed system, the workroom in which benzene or substances containing the benzene are used shall be equipped with an efficient exhaust draught or other means for the removal of benzene vapours to prevent their escape into the air of the workroom so that the concentration of benzene in the air does not exceed 25 parts per million by volume or 80 mg/m.

(c) Air analysis of or the measurement of concentration of benzene vapours in air shall be carried out every 8 hours or at such intervals as may be directed by the Chief Inspector cum facilitator at places where process involving use of benzene is carried on and the result of such analysis shall be recorded in a register specially maintained for this purpose. If the concentration of benzene vapours in air and measured by air analysis, exceeds 25 parts per million by volume or 80 mg/m. the Manager shall forthwith report the concentration to the Chief Inspector cum facilitator stating the reasons for such increase.

(d) Workers who for special reasons are likely to be exposed to concentration of benzene in the air of the work-room exceeding the maximum referred to in clause (b) shall be provided with suitable respirators or face mask. The duration of such exposure shall be limited as far as possible.

5. Measures against skin contact. - (a) Workers who are likely to come in contact with liquid benzene or liquid substances containing benzene shall be provided with suitable gloves, aprons, boots where necessary vapour tight chemical goggles, made of material not affected by benzene or its vapours.

(b) The protective were referred to in sub-clause (a) shall be maintained in good conditions and inspected regularly.

6. Prohibition relating to employment of pregnant women and lactating mothers and adolescent. - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work in any work-room involving exposure to benzene or substances containing benzene.

7. Labelling. - Every container holding benzene or substances containing benzene shall have the word "Benzene" and approved danger symbols clearly visible on it and shall also display information on benzene content, warning about toxicity and warning about inflammability of the chemical.

8. Improper use of benzene. - (a) The use of benzene or substance containing benzene by workers for cleaning their hands or their work clothing shall be prohibited.

(b) Workers shall be instructed on the possible dangers arising from such misuse, and written acknowledgment from every workers who having regard to nature of his work likely to come in contact with liquid benzene or liquid substances containing benzene, shall be obtained that he has fully understood the import of the instructions.

9. Prohibition of consuming food, etc., in workrooms. - No workers shall be allowed to store or consume food or drink in the workroom in which benzene or substance containing benzene are manufactured, handled or used. Smoking and chewing tobacco or pan betel nut shall be prohibited in such workrooms.

10. Instructions as regards risks. - Every worker on his first employment shall be fully instructed on the properties of benzene or substances containing benzene which he has to handle and of the dangers involved. Workers shall also be instructed on the measures to be taken to deal with in an emergency.

11. Cautionary notices. - Cautionary notices in the form specified in Appendix B and presented in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the work-rooms where benzene or substance containing benzene are manufactured, handled or used.

12. Washing facilities, cloak room and mess room. - In factories in which benzene or substances containing benzene are manufactured, handled or used, the occupier shall provide and maintain in clean state and in good repair-

(a) Washing facilities under cover of the standard of at least one tap for every 10 persons having supply of water with soap and a clean towel provided individually to each worker.

(b) A cloak room with lockers for each worker, having two compartments one for street clothing and one for work clothing.

(c) A mess room furnished with tables and benches with arrangement for warming food provided that where a canteen or other proper arrangements exist for the workers to take their meals, the requirements of mess room shall be dispensed with.

13. Medical facilities and Examination-(1) The occupier of every factory to which the Schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein;and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained, which shall be kept readily available for inspection by the Inspector cum facilitator .

(3) Every worker employed in processes mentioned in paragraph 1, shall be examined by a medical practitioner within 15 days of his first employment. Such examination shall include tests for detection of phenol in urine and determination of urinary sulphideration and CNS and hamotological tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical practitioner.

(4) Every worker employed in the process of this shedule shall be examined by a medical officer.

(5) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(7) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Appendix A

[Clause 3 (b)]

- (1) Production benzene.
- (2) Process where ben/ene is used for chemical synthesis.
- (3) Motor spirits (used as fuel).

Appendix B

(Clause 11)

- (a) The hazards-
 - (i) Benzene and substances containing benzene are harmful.
 - (ii) Prolonged or repeated breathing of benzene vapours may result in acute or chronic poisoning.

(iii) Benzene can also be absorbed through skin which may cause skin and other diseases.

(b) The preventive measures to be taken-

(i) Avoid breathing of benzene vapours.

(ii) Avoid prolonged or repeated contact of benzene with skin.

(iii) Remove benzene soaked or wet clothing promptly.

(iv) If any time you are exposed to high concentration of benzene vapours and exhibit the sign and symptoms such as dizziness, difficulty in breathing over excitement of consciousness, immediately inform your Factory Manager.

(v) Keep all the containers of benzene closed.

(vi) Handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on floor.

(vii) Maintain good housekeeping.

(c) The protective equipment to be used-

(i) Use respiratory protective equipment in a place where benzene vapours are present in high concentration.

(ii) In emergency, use self generating oxygen mask or oxygen or air cylinder masks.

(iii) Wear hand gloves, aprons, goggles and gum boots to avoid contact of benzene with your skin and body parts.

(d) The first-aid measures to be taken in case of acute benzene poisoning-

(i) Remove the clothing immediately if it is wet with benzene.

(ii) If liquid benzene enters eyes, flush roughly for at least 15 minutes with clean running water and immediately secure medical attention.

(iii) In case of unusual exposure to benzene vapour call a physician immediately. Until he arrives do the following :-

If the exposed person is conscious

(A) Move him to fresh air in open.

(B) Lie him down without a pillow and keep him quiet and warm.

If the exposed person is unconscious

- (A) Lie him down preferably on the left side with the head low.
- (B) Remove any false teeth, chewing gum, tobacco or other foreign objects which may be in his mouth.
- (C) Provide him artificial respiration in case difficulty is being experienced in breathing.
- (D) In case of hollow breathing or cyanosis (blueness of skin, lips, ears, finger nail-beds), he should be provided with medical oxygen or oxygen carbon di oxide mixture. If needed he should be given artificial respiration. Oxygen should be administered by a trained person only.

Sub-Schedule-22

Manufacture of Slate Pencil

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

(a) Manufacture of slate pencils means cutting of stone with the aid of circular saw or any other means for the manufacture of slate pencils and includes incidental processes, such as, handling and slicing of stone separating the pencils at the grooves cut by saws and incidental processes, such as, counting, packing, pointing and sorting of pencils.

(b) "*Efficient exhaust draught*" means localised ventilations by mechanical means for the removal of dust so as to prevent the dust from escaping into the air of any place in which work is carried on and no draught shall be deemed to be efficient which fails to remove the dust produced at the point where such dust originates.

2. (a) No process of cutting the stones or making a groove in the stone with the help of saw shall be carried out unless the cutting or grooving equipment is fitted with such an efficient exhaust draught, which exhausts the dust from the place where the dust originates and carries it away from the place of work.

- (b) Where the exhaust fan and the cutting or grooving equipment are driven by separate motors, these motors shall be electrically so interlocked that unless the motor of the exhaust fan is working, it shall not be possible to start the motor used for driving the cutting or grooving equipment.
3. (a) No women or adolescents shall be required or allowed to work in the machines used for cutting the stones or making grooves on the stones.
- (b) The work such as packing, repacking, pointing or sorting of pencil, breaking open the grooves or similar other operations, shall not be carried out in the same shed in which the operations or cutting of stone or making grooves on them are carried out.
4. (a) No worker shall be employed on the manufacture of slate pencils, unless he has been medically and radiologically examined by a medical practitioner and declared fit for such employment by grant of certificate of fitness in Form No. 43.
- (b) Every workers employed on the manufacture of slate pencil on the date on which this Schedule comes in force shall be medically and radiologically examined by a medical officer within 3 months of the said date.
- (c) Every worker employed on the manufacture of slate pencil manufacturing shall be medically examined by a medical officer at a interval of not more than six months after the first examination conducted under the said sub-clauses (a) and (b) and shall be radiologically examined at an interval as may be directed by the medical officer.
- (d) Worker already in employment and declared unfit by a medical officer shall not be allowed to work on the manufacture of slate pencils, unless he is examined again and granted a certificate of fitness.
- (e) The medical officer may direct that a worker may be got radiologically examined or the may be subjected to further examination, clinical, pathological or otherwise, or that he may undergo specified treatment, and it shall be the responsibility of the occupier and the manager to arrange for the specified

examination and treatment, and to bear all expenses thereof and in connection therewith.

(f) The medical officer shall, after each examination grant a certificate in Form No 43.

(g) The manager shall maintain all certificates on Form 28 in a proper file and shall produce all the certificates before the Inspector cum facilitator whenever demanded.

5. No worker shall be required or allowed to work on cutting, groove making machine or any other equipment generating dust from the stone used for manufacturing slate pencils, unless he is wearing dust mask.

Sub-Schedule-23

Manufacture of manipulation of dangerous pesticides

1. **Application.** - This schedule shall apply in respect of all factories or any part thereof in which the process of manufacture or manipulation of dangerous pesticide hereinafter referred to as the said manufacturing process is carried on.

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

(a) "*dangerous pesticides*" means any product proposed or used for controlling, destroying or repelling any pest or for preventing growth or mitigating effects of such growth including any of its formulations which is considered toxic under and is covered by the Insecticides Act, 1968 and the rules made thereunder and other product, as may be notified from time to time by the State Government;

(b) "*manipulation*" includes mixing, blending, formulation, filling, emptying, packing or otherwise handling;

(c) "*efficient exhaust draught*" means localised mechanical ventilation for removal of smoke, gas, vapour, dust, fume or mist so as to prevent them from escaping into the air of any work room in which work is carried on. No exhaust draught shall be considered efficient if it fails to remove smoke generated at the point where such gas, fume, dust, vapour, or mist originates from the process;

(d) "*first employment*" shall mean first employment in any manufacturing process to which this schedule applies and shall also include re-employment in the said manufacturing process following any cessation of employment for a continuous period exceeding three calendar months; and

(e) "*suspension*" means suspension from employment in any process wherein a dangerous pesticide is manipulated, by written certificate the health register signed by the Medical officer who shall be competent to suspend all persons employed in such process.

3. Instruction to workers. - Every worker on his first employment shall be fully instructed on the properties including dangerous properties of the chemicals handled in the said manufacturing process and the hazards involved. The employees shall also be instructed in the measures to be taken to deal with any emergency. Such instructions shall be repeated periodically.

4. Cautionary notice and placards. - Cautionary notices and placards in the form specified in appendix to this schedule and printed in the language of the majority of the workers shall be displayed in all work places in which said manufacturing process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier and the manager of the factory to periodically instruct the workers regarding the health hazards arising in the said manufacturing process and method of protection. Such notices shall include brief instructions regarding the periodical clinical tests required to be undertaken for protecting health of the workers.

5. Prohibition relating to employment of pregnant women and lactating mothers or adolescents. - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work in any room in which the said manufacturing process is carried on or in any room in which dangerous pesticide is stored.

6. Food, drinks and smoking prohibited. - (1) No food, drink, tobacco, pan or supari shall be brought into or consumed by any worker in any workroom in which the said manufacturing process is carried out.

(2) Smoking shall be prohibited in any workroom in which the said manufacturing process is carried out.

7. Protective clothing and protective equipment. - (1) Protective clothing consisting of long pants and shirt or over all with long sleeves and head covering shall be provided for all workers employed in the said manufacturing process.

(2) (a) Protective equipment consisting of rubber gloves, gum boots, rubber aprons, chemical safety goggles and respirators shall be provided for all workers employed in the said manufacturing process.

(b) Gloves, boots, aprons shall be made from synthetic rubber where a pesticide contains oil.

(3) Protective clothing and equipment shall be worn by the workers supplied with such clothing and equipment.

(4) Protective clothing and equipment shall be washed daily from inside and outside if the workers handle pesticides containing nicotine or phosphorus and shall be washed frequency to handling other pesticides.

(5) Protective clothing and equipment shall be maintained in good repair.

8. Floors and work-benches. - (1) Floors in every workroom where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface.

(2) Floors shall be maintained in good repair, provides with adequate slope leading to a drain and thoroughly washed once a day with hose pipe.

(3) Work-benches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned atleast once daily.

9. Spillage and waste. - (1) If a dangerous pesticide during its manipulation splashes or spills on the work-bench, floor or on the protective clothing worn by a worker, immediate action shall be taken for thorough decontamination of such areas or articles.

(2) Cloth, rags, paper or other material soaked or soiled with a dangerous pesticide shall be deposited in a suitable receptacle with tight fitting cover. Contaminated waste shall be destroyed by burning at least once a week.

(3) Suitable deactivating, where available, shall be kept in a readily accessible place for use while attending to a spillage.

(4) Easy means for access shall be provided to all parts of the plant for cleaning, maintenance and repairs.

10. Empty containers used for dangerous pesticides. - Containers used for dangerous pesticides shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded or destroyed.

11. Manual handling. - (1) A dangerous pesticide shall not be required or allowed to be manipulated by hand except by means of a long handled scoop.

(2) Direct contact of any part of the body with a dangerous pesticide during its manipulation shall be avoided.

12. Ventilation. - (1) In every workroom or area where a dangerous pesticide is manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air.

(2) Unless process is completely enclosed, the following operations during manipulation of a dangerous pesticide shall not be undertaken without an efficient exhaust draught :-

(a) emptying container holding a dangerous pesticide;

(b) blending a dangerous pesticide;

(c) preparing a liquid or powder formulation containing a dangerous pesticide;

and

(d) changing or filling a dangerous pesticide into a container, tank hopper or machine or small sized containers.

(3) In the event of a failure of the exhaust draught provided on the above operation, the said operations shall be stopped forthwith.

13. Time allowed for washing. - (1) Before each meal and before the end of the day's work atleast ten minutes in addition to the regular rest interval shall be allowed for washing to each worker engaged in the manipulation of dangerous pesticide.

(2) Every worker engaged in the manipulation of dangerous pesticide shall have a through wash before consuming any food and also at the end of the day's work.

14. Washing and bathing facilities. - (1) It shall be provided and maintained in a dean state and in good repair for the use of all workers employed in the factory where the said manufacturing process is carried on, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 5 persons employed.

(2) The washing place shall have stand pipes placed at intervals of not less than one metre.

(3) Not less than one half of the total number of washing places shall be provided with bathrooms.

(4) Sufficient supply of clean towels made of suitable material shall be provided:

Provided that such towels shall be supplied individually for each worker if so ordered by the Inspector cum facilitator.

(5) Sufficient supply of soap and nail brushes shall be provided.

15. Cloak-room. - It shall be provided and maintained for the use of all workers employed in the factory where the said manufacturing process is carried on-

(a) a cloak-room for clothing put off during working hours with adequate arrangements for drying clothing, if wet; and

(b) separate and suitable arrangements for the storage of protective clothing provided under paragraph 7.

16. Messroom. - (1) It shall be provided and maintained for the use of all workers employed in the factory in which the said manufacturing process is carried on and remaining on the premises, during the rest intervals, a suitable messroom which shall be furnished with-

(a) sufficient tables and benches with back-rest; and

(b) adequate means for warming food.

(2) The mess room shall be placed under the charge of a responsible person and shall be kept clean.

17. Manipulation not to be undertaken. - Manufacture or manipulation of a pesticides shall not be undertaken in any factory unless a certificate regarding its dangerous nature or otherwise is obtained from the Chief Inspector cum facilitator.

18. Medical facilities and Examination-(1) Every worker employed in the said manufacturing process shall be examined by the medical practitioner within seven days of the first employment and no worker shall be allowed to work unless certified fit by a certificate of fitness in Form 28 for such employment by the medical officer.

(2) Every worker employed in the said manufacturing process shall be re-examined by a medical officer at least once in 6 calendar months.

(3) Due notice shall be given to the medical practitioner and the concerned workers regarding the arrangements for examination of workers employed in the said manufacturing process after obtaining the consent regarding the arrangement from the medical officer.

(4) Health register in Form 29 shall be maintained.

(5) No worker after suspension shall be employed without written sanction from the medical officer entered in or attached to the health register. The person so suspended from the process being unfit for work in that process shall be

provided with alternate placement facilities by factory management unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitates.

(6) The occupier shall engage a qualified medical practitioner approved by the Chief Inspector cum facilitator who shall examine and when necessary treat on the premises of the factory, all workers who are employed in the said manufacturing process, for effect of excessive absorption of the dangerous pesticide atleast once a week.

(7) The occupier shall make necessary arrangements to ensure quick availability of qualified medical practitioner in emergency.

(8) The occupier shall provide medicines and antidotes and other equipment required for treatment of excessive absorption of dangerous pesticides.

(9) Records of such examinations and treatments and tests shall be maintained and shall be made available to Inspector cum facilitator .

(10) The Chief Inspector cum facilitator may order suitable clinical test or tests to be carried out at specified intervals in respect of workers in any factory where such manufacturing process is carried on. Charges for such test or tests shall be borne by the occupier.

(11) Every worker in any factory where the said manufacturing process is carried on, shall undergo the prescribed examinations, tests and treatments.

(12) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(13) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility

unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(15) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

19. Exemption. - If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or the infrequency of the said manufacturing process or for any other reason which he shall record in writing all or any of the provision of this schedule are not necessary for the protection of the workers employed in the factory, he may by a certificate in writing exempt such factory, from all or any of the provisions on such condition as he may specify therein. Such certificate may, at any time, be revoked by the Chief Inspector cum facilitator after recording his reasons therefore.

Appendix

Cautionary Notice

1. Chemicals handled in this plant are poisonous substances.
2. Smoking, eating food or drinking, chewing tobacco in this area is prohibited. No food stuff or drink shall be brought in this area.
3. Some of these chemicals may be absorbed through skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. A good bath shall be taken at the end of the shift.
6. Protective clothing and equipment supplied shall be used while, working in this area.
7. Containers of pesticides shall not be used for keeping food stuffs.

8. Spillage of the chemicals on any part of the body or on the floor or work-bench shall be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately.
10. Scrupulous cleanliness shall be maintained in this area.
11. Do not handle pesticides with bare hands, use scoops provided with handle.
12. In case of sickness like nausea, vomiting, giddiness, the manager should be informed who will make necessary arrangements for
13. All workers shall report for the prescribed medical tests regularly to protect their own health.

Sub-Schedule-24

Manufacture or manipulation of Carcinogenic dye intermediates

1. **Application.** - This schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned in paragraphs 3 and 4 formed, manufactured, handled, or used and the processes incidental thereto in the course of which these substances are formed, are carried on. The processes indicated in this paragraph shall be referred to hereinafter as "the said processes", and such a reference shall mean any or all the processes described in this paragraph.

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

- (a) "*controlled substances*" means chemical substances mentioned in paragraph 4 of this schedule;
- (b) "*first employment*" means first employment in the said processes and also reemployment in such processes following any cessation of employment for a continuous period exceeding three calendar months;
- (c) "*efficient exhaust draught*" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them from escaping into the air of any place in which work is carried on. No

draught shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originates; and

(d) "*prohibited substances*" means chemical substances mentioned in paragraph 3 of this schedule.

3. Prohibited substances. - For the purpose of this schedule, the following chemical substances shall be classified as "prohibited substances" except when these substances are present or are formed as a by-product of a chemical reaction in total concentration and exceeding one per cent :

(a) beta-naphthylamine and its salts;

(b) benzidine and its salts;

(c) 4-amino diphenyl and its salts;

(d) 4-nitro diphenyl and its salts; and

(e) any substances containing any of these compounds.

4. Controlled substances. - For the purpose of this schedule, the following chemical substances shall be classified as "controlled substances.

(a) Alpha-naphthylamine or alpha-naphthylamine containing not more than one percent of betanaphthylamine either as a by-product of chemical reaction or otherwise and its salts;

(b) ortho-tolidine and its salts;

(c) dianisidine and its salts;

(d) dichlorobenzidine and its salts;

(e) auramine; and

(f) magnets.

5. Prohibition of employment. - No person shall be employed in the said processes in any factory in which any prohibited substance is formed, manufactured, processed, handled, or used except as exempted by the Chief Inspector cum facilitator as stipulated in paragraph 23.

6. Requirements for processing or handling controlled substance.

(1) Wherever any of the controlled substances referred to in paragraph 4 are

formed, manufactured, processed, handled, or used, all practical steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance, and its storage or transport within the plant, or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas.

(2) As far as possible all operations shall be carried out in a totally closed system. Wherever such enclosure is not possible, efficient, exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process.

(3) The controlled substances shall be received in the factory in tightly closed containers and shall be kept so except when these substances are in process or in use. The controlled substance shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labeled to indicate the contents.

7. Personal protective equipment. - (1) The following item to personal protective equipment shall be provided and issued to every worker employed in the said processes :-

- (a) long trousers and shirts or overall with full sleeves and head cover in the shirt or overall shall cover the neck completely; and
- (b) rubber gum-boots.

(2) The following item of personal protective equipment shall be provided in sufficient numbers for use by workers employed in the said processes when there is danger or injury during the performance of normal duties or in the event of emergency :-

- (a) rubber hand gloves;
- (b) rubber aprons; and
- (c) Airline respirators or other suitable respiratory protective equipment.

(3) It shall be the responsibilities of the manager to maintain all item of personal protective equipment in a clean and hygienic conditions and in good repair.

- 8. Prohibition relating to employment of pregnant women and lactating mothers and adolescent.** - No pregnant women and lactating mothers or adolescent shall be employed or permitted to work in any room in which the said processes are carried on.
- 9. Floors of work-room.** - The floor of every work-room in which the said processes are carried on shall be-
- (a) smooth and impervious to water provided that asphalt or tar shall not be used in the composition of the floor;
 - (b) maintained in a state of good repair;
 - (c) with suitable slope for easy cleaning and provided with gutters; and
 - (d) thoroughly washed daily with the drain water being led into a sewer through a closed channel.
- 10. Disposal of empty containers.** - Empty containers used for holding controlled substances shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discharged.
- 11. Manual handling.** - Controlled substances shall not be allowed to be mixed, filled, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.
- 12. Instructions regarding risk.** - Every worker on his first employment in the said processes shall be fully instructed of the properties of the toxic chemicals to which he is likely to be exposed to of the dangers involved and the precautions to be taken. Workers shall also be instructed on the measures to be taken to deal with an emergency.
- 13. Cautionary placards.** - Cautionary placards in the form specified in appendix attached to this schedule and printed in the language of the majority of the workers employed in the said processes shall be affixed in prominent places in the factory, where the placards can be easily and conveniently read. Arrangements shall be made by the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.

14. Obligations of the workers. - It shall be the duty of the persons employed in the said processes to present themselves for the medical examination including exfoliative cytology of urine by the Medical officer or the qualified medical practitioner as provided for under these rules.

15. Washing and bathing facilities. - (1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repairs for the use of all workers employed in the said processes :-

(a) a wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with atleast one stand pipe, for every five such workers;

(b) 50 per cent of the stand pipes provided under clause (a) shall be located in bath-rooms where both hot and cool water shall be made available during the working hours of the factory and for one hour thereafter.

(c) the washing and bathing facilities shall be in closed proximity of the area housing the said processes;

(d) clean towels shall be provided individually to each worker; and

(e) in addition to the taps mentioned under clause (a), one stand pipe, in which warm water is made available, shall be provided on each floor.

(2) Arrangement shall be made to wash factory uniforms and other work clothes every day.

16. Food, drinks, etc. prohibited in workroom. - No worker shall consume food, drink, pan, supari or tobacco or shall smoke in any workroom in which the said processes or carried on and no worker shall remain in any such room during intervals for meals or rest.

17. Cloak-room. - There shall be provided and maintained in clean state and in good repair for the use of the workers employed in the said processes-(a) a cloak-room with lockers having two compartments one for street clothes and the other for work clothes, and (b) a place separate from the locker room and the

mess room, for the storage of protective equipment provided shall be under the care of a responsible person and shall be kept clean.

18. Messroom. - There shall be provided and maintained for the use of the workers employed in the said processes who remain on the premises during the meal intervals, a messroom which shall be furnished with tables and benches and provided with suitable means for warming food.

19. Time allowed for washing. - Before the end of each shift 30 minutes shall be allowed for bathing for each worker who is employed in the said processes. Further, atleast 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

20. Restriction on age of persons employed. - No worker under the age of 40 years shall be engaged in the factory in the said processes for the first time after the date on which the schedule comes into force.

21. Medical Examination-(1) Every worker employed in the said processes shall be examined by a medical practitioner within 14 days of his first employment. Such examination shall include tests which the medical practitioner may consider appropriate and shall include ex-foliative cytology of the urine. No worker shall be allowed to work after 14 days of his first employment in the factory unless certified fit for such employment by the medical practitioner.

(2) Every worker employed in the said processes shall be re-examined by a medical officer at least once in every six calendar months. Such examination shall include tests which the medical officer may consider appropriate but shall include ex-foliative cytology of the urine.

(3) A person medically examined under sub-paragraph (1) shall be granted by the medical officer a certificate of fitness in Form 28. The record of each examination carried out as referred to in sub-paragraphs (1) and (2) including the nature and the results of the tests shall be entered by the medical officer in a health register in Form 29.

(4) The certificate of the fitness and the health register shall be kept readily available for inspection by any Inspector cum facilitator .

(5) The occupier of every factory in which the said processes are carried on shall engage a qualified medical practitioner for medical surveillance of the workers employed in such processes. His appointment shall be subject to approval of the Chief Inspector cum facilitator . The occupier shall provide to him all the necessary facilities for the purposes referred to in sub-paragraph (1).

(6) Every worker employed in the process of this schedule shall be examined by a medical officer. He shall issue fitness on form 28.

(7) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(9) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

22. Exemptions-Prohibited substances.- (1) The Chief Inspector cum facilitator may by a certificate in writing (which he may at his discretion revoke at any time), subject to such conditions, if any, as may be specified therein, exempt any process in the course of which any of the prohibited substances is formed, processed, manufactured, handled, or used, from the provisions of

paragraph 5 if he is satisfied that the process is carried out in a totally enclosed and hermetically sealed system in such a manner that the prohibited substance is not removed from the system except in quantities no greater than that required for the purpose of control of the process or such purposes as is necessary to ensure that the product is free from any of the prohibited substances.

(2) The Chief Inspector cum facilitator may allow the manufacture, handling or use of benzidinehydro chlorine provided that all the processes in connection with it are carried out in a totally enclosed system in such a manner that no prohibited substance other than benzidine hydrochloride is removed there from except in quantities no greater than that required for the purpose of control of the processes or such purposes as is necessary to ensure that the product is free from prohibited substances and that adequate steps are taken to ensure that benzidine hydrochloride is except while not less than one part of water to two parts of benzidine hydrochloride at all times.

23. Exemptions general. - If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for the protection of the workers in the factory, the Chief Inspector cum facilitator may by a certificate in writing (which he may in his discretion revoke at any time), exempt such factory from all or any of such provisions subject to such conditions, if any as he may specify herein.

Sub-Schedule-25

Operations Involving High Noise Levels

1. Application. - This schedule shall apply to all operations in any manufacturing process having high noise level.

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

(a) "Noise" means any unwanted sound;

(b) "High noise level" means any noise level measured on the A-weighted scale is 90dB above;

(c) "Decibel" means one-tenth of logarithmic scale used to express the number of "Bels" denoting su of this ratio. The noise level o reference pressure of 20×10^{-6} square centimetre which is the t pressure level necessary to produ listener. The decibel in abbreviated

(d) "Frequency" means the rate o second or hertz;

(e) "dBA" refers to sound level in decibels as measured on a sound level meter operating on the A-weighting net work with slow metre response.

(f) "A-weighting" means making graded adjustments in the intensities of sound of various frequencies for the purpose of noise measurements, so that the sound pressure level measured by an instrument reflects the actual response of the human ear to the sound measured.

3. Protection against noise. - (1) In every factory suitable engineering control or administrative measure shall be taken to ensure, so far as reasonably practicable that no worker is exposed to sound levels exceeding the maximum permissible noise exposure levels specified in Tables 1 and 2 below :-

Table 1

Permissible Exposure in Case of continuous Noise	
Total time of exposure (continuous or number of short term exposures)	
Duration per day, in hours	Sound pressure level in dBA.
8	90
6	92
4	95
3	97
2	100
1 ½	102
1	105
¾	107
½	110
¼	115

- Note.** - (1) No exposure in excess of 115 dBA is to be permitted.
- (2) For any period of exposure falling in between any figure and the next high or lower figure as indicated in column 1 the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

Table 2

Permissible Exposure levels for Impulsive or Impact Noise	
Peak sound pressure level in dB	Permitted number of impulses or impact per day
140	100
135	315
130	1000
125	3160
120	10000

Note. - (1) No exposure in excess of 140 dB peak sound pressure level is permitted.

(2) For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impact per day is to be determined by extrapolation on a proportionate basis.

(2) For the purpose of this schedule, if the variations in the noise level involve maximum at intervals of one second or less, the noise is to be considered as a continuous one and the criteria; given in Table 1 would apply. In other cases, the noise is to be considered as impulsive or impact noise and the criteria given in Table 2 would apply.

(3) When the daily noise-exposure is composed of two or more periods of noise exposure at different levels their combined effect should be considered, rather than the individual effect of each. The mixed exposure should be considered to exceed the limit value if the sum of fractions

$$\frac{C^1}{T^1} + \frac{C^2}{T^2} + \frac{C^N}{T^N} \text{ exceeds unity, -}$$

Where the C1, C2, etc. indicate the total time of actual exposure at a specified noise level and T1, T2, etc. denote the time of exposure permissible at that level. Noise exposure of less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub-paragraph (1) by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measures, and each worker so exposed shall be provided with suitable ear protectors so as to reduce the exposure to noise to the levels specified in sub-paragraph (1).

(5) Where the ear protectors provided in accordance with sub-paragraph (4), and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level, to a level permissible under Table 1 or Table 2 as the case.

4. Medical Examination-(1) Every worker employed in the process of this schedule shall be examined by a medical officer. He shall issue fitness on form 28.

(2) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the these processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register form 29. The entry of his findings in those documents shall also include the period for which he considers

that the said person is unfit for work in the said process. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(4) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

Sub-Schedule-26

Manufacture of Rayon by Viscose Process

1. Definitions. - For the purpose of this Schedule,-

- (a) "*approved*" means approved for the time being in writing by the Chief Inspector cum facilitator;
- (b) "*breathing apparatus*" means a helmet or face piece with necessary connections by means of which the person using it in a poisonous, asphyxiating or irritant atmosphere breathes unpolluted air, or any other approved apparatus;
- (c) "*churn*" means the vessel in which alkali cellulose pulp is treated with carbon-di-sulphide;
- (d) "*dumping*" means transfer of cellulose xanthate from a dry churn to a dissolver;
- (e) "*efficient exhaust draught*" means localised ventilation by mechanical means for the removal of any gas or vapour, so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient if it fails to control effectively any gas or vapour generated at the point where such gas or fume originates;
- (f) "*fume process*" means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;
- (g) "*life belt*" means 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 man;

(h) "*protective equipment*" means apron, goggles, face shields, foot wear, gloves and overalls made of suitable materials.

2. Ventilation. - (1) In all workrooms where a fume process is carried on, adequate ventilation by natural or mechanical means shall be provided so as to control in association with other control measures, the concentration of Carbon-di-sulphide and hydrogen sulphide in the air of every work environment within the permissible limits.

(2) Notwithstanding the requirements in sub-paragraph (1) an efficient exhaust draught shall be provided and maintained to control the concentration of carbon-di-sulphide and hydrogen sulphide in the air at the following location:-

- (a) dumping hoppers of dry churns;
- (b) spinning machines;
- (c) trio rollers and cutters used in staple fibre spinning;
- (d) hydro-extractors for yarn cakes;
- (e) after treatment processes, and
- (f) spin baths.

(3) In so far as the spinning machines and trio rollers and cutters used in staple fibre spinning are concerned, they shall be, for the purpose of ensuring the effectiveness of the exhaust draft to be provided as required in sub-paragraph (1), enclosed as fully as practicable and provided with suitable shutters in sections to enable the required operations to be carried out without giving rise to undue quantities of Carbon-di-sulphide and hydrogen sulphide escaping to the work environment.

(4) No dry churn shall be opened after completion of reaction without initially exhausting the residual vapours of carbon-di-sulphide by operation of suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated as long as the churn is kept opened.

(5) Whenever any ventilation apparatus normally required for the purpose of meeting the requirements in sub-paragraphs (2), (3) and (4) is ineffective, fails,

or is stopped for any purpose whatsoever, all persons shall be required to leave the work areas where the equipment or processes specified in the above said sub-paragraphs are in use, as soon as possible, and in any case not later than 15 minutes after such an occurrence.

(6) (i) All ventilating system provided for the purposes as required in sub-paragraphs (2), (3) and (4) shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.

(ii) A register containing particulars of such examination and tests, and the state of the systems and the repairs or alterations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector cum facilitator.

3. Waste from spinning machines. - Waste yarn from the spinning machines shall be deposited in suitable containers provided with close fitting covers. Such waste shall be disposed off as quickly as possible after decontamination.

4. Lining of Dry Churns. - The inside surface of all dry churns shall be coated with a non-sticky paint so that cellulose xanthate will not stick to the surface of the churn. Such coating shall be maintained in good condition.

5. Air monitoring. - (1) To ensure the effectiveness of the control measures, monitoring of carbon-di-sulphide and hydrogen sulphide in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purposes.

(2) For the purpose of the requirement in sub-paragraph (1), instantaneous gas detector tubes shall not be used. Samples shall be collected over a duration of not less than 10 minutes and analysed by an approved method. The locations where such monitoring is to be done shall be as directed by the Inspector cum facilitator.

(3) If the concentration of either carbon-di-sulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas as laid down in these

rules, suitable steps shall be taken for controlling the concentrations in air of such contamination. A report of such occurrence shall be sent to the Chief Inspector cum facilitator forthwith.

6. Prohibition to remain in fume process room. - No person during his intervals for meal, or rest shall remain in any room wherein fume process is carried on.

7. Prohibition relating to employment of adolescents. - No adolescent shall be employed or permitted to work in any fume process or in any room in which any such process is carried on.

8. Protective equipment. - (1) To occupier shall provide and maintained in good condition protective equipment as specified in the table for use of persons employed in the processes referred to therein.

Table

Process Protective Equipment

(1) (2)

1. Dumping Overalls, face-shields, gloves and footwear all made of suitable materials.

2. Spinning Suitable aprons, gloves and footwear.

3. Process involving or likely to involve contact with viscose solution. Suitable gloves and footwear.

4. Handling of sulphur Suitable chemical goggles.

5. Any other process involving contact with hazardous chemicals, Protective equipment as may be directed by the inspector cum facilitator by an order in writing.

(2) A suitable room, rooms or lockers shall be provided exclusively for the storage of all the protective equipment supplied to workers and no such equipment shall be stored at any place other than the room, rooms or lockers so provided.

9. Breathing apparatus. - (1) There shall be provided in every factory where fumeprocess is carried on, sufficient supply of-

- (a) breathing apparatus;
- (b) oxygen and a suitable appliances for it administration; and
- (c) life belts.

(2) (i) The breathing apparatus and other appliances referred to in sub-paragraph (1) shall be maintained in good condition and kept in appropriate locations so as to bereadily available.

(ii) The breathing apparatus and other appliances referred to in clauses (a) and (b) of sub-paragraph (1) shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible persons.

(iii) A record of the maintenance or the condition of the breathing apparatus and other appliances referred to in sub-clause (1) shall be entered in a register provided for that purposes which shall be readily available for inspection by an Inspector cum facilitator.

(3) Sufficient number of workers shall be trained and periodically retrained in the use of breathing apparatus and administering artificial respiration so that atleast 2 such trained persons would be available during all the working hours in each room in which fume process is carried on.

(4) Breathing apparatus shall be kept properly labeled in clean, dry, light-proof cabinets and if liable to be affected by fumes, shall be protected by placing them insuitable containers.

(5) No person shall be employed to perform any work specified in sub-paragraph (1)for which breathing apparatus is necessary to be provided under the sub-paragraph unless he has been fully instructed in the proper use of the equipment.

(6) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been

thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

10. Electric fitting. - All electric fitting in any room in which carbon-disulphide is produced, used or given off or is likely to be given off into the work environment, other than a spinning room, shall be of flame proof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

11. Prohibition relating to smoking, etc. - No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of the workers shall be posted prominent locations in the plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms :

Provided that fire, naked light or other means of producing a naked light of spark may be carried on in such room only when required for the purposes of the process itself under the direction of responsible person.

12. Washing and bathing facilities. - (1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the process covered by the schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 25 persons employed.

(2) The washing places shall have standpipes at intervals of not less than one meter.

(3) Not less than one half of the total number of washing places shall be provided with bathrooms.

(4) Sufficient supply of clean towels made of suitable material shall be provided:

Provided that such towels shall be supplied individually for each worker if so ordered by the Inspector cum facilitator .

(5) Sufficient supply of soap and nail brushes shall be provided.

13. Rest room. - (1) A rest room shall be provided for the workers engaged in doffing operations of filament yarn spinning process.

(2) Such rest room shall be provided with fresh air supply and adequate seating arrangement.

14. Cautionary notice and instructions. - (1) The following cautionary notice shall be prominently displayed in each fume process rooms.

"Cautionary Notice :

1. Carbon-di-sulphide (CS_2) and Hydrogen Sulphide (H_2S) which may be present in this room are hazardous to health.

2. Follow safety instructions.

3. Use protective equipment and breathing apparatus as and when required.

4. Smoking is strictly prohibited in this area."

This notice shall be in a language understood by the majority of the workers and displayed where it can be easily and conveniently read. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

(2) Arrangements shall be made to instruct each workers employed in any room in which a fume process is carried on regarding the health hazards, connected with their work and the preventive measures and method to protect themselves. Such instructions shall be given on his first employment and repeated periodically.

(3) Simply and special instructions shall be framed to ensure that effective measures will be carried out in case of emergency involving escape of carbon-di-sulphide and hydrogen sulphide. Those instructions shall be displayed in the concerned areas and workers shall be instructed and trained in the actions to be taken in such emergencies.

15. Medical Examination-(1) The occupier of each factory to which this schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein;and

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

(2) The record of medical examination and appropriate tests carried out by the said medical practitioner shall be maintained which shall be kept readily available for inspection by the Inspector cum facilitator .

(3) Every worker employed in the process of this shedule shall be examined by a medical officer. He shall issue fitness on form 28.

(4) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the processes on the ground,that continuance involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes.The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated inthe opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(6) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

16. Exemptions. - If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions

of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any he may specify therein.

Sub-Schedule-27

Operations in Foundries

1. Application. - Provisions of this schedule shall apply to all parts of factories where any of the following operations or processes are carried on :-

- (a) the production of iron castings or, as the case may be, steel castings by casting in mould, made of sand, loam, moulding composition or other mixture of materials, or by shell moulding, or by centrifugal casting and any process incidental to such production;
- (b) the production of non-ferrous castings by casting metal in moulds made of sand, loam, metal, moulding composition or other material or mixture of materials, or by shell mouldings, die-casting (including pressure diecasting), centrifugal casting or continuous casting and any process incidental to such production; and
- (c) the melting and casting of non-ferrous metal for the production of ingots, billets, slabs or other similar products, and the stripping thereof; but shall not apply with respect to-
 - (a) any process with respect to the smelting and manufacture of lead and the Electric Accumulators;
 - (b) any process for the purposes of a printing worker; or
 - (c) any melting process in which metal is obtained by a reducing operation or any process incidental to such operation; or
 - (d) the production of steel in the form of ingots; or

(e) any process in the course of the manufacture of solder or any process incidental to such manufacture; or

(f) the melting and casting of lead or any lead based alloy for the production of ingots, billets, slabs or other similar products or the stripping thereof, or any process incidental to such melting, casting or stripping.

2. Definitions. - For the purpose of this schedule-

(a) "*approved respirator*" means a respirator of a type approved by the Chief Inspector cum facilitator ;

(b) "*cupola or furnace*" includes a receiver associated therewith;

(c) "*dressings or fettling operations*" includes stripping and other removal of adherentsand cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include-(a) the removal of metal from a casting when performed incidentally in connection with the machining or assembling of castings after they have been dressed or fettled, or (b)any operation which is a knock-out operation within the meaning of this schedule;

(d) "*foundry*" means those parts of a factory in which the production of iron or steel or non-ferrous castings (not being the production of pig iron or the production of steel inthe form of ingots) is carried on by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell moulding or by centrifugal casting in metal moulds lined with sand, or die casting including pressure die castings, together with any part of the factory in which any of the following processes are carried on as incidental processes in connection with and in the course of, such production, namely, the preparation and mixing of materials used in foundry process,the preparation of moulds and cores knock out operations and dressings or fettling operations;

(e) "*knock-out operations*" means all methods of removing castings from moulds and the following operations, when done in connection therewith, namely, stripping, coring-out and the removal of runners and risers;

(f) "*pouring aisle*" means an aisle leading from a main gangway or directly from a cupola or furnace to where metal is poured into moulds.

3. Prohibition of use of certain materials as parting materials. - (1) A material shall not be used as a parting material if it is a material containing compounds of silicon calculated as silica to the extent more than 5 per cent by weight of the dry materials :

Provided that this prohibition shall not prevent the following being used as a parting material if the material does not contain an admixture of any other silica:-

- (a) Zirconium silicate (Zircon)
- (b) Calcined china clay
- (c) Calcined aluminous fireclay
- (d) Sillimanite
- (e) Calcined or fused alumina
- (f) Olivine
- (g) Natural sand.

(2) Dust or other matter deposited from a fettling or blasting process shall not be used as a parting materials or as a constituent in a parting material.

4. Arrangement and storage. - For the purposes of prompting safety and cleanliness in workrooms the following requirements shall be observed :-

- (a) moulding boxes, loam plates, ladles, patterns, pattern plates, frames, boards, box weights, and other heavy articles shall be so arranged and placed as to enable work to be carried on without unnecessary risk;
- (b) suitable and conveniently accessible racks, bins, or other receptacles shall be provided and used for the storage of other gear and tools;
- (c) where there is bulk storage of sand, fuel, metal scrap or other materials or residues, suitable bins bunkers or other receptacles shall be provided for the purposes of such storage.

5. Construction of floors. - (1) Floors of indoor work places in which the processes are carried on, other than parts which are of sand shall have an even surface of hard material.

(2) No part of the floor of any such indoor workplace shall be of sand except where this is necessary by reason of the work-done.

(3) All parts of the surface of the floor of any such indoor workplace which are of sand shall, so far as practicable, be maintained in an even and firm condition.

6. Cleanliness of indoor workplaces. - (1) All accessible parts of the walls of every indoor workplace in which the processes are carried on and of everything affixed to those walls shall be effectively cleaned by a suitable method to a height of not less than 4.2 metres from the floor atleast once in every period of fourteen months. A record of the carrying out of every such effective cleaning in pursuance of this paragraph including the date (which shall be not less than five months nor more than nine months after the last immediately proceeding washing, cleaning or other treatment).

(2) Effective cleaning by a suitable method shall be carried out atleast once every working day of all accessible parts of the floor of every indoor workplace in which the processes are carried on, other than parts which are of sand, and the parts which are of sand shall be kept in good order.

7. Manual operations involving molten metal. - There shall be provided and properly maintained for all persons employed on manual operations, involving molten metal with which they are liable to be splashed, a working space for that operation :-

(a) which is adequate for the safe performance of the work; and

(b) which, so far as reasonably practicable, is kept free from obstruction.

(2) Any operation involving the carrying by hand of a container holding molten metal shall be performed on a floor and parts of which where any person walks, while engaged in the operations shall be on the same level:

Provided that, where necessary to enable the operation to be performed without undue risk, nothing in this paragraph shall prevent the occasional or exceptional use of a working space on a different level from the floor, being a space provided with a safe means of access from the floor for any person while engaged in the operation.

8. Gangways and pouring aisles. - (1) In every workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this Schedule and, so far as reasonably practicable, in every other workroom to which this paragraph applies, sufficient and clearly defined main gangways shall be provided and properly maintained which-

(a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;

(b) shall be kept, so far as reasonably practicable, free from obstruction;

(c) if not used for carrying molten metal, shall be at least 920 millimetres in width;

(d) if used for carrying molten metal shall be-

(i) where truck ladles are used exclusively, at least 600 millimetres wider than the overall width of the ladle;

(ii) where hand shanks are carried by not more than two men, at least 920 millimetres in width;

(iii) where hand shanks are carried by more than two men, at least 1.2 metres in width; and

(iv) where used for simultaneous travel in both directions by men carrying hand shanks, at least 1.8 metres in width.

(2) In workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this Schedule, sufficient and clearly defined pouring aisles shall be provided and properly maintained which-

(a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;

(b) shall be kept so far as reasonable practicable free from obstruction;

(c) if molten metal is carried in hand ladles or bull ladles by not more than two men per ladles, shall be atleast 460 millimetres wide, but where any moulds alongside the aisle are more than 510 millimetres above the floor of the aisle, the aisle shall be not less than 600 millimetres wide;

(d) if molten metal is carried in hand ladles or bull ladles by more than two men per ladle, shall be at least 769 millimetres wide;

(e) if molten metal is carried in crane, trolley or truck ladles, shall be of a width adequate for the safe performance of the work.

(3) Requirements of sub-paragraphs (1) and (2) shall not apply to any workroom or part of a workroom if, by reason of the nature of the work done therein, the floor of that workroom or, as the case may be, that part of a workroom has to be of sand.

(4) In this paragraph "workroom to which this paragraph applies" means a part of a ferrous or non-ferrous foundry in which molten metal is transported or used, and a workroom to which this paragraph applies shall be deemed, for the purposes of this paragraph to have been constructed, reconstructed or converted for use as such after the making of this schedule if the construction, reconstruction, or conversion thereof was begun after the making of this schedule.

9. Work near cupolas and furnaces. - No person shall carry out any work within a distance of 4 metres from a vertical line passing through the delivery and of any spout of a cupola or furnace, being a spout used for delivering molten metal, or within a distance of 2.4 metres from a vertical line passing through the nearest part of any ladle which is in position at the end of such a spout, except, in either case, where it is necessary for the proper use or maintenance of a

cupola or furnace that work should be carried out with in that distance of that work is being carried out at such a time and under such conditions that there is no danger to the person carrying it out from molten metal which is being obtained from the cupola or furnace or is in a ladle in position at the end of the spout.

10. Dust and fumes. - (1) Open coal, coke or wood fires shall not be used for heating or drying ladles inside a workroom unless adequate measures are taken to prevent, so far as practicable, fumes or other impurities from entering into or remaining in the atmosphere of the workroom.

(2) No open coal, coke or wood fires shall be used for drying moulds except in circumstances in which the use of such fires is unavoidable.

(3) Mould stoves, core stoves and annealing furnaces shall be so designed constructed, maintained and worked as to prevent, so far as practicable, offensive or injurious fumes from entering into any workroom during any period when a person is employed therein.

(4) All knock out operations shall be carried out-

(a) in a separate part of the foundry suitably partitioned off, being a room or part in which, so far as reasonably practicable, effective and suitable local exhaust ventilation and a high standard of general ventilation are provided; or

(b) in an area of the foundry in which, so far as reasonably practicable, effective and suitable local exhaust ventilation is provided, or where compliance with this requirement is not reasonably practicable, a high standard of general ventilation is provided.

(5) All dressing or fettling operations shall be carried out-

(a) in a separate room or in a separate part of the foundry suitably-partitioned off; or

(b) in an area of the foundry set apart for the purpose; and shall, so far as reasonably practicable, be carried out with effective and suitable local exhaust

ventilation or other equally effective means of suppressing dust, operating as near as possible to the point of origin of the dust.

11. Maintenance and examination of exhaust plant. - (1) All ventilation plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be properly maintained.

(2) All ventilating plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person at least once in every period of twelve months; and particulars of the results of every such examination and test shall be entered in an approved register which shall be available for inspection by an Inspector cum facilitator. Any defect found on any such examination and test shall be immediately reported in writing by the person carrying out the examination and test of the occupier or manager of the factory.

12. Protective equipment. - (1) The occupier shall provide and maintain suitable portable equipment specified for the protection of workers-

(a) suitable gloves or other protection for the hands for workers engaged in handling any hot material likely to cause damage to the hands by burn, scald or scar, or in handling pig iron, rough castings, or other articles likely to cause damage to the hands by cut or abrasion;

(b) approved respirators for workers carrying out any operations creating a heavy dust concentration which cannot be dispelled quickly and effectively by the existing ventilation arrangements.

(2) No respirator provided for the purposes of clause (1) has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.

(3) Persons who for any of their time :-

- (a) work at a spout of or attend to, a cupola or furnace in such circumstances that material there from may come into contact with the body being material at such a temperature that its contact with the body would cause a burn; or
 - (b) are engaged in, or in assisting with, the pouring of molten metal; or
 - (c) carry by hand or move by manual power any ladle or mould containing molten that; or
 - (d) are engaged in knocking out operations involving material at such a temperature that its contact with the body would cause a burn; shall be provided with suitable footwear and gaiters which worn by them prevent, so far as reasonably practicable, risk of burns to his feet and ankles.
- (4) Where appropriate, suitable screens shall be provided for protection against flying (including splashes of molten metal and sparks and chips thrown off in the course of any process).
- (5) The occupier, shall provide and maintain suitable accommodation for the storage and make adequate arrangement for cleaning maintaining of the protective equipment supplied in pursuance of this paragraph.
- (6) Every person shall make full and proper use of the equipment provided for his protection in pursuance of sub-paragraphs (1) and (4) and shall without delay report to the occupier, manager of other appropriate person any defect in, or loss of, the same.

13. Washing and bathing facilities. - (1) There shall be provided and maintained in clean state and good repair for the use of all workers employed in the foundry-

- (a) a wash place under cover with either-
 - (i) a trough with impervious surface fitted with a waste pipe without plug, and of sufficient length to allow atleast 60 centimetres for every 10 such persons employed at any one time and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 centimetres; or

(ii) atleast one tap or stand pipe for every 10 such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 1.2 metres apart; and

(b) not less than one half of the total number of washing places provided under clause (a) shall be in the form of bath rooms.

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

(2) The facilities provided for the purposes of sub-paragraph (1) shall be placed in charge of a responsible person or persons and maintained in a clean and orderly condition.

14. Disposal of dross and skimmings. - Dross and skimmings removed from molten metal or taken from a furnace shall be placed forthwith in suitable receptacles.

15. Disposal of waste. - Appropriate measures shall be taken for the disposal of all waste products from shell moulding (including waste burnt sand) as soon as reasonably practicable after the castings have been knocked-out.

16. Material and equipment left out of doors. - All material and equipment left out of doors (including material) and equipment so left only temporarily or occasionally shall be so arranged and placed as to avoid unnecessary risk. There shall be safe means of access to all such material and equipment and, so far as reasonably practicable, such access shall be by roadways or pathways which shall have a firm and even surface and shall, so far as reasonably practicable be kept free from obstruction.

17. Medical Examination-(1) The occupier of every factory to which the Schedule applies, shall-

(a) make arrangements of a qualified medical practitioner for medical surveillance of the workers employed therein; and

(b) provide to the said medical practitioner all the necessary facilities for the

purpose referred to in clause(a).

(2) Every worker employed in the process of this schedule shall be examined by a medical officer. He shall issue Fitness on form 28.

(3) If at any time the medical officer is of the opinion that a worker is no longer fit for employment in the electrolytic processes on the ground, that continuance therein would involve danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register form 29. The entry of his findings in those documents shall also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the medical officer, in that case the person affected shall be suitably rehabilitated.

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

(5) The record of the examinations shall be maintained and kept readily available for inspection by the Inspector cum facilitator.

18. Exemptions. - If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum facilitator may by a certificate in writing, exempt such factory from all or any of such provisions subject to such condition, if any, he may specify therein.

Sub- Schedule-28

Transformation of stone or any other material containing free silica.

The following manufacturing activities shall be considered as transformation of stone or other material containing free silica:-

1. Stone Crushers
2. Gem and Jewellery
3. Slate Pencil Making
4. Agate Industry
5. Cement Industry
6. Pottery
7. Glass Manufacturing

1. Application of this schedule- This schedule shall apply to all factories or parts of factories in which the above said manufacturing activities containing free silica is carried on.

2. Definitions- For the purpose of this schedule -

(a) "Transformation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material.

(b) "stone or any other material containing free silica" means a stone or any other solid material containing not less than 5% by weight of free silica.

3. Protective and Controlling Measures- No Transformation shall be carried out in a factory or part of a factory unless one or more of the following protective and controlling measures are adopted:-

(1) Engineering Control Measures-

(i) Wet Methods:-

- (a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;
- (b) Water should be provided to drilling or sawing of concrete or masonry.

(ii) Ventilation-

- (a) Local exhaust systems should be used to remove silica dust from industrial processes.
- (b) Dilution / Ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.
- (c) Dust collectors / HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contamination work areas.
- (d) Ventilation systems should be kept in good working conditions.

(iii) Isolation-

- (a) Containment methods should be used while carrying out sand blasting.
- (b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(iv) Dust Control-

- (a) Vacuum system with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and at all transfer points.
- (b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length.

Provided that such control measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible limit of Exposure specified in the Second Schedule of the code.

(2) Medical Control Measures- (i) The occupier of every factory in which a worker employed in the processes specified in Sub Rule 1, shall ensure that every worker employed be examined by a Medical practitioner within 15 days of his first employment. Such medical examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical practitioner.

(ii) Every worker employed in the said processes shall be re-examined by a Medical officer at least once in every twelve month. Such re-examination shall, wherever the Medical officer considers appropriate, include all the tests as specified in sub-paragraph (1) except chest X-ray shall be read by a radiologist specialized/trained in the field of reading ILO Radiographs on Pneumoconiosis and which will at least once in 3 Years.

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

(iv) If at any time Medical officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical officer, in which case the person affected shall be suitably rehabilitated.

(v) No person who has been found unfit to work as said in sub-paragraph (4) above shall be re-employed or permitted to work in the said processes unless the Medical officer, after further examination, again certifies him fit for employment in those processes.

(vi) The occupier of every factory to which the schedule applies, shall-

- (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of factories and
- (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a).

(vii) The record of medical examination and appropriate tests carried out by the said medical practitioner certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector cum facilitator of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator and produce on demand.

(viii) The Health Records of each workman shall be kept for a period of 40 years from the date of beginning of the employment or 10 years after the cessation of the employment, whichever is later.

(ix) The Health Records of the workers exposed to silcosis, shall be kept up to a minimum period of 40 years from the beginning of the employment of 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(3) Administrative Control Measures- (i) **Work place/ Environment Monitoring:** The occupier to ensure work place/ environment monitoring to be performed to determine magnitude of exposure/concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.

- (a) Exposure / concentration measurements should be made in the employee's actual breathing zone.
- (b) Total sampling time shall be at least 7 hours.
- (c) Work place/Environment Monitoring shall be repeated quarterly.
- (d) The report of dust sampling by occupier shall be made available to the public.

(ii) Training / Awareness- Workers shall be trained in the following:-

- (a) Health effects of free silica dust exposure.
- (b) Operations and material that produce free silica dust hazards.
- (c) Engineering controls and work practice controls that reduce dust concentration.
- (d) The importance of good house keeping and cleanliness.
- (e) Proper use of personal protective equipment such as respirators etc.
- (f) Personal hygiene practices to reduce exposure.

(iii) Housekeeping: Maintenance of floors- (a) All floors or place where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.

(b) For this purpose dry sweeping or compressed air shall be used for cleanup of dust or wet methods or vacuum system with a HEPA filter shall be used.

(c) Dust on over head ledges and equipment should be removed before it becomes airborne due to vibration, traffic and random air current.

(iv) Change room and washing facilities-

- (a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers.
- (b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.
- (c) Workers shall take bath and change the work clothes before they leave the work site.
- (d) Work clothes shall not be cleaned by blowing or shaking.
- (e) Eating / lunch areas shall be located away from exposed areas.

(v) Display of Notices- (a) Warning signs/Posters shall be displayed conspicuously in a prominent place.

(b) The warning signs / posters shall contain the Hazards precautions.

(c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(vi) **Personal Protective Equipment-** The occupier of the every factory to which this schedule apply shall provide the following PPEs as per relevant BIS Standards and as applicable to a given work place.

- (a) Dust respirator.
- (b) HEPA filter respirator or fume respirator.
- (c) HEPA filter respirator with full face piece.
- (d) Self contained breathing apparatus (SCBA).
- (e) Supplied air respirator with a full face piece, helmet or hood.
- (f) SCBA with full face piece.
- (g) Powered air purifying respirator with a HEPA filter.

(vii) **Prohibition relating young person's-** No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried out.

(viii) **Exemptions-** If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum facilitator may be a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provision subject to such conditions, if any, as he may specify therein.

(ix) The notification of silicosis and free silica related occupational diseases by Medical Practitioner / Medical officer should be strictly enforced and in case of any violation, the Medical Practitioner/Medical officer shall be liable to be punished under sec 12 (3) of the code. The fine so collected shall be deposited in the silicosis relief fund.

Schedule-V-Material Safety data sheet

(See rule 69)

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

(a) Every such Material Safety Data Sheet shall include the following information: -

- (i) The identity used on the label;
- (ii) Hazardous ingredients of the substance;
- (iii) Physical and chemical characteristics of the hazardous substance;
- (iv) The physical hazards of the hazardous substance, including the potential for fire, explosion and reactivity;
- (v) The health hazards of the hazardous substance, including signs and symptoms of exposure and any medical conditions which are generally recognised as being aggravated by exposure to the substance;
- (vi) The primary route(s) of entry;
- (vii) The permissible limits of exposure prescribed in the Second Schedule under Section 84 of the Code, and in respect of a Chemical not covered by the said Schedule, any exposure limit used for recommended by the manufacturer, importer or occupier;
- (viii) Any generally applicable precautions for safe handling and use of the hazardous substance, which are known, including appropriate hygienic practices, protective measures during repairs and maintenance of contaminated equipment, procedures for clean-up of spills and leaks;
- (ix) Any generally applicable control measures, such as appropriate engineering controls, work practices, or use of personal protective equipment;

- (x) Emergency and first aid procedures;
 - (xi) The date of preparation of the Material Safety Data Sheet, or the last change to it;
 - (xii) The name, address and telephone number of the manufacturer, importer, occupier or other responsible party preparing or distributing the Material Safety Data Sheet, who can provide additional information on the hazardous substance and appropriate emergency procedures, if necessary.
- (b) The occupier while obtaining or developing a Material Safety Data Sheet in respect of a hazardous substance shall ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If he becomes newly aware of any significant evidence used in making the hazard determination. If he becomes newly aware of any significant information regarding the hazards of a substance, or ways to protect against the hazards, this new information shall be added to the Material Safety Data Sheet as soon as practicable.
- (c) An example of such Material Safety Data Sheet is given in the Schedule to this Rule.
- b Labelling
- (2) – Every container of a hazardous substance shall be clearly labelled or marked to identify:
- (a) the contents of the container;
 - (b) the name and address of the manufacturer or importer of the hazardous substances;
 - (c) the physical and health hazards; and
 - (d) the recommended personal protective equipment needed to work safely with the hazardous substance.

Material Safety Data Sheet			
SECTION I – MATERIAL IDENTIFICATION AND USE			
Material Name/Identifier			
Manufacturer's Name		Supplier's Name	
Street Address		Street Address	
City	State	City	State
Postal Code		Postal Code	
Emergency Telephone No.		Emergency Telephone No.	
Chemical Name Chemical Identity			
Trade Name and			
<i>Synonyms</i>		<i>Product Use</i>	

SECTION II – HAZARDOUS INGREDIENTS OF MATERIAL

Hazardous Ingredients	Approximate Concentration %	C.A.S. or UN Numbers LD 50 (Specify Species and Route)	LC 50 (Specify Species and Route)	LC 50 (Specify Species and Route)

SECTION III – PHYSICAL DATA FOR MATERIAL

Physical State --Gas -- Liquid -- Solid	Odour and Apperance	Odour Threshold (p.p.m)	Specific Gravity	
Vapour Pressure	Vapour density (Air=1)	Evaporation Rate	Boiling point (oC)	Freezing (oC)
Solubility in water (200C) p	pH	Density (g/ml)	Coefficient of water / oil distribution	

SECTION IV – FIRE AND EXPLOSION HAZARD OF MATERIAL

Flammability		
..... Yes No. If yes, under what conditions		
Means of Extinction		
Special Procedures		
Flash Point (oC) and Method	Upper Explosion Limit (% by Volume)	Lower Explosion Limit (% by Volume)
Anti-ignition	TDG Flammability	Hazardous Combustion

Temperature (oC)	Classification	Products
Explosion Data-Sensitivity		Sensitivity to Static
Chemical Impact		Discharge

SECTION V - REACTIVITY DATA

Chemical Stability	Yes	No.	If no, under what conditions
Incompatibility to other substances	Yes	No.	 If yes, which ones
Reactivity and under what conditions			
Hazardous Decomposition Products			
Material			
Name / Identifier			

SECTION VI - TOXICOLOGICAL PROPERTIES OF MATERIAL

Route of Entry -----	Skin contact -----	Skin Absorption -----	Eye Contact -----
Inhalation	Acute -----	Inhalation	Chronic -----
Ingestion			
Effects of Acute Exposure to Material			
Effects of Chronic Exposure to Material			
Exposure	Irritancy of		
Limit(s)	Material		

Sensitization to Carcinogenicity, Reproductive Material Effects, Teratogenicity, Mutagenicity
Synergistic Materials

SECTION VII – PREVENTIVE MEASURES

Personal Protective Equipment
Gloves (specify) Respiratory (specify) Eyes (specify)
Footwear (specify) Clothing (specify) Other (specify)
Footwear (specify) Clothing (specify) Other (specify)
Leak and Spill Procedures
Waste Disposal
Handling Procedures and Equipment

Storage Requirements
Special Shipping Information

SECTION VIII – FIRST AID MEASURE

First Aid Measure
Sources used
Additional information

SECTION IX – PREPARATION DATE OF M.S.D.S

Prepared by (Group, Department, etc.) (Phone No.) Date

NOTES:

1. CAS or UN Number – Chemical Abstract Service or United Nations (UN) Number.
2. LD 50 – Lethal Dose – 50% (LD50 – Specify species and route).
3. LC 50 – Lethal Concentration – 50% (LC50 – Specify species and route).
4. **TDG Flammability – Transport of Dangerous Goods**
Flammability Classification by United Nations.

FORM-I
[See Rule-3 (1) (i)]

Application for Registration for existing establishments/ New Establishment/Amendment to certificate of Registration

A. Type of Establishment -

(Factory/Motor Transport undertaking/Newspaper Establishment/Audio-Visual Production Establishment / Building and Other Construction Establishment /Plantation / Contract Work/ Manpower Supply/Other)

B. Establishment Details.

1. Name of Establishment:
2. Location and Address of the Establishment:
3. Others details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:

4. Fill applicable part-

(a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day	Nature & Total amount of H.P. installs or propos & installed.
1	2	3	4	5

(b) For Motor Transport Workers-

Nature of motor transport services (c.g. City Services, Long distance freight etc)	Total number of route	Total route mileage	Total number of transport vehicle on the last date of preceding year
1	2	3	4

(c) For building and other construction work:

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

(d) For Plantation-

Total grant of plantation in hectare	Full name(s) and residential address(es) of the Proprietor's and Partner's of the plantation in case it is not registered under the Companies Act, 1956	Full name and residential address(es) of the Directors in the case of a Company registered under the Companies Act, 1956.	Full name and address(es) of the Chief Executives or General Manager of the Plantation in the Public Sector
1	2	3	4

5. Ownership Type/Sector;
6. Activity as per National Industrial Classification;
7. Details of Selected NIC Code;
8. e-sign/ digital sign of employer/ representative/applicant ;

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc ;
2. Designation ;
3. Father's/ Husband's Name of the Employer ;
4. Email Address, Telephone& Mobile No ;

C. Manager/ Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent;
3. Email Address, Telephone& Mobile No. ;

D. Contractor Details

Name and Address Contractor	Email address& Mobile of Contractor	Name of Work	Maximum No. of Contract labour engaged	Maximum no. of migrant worker employed by contractor	Date of Commencement / Probable date of Completion of work
1	2	3	4		5

E. Others Details:-

Dated:-

Place:-

Signature/ E-sign/digital sign of employer

FORM-II

[See Rule-3(1)(iii)]

Certificate of Registration of Establishment

Registration No.

Date

A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (....of 2020)

to..... (Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

(a) Factory

(b) Contract Work

(c) Building and Other Construction Works

(d) any other work

(not covered above)

2. Details of the establishment:

a. Total Number of employees engaged directly in the establishment:

b. Total Number of the employees engaged through contractor

c. Total Number of Contractors and their details:

e. Number of inter-state migrant workers engaged:

3 Extra Details of establishment-

(a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day	Nature & Total amount of H.P. installs or propos & installed.
1	2	3	4	5

(b) For Motor Transport Workers-

Nature of motor transport services (e.g. City Services, Long distance freight etc)	Total number of route	Total route mileage	Total number of transport vehicle on the last date of preceding year
1	2	3	4

(c) For building and other construction work:

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

(d) For Plantation-

Total grant of plantation in hectare	Full name(s) and residential address(es) of the Proprietor's and Partner's of the plantation in case it is not registered under the Companies Act, 1956	Full name and residential address(es) of the Directors in the case of a Company registered under the Companies Act, 1956.	Full name and address(es) of the Chief Executives or General Manager of the Plantation in the Public Sector
1	2	3	4

4. Amount of registration fee paid,....

5. Remarks of registering officers

/Signature E -Sign/DSC of Registering Officer
along with designation

Place:

Date:

Conditions of Registration

(1). Every certificate of registration issued under rule 4 shall be subject to the following conditions, namely:

(a). the certificate of registration shall be non-transferable;

(b) the number of workers employed in an establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the certificate of registration; and

(c) Save as provided in these rules, the fees paid for the grant of registration certificate shall be non-refundable.

(2) The employer shall intimate the change, if any, in the number of workers or the conditions of work to the registering officer within 30 days

(3) The employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector -cum-Facilitator, having jurisdiction in the area where the proposed establishment or as the case may be work is to be executed, intimating the actual date of the commencement or, as the case may be, completion of establishment such work in Form IV annexed to these rules electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

FORM-III

[See Rule-3(8)]

Register of Establishment

Sl No	Nature of work	Registr ation No. and date	Name and Address, location of the establishm ent registered	Name, Address and Contact Details of Employer	Total number of Workers and Total Horse Power (if any)	Total number of contract Worker s	Re m ar ks
1	2	3	4	5	6	7	8
	(a) Factories (b) Plantation Work (c) Motor Transport Undertaking (d) Audio- Visual Establishmen t (e) Building and other Construction work (f) Contract work (g) Interstate Migrant Work (h) Any other work (not covered above)						

FORM-IV

(See Rule-3(9) and Rule-5)

A- Notice of Commencement / cessation of Establishment:

1. Registration No:
2. Name and Address of Establishment:-
3. Name & Designation of employer (who has ultimate control over the affairs of the establishment :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-
6. In case of the notice is for commencement of work the approximate duration of work:-
7. in case of cessation, the date of cessation:

I/We hereby intimate that the work of establishment having registration No.dated
..... is likely to commence/cessation is
likely to be completed with effect from
..... (Date)/ On
..... (Date)

In case of cessation of work:

I/we hereby certify that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Signature of the Employer

To,

The Inspector -cum-Facilitator

FORM-V

(See Rule -6)

The medical examination shall be conducted by a qualified medical practitioner as per following proforma:

A. Demographics:

Question	Answer	Remarks
Date:		
Name of the Worker:		
Age:		
Permanent Address:		
Gender:		
Total Number of family Members:		
Total monthly family Income:		
Is the employee under ESI (Employees' State Insurance) Scheme? If yes, provide IP Number	Yes/No	
Is the employee under any other health scheme apart from ESI-Scheme? (If yes, provide the name of the scheme)	Yes/No	

B. Occupational

Question	Answer	Remarks
Present Designation:		
Work Profile:		
Duration of service in the present work profile:		
Working Hours per shift:		
Night Shift Per Week:		
Night Shift per Month:		

C. Brief Review of Medical History: Diagnosed previously or currently under treatment or Currently suffering from

Question	Answer	Remarks
Anaemia		
Jaundice		
Asthma		
COPD		
History of Any other Lung Disease: (If Yes, Please Specify)		
Vertigo/Dizziness		
Diabetes Mellitus		
Hypertension		
Any Cancer (If Yes, Please Specify the		

Cancer)		
Chronic Low Back Pain		
Chronic Pain in hand or Elbow		
Hernia		
Hydrocele		
Varicose Vein		
Haemorrhoids		
History of amputation/ fracture/dislocation injury during work (If Yes, please specify)		
Dermatitis (If Yes, specify Site)		
Hearing Impairment		
Visual Impairment		
Any Major Illness requiring hospitalization in last 1 year (If Yes, Name of the Disease)		
Occupational Injury in Last 1 year: if yes Specify the Location of injury and frequency		

D. Current Symptoms-Diseases Module

Question	Answer	Remarks
Smoking habit		
Chewing Tobacco or Pan Masala or Gutkha:		
Alcohol Addiction		
Dermatosis (Irritant Contact Dermatitis/Eczema/Chloracne/Allergic Contact Dermatitis):		
Mucosal Irritation of eyes/Nose/Throat with response to chemical agent or biological agent:		
Symptoms like Respiratory Difficulty/ Chest Tightness/Dry Cough at beginning of shift:		
Currently suffering from TB:		
Jaundice or Hepatitis:		
Currently suffering from Low Back Pain		
Currently suffering from Pain in hand or Elbow:		
Currently suffering from Visual Problems		
Currently suffering from Hearing Problems		
Any current injury (amputation/ fracture/ dislocation)		
Any current musculoskeletal sprains/ strains		

E. Physical Examination

Date of Examination:

Question	Answer	Remarks
General Skin Condition: (If Any Dermatitis, please mention its location)		
Weight (in Kg):		
Height (in Meter)		
Temperature (⁰ F):		
BP:		
Pulse:		
SpO2:		
Respiratory Rate:		
Examination of Breast of female-employee		

F. Investigation Report

☐ ☐ Routine Blood Investigation: Attach the photocopy of the report

☐ ☐ Blood Grouping & Rh Typing and HB Electrophoresis Once in a
lifetime

Parameter	Answer (Normal/Increase/Decrease)	Value
Hb%:		
Total WBC Count and Differential Count:		
Platelet Count:		
ESR:		

FBS:		
PPBS:		
HBA1C level		
BUN:		
Creatinine:		
Total Protein		
Albumin		
Globulin		
SGOT		
SGPT		
Bilirubin		
Urine RE		
Urine ME		
Prostate Specific Antigen (PSA)		

G. Standard Chest X Ray (PA) View: attach the photocopy of the report
Date:

Parameter	Answer (Normal/Abnormal)	Value (if any importance)
Report		

Report

H. Spirometry: attach the photocopy of the report (For mine employee)

Date:

Parameter	Answer (Normal/Increase/Decrease)	Value
Report		
Observed:		
Predicted:		
FVC:		
Observed:		
Predicted:		
FEV1/FVC:		
Final Report: Normal / Obstructive Lung Disease/Restrictive Lung Disease/ Mixed Lung Diseases		

I. Audiometry (Pure Tone / BERA): attach the photocopy of the report (For Mine Employee)

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like wax in external ear, infection etc	
Right Ear Hearing Threshold:	
Left Ear Hearing Threshold:	

Final Report preferable based on BERA:	
Right Ear:	
Left Ear:	

J. Eye Examination: attach the photocopy of the report

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like corneal opacity/scarring, cataract etc.	
Visual Acuity: Right	
Visual Acuity: Left	
Colour Vision	
Field of Vision	
Binocularity	
Lateral Phoria	
Vertical Phoria	
Stereoscopic Vision and Depth Perception Testing	
Fundus (Retina) examination	

K. 12 lead ECG and Echocardiography:

Final Report:

L. MEDICAL FITNESS TESTS FOR PERSONS WORKING AT HEIGHT (as may be applicable):

1. Detailed Medical History and in-Depth General Medical Examination including tests for Vision, Hearing, Musculoskeletal System, Respiratory System, Cardiovascular System etc.

As applicable to all employees

2. Special Examination

a) Cardiovascular

Uncontrolled hypertension or ischemic heart disease will be a contraindication. In the presence of hypertension and abnormal ECG findings, the employee should be referred to a Cardiologist for fitness.

b) Tests for Labyrinthine functions and for sense of position Eye Examination for Bilateral Nystagmus, Romberg sign.

The presence of bilateral nystagmus and a positive Romberg sign will be an absolute contra-indication.

c) Neurological examination Evaluate seizure disorders: CT Scan of Brain and E.E.G if indicated

d) Assessment of Diabetic Control Status:

(in case of employees suffering from Diabetes Mellitus)

e) Assessment of Phobia (Acrophobia) and any other Mental Health Disorder like Anxiety or Depression

d) Evaluation for Vertigo and Dizziness

For use of Industrial Safety Section:

Walking freely over a horizontal bar at 1 ft. height: PASS / FAIL

Wearing a safety belt and tying the rope knot: PASS/ FAIL

Walking over a horizontal structure at 9 ft. height wearing a belt: PASS/ FAIL

General physique (O.K./NOT O.K): PASS/ FAIL

M. Any other information/examination/biological investigation/test as mutually agreed by the employer and qualified medical practitioner.

FORM-VI

(See Rule-8)

NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE

E.S.I.C. Employer's Code number :

E.S.I.C. Insurance

Number of the injured person :

1. Name of employer :

2. Address of works / premises
where the accident or dangerous
occurrence took place :

3. Nature of industry and LIN of the establishment/
(Registration number of establishment :

4. Branch or department and exact
place where the accident or dangerous
occurrence took place :

5. Name and address of the injured person :

6. (a) Sex :

(b) Age (at the last birthday) :

(c) Occupation of the injured person :

7. Local E.S.I.C. Office to which the
injured person is attached :

8. Date, shift and hour of accident
or dangerous occurrence :

9. (a) Hour at which the injured person
started work on the day of accident or dangerous occurrence :

(b) whether wages in full or part are payable to him for the day of the accident or dangerous occurrence :

10. (a) Cause or nature of accident or dangerous occurrence :

(b) If caused by machinery-

(i) Give the name of machine and the part causing the accident or dangerous occurrence :

(ii) state whether it was moved by mechanical power at the time of accident or dangerous occurrence :

(c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :

(d) In your opinion, was the injured person at the time of accident or dangerous occurrence -

(i) acting in contravention of provisions of any law applicable to him; or

(ii) acting in contravention of any orders given by or on behalf of his employer; or

(iii) acting without instructions from his employer?

(e) In case reply to (d) (i), (ii) or (iii) is in the affirmative, state whether the act was done for the purpose of and in connection with the employer's trade or business. :

11. In case the accident or dangerous

occurrence took place while

travelling in the employer's

transport, state whether -

(a) the injured person was

travelling as a passenger

to or from his place of

of works;

(b) the injured person was travelling

with the express or implied

permission of his employer;

(c) the transport is being operated

by or on behalf of the employer or some

other person by whom it is provided in

pursuance of arrangements made with

the employer; and

(d) the vehicle is being/not being

operated in the ordinary course

of public transport service

12. In case the accident or dangerous

occurrence took place while meeting

emergency, state- (a) its nature ; and

(b) whether the injured person at the time

of accident or dangerous occurrence was

employed for the purpose of his employer's

trade or business in or about the premises

at which the accident or dangerous

occurrence took place.

13. Describe briefly how the accident or dangerous occurrence took place :

14. Names and addresses of witnesses : (1)
(2)

15. (a) Nature and extent of injury
(e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :
(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person was disabled for more than 48 hours :
(b) date and hour of return of work :

17. (a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment :
(b) Name of dispensary/panel doctor elected by the injured person :

18. (a) Has the injured person died ? :
(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/ employer /manager/agent

Date of dispatch of report :

Place:

FORM-VII

[See Rule-26]

NOTICE OF PERIODS OF WORK

Name _____ of _____ the
Establishment.....Place.....
District.....

Periods of work Groups, Relays	Men												Women												Description of Groups, Nature of work	Remarks
	Total no. of men employed												Total no. of women employed													
	A			B			C			D			E			F			G			H				
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3		

On working days

From ..

To ..

From ..

To ..

From ..

To ..

On partial

Working days

From ..

To ..

From ..

To ..

Date on which this notice is first exhibited :

Signature

of manager or agent :

Date :

FORM-VIII**(See Rule-27)****EMPLOYEE REGISTER**

(The register can also be maintained in electronically capturing, inter-alia the following details)

Name of Establishment		
Name of the Employer/owner		
Labour Identification Number (LIN)/Registration Number of Establishment		
To be maintained for all employees of the establishments		
1	Employee Code	
2	Name	
3	Surname	
4	Gender	
5	Father's/Spouse's Name	
6	Date of Birth	
7	Place of Birth	
8	Nationality	
9	Education level	
10	Date of Joining	
11	Designation	
12	Category (unskilled, semi-skilled, skilled or highly skilled)	
13	Type of employees / worker	
14	Mobile Number	
15	Universal Account Number (UAN)	
16	PAN	
17	PPF No.	
18	Nominee	
19	EPS/NPS	
20	Details of Family	
21	Details of Posting	

22	Scale of Pay	
23	Promotion	
24	ESIC IP Insurance No	
25	Aadhaar number	
26	Bank A/c No.	
27	Bank	
28	Branch(If SC)	
29	Present address	
30	Permanent address	
31	Service Book No.	
32	Date of Exit	
33	Reason for Exit	
34	Mark of Identification	
35	Photo	
36	Specimen Signature/Thumb Impression	
37	Remarks	

FORM-VIII (A)
[(See rule 27)]

ATTENDANCE REGISTER-CUM-MUSTER ROLL

(The attendance register-cum-muster roll can also be maintained in
electronically capturing, inter-alia the following details)

															For the Month of, year 20.....																
Name of Establishment:																															
Name of the Employer/owner:																															
Labour Identification Number (LIN)/Registration Number of Establishment																															
1	Serial Number																														
2	Employee Code																														
3	Name																														
4	Designation																														
5	Shift or relay																														
6	Place of work/department/section																														
7	Date and timings of In and Out																														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15																
	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31															
8	Total number of days worked																														
9	Total number of extra hours worked																														
10	In case of tour or assignments outside the work place suitable entries may be made																														
11	Signature of Register keeper																														

FORM-VIII (B)

[(See rule 27)]

REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS

(The register can also be maintained in electronically capturing,
inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
Labour Identification Number (LIN)/Registration Number of Establishment		
Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
1	Serial Number	
2	Employee Code Number	
3	Name	
4	Designation	
5	Rate of Wage	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Total	
6	No. of days worked	
7	Overtime hours worked	
8	Amount of Wages Earned	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Payment of overtime	
	e)Total wages earned	
9	Deductions	
	a)EPF	
	b)ESIC	

	c)Society	
	d)Income Tax	
	e)Insurance	
	f)Others	
	g)Recovery of Fine	
	h)Recovery of Damaged/Losses	
	Total Deductions	
10	Net Payment	
11	Receipt by Employees/Bank Transaction ID	
12	Date of Payment	
13	Initials of Employer/Representative	
14	Remarks	

FORM-VIII (C)

[(See rule 27)]

Wage slip

Name of the Establishment				
Address:.....			Period:.....	
1	Name of the Employee:			
2	Father's/Spouse's Name:			
3	Designation:			
4	UAN:			
5	Bank Account Number:			
6	Wage period:			
7	Rate of wages payable	a) Basic	b) D.A.	c) other
8	Total attendance/unit of work done:			
9	Overtime wages			
10	Gross wages payable			
11	Total deductions	a) PF	b) ESI	c) Others
12	Net wages paid			

FORM-IX
(See Rule-29)
ANNUAL RETURN
UNIFIED ANNUAL RETURN FORM
FOR THE YEAR ENDING.....

Single Integrated Return to be filed On-line under the Occupational Safety, Health and Working Conditions Code, 2020,
the Code on Industrial Relations, 2020, the Code on Social Security , 2020,
and the Code on Wages, 2019

Instructions to fill up the Annual Return

- (1) This return is to be filled-up and furnished on or before 28th or 29th February every year.
- (2) The terms Establishment shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.
- (3) This return is to be filled-up in case of Contractor or manpower supplier who have engaged more than 50 workers employed in the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.				Instructions for filling the column
1	Labour Identification Number/Registration No.			EPFO, ESIC, MCA, MoLE (LIN)
2	Period of the Return	From	- To-	Period should be calendar year
3	Name of the Establishment			
4	Email ID			
5	Telephone No.			

6	Mobile number								
7	Premise name								
8	Sub-locality								
9	District								
10	State								
11	Pin code								
12	Geo Co-ordinates								
B(a)	Hours of Work in a day								
B(b)	Number of Shifts								
C. Details of Manpower Deployed									
Details	Directly employed				Employed through Contractor				Grand Total
Skill Category	Highly Skilled	Skill ed	Semi-Skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	
(i) Maximum No. of employees employed in the	Male	Female	Transgender	Total	Male	Female	Transgender	Total	

establishment in any day during the year									
(ii) Average No. of employees employed in the establishment during the year	Male	Female	Transgender	Total	Male	Female	Transgender	Total	
(iii) Migrant Worker out of (ii) above	Male	Female	Transgender	Total	Male	Female	Transgender	Total	
(iv) Number of fixed term employee engaged	Male	Female	Transgender	Total	Male	Female	Transgender	Total	

D. Details of contractors engaged in the Establishment:

Sl. No.	Name with LIN/Registration Number of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling
1	Whether facility of Canteen provided (as per section 24(v) of OSH	Tick yes or no in the box	Applicable to all establishments where in hundred or more worker including contract labour were ordinarily employed

	Code, 2020)		
2	Crèches (as per section 67 of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020)	Tick yes or no in the box	Applicable to all establishments where fifty or more workers are employed
3	Ambulance Room (as per section 24(2)(i) of OSH Code, 2020)	Tick yes or no in the box	Applicable to mine, building and other construction work wherein more than five hundred workers are ordinarily employed
4	Safety Committee (as per Section 22(1) of OSH Code, 2020.	Tick yes or no in the box	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BoCW employing 250 workers or more, and mines employing 100 or more workers
5	Safety Officer (as per section 22(2) of OSH Code, 2020)	No. of safety officers appointed	In case of mine 100 or more workers and in case of BoCW 250 or more workers are ordinarily employed.
6	Qualified Medical Practitioner (as per Section 12 (2) of OSH Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:			Instructions for filling
1	Is the Works Committee has been functioning. (section 3 of IR Code, 2020)	Yes/No	Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.		
2	Whether the Grievance Redressal Committee constituted (section 4 of IR	Yes/No	Industrial establishment employing 20 or more workers are employed

	Code, 2020)				
3	Number of Unions in the establishments.				
4	Whether any negotiation union exist (Section 14 of IR Code, 2020)		Yes/No		
5	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)		Yes/No		
6	Number of workers discharged, dismissed, retrenched or whose services were terminated during the year:				
	Discharged	Dismissed	Retrenched	Terminated or Removed	Grand Total
7	Man-days lost during the year on account of				
Sl. No	Reasons	Period / Date	No. of man-days lost	Loss in term of money	
(a)	Strike				
(b)	Lockout				
8.	Details of retrenchment / lay off				
SL No	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off	

G. Details pertaining to maternity benefit:

No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:

Sl. No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:

Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per Section 10 of the OSH Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH Code, 2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH Code, 2020 along with the details of affected persons

J. Mandays and Production Lost due to accidents / dangerous occurrence

Sl. No.	Accident/Dangerous Occurrence	Mandays lost	Production Lost

FORM-X**(See Rule-30)****REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES**

Name of Injured person (if any)	Date of Accident or dangerous occurrence	Date of report to inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured Person to work	Number of days the injured Person was absent from work
1	2	3	4	5	6

FORM-XI

[See Rule-31(1)]

REGISTER FOR LEAVE WITH WAGES

Part I - Adults

Part II - Adolescents

Establishment:

Name of

worker :

Department :

Father's Name:

Sl. No.	Sl. no. in the register of workers	Date of entry into service						Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Remarks
			Sickness and accidents	Authorized Leave	Lock Out or Legal Strike	Involuntary unemployment	Others					Date of Discharge	Date & amount of payment made in lieu of leave due	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Note:- Separate page shall be allotted to each worker

FORM -XII**(See Rule-34)****IMPROVEMENT NOTICE AND PROHIBITION ORDER****PART I****PROHIBITION ORDER**

Inspector-cum-facilitators Notice on Inspection of Establishment, Lifting Appliance, Loose Gears and other such gears, Equipment, Ladders and Staging. Inspector-cum-Facilitator's notice to the occupier, employer, owner, master, Officer-in-charge, Owner of lifting appliances, loose gears and lifting devices or the person, scaffold who, by himself, his agents, or his employers as the case may be.

Name of the establishment, lifting appliance, lifting device, transport equipment, ladders and staging	Where situated lying/ used/ location	Registration no. of the establishment	LIN No. of the establishment
1	2	3	4

An inspection of the above named establishment, lifting appliances, loose gears, lifting devices, transport equipment, ladders and staging was made on _____.

The activities connected with establishment which are being carried on by you/about to be carried on by you/under your control involve a risk or danger to the life. Safety and health of employee and involve the following contraventions :

CONTRAVENTIONS

Therefore, I hereby direct that the said activities shall not be carried on by you or under your control unless the said contraventions and matters mentioned have been remedied to the satisfaction of the Inspector-cum-Facilitator. This order is being issued without prejudice or any legal action which may be taken for these contraventions. On hearing from you that the requirements have been complied with the establishment, lifting appliance, loose gear or similar gear/transport equipment/ladders/ staging, scaffold shall again be visited with a view to the inspection being completed.

No. _____

Dated at _____ this _____ day of 20 _____

Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020

REQUIREMENTS

On compliance with all or any of the above contraventions, the Inspector-cum-Facilitator shall be informed in the manner prescribed overleaf, of the date and place at which the establishment, lifting appliance, loose gears or similar gear transport equipment, ladders and staging, scaffold can be re-inspected.

Sir,

The contravention notified by you have been effectively attended to. The establishment, lifting appliance, loose gears or similar gear, transport equipment, ladders and staging, scaffold shall be ready for inspection on the date

Sir,

The contravention notified by you have been effectively attended to. The establishment, lifting appliance, loose gears or similar gear, transport equipment, ladders and staging, scaffold shall be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20____	Employer, Occupier, Owner, Manager, Master, Officer-in-charge or Agents, owner of machinery and gear or the person, who by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020

PART - II

Improvement Notice

Inspector-cum-Facilitator's notice to the employer, Owner, Master, Manager, Officer-in-Charge or Agents, Owner of lifting appliances, loose gears lifting devices, scaffold or the person, who, by himself, his agents or his employers, carries on the establishment, as the case may be.....

Name of the establishment, lifting appliances, loose gear,	Where situated/lying used/location	Port of Registry	Official no.(if any) of the ship
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lifting device, transport, equipment, ladders and stagings, scaffold;			

An inspection of the above-named establishment, dock, ship, lifting appliances, loose gears, lifting devices, transport equipment, ladders and stagings, scaffold was made on

The following contraventions were observed. You are required to remedy the said contraventions and send the compliance report in writing within..... days.

This notice is being issued without prejudice to any legal action which may be taken for these contraventions on

hearing from you that the requirements have been complied with the establishment, lifting appliance/loose gear or similar other gear/transport equipment/ladders/ staging, scaffold will again be visited with a view to the inspection being completed.

Contraventions No. _____ Dated _____ this
_____ day of _____

20____ Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020

Requirements. On compliance with all or any of the requirements, the Inspector-cum-Facilitator should be informed in the manner prescribed overleaf of the date and place at which the establishment, lifting appliance, loose gear, transport equipment, ladders and staging, scaffold can be re-inspected.

The requirements noted by you have been effectively fulfilled. The establishment, lifting appliance, loose gear, lifting devices, transport equipment, ladders and staging, scaffold will be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20 _____	Employer, occupier, Owner, Master, Manager, Officer-in-charge or Agents, owner of machinery and gear or the person, who, by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupation Safety, Health and Working Conditions Code, 2020.

FORM-XIII
(See Rule-43)
APPLICATION FOR LICENSE

On Line Application for License/ Renewal of License/Amendment of License (including Common/single license)	
Labour Resource and Migrant Workers Welfare Department Government of Bihar	
ESTABLISHMENT PROFILE:	
Labour Identification Number /Registration No.-	
Date	
Acknowledgement Number:	
..... Date of Application:	
I. Particulars of Establishment for which licence required:	
1. Name of Establishment:	
2. Address of establishment	
(a) Head Office address along with email Id :	
(b) Corporate office address along with email Id:	
3. Telephone Number :	
4. Activity as per National Industrial Classification : (Select all applicable activities given)	
5. Details of selected NIC Code:	
6. Nature of work carried on in main establishment :	
7. Esign/digital sign of applicant :	
II. Details of Employer:	
1. Full Name of Employer:	
.....relationship with establishment.	
2. Full Address of Employer:	
3. Email Id of employer:	
4. Mobile No. of employer:	
III. Particulars of the Contract Labour to be employed / is employed (If licence is required work wise)	

Locations of work sites	Name of works	Activity as per national industrial classification	Date of commencement	Date of completion	Name of Establishments in which contract labour is/proposed to be employed	Name Address, email id of the Site Incharge
1	2	3	4	5	6	7
5. Maximum number of workmen proposed to be employed on the Establishment on any date: 24						
6. Amount of Licence Fee: INR (Transaction Id :)						
7. Amount of Security Deposit: INR (Transaction Id :)						
IV. DETAILS OF ESTABLISHMENTS FOR WHICH COMMON LICENCE REQUIRED, (IF APPLYING FOR)						
Type of Establishments	Name & Address of establishment	(i) Nature of work carried out in the establishment (ii) Activity as per National Ind'l classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of employees employed/ proposed to be employed	Maximum number of employees employed/ proposed to be employed
1	2	3	4	5	6	7

V. DETAILS OF ESTABLISHMENTS FOR WHICH SINGLE LICENCE IS REQUIRED (IF APPLYING FOR)

Name of States in which the establishments are situated	Name of each work	Maximum number of labour will be/is employed	Date of commencement	Permanent establishment or probable date of completion	Maximum number of employees employed/ proposed to be employed	Registration number, if obtained, then details thereof
1	2	3	4	5	6	7

Signature of Contractor

(eSign/DSC)

Note: This is an online application summary applied on Shram Suvidha Portal.

APPLICATION FOR RENEWAL OF LICENCE

1. Licence No. _____ Date : _____

2. LIN & PAN _____

3. Name and address of the establishment: _____

4. Date of expiry of previous licence : _____

5. Whether the licence of the employer/contractor was suspended or revoked: _____

6. Details of Fees paid : (Enclose e-payment receipt): Amount date of payment :
E-sign /digital sign of the employer/contractor _____ date: _____
<u>APPLICATION FOR AMENDMENT OF LICENCE :</u>
1. Licence No Date: _____
2. LIN & PAN _____
3. Name and address of the establishment: _____
4.Details for which amendment is sought :
(a). Maximum number of worker presently employed : (If there is increase in the maximum number of workers to be employed, then additional fees/security deposit as per law needs to be deposited: _____)
(b). Details of fees paid through e payment date on which made : _____
(c). Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required) _____

E-sign /digital sign of the employer/contractor _____
date of application _____

FORM-XIV
[Under Rule-43 (3)]
PROFORMA OF LICENSE

Licence No. ----- Reg. No. ----- Date of Reg. -----
 Licence is hereby granted to -----

 for the premises known as -----

 situated at -----

for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

The ----- 20..

Issuing Authority

Sl.No.	Period of issue	Valid For Maximum number of Contract labour /workers on any one day	Fee	Date of Payment	Excess fee for late payment	Date of payment	Signature of the Issuing Authority

AMENDMENTS:

Year when Amended	Maximum number of Contract labour /workers on any one day	Date of payment of amendment fee	Date of Payment	Signature of the Issuing Authority

FORM-XV
(Under Rule-52)

EXPERIENCE CERTIFICATE OF CONTRACT EMPLOYEE

To whom so ever concerned
1. Name of contractor/employer*:
2. LIN/PAN No. of the contractor/employer/Registration No. *:
3. Email Id of the contractor /employer *:
4. Mobile No. of the contractor/employer *:
5. Nature and location of work:
6. Name of Principal Employer*:
7. LIN/PAN No. of the Principal Employer :*
8. Email Id of the Principal Employer : *
9. Mobile No. of the Principal Employer :*
10. Name of the worker*:
11. UAN / Aadhaar No.:
12. Mobile No. :
13. Serial
14. Registration number, date and name of the Board if the building and other construction worker is registered as a beneficiary:
15. Period of Employment:
16. Designation:
Seal and Signature of Contractor
*Please strike off whichever is not applicable.

FORM-XVI
(Under Rule-57)

Agreement between Producer and Audio-visual worker

This agreement is made on this day month year.....
between Messers..... having office at (hereinafter
referred to as the —Producer) on the first part and Shri/Smt/Kum
.....son/daughter/wife of Shri residing at
(hereinafter referred to as the —audio-visual worker) on the second part. The
terms „Producer“ and „audio-visual worker“ shall include their heirs,
successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual and this period shall not exceed consecutive months.
2. That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by him in writing.
3. That in consideration of the audio-visual worker services, as aforesaid, the Producer agrees to pay and the audiovisual worker agrees to receive a sum of Rs.(Rupees) payable as advance on signing of this agreement and the balance of Rs.payable in equal installments.
4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on

pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.

5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.

6. That the audio-visual worker shall, if so required,

(a) attend the studios, location or work-place, as the case may be, earlier than the a scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs.per hour or part thereof for such early attendance.

(b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs. for the work during the extended hours and refreshments, and transport facilities.

7. That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer's and audio-visual worker's representative organizations.

8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

9. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.

10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be titled to employ another audio-visual worker in his/her place.

12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall

not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audiovisual worker whether or not to allow his/her name to go on the credit titles of the film.

14. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.

15. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

16. That the Producer shall also pay for all traveling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

17. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in

the course of his/her employment and/or during the period of his/her assignment under this agreement.

18. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audiovisual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

19. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.

20. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual

worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are provide before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The dccision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favor of such termination and the audio-visual worker has been paid all his dues.

21. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audiovisual workers whether or not to allow his/her name to go on the credit titles of the film.

22. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.

23. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

24. That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.

25. That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.

26. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.

27. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses.

1. Witness

Producer

Name Address

2. Witness

audio-visual worker

Name Address

Form XVII

[See Rules 60]

Application for grant or renewal of licence for Bidi & Cigar Establishment

1. Registration No. of Establishment as per Section 3 of OSH code
2. Full name of the industrial premises-
3. (i) Full postal address and situation of the industrial premises.
(ii) Full address to which communication relating to the industrial premises should be sent.
(iii) Full address of the applicant.
4. Maximum number of employees proposed to be employed on any one day during the financial year.
5. Full name and residential address of employer -
6. If the employer is a partnership, company, etc. full name and residential address of other partners or directors, etc. (* Note 1).
7. Financial resources of the employer (e.g., particulars and value of movable and immovable properties, bank reference, income-tax assessment, etc.).
8. Whether the employer is a trade mark-holder registered under the Trade and Merchandise Marks Act, 1958.
9. Value of beedis or cigar or both manufactured at the industrial premises during the preceding financial year.
10. Previous experience of the applicant* in the industry.
11. Whether the proposed site of the industrial premises amounts to the alteration of the site of any existing industrial premises and, if so, the reasons for such alteration.

12. Whether any industrial premises was closed by the applicant during the period of twelve months immediately preceding the date of the application, and if so, the reasons therefor.

13. Source of obtaining tobacco.

14. Whether the beedis or cigars or both manufactured by the applicant* will be sold and marketed by himself or through a proprietor or a registered user of a trade mark registered under the Trade and Merchandise Marks Act, 1958, or any other person.*

15. Whether the plans of the premises are enclosed.

I hereby declare that the particulars furnished by me in the form are to the best of my knowledge and belief accurate.

Signature of applicant.

Note 1. - Where an industrial premises is run or proposed to be run by a contractor for or on behalf of another person or persons or company, etc., the said other person or persons or company, etc., is under the Act the employer and particulars to be entered for "employer" in the Form should be in regard to such person, persons or company, etc.

*The application for licence may however be made either by the contractor or the employer.

(2) If any person named against item 5 shall not be minor.

Form XVIII

[See Rule 60 (3)]

Licence

Licence No.

Registration

No.

Licence is hereby granted as to.....valid only for the premises described below for use as industrial premises employing not more than employees on any one day during the year.....subject to the conditions specified in Annexure

The licence shall remain in force till 5 years from the date of issue.

Name of industrial premises.

Situation of the industrial premises.

Permission is also granted for the installation of power-driven machinery.

Signature and seal of the competent authority

Renewal

[See Rule 63 (5)]

Date of renewal	Fees paid for renewal	Date of expiry.
1.		
2.		
3.		
4.		

Date

Signature and seal of the competent authority

Annexure

The licensee is subject to the following conditions :

- (1) The manufacturing process shall be carried on only in that part of the industrial premises specified for the purpose in the licence.
- (2) The maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence.
- (3) Power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises.
- (4) Except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like permission no structural alterations shall be made in any building on such premises.
- (5) The licence shall not be transferable

Form XIX

(See Rule No.-62)

(Application for Permission to work outside the Industrial Premises)

1. Registration no of Establishment-
2. Licence number -
3. Full name & address of Industrial Premises -
4. Name & address of Employer/Contractor -
5. Maximum number of worker employed any day in Establishment in last 12 Month. -
6. Maximum number of workers for which employer's wants permission for work outside the industrial premises.

Signature of Applicant

Form XX

(See Rule 62)

Record of Outside Work

Number and date of Government's order permitting work outside industrial premises.....

Date	Place or places where outside work was permitted	Nature of work	Name of employees	Remarks

Form XXI
(See Rule-63)

Home Workers Log Book

1. Name and address of the Beedi Company
2. Name and address of the local employer/ Manager of the Company
3. Name and address of the Contractor/ Commission Agent
4. Central Excise Licence Number (L-2)
5. Name and address of the Beedi Worker
6. Address of the house where Beedis are manufactured

Account of work done at home and wages paid therefor

Date month and year	Weight of tobacco and leaves received		No. of Beedis manufactured	No. of rejected Beedis	Wages payable for manufactured Beedis
	Tobacco	Leaves			
1	2	3	4	5	6
Wages payable for rejected Beedis	Adjustment of advance or deduction, if any	Net amount of wages actually paid and received	Signature or left thumb- impression of Home worker	Signature of Employer/ Commission Agent	Remarks
7	8	9	10	11	12

FORM XXII

(See rule-64(2)(ii))

Application for permission to construct, extend or take into use any building or premises as a factory

1. **Details of Occupier***

- (a) Name: _____
- (b) Address (office): _____
- (c) Address (residential): _____
- (d) Mobile number _____
- (e) Email id : _____

2. **Details of factory***

- (a) Full name: _____
- (b) Address with pin code: _____
- (c) District: _____
- (d) Subdivision _____
- (e) Block _____
- (f) Town / village _____
- (g) Nearest railway Station _____
- (h) Nearest Police Station _____
- (i) Phone number _____

3. **Particulars of plant proposed to be installed & details of manufacturing process** _____

4. **Whether the factory involves hazardous processes or dangerous operations – yes or no**

5. **Maximum number of Workers**

Male	Female	Third Gender

(Proposed To be employed)

6. **Details of**

- (a) Raw material
- (b) Intermediate product/by product
- (c) Final Product

7. **Use of Chemicals in the manufacturing process, if any**

S. No.	CAS no :	Chemical name:	Maximum storage at any time:

8. **NOTE**

- a. Seal bearing "authorized signatory " shall not be used on any document
- b. Every page of the Documents submitted along with the Form should be self attested by the

Occupier along with date.

Place: _____ Date: _____

Signature of occupier with seal: _____

(Name)

CHECKLIST

NOTE: This application shall be accompanied by the following documents:-

1. A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages.
2. Documents related to the ownership of the land:
3. Photo ID and address proof of the Occupier.
4. Declaration regarding occupier of the factory
5. Such other particulars as the Chief Inspector may require.

FORM XXIII
[See Rule-64(4) & 64(5)]

Application for grant of licence for factory as specified in rule

- 1. Registration details:**
 - a) LIN (if any)
 - b) Registration number
- 2. General Information:**
 - a) Full name of the factory
 - b) Factory licence number (if licence issued earlier)
- 3. Address and contact information:**
 - a) Full postal address the factory including-
district, subdivision, block, village/town,
police station, post, pincode mobile number/
telephone number, email id
 - b) Full address of factory along district, subdivision, block,
village/town, police station, post, pincode mobile
number/telephone number email id (if different from above)
- 4. Details of manufacturing processes:**
 - a) Whether factory involves hazardous process
 - b) Whether factory involves dangerous operations
 - c) Date of commencement of manufacturing process
 - d) Manufacturing process to be carried on in the factory
during the next twelve months
 - e) Details of product(s) to be manufactured
- 5. Workers employed:**

Details of workers	Male	Female	Others (transgender/adolescents)	Total
1	2	3	4	5
Maximum number of workers proposed to be employed during the year				
Maximum number of workers employed during the last twelve months on any day				
Number of workers ordinarily employed in the factory				

6. Power installed:

- a) Maximum amount of Power (H.P) (installed)
(attach sanction load and first electricity bill)
- b) Maximum amount of Power (H.P) to be used
- c) Total rated capacity (kilowatt) of generator installed
- d) Total rated capacity (kilowatt) of generator to be used
- e) Total rated capacity (kilowatt) of transformer installed
- f) Total rated capacity (kilowatt) of transformer installed
- g) Total capacity of transmission station (kilowatt)

7. Particulars of Factory Manager:

Name and address of the person who shall be the Factory Manager
(if appointed) of the factory for the purposes of the code

Name
Residential address
Mobile No. & Email id

8. Particulars of Occupier:

- a) Name and address of the occupier (*in case of a private firm.*)

Name
Residential address
Mobile No.
Email id

- b) Name and address of the occupiers
*Attach list of partners with complete details,
(in case of partnership firm)*

Name
Residential address
Mobile No.
Email id

- c) In case of Private/Public Limited Company, the name and address of
the Director should be enclosed along with the list of Directors.

Name
Residential address
Mobile No.
Email id

- d) Full name and residential address of the owner of dock

Name
Residential address
Mobile No.
Email id

- e) Full name and residential address of the Managing Agent in case where a managing agent is appointed by the Central Government/ State Government/ Local authority as Occupier

Name
Residential address
Mobile No.
Email id

9. Land & Building:

- a) Full name and address of the owner of the premises or building (including the precincts thereof)

Name
Residential address
Mobile No.
Email id

- b) Reference number and date of approval of the plans for site, whether for old or new building and for construction or extension of factory by the State Government / Chief Inspector

Date

10. Disposal of wastes and effluents:

* Name of the waste and approving authority

11. Fees Details:

12. Total amount of fees paid

NOTE :-

- a) In case of any change in the above information, Department shall be informed in writing.
b) Seal bearing "authorized signatory" shall not be used on any document.

Place:-

Date:-

Signature of Factory Manager:
Signature of occupier:

I the above named Occupier do hereby further solemnly affirm that the contents given above are true to the best of my knowledge.

Place: _____

Date: _____

Signature of Occupier

The undersigned hereby certifies that the above is a true and correct copy of the original as the same appears in the records of the _____



Form XXIV
(See rule-64(5)(iv))



LICENCE TO WORK AS A FACTORY

Licence number-	_____
Registration number-	_____
LIN -	_____

Name of factory - _____

Address of factory- _____

Name of occupier- _____

Name of manger- _____

Total number of workers-	_____
Power details – Motor capacity-	_____ HP
Generation capacity-	_____ KW
Transformer capacity-	_____ KW
Transmitting capacity -	_____ KW

Signature of licencing authority _____

Name of licencing authority _____

Designation of licencing authority _____

This licence is valid till the date

FORM XXV**(See Rule-64(7)(i))****AMENDMENT OF FACTORY LICENCE**

1.	LIN (if any)	
2.	Registration number	
3.	Licence number	
NAME OF OCCUPIER		
Previous installed capacity of Generator in K.W.		
Previous installed capacity of Transformer in K.W.		
Previous installed capacity of transmitting station in K.W.		
Name and residential address of outgoing manager		
Current name of the factory		
Previous address / situation of the factory		
Current number of workers in the factory		
Current installed capacity of Motor / Engine in H.P.		
Current installed capacity of Generator in K.W.		
Current installed capacity of Transformer in K.W.		
Current installed capacity of transmitting station in K.W.		
Name of current manager		
Residential address of current manager		
A.	Whether factory involves hazardous process	
B.	Whether factory involves dangerous operations	
C.	Manufacturing process to be carried on in the factory during the next twelve months	

Signature of occupier : _____

FORM XXVI

[See rules 64 (8)(i)]

APPLICATION FOR TRANSFER OF LICENCE

Licence number-	_____
Registration number-	_____
LIN -	_____

Name of factory -	_____
Address of factory-	_____
Name of manger-	_____
Total number of workers-	_____
Power details – Motor capacity-	_____ HP
Generation capacity-	_____ KW
Transformer capacity-	_____ KW
Transmitting capacity -	_____ KW

Name	of	outgoing	occupier

Name	and	address	of current occupier

Reason	for	transfer	of factory occupier

Signature of manager _____

Signature of current occupier _____

Form XXVII

[(See Rule-68(iii))]

FORMAT OF APPLICATION TO THE SITE APPRAISAL COMMITTEE

1. Name and address of the applicant

2. Site Ownership Data

2.1 Revenue details of site such as Survey No. Plot No. etc.

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

2.3 Whether the proposed site attracts the provisions of Section 3(2) (v) of the E.P. Act, 1986, if so, the nature of the restrictions.

2.4 Local authority under whose jurisdiction the site is located.

3. Site Plan

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

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

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

(c) Water sources (rivers, streams, canals, dams, water filtration plants, etc.) in the vicinity. (d) Nearest hospitals, fire stations, civil defence stations and police stations and their distances.

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

- 3.2 Details of soil conditions and depth at which hard strata obtained.
- 3.3 Contour map of the area showing nearby hillocks and difference in levels.
- 3.4 Plot Plan of the factory showing the entry and exit points, roads within, water drains, etc.

4. Project Report

- 4.1 A summary of the salient features of the Projects.
- 4.2 Status of the organisation (Government, Semi Government, Public or Private etc.)
- 4.3 Maximum number of persons likely to be working in the factory.
- 4.4 Maximum amount of power and water requirements and source of their supply.
- 4.5 Block diagram of the buildings and installations, in the proposed supply.
- 4.6 Details of housing colony, hospital, school and other infrastructural facilities proposed.

5. Organisation structure of the proposed manufacturing unit/factory

- 5.1 Organisation diagrams of – - Proposed enterprise in general - Health; Safety and Environment protection departments and their linkage to operation and technical departments.
- 5.2 Proposed Health and Safety Policy.
- 5.3 Area allocated for treatment of wastes and effluent.
- 5.4 Percentage outlay on safety, health and environment protection measures.

6. Meteorological data relating to the site

- 6.1 Average, minimum and maximum of - Temperature - Humidity - Wind velocities during the previous ten years
- 6.2 Seasonal variations of wind direction

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

6.4 Lightning and seismic data of the area.

7. Communication Links

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

7.2 Internal communication facilities proposed

8. Manufacturing Process Information

8.1 Process flow diagram

8.2 Brief write-up on process and technology

8.3 Critical process parameters such as pressure buildup temperature rise and run-away reactions

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

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

9. Information of Hazardous Materials

9.1 Raw materials, intermediates, products and by-products and their quantities (Enclose Material Safety Data Sheet in respect of each hazardous substance)

9.2 Main and intermediate storages proposed for raw materials/intermediates/products/by-products (maximum quantities to be stored at any time).

9.3 Transportation methods to be used for materials inflow and outflow, their quantities and likely routes to be followed



9.4 Safety measures proposed for: - handling of materials; - internal and external transportation; and - disposal (packing and forwarding of finished products)

10. Information on Dispersal/Disposal of Wastes and Pollutants

10.1 Major Pollutants (gas, liquid, solid) their characteristics and quantities (average and at peak loads)

10.2 Quality and quantity of solid wastes generated, method of their treatment and disposal
10.3 Air, water and soil pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluents.

11. Process Hazards Information

11.1 Enclose a copy of the report on environmental impact assessment

11.2 Enclose a copy of the report on Risk Assessment study.

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

12. Information of proposed Safety and Occupational Health Measures

12.1 Details of fire fighting facilities and minimum quantity of water, CO₂ and or other fire fighting measures needed to meet the emergencies

12.2 Details of in-house medical facilities proposed

13. Information on Emergency Preparedness

13.1 Onsite emergency plan

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

14. Any other relevant information

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

Name and Signature of the Applicant.

Form XXVIII

[(See Rule-75(1)(c)]

Health Register

(In respect of persons employed in occupations declared to be dangerous operations and hazardous).

Name of medical officer	
Name of factory—	(a) Mr.
Registration number	From..... To.....
UIN no.	(b) Mr.
Factory licence	From..... To.....
	(c) Mr.
	From..... To.....

Serial No.	Works No.	Name of worker	Sex	Age (last birthday)	Date of employment on present work	Date of leaving or transfer to other work	Reason for leaving, transfer or discharge	Nature of job or occupation	Raw material or by product handled	Date of Medical Examination by medical officer/qualified medical practitioner	Result of Medical Examination	If suspended from work, state period of suspension with detailed reasons	Re-certified to resume duty on (with signature of medical officer)	If certificate of unfitness or suspension issued to worker	Signature, with date of medical officer /qualified medical practitioner
1	2	3	4	5	6	7	8	9	10	11		12	13	14	15

For transfer or discharge should be stated Unfit/Suspended.

FORM XXIX

[[See Rule No.-75(2)]]

Certificate of Fitness for Dangerous Operation/hazardous process industries

1. Serial Number—
2. Name of person examined—
3. Father's name —
4. Sex —
5. Address—
6. Name of the factory in which employed/in which wishes to be employed—
7. Process of department in which employed/wishes to be employed—
8. Whether certificate granted—
9. Whether declared unfit and certificate refused—
10. Reference number of previous certificate granted or refused—

L.T.I of person examined.

Signature of medical officer

Serial Number.....

I certify that I have personally
examined.....(Name) son
of.....(Father's name) residing
at.....(address) who is desirous of
being employed as..... (name of factory) in..... (Deptt.
& Process), that as nearly as can be ascertained from by examination, he is
fit/unfit for employment at the above noted factory.

2. He is fit to be employed and may be employed on some other non-hazardous operation such as-
3. He may be produced for further examination after a period of-
4. He is advised following further examination -
5. He is advised following treatment -
6. The serial number of the previous certificate is-

L.T.I of person examined.

Signature of medical officer

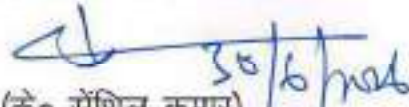
Note :- 1. The counterfoil should be retained by the medical officer and maintained in a bound book or in a file.

2. The Para which does not apply may be cancelled.

संघिका संख्या-1/OSHC -01/2021, अ०सं०-

101 पटना, दिनांक- 30/6/26

बिहार राज्यपाल के आदेश से

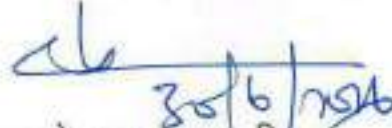

(कै० सेंथिल कुमार)

सरकार के अपर मुख्य सचिव

संघिका संख्या-1/OSHC -01/2021, अ०सं०-

101 - पटना, दिनांक- 30/6/26

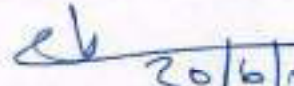
प्रतिलिपि:-प्रभारी पदाधिकारी, ई-गजट मुद्रण कोषांग, वित्त विभाग, बिहार, पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित। 200 (दो सौ) अतिरिक्त प्रतियाँ विभाग को उपलब्ध कराने की कृपा की जाय।


सरकार के अपर मुख्य सचिव

संघिका संख्या-1/OSHC -01/2021, श्र०सं०-

101 पटना, दिनांक-30/6/26

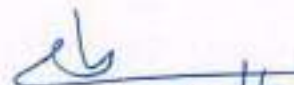
प्रतिलिपि:- मुख्य सचिव, बिहार, पटना/मुख्यमंत्री के प्रधान सचिव, बिहार, पटना/संयुक्त सचिव, श्रम एवं रोजगार मंत्रालय, भारत सरकार/ महानिदेशक, लेबर ब्यूरो, श्रम और रोजगार मंत्रालय, चंडीगढ़ का कार्यालय/महानिदेशक, वी०वी० गिरी राष्ट्रीय श्रम संसाधन, नोएडा/अवर सचिव, श्रम संसाधन एवं प्रवासी श्रमिक कल्याण विभाग, बिहार, पटना/स्थानिक आयुक्त, बिहार भवन, नई दिल्ली/सभी अपर मुख्य सचिव/सभी प्रधान सचिव/सभी सचिव/सभी प्रमंडलीय आयुक्त/सभी जिला पदाधिकारी/सभी विभागाध्यक्ष/ सचिव, विधि विभाग, बिहार, पटना /प्रधान सचिव, मंत्रिमंडल सचिवालय विभाग/ सचिव, बिहार चैम्बर ऑफ कॉमर्स, बिहार, पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।


30/6/26
सरकार के अपर मुख्य सचिव

संघिका संख्या-1/OSHC -01/2021, श्र०सं०-

101 पटना, दिनांक-30/6/26

प्रतिलिपि:- मुख्य कारखाना निरीक्षक, बिहार, पटना/मुख्य वाणिज्य निरीक्षक, बिहार, पटना/मुख्य कारखाना निरीक्षक, बिहार, पटना/निदेशक, कृषि श्रमिक, बिहार, पटना/सभी उप श्रमायुक्त/सभी सहायक श्रमायुक्त/सभी श्रम अधीक्षक/सभी कारखाना निरीक्षक को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।


30/6/26
सरकार के अपर मुख्य सचिव