

**Uttar Pradesh Shasan  
Shram Anubhag-3**

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification no. 1365 /XXXVI-03-2022-109(Sa)/2020 dated 03 August, 2022:

**Notification**

**No. 1365 /XXXVI-03-2022-109(Sa)/2020**

**Lucknow, Dated : 03 August, 2022**

WHEREAS the Uttar Pradesh Occupational Safety, Health and Working Condition Code Rules, 2021 which the Governor proposes to make in exercise of the powers under sections 133 and 135 of the Occupational Safety, Health And Working Conditions Code, 2020 (Act no. 37 of 2020) read with section 21 of the General Clauses Act, 1897 (Act no. 10 of 1897) and in supersession of :-

Uttar Pradesh Contract Labour (Regulation and Abolition) Rules, 1975,

Uttar Pradesh Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1983,

Uttar Pradesh Bidi and Cigar Workers (Conditions of Employment) Rules, 1969,

Uttar Pradesh Factories Rules, 1950,

Uttar Pradesh Factories (Welfare Officers) Rules, 1955, and

Uttar Pradesh Factories (Safety Officers) Rules, 1984,

was published vide Notification no. 9 /2021/ 584 /XXXVI-3-2021-109(sa)/2020 dated 23 March, 2021 as required under sub-section (1) of section 133 and sub-section (1) of section 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Act No. 37 of 2020) inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of period of forty-five days from the date of publication of the said notification in the Gazette;

AND WHEREAS the objections or suggestions received from the persons affected, before the expiry of the said period of forty-five days, have been considered by the Uttar Pradesh Government vide order dated 07.05.2021 ;

NOW, THEREFORE, in exercise of the powers under sub-section (1) of the section 133 and sub-section (1) of section 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Act No. 37 of 2020), the Governor is pleased to make the following rules, namely :-

## **Uttar Pradesh Occupational Safety, Health and Working Condition Code Rules, 2022**

### **CHAPTER-I**

#### **PRELIMINARY**

<b>Short title, extent and commencement</b>	<b>1</b>	(1) These rules may be called the Uttar Pradesh Occupational Safety, Health and Working Condition Code Rules, 2022.  (2) They extend to the whole of Uttar Pradesh.  (3) They shall come into force from such date as the State Government may by order notify.
<b>Definitions</b>	<b>2</b>	(1) In these rules, unless the subject or context otherwise requires :-  (a) “ <b>Authority</b> ” means the Authority as designated, by notification, by the State Government under different sections of the Code;  (b) “ <b>Appellate officers</b> ” means the officers notified by the State Government under Section 4 of the Code;  (c) “ <b>Appellate authority</b> ” means the Appellate Authority as prescribed by the State Government under sub-section (6) of section 119 of the Code;  (d) “ <b>Apprentice</b> ” means an apprentice as defined under clause (aa) of section 2 of the Apprentices Act, 1961;  (e) “ <b>Board</b> ” means the Board constituted under Section 17 of the Code;  (f) “ <b>Chief Inspector-cum-Facilitator</b> ” means Chief Inspector-cum-Facilitator of Uttar Pradesh as appointed by State Government through notification;  (g) “ <b>Continuous process</b> ” means a process in a factory;

or a part of factory where in the process is carried on in, as declared in Schedule-II;

(h) **“Child”** shall have the same meaning as assigned to it in clause (ii) of section 2 of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986;

(i) **“Code”** means the Occupational Safety, Health and Working Conditions Code, 2020 (Act no. 37 of 2020);

(j) **“Electronically”** means any information submitted by e-mail or uploaded on the portal, or making digital payment through any mode for the purpose of this Code. It includes maintaining efficient and transparent payroll software so that the requisite information may be seen in a systematic manner for the purposes of attendance register, muster roll, leave register, over time register or wages register, etc;

(k) **“Form”** means the form appended to these rules;

(l) **“Hazardous substances”** means the chemicals which are defined in rule 2(e) of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or any other such substance which the State Government or the Central Government may notify from time to time;

(m) **“Hazardous waste”** means the hazardous waste as defined in clause (17) of sub-rule (1) of rule 3 of the Hazardous and Other Wastes (Management and Transboundary Movement ) Rules, 2016;

(n) **“Homeworker”** means a person who is given raw material by employer or a contractor for being made *beedis* at home.

(o) **“Licencing Officers”** means the authority appointed under section 19 of the Code by the State Government;

(p) **“maintain”** means-

to maintain in an efficient state, in an efficient working order and in good repair machines or equipments;

to upkeep manually or electronically, as the case may be, in original state and in good condition all the requisite latest information entered at the right place and available in an establishment in the form of a register, book, document, record or Form;

(q) **“major accident”** means an incident involving loss

of life inside or outside the establishment or ten or more, injuries inside and/ or one or more injuries outside or, release of toxic chemical or explosion or fire or spillage, of hazardous chemical resulting in ‘on-site’ or ‘off- site’, emergencies or damage to equipment leading to stoppage, of process or adverse effect to the environment;

(r) **“Major Accident Hazard (MAH) installation”** means a factory as defined in rule 2(ja) of Manufacture, Storage and Import of Hazardous Chemical, Rules, 1989;

(s) **“manager”** means a person nominated or appointed, by the employer of an establishment for the purposes of, the Code and Rules made thereafter;

(t) **“MSIHC Rules”** means the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989;

(u) **“National Standards”** means standards as approved, by the Bureau of Indian Standards and in the absence of, such standards, the standards approved by the State, Government for a specific purpose;

(v) **“other apprentice”** means a person who is, undergoing any contractual training under a contract with, the employer other than one under Apprentices Act, 1961;

(w) **“Portal”** means official web portal of Labour, Department, Government of Uttar Pradesh;

(x) **“qualified nurse”** means a person who possesses a, qualification in nursing recognized under the Indian, Nursing Council Code, 1947, and who is registered with, the Uttar Pradesh Nurses and Midwives Council, or, otherwise, or a similar registered body of any other State, in India

(y) **“quarter”** means a period of three consecutive, months beginning from the 1<sup>st</sup> of January, the 1<sup>st</sup> of, April, the 1<sup>st</sup> of July or the 1st of October;

(z) **“Registering Officer”** means the Registering Officer, appointed by the State Government for the purpose of, section 3 of the Code and these rules;

(aa) **“Section”** means the section of the Code.

(ab) **“workroom”** means any place occupied by the, employees engaged in any manufacturing process, with

		<p>or without the aid of power.</p> <p>(2) Words and expressions used herein and not defined in these rules, but defined in the Code shall have the same meanings respectively assigned to them under the Code.</p>
<p><b>Income from other sources under clause (x) of sub-section (1) of section 2</b></p>	<p><b>3</b></p>	<p>For the purposes of clause (x) of sub-section (1) of section 2, the criteria for income from such sources means the income for the dependents as prescribed by State Government by general or special orders, from time to time.</p>
<p><b>Appointment of Competent person under clause (1) of sub-section (1) of section 2</b></p>	<p><b>4</b></p>	<p>(1) The Chief Inspector-cum-Facilitator may recognize any person with the prior concurrence of the State Government as a Competent Person within such area and for such period as may be specified for the purposes of carrying out tests, examinations and inspections for such buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plants, confined spaces, ventilation systems and such other processes or plants and equipments as stipulated in the Code and the Rules made thereunder, located in a factory, if such a person possesses the qualifications, experience and other requirements as set out in <b>Schedule-I</b> annexed to these rules:</p> <p style="padding-left: 40px;">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:</p> <p style="padding-left: 40px;">Provided further that the Competent Person recognized under this provision shall not be more than 65 years of age and shall be physically fit for the purpose of carrying out tests, examinations and inspections.</p> <p>(2) The Chief Inspector-cum-Facilitator may recognize an institution of repute, having persons possessing qualifications and experience as set out in the <b>Schedule-I</b> annexed to the Rule for the purpose of carrying out tests, examinations and inspections for buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plants, confined spaces, ventilation systems and such other process or plants and equipments as are stipulated in the Code and the Rules made thereunder, as a competent person, within such area and</p>

for such period as may be specified.

(3) The Chief Inspector-cum-Facilitator may on receipt of an application in **Form-I**, from a person or an institution intending to be recognized as a Competent Person for the purposes of the Code and the Rules made thereunder, register such application and within a period of sixty days of the date of receipt of application, reject the application for reasons to be recorded in writing or if satisfied about the competence and facilities available at the disposal of the applicant, recognize the applicant as a Competent Person and issue a certificate of competency in **Form-II** .

(4) The competent person or the institution shall send a monthly report to the Inspector-cum-Facilitator of the region concerned by 10<sup>th</sup> day of every month. The report shall contain name and address of establishments where testing/examinations had been done, name of the persons who visited the establishment, date of visit and list of equipments with identification number so examined. He shall also report immediately if during his visit he feels that existence of any imminent danger to life exists in the establishment.

(5) The Chief Inspector-cum-Facilitator may, after giving an opportunity of being heard to the person recognized as a Competent Person revoke the certificate issued to him under sub rule (3):

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

- (a) has violated any of the conditions stipulated in the certificate; or
- (b) has carried out a test, examination and inspection or has otherwise carried them in a manner inconsistent with the intent or the purpose of the Code or the rules made thereunder; or
- (c) has omitted the act as required under the Code and the rules made thereunder;

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

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

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

## CHAPTER-II Registration of Establishment

**Manner and form of filing an application for registration fee and late fee**

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1.(a) The employer seeking registration for an establishment not already registered shall apply, electronically in **Form-III** on the web-portal specified for this purpose 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.

(b) 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.

(c) 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.

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

2. The application shall be accompanied with a declaration from the applicant that application is in accordance with provisions of the Code and rules made thereunder, and the applicant fulfills the requirement of registration of the establishment.

3. 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.

4. 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.

5. 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.

6. Fee for registration of the establishment shall be paid at the following rates –

Number of workers employed in the establishment	Amount of fees in rupees
Ten or more but less than twenty workers	1000.00
Twenty or more but less than fifty workers	2000.00
Fifty or more but less than one hundred workers	3000.00
Hundred or more but less than two hundred workers	4000.00
Two hundred or more but less than five hundred workers	5000.00
Five hundred or more but less than two thousand workers	10000.00
Two thousand or more workers	20000.00

Provided that the State Government may change the amount of fees for registration by general or special order.

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

8. The registry officer may on application being made to him under sub- rule (1) register the establishment and issue a certificate of registration in **Form-IV** electronically, within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) for such service as amended from time to time, if the application is complete in all respects, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated:

Provided that certificate of registration may be issued subject to compliance with such conditions as are specified in the certificate:

Provided further that if an application for registration is not complete in all respects, the Registration Officer shall require the principal employer to amend the application so as to make it complete in all respects and if the principal employer, on being required by the Registering Officer to amend his application for registration omits or fails to do so, the registering officer shall reject the application for registration.

9. Where a principal employer has not submitted its application for registration within sixty days as required under sub-section (1) of section 3 of the Code he shall submit the application for registration along with late fee at the rate of ten percent annually or as notified by State



Government from time to time.

10. The employer, in respect of an establishment already registered under any central labour law as specified in sub-section (8) of section 3 or under any State labour law, shall update its registration particulars on the portal within six months from the date on which these rules come into force.

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

12. 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 their certificate of registration should not be cancelled.

13. Any change in ownership, management or any particular furnished in the registration form submitted on the specified portal shall be updated on the portal by the employer within thirty days of such change.

14. The employer of an establishment and whose business activities are in the process of closure, may apply for cancellation of registration online on the official portal, after giving complete details of the dues payable under the Central Labour Codes:

Provided that application for cancellation of registration shall be entertained unless the employer has furnished all statutory returns, paid all statutory dues under the Central Labour Codes and any other Central or State Labour 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.

**Appeal under Section 4, 6**

(1) The employer aggrieved by the order of Registering Officer, may file an 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.

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

(3) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the registering officer, against whose order the appeal has been preferred and the registering officer shall thereupon send the records:

	<p>of the case to the appellate officer online electronically.</p> <p>(4) 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.</p> <p>(5) 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.</p> <p>(6) 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.</p> <p>(7) 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.</p>
<p><b>Notice by the employer of commencement and cessation of operation (Rule) prescribed under Section 5</b></p>	<p>7 (1) Every employer to whom section 5 of the Code applies, shall, within sixty days of the commencement and completion of any work, intimate to the Registering Officer and 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 <b>Form-VI</b> annexed to these rules electronically on official portal of State Government and the same shall be auto-shared to Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC).</p> <p>(2) The notice of cessation of operation shall be enclosed with a certificate to the effect that the payment of all dues to the workers employed in establishment have been made and the premises are kept free from the storage of hazardous chemicals and substances.</p>

**CHAPTER III**  
**Duties of Employer and Employees**

<p><b>Annual Health</b></p>	<p><b>8</b> (a) Every employer of an establishment shall arrange</p>
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**Examination or test of employees of certain establishments**

to conduct free of cost medical examination of all the employees **who have completed forty-five years of age** annually within one hundred and twenty days from the commencement of the year, all persons before employing them, and of all the employees who have met an serious accident in the establishment or have fallen ill during course of employment:

Provided that the employees employed in hazardous processes or Dangerous Operations shall be examined medically every year or as per provision specifically provided otherwise, **whichever is earlier.**

(2) The health examination shall be conducted by a qualified medical practitioner. Records of such annual examination shall be maintained in a Health Register in **Form-VII** . If the examination is conducted for pre-employment, it shall also be maintained in **Form-VIII** as a Certificate of Fitness. Findings of such examinations shall be shared with the employee concerned.

(3) The medical examination shall include -

(a) Full medical and occupational history;

(b) Clinical examination with particular reference to :-

(i) General physique;

(ii) **Vision** - It shall include visual acuity and macular function test or funduscopy examination;

(iii) **Hearing** - Audiometry test, if required;

(iv) **Breathing** - Pulmonary function test or X - ray, if required;

(v) **Upper Limbs** - Adequate arm function and grip (both arms);

(vi) **Lower Limbs** - Adequate leg and foot function;

(vii) **Spine** - Adequately flexible for the job concerned;

(viii) **General** - Mental alertness and stability with good eye, hand and feet coordination;

(ix) Complete blood count test, lipid profile

(c) Any other tests which the examining doctor considers necessary.

**Appointment Letter and Identity Card under clause (f) of sub-section (1) of Section 6**

9 (1) The employer shall issue a Letter of Appointment to every employee in the establishment on his appointment or prior to commencing his work. The letter of appointment shall include the particulars as specified in **Form-IX** .

(2) The employer shall also ensure the systematic allotment of a distinct number or code for every employee and shall issue an Identity Card bearing such employee code and other necessary particulars within one month of the appointment:

Provided that such letters and Identity cards shall be issued to all the employees within three months of coming into force of these rules.

(3) If the Identity card of an employee is damaged or lost, the employer shall issue a new Identity card to the employee within one month. The employer may charge Rupees Ten from the employee for issuing a new one and Rupees Fifty for any subsequent issuance within a calendar year subject to the provisions of Section 21 of the Code on Wages, 2019.

(4) Employer shall also ensure that the contract of training has been executed with other apprentices as well and thereof Identity cards have been issued to them within one month.

**Notice of accident and dangerous occurrences under sections 10 and 11**

10 (1) When any accident results in the death of any person or bodily injury to any person, or any dangerous occurrence specified in rule (11) takes place in a establishment, the employer or manager of the establishment shall forthwith send a notice thereof personally or electronically to the concerned Inspector-cum-Facilitator having jurisdiction and the Chief Inspector-cum-Facilitator.

(2) When any accident or any dangerous occurrence specified in the rule 8 results in the death of any person or results in such bodily injury to any person as is likely to cause his death, a notice as mentioned in sub-rule (1) shall be sent to:

(a) the District Magistrate or Sub-Divisional Officer;

(b) the Officer-in-charge of the nearest police station;

(c) the relatives of the injured or deceased person; and

Authority notified for employee's compensation having jurisdiction under the Code on Social Security, 2020.

(3) In case of accident resulting in death or bodily injury, notice shall be in **Form-X** and in case of dangerous occurrences, notice shall be in **Form-XI**. The said notice shall be submitted by the employer or the manager of the factory/ establishment, as the case may be, electronically or otherwise within twenty four hours of an accident or dangerous occurrence:

Provided that if in the case of an accident or dangerous occurrence, any person dies or is injured by such accident or dangerous occurrence after the notice and reports referred to in the foregoing sub-rules have been sent, the employer or manager of the establishment shall forthwith send a notice electronically or otherwise to the authorities and persons mentioned in sub-rules (1) and (2) within 12 hours of such death or injury, as the case may be:

Provided further that if the period of disability from working for 48 hours or more does not occur immediately following the accident or the dangerous occurrence but occurs later, or occurs in more than one spell, the reports referred to shall be sent electronically or otherwise, to the authorities and persons mentioned in sub-rules (1) and (2) in **Form-X** within 24 hours immediately following the hour when the actual total period of disability from working from the accident or the dangerous occurrence becomes 48 hours.

(4) No person shall be allowed to disturb the site at which a fatal accident has occurred or any other object involved in the accident before the arrival of the Inspector-cum-Facilitator, or a police officer, not below the rank of a Sub-Inspector, or without the consent of such officer:

Provided that such action may be taken as may be necessary to prevent a further accident or to secure persons from danger.

**Classes of dangerous occurrences**

The following shall be the classes of dangerous occurrences, whether or not they are attended by personal

injury or disablement, namely:-

- (a) Bursting, of any plant or pipeline or equipment, containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (b) 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.
- (c) 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;
- (d) 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.
- (e) 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;
- (f) collapse or subsidence 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 form work; contact work, excavation and collapse of transmission;
- (g) Spillage or leakage of hazardous substances and damage to their container;
- (h) collapse, capsizing, toppling or collision of transport equipment within the establishment;
- (i) fall from height of any excavation, loading or transport machinery;
- (j) an instantaneous failure of a pillar, part of a pillar or several pillars of coal (i.e., a bump) in working;

	<p>below ground;</p> <p>(k) a rock-burst in working below ground; a premature collapse of any part of the working;</p> <p>(l) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;</p> <p>(m) a slide causing injury to any person, damage to any machinery, or interruption of normal mining operations;</p> <p>(n) failure of dump or side in opencast working; a blowout;</p> <p>(o) 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;</p> <p>(p) a major uncontrolled emission of petroleum or chemical spillage.</p> <p>(q) Any other occurrence which may be declared as a “Dangerous Occurrence” by the State Government by an order.</p>
<p><b>Notice of certain Diseases</b></p>	<p><b>12</b> Where any worker in a establishment contracts any disease specified in Third Schedule of the Code, the manager or employer of the establishment shall send a notice electronically or otherwise in <b>Form-XII</b> to the concerned Inspector-cum-Facilitator, Chief Inspector-cum-Facilitator and Chief Medical Officer of the district within seven days from the date on which it comes to the knowledge of the employer or manager of the establishment.</p>
<p><b>Manner and Time of Report to Chief Inspector-cum-Facilitator by a medical practitioner</b></p>	<p><b>13</b> If any medical practitioner attends on a person who is or has been employed in a establishment and who is or is believed by the medical practitioner, to be suffering from any disease specified in the Third Schedule of the Code, the medical practitioner shall, without delay, send a report electronically or otherwise to Chief Inspector-cum-Facilitator stating:-</p> <p>(a) the name and full postal address of the patient;</p> <p>(b) the disease from which he believes the patient to be</p>

	<p>suffering; and</p> <p>(c) the name and address of the factory in which the patient is or was last employed.</p>
<p><b>Report of Existence of imminent danger</b></p>	<p>If at any time employer or any employee has reasonable apprehension of likelihood of imminent serious personal injury or death or imminent danger to health, he shall take immediate remedial action and sent a report on imminent danger and action taken thereon, electronically or otherwise to the Inspector-cum-Facilitator.</p>
<p><b>Other duties of employees</b></p>	<p>(1) Every employee shall, in general, wear or keep with him the Identity Card provided by the employer during his working hours in the establishment. If the identity card is lost or damaged, the employee shall report to the manager, in writing. No employee shall misuse the card.</p> <p>(2) If an employee comes to know of any unsafe or unhealthy conditions in the establishment, he shall report to the employer or manager or safety officer, as soon as practicable, electronically or in writing or telephonically.</p> <p>(3) Every employee shall perform such other duties as may be assigned by the State Government by general or special order.</p>
<p><b>Prevention of bodily injuries</b></p>	<p>(1) No building, wall, chimney, bridge, tunnel, road, gallery, stairway, ramp, floor, platform, staging, or other structure, whether of a permanent or temporary character, shall be constructed, situated or maintained in any establishment in such a manner as to cause risk of bodily injury.</p> <p>(2) No machinery, plant or equipment shall be constructed, situated, operated or maintained in any establishment in such a manner as to cause risk of bodily injury.</p> <p>(3) No process or work shall be carried in any establishment in such a manner as to cause risk of bodily injury.</p> <p>(4) No materials or equipment shall be stacked or stored in such a manner as to cause risk of bodily injury.</p>



<p><b>Special provisions for employees who are not covered Under Section 2 (1) (zzl)</b></p>	<p><b>17</b></p>	<p>The provisions of the Code and Rules, wherein not specified for employees, shall also apply to the employees who are not covered under section 2(1)(zzl), in relation to the following, as if they were workers within the meaning of the Code and Rules-</p> <ul style="list-style-type: none"> <li>(a) Safety, health and welfare;</li> <li>(b) Maintenance of records, registers and Forms;</li> <li>(c) Computing the number of workers in a factory and building or other construction works under Section 2(1)(w), Section2(1)(h) and registration;</li> <li>(d) Chapter VII of the Code for any factory, excluding normal daily working hours, unless it is exempted under Section 91.</li> </ul>
<p><b>Provisions against danger arising from mechanical transport in establishments</b></p>	<p><b>18</b></p>	<p>(1) No railway wagon shall be moved either by power or hand unless the movements are directly supervised by a responsible person or person especially appointed for this purpose and a person shall be deputed to walk ahead to the wagon or wagons being shunted with a suitable bell or other audible device so as to ensure that no person is allowed to pass in front of or between the moving wagon or wagons. Names of such person or persons shall be separately shown in attendance register in <b>Form-XIII</b>.</p> <p>(2) Mechanical Transport or Transport vehicle when moved shall only be operated by persons trained to work them, and such operations shall be under the charge of a responsible supervisor. Employer shall take appropriate step and provide provisions for safe movement of such vehicles.</p>
<p><b>Special provisions for health, safety and welfare measures for other apprentices</b></p>	<p><b>19</b></p>	<p>Where any apprentices or other apprentices are undergoing training in an establishment the provisions of the Code and Rules shall apply in relation to the health, safety and welfare of these apprentices as if they were workers within the meaning of the Code. Provisions of the sub-section (1) and (4) of Section 25 and Rules made thereunder in relation with normal working hours shall apply to the 'other apprentices' as if they were workers within the meaning of the Code.</p>
<p><b>Safety provisions for</b></p>	<p><b>20</b></p>	<p>The employer, owner or both, as the case may be, of an</p>

establishments having five story or above a height of twenty meters or above building

establishment or a group of establishments which has five story or above or a height of twenty meter or above, shall prepare and keep up-to-date an Emergency Plan to mitigate the fire emergency or lift failure or any other dangerous occurrence. **He shall ensure the availability of requisite facilities as per Indian Standards, training of persons, information dissemination to the people and adequate supervision for safety.**

#### CHAPTER IV Occupational Safety and Health

Constitution of State Advisory Board under section 17

- 21 (1) The State Government shall, by notification, constitute a State Occupational Safety and Health Advisory Board for the purposes of section 17 of the code.
- (2) The Board shall consist of:-
- (a) Minister, Labour and employment, Government of Uttar Pradesh- *ex officio* Chairperson;
  - (b) Additional Chief Secretary /Principal Secretary/ Secretary Labour, Government of Uttar Pradesh- Vice-Chairperson, *ex officio*;
  - (c) Two officers from Department of Micro, Small and Medium enterprises and Pollution Control Board, nominated by the State Government, not below the rank of Special Secretary one of which shall be a woman-member;
  - (d) Chairman, Uttar Pradesh Pollution Control Board, Lucknow -Member, *ex officio*;
  - (e) Labour Commissioner, Government of Uttar Pradesh – Member-Secretary, *ex officio*;
  - (f) Director-General, Health and family welfare, Government. of Uttar Pradesh- Member, *ex officio* ;
  - (g) Chief Inspector-cum-Facilitator, Government of Uttar Pradesh- Member, *ex officio* ;
  - (h) Secretary, Uttar Pradesh Building and Other Construction Workers Welfare Board - Member, *ex officio*;
  - (i) Secretary, Uttar Pradesh Unorganized Workers Social

		<p>Security Welfare Board - Member, <i>ex officio</i>;</p> <p>(j) Secretary, Uttar Pradesh Labour Welfare Board- Member, <i>ex officio</i>•</p> <p>(k) Director, ESICS, Govt. of Uttar Pradesh- Member, <i>ex officio</i>;</p> <p>(l) Director of Factories, Uttar Pradesh- Member;</p> <p>(m) Five representatives of employers to be nominated by State Government - Members ;</p> <p>(n) Five representatives from recognized trade unions or Federation to be nominated by State Government - Members;</p> <p>(o) Five eminent persons from the field of occupational health and safety having a graduation degree in engineering and experience not less than ten years nominated by the state government- members:</p> <p>Provided that adequate representation of women shall be given for members to be nominated under clause (m), (n) and (o) of this rule.</p>
<p><b>Term of Office of State Advisory Board</b></p>	<p><b>22</b></p>	<p>(1) The term of Board shall be three years from the date of its constitution, but it shall continue till the reconstitution and its decision shall not be deemed invalid on the ground that term of the Board has been expired.</p> <p>(2) The term of office of the non-official members of the Board shall be three years.</p> <p>(3) The term of the members of the Board shall be co-existing with the term of the Board.</p> <p>(4) The non-official members of the Board shall hold office at the pleasure of the Government of Uttar Pradesh.</p> <p>(5) The non-official members shall be removed from the Board if they cease to represent the interest for which they were nominated.</p> <p>(6) All nominated members shall not be eligible for renomination for more than two terms.</p>
<p><b>Resignation of a member of State</b></p>	<p><b>23</b></p>	<p>Any non-official member may resign by a letter addressed to State Government signed under his hand.</p>

<b>Advisory Board</b>		The seat of such member shall fall vacant from the date, on which his resignation is accepted or on the expiry of, thirty days from the date of receipt of intimation of resignation, whichever is earlier.
<b>Filling of casual vacancies</b>	<b>24</b>	<p>(1) A member appointed to fill a casual vacancy arising, due to death, resignation or otherwise of the member, shall hold office for the remaining period of the tenure of office of the member, in whose place he is appointed.</p> <p>(2) When a Vacancy occurs for any reason or is likely to occur in the membership of the Board, the Member, Secretary shall submit a report to the State Government, who shall take steps to fill the vacancy from amongst the category of persons, to which the person vacating membership belongs and the person so nominated shall hold office for the remainder of the term of the office of the member in whose place he is appointed.</p>
<b>Cessation of membership</b>	<b>of 25</b>	<p>If any member of the Board, not being an ex-officio member, fails to attend three consecutive meetings of the Board, without obtaining the leave sanctioned by the Chairperson of such Board, for such absence, he shall cease to be a member of State Board:</p> <p>Provided that the State Government may, if it is satisfied that such member was prevented by sufficient cause from attending three consecutive meetings, direct that such cessation shall not take place and on such direction being made, such member shall continue to be a member of State Board.</p>
<b>Disqualification for membership</b>	<b>for 26</b>	<p>A person shall be disqualified for being a member of the State Board-</p> <p>(a) if he is declared to be of unsound mind; or</p> <p>(b) an undischarged insolvent by a Competent Court; or</p> <p>(c) if he has been convicted for an offence, having imprisonment of three months or more or which in the opinion of the State Government, involves moral turpitude; or</p> <p>(d) he is absent from three consecutive meetings of the Board without leave of absence from the Chairperson;</p>

		<p>or</p> <p>(e) he ceases to represent the interest for representing which he was appointed; or</p> <p>(f) he is removed by the State Government.</p>
<b>Removal from membership</b>	<b>27</b>	<p>The State Government may remove any member of the State Board, if in its opinion such member has ceased to represent the interest which he purports to represent on such State Board:</p> <p>Provided that no such member shall be removed unless reasonable opportunity is given to him of making a representation against the proposed action under this rule.</p>
<b>Travelling allowance for members</b>	<b>28</b>	<p>(1) The travelling allowance and daily allowance of an official member shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the Authority paying his salary.</p> <p>(2) Non-Official Members of the Board shall be paid travelling allowance and daily allowance for attending meetings of the Board at such rates as are admissible to lowest of Group "A" Officer of the State Government.</p>
<b>Meeting of the Board</b>	<b>29</b>	<p>(1) The State Board may meet as often as necessary:</p> <p>Provided that the Chairperson shall, within fifteen days of the receipt of a requisition in writing from not less than one third of the members of the Board, call a special meeting thereof.</p> <p>(2) No business shall be transacted at any meeting unless at least half of the members are present:</p> <p>Provided that if at any meeting less than half members are present the Chairperson may adjourn the meeting to another date informing members present and giving notice to the other members that he proposes to dispose of the business at the adjourned meeting whether there is a prescribed quorum or not, and it shall thereupon be lawful for him to dispose of the business at the adjourned meeting irrespective of the number of members attending :</p>

		<p>Provided that when the Chairperson calls a meeting, for considering any matter which in his opinion is of urgent nature, notice of not less than three days shall be deemed sufficient.</p>
<b>Chairperson to preside at meetings</b>	<b>30</b>	<p>(1) The Chairperson shall preside over all meetings of the Board, and if the Chairperson is, for any reason, unable to attend a meeting of the Board, any member nominated by the Chairperson in this behalf, and in the absence of such nomination, any other member elected by the members present from amongst themselves at the meeting, shall preside at the meeting.</p> <p>(2) Every decision taken at the meeting of the Board shall be recorded in a Minutes Book, which shall be a permanent record.</p>
<b>Technical Committee or Advisory Committee of the State Advisory Board</b>	<b>31</b>	<p>The State Government may constitute as many Technical Committees or Advisory Committees on the recommendation of State Advisory Board to assist the State Government or State Advisory Board in discharge of their functions, as it deems fit. The term, function, procedures and allowances of these committees shall be as determined by the State Government.</p>
<b>Collection of statistics and registration portal for inter-state migrant workers</b>	<b>32</b>	<p>(1) Every employer shall submit the details of occupational safety and health statistics to the State Government, as well as to the office of Director General, Labour Bureau, electronically on such portal in such form, and manner as may be prescribed by the Central Government from time to time.</p> <p>(b) Every inter-state migrant worker, whether employed or self-employed in the state of Uttar Pradesh shall get himself registered on the portal specified for this purpose.</p>
<b>Constitution of safety committees under section 22</b>	<b>33</b>	<p>(1) In every establishment, a Safety Committee, shall be constituted, where-</p> <p>(a) two hundred fifty employees or more are ordinarily employed; or</p> <p>(b) any process or operation declared to be dangerous under section 82 is carried on; or</p> <p>(c) a 'Hazardous Process' as defined under section</p>

2(1)(za) or handling hazardous substance is carried on.

(2) The representatives of the management in Safety Committee shall include-

(a) The employer shall be the Chairman of the Safety Committee; and

(b) A senior official who by his position in the organization can contribute effectively to the functioning of the Committee, shall be the Deputy Chairman; and

(c) A Safety Officer, wherein appointed under these rules, or any other responsible person shall be the Member-Secretary of the Committee; and

(d) Medical officer of the establishment- member; and

(e) Three representatives one each from the production, maintenance and purchase departments; and

(f) Number of representatives of workers shall not be less than the number of representatives of employer. Representatives of workers shall be chosen by a general consensus amongst them or election.

(3) The tenure of the Committee shall be of two years.

(4) The constitution of safety committee shall be communicated electronically to concerned Inspector-cum-Facilitator having jurisdiction.

(5) Safety Committee shall meet as often as necessary but at least once in every quarter. The minutes of the meeting, along with follow-up action plans shall be recorded in a register and shall be produced to the Inspector-cum-Facilitator on demand. A copy of minutes of such meeting, thereof shall be sent to the Inspector-cum-Facilitator having jurisdiction electronically.

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

(a) Potential safety and health hazards to which the employees may be exposed at work place.

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

so far as the factory is concerned:

Provided that the Committee shall undertake to use the data on measures to improve the working environment and the health and safety of the employees.

**Functions and duties of safety committee**

(1) Functions and duties of the Safety Committee shall include-

- (a) Assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Health and Safety Policy' of the establishment; and
- (b) Dealing with all matters concerning Health, Safety and Environment and to arrive at solutions to problems encountered; and
- (c) Creating safety awareness amongst all employees; and
- (d) Undertaking educational, training and promotional activities; and
- (e) Discussing reports on safety, environment and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports; and
- (f) Carrying out health and safety surveys and identify causes of accidents; and
- (g) Looking into any complaint made on the likelihood of an imminent danger to the safety and health of the employees and suggesting corrective measures; and
- (h) Reviewing the implementation of the recommendations made by it-
  - (i) to discuss the report of inquiry into accidents, dangerous occurrences etc. and make appropriate recommendations;
  - (ii) to formulate and implement appropriate safety campaigns based on analysis of accidents and dangerous occurrences;
  - (iii) to serve as a forum for communication on Safety and Occupational Health matter. and
  - (iv) to discuss the Standard Operating Procedures



prepared for different operations.

(2) Where owing to the size of the establishment, or any other reason, the functions referred to in sub-rule (1) cannot be effectively carried out by the Safety Committee, it may establish sub-committees as may be required to assist it:

Provided that in any establishment wherein more than one thousand employees are ordinarily employed, not less than two sub-committees shall be formed department-wise or otherwise and an employee of the rank of departmental head shall be the head of the sub-committee. The minutes of meeting shall be shared with the member secretary of the safety committee.

**Appointment of safety officers under section 22 and clause (zzq) of sub-section (2) of section 133**

(1) In every establishment which is a-

- (i) factory wherein five hundred workers or more; or
- (ii) factory carrying on hazardous process wherein two hundred fifty workers or more; or
- (iii) building and other construction work wherein two hundred and fifty workers or more are ordinarily employed; or
- (iv) Major Accident Hazard installation; or
- (v) factory manufacturing sulfuric acid

not less than one safety officer shall be appointed by the employer:

Provided that for an establishment specified in clause (i), one additional safety officer shall be appointed if number of workers employed are more than one thousand but not exceeding one thousand five hundred and one more safety officer shall be appointed for every additional one thousand workers or part thereof:

Provided further that for an establishments specified in clause(ii), clause(iii) and clause(iv) one additional safety officer shall be appointed if number of workers employed are more than five hundred but not exceeding one thousand and one more safety officer shall be appointed for every additional one thousand workers or part thereof.

(2) The occupier of the factory or employer of building or

other construction establishment, as the case may be, shall inform the concerned Chief Inspector-cum-Facilitator having jurisdiction and the Inspector-cum-Facilitator of the region concerned about the appointment of the Safety Officer or Chief Safety Officer within seven days from such appointment.

**Qualifications of Safety Officer 36**

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

(a) possesses a Degree in any branch of Engineering or Technology from a University established by law and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or Safety Department for a period of not less than two years; or

(b) possesses a degree in Physics or Chemistry from a University established by law and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or Safety Department for a period of not less than five years; or

(c) possesses a diploma in any branch of Engineering or Technology recognized by the State Government and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or safety department for a period of not less than five years; or

(d) possesses a recognized degree in any branch of Engineering or Technology, and has had experience of not less than two years in a department of the Central or the State Government in relation to the administration, under any Act or Code which deals with health and safety of workers in a factory or building or other construction works; or

(e) possesses a recognized degree in any branch of Engineering or Technology, and has had at least five years' experience of working in institutions dealing with training, education, consultancy or research in the field of accident prevention in industry or in any institution; and

(f) possesses a degree or diploma in Industrial Safety, recognized by the State Government in this behalf or from any Labour Institute under Directorate General, Factory Advice Service and Labour Institute;

(DGFASLI). or

(g) he possesses a B.Tech or M.Tech degree in health, safety and environment or fire engineering or any other equivalent qualification granted by any university duly established by law:

Provided that Chief Inspector-cum-Facilitator may relax the qualifications in respect of clause (2) and (3) with the conditions, in writing, for any establishment or a class of establishments.

**Duties, and other 37  
conditions of Safety  
Officer**

(1) The duties of the Safety Officers shall be to advise and assist the factory management in the fulfilment of its obligations, statutory or otherwise, concerning prevention of personal injuries and maintaining a safe working environment. These duties shall also include the following, namely—

- (a) to advise the departmental heads, supervisors and other such officers in planning and organising measures necessary for the effective control of personal injuries;
- (b) to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;
- (c) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (d) to advise the personnel of store purchase department in ensuring high quality and availability of personal protective equipments etc.;
- (e) to advise on matters relating to carrying out plant safety inspections;
- (f) to carry out plant safety inspections in order to observe the physical conditions of work and the work practice procedures followed by the employees and to render advice on measures to be adopted for reducing the unsafe physical conditions and preventing unsafe conditions by employees;
- (g) to render advice on matters relating to reporting and investigation of industrial accidents and diseases;
- (h) to investigate fatal and serious accidents and to

suggest remedial measures to the management;

- (i) to investigate the reportable cases of industrial disease contracted and dangerous occurrences;
- (j) to advise on the maintenance of such records as are necessary relating to accidents, dangerous occurrences and industrial diseases;
- (k) to promote setting up of Safety Committees and to act as an adviser and catalyst to such committees;
- (l) to organise in association with the concerned department, campaign, competitions, contests and other activities which will develop and maintain the interest of the employees in establishing and maintaining safety conditions of work and procedure;
- (m) to design and conduct either independently or in collaboration with the organisations, departments, imparting industrial safety training, suitable training and educational programme for the prevention of personal injuries and to hold safety seminars at least once in a year;
- (n) to prepare an annual report of accidents and industrial diseases suggesting their remedial measures and to put it up before the annual meeting of the Board of Directors;
- (o) to submit a quarterly report electronically or otherwise to the concerned Inspector-cum-Facilitator having jurisdiction through his employer in respect of the works in promoting safety, health, hygiene and better working conditions of workers in the establishment conducted by the Safety Department for the previous quarter; and
- (p) the report shall be submitted by Chief Safety Officer in case of more than one safety officers.

(2) The employer of the establishment shall provide each Safety Officer with such facilities, equipments and information as are necessary to enable him to discharge his duties effectively.

**Status of the Chief Safety Officer or the**

**38** The Chief Safety Officer or the Safety Officer in the case of establishments where only one Safety Officer is

<b>Safety Officer</b>	<p>required to be appointed shall be given the status of a departmental head or a senior executive in the factory and, he shall work directly under the control of the Chief Executive of the factory. Every other Safety Officer shall be given appropriate status corresponding to the status of an officer holding a position next below other departmental heads in the factory:</p> <p>Provided that where any dispute arises as to the status of a Safety Officer or Chief Safety Officer, the case shall be referred to the State Government whose decision shall be final.</p>
<b>Punishment for chief safety officer and safety officers</b>	<p><b>39</b> (1) The occupier of the factory or employer of building or other construction establishment, as the case may be, may impose upon any safety officer anyone or more of the following penalties, namely:</p> <ul style="list-style-type: none"> <li>(a) suspension;</li> <li>(b) removal or dismissal from service ;</li> <li>(c) reduction in rank;</li> <li>(d) withholding of increment (including stoppage of an efficiency bar);</li> <li>(e) censure and warning</li> </ul> <p>Provided that no order imposing any such penalty on the safety officer shall be made except after an enquiry in which he has been informed of charges against him and given a reasonable opportunity of being heard in respect of the charges and where it is proposed after such enquiry to impose on him any such penalty until he has been given a reasonable opportunity of making a representation against the penalty proposed but only on the basis of the evidence adduced or any other material being used against him during such enquiry.</p> <p>(2) Against the order of dismissal or discharge, the Chief Safety Officer or Safety Officer, as the case maybe, shall have the right to appeal before Labour Commissioner, Uttar Pradesh as provided under rule <b>40</b> .</p>
<b>Appeal</b>	<p><b>40</b> (1) Any safety officer may file, on whom any penalty has been imposed under rule <b>39</b> within thirty days of the</p>

	<p>communication of the order of imposition of the penalty, to him, appeal against such order to the Labour Commissioner Uttar Pradesh.</p> <p>(2) On receipt of an appeal preferred under sub-rule(1), the Labour Commissioner shall, after giving both the parties reasonable opportunity of being heard and for the reasons to be recorded in writing, dispose off the appeal, as expeditiously as possible.</p> <p>(3) While disposing off the appeal, the Labour Commissioner may confirm, modify or set aside the order appealed against.</p> <p>(4) An appeal against the order of Labour Commissioner under sub-rule (2) may be preferred to the State Government within sixty days from the date of the said order.</p>
<p><b>Prohibition of performances of other duties</b></p>	<p><b>41</b> No Safety Officer shall be required or allowed to do any other work which is inconsistent with or detrimental to the performance of his duties specified in this Rule.</p>

## CHAPTER V

### Hours of Work and Leave with wages

<p><b>Daily and weekly working hours under clause (b) of sub-section (1) of section 25</b></p>	<p><b>42</b> (1) No worker shall be required or allowed to work in an establishment for more than 48 hours in any week.</p> <p>(2) The period of work of a worker shall be so arranged that inclusive of his intervals for rest, shall not spread over for more than twelve hours in a day.</p> <p>(3) The period of works of workers shall not exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of atleast half an hour.</p> <p>(4) The working hours in a day may be modified by the State Government, subject to sub-rules (1), (2) and (3), so that the total number of working hours in a week shall be so fixed and followed.</p>
<p><b>Weekly day of rest under sub-section (2) of section 26</b></p>	<p><b>43</b> (1) For the purpose of section 26, there shall be posted up in a conspicuous place outside the office of every</p>

establishment a notice showing the weekly day of rest.

(2) 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.

**(3) No worker shall be required or allowed to work in an establishment on the first day of the week (hereinafter referred to as the said day), unless he has or will have a holiday for a whole day on one of the three days immediately before or after the said day: Provided that no substitution shall be made which will result in any employee working for more than ten days consecutively without a holiday for a whole day: Provided, further, that a factory or a part of factory or a class of factories which comes under the purview of Continuous Process factory as set out in Schedule II shall be allowed to work on daily basis and the first day of week for groups of workers may be different for the purpose of weekly holiday.**

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

(5) For the purpose of shift changing of a worker ; a holiday of 24 consecutive hours shall be ensured between the shifts subject to Section 28.

(6) The compensatory days of rest shall be so spaced that in any one week not more than two such days shall be allowed to any person.

(7) Inspector-cum-Facilitator of region concerned, subject to the control of Chief Inspector-cum-Facilitator, may approve, in writing, any other day as the first day of week for any particular area or a class of establishments.

(8) The State Government or, subject to the control of the State Government, the Chief Inspector-cum-Facilitator, for reasons specified in writing, may issue the notifications or office order for weekly holiday and/or duration of work for an

		<p><b>establishment or class of establishment other than a factory and may exempt sub-rule (3) subject to the provisions of Section 26.</b></p>
<p><b>Compensatory holidays</b></p>	<p><b>44</b></p>	<p>(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 of the Code shall be so spaced that not more than two compensatory holidays are given in one week.</p> <p>(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 prescribed 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.</p> <p>(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.</p>
<p><b>Extra wages and conditions for overtime under section 27</b></p>	<p><b>45</b></p>	<p>(1) In pursuance of Section 27 of Code, where in an establishment a worker works for more than eight hours in any day or for more than forty-eight hours in any week, as the case may be, he shall in respect of such overtime work be entitled to wages at the rate of twice his ordinary rate of wages and shall be paid at the end of each wage period.</p> <p>(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.</p> <p>(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</p>



the case may be.

(4) The spread over for the workers **may** exceed twelve hours in any one day under the following works and circumstances in establishments, 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 breakdown 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 public importance; Provided that no worker shall be allowed to work overtime exceeding one hundred twenty five hours in any quarter of a year.

(5) A worker may be allowed to work overtime in any working day subject to the following conditions-

(a) There shall be no overlapping of shifts for such

hour of overtime in case of a factory.

(b) The worker shall be intimated in writing or electronically for such hours of overtime before he starts working for such hours.

(c) A worker shall not be allowed to work on overtime more than 5 days at one stretch.

(d) Employer shall ensure that such extra hour will not affect the health and safety of workers adversely owing to engagement in Dangerous Operations or Hazardous Processes in case of a factory.

(e) Consent of worker for overtime shall be taken, in writing.

(f) Overtime is allowed for urgent work to be done to machinery or plant or else, or in case of “ *force majeure* ” , or preparatory or complementary work which requires such extra time in case of a factory.

**(6) Total number of hours of work in any day shall not exceed ten hours.**

**(7) Total number of hours of work in any week including overtime shall not exceed sixty.**

**(8) Total number of hours of overtime shall not exceed one hundred and fifteen for any quarter.**

**Circumstances where 46  
double employment is  
allowed under Section  
30**

A worker who is appointed as a part time worker in a factory may be allowed to work in another establishment in any category of work notified by the State Government subject to the following conditions, namely-

(a) A separate attendance register shall be maintained. Pro-rata basis leave and other amenities shall be provided.

(b) One employer shall have name and address of other employer where he works as part time worker.

(c) Separate working days for the person shall be fixed for both the establishments.

(d) Provisions of the Code and Rule related to working hours, spread hours, weekly holiday and overtime shall remain applicable:

		<p>Provided that total working hours shall not exceed twelve hours and spread over of work shall not exceed sixteen hours:</p> <p>Provided further that the State Government may, by notification, add any category of worker and conditions of double employment.</p>
<b>Notice of Period of work under section 31</b>	<b>47</b>	<p>(1) Workers working in a shift system shall be rotated suitably. The period of work of workers operating in a single shift shall also be fixed. Such periods of work shall be notified to Inspector-cum-Facilitator electronically or otherwise.</p> <p>(2) Notice of period of work for the adult workers shall be in <b>Form-XIV</b> in accordance with the provisions of the Code and Rules and it shall be displayed at conspicuous place in the establishment at or near the main entrance and such notice shall be intimated to concerned Inspector-cum-Facilitator electronically. It shall also be kept updated under the provisions of Section 31.</p> <p>(3) Such notice as mentioned in sub-rule (2) shall clearly indicate for every day, the period during which an adult employee may be required to work.</p> <p>(4) No person shall be allowed to work in an establishment otherwise than in accordance with sub-rule(2):</p> <p>Provided that if a person or persons are working on over time, the period of such hour and such employee shall be displayed duly signed by manager at a conspicuous place.</p>

## CHAPTER-VI

### Maintenance of Registers, Records and Returns

<b>Maintenance of registers and records</b>	<b>48</b>	Employer of every establishment shall maintain electronically or otherwise, the records, registers, testing certificates, examinations, forms, reports, licences and no objection certificates as prescribed in the Code or Rules. These shall be readily available within the premises of the establishment.
<b>Leave with wages</b>	<b>49</b>	The Employer or Manager shall keep a register for

		every employee in <b>Form-XV</b> hereinafter called the 'Leave With Wages Register', under the provisions of Section 32 of the Code, which shall be filled weekly, or fortnightly or at least once a month.
<b>Leave Book</b>	<b>50</b>	<p>(1) The Employer or Manager shall provide each employee with a book in <b>Form-XVI</b> hereinafter called the 'Leave Book' under the provisions of Section 32. The leave book shall be the property of the worker and the Manager or his agent shall not demand it except to make entries of the dates of leave or interruption in service and shall not keep it for more than a week at a time. Workers shall submit the leave book when required by the Manager within three days.</p> <p>(2) If a worker loses his Leave book, the Manager shall provide him with another copy on the payment of rupees ten, subject to the provisions of Section 21 of the Code on Wages, 2019 and shall complete it from his record.</p>
<b>Overtime register</b>	<b>51</b>	The employer or manager shall maintain a register for the overtime work of worker under the provision of Section 27 of the Code in such format as prescribed under the Uttar Pradesh Code on Wages Rules, 2021 for this purpose.
<b>Register of workers under clause (v) of sub-section (a) of Section 33</b>	<b>52</b>	<p>(1) The manager or employer of every establishment shall maintain a register of workers, when any work is being carried on in the factory, showing -</p> <p>(a) the name of each employee in the factory;</p> <p>(b) the nature of his work;</p> <p>(c) the group, if any, in which he is included;</p> <p>(d) where his group works on shifts, the relay to which he is allotted;</p> <p>(e) such other particulars as may be prescribed.</p> <p>(2) No workers shall be required or allowed to work in any establishment unless his name and other particulars have been entered in the Register of workers.</p> <p>(3) The register of workers or attendance register shall be maintained in <b>Form-XIII</b>.</p>

		<p>(4) This register shall be produced or shown on demand by an Inspector-cum-Facilitator or the Medical Officer. The employer or manager shall be responsible for the production of the register on such demand, irrespective of the fact whether he is present or not in the establishment during an inspection.</p> <p>(5) A register for adolescent workers if any, shall also be maintained separately in <b>Form-XIII</b> .</p> <p>(6) <b>If a person is found in a factory at any time, except during intervals for meals or rest when work is going on or the machinery is in motion, he shall until the contrary is proved, be deemed for the purposes of this Code and the Rules made thereunder to have been at that time employed in the factory.</b></p>
<b>Accident Register</b>	<b>53</b>	The Employer or Manager of every establishment shall maintain a register of all accidents and dangerous occurrences, which occur in the establishment as prescribed under Section 10 and 11 respectively of the Code, in a register in <b>Form-XVII</b> .
<b>Wage slips and payments</b>	<b>54</b>	<p>(1) Every employer shall issue wage slips, electronically or otherwise, to the workers in such form, as may be prescribed, by the rules made by the appropriate Government under the Code on Wages, 2019 (Central Act No. 29 of 2019) on or before the payment of wages.</p> <p>(2) The wage slip for the payment of overtime work shall be separate from that of regular wage and overtime hours worked by the worker shall be mentioned in it.</p>
<b>Return</b>	<b>55</b>	<p>The Employer or Manager of every establishment shall furnish electronically or otherwise to the concerned Inspector-cum-Facilitator having jurisdiction and any other officer or officers specified by the State Government by general or special order the following returns namely:</p> <p>(a) On or before January 31, every year an Annual Return in the <b>Form-XVIII</b> ;</p> <p>(b) On or before July 31, every year, a Half-Yearly Return in case of a Major Accident Hazard installation for the period of January 1 to June 30 in the <b>Form-</b></p>

**XIX:**

Provided that in the case of an establishment in which work is carried on only during a certain season or seasons of the year, the Employer or Manager shall submit the return within fifteen days after the closure of that season or last of these seasons, as the case may be.

**Display of notices**

**56**

(1) In addition to the notices required to be displayed in any establishment by or under this Code or Rule, there shall be displayed in every establishment a notice containing such abstracts of this Code, notifications and rules of Central Government prescribed for Health, Safety and Welfare provisions under Section 18, 23 and 24 and such abstract with salient points shall not contain less than 2000 words. The name and office address of the concerned Inspector-cum-Facilitator, having jurisdiction, shall also be displayed.

(2) All notices required by or under this Code to be displayed in an establishment shall be in Hindi and English and shall be displayed at some conspicuous and convenient place and notice board and at or near the main entrance of the factory and shall be maintained in a clean and legible condition.

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

(4) Every employer and manager shall display a painted sign board, with conspicuous letters written in white or luminous paint of any color at the main entrance of every establishment in such a manner, which is visible from outside stating the following particulars:

(a) Registration or License number of the establishment;

(b) Name of the establishment;

(c) Address of the establishment (giving plot no, locality, street no., pin code etc.);

		<p>(d) Name of the employer;</p> <p>(e) Name of the manager.</p>
<p><b>Inspection Book under clause (zzq) of sub-section (2) of section 133</b></p>	<p>57</p>	<p>The employer or the manager of every factory shall maintain a bound Inspection Book. The Inspection Book shall be of the size 13"x8-1/2". It shall contain at least 180 sheets. Every fourth sheet thereof shall be serially numbered and the two unnumbered sheets, between each two serially numbered sheets, shall have a vertical perforated straight line on the left-hand side, at a margin of 1". <b>Form-XXXVII</b> shall be kept posted up to date and <b>Form-XXXIX</b> shall be filled in every year or whenever there is change of manager or employer.</p>
<p><b>Nomination form under clause (zzq) of sub-section (2) of section 133</b></p>	<p>58</p>	<p>(1) Payment of wages if the worker dies-where a worker dies before he resumes work, the balance of his pay, due for the period of leave with wages not availed of, shall be paid to his nominee within one month of the receipt of intimation of the death of the worker in accordance with sub-section (vi) of Section 32 of the Code.</p> <p>(2) Each worker shall submit a nomination in <b>Form-XX</b>, duly signed by him and attested by two witnesses. The nomination shall remain in force until it is revised or cancelled by another nomination.</p>
<p><b>Production of registers</b></p>	<p>59</p>	<p>(1) The employer, owner or manager of an establishment shall furnish any information that an Inspector-cum-Facilitator may require for the purpose of satisfying himself of whether any provision of the Code has been complied with or whether any order of an Inspector-cum-Facilitator has been duly carried out. Any demand carried out by an Inspector-cum-Facilitator for any such information, if made, during the course of an inspection shall be complied forthwith if the information is available in the establishment, or, if made in writing, shall be complied with within fifteen days of receipt thereof.</p> <p>(2) All registers, forms, certificates, records required to be maintained under the Code and Rules shall be</p>

preserved for at least a period of three years to which they relate, including the records of testing and medical examination of workers.

(3) Medical records of employees who contracted any notifiable disease or had been declared unfit or suffered from any Occupational disease or accident shall be preserved for Five years.

## CHAPTER-VII Inspector-cum-Facilitator and Other Authority

<p><b>Qualification for the post of Chief Inspector-cum-Facilitator under sub-section (5) of Section 34</b></p>	<p><b>60</b></p>	<p>The State Government may by general or special order, determine the qualification and experience for Chief inspector-cum-Facilitator for the purposes of such establishment or class of establishments:</p>
<p><b>Manner of taking samples</b></p>	<p><b>61</b></p>	<p>(1) An Inspector-cum-Facilitator may at any time during the normal working hours of a factory after informing the occupier or manager of the factory or the other person for the time being purporting to be in charge of the factory take in manner hereinafter provided a sufficient sample of any substance used or intended to be used in the factory such use being-</p> <p style="padding-left: 40px;">(a) in the belief of the Inspector-cum-Facilitator are in contravention of any of the provisions of the Code or the rules made thereunder; or</p> <p style="padding-left: 40px;">(b) in the opinion of the Inspector-cum-Facilitator likely to cause bodily injury to, all injury to the health of, workers in the factory.</p> <p>(2) Where the Inspector-cum-Facilitator takes a sample under sub-rule (1), he shall in the presence of the person informed under that sub-rule, unless such person wilfully 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 there to.</p> <p>(3) The person informed as aforesaid shall, if there Inspector-cum-Facilitator so requires, provide the</p>



appliances for dividing, ceiling and marking the sample taken under this rule.

(4) The Inspector-cum-Facilitator shall –

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

(b) the second portion to a Government Analyst for analysis and report thereon;

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

(5) Any document purporting to be a report under the head of any Government Analyst upon any substance submitted to him for analysis and report under this rule, may be used as evidence in any proceedings instituted in respect of the substance.

**Powers of Inspector-cum-Facilitators under Section 35**

62

An Inspector-cum-Facilitator shall, for the purposes of the execution of the Code and Rules, have power to do all or any of the things specified in Section 35 of the Code:

Provided that the powers of the public officers, who do not possess the qualifications as prescribed for the post of Inspector of Factories in the “Uttar Pradesh Inspector of Boilers and Factories Service Rules, 1980” as are appointed to Inspector-cum-Facilitator or Additional Inspector-cum-Facilitator under sub-section (9) of section 34 or otherwise shall not include administration of the provisions of clause (b) of sub-section (1) of section 6, section 10, section 11, section 18, section 22, section 26, section 31, sub-section (d) of section 33, section 37, section 43, Part VII of Chapter XI of the Code in factories and building or other construction works:

Provided further that in case of a Medical officer, who is appointed as an Inspector-cum-Facilitator under Section 42, shall have power to carry out such medical examination as may be necessary for the purpose of discharging his duties under the Code and Rules.

<p><b>Identification cards</b></p>	<p>63</p>	<p>(1) All Inspecting Officers, if requested by the employer or manager of the establishment, shall produce an authorized identification card.</p> <p>(2) Identification cards shall be issued for Medical Officers appointed under Section 42, by Director of Medical and Health Services or the Labour Commissioner. For Inspector-cum-Facilitator, the Identification cards may be issued by the Labour Commissioner or the Chief Inspector-cum-Facilitator.</p>
<p><b>Third party Auditor under section 37</b></p>	<p>64</p>	<p>(1) The <b>Chief Inspector-cum-Facilitator</b> may recognize a third party Auditor for the purpose of Section 37. State Government may declare the method of recognition including an assessment of the applicant and may, by notification, formulate a system to empanel the third party auditor and shall specify the duties, responsibilities and other conditions of work.</p> <p>(2) Third party auditor or expert shall not be recognized unless, he possesses-</p> <p>(a) a Degree in the branch of Chemical, Mechanical, Electrical, Civil or Production Engineering from a recognized institution and have practical experience in manufacturing, maintenance or safety department in supervisory capacity or above in factories or in the field of occupational safety and health for a period of not less than twelve years; or</p> <p>(b) a Diploma in branch of Chemical, Mechanical, Electrical, Civil or Production Engineering and one year full time diploma in industrial safety from a recognized institution and have practical experience in manufacturing, maintenance or safety department in the supervisory capacity or above in factories for a period of not less than fifteen years; or</p> <p>(c) a Degree in Bachelor of Science with Physics or Chemistry and one year full time diploma in industrial safety from a recognized Institution and has had practical experience in manufacturing, maintenance or safety department of an establishment in supervisory capacity or above in factories for a period of not less than fifteen years; or</p> <p>(d) a Degree or diploma in any branch of Engineering and have experience in Directorate of Factories or</p>

		<p>Central/Regional Labour Institutes under DGFASLI in the capacity not below the rank of Assistant Director, for a period of not less than ten years; or</p> <p>(e) any equivalent of above four clauses in any combination: Provided that the decision of State Government with respect to equivalency of qualifications and experiences shall be final in case of any dispute.</p> <p>(3) The maximum age of the expert or safety auditor shall be 65 years.</p> <p>(4) The recognition of a safety auditor or expert shall not be for a period of more than 2 years at a time.</p> <p>(5) The Safety Auditor or expert shall send a monthly report to Inspector-cum-Facilitator of the region concerned by 15<sup>th</sup> day of every month. The report shall contain name and address of audited establishments, names of all audit members, date of audit, date of submission of audit report to the employer and a copy of every audit report.</p> <p>(6) Chief Inspector-cum-Facilitator may after giving an opportunity of being heard to safety auditor or expert revoke on the recommendation of Inspector-cum-Facilitator, the certificate issued to him for the purpose under Section 37, if he has reasons to believe that the expert has violated any of the conditions stipulated in the certificate or has omitted to act as required under the Code and the Rules made thereunder or for any other reason to be recorded in writing.</p>
<p><b>Manner of alternative employment under section 38</b></p>	<p>65</p>	<p>(1) It shall be the duty of the occupier to provide alternative employment to any person whose employment has been affected by an order under sub-clause (a) of sub-Section (1) of Section 38, if any other establishment of the same employer exists within the radius of one hundred kilometers.</p> <p>(2) The alternative employment may be offered only when the period of employment affected by the order is fifteen days or more.</p> <p>(3) Such persons shall be given notice at least three</p>

		<p>days before the actual date of such order.</p> <p>(4) The wages and other facilities shall not be affected to the detriment of such person.</p>
<p><b>Qualification of Medical Officer under section 42</b></p>	66	<p>(1) The State Government may, by notification, appoint Medical Officer under Section 42 of the Code and may determine the duties and responsibilities of such Medical Officer .</p> <p>(2) Following shall be the qualifications for the appointment of Medical Officer in relation to a factory, building or other construction work, plantation, motor transport undertakings and in any other establishments –</p> <p>(a) Any recognized medical qualification as defined in the National Medical Commission Act, 2019, (Central Act No. 30 of 2019) and should be enrolled on the National Register as defined in clause (m) of section 2, or on the State Register as defined in clause (v) of section 2 of the aforesaid Act; and</p> <p>(b) Certificate of Training in Industrial Health of minimum three months duration recognized by the State Government or should possess a diploma in Industrial Health or equivalent in case of factories or building and other construction works carrying out hazardous process or dangerous operation.</p>
<p><b>Duties of Medical Officer under section 42</b></p>	67	<p>(1) The Medical officer shall, upon demand by the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator carry out such examination and furnish him with such report as he may indicate, for any factory or class or description of factories where-</p> <p>(a) cases of illness have occurred which it is reasonable to believe are due to the nature of the manufacturing process carried on, or other conditions of work prevailing therein, or</p> <p>(b) by reason of any change in the manufacturing process carried on, or in the substance used therein, or by reasons of the adoption of any new manufacturing process or of any new substance brought into use in a manufacturing process, there is a likelihood of injury to the health of</p>

workers employed in that manufacturing process, or

(c) young persons are, or are about to be employed in any work, which is likely to be detrimental to their health.

(2) Examination and certification of adolescents shall be done as may be required from time to time.

(3) Following shall be the dangerous operations or hazardous processes for the purposes of medical examination of workers who are engaged with, namely:-

(a) operations declared dangerous operations under Section 82 of the Code;

(b) factories carrying on hazardous process as per the First Schedule of the Code;

(c) treatment of Biomedical waste;

(d) sewerage treatment;

(e) solid waste management;

(f) marble cutting;

(g) ready mix concrete;

(h) hot mix concrete;

(i) such other occupation or process as may be declared by the State Government from time to time, to be dangerous operations.

(4) The Medical Officer may examine the persons employed in processes under sub-rule (3) and shall record the results of his examination in the Health Register in **Form-VII**.

(5) If the Medical Officer finds as a result of his examination that any person employed in such process is no longer fit for medical reasons to work in that process, he shall suspend such person from working in that process for such time as he may think fit and no person after suspension shall be employed in that process without the written sanction of the Medical Officer in the Health Register.

(6) The manager of a factory shall afford to the

		<p>Medical Officer facilities to inspect any process in which any person is employed or likely to be employed.</p> <p>(7) The Medical Officer shall send the report/inspection report to Chief inspector-cum-Facilitator and the Inspector-cum-Facilitator of region concerned.</p> <p>(8) The fee for a certificate or examination under this rule shall be specified by State Government by special or general order and it shall be paid by the employer.</p>
<p><b>Medical Examination and certification of adolescent</b></p>	<p><b>68</b></p>	<p>(1) The Medical Officer shall, on the application of any adolescent or his parent or guardian accompanied by a document signed by the employer of an establishment that such person will be employed therein, certify to be fit for work in an establishment, or on the application of the employer of an establishment in which any adolescent wishes to work, examine such person and ascertain his fitness for work in that establishment.</p> <p>(2) The Medical Officer, after examination, may grant to such adolescent, in <b>Form-VIII</b> , or may renew, a certificate of fitness to work in an establishment as an adolescent, if he is satisfied that the adolescent has completed his fourteenth year, has attained the prescribed physical standards and is fit for such work:</p> <p>Provided that unless the medical officer has personal knowledge of the place where the adolescent proposes to work and of the manufacturing process in which he will be employed, he shall not grant or renew a certificate under this sub-rule until he has examined such place.</p> <p>(3) A certificate of fitness granted or renewed under sub-rule (2)-</p> <p>(a) shall be valid only for a period of twelve months from the date thereof;</p> <p>(b) may be made subject to conditions with regard to the nature of the work in which adolescent may be employed, or requiring re-examination of the adolescent before the expiry of the period of twelve months.</p>

(4) A Medical Officer shall revoke any certificate granted or renewed under sub-rule (2), if in his opinion, the holder of it is no longer fit to work in the capacity stated therein in an establishment.

## CHAPTER-VIII

### Special Provisions Relating to Employment of Women

**Special provisions relating to employment of women under section 43**

**69**

The women employees may be employed before 06:00 a.m. and beyond 07:00 p.m. in any establishment subject to the following conditions:

(1) No woman employee shall be bound to work without her consent before 06:00 AM and after 07:00 PM;

(2) The employer shall make necessary arrangements at the expense of the establishment for her transport from her residence to the establishment and back;

(3) The employer shall provide for supper to all such female employees.

(4) Employer shall ensure sufficient supervision during such working hours and journey thereof.

(5) Employer shall ensure toilets, washrooms, changing rooms and drinking facilities are well lit and near the workplace.

(6) During night shifts not less than four women employee shall be allowed or required to work in the premises or a particular department.

(7) The employer shall intimate the arrangements proposed by him to the Inspectors-cum-Facilitator of the region for verification, affording him a minimum period of seven days for such verification.

(8) The employer shall send a monthly report electronically or otherwise to the Inspector-cum-Facilitator under the Code about the details of women employees engaged during night shifts and shall also send express report whenever there is some untoward incident to the Inspector-cum-Facilitator and the local Police station as well; and

(9) The Inspector-cum-Facilitator shall enforce the safe working conditions of women employees and carefully take note of the non-compliance in their inspections;

	<p>from time to time.</p> <p>(10) Any additional paid leave may be permitted during their menstruation period for the night shifts.</p> <p>(11) Employer shall take appropriate steps to prevent sexual harassment. The employer shall maintain a complaint mechanism in the establishment itself as prescribed in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or in any other related enactments.</p> <p>(12) The women employees shall be made aware of their rights in particular by prominently displaying the guidelines as may be required.</p>
<p><b>Adequate safety of 70 employment of women in dangerous operations under section 44</b></p>	<p>(1) No woman worker shall be required or allowed to work in the following process or part of the process:</p> <ul style="list-style-type: none"> <li>(a) Electroplating near the bath;</li> <li>(b) Any lead process;</li> <li>(c) Metal buffing, polishing and grinding;</li> <li>(d) Any process in which hydrochloric acid fumes or ammonia vapours are given off from the following operations-(i) Evaporation of brine in open pans;(ii) Stoving of salt;(iii) Work at a furnace where the treatment of zinc is carried on; and(iv) The cleaning of workrooms where the Process mentioned in(iii)is carried on;</li> <li>(e) In any workroom involving exposure to benzene; or substances containing benzene;</li> <li>(f) Solvent Extraction Plant;</li> <li>(g) Dangerous pesticides' Plant;</li> <li>(h) Dying Process;</li> <li>(i) For pressing cotton in which a cotton opener is at work;</li> <li>(j) Work related with manufacturing of fire crackers or any explosive material.</li> </ul> <p>(2) No pregnant women shall be allowed to work in a factory involved in dangerous operations, where she is;</p>



likely to be exposed to hazardous substances which are carcinogenic for herself and teratogenic for foetus.

(3) All the measures as mentioned in the provisions related to hazardous process and dangers of operations shall be complied with.

(4) Women shall be well trained on their job shall be rendered knowledge about the hazardous properties of the substances being handled stored manufactured were present at their workplace and measures to overcome with that.

(5) Women employed shall be provided with all the necessary personal protective appliances at the workplace, they are deployed.

(6) Women shall be trained and made out about the means of escape in the event of the fire, leakage, spillage hazardous substances.

## **CHAPTER IX**

### **Special Provisions for Contract Labour and Inter-State Migrant Workers, Etc.**

#### **PART I**

#### **CONTRACT LABOUR**

##### **Form and manner of Licence to Contractor**

(1) Every application by a Contractor for grant of licence or modification or amendment of the licence shall be made electronically in **Form-XXI** on official portal of Government of Uttar Pradesh.

(2) Every application for the grant of a licence or modification or amendment shall be accompanied by a certificate by the principal employer in **Form-XXII**, including particulars of information related to the employment of inter-state migrant workers, to the effect that the applicant has been employed by him as a contractor in relation to his establishment and that he undertakes to be bound by all the provisions of the Code and the rules made thereunder in so far as the provisions are applicable to him as principal employer in respect of the employment of contract labour by the applicant.

(3) The application shall be accompanied with a

declaration of applicant that the information submitted by him for grant of licence or modification or amendment is correct in all respect and he qualifies the requirement prescribed in rule 35.

(4) Fees to be paid for grant of licence shall be as specified below:-

<b>Number of workers employed by the contractor in the establishment</b>	<b>Amount of fees in rupees</b>
Fifty or more than fifty but less than hundred workers	500.00
Hundred or more but less than two hundred workers	1000.00
Two hundred or more but less than five hundred workers	3000.00
More than five hundred workers	5000.00

Provided that the State Government may amend schedule of fee for registration by general or special order.

(5) The Contactor shall deposit the security amount calculated at the rate of rupees one thousand for each of the workman to be employed as a contract labour in respect of which application for licence has been made.

(6) If application for modification is in respect of increase in the number of contract labour, the additional fees as prescribed in sub-rule (4) and additional security as prescribed in sub-rule (5) shall be deposited by the applicant.

**Matters to be taken into account in granting or refusing a licence** 72

(1) In granting or refusing to grant a licence, the licensing officer shall take the following matter into account, namely:—  
whether the applicant—

- (a) is a minor; or
- (b) is of unsound mind and stands so declared by a competent court; or
- (c) is an undischarged insolvent; or
- (d) has been convicted (at any time during a period of five years immediately preceding the date of application) of an offence which, in the opinion of

		<p>the State Government, involves moral turpitude;</p> <p>(2) whether there is an order of the Central or State Government or an award or settlement for the abolition of contract labour in respect of the particular type of work in the establishment for which the applicant is a contractor;</p> <p>(3) whether any order has been made in respect of the applicant under sub-section (1) of Section 14 of the Contract Labour (Regulation and Abolition Act, 1970) (Act no 37 of 1970) or rule 70 of the Code, and, if so, whether a period of three years has elapsed from the date of that order;</p> <p>(4) whether the fees for the application have been deposited at the rate specified; and</p> <p>(5) whether security has been deposited by the applicant at the rates specified.</p>
<p>Revocation and suspension of licence</p>	<p>73</p>	<p>If the licensing officer is satisfied, either on a reference made to him in this behalf or otherwise, that:</p> <p>(a) a licence granted under rule 72 has been obtained by misrepresentation or suppression of any material fact; or</p> <p>(b) the holder of a licence has, without reasonable cause, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of the Code or the rules made thereunder; then</p> <p>without prejudice to any other penalty to which the holder of the licence may be liable under the Code, the licensing officer may, after giving the holder of the licence an opportunity of showing cause, revoke or suspend the licence or forfeit the sum, if any, or any portion thereof deposited as security for the due performance of the conditions subject to which the licence has been granted.</p>
<p>Refusal to grant licence</p>	<p>74</p>	<p>(1) On receipt of the application from the contractor, and as soon as possible thereafter, the licensing officer shall investigate or cause investigation to be made to satisfy himself about the correctness of the facts and particulars furnished in such application and the eligibility of the</p>

		<p>applicant for a licence.</p> <p>(2) Where the licensing officer is of opinion that the licence should not be granted, he shall, after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.</p> <p>(3) The order shall record the reasons for the refusal and shall be communicated to the applicant.</p>
<p>Manner of grant of licences</p>	<p>75</p>	<p>If the application for licence or its modification or amendment is complete in all respects the licence shall be granted by the Authority in <b>Form-XXIII</b> electronically within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) failing which such applicant shall be deemed to have been granted the license or amendment and the certificate of license or amendment shall be auto generated by the portal.</p>
<p><b>Terms and Conditions of license and responsibilities of the Contractor</b></p>	<p>76</p>	<p>Every licence granted shall contain the responsibilities of the Contractor and shall be subject to following terms and conditions:</p> <p>(1) Every licence granted by the portal shall be in <b>Form-XXIII</b>.</p> <p>(2) Every licence granted under sub-rule (1) shall be subject to the following conditions, namely:-</p> <p>(a) the licence shall be non-transferable;</p> <p>(b) The number of workmen employed as contract labour/migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in the licence;</p> <p>(c) Except as provided in the rules, the fees paid for the grant or, as the case may be, for renewal of the licence shall be non-refundable;</p> <p>(d) The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the employment under the Minimum Wages Act, 1948 (11 of 1948) or Code on Wages, 2019 (29 of 2019), where applicable, and where the rates have been fixed by agreement, settlement, award, or by the State Government, not less than the rates so</p>

fixed;

(e) The hours of work shall conform to the rules made under Section 25 under the Occupational Safety, Health and Working Conditions Code, 2020 (Act number 37 of 2020);

(f) Other conditions:

(i) In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work:

Provided that in the case of any disagreement with regard to the type of work the same shall be decided by the concerned Additional/ Deputy Labour Commissioner having jurisdiction, whose decision shall be final;

(ii) In other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the concerned Additional/ Deputy Labour Commissioner having jurisdiction;

(g) Every contract labour/migrant worker shall be entitled to allowances, benefits, facilities etc, as prescribed in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and rules made there under;

(h) In every establishment where 20 or more women are ordinarily employed as there shall be provided 2 rooms of reasonable dimension for the use of their children under the age of six years. One of such rooms would be used as a play room for the children and the other as bed room for the children. For this purpose the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room. The standard of construction and maintenance of the creches may be such as may be specified in this behalf by the concerned Additional/ Deputy Labour,

Commissioner having jurisdiction;

- (i) No women shall be employed by any contractor before 6 a.m. or after 7 p.m.:

Provided that this clause shall not apply to the employment of women in pit head baths, creches and canteens and as mid-wives and nurses in hospitals and dispensaries.

- (j) The licensee shall notify any change in the number of workmen or the conditions of work to the Authority;
- (k) A copy of the licence shall be displayed prominently at the premises where the contract work is being carried on;
- (l) The contractor shall comply with all the provisions of the Code and these Rules;
- (m) The licensee shall, within fifteen days of the commencement and completion of each contract work, submit a return to the Authority designated under section 46 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) intimating the actual date of the commencement or, as the case may be, completion of such contract work in **Form-VI** .

**Renewal of license, 77  
under section 48**

- (1) Every contractor shall apply electronically on the web-portal specified by this purpose by State Government to the authority for renewal of the license.
- (2) Every such application shall be submitted on the said portal at least thirty days prior to expiry of license period, but not before ninety 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 71 :

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

- (4) It shall be the responsibility of the authority, concerned to renew license within such period as prescribed in Uttar Pradesh Janhit Guarantee, Adhinyum, 2011 (UP Act no 3 of 2011) failing which, such license shall be deemed to have been renewed and

	<p>the certificate of renewed license shall be auto generated by the portal.</p>
<p><b>Refund of security deposit</b> 78</p>	<p>(1) On expiry of the period of license or after the completion of the work, the contractor may, if he does not intend to have his license renewed further, make an application along with a no-objection certificate issued by principal employer in this regard, electronically to the Authority for the refund of the security deposited by him along with copy of licence and notice of completion of work and bank details in which amount is required to be refunded.</p> <p>(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.</p> <p>(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.</p> <p>(4) Any application for refund shall, as far as possible, be disposed of within thirty days of the receipt of the application.</p> <p>(5) Record of security amount deposited and refunded shall be maintained in <b>Form-XXIV</b> electronically by the Authority.</p>
<p><b>Responsibility of contractor under sub-section (4) of Section 48</b> 79</p>	<p>(1) The responsibility of contractor for the payment of wages to contract labour shall be such as that of employer in Code of Wages, 2019 and the rules made thereunder.</p> <p>(2) The Contractor shall provide to principal employer of the establishment, the details of wages and copy of register of wages within seven days from the date of such payment.</p> <p>(3) Where under proviso to sub-section (2) of section 55, it is not practicable to disburse payment in the mode specified in sub-section (2 ) of section 55, the payment shall be made strictly in the presence of authorized representative of principal employer with prior</p>

		<p>intimation to Regional Additional/ Deputy Labour Commissioner electronically or otherwise.</p> <p>(4) Each licence shall be responsible to follow all the Central Labour Codes and other labour laws and rules made by Central or State Government in this behalf, as applicable.</p> <p>(5) The licence shall be responsible to follow the terms and conditions under which the licence has been granted to him.</p> <p>(6) 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.</p> <p>(7) The contractor shall notify any change in the number of workers or conditions of work to the Licensing Authority, electronically.</p> <p>(8) If in any case, the contractor fails to follow the provisions of the Code and rules made thereunder or violates other labour laws, the Authority may cancel his licence and may forfeiture the security amount. The Authority may also direct the concerned Inspector-cum-facilitator to take appropriate action against such contractor.</p>
<p><b>Register of contractors under sub-section (1) of section 48</b></p>	<p><b>80</b></p>	<p>A register of contractors shall be maintained by the designated Authority, to whom licences have been issued under these rules in <b>Form-XXV</b> electronically.</p>
<p><b>Intimation of work order and time limit for intimation under section 50</b></p>	<p><b>81</b></p>	<p>(1) When a Contractor receives work order from an establishment either to supply contract labour in the establishment or to execute contract through contract labour in the establishment, he shall within fifteen days from the date of receipt of such order intimate the same electronically or otherwise or through official portal of the Labour Department State Government to the Authority appointed under section 119 of the Code in <b>Form-XXVI</b>.</p> <p>(2) The details of work order shall be sent by the contractor or his authorized representative.</p> <p>(3) The intimation shall be sent electronically on the web-portal or otherwise to the concerned designated Authority and Inspector-cum-Facilitator having</p>



		<p>jurisdiction.</p> <p>(4) Where the Contractor fails to give the aforesaid intimation, the designated authority may after giving a show-cause notice of at least fifteen days and after affording him reasonable opportunity of hearing, may suspend or cancel the licence electronically or otherwise.</p>
<p><b>Manner of payment of wages to contract workers from security deposit, if contractor fails to pay under sub-section (4) of section 55</b></p>	<p><b>82</b></p>	<p><b>If the contractor or principal employer does not pay the wages to the contract labour employed by him, the Regional Additional/ Deputy Labour Commissioner 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.</b></p>
<p><b>Experience certificate under section 56</b></p>	<p><b>83</b></p>	<p>Every concerned contractor shall issue on demand experience certificate in <b>Form-XXVII</b> to the contract labour on his letter head with his signature and seal adhering the key points like details of the period, work performed, experience gained in various fields as performed by such contract labour.</p>
<p><b>Form and manner of application for declaration of core activity</b></p>	<p><b>84</b></p>	<p>(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 in <b>Form-XXVIII</b> to the State Government directly or through the Labour Commissioner, Uttar Pradesh for decision.</p> <p>(2) The said application shall contain complete details of the activity in question and manufacturing processes of the establishment.</p> <p>(3) The such application shall also contain the justification for making such an application.</p> <p>(4) The application shall be accompanied with such documents are deemed necessary by the applicant.</p> <p>(5) Where the State Government refers any such question <i>suo-moto</i> or refers the application to Authority, designated under clause (a) of sub-section (2) of section</p>

57, such designated Authority shall send a report to the State Government within a period of two months from the date of receipt of such question or application and thereafter the State Government shall decide the question within two months from the date of receipt of such report.

## PART-II

### Inter-State Migrants Workers

<b>Journey Allowance</b>	<b>85</b>	<p>(1) The employer shall pay a lump-sum reasonable amount on account of fare for to and fro journey to the inter-state migrant worker by train (not less than second class sleeper) or by bus or by any other mode of passenger transport from the place of employment to the place of residence in the home State, if he has worked for a period of not less than 180 days in the concerned establishment in preceding 12 months and also on-</p> <ul style="list-style-type: none"> <li>(a) termination of his service before the expiry of the period of employment for any reason whatsoever;</li> <li>(b) him being in-capacitated for further employments on account of injury or continued ill-health duly certified as such by a registered medical practitioner;</li> <li>(c) cessation of work in the establishment which is not due to any fault on the part of the migrant workman; and</li> <li>(d) his resignation from service on account of non-fulfilment of terms and conditions of his employment by the contractor.</li> </ul> <p>(2) If the migrant worker is employed for more than six month, he shall be given journey allowance for to and fro journey from the place of employment to the place of residence, after the expiry of every six months.</p> <p>(3) The journey allowance shall be paid by the principal employer electronically, as far as practicable.</p>
<b>Beneficiary schemes for inter-state migrant workers</b>	<b>86</b>	<p>(1) If any inter-state migrant worker choses the option to avail the benefits of the Public Distribution System in the State of Uttar Pradesh, then Food and Civil Supply department or other department or authority, as specified</p>

	<p>by State Government, functioning in the concerned district shall provide them food grains and other facilities as per the scheme of the Department or Authority.</p> <p>(2) The Uttar Pradesh Building and Other Construction Workers Welfare Board shall, with the prior approval of the State Government, formulate and notify such schemes and mechanism for the registration and extending the benefits of its welfare schemes from the fund of the Board to inter-state migrant building and other construction workers, working in the State.</p> <p>(3) For the purpose of sub-rule (1) and (2) State Government and the Board, as the case may be, may formulate their mechanism and process.</p>
<p><b>Toll free helpline number 87</b></p>	<p>(1) The Labour Commissioner, Uttar Pradesh shall establish a toll-free helpline to inter-state migrant workers in the manner as determined by the State Government by order to address queries and grievances of the migrant workers.</p> <p>(2) A record of calls on the toll-free number shall be maintained electronically in such form and format as maybe specified by the Labour Commissioner in this behalf.</p>
<p><b>Study of Inter-State Migrant worker 88</b></p>	<p>(1) The State Government may at any time as it deems necessary or if directed by the Central Government, conduct a study of Inter-State Migrant Worker from the State of Uttar Pradesh or to the State of Uttar Pradesh to promote safety, health and welfare of inter-state migrant workers.</p> <p>(2) The manner of such study, composition of study team and other matters shall be such as may be decided by the State Government.</p> <p>(3) Wherever required, the State Government may also consult expert organisations and different stakeholders involved in safety health and welfare of the inter-state migrant workers.</p>

**PART-III**  
**Audio-Visual Workers**

<p><b>Agreement between audio-visual worker and producer of audio-visual program or contractor</b></p>	<p><b>89</b></p>	<p>(1) The agreement between audio-visual worker, producer of audio-visual program or contractor, if any, shall be in <b>Form-XXIX</b>.</p> <p>(2) Such agreement shall contain the following particulars:</p> <ul style="list-style-type: none"> <li>(a) name of the audio-visual program;</li> <li>(b) name and address of the producer and contractor (if any);</li> <li>(c) name and address of audio-visual worker;</li> <li>(d) nature of Employment of audio-visual worker;</li> <li>(e) duration of employment; and</li> <li>(f) terms and conditions of employment such as wages and other benefit, health and working conditions, safety, hours of work, welfare facilities, dispute resolution process or mechanism, which shall not be less than the entitlement of audio-visual worker in the Code.</li> </ul> <p>(3) If such audio visual workers are covered under the provision of an enactment for the time being in force for providing benefit of provident fund to him, copy of such agreement shall be forwarded by the producer of audio visual program to the concerned provident fund authorities of Central Government.</p>
<p><b>Dispute resolution mechanism, constitution and other details</b></p>	<p><b>90</b></p>	<p>The dispute resolution mechanism, process and constitution of authorities and courts shall be such as provided in Code on Industrial Relations, 2020 and rules made thereunder by the State Government.</p>

**PART-IV**  
**Beedi and Cigar Workers**

<p><b>Form of application for grant of license</b></p>	<p><b>91</b></p>	<p>(1) Every application under sub-section (2) of section 74 for a license to use or allow to be used any place or premises as an industrial premises shall be made in <b>Form-XXX</b> electronically on the official portal of</p>
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		<p>the State Government.</p> <p>(2) The application shall be accompanied by plans showing:</p> <p>(a) 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</p> <p>(b) the plan, elevation and necessary cross-sections of, 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 in relation to, the various buildings which are intended to be used for manufacturing processes.</p> <p>(3) Before granting licence the Authority shall also take into consideration whether the site of an industrial premises is proposed to be altered or whether 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.</p> <p>(4) The fee for license shall be paid electronically through the portal.</p> <p>(5) The application shall be accompanied with a affirmative declaration of the employer under sub-section (4 ) of Section 74 in <b>Form-XXXI</b> .</p>
<p><b>Terms and conditions of licence</b></p>	<p><b>92</b></p>	<p>Every license granted or renewed under section 74 shall be subject to the following conditions namely:</p> <p>(a) the manufacturing process shall be carried on, only in that part of the industrial premises, specified for the purpose in the license;</p> <p>(b) the maximum number of employees employed in, the industrial premises shall not on any date, exceed the number specified in the license;</p> <p>(c) power driven machinery, not specified in the license, shall not be used in the manufacturing process in the premises;</p> <p>(d) except with the prior permission in writing of the</p>

		<p>Authority the industrial premises shall not be extended and except with the like permission no structural alteration shall be made in any building on such premises;</p> <p>(e) the licensee shall not be transferable;</p> <p>(f) except as provided in the rules the fee paid for grant, or as the case maybe, renewal of licence shall be non-refundable.</p>
<p><b>Grant of license</b></p>	<p><b>93</b></p>	<p>(1) The Authority shall, in deciding whether to grant or refuse a licence, have regard to the following matters:</p> <p>(a) the suitability of the place or premises which is proposed to be used for the manufacture of beedi or cigar or both;</p> <p>(b) the previous experience of the applicant;</p> <p>(c) the financial resources of the applicant including his financial capacity to meet the demands arising out of the provisions of the laws for the time being in force relating to welfare of labour;</p> <p>(d) whether the application is made bona fide on behalf of the applicant himself or in benami of any other person;</p> <p>(e) welfare of the labour in the locality, the interest of the public generally and such other matters as may be prescribed.</p> <p>(2) If the Authority is satisfied, he shall issue the certificate of licence on <b>Form-XXXII</b> electronically within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) failing which such license shall be deemed to have been granted and the certificate of grant of license shall be auto generated by the portal.</p> <p>(3) A licence granted under this rule shall not be valid beyond the financial year in which it is granted but may be renewed from financial year to financial year.</p>
<p><b>Renewal of License</b></p>	<p><b>94</b></p>	<p>(1) Every application for renewal of license shall be made on the Official Portal of the State Government,</p>

along with required fees.

(2) The application shall be accompanied with affirmative declaration of the employer as prescribed under sub-rule (5) of rule 91 in **Form-XXXI** .

(3) If the Authority is satisfied that the licence complies with the provisions laid down in Part-IV of Chapter-IX, he shall renew the certificate of licence on **Form-XXXII** electronically within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyom, 2011 (UP Act no 3 of 2011) failing which such license shall be deemed to have been renewed and the certificate of renewal of license shall be auto generated by the portal.

**Appeals under section 75**

An appeal against the order of the Licensing Authority refusing grant or renewal of license shall be –

- (a) made electronically within a period of thirty days from the date of receipt the order sought to be appealed against;
- (b) accompanied by a copy of the order appealed against;
- (c) memorandum containing grounds and facts of such appeal;
- (d) treasury challan as a proof of payment of fees for such appeal.

**Fee**

**96**

(1) The fees to be paid for grant or renewal of license shall be as specified in table below.-

	Number of employees proposed to be employed on any day during the financial year	Fee (in Rs.)
(a)	Does not exceed twenty	500
(b)	More than twenty but does not exceed fifty	1000
(c)	More than fifty but does not exceed hundred	1500
(d)	More than hundred	2000

(2) Fee to be paid for grant of duplicate license shall be rupees one hundred.

		<p>(3) Fees payable in respect of appeal under section 75 shall be rupees one hundred.</p> <p>(4) If the Authority refuses to grant or renew any licence under section 74 the fees paid thereof shall not be refunded.</p>
<p><b>Permission to work by employees outside industrial premises</b></p>	<p><b>97</b></p>	<p>(1) The State Government may permit the wetting and cutting of beedi or tobacco leaves by employees outside the industrial premises subject to such conditions as may be prescribed from time to time in this behalf.</p> <p>(2) The permission granted by the State Government under sub-rule (1) shall be valid only for such period as specified in the order granting permission.</p> <p>(3) The record to be maintained by the employer of the work permitted under sub-section (1) of section 76 to be carried on outside the industrial premises shall be in <b>Form-XXXIII</b> electronically.</p> <p>(4) The employer shall in respect of the employees who are permitted to work in their houses (hereinafter referred to as the home-workers) maintain an up-to-date register in <b>Form-XXXIV</b> electronically.</p>
<p><b>Disputes relating to issue of raw materials by the employer</b></p>	<p><b>98</b></p>	<p>(1) Any dispute between employer and employee or employees in relation to-</p> <ul style="list-style-type: none"> <li>(a) the issue by the employer of raw materials to the employee;</li> <li>(b) the rejection by the employer of beedi or cigar, or both rejected by an employee; or</li> <li>(c) the payment of wages beedi or cigar or both, rejected by an employer;</li> </ul> <p>may be referred in writing by the employer or the employee or implies to the Inspector—cum-Facilitator, who shall after making such enquiry as he may consider necessary and after giving the parties an opportunity to represent their respective cases, decide the dispute and record the proceedings with the details of dispute, plea of parties, documents and evidences and finding thereof.</p> <p>(2) Any party to the dispute aggrieved by the decision thereon under sub-rule (1) may prefer an appeal within a period of thirty days from the date of the decision to the</p>



	<p>Licensing Authority:</p> <p>Provided that the Appellate Authority may admit an appeal after the said period if the appellant satisfies such Authority that he has sufficient cause for not preferring the appeal within that period.</p>
<p><b>Limit with regard to the rejection of beedis or cigars</b></p>	<p>99</p> <p>(1) No employer or contractor shall ordinarily reject a sub-standard or <i>chhat</i> or otherwise more than five percent of the beedis or cigars, or both, received from a worker including a home-worker.</p> <p>(2) Where any beedi or cigar is rejected as sub-standard or <i>chaat</i> or otherwise on any ground other than the ground of willful negligence of the worker, the worker shall be paid wages for the beedis or cigars, so rejected, at one-half of the rate at which wages are payable to him for the beedis or cigars, or both, which have not been so rejected.</p>

## PART-V FACTORY

<p><b>Approval of plans, registration of factories and grant of license</b></p>	<p>100</p> <p>(1) No site shall be used for the location of a factory, and no building on such site or in a factory shall be constructed, extended or taken into use as a factory or part of a factory unless previous approval is obtained from the Chief Inspector-cum-Facilitator.</p> <p>(2) Application for registration of factory in <b>Form-III</b> and approval of plan or permission in <b>Form-XXXV</b> for site on which the factory is to be situated, for the construction or extension thereof and for license shall be made by the applicant electronically on the official portal of the Labour Department of the State Government to the concerned Inspector-cum-Facilitator having jurisdiction atleast thirty days before he begins to occupy, or use, the premises as a factory.</p> <p>(3) The application shall be accompanied by the following documents:</p> <p>(a) <b>Form-XXXVII</b> duly filled by the applicant;</p> <p>(b) The Process Flow Diagram of manufacturing process indicating safety devices, fittings and mountings on each plant and machinery, the</p>
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various processes and their design conditions, supplemented by a brief description of process and safety devices in its various stages and also indicating the names of raw materials, intermediates and products with their inventories, and the name of chemicals if used in the process;

(c) Plans shall be drawn to scale showing-

- (i) the site plan of the factory and immediate surroundings including adjacent building, hospitals, educational institutions, petrol pumps, storage of inflammable and explosive materials and other structures, roads, water sources, drains etc, and location of nearest residential area, village, town settlement with its distance from the site.; and
- (ii) the detail plan, elevation and necessary cross sections of the various buildings indicating all relevant details relating to all natural lighting, ventilation and means of escape in case of fire. The Plans shall also clearly indicate the position of the plant and machines, aisles and passage-ways;
- (iii) the site plans and detailed plans shall be submitted electronically in legible format, which shall be prepared by any efficient software (e.g. Auto CAD etc.):

Provided that if due to technical reasons, such soft copy of detailed plans or site plans is not legible, documents drawn to suitable scale may be additionally submitted in triplicate.

- (d) Replies to the questionnaires annexed to the **Form-XXXVII** ;
- (e) A letter of no objection for the location of the factory from Nagar Nigam, Nagar Panchayat or notified area, as the case may be;
- (f) A letter of no objection from State Pollution Control Board,
- (g) A letter of no objection from Fire Department;
- (h) Licence/NOC issued under the Petroleum Rules, 1976 for storage of petroleum as defined in the Petroleum Rules, 1976;

- (i) Certificate of stability in **Form-XXXVIII** duly signed by the applicant;
- (j) Duly filled **Form-XXXIX** by the applicant;
- (k) Payment of licence fee prescribed in sub-rule (2) of **Rule-101** through e-challan or online payment.

(4) The internal height of a workroom, other than those intended for storage, godowns and like purposes and also rooms intended solely for office purposes, where only clerical work is done, shall be not less than 14 feet measured from the floor level to the lowest part of the roof, and if the roof is of corrugated iron, which is neither covered with tiles nor has an inner ceiling or lining of heat-resisting material with an air space of at least four inches between it and the corrugated iron, the internal height shall be not less than 20 feet:

Provided that these provisions shall not be applicable in case of factory which proposes to employ fifty or less workmen: Provided further that in case of buildings having a brick or concrete roof, or a combination of the two, the minimum height may be 12 feet:

Provided further that in case of all factories registered under Section 2(1)(w)(i), and factories registered under Section 2(1)(w)(ii) of the Code employing up to 150 employees, the Chief Inspector-cum-Facilitator may, where he is satisfied that the conditions of work are reasonably good, exempt such factories from the provisions of this sub-rule.

(5) There shall be provided at all times for each person employed in any room of a factory where mechanical or electrical power is used, at least 36 square feet of floor space exclusive of that occupied by machinery and a breathing space of at least 500 cubic feet.

(6) Particulars of each of the rooms, *verandahs* and other enclosures of the factory shall be entered in **Form-XXXVII**.

(7) No manufacturing process shall be started or carried on in any building, or part of a building until a Certificate of Stability of the building, or part of building in **Form-XXXVIII** signed by a person possessing the qualifications, has been delivered online to the Chief Inspector-cum-Facilitator and accepted by him. No extended portion of any factory shall be used

as a part of the factory any time after the extension or any plant or machinery shall be added in any factory or brought into use as any factory, nor brought into use any time after such addition until a certificate in respect of such extension or plan has been delivered to the Chief Inspector-cum-Facilitator and accepted by the Chief Inspector-cum-Facilitator electronically.

(8) The Certificate of Stability accepted under this rule shall be valid for five years from the date of acceptance.

(9) The person signing the **Form-XXXVIII** shall possess the same qualification and experience as prescribed in the Schedule I to Rule 4 for this purpose.

(10) No person except in the case of a building occupied by Government shall be authorized to sign a certificate of stability, who is in the employment of the owner or the builder of the building in respect of which the certificate is given.

(11) The site-plan of a factory, after receiving online application at the portal of the department, if the Chief Inspector-cum-Facilitator or the concerned Inspector-cum-Facilitator, having jurisdiction, as the case may be, is satisfied that the plans are in consonance with the requirement of Code, he shall, subject to such conditions or such no objection certificate, as he may specify, approve them, and the site-plan approval certificate shall be issued by Chief Inspector-cum-Facilitator within such period in **Form-XL**, including site visit, as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) failing which such plan shall be deemed to have been approved and the certificate of approval of factory shall be auto generated by the portal.

(12) Plans which have already been approved by the Chief Inspector-cum-Facilitator under the Factories Act, 1948 before the coming into force of these Rules, shall be deemed to have been approved under these Rules.

(13) In case, the Chief Inspector-cum-Facilitator or the concerned Inspector-cum-Facilitator, having jurisdiction, as the case may be, is not satisfied with the application or the application is incomplete, he shall raise his objections on the portal, all at a time within **fifteen** days or as soon as he visits the site, whichever is earlier and the applicant shall submit his reply or make necessary corrections or amendments as required

within the specified time. However, if the applicant fails to respond the objections raised by Chief Inspector-cum-Facilitator or the concerned Inspector-cum-Facilitator, the application may be rejected after the time as specified in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) for approval.

(14) The approval granted under this rule may be revoked by the Chief Inspector-cum-Facilitator, if it is found that such approval has been obtained by the occupier or manager by misrepresentation of material facts or fraudulent document have been submitted along with the application or otherwise or the majority of construction is not being done in accordance with the approval granted.

**Registration and grant of licence** and 101

(1) The occupier of every factory shall submit an application together with **Form-XXXVI** prescribed under section 79 of the Code, on the Official portal of the Labour Department of the State Government for grant of a license, along with the application for approval of site-plan under Rule 100.

(2) If the site-plan is approved under Rule 100, the factory shall be registered and the licence for the factory in **Form-XLI** shall be issued electronically by Chief Inspector-cum-Facilitator or concerned Inspector-cum-Facilitator having jurisdiction, as the case may be, on payment of the fees specified below subject to compliance with such conditions as are specified in the license:

Quantity of power (kw) installed	Maximum number of persons to be employed on any day during a Year						
	Upto 50	51 to 150	151 to 300	301 to 500	501 to 1000	1001 to 2500	Above 2500
Nil	500	750	1000	2000	4000	7500	10000
Less than 50	750	2000	3000	4000	7500	15000	18000
50 to 100	1500	3000	4000	6000	10000	18000	20000
101 to 500	2500	5500	7500	10000	15000	24000	27500
501 to 1000	5000	7500	10000	12000	18000	26000	30000
1000 to	6000	10000	12000	15000	20000	28000	35000

2000							
Above 2000	7000	14000	15000	18000	24000	30000	38000

Power factor shall be taken 0.9, if required.

The license granted under sub-rule (2) shall be digitally signed:

Provided if the site-plan is **deemed approved** by the portal, the licence shall be issued automatically by the portal and the digitally signed copy shall be made available to the occupier of the factory electronically.

**Renewal of licence**

**102**

(1) Every licence granted under these rules shall remain in force for a year from the date on which first application is received or from the date when the factory came in the knowledge of the Inspector-cum-Facilitator, whichever is earlier.

(2) An application for the renewal of license for period of up to ten years shall be made online to the Licensing Authority in **Form-XXXIX** not less than thirty days before the date on which the license expires. The application shall be accompanied by stability certificate in **Form-XXXVIII as per rule 100 (8)** issued by Competent Person and treasury challan, deposited electronically on the State Government web portal into the head of account specified therein, as a proof of the payment of the amount of requisite fees for every year as specified in rule 101.

(3) The fees for renewal of license for one year shall be the same as for the grant thereof. In case an application for renewal has been made for a period of one year or any number of years up to ten years, the renewal fees shall be the number of years multiplied by the fees payable for the grant of license for one year as prescribed in rule 101.

(4) No application for the renewal of licence made after the expiry of the period specified in sub-rule (2), unless it is accompanied by the required fees duly deposited with an additional fee equal to twenty-five percent payable for the license which is to be renewed, as late fee.

(5) On receipt of an application under sub-rule (2), the

		<p>Licensing Authority shall, if he is satisfied that there is no objection to the renewal of the license, renew the same for a period up to ten years and issue licence electronically in <b>Form-XLI</b> to the applicant within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011), failing which such licence shall be deemed to have been renewed and the certificate of renewal of licence shall be auto generated by the portal.</p>
<p><b>Amendment of 103 Licence and plan</b></p>		<p>(1) If at any time during the term of license, the occupier finds it necessary to extend the limits of the power installed on any day or maximum number of workers to be employed on any day or effects any changes in the name of the factory or change in the occupier or such particular is referred in license application form, he shall make an application with documents required for amendment of a licence to the Licensing Authority at least fifteen days before such change and the Licensing Authority may amend the licence accordingly.</p> <p>(2) An application for amendment shall be made online in <b>Form-XXXIX</b> and <b>Form-XLII</b> along with the treasury challan as a proof of payment of fees for amendment of a license which shall be rupees one hundred, in addition to the amount of fees payable under rule on the basis of the total maximum power installed on any one day as intended to increase or the maximum number of workers intended to be employed on any day during the calendar year, or both, as the case maybe, less the amount already remitted in the original license:</p> <p>Provided that amendment fee of rupees hundred shall not be payable when the amendments are proposed simultaneously with the application for the renewal of the license.</p> <p>(3) The application for the amendment of Plan, as per rule 100, shall be submitted online at least 15 days before such amendment:</p> <p>Provided that any such factory shall not be deemed to be extended within the meaning of this Rule by reason only of the replacement of any plant or machinery or within such limits as may be, of the addition of any plant or machinery if such replacement</p>

		<p>or the addition does not reduce the minimum clear space required for safe working around the machinery or plant:</p> <p>Provided further that if any amendment adversely affects the environmental conditions from the evolution or emission of steam, heat, dust or fumes which are injurious to health, such amendment shall require prior approval as per the Rule.</p> <p>(4) On receipt of an application under sub-rule (1), the Licensing Authority shall, if he is satisfied that there is no objection in amending the license, amend the same in <b>Form-XLI</b> within such period as prescribed in Uttar Pradesh Janhit Guarantee Adhiniyum, 2011 (UP Act no 3 of 2011) failing which such licence shall be deemed to have been amended and the amended certificate shall be auto generated by the portal.</p>
<p><b>Transfer of licence</b></p>	<p><b>104</b></p>	<p>(1) The holder of a licence may, at any time before the expiry of the licences, apply for permission to transfer his licence to another person. In case, if a licensee dies or becomes insolvent or otherwise disabled, this application may be made by the person carrying on the business of such licensee.</p> <p>(2) Such application shall be made on the official portal of the Labour Department of the State Government along with notice of occupation in <b>Form-XLII</b> and such other documents as may be required.</p> <p>(3) The Chief Inspector-cum-Facilitator shall, if he approves the transfer, enter upon the licence, under his signature/Digital Signature, an endorsement to the effect that the licences, have been transferred to the person named in <b>Form-XLI</b> .</p> <p>(4) A fee of one hundred rupees shall be charged on each such application.</p> <p>(5) The person to whom the licence is so transferred, shall enjoy the same powers, and be subject to the same obligations under the licences as the original holder.</p>
<p><b>Procedure on death or disability of licensee</b></p>	<p><b>105</b></p>	<p>If a licensee dies or becomes insolvent or otherwise disabled, the person carrying on the business of such</p>



		licensee shall not be liable to any penalty, under the Code or these rules for exercising the powers granted to the licensee by the licences during such time as may reasonably be required to allow him to make an application for the transfer of the licenses in his own name for the unexpired portion of the original licences.
<b>Suspension of licences</b>	<b>106</b>	<p>(1) If at any time an occupier notifies of his intention, on the Official Portal of the Labour Department of State Government that the premise, in respect of which licences is issued will not be used for the working of the factory, the Chief Inspector-cum-Facilitator shall suspend the licences granted in respect of such factory and will be communicated to the factory through the portal:</p> <p>Provided that such application shall be submitted atleast two month before the date of cessation of use of premises as a factory.</p> <p>(2) A licence suspended under sub-rule (1) may be revived on application through the portal accompanied by the licence and <b>Form-XXXIX</b> upon the payment of fee of rupees one hundred.</p>
<b>Notice of occupation</b>	<b>107</b>	The notice of occupation shall be in <b>Form-XLII</b> .
<b>Notice of change of Manager</b>	<b>108</b>	The notice of change of manager shall be in <b>Form-XLIII</b> . The application for change of manager shall be submitted online on the official portal of the State Government. The endorsement of change of manager shall be made online on the licences by the Chief Inspector-cum-Facilitator.
<b>Liability of owner of premises in certain circumstances</b>	<b>109</b>	<p>(1) Where in any premises separate buildings are leased to different occupiers for use as separate factories, the owner of the premises shall be responsible for the provision and maintenance of common facilities and services such as approach roads, drainage, water supply, lighting and sanitation.</p> <p>(2) The Chief Inspector <b>-cum-facilitator</b> shall have, subject to the control of the State Government power to issue orders to the owner of the premises in respect for the carrying out the provisions of sub-rule(1).</p> <p>(3) Where in any premises, independent or self-</p>

contained, floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable, as if he were the occupier or manager of a factory, of any contravention of the provisions of this Code in respect of-

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

(4) The provisions relating to the liability of the owner shall apply where in any premises independent rooms, with common latrines, urinals and washing facilities, are leased to different occupiers for use as separate factories: Provided that the owner shall also be responsible for complying with the requirements relating to the provision and maintenance of latrines, urinals and washing facilities.

(5) The Chief Inspector **-cum-facilitator** shall have, subject to the control of the State Government, the power to issue orders to the owner of the premises referred to in section 80 of the Code.

(6) Where in any premises portions or room or a shed are leased to different occupiers for use as separate factories, the owner of the premises shall be liable for any contravention of the provisions of above rule.

**Dangerous manufacturing process or operations under section 82**

**110**

(1) The following dangerous manufacturing process or operations, welfare amenities, sanitary facilities, protective equipment and clothing and other requirements necessary for dangerous operations are provided in **Schedule-III to Schedule-**

XXXV appended to these rules-

Schedule No.	Particulars
III	Manufacture of aerated water and process incidental thereto
IV	All types of electroplating process
V	Manufacture and repair of electric accumulators
VI	Glass manufacturing and processes incidental thereto
VII	Grinding or glazing of metals and processes incidental thereto
VIII	Manufacture and treatment of lead and certain compounds of lead
IX	Generation of gas from dangerous petroleum
X	Cleaning or smoothing of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam
XI	Liming and tanning of raw hides and skins and process incidental thereto
XII	Certain lead process carried on printing presses and type foundries
XIII	Dichromate manufacture
XIV	Chemical works
XV	Manufacture or manipulation of Carcinogenic Dye Intermediates
XVI	Manufacture, handling and usage of benzene and substances containing benzene
XVII	Manufacture of pottery
XVIII	Manipulation of stone or any other material containing free silica
XIX	Handling and processing of asbestos, manufacturing of any article of asbestos and any other Process of manufacture or otherwise in which asbestos is used in any form
XX	Handling or manipulation of corrosive substances
XXI	Compression of oxygen and hydrogen produced by electrolysis of water
XXII	Process of extracting oils and fats from vegetable and animal sources in solvent extraction plants

XXIII	Manufacture or manipulation of manganese and its compounds
XXIV	Manufacture or manipulation of dangerous pesticides
XXV	Manufacturing process or operations in carbon di-sulphide plants
XXVI	Operation involving High Noise Levels
XXVII	Manufacture of Rayon by Viscose process
XXVIII	Highly Flammable Liquids and Flammable Compressed Gases
XXIX	Carpet and woolen drugget making or any work incidental thereto or connected therewith
XXX	Brassware making or any work incidental thereto or connected therewith
XXXI	Lock and hardware making or any work incidental thereto or connected therewith
XXXII	Welding Process and any work incidental thereto or connected therewith
XXXIII	Hot metallurgical process and any work incidental thereto or connected therewith
XXXIV	Manufacturing or manipulation of Fertilizers
XXXV	Cold storage or milk chilling plant or manufacturing of ice using ammonia as refrigerant and processes incidental thereto

(2) The provisions specified in the **Schedules (III) to Schedule (XXXV)** annexed with rule shall apply to any class or description of factories wherein dangerous manufacturing processes or operations specified in such Schedule are carried out.

(3) Every worker employed in the said processes or operations of any Schedule shall necessarily be re-examined by a Factory medical officer periodically as specified in the schedule. Factory medical officer shall also enter the nature of tests and results in Health Register in **Form-VII** .

(4) Medical examination under the schedule shall be performed by a Factory Medical Officer having qualification as prescribed in Rule **124** .

**Power to prohibit employment on account of serious hazard under clause** 111

(1) Where it appears to the Inspector-cum-Facilitator that conditions in a factory or part thereof are such that they may cause serious hazard by way of injury or death to the persons employed therein or to the general

**(za) of sub-section (2),  
of Section 135**

public in the vicinity, he may, by order in writing to the occupier of the factory, state the particulars in respect of which he considers the factory or part thereof to be the cause of such serious hazard and prohibit such occupier from any person in the factory, or any part thereof other than the minimum number of persons necessary to attend to the minimum tasks till the hazard is removed.

(2) Any order issued by the Inspector-cum-Facilitator under sub-section (1) shall have effect for a period of three days until extended by the Chief Inspector-cum-Facilitator by a subsequent order.

(3) Any person aggrieved by an order of the Inspector-cum-Facilitator under sub-section (1), and the Chief Inspector-cum-Facilitator under sub-section (2), shall have the right to appeal to the State Government.

(4) Any person whose employment has been affected by an order issued under sub-section (1), shall be entitled to wages and other benefits and it shall be the duty of the occupier to provide alternative employment to him wherever possible and in the manner prescribed.

(5) The provisions of sub-section (4) shall be without prejudice to the rights of the parties under the Industrial Relations Code, 2020.

**Site Appraisal 112  
Committee**

(1) The State Government may, for advising it to consider applications for grant of permission for the initial location of a factory involving hazardous process or for the expansion of any such factory, appoint a site appraisal committee under the Chairmanship of Labour Commissioner, comprising of-

- (a) Chief Inspector-cum-Facilitator;
- (b) a representative of Director of Industries;
- (c) a representative of State Pollution Control Board;
- (d) a representative of State Board for the prevention and control of Air Pollution;
- (e) a representative of the Department of Environment, Uttar Pradesh;
- (f) a representative of Department of Fire Services, Uttar Pradesh;

- (g) a representative of the Department of Meteorology, Government of India;
- (h) an expert in the field of occupational health;
- (i) a representative of the housing and town planning department of the State Government; and
- (j) not more than five other members who may be co-opted by the State Government, who shall be-

- (i) a scientist having specialized knowledge of the hazardous process which will be involved in the factory;

- (ii) a representative of local authority within whose jurisdiction the factory is to be established; and

- (iii) not more than three other persons as deemed fit by the State Government.

(2) The Chief Inspector-cum-Facilitator shall be Secretary of the said Committee.

(3) No member unless required to do so by a court of law shall disclose otherwise than in connection with the purpose of the Code, 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 the Committee.

(4) **Applications for appraisal of sites** :In respect of the factories covered under **section 2 (1)(za)** of the Code shall be submitted to the Chairman of the Committee along with 15 copies. The Committee may dispense with the furnishing of the information on any particular item in the application under consideration.

(5) The site appraisal committee shall examine application for the establishment of a factory involving hazardous process and make its recommendations to the State Government within a period of ninety days of the receipt of such application in the prescribed **Form-XLIV**.

(6) Where any the process relates to a factory owned or controlled by the Central Government or to a Corporation or a Company owned or controlled by the Central Government, the State Government shall co-

opt in the Site Appraisal Committee, a representative, nominated by the Central Government, as a member of that committee.

(7) The Site Appraisal Committee shall have power to call for any information from the person making an application for the establishment or expansion of a factory involving a hazardous process.

**Functions of the Site Appraisal Committee**

(1) The Secretary of the Committee 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.

(2) The Secretary of the Committee shall fix the time and date of meeting with the prior approval of the Chairman and shall refer to committee all the applications received and registered, for decision.

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

(4) The Committee shall examine the application for appraisal of a site with reference to the prohibitions and restrictions on the location of factory and the carrying on the process and operations in different areas as per the provisions of the Environment Protection Code, 1986 and rules made thereunder.

(5) 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.

(6) Wherever the proposed site requires clearance by the Ministry of Industry or the Ministry of Environment, Forest and Climate change of the Government of India, site appraisal shall be considered by the Committee only after such clearance has been received.

(7) The application for grant of permission for the initial location of a factory involving a hazardous process or for the expansion of such factory, shall contain the following particulars.-

(a) Name and address of the applicant;

- (b) Site ownership **date** ;
- (c) revenue details of site such as Survey number, plot number, Allotment /Registration number, etc;
- (d) Details as to 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 obtained;
- (e) Details as to whether the proposed site attracts the provisions of section 3(2)(V) of the Environment Protection Code, 1986, if so, the nature of the restrictions;
- (f) Local authority under whose jurisdiction the site is located;
- (g) Documentary evidence of ownership;
- (h) Site Plan with clear identification of boundaries, total area proposed to be occupied and showing the following details nearby the proposed site:–
  - (i) historical monument, if any, in the vicinity;
  - (ii) names of neighbouring manufacturing units and human habitats, educational and training institutions, petrol installations, storages of liquified petroleum gas and other hazardous substances in the vicinity and their distances from the proposed unit;
  - (iii) water sources (river, streams, canals, dams and water filtration plants etc.) in the vicinity;
  - (iv) nearest hospitals, fire-stations, civil defence stations and police stations and their distances from the proposed unit;
  - (v) high tension electrical transmission lines, pipelines for water, oil, gas or sewerage ;
  - (vi) railway lines, roads, stations, jetties gas and other similar installations in the vicinity;
  - (vii) details of soil conditions and depth at which hard strata can be obtained;
  - (viii) contour map of the factory showing nearby



hillocks and difference in levels; and

(ix) plot plan of the factory showing the entry and exit points roads within, water drains, etc.

**(i)** Project Report stating the following details :-

(i) a summary of the salient features of the project;

(ii) status of the organisation (government, semi-government, public or private etc.);

(iii) maximum number of persons likely to be employed in the factory;

(iv) maximum requirement of power and water and sources of their supply;

(v) block diagram of the buildings and installations, in the proposed unit; and

(vi) details of the proposed housing colony, hospital, school and other infrastructural facilities.

**(j)** Organizational structure for proposed manufacturing unit/factory showing :-

(i) organization diagram of proposed enterprise in general, and health, safety and environment protection departments and their linkage to the operation and technical department;

(ii) proposed health and safety policy;

(iii) area allocated for treatment of wastes and effluents; and

(iv) percentage of outlay on safety, health and environment protection measures.

**(k)** Meteorological data relating to the site showing :-

(i) average, minimum and maximum of temperature, humidity and wind velocities during the previous ten years;

(ii) seasonal variations of wind direction;

(iii) highest water level reached during the floods in the area recorded so far; and

(iv) lightening and seismic data of the area.

(l) Communication Links showing :-

- (i) availability of telephone/telex/wireless and other communication facilities for outside communication; and
- (ii) proposed internal communication facilities.

(m) Manufacturing Process Information showing :-

- (i) process flow diagram in detail indicating process parameters, e.g. temperature, pressure, etc. at various stages of manufacturing process;
- (ii) brief write-up on process and technology;
- (iii) critical process parameters such as pressure build-up, temperature rise and runaway reconditions;
- (iv) other external effects critical to the process having safety implications, such as ingress of moisture or water, contact with incompatible substances, sudden power failure; and
- (v) highlights of the built - in safety/pollution control devices or measures incorporated in the manufacturing technology.

(n) Information on Hazardous Materials showing :-

- (i) raw materials, intermediates, products and by-products and their quantities (enclosed with material safety data sheet in respect of each hazardous substance);
- (ii) main and intermediates, storages proposed for raw materials/ intermediates/ products (maximum quantities at any time to be stored);
- (iii) transportation methods to be used for inflow and outflow of materials, their quantities and likely routes to be followed; and
- (iv) safety measures proposed for handling of materials, internal and external transportation, and disposal (packing and forwarding of finished products).

(o) Information of dispersal / disposal of wastes and pollutants showing:-

- (i) major pollutants (gas, liquid, solid), their characteristics and quantities (average and at peak loads);
  - (ii) quality and quantity of solid wastes generated, methods of their treatment and disposal; and
  - (iii) air, water and soil pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluents.
- (p) Process Hazards Information along with:-
- (i) a copy of the report on Environmental Impact Assessment;
  - (ii) a copy of the report on Risk Assessment study; and
  - (iii) published (open or classified) reports, if any, on accident situations / occupational health hazards, or similar plants elsewhere (within or outside the country).
- (q) Information of proposed Safety and Occupational Health Measures along with :-
- (i) details of fire fighting facilities and minimum quantity of water, carbon dioxide and/or other fire fighting measures needed to meet the emergency; and
  - (ii) details of the proposed in house medical facilities.
- (r) Information on emergency preparedness showing :-
- (i) on-site emergency plan and detailed disaster control measures; and
  - (ii) proposed arrangements, if any, for a mutual aid scheme with the group of neighbouring factories.
- (s) Any other relevant information.

(8) Application mentioned in sub-rule (7) shall be certified by the applicant in the following manner:

“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.

Signature of the Applicant

Applicant's full name and address”

**Material Safety Data Sheet 114**

Collection, development and dissemination of information-

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

(a) Every such Material Safety Data Sheet shall include the following information:

- (i) the identification mark used on the label;
- (ii) hazardous ingredients of the substance;
- (iii) physical and chemical characteristics of the hazardous substance;
- (iv) the physical hazards of the hazardous substance, including the potential for fire, explosion and reactivity;
- (v) the health hazards of the hazardous substance, including signs and symptoms of exposure, and any medical condition which are generally recognized as being aggravated by exposure to the substance;
- (vi) the primary route or routes of entry;
- (vii) the permissible limits of exposure prescribed in **Schedule-XXXVII** ;
- (viii) any generally applicable precautions for safe handling and use of the hazardous substance, which are known, including appropriate hygienic practices, protective measures during repairs and maintenance of contaminated equipment, procedures for cleanup of spills and leaks;
- (ix) any generally applicable control measures, such as appropriate engineering controls, work practices, or use of personal protective

	<p>equipment;</p> <p>(x) emergency and first-aid procedures;</p> <p>(xi) the date of preparation of the Material Safety Data Sheet, or the last change in it;</p> <p>(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 required.</p> <p>(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 information regarding the hazards, the new information shall be added to the Material Safety Data Sheet as soon as practicable.</p> <p>(c) An example of such Material Safety Data Sheet is given in the <b>Schedule-XXXVI</b> .</p> <p>(2) Every container of a hazardous substance shall be clearly labelled or marked to identify:-</p> <p>(a) The contents of the container;</p> <p>(b) The name and address of the manufacturer or importer of the hazardous substances;</p> <p>(c) The physical and health hazards; and</p> <p>(d) The recommended personal protective equipment needed to work safely with the hazardous substance.</p>
<p><b>Disclosure of information to the employees under section 84</b></p>	<p>of 115</p> <p>(1) The occupier of every factory carrying on a hazardous process shall supply to all employees, the following information in relation to handling of hazardous materials or substances in the manufacture, transportation, storage and other process:</p> <p>(a) requirements of sections 84, 85 and 89 of the</p>

Code;

- (b) a list of hazardous process carried on in the factory;
  - (c) location and availability of all material safety data sheets as per rule 114 ;
  - (d) Physical and health hazards arising from the exposure to or handling or, substances;
  - (e) measures taken by the occupier to ensure safety and control of physical and health hazards;
  - (f) measures to be taken by the employees to ensure safe handling, storage and transportation of hazardous substances;
  - (g) personal protective equipment required to be used by employees employed in hazardous process of dangerous operations;
  - (h) meaning of various labels and markings used on the containers of hazardous substances as provided under rule 108;
  - (i) signs and symptoms likely to manifest on exposure to hazardous substances and to whom to report ;
  - (j) measures to be taken by the employees in case of any spillage or leakage of a hazardous substance ;
  - (k) role of employees vis-a-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 employees.
- (2) The information required by sub-rule (1) shall be compiled and made known to employees individually, through supply of booklets or leaflets and display of cautionary notices at the workplaces.
- (3) The booklets, leaflets and the cautionary notices displayed in the factory shall be in the language understood by the majority of the employees and shall also be explained to them.
- (4) The Chief Inspector-cum-Facilitator **or Inspector-**

**cum-facilitator, as the case may be,** may direct the occupier to supply further information to the employees as deemed necessary.

**Disclosure of 116  
information to the  
Chief Inspector-cum-  
Facilitator**

(1) The occupier of every factory carrying on a hazardous process shall furnish, in writing, to the Chief Inspector **-cum-facilitator** a copy of all the information furnished to the employees.

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

(3) The occupier of hazardous process industry shall also furnish information to the Chief Inspector-cum-facilitator electronically every year on following points:

(a) Name of the factory:

(b) Address:

(c) Product:

(d) Manufacturing process:

(i) Raw material:

(ii) Name and maximum storage capacity:

(e) Finished product:

(i) Name and maximum storage capacity:

(f) Inter-mediate product:

(i) Name and maximum storage capacity:

(g) Hazards associated with the factory:

(h) Safety measures observed:

(i) Fire and explosion risk:

(j) Details for disposal of hazardous waste:

**Health and Safety 117  
Policy**

(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 employees, at work.

(2) All factories:-

(a) covered under section 2 (w) (i) but employing less than 50 employees;

(b) covered under section 2 (w) (ii) but employing less than 100 employees shall be exempted from requirements of sub-rule (1): Provided that such employees are not covered under operations declared to be dangerous under section 87 of the Code.

(3) Notwithstanding anything contained in sub-rule (2), the Chief Inspector-cum-Facilitator may require 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) The Health and Safety Policy shall be in conformity with statutory requirements of the Code and other relevant statutes;

(b) Organisational set up shall carry out the declared policy clearly assigning the responsibility at different levels, and

(c) arrangements for making the policy effective.

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

(a) arrangements for involving the employees ;

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

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

(d) 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 like Hazard and Operability Study (HAZOP) etc and other safety techniques for periodical assessment of the status on health, safety and environment and taking all the remedial measures ;

(f) 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 ; and

(g) arrangements for informing, educating and training and retraining its 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 Chief Inspector-cum-Facilitator.

(7) The Health and Safety Policy shall be made widely known by :-

(a) making copies available to all employees including contractual employees, apprentices, transport employees, suppliers, etc;

(b) displaying copies of the policy at conspicuous places in a language understood by the majority of employees; and

(c) any other means of communication.

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

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

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

**Information on 118  
industrial wastes  
under sub-section (3)  
of section 84**

(1) The information furnished under Rules 115 and rule 116 shall include the quantity of the solid and liquid wastes generated per day, their characteristics and the methods of treatment such as incineration of solid

		<p>wastes, chemical and biological treatment of liquid wastes and arrangements for their final disposal.</p> <p>(2) It shall also include information on the quality and quantity of gaseous waste discharge through the stacks or other openings and arrangements such as provisions of scrubbers, cyclone separators, electrostatic precipitators of similar such arrangements made for controlling pollution of the environment.</p> <p>(3) The occupier shall also furnish the information prescribed in the sub-rule (1), and (2) to the State Pollution Control Board.</p>
<p><b>Intimation to Chief Inspector-cum-Facilitator by the occupier of the factory proposed to be engaged in hazardous process</b></p>	<p><b>119</b></p>	<p>Information under sub-section (5) of section 84 shall be in <b>Form-XLII</b> and shall be communicated to Chief Inspector-cum-Facilitator electronically or otherwise.</p>
<p><b>Information to workers and general public under sub-section (7) of section 84</b></p>	<p><b>120</b></p>	<p>Information under sub section (7) of section 84 shall be publicized by displaying the same on Notice Board at the gate or gates of the factory and such information shall also be given to District Magistrate and Chief Inspector-cum-Facilitator.</p>
<p><b>Review of the information furnished to employees</b></p>	<p><b>121</b></p>	<p>(1) The occupier shall review once in every calendar year and modify, if necessary, the information furnished <b>under rule 115 and rule 116</b> to the employees and the Chief Inspector-cum-Facilitator.</p> <p>(2) 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.</p>
<p><b>Confidentiality of information</b></p>	<p><b>of 122</b></p>	<p>(1) The occupier of a factory carrying on a 'Hazardous Process', shall disclose all information needed for protecting safety and health of the employees to-</p> <p>(a) his workers, and</p>

(b) Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator of region,

as required under these rules. If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely affect his business interests, he may make a representation to the Chief Inspector-cum-Facilitator stating the reason for withholding such information. The Chief Inspector-cum-Facilitator shall pass an order on the representation after giving an opportunity to the occupier of being heard.

(2) An occupier aggrieved by an order of the Chief Inspector-cum-Facilitator may prefer an appeal to the State Government within a period of thirty days and the State Government may after giving an opportunity to the occupier of being heard shall pass an order and the order of the State Government shall be final.

**Medical Examination 123**

(1) Employees employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner, hereinafter referred to a Factory Medical Officer, in the following manner:

(a) once before employment, to ascertain physical fitness of the person to do a 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 at a shorter interval in respect of a worker in whose case the Factory Medical Officer is of the opinion that it is necessary to do so ;

(c) the details of pre-employment and periodical medical examinations carried out as aforesaid shall be recorded in the Health Register in **Form-VII** .

(2) No person shall be employed for the first time without a certificate of fitness in **Form-VIII** granted by the Factory Medical Officer. If the Factory Medical Officer declares a person unfit for employment in a process covered under sub-rule (1), he shall have the right to appeal to the Inspector-cum-Facilitator of the area who after consultation with a **Medical Officer**, shall decide the appeal which shall be final in this regard.

**Explanation:** For the purpose of the rule, any Government Medical Officer may be nominated by the Labour Commissioner, Uttar Pradesh as **Medical Officer** .

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

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

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

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

**Occupational Health 124  
Centers**

(1) In respect of any factory carrying on 'hazardous process' there shall be provided and maintained in good order, an Occupational Health Center with the services and facilities as per scale laid down hereunder:

(a) For factories employing up to 50 employees:

(i) the services of a Factory Medical Officer on retainership basis in his clinic which shall be notified by the occupier who shall carry out pre-

employment and periodical medical examinations, as stipulated in rule 123 and render medical assistance during an emergency;

(ii) a minimum of 5 persons trained in first aid procedures of whom at least one shall always be available during the working period; and

(iii) a fully equipped first aid box in all the departments;

(b) For factories employing 51 to 200 employees:

(i) an Occupational Health Center having a room with a minimum floor area of 15 square metre with floors and walls made of smooth and impervious surface and with adequate illumination and ventilation as well as equipment as per the Schedule annexed to these rules;

(ii) a part time Factory Medical Officer shall be in overall charge of the Center who shall visit the factory at least twice in a week and whose services shall be readily available during medical emergencies;

(iii) one qualified and trained dresser-cum-compounder on duty throughout the working period; and

(iv) a fully equipped first aid box in all departments.

(c) For factories employing above 200 employees:

(i) one full-time Factory Medical Officer for factories employing up to 500 employees and one more Medical Officer for every additional 1000 employees or part thereof;

(ii) an occupational Health Center having at least two rooms each with a minimum floor area of 15 square metre with floors and walls made of smooth and impervious surface and adequate illumination and ventilation as well as equipment as per the Schedule annexed to this rule;

(iii) one nurse, one dresser-cum-compounder and one sweeper-cum-ward boy throughout the

working period ; and

(iv) the Occupational Health Center shall be suitably equipped to manage medical emergencies.

(2) The Factory Medical Officer required to be appointed under sub-rule (1) shall have qualifications included in Schedule to the Indian Medical Degrees Act, 1916 or in the Schedule to the Indian Medical Council Act, 1956 **or as defined in National Medical Commission Act, 2019 (Central Act no. 30 of 2019) and should be enrolled on the National register as defined in clause (m) of section 2 or on the State register as defined in clause (v) of section 2 of the aforesaid Act of 2019** and possess a Certificate of Training in Industrial Health of a minimum of three months duration recognized by the State Government:

Provided that a person possessing a Diploma in Industrial Health or its equivalent shall not be required to possess the certificate of training as aforesaid:

Provided further that the Chief Inspector may, subject to such conditions as he may specify, grant exemption from the requirement of this sub-rule, if in his opinion a suitable person possessing the necessary qualification is not available for appointment:

Provided also that in case of a person who has been working as a Factory Medical Officer for a period of not less than three years on the date of commencement of this rule, the Chief Inspector may, subject to the condition that the said person shall obtain the aforesaid certificate of training within a period of three years, relax the qualification.

(3) The syllabus of the course leading to the above certificate, and the organizations conducting the course shall be approved by the Directorate General, Factory Advice Service and Labour Institutes (DGFASLI), Ministry of Labour and Employment, Government of India or the State Government in accordance with the guidelines issued by the DGFASLI.

(4) Within one month of the appointment of Factory Medical Officer, the occupier of the factory shall furnish to the Chief Inspector the following particulars:

(a) name and address of the Factory Medical Officer;

- (b) qualifications;
  - (c) experience, if any; and
  - (d) sub-rule under which the Factory Medical Officer has been appointed.
- (5) Equipment for Occupational Health Centre in Factories shall include:
- (a) a glazed sink with hot and cold water (must be always available);
  - (b) a table with a smooth top of at least 180 cm x 105 cm;
  - (c) means for sterilizing instruments;
  - (d) a couch;
  - (e) two buckets or containers with closely fitting lids;
  - (f) a kettle and spirit stove or other suitable means of boiling water;
  - (g) one bottle of spiritus ammonia aromaticus (120 ml.);
  - (h) two medium sizes sponges;
  - (i) two 'Kidney' trays;
  - (j) four cakes of toilet soap, preferably antiseptic, soap;
  - (k) two glass tumblers and two wine glasses;
  - (l) two clinical thermometers;
  - (m) two tea spoons;
  - (n) two graduated (120 ml.) measuring glasses;
  - (o) one wash bottle (1000 cc) for washing eyes;
  - (p) one bottle (one litre) carbolic lotion in 20;
  - (q) three chairs;
  - (r) one screen;
  - (s) one electric hand torch;
  - (t) an adequate supply of tetanus toxoid;
  - (u) coramine liquid (60 ml.);
  - (v) tablets -antihistamine, antispasmodic (25 each);
  - (w) syringes with needles-2 cc and 10 cc;
  - (x) two needle holders, big and small;
  - (y) suturing needles and materials;

- (z) one pair of dressing forceps;
  - (aa) one pair of dressing forceps;
  - (ab) one scalpel;
  - (ac) one stethoscope;
  - (ad) rubber bandage-pressure bandage;
  - (ae) oxygen cylinder with necessary attachments;
  - (af) one blood pressure apparatus;
  - (ag) one patella hammer;
  - (ah) one Peak-flow meter for lung function measurement;
  - (ai) one stomach wash set; and
  - (aj) any other equipment recommended by the Factory Medical Officer relating to the specific manufacturing process;
- (6) In addition to the equipments specified in sub-rule (5), an Occupational Health Centre of:
- (a) Factories employing 51 to 200 employees, equipments shall include :-
    - (i) four plain wooden splints of 900mmx100mmx6mm;
    - (ii) four plain wooden splints of 350mmx75mmx6mm;
    - (iii) two plain wooden splints of 250mmx50mmx12mm;
    - (iv) one pair of artery forceps ;
    - (v) injections-morphia, pethidine, atropine, adrenaline, coramine, novacan (2 each): and
    - (vi) one pair of surgical scissors;
  - (b) For factories employing above 200 workers, equipments shall include :-
    - (i) eight plain wooden splints of 900mmx100mmx6mm;
    - (ii) eight plain wooden splints of 350mmx75mmx6mm;
    - (iii) four plain wooden splints of 250mmx50mmx12mm;
    - (iv) two pairs of artery forceps ;
    - (v) injection-morphia, pethidine, atropine, adrenaline, coramine, novocan (2 each) ; and
    - (vi) two pairs of surgical scissors.



there shall be provided and maintained in good condition, a suitably constructed ambulance van, equipped with items specified in sub-rule (2) of this rule and manned by a full time driver-cum-mechanic, and a helper trained in first-aid, for the purposes of sickness. The ambulance van shall not be used for purposes other than the purpose stipulated herein and will normally be stationed at or near the Occupational Health Centre:

Provided that a factory employing less than 150 employees may make arrangements for procuring such facility at a short notice from a nearby hospital or other places to meet emergency.

(2) The ambulance van shall have the following equipments :-

**(a) General :**

- (i) a wheeled stretcher with folding and adjusting devices with the head of the stretcher capable of being tilted upward ;
- (ii) fixed suction unit with equipment ;
- (iii) fixed oxygen supply with equipment ;
- (iv) pillow with case, sheets, blankets towels ; and
- (v) emesis bag, bed pan, urinal, glass ;

**(b) Safety equipments such as :-**

- (i) flares with life of 30 minutes, flood lights ;
- (ii) flash light, fire extinguisher-dry powder type ; and
- (iii) insulated gauntlets.

**(c) Emergency Care Equipments such as :-**

**(i) Resuscitation Equipments like :-**

- (a) portion suction unit ; portable oxygen unit ;
- (b) bag - valve-mask, hand operated artificial ;
- (c) ventilation unit ;
- (d) airways ; mouth bags ; tracheotomyadapters ;
- (e) short spine board, I. V. fluids with Administration unit ; and

- (f) B. P. manometer ; Cugg ; stethoscope ;
- (ii) Immobilization Equipments :-
  - (a) long and short padded boards wire ladder splints ; and
  - (b) triangular bandage ; long and short spine boards.
- (iii) Dressings like :-
  - (a) gauze pads -4"x4" universal dressing 10"x36";
  - (b) roll of aluminium foils; soft roller bandages, 6"x5" Yards ; adhesive tape in 3" roll; safety pins; and
  - (c) bandage sheets ; burn sheet ;
- (iv) Poisoning Equipments to deal with poisoning like:-
  - (a) syrup of Ipecac; Codeivated Charcoal pre-packeted in doses; snake bite kit; and
  - (b) drinking water;
- (v) Emergency medicines as per requirement (under the advice of Medical Officer only).

**Decontamination facilities**

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In every factory carrying out hazardous process the following provisions shall be made to meet an emergency:

- (a) fully equipped first aid box;
- (b) readily accessible means of water for washing by employees as well as for drenching of clothing of employees who have been contaminated with hazardous and corrosive substance; and such means shall be as per the scale shown in the table below:

<b>Number of persons employed at any time</b>	<b>Number of drenching showers</b>
(i) Upto 50 employees	2
(ii) Between 51 and 200 employees.	2+1 for every additional 50 or part thereof
(iii) Between 201 and 500 employees	5+1 for every additional 100 or part thereof
(iv) 501 employees	8+1 for every

and above.

additional 200 or part thereof.

(c) sufficient number of eye wash bottles filled with distilled water or suitable liquid, kept in boxes or cupboards conveniently placed and clearly indicated by a distinctive sign which shall be easily available at all times.

**Availability of health records to employees 127**

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

(a) once in every six months or immediately after the medical examination, whichever is earlier ;

(b) if the Factory Medical Officer or the **Medical officer** , as the case may be, is of the opinion that the worker has manifest signs and symptoms of any noticeable disease as specified in the Third Schedule to the Code ;

if the worker leaves the employment ;

if any one of the following authorities, so direct -  
the Chief Inspector -**cum-facilitator** of Factories;  
the Health Authority of the Central or State Government ;

Commissioner of Workmen's Compensation ;

the Director General, Employees' State Insurance Corporation ;

The Director, Employees State Insurance Corporation (Medical Benefits) ; and

the Director General, Factory Advice Service and labour Institute.

A copy of the updated health records including the record of employees exposed 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

	<p>reports may also be made available for reference to his medical practitioner.</p>
<p><b>Qualification and experience of the qualified persons under clause (b) of section 85</b></p>	<p>128 (1) All persons who are required to supervise the handling of hazardous substances shall possess the following qualification and experience:</p> <ul style="list-style-type: none"> <li>(a) a degree in Chemistry or Diploma in Chemical Engineering or Technology with five years experience; or</li> <li>(b) a Master's Degree in Chemistry or a degree in Chemical Engineering or Technology with two years experience;</li> </ul> <p>(2) The experience stipulated in sub-rule (1) above, shall be in process operation and maintenance in a chemical industry.</p> <p>(3) The Chief Inspector may require the supervisor to undergo training in Health and Safety. The syllabus, and duration of the said training and the organisations, conducting the training shall be approved by the Director General, Factory Advice Service and Labour Institutes (DGFASLI) or the State Government in accordance with guidelines issued by the Director General, Factory Advice Service and Labour Institutes.</p>
<p><b>Issuance of guidelines</b></p>	<p>129 For the purposes of compliance with the requirements of section 84 or of section 85, the Chief Inspector -<b>cum-facilitator</b> may , if deemed necessary, issue guidelines from time to time to the occupiers of factories carrying on 'hazardous process'. Such guidelines may be based on national standards, Code of practice or recommendations of international bodies, such as International Labour Organization and World Health Organisation.</p>
<p><b>Permissible limits of exposure of chemical and toxic substances under Section 88</b></p>	<p>130 (1) The maximum permissible threshold limits of exposure of chemical and toxic substances in manufacturing processes (whether hazardous or otherwise) in any factory shall be of the value indicated in <b>Schedule-XXXVII</b>.</p> <p>(2) The State Government may, at any time, for the purpose of giving effect to any scientific proof obtained from specialized institutions or experts in the</p>

	<p>field, by notification in the Official Gazette, make suitable changes in the said Schedule.</p>
<p><b>Appeal under section 131 90</b></p>	<p>Occupier of any factory aggrieved by an order made by Inspector-cum-Facilitator or the Chief Inspector-cum-Facilitator may, within fifteen days from the date on which the order is communicated to him, make an appeal, 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, to the Labour Commissioner who shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible:</p> <p>Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of fifteen days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.</p>
<p><b>Persons in 132 supervisory, managerial or confidential positions</b></p>	<p>(1) The employees, who are not covered under Section 2(1)(zzl) and the employees who are holding a confidential position in a factory, provided that they are not required to perform manual labour as regular part of their duties and the ordinary wage exceeds the wage limit specified in sub-section(6) of Section 1 of the Payment of Wages Act,1936 as amended from time to time or specified in equivalent Code , the provisions under Section 27 and rule made thereunder shall be exempted to such an extent as specified below:</p> <p>(a) such employees shall be provided not less than such equivalent hours as compensatory off/holiday against extra hours or overtime so worked; or</p> <p>(b) wages not less than the rate of normal wages in respect of such extra hour of work shall be paid; or</p> <p>(c) any equivalent of sub-clause (a) and (b):</p> <p>Provided that such employees may be called at any time for any work under emergency circumstances, which might lead to endangering the life of the</p>

employees or general public in vicinity.

(2) For employees mentioned in the sub-rule (1), the provisions of Rule 45 shall not apply and normal daily hours work may exceed 8 hours subject to weekly hours limit.

(3) The following persons in factories, other than sugar factories, shall be deemed to hold positions of supervision or management, provided they are not required to perform manual labour as regular part of their duties:-

- (a) Manager;
- (b) Assistant Manager;
- (c) Mill Secretary;
- (d) Deputy Mill Secretary;
- (e) Labour Officer;
- (f) Security Officer;
- (g) Heads of Technical Department;
- (h) Engineers;
- (i) Assistant Engineers;
- (j) Foreman ;
- (k) Assistant Foreman;
- (l) Chargeman ;
- (m) Overseers ;
- (n) Jobbers in Textile Factories;
- (o) Supervisors;
- (p) Shift Officer;
- (q) Shift Incharge;
- (r) Paper makers;
- (s) Head Storekeepers provided they are employed solely in a supervisory capacity; and
- (t) any other person, who in the opinion of the State Government holds a position of supervision or management and is so declared

by it in writing by way of an order.

(4) In sugar factories, the following persons shall be deemed to hold positions of supervision or management:-

- (a) The General Manager;
- (b) The Manager;
- (c) The Mill Secretary;
- (d) The Deputy Mill Secretary;
- (e) The Cane, Manager;
- (f) The Cane Superintendent, where there is no Cane Manager;
- (g) The Chief Chemist;
- (h) The Labour Welfare Officer;
- (i) The Chief Engineer;
- (j) The Secretary to the Managing Agent or the Personal Assistant to the General Manager;
- (k) The Cane Development Officer;
- (l) Heads of Commercial Department, like, accounts, purchase, store, legal catering, etc.; and
- (m) any other person who, in the opinion of the State Government, holds a position of supervision or management and is so declared by it in writing by way of an order.

(5) The following persons shall be deemed to hold confidential positions in a factory:

- (a) Stenographers;
- (b) Personal Assistants;
- (c) Personal Secretaries;
- (d) Office Superintendent;
- (e) Head Clerk, where there is no Office Superintendent;
- (f) Head Munim where there is no Office

		<p>Superintendent or Head Clerk;</p> <p>(g) Head Accountant;</p> <p>(h) Head Cashier;</p> <p>(i) Cashier;</p> <p>(j) Head Time-keeper;</p> <p>(k) Telephone Operator;</p> <p>(l) Receptionist; and</p> <p>(m) any other person, who in the opinion of the State Government, holds a confidential position and is so declared in writing by it by way of an order.</p> <p>(6) The list of all persons mentioned in sub-rules (1), (2) and (3) shall be kept and maintained in a register in <b>Form-XLV</b>.</p> <p>(7) <b>For continuous process factories, provisions of section 26 and 27 and rules made thereunder, shall be exempted to such an extent as prescribed in Schedule-II.</b></p>
<b>Record of Inspection</b>	<b>133</b>	<p>A note of all defects and irregularities discovered at the time of inspection by an Inspector-cum-Facilitator, or a Medical Officer, shall be prepared by him, in triplicate in the inspection book maintained under Rule 57, giving reference to relevant sections of the Code and Rules, the breach of which has been committed.</p>

## PART-VI PLANTATION

<b>Housing accommodation</b>	<b>134</b>	<p>(1) Every employer shall provide for every worker and his family residing in a plantation, rent free housing accommodation as near as possible to the place of work. It shall be open to an employer to provide such accommodation in the course of several years provided that houses shall be built at least five per cent of the resident workers every year.</p> <p>(2) All housing accommodation for workers in a plantation shall conform to such standards and specifications as may be approved by the State</p>
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		<p>Government on the recommendation of the Advisory Board.</p> <p>(3) The housing accommodation shall be provided on dry well-drained land which, consistent with the requirements regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance. In malarial tracts the houses shall be provided at a safe distance from the swamps and marshes and above the highest flood level.</p> <p>(4) Adequate lighting arrangements shall be provided in and around the area in which housing accommodation is provided.</p> <p>(5) 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.</p> <p>(6) The employer shall not deny to the public free access to those parts of the plantation where the workers are housed.</p> <p>(7) The employer shall cause the vicinity of all houses to be kept clear of refuse and excreta and the latrines and drains to be cleaned out daily and all refuse in or near them to be collected, removed and disposed of hygienically.</p>
<p><b>Housing Scheme</b></p>	<p><b>135</b></p>	<p>(1) Within six months of the date of publication of these rules, every employer shall submit to the Chief Inspector of Plantations for approval a scheme in regard to the provision by him of housing accommodation for workers.</p> <p>(2) The scheme shall provide for the following matters:-</p> <ul style="list-style-type: none"> <li>(a) specification of the period during which housing accommodation is proposed to be provided in respect of all resident workers in a plantation;</li> <li>(b) the type design which is proposed to be adopted for the construction of houses, such design being in conformity with the standards and specification as may be approved by the State Government;</li> <li>(c) plan and site-plan, in duplicate, of the buildings to be constructed or remodelled for use as</li> </ul>

		workers' houses.
		(3) All houses shall be built in accordance with the scheme as approved in writing by the Chief Inspector of Plantations. With a view to showing the progress made in providing houses according to the approved scheme every employer shall submit to the Chief Inspector of Plantations a report in Form No. 4 on July 31 every year.
<b>Maintenance of houses</b>	<b>136</b>	<p>(1) The employer shall, at his own expense, execute such repairs to the houses as may be required from time to time and maintain the houses in fit and safe condition for occupation.</p> <p>(2) A worker occupying a house may, and an Inspector appointed under the Code shall bring to the notice of the employer any defect in the condition of a house which made it dangerous to the health and safety of the workers. Where an Inspector so brings such defects to notice, it shall be the duty of the employer to rectify them without any delay.</p> <p>(3) The employer shall get all the houses lime-washed at least once every year and all the doors, windows and other wooden structure varnished or painted once in three years. A record of dates on which lime-washing or painting was carried out shall be maintained by the employer as specified by State Government by general or special order.</p>
<b>Allotment and occupation of houses</b>	<b>137</b>	<p>(1) Houses shall be allotted on the basis of one house for a worker having a family for the use of the worker and his family:</p> <p style="padding-left: 40px;">Provided that if there are two or more workers in a family only one house shall be allotted in respect of any such family in the name of any worker in the family:</p> <p style="padding-left: 40px;">Provided further that in case, of termination of services of a worker in whose name a house is allotted under the preceding proviso, the house shall be allotted in the name of any other member of his family who is a worker.</p> <p>(2) The employer may allot houses to workers not having families at the rate of one house for not more than four such workers.</p>

		<p>(3) The occupant of a house shall not make any unauthorized additions to or alterations in the house.</p> <p>(4) The occupant of a house shall not exchange the house with the occupant of another house except with the written permission of the employer.</p> <p>(5) The occupant shall not let the house or any portion thereof to any person.</p> <p>(6) All workers and members of their families occupying the houses shall use the latrines provided and shall not pollute the soil and shall keep the houses and the precincts thereof clean and tidy and shall not waste drinking water.</p> <p>(7) No cattle or goats shall be kept in the living rooms or verandahs and no windows or air spaces shall be blocked up.</p> <p>(8) The employer shall bring to the notice of each worker to whom housing accommodation has been provided the conditions governing the occupation of such accommodation in writing in a language which the latter can understand.</p>
<p><b>Occupation of 138 accommodation after termination of employment</b></p>		<p>When a worker dies in the service of the employer or retires or goes on transfer, or resigns, or goes on leave or when his services are terminated, he or his family may retain the house up to the period as detailed below:</p> <ul style="list-style-type: none"> <li>(a) in the case of death, transfer or termination of service, for a period not exceeding two months;</li> <li>(b) in the case of retirement or resignation, for a period not exceeding one month;</li> <li>(c) in the case of leave, for the period of leave ; and</li> <li>(d) in the case where discharge or dismissal of a worker results in an industrial dispute, for so long as the case is not finally disposed of.</li> </ul>
<p><b>Drinking Water</b></p>	<p><b>139</b></p>	<p>(1) An adequate supply of drinking water shall be made available in every plantation at every sites, at all times during working hours.</p> <p>(2) Drinking water shall not be supplied from any open well or reservoir unless it is so constructed, situated,</p>

		<p>protected and maintained as to free the possibility of pollution by chemical or bacterial and extraneous impurities.</p> <p>(3) Where drinking water is supplied from such well or reservoir, the water in it shall be sterilized periodically, as required by the Inspector by written order, and the date on which sterilizing is carried out shall be recorded: Provided that this requirement shall not apply to any such well or reservoir if the water therein is filtered and treated before it is supplied for consumption.</p> <p>(4) The Inspector-cum-Facilitator may, by order in writing, direct the employer to obtain at such time or at such intervals as he may direct, a report from the Health Officer or the Certifying Surgeon, regarding the fitness for human consumption of the water supplied to workers, and in every case shall submit to the Inspector a copy of such report as soon as it is received from the Health Officer or Certifying Surgeon.</p> <p>(5) Drinking water shall be supplied at work sites at conveniently accessible points through panwalas or by tankers, etc.</p>
<p><b>Latrine accommodation</b></p>	<p><b>140</b></p>	<p>(1) Latrine accommodation shall be provided in every plantation on the scale of one latrine for every fifty acres of the area under cultivation or part thereof:</p> <p>Provided that there shall be at least one latrine each for either sex.</p> <p>(2) The latrine shall be conveniently situated and shall have exclusive access for either sex.</p> <p>(3) The walls, ceilings and partitions of every latrine and urinal shall be white-washed and colour-washed and the white-washing or colour-washing shall be repeated at least once in every period of four months.</p> <p>(4) The latrine should conform to public health requirements and latrines other than those connected with an efficient water-borne sewage system, shall comply with the requirements of the Public Health authorities.</p> <p>(5) Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and</p>

		<p>fastenings.</p> <p>(6) Where workers of both sexes are employed, there shall be displayed outside each latrine or latrine block, a notice in Hindi and also in the language understood by the majority of workers “For Men Only” or “For Women only”, as the case may be. The notice shall also bear the figure of a man or of a woman, as the case may be.</p> <p>(7) Where piped water supply is available, a sufficient number of water taps, conveniently accessible shall be provided in or near such latrine accommodation:</p> <p style="padding-left: 40px;">Provided that if piped water supply is not available, sufficient quantity of water shall be kept stored in suitable receptacles near the latrines.</p>
<b>Urinal accommodation</b>	<b>141</b>	<p>(1) Urinal accommodation shall be provided on the scale of one urinal for every 10 acres of the area under cultivation or part thereof. The urinals shall be conveniently situated for both males and females and shall be exclusive for either sex.</p> <p>(2) Urinals should conform to public health requirements, urinals other than those connected with an efficient water-borne sewage system shall comply with the requirements of the Public Health authorities.</p>
<b>Construction and maintenance of drains</b>	<b>142</b>	<p>All drains carrying waste or sullage water shall be constructed in masonry or other impermeable materials and shall be regularly flushed, and the effluent shall be disposed of by connecting such drains with a suitable drainage line :</p> <p style="padding-left: 40px;">Provided that where there is no such drainage line, the effluent shall be deodorized and rendered innocuous and then disposed of in a suitable manner to the satisfaction of the Health Officer.</p>
<b>Creches</b>	<b>143</b>	<p>(1) In every plantation wherein fifty or more women workers are employed or were employed on any day of the preceding twelve months, the employer shall provide and maintain a creche or creches for the use of their children who are below the age of six years according to the standards laid down in these rules.</p>

(2) Every creche shall be conveniently accessible to the mothers of the children accommodated therein.

(3) There shall be not less than 15 square feet of floor area for each child to be accommodated in a creche.

(4) The building in which the creche is situated shall be of sound construction with a good plinth.

(5) The plan of the creche building shall be in accordance with the standard plan or plans laid down by the Chief Inspector:

Provided that where no standard plan has been laid down or where it is proposed to deviate from a standard plan, the Chief Inspector's approval shall be obtained.

(6) The creche shall be furnished with suitable furniture and a cradle for each child below the age of two.

(7) A suitably fenced and shady open air playground shall be provided for the older children.

(8) The employer shall appoint—

(a) a woman as Creche-in-charge to look after children during the absence of their mothers, who shall possess such qualifications and training as may be approved by the State Government; and

(b) such other staff on a scale approved by the said authority.

(9) There shall be in or adjoining the creche a suitable washroom and toilet.

(10) At least half a pint of clean pure milk if possible, otherwise powdered milk approved by the Certifying Surgeon shall be made available for each child on every day such child is accommodated in the creche and the mother of such child shall be allowed in the course of her daily work two intervals of sufficient time to visit the creche and feed the child. For children above two years of age there shall be provided in addition to the above, an adequate supply of wholesome refreshment.

(11) The creche staff shall be provided with suitable clean clothes for use while on duty in the creche.

(12) An adequate supply of clean clothes, soap and oil shall be made available for each child while such child is

in the creche.

(13) Subject to provisions of the above mentioned sub-rules, a group of employer may jointly provide and maintain crèche and share its expenses.

**Educational facilities' 144  
for workers' children**

(1) Every employer shall, if the number of workers' children between the ages of 6 and 12 in his plantation exceeds 25, provide and maintain a primary school or schools for imparting primary education to the children:

Provided that an employer may not provide and maintain a primary school if there is one under the direct management of the State Government or of any local body for imparting free education to the children up to the primary or higher standard, with enough seats to admit the children between the ages of six and twelve of the workers in his plantation and within a distance of one mile from the place where workers reside in his plantation, or if under any other law he is required to pay a cess or tax for primary education:

Provided further that subject to the provisions of, a group of employers may jointly provide and maintain a primary school and share its expenses.

(2) Every school to be provided and maintained shall be conveniently situated within a distance of one mile from the workers' quarters.

(3) The school building shall be constructed in accordance with the standard plan or plans which may be laid down by the State Government:

Provided that where there is no standard plan or where it is proposed to deviate from a standard plan, the State Government's approval of the plan of the school building shall be obtained.

(4) Where adequate space is available, an open air playground with suitable accessories shall also be provided for the children attending the school.

(5) The employer or employers, as the case may be, shall provide for every primary school maintained under these rules, such educational and other equipment as may be considered necessary by the State Government.

(6) The employer or employers concerned shall appoint one teacher for every forty children attending the

		<p>primary school. The teacher shall possess the qualifications prescribed by the State Government for teachers in Government primary schools: Provided that in the case of any person who is working as a school teacher in a plantation at the commencement of these rules, the State Government may, subject to such conditions as it may specify, relax any of the qualifications.</p> <p>(7) The curriculum, duration, standard and syllabus of the course of instruction to be imparted in the primary school shall be such as may be approved by the State Government.</p> <p>(8) No fees shall be charged from the workers' children attending the primary school.</p>
<b>Health facilities</b>	<b>145</b>	The plantation workers shall be provided with adequate medical facilities as notified by State Government in consultation with the Department of Medical Health and Family Welfare from time to time.
<b>Recreation Facilities</b>	<b>146</b>	<p>(1) Every employer shall provide and maintain:-</p> <p>(a) a recreation centre or centres for workers with provision for indoor games suitable for adult and child workers;</p> <p>(b) where adequate flat open space is available within a reasonable distance, a playground or playgrounds for adult and child workers with necessary sports equipment for outdoor games:</p> <p>Provided that a group of employers may with the approval of the Chief Inspector, provide and maintain joint recreation centres and playgrounds and share their expenses.</p> <p>(2) Every recreation centre to be provided and maintained under these rules, shall be conveniently situated as near as possible to the worker's quarters.</p>
<b>Use and handling of hazardous chemicals, Insecticides, pesticides and toxic substances</b>	<b>147</b>	The State Government may in consultation with experts, as it deems necessary, by notification provide guidelines for the use and handling of hazardous chemicals, insecticides, pesticides and toxic substances.



<p><b>in the plantation</b></p>	<p>and special safeguards for employment of women or adolescents in using and handling hazardous chemicals, and periodical examination of worker, who is exposed to insecticides, pesticides, chemicals and toxic substances.</p>
<p><b>Display of Notice 148 indicating hazards of insecticides, pesticides, chemicals and toxic substances</b></p>	<p>Every employer of a plantation shall exhibit the following precautionary notice at or near the place where the insecticides, chemicals and toxic substances are handled-</p> <ul style="list-style-type: none"> <li>(a) Use protective clothing like overalls, gloves, rubber gum-boots and wide brimmed hats.</li> <li>(b) Do not wear clothes contaminated with insecticides and pesticides.</li> <li>(c) Clean the protective clothing by washing with soap and water.</li> <li>(d) Do not allow children, sick persons and pregnant women and nursing mothers to handle insecticides and pesticides.</li> <li>(e) Do not eat, drink, smoke or chew while handling insecticides and pesticides.</li> <li>(f) Never blowout clogged nozzles with your mouth.</li> <li>(g) Do not use leaking sprayers. Avoid contamination of the skin, mouth and eyes.</li> <li>(h) Do not inhale the insecticides unattended in the fields.</li> <li>(i) Never spray insecticides and pesticides against the wind.</li> <li>(j) Do not leave insecticides and pesticides unattended in the fields.</li> <li>(k) Do not allow humans and livestock to enter the insecticides and pesticides sprayed fields for a period of time suggested by the manufacturers.</li> <li>(l) Do not wash insecticides and pesticides containers near a well or running stream.</li> <li>(m) Keep clean water, soaps and towels ready for use.</li> <li>(n) Wash hands and exposed skin thoroughly with soap and water before eating, drinking or smoking.</li> </ul>

or chewing after work.

- (o) Keep the insecticides and pesticides locked in the store room and out of reach of children and other unauthorised persons.
- (p) Do not enter the spread fields. Follow the re-entry periods for all insecticides and pesticides, including herbicides, suggested by the manufacturers.
- (q) Keep insecticides and pesticides in their original labelled containers.
- (r) Do not decant insecticides and pesticides into and label containers, except for immediate use.
- (s) Dispose the containers safely after thoroughly emptying and washing. They may be buried in a place away from the water source.
- (t) Never use the container for any other purposes, if it is impossible to remove the traces of insecticide and pesticides from the containers.

## CHAPTER-X OFFENCES AND PENALTIES

**The manner of 149  
composition of  
offences under section  
114**

(1) An accused person desirous of making composition of offence under sub-section (1) of section 114 may make an application in **Form-XLVI** appended to these rules, electronically or otherwise to the following Gazetted Officers, hereinafter referred to as the Compounding Officer:

<b>SL. No.</b>	<b>Name of establishments</b>	<b>Compounding Officers</b>	<b>Area of jurisdiction</b>
1	Contract Labour	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
		All Additional/ Deputy Labour Commissioners, Uttar Pradesh posted in head office.	Whole of Uttar Pradesh
		All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction
2	Inter-State migrant	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh

	workers	All Additional/ Deputy Labour Commissioners, Uttar Pradesh posted in head office.	Whole of Uttar Pradesh
		All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction
3	Audio-visual workers	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
		All Additional/ Deputy Labour Commissioners, Uttar Pradesh posted in head office.	Whole of Uttar Pradesh
		All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction
4	Beedi and Cigar Workers	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
		All Additional/ Deputy Labour Commissioners, Uttar Pradesh posted in head office.	Whole of Uttar Pradesh
		All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction
5	Building or Other Construction Workers	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
		All Additional/ Deputy Labour Commissioners, Uttar Pradesh posted in head office.	Whole of Uttar Pradesh
		All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction
		Chief Inspector-cum-Facilitator of Factories (for sections and rules related to safety and health)	Whole of Uttar Pradesh
		All Zonal Deputy Chief Inspector-cum-Facilitator of Factories (for sections and rules related to safety and health)	With the area of their jurisdiction
6	Factories	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
7	Plantation	Labour Commissioner, Uttar Pradesh	Whole of Uttar Pradesh
		All Additional/ Deputy	Whole of

	Labour Commissioners, Uttar Pradesh posted in head office.	Uttar Pradesh
	All regional Additional/ Deputy Labour Commissioners	With the area of their jurisdiction

(2) The Compounding Officer referred to in sub-rule (1), shall, on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable, he shall send the notice to the accused person in **Form-XLVII**.

(3) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence as provided under sub-section (1) of Section 114 of the Code for such offence, to be paid by the accused within the time specified in the notice of composition issued by such officer in **Form-XLVII** and if the prosecution has not been instituted against the accused, no complaint for prosecution shall be instituted against the accused.

(4) If the offence is compounded after the institution of prosecution, the Compounding Officer shall inform the Competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.

(5) The Compounding Officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government.

## CHAPTER-XI SOCIAL SECURITY FUND

<b>Social Security Fund</b>	<b>150</b>	The Social Security Fund as established by State Government of Uttar Pradesh under clause (ii) of sub-section (5) of section 141 of the Code on Social Security, 2020 (Act no. 36 of 2020) and rules made thereunder, shall be the Fund to be utilized for the purposes of section 115 of the Code.
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## CHAPTER-XII MISCELLANEOUS

<p><b>A minor of survey on situation relating to safety and health under sub-section (2) of section 121</b></p>	<p><b>151</b></p>	<p>(1) The Chief Inspector-cum-Facilitator or Competent Officer or the Committee so appointed by the State Government to undertake survey in accordance with the provisions of sub-section (2) of section 121 of the Code, may at any time during the normal working hours of an establishment, or at any other time as informed by him of 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 the in-charge of the establishment. undertake survey relating to safety and health in the establishment and outside.</p> <p>(2) Employer or manager or other person shall afford all facilities for the survey including facilities for the examination and testing of plant and machinery and collection of samples and other data relevant to the survey.</p> <p>(3) For the purpose of facilitating surveys every worker and person in nearby 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.</p> <p>(4) 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.</p>
<p><b>Plantation of trees</b></p>	<p><b>152</b></p>	<p>The occupier of a factory employing ordinary hundred or more workers shall plant and maintain trees within the precincts of the factory. The number, type and layout of trees to be planted shall be got approved by the forest officer of the area or any other qualified Horticulturist.</p>

**By Order,**

**( Suresh Chandra )  
Additional Chief Secretary.**

**SCHEDULE-I**  
**{See sub rule (1) of Rule 4}**

SI No .	Section or rule under which competency is recognised	Qualifications required	Experience for the purpose	Facilities at his command
1	2	3	4	5
1	Rules made under Section 79 and <i>Section 2(1)(l)</i> Certificate of stability for buildings.	A degree in Civil or Structural Engineering or a degree equivalent thereto.	(i) A minimum experience of 10 years in the design or construction or testing or repairs of structures; (ii) Knowledge of non-destructive testing, various codes of practices that are current and the effect of the vibrations and natural forces on the stability of the building.	Requisite facilities and tools required for the purpose.
2	Rules made under Section 18(2)(f) 'Dangerous Machines'.	A degree in Electrical or Mechanical or Textile Engineering or a degree equivalent thereto.	A minimum experience of 7 years 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—be conversant with safety devices and their proper functioning.	Gauges for measurement; instruments for measurement of speed and any other equipment or device to determine the safety in the use of dangerous machines.
3	Section 18(2)(f) —Lifts and Hoists'	A degree in Electrical or	(i) A minimum experience of 7	Facilities for load testing,

		Mechanical Engineering or a degree equivalent thereto.	years in— (a) design or erection or maintenance; or (b) inspection and test procedure of Lifts and Hoists. (ii) He shall be— (a) conversant with relevant codes of practices and test procedures that are current; (b) conversant with other Statutory requirements covering the safety of the Hoists and Lifts.	tensile testing, gauge, equipment gadgets for measurement and any other equipment, required for determining the safe working conditions of Hoists and Lifts.
4	Section 18(2)(f) —Lifting Machines, chains, ropes, and lifting tackles.	A degree in Electrical or Mechanical or Metallurgical Engineering or a degree equivalent thereto.	(i) A minimum experience of 7 years in— (a) design or erection or maintenance; or (b) testing, examination and inspection of lifting machines, chains, ropes and lifting tackles. (ii) He shall be— (a) conversant with the relevant code 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	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 machines, chains, ropes and lifting tackles.

			applicable to stress bearing components and parts of lifting machines and lifting tackles.	
5	Section 18(2)(f) –‘pressure plant’	A degree in Chemical or Electrical or Metallurgical or mechanical Engineering or a degree equivalent thereto.	(i) A minimum experience of 10 years in— (a) design or erection or maintenance, or (b) testing, examination and inspection of pressure plants. (ii) He shall be— (a) conversant with the relevant codes of practice 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 equipments/gadgets for measurement and other equipment or gauges to determine the safety in the use of pressure vessels.
6	Section 18(2)(f) -‘precautions against dangerous fumes’.	A Master’s degree in Chemistry or a degree in Chemical Engineering.	(i) A minimum experience of 7 years in collection and analysis of environmental samples and calibration of monitoring equipment; (ii) He shall—be conversant with the hazardous	Meters, instruments and devices duly calibrated and certified for carrying out the tests and certifications of safety in working in



			properties of chemicals and their permissible limit values;	confined spaces.
7	Ventilation system as required under various Schedules framed under Section 82 such as Schedules on— (i) grinding or glassing of metals and Processes incidental thereto. (ii) cleaning or smoothing, roughening, etc. of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam. (iii) handling and processing of asbestos. (iv) manufacture of Rayon by viscose process, (v) foundry operations (vi) welding processes	A degree in Mechanical or Electrical Engineering a Degree equivalent thereto.	(i)- A minimum experience of 7 years in the design, fabrication, installation, testing of ventilation systems 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 test procedures that are current in respect of Ventilation and extraction system for fumes.	Facilities for testing the Ventilation system, instruments and gauges for testing the effectiveness of the extraction systems for dust, vapours and fumes and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a person having a postgraduate degree in Physics or diploma in Mechanical Engineering with at least 7 years of experience on related facilities.

**SCHEDULE-II**

**{See Rule 43}**

**Continuous Process Factories**

**1. The following classes of work in the under mentioned classes of factories shall be deemed to be of the nature of continuous process referred to in Rule 43 and shall be exempt from the provisions of section 26, section 27 and rule made therein to such a extent as stated in the conditions below-**

<b>Classes of Factories</b>		<b>Class of work</b>
1	Electrical generating stations and distributing sub-stations.	Work of workers attending to boilers turbines, engines, generators, motors, boosters, switchboards, transmissions machinery, cables, batteries and auxiliaries.
2	Water works and water pumping stations.	Work of workers attending to boilers, engines, motors, switchboards, pumps and auxiliaries.
3	Sugar factories and refineries working on the vacuum pan system.	Work of workers attending to- boilers, engines, motors, switchboards and pumps;  (b) handling and crushing cane and handling gur to melting blow-ups; (c) engaged in filtration, clarification and crystallisation of cane juice and gur liquor; (d) engaged in evaporation and concentration of cane juice and gur liquor; (e) engaged in curing the massacuite; (f) engaged in drying, crushing and bagging of sugar; (g) engaged in the burning of lime stone and sulphur, for production of carbon dioxide and sulphur dioxide gases, for the clarification of cane juice.
4	Distilleries	The work of workers attending to- boilers, engines, motors, switchboards and pumps;  (b) diffusion of mahua; (c) working of molasses; (d) fermentation of wash; (e) yeast propagation; (f) distillation process.
5	Breweries	The work of workers attending to- boilers, engines and pumps;  melting, coppers, hop back, coolers and refrigerators.
6	Rosin and Turpentine.	The work of workers attending to-

		<p>boilers, engines, pumps, motors and switch boards;</p> <p>distillation of rosin;</p> <p>refining of turpentine;</p> <p>filtration and casting of rosin.</p>
7	Ice factories	<p>The work of workers attending to-boilers and ice-making machinery;</p> <p>receptacles for the production of ice.</p>
8	Chemical works	<p>The work of workers attending to-boilers, pumps and compressors;</p> <p>the manufacture of sulphuric, nitric and hydrochloric acids, ammonia, magnesium sulphate, alum, hyposulphite and sulphite of soda, sodium sulphate, sodium sulphide, nitrate of potash, alumina and bi-chromate of potash.</p>
9	Distillation of sandal wood and essential oils.	The work of workers attending to boilers and distillation processes.
10	Plate and sheet glass factories and glass bangles factories.	<p>The work of the following classes of workers-gas producers, window and plate glass machine-men, tankmen, sheet-glass carriers and lift attendants and workers employed on glass blowing machines in tank and pot furnaces when run in conjunction with the glass furnace;</p> <p>firemen, engine and boiler attendants.</p>
11	Straw-boards factories.	<p>The work of workers attending to-boilers, engines, turbines, generators, motors, switch-boards and pumps;</p> <p>cooking, milling, beating and straw-board machines.</p>
12	Kiln, seasoning of timber and bobbin stone enamelling.	<p>The work of workers attending to-boilers, engines, pumps, motors, dynamos and switch-boards;</p> <p>timber, seasoning, Kiln;</p> <p>stone-enamellings chamber.</p>
13	Vegetable oil Hydrogenation factories.	The work of workers attending to-boilers, generators, motors, transformers, switch-boards and water softening plants;

		refining, bleaching, distillation (deodorisation) and hardening plants, soldering, labelling, packing and storing of containers;  the production and compression of hydrogen and oxygen gases;
14	Production and or compression of oxygen and acetylene gases.	The work of workers attending to generator and compressors.
15	Soap factories	The work of workers attending to-boilers, generators, motors, switch-boards;  boiling, scrutching and framing.
16	Paper mills	The work of workers attending to-boilers, engines, turbines, generators, motors, switch-boards and pumps;  cooking, milling, beating, straw-board and paper manufacturing machines.
17	Electrical steel smelting furnaces.	Work of workers attending to transformers, electrode controls, hydraulic pumps, scrap cutting and transporting, furnacemen, ladenmen, pitside workers and workers attending to moulds for ingot.
18	Rolling mills	Ingot transporters, furnace men, furnace coolies, tongsmen working at various rolling mills (such as rougher's and loopers) workers on the cooling bed, motormen, straighteners, workers engaged in stacking of finished material and attendants of shares and other auxiliary machinery.
19	Starch factories	Work of workers engaged in the manufacture of starch and its by-products, except those employed in the engineering departments and workshops.
20	Glue and gelatine mills.	Work of workers engaged in the manufacture of glue and gelatine including soaking, boiling, spreading, chopping and drying.
21	Biscuit factories	Work of workers engaged in the mixing of the dough, baking, drying, and packing biscuits.
22	Cement factories	The work of workers attending to - attending to boilers, engines, motors, switch-boards and pumps;  engaged in preparation of raw materials, cement mills, working in conjunction with the continuous Kilns, cement grinding, packing and storing.

23	Cold storage factories.	Work of workers attending to motors and compressors.
24	Capacitors making factories.	Work of workers engaged in Anodic, forming of Aluminium foils and other connected processes.
25	All factories	Work of workers attending boilers.
26	Manufacture of audio-video magnetic tape	The work of workers attending to-engaged in operations and process of mixing coating, calendaring, and utility services; and attending to planetary mixing machine, high speed dissolver, puddle mixer, media mill tank mixer, sand mill, filter unit; coating machine, calendaring machine; air compressors, air handling unit, chilling plant and cooling towers.
27	Petrol pump, CNG or other fuel filling station	Work of workers engaged in services of fuel filling by pumping of oil or any other manufacturing process.
28	Manufacture of fruit based beverages	The work of workers engaged in processes of the: Raw material section; Processing section; Packaging section; and Work attending to weighing machine, fork lift for material handling, battery, charging machine, D.M. plant, pulper pulp pressuriser and cooler, pulp and syrup tanks, blending tank, pasteuriser, ready juice tank, homogenizer, filling and packing machines, shrink wrapping, tray packing, oil packing and air blower and control boards.
29	Manufacture of polyester filament yarn	The work of workers; engaged in operations and processes of- Polymerisation;-Spinning and Take-up:-Draw twisting/draw texturizing  attending to boiler, diesel generator set, heat transfer media, compressor, water-treatment plant, slurry circulation vessel, and equipments used in processes specified in (a) above.
30	Manufacture of Television, Computer or Mobile monitors	The work of workers: engaged in operations and processes of; Shadow/Panel Mark Assembly; Stabilising & Baking Black matrix: Screen Coating: Aluminising: Panel Baking, Internal Magnetic Shield and Funnel Preparation; Frit Sealing, Gun Sealing, Exhaust;

		<p>and Aging Processes.</p> <p>Attending to Annealing furnace; Blackening, furnace; Maskwashing machine; Spot welding machine; Stab furnace; Coating machine; Phosphor recovery unit; Frit sealing/furnace; Exhaust furnace; Frit mixer; Blending and taping machine; Scrubbers; Heat exchangers; Air handling units; Pumps; Motors and Chillers</p>
31	Manufacture of Polyester film/polypropylene film rolls.	<p>The work of workers : engaged in operations and processes of : Batch Mixing, Crystallising and Drying Extrusion, Casting and Primary Gauzing: Orientation of Molecule in Machine Direction/Transverse Direction; Secondary Gauge System; Winding, Film Trim Cutting and Gauge Monitoring; Winding of Film on Steel Core; Slitting and Packing</p> <p>attending to: Feeder, Mixer, Crystallizer, Dryer; Extruder; Casting and Primary Gauge Machine; Machine Direction Orientater; Transverse Direction Orienter, Pull Roll Stand Secondary Gauge Equipment; Winder; Slitting and Packing Machine; Printing Machine; Laminator, and Extrusion Laminator; Pouch Making Machine.</p>
32	Manufacture of CD-R & CD-RW	<p>The work of workers: engaged in operations and processes of: Mixing; Moulding, Dye Coating, Image Printing, Drying; Sputtering, Lacquer Dispensing; and UV Curing.</p> <p>attending to : Plannery, Tere mixing, High speed dissolver; Puddle mixture; Media mill; Tank mixer; Sand mill filter unit; Coating machine; Calendering machine; Air compressors; Air handling units; Chilling plant; D.G. sets, and Cooling towers.</p>
33	Manufacture of Refrigerators	<p>The work of workers: engaged in Vacuum Forming Process, PU Foaming Process, Assembly Line, Brazing and Cold Roll Forging (CRF) operations,</p> <p>attending to Vacuum Forming Machine, PU Foaming Machine, Brazing Machine, Pick and Place Machine, Paint booths, Coolers/Chiller, air compressors, Cooling Towers, Diesel, Generating</p>

		sets, Cold Roll Forging (CRF) Machine and Press Machines.
34	Manufacture Washing Machine	The work of workers: engaged in Injection Moulding Operation, Cold Roll Forging (CRF) and assembly operation.  attending to Moulding Machine, Pick and Place Machine, Curing Machine, Coolers/Chiller, Air Compressor, heat exchanger, Paint booths, Diesel

**The Chief Inspector-cum-Facilitator with the prior approval of Labour Commissioner, Uttar Pradesh, may declare, in writing, stating reasons for such declarations in details, any other classes of work or classes of factories for any technical reason, as a continuous process by his general or special order.**

**Conditions:**

**Such worker shall be employed on three eight-hour shifts system. An interval for rest of half an hour shall be allowed to every such worker some time during each shift he is required to work.**

**No such workers shall be employed for more than fourteen consecutive days without a holiday of twenty-four consecutive hours.**

**The total daily hours of work shall not exceed 10 with a spread over of 12 hours except in an emergency when it is necessary to employ a shift worker for more than 8 hours in any day to enable him to work whole or part of the subsequent shift. In no case shall the worker be employed for more than 16 hours in a period of 24 hours from the commencement of work, and the total number of hours of overtime shall also not exceed 115 in any quarter:**

**Provided that where subsequent shift or any part thereof during which a shift worker is employed as aforesaid falls on a weekly holiday, compensatory period of rest shall also be given on a day which is neither a festival nor a weekly holiday.**

The Manager shall also enter the period of extra time worked and the extent of compensatory period of rest in the respective registers and shall note therein the time of commencement of such extra time work before its commencement.

The system of shifts shall be approved by an Inspector-cum-Facilitator before enforcement.

All workers working in excess of 8 hours a day or 48 hours a week in a factory shall be paid in respect of such additional hours at the rate of twice the ordinary rate of any in accordance with the provisions of Section 27 of the Code.

Every worker shall be given a compensatory holiday in accordance with Section 26 of the code and rule therein.

**SCHEDULE FOR DANGEROUS OPERATIONS**  
(Safety, Welfare amenities, Protective Equipments and Medical Examinations etc.)

[See Rule 104]

**SCHEDULE- III**  
**MANUFACTURE OF AERATED WATERS AND PROCESSES INCIDENTAL**  
**THERE TO**

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

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

- (a) suitable face-guards to protect the face, neck and throat, and
- (b) suitable gauntlets for both arms to protect the whole-hand and arms:

Provided that—

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



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

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

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

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

#### SCHEDULE-IV ALL TYPES OF ELECTROPLATING PROCESS

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

(a) "*Electrolytic process* " means the electrolytic plating or oxidation of metal articles.

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

(c) "*Employed*" means in paragraphs 5, 6, 7 and 8 of this schedule, employed in any process involving contact with liquid from a bath and.

(d) "*Suspension*" means suspension from employment in any process involving contact with liquid from any bath by written certificate in the health register, signed by the Factory medical officer, who shall have power of suspension as regards all persons employed in any such process.

2. *Exhaust draught*.— An efficient exhaust draught shall be applied to every vessel in which an electrolytic chromium processes 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 nearby as may be at the point of origin. The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

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

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

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

(a) Water-proof aprons and bibs, and

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

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

**6. *Medical facilities and record of examinations and tests.*** - (1) The occupier of every factory in which electrolytic processes are carried on shall-

(a) employ a Factory Medical Officer for medical surveillance of the workers employed therein, and

(b) provide to the said Factory medical officer all the necessary facilities for the purposes referred to in clause (a):and

(c) provide and maintain a sufficient supply of suitable ointment and impermeable waterproof plaster in separate box readily accessible to the worker and use solely for the purpose of keeping the ointment and plaster.

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

(3)The record of medical examinations and appropriate tests carried out shall be maintained in health register Form-VII, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**7. *Medical examination-(1)*** Every worker employed in the electrolytic processes shall be examined by a Factory medical officer within 15 days of his first employment. Such examination shall include tests for chromium in urine and nasal septum perforation. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Factory Medical Officer.

(2) Every worker employed in the said process shall be re-examined by Factory Medical Officer at least once in every three calendar months. Such re-

examination shall, wherever the Factory Medical Officer considers appropriate, include tests as specified under sub-paragraph (1).

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

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum facilitator.

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

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

8. *Cautionary placard.*— A cautionary placard in the form specified by the Chief Inspector-cum-Facilitator and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

9. *Weekly examination.*— Where chrome plating is done the Factory Medical Officer shall examine the worker weekly and inspect the hands forearms of the persons employed and shall keep a record of such inspections in a register.

## SCHEDULE-V

### MANUFACTURE AND REPAIRS OF ELECTRIC ACCUMULATORS:

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

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

"First employment" means first employment in a lead process in the factory or workshop and shall also include re-employment said process following any

cessation of employment for a continuous period exceeding three calendar months.

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

"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 transfer by means of an implement from one operation to another.

"Suspension" means suspension from employment in any lead process by written certificates in the Health Register (Form No. VIII) signed by the Factory Medical Officer, who shall have power of suspension as regards all persons employed in any such process .

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

4. *Separation of certain processes*.— Each of the following Process 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 500 cubic feet of air space for each person employed therein, and in computing this air space no height over 12 feet shall be taken into account.

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

7. *Distance between worker in the 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 conditions ;and
- (c) kept free from materials, plant or other obstruction not required for, or produced in, the process carried on in the room.

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

(3) In grid casting shops the floor shall be 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. *Workbenches.*— 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 dampened or by means of a suction cleaning apparatus, at a time when no other work is being carried on thereat;  
and, all such work-benches in grid casting shops, shall—
- (d) be cleansed daily;and every work-bench used for pasting shall—
- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges ;and
- (g) be kept constantly moist while pasting is being carried on.

10. *Exhaust draught.*— (1)The following process shall not be carried on without the use of an efficient, exhaust draught:

- (a) Melting of lead or materials containing lead ;
- (b) Manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the workroom ;
- (c) Pasting;
- (d) Trimming, brushing, filing or any other abrading or cutting of pastered 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.

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

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

12. *Container of 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.*— (1)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.

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

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

(a) employ a Factory Medical Officer for medical surveillance of the workers employed therein.and

(b) provide to the said Factory medical officer all the necessary facilities for the

purposes referred to in clause (a)

16. *Medical examination.* —Medical examination by factory medical officer

(1) Every worker employed in lead processes shall be examined by a factory 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 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 Certifying Surgeon.

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

(3) The Factory Medical officer after examining workers shall issue Certificate of Fitness in Form-VIII. The record of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

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

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

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

**17. Protective clothing .—**(1)Protective clothing shall be provided and maintained in good repair for all persons employed in—

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

and such clothing shall be worn by the persons concerned.

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

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

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

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

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

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

20. *Washing facilities*.—(1)There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in a lead processes :

(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 such five persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than 2 feet; or

(ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having 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 nail brushes.

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

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

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



**22. *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.**

**23. *Food, drink, etc. prohibited in work-rooms*.— No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any workroom in which any lead process is carried on.**

## **SCHEDULE-VI**

### **GLASS MANUFACTURE AND PROCESS INCIDENTAL THERETO**

**1. *Exemption* .—If the Chief Inspector-cum -Facilitator is satisfied in respect of any factory or any class of process that, owing to the special methods of work or the special conditions in a factory or otherwise, any of the requirements of this schedule can be suspended or relaxed without danger to the persons employed therein, or that the application of this schedule or any part thereof is for any reason impracticable, he may by a certificate in writing authorised 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 purposes of this schedule—**

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

**(b) "*First Employment*" means first employment in the Process specified in paragraph 3 and on glass blowing and shall also include re-employment in such Process following any cessation of employment for a continuous period exceeding three calendar months, and**

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

**The method of treatment shall be as follows :**

**A weighed quantity of the material, which has been dried at 100°C. and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid**

containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

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

- (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 hydrochloric acid fumes or ammoniacal vapours are given off;
- (d) all processes in the making of furnace mould or "pots" including the grinding or crushing of used "pots"; and
- (e) all processes involving the use of a dry lead compound; and
- (f) any other operation which omits dust, vapour or gas or mist or smoke or soot while further processing the glass bangles or other glass products by joining, grinding, decorating, annealing, remelting, painting, printing, abrasive blasting, etching, marking etc.

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

5. *Floors and workbenches.*— 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:

- (a) the floors shall be—
  - (i) of cement or similar material so as to be smooth and impervious to water;
  - (ii) maintained in sound conditions; and
  - (iii) cleansed daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.
- (b) The work-benches shall—
  - (i) have a smooth surface and be maintained in sound condition, and

(ii) be cleansed daily either after being thoroughly dampened or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat.

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

(a) there shall be inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room;

(b) the floor shall be covered with gutta-percha and be tight and shall slope gently down to a covered drain;

(c) the work places shall be so enclosed in projecting 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. *Food, drinks, etc. prohibited in workroom .*—No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any room or work place wherein any process specified in paragraph 3 is carried on.

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

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

(a) a wash place with either—

(i) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time, and having a constant supply of water from taps 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

**(b) a sufficient supply of clean towels made of suitable materials renewed daily with a sufficient supply of soap or other suitable cleansing material and of nail brushes, and**

**(c) 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**

**11. Medical facilities and record of examination and tests.- (1) The occupier of every factory in which glass manufacturing processes are carried out, shall-**

**(a) employ a qualified Factory Medical Officer for medical surveillance of the workers employed and,**

**(b) provide to the said Factory Medical Officer all the necessary facilities for the purpose referred to in clause (a).**

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

**12. Medical examination by Factory Medical Officer.- (1) Every worker employed in processes specified in paragraph 3, processes specified below and on glass blowing shall be examined by a Factory Medical Officer within 15 days of his first employment. Such examinations shall include examination of eyesight, pulmonary functions tests and in suspected cases chest X-rays as well as tests for lead in urine of workers except those working on glass blowing. 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 Factory Medical Officer .**

**Processes:**

**- Preparation of Ghundi/Gulli and loams from the red-hot molten glass;**

**-Colouring, designing of loams, reheating and reshaping of loams;**

**-Manipulation of "Bangle-Coils" from reheated/designed loams on the belan or bangle drawing machines;**

**-Rotation of belan;**

**-Setting/separation of bangle-coils while manipulation of bangle is being done;**

**-Collection of bangle-coils at the other end of bangle drawing belan rod;**

**-Cutting of bangle-coils.**

**(2) Every worker employed in the said processes shall be re-examined by a Factory Medical Officer at least once in every twelve calendar months. Such re-**

examination shall, wherever the Factory Medical Officer considers appropriate, include tests as specified in sub-paragraph (1).

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

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector-cum-facilitator

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

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

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

**SCHEDULE-VII**  
**GRINDING OR GLAZING OF METALS AND PROCESSES INCIDENTAL**  
**THERE TO:**

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 every or similar abrasive.

(c) "Grinding" means the abrading 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 revolving grindstone before it is brought into use for the first time.

(f) "Hacking" means the chipping of the surface of a grindstone by a hack or similar tool.

(g) "Rodding" means the dressing of the surface of revolving grindstone by the application of a rod, bar or strip of metal to such surface.

2. *Exceptions.* —(a) 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.

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

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

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

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

a fan or other efficient means of producing a draught sufficient to exhaust the dust:

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

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

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

**5. *Glazing.*** —Glazing or other processes, except process 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 is laid on at the upper surface of the grindstone, (b) adequate appliances for the interception of dust are provided in accordance with the requirements of paragraph 3.

**7. Examination of dust equipment.**—(1) 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.

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

**8. *Medical facilities and record of examinations and tests.*** - (1) The occupier of every factory in which grinding or glazing of metals are carried out and wherein 50 or more workers are employed, shall-

(a) employ a Factory medical officer for medical surveillance of the workers employed therein, and

(b) provide to the said Factory medical officer all the necessary facilities for the purposes referred to in clause (a).

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in health register Form-VII, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**9. *Medical examination by Factory medical officer.*** - (1) Every worker employed in grinding or glazing of metal and processes incidental thereto shall be examined by a Factory medical officer within 15 days of his first employment. Such examinations shall include pulmonary function tests and in suspect cases chest X-rays. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by a Factory medical officer.

(2) Every worker employed in the said processes shall be re-examined by a Factory medical officer at least once in every 12 calendar months. Such re-examination shall, wherever the Factory medical officer considers appropriate, include tests as specified in sub-paragraph (1).

(3) The Factory Medical Officer after examining a worker shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out

under sub-paragraphs (1) and (2), including the nature and the results of the test, shall also be entered by the Factory Medical Officer in a health register in Form VII.

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

(5) No person who has been found unfit to work as said in sub-paragraph (4) 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.

10. *Exemption.* - The Chief Inspector-cum-Facilitator may by certificate in writing, subject to such conditions as he may specify therein, relax or suspend any of the provisions of 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 of the persons employed.

## SCHEDULE-VIII

### 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 such provisions, subject to such condition as he may specify therein.

*Definitions.*— For the purposes of this schedule—

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

" *First Employment* " means first employment in the Process specified in paragraph 3 and on glass blowing and shall also include re-employment in such Process following any cessation of employment for a continuous period exceeding three calendar months,



(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 points and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media.

The method of treatment shall be as follows :

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

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

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

**4. *Prohibition relating to women and young persons .***—No women or young persons 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 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 records of examination and tests.**—(1) The occupier of every

factory to which the schedule applies shall,-

(a) employ a factory medical officer for medical surveillance of the workers employed therein; and (b) provide 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 factory medical officer shall be maintain in a separate register, which shall be kept readily available for inspection by the Inspector cum facilitator

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

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

(3) The Factory Medical Officer after examining a worker will issue a certificate of fitness in Form VIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2) including the nature and the results of the test shall also be entered factory medical officer in a Health Register in Form VII.

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector.

(5) If at any time the Factory Medical Officer or Medical Officers of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said Certificate and the Health

**Register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit for work in the said processes.**

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

**9 . *Food, drinks, etc., prohibited in work-rooms.*— No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room in which any of the Process specified in paragraph 3 are carried on and no person shall remain in any such room during intervals for meals or rest.**

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

**11. *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.**

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

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

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

**13. *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. The room shall be adequately ventilated by the circulation of fresh air, shall be placed under the charge of a responsible person and shall be kept clean.**

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

#### SCHEDULE IX

#### GENERATION OF GAS FROM DANGEROUS PETROLEUM:

1. *Prohibition relating to women and young persons.*— No women or young person shall be employed or permitted to work in or shall be allowed to enter any building in which the generation of gas from dangerous petroleum is carried on.

2. *Flame traps.*—The plant for generation of gas from dangerous petroleum and associated piping and fittings shall be fitted with at least two efficient flame traps so designed and maintained as to prevent a flash back from any burner to the plant. One of these traps shall be fitted as close to the plant as possible. The plant and all pipes and valves shall be installed and maintained free from leaks.

3. *Generating building or room.*—All plants for generation of gas from dangerous petroleum erected after the coming into force of the provision 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 no direct communication between the room where such plants are erected (hereinafter referred to "as the generating room") and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

4. *Fire extinguishers.*—An efficient means of extinguishing petrol fires shall be maintained in any easily accessible position near the plant for generation of gas from dangerous petroleum.

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

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

7. *Prohibition relating to smoking, etc.*— No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in the generating room or building or in the vicinity thereof and warning notice in the language understood by the majority of the employees 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 containers.*— No unauthorized person shall have access to any petrol or to a vessel containing or having actually contained petrol.

**9. *Electric fittings.*— All electric fitting shall be of flame proof construction and all electric conductors shall either be enclosed in metal conduites or be lead-sheathed.**

**10. *Construction of doors .*—All doors in the generating room or building shall be constructed to open outwards; or to slide and no door shall be locked or obstructed or fastened in such a manner that it cannot be easily and immediately opened from the inside while gas is being generated and any person is working in the generating 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 vessels shall be undertaken unless live steam has been blown into the vessel and until the interior thoroughly steamed out or other equally effective steps have been taken to ensure that it has been rendered free from petrol or inflammable vapour**

**SCHEDULE-X  
CLEANING OR SMOOTHING OF ARTICLES BY A JET OF SAND,  
METALSHOT OR GRIT OR OTHER ABRASIVE PROPELLED BY A BLAST  
OF COMPRESSED AIR OR STEAM:**

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

**(a)‘blasting’ means cleaning, smoothing, roughening, or removing of any part of the surface of any article by the use of an abrasive jet of sand, metal shot, or graft or other material, propelled by a blast of compressed air or steam;**

**(b)‘blasting enclosure’ means a chamber, barrel, cabinet or any other enclosure designed for the performance of blasting therein;**

**(c)‘blasting chamber’ means a blasting enclosure in which any person may enter at any time in connection with any work or otherwise; and**

**(d)‘cleaning of castings’ where done as an incidental or supplemental process in connection with the making of metal castings, means the freeing of the casting from adherent sand or other substance and includes the removal of cores and the general smoothening of a casting, but does not include the free treatment.**

**(e) *First Employment* " means first employment in any of the processes to which this schedule apply and shall also include re-employment in such Process following any cessation of employment for a continuous period exceeding three calendar months, and**

**2. Prohibition of sand blasting.-** Sand or any other substance containing free silica shall not be introduced as an abrasive into any blasting apparatus and shall not be used for blasting;

Provided that this clause shall come into force two years after the coming into operation of this schedule.

Provided further that no woman or young person shall be employed or permitted to work at any operation of sand blasting.

**3. Precautions in connection with blasting operations .-** (1)Blasting shall not be done except in a blasting enclosure and no work other than blasting and any work immediately incidental thereto and clearing and repairing of the enclosure including the plant and appliances situated therein, shall be kept closed and air tight while blasting is being done therein.

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

(3) 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 performed in blasting enclosure .every door ,aperture and joint of blasting enclosure 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 reasonably practicable to provide such separating apparatus.

(4) 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) 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 190 of a blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning.

**4. *Inspection and examination.*-(1) Every blasting enclosure shall be specially inspected by a competent person at least once in every week in which it is used for blasting. Every blasting enclosure, the apparatus connected therewith and the ventilating plant shall be thoroughly examined and in the case of ventilating plant, tested by a competent person at least once in every month.**

**(2) Particulars of the result of every such inspection, examination or test shall forthwith be entered in a register and shall be available for inspection by inspector cum facilitator or 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 any 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 170 litres 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 paragraph 5, and with the removal of dust from filtering or settling devices all practicable measures shall be taken to dispose of the dust in such a manner that it does not enter the air of**

any room. Vacuum cleaners shall be provided and used wherever practicable for such cleaning operations.

**7. *Storage accommodation for protective wear-*** Adequate and suitable storage accommodation for the helmets, gauntlets and overalls required to be provided by paragraph 5 shall be provided outside and conveniently near to every blasting enclosure and such accommodation shall be kept clean. Helmets, gauntlets and overalls when not in actual use shall be kept in this accommodation.

**8. *Maintenance and cleaning of protective wear*** .- All helmets, gauntlets, overalls and other protective devices or clothing provided and worn for the purposes of this schedule, shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every weekday 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. *Medical facilities and records of examinations and tests-*** (1) The occupier of every factory to which the Schedule applies, shall –

(a) employ a Factory medical officer for medical surveillance of the workers employed therein where total no of employee exceed 50; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a Health register in Form 3, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**11. *Medical examination by the factory medical officer*** (1) Every worker employed in any of the processes to which this schedule shall be examined by a factory medical officer within 15 days of his first employment. Such examination shall include pulmonary function tests and chest X-rays. 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 factory medical officer and record shall be kept on certificate of fitness Form VIII.

(2) Every worker employed in the said processes shall be re-examined by a factory medical officer at least once in every 12 calendar months and such re-



examination shall, wherever the factory medical officer considers appropriate, include pulmonary function test and chest X-ray once in every three years.

(3) The record of re-examinations carried out shall be entered in the health register in Form VII and shall be readily available for inspection to the Inspector-cum-Facilitator.

(4) If at any time the Factory Medical Officer or Medical Officers of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make record of his findings in the said certificate and the health register. The entry of his findings in those documents 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 factory medical officer, in which case the person affected shall be suitably rehabilitated.

(5) No person who has been found unfit to work as said in sub-paragraph (4) 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.

**12 . Restrictions in employment of young persons -** (1) No person under 18 years of age shall be employed in blasting or assisting at blasting or in any blasting chamber or in the cleaning of any blasting apparatus or any blasting enclosure or any apparatus or ventilating plant connected therewith or be employed on maintenance or repair work at such apparatus, enclosure or plant.

(2) No person under 18 years of age shall be employed to work regularly within twenty feet of any blasting enclosure unless the enclosure is in a room and he is outside that room where he is effectively separated from any dust coming from the enclosure.

**13. 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 relaxed without endangering the health of the persons employed or that application of any such requirements is for any reason impracticable or

inappropriate, he may, with the previous sanction of the State Government, by an order in writing exempt the said factory or class of factories from such provisions of this schedule, to such an extent and subject to such conditions and for such period as may be specified in the said order.

(2) Where an exemption has been granted under sub-paragraph (1), a copy of the order shall be displayed at a notice board at a prominent place at the main entrance or entrances to the factory and also at the place where the blasting is carried on.

**SCHEDULE-XI**  
**LIMING AND TANNING OF RAW HIDES AND SKINS AND PROCESSES INCIDENTAL THERETO:**

1. *Cautionary notices* - (1) Cautionary notices as to anthrax in the form specified by the Chief Inspector-cum-Facilitator shall be affixed in prominent positions in the factory where they may be easily and conveniently read by the persons employed.

(2) A copy of a warning notice as to anthrax in the form specified by the Chief Inspector-cum-Facilitator shall be given to each person employed when he is engaged, and subsequently if still employed, on the first day of each calendar year.

(3) Cautionary notices as to the effects of chrome on the skin shall be affixed in prominent positions in every factory in which chrome solutions are used and such notices shall be so placed as to be easily and conveniently read by the persons employed.

(4) Notices shall be affixed in prominent places in the factory stating the position of the first-aid box or cupboard and the name of the person in-charge of such box or cupboard.

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

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

(a) waterproof footwear leg coverings, aprons and gloves for persons employed in processes involving contact with chrome solutions, including the preparation of such solutions;

(b) gloves and boots for persons employed in lime yard;

(c) protective footwear, aprons and gloves for persons employed in processes involving the handling of hides or skins, other than in processes specified in sub-paragraphs (a) and (b) above :

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

Provided further that the gloves may not be provided to persons fleshing by hand or employed in processes in which there is no risk of contact with lime, sodium sulphide or other caustic liquor.

**3. *Washing facilities, mess room and cloakroom.***- There shall be provided and maintained in a clean state and in good repair for the use of all persons employed –

(a) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least 60 centimeters for every five such persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than 60 centimeters; or at least on wash-basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of clean water; together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material and clean towels;

(b) a suitable mess-room, adequate for the number remaining on the premises during the meal intervals, which shall be furnished with sufficient tables and benches and adequate means for warming food and for boiling water. The mess room shall –

(i) be separate from any room or shed in which hides or skins are stored, treated or manipulated;

(ii) be separate from the cloakroom; and

(iii) be placed under the charge of a responsible person; and

(c) suitable accommodation for clothing not worn during working hours and another accommodation for protective clothing and also adequate arrangements for drying of the clothing in both the cases, if wet.

The accommodation so provided shall be kept clean at all times and placed under the charge of a responsible person.

**4. *Food, drinks, etc. prohibited in workrooms*** - No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any workroom or shed in which hides or skins are stored, treated or manipulated.

**5. *Medical facilities and record of examinations and tests*** .- (1) The occupier of every factory in which the schedule applies, shall –

- (a) employ a Factory Medical Officer for medical surveillance of the workers employed where the no of workers is more than 50;
- (b) provide to the said factory medical officer all the necessary facilities for the purpose referred to in clause (a).
- (c) arrange for inspection of the hands of all the persons keeping in contact with chromium substances to be made twice a week; and
- (d) provide and maintain and supply suitable ointment and plaster in a box readily accessible to the workers and solely used for the purpose of keeping the ointment and the plaster.

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

**6. Medical Examination by Factory Medical Officer** - (1) Every worker employed in any of the processes to which the schedule applies shall be examined by a factory medical officer within 15 days of his first employment. Such examination shall include skin test for dermatitis and detection of anthrox bacillus from local lesion by gram stain. 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 Factory medical officer.

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

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

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

(5) If at any time the Factory Medical Officer or Medical Officers of the opinion that a worker is no longer fir for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit 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 factory medical officer, in which case the person affected shall be suitably rehabilitated.

(6) No person who has been found unfit to work as said in sub-paragraph (5) 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.

**SCHEDULE-XII**  
**CERTAIN LEAD PROCESS CARRIED ON PRINTING PRESSES AND TYPE**  
**FOUNDRIES:**

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

2. *Definitions.*—In these regulations—

- (a) "Lead material" means material containing not less than five percent of lead.
- (b) "Lead process" means—
  - (i) the melting of lead or any lead material for casting and mechanical composing; and
  - (ii) the re-charging of machines with used lead material, or
  - (iii) any other work including removal of dross from melting pots, cleaning of plungers; and
  - (iv) manipulation, movement or other treatment of lead material.
- (c) "Efficient exhaust draught" means localized ventilation effected by heat or mechanical means for the removal of gas, vapour, dust or fumes at the point where they originate so as to prevent them from escaping into the air of any place in which work is carried on.
- (d) "*First Employment*" means first employment in the lead Process and also re-employment in such Process following any cessation of employment for a continuous period exceeding three calendar months, and

3. *Exhaust draught.*— (1) None of the following Process shall be carried on except with an efficient exhaust draught, unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on, or, unless carried on in electrically heated and thermostatically controlled melting pots.

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

(2) Such exhaust draught shall be affected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as clearly as may be at its point of origin.

4. *Prohibition relating to women and young persons.*— No women or young persons 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 processes —

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

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

7. *Floor of work-room* -The floor of every work-room where lead process is carried on shall be

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

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

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

- (a) a wash place with either—
  - (i) a trough with 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; 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 cleansing material.

10. *Medical examination* .—

- (a) Every worker employed in a lead process shall be examined by the Factory medical officer within fourteen days of his first

employment. Such Process and thereafter shall be examined by the Factory medical officer at intervals of not more than three months, and a record of examination shall be entered by the Factory medical officer in the health register in Form 3.

- (b) A health register containing names of all persons employed in any lead process shall be kept in Form 3.
- (c) If at any time the Factory medical officer is of opinion that any person is no longer fit for employment on any lead process, on the ground that his continuance in such employment will involve special danger to his health, he shall make an entry to this effect in the health register against the name of such person. No such person shall be employed on a lead process without the written sanction of the Factory medical officer, entered in the health register.

**11. Medical examination by Factory medical officer.—** (1) Every worker employed in any process mentioned under Paragraph 3, shall be examined by a Factory 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 tests and chest X-ray for workers engaged in process mentioned in clauses (a) and (n) of Paragraph 3 and pulmonary function test 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 Factory medical officer.

(2) All persons employed in any of the Process mentioned in clauses (a) and (n) of Paragraph 3 shall be examined by a Factory medical officer once in every 3 calendar months. Those employed in any other Process mentioned in the remaining clauses of Paragraph 3 shall be examined by a Factory medical officer once in every twelve calendar months. Such examinations in respect of all the employees shall include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in 3 years.

(3) The Factory medical officer after examining a worker shall issue Certificate of Fitness in Form VIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum facilitator.

(5) If at any time the Factory Medical Officer or 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 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.

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

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

### SCHEDULE-XIII DICHROMATE MANUFACTURE

*1. Separation of certain Process.—* Processes indicated below which give rise to noxious dust, fume, vapour or mist should be isolated from others and should either be totally enclosed or provided with hoods with suitable exhaust ventilation arrangements where necessary—

- (i) Soda-mix Section, including the place of storage of the mixed chromite soda- ash powder.
- (ii) Reacted frit storing.
- (iii) Frit dissolving.
- (iv) Evaporation of the dichromate solution.
- (v) Dichromate weighing and packing or otherwise handling of the dichromate powders.

*2. Use of respirators .—*In operations, which are of shorter duration and in which mechanical exhaust is not practicable, the occupier shall provide respirators for the use of workers.

*3. Protective equipment.—* There shall be provided for the use of all workers suitable footwear, gloves and aprons, engaged in the following Processes:

- (a) Acidification.
  - (b) Concentration.
  - (c) Centrifugalization.
  - (d) Crystallisation.
  - (e) Packing.
4. Floor of work-rooms.—The floor of every work-room shall be—
- (a) of impervious material and allow of easy drainage,
  - (b) Maintained in sound condition,
  - (c) kept free from materials, plank or other obstruction not required for or produced, in the process carried on in the room.



5. *Cloak-room.*— There shall be provided and maintained for the use of all persons employed in the dichromate department a cloak-room for clothing put off during working hours.

6. *Washing facilities.*— There shall be provided and maintained in a clean state and a good repair, for the use of all persons employed in dichromate processes

(a) trough with an 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, sufficient supply of soap or other suitable cleansing material and clean towels.

7. *Medical requisites.*— The occupier shall provide and maintain a sufficient supply of suitable protective skin cream and nasal ointment, readily available to the workers engaged on dichromate Processes at the discretion of the Factory medical officer.

8. *Medical examination .*— (1) Every person employed in a dichromate process shall be examined by the Factory medical officer within fourteen days of his first employment in such Processes and thereafter shall be examined by the Factory Medical Officer at intervals of not more than three months and a record of each examination shall be entered by the Factory medical officer in the Health Register in Form VII.

(2) A Health Register containing names of all persons employed in any dichromate process shall be kept in Form VII.

(3) If any time the Factory Medical Officer or Medical Officer is of opinion that any person is no longer fit for employment on any dichromate processes, on the ground that his continuance in such employment will involve special danger to his health he shall make an entry to this effect in the Health Register against the name of such person. No such person shall be employed on dichromate process without the written sanction of the Medical Officer, entered in the Health Register.

9. *Cautionary notices.*— Cautionary notices on the nature of health hazards involved together with the control measures for their protection shall be fixed at a prominent position of the factory.

#### SCHEDULE-XIV CHEMICAL WORKS

1. *Application* —The provisions of this Schedule shall apply to all manufacturer and Processes (Storage, Handling and Transportation) incidental thereto carried on in Chemical Works. These provisions shall be in addition to and

not in derogation of any provisions of the Factories Code or any other rules made thereunder or of any other Code or Rules.

**2 .Definitions :**(a) Chemical works means any factory or such parts of any factory as are named in sub-schedule A of this Schedule.

(b) *Breathing apparatus* means (1) a helmet or face piece with necessary connections by means of which a person using it in a poisonous, asphyxiating or irritating atmosphere breathes ordinary air, or (2) any other suitable apparatus approved in writing by the Chief Inspector-cum-Facilitator.

(c) *Life-belt* means a belt made of leather or other suitable material which can be securely fastened round the body with a suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man.

(d) *Efficient exhaust draught* means localised ventilation affected 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.

(e) *Medical officer* means a medical officer appointed under Section 42 of the Code,.

(f) *Suspension* means suspension by written certificate in the Health Register, signed by the Factory Medical Officer from employment in any processes mentioned in the certificate.

(g) *Bleaching powder* means the bleaching powder commonly called chloride of lime.

(h) *Chlorate* means chlorate or perchlorate.

(i) *Caustic* means hydroxide of potassium or sodium.

(j) *Caustic pot* means a metal pot fixed over a furnace or flue and surrounded by brickwork, such as is commonly used for concentrating caustic liquor, whether such pot be used for concentrating or boiling caustic or other liquor.

(k) *Chrome* process means the manufacture of chromate or bichromate of potassium or sodium, or the manipulation, movement or other treatment of these substances in connection with their manufacture.

(l) *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.

**3. Exceptions.**— If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or any process that, owing to the special conditions or special methods of work, or by reason of the infrequency of the process or for other reasons, all or any of the requirements of the provisions of this Schedule are not necessary for the protection of persons employed in any factory or process, he may by order in writing (which he may in his discretion revoke), exempt such factory or process from all or any of the provisions of this Schedule, subject to such conditions as he may by such order prescribe.

## PART I—APPLYING TO ALL THE WORKS IN SUB-SCHEDULE A

### General

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

(b) any spillage of material shall be cleaned up without delay.

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

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

2. *Improper use of chemicals*.—( a) No chemicals or solvents shall be used by workers for any purposes apart from the process for which they are supplied.

(b) Workers shall be instructed on the possible dangers arising from such misuse. These instructions shall further be displayed in bold letters in prominent places in die different Sections.

3 . *Storage of food* .—(a) No food, drink, tobacco, pan or similar articles shall be stored or consumed on or near any part of the plant.

(b) Testing.-Workers shall be instructed on the possible dangers arising from the testing of materials, or of the use for drinking purposes of any vessel used in, or in connection with, the manufacture of chemicals. These instructions shall further be displayed in bold letters in prominent places in the different Sections.

4. *Process hazards* .—Before commencing any large scale experimental work, or any new manufacture, all possible steps shall be taken to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions. The properties of the raw materials used, the final products to be made, and any by-products arising during manufacture shall be carefully studied and provision shall be made for dealing with any hazards including effects on employees, which may arise during manufacture. The design of the building and plan shall be based on the information so obtained.

5. *Unauthorized personnel*.— (a) unauthorized persons shall not be permitted to enter any Section of the factory or plant where these are special dangers.

(b) *Visitors*.— Visitors shall be provided, where necessary with suitable safety equipment and shall be accompanied round dangerous plants by a responsible official.

6 .*Instruments* .—All instruments such as pressure gauges, thermometers, flow meters and weighing machines etc. shall be tested in every six months by a competent person, and records of these tests shall be kept in a register and shall be produced on demand of the inspector of factories of the concerned region .

**7. *Cocks and valves* .—**Suitable valves shall be provided in all service lines at sufficiently short intervals for convenience in blanking off, etc. All cocks and valves shall be operated at least once in a month. All cocks, valves and pipelines carrying chemicals should be tested in every three months by a competent person, and shall make safety audit report of all service installations in every year and shall send a copy of report of Safety audit to the Chief inspector –cum-Facilitator and inspector cum Facilitator of the region concern and records of these tests and reports shall be kept in a register. A plan of all service installations shall be kept readily available and shall be produced on demand of the inspector of factories of the concerned region.

**8. *Manholes*.**— No manholes shall be opened for entry until effective fencing has been erected round it.

**9. *Emergency instructions* .—**Simple and special instructions shall be trained to ensure that effective measures will be carried out in cases of emergency to deal with escape of inflammable, poisonous or deleterious gases, vapours, liquids or dusts. These instructions shall further be displayed in bold letters in prominent places in the different Sections. All workers shall be trained and instructed in the action to be taken in such emergencies, and in the general hazards of their employment.

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

**11. *Electrical apparatus*.**— Electrical plant, fittings and conductors shall, if exposed to a damp or corrosive atmosphere, be adequately protected. Periodic tests shall be carried out on all circuits.

**12. *Places of work*.**— (a) Workers shall only be allowed in those places in which they have been given orders to work.

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

**13. *Packing, storage and transport of chemicals* .—**Chemicals shall be packed and stored in containers suitable for the purpose and of adequate strength for storage or transport. All such containers shall be suitably labelled so that they may be stored and transported in such a manner as to ensure that, in the event of spillage, they will neither produce a hazardous mixture, nor cause the development of toxic or fire risk in contract with other products in its vicinity or with walls, floors or dust thereon.

## **FIRE AND EXPLOSION RISKS**

**14 . Site .—(a) Buildings and plants shall be located with due regard to the dangers which may arise from the process involved, and in particular shall be spaced at distances which are deemed safe for the fire and explosive risks connected with the Processes in adjacent buildings. Due consideration shall be given to the effect on any Processes carried out in adjacent factories.**

**(b) *Isolation of buildings.*— Where special dangers exist, separate buildings shall be used for the different parts of a processes. They shall be spaced at sufficient distances apart and shielded to prevent damage to each other in the event of fire or explosion, and shall be safeguarded by the provision of suitable blowout panels or roofs. Where the risk of fire or explosion is considerable, the building shall be divided by blast or protective screen walls.**

**(c) *Fire resistance .*—No combustible materials shall be used in the erection of working buildings, unless there are special reasons necessitating their use, when they shall be rendered fire-resistance. The roof shall be of light fire-resistant construction and floors shall be of impervious fire-resistant material and shall be regularly maintained in such condition.**

**15. *Dangers of ignition (including building installation).*—( a) No internal combustion engine and no electric motor or other electric equipment, capable of generating sparks or otherwise causing combustion shall be installed or used in a building or danger zone. Electric conductors shall be fitted with screwed steel conduit.**

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

**(c) Portable electric hand lamps shall not be used unless of an intrinsically safe type, and portable electric tools connected by flexible wires shall not be used, unless of the flames proof type.**

**(d) Where an inflammable atmosphere may occur the soles of footwear worn by workers shall have no metal on them, and the wheels of trucks or conveyors shall be of conducting non-sparking materials. Adequate precautions shall be taken to prevent the ignition of explosive or inflammable substances by sparks emitted from locomotives or other vehicles operated in the factory or on public lines.**

**(e) No electric arc lamps or naked light, fixed or portable, shall be used, and no person shall have in his possession any match or any apparatus of any kind for producing a naked light of sparking in or on, or about any part of the factory where there is liability to fire or explosion from inflammable gas, vapour or dust and all incandescent electric lights in such parts shall be in double air-tight glass covers.**

(f) Prominent notices in the language understood by the majority of the workers and legible by day and by night prohibiting smoking, the use of naked lights and the carrying of matches or any apparatus for producing a naked light or spark, shall be affixed at the entrance of every room or place where there is the risk of fire or explosion from inflammable gas, vapour or dust. In the case of illiterate workers the contents of the notices shall be fully and carefully explained to them when they commence work in the factory for the first time and again when they have completed one week at the factory.

(g) *Non-sparking tool* .—A sufficient supply of spades, scraper and pails made from non-sparking material shall be provided for the use of persons employed in cleaning out or removing residues from any chamber, still, tank or other vessel where an inflammable or explosive danger may occur.

Note- The risk is not always obvious and may arise,i.e. through the production of hydrozen in acid tank.

16. *Static electricity*.—( a) All machinery and plant, particularly, pipe lines and belt drives, on which static electricity is likely to accumulate, shall be effectively earthed. Receptacles for inflammable liquids shall have metallic connections to the earthed supply tanks to static sparking. Where necessary, humidity shall be controlled.

(b) Mobile tank wagons shall be earthed during filling and discharge, and precautions shall be taken to ensure that earthing is effective before such filling or discharge takes place.

(c) *Lightning conditions* .—Lightning protection apparatus shall be fitted where necessary and shall be maintained in good condition.

17. *Process heating* .—The method of providing heat for a process shall be as safe as possible and where the use of naked flame is necessary, the plant shall be so constructed as to prevent any escaping inflammable gas, vapour or dust coming into contact with the flame, or exhaust gases or other hot agency likely to cause ignition. So far as practicable, the heating medium shall be automatically controlled at a predetermined temperature below the danger temperature.

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

(b) If escape occurs, such substances shall be removed expeditiously and efficiently at the point of liberation. The effluent shall be trapped and rendered safe outside the danger area.

**19. *Leakage of inflammable liquids* .—(a) Provision shall be made to confine by means of bund-walls, sumps, etc., possible leakages from vessels containing inflammable liquids.**

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

**20. *Cleaning of empty containers*.— (a) All empty containers which have held inflammable liquids, and metal containers which have held sulphuric acid shall be rendered permanently safe as soon as practicable, and shall not be repaired or destroyed until such cleaning has been completed.**

**(b) *Storage of combustible materials*.— Combustible and inflammable materials shall not be stored in close proximity to chemicals which are liable to cause ignition.**

**(c) Rubbish shall be removed from buildings without delay and placed in special metal containers provided with close fitting lids. The contents shall be removed daily and suitably dealt with. Waste products containing inflammable or explosive materials shall not be placed on rubbish heaps but shall be destroyed in an appropriate manner.**

**21. *Installation of pipelines for inflammable liquids* .—All pipelines for the transport of inflammable liquids shall be protected from breakage, shall be arranged so that there is no risk of mechanical damage from vehicles and shall be so laid that they drain throughout without the collection of any part. All flanged joints, bends and other connections shall be regularly inspected. Cocks and valves shall be so constructed that explosive residues do not get accumulated therein. The open and closed positions of all cocks and valves shall be clearly indicated on the outside.**

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

**23. *Safety valves*.— Every still and every closed vessels in which gas is produced or into which gas is passed and in which the pressure is liable to rise to a dangerous degree shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure, maintained in good condition. Nothing in this Schedule shall apply to metal bottles or cylinders used for the transport of compressed gases.**

**24. *Vigorous or delayed reactions* .—Suitable provision, such as automatic and distant control shall be made for controlling the effects of unduly vigours or delayed reactions. Automatic flooding or blanketing shall be provided for in the event of an accident.**

**25 . Examination, testing and repair of plant.** —Examination, testing and repair of plant parts which have been in contact with explosive and inflammable material, or which is under pressure, shall only be carried out under proper supervision.

**26. Alarm system .—**(a) Gravity or pressure feed systems of supplying inflammable materials to the various parts of the buildings or plant shall be fitted with alarm systems, automatic cut-offs or other devices to prevent overcharging or otherwise endangering the plant.

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

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

**Gas, Vapour, Fume or Dust Risks**

**27. Escape of gases, etc.—**Effective steps shall be taken to prevent the escape of dangerous gases, vapours, fumes or dust from any part of the plant, by the total enclosure of the process involved or by the provisions of efficient exhaust draught. Effective arrangements shall be made to ensure that in the event of a failure of the control measure, the process shall stop immediately. Further arrangements shall be made to ensure that in case there is any such escape, the material shall be trapped forthwith, so that the danger may be averted.

**28. Danger due to effluents.—**( a) Adequate precautions shall be taken to prevent the mixing of effluents which may produce dangerous or poisonous gases.

(b) Effluents, which may contain or give rise in the presence of other effluents to such gases, shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

**29. Staging.—**( a) Staging shall not be erected over any open vessel unless the vessel is so constructed and ventilated as to prevent the omission of vapour or fumes about such staging.

(b) Where such staging is provided to give access to higher levels in large plants, effective means shall be provided at all levels with direct means of access to the outside of the room or building and then to ground level.

(c) Such staging shall be fitted with suitable handrails and toe boards, and the floors and staging shall be impervious and easily cleaned.

**30. Instructions as regards risk.—** Before commencing work, every worker shall be fully instructed on the properties of the materials they have to handle, and of the dangers arising from any gas, fume, vapour or dust which may be evolved during the process. Workers shall also be instructed in the measures to be taken to cope with any emergency.



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

- (i) breathing apparatus of an approved make for the hazards involved ;**
- (ii) oxygen and suitable means of its administration; and**
- (iii) life-belts.**

**The breathing apparatus and other appliances required by this Schedule shall (i) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector cum-Facilitator, and (ii) be thoroughly inspected once every month by a competent person, appointed in writing by the occupier and record of their condition shall be entered in a book provided for that purpose, which shall be produced when required by an Inspector.**

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

**(c) Respirators shall be kept properly labelled in clean dry, light-proof cabinets, and if liable to be affected by fumes, shall be protected by suitable containers. Respirators shall be dried and cleaned after use and shall be periodically disinfected.**

**32. *Treatment of persons.*— In every room or place wherever required in writing by the Chief Inspector -cum –Facilitator there shall be affixed the official cautionary notice regarding gasing and burns. Such notices shall be legible by day and by night and shall be printed in the language understood by the majority of the workers.**

**33. *Personal protective equipment .*—(a) Suitable protective clothing shall be provided for the use of operatives; (i) when operating valves or cocks controlling fluids which by their nature, pressure or temperature would be highly dangerous if a blow-out occurred or when, cleaning chokes in system containing such fluids if pressure is likely to exist behind that chokes, (ii) when there is danger of injury absorption through the skin during the performance of normal duties or in the event of emergency, (iii) whenever there is the risk of injury in handling corrosive substances, hot or cold articles and sharp or rough objects, and (iv) when there is the risk of poisonous material being carried away on their clothes.**

**(b) There shall be provided for the use of all persons employed in the process specified in sub-schedule B of this Schedule an adequate supply of suitable protective equipment including gloves, overalls and protective footwear, and of goggles and respirators. Respirators shall be of a type approved in writing by the Chief Inspector-cum-Facilitator**

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

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

**34 Cloak-rooms.**— There shall be provided and maintained for the use of all persons employed in the Processes specified in sub-schedule B of this Schedule a suitable cloak-room for clothing put off during working hours and a suitable place separate from the cloak-room, for the storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of a responsible person, and shall be kept clean.

**35. Special bathing accommodations.**—(a) There shall be provided for the use of all persons employed in the process specified in sub-schedule C of this Schedule separate sanitary conveniences, and sufficient and suitable bathing facilities which shall be to the satisfaction of the Chief Inspector-cum-Facilitator

(b) A bath register shall be kept containing the names of all persons employed in these Processes and an entry of the date when each person takes a bath.

**36. Entry into vessels .**—(a) Before any person enters, for any purposes except that of rescue, any absorber, boiler, culvert, drain, flue, gas purifier, sewer, still tank, tower, vitriol chamber or other place where there is reason to apprehend the presence of dangerous gas or fume, a responsible person appointed in writing by the occupier for the purpose, shall personally examine such place and shall certify in writing in a book kept for the purpose either that such place is isolated and sealed from every source of such gas or fume and is free from danger, or that it is not so isolated and sealed and free from danger. No person shall enter any such place which is certified not to be so-isolated and sealed and free from danger unless he is wearing a breathing apparatus, and (where there are no cross stays or obstructions likely to cause entanglement) a life-belt, the free end of the rope attached to which shall be left with a man outside, whose sole duty shall be to keep watch and to draw out the wearer if he appears to be affected by gas or fume. The belt and rope shall be so adjusted and worn that the wearer can be drawn up head foremost through any manhole or opening.

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

**37 . Examination and repair of plant .**—Where poisonous materials are likely to be present, the examination and repair of plant and piping shall only be done under the supervision of a competent person, and after the plant and piping has been thoroughly cleaned and ventilated. When opening vessels and breaking joints in pipelines, respirators, goggles and protective clothing shall be worn to the extent required by the competent person.

**38 . Storage of acid carboys .**—Carboys containing nitric acid or "mixed" acid shall be stored in open-sided sheds detached from other buildings, and placed

on a flooring of sandstone, brick or other suitable inorganic material. A passageway shall be provided and kept free from obstruction between every four rows of such carboys. An ample supply of water shall be available for washing away spilt acid and all precautions shall be taken to prevent employees being exposed to fumes.

#### **Corrosive or Deleterious Risk**

**39 . Buildings.**— All buildings and plants shall be located with due regard to possible dangers from accidental liberation or splashing of corrosive and deleterious liquids, and shall be so designed as to facilitate through washing and cleaning. The construction of staging and other parts of buildings shall be carried out with materials impervious and resistant to corrosion so far as practicable.

**40. Leakage.** —(a) All plants shall be so designed and constructed as to obviate the escape of corrosive liquid. Where necessary, separate buildings, rooms or protective structures shall be used for the dangerous stages of the process and the buildings shall be so designed as to localize any escape of liquid.

(b) Catch-pits, bund walls or other suitable precautions shall be provided to restrict the serious effects of such leakages. Catch-pits shall be placed below joints in pipelines where there is danger involved from such leakage.

(c) Passages and work station shall not be situated directly below any part of plant where there is risk of escape of dangerous liquid. Access to such parts shall, so far as practicable, be prohibited and danger notices shall be affixed at suitable points.

**41. Precautions against escape.**— Adequate precautions shall be taken to prevent the escape of corrosive or deleterious substances and means shall be provided for rendering safe any such escape.

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

**43. Covering of vessels.**—( a) Every fixed vessel or structure containing any dangerous materials, and not so covered as to eliminate all reasonable risk of accidental immersion in it of any portion of the body of a worker, shall be so constructed that there is no foothold on the top or the sides.

(b) Such vessel shall, unless its edge is at least three feet above the adjoining ground or platform be securely fenced to a height of at least three feet above such adjoining ground or platform.

(c) No plank or gangway shall be placed across or inside any such vessel, unless such plank or gangway is at least 18 inches wide, and is securely fenced on both sides by rails spaced at 9 inches apart to a height of at least 3 feet, or by other equally efficient means.

(d) Where such vessels adjoin and the space between them, clear of any surrounding brick or other work, is either less than 18 inches in width or is 18 or more inches in width, but is not securely fenced on both sides to a height of at least three feet, secure barrier shall be so placed as to prevent passage between them :

Provided that sub-paragraph (b) above shall not apply to—

- (i) Saturators used in the manufacture of sulphate of ammonia,
- (ii) that part of the sides of brine evaporating pans which require raking, drawing or filling.

44. *Ventilation.* —Adequate ventilation shall be provided and maintained at all times in rooms or buildings where dangerous gas, vapour, fume or dust may be evolved.

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

46. *Treatment of personnel* .—In all places where (strong acids or dangerous) corrosive liquids are used :

- (a) There shall be provided for use in an emergency—
  - (i) adequate and readily accessible means of drenching with cold water persons, and the clothing of persons, who have become splashed with such liquids;
  - (ii) adequate special arrangements to deal with any person who has been splashed with poisonous material that can be absorbed through the skins;
  - (iii) a sufficient number of eyewash bottles, filled with distilled water or other suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.
- (b) Except where the manipulation of such corrosive liquids is so carried on as to prevent risk of personal injury from splashing or otherwise, there shall be provided for those who have to manipulate such liquids sufficient and suitable goggles and gloves or other suitable protection for the eyes and hands. If gloves are provided they shall be collected, examined and cleansed at the close of the day's work and shall be repaired or renewed when necessary.

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

(b) Adequate precaution shall be taken to liberate any pockets of gas or liquid which may have been formed in pipe lines and which may cause corrosive spray at the point where dismantling takes place.

48. *Washing facilities* .—(1) There shall be provided and maintained in every factory for the use of employed persons adequate and suitable facilities for washing which shall include soap and nail brushes or other suitable means of cleaning and facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

(2) If femaleworkers are employed, separate washing facilities shall be provided and so enclosed or screened that the interiors are not visible from any place where persons of the other sex work or pass. The entrance to such facilities shall bear conspicuous notice in the language understood by the majority of the workers "for women only" and shall also be indicated pictorially.

49. *Mess-room facilities* .—In every factory there shall be provided and maintained for the use of those remaining on the premises during the rest intervals, suitable and adequate mess-room or canteen accommodation which shall be furnished with sufficient tables and chairs or benches with backrests and where sufficient drinking water is available.

50. *Ambulance Room*.—( a) In every factory in which more than 250 persons are employed on the Processes to which this Schedule applies, there shall be provided and maintained in good order an Ambulance Room. The Ambulance Room shall be a separate room used only for the purpose of treatment and rest. It shall have a floor space of not less than 100 square feet and smooth, hard and impervious walls and floor, and shall be provided with ample means of natural and artificial lighting. It shall contain all the items shown in sub-schedule D. Where persons of both sexes are employed, arrangements shall be made at the Ambulance Room for their separate treatment. The Ambulance Room shall be placed under the charge of a qualified nurse or other person trained in First Aid, who shall always be readily available during working hours, and shall keep a record of all cases of accidents or sickness treatment in the room.

(b) In every factory there shall be provided and maintained in good condition a suitably constructed ambulance van for the purpose of the removal of serious cases of accident or sickness unless arrangements have been made with a hospital or other place in telephonic communication with the factory for obtaining such a carriage immediately when required.

51. *Medical personnel* .—Employer shall employ aFactory Medical Officer in factory employing 50 persons or more.

**52. Medical examination.**— Workers engaged in the manufacture, processing, formulation or use of the following, shall be examined once in three months by the Factory Medical Officer and records maintained :

- (i) Hexaethyltetraphosphate.
- (ii) Tetraethyl pyrophosphate.
- (iii) O. O. Diethyl O P nitrophenylthiophosphate (Parathion).
- (iv) Nicotine, nicotine sulphate.
- (v) Mercury derivatives.
- (vi) Methyl bromide,
- (vii) Cyanides.
- (viii) Arsenical derivatives.
- (ix) Chrome process compounds.
- (x) Nitro or amino process compounds.

(a) A Health Register containing the names of all workers so engaged shall be kept in a form approved by the Chief Inspector-cum-Facilitator

(b) No person shall be so engaged newly for more than fourteen days without a certificate of fitness granted after examination by the Factory medical officer, by a signed entry in the Health Register.

(c) Every person so engaged newly shall present himself at the appointed time for examination by the Factory medical officer as provided in (b) above.

(d) The Factory medical officer shall have power of suspension as regards all persons so engaged and no persons after suspension shall be so engaged without written sanction from the Medical Officer entered in the Health Register.

**53. Duties of workers .**—Every person employed shall—

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

(b) used the articles, appliances or accommodations required by this Schedule for the purpose for which they are provided;

(c) wear the breathing apparatus and life-belt where required under Paragraph 36 (a) and (b) above.

**54. No person shall .**—(a) Remove any fencing provided in pursuance of Paragraph 43 unless duly authorised ; or (b) stand on the edge or on the side of any vessel to which Paragraph 43 applies; (c) pass or attempt to pass any barrier created in pursuance of Paragraph 43 ; (d) place across or inside any vessel to which Paragraph 43 applies, any plank or gangway which does not comply with that Regulation or make use of any such plan or gangway while in such position; (e) take

a naked light or any lamp or matches or any apparatus for producing a naked light or spark into or smoke in, any part of the works where there is liability to explosion from inflammable gas, vapour or dust; (f) use a metal spade, scraper or pail when cleaning out or removing the residues from any chamber, still tank, or other vessel wherein were contained sulphuric acid or hydrochloric acid or other substance which might cause evolution of arseniuretted hydrogen; and (g) removes from a First Aid Box or cupboard or from the Ambulance Room any First Aid appliance or dressing except for that treatment of injuries in the works.

#### **SUB-SCHEDULE "A"**

**“Chemical work” means any work or part of a work in which:**

**1. The manufacture or recovery( Manufacturing, storage ,handling and transportation) of any of the following is carried on—**

- (a) Carbonates, cromates, chlorates, oxides or hydroxides or potassium, sodium, iron, aluminum, cobalt, nickel, arsenic, antimony, zinc or magnesium;**
- (b) Ammonium and the hydroxide and salts of ammonium;**
- (c) Sulphurous, sulphuric, nitric, hydrochloric, hydro-fluoric, hydraulic, hydrosulphuric, boric, phosphoric, oxalic, arsenious, arsenic, lactic, acetic, tartaric or citric acids and their metallic or organic salts, pyridine, derivatives of benzene, all hazardous organic and inorganic compounds; and**
- (d) Cyanogen compounds.**
- (e) use, storage, handling and transportation of “Hazardous substances” as defined in rule 2 (1)(l).**

**2. A wet process is carried on—**

- (a) for the extraction of metal from one or from any by-product or residual material; or**
- (b) in which electrical energy is used in any process of chemical manufacture.**

**3. Alkali waste or the drainage therefrom is put to any chemical process for the recovery of sulphur or for the utilisation of any constituent of such waste or drainage.**

**4. Carbon disulphide is made or hydrogen sulphide is evolved by the decomposition of metallic sulphides or hydrogen sulphide is used in the production of such sulphides.**

**5. Bleaching powder is manufactured or chlorine gas is made or is used in any process of chemical manufacture.**

**6. (a) Gas tar or coal tar or any compound product or residue of such tars is distilled or is used in any process of chemical manufacture.**

**(b) Synthetic colouring matters for their intermediates are made.**

**7. Refining of crude shale oil or any process incidental thereto is carried out.**

**8. Nitric acid is used in the manufacture of nitro compounds.**

**9. Explosives are made with the use of nitro compounds.**

**10. Insecticides which may be phosphorous nicotine, mercury, naphthalene, cyanogen, arsenic, fluorine, copper, benzene and ethane compounds or derivative and methyl bromide are manufactured, mixed, blended and packed.**

#### **SUB-SCHEDULE "B"**

**1. A nitro or amino process (overalls or suits of working clothes and protective footwear).**

**2. Grinding raw-materials in a chrome process (overall suits).**

**3. The crystal department and in packing a chrome process (protective coverings).**

**4. Packing in a chrome process (respirators).**

**5. Any room or place in which chlorate is crystallised, ground or packed (clothing of woollen materials and boots or overshoes, the soles of which have no metal on them).**

**6. Any room in which caustic is ground or crushed by machinery (goggles and gloves or other suitable protection for the eyes and hands).**

**7. Bleaching powder chambers or in packing charges drawn from such chambers (suitable respirators).**

**8. Drawing off of molten sulphur from sulphur pots in the process of carbon disulphide manufacture (overalls, face-shield, gloves and footwear of fire-proof materials).**

**9. (a) Manufacture, mixing, blending and packing of insecticides which are phosphorous, nicotine, naphthalene, cyanogen, arsenic, fluorine, mercury and copper compounds or derivatives and methyl bromide (rubber, aprons, chemical type goggles and suitable respirators and in addition rubber gloves and boots for phosphorous and nicotine derivatives, synthetic rubber aprons, gloves and boots when working with oil solutions and washable, working clothing laundered daily).**

**(b) Manufacture, mixing, blending and packing of insecticides which are derivatives of benzene or ethylene (rubber aprons and suitable respirators, separate work clothes laundered frequently).**

#### **SUB-SCHEDULE "C"**

**1. A nitro or amino process .**



2. The crystal department and the packing room in a chrome process.
3. The process of distilling, gas or coal tar (other than blast furnace tar) and any process of chemical manufacture in which such tar is used.
4. The manufacture, mixing, blending and packing of the insecticides mentioned in sub-schedule "A".

#### **SUB-SCHEDULE "D"**

- (i) A glazed sink with hot and cold water always available;
- (ii) a table with a smooth top;
- (iii) means for sterilising instruments;
- (iv) a couch;
- (v) a stretcher;
- (vi) two buckets or containers with close fitting lids ;
- (vii) two rubber hot water bags ;
- (viii) a kettle and spirit stove or other suitable means of boiling water;
- (ix) twelve plain wooden splints 36"x 4"x $\frac{1}{4}$ " ;
- (x) twelve plain wooden splints 4"x3"x $\frac{1}{4}$ ";
- (xi) six plain wooden splints, 10"x2"x $\frac{1}{2}$ ";
- (xii) three woollen blankets ;
- (xiii) one pair artery forceps ;
- (xiv) one bottle of brandy ;
- (xv) two medium size sponges;
- (xvi) three hand towels ;
- (xvii) two kidney trays ;
- (xviii) four carbolic soaps ;
- (xix) two glass tumblers and two wine glasses;
- {xx) two clinical thermometers;
- (xxi) graduated measuring glass with teaspoon;
- (xxii) one eyebath;
- (xxiii) one bottle (2 lb.) carbolic lotion, 1 in 20;
- (xxiv) two chairs ;
- (xxv) one screen;
- (xxvi) one electric hand torch;
- (xxvii) an adequate supply of anti-tetanus serum; and
- (xxviii) two first aid boxes, each containing—
  - (a) 24 small sterilized dressings ;
  - (b) 12 medium size sterilized dressings ;
  - (c) 12 large size sterilised dressings;
  - (d) 12 large size sterilised burn dressings;
  - (e) 12 half ounce packets sterilized cotton wool;
  - (f) one snake bite lancet;
  - (g) one pair scissors ;

- (h) two (1 oz.) bottles of potassium permanganate crystals;
- (i) one (4 oz.) bottle containing a two per cent alcoholic solution of iodine;
- (j) one (4 oz.) bottle of sal volatile having the dose and mode of administration indicated on the label;
- (k) a copy of the first aid leaflet issued by the Chief Adviser of Factories, Government of India.

## PART II

Applying to work or parts thereof in which—

- (i) Caustic pots are used; or
- (ii) Chlorate of bleaching powder is manufactured ; or
- (iii) (a) gas tar or coal tar is distilled or is used in any process of chemical manufacture; or
  - (b) nitro or amino process is carried on ; or
  - (c) a chrome process is carried on ; or
- (iv) crude shale oil is refined or Process incidental thereto are carried on; or
- (v) nitric acid is used in the manufacture of nitro compounds;
- (vi) the evaporation of brine in open pans and the stoving of salt are carried on ;
- (vii) the manufacture or recovery of hydrofluoric acid or any of its salts is carried on,
- (viii) work at a furnace where the treatment of zinc ores is carried on ; and
- (ix) insecticides mentioned in sub-schedule "A" are manufactured, mixed, blended or packed.

1. *Entry into gas tar or coal tar still* .—(1) Before any person enters a gas tar or coal tar still for any purpose except that of rescue, it shall be completely isolated from adjoining tar stills, either by disconnecting—

- (a) the pipe leading from the swan neck to the condenser worm ; or
- (b) the waste gas pipe fixed to the worm or receiver;

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

2. *Entry into bleaching powder chambers* .—No person shall enter a chamber for the purpose of withdrawing the charge of bleaching powder unless and until—

- (i) the chamber is efficiently ventilated ; and
- (ii) the air in the chamber has been tested and found to contain not more than 2.5 grains of free chlorine gas per cubic foot.

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

3. *Special precautions for a nitro and amino Processes* -In nitro or amino processes: (a) if crystallised substances are broken or any liquor agitated by hand, means shall be taken to prevent as far as practicable, the escape of dust or fume into the air of any place in which any person is employed. The handles of all implements used in the operations shall be cleaned daily; (b) cartridges shall not be filled by hand except by means of a suitable scope; (c) every drying stove shall be efficiently ventilated to the outside air in such a manner that hot air from the stove shall not be drawn into any work room ; (d) no person shall enter a stove to remove the contents until a free current of air has been passed through it; (e) every vessel containing nitro or amino derivatives of phenol or of benzene or its homologues shall if steam is passed into or around it, or if the temperature of the contents be at or above the temperature of the boiling water, be covered in such a way that steam of vapour shall be discharged into the open air at a height of not less than 25 feet from the ground or the working platform, and at a point where it cannot be blown back again into the work-room.

4. *Precautions during caustic grinding, etc* .—(a) Every machine used for grinding or crushing caustic shall be enclosed; and (b) where any of the following process are carried on—

- (i) grinding or crushing of caustic ;
- (ii) packing of ground caustic;
- (iii) grinding, sieving, evaporating or packing in a chrome process ;
- (iv) crushing or mixing of material or cartridge filling in a nitro or amino process , an efficient exhaust draught shall be provided ;
- (v) insecticides mentioned in sub-schedule "A" are manufactured, mixed, blended, or packed.

5. (a) Chlorate shall not be crystallised, ground or packed except in a room or place not used for any other purpose, the floor of which room or place shall be of cement or other smooth, impervious and incombustible material and shall be thoroughly cleaned daily.

(b) Wooden vessels shall not be used for the crystallisation of chlorate, or to contain crystallised or ground chlorate:

Provided that this regulation shall not prohibit the packing of chlorate for sale into wooden casks or other wooden vessels.

6 . *Restrictions on the employment of young persons and women* .—(a) No person under 18 years of age and women shall neither be employed in any process in which hydrochloric acid fumes or ammonia vapours are given off from the following operations—

- (i) evaporation of brine in open pans;
- (ii) stoving of salt;
- (iii) work at a furnace where the treatment of zinc is carried on; and
- (iv) the cleaning of work rooms where the process mentioned in (iii) is carried on.

(b) No person under 18 years of age shall be employed in a chrome process or in nitro or amino process or in a process in which the following materials are used or where the vapour of such material is given off:

Carbon bi-sulphide, chlorides of sulphur, benzene, carbon tetrachloride trichloroethylene, any carbon chloride compound, or any mixture containing any of each materials.

*7. Every person employed —*

(a) in a processes to which Paragraph 33 of this Schedule applies shall wear the protective clothing, footwear, respirators, goggles or gloves, provided under Paragraph 33 and shall deposit overall or suit, or working clothing so provided as well as clothing put off during working hours, in the places provided under Paragraph 34;

(b) in Processes to which Paragraph 35 applies shall carefully wash the hands and face before partaking of any food or leaving the premises;

(c) in any process to which Part II of this Schedule applies shall use the protective appliances supplied in respect of any process in which he is engaged.

**SCHEDULE-XV**  
**MANUFACTURE OR MANIPULATION OF CARCINOGENIC DYE**  
**INTERMEDIATES APPLICATION:**

**1. Application.-** The schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned in paragraphs 3 and 4 are formed, manufactured, handled, or used and the processes incidental thereto in the course of which these substances are formed, are carried on. The Process indicated in this paragraph shall be referred to hereinafter as "the said processes " and such a reference shall mean any or all of the process described in this paragraph.

**2. Definitions.—** For the purpose of this schedule the following definitions shall apply, unless the context otherwise requires :—

(a) "*Controlled Substances*" means chemical substances mentioned in paragraph 4 of this schedule.

(b) "*Efficient Exhaust Draught* " means localised ventilation effected by 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 to be

efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originated.

(c) "*First Employment*" means first employment in the said processes and also re-employment in such processes following any cessation of employment for a continuous period exceeding three calendar months, 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 a total concentration not 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 substance containing any of these compounds.

4. *Controlled substances*.— For the purpose of this schedule, the following chemical-substances shall be classified as "controlled substances" :—

(a) Alpha-naphthylamine or alpha naphthylamine containing not more than one per cent of beta-naphthylamine either as a by-product of chemical reaction or otherwise, and its salts,

(b) Ortho-tolidine and its salts ;

(c) Dianisidine and its salts ;

(d) Dichlorobenzidine and its salts ;

(e) Auramine, and

(f) Magenta.

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 substances*.— (1) Wherever any of the controlled substances referred to in paragraph 4 are formed, manufactured, processed, handled, or used, all practical steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance, and its storage or transport while the plant, or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas.

(2) As far as possible all operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be

applied at the point where the controlled substances are likely to escape into the atmosphere during the processes.

(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 processes or in use. The controlled substances shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labelled to indicate the contents.

**7. *Personal protective equipment.***—( 1) The following items of personal protective equipment shall be provided and issued to every employees employed in the said Processes.

(a) Long trousers and shirts or overalls with full sleeves and head coverings. The shirt or overalls shall cover the neck completely.

(b) Rubber gum-boots.

(2) The following items of personal protective equipment shall be provided in sufficient numbers for use by workers employed in the said processes when there is danger of injury during the performance of normal duties or in the event of emergency :

(a) Rubber hand-gloves;

(b) Rubber aprons;

(c) Airline respirators or other suitable respiratory protective equipment.

(3) It shall be the responsibility of the manager to maintain all items of personal protective equipment in a clean and hygienic condition and in good repair.

**8. *Prohibition relating to employment of women and young persons.***— No woman or young person shall be employed or permitted to work in any room in which the said Process is carried on.

**9. *Floors of work-room .***—The floor of every work room in which the said processes are carried on shall be:

(a) smooth and impervious to water provided that asphalt or tar shall not be used in the composition of the floor;

(b) maintained in a state of good repair;

(c) with a suitable slope for easy draining and provided with gutters; and

(d) thoroughly washed daily with the drain water being led into the sewer through a closed channel.

**10. *Disposal of empty containers.***— Empty containers used for holding controlled substances shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded.

11. *Manual handling.*— Controlled substances shall not be allowed to be mixed, filled, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.

12. *Instructions regarding risk .*—Every worker on his first employment in the said process shall be fully instructed on the properties of the toxic chemicals to which he is likely to be exposed to, of the danger 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 Process shall be affixed in prominent places frequented by them in the factory, where the placards can be easily and conveniently read. Arrangements shall be made by the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.

14. *Medical examination .*—(1) Every worker employed in the said processes shall be examined by a Factory medical officer within 14 days of his first employment. Such examination shall include tests which the Factory medical officer may consider appropriate and shall include exfoliative 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 Factory medical officer.

(2) Every worker employed in the said processes shall be re-examined by a Factory medical officer at least once every six calendar months. Such examination shall include tests which the factory medical officer may consider appropriate but shall include exfoliative cytology of the urine.

(3) A person medically examined under sub-paragraph (1) shall be granted by a Factory medical officer a certificate of fitness in Form VIII. Record of each re-examination carried out under sub-paragraph (2) shall be entered in the health register Form VII. The health register shall be kept in the custody of the manager of the factory.

(4)The record of each examination carried out as referred to in subparagraphs (1) and (2) including the nature and the results of the tests shall be entered by the Factory medical officer in a health register in Form VII.

(5) The certificates of fitness and the health register shall be kept readily available for inspection by any Inspector-cum-Facilitator.

(6) If at any time the Factory Medical Officer or Medical Officer is of the opinion that a person is no longer fit for employment in the said processes in any other work on the ground that continuance therein would involve damage to his

health, 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 or in any work as the case may be.

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

**15. Medical facilities.**—(1) The occupier of every factory in which the said processes is carried on shall engage a Factory medical officer for medical surveillance of the employees employed in such processes where number of workers exceed 50.

(2) The occupier shall provide to him all the necessary facilities for the purpose referred to in sub-paragraph (1).

(3) A record of medical examinations and appropriate tests carried out by the Factory medical officer shall be maintained in health register Form VII approved.

**16. Obligations of the workers .**— It shall be the duty of the persons employed in the said process to submit themselves for the medical examination including exfoliative cytology of urine by the Factory medical officer or the Factory medical officer as provided for under these rules.

**17. Washing and bathing facilities .**—(1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all employees employed in the said Process :

(a) A wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with at least one stand pipe for every five such workers.

(b) 50 per cent of the stand pipes provided under clause (a) shall be located in bathrooms where both hot and cold water shall be made available during the working hours of the factory and for one hour thereafter.

(c) The washing and bathing facilities shall be in close proximity of the area housing the said processes.

(d) Clean towels shall be provided individually to such workers.

(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.



**18. *Food, drink etc. prohibited in the work room* .—No worker shall consume food, drink, pan and supari or tobacco or shall smoke in any work room in which the said processes is carried on and no worker shall remain in any such room during intervals for meals or rest.**

**19. *Cloak room* .—There shall be provided and maintained in a clean state and in good repair for the use of the workers employed in the said workers:**

**(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 under paragraph 7.**

**The accommodation provided shall be under the care of a responsible person and shall be kept clean.**

**20. *Mess room* .—There shall be provided and maintained for the use of workers employed in the said Processes who remain on the premises during the meal intervals, mess room which shall be furnished with tables and benches and provided with suitable means for warming food.**

**21. *Time allowed for washing*.— Before the end of each shift 30 minutes shall be allowed for bathing each worker who is employed in the said processes. Further at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.**

**22. *Restriction on age of persons employed* .—No worker under the age of 40 years shall be engaged in the factory in the said processes for the first time after the date on which the Schedule comes into force.**

**23. *Exceptions—Prohibited substances*.—( 1) The Chief Inspector cum-Facilitator of Factories 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 not 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 benzidine hydrochloride provided that all the Process 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 not greater than that required for the purpose of control of process or**

such purposes as is necessary to ensure that the product is free from prohibited substances and that adequate steps are taken to insure that benzidinehydrochloride is except while not in a totally enclosed system, kept wet with not less than one part of water to two parts of benzidine hydrochloride at all times.

**24. Exception —General.**—If in respect of any factory, the Chief Inspector of Factories is satisfied that owing to the exceptional circumstances of infrequency of the Process or for any other reason, all or any of the provisions of this Schedule is not necessary for the protection of the workers in the factory, the Chief Inspector cum-Facilitator may by a certificate in writing (which he may in his discretion revoke at any time exempt such factory from all or any of such provisions subject to such conditions, if any as he may specify therein).

#### APPENDIX

##### Cautionary Placard-Notice

1. Dye intermediates which are nitro or amino derivatives or aromatic hydrocarbons are toxic. You have to handle these chemicals frequently in this factory.
2. Use the various items of protective wear to safeguard your own health.
3. Maintain scrupulous cleanliness at all times thoroughly wash hands and feet before taking meals. It is essential to take a bath before leaving the factory.
4. Wash off any chemicals falling on your body with soap and water. If splashed with a solution of the chemical, remove the contaminated clothing immediately. These chemicals are known to produce cyanosis. Contact the Medical officer or appointed doctor immediately and get his advice.
5. Handle the dye intermediates only with long handled scoops, never with bare hands.
6. Alcoholic drinks should be avoided as they enhance the risk of poisoning by the chemicals.
7. Keep your food and drinks away from work-place. Consuming food, drinks or tobacco in any form at the place of work is prohibited.
8. Serious effects from work with toxic chemicals may follow after many years. Great care must be taken to maintain absolute cleanliness of body, clothes, machinery and equipment.

#### SCHEDULE-XVI

##### MANUFACTURE, HANDLING AND USAGE OF BENZENE AND SUBSTANCES CONTAINING BENZENE:

1. This Schedule is made to provide protection against hazards of poisoning from benzene and shall apply in respect of factories or parts thereof in which benzene or substances containing benzene are manufactured, handled or used.
2. *Definitions* .—For the purpose of this Schedule :

- (a) 'substances containing benzene' means substances wherein benzene content exceeds 1 per cent 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 ; and
- (d) 'efficient exhaust draught' means localised ventilation affected 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 workroom. No draught shall be deemed to be efficient if it fails to remove smoke generated at the point where such gases, vapours, fumes or dusts originate.

**3. Prohibition and substitution.—**(1) Use of benzene and substances containing benzene is prohibited in the following Processes —

- (a) manufacture of varnish, paints and thinners ;
- (b) cleaning and degreasing operations.

(2) Benzene or substances containing benzene shall not be used as a solvent or diluent unless the processes in which it is used is carried out in an enclosed system or unless the processes is carried on in a manner which is considered equally safe as it were carried out in an enclosed system.

(3) Where suitable substitutes are available, they shall be used instead of benzene or substances containing benzene. This provision, however, shall not apply to the following process :

- (a) Production of benzene ;
- (b) Process where benzene is used for chemical synthesis ; and
- (c) Motor spirits (use and fuel).

(4) The Chief Inspector cum facilitator may, subject to confirmation by the State Government, permit exemptions from the percentage laid down in Paragraph 2(a) and also from the provisions of sub-paragraph (2) of this paragraph temporarily under conditions and within limits of time to be determined after consultation with the employers and workers concerned.

**4. Protection against inhalation.—**(1) The process involving the use of benzene or substances containing benzene shall as far as practicable be carried out in an enclosed system.

(2) Where, however, it is not practicable to carry out the process in an enclosed system, the workroom in which benzene or substances containing 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 or the workroom so that the concentration of benzene in the air does not exceed 25 parts per million by volume or 80 milligrams per cubic metre.

**(3) Air analysis for the measurements 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 results of such analysis shall be recorded in a register specially maintained for this purpose. If the concentration of benzene vapours in air as measured by air analysis, exceeds 25 parts per million by volume or 80 milligrams per cubic metre, the Manager shall forthwith report the concentration of the Chief Inspector –cum-Facilitator stating reasons for such increase.**

**(4) Workers who for special reasons are likely to be exposed to concentration of benzene in the air or the workroom exceeding the maximum referred in sub-paragraph (2) shall be provided with suitable respirators face masks. The duration of such exposure shall be limited as far as possible.**

**5. *Measures against skin contact.*—( 1) workers who are likely to come in contact with liquid benzene or liquid substance containing benzene shall be provided with suitable gloves, aprons, boots and where necessary vapour tight chemical goggles, made of material not affected by benzene or its vapours.**

**(2) The protective wear referred to in sub-paragraph (i) shall be maintained in good condition and inspected regularly.**

**6. *Prohibition relating to employment of women and young persons .*—No woman or young person shall be employed or permitted to work in any workroom 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.*—( 1) The use of benzene or substances containing benzene by workers for cleaning their hands or their work clothing shall be prohibited.**

**(2) workers shall be instructed on the possible dangers arising from such misuse.**

**9. *Prohibition of consuming food, etc., in workroom .*—No worker shall be allowed to store or consume food or drink in the workroom in which benzene or substances containing benzene are manufactured, handled or used. Smoking and chewing tobacco or pan shall be prohibited into such workrooms.**

**10 . *Instruction 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 measure to be taken to deal with an emergency.**

**11. *Cautionary notices.***— Cautionary notices in the form specified in Appendix 'A' and presented in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the workrooms where benzene or substances containing benzene are manufactured, handled or used.

**12. *Washing facilities cloak room and mess-room.***— In factories in which benzene or substances containing benzene are manufactured, handled or used the occupier shall provide and maintain in clean state and in good repair :

(1) Washing facilities under cover of the standard of at least one tap for every 10 persons having constant supply of water with soap and a clean towel provided individually to each worker if so ordered by the Inspector ;

(2) A cloak room with lockers for each workers, having two compartments one for street clothing and one for work-clothing ; and

(3) A mess room furnished with tables and benches with means for warming food, provided that where a canteen or other proper arrangements exist for the workers to take their meals, the requirements of the mess room shall be dispensed with.

**13. Medical Examination.**—(1) Every worker who is to be employed in process involving use of benzene or substances containing benzene, shall undergo—

(a) a thorough pre-employment medical examination including a blood test for fitness for employment by a Factory medical officer; and

(b) periodical medical examination including blood test and other biological tests at intervals of every 6 months by the Factory medical officer with the assistance of a laboratory.

(2) Certificates of pre-employment medical examination and periodical medical examination including tests after every six month, shall be entered in a health register in Form VII, which shall be produced on demand by an Inspector cum Facilitator.

(3) If the Factory Medical Officer on examination at any time is of the opinion that any worker has developed signs or symptoms of benzene exposure, he shall make a record of his findings in the said register and inform the manager in writing and on receipt of the information from the Factory medical officer, the manager of the factory shall send the worker so found exposed, to the Factory medical officer who shall, after satisfying himself with the finding of the factory medical officer and conducting necessary examination, issue orders of temporary shifting of the worker or suspension of the worker in the process .

(4) The medical examination shall be arranged by the occupier or manager of the factory and the worker so examined shall not bear any expenses for it.

**(Paragraph 11)**

- (a) The hazard:**
- (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 the 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, excessive excitation and losing of consciousness, immediately inform your Factory Manager.**
  - (v) Keep all the containers of benzene closed.**
  - (vi) Handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on the floor.**
  - (vii) Maintain good house-keeping.**
- (c) The protective equipment to be used:**
- (i) Use respiratory protective equipment in place where benzene vapours are present in high concentration,**
  - (ii) In emergency, use self-generating oxygen masks or oxygen or air-cylinder masks.**
  - (iii) Wear hand gloves, aprons, goggles and gum boots to avoid contact of benzene with your skin and body parts.**
- (d) The First-aid measure to be taken in case of acute benzene poisoning:**
- (i) Remove the clothing immediately if it is wetted with benzene.**
  - (ii) If liquid benzene enters eyes, flush thoroughly 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 the open.**
- (b) Lay him down without a pillow and keep him quiet and warm.**

**If the exposed person is unconscious :**

- (a) Lay 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 shallow breathing or cyanosis (blueness of skin, lips, ears, fingers, nail beds), he should be provided with medical oxygen or oxygen carbon dioxide mixture. If needed, he should be given artificial respiration. Oxygen should be administered by a trained person only.

## SCHEDULE-XVII

### Manufacture of pottery:

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

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

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

- (a) "*Efficient exhaust draught*" means localised ventilation affected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates;
- (b) "*fettling*" includes scalloping, towing, sand peppering, sand sticking, brushing or any other process of cleaning of potteryware in which dust is given off;
- (c) "*first employment*" shall mean first employment in any process mentioned under Paragraph 3 and shall also include re-employment in the said process following any cessation of employment for a continuous period exceeding three calendar months;
- (d) "*ground or powdered flint or quartz*" does not include natural sands;
- (e) "*leadless glaze*" means a glaze which does not contain more than one per cent of its dry weight of a lead compound calculated as lead monoxide;
- (f) "*low solubility glaze*" means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight, of a soluble lead compound calculated as lead monoxide when determined in the manner described below—

A weighed quantity of the material which has been dried at 100 degrees centigrade and thoroughly mixed shall be continuously shaken for one hour at the common temperature with 1000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the

clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate;

(g) "*potter's shop*" includes all places where pottery is formed by pressing or by any other processes and all places whereby pressing or by any other process and all places where shaping, fettling or other treatment of pottery article prior to placing for the biscuit fire is carried on; and

(h) "Pottery" includes earthenware, stoneware, porcelain, chinatiles, and any other articles made from such clay or from a mixture containing clay and other materials such as quartz, flint, feldspar, and gypsum.

3. *Efficient exhaust draughts.*— The following process shall not be carried on without the use of an efficient exhaust draught:

(a) all processes involving the manipulation or use of a dry and unfritted lead compound;

(b) fettling operations of any kind, whether on greenware or biscuit, provided that this shall not apply to the wet fettling, and to the occasional finishing of pottery articles without the aid of mechanical power;

(c) sifting of clay dust or any other material for making tiles or other articles by pressure, except where—

(i) this is done in machine so enclosed as to effectually prevent the escape of dust; or

(ii) the material to be sifted is so damp that no dust can be given off;

(d) pressing of tiles from clay dust, an exhaust opening being connected with each press, and pressing from clay dust of articles other than tiles, unless the material is so damp that no dust is given off;

(e) fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on or with, damp material, and fettling of other articles made from clay dust, unless the material is so damp that no dust is given off;

(f) process of loading and unloading of saggars where handling and manipulation of ground and powdered flint, quartz, alumina or other materials are involved;

(g) brushing of earthenware biscuit, unless the process is carried on in a room provided with efficient general mechanical ventilation or other ventilation which is certified by the Inspector cum-Facilitator as adequate having regard to all the circumstances of the case;



- (h) fettling of biscuit ware which has been fired in powdered flint or quartz except where this is done in machine so enclosed as to effectively prevent the escape of dust;
- (i) ware cleaning after the application of glaze by dipping or other process ;
- (j) crushing and dry grinding of materials for pottery bodies and saggars, unless carried on in machines so enclosed as to effectively prevent the escape of dust or is so damp that no dust can be given off;
- (k) sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials unless it is so damp that no dust can be given off;
- (l) grinding of tiles on a power driven wheel unless an efficient water spray is used on the wheel;
- (m) lifting and conveying of materials by elevators and conveyers unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near to any place in which persons are employed;
- (n) preparation or weighing out of flow material, lawning of dry colours, colour dusting and colour blowing;
- (o) mould making unless the bins or similar receptacles used for holding plaster of paris are provided with suitable covers; and
- (p) manipulation of calcined material unless the material has been made and remains so wet that no dust is given off.

**4 . *Separation of 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 other wet Process —

- (a) crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading of saggars, and the use of a dry lead compound,
- (b) all Process involving the use of a dry lead compound.

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

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

**7. *Provisions of screen to potter's wheel .***—The potter's wheel (jolly and jigger) shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel.

**8. Control of dust during cleaning.—(1) All practical measures shall be taken by dampening or otherwise to prevent dust arising during cleaning of floors.**

**(2) Damp sawdust 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.**

**9. *Floor of certain workrooms* .—The floors of potter's shops, slip houses, dipping houses and ware cleaning rooms shall be hard, smooth and impervious and shall be thoroughly cleaned daily by an adult male using a moist method.**

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

**(2) The occupier shall provide and maintain suitable aprons of a waterproof or similar material which can be sponged daily, for the use of the dippers, dippers' assistants, throwers, jolly workers, casters, mould makers and filter press and pug mill workers.**

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

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

**11. *Washing facilities* .—(1) The occupier shall provide and maintain, in a clean state and in good repair for the use of all persons employed in any of the Process specified in Paragraph 8—**

**(a) 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 60 centimetres for every five such persons employed at any one time, and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 centimetres; or**

**(ii) at least one tap or standpipe for every five such persons employed at any one time, and having a constant supply of clean water, the tap or standpipe being spaced not less than 120 centimetres apart; and**

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

**12. *Time allowed for washing*.— Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be**

allowed for washing to each person employed in any of the process mentioned in Paragraph-3.

**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 0.93 square metre per head and furnished with—

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

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

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

- (a) a cloak-room for clothing put off during working hours and such accommodation shall be separate from any mess-room; and
- (b) separate and suitable arrangements for the storage of protective equipment provided under Paragraph 10.

**16 . Medical facilities and records of examinations and tests .—**(1) The occupier of every factory in which manufacturing of pottery is carried on, shall—

- (a) employ a Factory medical officer for medical surveillance of the workers employed therein where number of workers exceed 50; and
- (b) provide to the said Factory medical officer 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 Health register Form 3, which shall be kept readily available for inspection by the Inspector cum Facilitator.

**17. Medical examination by Factory medical officer.—**( 1) Every worker employed in any process mentioned under Paragraph 3, shall be examined by a Factory 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 tests and chest X-ray for workers engaged in process mentioned in clauses (a) and (n) of Paragraph 3 and pulmonary function

test 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 Factory medical officer.

(2) All persons employed in any of the Process mentioned in clauses (a) and (n) of Paragraph 3 shall be examined by a Factory medical officer once in every 3 calendar months. Those employed in any other Process mentioned in the remaining clauses of Paragraph 3 shall be examined by a Factory medical officer once in every twelve calendar months. Such examinations in respect of all the employees shall include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in 3 years.

(3) The Factory medical officer after examining a worker shall issue Certificate of Fitness in Form VIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum facilitator.

(5) If at any time the Factory Medical Officer or 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 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.

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

**18. Exemption.**— If in respect of any factory the Chief Inspector cum Facilitator is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed in such factory, he may by a certificate in writing exempt such factory from all or any of such provisions subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector cum-Facilitator without assigning any reasons.

#### **SCHEDULE-XVIII**

**Manipulation of Stone or any Other Material Containing Free Silica:**

**1. Application.**— This Schedule shall apply to all factories or parts of factories in which manipulation of stone or any other material containing free silica is carried on.

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

- (a) "First employment" shall mean first employment in the processes specified in Paragraph 1 and shall also include re-employment in the said Process following any cessation of employment for a continuous period exceeding three calendar months;**
- (b) "manipulation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material or any other operation involving such stone or material; and**
- (c) "stone or any other material containing free silica" means a stone or any other solid material containing not less than 5 per cent by weight of free silica.**

**3. *Precautions in manipulation* .—No manipulation shall be carried out in a factory or part of a factory unless one or more of the following measures, namely—**

- (a) dampening the stone or other material being processed;**
- (b) providing water spray;**
- (c) enclosing the processes;**
- (d) isolating the processes; and**
- (e) providing localised exhaust ventilation:**

are adopted so as to effectively control the dust in any place in the factory where any person is employed, at a level equal to or below the maximum permissible level for silica dust as laid down in second Schedule XXXVII appended to Section 88 of the Code:

Provided that such measures as above said are not necessary if the processes of operation itself is such that the level of dust created and prevailing does not exceed the permissible level referred to.

**4. *Maintenance of floors* .—(1) All floors or places where fine dust is likely to settle on and wherein any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning.**

**(2) The surface of every floor of every workroom or place where any work is carried on or where any person has to pass during the course of his work, shall be cleaned of dust once at least during each shift after being sprayed with water or by any other suitable method so as to prevent dust being airborne in the process of cleaning.**

**5. *Prohibition relating to young persons*.—No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried on.**

**6. Medical facilities and records of examinations and tests.—(1) The occupier of every factory to which the Schedule applies, shall—**

- (a) employ a qualified medical officer for medical surveillance of the workers employed therein where number of workers exceeds 50;and**
- (b) provide to the said Medical officer 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 officer shall be maintained in a separate register approved by the Chief Inspector cum Facilitator which shall be kept readily available for inspection by the Inspector-cum-Facilitator.**

**7. *Medical examination by Factory medical officer.*—( 1) Every worker employed in the processes specified in Paragraph 1, shall be examined by a Factory medical officer within 15 days of his first employment. Such medical examination shall include pulmonary function tests and chest X-ray. No worker shall be allowed to work after 15 days of his first employment unless certified fit for such employment by the Factory medical officer.**

**(2) Every worker employed in the said process shall be re-examined by a Factory medical officer at least once in every twelve months. Such examination shall, wherever the Factory medical officer considers appropriate, include all the tests as specified in sub-paragraph (1) except chest X-ray which will be once in every 3 years.**

**(3) The Factory medical officer after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of re-examination carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the Factory. The record of each examination carried out under sub-paragraphs (1) and (2) including the nature and the results of the tests, shall also be entered by the Factory medical officer in Health Register in Form VII.**

**(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum-facilitator.**

**(5) If at any time the Factory Medical Officer or 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 those documents also include the period for which he considers that the said person is unfit for work in the said process.**

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

**8. Exemption.**— If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the Process or for any other reason, all or any of the provisions of this Schedule are not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

**SCHEDULE-XIX**  
**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 part of factories in which any of the following process 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 process in the manufacture of asbestos textiles including preparatory and finishing Process ;
- (c) making of insulation slabs or Sections, composed wholly or partly of asbestos and Processes incidental thereto;
- (d) making or repairing of insulating mattresses composed wholly or partly of asbestos, and processes incidental thereto;
- (e) manufacture of asbestos cardboard and paper;
- (f) manufacture of asbestos or cement goods;
- (g) application of asbestos by spray method;
- (h) sewing, grinding, turning, abrading and polishing in the dry state of articles composed wholly or partly of asbestos;
- (i) cleaning of any room, vessel, chambers, fixture or appliance for the collection of asbestos dust; and
- (j) any other process in which asbestos dust is given off into the work environment.

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

- (a) "approved" means approved for the time being in writing by the Chief Inspector cum-facilitator;
- (b) "asbestos" means any fibrous silicate mineral and any admixture containing actinolite, amosite, anthophyllite, chrysolite, crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;
- (c) "asbestos textiles" means yarn or cloth composed of asbestos mixed with any other material;

- (d) "breathing apparatus" means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust, or any other approved apparatus;
- (e) "efficient exhaust draught" means localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;
- (f) "first employment" shall mean first employment in the processes, specified in Paragraph 1 and shall also include re-employment in the said process following any cessation of employment for a continuous period exceeding three calendar months;
- (g) "preparing" means crushing, disintegrating, and any other process in or incidental to the opening of asbestos; and
- (h) "protective clothing" means overall and head covering, which (in either case) will when worn exclude asbestos dust.

3. *Tools and equipment* .—Any tools or equipment used in Process to which this Schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

4. *Exhaust draught* .—(1) An efficient exhaust draught shall be provided and maintained to control dust from the following processes and machines—

- (a) manufacture and conveying machinery, namely—
  - (i) preparing, grinding or dry mixing machines;
  - (ii) carding, card waste and ring spinning machines, and looms;
  - (iii) machines or other plant fed with asbestos; and
  - (iv) machines used for the sewing, grinding, turning, drilling, abrading or polishing, in the dry state, of articles composed wholly or partly of asbestos.
- (b) cleaning and grinding of the cylinders or other parts of a carding machine;
- (c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;
- (d) workbenches for asbestos waste sorting or for other manipulation of asbestos by hand;
- (e) workplaces at which the filling or emptying of sacks, skips or other portable containers, weighing or other processes 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 subparagraph (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 workplace.

(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 bags which shall be isolated from all work areas.

**5. *Testing and examination of ventilating systems.***—(1) All ventilating systems used for the purpose of extracting or suppressing dust as required by this Schedule shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or tests shall be rectified forthwith.

(2) A register containing particulars of such examination and tests and the state of the plant and repairs or alterations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector cum-Facilitator.

**6. *Segregation in case of certain process.***— Mixing or blending by 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.***— All loose asbestos shall while not in use, be kept in suitable closed receptacles which prevent the escape of asbestos dust therefrom and such asbestos shall not be distributed within a factory except in such receptacles or in a totally enclosed system of conveyance.

**8. *Asbestos sacks.***—(1) All sacks used as receptacles for the purpose of transport of asbestos within the factory shall be constructed of impermeable material 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, workbenches, 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 and which would obstruct the proper cleaning of the floor.

(2) The cleaning as mentioned in sub-paragraph (1) shall, so far as is practicable, be carried out by means of vacuum cleaning equipment as designed and constructed and so used that asbestos dust neither escapes nor is discharged into the air of any workplace.

(3) When the cleaning is done by any method other than that mentioned in sub-paragraph (2), the persons doing cleaning work and any other person employed in that room shall be provided with respiratory protective equipment and protective clothing.

(4) The vacuum cleaning equipment used in accordance with provisions of sub-paragraph (2), shall be properly maintained and after each cleaning operation, its surface shall be 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 workplace 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 condition for use of every person employed—

(a) in chambers containing loose asbestos;

(b) in cleaning, dust settling, or filtering chambers, or apparatus;

(c) in cleaning the cylinders, including the doffers cylinders, or other parts of a carding machine by means of hand-strickles;

(d) in filling, beating, or levelling in the manufacture or repair of insulating mattresses; and

(e) in any other operation or circumstance in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.

(2) Suitable accommodation in a 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 Schedule and for the storage of such apparatus and clothing when not in use.

(3) All breathing apparatus and protective clothing when not in use shall be stored in the accommodation provided in accordance with sub-paragraph (2).

(4) All protective clothing in use shall be re-dusted 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 of the said clothing in protecting the wearer.

(5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(6) Records of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector cum facilitator.

(7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.

(8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person, shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

11. *Separate accommodation for personal clothing.*— A separate accommodation shall be provided in a conveniently accessible position for all persons employed in operations to which this Schedule applies for storing of personal clothing. This should be separated from the accommodation provided under subparagraph (2) of Paragraph 10 to prevent contamination of personal clothing.

12 . *Washing and bathing facilities.*—( 1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by the Schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 15 persons employed.

(2) The washing places shall have standpipes placed at intervals of not less than one metre.

(3) Not less than one-half of the total number of washing places shall be provided with bathrooms.

(4) Sufficient supply of clean towels made of suitable materials shall be provided:

Provided that such towels shall be supplied individually for each worker if so ordered by the Inspector cum facilitator.

(5) Sufficient supply of soap and nail brushes shall be provided.

13. *Mess-room.*—( 1) There shall be provided and maintained for the use of all workers employed in the factory covered by this Schedule, remaining on the premises during the rest intervals, a suitable mess-room which shall be furnished with—

- (a) sufficient tables and benches with back-rest, and
- (b) adequate means for warming food.

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

**14. Prohibition of employment of young persons .—**No young person shall be employed in any of the process covered by this Schedule.

**15. Prohibition relating to smoking.—** No person shall smoke in any area where the Processes covered by this Schedule is carried on. A notice in the language understood by the majority of the workers shall be posted in the plant prohibiting smoking in 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; and
- (c) prohibition of entry to unauthorised persons or authorised persons but without protective equipment.

(2) Such notices shall be in the languages understood by the majority of the workers.

**17. Air Monitoring .—**To ensure the effectiveness of the central measures, monitoring of asbestos in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purpose.

**18 . Medical facilities and records of medical examinations and tests .—**(1) The occupier of every factory or part of the factory to which the Schedule applies, shall—

- (a) employ a Factory medical officer for medical surveillance of the workers covered by this Schedule whose employment shall be subject to the approval of the Chief Inspector cum-Facilitator; and
- (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a).

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

**19. Medical examination by Factory medical officer.—**( 1) Every worker employed in the process specified in Paragraph 1 shall be examined by a Factory medical officer within 15 days of his first employment. Such examinations shall

include pulmonary function tests, tests for detecting asbestos fibers 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 Factory medical officer.

(2) Every worker employed in the process referred to in sub-paragraph (1) shall be re-examined by a Factory medical officer at least once in every twelve calendar months. Such examinations shall, wherever the factory medical officer considers appropriate include all the tests specified in sub-paragraph (1) except chest X-ray which will be carried out once in 3 years.

(3) The Factory medical officer after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the test, shall also be entered, by the Factory medical officer in a Health Register in Form VII.

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

(5) If at any time the Factory Medical Officer or 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 to work in the said Processes .

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

20. *Exemption.*— If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes for any other reason, all or any of the provisions of this Schedule is not necessary for protection of the employees 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 condition, if any, as he may specify therein.

## SCHEDULE-XX

### HANDLING OR MANIPULATION OF CORROSIVE SUBSTANCES:

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

(a) " *corrosive operation* " means an operation of manufacturing, storing, handling, processing, packing or using any corrosive substance in a factory; and

(b) "*corrosive substance*" includes Sulphuric acid, Nitric acid, Hydrochloric acid, Hydrofluoric acid, Carboic 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 workroom 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 a sound condition.

3. *Protective equipment*.—(1) The occupier shall provide for the use of all persons employed in any corrosive operation suitable protective wear for hands and feet, suitable aprons, face shields, chemical safety goggles and respirators. The equipment shall be maintained in good order and shall be kept in a clean and hygienic condition by suitably treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The occupier shall also provide suitable protective creams and other preparations wherever necessary.

(2) The protective equipment and preparations provided shall be used by the persons employed in any corrosive operation.

4. *Water facilities*.— Where any corrosive operation is carried on, there shall be provided as close to the place of such operation as possible a source of clean water at a height of 210 centimetres from a pipe of 1.25 centimetres diameter and fitted with a quick Coding valve so that in case of injury to the worker by any corrosive substance, the injured part can be thoroughly flooded with water. Whenever necessary, in order to ensure continuous water supply, a storage tank having a minimum length, breadth and height of 210 centimeters, 120 centimeters and 60 centimeters respectively or such dimensions as are approved by the Chief Inspector cum-Facilitator shall be provided as the source of clean water.

5. *Cautionary notice*.— A cautionary notice in the following form and printed in the language which majority of the workers employed understand, shall be displayed prominently close to the place where a corrosive operation is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

**CAUTIONARY NOTICE**

**DANGER**

*Corrosive substances cause severe burns and vapour there of may be extremely hazardous. In case of contact, immediately flood the part affected with plenty of water for at least 15 minutes  
Get medical attention quickly.*

**6. Transport .—(1) Corrosive substances shall not be filled, moved or carried except in containers or through pipes and when they are to be transported in containers they shall be placed in crates of sound construction and of sufficient strength.**

**(2) A container with a capacity of 11.5 litres or more of a corrosive substance shall be placed in a receptacle or crate and then carried by more than one person at a height below the waist line unless a suitable rubber wheeled truck is used for the purpose.**

**(3) Containers for corrosive substances shall be plainly labelled.**

**7. Devices for handling corrosives.—( 1) Tilting, lifting or pumping arrangements shall be used for emptying jars, carboys and other containers of corrosives.**

**(2) Corrosive substances shall not be handled by bare hands but by means of a suitable scoop or device.**

**8. Openings of 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, sills etc.—( 1) In cleaning out or removing residues from sills or other large chambers used for holding any corrosive substance, suitable implements made of wood or other material shall be used to prevent production of arseniuretted hydrogen (arsine).**

**(2) Whenever it is necessary for the purpose of cleaning or other maintenance work for any worker to enter a chamber, tank, vat, pit or other confined space where a corrosive substance had been stored, all possible precautions required under Section 36 of the Code shall be taken to ensure the worker's safety.**

**(3) 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.—(1) Corrosive substances shall not be stored in the same room with other chemical materials such as turpentine, carbides, metallic powders and combustible materials, to accidental mixing with, which may cause a reaction which is either violent or gives rise to toxic fumes and gases.**

**(2) Pumping or filling overhead tanks, receptacles, vats or other containers for storing corrosive substances shall be so arranged that there is no possibility of any corrosive substance overflowing and causing injury to any person.**

**(3) Every container having a capacity of twenty litres or more and every pipeline, valve, and fitting used for storing or carrying corrosive substance shall be thoroughly examined every year for finding out any defects, and defects so found out 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 types 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 worker employed understand, shall be affixed near each extinguisher or other equipment.

**12. *Exemption.***—If in respect of any factory on an application made by the Manager, the Chief Inspector cum-Facilitator is satisfied that owing to the exceptional circumstances, or the infrequency of the process 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.

**SCHEDULE-XXI**  
**COMPRESSION OF OXYGEN AND HYDROGEN PRODUCED BY**  
**ELECTROLYSIS OF WATER:**

**1. *Location of electrolyser plant.***—The room in which the electrolyser plant is installed shall be separate from the plant for storing and compressing the oxygen and hydrogen and also the electric generator room.

**2. *Testing of purity.***—(1) The purity of oxygen and hydrogen shall be tested by competent person at least once in every shift at the following posts—

- (a) in the electrolysis room;
- (b) at the gas-holder inlet; and
- (c) at the suction and of the compressor.

(2) The purity figures shall be entered in a register and signed by the persons carrying out such tests:

Provided that if the electrolyser plant is fitted with an automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient to the purity of gases tested at the suction and of the compressor only.

**3. *Restrictions as to the compression.***— The oxygen and hydrogen gases shall not be compressed if their purity as determined under Paragraph 2 above falls below 98 per cent at any time.

**4. *Limit switch for gasholder.***—The bell of any gasholder shall not be permitted to go within the 30 centimeters of its lowest position when empty and a



limit switch shall be fitted in the gasholder in such a manner as to switch off the compressor motor when the limit is reached.

**5 . *Provision of negative pressure switch* .—**In addition to the limit switch in the gasholder, a sensitive negative pressure switch shall be provided in or adjacent to the suction main for hydrogen close to the gasholder and between the gasholder and the hydrogen compressor to switch off the compressor meter in the event of the gasholder being emptied to the extent as to cause vacuum.

**6. *Purity of caustic soda*.**— The water and caustic soda used for making lye shall be chemically pure within pharmaceutical limits.

**7. *Precautions against reversal of polarity* .—**Electrical connections at the electrolysis cells and at the electric generator terminals shall be constructed as to preclude the possibility of wrong connections leading to the reversal of polarity and in addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switchboard or at the electric generator terminals.

**8. *Colouring of gas pipes*.**— 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. *Use of flame proof fittings* .—**All electrical wiring and apparatus in the electrolyser room shall be of flame proof construction or enclosed in flameproof fittings and no naked light or flame shall be allowed to be taken either in the electrolyser room or where compression and filling of the gases is carried on and such warning notices shall be exhibited in prominent places,

**10. *Prohibition of hot work* .—**No part of the electrolyser plant and the gasholders and compressor shall be subjected to welding, brazing, soldering or cutting until steps have been taken to remove any explosive substance from that part and render the part safe for such operations and after the completion of such operations no explosive substance shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

**11. *Repair etc. to be done under supervision* .—**No work or operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or repairs shall be switched on to the electrolyzers unless the same is certified by the competent persons under whose direct supervision erection or

repairs are carried on to be in a safe condition and the terminals have been checked for the polarity as required by Paragraph 7,

**12. *Checking of plant.***— Every part of the electrolyser plant and the gasholders and compressor shall have a regular Schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

**SCHEDULE-XXII**  
**PROCESS OF EXTRACTING OILS AND FATS FROM VEGETABLE AND ANIMAL SOURCE IN SOLVENT EXTRACTION PLANTS:**

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

(a) "Competent person" for the purpose of this Schedule shall be at least a Member of the Institution of Engineers (India) or an Associate Member of the said Institution with 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 engineering 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 a competent person:

Provided further that the State Government may accept any other qualifications if in its opinion they are equivalent to the qualifications aforesaid.

(b) "*flame proof 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 may originate inside the enclosure without suffering damage and without communicating internal inflammation (or explosion) to the external flammable gas or vapour;

(c) "*solvent*" means an inflammable liquid such as pentane, hexane and heptane used for the recovery of vegetable oils;

(d) "*solvent extraction plant*" means a plant in which the process of extracting oils and fats from vegetable and animal sources by the use of solvents is carried on.

**2. *Location and layout.***—(1) No solvent extraction plant shall be permitted to be constructed or extended to within a distance of 30 meters from the nearest residential locality.

(2) A 1-5 metre high continuous wire fencing shall be provided around the solvent extraction plant up to a minimum distance of 15 meters from the plant.

(3) No person shall be allowed to carry any matches or an open flame of fire inside the area bounded by the fencing.

(4) Boiler houses and other buildings where open flame processes are carried on shall be located at least 30 metres away from the solvent extraction plant.

(5) If godowns and preparatory process are at a distance of less than 30 meters from the solvent extraction plant, these shall be at least 15 metres distant from the plant, and a continuous barrier wall of non-combustible material 1.5 meters high shall be erected at distance of not less than 15 meters 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 installations.**— (1) All electrical motors and wiring and other electrical equipment installed or housed in a solvent extraction plant shall be of flame proof construction.

(2) All metal parts of the plant and building including various tanks and containers where solvents are stored are present and all parts of electrical equipment not required to be energised shall be properly bonded together and connected to earth so as to avoid accidental rise in the electrical potential of such parts above the earth potential.

**4. Restrictions on smoking.**— Smoking shall be strictly prohibited within 15 meters distance from a solvent extraction plant. For this purpose, "No Smoking" signs shall be permanently displayed in the areas.

**5. Precautions against friction.**—( 1) All tools and equipment including ladders, chains and other lifting tackle required to be used in a solvent extraction plant shall be of non-sparking type.

(2) No machinery or equipment in a solvent extraction plant shall be belt driven.

(3) No person shall be allowed to enter and work in the solvent extraction plant if wearing clothes made of nylon or such other fibre that can generate static electrical charge or wearing footwear which is likely to cause sparks by friction.

**6. Fire-fighting apparatus.**—( 1) Adequate number of portable fire extinguishers suitable for use against flammable liquid fires shall be provided in the solvent extraction plant.

(2) An automatic water spray sprinkler system on a wet pipe or open-head deluge system with sufficient supply of storage water shall be provided over the solvent extraction plant and throughout the building housing such plant.

**7. Precautions against power failure .**—Provision shall be made for the automatic cutting off of steam in the event of power failure and also for emergency overhead water-supply for feeding water by gravity to condensers which shall come into play automatically with the power failure.

**8. Magnetic separators.**— Oil cake shall be fed to the extruder by a conveyor through a hopper and a magnetic separator shall be provided to remove any pieces of iron during its transfer.

**9. Venting .—**(1) Tanks containing solvents shall be protected with emergency venting to relieve excessive internal pressure in the event of fire.

(2) All emergency relief vents shall terminate at least 6 metres above the ground and be so located that vapours will not re-enter the building in which the 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 eight metres 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. Housekeeping .—**(1) Solvent shall not be stored in an area covered by a solvent extraction plant except in small quantities which shall be stored in approved safety cans.

(2) Waste materials such as oily rags, other wastes 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.

(3) Space within the solvent extraction plant and within 15 meters from the plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleaned up immediately.

**13. Examination and repairs .—**(1) 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 examination shall be supplied to the Inspector cum facilitator with his observation as to whether or not the plant is in safe condition to work.

(2) No repairs shall be carried out to the machinery or plant except under the direct supervision of the competent person.

(3) Facility shall be provided for purging the plant with inert gas before opening for cleaning or repairs and before introducing solvent after repairs.

**14. Operating Personnel.—** The operation of the plant and machinery in the solvent extraction plant shall be in the charge of such duly qualified and trained persons as are certified by the competent person to be fit for the purpose and no other person shall be allowed to operate the plant and machinery.

**15. Employment of women and young persons.—** No women or young person shall be employed in the solvent extraction plant.

**16. *Vapour detection* .—**A suitable type of flame proof and portable combustible gas indicator shall be provided and maintained in good working order and a Schedule

routine sampling of atmosphere at various locations approved by the Chief Inspector-cum-Facilitator shall be drawn out and entered in a register maintained for the purpose.

**SCHEDULE-XXIII  
MANUFACTURE OR MANIPULATION OF MANGANESE AND ITS  
COMPOUNDS:**

**1. *Application* .—**This Schedule shall apply to every factory in which or in any part of which any manganese process is carried on.

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

(a) "efficient exhaust ventilation" means localised ventilation affected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from escaping into the atmosphere of any place where any work is carried on. No draught shall be deemed to be efficient which fails to remove the dust or fume or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a workplace;

(b) "first employment" means first employment in any manganese process following any cessation of employment for a continuous period exceeding three calendar months;

(c) "manganese process" means processing, manufacture or manipulation of manganese or any compound of manganese or any mixture containing manganese; and

(d) "manipulation" means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping or otherwise handling of manganese, or a compound of manganese, or anymore or any mixture containing manganese.

**3. *Isolation of a processes* .—**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 processes and other parts of the factory and persons employed on other processes may not be affected by the same.

**4. *Ventilation of process* .—**No process in which any dust, vapour or mist containing manganese is generated, shall be carried out except under an efficient exhaust ventilation which shall be applied as near to the point of generation as practicable.

**5. *Personal protective equipment.*—( 1) The occupier of the factory shall provide and maintain in good and clean condition suitable overalls and head coverings for all persons employed in any manganese process and such overalls and head coverings shall be worn by the persons while working on a manganese process .**

**(2) The occupier of the factory shall provide suitable respiratory protective equipment for use by worker in emergency to prevent inhalation of dust, fumes or mists. Sufficient number of complete sets of such equipment shall always be kept near the workplace and the same shall be properly maintained and kept always in a condition to be used readily.**

**(3) The occupier shall provide and maintain for the use of all persons employed, suitable accommodation for the storage and make adequate arrangement for cleaning and maintenance of Personal Protective Equipment(PPE).**

**6. *Prohibition relating to women and young persons .*—No women or young persons shall be employed or permitted to work in any manganese process.**

**7. *Food, drinks etc. prohibited in the workrooms.*— No food, drink, pan and supari or tobacco shall be allowed to be brought into premises consumed by any worker in any workroom in which any manganese process is carried on.**

**8. *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.**

**9 . *Washing facilities .*—There shall be provided and maintained in a clean state and in good condition, for the use of persons employed on manganese process**

**(a) 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 at least 60 centimeters for every ten such persons employed at any one time, and having a constant supply of water from tap or jet above the trough at intervals of not more than 60 centimeters; or**

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

**(b) sufficient supply of soap or other suitable cleaning materials and nail brushes and clean towels.**

**10. Cloak-room.**— If the Chief Inspectorcum 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 arrangements for drying the clothing.

**11. Cautionary placard and instructions .**—Cautionary notices in the form specified in appendix and printed in the language of the majority of the workers employed, shall be affixed in prominent places in the factory where they can be easily and conveniently read by the workers and arrangement shall be made by the occupier to instruct periodically all workers employed in a manganese processes regarding the health hazards connected with their duties and the best preventive measures and methods to protect themselves. The notices shall always be maintained in a legible condition.

**12 . Medical facilities and records of examination and tests .**—(1) The occupier of every factory to which the Schedule applies, shall—

(a) employ a Factory medical officer for medical surveillance of the workers employed where number of workers exceed 50; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a health register Form VII, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

**13. Medical examination by Factory medical officer .**—(1) Every worker employed in any manganese process shall be medically examined by a Factory medical officer within 15 days of his first employment. Such examination shall include tests for detection of serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests and other 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 Factory medical officer.

(2) Every worker employed in a manganese processes shall be re-examined by a Factory medical officer at least once in every three calendar months and such examination shall, wherever the Factory medical officer considers appropriate include all the tests in sub-paragraph (1).

(3) The Factory medical officer after examining a worker shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The records of each examination carried out under sub-paragraphs (1) and (2) including the nature and the results of these tests

shall also be entered by the Factory medical officer in a Health Register in Form VII.

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum facilitator.

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

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

14. *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 on such conditions and for such period as he may specify in the said order.

#### APPENDIX

##### CAUTIONARY NOTICE:

##### Manganese and Manganese Compounds

1. Dust, fumes and mists of manganese and its compounds are toxic when inhaled or when ingested.
2. Do not consume food or drinks near the workplace.
3. Take a good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothing and equipment provided.
6. When required to work in situations where dusts, fumes or mists are likely to be inhaled, use respiratory protective equipment provided for the purpose.
7. If you get severe headaches, prolonged sleeplessness or abnormal sensations on the body, report to the manager who would make arrangements for your examination and treatment.

#### SCHEDULE-XXIV

##### MANUFACTURE OR MANIPULATION OF DANGEROUS PESTICIDES:



**1. *Application* .—**This Schedule shall apply in respect of all factories or any part thereof in which the process of manufacture or manipulation of dangerous pesticide hereinafter referred to as the said manufacturing process is carried on.

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

(a) "dangerous pesticides" means any product proposed or used for controlling, destroying or repelling any part or for preventing growth or mitigating excerpts of such growth including any of its formulations which is considered toxic under and is covered by the Insecticides Code, 1968 and the rules made thereunder and any other product, as may be notified from time to time by the State Government;

(b) "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 workroom 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;

(c) "first employment" shall mean first employment in any manufacturing processes to which this Schedule applies and shall also include re-employment in the said manufacturing processes following any cessation of employment for a continuous period exceeding three calendar months; and

(d) "manipulation" including mixing, blending, formulating, filling, emptying, packing or otherwise handling.

**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 workers 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 workplaces in which the said manufacturing process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier and the manager of the factory to periodically instruct the workers regarding the health hazards arising in the said manufacturing processes and methods of protection. Such notices shall include brief instructions regarding the periodical clinical tests required to be undertaken for protecting health of the employees.

**5. *Prohibition relating to employment of women or young persons* .—**No women or young person shall be employed or permitted to work in any room in which the said manufacturing processes 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 shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process .

(2) (a) Protective equipment consisting of rubber gloves, gum boots, rubber apron, 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 workers supplied with such clothing and equipment.

(4) Protective clothing and equipment shall be washed daily inside and outside if the workers handle pesticides containing nicotine or phosphorus and shall be washed frequently if handling other pesticides.

(5) Protective clothing and equipment shall be maintained in good repair.

**8. *Floors and workbenches* .—**(1) Floors in every workroom where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface.

(2) Floors shall be maintained in good repair, provided with adequate slope leading to a drain and thoroughly washed once a day with hose pipe.

(3) Workbenches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned at least once daily.

**9. *Spillage and waste* .—**(1) If a dangerous pesticide during its manipulation splashes or spills on the work-bench, 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 agents where available shall be kept in a readily accessible place for use while attending to a spillage.

(4) Easy means of access shall be provided to all parts of the plants for cleaning, maintenance and repairs.

10. *Empty containers used for dangerous pesticides* .—Containers used for dangerous pesticides shall be thoroughly cleaned of their content and treated with an in-activating 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 whereas dangerous pesticide is manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air.

(2) Unless the process is completely enclosed the following operations during manipulation of a dangerous pesticide shall not be undertaken without an efficient exhaust draught—

(a) empty a container holding a dangerous pesticide;

(b) blending a dangerous pesticide;

(c) preparing a liquid or powder formulation containing a dangerous pesticide; and

(d) changing or filling a dangerous pesticide into a container, tank, hamper or machines 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 at least ten minutes in addition to the regular rest interval shall be allowed for washing to each worker engaged in the manipulation of dangerous pesticide.

(2) Every worker engaged in the manipulation of dangerous pesticides shall have a thorough wash before consuming any food and also at the end of the day's work.

14. *Washing and bathing facilities* .—(1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the factory where the said manufacturing processes is carried on adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 5 persons employed.

(2) The washing places shall have 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 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* .—There shall be provided and maintained for the use of all worker employed in the factory where the said manufacturing processes 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. *Mess-room* .—(1) There shall be provided and maintained for the use of all workers employed in the factory in which the said manufacturing process is carried on and remaining on the premises during the rest intervals a suitable mess-room which shall be furnished with—

(a) sufficient tables and benches with backrest; 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 pesticide shall not be undertaken in any factory unless a certificate regarding its dangerous nature or otherwise is obtained from the Chief Inspector-cum-Facilitator

18. *Medical facilities and records of examinations and tests*.— (1) The occupier of every factory to which the Schedule applies, shall—

(a) employ a Factory medical officer for medical surveillance of the workers employed where number of worker exceeds 50; and

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

(2) The record of medical examinations and appropriate tests carried out by the said medical practitioner shall be maintained in a health register Form 3 which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(3) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosures where bulk sulphur is stored.

**19. *Liquid sulphur* .-** Open flames, electric sparks and other sources of ignition, including smoking and matches, shall be excluded from the vicinity of molten sulphur:

**20. *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.

(2) Workers in charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

**21. *Washing facilities*.** -(1) The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed wash place under cover with at least one tap or stand-pipe, having a constant supply of clean water for every five such persons, the taps or stand-pipe being spaced not less than 120 centimeters apart with a sufficient supply of soap and clean towels, provided that towels shall be supplied individually to each worker if so ordered by the Inspector cum facilitator.

(2) All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

**22 . *Personal protective equipments*.**- (1) Suitable goggles and protective cloth consisting of overalls without pockets, gloves and footwear shall be provided for the use of operator:

- (a) when operating valves or cocks controlling fluids etc; sirupal
- (b) drawing-off of molten sulphur from sulphur pots; and
- (c) handling charcoal or sulphur.

(2) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions in an emergency.

(3) Arrangements shall be made for proper and efficient cleaning of all such protective equipments.

**23. *Cloak-rooms*.** There shall be provided and maintained for the use of all workers employed in the processes, a suitable cloak-room for clothing put-off during work hours and a suitable place separate from the cloak-room for the storage of overalls of working clothes. The accommodation so provided shall be placed in the charge of a responsible person and shall be kept clean. (paketscoorden).

**24 . *Unauthorised persons* .-** Only maintenance and repair personnel, persons directly, connected with the plant operation and those accompanied by authorized persons shall be admitted into the plant.

**25. *Examined by the Factory medical officer*.**— (1) Every worker employed in the processes mentioned in Paragraph 1 shall be examined by the Factory medical officer within 15 days of his first employment. Such examinations in respect of

**Halogenated pesticides, shall include tests for determination of the chemical in blood and in fat tissues, EEG abnormalities and memory tests, in respect of organophosphorus compounds, such examinations shall include tests for depression of cholinesterase in plasma and red blood cells. 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 Factory medical officer.**

**(2) Every worker employed in the said process shall be re-examined by a Factory medical officer at least once in every six calendar months and such examination shall, wherever the Factory medical officer, The record of each examination carried out under sub-paragraphs (1) Further every worker employed in the said processes shall also be examined once in every three months by the factory medical officer.**

**(3) The Factory medical officer after examining a worker, shall issue a certificate of Fitness in Form 4. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraph (1) and (2), including the nature and the results of these tests, shall also be entered by the Factory medical officer in a Health Register in Form 3.**

**(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum-facilitator.**

**(5) If at any time the FactoryMedical Officer or 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 those documents should also include the period for which he considers that the said person is unfit to work in the said process.**

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

**26. 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 provisions of this Schedule are not necessary for the protection of the worker 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 after recording his reasons therefor.**

## CAUTIONARY NOTICE

### Insecticides and pesticides

1. Chemical 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 those 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 supplies shall be used while working in this area.
7. Containers of pesticides shall not be used for keeping foodstuff.
8. Spillage of the chemicals on any part of the body or on the floor or workbench be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately
10. Scrupulous cleanliness shall be maintained in the 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 shall make necessary arrangements for treatment.
13. All workers shall report for the prescribed medical tests regularly to protect their own health.

## SCHEDULE-XXV

### MANUFACTURING PROCESS OR OPERATIONS IN CARBON DISULPHIDE PLANTS:

1. *Application* - This Schedule shall apply to all electric furnaces in which carbon disulphide is generated and all other plants where carbon disulphide after generation, is condensed, refined and stored. This Schedule is in addition to and not in derogation of any of the provisions of the Code and Rules made thereunder.

2. *Construction, Installation and Operation-* (1) The buildings in which electric furnaces are installed and carbon disulphide after generation is condensed and refined shall be segregated from other parts of the factory and shall be of open type to ensure optimum ventilation and the plant layout shall be such that only a minimum number of workers are exposed to the risk of any fire or explosion at any one time.

(2) Every electric furnace and every plant in which carbon disulphide is condensed, refined and stored with all their fittings and attachments shall be of good construction, sound material and of adequate strength to sustain the internal pressure to which, furnace or the plant may be subjected to, and shall be so

designed that carbon disulphide liquid and gas are in closed system during their normal working.

(3) The electric furnace supports shall be firmly grouted about 60 centimeters in concrete or by other effective means.

(4) Every electric furnace shall be installed and operated according to manufacturers' instructions and these instructions shall be clearly imparted to the personnel incharge of construction and operation.

(5) The instructions regarding observance of correct furnace temperature, sulphur dose, admissible current, or power consumption, and periodical checking of charcoal level shall be strictly complied with.

**3. *Electrodes*** -(1) Where upper ring electrodes made of steel are used in the electric furnace, they shall be of seamless tube construction and shall have arrangement for being connected to the cooling water system through a siphon built in the electrodes or through a positive pressure water pump.

(2) The arrangement for cooling water referred to in sub-paragraph (1) shall be connected with automatic alarm system which will actuate in the event of interruption of cooling water in the electrodes and give visible and audible alarm signals in the control room and simultaneously stop power supply for the furnace operation and stop the future supply of water. The alarm system and the actuating device shall be checked every day.

**4. *Maintenance of charcoal level-*** When any electric furnace is in operation, it shall be ensured that the electrodes are kept covered with a charcoal bed.

**5. *Rupture disc and safety seal-*** At least: two rupture discs be fitted on the offtake pipe between the electric furnace and sulphur separator to prevent entry of pieces of charcoal into the condensers and piping.

**6. *Rupture disc and safety seal*** -(1) At least two rupture discs of adequate size which shall blow off at a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe as close as possible to the furnace.

(2) The safety water shall be provided and tapped from a point between the charcoal separator and the sulphur separator.

**7. *Pyrometer and manometers*** -(1). Each electric furnace shall be fitted with an adequate number of pyrometers to give an indication of the temperature as correctly as reasonably practicable at various points in the furnace. The dials for reading the temperatures shall be located in the control room.

(2) Manometers or any other suitable devices shall be provided for indicating pressure-



- (a) in the offtake pipe before and after the sulphur separator;
- and
- (b) in primary and secondary condensers.

**8 .Check valves-** All piping carrying carbon disulphide shall be fitted with check valves at suitable positions so as to prevent gas from flowing back into any electric furnace in the event of its shut down.

**9. Inspection and maintenance of electric furnaces-**

(1) Every electric furnace shall be inspected internally by a competent person-

- (a) before being placed in service after installation;
- (b) before being placed in service after reconstruction or repairs; and
- (c) periodically every time the furnace is opened for cleaning or de-ashing or for replacing electrodes.

(2) When an electric furnace is shut down for cleaning or de-ashing-

- (a) the brick lining shall be checked for continuity and any part found defective be removed;
- (b) after removal of any part of the lining referred to in (a), the condition of the shell be closely inspected; and
- (c) any of the plate forming shells found corroded to the extent that safety of the furnace is endangered shall be replaced.

**10. Maintenance of records** -The following hourly records shall be maintained in a log book-

- (a) manometer readings at the points specified in sub-paragraph (2) of Paragraph 7;
- (b) gas temperature indicated by pyrometers and all other vital points near the sulphur separator and primary and secondary condensers;
- (c) water temperature and flow of water through the siphon in the electrodes; and
- (d) primary and secondary voltage and current and energy consumed.

**11. Electrical apparatus wiring and fittings** -All buildings in which carbon disulphide is refined or stored shall be provided with electrical apparatus, wiring and fittings which shall afford adequate protection from fire and explosion.

**12. Prohibition relating to smoking-** No person shall smoke or carry matches, fire 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 other means of producing naked or spark into such rooms.

13. *Means of escape* -Adequate means of escape shall be provided and maintained to enable persons to move to a safe place as quickly as possible in case of an emergency. At least two independent staircases of adequate width shall be provided in every building housing the furnaces of reasonable intervals at opposite ends. These shall always be kept clean of all obstructions and so designed as to afford easy passage.

14. *Warnings in case of fire* -There shall be adequate arrangements for giving warning in case of fire or explosion which shall operate on electricity and in case of failure of electricity, by some mechanical means.

15 . *Fire-fighting equipment* -(1) Adequate number of suitable fire extinguishers or other fire-fighting equipment shall be kept in constant readiness for dealing with risks involved and depending on the amount and nature of materials stored.

(2) Clear instructions as to how the extinguishers or other equipment should be used printed in the language which the majority of the workers employed understand, shall be affixed to each extinguisher or other equipment and the personnel trained in their use.

16 . *Bulk sulphur* -(1) Open or semi-enclosed spaces for storage of bulk sulphur shall be sited with due regard to the dangers which may arise from sparks given off by near locomotives etc. and precautions shall be taken to see that flame , smoking and matches and other sources of ignition do not come in contact with the clouds of dust arising during handling of bulk sulphur.

(2) All 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.

(3) The bulk sulphur in the enclosures shall be handled in such a manner a minimise the formation of dust clouds and no flame smoking and matches or other sources of ignition shall be employed during handling, and non-speaking toll shall be used whenever sulphur is shovelled or otherwise removed by hand.

(4) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosures where bulk sulphur is stored.

17. *Liquid sulphur*-Open flames, electric sparks and other sources of ignition. including smoking and matches, shall be excluded from the vicinity of molten sulphur.

**18. *Training and supervision*** -(1) All electric furnaces and all plants in which carbon disulphide is condensed, refined or stored shall be under adequate supervision at all times while the furnaces and plants are in operation. (2) Workers in charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

**19. *Washing facilities*** -(1) The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed wash place under cover with at least one tap or stand-pipe, having a constant supply of clean water for every five such persons, the taps or stand-pipe being spaced not less than 120 centimeters apart with a sufficient supply of soap and clean towels,

provided that towels shall be supplied individually to each worker if so ordered by the Inspector cum-Facilitator.

(2) All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

**20. *Personal protective equipments*** -(1) Suitable goggles and protective cloth consisting of overalls without pockets, gloves and footwear shall be provided for the use of operator :

- (a) when operating valves or cocks controlling fluids etc;
- (b) drawing-off of molten sulphur from sulphur pots; and
- (c) handling charcoal or sulphur.

(2) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions in an emergency.

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

**21. *Cloak-rooms*** -There shall be provided and maintained for the use of all workers employed in the processes, a suitable cloak-room for clothing put-off during work hours and a suitable place separate from the cloak-room for the storage of overalls of working clothes. The accommodation so provided shall be placed in the charge of a responsible person and shall be kept clean.

**22. *Unauthorised persons*** -Only maintenance and repair personnel, persons directly, connected with the plant operation and those accompanied by authorised persons shall be admitted into the plant.

## **SCHEDULE-XXVI**

### **OPERATIONS INVOLVING HIGH NOISE LEVELS**

**1. *Application*** -This Schedule shall apply to all operations in any manufacturing processes which have high noise levels.

**2. *Definiti ons***-For the purpose of this Schedule-

- (a) "A-weighting" means making graded adjustments in the intensities of sound of various frequencies for the purpose of noise measurement,

so that the sound pressure level measured by an instrument reflects the actual response of the human ear to the sound measured;

(b) "dBA" refers to 'sound level in decibels as measured on a sound level meter operating on the A-weighting network with slow meter response;

(c) "decibel" means one-tenth of "Bel" which is the fundamental division of a logarithmic scale used to express the ratio of two specified or implied quantities, the number of "Bels" denoting such a ratio being the logarithm to the base of 10 of this ratio. The noise level (or the sound pressure level) corresponds to reference pressure of  $6 \times 10^{-6} \text{ N/m}^2$  or 0.0002 dynes per square centimeter which is the threshold of hearing, that is, the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB;

(d) "first employment" shall mean first employment in areas where the noise exceeds the maximum permissible exposure levels specified in sub-paragraph (1) of paragraph 3 and shall also include re-employment in the said areas following any cessation of employment for a continuous- period exceeding three calendar months;

(e) "frequency" is the rate of pressure variations expressed in cycles per second or hertz;

(f) "high noise level" means any noise level measured on the A-weighted scale is 90 dB or above; and

(g) 'noise" means any unwanted sound.

3. *Protection against noise* -(1) In every factory, suitable engineering control administrative measures shall be taken to ensure, so far as is reasonably practicable, that no worker is exposed to sound levels exceeding the maximum permissible noise exposure levels specified in Tables 1 and 2.

**TABLE 1  
PERMISSIBLE EXPOSURE IN CASES OF CONTINUOUS NOISE**

Total time of exposure (continuous or a number of short-term exposure) per day, in hours	Sound pressures level in dBA
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
$\frac{3}{4}$	107
$\frac{1}{2}$	110
$\frac{1}{4}$	115

*Notes* -(1) No exposure in excess of 115 dBR is to be permitted.

(2) For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

**TABLE 2**  
**PERMISSIBLE EXPOSURE LEVELS OF IMPLOSIVE OR IMPACT NOISE**

Peak sound pressure level in dB	Permitted number of impulses or impacts per day
140	100
135	315
130	1000
125	3160
120	10000

Notes- (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 impacts per day is to be determined by extrapolation on a proportionate basis.

(3) For the purposes of this Schedule, if the variations in the noise level involve maxima 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.

(4) 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 the fraction excess unity-

where the C1, C2, etc. indicates the total time or 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.

(5) Where it is not possible to reduce the noise exposure to the levels specified in sub-rule (1) by reasonably practicable engineering control or administrative measure, 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-rule (1).

(6) Where the ear protectors provided in accordance with sub-paragraph (2) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level, to a level permissible under Table 1 or Table 2 as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposure specified in sub-paragraph (1).

(7) (a) In all cases where the prevailing sound levels exceeds the permissible levels specified in sub-paragraph (1) there shall be administered an effective hearing

conservation programme which shall include among other hearing conservation measures, pre-employment and periodical auditory surveys conducted on workers exposed to noise exceeding the permissible levels, and rehabilitation of such workers either by reducing the exposure to the noise levels or by transferring them to places where noise levels are relatively less or by any other suitable means.

(b) Every worker employed in areas where the noise exceeds the maximum permissible exposure levels specified in sub-rule (1) shall be subjected to an auditory examination by a Factory medical officer within 14 days of his first employment and thereafter, shall be re-examined at least once in every 12 months. Such initial and periodical examinations shall include tests which the Factory medical officer may consider appropriate, and shall include determination of auditory thresholds for pure tones of 125, 250, 500, 1000, 2000, 4000 and 8000 cycles per second.

## **SCHEDULE-XXVII**

### **MANUFACTURE OF RAYON BY VISCOSE PROCESSES**

#### **1. Definitions.-For the purposes 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 connection by means of which the person using it in 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 disulphide;

(d) "dumping" means transfer of cellulose xanthate from a dry churn to dissolve;

(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 originate;

(f) "first employment" shall mean first employment in the fume process. and shall also include re-employment in the said process following any cessation of employment for a continuous period exceeding three calendar months;

(g) "fume process" means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;

(h) "life belt" means a belt made of leather or other suitable material which can be securely fastened round the body with a suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man; and

(i) "protective equipment" means apron, goggles, face shields, footwear, 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-disulphide 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-disulphide and hydrogen sulphide in the air at the following locations-

- (a) dumping hoppers of dry churns;
- (b) spinning machines;
- (c) trio-rollers and cutters used in staple fibre spinning;
- (d) hydro-extractors for yarn cakes;
- (e) after treatment processes; and
- (f) spin baths.

(3) Insofar as the spinning machine and trio-roller and cutters used in staple fibre spinning are concerned, they shall be, for the purpose of ensuring the effectiveness of the exhaust draught to be provided as required in sub-paragraph (1), enclosed as fully as practicable and provided with suitable shutters in sections to enable 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 initial exhausting the residual vapours of carbon-di-sulphide by operation of a suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated so long as the churn is kept open.

(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 occurrence.

(6)(i) All ventilation systems 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 examination 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 of 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 a good condition.

**5 Air monitoring.**- (1) To ensure the effectiveness of the control measures, monitoring of carbon-disulphide 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 purpose.

(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-disulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas as laid down in Schedule C appended to Section 88 of the Code and, suitable steps shall be taken for controlling the concentration in air of such occurrence.

**6. Prohibition to remain in fume process room .-**No person during his intervals for meal, or rest shall remain in any room wherein fume process is carried on.

**7. Prohibition relating to employment of young persons .-**No young person shall be employed or permitted to work in any fume process or in any room in which any such process is carried on.

**8. Protective equipments -(1)** The occupier shall provide and maintain in good condition protective equipment as specified in the table for use of persons employed in the processes referred to therein.

**TABLE**

<b>Process</b>	<b>Protective Equipment</b>
1. Dumping	Overalls, face-shields, gloves and footwear- all made of suitable material.
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 sulphuric acid	Suitable chemical goggles.
5. Any other process involving contact with hazardous chemicals	Protective equipment as may be directed by the Chief Inspector cum-Facilitator by an order in writing.

(2) A suitable room, rooms or lockers shall be provided exclusively for the storage of all the protective equipment supplied to workers and no such equipment shall be stored at any place other than the room, rooms or lockers so provided.

**9. Breathing apparatus.- (1)** There shall be provided in every factory where fume process is carried on sufficient supply of-

- (a) breathing apparatus;
- (b) oxygen and suitable appliances for its administration; and
- (c) life belts.

(2) (i) The breathing apparatus and other appliances referred to in sub-paragraph (1) shall be maintained in good condition and kept in appropriate locations so as to be readily available.

(ii) The breathing apparatus and other appliances referred to in clauses (a) and (b) of sub-paragraph (1) shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.



(iii) A record of the maintenance and of the condition of the breathing apparatus and other appliances referred to in sub-clause (1) shall be entered in a register provided for that purpose which shall be readily available for inspection by an Inspector cum-Facilitator.

(3) Sufficient number of workers shall be trained and periodically, retained in the use of breathing apparatus and administering artificial respiration so that at least 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 labelled in clean, dry, light proof cabinets and if liable to the effect by fumes, shall be protected by placing them in suitable containers.

(5) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.

(6) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

**10. *Electric fittings*** .-All electric fittings in any room in which carbondisulphide is produced, used or given off or is likely to be given off in the work environment, other than a spinning room shall be of flame-proof construction and all electric conductors shall either be enclosed in metal conduit 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 naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of th worker's shall be posted in 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 naked light or spark may be carried on in such room only when required for the purposes of the process itself under the direction of a responsible person.

**12. *Washing and bathing facilities*** .-(1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by 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 placed at intervals of 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 a 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 room.

*Cautionary Notice*

1. *Carbon-disulphide (C; S) and Hydrogen sulphide (H; S) which may be present in this room are hazardous to health.*

2. *Follow safety instructions.*

3. *Use protective equipment and breathing apparatus as and when required.*

4. *Smoking is strictly prohibited in this area.*

This notice shall be in a language understood by the majority of the workers and displayed where it can be easily and conveniently read. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

(2) Arrangements shall be made to instruct each worker employed in any room in which a fume process is carried on regarding the health hazards connected with their work and the preventive measures and methods to protect themselves. Such instructions shall be given on his first employment and repeated periodically.

(3) Simple and special instructions shall be framed to ensure that effective measures will be carried out in case of emergency involving escape of carbon disulphide and hydrogen sulphide. These instructions shall be displayed in the concerned areas and workers shall be instructed and trained in the actions to be taken in such emergencies.

15. *Medical facilities and records of examinations and tests* .-(1) The occupier of each factory to which this Schedule applies, shall-

(a) employ a Factory medical officer for medical surveillance of the workers employed in the fume process whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator; and

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

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

16. *Medical examination by the factory medical officer* .-(1) Every worker employed in the fume process shall be examined by a factory medical officer within 15 days of his first employment. Such examinations shall include tests for estimation of exposure coefficient (Iodine Azide Test on urine), and cholesterol as well as Electrocardiogram (ECG) and Central Nervous System (CNS) 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 Factory Medical Officer.

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

(3) The Factory Medical Officer after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the Manager of the Factory. The record of cash examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the tests, shall also be entered by the Factory Medical Officer in a Health Register in Form VII.

(4) The Certificate of Fitness and the Health Register shall be kept readily available for inspection by the Inspector cum facilitator.

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

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

17. *Exemption.*- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstance 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 in may be a certificate in writing, which he may at his discretion revoke at any time, exempt such factory form all or any of such provisions subject to such conditions, if any, as he may specify therein.

## SCHEDULE-XXVIII

### HIGHLY FLAMMABLE LIQUIDS AND FLAMMABLE COMPRESSED GASES:

1. *Application* -These rules will be applicable to all factories where highly flammable liquid or flammable compressed gases are manufactured, stored, handled or used.

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

(a) "flammable compressed gas" means flammable compressed gas as defined in Section 2 of the Static and Mobile Pressure Vessels (Unfired) and Rules, 1981 framed under the Explosives Act , 1984; and

(b) "highly flammable liquid" means any liquid including its solution, emulsion or suspension which when tested in a manner specified by

Sections 14 and 15 of the Petroleum Act, 1934 (Act No. 30 of 1934), gives off flammable vapours at temperature less than 32 degrees centigrade.

**3. Storage-(1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in a suitable fixed storage tank, or in a suitable closed vessel located in a safe position under the ground, in the open or in a store room of adequate fire resistant construction.**

**(2) Except as necessary for use, operation or maintenance, every vessel or tank which contains or had contained a highly flammable liquid or flammable compressed gas shall be always kept closed and all reasonably practicable steps shall be taken to contain or immediately drain off to a suitable container any spill or leak that may occur.**

**(3) Every container, vessel, tank, cylinder, or store room used for storing highly flammable liquid or flammable compressed gas shall be clearly and in bold letters marked " Danger-Highly Flammable Liquid" or "Danger- Flammable Compressed Gas".**

**4. *Enclosed systems for conveying highly Flammable Liquids* -Wherever it is reasonably practicable, highly flammable liquids shall be conveyed within a factory in totally enclosed systems consisting of pipelines, pumps and similar appliances from the storage tank or vessel 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* -Wherever there is a possibility for leakage or spill of highly flammable liquid or flammable compressed gas from an equipment, pipeline, 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, workplace or other location where highly flammable liquid or flammable compressed gas is stored, conveyed, handled or used or where there is danger of fire or explosion from accumulation of highly flammable liquid or flammable compressed gas in air, all practicable measures shall be taken to exclude the sources of ignition. Such precautions shall include the following-**

- (a) all electrical apparatus shall either be excluded from the area of risk or they shall be of such construction and so installed and maintained as to prevent the danger of their being a source of ignition;**
- (b) effective measures shall be adopted for prevention of accumulation of static charges to a dangerous extent;**

- (c) no person shall wear or be allowed to wear any footwear having iron or steel nails or any other exposed ferrous material which is likely to cause sparks by friction;
- (d) smoking, lighting or carrying of matches, lighters or smoking material shall be prohibited;
- (e) transmission belts with iron fasteners shall not be used; and
- (f) all other precautions, as are reasonably practicable shall be taken to prevent initiation of ignition from all other possible sources such as open flames, all frictional sparks, overheated surface 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 requirement 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, appropriate and adequate means of fighting a fire shall be provided. The adequacy and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing material, procedures and the Process of fire-fighting, shall be to the standards and levels prescribed by the Indian Standards applicable, and in any case not inferior to the stipulation clause 31 of section 18(2)(f) and rule made thereunder.

**9. *Exemptions*** -If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing the exceptional circumstances of infrequency of the processes or for any other reason, all or any of the provisions of this Schedule is not necessary for 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.

**SCHEDULE-XXIX**  
**CARPET AND WOOLLEN DRUGGET MAKING OR ANY WORK**  
**INCIDENTAL THERETO OR CONNECTED THEREWITH:**

**1. *Definition*** -

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

(b) "First employment" means first employment in any process mentioned under paragraph 2 and yarn dyeing process, and shall also include re-employment in the said process following any cessation of employment for a continuous period- exceeding three calendar months.

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

(a) Carding and spinning of raw fibre

(b) Weaving.

3. *Prohibition relating to women and young persons* -No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 2, or at any place where such operations are carried on or at yarn dyeing processes.

4. *Ventilation* -Every workroom shall be provided with inlets and outlets of adequate size so as to secure and maintain efficient ventilation to all parts of the room.

5. *Protective equipments and clothing*- (i) The occupier of the factory shall provide and maintain dust respirator for all persons employed in the processes included under paragraph 2.

(ii) The occupier shall provide and maintain protective clothings, gloves for all persons employed in the dyeing process .

6. Medical facilities and records of examinations and tests--(1) The occupier of every factory in which the carpet and woolen drugget manufacturing process is carried on shall-

(a) employ a Factory medical officer 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 records of medical examinations and appropriate tests carried out by the said Factory medical officer shall be maintained in a separate register, which shall be kept readily available for inspection by the Inspector.

7. *Medical examination by Factory medical officer-*

(i) Every worker employed in any of the processes specified in paragraph 2 and in yarn dyeing process shall be examined by a Factory medical officer within 15 days of his first employment. Such examination shall include tests for detection of methaemoglobin in blood, or paranitrophenol in urine, test for central nervous system function, pulmonary function test 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 Factory medical officer.

(ii). Every worker employed in the said processes shall be re-examined by a Factory medical officer at least once in every 12 calendar months and such re-examination shall, wherever the Factory medical officer considers appropriate, include tests for detection of methaemoglobin in blood, or para nitrophenol in urine, test for central nervous system function, pulmonary function test and chest X-ray once in every 3 years.

(iii) The Factory medical officer after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examination carried out shall be kept in the custody of the Manager of the factory. The records of each examination carried under sub-paragraphs (i) and (ii), including the nature and results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

(iv) The Certificate of Fitness and the Health Register shall be readily available for inspection by the Inspector cum Facilitator.

### **SCHEDULE-XXX**

#### **BRASSWARE MAKING OR ANY WORK INCIDENTAL THERETO OR CONNECTED THEREWITH:**

##### **1. *Definitions-***

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

(b) "First employment" means first employment in any process mentioned under paragraph 2 and shall also include re-employment in the said process following any cessation of employment for a continuous period exceeding three calendar months.

(c) "Dressing or fettling operation" includes stripping and other removal of adherent sand, cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include (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) "knock-out operation" 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.

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

- (a) casting processes;
- (b) buffing and polishing of brass articles;
- (c) electroplating of brass article using electrolyte;
- (d) degreasing and cleaning.

(2) Such draught shall be provided by mechanical means and shall operate on dust, vapour or spray given off in the Process as nearby as may be at the point of origin. The exhaust draught shall be so constructed, arranged and maintained as to prevent the dust, vapour or spray entering into any workroom or place in which work is carried on.

*Prohibition relating to women and young person* -No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 2(c) and 2(d) or at any place where such operations are carried on.

4. *Arrangement and storage* -For the purposes of promoting safety and cleanliness in workrooms the following requirements shall be observed :-

- (a) Moulding boxes, loam plates, ladles patterns, pattern plates, frames, boards, box weights and other heavy articles shall be so arranged and placed as to enable work to be carried on without unnecessary risk;
- (b) suitable and conveniently accessible racks, bins or other receptacles shall be provided and used for the storage of other gear and tools;
- (c) where there is bulk storage of sand, fuel, metal scrap or other materials or residues, suitable bins, bunkers or other receptacles shall be provided for the purpose of such storage.

5. *Cleanliness of Indoor Workplaces*-( 1) All accessible parts of the walls of every indoor workplace in which the casting 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 at least 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, shall be maintained.

(2) Effective cleaning by a suitable method shall be carried out at least 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.

6. *Manual operations involving molten metal*- (1) There shall be provided and properly maintained for all persons employed on manual operations involving



molten metal with which they are liable to be splashed, a working space for that operation-

(a) which is adequate for the safe performance of the work; and

(b) which, so far as reasonably practicable, is kept free from obstruction,

(2) Any operation involving the carrying by hand of a container holding molten metal shall be performed on a floor all parts of which, where any person walks while engaged in the operation, shall be on the same level :

Provided that, where necessary to enable the operation to be performed without undue risk, nothing in this paragraph shall prevent the occasional or exceptional use of a working space on a different level from the floor, being a space provided with a safe means of access from the floor for any person while engaged in the operation.

**7. *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 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.

**8. *Disposal of dross and skimming*** -Dross and skimmings removed from the molten metal or taken from a furnace shall be placed forthwith in a suitable receptacle.

**9. *Floor or workroom-***

**(1) The floor of every room in which the processes specified in paragraphs 2(i)(c) and 2(i)(d) are 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) the floor shall be cleaned daily.**

**(2) Floors of indoor workplaces in which the processes are carried on, other than parts which are of sand, shall have an even surface of hard material.**

**(3) 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.**

**(4) All parts of the surface of the floor of any such indoor workplace are of sand shall, so far as practicable, be maintained in an even and firm condition.**

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

**11. *Protective clothing and protective equipment* -(1) The occupier of the factory shall provide and maintain the following protective clothing for use of workers who may come in contact with liquid, employed in Process specified in paragraph 2(i)(c)-**

**(a) waterproof apron and bib; and**

**(b) loose rubber gloves and rubber boots or any other waterproof boots.**

**(2) The occupier of the factory shall provide and maintain adequate arrangements and place for keeping and drying the protective clothing for the use of workers employed in the factory.**

**(3) The occupier of the factory shall provide and maintain suitable respirator for all - workers employed in processes specified in paragraphs 2(i)(a) and 2(i)(b).**

**12. *Medical facilities and records of examination and tests* -(1) The occupier of every factory in which processes specified in paragraph 2 are carried on shall**

**(a) employ a Factory medical officer for medical surveillance of the workers employed therein where number of worker exceeds 50;and**

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

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

**(2) The records of medical examinations and appropriate tests carried out by the said Factory medical officer shall be maintained in a health register Form VII, which shall be kept readily available for inspection by the Inspector cum-Facilitator.**

**(3) The Factory medical officer shall examine all workers specified in paragraph 2(i)(c) before they are employed in the electroplating process. Such examination shall include inspection of hands, forearms and nose.**

(4) The records of examination referred to in sub-paragraph (3) shall be maintained in a health register Form VII, which shall be kept readily available for inspection by the Inspector cum Facilitator.

**13. Medical Examination by Factory medical officer** -(1) Every worker employed in any of the processes specified in paragraph 2, shall be examined by a Factory medical officer within 15 days of his first employment, such examination shall include test for chromium, nickel or cadmium in urine, pulmonary function test 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 Factory medical officer.

(2) Every worker employed in the said Process shall be re-examined by a Factory medical officer at least once in every 12 calendar months and such re-examination shall, wherever the Factory medical officer considers appropriate, include test for chromium, nickel or cadmium in urine, pulmonary function test and chest X-ray once in every 3 years.

(3) The Factory medical officer after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examinations carried out shall be kept in the custody of the Manager of the factory. The records of each examination carried out under sub-paragraphs (1) and (2), including the nature and results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

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

**14. Mess-room-** There shall be provided and maintained for the use of all workers employed in the processes specified in paragraph 2 and remaining on the premises during the meal intervals, suitable mess-room, which shall be furnished with sufficient tables and benches under supervision of a responsible person.

**15. Washing facilities** -(1) There shall be provided and maintained in a clean state and in good repair for the use of all persons employed in the processes specified in paragraph 2 :-

(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 at least 60 cms for every five such persons employed at any time, and having a constant supply of water from taps or jets above trough at intervals of not more than 60 cms; or

(ii) at least one washbasin 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; and

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

**16 . Food, drink, etc. prohibited in the workroom -No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any room in which the processes specified in paragraph 2 are carried on.**

### **SCHEDULE-XXXI**

#### **LOCK AND HARDWARE MAKING OR ANY OTHER WORK INCIDENTAL THERE TO OR CONNECTED THEREWITH:**

##### **1. Definitions -**

- (a) "Efficient exhaust draught" means localised ventilation affected by mechanical means for the removal of gas, vapour, dust or fumes at the point where they originate so as to prevent them from escaping into the air of any place in which work is carried on. No exhaust draught shall be deemed efficient, which fails to remove smoke generated at the point where such gas, vapour, fume or dust originate ;**
- (b) "First employment" means first employment in any processes mentioned under paragraph 2 and shall also include re-employment in the said processes following any cessation of employment for a continuous period exceeding three calendar months;**
- (c) "dressing or fettling operation" include stripping and other removal of adherent sand, cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include**
  - (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) "knock-out operations" means all methods of removing castings from moulds and the following operations, when done in connection therewith, namely, stripping, carrying out and the removal of runners and risers.**

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

- (a) casting the metal parts;**
- (b) metal finishing operations involving buffing and polishing;**
- (c) all 'such processes in which electroplating is carried on by using electrolyte;**
- (d) spray painting.**

**(2) Such draught shall be provided by mechanical means and shall operate on dust, vapour or spray given off in the processes as nearby as may be at the point of origin. The exhaust draught shall be so constructed, arranged and maintained as to prevent the dust, vapour or spray entering into any workroom or place in which work is carried on.**

**3. *Prohibition relating to women and young persons*** -No woman or young person shall be employed or permitted in any of the operations specified in paragraphs 2(c) and 2(d) or at any place where such operations are carried on.

**4. *Arrangement and storage*** -For the purposes of promoting safety and cleanliness in workrooms the following requirements shall be observed:

- (a) moulding boxes, loam plates, ladles patterns, pattern plates, frames, boards, box weights and other heavy articles shall be so arranged and placed as to enable work to be carried on without unnecessary risk;
- (b) suitable and conveniently accessible racks, bins or other receptacles shall be provided and used for the storage of other gear and tools;
- (c) where there is bulk storage of sand, fuel, metal scrap or other materials or 'residues, suitable bins, bunkers or other receptacles shall be provided for the purpose of such storage.

**5. *Cleanliness of indoor workplaces*** -(1) All accessible parts of the walls of every indoor workplace in which the casting 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 at least 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 shall be maintained.

(2) Effective cleaning by a suitable method shall be carried out at least 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.

(3) Floors of indoor workplaces in which the processes are carried on, other than parts which are of sand, shall have an even surface of hard material.

(4) 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.

(5) All parts of the surface of the floor of any such indoor workplace are of sand shall, so far as practicable, be maintained in an even and firm condition.

**6. *Manual operations involving molten metal*** -(1) There shall be provided and properly maintained for all persons employed on manual operations involving molten metal with which they are liable to be splashed, a working space for that operation -

- (a) which is adequate for the safe performance of the work; and
- (b) which, so far as reasonably practicable, is kept free from obstruction.

(2) Any operation involving the carrying by hand of a container holding molten metal shall be performed on a floor, all parts of which where any person walks while engaged in the operation, shall be on the same level :

Provided that, where necessary to enable the operation to be performed without undue risk, nothing in the 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.

**7. 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.

**8. Disposal of dross and skimming** -Dross and skimmings removed from the molten metal or taken from a furnace shall be placed forthwith in a suitable receptacle.

**9. Floor of workroom-**

(1) The floor of every room in which the processes specified in paragraph 2(1)(c) are carried on shall be-

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

(b) maintained in sound condition.

(2) The floor shall be cleaned daily in processes specified in paragraph

2.

(3) Floors of indoor workplaces in which the casting processes are carried on, other than parts which are of sand, shall have an even surface of hard material.

(4) 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.

(5) All parts of the surface of the floor of any such indoor workplace are of sand shall, so far as practicable, be maintained in an even and firm condition.

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

**11. *Protective clothing and protective equipment***- (1) The occupier of the factory shall provide and maintain the following protective clothing for use of workers who may come in contact with liquid, employed in processes specified in paragraph 2(1)(c) :

(a) waterproof apron and bib; and

(b) loose rubber gloves and rubber boots or any other waterproof boots.

(2) The occupier of the factory shall provide and maintain adequate arrangements and place for keeping and drying the protective clothing for the use of workers employed in the factory.

(3) The occupier of the factory shall provide and maintain suitable respirator for all workers employed in processes specified in paragraphs 2(1)(a) and 2(1)(b).

**12 *Medical facilities and records of examination*** -(1) The occupier of every factory in which processes specified in paragraph 2 are carried on shall-

(a) employ a Factory medical officer for medical surveillance of the workers employed where number of workers exceeds 50;and

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

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

(2) The records of medical examinations and appropriate tests carried out by the said factory medical officer shall be maintained in a health register Form VII which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

(3) The Factory medical officer shall examine all workers specified in paragraph 2(1)(c) before they are employed in the electroplating processes. Such examination shall include inspection of hands, forearms and nose.

**13. *Medical examination by Factory medical officer*** .(1) Every worker employed in any of the processes specified in paragraph 2, shall be examined by a Factory medical officer within 15 days of his first employment. Such examinations shall include tests for chromium, cadmium or nickel in urine, pulmonary function test 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 Factory medical officer.

(2) Every worker employed in the said processes shall be re-examined by a Factory medical officer at least once in every 12 calendar months and such re-examination shall, wherever the Factory medical officer considers appropriate, include test for chromium, cadmium or nickel in urine, pulmonary function test and chest X-ray once in every 3 years.

(3) The Factory medical officer, after examining a worker, shall issue a Certificate of Fitness in Form VIII. The record of examination and re-examinations carried out shall be kept in the custody of the Manager of the factory. The records of each examination carried out under sub-paragraphs (i) and (ii), including the nature and results of the tests, shall also be entered by the Factory medical officer in a Health Register in Form VII.

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

14. *Mess-room*- There shall be provided and maintained for the use of all workers employed in the processes specified in paragraph 2 and remaining on the premises during the meal intervals, a suitable mess-room, which shall be furnished with sufficient tables and benches under supervision of a responsible person.

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

(a) a wash place 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 at least 60 cms for every five such persons employed at any time, and having a constant supply of water from taps or jets above trough at intervals of not more than 60 cms; or

(ii) at least one washbasin 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; and

(b) a sufficient supply of clean towels made of suitable materials renewed daily with supply of soap or other suitable cleansing materials and of nail brushes.

16. *Food, drink etc. prohibited in the workroom* -No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any room in which the processes specified in paragraph 2 are carried on.

## SCHEDULE-XXXII

### WELDING PROCESS AND ANY WORK INCIDENTAL THERETO OR CONNECTED THEREWITH :

*Definitions* . —For the purposes of this schedule—

(a) "Welding process" means Fusion(liquid state)welding ,Solid/Liquid state joining, Solid phase welding at elevated temperature or Oxy/fuel gas welding/ cutting/heating;

(b) "efficient exhaust draught" means localised ventilation by mechanical means for the removal of gases,vapours, dust or fumes so as to prevent them from escaping into air of any workroom. No



draught shall be deemed to be efficient if fails to remove smoke generated at the point where such gases,vapours, dust or fumes originate;

(c)"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 fumes, or any other approved apparatus;

(d)"qualified welder" means any employed person who possesses the qualification or experience what the Inspector-cum-Facilitator may decide on basis of Indian Standards / Conventions.

(e)"first employment" shall mean first employment in any kind of welding processes and processes incidental thereto 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;

**2 . Exceptions-**( 1) Nothing in this schedule shall apply to any factory in which welding processes are carried on occasionally for machinery maintenance purpose only and the welding processes are not the part of routine activities.

(2) Nothing in this schedule shall apply to any welding process which is unconventional and generates no dust,fumes,gas or vapour.

(3)Where the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this schedule are not necessary for any of the welding processes, he may, by certificate in writing, exempt any factory or class of factories from any such provisions, subject to such conditions as he may specify therein.

**3. Qualification of welder:** No person shall be assigned any core welding process unless he is a qualified welder for that kind of welding work. Allied work connected with core welding work may be done by other trained worker with all precautions and protective gears;

Provided that in case of any ambiguity between core welding work and allied work, the decision of Inspector-cum-Facilitator shall be final.

**4. Periodical examination, testing and maintenance of equipments :**( 1) All parts of every welding machine ,gas/fuel cylinders and sources of heat shall be properly maintained and thoroughly examined periodically and the various controls as cylinder valves, pressure gauges, regulators, flash back arrester and nozzles and their working shall be examined at frequent intervals to ensure its safe operation by a responsible person designated by the occupier or manager, who by his experience and knowledge of necessary precautions against risks of explosion is fit to undertake such works ;

(2) Ventilation system shall be periodically examined or tested by the competent person after every six months and particulars shall be entered in a Form-XLVIII;and

(3) A register shall be maintained in which the details of the various tests carried out from time to time under clause (a) shall be entered and every entry made shall be signed by the competent person making the tests.

**5. Breathing apparatus and protective clothing-(1)** The occupier shall provide suitable protective clothing, footwear, goggles, welding helmet, gloves, welding suit, respirators and face shields as per Indian standard according to the nature of the work for the use of all persons employed in welding processes and processes incidental thereto and such clothing, footwear, etc. shall be worn by the persons concerned. Breathing apparatus shall be provided to the persons employed in confined space and shall also be provided, if required, at other places according to the nature of welding work.

(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 Schedule and for the storage of such apparatus and clothing when not in use.

(3) All breathing apparatus and protective clothing when not in use shall be stored in the accommodation provided in accordance with sub-paragraph (2).

(4) All protective clothing in use shall be washed at suitable intervals. The cleaning Schedule and procedure should be such as to ensure the efficiency of the said clothing in protecting the wearer.

(5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(6) Records 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 for which breathing apparatus is necessary unless he has been fully instructed in the proper use of that equipment.

(8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person, shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

**6. Precaution against fire and explosion-** (1) Equipments or cylinders carrying Acetylene, LPG or other fuel gases shall be properly maintained. Proper connections and closing of valves for no gas leakage shall be ensured by a responsible person designated by the occupier or manager.

**(2) Employer shall ensure the availability and use of ignition lighter for the purpose of gas welding processes.**

**(3) Nearby combustible materials during welding shall be removed or protected, if it cannot be moved.**

**(4) Workers shall not be allowed to perform any welding work/Process without standard operating procedure approved by manager or a responsible person.**

**(5) An adequate number of suitable type of fire extinguishers or other fire-fighting equipment, depending on the nature of welding work, 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.**

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

**8 .*Medical facilities and records of examination and test-*( 1) The occupier of every factory to which the schedule applies and wherein more than 50 workers are employed in welding processes and processes connected to it, shall maintain Occupational Health Center with facilities as stipulated in the Rule-124.**

**(2) The record of medical examinations and appropriate test carried out by the factory medical officer shall be maintained in a separate health register in Form-VII, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.**

**9. *Medical examination by Factory medical officer* -(1) Every worker employed in any of the processes to which this schedule applies shall be examined by a Factory medical officer within 15 days of his first employment. Such examination shall include pulmonary function test, chest X-ray, funduscopy and acuity 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 Factory medical officer.**

**(2) Every worker employed in the said processes shall be re-examined by a Factory medical officer at least once in every 12 calendar months and such re-examination shall, wherever the Factory medical officer considers appropriate, include all the tests as specified in sub-paragraph(1) except chest X-ray which will be once in every three years. If any worker complains of any eye related discomfort or problem, the occupier shall immediately ensure the eye test and its treatment.**

**(3) The Factory medical officer after examining a worker shall issue a Certificate of fitness in Form VIII. The record of examination and re-examinations**

carried out shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the test, shall also be entered by the Factory medical officer in the Health Register in Form VII.

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

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

(6) The medical examination shall be arranged by the occupier or manager of the factory and the worker shall not bear any expenses for it.

### **SCHEDULE-XXXIII**

#### **HOT METALLURGICAL PROCESS AND ANY WORK INCIDENTAL THERE TO OR CONNECTED THEREWITH:**

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

(a) "Hot metallurgical processes" means melting, refining, smelting, moulding, forging operations, hot rolling operations, foundry operations, casting; and furthermore it is applicable to production of iron, steel, ferrous or non-ferrous melting and casting by moulds of different materials including the process of shell moulding, die casting, pressure die casting, centrifugal casting, continuous casting and making of ingots, billets, slabs etc and the stripping thereof.

(b) "first employment" shall mean first employment in any kind of welding processes and processes incidental thereto 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;

(c) "knock-out operations" means all methods of removing castings from mould sand the following operations, when done in connection therewith, namely, stripping, coring-out and the removal of runners and risers;

**(2) General safety measures:**

(a) There shall be uncongested machine and process layout, good housekeeping and ventilation, good draft to furnace and efficient exhaust of gases, water curtains and reflective or insulating screens for protection against radiant heat and hot air, local exhaust systems at the

furnaces, cold air showers at hot work places, noise absorbent panels and deep and massive foundations to suppress vibrations.

(b) Rest rooms protected against radiant heat should be provided and equipped with air and water showers etc.

(c) Protective heat-resistant armllets, gaiters, aprons, safety footwear, eye and face shield, ear muffs or plugs to workers and safety training shall be provided to all the workers.

(d) adequate safety measures and precautions shall be taken for handling receiving and storage of raw materials and finished products.

(e) electrical equipment must be earthed and operated safely

**(3) *Preventive maintenance of machines:***

(a) treadle guard shall be designed to provide complete coverage and at the same time enough clearance for operator comfort and control of the treadle action shall be ensured..

(b) forging furnace should be shielded as much as possible to protect workers from radiant heat. This can be done by means of asbestos covered screens, metal shield backed by refractory material and stainless steel or aluminum shells having radiant heat reflective qualities.

(c) Equipments including hoists, slings, chains, props and catches, tongs should always be kept in good working order by periodic inspection and preventive maintenance schedules.

(d) Ventilation system shall be examined and particulars shall be entered in Form XLVIII by a competent person as recognised in schedule-I.

***4. Dust and fumes.-***

(a) 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.

(b) 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.

(c) 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.

(d) All knock-out operations shall be carried out –

(i) in a separate part of foundry suitably partitioned off, being a room or part in which, so far as reasonably practicable, effective and suitable local exhaust ventilation and a high standard of general ventilation are provided; or

(ii) 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 –(1) In a separate room or in a separate part of foundry suitably partitioned off; or

(2) 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

(6) *Personal protective Equipment:* (1). Personal protective equipment (PPE) for Hot Metallurgical Processes and processes incidental thereto shop workers include safety shoes, leather leg guards, safety helmets, hand and arm protection, leather aprons, etc. Goggles with colored or clear lenses, face shield or wire mesh face screen should be worn to help prevent face and eye injuries. Aluminized asbestos cloth overalls should be provided to furnace men to protect them from radiant heat. Ear muffs or ear plugs should be provided to forging crew to protect them from noise. No respirator provided for the purpose of this schedule which has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.

(2) Training for use of PPE to all the workers shall be ensured.

(3) A register for the allotment of PPEs to the employees shall be maintained. Maintenance of PPEs shall also be ensured periodically and Occupier shall provide and maintain suitable accommodation for the storage and make adequate arrangements for cleaning and maintaining of the protective equipment supplied.

(4) Occupier shall ensure that all the workers wear the appropriate PPEs during the work.

(5) Persons who for any of their time –

(i) work at a spout of or attend to, a cupola or furnace in such circumstances that material therefrom may come into contact with the body, being material at such a temperature that its contact with the body would cause a burn; or

(ii) are engaged in, or in assisting with, the pouring of molten metal; or

(iii) carry by hand or move by manual power any ladle or mould containing molten metal; or

(iv) 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.

(v) Where appropriate, suitable screens shall be provided for protection against flying materials (including splashes of molten metal and sparks and chips thrown off in the course of any process).

**7. Medical facilities and records of examination and test** -(1) The occupier of every factory to which the schedule applies and wherein more than 50 workers are employed in Hot Metallurgical processes and processes connected to it, shall maintain Occupational Health Center with facilities as stipulated in the Rule 124.

(2) The record of medical examinations and appropriate test carried out by the Factory medical officer shall be maintained in health register in Form VII.

**8. Medical examination by Factory medical officer** -(1) Every worker employed in any of the processes to which this schedule applies shall be examined by a Factory medical officer within 15 days of his first employment. Such examination shall include pulmonary function test, chest X-ray or pulmonary function test and eye 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 Factory medical officer.

(2) Every worker employed in the said processes shall be re-examined by a factory medical officer at least once in every 6 calendar months and such re-examination shall, wherever the Factory medical officer considers appropriate, include funduscopy and acuity test, chest X-ray or pulmonary function test; audiometry test (if required), checking for skin diseases, CBC test and any other what the Factory medical officer things necessary. If any worker complains of any eye or skin related discomfort or problem, the occupier shall immediately ensure the requisite test and its treatment.

(3) The Factory medical officer after examining a worker shall issue a Certifying of fitness in Form VIII. The record of examination and re-examinations carried out shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of the test, shall also be entered by the Factory medical officer in the Health Register in Form VII.

(4) The Certificate of Fitness in Form VIII and the Health Register in Form VII shall be readily available for inspection by the Inspector-cum-facilitator.

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

(6) No person who has been found unfit to work as said in sub-paragraph (5) shall be re-employed or permitted to work in the said processes unless the Medical

Officer after further examination, again certifies him fit for employment in these processes .

The medical examination shall be arranged by the occupier or manager of the factory and the worker shall not bear any expenses for it.

*Exceptions.-* Where the chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this schedule are not necessary for any of the processes, he may, by certificate in writing, exempt any factory or class of factories from any such provisions, subject to such conditions as he may specify therein.

#### SCHEDULE-XXXIV

##### MANUFACTURING OR MANIPULATION OF FERTILIZERS

1 . *Application* .—This Schedule shall apply in respect of all factories or any part thereof in which the process of manufacturing or manipulation of fertilizers hereinafter referred or as the said manufacturing process is carried on.

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

(a) "fertilizer" means any substance used or intended to be used as a fertilizer of the soil and/or crop and specified in Part A of Schedule I of the Fertilizer (Control) Order, 1985 and includes a mixture of fertilizer and a special mixture of fertilizers and any other product, as may be notified from time to time by the State Government.

(b) "mixture of fertilizers" means a mixture of fertilizer made by physically mixing two or more fertilizers, with or without inert material in physical or granular form and includes a mixture of NPK (Nitrogen-Phosphorus-Potassium) fertilizers, a mixture of micronutrient fertilizers.

(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 workroom 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) "Breathing apparatus" means (1) a helmet or face piece with necessary connections by means of which a person using it in a poisonous, asphyxiating or irritant atmosphere breaths ordinary air, or (2) any other suitable apparatus approved in writing by the Chief Inspector-cum-Facilitator.

(e) "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.

(f) "manipulation" including mixing, blending, formulating, filling, emptying, packing or otherwise handling.

**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 workers shall also be instructed in the measures to be taken to deal with any emergency, such instructions shall be repeated periodically.

**4 . *Prohibition relating to employment of women or young persons*** — No women or young person shall be employed or permitted to work in any room in which the said manufacturing process or mixing of fertilizers is carried on or in any room in which fertilizer is stored.

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

**6. *Safety valves*** — Every still and every closed vessels in which gas is produced or into which gas is passed and in which the pressure is liable to rise to a dangerous degree shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure, maintained in good condition and shall be tested at regular intervals by a competent person, and records of these tests shall be kept in a register.

**7. *Examination, testing and repair of plant***— Examination, testing and repair of pressure vessel or plant parts which have been in contact with ammonia and other chemicals, or which is above atmospheric pressure, shall only be carried out under proper supervision. Examination and testing of pressure vessel or plant parts shall be carried out at regular intervals by a competent person and records of these tests shall be provided in the prescribed Form meant for the pressure plant.

**8 . *Leakage detection of ammonia & other chemicals*** - Leakage of ammonia and other chemicals through pressure vessel or plant parts shall be detected by chemical vapour detection system. Leakage of ammonia may also be detected by using sulfur sticks.

**9. *Alarm system*** — (a) Plant and Parts of the buildings shall be fitted with alarm systems, automatic cut-offs or other devices to prevent overcharging or otherwise endangering the plant.

(b) Alarm system shall be activated automatically by receiving signals from chemical vapour sensors in case of leakage of ammonia and other chemicals through pressure vessel or plant parts.

(c) The amount of ammonia and other chemicals taken into a building in bulk containers at any one time shall be kept as low as practicable.

**10. *Breathing apparatus*—**

(a) There shall be provided in every factory where dangerous gas or fume is liable to escape a sufficient supply of—

(i) breathing apparatus of an approved make for the hazards involved ;

(ii) oxygen and suitable means of its administration; and

(iii) life-belts.

The breathing apparatus and other appliances required by this Schedule shall (i) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector-cum-Facilitator, and (ii) be thoroughly inspected once every month by a competent person, appointed in writing by the occupier and record of their condition shall be entered in a book provided for that purpose, which shall be produced when required by an Inspector-cum-Facilitator.

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

(c) Respirators shall be kept properly labeled in a clean dry light-proof cabinets, and if liable to be affected by fumes, shall be protected by suitable containers. Respirators shall be dried and cleaned after use and shall be periodically disinfected.

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

**12. *Food, drinks and smoking prohibited in the workroom* —** (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.

**13. *Protective clothing and protective equipment* —** (1) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process.

(2) Protective equipment consisting of rubber gloves, gum boots, rubber apron, chemical safety goggles shall be provided for all workers employed in the said manufacturing process.

(3) Protective clothing and equipment shall be maintained in good condition.

14. *Ventilation* — In every workroom or area where fertilizers are manufactured or manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air.

15. *Medical Examination by a Factory Medical Officer* — (1) Every worker employed in the processes mentioned in Paragraph 1 shall be examined by the Factory Medical Officer within 15 days of his first employment. Such examination shall include tests for determination of the ammonia and other chemicals in the blood and urine, pulmonary function test, EEG test, memory test and other tests as prescribed by the Factory Medical Officer. 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 Factory Medical Officer.

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

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

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

16. *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 provisions of this Schedule are not necessary for the protection of the workers employed in the factory, he may by a certificate in writing exempt such factory, from all or any of the provisions on such condition as he may specify therein, such certificate may at any time be revoked by the Chief Inspector-cum- Facilitator after recording his reasons therefor.

**COLD STORAGE OR MILK CHILLING PLANT OR MANUFACTURING OF  
ICE USING AMMONIA AS REFRIGERANT AND PROCESSES INCIDENTAL  
THERE TO**

**1. *Application*** — This schedule shall apply in respect of all factories or any part thereof in which the process of cold storage, milk chilling and manufacturing of ice using ammonia or other chemicals as refrigerants and other processes using, handling and storing ammonia or other chemicals.

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

(a) "ice plant" means a complete installation for the production and storage of ice, including the icemaker itself, that is the unit that converts water into ice together with the associated refrigeration machinery, harvesting and storage equipment, and the building.

(b) "cold storage" means a commercial facility for storing perishable products such as fruits, vegetables, meat, fish etc. under controlled conditions for longer periods.

(c) "milk chilling plant" means to maintain milk at a low temperature so as to prevent any deterioration in quality prior to processing/product manufacturing.

(d) "refrigerant" means a substance or mixture, usually a fluid, used in a refrigeration cycle. In most cycles it undergoes phase transitions from a liquid to a gas and back again. Many working fluids have been used for such purposes. The processes of cold storage, milk chilling and manufacturing of ice are using generally ammonia as refrigerant.

(e) "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 workroom 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;

(f) "Breathing apparatus" means (1) a helmet or face piece with necessary connections by means of which a person using it in a poisonous, asphyxiating or irritant atmosphere breaths ordinary air, or (2) any other suitable apparatus approved in writing by the Chief Inspector-cum-Facilitator.

(g) "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

**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 workers shall also be instructed in the measures to be taken to deal with any emergency, such instructions shall be repeated periodically.

**4. *Prohibition relating to employment of women or young persons*** — No women or young person shall be employed or permitted to work in any room in which the said manufacturing process is carried on or in any room in which ammonia or other chemicals are stored.

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

**6. *Safety valves*** — Every still and every closed vessels in which gas is produced or into which gas is passed and in which the pressure is liable to rise to a dangerous degree shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure, maintained in good condition and shall be tested at regular intervals by a competent person, and records of these tests shall be kept in a register.

**7. *Examination, testing and repair of plant*** — Examination, testing and repair of pressure vessel or plant parts which have been in contact with ammonia and other chemicals, or which is above atmospheric pressure, shall only be carried out under proper supervision. Examination and testing of pressure vessel or plant parts shall be carried out at regular intervals by a competent person, and records of these tests shall be provided in the prescribed Form meant for pressure vessels.

**8. *Leakage detection of ammonia & other chemicals*** - Leakage of ammonia and other chemicals through pressure vessel or plant parts shall be detected by chemical vapour detection system. Leakage of ammonia may also be detected by using sulfur sticks.

**9. *Alarm system*** —

(a) Plant and Parts of the buildings shall be fitted with alarm systems, automatic cut-offs or other devices to prevent overcharging or otherwise endangering the plant.

(b) Alarm system shall be activated automatically by receiving signals from chemical vapour sensors in case of leakage of ammonia and other chemicals through pressure vessel or plant parts.

(c) The amount of ammonia and other chemicals taken into a building in bulk containers at any one time shall be kept as low as practicable.

- 10. *Breathing apparatus*** — (a) There shall be provided in every factory where dangerous gas or fume is liable to escape a sufficient supply of—
- (i) breathing apparatus of an approved make for the hazards involved ;
  - (ii) oxygen and suitable means of its administration; and
  - (iii) life-belts.

The breathing apparatus and other appliances required by this Schedule shall (i) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector-cum-Facilitator, and (ii) be thoroughly inspected once every month by a competent person, appointed in writing by the occupier and record of their condition shall be entered in a book provided for that purpose, which shall be produced when required by an Inspector-cum-Facilitator.

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

(c) Respirators shall be kept properly labelled in a clean dry light-proof cabinets, and if liable to be affected by fumes, shall be protected by suitable containers. Respirators shall be dried and cleaned after use and shall be periodically disinfected.

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

(a) “Machine room” or any other room of the building where compressors, receivers and other components of refrigeration system and their instrumentation are installed, where dust, fume, gas or vapour is produced in the process.

(b) Ammonia or other chemical storage room or part of the buildings, where dust, fume, gas or vapour is produced.

**12. *Food, drinks and smoking prohibited in the workroom*** — (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.

**13. *Protective clothing and protective equipment*** — (1) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process.

(2) Protective equipment consisting of rubber gloves, gum boots, rubber apron, chemical safety goggles shall be provided for all workers employed in the said manufacturing process.

(3) Protective clothing and equipment shall be maintained in good condition.

**14. Ventilation—** In Machine room or any other room of the building where compressors, receivers and other components of refrigeration system and their instrumentation are installed and ammonia or other chemical storage room or part of the buildings, where dust, fume, gas or vapour is produced, adequate ventilation shall be provided at all times by the circulation of fresh air.

**15. Medical Examination by a Factory Medical Officer —** (1) Every worker employed in the processes mentioned in Paragraph 1 shall be examined within 15 days of his first employment. Such examination shall include tests for determination of the ammonia and other chemicals in the blood and urine, pulmonary function test, EEG test, memory test and other tests as prescribed the Factory Medical Officer. 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 Factory Medical Officer.

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

(3) The Factory Medical Officer after examining a worker, shall issue a certificate of Fitness in Form-VIII. The record of examination and re-examination carried out shall be entered in the certificate and the certificate shall be kept in the custody of manager of the factory. The record of each examination carried out under sub-paragraph (1) and (2), including the nature and the results of the tests, shall also be entered by the Factory Medical Officer in a Health Register in Form VII.

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

**16. 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 provisions of this Schedule are not necessary for the protection of the workers employed in the factory, he may by a certificate in writing exempt such factory, from all or any of the provisions on such condition as he may specify therein, such certificate may at any time be revoked by the Chief Inspector-cum- Facilitator after recording his reasons therefor.

## **SCHEDULE-XXXVI**

{see rule114}

### **MATERIAL SAFETY DATA SHEET**

**Chemical Identify :**

Chemical Name Chemical Classification						
Synonyms Trade Name						
Formula C. A. S. No. U. N. No.						
Regulated Identification		Shipping Name		Hazechem No.		
Codes/Label						
Hazardous Waste I.D. No.						
Hazardous Ingredients C.A.S. No. Hazardous Ingredients C.S.A. No.						
1.		2.		3.		
2. Physical and Chemical Data						
Boiling Range / Point 0C Physical State Appearance						
Melting / Freezing Point 0C		Vapour Pressure		Odour		
Vapour Density (Air- 1)		@ 35^0 C mmHg		Others		
Solubility in Water						
30^0 C mm Hg						
Specific Gravity			pH			
Water – 1						
3. Fire and Explosion Hazard Data :						
Flammability Yes /No		UEL %	Flash point 0 C	Auto ignition		
Temperature^ 0 C						
TDG Flammability		UEL %	Flash point 0 C	Hazardous Products of combustion		
Explosion Sensitivity to Impact			Explosion Sensitivity to Static Electricity			
Hazardous Polymerization						
Combustible Liquid		Explosive Material		Corrosive Material		
Flammable Material		Oxidizer		Others		
Pyrophoric Material		Organic Peroxide				
4. Reactivity Data :						
Chemical Stability						
Incompatibility with other Materials						
Reactivity Hazardous Products of Reaction						
5. Health Hazard Data :						
Routes of Entry Effects of Exposure / Symptoms						
Emergency Treatment						
TLV (ACGIH)		ppm.	Mg/m3	STEL	ppm.	Mg /



m3			
Permissible Exposure limit	ID 50	ppm. Mg/m3	Order ppm
LD50			Threshold Mg / m3
NFPA Hazard Signals	Health	Flammability	Stability Special
6. Preventive Measures :			
Personnel Protective Equipments			
Handling and Storage Precautions			
7. Emergency and First Aid Measure :			
Fire	Fire Extinguishing Media		
	Special Procedures		
	Unusual Hazards		
Exposure	First Aid Measures		
	Antidotes / Dosages		
Spills	Steps to be taken		
	Waste Disposal Method		
8. Additional Information / References :			
9. Manufacturer / Suppliers Data :			
	Contact Person in Emergency		
Name of Firm	Mailing Address	Local Bodies involved	
Telephone / Telex nos.	Telegraphic Address		
	Standard Packing		
	Tram card Details/Reference		
Others			
Disclaimer :Information contained in this Material Safety Data Sheet is believed to be reliable but no representation, guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application of results to be obtained from them might vary. It is up to the manufacturer/seller to ensure that the information contained in the Material Safety Data Sheet is relevant to the product manufactured/handled or sold by him as the case may be. The Government marks no warranties expressed or implied in respect of the adequacy of this document for any particular purpose.			

{see sub-rule (1) of rule 130}

## Permissible levels of certain chemical substances in work environment

Sl. No.	Substance	Permissible limits of exposure			
		Time weighted average concentration (8 hrs)		Short-term exposure limit (15 min)*	
		ppm	mg/m <sup>3**</sup>	ppm	mg/m <sup>3**</sup>
	Acetaldehyde	100	180	150	270
	Acetic Acid	10	25	15	37
	Acetone	750	1780	1000	2375
	Acrolein	0.1	0.25	0.3	0.8
	Acrylonitrile-skin	2	4.5	--	--
	Aldrin-skin	--	0.25	--	--
	Allyl Chloride	1	3	2	6
	Ammonia	25	18	35	27
	Aniline-skin	2	10	--	--
	Anisidine (o-p- isomers)-skin	0.1	0.5	--	--
	Arsenic & compounds (as As)	--	0.2	--	--
	Benzene(H.C.)	10	20	25	7.5
	Beryllium & Compound (as Be) (S.C.)	--	0.002	--	--
	Boron Trifluoride-C	1	3	--	--
	Bromine	0.1	0.7	0.3	2
	Butane	800	1900	--	--
	2-Butanon (Methyl-ethyl Ketone MBK)	200	590	300	885
	n-Butyl acetate	150	710	200	950
	n-Butyl alcohol-skin-C	50	150	--	--
	Sec/tert, Butyl acetate	200	950	--	--

Butyl Mercaptan	0.5	1.5	--	--
Cadmium-dust and salts (as Cd)	--	0.05	--	--
Calcium oxide	--	2	--	--
Carbaryl (Sevin)	--	5	--	--
Carbofuran (Furadan)	--	0.1	--	--
Carbon disulphide-skin	10	30	--	--
Carbon monoxide	50	55	400	440
Carbonate trachloride-skin	5	30	--	--
Carbonyl Chloride (Phosgene)	0.1	0.4	--	--
Chlorobenzene (monochloro-benzene)	75	350	--	--
Chloridane-skin	--	0.5	--	--
Chlorine	1	3	3	9
Chloroform (S.C.)	10	50	--	--
bis-(Chloromethyl) ether (H.C.)	0.001	0.005	--	--
Chromic acid and chromates (as Cr) water soluble	--	0.05	--	--
Chromous Salts (as Cr)	0	05	--	--
Copper fume	--	0.2	--	--
Cotton dust, raw	--	0.2	--	--
Cresol, all isomers-skin	5	22	--	--
Cyanides (as CN)-skin	--	5	--	--
Cyanogen	10	20	--	--
DDT(Dichloro diphenyl trichloroethane)	--	1	--	--
Demeron-skin	0.01	0.1	--	--
Diazinon-skin	--	0.1	--	--
Dibutyl pythalate	--	5	--	--
Dichlorvos (DDVP)-skin	0.1	1	--	--

Dieldrin-skin	--	0.25	--	--
Dinitrobenzene, (all isomers )- skin	0.15	1	--	--
Dinitrotoluene-skin	--	1.5	--	--
Diophenyl (Biphenyl)	0.2	1.5	--	--
Endosulfan (Thiaddon)-skin	--	0.1	--	--
Endrin-skin	--	0.1	--	0.3
Ethyl acetate	400	1400	--	--
Ethyl alcohol	1000	1900	--	--
Ethylamin	10	18	--	--
Fluorides (as F)	--	2.5	--	--
Fluorine	1	2	2	4
Formic Acid	5	9	--	--
Hydrazine-skin (S.C.)	0.1	0.1	--	--
Hydrogen Chloride-C	5	7	--	--
Hydrogen Cyanide-skin-C	10	10	--	--
Hydrogen fluoride (as F)-C	3	2.5	--	--
Hydrogen Peroxide	1	1.5	--	--
Hydrogen Sulphide	10	14	15	21
Gasoline	300	900	500	1500
Iodine -C	0.1	1	--	--
Iron Oxide Fume (Fe <sub>2</sub> O <sub>3</sub> )(as Fe)	-	5	--	--
Isoamyl acetate	100	525	--	--
Isoamyl alcohol	100	360	125	450
Isobutyl alcohol	50	150	--	--
Lead, inorg, dusts and fumes (as Pb)	--	0.15	--	--
Lindane-skin	--	0.5	--	--
Malathion-skin	--	10	--	--

Manganese dust and compounds(as Mn)	--	5	--	--
Manganese Fume (as Mn)	--	1	--	3
Mercury (as Hg)-skin				
(i)Alkyl compounds	--	0.01	--	0.03
(ii)All forms except alkyl vapour	--	0.05	--	--
(iii)Aryl and inorganic compounds	--	0.1	--	--
Methyl alcohol (methanol)-skin	200	260	250	310
Methyl cellosolve-skin (2 methoxy ethanol)-scin	5	16	--	--
Methyl Isobutyl Ketone	50	205	75	300
Methyl Isocyanate	0.02	0.05	--	--
Naphthalene	10	50	15	75
Nickel carbonyl (as Ni)	0.05	0.35	--	--
Nitric acid	2	5	4	10
Nitric oxide	25	30	--	--
Nitrobenzene-skin	1	5	--	--
Nitrogen dioxide	3	6	5	10
Oil mist, minerals	--	5	--	10
Ozone	0.1	0.2	0.3	0.6
Parathion-skin	--	0.1	--	--
Phenol-skin	5	19	--	--
Phorate (Thimet)-skin	--	0.05	--	0.2
Phosgene (Carbonyl Chloride	0.1	0.4	--	--
Phosphine	0.3	0.4	1	1
Phosphoric acid (yellow)	--	1	--	--
Phosphorus (yellow)	--	0.1	--	--
Phosphorus pentachloride	0.1	1	--	--

Phosphorus trichloride	0.2	1.5	0.5	3
Picric acid-skin	--	0.1	--	0.3
Pyridine	5	15	--	--
Silane (silicon tetrahydride)	5	7	--	--
Sodium hydroxide-C	--	2	--	--
Styrene, monomer (Phenylethylene)	50	215	100	425
Sulphur dioxide	2	5	5	10
Sulphur hexafluoride	1000	6000	--	--
Sulphuric acid	--	1	--	--
Toluene (Toluol)	100	375	150	560
O-Tuluiodine-skin (S.C.)	2	9	--	--
Tributyl phosphate	0.2	2.5	--	--
Trichloroethylene	50	270	200	1080
Uranium, natural (as U)	--	0.2	--	--
Vinyl chloride(H.C.)	5	10	--	--
Welding fumes	--	5	--	--
Xylene (o-, m, p-isomers)	100	435	150	655
Zinc oxide				
(i)Fume	--	5	--	10
(ii) Dust (Total dust)	--	10	--	--
Zironium compounds (as Zr)	--	5	--	10

ppm: Parts of vapour or gas per million parts of contaminated air by volume at 25° C and 760 mm of Hg.  
mg/m<sup>3</sup>: milligram of substance per cubic metre of air

\*,:Note more than 4 times a day with at least 60 min. interval between successive exposures.

\*\*,:  $\text{mg/m}^3 \frac{\text{molecular weight}}{24.45} \times \text{ppm}$

G,: denotes Ceiling Limit

Skin,: denotes potential contribution to the overall exposure by the cutaneous route including mucous membranes and eye.

S.C.,:denotes suspected Human Carcinogen

H.C.denotes Confirmed Human Carcinogen

Substance	Permissible time-weighted average concentration (TWA)(8 hrs)
(i) Silica, SiO <sub>2</sub>	
(a) Crystalline	
(i) Quartz	
(1) In terms of dust count	10600 / (% Quartz + 10) mppcm
(2) In terms of respirable dust	10 / (% respirable quartz + 2) mg/m <sup>3</sup>
(3) In terms of total dust	30 / (% respirable quartz + 3) mg/m <sup>3</sup>
(ii) Cristaballite	Half the limits given against quartz.
(iii) Tridymine	Half the limits given against quartz.
(iv) Silica fused	Same limit as for quartz.
(v) Tripoli: Same limit as in formula in item 2 given against quartz.	
(b) Amorphous silicates: 10mg/m <sup>3</sup> Total dust.	
[Asbestos (H.C.):	
(a) Amosite.....0.1 fibre/cc***	
(b) Chrysotile..... .0.1 fibre/ cc***	
(c) Crocidolite..... .0.1 fibre/ cc***	
Portland Cement: 10 mg/m <sup>3</sup> , total dust containing less than 1% quartz	
Coal Dust: 2 mg/m <sup>3</sup> , respirable dust fraction containing less than 5% quartz.	

mppcm = Million particles per cubic metre of air, based on impinge samples counted by light-field techniques.

\*\*\*(i) For fibres greater than 5 µm in length and less than 5 µm in breadth with length to breadth ration equal to or greater than 3:1.

(ii) As determined by the membrane filter method at 400-450 × magnification (4 µm bjective) phase contrast illumination.

Respirable Dust :

Fraction passing a size-selector with the following characteristics:

Aerodynamic Diameter (µ m) (Unit density sphere)	% passing selector
2	90
2.5	75
3.5	50
5.0	25
10	01

Permissible activity concentration levels for some of the radionuclides that are commonly encountered in metal recycling industries as given below :

Radionuclide	Radionuclide concentration (Bq/g*)
Co-60	0.1
Cs-137	0.1
Am-241	0.1
Ir-192	1.0"

Footnote :

Bq/g stands for Becquerel per gram. Becquerel means one transformation of a radionuclide per second : and is the SI unit of radioactivity.

Measurement shall comprise external radiation levels on the metal scrap, semi-finished and finished products as well as the background levels at the place of measurement and records of the same shall be maintained. If the radiation level on the material exceeds the background radiation level by 20 µ/hr (Micro Rad per hour).

The Atomic Energy Regulatory Board (AERB) Shall be promptly intimated.

**FORM-I**  
**[Section 2(1)( l ) and sub rule (3) of Rule-4]**

**Part-I**

**Form of application for grant of Certificate of Competency to a person under Rule 4**

**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 organization	Period of service	Designation	Area of responsibility

**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 certificate of competency is sought (section or sections of the Code should be stated)**

**10. Whether the applicant has been declared a competent person under any statute (if so, the details).....**

**11. Any other relevant information.....**



**12. Declaration by the applicant.....**

**I, .....hereby declare that the information furnished above is true; I undertake—**  
**(a) that in the event of any changes 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;**  
**(b) to maintain the facilities in good working order, calibrated periodically as per manufacturer’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 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 shall—**

- (a) notify the Chief Inspector-cum-Facilitator 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 any change in the facilities (either addition or deletion).**

**Date:**

**Signature.....**

**Designation.....**

**Contact No.....**

**e-mail id: .....**

**Official Seal**

**Note.—This declaration should be made by the Managing Director of the company or the partner of the firm or the proprietor, as the case may be.**

**PART-II**

**Form of application of grant of Certificate of Competency to an Institution under Rule-4**

**Name and full address of the Organisation.....**

**Organisation's status (specify whether Government, Autonomous, Co-operative, Corporate or Private).....**

**Purpose for which certificate of competency is sought (specify section(s) of the Code).**

**Whether the Organisation has been declared as a competent person under this rule or any other statute and if so, give details.**

**Particulars of persons employed and possessing qualifications and experience as set out in Schedule-I annexed to rule 4:**

Serial No.	Name and designation	Qualifications	Experience	Section(s) and the Rule under which certificate of competency is sought for

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

**7. Any other relevant information.**

**8. Declaration.....**

**I,.....hereby, on behalf of .....certify the details furnished above are correct to the best of my knowledge, I undertake to— maintain the facilities in good working order, calibrated periodically as per manufacturer's instructions or as per National Standards; and to fulfill and abide by all the conditions stipulated in the certificate to competency and instructions issued by the Chief Inspector-cum-Facilitator from time to time.**

**Place :  
Institution**

**Date :  
behalf**

**Seal and Signature of Head of the  
or of the person authorised to sign on**

**Designation**

**FORM-II**

**[Section 2(1)(1) and sub rule (3) of Rule-4]**

**Form of Certificate of Competency issued to a person or an Institution in pursuance of**

**rule 3 made under Section2(1)(1).**

I,.....in exercise of the powers under *Section2(1)(l)* of the Code and Rule made thereunder, hereby recogniseShri/Smt. .... in the employment of .....(Name of the institution) Or..... (Name of organisation) as a Competent Person for the purpose of carrying out tests, examinations and inspections and certification of such building, dangerous machinery, lift and hoists, lifting machine and lifting tackles, pressure plants, confined space, ventilation system and such other process or plant and equipment as the case may be, used in factory located in..... under Section..... and the rule made thereunder.

This certificate is valid from..... to.....

This certificate is subject to the following conditions namely:

tests, examination and inspections shall be carried out in accordance with the provision of the Code and the Rule made thereunder;

tests, examination and inspections shall be carried out under direct supervision of the Competent Person or by a person so authorised by an institution recognised to the Competent Person;

the certificate of competency issued in favour of a person shall stand cancelled if the person leaves the organisation mentioned in his application;

the institution recognised as a Competent Person shall keep the Chief Inspector-cum-Facilitator informed of the names, designations and qualifications of the persons authorised by it to carry out tests, examinations and inspections.

Place :

Signature of the Chief Inspector-cum-Facilitator

Date :

Official Seal

*Note.*— Aseparate certificate should be issued under each relevant Section. A person or an institution may be recognised as a Competent Person for the purposes of more than one Section of the Code.

### Form-III

{See clause (a) of sub-rule (1) of Rule-5}

Application for Registration for  
existing establishments/New

**Establishment/Amendment to  
certificate of Registration**

**Establishment Details.**

**Total Number of employees engaged directly in  
the establishment:.....**

**Total Number of the contract employees engaged:  
.....**

**Contract employees engaged or to be engaged in  
process:.....**

**Total Number of Inter-State Migrant workers  
employed:.....**

**LIN Number (if already registered to retrieve details of Establishment  
from Portal) :**

**Name of Establishment:**

**Location and Address of the Establishment:**

**Others details of Establishment:**

**Type of Establishment ..... (Factory/Beedi  
Establishment/Plantation Establishment/Construction  
Establishment/Other Establishment )**

**6.(a) For establishments/ 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	Name of the chemicals to be handled and stored along with quantity
1	2	3	4	5

**(b) For plantation:**

Total area of plantation in hectares	Full name and residential address(es) of the directors (in case of a company)	Name and address of the employer	Maximum number of workers to be employed	Name of the hazardous chemicals, insecticides, pesticides to be handled and stored along with quantity
--------------------------------------	---	----------------------------------	--	--

1	2	3	4	5
---	---	---	---	---

**(c) For motor transport undertaking:**

Nature of motor transport service e.g. city service, long-distance passenger service, long-distance freight service	Total number of routes	Total route mileage	Total number of transport vehicles on the last date of the preceding year	Maximum number of motor transport workers employed on any day during the preceding year	Name and address of the employer	Full name and residential address(es) of the directors (in case of a company)
1	2	3	4	5	6	7

**(d) For Beedi and Cigar Work:**

Financial resources of employer (particulars and value of movable and immovable properties, bank references, income tax assessment etc.)	Whether the employer is a trademark holder registered under the Trade and Merchandise Marks Act, 1958	Previous experience of the employer in the industry	Value of beedis and cigars, or both, manufactured at the premises during the preceding financial year	Whether the proposed site of industrial premises amounts to the alteration of the site of any existing industrial premises and if so reasons for such alterations.
1	2	3	4	5

Whether any industrial premises was closed by the applicant during the period of twelve months	Source of obtaining tobacco	Whether the beedis or cigar, or both, manufactured by the applicant will be sold and marketed by himself or through the proprietor or a	Full name and residential address(es) of the Directors (in case of a company)	Maximum number of employees to be employed on any day
--	-----------------------------	---	---	---

immediately preceding the date of the application and, if so, reasons therefore		registered user of the trademark registered under the Trade and Merchandise Marks Act, 1958 or any other person		
6	7	8	9	10

**6.(e) 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

**6.(f) for audio-visual production:**

Name and address of the Producer/ Producers of the production house	Maximum number of audio-visual workers to be employed on any day
1	2

**6.(g) for registration of principal employer under Part-I of Chapter XI:**

1	The name and location of the establishment
2	Postal address of the establishment
3	Full name and address of the Principal Employer (furnish father's name in the case of individuals)
4	Full name and addresses of the manager or the person responsible for the supervision and control of the establishment
5	Nature of work carried on in the establishment
6	Particulars of contractors and contract labour: Names and addresses of contractors Nature of work in which contract labour is employed The maximum number of contract labour to be employed on any day through each contractor Estimated date of commencement of each contract work under each contractor Estimated date of termination of employment of contract labour under the contractor Particular is of fees deposited

I hear by declare that the particulars given above are true to the best of my knowledge and belief.	
	Principal employer

**6.(h) For Contract work:**

Name and Address Contractor	Email address& Mobile of Contractor	Name and nature of Work	Maximum No. of Contract labour engaged	Date of Commencement / Probable date of Completion of work
1	2	3	4	5

**6.(i) The details of Inter-state migrants employed /to be employed in an establishment:**

S.No.	Name	Father's/ Husband's name	Permanent address				Aadhar Number	Mobile Number
			Town/ village	Tehsil	District	State		

**Ownership Type/Sector:**

**Activity as per National Industrial Classification:**

**Details of Selected NIC Code:**

**Date of opening/Start of business:**

**Identification of the establishment: e-sign/ digital sign of employer/  
representative:**

**12. Details of Employer:-**

**Name & Address of Employer / Occupier / Owner/Agent:**

**Designation:**

**Father's/ Husband's Name of the Employer:**

**Email Address, Telephone& Mobile No:**

**13. Manager/ Agent Details**

**Full name & Address of Manager/ Agent or person responsible for  
supervision and control ofthe Establishment**

**Address of Manager/Agent:**

**Email Address, Telephone& Mobile No :**

**Other details:**

**Date:**

**Place:**

**Signature/ e-sign/ digital  
signature of employer**

**Form-IV**

**{See clause (d) of sub-rule (1) of  
Rule-5}**

**Certificate of Registration of  
establishments**

**Registration**

**number:**

**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 (Act no. 37 of 2020) to ..... (Name of Establishment)**

**Nature of work carried on in the establishment: (Please tick mark)**

**(a) factory**

**(c) motor transport undertaking**

**(e) building other construction works**

**(h) audio-visual production**

**covered above)**

**(b) plantation**

**(d) contract work**

**(g) beedi cigar works**

**(i) any other work (not**



**Details of the establishment:**

**Total number of employees engaged directly in the establishment:**

**Total number of employees engaged through the contractor:**

**Total number of contractors and their details:**

**Number of inter-state migrant workers engaged:**

**3. (a) For establishments/ 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	Name of the chemicals to be handled and stored along with quantity
1	2	3	4	5

**(b) For plantation:**

Total area of plantation in hectares	Full name and residential address(es) of the directors (in case of a company)	Name and address of the employer	Maximum number of workers to be employed	Name of the hazardous chemicals, insecticides, pesticides to be handled and stored along with quantity
1	2	3	4	5

**(c) For motor transport undertaking:**

Nature of motor transport service e.g. city service, long-distance passenger service, long-distance freight service	Total number of routes	Total route mileage	Total number of transport vehicles on the last date of the preceding year	Maximum number of motor transport workers employed on any day during the preceding year	Name and address of the employer	Full name and residential address(es) of the directors (in case of a company)
---	------------------------	---------------------	---	---	----------------------------------	---

1	2	3	4	5	6	7
---	---	---	---	---	---	---

**(d) For Beedi and Cigar Work:**

Financial resources of employer (particulars and value of movable and immovable properties, bank references, income tax assessment etc.)	Whether the employer is a trademark holder registered under the Trade and Merchandise Marks Act, 1958	Previous experience of the employer in the industry	Value of beedis and cigars, or both, manufactured at the industrial premises during the preceding financial year	Whether the proposed site of industrial premises amounts to the alteration of the site of any existing industrial premises and if so reasons for such alterations.
1	2	3	4	5

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, reasons therefore	Source of tobacco	Whether the beedis or cigar, or both, manufactured by the applicant will be sold and marketed by himself or through the proprietor or a registered user of the trademark registered under the Trade and Merchandise Marks Act, 1958 or any other person	Full name and address(es) of the Directors (in case of a company)	Maximum number of employees to be employed on any day
6	7	8	9	10

**(e) 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

**(f) for audio-visual production:**

Name and address of the Producer/ Producers of the production house	Maximum number of audio-visual workers to be employed on any day
---	--

**(g) for registration of principal employer under Part-I of Chapter XI:**

1	The name and location of the establishment
2	Postal address of the establishment
3	Full name and address of the Principal Employer (furnish father's name in the case of individuals)
4	Full name and addresses of the manager or the person responsible for the supervision and control of the establishment
5	Nature of work carried on in the establishment
6	Particulars of contractors and contract labour: Names and addresses of contractors  Nature of work in which contract labour is employed  The maximum number of contract labour to be employed on any day through each contractor  Estimated date of commencement of each contract work under each contractor  Estimated date of termination of employment of contract labour under the contractor  Particular is of fees deposited
I hear by declare that the particulars given above are true to the best of my knowledge and belief.	
	Principal employer

**(h) For license to contractors:**

Name and Address Contractor	Email address & Mobile of Contractor	Name and nature of Work	Maximum No. of Contract labour engaged	Date of Commencement / Probable date of Completion of work
1	2	3	4	5

**(i) The details of Inter-state migrants employed /to be employed in an establishment:**

S.No.	Name	Father's/ Husband's name	Permanent address				Aadhar Number	Mobile Number
			Town/	Tehsil	Distric	State		

			village		t			

**Other details:**

**Amount of registration fee paid:**

**Remarks of registering officers:**

**Date:**

**Signature/ e-sign/ digital**

**Place:**

**signature of employer**

**Conditions of registration:**

Every certificate of registration issued under Rule 5 shall be subject to the following conditions namely:

the certificate of registration shall be non-transferable; and

the number of workers employed in an establishment directly or contract employees shall not on any day exceed the maximum number specified in the certificate of registration; and

Save as provided in the rules the fees paid for the grant of registration certificate shall be non-refundable.

The employer shall intimate the change, if any, in the number of workers are the conditions of work to the registry officer within thirty days.

The employer shall within 30 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- VI annexed to these rules electronically.

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-V**  
**{See sub-rule (7) of Rule-5}**  
**Register of Establishment**

S.no.	Nature of work	Registration No. and Date	Name and Address, location of the establishment registered	Name, Address and Contact Details of Employer	Total number of Workers and Total Hours power (i	Total number of contract Workers	Remarks

					f any)		
1	2	3	4	5	6	7	8
	Factories						
	Plantation						
	Motor transport undertaking						
	Beedi and cigar work						
	Building and other Construction work						
	Audio-visual production						
	Contract work						
	Interstate Migrant Work						
	Any other work (not covered above)						

**FORM-VI**

{see sub-rule (1) of rule 7}

**Notice for commencement or cessation or completion of work**

**A- Notice of Commencement / cessation of Establishment:**

**Registration No:**

**Name and Address of Establishment:-**

**Name & Designation of employer/ Port authority (who has ultimate control over the affairs of the establishment :-**

**Full address to which communication relating to the establishment to be sent :-**

**Nature of work of the establishment :-**

**In case of the notice is for commencement of work the approximate duration of work:-**

**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)

**B- 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,

1. The Registering Officer,  
.....

2. The Inspector-cum-Facilitator,  
.....

**FORM-VII**  
{see sub-rule (2) of rule 8 and sub-rule (1) of rule 123}  
**Health Register**

The medical examination shall be conducted by a qualified medical practitioner as per following proforma:

**Demographics:**

Question	Answer	Remarks
Date		
Name of worker		
Age		
Permanent address		
Gender		
Total Number of family Members		
Total monthly family Income		
Is the employee under ESI (Employees' State Insurance) Scheme?	Yes/No	

If yes, provide IP Number		
Is the employee under any other health scheme apart from ESI-Scheme? (If yes, provide the name of the scheme)	Yes/No	

**Occupational History:**

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		

**Brief Review of Medical History: Diagnosed previously or currently under treatment or Currently suffering from**

Question	Answer (yes/no)	Remarks
Anemia		
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		

### Current Symptoms-Diseases Module

Question	Answer (yes/no)	Remarks
Smoking habit		
Chewing Tobacco or Pan Masala or <i>Gutkha</i>		
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		



## Physical Examination

Question	Answer (yes/no)	Remarks
Date of examination		
General Skin Condition: (If Any Dermatitis, please mention its location)		
Weight (in Kg)		
Height (in Meter)		
Temperature (0F)		
BP		
Pulse		
SPO2		
Respiratory Rate		
Examination of Breast of female-employee		

### Investigation report:

**Routine blood investigation (attach the photocopy of the report)**

**Blood grouping and Rh Typing and Hb Electrophoresis (once in a life time)**

Parameter	Answer (Normal/ Increase/ Decreases)	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)		

**Standard Chest X-ray (PA) view (attach the copy of the report):**

<b>Parameter</b>	<b>Answer (Normal/ Abnormal)</b>	<b>Value (if any importance)</b>
Date		
Report		

**Eye examination: (attach the photocopy of the report)**

<b>Parameter</b>	<b>value/ result/ interpretation</b>
Date	
Visual inspection of Eye for any abnormality like corneal opacity/scaring, 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	

**12 lead ECG and Echocardiography:**

**Final report:**

**MEDICAL FITNESS TESTS FOR PERSONS WORKING AT HEIGHT (as may be applicable):**

**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)**

**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**

**H. Any other information/examination/biological investigation/test as mutually agreed by the employer and qualified medical practitioner.**

### **FORM-VIII**

**{see sub-rule (2) of rule 8 and sub-rule (2) of Rule 123}**

### **Certificate of Fitness**

**(As Prescribed under the hazardous process, dangerous operations, Section 6(1)(c) and rules therein)**

**Serial Number:-**

**I certify that I have personally examined Sh/Smt..... son/daughter of ....., residing at ..... who is desirous of being employed as .....(designation)in .....(process, department and factory) and that his age....., as nearly as can be ascertained from my examination, is .....years, and that he is, in my opinion, fit/unfit for employment in the above mentioned factory.**

**2. He may be produced for further examination after a period of.....**

**3. The serial number of the previous certificate is.....**

Signature/ Left Thumb impression of the person examined.	Signature, seal and registration no. of qualified medical practitioner /Medical Officer
	Date .....

I certify that I examined the person mentioned above on	I extend this certificate until (if certificate is not extended, the period for which the worker is considered unfit for work is to be mentioned)	Signs and symptoms observed during examination	Signature, seal and registration number of qualified medical practitioner
1	2	3	4

**Form-IX**  
(See sub-rule (1) of Rule 9)  
**Letter of appointment to employees**

**Name of establishment:**

**Name of employee:**

**Employee's distinct number or code:**

**Father's name:**

**Aadhar number:**

**Labour Identification Number (LIN) of the establishment:**

**Universal Account Number (UAN)/Insurance Number (ESIC):**

**Designation:**

**Category of skill:**

**Date of joining:**

**Wages, Basic Pay & Dearness Allowance:**

**Other allowance including accommodation whichever is/are applicable:**

**Avenue for achieving higher wages/higher position:**

**Applicability of social security EPFO and ESIC benefits applicable:**

**Health check-up:**

**Broad Nature of duties to be performed:**

**Any other information:**

**Signature  
Occupier/employer  
/owner/agent/manager**

**Form-X**

**{See sub- rule (3) of Rule 10}**

**Notice of Accidents, or dangerous occurrence resulting in Death or Bodily Injury**

**Dated.....**

**To,**

.....  
.....

**Sir,**

**I hereby give notice under Section 10 of the Occupational Safety, Health and Working Conditions Code 2020 that fatal/non-fatal accident occurred in this establishment to the person mentioned below:**

**Name of occupier/Employer.....**

**Address of E.&I. Employer's Code No.....premises  
where accident or dangerous occurrence took place.....**

**Nature of Industry.....**

**Branch or department and exact place where the accident or dangerous occurrence took place.....**

**Name and address of injured person.....**

**Sex.....**

**Age (last birthday).....**

**Occupation of the injured person.....**

**Local E.S.I. Office to which the injured person is attached.....**

**Date, shift and hour of accident or dangerous occurrence.....**

**Hour at which the injured person started work on the day of accident or dangerous occurrence.....**

**Whether wages in full or part are payable to him for the day of the accident or dangerous occurrence.....**

**Cause or nature of accident or dangerous occurrence.....**

**Cause of accident or dangerous occurrence:**

**If caused by machinery.....**

**Give the name of the machine and the part causing the accident or dangerous occurrence.....**

**State whether it was moved by mechanical power at that time.....**

**State exactly what the injured person was doing at that time.....**

**In your opinion, was the injured person at the time of accident or dangerous occurrence.....**

**Causing contravention of provisions of any law applicable to him, or causing contravention of any orders given by or on behalf of his employer, or causing without instructions from his employer.**

**In case reply to (c), (i)(ii) or (iii) is in the affirmative whether the act was done for the purpose of securing safety in connection with the employer's trade or business.**

**In case the accident or dangerous occurrence happened while travelling in the employer's transport state whether.....**

**the injured person was travelling as a passenger to or from his place of work.....**

**the injured person was travelling with the express or implied permission of his employer,**

**the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer, and**

**the vehicle is not/being operated in the ordinary course of public transport service.**

**In case the accident or dangerous occurrence happened while meeting the emergency state.....**

**its nature.....**

**whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place.**

**Describe briefly how the accident or dangerous occurrence occurred.**

**Name and addresses of witnesses :(1) ..... (2) .....**

**(a) Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, sealed or scratch and followed by sepsis.)**

**(b) Location of injury (right leg, left hand or left eye etc.)**

**(a) If the accident or dangerous occurrence is not fatal, state whether the injured person was disabled for more than 48 hours.**

**(b) Date and hour of return to work.**

**(a) Physician, dispensary or hospital from whom or in which the injured person received or is receiving treatment.**

**(b) Name of dispensary/panel doctor selected by the injured person.....**

**Has the injured person died.....**

**If so, date of death.....**

**I certify that to the best of my knowledge and belief, the above particulars are correct in every respect.**

**Signature  
Name and Designation of the  
Occupier or Manager-Employer  
Employer's Address and Code  
No**

(This space is to be completed by the Inspector-cum-Facilitator)

**Date of receipt.**

**Number of accidents or dangerous occurrences. Causation number, other particulars ( e.g. fatal leg injury, arm injury, etc.)**

**Date of Investigation.....**

**Result of Investigation.....**

**Form-XI**

**{See sub-rule (3) of rule 10}**

**Notice of dangerous occurrence**

**Name and address of**

**Establishment.....**

**Name of the Occupier.....**

**Name of the Manager.....**

**Name of Industry.....**

**Branch or Department and exact place where the dangerous occurrence took place.....**

**Date and**

**hour occurrence.....**



**Nature of Accident or Dangerous Occurrence (state exactly what happened).**

**Details of Employees affected by such dangerous occurrence.**

Sr.no	Name of the Employee	Employee Code	Designation

**I certify that, to the best of my knowledge and belief, above particulars are correct in every respect.**

**Signature of the Occupier /  
Manager.**

**Date of dispatch of report.....**

**(This space to be completed by Inspector-cum-Facilitator)**

District..... ..... D.O. No..... ..... Causation No..... .....	Date of receipt..... Date of investigation.....
Result of investigation:	

**Form-XII**

**{See Rule 12}**

**NOTICE OF DISEASE**

**Name and address of establishment:**

**Nature of establishment:**

**Details of Patient:**

**Name of Patient:**

**Age and gender:**

**(b) Works number of Patient:**

**(c) Address of Patient:**

**(d) Precise occupation of patient:**

**Nature of disease from which patient is suffering:**

**Date of Detection of Disease:**

**Details of Medical Practitioner:**

**Has the case been reported to the Medical Officer :**

**Signature of employer or  
occupier or manager**

**Date:**

**FORM-XIII**

[See sub-rule (1) of Rule 18 and sub-rule (3), (5) of rule 52]

**Attendance Register**

*Name of Factory or Department.....*

	Time of commencement of work	Rest period				Time of completion
		From	To	From	To	
Monday to Friday						
Saturday						
Sunday						
System of rotation of relays						

Serial No.	Employee code	Name of employee	Father's name	Nature of work	Department	Corresponding to that in Form		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	d	th	th	th	th	th	th	th	th	th
						Group or relay	Shift													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Month..... Year.....																				

14 <sup>th</sup> th	15 <sup>th</sup> th	16 <sup>th</sup> th	17 <sup>th</sup> th	18 <sup>th</sup> th	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>th</sup>	22 <sup>th</sup>	23 <sup>th</sup>	24 <sup>th</sup>	25 <sup>th</sup>	26 <sup>th</sup>	27 <sup>th</sup>	28 <sup>th</sup>	29 <sup>th</sup>	30 <sup>th</sup>	31 <sup>th</sup>	Total No. of days worked	Rate of basic wages	Rate of allowance, if any	Total hours of overtime
22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43

Rate of overtime	Deduction, if any		Fine	Actual wages paid	Total number of weekly holidays lost by the worker	Date(s) on which compensatory holiday(s) Will be given	Remarks of indication showing that the payments have been made together with the dates
	On account of provident fund	On account of advances					
44	45	46	47	48	49	50	51

**FORM -XIV**  
 {see sub-rule(2) of rule 47}  
**Notice of period of work**

Date of enforcement.....

Name of establishment under which it is registered/proposed to be registered..... place.....district....

Group	Nature of work of each group	Number of workers employed in each group		Relay or set of workers	Shift or period of work	Number of hours of employment per day of .....all employee for each relay													
		Permanent	Temporary			Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
						Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

Hours (time) of beginning and ending work for each relay, group and intervals of rest fixed under rule.....

Worker	Group	Name of work of each group	Relay or set of workers	Shift or period of work	Work commences		Rest interval or intervals	Work end									
					Mondays to Fridays	Satur days		From	To	From	To	From	To	From	To	Mondays to Fridays	Satur days
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Men Women Adolescent																	

*Charts showing the relation of relays working on continuous processes similar to those prescribed in **schedule-II***

First week	Second week	Third week
Mon. Tue. Wed. Thu. Fri. Sat. Sun.	Mon. Tue. Wed. Thu. Fri. Sat. Sun.	Mon. Tue. Wed. Thu. Fri. Sat. Sun.
Shift Relay		

Factory Manager's Signature.....

Signature of inspector-cum- Facilitator.....

**Instructions to be followed while filling in the notice of periods of work**

1. Divide all the workers into groups according to their nature of work. Show the number of workers working in each group.
2. Use numerical (1, 2, 3 and 4, *etc.*) for groups.
3. Show the nature of work against each group.
4. Make relays of groups accordingly specify them as I, II, III, *etc.*
5. Show the daily working hours *exclusive of periods of the fixed rest interval* of each relay or set of workers in the upper half of the notice.
6. Use letters, A, B, C, *etc.* for shifts and periods of work.
7. Do not arrange the shift in such a way that more than one relay of workers is engaged in work of the same kind at the same time as overlapping shifts are prohibited .
8. Arrange the periods of work for employee in such a way that no adult worker is required to work for more than 8 hours in any day and that no worker shall work more than 5 hours before he has had an interval of rest for at least half an hour
9. Arrange the working hours in such a way that weekly hours of the workers do not exceed 48 hours a week . Arrange the periods of work of adult workers in such a way that inclusive of rest interval they shall not spread over more than 10-1/2 hours .
10. Show the weekly holiday for each relay or set of workers in the foot-note of each notice.
11. Submit the notice of periods for work in duplicate to the Inspector-cum-Facilitator of the Region concerned before the day it is enforced. If there is any change in the system of work a revised notice of periods for work shall be submitted [**Section 31**]

**Special instructions for filling in the chart which is to be used only in cases of relays working on continuous process or of sets of workers working in successive periods.**

- I. Show the periods of work *Inclusive of rest intervals* of adult workers on continuous processes in the upper half of the notice.

**FORM-XV**  
**(See Rule 49)**  
**LEAVE WITH WAGES REGISTER**

**NAME OF ESTABLISHMENT .....**

Serial No:-..... .... Department:-..... .... Serial no. or code in the Register of employ ee ..... Date of entry into service:-.....	Name:-..... .... Father's name:-..... .... Date and amount of payment made:-..... .... in lieu of leave due:-..... ....
--	--

1	Calendar year service	
2	Wage paid from.....to.....	
3	Wages earned during the wage period	
4	No. of days of work performed	No. of days worked during the calendar year
5	No. of days of lay-off	
6	No. of days of maternity leave	
7	No. of days of leave enjoyed	
8	Total of Columns 4 to 7	
9	Balance of leave from preceding year	Leave to credit
10	Leave earned during the year mentioned in Column 1	
11	Total of Columns 9 and 10	
12	Whether leave in accordance with scheme under Section 32 was refused	
13	Leave enjoyed from.....to.....	
14	Balance of leave to credit	
15	Normal rate of wages	
	Remarks if any	

**FORM-XVI**  
**(See sub-rule (1) of rule 50)**  
**Leave Book for Employee**

**NAME OF ESTABLISHMENT .....**

Serial No:-..... .... Department:-..... .... Serial no. or code in the Register of employee:-..... Date of entry into service:-..... ..	Name:-..... .... Father's name:-..... .... Date and amount of payment made in lieu of leave due:-.....
--	---

1	Calendar year service	
2	Wage paid from.....to.....	
3	Wages earned during the wage period	
4	No. of days of work performed	No. of days worked during the calendar year
5	No. of days of lay-off	
6	No. of days of maternity leave	
7	No. of days of leave enjoyed	
8	Total of Columns 4 to 7	
9	Balance of leave from preceding year	Leave to credit
10	Leave earned during the year mentioned in Column 1	
11	Total of Columns 9 and 10	
12	Whether leave in accordance with scheme under Section 32 was refused	
13	Leave enjoyed from.....to.....	
14	Balance of leave to credit	
15	Normal rate of wages	
18	Remarks	

**Date:**  
**authorized by him**

**Signature of employer or person**

**Form XVII**  
**(see Rule 53)**

**[Register of Accidents and Dangerous Occurrences]**

Serial No.	Date of report in Form X /XI to inspector cum-Facilitator (and notice to insurance authorities)	Time of report and notice	Name and address of the injured person	Sex	Age	Insurance No.
1	2	3	4	5	6	7

Shift, department and occupation of employee	Injury or details of dangerous occurrence					
	Date	Time	Place	Cause of injury or dangerous occurrences	Nature of injury or dangerous occurrences	What exactly was the injured person doing at the time of injury
8	9	10	11	12	13	14

Name, occupation, address and signature or thumb-impression of the person giving notice	Signature and designation of the person who makes the entry	Name, address and occupation of two witnesses	Date of return of injured person to work	Name of the State Insurance Local Office to which the injured person is attached	Remarks, if any
15	16	17	18	19	20

**FORM-XVIII**  
**( see sub-rule (a) of Rule 55)**  
**[Annual Return]**

*Year ending 31st December, 20...*

**Licence number issued by the Chief Inspector-cum-Facilitator/ Registering officer .....**

**Name of the factory/ Establishment:-**

.....

**Name the occupier/Employer:-**

.....

**Name the manager.....since**

**District:-.....**



Postal address, email-address and mobile no.....

- 7. Nature of Establishment/Industry (General/Hazardous/MAH).....
- 8. Main work/product of the establishment.....
- 9. Average number of employees employed daily.....  
(ii) Average number of workers [Section 2(1)(zzl)] employed daily.....

The average daily number should be calculated by dividing the aggregate of attendance on working days by the number of working days in the year.[In reckoning attendances (1) attendance of a employee for less than half of his scheduled working hours on a working day shall be omitted, and attendance for half of his scheduled working hours or more on a working day shall be treated as full attendance (2) attendance of both temporary as well as permanent workers shall be counted. Attendances on separate shifts (e.g. night and days shifts) should be counted separately. Days on which the factory was closed, for whatever cause, and days on which the manufacturing processes were not carried should not be treated as working days.

	Employees directly by, Employer	Employees directly by the contractor	Total average	Number of apprentices	Number of "other apprentices"
Men					
Women					
Adolescent					
Total					

- 10. Name, address and email- address of the contractor (s).....
- 11. (i) Normal hours worked per week for  
  - Male Worker.....
  - Woman Worker.....
  - Other Apprentices.....
- (ii) Total normal Man hour worked under Section 25.....  
( Explanation; Man hour includes work done by employees)
- 12. Number of days worked in the year.....
- 13. What rest for intervals were given to employees (half an hour or one hour or two hour or others) .....
- 14. Whether first day of week was substituted as weekly holidays ?  
.....Such numbers.....

15. Was the factory or part of factory is engaged in continuous process under schedule-II (details of class of work).....
16. Over time(Section 27):
- (i) Total Man hour worked during the period under Section 27.....
17. Average number of woman employees engaged in a shift or part thereof (Between 7 PM to 6 AM)
- (i) Between 7 PM to 10 PM.....
  - (ii) 10 PM to 6 AM.....
18. *Compensatory Holidays*
- (i) Number of workers exempted from Section 26 of the code.....
  - (ii) Number of workers, who received holidays in the—
    - (a) Same month.....
    - (b) Following month.....
    - (c) Third month.....
- 19 *Leave with Wages(Section 32)*
- (i) Total number of persons employed during the year  
.....
  - (ii)Number of persons who are entitled to leave with wages during the year preceding the year for which this return is submitted  
.....
  - (iii) Number of persons who are entitled to leave with wages during the year for which this return is submitted .....
  - (iv)Number of persons who were granted leave during the preceding year.....
  - (v)Number of persons who were granted leave during the year for which the return is submitted .....
  - (vi)(a) The total number of workers discharged or dismissed from service during the year.....
  - (b) Number of discharged workers paid wages in lieu of leave.....
  - (c) Total amount of wages paid in lieu of leave.....
  - (d) Total number of workers who left the services of their own accord.. .....
  - (vii) Number of persons who gave notice not to avail themselves of leave during the year in which leave accrued .....
20. (i) Total number of days of involuntary unemployment during the year.....
- (ii) Number of unemployed workers.....
21. Does the factory come under—
- (i) Section 2(1)(za).....
  - (ii) Section 82.....
  - (iii) Section 80.....

**22. Average daily number of employee employed in dangerous operations or Hazardous Process in a factory or building and other construction work.....**

**23. (i) No. of safety officers employed under Section 22.....**

**(ii) Name of chief safety officer and email address.....**

**(iii) Name of the secretary of safety committee .....**

**24. If welfare officer is appointed under Section 24(2)(iv).....**

25. CANTEENS								
(For establishment ordinarily employing 100 or more workers)								
26. Is a canteen provided in compliance of Section 24(1)(v) and Rule made therein								
Does the canteen provide—								
Cooked food and refreshment, etc.	Cooked food only	Refreshment and tea only	Tea only	Approximate number of workers patronizing canteen (daily)	Are the charges levied below cost price, if so, state items provided below cost price	Percentage of expenditure borne by the employer (details regarding items, if any, and amount subsidized should be given)	How is the canteen managed	General remarks
1	2	3	4	5	6	7	8	9
* (Column 26). If the columns are insufficient for giving details, a separate sheet may be attached and detailed information submitted. Enter "Nil" against the column which is not applicable to your factory.								
27. CRECHE								
(For establishment ordinarily employing more than 50 workers)								
Is a creche room provided/arranged in compliance of provisions of the Section 24(3) and rule made therein [Provide Details, a separate sheet may be attached]								
SHELTERS, REST ROOMS OR LUNCH ROOMS								
(For establishment ordinarily employing more than 50 workers)								
28. Is a shelter, rest-room or lunch room provided in compliance of Section 24(2)(iii) and Rule made therein in addition to a canteen?								
Average daily attendance of workers of shelter, rest room or lunch room	Details of facilities provided for drinking water	Details of accommodation, furniture and other equipments provided	General remarks					
1	2	3	4					
29. ACCIDENTS								
<i>"Fatal and non-fatal accidents"</i>								

1			2	3	4					
Total number of accidents of dangerous occurrences during the year			Number of persons killed	Number of persons injured	Non-fatal accidents in which the workers returned to work during the year					
					Occurring during the year			Occurring during the previous year		
fatal	Non fatal	Dangerous occurrence without injury			Number of accidents	Number of persons injured	Number of man-days lost on account of absence	Number of accidents	Number of persons injured	Number of man-days lost on account of absence
Total no. of fatal accidents in preceding year of this return period.....										
I/We certify that information given by me/us is true and correct to the best of my/our knowledge.										
The employer of every establishment shall furnish to Inspector-cum-Facilitator of region on or before 31 January of each year an annual return in the form set forth for it.										
<i>Signature of Manager</i> .....					<i>Signature of Employer</i> .....					
<i>Dated</i> .....										

**FORM-XIX**  
(see sub-rule (b) of Rule 55)

**Half Yearly Return**

Period ending ..... 30 June, 20...../ ..... 31 December, 20 .....

1. Licence number issued by the Chief Inspector-cum-Facilitator .
2. Name of the factory.....
3. Name the occupier.....
4. Name the manager..... since.....
5. District.....
6. Postal address, email-address and mobile no.....
7. Nature of industry (Hazardous/MAH).....
8. Main product of the factory.....
9. (i)Average number of employees employed daily.....

**(ii) Average number of workers [Section 2(1)(zzl)] employed daily.....**

The average daily number should be calculated by dividing the aggregate of attendance on working days by the number of working days in the year.[In reckoning attendances (1) attendance of an employee for less than half of his scheduled working hours on a working day shall be omitted, and attendance for half of his scheduled working hours or more on a working day shall be treated as full attendance (2) attendance of both temporary as well as permanent workers shall be counted. Attendances on separate shifts (e.g. night and days shifts) should be counted separately. Days on which the factory was closed, for whatever cause, and days on which the manufacturing processes were not carried should not be treated as working days.

	Employees directly by, occupier	Employees directly by the contractor	Total average	Number of apprentices	Nnumber of “other apprentices”
Men					
Women					
Adolescent					
Total					

**10. Name and address and email- address of the contractor (s).....**

**11. Number of days worked in the period.....**

**12. Total no. of fatal accident or any death in the period .....**

**13. Month of safety audit in the year .....**

**14. If recommendations made in safety audit have been complied with(Yes/NO) ...**

**I/We, certify that information given above by me/us is true and correct to the best of my/our knowledge.**

..... <i>Signature of Employer</i>	..... <i>Signature of Manager</i>
The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days during the half year. In reckoning attendances (1) attendance of a employee (a) for less than half	Attendances on separate shifts ( e.g. night and day shifts), should be counted separately. Days on which the factory was closed, for whatever cause, and days on which the manufacturing processes were not carried onshould not be treated as working days. The employer of every establishment referred to in Rule 55 shall furnish to the

<p>of his scheduled working hour, on a working day shall be omitted, and (b) attendance for a period equal to half of his scheduled working hours or more on a working day shall be treated as full attendance. (2) Attendance of both temporary as well as permanent employee shall be counted.</p>	<p>Inspector-cum-Facilitator of region, on or before [ July, 31] of each year, a half-yearly return in the Form set forth in the above Form.</p>
--	--

**FORM-XX**  
(See sub-rule (2) of rule Rule 58)

**Nomination Form**

**This nomination is being done on the.....(date) day of.....(month).....(year). I , ..... son/daughter of..... hereby require that in the event of my death before resuming work, that balance of my pay, due for the period of leave with wages not availed of shall be paid to..... who is my.....**

Witness:

(1)  
Signature-  
Name.....  
Addresses.....  
Identity Proof  
No.....

(2)  
Signature-  
Name.....  
Addresses.....  
Identity Proof  
No.....

Signature and address of employee

**Form- XXI**  
(See sub-rule (1) of rule 71)

**APPLICATION FOR LICENSE UNDER PART-I OF CHAPTER XI**

Type of Es	Name & Add	Nature of w	Date of co	Permanen	Maximum n	Maximu
------------	------------	-------------	------------	----------	-----------	--------

Establishment	Address of establishment	Work carried out in the establishment (ii) Activity as per National Industrial classification	Commencement	Date of establishment or probable date of completion	Number of employees employed/proposed to be employed	Maximum number of employees employed/proposed to be employed

**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

**Signature of Contractor**

**APPLICATION FOR AMENDMENT OF LICENCE :**

1. Licence No \_\_\_\_\_ Date: \_\_\_\_\_
2. LIN & PAN \_\_\_\_\_
3. Name and address of the establishment: \_\_\_\_\_
4. Details for which amendment is sought :
  - (a). Maximum number of worker presently employed : (If there is increase in the maximum number of workers to be employed, then additional fees/security deposit as per law needs to be deposited: \_\_\_\_\_)
  - (b). Details of fees paid through e payment date on which made : \_\_\_\_\_
- ©. Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required)

**Date of Application**

:

**Signature of the Contractor**

**Form-XXII**  
{See sub-rule (2) of rule71}

**Form of Certificate by Principal employer**

**Certified that:**

I have engaged the applicant ..... (name of the contractor) as a contractor in my establishment for the work \_\_\_\_\_ to be carried out from \_\_\_\_\_ (date) to \_\_\_\_\_ (date).

I undertake to be bound by all the provisions of the Occupational Safety, Health and Working Conditions Code, 2020 and the Uttar Pradesh Occupational Safety, Health and Working Conditions Rules, 2021 in so far as the provisions are applicable to me in respect of the employment of contract labour/inter-state migrant workmen\* by the applicant in my establishment.

The engagement of contract labour in the said work is not prohibited under section 57 of the Occupational Safety, Health and Working Conditions Code, 2020 or an award or a settlement.\*

My registration number as Principal Employer under the Code is .....

\*Please strike off whichever is not applicable.

**Date:**

**Signature of Principal employer**

**Place:**

**Name and Address of Establishment**

**Form-XXIII**

(See Rule-75 and Rule-76)

**Format of license**

**LicenceNo.-----**

**Date: -----**

**Fees paid: Rs. -----**

**Security deposit: Rs .....**

Licence is hereby granted to  
.....under sub-section (1) of section 47 of



the Occupational Safety, Health and Working Conditions Code, 2020 subject to the conditions specified in the Annexure.

Name and location of work .....

Name of the principal employer.....

Registration Certificate no. and date of the principal employer.....

The licence shall remain in force till.....(date to be indicated)].

Maximum number of contract labour/migrant workmen to be employed on a single day under the licence :

Date.....  
the Authority

Signature and Seal of

**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

Signature of Authority

**RENEWAL**

Date of renewal	Fee paid for renewal	Date of expiry	Seal and signature of Authority
1.			
2.			
3.			

**ANNEXURE**

The licence is subject to the following conditions:

The licence shall be non-transferable.

The number of workmen employed as contract labour/ migrant labour in the establishment shall not, on any day, exceed the maximum number specified in the licence.

**Except as provided in the rules, the fees paid for the grant or, as the case may be, for renewal of the licence shall be non-refundable.**

**The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed for the employment under the Minimum Wages Act, 1948 (11 of 1948) or Code on Wages, 2019 (29 of 2019), where applicable, and where the rates have been fixed by agreement, settlement, award, or by the State Government, not less than the rates so fixed.**

**(a) In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work; provided that in the case of any disagreement with regard to the type of work the same shall be decided by the concerned Additional/ Deputy Labour Commissioner having jurisdiction, whose decision shall be final.**

**In other cases the wage rates, holidays, hours of work and conditions of service of the workmen of the contractor shall be such as may be specified in this behalf by the concerned Additional/ Deputy Labour Commissioner having jurisdiction.**

**Every contract labour/migrant worker shall be entitled to allowances, benefits, facilities etc, as prescribed in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and rules made there under.**

**In every establishment where 20 or more women are ordinarily employed as there shall be provided 2 rooms of reasonable dimension for the use of their children under the age of six years. One of such rooms would be used as a play room for the children and the other as bed room for the children. For this purpose the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room. The standard of construction and maintenance of the creches may be such as may be specified in this behalf by the concerned Additional/ Deputy Labour Commissioner having jurisdiction.**

**No women shall be employed by any contractor before 6 a.m. or after 7 p.m.: Provided that this clause shall not apply to the employment of women in pit head baths, creches and canteens and as mid-wives and nurses in hospitals and dispensaries.**

**The licensee shall notify any change in the number of workmen or the conditions of work to the Authority.**

**A copy of the licence shall be displayed prominently at the premises where the contract work is being carried on.**

**The contractor shall comply with all the provisions of the Code and these Rules.**

The licensee shall, within fifteen days of the commencement and completion of each contract work, submit a return to the Authority designated under section 46 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) intimating the actual date of the commencement or, as the case may be, completion of such contract work in relevant Form.

**FORM-XXIV**  
(see sub-rule (5) Rule - 78)  
**Register of security deposit refund release**

S. No.	Name and address of the contractor	Amount of security deposited	Date of security deposited	Amount released from security deposit for payment	Reference of order of authority for release of payment from security deposit	Remarks
1	2	3	4	5	6	7

**FORM-XXV**  
(see Rule-80)  
**Register of contractors**

S.No	Licence no. and date	Name and address of the Principal employer	Name and address of the contractor	Nature / activity to be undertaken by the contractor	Maximum workers to be employed on any day	Probable date of commencement	Date of cessation	Details of amendment if any	Renewed up to
1	2	3	4	5	6	7	8	9	10

**FORM-XXVI**  
**(see sub-rule (1) of Rule- 81)**  
**Notice of commencement/completion of work**

**Name of the principal employer under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970)/Employer under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996)/ Occupational Safety, Health and Working Conditions Code, 2021 (37 of 2020)\* .....**

**LIN/Pan No.**

**Email Id**

**Mobile No.**

**Name of the contractor(if applicable):**

**No. and date of Certificate of Registration/Licence \* .....**

**Name of person in-charge of the work :**

**LIN/Pan No. of person in-charge of work:**

**Email Id of person in-charge of work:**

**Mobile No. of person in-charge of work:**

**The nature of work involved and the facilities, including any plant and machinery provided in establishment:**

**The arrangements for the storage of explosives, if any, to be used in the establishment:**

**I/We hereby intimate that the work ..... (Name of work) given to ..... (name of the contractor) having licence/ Registration Certificate No. .... dated .....\* has been/is likely to be commenced / completed with effect from .....(date)/on (date).**

**To**

**The Authority**

.....

**The Inspector-cum-Facilitator**

.....

**\* Please strike off whichever is not applicable.**

**Form-XXVII**

**(See Rule-83)**

**EXPERIENCE CERTIFICATE OF CONTRACT EMPLOYEE**

**To whom so ever concerned**

**Name of contractor/employer\*:**

**LIN/PAN No. of the contractor/employer \*:**

**Email Id of the contractor /employer\*:**

**Mobile No. of the contractor/employer \*:**

**Nature and location of work:**

**Name of Principal Employer\*:**

**LIN/PAN No. of the Principal Employer : \***

**Email Id of the Principal Employer :\***

**Mobile No. of the Principal Employer:\***

**Name of the worker\*:**

**UAN / Aadhaar No.\*:**

**Mobile No. :**

**Serial Number in the Employee Register:**

**Registration number, date and name of the labour and Board (if the contract labour is registered as a beneficiary with Uttar Pradesh Building and Other Construction Workers Welfare Board or with Uttar Pradesh Unorganized Workers Welfare Board):**

**Period of Employment:**

**Designation:**

**Date:**

**Place:**

**Signature of Contractor  
Seal**

**\*Please strike off whichever is not applicable.**

**Form-XXVIII**

**(See rule 83)**

**Application for declaration of core activity**

To,

**Additional Chief Secretary/ Principal Secretary/ Secretary,  
Labour and employment,  
Government of Uttar Pradesh.**

Sir/ Madam,

1. .... (name and address of establishment) is engaged in manufacturing of .....
2. The flow chart of manufacturing process is attached herewith.
3. .... activity is core activity/ non-core activity of the establishment.
4. The details of the activity in question .....
5. Details of grounds of the application .....
6. Number of workers employed in the activity in question .....
7. Total number of workers employed in the establishment.....

**Prayer**

.....  
.....

**Signature**

**(Name and Address)**

**Verification**

**It is verified that the content of the application is true and correct to the best of my/our knowledge and belief.**

**Signature**

**(Name and Address)**

**FORM-XXIX**

**(see Rule-89)**

**Format of Agreement between audio-visual worker and producer of audio-visual program or contractor**

**This agreement is made on this day ..... month .....year.....between:**

**M/s ..... (name of production house) (a sole proprietary concern/a firm registered under the Partnership Act, 1932/a Company incorporated and registered under the Companies Act, 1956) having office at ..... (herein after 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;**

**Whereas the Producer is engaged in the audio-visual production as defined in section 2(e) of The Occupational Safety, Health And Other Working Conditions Code 2020;**

**Whereas the said producer is desirous to engage the Audio-Visual Worker in the capacity of a ..... in the aforesaid Audio-Visual production and the Audio-Visual Worker accepts the same;**

**Now, therefore this agreement is made as follows:**

**That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the Audio Visual production and this period shall not exceed..... consecutive months;**

**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.**

**That inconsideration of the Audio-Visual Workers' services, as aforesaid, the Producer agrees to pay and the Audio Visual Worker agrees to receive a sum of Rs. .... (Rupees .....) payable as advance on signing of this agreement and the balance of Rs. ....payable in ..... equal instalments;**

**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 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 Audio Visual production;**

**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 Audio Visual production, whichever is earlier.**

**It is agreed by the Producer that for the purposes of this agreement-**

**a working day shall mean a period not exceeding eight consecutive hours (to include one hours' break for rest and refreshments) ;**

**a working week shall mean a six-day week from Monday to Saturday, both inclusive, and the Audio Visual Worker is not liable to work on Sundays and Public Holidays :**

**the Audio Visual worker shall not be required to work for more than five consecutive hours without a break ; and**

**a period of not less than twelve hours shall elapse between the Audio Visual Worker's release from the studio/location/work-place and the next succeeding call.**

**That the Audio Visual Worker shall, if so required,-**

**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;**

**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.**

**That the Producer shall provide transport and food or pay travelling 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 organisations;**

**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;**

**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;**

**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:**

**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**



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.

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;

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 Visualworker's total work in the film and the work he/she has completed till the date of termination of this agreement. In case of any dispute regarding the termination or other conditions of services between the Producer and the audio-visual worker, the dispute resolution mechanism, process and constitution of Authorities and Courts shall be such as provided in the Code of Industrial Relations, 2020 and rules made thereunder by the State Government of Uttar Pradesh.

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 film and at the same time, it shall be option of the Audio Visual worker whether or not to allow his/her name to go on the credit titles of the Audio Visual production.

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.

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 production may direct and shall comply with all reasonable instructions that he may give for the production of the Audio Visual production.

That the Audio Visual -worker shall comply with all the regulations of the studio, location or work place as the case may be.

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.

**That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.**

**That the Producer shall not utilise the work of the Audio Visual worker in any of Audio Visual production, other than the Audio Visual production 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	Signature of Producer
	Name:	
	Address:	
2	Witness	Signature of Audio-visual worker
	Name:	
	Address:	

**Form-XXX**

**{See sub-rule (1) of rule 91}**

**Application for grant/ renewal of license for Beedi and Cigar Work**

- 1. Full name of the industrial premises.....**
- 2. (i) Full postal address and situation of the industrial premises.  
.....**
- (ii) Full address to which communication relating to the industrial premises should be sent.....**
- (iii) Full address of the applicant.\*.....**
- 3. Maximum number of employees proposed to be employed on any one day during the financial year.  
.....**
- 4. Full name and residential address of the person who shall be the employer for the purposes of the Code .  
.....**
- 5. If the employer is a partnership company, full name and residential address of other partners or directors. (see Note at the end).....**
- 6. Financial resources of the employer e.g., particulars and value of movable and immovable properties, bank reference, income-tax assessment.  
.....**
- 7. Whether the employer is a trade mark holder registered under the Trade and Merchandise Marks Act, 1958.  
.....**

8. 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. ....

9. Source of obtaining tobacco. ....

10. 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. ....

11. Whether the plans of the premises are enclosed. (Yes/No)

12. Amount of fee Rs. ....

I Hereby declare that the particulars furnished by me in the form are to the best of my knowledge and belief accurate

Date

Signature of applicant\*

Note- Where an industrial premises are run or proposed to be run by a contractor for or on behalf of another person or persons or company, the said other person or persons or company 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.

\*The applicant for licence may, however, be either the contractor or the employer.

**Form-XXXI**

{See sub-rule (5) of rule 91 and sub-rule (2) of rule 94}

**Form of Declaration by employer**

I/we, hereby declare that the contents given in the application for license is true and complete in all respect and I/We fulfill the requirement of the license as provided in provisions of Occupational Safety Health and Working Conditions Code, 2020 and Uttar Pradesh rules made thereunder.

I/we further declare that I/We will be fully responsible for any of the particulars given in the application and if any of the contents found incorrect the license given to me/us may be withdrawn by the Authorities under the Code, 2020.

Date:

Place:

Signature  
(Name and Address)

**Form-XXXII**

{ See sub-rule (2) of Rule 93 and sub-rule (3) of Rule 94 }

**Licence**

**Registration No.....**

**Licence No: .....**

**Fee paid: Rs. ....**

Licence is hereby granted to ..... valid only for the premises described below for use as an industrial premises employing not more than ..... employees on any one day during the year subject to the conditions specified in Annexure.

The licence shall remain in force till the 31st day of March....

**Name of industrial premises.....**

**Situation of the industrial premises.....**

**Permission is also granted for the installation of power-driven machinery....**

**Date.....**

**Signature and Seal of the Authority**

**Renewal**

[ See Rule 4 ]

Date of renewal	Fees paid for renewal	Date of expiry
1.		
2.		
3.		
4.		

**Date.....**

**Signature and seal of the Authority**

**Annexure**

**This licence is subject to the following conditions :**

- 1. The manufacturing process shall be carried on only in that part of the industrial premises as 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 alteration shall be made in any building on such premises.**
- 5. The licence shall not be transferable.**

**Form-XXXIII**

{See sub-rule (1) of rule 97}

**Record of outside work**

**Number and date of Government Order permitting work outside the industrial premises : .....**

Date	Place or places where outside work was permitted	Nature of work	Name of employee	Remark
1	2	3	4	5

**Form-XXXIV**

{see sub-rule (4) of Rule 97}

**Home worker's log book**

**Name of home-worker:**

**Address of the home-worker, where is the manufacturing process is carried on:**

**Month and year:**

**Account of work done at home**

Date	Raw material supplied to the worker			signature or thumb impression of the worker	No. of beedis received by the employer
	tendu patta	tobacco	thread		
1	2	3	4	5	6

No. of standard beedis	No. of sub-standard or chhat beedis	wages payable to the worker		wages paid to worker
		for standard beedis	for sub-standard or chhat beedis	
7	8	9	10	11

Date	Amount of wages to date in arrears	signature or thumb impression of the worker	Signature of the employer
12	13	14	15

**Form-XXXV**  
**{See sub-rule (2) of rule 100}**

**Form for Approval of plans and permission for site.**

- **Name of the factory** .....
- **Location of the factory** .....(if possible geo-mapping)
- **Name of the employer** .....
- **Address, telephone number and E-mail Id of the employer**  
.....
- **Name and Address,telephone number and E-mail Id of the Occupier**  
.....
- **Name and Address, telephone number and E-mail Id of the Manger**  
.....
- **Activity or proposed activity as per national industrial classification**  
.....
- **Detail of selected NIC code**  
.....
- **Number of the workers employed or to be employed**  
.....
- **Details of power used or to be used**  
.....

**Enclosure: as per rule 100.**

**Signature of occupier and  
manager**  
**(Name and Address)**

**Form-XXXVI**

{See sub-rule (2) of rule 100, sub-rule (1) of rule 101 and sub-rule (2) of rule 102 and sub-rule (2) of rule 106}

**Notice of occupation for Registration and grant or Renewal of License**

01-Full name of the factory and its registration number..... (if already registered)

02- (a) Postal address and location of the factory including the police station, tehsil and district .....

(b) Address to which communication relating to the factory should be sent .....

(c) Contact Number and e-mail address of Factory.....

03-Nature of manufacturing process/ processes to be carried o in the factory during the next twelve months.....

04-Names and values of the principal products to be manufactured during the next twelve months

05- Maximum number of workers proposed to be employed on any one day during the year

06-(a) Nature and total amount of power (H.P.) installed or proposed to be installed

(b) Maximum amount of power (H.P.) proposed to be used

NOTE.—If power is not proposed to be used originally but is introduced later, the fact should be immediately communicated to the Chief Inspector-cum-facilitator.

07-In the case of a factory constructed or extended after the date of the commencement of the rule

(i) 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

(ii) Reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the name of the authority granting such approval

08-Full name, father's name and residential address of

(i) The Manager of the factory for the purposes of the Code

(ii) The occupier of the factory —

(a) the Proprietor of the factory if it is a private firm or proprietary concern.....

(b) the Directors of the factory if it is a limited company of firm.....

(c) where Managing Agents have been appointed, the name of Managing Agents and their Directors.....

(d) share-holders in case of a private company where no Managing Agents have been appointed.....

(e) The Chief Administrative Head of the factory if it is owned by Government or a public authority.....

09- If the factory is covered by the provisions of Section 80 of the Code, full name, father's name, and address of the owner of the premises or buildings in which the factory is situated

10- Date on which the Manager assumed charge

11- Date on which the occupier occupied the premises or will occupy the premises

I hereby declare that our factory is complying / will comply with all health and safety provisions of the Occupational Safety, Health and Working Conditions Code, 2020 to the best of my knowledge.

Date.- .....

Full signature of occupier.....  
(Name and Designation)

Full signature of manager.....  
(Name and Designation)

Full signature of owner, if any

Notes.

- (1) This form should be completed in ink in block letters or typed.
- (2) If any of the persons named against the item is minor the fact should be clearly stated.
- (3) In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1956, information required in the item should be supplied in respect of that person or persons.

## FORM-XXXVII

**{See rule 57, clause (a), (d) of sub-rule (3) of rule 100 and sub-rule (6) of Rule 100}**

**[Particulars of rooms in the factory]**

Name of room in factory	Dimensions in feet					Total area in square feet	Floor area occupied by machinery in the room	Breathing space (contents in cubic feet).	Total volume of air in the room	Number and size of doors	Ventilation			Maximum capacity of the room	Maximum number of persons intended to be employed in the rooms	Whether the room is to be used as a work-room for storage only	Date of construction	Remarks											
	Length	Breadth		Height																									
	Maximum	Minimum	Average	Number and size of windows openings	Number and size of skylight openings						Total area in square feet																		
	1	2	3	4	5						6	7	8						9	10	11	12	13	14	15	16	17	18	19

*Signature of the Occupier*.....  
*Signature of the Manager*.....



## Questionnaire Annexed to Form-XXXVII

Careful attention to the questionnaire will assist in drawing up the plans in accordance with the law, and thus prevent delay in dealing with the plans.

Note: The site-plans should be drawn to a minimum scale of 100'-1" and the other plans drawn to a minimum scale of 10'-1".

### 1. Plans—

- (a) Has a site-plan showing the immediate surroundings including adjacent buildings and other structures, roads, drains, *etc.*, been submitted in triplicate.
- (b) If there is a system of underground sewage within 100 ft. of the factory, has its position been shown in the site plan ?
- (c) Have the direction *i.e.*, north, south, east and west been shown on the site-plans as well as on the detailed plans ?
- (d) Have the municipal nos. or the field nos. of the premises and the surrounding areas been shown on the site-plan ?
- (e) Have the factory premises been clearly demarcated in the site-plan in distinctive colour ?
- (f) Have the detailed plans of the factory indicating all relevant details " relating to doors, windows, ventilators, fire escapes, *etc.*, been submitted in triplicate ?
- (g) Are all new buildings, parts of buildings (if extensions) or alterations in existing buildings shown by boundaries duly marked in a distinctive colour ?
- (h) Are all rooms, sheds, enclosures, *etc.*, serially numbered inside a circle on the plans, corresponding to the serial entry in Form XXXIX?
- (i) Are the outlines of all rooms, sheds, enclosures, *etc.*, shown in the site-plan and allotted the same number as in Item 1 (h) above?
- (j) Is the Sectional elevation of such a room or shed, *etc.*, shown separately?
- (k) Is the minimum and 'maximum height of every room, shed, *etc.*, shown clearly in the Sectional elevation ?
- (l) Is the material of which the roof is constructed indicated the Sectional elevation?
- (m) Are the heights of all the workrooms in accordance with the provisions of Rule 70 as under :
  - (i) Is the minimum height 20 ft. with C. I. sheet roofing ?
  - (ii) Is the minimum height 14 ft. with A. C. sheet roofing or R.B./R. C. C. roofing ?
  - (iii) Has an inner ceiling of a heat resisting material with an air gap of at least 4" been provided at a minimum height of 14 ft. and the name of the heat resisting material given?
  - (iv) Has an exemption been sought for a height of up to 12 ft. R.B/R. G. C. roofing?
  - (v) Has an exemption been sought for on the assurance of not employing more than 150 employees in the factory on any day ?
- (n) Is the minimum distance of the nearest building from latrines and urinals shown on the plans?
- (o) Is the minimum distance of the nearest well, hand-pump or other drinking water centres shown in the drawing ?
- (p) Are water centres shown on the plans ?
- (q) Are the sizes of all the doors and ventilators shown on the plans along with their exact position?

**(r) Are all the drains, pipes and sewers for carrying sullage sewage water effluent and waste products running within the factory premises constructed and shown in the plans ?**

**(s) Are the positions of various machines fitted or proposed to be fitted shown in the drawings together with their names ?**

## **2. Form No. XXXIX**

**(a) Is Form No. XXXIX submitted in triplicate, filled in for all workrooms, godowns, etc. which are proposed to be constructed or extended ?**

**(b) Have the internal dimensions only been entered in all the columns of Form No. XXXIX?**

**(c) Is the breathing space of workroom, shed, etc., calculated as shown below: Floor area of room x its mean height (height above 14 ft. has to be left out of calculation).**

**(d) Is the maximum capacity entered in Column No. 15 of Form No. XXXIX the maximum number of persons shown as the lower value of the two calculations shown below :**

**(i) Floor area of a room less area occupied by machinery in the room divided by 36 [Rule 100].**

**(ii) Breathing space [as in (c) above] divided by 500.**

**(e) Have the maximum number of persons as worked out above (lower value) been also shown on the plans for each workroom corresponding to Column No. 15 of Form No. XXXIX ?**

**(f) Is the window, ventilator and skylight area provided at the minimum rate of 1 sq. ft. to every 15 sq. ft. of floor area of the room ? (Section 23 (2) (II) & its rule) ?**

**(g) Can the windows and skylights under Columns Nos. 12 and 13 of Form No. XXXIX Ball be opened for ventilation ?**

**It is recommended that windows and skylights may be provided one opposite to another so as to provide cross ventilation.**

**(h) Has a flow chart of the manufacturing process supplemented by its brief description in various stages been submitted in triplicate ? Rule 100**

## **3. Doors and ventilators.—**

**(a) Is every work room provided with at-least two doors or exits ?**

**(b) Is the minimum size of every door or exit 6'-6 " x3'**

**(c) Have any doors of ventilators in common with two adjacent rooms been counted in both ?**

**(d) Are all the doors opening outwards ?**

**(e) Do the windows and skylights entered under Cols. 12 and 13 of Form No. XXXIX. Actually serve the purpose of ventilation ?**

## **4. Fire Escapes.—(In case of buildings of more than one story**

**(a) Are two fire escapes provided on either side of the building ?**

**(b) Are the fire escapes accessible from every room in the upper floor in the buildings ?**

**(c) Is the material used in construction of the fire escapes non-combustible ?**

**(d) Are the windows, doors giving access to an external stair-case arranged to open immediately from inside.**

**(e) Is any fire escape or stair-way constructed at an angle greater than "450 ft. with the horizontal?**

- (f)* Is any fire escape or stair way less than 45' Un width ?
- (g)* Is any part of the factory building further (along the line of travel) than 150 ft. from the fire escape stair ?
- (h)* Have the particulars given against Items *4(e)*, *(f)* and *(g)* above been also clearly shown in the various drawings being submitted ?
- (i)* Is the setback area of the factory and its premises uncovered and free from obstruction?
5. Latrines and urinals.—
- (a)* Are the latrines and urinals provided separately for men and women?
- (b)* Are these sufficient to meet the requirements of Section 23(2)(viii) read with its Rules ?
- (c)* Is the surrounding ground up to a distance of 4 ft. all round of impermeable material?
- (d)* Is the surrounding ground raised to at least 6" above the ground level?
- (e)* Is any latrines, ventilator or opening in the proximity of any opening of the main building?
- (f)* Do any latrines or urinals communicate with any work room without any intervening space open to the sky ?
- (g)* Are the latrines of the flush type ?
- (h)* Are all the drains, pipes and sewers for carrying sullage, sewage water effluent and waste products running within the factory premises constructed of impermeable material?
- (i)* Are the drains of flush type latrines connected to the drainage system of the local Boards?
- (j)* Is an efficient system of septic tanks provided if no drainage system exists?
- (k)* Are the latrines provided with roofing?
6. Drinking water.—
- (a)* Is the drinking water provided from a source provided by the local Board.
- (b)* Is any well constructed in the premises of the factory for drinking water or humidification purposes ?
- (c)* Is the cylinder of the well pucca and impervious to water throughout and up to a depth not less than the lowest level of sub-soil water ?
- (d)* Are the positions of water centres including wells, hand pumps situated at least 20 ft. away from the washing place, latrines and urinals ?
7. Rest shelter, canteen and creches.—If the plans relate to any of these, the following questions should also be answered—
- (i)* Rest shelter:
- (a)* Does the building fully meet the requirements of Section 24(2)(III) and it's rules.
- (b)* Is the roof of heat-resisting material ?
- (c)* Is the height of every room in the rest shelter at least 12 ft. from the floor level to the lowest part of the roof ?
- (ii)* Canteen:
- (a)* Does the building fully meet the requirements of— Section 24(1)(v) and it's rules.

- (b) Are the canteen buildings situated not less than 50 yards from any latrines, urinals, boiler house, coals, stack coals dumps *etc.*?
- (c) What is the minimum height of the buildings of the canteen measured from the floor level to the lowest part of the roof ?

(iii) Creche :

(a) Does the building of creche meet fully the requirements of— Section 24 (3) and it's rules.

(b) Is the height of buildings not less than 12 ft. from floor level to the lowest part of roof ?

We certify that the replies given to the questionnaire above are correct.

*Signature of Manager.  
of Occupier.*

*Signature*

*N. B. — (i)* After showing the above details, the plans and site-plan this questionnaire and Form-XXXVII should all be submitted in triplicate to the Inspector-cum-facilitator of the Region concerned for the approval of the Chief Inspector cum facilitator, Uttar Pradesh.

*(ii)* A certificate of stability signed by a Competent Person having the qualifications, shall be submitted on Form-XXXVIII before the manufacturing process with the aid of power is begun in the building.

**FORM-XXXVIII**

{See clause (i) of sub-rule (3) of Rule 100, sub-rule (7), (9) of rule 100, sub-rule (2) of rule 102}

**Certificate of Stability of a Factory or Part of a Factory  
(To be submitted after completion and before working)**

I hereby declare that I have personally examined the plans and specifications of the building described below, the actual materials and methods used in its construction and the finished building and I am satisfied that its construction is such that its stability will be satisfactory when used as factory or part of a factory for the purposes herein declared.

1. Name of the factory and occupier .....
2. Name of builder (s) or Contractor(s).....
3. General type of construction
  - (a) Full name of signatory (in block letters).....
  - (b) Qualifications.....
  - (c) Present occupation.....
  - (d) Permanent postal address.....
4. Purpose for which the building is to be used.....
5. Name of room or building for which this certificate is granted giving reference to plan no.

- 6. Nature of work to be carried on in the above room/building.....
- 7. Nature and amount of moving power.....
- 8- Date.....

**Signature of Competent person  
(Name and Designation)**

**Signature of occupier  
(Name and Designation)**

**NOTE.— The person giving the certificate must be: (a) a Corporate Member of the Institution of Civil Engineers, or (b) a Corporate Member of the Institution of Structural Engineers or (c) a Fellow Associate or Licentiate of the Royal Institute of British Architects, or (d) be a graduate in Civil Engineering and be also a Corporate Member of the Institute of Engineers (India), provided that no person, except in the case of buildings occupied or erected by any Government where a certificate may be granted by an officer not below the rank of an Executive Engineer, shall be authorized to sign a certificate of stability if he is in the full time employment of the owner or the builder of the building.**

**FORM-XXXIX**

{see clause (j) of sub-rule (3) of Rule 100, rule 102, sub-rule (2) of rule 103, rule 106}

**Notice of occupation for Registration and grant or Renewal/ amendment of License**

**LICENCE NUMBER.....**

**01-Full name of the factory and its licence number, if already registered**

**2- (a) Postal address and situation of the factory including the police station, tehsil and district with PIN code.**

**(b) Address to which communication Relating to the factory should be sent**

**(c) Contact Number of Factory**

**(d) Email Address of Factory**

**03-Nature of manufacturing process/ processes.**

**(a) carried on in the factory during the next twelve months (in case of factories already in existence).**

**(b) to be carried on in the factory during the next twelve months (in case of all factories).**

**(c) Details of National Industrial Classification-2008**

**(NIC) code.**

**(i) sub-class( 6 digit)-**

**(ii) description as per NIC-**

**04-Names and values of the principal products manufactured during the last twelve months.**

**05- (a) Maximum number of workers proposed to be employed on any one day during the year.**

**(b) Maximum number of workers employed in any day during the last twelve months**

**(c) Number of workers to be employed in the Factory**

**06-(a) Nature and total amount of power**

**(kW.) installed or proposed to be installed**

**(b) Maximum amount of power**

**(kW) proposed to be used**

**NOTE.—If power is not proposed to be used originally but is introduced later, the fact should be immediately communicated to the Chief Inspector-cum-Facilitator.**

**07-In the case of a factory constructed or extended after the date of the commencement of the rule**

**(i) 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-cum-facilitator.**

**(ii) Reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the name of the authority granting such approval.**

**08-Full name, father's name and residential address of-**

**(i) The person who shall be Manager of the factory for the purposes of the code**

**(ii) The occupier of the factory —**

**(a) The Proprietor of the factory if it is a private firm or proprietary concern**

**(b) The Directors of the factory if it is a limited company of firm**

**(c) Where Managing Agents have been appointed, the name of Managing Agents and their Directors**

**(d) Share-holders in case of a private company where no Managing Agents have been appointed.**

**(e) The Chief Administrative Head of the factory if it is owned by Government or a public authority**

**09- If the factory is covered by the provisions of Section 80 of the Code, full name, father's name, and address of the owner of the premises or**

**buildings in which the factory is situated.**

**10- Half Yearly(if applicable)& Annual return submitted (Yes / No).**

**11-Date on which the Manager assumed charge**

**12- Date on which the occupier occupied the premises or will occupy the premises.**

**13-Detail of fee:-  
Amount of fee in Rupees paid through Bank / E-Challan /Electronically, reference number and date.**

**14- Last annual return submission date-**

**15- Validity of No objection certificate for premises from U.P.Fire control services-**

**Amendments in Licence**

Year when amended	Valid for	Maximum number of workers on any one day	Total amount of power installed (KW)	Manufacturing process	Name of occupier/ employer	Updation in address of premises	Details of Amendment in Licence
1	2	3	4	5	6	7	8

**I/We certify that information given by me/us is true and correct to the best of my/our knowledge.**

**Full signature of occupier.....**

**Full signature of manager.....**



Full signature of owner, if any.....

Date

Notes.

- (1) This form should be completed in ink in block letters or typed.
- (2) If any of the persons named against the item is minor the fact should be clearly stated.
- (3) In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1913 (VII of 1913), information required in the item should be supplied in respect of that person or persons.

**FORM-XL**  
 {see sub-rule (11) of rule 100}  
**Certificate of Approval of site-plan of factory**

**From,**

.....  
 .....

**To,**

.....  
 .....

**Site plan no.:**

**F/plan/lic:**

**Date:**

**Subject: Regarding approval of new extension and revision of factory building plans and stability certificate.**

**Sir/Madam,**

Please refer to your on-line application regarding approval of the site-plan of new/ extension and revision of factory building plans and stability certificate dated ..... submitted to Chief Inspector-cum-Facilitator or ..... (mention authority).

Your aforesaid application if forthwith approved under the following conditions/ reasons according to the provisions of occupational safety health and working conditions code 2020 and rules made there under:

**Conditions/ remarks-1:**

**Conditions/ remarks-2:**

**Conditions/ remarks-3:**

**Conditions/ remarks-4:**

**Over all conditions/ remarks:**

As well as the stability certificate dated ..... which is signed by ..... and work room number/ as has been shown in the factory plans number ..... is approved for the use of ..... kilowatt electricity/ ..... kilowatt diesel/ oil engine, total ..... kilowatt for use is approved. Besides this your attention is sought towards the provisions of these rules

according to that before starting the work with the help of power, it shall be compulsory to issue and get the approval of the stability certificate.

Enclosed:

detailed plans

site plans

Your's

.....  
 .....

**FORM-XLI**

{see sub-rule (2) of rule 100 and sub-rule (5) of rule 102}

**LICENCE FOR FACTORY UNDER THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020  
 (Licence to Work a Factory)**

**Registration No:-**

**Old Registration No:-**

**Date Of Issue :-**

**Fee Rs.....**

Licence is hereby granted to Sh /Smt ..... valid only for the premises described below for use as a factory employing not more than .....persons on any one day during the year and using motive power not exceeding ..... kW. subject to the provisions of the Occupational Safety, Health and Working Condition Code, 2020 and the rules made thereunder.

This licence shall remain in force till ..... unless further renewed.

**Description of the Licenced Premises**

The licenced Premises shown on plan No. .... dated. .... are situated in M/S..... Address....., District :- ..... and consist of the premises shown on approved site and detailed plan.

Sl. No.	Period of issue	Valid for		Fee	Challan number and date of payment
		Maximum number of workers on any one day	Total amount of power installed (kW)		

**Details of Renewal of licence**

	Date of renewal	Fees paid for renewal	Date of expiry
1			
2			

**Signature of Chief Inspector-cum-facilitator**

**Note:**

- This is a computer generated licence.
- This licence may be verified from the website of the Labour Department, Govt. of UP -[www.uplabour.gov.in](http://www.uplabour.gov.in)

**This licence is issued solely on the basis of the information submitted by the applicant. The Labour Department does not undertake responsibility for the correctness of the information contained herein. This license shall remain in force subject to validity of NOC from Concerned Department.**

**FORM-XLII**  
{see rule 107, rule 119}  
**Notice of occupation**

**LICENCE NUMBER.....**  
**For the year.....**

**01-Full name of the factory and its licence number, .....**

**02- ( a ) Address and situation of the factory including the police station, tehsil and district.....**

**(b) Correspondence Address .....**

**(c) Contact Number and Email Address of Factory.....**

**03-Nature of manufacturing process/ processes carried on in the factory during the next twelve months.....**

**04-Names and values of the principal products manufactured during the last twelve months.....**

**05- (a) Maximum number of workers proposed to be employed on any one day during the year.....**

**(b) Maximum number of workers employed in any day during the last twelve months.....**

**(c) Actual number of workers employed in the Factory at present .....**

**06-( a ) Nature and total amount of power (kW) installed .....**

**( b ) Maximum amount of power (kW) .....s**

**NOTE— If power is not proposed to be used originally but is introduced later, the fact should be immediately communicated to the Chief Inspector-cum-Facilitator.**

**07- In the case of a factory constructed or extended after the date of the commencement of the rule**

**( i ) 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**

**( ii ) Reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the name of the authority granting such approval**

**08- Full name, father's name and residential address of:-**

**The person who shall be Manager of the factory for the purposes of the Act.....**

**(ii) The occupier of the factory —.....**

**09- If the factory is covered by the provisions of Section 80 of the Code, full name, father's name, and address of the owner of the premises or buildings in which the factory is situated**

**10- Return submitted**

**(Yes / No)**

**11- Date on which the Manager assumed charge.....**

**12- Date on which the occupier occupied the premises or will occupy the premises.....**

**I hereby declare that our factory is complying / will comply with all health and safety provisions of The Code 2020 to the best of my knowledge.**

**Full signature of occupier.....**

**Full signature of manager.....**

***Date***

**FORM-XLIII**

**{See rule 108}**

**Notice of change in Manager**

**1. Name of factory with current licence number .....**

**2. Postal address of the factory.....**

**3. Name of outgoing manager.....**

**4. Name of the new manager with his postal residential address and telephone number, if any.....**

**5. Date from which new manager took over charge.....**

Date.....	Signature of new
Place.....	Manager.....
	Signature of Occupier.....

**FORM-XLIV**

**{see sub-rule (5) of rule 112}**

**Form of application to Site Appraisal Committee**

**Name and address of the applicant:**

**Site ownership date:**

**Revenue details of site such as survey number, plot number, etc:**

**Whether the site is classified as Forest and if so, whether approval of the Central Government under section 5 of the Indian Forest Act, 1927 has been taken:**

**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:**

**Local authority under whose jurisdiction the site is located:**

**Site plan:**

**Site plan with clear identification of boundaries and total area proposed to be occupied and showing the following details nearby the proposed site:**

**Historical monuments, if any, in the vicinity:**

**Names of neighbouring 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:**

**Water sources (rivers, streams, canals, dams, water filtration plants etc.) in the vicinity:**

**Nearest hospitals, fire stations, civil defence stations and police stations and their distances:**

**High tension electrical transmission lines, pipelines for water, oil, gas or sewerages, railway lines, roads, stations, jetties and other similar installations:**

**Details of soil conditions and depth at which hard strata obtained:**

**Contour map of the area showing nearby hillocks and difference in levels:**

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

**Project report:**

**A summary of the salient features of the project:**

**Status of the organisation (Government, Semi-Government, Public or Private etc.):**

**Maximum number of persons likely to be working in the factory:**

**Maximum amount of power and water requirements and source of their supply:**

**Block diagram of the buildings and installations, in the proposed site:**

**Details of housing colony, hospital, school and other infrastructural facilities proposed:**

**Organisation structure of the proposed manufacturing unit/factory:**

**Organisation diagram of:**

**Proposed enterprise in general:**

**Health safety and environment protection departments and their linkage to operation and technical departments.**

**Proposed to health and safety policy:**

**Area allocated for treatment of waste and effluents:**

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

**Meteorological data relating to the site:**

**Average minimum and maximum of-**

**Temperature**

**Humidity**

**Wind velocity is during the previous ten years**

**Seasonal variations of wind direction**

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

**Lightening and Seismic data of the area**

**Communication links:**

**Availability of telephone/telex/wireless and another communication facilities for outside communication:**

**Internal communication facilities proposed:**

**Manufacturing process information:**

**Process flow diagram:**

**Brief write-up on process and technology:**

**Critical process para-metres such as pressure build-up, temperature rise and run-away reactions:**

**Other external effects critical to the process having safety applications, such as ingress of the moisture or water contact with incompatible substances, sudden power failure:**

**Highlights of the build-in safety/pollution control devices or measures/incorporated in the manufacturing technology:**

**Information of hazardous materials:**

**Raw materials, inter-mediate products and by-products and their quantities (includes Material Safety Data Sheet in respect of each other order substance):**

**Main and intermediate storages proposed for raw materials/ intermediates/ products/ by-products (maximum quantities to be stored at any time):**

**Transportation methods to be used for materials inflow and outflow, their quantities and likely routes to be followed:**

**Safety measures proposed for-**

**handling of materials**

**internal and external transportation**

**disposal (packing/ forwarding of finished products):**

**Information on disposal/disposal of waste and pollutions:**

**Major pollutions (gas, liquid, solid) their characteristics and quantities (average and at peak loads):**

**Quality and quantity of solid waste generated, method of their treatment and disposal:**

**Air, water and soil pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluent:**

**Process Hazard information:**

**Enclose a copy of the report on environmental impact assessment.**

**Enclose a copy of the report on risk assessment study.**

**Published (Open or Classified) reports, if any, on accident situations occupational health hazards or similar plants elsewhere (within or outside the country).**

**Information of proposed safety and occupational health measures:**

**Details of firefighting facilities and minimum quantity of water, carbon-di-oxide and or other fire-fighting measures needed to meet the emergencies:**

**Details of in-house medical facilities proposed:**

**Information on emergency preparedness:**

**On-site emergency plan**

**Proposed arrangements, if any, for mutual-aid scheme with a group of neighbouring factories**

**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-XLV**  
{see sub-rule (6) of rule 132}  
**Register of persons in supervisory, managerial or confidential positions**

**Name of the Factory .....**

**License Number .....**

Sr.No	Name	Father's name	Designation	Date of joining	Date of leaving
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					

**FORM-XLVI**  
[See sub-rule (1) rule- 149]

**APPLICATION OF EMPLOYER FOR COMPOUNDING THE OFFENCES  
UNDER SUB-SECTION (1) OF SECTION 114 OF THE CODE**

To,

**The Compounding Officer,  
Office of the Labour Commissioner, UP/ Additional/ Deputy Labour  
Commissioner,  
Region ....., Uttar Pradesh.**

**Date: .....**

**Dear Sir/ Madam,**

**I/We ....., employer of M/s ..... address  
..... am/ are desirous of making composition of offence under sub-  
section (1) of section 114 of the Occupational Safety, Health and Working  
Conditions Code, 2020. I/We have/had committed following offence(s) under the  
Code:**

.....  
.....



.....  
Prosecution for the above violations-  
\* has not been filed in any competent Court against the undersigned.  
\* has been filed against the undersigned in the Court of .....

The details of the prosecution filed are given below:  
Date of Inspection/ complaint: .....  
Case no. and date of filing of prosecution: .....  
Section(s) and Rule(s) which were found violated: .....  
Name and designation of the person who has filed the prosecution:  
.....

Whether prosecution against the applicant is pending or not:  
.....  
Whether the offence is first offence, or the applicant has committed any other  
offence prior to this offence? If yes, then full details of the prior offence:  
.....

Any other information which the applicant desires to provide:  
.....

It is therefore requested that kindly give me direction or allow me to deposit the  
compounding amount as per sub-section (1) of section 114 of the Occupational  
Safety, Health and Working Conditions Code, 2020.. It is also requested to the  
Compounding Officer to inform the Competent Court.

Date: \_\_\_\_\_ Name and signature of  
applicant \_\_\_\_\_  
Place: \_\_\_\_\_ Name of the  
establishment:..... Address of Establishment:.....

\* strike out whichever is not applicable  
Copy to: Concerned Inspector-cum-faciliator having jurisdiction.

**FORM-XLVII**  
[See sub-rule (2), (3) of rule-149]

**NOTICE TO OFFENDING EMPLOYER BY COMPOUNDING OFFICER FOR  
COMPOUNDING THE OFFENCES UNDER SUB-SECTION (1) OF 114 OF THE  
CODE  
NOTICE**

To,  
..... (Name of employer)  
M/s .....  
..... (Address)

Kindly refer to your application dated ..... regarding the composition of  
offence(s) committed in contravention to the provisions of the Occupational Safety,  
Health and Working Conditions Code, 2020 (Act no 37 of 2020) by you/ your  
company/ establishment;

Since you have requested for the composition of the said offence(s), you are hereby intimated that the allegation has been made against you for committing offence for violation of section(s) ..... of the Occupational Safety, Health and Working Conditions Code, 2020 (Act no 37 of 2020). Your application has been examined by undersigned and it was found that the violations under the section(s) ..... are compoundable while the offence(s) under the section(s) ..... may not be compounded for the reasons stated below under the

**Occupational Safety, Health and Working Conditions Code, 2020 (Act no 37 of 2020)-**

.....  
 .....

The compounding amount required to be paid by you towards composition of offences is rupees ..... By this notice, you are hereby directed to deposit the abovementioned compounding amount within fifteen days from the date of issue of this notice for compounding of the offence(s). In case if you fail to deposit the said amount within specified time, no further opportunity shall be provided to you and necessary direction for filing prosecution under section(s) ..... as per the provisions of the Code against you shall be issued;

You are also hereby informed, that if you fail to deposit the abovementioned compounding amount within the specified time, you will be liable to pay the same as per the provision of sub-section (3) of section 114 of the Code.

This notice is issued under my signature and seal on ..... day of ....., 20.....

**Compounding Officer,  
Seal**

**Copy to: Concerned Inspector-cum-faciliator having jurisdiction.**

**FORM XLVIII**  
*(Prescribed under Schedule VII, XXXII and XXXIII to Rule 110)*  
**[Report of Examination and Test of Dust Extraction of Supersession System]**

<b>1</b>	Description of system		
<b>2</b>	Hood-		
	Serial number of hood		
	Contaminant captured		
	Capture Velocities (at points to be specified)		
		Design Value	Actual Value

	Volume exhausted at hood	
	Hood Static Pressure	
<b>3</b>	Total Pressure drop at--	
	Joints	
	Other points of system (to be specified)	
<b>4</b>	Transport velocity in duct at points along ducts (to be specified)	
<b>5</b>	Air cleaning device--	
	Type used	
	Velocity at inlet	
	Static pressure at inlet	
	Velocity at outlet	
	Static Pressure at outlet	
<b>6</b>	Fan-	
	Type used	
	Volume handled	
	Static Pressure	
	Pressure drop at outlet of fan	
<b>7</b>	Fan Motor-	
	Type	
	Speed and power in kilowatts	
<b>8</b>	Particulars of defects, if any, disclosed during test of any of the above components	

***I certify that on (date .....)* the above dust extraction system was thoroughly cleaned and so far as its construction permits made available for thorough examination. I further certify that on the said date, I thoroughly examined the above dust extraction system including its components and fittings and that the above is a true report of my examination.**

***Signature .....***

***Qualification .....***

***Address .....***

***Date .....***

***If employed by a company or association, name and address of the company or association.***