

GOVERNMENT OF MEGHALAYA
DEPARTMENT OF LABOUR, EMPLOYMENT AND SKILL DEVELOPMENT

DRAFT NOTIFICATION

No. LE&SD.39/2024/24

Dated Shillong 3rd January, 2025

The draft on the Code on Social Security Meghalaya Rules, 2024 which the Government of Meghalaya proposes to make in exercise of the powers conferred by Section 154 and 156 of the Code on Social Security 2020 is hereby published as required by sub- Section (1) of Section 154, sub- Section (1) of Section 156 and clause (a) of Section 158 for the information of all the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after forty five (45) days from the date of its publication in the Official Gazette.

Any objections and suggestions, which may be received from any person with respect to the said draft notification before expiry of the period specified above, will be considered by the State Government. Objections and suggestions, if any, shall be addressed to the Deputy Secretary to the Government of Meghalaya, Department of Labour, Employment and Skill Development, Secretariat Hills, Shillong or by email to labourdeptt.sectt@gmail.com

Sd/
Principal Secretary to the Govt of Meghalaya
Department of Labour, Employment
& Skill Development

DRAFT RULES
CHAPTER I
PRELIMINARY

1. Short title and extent.-

- (1) These Rules may be called the Code on Social Security Meghalaya Rules, 2024.
- (2) They shall extend to the whole state of Meghalaya.
- (3) They shall come into force from the date of their final publication in the Official Gazette.

2. Definitions.-

- (1) In these Rules, unless the subject or context otherwise requires, —
 - (a) **“appeal”** means an appeal preferred under clause (b) of sub-section (7) of section 37 and sub-section (8) of section 56 ;
 - (b) **“Appellate authority”** means –
 - (i) The State Government or the Labour Commissioner or the authority specified by the State Government for the purpose of sub-section (8) of section 56 and;
 - (ii) ESI Court constituted by the State Government for the purpose of clause (b) of sub-section (7) of Section 37;
 - (c) **“Assessing Officer”** means a gazetted officer of the State Government or an officer of a local authority holding an equivalent post to a gazetted officer of the State Government appointed by such State Government for assessment of cess under chapter VIII of the Code.
 - (d) **“authority”** means the State Government or the authority specified by the State Government under sub-section (3) of section 72;
 - (e) **“average daily wages during a contribution period”** under Chapter IV of the Code in respect of an employee, means the aggregate amount of wages payable to him during that period divided by the number of days for which such wages were payable;
 - (f) **“average daily wages during a wage period”** under chapter IV of the Code means —
 - (i) in respect of an employee who is employed on time-rate basis, the amount of wage which would have been payable to him for the complete wage period had he worked on all the working days in that wage period, divided by 26 if he is monthly rated, 13 if he is fortnightly rated, 6 if he is weekly rated and 1 if he is daily rated;
 - (ii) in respect of an employee employed on any other basis, the amount of wages earned during the complete wage period in the Contribution period divided by the number of days in full or part for which he has worked for wages in that wage period :

Provided that where an employee receives wages without working on any day during such wage period, he shall be deemed to have worked for 26, 13, 6 or 1 days or

day if the wage period be a month, a fortnight, a week or a day respectively;

Explanation.— Where any night shift continues beyond midnight, the period of the night shift after midnight shall be counted for reckoning the day worked as a part of the day preceding;

- (g) **“benefit period”** means the period not exceeding six consecutive months corresponding to the contribution period, as may be specified in the Regulations;
- (h) **“Board”** means the **Meghalaya Unorganised Workers Social Security Board** and the **Meghalaya Building and Other Construction Workers’ Welfare Board** constituted under Section 6 and Section 7 as relevant under the Code;
- (i) **“Career Centre”** means the **Employment Exchange** in the State of Meghalaya or any other such centres notified by Government from time to time.
- (j) **“Cess Collector”** means an officer appointed by the State Government for collection of cess under the Code;
- (k) **“Chairperson”** means the Chairperson of the Meghalaya Building and Other Construction Workers’ Welfare Board and the Meghalaya Unorganized Workers Welfare Social Security Board.
- (l) **“Code”** means the Code on Social Security, 2020 (36 of 2020);
- (m) **“Court”** means the employee insurance court constituted under Section 50 of the Code;
- (n) **“electronically”** means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of the Code;
- (o) **“excluded vacancies”** means those vacancies which have been excluded from the purview of Section 139 as per the provisions of sub-sections (1) and (2) of Section 140;
- (p) **“form”** means a form appended to these Rules;
- (q) **“fund”** means Social Security Fund, as specified in Section 108 and Section 141 as the case may be;
- (r) **“Government”** means Government of Meghalaya;
- (s) **“Government Securities”** means Government Securities as defined in the Government Securities Act, 2006 (38 of 2016);
- (t) **“immovable property”** includes land, benefits to and arising out of land, things attached to the earth, or permanently fastened to anything attached to the earth;
- (u) **“movable property”** means property of every description except immovable property;
- (v) **“nodal officer”** means a person designated by the Meghalaya Building and Other Construction Workers’ Welfare Board or the State Government to facilitate the registration, renewal and updation electronically or otherwise or any such other function of building workers working in the private sector, State Government, Central Government and public sector undertakings of the Central and the State Governments or local authority. The Nodal officer shall also supervise and monitor functions of the beneficiary registering officers designated by the State Government.
- (w) **“nomination”** means nomination made under Section 55 of the Code;
- (x) **“Portal”** means **Shram Seva Portal** or official web portal of **Labour Department**, Government of Meghalaya with any other name;

- (y) **“Registered Medical Practitioner”** means a medical practitioner whose name has been enrolled in a register maintained under any law for the time being in force regulating the registration of practitioners of medicine;
 - (z) **“register of women employees”** means a register of women employees maintained under Rule 29;
 - (za) **“schedule”** means the schedule of the Code;
 - (zb) **“section”** means a section of the Code;
 - (zc) **“specified”** means specified by an order of the Central Government or State Government or any officer so authorised by such Government;
 - (zd) **“year”** means the financial year, beginning from the 1st day of April and ending with the 31st day of March of the following year.
- (2) The words and expressions used in these Rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

CHAPTER II

SOCIAL SECURITY ORGANISATIONS

A. MEGHALAYA UNORGANISED WORKERS SOCIAL SECURITY BOARD

3. Manner of exercising the powers and performance of the functions by the Meghalaya Unorganised Workers Social Security Board under sub-section (9), the manner of nomination of members of the Board, their term of office and other conditions of service, procedure to be followed in the discharge of their functions and manner of filling vacancies among the members of the Board under sub-section (12) and time, place and rules of procedure relating to the transaction of business at its meetings under sub-section (14) of Section 6.-

- (1) **Constitution** of the Meghalaya Unorganised Workers Social Security Board:-
- The ‘Meghalaya Unorganized Workers Social Security Board’ shall be constituted under sub section (9) of Section 6, which shall consist of:
- (a) The Minister in-charge of Labour, Meghalaya as the ex-officio Chairperson;
 - (b) Principal Secretary to the Govt. of Meghalaya, Department of Labour, Employment & Skill Development as Vice Chairperson;
 - (c) **Representative of the Central Government;**
 - (d) Thirty one members to be nominated by the State Government out of whom –
 - (1) seven representing the employees of unorganized workers ;
 - (2) seven representing the employers of unorganized workers;
 - (3) two members representing the Legislative Assembly of Meghalaya ;
 - (4) five members representing eminent persons from civil society;
 - (5) ten members representing the State Government Departments concerned:

Provided that adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the minorities and women.

- (e) Member Secretary as notified by the State Government; Apart from the Chairman of Meghalaya Unorganized Workers Social Security Board, all other members who will be nominated by the State Government will be eminent persons in the fields of Labour Welfare, Management, Finance, Law, Economics, Rural Development and Administration.

- (2) **Terms of Office.-** A member appointed under clauses (d) and (e) of sub-rule (1) of rule 3 shall, unless he resigns his office or dies or otherwise vacates his office at an earlier date, hold office for a period of three years from the date of publication of the notification in the Meghalaya Gazette appointing him as a member of the Board and shall be eligible for reappointment:

Provided that an outgoing member shall continue in office until the appointment of his successor is notified in the Official Gazette.

- (3) **Resignation.-**

(i) A member appointed under clauses (d) and (e) of sub-rule (1) of Rule 3 may resign by writing under his hand addressed to the State Government.

(ii) The resignation shall take effect from the date of its acceptance by the State Government.

- (4) **Vacation of office.-** A member appointed under clauses (d) and (e) of sub-rule (1) of Rule 3 shall be deemed to have vacated his office, if –

(i) he is declared to be of unsound mind or an undischarged insolvent by a competent court; or

(ii) he is convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or

(iii) he is absent from three consecutive meetings of the Board without leave of absence from the Chairperson; or

(iv) he ceases to represent the interest for representing which he was appointed;

(v) he is removed by the State Government for the reasons given above.

- (5) **Filling up of casual vacancies.-** 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 term of office of the member, in whose place he is appointed.

- (6) **Meetings of the Board and Quorum.-**

(i) The Board shall ordinarily meet once in three months:

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.

(ii) No business shall be transacted at any meeting of the Board, unless at least 11 (eleven) members are present, of whom at least 1 (one) shall be from among those appointed under clause (a), (b) and (c) of sub-rule (1) of Rule 3.

- (7) **Notice of meeting and list of business.-** Notice intimating the date, time and venue of every meeting, together with a list of business to be transacted at the meeting, shall be sent by registered post or by special messenger, to each member seven days before the meeting of Board separately:

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.

- (8) **Chairperson to preside at meetings.-** The Chairperson will preside over all the meetings of the Board and if he is unable for any reason to be present in the Board meeting, the Vice-Chairperson will preside over the meeting.
- (9) **Transaction of Business.-**All questions which come up before any meeting of the Board shall be decided by a majority of votes of the members present and voting, and in the event of equality of votes, the Chairperson, or in his absence, the person presiding, shall have a second or casting vote.
- (10) **Minutes of meeting.-** The proceedings of each meeting of the Board shall be recorded and circulated to all members after approval by the Chairperson as soon as possible after the meeting, subject to confirmation in the next meeting of the Board. After such confirmation, they shall be recorded in a Minute Book, which shall be kept for permanent record.
- (11) **Allowances payable to non-official members.-** Travelling allowance and daily allowance will be paid at the rates permissible to the Grade-I officers of the State Government to each Government member to attend the meetings of the Board and its sub-committees.
- (12) **Sub-Committees of the Board.-**
- (i) The Board may appoint such sub-committees, as it may deem fit for the proper discharge of its duties.
 - (ii) Each sub-committee will be headed by the Chairperson of the Board and will have an equal number of unorganized workers, employers and members of the Board representing the State Government.
 - (iii) In the absence of the Chairperson, the members present of the sub-committee shall elect one of their own to preside over the meeting.
 - (iv) No work shall be performed at a meeting of the sub-committee unless at least one-third of its members are present, of which there shall be one representing the members and at least one unorganized worker.
 - (v) The term of any sub-committee except the sub-committee constituted for the short-term purpose shall be one year from the date of its constitution, but the sub-committee shall continue to function until a new sub-committee is formed, but in any case, no sub-committee shall function beyond the period of two years from the date of its original formation.
 - (vi) The recommendations of each sub-committee shall be placed before the Board for its decision.
- (13) **Appointment of Secretary, other officers and staff.-**
- (i) The Board shall, with prior concurrence of the State Government appoint an officer of Indian Administrative Service / State Administrative Service of Selection grade / an officer not below the rank of a Labour Commissioner/an Officer from the Labour Commissionerate not below the rank of Deputy Secretary as Secretary of the Board;
 - (ii) Board may appoint such other officers and employees, as it may consider necessary for the efficient discharge of its functions.
Provided that no post shall be filled up in the Board, unless its creation has first been approved by the State Government.
- (14) **Duties and functions of the Board.-**
- (1) Under sub-section (15) of section 6 of the Code, the Board shall adopt the following procedure for the performance of its duties, a scheme stipulating the procedures, formats and all other residual matters regarding each facility or group of facilities specified by the Board and the Code. Not expressly provided in these Rules, the

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Board shall prepare and recommend to the State Government under which the following shall be mentioned-

- (i) Rates at which various facilities will be payable;
 - (ii) Application procedure and format;
 - (iii) Procedure for sanctioning and Competent authority to grant approval;
 - (iv) Procedure for disbursement; and
 - (v) Any other incidental matters.
- (2) The Board can advise the State Government from time to time on the points related to the administration of the Code.
 - (3) Undertake such other functions as are assigned to it by the State Government from time to time.

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(15) **Recruitment procedure and service conditions of officers and staff of the Board.-**

- (i) Classification, pay scales, allowances, recruitment procedure, and terms and conditions of service of officers and employees of the Board, will be such as may be determined by the Board with the prior approval of the State Government.
- (ii) If in any specific case, any dispute or difficulty arises regarding the interpretation or enforcement of a provision, the matter shall be referred to the State Government, whose decision shall be final thereon.

B. MEGHALAYA BUILDING AND OTHER CONSTRUCTION WORKERS WELFARE BOARD

The terms and conditions of appointment, salaries and other allowances payable to the Chairperson and the other members of the Building and Other Construction Workers Welfare Board and the manner of filling of casual vacancies of such members, the terms and conditions of appointment and the salary and allowances payable to the Secretary and the other officers and employees of the said Board under clause (c) of sub-section (5) of Section 7.

4. Name of the Board.—The name of the Board shall be the “Meghalaya Building and Other Construction Workers Welfare Board”.

(1) **Constitution of the Board.**—The Board shall consist of-

- (i) The Additional Chief Secretary/ Principal Secretary/ Commissioner & Secretary/ Secretary/ to the Govt. of Meghalaya, Department of Labour, Employment & Skill Development, Shillong as the ex-officio Chairperson,
- (ii) **Representative of the Central Government,**
- (iii) Five members to be appointed by the State Government representing Government Departments of whom two shall be representatives of Department of Labour, Employment & Skill Development and one shall be representative of Finance Department and two shall be representatives of Departments engaged in building or other construction work,
- (iv) Five members to be appointed by the State Government representing building workers, and
- (v) Five members to be appointed by the State Government representing employers of building workers:

Provided that the Building and Other Construction Workers Welfare Board shall include an equal number of members representing the State Government, the employers and the building

workers and that at least one member of the Board shall be a woman.

- (2) **Term of Office.**—A member appointed under clauses (iv) and (v) of sub-rule (1) of Rule 4 shall hold office unless he resigns his office or dies or otherwise vacates his office at an earlier date, hold office for a period for three years from the date of publication of the notification in the Meghalaya Gazette appointing him as a member of the Board and shall be eligible for reappointment:

Provided that an outgoing member shall continue in office until the appointment of his successor is notified in the Official Gazette.

- (3) **Resignation.**—

- (i) A member appointed under clauses (iv) and (v) of sub-rule (1) of Rule 4 may resign by writing under his hand addressed to the State Government;
- (ii) The resignation shall take effect from the date of its acceptance by the State Government.

- (4) **Vacation of office.**—A member appointed under clauses (iv) and (v) of sub-rule (1) of Rule 4 shall be deemed to have vacated his office, if –

- (i) he is declared to be of unsound mind or an undischarged insolvent by a competent court; or
- (ii) he is convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
- (iii) he is absent from three consecutive meetings of the Board without leave of absence from the Chairperson; or
- (iv) he ceases to represent the interest for representing which he was appointed; or
- (v) he is removed by the State Government for the reasons given above.

- (5) **Filling up or casual vacancies.**— 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 term of office of the member, in whose place he is appointed.

- (6) **Meeting of the Board and Quorum.**—

- (i) The Board shall ordinarily meet once in three months:

Provided that the Chairperson shall, within fifteen days of the receipt of requisition in writing from not less than one third of the members of the Board, call a special meeting thereof.

- (ii) No business shall be transacted at any meeting of the Board, unless at least 6 (six) members are present, of whom at least one shall be from among those appointed under sub-rule (3) of Rule 4.

- (7) **Notice of meeting and list of business.**—

Notice intimating the date, time and venue of every meeting, together with a list of business to be transacted at the meeting, shall be sent by registered post or by special messenger, to each member seven days before the meeting of each Board separately:

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.

- (8) **Chairperson to preside at meetings.**—

The Chairperson will preside over all the meetings of the Board and if he is unable for any reason to be present in the Board meeting, the Vice-Chairperson will preside over the meetings.

- (9) **Transaction of Business.**—

All questions which come up before any meeting of the Board shall be decided by a majority of votes of the members present and voting, and in the event of equality of votes, the Chairperson, or in his absence, the person presiding, shall have a second or casting vote.

(10) **Minutes of meeting.—**

The proceedings of each meeting of the Board shall be recorded and circulated to all members after approval by the Chairperson, subject to confirmation of the next meeting of the Board. After such confirmation, they shall be recorded in a Minute Book, which shall be kept for permanent record.

(11) **Allowances payable to non-official members.—**

Travelling allowance and daily allowance will be paid at the rates permissible to the Grade-I officers of the State Government or each Government member to attend the meetings of the Board and its sub-committees.

(12) **Sub-Committees of the Board.—**

- (i) The Board may appoint such sub-committees, as it may deem fit for the proper discharge of its duties.
- (ii) Each sub-committee will be headed by the Chairperson of the Board and will have an equal number of building and other construction workers, employers and members of the Board representing the State Government.
- (iii) In the absence of the Chairperson, the members present of the sub-committee shall elect one of their own to preside over the meeting.
- (iv) No work shall be performed at a meeting of the sub-committee unless at least one-third of its members are present, of which there shall be one representing the members and at least one building and other construction worker must be among the members represented.
- (v) The term of any sub-committee except the sub-committee constituted for the short-term purpose shall be one year from the date of its constitution, but it shall continue to function until a new sub-committee is formed, but in any case, no sub-committee shall function beyond the period of two years from the date of its original formation.
- (vi) The recommendations of each sub-committee shall be placed before the Board for its decision.

(13) **Opening of Regional Offices.—**

With the approval of the State Government, the Board may open as many regional Offices as it deems necessary for efficient discharge of its functions under the Code.

(14) **Duties and functions of the Board.—**

- (i) Under sub-section (6) of Section 7 of the Code, the Board shall be responsible for-
 - (a) all matters related to the administration of the fund, including setting policies for the allocation of funds in it;
 - (b) submission of annual budget, annual report and audited accounts to the Government under the Code;
 - (c) proper maintenance of accounts as per the provisions of the Code and its annual audit;
 - (d) collection of contribution and other charges in the fund;
 - (e) performing the functions specified in and under the Code;

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- (f) the Board shall, from time to time, give such information to the Government as it wishes.
- (ii) Notification of schemes by the Board stipulating procedural and other residual matters related to the facilities-
- The Board shall formulate schemes which are provided in the Code and these Rules, laying down the procedure formats and all other residual matters regarding each facility or group of facilities specified and notification of each scheme with prior approval of the State Government under which:
- rates at which various facilities will be payable;
 - application, procedure and format shall be made;
 - procedure for sanctioning and Competent authority to grant approval shall be made;
 - procedure for disbursement; and
 - any other incidental matters shall be made.

(15) **Appointment of Secretary, other Officers and staff.—**

- (i) The Board shall, with prior concurrence of the State Government appoint an officer of Indian Administrative Service (IAS)/ State Administrative Service (MCS) of selection grade/ an officer not below the rank of a Labour Commissioner/ **an Officer from the Labour Commissionerate not below the rank of Deputy Secretary** as Secretary of the Board.
- (ii) The Board may appoint such other officers and employees, as it may consider necessary for the efficient discharge of its functions:
- Provided that no post shall be filled up in the Board, unless its creation, has first been approved by the State Government.

(16) **Recruitment Procedure and Service Conditions of Officers and Staff of the Board.—**

- (i) Classification, pay scales, allowances, recruitment procedure, and terms and conditions of service of officers and employees of the Board, as may be determined by the Board with the prior approval of the State Government;
- (ii) If in any specific case, any dispute or difficulty arises regarding the interpretation or enforcement of a provision, the matter shall be referred to the State Government, whose decision shall be final thereon.

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5. **Amount in connection with premium for Group Insurance Scheme of the beneficiaries under clause (c), the educational schemes for the benefit of children of the beneficiaries under clause (d) and the medical expenses for treatment of major ailments of a beneficiary or, such dependant under clause (e) of sub-section (6) of Section 7.—**

Notwithstanding the welfare schemes mentioned in the sub-section (6) of Section 7 of the Code, the Board shall also formulate following scheme(s) for the Building workers and notification with prior approval of the State Government.

- pay such amount in connection with premium for Group Insurance Scheme of the beneficiaries;
- frame educational schemes for the benefit of children of the beneficiaries; and
- meet such medical expenses for treatment of major ailments of a beneficiary or, such dependant.

6. Manner and time within which second appeal may be filed to the Employees' Insurance Court by the Insured Person or the Corporation under clause (b) of sub-section (7) of Section 37.—

The Insured Person or the Corporation may appeal to the Employee's Insurance Court by presenting an application within ninety days of the date of communication of the decision of the Medical Board or of the Medical Appeal Tribunal to the Insured Person or the Corporation, as the case may be:

Provided that the Employees' Insurance Court may entertain an application after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the application within the said period.

7. Procedure to be followed by the Employees' Insurance Court under sub-section (2) of Section 50.—

- (1) **Composition of the Court and place of sitting.—**
 - (i) A court shall ordinarily consist of one judge:
Provided that the Government may by notification in the Official Gazette appoint two or more judges to a court for any particular proceedings or class of proceedings for such period as may be specified in the notification;
 - (ii) Subject to the provision of sub-rule (3) of Rule 7, a court shall sit at such place or places and at such time as the Government may specify.
- (2) **Distribution of business where there are more Courts than one.—**Where more than one Court is constituted for the same local area, the Government may, by a general or special order, distribute business among them.
- (3) **Fixing of time of sitting etc.—**Where there is one Court for two or more local areas.—
 - (i) Where one Court is constituted for two or more local areas, the Court shall, subject to the approval of the Government, appoint the time at which the Court shall sit in respect of each local area or in respect of any class of proceedings under the Code.
 - (ii) A notice of the time appointed under sub-rule (1) shall be published in such manner as the Government may, from time to time, direct.
- (4) **Procedure where there are more judges than one.—**
 - (i) Where more than one judge has been appointed to a Court, the Government shall specify their rank and precedence.
 - (ii) The senior judge for the time being shall, from time to time, make such arrangements, as he thinks fit, for the distribution of business of the Court among the judges thereof.
 - (iii) When two or more judges sitting together, differ on any question the opinion of the majority of such judges shall prevail, where there is no majority, the opinion of the senior most judge shall, unless the Government otherwise directs, prevail.
- (5) **Abolition, etc. of a Court.—**The Government may, by notification in the Official Gazette abolish any Court or by a like notification alter the jurisdiction of any Court.

Conditions of Service of Judges etc.

- (6) **Appointment, salaries, allowances etc.—**

- (i) The Government may appoint a person qualified under Section 48 of the Code to be judge of the court.
- (ii) A judge shall receive such salary and allowances as the Government may from time to time determine.
- (iii) A judge shall receive dearness allowance, compensatory hill allowance, house rent allowance and other allowances at such rate and conditions as are applicable to officer of the government of a corresponding rant station at the same place.
- (iv) A Judge shall be entitled to leave and leave salary under the leave rules which may from time to time be applicable to other Government servants of similar status and drawing similar emoluments.
- (v) A Judge shall be entitled to travelling allowances for journeys performed on official business in accordance with the scale applicable to the class of officers to which in the opinion of the Government such judge belongs.
- (vi) A Judge shall be subject to such other conditions of service, as the Government may determine.
- (vii) Notwithstanding, anything contained in sub-rule (2) to (5) the pay, allowances and other conditions of service of a Judge, if he is a person already in the service of the Government shall be such as the Government may by a general or special order, from time to time, determine.

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(7) **Appointment of other officers and subordinate staff.—**

- (i) The Government may appoint such ministerial officers and other subordinate staff as may be necessary for the exercise and, performance of the powers and duties conferred and imposed on a Court by or under the Code.
- (ii) The ministerial officers and the subordinate staff of a Court shall exercise such powers and discharge such duties as the Judge, or, if there are more judges than one, the senior judge, may, subject to any order of the Government from time to time, direct.
- (iii) The ministerial officers and the subordinate staff of a Court shall be subject to such conditions of service and draw such salaries and other emoluments and receive such benefits as may be fixed by the Government.

Administrative Control and Court Seal

- (8) **Administrative control of the High Court.—**All Courts shall be subject to the administrative control and superintendence of the High Court, and shall –
 - (i) keep such registers, books and accounts as the High Court may, from time to time, prescribe; and
 - (ii) comply with such requisitions as may, be made by the High Court or the Government for submission of service records, returns and statements in such forms and in such manner as the authority making the requisition directs.
- (9) **Seal.—**A Court shall keep a seal of such size, dimensions and design as the Government may direct.

Procedure and Execution of orders

- (10) **Application.—**

- (i) Every proceeding under Section 49 shall be instituted by presenting an application to the Court.
 - (ii) Every application shall be verified in the same manner as a pleading in a Civil Court and shall be accompanied by two copies thereof.
 - (iii) An application shall be presented in **Form I**. It shall be duly stamped in accordance with these Rules, and shall contain the following particulars:-
 - (a) the name of the Court in which the application is brought;
 - (b) the full name including the father's name, description including age, occupation and place of residence of the applicant;
 - (c) the full name including the father's name, description including age, occupation and place of residence of the opposite party so far as they can be ascertained;
 - (d) where the applicant or the opposite party is a minor or a person of unsound mind a statement to that effect and the full name, age, occupation and address of his or her guardian or next of kin;
 - (e) the facts constituting the cause of action and the date when it arose;
 - (f) the facts showing that the court has jurisdiction;
 - (g) particulars giving the address within the jurisdiction of the Court at which notice or summons may be served on the applicant; and
 - (h) the relief which the applicant claims.
 - (iv) The application may be rejected if it is not in accordance with clause (iii) above.
- (11) **Production of documents.**—
- (i) When any application is based upon any documents, the documents shall be appended to the application.
 - (ii) Any other document which any party desires to tender in evidence shall be produced at or before the first hearing.
 - (iii) Any document which is not produced at or within the time specified in clause (i) or (ii), as the case may be, shall not, without the permission of the Court, be admissible in evidence on behalf of the party who should have produced it.
 - (iv) All such documents shall be accompanied by an accurate list thereof prepared in the manner prescribed in **Form II**.
 - (v) Nothing in this Rule shall apply to any document which is produced for the purpose of cross-examining a witness or is handed to a witness to refresh his memory.
- (12) **Register of proceedings.**—All applications shall be entered in a Register in **Form III** called the register of proceedings. Such entries shall be serially numbered for every calendar year according to the order in which the applications are presented.
- (13) **Place of suing.**—In cases not falling under sub-rule (2) and sub-rule (1) of Rule 7, a proceeding against any person shall be instituted in the Court within the local limits of whose jurisdiction:
- (i) the opposite party or each of the opposite parties where there are more than one, at the time of commencement of the proceedings actually and voluntarily resides, or carries on business, or personally works for gain; or
 - (ii) any of the opposite parties, where there are more than one, at the time of the commencement of the proceeding, actually and

voluntarily resides, or carries on business, or personally works for gain provided that in such case either the leave of the court is given, or the opposite parties who do not reside, or carry on business or personally work for gain as aforesaid, acquiesce in such institution; or

(iii) the cause of action, wholly or in part, arose.

(14) **Application presented to wrong Court.—**

(1) If on receiving an application it appears to the Court that it should be presented to another Court, it shall return it to the applicant after endorsing upon it the dates of the presentation and return with the reasons for returning it and the designation of the Court to whom it should be presented.

(2) If it appears to the Court at any State subsequent to the presentation of an application, that the application should have been presented to another court, in the same State, it shall send the application to the Court empowered to deal with it and shall inform the applicant (and the opposite party, accordingly).

(3) The Court to whom an application is transferred under sub-rule (2) may continue the proceeding as if the previous proceeding or any part of it had been taken before it, if it is satisfied that the interests of the parties will not thereby be prejudiced.

(15) **Issue of summons.—**

(1) On receiving an application the Court shall, if the same has not been rejected under clause (iv) of sub-rule(10), within three days thereof, cause to be sent to the party from whom the applicant claims relief (hereinafter referred to as the 'opposite party'), a summons in **Form IV and Form V**, as the case may be to appear and answer the application in a day, not later than fifteen days from the day of issue of such summons, to be specified therein :

Provided that no such summons shall be issued when the opposite party has appeared at the presentation of the application and admitted the applicant's claim.

(2) A copy of the application shall also be sent along with the summons under sub-rule (1).

(16) **Serving of summons or notice.—**

(1) A summons or notice may, on payment of the required fee, be sent by the Court by which it is issued either by registered post or in such other manner as the Court thinks fit.

(2) Where the Court is satisfied that there is reason to believe that the opposite party is avoiding service or that for any reason the summons or the notice cannot be served in the ordinary way, the Court shall order the summons or the notice to be served by affixing a copy thereof in some conspicuous place in the Court-house, and also upon some conspicuous part of the house in which the opposite party is known to have last resided or carried on business or personally worked for gain or in such other manner as the Court thinks fit and it shall be effectual as if it had been made on the opposite party personally.

(3) Where a summons or notice is served under sub-rule (2), the Court shall fix such time for the appearance of the opposite party as the circumstances of the case may require.

(17) **Additional matters in the summons.—**

The Court shall determine at the time of issuing the summons, whether it shall be for the settlement of the issues only and/ or for the final

disposal of the application and the summons shall contain a direction accordingly.

The Court may also call upon the parties to produce upon that date any evidence which they wish to render.

(18) **Proceedings involving disablement question.—**

If in any proceeding before the Court, any disablement question (As defined in Section 37 of the Code) arises and the decision of a Medical Board or a Medical Appeal Tribunal has not been obtained on the same and the decision of such questions is necessary for determination of the claim or question before the Court, that Court shall direct the Corporation to have the question decided as laid down in Section 37 and shall thereafter proceed with the determination of the claim or question before it in accordance with Section 49.

(19) **Written statement.—**

(i) The opposite party may, and, if so required by the Court, shall, at or before the first hearing or within such time as the Court may permit, present a written statement of his defence along with the documents on which he relies and an accurate list thereof in **Form II**.

(ii) Every such written statement shall be verified in the same manner as a pleading in a civil Court and shall be accompanied by two copies thereof.

(iii) In any written statement submitted under clause (i) the opposite party shall deal specifically with each allegation of fact alleged by the applicant, of which he admits or does not admit or denied the truth. The written statement must also contain all matters which show that the application is not maintainable and all such grounds of defence as, if not raised, would be likely to take the application as for instance, fraud, undue influence or coercion, release payment, performance of facts showing illegality of the transaction.

(20) **Failure to present written statement called for by the Court.—**

Where any party from whom a written statement is required fails to present the same within the time prescribed by the Court may, pronounce judgement against him or make such order in relation to the proceeding as it thinks fit.

(21) **Framing of issues.—**

(i) At the first hearing of the application, after the summons has been issued, the Court shall, after considering the application and the written statement, if any, or after such examination of the parties or any person or any document as may appear necessary, ascertain upon what material proposition of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues upon which the right decision appears to depend.

(ii) In recording the issues, the Court shall distinguish between those issue which in its opinion concern points of fact and those which concern points of law.

(iii) The Court may, in like manner, at any time before passing its final order add to, strike out from, or in any way amend, the issues on such terms as it may think fit.

(22) **Order where parties are not at issue.—**Where at any hearing of the case it appears that the parties are not at issue on any question of law or of fact, the Court may at once pronounce its final order.

(23) **Appearance of parties and consequences of non-appearance.—**

- (i) On the day fixed in the summons for the opposite party to appear and answer, the parties shall be in attendance at the Court in person or by their respective legal practitioners or any other person authorised under Section 51 and the application shall then be heard unless the hearing is adjourned by the Court.
- (ii) When neither party appears when the application is called on for hearing, the Court may make an order that the application be dismissed.
- (iii) Where the opposite party appears and the applicant does not appear when the application is called on for hearing, the Court shall make an order that the application be dismissed unless the opposite party admits the claim or part thereof, in which case the Court shall make an order against the opposite party upon such admission and where only part of the claim has been admitted, it shall dismiss the case so far as it relates to the remainder.
- (iv) Where the applicant appears and the opposite party after receiving the summons fails to appear, when the application is called on for hearing the Court may proceed ex-parte.
- (v) Where the application is wholly or partly dismissed under clause (ii) or (iii), the applicant may within thirty days of such dismissal apply in **Form VI** for an order to set the dismissal aside and the Court shall, if it is satisfied that he was prevented from appearing when the proceeding was called on for hearing due to any sufficient cause make an order setting aside the dismissal upon such terms as to costs or otherwise as it thinks fit and may proceed with the case or appoint a day for proceeding with the same :

Provided that no order under this sub-rule shall be made in respect of an application which is dismissed under clause (iii) unless notice of the application has been served in **Form VII** on the opposite party.

- (vi) In any application in which an ex-parte order has been passed against the opposite party, he may within thirty days from the date of such order apply in **Form VI** to the Court which passed the order, to set it aside and, if the Court is satisfied that he was prevented from appearing when the proceedings was called on for hearing due to any sufficient cause, it may, after serving notice thereof to the applicant in **Form VII**, make an order setting aside the order upon such terms as to costs or otherwise as it thinks fit and may proceed with the hearing of the case or appoint a day for proceeding with the same.

(24) **Summoning of witness.—**

- (i) At any time after framing of the issues the Court may call upon the parties to produce their evidence in support of the issues.
- (ii) The Court may, on the application of either party issue a summons in **Form VIII** to any witness directing him to attend or to produce any document.
- (iii) The Court may, before summoning any witness on application under clause (ii), require that his reasonable expenses to be incurred in attending the Court be deposited with it.

(25) **Grant of time and adjournment of hearing.—**

- (i) The Court may, if sufficient cause is shown, at any stage of the application, grant time to the parties or to any of them, and may, from time to time, adjourn the hearing of the application.
- (ii) In every such adjournment the Court shall fix a day not exceeding fifteen days from the date on which such adjournment is made for

the further hearing of the application and may make such order as it thinks fit with respect to the costs occasioned by the adjournment:

Provided that when the hearing of the evidence has once begun, the hearing of the application shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing beyond the following day to be necessary for reasons to be recorded.

(26) **Right to begin proceeding.—**

The applicant has the right to begin unless the opposite party admits the facts alleged by the applicant and contends that either in point of law or on some additional facts alleged by the opposite party, the application is not entitled to the relief which he seeks, in which case the opposite party has the right to begin.

(27) **Statement and production of evidence.—**

(i) On the day fixed for the hearing of the application or on any other day to which the hearing is adjourned, the party having the right to begin shall state his case and produce his evidence in support of the issues which he is bound to prove.

(ii) The other party shall then state his case and produce his evidence, (if any) and may then address the Court generally on the whole case.

(iii) The party beginning may then reply generally on the whole case.

(iv) Notwithstanding anything contained in this Rule, the Court may order that the production of evidence or the address to the Court may be in any order which it may deem fit.

(28) **Method of recording evidence.—**

The evidence of each witness shall be taken down in writing by the Judge or where there is more than one Judge by the junior Judge, or at the dictation of any such Judge in the open Court in the language of the Court, not ordinarily in the form of question and answer but in that of a narrative and, when completed, shall be read over or translated, where necessary, in the presence of such Judge, to the witness, and such Judge shall if necessary, correct the same, and shall sign it.

(29) **Recall of a witness.—**The Court may at any stage of a proceeding recall any witness who has been examined and may (subject to the law of evidence for the time being in force) put such question to him as the Court thinks fit.

(30) **Inspection by Court.—**The Court may at any stage of a proceeding inspect any property or thing concerned over which any question may arise.

(31) **Pronouncement or order.—**The Court, after the application has been heard, shall pronounce its final order in the open Court, either at once or on some future day, of which due notice shall be given to the parties.

(32) **Signing of order.—**The final order shall be dated and signed in open Court at the time of pronouncing it and once signed, shall not afterwards be altered or added to, save in the case of clerical or arithmetical mistake arising from accidental slip or omission.

(33) **Statement of decision on each issue.—**In cases in which issues have been framed, the Court shall state its finding or decision, with the reason there for, upon each separate issue, unless the finding upon any one or more of the issues is sufficient for the decision of the case.

(34) **Compromise of suit.—**Where it is proved to the satisfaction of the Court that a case had been adjusted wholly or in partly by any lawful agreement or compromise, or where the opposite party satisfied the applicant in

respect of the whole or any part of the subject matter of the case, the Court shall order such agreement, compromise or satisfaction to be recorded, and shall pass final order in accordance therewith so far as it relates to the case.

- (35) **Finality of Order.**—Save as provided in Section 52 the order of a Court shall be final and binding upon the parties.

Costs, Decree, etc.

- (36) **Costs.**—

- (1) The costs of an incidental to the application shall be in the discretion of the Court, and the Court shall have full power to determine by whom or out of what property and to what extent such costs are to be paid, and to give all necessary direction for the purposes aforesaid. The fact that the Court has no jurisdiction to try the case shall be no bar to the exercise of such powers.
- (2) Where the Court directs that any cost shall not follow the event, the Court shall state its reasons in writing.

- (37) **Contents of the decree.**—

- (1) A decree in **Form IX** shall be prepared in conformity with the order made by the Court. It shall contain the number of the application, the names and descriptions of the parties, and particulars of the claim, and shall specify clearly the relief granted or other determination of the proceeding.
- (2) The decree shall also state the amount of costs incurred in the proceeding and by whom and in what proportion such costs are to be paid.
- (3) The Court may direct that the cost payable to one party by the other shall be set off against any sum which is admitted or found to be due from the former to the latter.

- (38) **Certified copies of order, decree etc. to be furnished.**—

- (1) Certified copies of the final order, decree or any other order or matter on record shall be furnished to the parties on application to the Court and at their expenses.
- (2) If any party requires copies of any order, decree or any other matter on record made by or furnished to the Court, as the case may be, to be supplied to him within forty-eight hours of the submission of an application thereof to the Court, he shall pay an additional fee of two rupees for each such copy.
- (3) If any party applies for copies of any order, decree or any other matter on record made by or furnished to the Court, as the case may be, after the expiry of twelve months from the date of such making or furnishing as the case may be, he shall pay an additional searching fee of two rupees.

Execution

- (39) **Execution.**—

- (1) Any person in whose favour an order has been passed shall, within one year from the date of the order, apply in **Form X** to the Court which made the order for its execution.
- (2) On such application being made, the Court shall send the same together with the necessary record to a Civil Court, of competent jurisdiction, for its execution and such Civil Court shall have the same power in executing such order as, if it had been passed by it.

- (40) **Communication of fact of execution or otherwise.**—

The Civil Court to which a decree is sent for execution shall certify to the Court which passed it the fact of such execution or where that Court fails to execute the same and the circumstances attending such failure.

Fees and costs

(41) **Fees.—**

(1) The fee payable on an application in respect of any matter referred to in Section 49 shall be Ten rupees.

(2) The fee payable in respect of any other application except a written statement called for by the Court under these Rules shall be Five Rupees:

Provided that the fee for an application for obtaining a copy or translation of any document on record or statement, order or decree presented to or made before or by the Court, as the case may be, shall be Two Rupees.

(3) The fee for copies of any document on record, or statement or order or decree shall be such as may, from time to time be determined by the Government.

(4) The fee for any authorisation for the appearance of any person under Section 79 on behalf of any of the parties in a case shall be Ten Rupees.

(5) The fee for filling certified copies of any document in a Court shall be Five Rupees.

(6) All fees referred to in this Rule shall be collected by means of Court-fee stamps used in ordinary Courts and no document which ought to bear stamps under these Rules shall be of any validity unless and unless and until it is properly stamped :

Provided that where any such document is through mistake or inadvertence received, filed or used in a Court without being properly stamped, the Court may, if it thinks fit, order that such document be stamped as it may direct and on such document being stamped accordingly the same and every proceeding relating thereto shall be as valid as it had been properly stamped in the first instance.

(7) No document requiring a stamp under this Rule shall be acted upon in any proceeding in a Court until the stamp has been cancelled.

(42) **Payment of costs of services of summons, etc.—**

(1) The cost of service of summons or notices or the expenses of the witnesses in any case or the fee payable in respect of any matter not referred to in the preceding rule shall be such amount as may be specified in each case by the Court; and such amount or any other sum of payable under these Rules shall be paid in such manner and within such time as it may specify therefore.

(2) Any amount which is left over after meeting the expenses, if any, for which it was intended shall be returned by the Court to the party by whom or on whose behalf the amount was originally paid into the Court.

(3) The Court shall maintain proper accounts of the amount received and disbursed under sub-rule (1).

(43) **Fees and costs of poor persons.—**

The Court may, whenever it thinks fit, receive and register proceedings instituted under the Code and applications made under these Rules, by persons who are paupers, and may issue summons or notice on behalf of such persons, without payment or on a part payment of the fees and costs mentioned under these Rules.

(44) In respect of matters relating to procedure or admission of evidence for which no specific provision is made in these Rules, the provision of the Code of Civil Procedure, 1908 (V of 1908), including the Rules made thereunder and the Bharatiya Saksha Adhiniyan, 2023, shall so far as may be apply to proceedings under the Act.

8. Manner of commencement of proceedings before the Employees' Insurance Court, fees and procedure thereof under sub-section (1) of Section 51.—

- (1) The proceeding before an Employees' Insurance Court shall be commenced by application by the Corporation, aggrieved person or the employer of an establishment as the case may be.
- (2) Subject to the provisions of Chapter IV of the Code and Rules made by the State Government, all proceedings before the Employees' Insurance Court shall be instituted in the Court appointed for the local area in which the insured person was working at the time the question or dispute aroused.
- (3) If the Court is satisfied that any matter arising out of any proceedings pending before it can be more conveniently dealt with by any other Employees' Insurance Court in the same State, it may, subject to any rules made by the Government in this behalf, order such matter to be transferred to such other Court for disposal and shall forthwith transmit to such other Court the records connected with that matter.
- (4) The State Government may transfer any matter pending before any Employees' Insurance Court in the State to any such Court in another State with the consent of the State Government of that State.
- (5) The Court to which any matter is transferred under sub-rule (3) or sub-rule (4) shall continue the proceedings as if they had been originally instituted in it.

**CHAPTER IV
GRATUITY**

9. Bank or other financial institution in which the gratuity shall be invested for the benefit of minor under the third proviso to sub-section (1) of Section 53.—

In the case of nominee, or an heir, who is minor, the Competent authority shall invest the gratuity amount deposited with him for the benefit of such minor in term deposit with the State Bank of India or Nationalised Bank.

Explanation.—“Nationalised Bank” means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980).

10. Time, form and manner of nomination by an employee under sub-section (1), the time to make fresh nomination under sub-section (4), the form and manner of modification of a nomination under sub-section (5) and the form for fresh nomination under sub-section (6) of Section 55.—

- (1) A nomination shall be in **Form-XI** and submitted in duplicate by the employee either by personal service, after taking proper receipt or by registered post acknowledgement due or electronically to the employer.
 - (i) In the case of an employee who is already in employment for a year or more on the date of commencement of these Rules but has not submitted the nomination, ordinarily, within ninety days from such date; and

(ii) in the case of an employee who has completed one year of service after the date of commencement of these Rules, ordinarily within thirty days of the completion of one year of service:

Provided that nomination in **Form-XI** shall be accepted by the employer after the specified period, if filed and no nomination so accepted shall be invalid merely because it was filed after the specified period.

- (2) Within thirty days of receipt of nomination in **Form-XI** under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in **Form-XI** duly attested either by the employer or an officer authorised by him in this behalf as a token of recording of the nomination by the employer and the other copy of the nomination shall be **retained**.
- (3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family, submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of Section 55, in duplicate in **Form-XI** to the employer and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was made under sub-rule (1).
- (4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in **Form-XI** to the employer in the manner specified in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis*.
- (5) **A nomination or a fresh nomination or a notice of modification of nomination shall be, signed by the employee or, if illiterate, shall bear his thumb impression in the presence of two witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination or a notice of modification of nomination, as the case may be, and shall be submitted by the employee electronically or by registered post acknowledgement due to the employer.**
- (6) **A nomination or** fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer.

11. Time within which and the form in which a written application shall be made under sub-section (1) and the form of application to the Competent authority under clause (b) of sub-section (5) of Section 56.—

(1) **Application for Gratuity:**

(a) An employee who is eligible for payment of gratuity under the Code, or any person authorised, in writing, to act on his behalf, shall apply, ordinarily within thirty days from the date the gratuity became payable, in **Form-XII** to the employer:

Provided that where the date of superannuation or retirement of an employee is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement:

Provided further that an employee on fixed term employment shall be eligible for gratuity, if he renders service under the contract for a period of one year and he shall be paid gratuity at the rate of fifteen days wages, based on the rate of wages last drawn by him, for every completed year of service or part thereof in excess of six months.

(b) A nominee of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of Section 53 shall

apply, ordinarily within thirty days from the date that gratuity became payable to him, in **Form-XII** to the employer:

Provided that an application in plain paper with relevant particulars shall also be accepted. The employer may obtain such other particulars as may be deemed necessary by him.

- (c) A legal heir of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of Section 53 shall apply, ordinarily within one year from the date that gratuity became payable to him, in **Form-XII** to the employer.
- (d) Where gratuity becomes payable under the Code before the commencement of these Rules, the periods of limitation specified in clauses (a), (b) and (c) of sub-rule (1) shall be deemed to be operative from the date of such commencement.
- (e) An application for payment of gratuity filed after the expiry of the periods specified in this Rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present his application within the specified period. Any dispute in this regard shall be referred to the Competent authority for his decision.
- (f) An application under this Rule shall be presented to the employer either electronically or by personal service or by registered post acknowledgement due.

(2) **Notice for payment of gratuity.—**

- (a) Within fifteen days of the receipt of an application under sub-rule (1) for payment of gratuity, the employer shall—
 - (i) if the claim is found admissible on verification, issue a notice in **Form-XIII** to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof, or
 - (ii) if the claim for gratuity is not found admissible, issue a notice in **Form-XIII** to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible.

In the case of denial of gratuity a copy of the notice shall be endorsed to the Competent authority.

Explanation.- For the purpose of determination of gratuity under this Rule, it is clarified that-

(i) The exclusion from wage, as specified under sub-clause (a) and (b) of clause 88 of Section 2 shall also include any payment payable on an annual basis, that is linked to performance or productivity of an employee or of the establishment in which he is employed and is not part of the remuneration payable under the terms of employment: and

(ii) The following shall not form part of the wage-

(a) reimbursement of medical expenses:

(b) stock option benefit or cash equivalent of stock award;

(c) crèche allowance

(d) telephone and internet reimbursement; and

(e) value of meal vouchers

- (b) In case payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice in **Form-XIII**

under sub-clause (i) of clause (a) of sub-rule (2) shall be re-fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.

- (c) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintain ability of his claim, as the case may be. In that case, the time limit specified for issuance of notices under clause (a) of sub-rule (2) shall be operative with effect from the date such witness or evidence, as the case may be, called for by the employer is furnished to the employer.
- (d) A notice in **Form-XIII** shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due or electronically.
- (e) A notice under sub-section (2) of Section 56 shall be in **Form-XIII**.

- (3) **Mode of payment of gratuity.**—The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case may be:

Provided that intimation about the details of payment shall also be given by the employer to the Competent authority of the area.

- (4) **Application to Competent authority for direction under clause (b) of sub-section (5) of Section 56.**—

- (a) If an employer-
 - (i) refuses to accept a nomination under Rule 10 or to entertain an application sought to be filed under sub-rule (1), or
 - (ii) issues a notice under clause (a) of sub-rule (2) either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or
 - (iii) having received an application under sub-rule (1) fails to issue notice as required under sub-rule (2) within the time specified therein,

the claimant employee, nominee or legal heir, as the case may be, may, within one hundred eighty days of the occurrence of the cause for the application, apply in **Form-XIV** to the Competent authority for issuing a direction under sub-section (5) of Section 56 with as many extra copies as are the opposite party(ies):

Provided that the Competent authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

- (b) Application under clause (a) of sub-rule (4) and other documents relevant to such an application shall be presented in person to the Competent authority or shall be sent by registered post acknowledgement due or electronically.
- (5) **Procedure for dealing with application for direction.**—
 - (a) On receipt of an application under sub-rule (4) the Competent authority shall, by issuing a notice in **Form-XV**, electronically or by registered post acknowledgement due or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorised representative together with all relevant documents and witnesses, if any.

- (b) Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the Competent authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act, together with a written statement explaining his interest in the matter and praying for permission so to act. The Competent authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.
- (c) A party appearing by an authorised representative shall be bound by the acts of the representative.
- (d) After completion of hearing on the date fixed under clause (a), or after such further evidence, examination of documents, witnesses, hearing and inquiry, as may be deemed necessary, the Competent authority shall record his finding as to whether any amount is payable to the applicant under the Code. A copy of the finding shall be given to each of the parties.
- (e) If the employer concerned fails to appear on the specified date of hearing after due serving of notice without sufficient cause, the Competent authority may proceed to hear and determine the application ex-parte. If the applicant fails to appear on the specified date of hearing without sufficient cause, the Competent authority may dismiss the application:

Provided that an order under clause (e) of sub-rule (5) may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days notice to the opposite party of the date fixed for re-hearing of the application.

(6) **Place and time of hearing.—**

The sittings of the Competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit.

(7) **Administration of oath.—**

The Competent authority may authorise a clerk of his office to administer oaths for the purpose of making affidavits.

(8) **Summoning and attendance of witnesses.—**

The Competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear just to the Competent authority, issue summons to any person in **Form-XV** either to give evidence or to produce documents or for both purposes on a specified date, time and place.

(9) **Service of summons or notice.—**

(a) Subject to the provisions of clause (b) any notice, summons, process or order issued by the Competent authority may be served either personally or be registered post acknowledgment due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (5 of 1908).

(b) Where there are numerous persons as parties to any proceeding before the Competent authority and such persons are members of any Trade Union or association or are represented by an authorised person, the serving of notice on the Secretary, or where there is no Secretary, on the principal officers of the Trade Union or association, or on the authorised person, shall be deemed to be notice served on such persons.

(10) **Maintenance of records of cases by the Competent authority.—**

- (a) The Competent authority shall record the particulars of each case under Section 56 and at the time of passing orders shall sign and date the particulars so recorded.
- (b) The Competent authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.
- (c) Any record, other than a record of any order or direction, which is required by these Rules to be signed by the Competent authority, may be signed on behalf of and under the direction of the Competent authority by any subordinate officer appointed in writing for this purpose by the Competent authority.

(11) **Direction for payment of gratuity.—**

If a finding is recorded under clause (d) of sub-rule (5) that the applicant is entitled to payment of gratuity under the Code, the Competent authority shall issue a notice to the employer concerned in **Form-XVI** electronically or by registered post acknowledgement due or in person specifying the amount payable and directing payment thereof to the applicant under intimation to the Competent authority within thirty days from the date of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case may be.

(12) **Appeal.—**

- (a) The Memorandum of appeal under sub-section (8) of Section 56 of the Code shall be submitted to the Appellate authority with a copy thereof to the opposite party and the Competent authority either through delivery in person or by registered post acknowledgement due or electronically.
- (b) The Memorandum of appeal shall contain the facts of the case, the decision of the Competent authority, the grounds of appeal and the relief sought.
- (c) There shall be appended to the Memorandum of appeal a certified copy of the finding of the Competent authority and direction for payment of gratuity.
- (d) On receipt of the copy of Memorandum of appeal, the Competent authority shall forward records of the case to the Appellate authority.
- (e) Within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the Appellate authority with a copy to the appellant.
- (f) The Appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal electronically or by registered post or in person and a copy thereof shall be sent to the Competent authority returning his records of the case.
- (g) The Competent authority shall, on receipt of the decision of the Appellate authority, make necessary entry in the records of the case maintained by him.
- (h) On receipt of the decision of the Appellate authority, the Competent authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in **Form-XVI** specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the Competent authority within fifteen days of the

receipt of the notice by the employer. A copy of the notice shall be endorsed to the appellant employee, nominee or legal heir, as the case may be, and also to the Appellate authority.

(13) **Application for recovery of gratuity.—**

Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the Competent authority under sub-rule (11) or sub-rule (12), as the case may be, the employee concerned, his nominee or legal heir, as the case may be, to whom the gratuity is payable may apply to the Competent authority in duplicate in **Form XVII** for recovery thereof under Section 129 of the Code.

12. Appointment of Competent authority.—

The Competent authority shall be **an officer having experience in labour matters who shall be** appointed by the State Government by notification.

CHAPTER V

MATERNITY BENEFIT

13. Authority to which an appeal may be preferred under sub-section (3) of Section 72.—

(1) **Complaint under Section 72.—**

(a) A complaint under sub-section (1) of Section 72 shall be made in writing in **Form-XVIII** as the case may be.

(b) When a complaint referred to in Section 72 is received by an Inspector-cum-Facilitator, he shall examine the relevant records maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly withheld he shall direct the employer to make the payment to the woman or to the person claiming the payment under Section 63, as the case may be, immediately or within a period **not exceeding forty-five days**.

Provided that the time limit for disposal of complaint shall not exceed ninety days from the date of filing of complaint. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the complaint.

(2) **Appeal under Section 72.—**

(a) An appeal against the decision of the Inspector-cum-Facilitator under sub-section (2) of Section 72 shall be filed with the Competent authority.

(b) The aggrieved person shall prefer an appeal in writing to the prescribed Authority in **Form-XIX** and file other supporting documents.

(c) When an appeal is received, the prescribed Authority shall call from the Inspector-cum-Facilitator before a fixed date, the records of the case. The prescribed Authority shall, if necessary, also record the statements of the aggrieved person, and of the Inspector-cum-Facilitator and seek clarification if any is required.

(d) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the prescribed Authority shall give his decision within a period of ninety days from filing of the application before him. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the appeal.

(3) **Authority to whom an appeal may be preferred:**

A person aggrieved by the order of the Inspector-cum-Facilitator under sub-section (2) of Section 72 may appeal to the Labour Commissioner, Meghalaya.

CHAPTER VI

EMPLOYEE'S COMPENSATION

14. The amount to be deposited towards the expenditure of the funeral of the employee with the Competent authority by the employer under sub-section (7) of Section 76.—

Amount of Funeral :-If the injury of the employee result in his death, the employer shall, in addition to the compensation under sub section (1) of Section 76, deposit with the Competent authority a sum of not less than Rs. 15,000/- or such amount as may be notified by the State Government for payment of the same to the eldest surviving dependant of the employee towards the expenditure of the funeral of such employee or where the employee did not have a dependant or was not living with his dependant at the time of his death, to the person who actually incurred such expenditure. If the Central Government enhances the amount specified in this sub-section, it shall be followed by the State Government.

15. Conditions when application for review is made with certificate of a medical practitioner under sub section (1) of Section 79.—

(1) **When application may be made without medical certificates.—**Application for review of a half-monthly payment under Section 79 of the Code may be made without an accompanying medical certificate :-

- (a) by the employer, on the ground that since the right to compensation was determined, the workmen's wages have increased;
- (b) by the workmen, on the ground that since the right to compensation was determined, his wages have diminished;
- (c) by the workmen, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workmen's condition such as to warrant such cessation;
- (d) either by the employer or by the workmen, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means;
- (e) either by the employer or by the workmen, on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.

(2) **Procedure on application for review.—**If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Competent authority that there are reasonable grounds for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order after giving the employee likely to be affected thereby an opportunity of being heard for withholding the half monthly payments in whole or in part pending his decision on the application.

(3) **Procedure on application for commutation.—**

- (1) Where application is made to the Competent authority under Section 80 for redemption of a right to receive half-monthly payments by the payment of a lump-sum, the Competent authority shall form an estimate of the probable duration of the disablement, and a sum equivalent to the total of half-monthly payments would

be payable for the period during which he estimated the disablement will continue, less one-half per cent, of that total for each month comprised in that period :

Provided that fractions of a rupee included in the sum so computed shall be disregarded.

- (2) When, in any case to which clause (1) applies, the Competent authority is unable to form an approximate estimate of the probable duration of the disablement, he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

16. Classes of employers and the form of notice book under sub-section (4) of Section 82.—The appropriate government may require that any class of employers as may be prescribed by that government shall maintain at their premises at which employees are employed, a notice book of accidents, in **Form –XX** prescribed by that government, which shall be readily accessible at all reasonable time to any injured employee employed on the premises and to any person acting bonafide on his behalf.

17. The frequent interval for medical examination under the proviso to sub-section (1) of Section 84.—

- (1) **Workman not to be required to submit to medical examination, save in accordance with relevant Rules.**—A workman who is required by sub-section (1) of Section 84 to submit himself for medical examination shall be bound to do so in accordance with the Rules contained in this part and not otherwise.
- (2) **Examination when workman and medical practitioner both are available at premises.**—When each workman is present at the employer's premises and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.
- (3) **Examination in other cases.**—In cases to which sub-rule (2) does not apply, the employer may :-
 - (a) send the medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination of being requested to do so by the medical practitioner; or
 - (b) send to the workman any offer in writing to him to be examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified :

Provided that :-

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 6 a.m.; and
 - (ii) in case where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.
- (4) **Restriction on number of examination.**—A workman who is in receipt of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident, or more than once in any subsequent month.

- (5) **Examination after suspension of right to compensation.**—If a workman whose right to compensation has been suspended under sub-section (2) or sub-section (3) of Section 84 of the Code subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer, and at a time to be fixed by the employer not being, save with the express consent of the workman more than 72 hours after the workman has so offered himself.
- (6) **Examination of women.**—
- (i) No woman shall without her consent be medically examined by a male practitioner save in the presence of another woman.
 - (ii) No woman shall be required to be medically examined by a male practitioner if she deposits a sum sufficient to cover the expenses of examination by a female practitioner.
- 18. The statement to be submitted by the employer in the prescribed form under sub-section (1) of Section 88.**—
- (i) The notice to be sent by a Competent authority under sub-section (1) of Section 88 of the Code shall be in **Form XXI** and shall be accompanied by a blank copy of **Form XXII**.
 - (ii) The statement to be submitted by an employer under Section 88 shall be in **Form XXII**
 - (iii) The report in respect of an accident under sub-section (1) of Section 88 may be sent to the authority to whom the notice of such accident is required to be given.
- 19. The manner of recording the memorandum in a register by the Competent authority under sub-section (1) of Section 89.**—
- (1) **Form of memorandum.**—Memorandum of agreement sent to the Competent authority under sub-section (1) of Section 89 shall, unless the Competent authority otherwise directs be in duplicate and shall be in as close conformity as the circumstances of the case admitted with **Form XXIII** or **Form XXIV** or **Form XXV**, as the case may be.
 - (2) **Procedure where Competent authority does not consider that he should refuse to record memorandum.**—
 - (i) On receiving a Memorandum of agreement, the Competent authority shall, unless he considers that there are grounds for refusing to record the Memorandum, fix a date for recording the same, and shall issue a notice in writing in **Form XXVI** to the parties concerned that in default of objections he proposes to record the Memorandum on the date so fixed:

Provided that the notice may be communicated to any parties who are present at the time when notice in writing would otherwise be issued.
 - (ii) On the date so fixed, the Competent authority shall record the Memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded:

Provided that the issue of a notice under sub-rule (1) shall not be deemed to prevent the Competent authority from refusing to record the Memorandum on the date so fixed even if no objection be made by any party concerned.
 - (iii) If on such date, the Competent authority decides that the Memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons thereof, and if any party

desiring the Memorandum to be recorded is not present, he shall send information to that party in **Form XXVII**.

(3) **Procedure where Competent authority considers he should refuse to record Memorandum.—**

- (i) If on receiving a Memorandum of agreement, the Competent authority considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the Memorandum to be recorded, and shall inform such party or parties and, if he thinks fit, any other party concerned, of the date so fixed and of the grounds on which he considers that the Memorandum should not be recorded.
- (ii) If the parties to be informed are not present, a written notice shall be sent to them in **Form XXVIII** or **Form XXIX**, as the case may be, and the date fixed in such notice shall be not less than seven days after the date of issue of the same.
- (iii) If, on the date fixed under clause (i) of sub-rule (3), the party or parties desiring the Memorandum to be recorded show adequate cause for proceeding to the record of the same, the Competent authority may, if information has already been given to all the parties concerned, record the agreement. If information has not been given to all such parties, he shall proceed in accordance with sub-rule (2) of Rule 19.
- (iv) If, on the date so fixed, the Competent authority refuses to record the Memorandum, he shall send notice in **Form XXVII** to any party who did not receive information under clause (i).

(4) **Procedure on refusal to record Memorandum.—**

- (i) If in any case, the Competent authority refuses to record a Memorandum of agreement, he shall briefly record his reasons for such refusal.
- (ii) If the Competent authority refuses to record a Memorandum of agreement, he shall not pass any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show-cause why it should not be paid.
- (iii) Where the agreement is for the redemption of half monthly payments by the payment of lump-sum, and the Competent authority considers that the Memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

(5) **Registration of Memorandum accepted for record.—**In recording a Memorandum of agreement, the Competent authority shall cause the same to be entered in a register in **Form XXX** and shall cause an endorsement to be entered under his signature on a copy of the Memorandum to be retained by him in the following terms, namely :-

“This Memorandum of agreement bearing serial No. of 20
..... in the register has been recorded this day of 20
.....”

Signature of the Competent authority”

20. Experience and qualification for appointment as a Competent authority under sub-section (1) of Section 91.—

Eligibility of the Competent authority-

- (i) Member of State Judicial service who is serving for a period of not less than five years; or
- (ii) Advocate with at least five years of practice; or
- (iii) Gazetted officer with service not less than five years having educational qualifications and experience in personnel management, human resource development, Industrial relations and legal affairs; or
- (iv) Officer of Labour Department not below the rank of Joint Labour Commissioner / Deputy Director, Industrial Health and Safety.

21. The manner of the notice under sub-section (1) and the manner of transmitting money under Section 92.—

(1) Transfer for report.-

- (i) A Competent authority transferring any matter to another Competent authority for report in accordance with sub-section (2) of Section 92 shall, along with the documents referred to in that sub-section, transmit to such other Competent authority a concise statement, in the form of questions for answer, of the matter on which report is required.
- (ii) A Competent authority to whom a case is so transferred for report shall not be required to report on any question of law.

(2) Transmission of money.-

Money transmitted by one Competent authority to another in accordance with sub-section (2) of Section 92 shall be transmitted either by remittance transfer receipt, or by money order, or by means of electronic transfer, as the Competent authority transmitting the money may direct.

22. The form, manner and fee for application for claim or settlement under sub-section (3) and Time limit for disposal of application and cost incidental to the proceedings under sub-section (4) of Section 93.—

- (1) The Competent authority shall dispose off the matter relating to compensation under this Code within a period of three months from the date of reference and intimate the decision in respect thereof within the said period to the employee. The authority may extend the time-limit to another three months if it so required.

Incidental Costs.-

- (i) Any party to the dispute who desires to get certified copies of decision, decree, or other document may get decision, decree, or other document on payment of cost at the following rate:-
 - (a) The cost for the copies of any document of record or statement or order or decree may be notified by the Government from time to time.
 - (b) The cost of service or summons or notices or expenses of witness or the cost payable in respect of any matter not referred before shall be such amount as may be specified in each case by the Court and such amount or any other sum of money payable under this Rule shall be paid in such manner and within such time as may be notified by Government.
 - (c) The Court may, whenever it finds either on applications of applicant or otherwise that the applicant is unable to pay the cost it may exempt the applicant from the payment of cost.
- (ii) Any person who is not a party to the dispute, may get the certified copy of decision, decree or other documents except the

confidential documents, on payment of the fees prescribed in above mentioned clauses.

However the Competent authority may extend the time period on appeal as per Section 5 of the Limitations Act, 1963 but not more than another three months.

- (2) **Applications.**—Any application of the nature referred to in Section 93 may be sent to the Competent authority by registered post or may be presented to him or to any of his subordinates authorised by him in this behalf and, if so sent or presented, shall unless the Competent authority otherwise directs, be made in duplicate in the appropriate form, either in **Form XXXI, Form XXXII or Form XXXIII**, and shall be signed and verified by the applicant in the manner prescribed by Order VI Rule 15 of the Code of Civil Procedure 1908 (V of 1908).
- (3) **Production of documents.**—
 - (i) When the application for relief is based upon a document, the document shall be appended to the application
 - (ii) Any other document which the applicant desires to tender in evidence shall be produced at or before the first hearing.
 - (iii) Any document which is not produced at or within the time specified in clause (i) or (ii) as the case may be, shall not, without the sanction of the Competent authority be received in evidence on behalf of the applicant.
 - (iv) Nothing in this Rule applies to any document which is produced for the purposes of cross-examining a witness or is handed to a witness to refresh his memory.
- (4) **Application presented to wrong Competent authority.**—
 - (i) If it appears to the Competent authority on receiving the application that it should be presented to another Competent authority, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and the designation of the Competent authority to whom it should be presented.
 - (ii) If it appears to the Competent authority at any subsequent stage that an application should have been presented to another Competent authority, he shall send the application to the Competent authority empowered to deal with it and shall inform the applicant (and the opposite party) if he has received a copy of the application, accordingly.
 - (iii) The Competent authority to whom an application is transferred under clause (ii) may continue the proceedings as if the previous proceedings or any part of them had been taken before him, if he is satisfied that the interest of the parties will not thereby be prejudiced.
- (5) **Examination of applicant.**—
 - (i) On receiving the application of the nature referred to in Section 93, the Competent authority may examine the applicant on oath or may send the application to any officer authorised by the State Government in this behalf and direct such officer to examine the applicant and his witness and forward the record thereof to the Competent authority.
 - (ii) The substance of any examination made under clause (i) shall be recorded in the manner provided for the recording of evidence in Section 97.
- (6) **Summary dismissal of application.**—

- (i) The Competent authority may, after considering application and the result of any examination of the applicant under sub-rule (5) summarily dismiss the application, if, for reasons to be recorded, he is of opinion that there are no sufficient grounds for proceeding thereon.
 - (ii) The dismissal of the application under clause (i) shall not itself preclude the applicant from presenting a fresh application for the settlement of the same matter.
- (7) **Preliminary inquiry into application.—**

If the application is not dismissed under sub-rule (6), the Competent authority may, for reasons to be recorded, call upon the applicant to produce evidence in support of the application before calling upon any other party, and if upon considering such evidence the Competent authority is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for doing so.
- (8) **Notice to opposite party.—**

If the Competent authority does not dismiss the application under sub-rule (6) or sub-rule (7), he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party), a copy of the application, together with a notice of date on which he will dispose of the application and may call upon the parties to produce upon that date any evidence which they may wish to tender.
- (9) **Appearance and examination of opposite party.—**
 - (i) The opposite party may, and if so required by the Competent authority, shall, at or before the first hearing or within such time as the Competent authority may permit, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.
 - (ii) If the opposite party contests the claim, the Competent authority may, and, if no written statement has been filed, shall proceed to examine him upon the claim, and shall reduce the result of the examination to writing.
- (10) **Framing of issues.—**
 - (i) After considering the written statement and the result of any examination of the parties, the Competent authority shall ascertain upon what material propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.
 - (ii) In recording the issues, the Competent authority shall distinguish between those issues which in his opinion concern points of fact and those which concern points of law.
- (11) **Power to postpone trial of issue of fact where issue of law arises.—**

When issues both of law and of fact arise in the same case, and the Competent authority is of the opinion that the case may be disposed of on the issues of law only, he may try those issues first, and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.
- (12) **Diary.—**The Competent authority shall maintain under his hand a brief diary of the proceedings on an application.
- (13) **Judgement.—**
 - (i) The Competent authority in passing orders, shall record concisely a judgement, and his finding on each of the issues framed and his reasons for such finding.
 - (ii) The Competent authority, at the time of signing and dating his judgement, shall pronounce his decision, and thereafter no addition

or alteration shall be made to the judgement other than the correction of a clerical or arithmetical mistake arising from any accidental slip or omission.

- (14) **Summoning of witness.**—If an application is presented by any party to the proceedings for the citation of witnesses, the Competent authority shall on payment of the prescribed expenses issue summons for the appearance of such witnesses, unless he considers that their appearance is not necessary for the decision of the case.
- (15) **Right of entry for local inspection.**—A Competent authority before whom any proceeding relating to an injury by accident is pending may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection or of examining any person likely to be able to give information relevant to the proceedings:
- Provided that the Competent authority shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment save with the permission of the employer or of some person directly responsible to him for the management of the establishment.
- (16) **Procedure in connection with local inspection.**—
- (i) If the Competent authority proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representative notice of his intention to conduct such inspection, unless in his opinion, the urgency of the case renders the giving of such notice impracticable.
 - (ii) Such notice may be given orally or in writing, and, in the case of an employer may be given to any person upon whom notice of a claim can be served under sub-section (2) of Section 88, or to the representatives of any such person.
 - (iii) Any party, or the representative of any party, may accompany the Competent authority at a local inspection.
 - (iv) The Competent authority, after making local inspection, shall note briefly in a Memorandum any facts observed, and shall show the memorandum to any party who desires to see the same, and, on payment of the prescribed fees, shall supply each party with a copy thereof.
 - (v) The Memorandum shall form part of the record.
- (17) **Powers of summary examination.**—
- (i) The Competent authority during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all of the parties are present or not.
 - (ii) No oath shall be administered to a person examined under clause (i).
 - (iii) Statements made by persons examined under clause (i) if reduced to writing, shall not be signed by the person making the statement, nor shall they, except as hereinafter provided, be incorporated in the record or utilised by the Competent authority for the purpose of arriving at a decision in the case.
 - (iv) If a witness who has been examined under clause (i) makes in evidence any material statement contradicting any statement made by him in such examination and reduced to writing, the Competent authority may call his attention to such statement, and shall in that

case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross-examining the witness.

- (v) Any statement or part of a statement which is furnished to the parties under clause (iv) shall be incorporated in the record.
- (vi) Where a case is settled by agreement between the parties, the Competent authority may incorporate in the record any statement made under clause (i), and may utilise such statement for the purpose of justifying his acceptance of, or refusal to accept, the agreement reached.

(18) **Agreement to abide by Competent authority's decision.—**

- (i) If a party states in writing his willingness to abide by the decision of the Competent authority, the Competent authority shall inquire whether the other party is willing to abide by his decision.
- (ii) If the other party agrees to abide by the Competent authority's decision, the fact of his agreement shall be recorded in writing and signed by him.
- (iii) If the other party does not agree to abide by the Competent authority's decision, the first party shall not remain under an obligation so to abide.

(19) **Procedure where indemnity claimed under Section 85 (2).—**

- (i) Where the opposite party claims that if compensation is recovered from him he will be entitled under sub-section (2) of Section 85 to be indemnified by a person not being a party to the case, he shall, when first called upon to answer the application, present a notice of such claim to the Competent authority accompanied by the prescribed fee, and the Competent authority shall thereupon issue notice to such a person in **Form XXXIV**.
- (ii) If any person served with a notice under clause (i) desires to contest the applicant's claim for compensation, or the opposite party's claim to be indemnified, he shall appear before the Competent authority on the date fixed for the hearing of the case or on any date to which the case may be adjourned and if he so appears, shall have all the rights of a party to the proceedings; and in default if so appearing he shall be deemed to admit the validity of any award made against the opposite party and to admit its own liability to indemnify the opposite party for any compensation recovered from him :

Provided that, if any person so served appears subsequently and satisfies the Competent authority that he was prevented by any sufficient cause from appearing, the Competent authority shall, after giving notice to the aforesaid opposite party, hear such person and may set-aside or vary any award made against such person under this Rule upon such terms as may be just.

- (iii) If any person served with a notice under clause (i), whether or not he desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor from whom the workman could have recovered compensation he shall, on or before the date fixed in the notice under clause (i) present a notice of such claim to the Competent authority accompanied by the prescribed fee and the Competent authority shall thereupon issue notice to such person in **Form XXXV**.

(iv) If any person served with a notice under clause (iii) desires to contest the applicant's claim for compensation, or the claim under clause (iii) to be indemnified he shall appear before the Competent authority on the date fixed in the notice in **Form XXXV** or on any date to which the case may be adjourned and if he so appears, shall have all the rights of a party to the proceedings in default of so appearing he shall be deemed to admit the validity of any award made against the original opposite party or the person served with a notice under clause (iii) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him:

Provided that, if any person, so served appears subsequently and satisfies the Competent authority that he was prevented by any sufficient cause from appearing, the Competent authority shall, after giving notice to all parties on the record, hear such person, and may set aside or vary any award made against such person under this Rule upon such terms as may be just.

(v) In any proceeding in which a notice has been served on any person under clause (i) or clause (iii), the Competent authority shall, if he awards compensation, record in his judgement a finding in respect of each of such persons whether he is or is not liable to indemnify any of the opposite parties, and shall specify the party, if any, whom he is liable to indemnify.

(20) **Procedure in connected cases.—**

(i) Where two or more cases pending before a Competent authority arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be heard simultaneously.

(ii) Where action is taken under clause (i), the evidence bearing on the common issue or issues shall be recorded on the record of one case, and the Competent authority shall certify under his hand on the records of any such other case, the extent to which the evidence so recorded applied to such other case, and the fact that the parties to such other case had the opportunity of being present, and, if they were present of cross-examining the witnesses.

(21) **Certain provisions of Code of Civil Procedure, 1908 to apply.—**Save as otherwise expressly provided in the Act or these Rules, the Code of Civil Procedures, 1908 shall apply to proceedings before Competent Authorities, in so far as they may be applicable thereto:

Provided that :-

(a) For the purpose of facilitating the application of the said provisions, the Competent authority may construct them with such alterations not affecting the substantive as may be necessary or proper to adapt them to the matter before him;

(b) The Competent authority may, for sufficient reasons, proceed otherwise than in accordance with the said provisions, if he is satisfied that the interests of the parties will not thereby be prejudiced.

(22) **Provisions regarding signature of forms.—**Any form, other than a receipt for compensation, which is by these Rules required to be signed by a Competent authority may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

(23) **Apportionment of compensation among dependants.—**The relevant provisions of this part shall as far as may be possible, apply in case of any

proceedings relating to the apportionment of compensation among dependants of a deceased workman.

- (24) **Reasons for postponement to be recorded.**—If the Competent authority finds it impossible to dispose of an application at one hearing he shall record the reasons which necessitate a postponement.
- (25) **Exemption from payment of costs.**—If the Competent authority is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favour of the applicant, the prescribed fees which, they had not been remitted, would have been due to be paid, may be added to the cost of the case and recovered in such manner as the Competent authority in his order regarding costs may direct.
- 23. The manner of authentication of Memorandum under Section 97.—**
Examination of applicant.-
- (1) On receiving the application of the nature referred to in Section 93, the Competent authority may examine the applicant on oath or may send the application to any officer authorised by the State Government in this behalf and direct such officer to examine the applicant and his witness and forward the record thereof to the Competent authority.
- (2) The substance of any examination made under sub-rule (1) shall be recorded in the manner provided for the recording of evidence in Section 97.

CHAPTER VII

SOCIAL SECURITY AND CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

- 24. Time limit to pay the amount of cess and the rate of interest in case of delayed payment of cess under Section 101 of the Code.**—The cess levied under sub-section (1) of section 100 shall be paid by an employer within thirty days from the date of issue of the assessment order, or within 30 (thirty) days of the completion of the construction project, whichever is earlier and such employer shall be liable to pay interest on the amount of cess, to be paid, at the rate of one per cent, for every month from the date on which such payment fall due till such amount is actually paid.
- 25. Fees for appeal under sub-section (2) of Section 105.**—Such appeal, inter-alia, shall be accompanied with a non-refundable fee equivalent to half percent, but not exceeding Rupees twenty five thousand of the amount in dispute or penalty or both, as the case may be, under such appeal; which shall be deposited in Labour Department-Head of Account-0230 in Treasury of the Meghalaya State Government.

CHAPTER VIII

FINANCE AND ACCOUNTS

- 26. Conditions to acquire, hold, sell or otherwise transfer any movable or immovable property under sub-section (1), conditions to invest moneys, re-invest or realise investments under sub-section (2), terms to raise loans and take measures for discharging such loans under sub-section (3) and terms to constitute for the benefit of officers and staff or any class of them, provident or other benefit funds under sub-section (4) of Section 120.**—

- (1) The Board may, as soon as may be after the coming into force of these Rules constitute a fund to be called **the Meghalaya Social Security Fund** in accordance with the provision of the Code and these rules. The fund shall be vested in and be administered by the Board.
 - (2) All moneys belonging to the fund may be invested in nationalised bank or in securities referred to in clause (a) to (d) of Section 20 of the Indian Trust Act, 1882 (Act no. 2 of 1882).
 - (3) According to sub section (3) of Section 120, the Board may receive Loan/fund in advance from the State Government and return according to terms and condition for the same.
 - (4) From time to time, each of the social security organizations with the prior approval of the State Government and on such terms as may be prescribed by the State Government, constituted for the benefit of its officers and staff or any class of them, such provident or other benefits fund as it may think fit.
- 27. Conditions and manner of writing off irrecoverable dues under Section 121.—**
- (1) Where the State Social Security Board is of the opinion that the amount of contribution, cess, interest and damages due to the State Social Security Board has become irrecoverable, the State Social Security Board or any other officer authorised by it on this behalf with prior approval of Government may sanction the writing off of the said amount, subject to the following conditions, namely:—
 - (i) the establishment has been closed for more than five years and the whereabouts of the employer cannot be ascertained, despite all possible efforts;
 - (ii) the decree obtained by State Social Security Board could not be executed successfully for want of sufficient assets of the defaulting employer; or
 - (iii) the claim for contribution is not fully met by —
 - (a) the Official Liquidator in the event of factories/ establishments having gone into liquidation; or
 - (b) the Competent authority of payments in the event of unit being nationalised or taken over by the Government.

CHAPTER IX

Authorities for Assessment, Compliance & Recovery

- 28. Other powers of Inspector cum facilitator under clause (e) of sub section (6) of Section 122.—**In addition to the powers exercised by the Inspector cum Facilitator under sub-section (6) of Section 122, he shall exercise such other powers as may be notified by the Government of Meghalaya as and when required.
- 29. Form and manner of maintenance of records and registers under clause (a) (b) and (d) of Section 123.—**
- (1) **Register of Women Employees.—**
 - (a) The employer of every establishment in which women are employed shall prepare and maintain a register of women employees in **Form XXXVI** electronically or in hard copy and shall enter therein particulars of all women workers in the establishment.

Further, it shall always be available for inspection under notified inspection scheme for the Inspector-cum-Facilitator.

- (b) The employer may enter in the register of women employees' such other particulars as may be required for any other purpose of the Code.
- (2) **Records.**—Records kept under the provisions of Chapter V of the Code and the Rules framed there under shall be preserved for a period of 5 (five) years from the date of their preparation.
- (3) **Annual Returns.**—
 - (a) The employer to whom the provisions of Chapter V of the Code applies, on or before the 1st day of February in each year, upload a unified annual return in **Form-XXXVII** online on the web portal of the Central Government in the Ministry of Labour and Employment, giving information as to the particulars specified, in respect of the preceding year: Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise. Explanation.- For the purposes of this sub-rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of Section 2 of the Information Technology Act, 2000 (21 of 2000).
 - (b) If the employer to whom the Code applies sells, abandons or discontinues the working of the establishment, then, he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance, as the case may be, upload online, on the web portal of the Central Government in the Ministry of Labour and Employment, a further unified return in **Form XXXVII** referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.
- (4) **Display of notice.**-The employer shall display conspicuously a notice at or near the main entrance of the establishment in bold letters in English, Khasi, Garo or Hindi specifying the name of the officer with designation authorised by the employer to receive on his behalf, notice under the Code or the Rules made therein.

CHAPTER X

OFFENCES AND PENALTIES

30. **Manner of compounding of offences by the authorised officer specified under sub-section (1) of Section 138 and the form and manner of making application for the compounding of an offence under sub-section (4) of Section 138.**—
 - (1) The officer authorized by the State Government by notification for the purposes of compounding of offences under sub-section (1) of Section 138 shall issue electronically a compounding notice in **Form-XXXVIII** for the offences which are compoundable under Section 138.
 - (2) The person to whom a notice has been served may apply in Part III of the **Form-XXXVIII** to the officer electronically or otherwise and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.
 - (3) The Compounding Officer shall issue a composition certificate in Part IV of **Form-XXXVIII** within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

- (4) If a person to whom a notice has been served fails to deposit the composition amount within the prescribed time, the prosecution shall be instituted before the competent Court or the offence in respect of which the compounding notice was issued, against such person.
- (5) **Composition after institution of prosecution.—**
- (a) For the compounding of an offence after the institution of prosecution in a competent court in respect therefore, the provisions of sub-section (6) of Section 138 of the Code shall apply.
- (b) The relevant provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall apply to such compositions.

CHAPTER XI

EMPLOYMENT INFORMATION AND MONITORING

31. Manner and form of reporting vacancies and form of filing the return by the employer, to the concerned career centre under sub-section (2) of Section 139.—

(1) **Reporting of Vacancies to Career Centre:-**

- (a) The employer in every establishment in public sector in the area shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre, as may be specified in the notification by the State Government.
- (b) The employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre from such date as may be specified in the notification by the State Government.
- (c) The State Government shall provide for mechanism (including digital) for receipt of vacancies reported by the employers. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than three working days from the date of receipt of reporting of vacancies.

Explanation: (1) **Establishment in “public sector”** means an establishment owned, controlled or managed by –

- (i) the Government or a Department of the Government;
- (ii) a Government company as defined in clause (45) of Section 2 of the Companies Act, 2013 (No. 18 of 2013);
- (iii) a corporation (including a co-operative society) or an autonomous organization or an authority or a body established by or under a Central or State Act, which is owned, controlled or managed by the Government.
- (2) **“Establishment in private sector”** means an establishment which is not an establishment in public sector and with ordinarily as such number of employees as may be notified by the State Government.
- (3) The State Government, having no career centre or digital portal of its own, may specify by notification reporting of vacancies by establishments in an area thereof to the digital portal or to the Career Centre of the Central Government.

(2) **Type of vacancies and respective Career Centre for reporting of vacancies:**

- (a) The following vacancies, namely-
 - (i) All vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by the Central Government, occurring in establishments in respect of which the Central Government is the appropriate Government under the Code; and
 - (ii) Vacancies which an employer may desire to be circulated to the Career Centres outside the State or Union Territory in which the establishment is situated shall be reported to such Career Centre (Central) as may be specified by the Central Government by notification.
- (b) Vacancies other than those specified in clause (a) of sub-rule (2) above, shall be reported to the Career Centre (Regional) concerned.
- (c) Vacancies which have been reported to the Career Centre (Regional) and for which recruitment is to be made on State or Inter-State or all India basis, shall also be reported to Career Centre (Central) or uploaded on a digital portal as specified by the Central Government by notification.

(3) **Form and manner of reporting of vacancies:**

- (a) The vacancies shall be reported in writing or through valid official email or digitally to the Career Centre as specified by the Government.
- (b) The vacancies shall be reported in the format given at **Form-XXXIX**, furnishing as many details as practicable, separately in respect of each type of vacancy.
- (c) Any change in the particulars already furnished to the Career Centre under clause (a) of sub-rule (3), shall be reported in writing or through official email or digitally as the case may be, to the specified Career Centre.

(4) **Time limit in the reporting of vacancies:**

- (a) Vacancies, required to be reported to the Career Centre (Regional), shall be reported at least fifteen days before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.
- (b) Vacancies required to be reported to the Career Centre (Central) shall be reported at least forty days before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.

(5) **Maintenance of records:**

- (a) The employers in every establishment in the public sector shall maintain records manually or electronically or digitally about:-
 - (i) total number of employees (regular, contractual or fixed term employment) on the 31st March of every year;
 - (ii) persons recruited during the year ending on the 31st March;
 - (iii) occupational details of its employees on the 31st March of every year;
 - (iv) vacancies for which suitable candidates were not available during the year ending on the 31st March; and

- (v) approximate number of vacancies likely to occur during the next financial year.
- (b) The Government may by notification, require that from such date as may be specified in the notification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about:-
 - (i) The total number of employees (regular, contractual or fixed term employment) on the 31st March of every year;
 - (ii) The persons recruited during the year ending on the 31st March;
 - (iii) The occupational details of its employees on the 31st March of every year;
 - (iv) The vacancies for which suitable candidates were not available during the year ending on the 31st March; and
 - (v) The approximate number of vacancies likely to occur during the next financial year.
- (6) **Submission of returns:** An employer shall furnish to the concerned Career Centre (Regional) yearly returns in form EIR (Employment Information Return) as given at **Form-XXXX** Yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the respective State Government in notification, within thirty days of the due date namely 31st March of the year.
- (7) **Declaration of Executive Officer:**
 - (a) The Director of Employment or officer of his equivalent or above rank, controlling the work of Career Centres (Regional) of the respective State Government, will declare in writing an officer looking after the work of Career Centres (Regional) as “Executive Officer” for each District for the purpose of enforcement/implementation of Chapter XIII (Employment Information and Monitoring) of the Code. He shall be the officer who shall exercise the rights and perform duties referred to in Section 139 of the Code, or authorize any person in writing to exercise those rights and perform duties.
- (8) **Levy of penalty under the Chapter XIII of the Code:** The Director of Employment or an officer of equivalent or above rank, controlling the work of Career Centres (Regional) of the respective State shall be the Competent authority to approve institution or sanction the institution of levy of penalty for an offence under the Code as mentioned in Section 133.
- (9) **Issue of guidelines:** For implementation of provisions of Code on Social Security, 2020 relating to Chapter XIII and Rules thereof, the Central Government may issue detailed guidelines which may be supplemented further by the respective State Government as per local needs.

CHAPTER XII

MISCELLANEOUS

- 32. **Such other sources of funding and the manner of administering and expending of the Fund under sub-section (5) of Section 141.—**
 - (1) There shall be established by the State Government a Social Security Fund for the welfare of the unorganized workers in which there shall be credited the amount received from :-

- (i) wholly funded by the Central Government; or
- (ii) partly funded by the Central Government and partly funded by State Government;
- (iii) partly funded through contributions collected from the beneficiaries of the schemes or the employers as may be specified in the schemes by the Central Government;
- (iv) funded from any source including corporate social responsibility fund within the meaning of the Companies Act, 2013 (18 of 2013) or any other sources as may be specify in the scheme;
- (v) any grant or loan received from the Central Government;
- (vi) funded from State Government by Budget;
- (vii) other sources notified by the State Government.

The State Government may seek financial assistance from the Central Government for the schemes framed by it.

- (2) The schemes will be prepared for the unorganised worker registered as a beneficiary and its family by the Unorganized Workers Social Security Board with the prior approval of the State Government and the funds will be utilised under the notified schemes.

33. Time within which the State Board, shall forward its view to the appropriate Government under sub-section (1) Section 143.—The State Board, shall forward its views on the application seeking exemption under Section 143 of the Code to the appropriate government within six months of receipt of proposal for exemption. If the State Board is unable to provide its views within the said period, the appropriate Government may extend the time limit or take action on the application of exemption, as it may deem fit.

34. Conditions which the exempted establishment or the class of establishments or an employee or class of employees, as the case may be, shall comply with after such exemption under sub-section (2) of Section 143.—

- (1) The establishment to which exemption has been granted from the provision of Chapter IV of the Code:
 - (a) shall maintain such records regarding the exempted employees and submit such returns and other information to the Corporation as may be specified by the Central Government in the Regulations; and
 - (b) in case of change of legal status of an establishment which has been granted exemption under Section 143 of the Code, due to merger, demerger, acquisition, sale, amalgamation, formation into a subsidiary, whether wholly owned or not, etc. the exemption shall be deemed to be cancelled and the establishment shall be required to apply afresh for exemption, to the appropriate Government.

35. Terms and conditions for management.—(1) A Board of Trustees shall be established for the management of the provident fund or the pension fund according to such directions as may be given by the State Government or the Regional Provident Fund Commissioner, as the case may be, from time to time.

(2) The Board of Trustees shall consist of such equal number of representatives of the employers and employees, as may be specified in the provident fund scheme or the pension scheme, as the case may be.

(3) The employer of such exempted establishment shall be the Chairperson of the Board of Trustees and the Chairperson may exercise a casting vote or in an event of equality of votes. However, arm's length principles shall be maintained by the Chairperson in all meetings of the Board of Trustees.

(4) The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the State Government or the Regional Provident Fund Commissioner or any Officer authorized by him.

(5) The terms and conditions, including the tenure of office of the Trustees, the procedure and manner for election or nomination of the representatives of the employees and the employers to the Board of Trustees, disqualification and cessation of trusteeship, re-election or re-nomination of Trustees, the quorum at the meeting of the Board, records to be kept of the transaction of business and all such other matters and conditions for the management of the Trust shall be as provided for in the Provident Fund Scheme or the Pension Scheme, as the case may be.

(6) In case of any dispute or doubt on-

(a) The interpretation of any provision of this Rule, such matter shall be referred to the State Government; and

(b) Any clarifications on the grant of such exemption which does not relate to this Rule, shall be referred to the Regional Provident Fund Commissioner or any other officer of the Employees' Provident Fund Organization authorized by him;

And the interpretation of the State Government or the clarification of the Regional Provident Fund Commissioner or such officers, as the case may be, on such dispute or doubt shall be binding for the disposal of such matter so referred.

36. Supersession.—In exercise of the powers conferred by sub-section (1) of Section 154 read with sub-section (2) thereof, and sub-section (1) of Section 155 read with sub-section (2) thereof, of the Code on Social Security, 2020, the **Code on Social Security Meghalaya Rules, 2024 are in supersession of :-**

(i) The Assam Maternity Benefit Rules, 1965 as (Adapted from Assam) vide the Meghalaya Adaptation of Law and Order (No.1) 1974,

(ii) The Payment of Gratuity (Meghalaya) Rules, 1977 and

(iii) The Building and Other Construction Workers (Regulation of employment and conditions of Service) Rules, 2008 :

Provided that the said supersession shall not affect.-

(a) the previous operation of the said Rules or anything duly done or suffered thereunder, or

(b) affect any right, liability or obligation acquired, accrued or incurred under the said Rules.

FORM – I

(See Sub rule (10) of Rule 7)

In the Employers Insurance Court Act

A B (add description and residence)
Applicant

Against

C D (add description and residence)
Opposite party. Other particulars of the application specified in rule 13
.....

Date

.....
Signature of the applicant

(Verification by the Applicant)

The statement of facts contained in this application is, to the best of my knowledge and belief, true and correct.

Date

.....
Signature of the applicant

FORM – II
(See Sub rule (11) of Rule 7)

List of documents produced by applicant/ Opposite party (Title), eg. Description, Subject, Name of the court, no. etc.

No.	Description of document	The date which the document bears	Signature of the party or pleader or any authorized representative.
(1)	(2)	(3)	(4)

FORM – III

(See Sub rule (12) of Rule 7)

Register of Proceedings

Employees’ Insurance Court at Register of Proceedings in the year 20

Date of presentation of application	No. of Proceedings	Name	Application description	Place of residence
1	2	3	4	5

Name	Opposite party Description	Place of residence	Particulars	Claim Amount of Value, if any	When the cause of action arise
6	7	8	9	10	11

Day for the parties to appear	Appearance of applicant	Opposite party	Date	Final Order For whom	For what of amount
12	13	14	15	16	17

<u>Appeal</u>				<u>Execution</u>			<u>Other</u>
Date of description of appeal, if any	Judgement of appeal	Date of application	Against whom	For what & amount of money	Amount of cost	Date of order transferring to another Civil Court of .....at	Remark if any
18	19	20	21	22	23	24	25

FORM – IV

(See Sub rule (15) of Rule 7)

Summons for disposal of proceedings (Title)

To,

.....

(Name, description and place of residence).

Whereas Has instituted proceeding against you for You are hereby summoned to appear in this Court in person or by authorized agent duly instructed and able to answer all material questions relating to the case or who shall be accompanied by some person able to answer all such questions at O' clock in the Noon on the Day of 20, to answer the claim, and the day fixed for your appearance is appointed for the final disposal of the proceedings, you must be prepared to produce on that day all the witnesses, upon whose evidence and all the documents, upon which you intend to rely in support of your defence.

Taken notice, that, in default of your appearance on the above mentioned, the case will be heard and decided in your absence.

Given under my hand and the seal of the Court, on this Day of 20.

Notice 1. – If you apprehend that your witnesses will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness to produce, on applying to the Court and on depositing the necessary expenses.

2. If you admit the claim, you should pay the money into Court together with the cost of the proceedings, to avoid execution of the decree which may be passed against you in person or property or both.

FORM – V
(See Sub rule (15) of Rule 7)
Summons for Settlement of issues

To,

.....

(Name, description and place of residence).

Whereas has instituted proceeding against you for You are hereby summoned to appear in this Court in person or by authorized agent duly instructed and able to answer all material questions relating to the proceedings or who shall be accompanied by some person able to answer such questions at O' clock in the noon on the day of 20, to answer the claim, and you are directed to produce on that day all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the above mentioned, the case will be heard and decided in your absence.

Given under my hand and the seal of the Court on this day of 20.

Court

Notice 1. – If you apprehend that your witnesses will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness and production of any document that you have a right to call on the witness to produce, on applying to the Court and on depositing the necessary expenses.

2. If you admit the claim, you should pay the money into the Court together with the cost of the suit, to avoid execution of the decree, which may be passed against you in person or property or both.

FORM – VI

(See Sub rule (23) of Rule 7)

Subject-Application for setting aside the Ex-parte order

The above named states as follow :-

(Ground of Application should be stated)

Date

.....

Signature of the applicant

(Verification by the Applicant)

The statement of facts contained in the application is, to the best of my knowledge and belief, true and correct.

Date

Place

.....

Signature

FORM – VII

(See Sub rule (23) of Rule 7)

Central Form

(Title)

To,

Whereas the above named has made application to this You are hereby ordered to appear in the Court in person or by a pleader duly instructed at O' clock in the Noon, on the Day of 20, to show cause against the application, failing wherein, the said application will be heard and determined ex-parte.

Given under my hand and the seal of the Court on this day of 20.

COURT

FORM – VIII
(See Sub rule (24) of Rule 7)
Summons to witness
(Title)

Whereas, your attendance is required to on behalf of the in the above proceedings, you are hereby required (personally) to appear before this Court on the Day of 20 at O' clock in the Noon and to bring with you (or to send to this Court)

A sum of Rs.as your travelling and the other expenses and subsistence allowance for one day is deposited with this Court and will be tendered to you on the day you appear before the Court. If you fail to comply with this order without lawful excuse, you will be subject to the consequence of non-attendance laid down in rule 12 of order XVI of the Code of Civil Procedure, 1908 (V of 1908).

Given under my hand and the seal of the Court, on this day of 20.....

COURT

Notice 1. – If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

2. If you are detained beyond the day aforesaid, a sum of Rs will be tendered to you for each day's attendance beyond the day specified.

FORM – IX
(See Sub rule (37) of Rule 7)
Decree in case
Claim for relief

This case coming on this day of final disposal before in the presence of for the applicant and of for the opposite party, it is ordered and decreed the and that the sum of Rs. be paid by the to the On account of the costs of this suit with interest thereon at the rate of Percent per annum from this date to the date of realization.

Given under my hand and the deal of the Court, on this day of 20.

Costs of Suits

Rs. Paise	Rs. Paise
Stamp for application	Stamp for power
Stamp for power	Stamp for written statement
Stamp for exhibits	Pleader's fee
Pleader's fee	Subsistence for witness
Subsistence for witness	Service of summons and Notices
Competent authority's fee	Competent authority's fee
Service of summons and Notices	
Total	Total

FORM – X
(See Sub rule (39) of Rule 7)
Application for the Execution of Decree

In the Court of Decree Holder, hereby apply for execution of the decree herein below set forth.

Number of Proceedings	Name/s of Party/ Parties	Date of decree	Whether any appeal preferred from decree	Payment of adjustment made, if any
1	2	3	4	5
	A.B. Opposite party			

Previous application, if any with date and result	Amount with interest due upon the decree or other relief granted thereby together with particulars of any cross decree	Amount of costs if any awarded	Against whom to be executed
6	7	8	9
		As awarded RS P Decree Subsequently incurred ... Total	Against the opposite party C.D.

Mode in which the assistance of the Court is required	I pray that the total amount of Rs. (together with interest on the principal sum unto date of payment) and the cost of taking out this execution be realized by attachment and sale of the opposite party's movable property as per annexed list and paid to me.
9	10
	(When attachment and sale of immovable property sought) I pray that the total amount of Rs. (together with the interest on principal sum up to date of payment) and the cost of taking out this execution be realised by attachment and sale of the opposite party's movable property specified at the foot of this application and paid to me

I, Declare that, what is stated herein, is true to the best of my knowledge and belief.

Date the Day of 20.

Signature.....
Decree holder

FORM-XI

[See sub rule (1), (2), (3) and (4) of Rule 10]

Nomination/ Fresh Nomination/Modification of Nomination

(Strike out the words not applicable)

To

(Give here name or description of the establishment with full address)

I, Shri/ Shrimati/ Kumari (Full Name) whose particulars are given in the statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of Section 2 of the Code on Social Security, 2020 with effect from the (date here) in the manner indicated below and therefore nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

or

I, Shri/ Shrimati/ Kumari (Full Name) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date and recorded under your reference nodated shall stand modified in the following manner-

**Strike out unnecessary portion.*

2. I, hereby, certify that the person(s) mentioned is/are a member(s) of my family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020.

3. I, hereby, declare that I have no family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020.

4 (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

5. I have excluded my husband from my family by a notice dated the to the Competent authority in terms of clause (33) of section 2 of the Code on Social Security, 2020.

6.Nomination made herein invalidates my previous nomination.

Nominee (s)

S.No	Full Name with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1. 2. 3. So on				

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being rendered dependent or through other process like adoption)

Statement

1. Name of employee in full:
2. Sex:
3. Religion:
4. Whether unmarried/married/widow/widower:
5. Department/Branch/Section, where employed:
6. Post held with Ticket no. or Serial no., if any:
7. Date of appointment:
8. Permanent address:

Village Thana Sub-
division Post-Office
Pin-Code District State
E-mail ID Mobile Number
Place:
Date:

Signature/Thumb-impression of the Employee

Certificate by the Employer

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's Reference no., if any

Signature of the employer/Officer authorised
Designation

Date: Name and address of the establishment or rubber stamp thereof.

Acknowledgement by the Employee

Received the duplicate copy of nomination in Form-XI filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM-XII

[See sub rule(1) of Rule 11]

Application for Gratuity by an Employee/Nominee/Legal Heir

(Strike out the words not applicable)

To,

(Give the name or description of the establishment with full address)

Sir/ Madam,

I,(name of employee/nominee/legal heir)
/nominee of late (Name of the employee)/ as a
legal heir of late (Name of the employee), beg
to apply for payment of gratuity to which I am entitled under sub-
section (1) of Section 53 of the Code on Social Security, 2020 on account of-
(a) my superannuation/retirement/resignation after completion of
not less than five years of continuous service/total
disablement due to accident/total disablement due to disease/
on termination of contract period under fixed term
employment with effect from theor
(b)death of the aforesaid employee while in service/ superannuation on
.....aftercompletion of years of service/total disablement of
the aforesaid employee due to accident or disease while in service with
effect from the or;

(c) death of aforesaid employee of your establishment while in service/superannuation on(date) without making any nomination after completion ofyears of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from

Necessary particulars relating to my appointment are given in the statement below.

1. Name of employee, in full, (if, the gratuity is claimed by an employee)
 - a. Marital status of employee(unmarried/married/ widow/widower)
 - b. Full address of employee

or

2. Name of nominee/legal heir, (if the gratuity is claimed by nominee/legal heir)
 - a. Name of Employee
 - b. Marital status of nominee/ legal heir(unmarried/ married/ widow/widower)
 - c. Relationship of nominee/legal heir with the employee
 - d. Full address of nominee/legal heir
 - e. Date of death and proof of death of the employee
 - f. Reference No. of recorded nomination, if available
3. Department/Branch/Section where last employed
4. Post held by employee.
5. Date of appointment.
6. Date and cause of termination of service
7. Date of Death
8. Total period of service of the employee
9. Total wages last drawn by the employee.
- 10.Total gratuity payable to the employee/ share of gratuity claimed by a nominee/legal heir.
- 11.Payment may please be made by crossed bank cheque/credit in my bank account no

Yours faithfully,
Signature/Thumb-impression of the
applicant employee/nominee/legal heir.

Place:
Date:

To,
.....

(Name and address of the applicant employee/nominee legal heir)

You are hereby informed that,

(a) *as required under sub-clause (ii) of clause (a) of sub-rule (2) of Rule 11 of the Code on Social Security Meghalaya Rules, 2024, that your claim for payments of gratuity as indicated on your application in **Form-II** under the said rules is not admissible for the reasons stated below:

Reasons(Here specify the reasons); or

(b) *as required under sub-clause (i) of clause (a) of sub-rule (2) of Rule 11, the Code on Social Security Meghalaya Rules, 2024 that a sum of Rs.....(Rupees.....) is payable to you as gratuity/as your share of gratuity in terms of nomination made byOn.....and recorded in thisas a legal heir of an employee of this establishment.

2.*Please call atOn(Here specify place) (date) at(time) for collecting your payment of gratuity crossed cheque.

3. Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.

4. Brief statement of calculation

(a) Date of appointment.

(b)Date of termination/ superannuation/ resignation/disablement/ death.

(c)Total period of service of the employee concerned:.....years months.

(d) Wages last drawn:

(e)Proportion of the admissible gratuity payable in terms of nomination/ as a legal heir:

(f) Amount payable:

**strike out para, if not applicable*

Place:

Date:

Signature of the
Employer/authorised officer.
Name or description of establishment or
rubber stamp thereof.

Copy to: The Competent authority in case of denial of gratuity.

FORM-XIV

[See sub-rule (4) of Rule 11]

**Application for Direction before the Competent authority for
Gratuity under Chapter V of the Social Security Code, 2020**

Application No.

Date

BETWEEN

(Full name of the applicant with full address)

AND

(Full name of the employer concerned with full address)

The applicant is an employee of the above-mentioned employer/a nominee of latean employee of the abovementioned employer/a legal heir of lateand employee of the above-mentioned employer and is entitled to payment of gratuity under Section 53 of the Code on Social Security, 2020 on account of his own/ aforesaid employee's superannuation on(date) /his own retirement/ aforesaid employees' resignation on(date)completion of years of continuous service/his own/aforesaid employees' total disablement with effect from..... (date)due to accident/disease death of aforesaid employee on

2. The applicant submitted an application under the Code on Social SecurityMeghalayaRules,2024on the.....but the above mentioned employer refused to entertain it/issued a notice dated theunder clause.....of sub-rule of ruleoffering an amount of gratuity which is less than my due/issued a notice dated the under clauseof sub-ruleof rulerejecting my eligibility to payment of gratuity. The duplicate copy of the said notice is enclosed.

3. The applicant submits that there is a dispute on the matter (specify the dispute).

4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above-mentioned employer to pay the same to the petitioner.

5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Date:

Signature/Thumb impression of the applicant.

ANNEXURE

1. Full Name of applicant with full address
2. Basis of claim(Death/ Superannuation/ Retirement/ Resignation/ Disablement of Employee/Completion of contract period under Fixed Term Employment)
3. Name and address in full of the employee
4. Marital status of the employee(unmarried/married/widow/widower)
5. Name and full address of the employer

6. Department/Branch/Section where the employee was last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any (if known)
8. Date of appointment of the employee (if known)
9. Date and cause of termination of service of the employee (Superannuation / retirement / resignation/disablement / death/ Completion of contract period under Fixed Term Employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, no. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant

Place:

Date:

Signature/Thumb-impression of the applicant

FORM- XV

[(See Sub rule (5) and (8) of Rule 11]

Notice for Appearance before the Competent Authority/Summon

(Strike out the words not applicable)

To,

(Name and address of the employer/applicant)

Whereas, Shri..... an employee under you/a nominee(s)/ legal heir(s) of Shri An employee under the above-mentioned employer, has/have filed an application under the Code on Social Security Meghalaya Rules, 2024 alleging that---

(A copy of the said application is enclosed, if summon is issued then copy of application is not required)

Now, therefore, you are hereby called -upon/summoned to appear before the Competent authority at (place) either personally or through a person duly authorized in this behalf for the purpose of answering all material questions relating to the application on theday of20.....at 'O' clock in the forenoon/afternoon in support of/to answer the allegation and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence and the documents upon which you intend to rely in support of your allegation/ defence.

Take notice that in default of your appearance on the date mentioned, the application will be dismissed/heard and determined in your absence.

Whereas, your attendance is required to give evidence/you are required to produce the documents mentioned in this list below, on behalf of in the case arising out of the claim for gratuity byFormand referred to this authority by an application under Section 56 of the Code on Social Security, 2020, you are hereby summoned to appear personally before this authority on theday of20At..... 'O'clock in the forenoon/afternoon and to bring with you to send to this authority) the said documents.

List of documents-

- 1.
- 2.
3. so on

Given under my hand and seal, thisday of20...

Competent authority
under the Code, 2020

- Note:
1. Strike out the words and paragraphs if not applicable.
 2. The portion not applicable to be deleted.
 3. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the persons served before the date fixed.
 4. In case the summon is issued only for producing a document and not given evidence it will be sufficient compliance to the summons if the documents are caused to be produced before the Competent authority on the day and hour fixed for the purpose.

FORM - XVI

[See sub rule (11) and (12) of Rule 11]

**Notice for Payment of Gratuity as Determined by
Competent/Appellate authority**

(Strike out the words if not applicable)

To,
(Name and address of employer)

1. Whereas, Shri/ Smt. / Kumariof an Employee.....(address) under you/a nominee(s) /legal heir(s) of late.....an employee under you, filed an application under Section 56 of the Code on Social Security, 2020, before me; or

Whereas, a notice was given to you on requiring you to make payment of Rsto Shri/ Smt./ Kumari.....as gratuity under the Code on Social Security 2020.

2. And whereas, the application was heard in your presence onand after the hearing have come to the finding that the said Shri/Smt./Kumariis entitled to a payment of Rsas gratuity under the Code on Social Security 2020; or

Whereas, you/the applicant went in appeal before the appellate authority who has decided that an amount offis due to be paid to Shri/Smt./Kumarias gratuity due under the Code on Social Security , 2020.

Now, therefore, I hereby, direct you to pay the said sum of Rs.. To Shri/ Smt./Kumariwithin thirty days of the receipt of this notice.

Given under my hand and seal, this day of _ 20

Competent authority
Under the Code, 2020

Copy to:

1. The Applicant is advised to contact the employer for collecting payment.
2. The Appellate authority, if applicable.

Note.---(*Strike out paragraphs if not applicable*)

FORM - XVII
[See Sub rule (13) of Rule 11]

Application for Recovery of Gratuity before the Competent authority of Chapter V under the Social Security Code, 2020

Application No.

Date

BETWEEN

(Full Name of the applicant with full address)

AND

(Full Name of the employer/Trust/Insurer concerned with full address)

1. The applicant is an employee of the above-mentioned employer/a nominee of late.....

an employee of the above mentioned employer/a legal heir of late an employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice dated the.....under the Code on Social Security Meghalaya Rules, 2024 for payment of a sum of Rs as gratuity payable under the Code on Social Security , 2020.

2. The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you although I approached him for payment.

3. The applicant therefore prays that a certificate may be issued under Section 129 of the Code for recovery of the said sum of Rs.due to me as gratuity in terms of your direction.

Signature/Thumb-impression of applicant.

Place:

Date:

Note.—Strike out the words if not applicable.

FORM - XVIII

[See clause (a) of sub rule (1) of Rule 13]

Complaint to the Inspector-cum-Facilitator

To,
The Inspector-cum-Facilitator
(Under The Code on Social Security, 2020)

Sir,

I(Name of woman) employed in(name and full address of the establishment) or I(name), a person nominated under section 72 by or a legal representative of.....(name of woman)employed in(name and full address of the establishment)having fulfilled the conditions laid down in the Code on Social Security, 2020and the Rules thereunder, am entitled to Rs being maternity benefit and/ or Rs.....being the medical bonus and/ or Rs.....being wage's for leave due under Section 65 but the same has been improperly withheld by the employer/discharged or dismissed during or on

account of her absence from work in accordance with the provisions of Chapter VI of the Code on Social Security, 2020.

You are therefore requested, to direct the employer to pay the amount to me/ to set aside the discharge or dismissal done by the employer.

Signature or thumb impression of the Woman/
nominee/ legal representative

Date.....

Signature of an Attester in case the woman/
nominee/ legal representative is
unable to sign and affixes thumb impression.
Full address of the women/nominee/legal representative.

FORM-XIX

Appeal

[See Clause (b) of sub rule (2) of Rule 13]

To,

The Authority,

(Appointed under the Code on Social Security, 2020)

.....(Address)

Sir,

I,the undersigned, woman employee of (name and full address of the establishment)

*Feel aggrieved by the order of Inspector-cum-Facilitator under sub section (2) of Section 72 for the reasons attached hereto, prefer this appeal under sub-section (2) of Section 68 and request that the said employer be ordered to pay the above mentioned amount to me. A copy of the order of Inspector-cum-Facilitator cum Facilitator in this behalf is enclosed; or

*Shri/Smti.....,Inspector-cum-Facilitator, having directed under sub-section(2) of Section72 to pay the maternity benefit or other amount

being(nature of amount) to which(name of woman) is said to be entitled/to set aside my discharger dismissal during or on account of absence from work in accordance with the provisions of this Chapter V of the Code on Social Security, 2020 (Strike out unnecessary portion).

I prefer this appeal under sub-section (3) of Section 72. In view of the facts mentioned in the memorandum attached hereto and other documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the order of the Inspector-cum-Facilitator in the copy of which is enclosed, may be set aside.

*Strike out unnecessary portion.

Signature or thumb impression of the Women/ Aggrieved person

Date

.....

Signature of an Attester in case the woman is
Not able to sign and affixes thumb impression.
Full address of the nominee/ legal representative

Form XX
[See Rule 16]
Notice Book of Accidents

- Name of the Establishment
- Nature of Business
- Date of opening
- Registration no (if any)
- Name of the employer/ occupier
- (a) Date of accidents:
- (b) Short details of Accident:
- (c) Name of the injured person.:
- (d) Whether the accident resulted in death:
- (e) Whether the accident resulted in total disablement:
- (f) Whether the accident resulted in partial disablement
- (g) Whether the accident resulted in temporary disablement:
- (h) Amount of compensation paid to employee or his dependant:
- (i) Amount of compensation deposited to Competent authority:
- (j) Date of payment or deposit of Compensation:

Form XXI
[See Sub rule (1) of Rule 18]
Statement of Fatal Accidents

To,
Competent authority,
.....

Sir,

1. I have the honor to submit the following statement of an accident which occurred in (date), at (Here enter details of premises) and which resulted in the death of the employee/ employees of whom particulars are given in the statement annexed.
2. The circumstances relating to the death of the employee/ employees were as under:-
 - (a) Time of Accident
 - (b) Brief History of Accident
 - (c) Place where the accident occurred.
 - (d) Manner in which deceased was / were employed at the time.
 - (e) Cause of the accident.
 - (f) Accident reported at the local police station (Copy of FIR if any) (Y/N)
 - (g) Any Other Relevant Information.
3. I am responsible for payment of compensation.
4. Details of employee

 - (a) Name of the employee
 - (b) Age of the employee
 - (c) Wages of the employee

5. The establishment is not responsible for payment of compensation due to reasons mentioned below

.....

(Signature and designation of person making the statement)

Name:
Mobile No:
Address:

Form XXII
[See Sub rule (2) of Rule 18]

1. In reply to your notice, dated 20.... which was received by me on the 20, it is submitted that (1) residing at/ workmen over/ under 15 years of age and whom I employed in (2) met with an accident on the 20 as a result of which he died on the 20 The monthly wages of the deceased amounted to Rs
2. The circumstances in which the deceased met his death were as follows :-
.....
.....
3. I admit liability to pay as compensation on account of the deceased's death the amount of Rs which was/ will be deposited with you on or before the 20
4. I disclaim liability to pay compensation on account of the deceased's death on the following grounds :-

- (1) Insert name of workman
- (2) Insert name of establishment

.....
Employer

Form XXIII

[See sub rule (1) of Rule 19]

Memorandum of Agreement

It is hereby submitted that on the day of 20 personal injury was caused to residing at by accident arising out of and in the course old employment in The said injury has resulted in temporary disablement to the workman whereby it is estimated that he will be prevented for earning more than of his previous wages for a period of month. The said workman has been in receipt of half- monthly payment which have continued from the day of 20 Until of 20 amounting to Rs in all.

The said workmen’s monthly wages are estimated at Rs The workman is over the age of 15 years/ will reach the age of 15 years on It is further submitted that the employer of the said workman has agreed to pay and the said workman has agreed to accept the sum of Rs.

..... in full settlement of all and every claim under the Social Security Code 2020, in respect of all disablement of a temporary nature arising out the said accident, whether not or hereafter to become manifest. It is, therefore, requested that this memorandum be duly recorded.

Date 20.....

Signature of employer

Witness

Signature of Workman

Witness

Note – An application to register an agreement can be presented under signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible (Receipt to be filled in when the money has actually been paid). In accordance with the above agreement, I have this day received the sum of Rs

Date20

Workman

The money has been paid and this receipt is signed in my presence.

Witness.....

Form XXIV
[See sub rule (1) of Rule 19]
Memorandum of Agreement

It is hereby submitted that on theday of20personal injury was caused toresiding atby accident arising out of and in the course of his employment in The said injury has resulted in permanent disablement to the said workman of the following nature, namely, the said workman's monthly wages are estimated at Rs

The workman is over the age of 15 years/ will reach the age of 15 years on Rs..... onRs on

It is further submitted thatthe employer of the said workman, has agreed to pay, and the said workman has agreed to accept the sum or Rs in full settlement of all and every claim under the Social Security Code 2020, in respect of the disablement stated above and all disablement now manifest. It is, therefore, requested that this memorandum be duly recorded.

Date.....20.....

Signature of the employer

Witness

Signature of Workman

Witness

Note – An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt

[To be filled in when the money has actually been paid]

In accordance with the above agreement, I have this day received the sum of Rs..... on

Date20

.....

Workman

The money has been paid and this receipt is signed in my presence.

.....

Witness

Form XXV

[See sub rule (1) of Rule 19]

Memorandum of Agreement

It is hereby submitted that on the day of 20 ... personal injury was caused to residing at by accident arising out of and in the course of employment in

The said injury has resulted in temporary disablement to the said workman who is at present in receipt of wages amounting to Rs per month no wages. The said workman’s monthly wages prior to the accident are estimated at Rs

The workman is subject to a legal disability by reason of

It is further submitted that the employer of the workman has agreed to pay and on behalf of the said workman has agreed to accept half-monthly payments at the rate of the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with the provisions of the said Code on account of an alteration in the earnings of the said workman during disablement. It is further stipulated that all rights of communication under sub section (3) of Section 93 of the Code on Social Security, 2020 are unaffected by this agreement. It is, therefore, requested that this memorandum be duly recorded.

Date 20

Signature of employer

Witness

Signature of Workman

Witness

Note – An application to register an agreement can be presented under the signature of one party provided that the other party has agreed to the terms, but both signatures should be appended whenever possible.

Receipt

[To be filled in when the money has actually been paid]

In accordance with the above agreement, I have received the sum of Rs on Date 20

.....

Workman

The money has been paid and this receipt is signed in my presence.

.....

Witness

Form XXVI

[See clause (i) of sub rule (2) of Rule 19]

Whereas, an agreement to pay compensation is said to have been reached between and whereas has/ have applied for registration of the agreement under Section 89(1) of the Code on Social Security, 2020, notice is hereby given that the said agreement will be taken into consideration on 20 and that any objections to the registration of the said agreement should be made on that date. In the absence of valid objections it is my intention to proceed to the registration of the agreement.

.....
Competent authority.

Form XXVII

[See clause (iii) of sub rule (2) of Rule 19]

Take notice that registration of the agreement to pay compensation said to have been reached between you and on the 20 has been refused for the following reasons :-

.....
.....
.....
.....

Date 20

.....
Competent authority.

Form XXVIII

[See clause (ii) of sub rule (3) of Rule 19]

Whereas an agreement to pay compensation is said to have been reached between and..... and whereas has/have applied for registration of the agreement under Section 89(1) of the Code on Social Security, 2020, and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely:-

.....
.....

An opportunity will be afforded to you of showing cause on why the said agreement should be registered. If no adequate cause is shown on that date the registration of the agreement will be refused.

Date 20 ...

.....
Competent authority.

Form XXIX

[See clause (ii) of sub rule (3) of Rule 19]

Whereas an agreement to pay compensation is said to have been reached between and and whereas has / have applied for registration of the agreement under Section 89(1) of the Code on Social Security, 2020, and whereas it appears to me that the said agreement ought not be registered for the following reasons, namely :-

.....

.....
 An opportunity will be afforded to the said for showing cause on
 20 why the said agreement should be registered. Any
 representation which you have to make with regard to the said agreement should be
 made on that date. If adequate cause is then shown, the agreement may be registered.
 Date 20

.....
 Competent authority.

Form XXX

[See sub rule (5) of Rule 19]

Register of Agreements for the Years, 20

Serial No.	Date of agreement	Date of registration

Employer	Workman	Initials of Competent authority	Reference to orders rectifying the register

Form XXXI

[See sub rule (2) of Rule 22]

Application for Compensation by Workmen

To,

The Competent authority for Workmen's Compensation

.....

.....

.....Residing at..... Applicant

Versus

.....Residing at..... Opposite party.

It is hereby submitted that :-

(1) The applicant, a workman employed by (a contractor with) the opposite party on the day of 20 received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary languages the cause of the injury)

(2) The applicant sustained the following injuries, namely :-

(3) The monthly wages of the applicant amount to Rs the applicant is over/ under the age of 15 years.

*4) (a) Notice of the accident was served on the day of

(b) Notice was served as soon as practicable

(c) Notice of the accident was not served (on due time) by reason of

(5) The applicant is accordingly entitled to receive-

(a) Half-monthly payments of Rs from the Day of 20 to

(b) A lump-sum payment of Rs

(6) The applicant has taken the following steps to secure a settlement by agreement, namely but it has proved impossible to settle the question in dispute because

*You are therefore, requested to determine the following questions in dispute, namely:-

(a) Whether the applicant is a workman within the meaning of the Code

(b) Whether the accident arose out of or in the course of the applicant's employment

(c) Whether the amount of compensation claimed in due, or any part of that amount

(d) Whether the opposite party is liable to pay such compensation as is due

(e) etc., (as required)

Date 20

.....
Applicant.

*Strike out of the clauses which are not applicable.

Form XXXII

[See sub rule (2) of Rule 22]

Application for order to Deposit Compensation

To,

The Competent authority for Workmen's Compensation

.....

.....

.....Residing at.....

Applicant

versus

.....Residing at.....

Opposite party.

It is hereby submitted that :-

(1) a workman employed by (a contractor with) the opposite party on the day of 20 received personal injury by accident arising out of and in the course of the employment resulting in his death on the day of 20 The cause of the injury was (here insert briefly in ordinary language the cause of the injury)

(2) The applicant(s) is/ are dependent(s) of the deceased workman being his

(3) The majority wages of the deceased amount to Rs

The deceased was under/ over the age of 15 years at the time of his death.

(4) (a) Notice of the accident was served on the day of

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of

.....

(5) The deceased before his death received as compensation the total sum of Rs

(6) The applicant(s) is/ are accordingly entitled to receive a lump-sum payment of Rs

You are, therefore, requested to award to the applicant the said compensation or any other compensation to which he may be entitled.

Date..... 20

.....

Applicant.

**Strike out of the clauses which are not applicable.*

Form XXXIII

[See sub rule (2) of Rule 22]

Application for Communication

To,

The Competent authority for Workmen's Compensation

.....

.....

.....Residing at.....

Applicant

.....Residing at..... Opposite party.

It is hereby submitted that :-

(1) The applicant/ opposite party has been in receipt of half-monthly payments from to In respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The opposite party is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

You are therefore requested to pass orders :-

(a) directing that the right to receive half-monthly payments should be redeemed.

(b) fixing a sum for the redemption of the right to receive half-monthly payments.

Date 20

.....
Applicant.

Form XXXIV

[See clause (i) of sub rule (19) of Rule 22]

Notice

Whereas a claim for compensation has been made by applicant, against and the said has claimed that you are liable under Section 93(3)(4) of the Code on Social Security, 2020, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim. You are hereby informed that you may appear before me on and contest the claim for compensation made by the said applicant or the claim for indemnity made by the opposite party. In default of your appearance you would be deemed to admit the validity of any award made against the opposite party and your liability to indemnify the opposite party for any compensation recovered from him.

Date 20

.....
Competent authority

Form XXXV

[See clause (iv) of sub rule (19) of Rule 22]

Notice

Where a claim for compensation has been made by applicant, against and the said has claimed, that is liable under Section 93 (3) (4) of the Code on Social Security, 2020, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, and whereas the said on notice served has claimed that you stated to him in the relation of a contractor from whom the applicant could have recovered compensation you are hereby informed that you may appear before me on And contest the claim for compensation made by the said applicant or the claim for

indemnity made by the opposite party In default of your appearance you will be deemed to admit the validity of any award made against the opposite party. and your liability to indemnify the opposite party for any compensation recovered from him :-

Date..... 20

.....
Competent authority

FORM - XXXVI

[See sub rule (1) of Rule 29]

REGISTER OF WOMEN EMPLOYEES

Name of establishment

1. Serial Number:
2. Name of woman and her father's (or, if married, husband's) name:
3. Date of appointment:
4. Nature of work:
5. Dates with month and year in which she is employed, laid off and not employed:

Month	No. of days employed	No. of days laid off	No. of days not employed	Remark
a	b	c	d	e

--	--	--	--	--

6. Date on which the woman gives notice under Section 62:
7. Date of discharge/dismissal, if any:
8. Date of production of proof of pregnancy under Section 62:
9. Date of birth of child.
10. Date of production of proof of delivery/miscarriage/Medical Termination of pregnancy/ tubectomy operation /death/ adoption of child.
11. Date of production of proof of illness referred to in Section 65.
12. Date with the amount of maternity benefit paid in advance of expected delivery.
13. Date with the amount of subsequent payment of maternity benefit.
14. Date with the amount of bonus, if paid, under Section 64.
15. Date with the amount of wages paid on account of leave under Section 65(1) & 65(3).
16. Date with the amount of wages paid on account of leave under Section 65(2) and period of leave granted.
17. Name of the person nominated by the woman under Section 62.
18. If the woman dies, the date of her death, the name of the person to whom maternity benefits and/or other amount was paid, the amount thereof, and the date of payment.
19. If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for which it was paid.
20. Signature of the employer of the establishment authenticating the entries in the register of women employees.
21. Remarks column for the use of the Inspector-cum-Facilitator.

FORM XXXVII

[See sub rule (3) of Rule 29]

Unified Annual Return

A. General Part:

- (a) Name of the establishment
- Address of the establishment:
House No./Flat No Street No./Plot No
- TownDistrictState"
.....pin code
- (b) Name of the employer
- Address of the employer:
House No./Flat No Street No./Plot No

TownDistrictState"

..... pin code

E-mail IDTelephone

Number Mobile number

- (c) Name of the manager or person responsible for supervision and control of establishment:

.....
.....

Address:

House No./Flat NoStreet No./Plot

No

TownDistrictState

E-mail ID Telephone

Number Mobile number...

B. Employer's Registration/License number under the Codes mentioned in column (2) of the table below:

S. No.	Name	Registration		If yes (Registration No.)
(1)	(2)	(3)		(4)
01.	The Code on Occupational Safety Health and Working Conditions Code 2020.			
02.	The Code on Social Security 2020.			
03.	Any other Law for the time being in force.			

C. Details of Employer, Contractor and Contract Labour:

01.	Name of the employer in the case of a contractor's establishment	
02.	Date of commencement of the establishment.	
03.	Number of Contractors engaged in the establishment during the year.	
04.	Total Number of days during the year on which Contract Labour was employed.	
05.	Total Number of man-days worked by Contract Labour during the year	
06.	Name of the Manager of Agent (in case of mines).	
07.	Address House No./ Flat No. Street/ Plot No. Town District State Pin Code E-mail ID Telephone Number Mobile Number	

D. Working hours and weekly rest day:

01.	Number of days worked during the year.	
-----	--	--

02.	Number of mandays worked during the year.	
03.	Daily hours of work.	
04.	Weekly day of rest.	

E. Maximum number of persons employed in any day during the year:

Sl. No.	Males	Females	Adolescents (between the age of 14 to 18 years.)	Children (below 14 years of age.)	Total

F. Wage rates (Category Wise):

Category of Wages	Rates of Wages	No. of workers								
		Regular				Contract				
		Male	Female	Children	Adolescent	Male	Female	Children	Adolescent	
Highly Skilled										
Skilled										
Semi-skilled										
Unskilled										

G. (a) Details of Payments:

Gross wages paid		Deductions			Net wages paid	
In cash	In kind	Fines	Deductions for damage or loss	Others	In cash	In kind

(b) Number of workers who were granted leave with wages during the year:

Sl. No.	During the year	Number of workers	Granted leave with wages

H. Details of various welfare amenities provided under the statutory schemes:

Sl. No.	Nature of various welfare amenities provided	Statutory (Specify the statute)

I. Maternity Benefit under the Social Security Code , 2020:

(a) Details of establishments, medical and para-medical staff:

01.	Date of opening of establishment	
02.	Date of closing, if closed	
03.	Name of Medical Officer	
03(i)	Qualification of Medical Officer	
03(ii)	Is Medical Officer present (at the mines or circus) ?	
03(iii)	If he is a part time doctor, how often does he/ she pay visit to	

	establishment ?		
03(iv)	Is there any Hospital?		
03(v)	If so, how many beds are provided?		
03(vi)	Is there a lady Doctor?		
03(vii)	If so, what is her qualification?		
03(viii)	Is there a qualified mid-wife?		
03(ix)	Has any crèche been provided?		

(b) Leave Granted under the Social Security Code, 2020

01.	Total number of female employees in the establishment	
02.	Total number days of leave granted	
03.	Number of employees granted maternity leave/benefited by ESI	

Declaration

It is to certify that the above information is true and correct and also I certify that I have complied with the all provisions of Labour Laws applicable to my establishment.

Place

Date

Sign. Here

FORM-XXXVIII

[See sub rule (1)(2)(3) of Rule 30]

Notice to the Employer who committed an offence for the first time for compounding of offence under sub-section (1) of Section 138 of the Code on Social Security , 2020

Notice No

Date:

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment(Registration No), have committed offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations framed thereunder as per the details given below:-

PART - I

(See Rule 30)

1. Name of the Person:
2. Name and Address of the Establishment :
3. Registration No of the Establishment:
4. Particulars of the offence:
5. Provisions of the Code/ Scheme/ Rules/ Regulations under which the offence is committed:
6. Compounding amount required to be paid towards composition of the offence:
7. Name and Details of Account for

depositing the Amount specified in
Column 6:

PART –II
(See Rule 30)

In view of the above, you have an option to pay the above-mentioned amount within fifteen days from the date of issue of this notice and return the application duly filled in Part III of this notice.

In case the said amount is not paid within the specified time, necessary action for filing of prosecution shall be initiated without giving any further opportunity in this regard.

(Signature of the Compounding Officer)

Date:
Place:

PART - III
(See Rule 30)

**Application under sub-section (4) of Section 138 for
compounding of offence**

Ref: Notice No

Date:

The undersigned has deposited the entire amount as specified in Column 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.

1. Details of the compounding amount deposited (Copy of electronically generated receipt to be attached):
2. Details of the prosecution, if filed for the violation of above-mentioned offences may be given:
3. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then full details of the offence:
4. Any other information which the applicant desires to provide.

Signature of the applicant
(Name and Designation)

Dated:
Place:

PART - IV

Composition Certificate
[See Rule 30 (3)]

This is to certify that the offence under sub-sectionof section133 of the Code on Social Security, 2020,in respect of which Notice No. Dated: was issued to Sh(Applicant), the employer of (name and Registration Number of establishment) has been compounded on account of remission of full amount of Rs(Rupees.....) towards the composition of offences to the satisfaction of the said Notice.

(Signature)
Name and Designation of the Officer

Date:

Place:

FORM-XXXIX

[See clause (b) of sub-rule (3) of Rule 31]

Form for Reporting Vacancies to Career Centres

(Separate forms to be used for each type of posts)

1.	Particulars of the employer: Name: Address with pin code: Telephone No.: Mobile No.: Email address : Name &Type of Establishment (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under Code: Economic activity details:		
2.	Particulars of the indenting Officer: Name: Designation: Telephone No.: Mobile No.: Email address :		
3.	Particulars of vacancy(ies): (a) Designation/ nomenclature of the vacancy(ies) to be filled (b) Description of duties of the post (job role/ functional role)		
	(c) Qualifications/ Skills required (educational, technical, experience)	Essential	Desirable/ Preferable
	(i) Educational Qualifications		
	(ii) Technical Qualifications		
	(iii)Skills		

	(iv) Experience		
	(d) Age Limits, if any (Age as on last date of application)		
	(e) Preferences (such as Ex-servicemen, persons with disabilities, women, etc) if any		
	(f) Duration of employment (i) 3-6 months (ii) 6-12 months (iii) 12 months and more	Number of posts	
4.	Whether there is any obligation for arrangement of giving reservation/ preference to any category of persons such as Scheduled Caste (SC), Scheduled Tribe (ST), Economically Weaker Sections (EWS), Other Backward Classes (OBC), Ex-serviceman and persons with disabilities (PWDs), etc, in filling up the vacancies: Yes/No (if yes, give the number of vacancies to be filled by such categories of persons as detailed below)		
	Category	Number of vacancies to be filled	
5.	(a) Scheduled Caste (b) Scheduled Tribe (c) OBC (d) EWS (e) Ex-Servicemen (f) Persons with disabilities (PWDs) (g) Women (h) Others (specify)	Total	*By priority candidates *(Applicable for Central Government vacancies)
6.	Pay and Allowances: For Government vacancies: Mention pay level/ pay scale of the post with basic pay/ pay per month with other details if any For others: Mention minimum total emoluments per month with other details, if any.		
7.	Place of work (Name of the town/ village and district, pin code, etc. in which it is situated)		
8.	Mode of Application (email, online, in writing, etc) and Last date for receipt of applications.		
9.	Particulars of officer to whom the applications be sent/candidates should approach (Mention Name, designation, email id, address, telephone No., website address in case of online)		
10.	Mode of Recruitment (Through Career Centre,		
	Placement Agency, self management, any other mode (specify)		

11.	Would like to prefer submission of list of Eligible candidates registered with Career Centre	Yes/ No
12.	Any other relevant information	

Signature, Name & Designation of Authorised Signatory of establishment/ employer with seal & date

(For Official Use- to be filled by Career Centre)

13.	Name, address, email id of the Career Centre	
14.	Date of receipt of Vacancies	
15.	NIC Code of the establishment/	
16.	NCO Code of the post	
17.	Unique Vacancy ID (number)	

Signature, Name& Designation of Authorised Signatory of Career Centre with seal & date

NOTE:

1. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than 3 working days from the date of receipt of reporting of vacancies.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall be reported in writing or through valid official email or digitally (including through a portal) as the case may be, to the appropriate Career Centre.

Form-XXXX

[See sub-rule (6) of Rule 31]

Form of EIR (Employment Information Return)

Yearly Return to be submitted to the Career Centre (Regional) for the year ended

The following information is required to be submitted under the Code on Social Security, 2020 (Chapter XIII – Employment Information & Monitoring).

Name & Address of the Employer		
Whether – Head Office		
Branch Office Type of Establishment (Public/ Private Sector)		
Nature of business/ Principal activity		
Establishment Registration No. under the Code		
1. (a)Employment Total number of manpower of establishment including working proprietors/ partners/ contingent paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid).		
Category	On the last working day of the previous Year	On the last working day of the Year under report
MEN		
WOMEN		
OTHER (Transgender)		
TOTAL : PWDs (Persons with disabilities) out of above total		

(EIR-continued)

2. Number of vacancies* occurred and reported to Career Centre during the year and the number of vacancies filled during the year.				
Occurred	Reported		Filled	Source (Career Centre/ NCS Portal/ Govt. Recruiting Agencies/
	Career Centre (Regional)	Career Centre (Central)		

				Private Placement Organisations/ Others)
1	2	3	4	5

*As per provisions of code on Social Security, 2020 (Chapter XIII) and Rules made there under,

3. MANPOWER SHORTAGES:

Vacancies/ posts remained unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/ posts		
	Skill/ qualifications (educational / technical/ experience) prescribed	Essential	Desirable
1	2	3	4

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Required by Occupational Classification during the next calendar year (Please give below the number of employees in each occupation separately).

Occupation	Number of employees				
	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/ expansion or re-organisation.				
Description	Men	Women	Others (transgender)	Total	PWDs (persons with disabilities) out of total
1	2	3	4	5	6
*					
Total :					

* In the column (description) - Use exact terms such as Engineer (Mechanical), Assistant Director (Metallurgist); Research Officer (Economist); Supervisor (Tailoring), Inspector (Sanitary), Superintendent (Office), Manager (Sales), manager (Accounts), Executive (marketing), Data Entry Operator so on.

Signature, Name & Designation of Authorised Signatory
Of establishment/ employer with seal & date

To

The Career Centre,
.....

Note:- 1. This return is to be rendered to the Career Centre (Regional) within 30 days after the end of the financial year concerned by establishment/ employers vide their obligation under the Code on Social Security, 2020 (Chapter XIII-Employment of Information and Monitoring).

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/ employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the job seekers and connecting them with the employers. This is helpful in ascertaining the skill needs also, Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

By Order

(Shri. C. Songate, IRS),
Principal Secretary to the Government of Meghalaya,
Department of Labour, Employment & Skill Development.

DRAFT RULES
CHAPTER I
PRELIMINARY

1. Short Title and commencement.-

- (1) These rules may be called the Code on Wages Meghalaya Rules, 2024.
- (2) They shall extend to the whole State of Meghalaya
- (3) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions.-

- (1) In these rules, unless the context otherwise requires,—
 - (a) “Authority” means the authority appointed by the State Government under sub-section (1) of section 45 of the Code;
 - (b) “Appellate Authority” means the appellate authority appointed by the State Government under sub-section (1) of section 49 of the Code;
 - (c) “Appeal” means and appeal preferred under sub-section (1) of section 49 of the Code;
 - (d) “Board” means the Meghalaya State Advisory Board constituted by the State Government under sub-section (4) of section 42 of the Code;
 - (e) “Chairperson” means the chairperson of the Board;
 - (f) “Code” means the Code on Wages, 2019 (Central Act 29 of 2019);
 - (g) “Committee” means a committee appointed by the State Government under clause (a) of sub-section (1) of section 8;
 - (h) “Day” means a period of 24 hours beginning at mid-night;
 - (i) **“Family” means all or any of the following relatives of the employee viz;**
 - (a) A Spouse;
 - (b) A minor legitimate or adopted child dependent upon the employee;
 - (c) A child who is wholly dependent on the earnings of the employee, and who is- (i) receiving education till he attains the age of 21 years and
(ii) an unmarried daughter
 - (d) A child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the employee, so long as the infirmity continues;
 - (e) Dependent parents (including father-in-law and mother-in-law of a women employee), whose income from all sources does not exceed such income as may be specified by the State Government from time to time;
 - (j) “Form” means a form appended to these Rules;
 - (k) **“Geographical Area” means the areas notified by the State Government from time to time;**
 - (l) “Highly skilled” means havingspecialized training, specific knowledge and experience in order to carry out complex tasks;
 - (m) “Inspector-cum-Facilitator” means a person appointed by the State Government, by notification under sub-section (1) of section 51 of the Code;

- (n) “Member” means a member of the Board and includes its Chairperson;
 - (o) “Registered trade union” means a trade union registered under the Trade Unions Act, 1926(Central Act 16 of 1926);
 - (p) “Schedule” means the schedule appended to these Rules;
 - (q) “Section” means a section of the Code;
 - (r) “Semi-skilled” means work which involves some degree of skill and competence acquired through experience on the job which is capable of being performed under the supervision and guidance of skilled employees and includes unskilled supervisory works.
 - (s) “Skilled” means work which involves skill or competence acquired through experience on the job or through training as apprentice in a technical or vocational institute and the performance of which calls for initiative and judgement.
 - (t) “State” means the State of Meghalaya.
 - (u) “State Government” means the Government of Meghalaya; and
 - (v) “Unskilled” means work which involves simple operation, little or no skill or experience in the job.
- (2) All other words and expressions used in these Rules but not defined herein shall have the same meaning as respectively assigned to them under the Code.

CHAPTER II MINIMUM WAGES

3. Manner of calculating the minimum rate of wages.-

- (1) For the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed at a rate equal to or above the floor wages fixed by the Central Government under section 9 on the day basis keeping in view the following criteria, namely:-
- (i) the standard working class family which includes a spouse and two children apart from the earning **employee**; an equivalent of three adult consumption units;
 - (ii) a net intake of 2700 calories per day per consumption unit;
 - (iii) 66 meters of cloth per year per standard working class family;
 - (iv) housing rent expenditure to constitute 10 percent of food and clothing expenditure;
 - (v) fuel, electricity and other miscellaneous items of expenditure to constitute 20 percent of minimum wage; and
 - (vi) expenditure for children education, medical requirement, recreation and expenditure on contingencies to constitute 25 percent of minimum wages.
- (2) When the rate of wages for a day is fixed, then such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored. **In case of a five day working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.**

4. Norms for fixation of minimum rate of wages.-

- (1) If found necessary, while fixing the minimum rate of wages under section 6, the State Government may divide the concerned area into different categories, depending on the (i) geographical area (ii) experience in the area of employment and (iii) level of skill required for working under the categories of unskilled, semi-skilled, skilled and highly skilled.
- (2) The State Government shall constitute a technical committee for the purpose of advising it in respect of skill categorization, which shall consist of the following members, namely:-
 - (i) The Labour Commissioner, Government of Meghalaya Chairperson;
 - (ii) The Joint Secretary of the Finance Department, Government of Meghalaya Member;
 - (iii) The Joint Secretary of the Personnel (A.R) Department, Government of Meghalaya Member;
 - (iv) The Joint Secretary of the Department of Labour, Employment and Skill Development, Government of Meghalaya Member;
 - (v) The Executive Director, Meghalaya State Skill Development Society (MSSDS) Member;
 - (vi) The Director of Employment and Craftsmen Training, Government of Meghalaya Member;
 - (vii) The Director, Economics & Statistics, Government of Meghalaya Member;
 - (viii) The Joint Labour Commissioner, Government of Meghalaya Member Secretary.
 - (ix) Two representatives each of employers and employees who are experts in the area of skill development;
- (3) The State Government, on the advice of the technical committee constituted under sub-rule (2), shall categorize the occupations of the employees into four categories that is to say unskilled, semi-skilled, skilled and highly skilled by modifying, deleting or adding any entry in the categorization of such occupation specified in Schedule A.
- (4) The technical committee constituted under sub-rule (2) shall while advising the State Government under sub-rule (3) take into account, to the possible extent, the national classification of occupation or national skills qualification framework or other similar framework for the time being formulated to identify occupations.

5. Time interval for revision of dearness allowance.- Endeavour shall be made so that the cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed before 1st April and 1st October of every year to revise the dearness allowance payable to the employees on the minimum wages. The revised dearness allowance so calculated based on the Average Consumer Price Index (CPI) for Industrial Workers published by the Labour Bureau, Chandigarh, shall be payable from 1st April and 1st October of every year.

6. Number of hours of work which shall constitute a normal working day.-

- (1) No employee shall be required or allowed to work in an establishment for more than 48 hours in a week.

- (2) If an employee works on daily basis in an establishment, the period of work of such employee shall be so arranged that inclusive of the intervals of rest, it shall not spread over for more than ten and half hours on any day.
- (3) If the employee works in the establishment for six days in a week, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.
- (4) If the employee works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays.

Provided that the flexibility in working hours shall be permitted with the consent of the negotiating union/negotiating council or with the consent of majority of employees in the absence of negotiating union/negotiating council.

- (5) The provisions of sub-rules (1) and (2) shall, in the case of an employee employed in agricultural employment, be subject to such modifications as may, from time to time, be determined by the State Government.
- (6) Nothing in this Rule shall be deemed to affect the provisions of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act 37 of 2020).

7. Weekly day of rest.-

- (1) Subject to the provisions of this Rule, an employee shall be allowed a day of rest every week (hereinafter referred to as “the rest day”) which shall ordinarily be Sunday **in case of a six day week and in case of less than six day week shall include Saturday and Sunday**, but the employer may fix any other day of the week as the rest day for any employee or class of employees:

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

Provided further that the employee shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is affected, by display of a notice to that effect in the place of employment or prior intimation in electronic form to that effect.

Explanation.-For the purpose of computation of the continuous period of not less than six days specified in the first proviso to this sub-rule, any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work, a day on which an employee is laid off on payment of compensation under the Industrial Relations Code, 2020, (Central Act 35 of 2020) and any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days immediately preceding the rest day, shall be deemed to be days on which the employee has worked.

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

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

- (3) Where in accordance with the foregoing provisions of this Rule, any employee works on a rest day and has been given a substituted rest day on any one of the five days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.
- (4) An employee shall be granted-
- (a) for rest day wages calculated at the rate applicable to the next preceding day; and
 - (b) where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day:

Provided that where-

- (i) the minimum rate of wages of the employee as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty-six; or
- (ii) the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee,

then, no wages for the rest day shall be payable; and

- (iii) the employee works on the rest day and has been given a substituted rest day, then, he shall be paid, only for the rest day on which he worked, an amount equal to the wages payable to him at the overtime rate;

and, if any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Labour Commissioner or the Deputy Labour Commissioner/ Assistant Labour Commissioner having territorial jurisdiction may, on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations:

Provided further that in case of an employee governed by a piece-rate system, the wages for the rest day, or the substituted rest day, as the case may be, shall be such as the State Government may, from time to time determine having regard to the minimum rate of wages fixed under the Code, in respect of the employment.

Explanation.-In this sub-rule 'next preceding day' means the last day on which the employee has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the employee has worked, which precedes the rest day.

- (5) The provisions of this Rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favourable terms aforesaid.

Explanation.-For the purposes of this Rule, 'week' shall mean a period of seven days beginning at midnight on Saturday night.

- 8. Night shifts.**-When an employee in an employment works on a shift which extends beyond midnight, then,-
- (a) a rest day for the whole day for the purposes of Rule 7 shall, in this case, mean a period of twenty-four consecutive hours beginning from the time when his shift ends; and
 - (b) The following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such employee was engaged in work shall be counted towards the previous day.
- 9. The extent and conditions applicable to certain classes of employees.**-In case of classes of employees referred to under clauses (a) to (e) of sub-section (2) of section 13, the provisions of Rules 6, 7 and 8 shall apply subject to the condition that,-
- (i) the spread over of the hours of work of the employee shall not exceed 16 hours in any day; and
 - (ii) the actual hours of work excluding the intervals of rest and the periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attendance shall not exceed 9 hours in any day.
- 10. Longer wage period.**-The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

CHAPTER III MANNER OF FIXING AND REVISING FLOOR WAGE

- 11. Manner of fixing or revising floor wage.**-(1) The State Government shall constitute a State Advisory Board (hereinafter referred to as the Board) for advising the State Government on matters referred to in clauses (a), (b), (c) and (d) of sub-section (4) of Section 42 of the Code for the purpose of fixing the **base rates of minimum wages in the State** under Section 6 and sub-section (2) of section 9, taking into account the minimum living standard including the food, clothing, housing and any other factors considered appropriate by the Central Government from time to time, of the standard working class family as specified in clause (i) of sub-rule (1) of Rule 3.
- (2) The advice of the Board obtained in consultation under sub-rule (1) shall be circulated by the Government to all representatives of the employers or employees or any other person which the Government thinks fit, and inviting and considering representations from such Stake Holders.
- (3) The advice of the Board referred to in sub-rule (2) and the views of the State Government received in consultation referred to in that sub-rule shall be considered before fixing the floor wage under sub-rule (1).
- (4) The State Government may revise the floor wage fixed under sub-rule (1) ordinarily at an interval not exceeding five years and undertake adjustment for variations in the cost of living periodically in consultation with the Board.

CHAPTER IV PAYMENT OF WAGES

- 12. Circumstances under clause (ii) of the proviso to section 10.**-An employee shall not be entitled to receive wages for a full normal working day under section 10, if he is not entitled to receive such wage under any other law for the time being in force.
- 13. Recovery of excess amount.**-Where the total deductions authorized under sub-section (2) of section 18 exceed fifty percent of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period as the case may be, in such instalments so that the recovery in any month shall not exceed the fifty percent of the wages of the employee in that month.
- 14. The authority competent to impose fine.**-The Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction over the place of work of the employee concerned shall be the authority for the purposes of sub-section (1) of Section 19.
- 15. The manner of exhibiting the notice.**-A notice referred to in sub-section (2) of Section 19 shall be displayed at the conspicuous place in the premises of the work place in which the employment is carried on, **in English, Khasi, Garo or Hindi** or shared with the employees in electronic form, so that every concerned employee would be able to easily read and understand the notice and a copy of the notice shall be sent to the Inspector-cum-Facilitator having jurisdiction either physically or electronically.
- 16. The procedure for imposition of fines.**-The employer shall give an intimation in writing **or electronically** for obtaining the approval of the imposition of fine to the Inspector-cum-Facilitator referred to in rule 13 who shall, before granting or refusing the approval, give opportunity of being heard to the employee and the employer concerned **and shall dispose of the matter within 30 days from the date of receiving such intimation, failing which it shall be deemed to be approved.**
- 17. Intimation of deduction.**-
 - (1) Where an employer makes any deduction in connection with absence from duty in pursuance of the proviso to sub-section (2) of Section 20, he shall make intimation of such deduction to the Inspector-cum-Facilitator having jurisdiction within ten days from the date of such deduction explaining therein the reason for such deduction.
 - (2) The Inspector-cum-Facilitator shall, after receiving intimation under sub-rule (1), examine such intimation and if he finds that the explanation given therein is in contravention of any provision of the Code or the Rules made there under, he shall **give an opportunity in writing to the employer to take corrective steps as per the provisions of the Code or the rules made thereunder and if the employer fails to comply**, the Inspector-cum-Facilitator shall initiate appropriate action under the Code against the employer **after the expiry of 30 days from the date of receipt of such intimation.**

- 18. Procedure for deduction for damage or loss.**-Any employer desiring to make deduction for damage or loss under sub-section (1) of Section 21 from the wages of an employee shall.-
- (i) Explain to the employee personally and also in writing the damage or loss of goods expressly entrusted to the employee for custody or for loss of money for which he is required to account and how such damages or loss is directly attributable to the neglect or default of the employee within one month from the date of such damage or loss; and
 - (ii) Thereafter, give the employee an opportunity to offer any explanation and deduction for any damages or loss, if made, shall be intimated to the employee within fifteen days from the date of such deduction.
- 19. Conditions regarding recovery of advance.**-The recovery, as the case may be of,-
- (i) advances of money given to an employee after the employment began under clause (b) of Section 23; or
 - (ii) advances of wages to an employee not already earned under clause (c) of Section 23,
shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period shall not exceed fifty percent of the wages of the employee in that wage period and the particulars of such recovery shall be recorded in the register maintained in **Form-IV**.
- 20. Extent of loan and rate of interest.**-The employee may be granted loans to the extent of ten times the salary drawn by him at the bank rate of interest on loans for house building and other purposes, as notified by the employer and agreed upon by both the employer and employee.

CHAPTER V STATE ADVISORY BOARD

- 21. Constitution of the State Advisory Board.**- (1) The State Advisory Board (hereinafter referred to as the Board) shall consist of persons to be nominated by the State Government representing employers and employees as specified in clause (a) and (b) of sub-section (6) of Section 42 and the independent persons as specified in clause (c) of that sub-section.
- (2) The persons representing employers as referred in clause (a) of sub-section (6) of Section 42 shall be not less than twelve and the persons representing employees referred to in clause (b) of that sub-section shall also not be less than twelve.
 - (3) The independent persons specified in clause (c) of sub-section (6) of section 42 to be nominated by the State Government shall consist of the following, namely:-
 - (i) The Chairperson- Additional Chief Secretary/Principal Secretary/ Commissioner & Secretary/ Secretary to the Government of Meghalaya,, Department of Labour, Employment & Skill Development,
 - (ii) Member - Secretary to the Government of Meghalaya, Law Department or his nominee.

- (iii) Member - Secretary to the Government of Meghalaya, Finance Department or his nominee.
 - (iv) Member - Director of Economics & Statistics, Meghalaya, Shillong.
 - (v) Member - Director of Commerce & Industries, Meghalaya, Shillong.
 - (vi) Member - One Member who shall be a professional in the field of wage administration and Labour related issues;
 - (vii) Member Secretary - Labour Commissioner, Meghalaya, Shillong.
- (4) One third of the Members of the State Advisory Board shall be women.

22. Meeting of the Advisory Board.-The Chairperson may call a meeting of the Advisory Board, **at least once in six months.**

Provided that on requisition in writing from not less than one half of the members, the Chairperson shall call a meeting within thirty days from the date of the receipt of such requisition.

23. Notice of meetings.-The Chairperson/ Member Secretary shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by registered post and electronically at least seven days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of two days only may be given to every member.

24. Functions of the Chairperson.-The Chairperson shall-

- (i) preside at the meetings of the Advisory Board:
Provided that in the absence of the Chairperson at any meeting, the members present shall elect from amongst themselves by a majority of votes, any other member to preside at such meeting;
- (ii) decide the agenda of each meeting of the Advisory Board;
- (iii) where in the meeting of the Advisory Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting.

25. Quorum.-No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and an employee are present:

Provided that, if at any meeting less than one-third of the members are present, the Chairperson may adjourn the meeting to a date not later than fifteen days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present:

Provided further that the date, time and place of such adjourned meeting shall be intimated to all the members electronically or by registered post.

26. Disposal of business of the Advisory Board.-All business of the Advisory Board shall be considered at a meeting of the Advisory Board, and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that the Chairperson may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

- 27. Method of voting.**-Voting in the meeting of the Advisory Board shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairperson so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairperson may decide.
- 28. Proceedings of the meetings.**-
- (1) The proceedings of each meeting of the board showing inter alia the names of the members present there shall be forwarded to each member and to the State Government as soon after the meeting as possible, and in any case, not less than seven days before the next meeting.
 - (2) The proceedings of each meeting of the Board shall be confirmed with such modification, if any, as may be considered necessary at the next meeting.
 - (3) The proceedings of each meeting shall be drafted and recorded by the Member Secretary of the Board.
- 29. Summoning of witnesses and production of documents.**-(1) The Chairperson may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.
- (2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses by him in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing before a civil court.
- 30. Appointment of the Committees.**-The Government may constitute as many Committees and sub-committees under clause (a) of sub-section (1) of section 8 as it considers necessary for the purposes specified in that clause.
- 31. Term of office of members of the Advisory Board.**-
- (1) The term of office of the Chairperson or a Member, as the case may be, shall be normally three years commencing from the date of his appointment or nomination:
Provided that such Chairperson or a Member shall, notwithstanding the expiry of the said period of three years, continue to hold office until his successor is appointed or nominated, as the case may be.
 - (2) An independent member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.
 - (3) The official members of the Board shall hold office till they are replaced by respective such other official members.
 - (4) Notwithstanding anything contained in sub-rules (1) and (2), the members of the Board shall hold office during the pleasure of the State Government.
- 32. Travelling allowance.**-The Chairperson and every member of the Advisory Board, shall be entitled to draw travelling and halting allowance for any journey performed

by him in connection with his duties as such member at the rates and subject to the conditions applicable to a Group A officer of the State Government.

- 33. Officers and Staff.**-The State Government may provide a Secretary not below the rank of Joint/ Deputy/Under Secretary to the Government of Meghalaya, other officers and staff to the Advisory Board, as it may think necessary for the functioning of the Board.
- 34. Eligibility for re-nomination of the members of the Advisory Board.**-An outgoing member shall be eligible for re-nomination for the membership of the Board, subject to the discretion of the Chairperson.
- 35. Resignation of the Chairperson and other members of the Advisory Board.**-
- (1) A member of the Advisory Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign his membership and the Chairperson may resign by given notice in writing addressed to the State Government.
 - (2) A resignation shall take effect from the date of communication of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.
 - (3) When a vacancy occurs or is likely to occur in the membership of the Advisory Board, the Chairperson shall submit a report to the State Government immediately and the State Government shall, then, take steps to fill the vacancy in accordance with the provisions of the Code.
- 36. Cessation of membership.**-If a member of the Advisory Board, fails to attend three consecutive meetings without prior intimation to the Chairperson, he shall cease to be a member thereof.
- 37. Disqualification.**-
- (1) A person shall be disqualified for being nominated as ,and for being a member of the Advisory Board if,-
 - (i) he is declared to be of unsound mind by a competent court; or
 - (ii) he is an un-discharged insolvent; or
 - (iii) before or after the commencement of the Code, he has been convicted of an offence involving moral turpitude.
 - (2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the State Government thereon shall be final.

CHAPTER VI

PAYMENT OF DUES, CLAIMS, etc.

- 38. Payment under clause (a) of sub-section (1) of section 44.**- (1) (a) Every employee shall make a declaration in **Form VII**, nominating a person conferring the right to receive the amount that may stand in his credit at the event of his death before that

amount standing to his credit has become payable or where the amount has become payable before payment has been made.

(b) If the employee has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of his family;

Provided that nomination made by an employee having a family in favour of a person other than member of his family shall be invalid;

Provide further that a fresh nomination towards his spouse shall be made by the employee on his marriage and any nomination made before such marriage shall be deemed to be invalid and the application for such nomination may be moved within one year from the date of marriage and the earlier nomination be invalid immediately after such fresh nomination.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of his family, to be the guardian of the minor nominee or where there is no major person in the family, he may at his discretion, appoint any other person to be a guardian of the minor nominee.

(d) If the employee nominates more than one member, he shall specify in the nomination, the amount or share payable to each of his nominee at his own discretion so as to cover the whole of the amount that may stand to his credit.

(2) Where any amount payable to an employee under the Code is due after his death or on account of his whereabouts not being known, and the amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction, who shall disburse the amount to the person nominated by the employee after ascertaining his identity within two months of the date on which the amount was so deposited with him.

39. Deposit of the undisbursed dues.-Where any amount payable to an employee under this Code remains undisbursed in cases where no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of the employee until the expiry of six months from the date the amount had become payable, all such amount shall be deposited by the employer with the Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction before the expiry of the fifteenth day after the last day of the said period of six months, through bank transfer or through a crossed demand draft obtained from any Scheduled bank in India drawn in favour of such Deputy Labour Commissioner/ Assistant Labour Commissioner.

40. Manner of dealing with the undisbursed dues.-

(1) The amount referred to in Rule 39 (hereinafter in this rule referred to as the amount) deposited with the Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction shall remain with him and be invested in the Central or State Government Securities or deposited as a fixed deposit in a nationalised bank.

(2) The Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction will exhibit, as soon as maybe possible, a notice containing such particulars regarding the amount as the Deputy Labour Commissioner/ Assistant Labour Commissioner considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any two

newspapers being circulating in the language commonly understood in the area in which undisbursed wages were earned.

- (3) Subject to the provision of sub-rule (4), the Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction shall release the amount to the nominee or to that person who has claimed such amount, as the case may be in whose favour such Deputy Labour Commissioner/ Assistant Labour Commissioner has decided, after giving the opportunity of being heard, the amount to be paid.
- (4) If the undisbursed amount remains unclaimed for a period of seven years, the same shall be dealt in the manner as directed by the State Government from time to time in this behalf.

CHAPTER VII FORMS, REGISTERS AND WAGE SLIP

- 41. The form of a single application for claim and procedure for appearance of parties** .-(1) A single application may be filed under sub-section (5) of section 45 in **Form-II manually or electronically** along with documents specified in such form.
(2) where an application under sub-section (5) of section 45 is entertained, the authority shall serve upon the employer electronically or by registered post, a notice in **Form VIII** to appear before him on the date specified in the notice with relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.
(3) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.
(4) If the applicant or his representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.
- 42. Appeal**.- (1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal under sub-section (1) of section 49 in **Form-III, manually or electronically** along with documents specified in such form, to the appellate authority having jurisdiction.
Provided that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the claim amount with the appellate authority.
(2) where an appeal under sub-section (1) of section 49 is entertained, the appellate authority, shall serve upon the respondent electronically or by registered post, a notice in **Form VIII** to appear before him on the date specified in the notice and shall inform the appellant of the date so specified.
(3) the appellate authority shall after hearing the appellant and the respondent, by order decide the appeal.
- 43. Form of register, etc.**-
(1) Every employer of all establishments to which the Code applies shall maintain under sub-section (1) of section 50, electronically or in physical form in the formats appended to these rules, the following registers:
 - (i) Employee register in **Form I**
 - (ii) Register of wages, overtime, advances, fines and deductions for damage and loss in **Form-IV**

- (iii) **Attendance register-cum-Muster Roll in Form-IX**
- (2) All fines and all realization thereof referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer in **Form-IV**, electronically or otherwise and the authority referred to in said sub-section (8) shall be the Deputy Labour Commissioner/ Assistant Labour Commissioner having jurisdiction.
 - (3) All deductions and all realization referred to in sub-section (3) of Section 21 shall be recorded in a register to be kept by the employer in **Form-IV**, electronically or otherwise.
 - (4) **Registers required to be maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.**
- 44. Wage slip.**-Every employer shall issue wage slips, electronically or otherwise to the employees in **Form-V** on or before payment of wages.
- 45. The manner of taking cognizance of Offences under the sub-section (1) of Section 52 of the Code.**-No court shall take cognizance of any offence punishable under sub section (1) of Section 52, save on a written complaint made by or under the authority of the Government of Meghalaya or an officer authorized on this behalf.
- Provided that an employee or a registered Trade Union before filing a complaint before the Court shall send a copy of the complaint to the Labour Commissioner/Joint Labour Commissioner or any other officer authorized by the Labour Commissioner on his behalf, who shall pursue the same on merits and after hearing the parties and is satisfied that the complaint has prima-facie merits, may authorize the employee or the registered Trade Union, as the case may be, to file the complaint before the Court having jurisdiction over the matter.
- 46. Manner of holding enquiry by the officer of the State Government.-**
- (1) When a complaint is filed before the officer appointed under sub-section (1) of Section 53, such officer after considering the evidence produced before him is of the opinion that an offence has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance.
 - (2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain to the officer the offence complained against him, and if the offender pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and when the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide an opportunity of cross examination of the witnesses so produced. The officer shall record the statement of the witnesses on oath and in cross examination in writing and take the documentary evidence on record.
 - (3) The officer shall, after the complainant's evidence is complete, provide opportunity of defence to the accused person and the witnesses produced by

the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

- (4) The officer shall, after hearing the parties and considering the evidences, both oral and documentary, decide the complaint in accordance with the provisions of the Code.

47. The manner of **compounding of offences.-**

- (1) An accused person desirous of making composition of offence under sub-section (1) of Section 56 may make an application in **Form VI** electronically or otherwise, to the Gazetted Officer notified under said sub-section (1).
- (2) The Gazetted 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 and the accused person agrees for the composition, compromise the offence for a sum of fifty percent of the maximum fine provided for such offence under the Code, to be paid by the accused within the time specified in the order of composition issued by such officer.
- (3) Where the offence has been compromised under sub-rule (2) after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred to in sub-section (1) of Section 53 for needful action under sub-section (6) of Section 56.

CHAPTER VIII MISCELLANEOUS

- 48. Timely payment of wages.-** Where the employers are employed in an establishment through contractor, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages so that payment of wages to the employers shall be made positively in accordance with the provisions of Section 17 of the Code.

Explanation.- For the purpose of this Rule, the expression 'firm' shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (Central Act 9 of 1932)

- 49. Responsibility for payment of minimum bonus.-** Where in an establishment, the employees are employed through contractor and the contractor fails to pay minimum bonus to them under Section 26, then the company or firm or association or other person as referred to in the proviso to Section 43 shall, on the written information of such failure, given by the employees or any registered Trade Union or Unions of which the employees are members and on confirming such failure, pay such minimum bonus to the employees.

50. Inspection Scheme.- (1) For the purposes of the Code and these Rules, there shall be formulated an Inspection Scheme by the Labour Commissioner with the approval of the Government

(2) In the Inspection Scheme referred to in sub-rule (1), apart from other structural facts, a target number shall be specified in the scheme for Each Inspector-Cum-Facilitator and establishment

Provided the Inspection Scheme shall be formulated as per the guidelines framed by the Central Inspection Scheme or Web-based Inspection Scheme system.

51. Annual Return.- The return under these Rules shall be filed electronically or manually by every employer of an establishment to which the Code applies in the relevant columns of the Form specified for such purpose in the rules made under the Occupational, Safety Health and Working Conditions Code, 2020 (37 of 2020). A copy of such return shall also be forwarded electronically or manually to the Labour Bureau, Ministry of Labour and Employment, Government of India.

52. Supersession- In exercise of the powers conferred by sub-section (1) and sub-section (2) of Section 67 of the Code on Wages, 2019, **the Code on Wages Meghalaya Rules, 2024 are in supersession of :-**

(i) The Assam Minimum Wages Rules, 1952 (Adapted from Assam) vide The Meghalaya Adaptation of Law and Orders (No 1), 1974

(ii) The Assam Payment of Wages Rules, 1974 (Adapted from Assam) vide The Meghalaya Adaptation of Law and Orders (No 1), 1974.

Provided that the said supersession shall not affect.-

(a) the previous operation of the said Rules or anything duly done or suffered thereunder, or

(b) affect any right, liability or obligation acquired, accrued or incurred under the said Rules.

FORM – II

[See Rule 41]

**BEFORE THE AUTHORITY APPOINTED UNDER SUB SECTION (1) OF SECTION
45 OF THE CODE ON WAGES, 2019 (29 OF 2019)**

FORAREA

Application No of 20

Between ABC and (State the number)other Applicant

(Through employees concerned or registered Trade Union or Inspector-cum-Facilitator

Address

And

XYZ

Address

The application states as follows:

- (1) The applicant(s) whose name(s) appear in the attached Schedule was/ were/ has/ have been employed fromtoas (category) in (establishment) Shri/M/sengaged in (nature of work) which is/ are covered by the Code on Wages, 2019.
- (2) The opponent(s) is/ are the employer(s) within the meaning of section 2 (1) of the Code on Wages, 2019.
- (3) (a) The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs..... Per day for the period(s) fromto
(b) The applicant(s) has/ have not been paid wages at Rs. Per day for the weekly days of rest from to
(c) The applicant(s) has/ have not been paid wages at overtime rate(s) for the period from to
(d) The applicant(s) has/ have not been paid wages for period fromto
(e) Deductions have been made which are in contravention of the Code, from the wage(s) of the applicant(s) as per details specified in the annexure appended with this application.
- (4) (f) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:
 - a. Rs.
 - b. Rs.
 - c. Rs.Total Rs.
- (5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45 (2) of the Code on Wages, 2019 for;
 - (a) payment of the difference between the wages payable under the Code and the wages actually paid,
 - (b) payment of remuneration for the days of rest.

- (c) payment of wages at the over time rates,
- (d) Compensation amounting to Rs.
- (6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/ their knowledge, belief and information.

Dated

Signature or thumb-impression of the employed person(s), or official of a registered Trade Union duly authorized or Inspector-cum-Facilitator.

Note: The applicant(s), if required, may append annexures containing details, with this application.

Form III
(See rule 42)
Before the Appellate Authority under the Code on Wages, 2019

A.B.C.
AddressAPPELLANT

Vs.

C.D.E.
Address RESPONDENT

DETAILS OF APPEAL:

(1) Particulars of the order against which the appeal is made: Number and date:

The authority who has passed the impugned order:

Amount awarded:

Compensation awarded, if any:

(2) Facts of the Case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

(3) Grounds for appeal:

(4) Matters not previously filed or pending with any other Court or any Appellate Authority:

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

(5) Relief sought:

In view of the facts mentioned above the appellant prays for the following relief(s):-

[Specify below the relief(s) sought]

(6) List of enclosures:

- 1.
- 2.
- 3.
- 4.

.....

Date:

Place:

Signature of the appellant

For office use

.....

Date of filing or

Date of receipt by post Registration No.

Authorized Signatory

Form IV

[See Rule 19 and sub-rule (2) and (3) of Rule 43]

Register of Wages, Overtime, Fine, Deduction for damage and Loss

Name of the Establishment: Name of the Employer

Name of the Owner: PAN/ TAN of the Employer

Labour Registration No./Licence No.

Labour Identification Number (LIN) (if available):

Sr. No in Employee Register	Name of the employee	Designation/ Department	Duration of Payment of Wages (Monthly/ Fortnightly/ Weekly/ Daily/ Piece rated)	Wage Period From- To	Total no. of days employed during the period	Total overtime (hours worked or production in case of piece workers)	Rates of Wages		
							Basic	DA	Allowances
1	2	3	4	5	6	7	8	9	10

Overtime earning	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employer	Amount of deduction from wages	Total amount of wages paid	Date of Payment	Attendance	
							Date	Signature
11	12	13	14	15	16	17	18	19

FORM V
[See rule 44]
WAGE SLIP

Date of issue:

Name of the EstablishmentAddressPeriod

1. Name of employee/Employee Code:
2. Designation:
3. Category (HS/S/SS/US)*
4. UAN:
5. ESI No:
6. Bank Account No.:
7. Wage period:
8. Rate of wages payable: a.) Basic b.) D.A. c.) Other allowances
9. Total attendance/ unit of work done:
10. Over time hours worked:
11. Over time wages earned, if any:
12. Gross wages payable:
13. Total deductions: a.)PF b.) ESI c.) Others (Please specify like PT/IT, etc.,)
14. Net wages paid:
15. Bank Transaction No:

Employer/ Pay-in-charge signature

*(Highly Skilled/Skilled/Semiskilled/Unskilled)

FORM VI
[See sub-rule (1) of rule 47]
APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR COMPOSITION
OF OFFENCE

1. Name of applicant
2. Father's/ Spouse name
3. Address of the applicant
4. Particulars of the offence:
.....
.....
.....
5. Section of the Code under which the offence is committed:
6. Maximum fine provided for the offence under the Code
7. Whether prosecution against the applicant is pending or not
8. Whether the offence is first offence, or the applicant had committed any other offence prior to the offence. If yes, then, full details of the prior offence.
.....
.....
.....

Form VII

**[See rule 38 (1) (a)]
NOMINATION FORM**

1. Name of person making nomination:
(in block letters)
2. Father's/Spouse's Name:
3. Date of Birth:
4. Sex:
5. Marital Status:
6. Address:
Permanent:
Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death

Name of nominee /nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is/are dependent upon me.
3. Strike out whichever is not applicable.

Signature or thumb-impression of the employee

CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Ku..... employed in my establishment after he/she has read the entry/entries or have been read over to him/her by me and got confirmed by him/her in either of the cases.

Signature of the employer or other authorized officer of the establishment and designation.

Place:

Date:

Name and address of the factory/establishment and rubber stamp thereof

FORM – VIII

[See Rule 41 and Rule 42]

(A). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE AUTHORITY UNDER SUB-SECTION (5) OF SECTION 45

(Title of the application)

To,

Name

Address

Whereas (name of the applicant) has made the above said application to me under the Code on Wages, 2019, you are hereby summoned to appear before me in person or by a duly authorized representative, and required to answer all material questions relating to the application, or shall be, accompanied by some person duly authorized by you and able to answer such question on the Day of 20..... at AM/PM, to answer the claim in application and as the day fixed for the appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence and the documents upon which you intend to rely in support of your defense.

Take notice that in default of your appearance on the day mentioned here above, the application will be heard and disposed in your absence.

Date

Signature of the authority
with seal

(B). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE APPELLATE AUTHORITY UNDER SUB-SECTION (1) OF SECTION 49

(Title of the appeal)

To,

Name

Address

Take notice that an appeal (copy of which is enclosed) under section 49 of the Code on Wages, 2019 has been presented by _____ (name of applicant) before the appellate authority, and that the _____ day of _____ 20_____ has been fixed by this appellate authority for the hearing of the appeal.

If no appearance is made by you in person or by a duly authorized representative to act for you in this appeal, it will be heard and decided in your absence

Date

Signature of the authority with seal

Date	22		23		24		25		26		27		28		29		30		31	
Time	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
	Signature																			

Total number of days worked	Total number of overtime hours worked	Brief details of tour or assignment outside the work place, if any	Signature of Register keeper*
(8)	(9)	(10)	(11)

*Note: Required in case register is maintained physically

Schedule A
[See sub-rule (3) of rule 4]

S. No.	UNSKILLED
1	Beldar
2	Calf boy
3	Cattleman
4	Cleaner (Motor shed, Tractor, Cattle, yard, M.T)
5	Collecting loose fodder
6	Dairy coolie
7	Mazdoor (Arportculturist Compost, Dairy's Haystaking, Irrigation, Manure, Stacking, Milk-room, Ration room Store, Anti-Malaria, M.R.)
8	Driver (Mule, Bullock, Camel, Donkey)
9	Dresser
10	Driver (Bullocks Mule)
11	Grazler
12	Dairyman
13	(Store-Mazdoor)
14	Carrier (Stone)
15	Breaker (using manual appliances)
16	Helper
17	Messenger (Office)
18	Mali
19	Syce
20	Tying and carrying loose hay
21	Sweeper,
22	Weighing and Carrying bales,
23	Weighman (Bales, pally),
24	Waterman,
25	Stable man,
26	Trolley man,
27	Valveman,
28	Watchman,
29	White Washer,
30	Wooderman,
31	Wooder Woman,
32	Borryman,
33	Coalman,
34	Condenser,
35	Attendant,
36	Grass Cutter,
37	MuchhersJamadars,
38	Condenser Attendant,
39	Shunters,
40	Turner,
41	Bajri Spreader,
42	Beater Women,
43	Bell-Woman,
44	Bhain Man,

45	Boat Man,
46	Bucket Man,
47	Labourer (Boiler, Cattle Yard, Cultivation, General Loading and Unloading, Bunding, Carting-Fertilizers, Harvesting, Miscellaneous Seeding, Sowing, Thatching, Transplanting, Weeding)
48	Cleaner (Crane, Truck, Cinder for ash Pit),
49	Cartman,
50	Caretaker (Bridge),
51	Carrier (Water),
52	Chowkidar,
53	Concrete (Hand Mixer),
54	Daffadar,
55	Driver (Bullock, Camel, Donkey, Mule),
56	Flag Man,
57	Flagman (Blast Train),
58	Khalasi not attending to machines
59	Gangmen,
60	Gatingman (Permanent Way),
61	Handle Man, Jumper Man,
62	Kamin (Female Work),
63	Khalas,
64	Bridge,
65	Electrical,
66	Marine,
67	Moplah,
68	Store,
69	Steam Road,
70	Share
71	Roller Survey,
72	Labourer (Garden),
73	Mazdoor,
74	Hole Cutter,
75	Lorry Trainees,
76	Petrolman,
77	Searcher,
78	Signal man,
79	Strikers,
80	Vaks Controller,
81	Cleaner
82	Dresser/ Dressing Mazdoor
83	Loader
84	Mazdoor (Male/Female)
85	Messenger (Male/Female)
86	Trammer
87	Caretaker (except in Copper, Chromite and Graphite mines where it is semiskilled)
88	Office Peon/Peon (except in Bauxite Mines)
89	Sweeper (Male/Female)
90	Carrier
91	Number Taker

92	TrolleyTriper
93	Water Carrier
94	Earth Cutter
95	Survey Khalasi
96	Gate Man,
97	Concrete (Hand Mixer)
98	Dismantling stocks
99	Lampman
100	Beldar (Beldar (Canteen))
101	Coolie
102	Peon
103	Cook-helper
104	Office Boy
105	Quarry Worker
106	Jelly Maker
107	Over burden Remover
108	Waste removing mazdoor
109	Unloader
110	Excavating Labour
111	Digger
112	Butcher
113	Attender
114	Lorry Helper
115	Surface loader
116	Wood Cutter
117	Surface Mukar
118	Under Ground Mukar
119	Striker (Moplah gang),
120	Tall Boy,
121	Tile
122	Person employed in loading and unloading
123	Person employed in sweeping and cleaning and other categories by whatever name called which are of unskilled nature
124	Domestic Worker
125	Waiter/ Bell Boy
126	SafaiKaraamcharis

S. No	SEMI SKILLED
1	Assistant (Chowdhary)
2	Attendant (Bull-calving lines, Chowdidar, Chaff cutter, Hostel, Dry Stock, Grain crusher, Pump, Siekline,
3	Stable, Yard Stock)
4	Assistant-Plumber
5	Attendant
6	Bhisti
7	Brander
8	Bullman
9	Butterman
10	Coachman

11	Cobbler
12	Cultivator
13	Daftry
14	Deliveryman
15	Dhobi
16	Dresser
17	Fireman
18	Gowala
19	Hammerman
20	Helper (Blacksmith)
21	Helper
22	Jamadar (stand)
23	Jamadar
24	Khalasi
25	Mali Senior
26	Mate/Mistry
27	Mazdoor (literate)
28	Nalband
29	Oilman
30	Ploughman
31	Vtackers
32	Supervisor
33	Thatcher
34	Valveman
35	Valveman (Senior)
36	Wireman fixing tin cables
37	Cook
38	Dandee
39	Frash
40	Hacksaw man
41	Helper (31oco-Crane/Truck)
42	Manjhee (Boatman)
43	Belchawala
44	Nuccadam (without competency certificate under Metalliferous Bulldozer Driver Mines Regulations, 1961)
45	Bhisti (with Mushk)
46	Boatman (head)
47	Breaker,
48	Breaker (Stone, Rock, Rock Stone, Stone Metal)
49	Canweaver
50	Chainman (Head)
51	Charpoy-Stringer
52	Checker
53	Cracker
54	Dollyman
55	Assistant
56	Driller
57	Driver (Skin)
58	Excavator

59	Ferroman
60	Fireman (Brick Kiln, Steam Road Roller)
61	Gate keeper
62	Gharami
63	Classman
64	Grater
65	Greaser-cum-Fireman
66	Grinder
67	Hammerman
68	Helper (Artisan)
69	Helper (Sawyer)
70	Keyman
71	Khalasi (Head Survey, Rivertters-Moplah Gang, Supervisory)
72	Labourer (Rock-Cutting)
73	Lascar
74	Mali (Head)
75	Stockers and Boilerman
76	Thoombaman (Spade worker)
77	Tindals
78	Trollyman (Head Motor)
79	Fitter (Assistant Semi-Skilled)
80	Jamadar (Semi-skilled)
81	Mate (Stone)
82	Kasab
83	Khalasi (Structural)
84	Masalchi P.M. Mates
85	Miner
86	Untrained Mate/Mining Mate/Mate without Competency certificate Under Metalliferous Mines Regulations, 1961
87	Butler/Cook
88	Breaker (using mechanical appliances)
89	Crech Ayah/Ayah/Untrained Crech Attendant
90	Assistant Driller
91	Oilman/Oiler
92	Chowkidar/Watchman
93	Helper (Mason, Carpenter, Blacksmith)
94	Tindals
95	Topas
96	Topkar (Big Stone Breaker)
97	TrollyJamadar
98	Winchman
99	Attendance-keeper
100	Assistant Wireman
101	Mate
102	Mate (Blacksmith, Road, Carpenter)
103	Engine Driver and/or Feeder
104	Fitter
105	Gang
106	Mazdoor Mason

107	Permanent Way
108	Pump-Driver, Turner)
109	Mazdoor (Heavy-weight)
110	Charge-man
111	Mistri (Head)
112	Muccadam
113	Night-guard
114	Runner (Post dak)
115	Oilman
116	Quarry man
117	Quarry Operator
118	Stoneman
119	Stocker
120	Thatcher
121	Pump Attendant
122	Bearer
123	Breakman
124	Crowlder Man
125	Laboratory Boy
126	PointsmanSencummy
127	Stone mines and other categories by whatever name called which are of semi-skilled nature
128	Persons engaged in Steel Fabrication and concrete products including brick making
129	Persons engaged in motor workshop
130	Persons engaged in plywood Industry
131	Persons engaged in wax and candle industry
132	Persons engaged in Hotels & Restaurants
133	Persons engaged in registered Factories not elsewhere classified
134	Persons engaged in shops & establishments

S.No	SKILLED
1	Artificer (Class-II, III, IV)
2	Blacksmith
3	Blacksmith (Class II)
4	Boilerman
5	Carpenter
6	Carpenter (Class II) Carpenter-cum-Blacksmith
7	Chowdhary
8	Driver
9	Driver (Engine Tractor, M.T.Motor)
10	Electrician
11	Fitter
12	Mason
13	Mason Class II
14	Machine hand (Class II, III, IV)
15	Machineman
16	Mate Gr. I (Senior)
17	Mechanic
18	Milk Writer

19	Mistry (Head)
20	Moulder
21	Muster Writer
22	Operator (Tube-well)
23	Painter
24	Plumber
25	Welder
26	Upholsterer
27	Wireman,
28	Chipper
29	Chipper-Cum-Grinder
30	Cook (Head)
31	Driller
32	Driller (Well Boring)
33	Driver(Loco/Truck)
34	Electrician (Assistant)
35	Mechanic (Tube-Well)
36	Mistry (Stell, Tube-Well, Telephone)
37	Meter Reader
38	Meteorological Observer Navghani
39	Operator (Batching Plant, Cinema Project, Clamp Shelf, Compressor, Crane, Dorrick, Diesel Engine, Doser, Dragling Drill Dumber, Excavator, Fork Lift Generator, Grader, jack Hammer and Payment breaker Loader, Pump, Pile Driving, Scrapper, Screening Plant, Shoval, Tractor, Vibrator, Weight Batcher Railway Guards, Repairer (Battery)
40	Sharper/Slotter
41	Sprayer (Ashalt) Station Master
42	Surveyor (Silt)
43	Trades-Man
44	Train Examiner
45	Turner/Miller
46	TyreVulcaniser
47	Sawyer
48	Sawyer (Selection Grade Class II) Serang
49	Serangpile
50	Driving Pantooms with Boiler
51	Shapesman
52	Shift-incharge
53	Sprayman
54	Sprayman (Roads)
55	Stone Cutter
56	Stone Cutter (Selection Grade, Grade II, Class II)
57	Stone Chisler
58	Stone Chisler (Class II)
59	Stone Blasterer
60	Sub-Overseer (Unqualified)
61	Surveyors
62	Pump Driver
63	Pump Driver (Selection Grade), Grade II and III, Class II)

64	Pump Driver (Selection Grade, P.E., Driver),
65	Pumpman
66	Pumpman (Assistant)
67	Plumber
68	Polisher (with spray) Grade II
69	Ratan Man
70	Rivet Cutter (Assistant)
71	Rivetter
72	Rivetter (Cutter)
73	Road Inspector Grade II, Railway Plate Layer
74	Rod Bender
75	Haulage Operator
76	Dispensary Attendant
77	Work Sakar
78	Mica Cutter Grade-I
79	Dresser Grade –I Mica
80	Supervisory Fireman
81	Fireman only in Mines
82	Compressor Driver
83	Pump Man Driver 96. Grinder in Mica Mines
84	Surveyors (Assistant)
85	Tailor
86	Tailor (Upholstry)
87	Transprayer
88	Tar man
89	Line man
90	Tiler Class II
91	Wall(Floor, Roof)
92	Tiler (Selection Grade)
93	Tin-Smith
94	Tin Smith (Selection Grade, Grade II and III, Class II) Tinker
95	Well Sinker
96	Assistant Mistry
97	Armature Winder Grade-II and III
98	Bhandari
99	Blacksmith
100	Blacksmith (Selection Grade, Grade II, III, Class II and III)
101	Boilerman
102	Boilerman Grade II and III
103	Boiler Foreman Grade II
104	Work (Assistant)
105	Brick Layer
106	Brick Layer
107	Blaster
108	Chowkidar (Head)
109	Security Guard (without arms)
110	Carpenter
111	Carpenter (Selection Grade, Grade Ii and III, Class I and III Assistant
112	B.I.M. Road

113	Cabinet Maker
114	Caneman
115	Celotex
116	Cutter Maker Chargemen, Class II and Class III, Carpenter Ordinary)
117	Checkder (Junior)
118	Chick Maker
119	Chickman (Junior) Concrete Mixture Mixer
120	Concrete Mixture Operator
121	Cobbler
122	Coremaker
123	Driver
124	Driver Motor Vehicle
125	Motor Vehicle Selection Grade
126	Motor Lorry
127	Motor-Lorry Grade II
128	Lorry Grade II
129	Diesel Engine
130	Diesel Engine Grade II
131	Mechanical Road Roller I.C. and Cement Mixer etc.
132	Road Roller
133	Road Roller Driver Grade II
134	Driver (Engine Static Stone Crusher, Tractor/Bull Dozer, Steam Road Roller, Water Pump, Mechanical Assistant, Road Roller, Mechanical, Steam Crane, Tractor with Bull Dozer Mechanical, Transport, Engine Static and Road Roller Boiler Attendant.
135	Engine Operator (Stone Crusher Mechanical)
136	Distemper, Electrician, Electrician (Grade II, Class II and Class III)
137	Fitter
138	Fitter (Selection Grade, Grade II and III) class II and III Assistant, Pipe class II, Pipe Line ending Bars for
139	Reinforcement Cum-mechanic, Mechanic and Plumber)
140	Gharami (Head)
141	Glazier
142	Hole Drillar for Blasting
143	Joiner
144	Joiner (Cable, Cable Grade II)
145	Lineman (Grade II, III, High Tension/Low Tension)
146	Mason
147	Mason (Selection Grade, Grade II, III and Class B Mistry)
148	Stone (Stone Class II, Brick Work, Stone work)
149	Brick-layer
150	Tile Flooring
151	B.I.M Muccadam (Head)
152	Stone cutting
153	Ordinary Machanis
154	Mechanic
155	Mechanic (Class II, Air conditioning, Air conditioning Grade II)
156	Diesel Grade II
157	Road Roller Grade II

158	Assistant (Radio)
159	Manson (Gharami)
160	Mistry
161	Mistry Grade II, Air conditioning Grade II, P. Way, Survey, Santras Works)
162	Mason Class A
163	Moulder
164	Moulder (Brick, Tile)
165	Painter
166	Painter (Selection Grade, Grade II and III, Class II, Assistant Lotter and Polisher, Polisher, Rough)
167	Plasterer
168	Plasterer (Mason Grade II)
169	Plumber
170	Plumber (Selection Grade, Class II, Assistant Lotter and Polisher, Rough)
171	Plasterer
172	Plasterer (Mason Grade II)
173	Plumber (Selection Grade, Class-II, Assistant Senior, Junior, Mistry Grade II)
174	Plumbing Mistry
175	Plumber-cum-Fitter
176	Polisher
177	Polisher (Floor)
178	Sirdhar Lathe Man
179	Geologist
180	Trailors
181	Turner
182	Upholsterer
183	Upholsterer (Grade II and III)
184	Painter Spray (Class II)
185	Wood Cutter
186	Wood Cutter Section Grade
187	Wood Cutter Class II
188	Work Sircar
189	Welder
190	Airwineh Haulage Operator
191	Auto-electrician
192	Painter
193	Blacksmith
194	Tailor
195	Compressor Operator
196	Blaster/Shot-firer
197	Driver
198	Head cook
199	Chargeman
200	Carpenter
201	Concrete Mixer Operator
202	Compressor Attendant
203	Air Compressor Attendant
204	Tractor Driver
205	Vehicle Driver

206	Chemist and Assistant/ Chemist
207	Sub-overseer (unqualified)
208	Driller
209	Handhole Driller
210	Drill Mechanic
211	Driver Auto
212	Electrician
213	Wireless Operator Asstt. Foreman
214	Foreman
215	Fitter
216	Ferry Driver
217	Issuer Loco
218	Super Foreman
219	Foist Operator
220	IMCE Driver
221	Driver
222	Loco Driver
223	Loader Operator
224	Linesman
225	Mechanic/ Machinist
226	Mason
227	Mid Wife
228	Tinsmith
229	Supervisory Mechanic
230	Pump Attendant only in Gypsum, Barytes and Rock Phosphates
231	Pump Operator/ Driver
232	Mining Mate with competency certificate under Metalliferous Mines/ Regulations, 1961.
233	Mistry
234	Skilled Mazdoor
235	Turner
236	Senior Mechanic
237	Pipe Fitter
238	Supervisor
239	Drafts Man
240	Wireman
241	Timber Man/ Timber Mistry Elect.
242	Stone Crusher Operator
243	Crusher Operator
244	Moulder
245	Welder
246	Operator
247	Work Mistry
248	Engine Driver
249	Mining Engine Driver Grade-II
250	Engineman
251	Valvcman
252	Cutter
253	Winding Engine Driver Grade-II

254	Security Guard (Unarmed) /Head Chowkidar
255	Shovel Operator
256	Limco Loader Operator
257	Surface Supervisor
258	Dozer Operator
259	Compressor Driller
260	Dumper Tractor Operator
261	Coiler Man (with certificate)
262	Machinery Attendant
263	Air-conditions Mechanic
264	Crech Attendant only in Magnesite, Manganese and Mica Mines
265	Power Shovel Operator
266	Power and Pump House Operator
267	Miner Grade –I
268	Tractor Operator 80. Tub Repairer 81. Lathe Mistry
269	Stationery Engine Attendant 83. Generator Operator 84. Loading Foreman
270	Diesel Mechanic
271	Ferro Printer cum-chairman
272	White Washing and Colour Washing Man
273	Operator Pneumatic Tools, Operator (Fitter)
274	Boreman
275	Borer
276	Wireman (Grade II and III, Mechanic, Electrical)
277	White Washer
278	White Washer (Selection Grade, Class II)
279	Wireman
280	Welder (Class II, Bridge work)
281	Welder gas
282	Mucattam (with Competency Certificate under Metalliferous Mines Regulations, 1961)
283	Security Guard (without arms) and other categories by whatever name called which are of skilled nature
284	Assistant (Farm)
285	Assistant (Cashier)
286	Librarian
287	Telex or Telephone Operator
288	Hindi Translator
289	Telex or Telephone Operator
290	Hindi Translator
291	Accounts Clerk
292	Clerks
293	Computer/Data Entry Operator
294	Telephone Operator, Typist
295	Store Attendant
296	M. C. Clerk
297	Munshi (Matriculate, Non-matriculate)
298	Store Clerk (Matriculate Non-matriculate)
299	Store keeper
300	Store keeper Grade I, Grade II, (Matriculate)

301	Time Keeper
302	Time Keeper (Matriculate Non-matriculate)
303	Book Keeper
304	Work Munshi
305	Work Munshi (Subordinate)
306	Magazine Clerk
307	Teller Clerk
308	Store Clerk
309	Tally Clerk
310	Store Issuer
311	Tool Keeper
312	Computer/ Date Entry Operator
313	Record Keeper
314	Tracer
315	File Clerk
316	Register keeper
317	Time Keeper
318	Clerk
319	Munshi
320	Typist and other categories by whatever name called which are of clerical nature
321	Persons engaged in sericulture and weaving
322	Persons engaged in fruit preservation
323	Persons engaged in furniture industry.
324	Persons engaged in bakery
325	Persons engaged in motor workshop
326	Persons engaged in printing press
327	Persons engaged in sales, distribution and handling of petroleum products

S. No	HIGHLY SKILLED
1	Artificier Class I
2	Blacksmith Class I
3	Carpenter Class I
4	Machine
5	Hand Class I
6	Mason Class I
7	Mechanic (Senior)
8	Painter (Grade I, Class I, Spray) Plasterer (Mason) Class I
9	Plumber (Head, Class I)
10	Mistry Grade I
11	Polisher (with spray Grade I)
12	Road Inspector Grade I
13	Sawyer Class I
14	Stone Cutter Class I
15	Stone Cutter Grade I
16	Stone Chisler Class I
17	Stone Mason Class I
18	Sub-Overseer (Qualified)
19	Tiler Class I
20	Tinsmith Grade I and Class I

21	Upholsterer Grade I
22	Varnisher Class I
23	Welder-Cum-Fitter and Air Conditioning Mechanic
24	Welder (Gas) Class I
25	White Washer Class I
26	Wireman Grade I, Class I
27	Wood Cutter Class I
28	Grinder (Tool) Grade I
29	Operator (Batching Plant Grade I)
30	Leader Grade I
31	Pile Driving Grade I
32	Pump Grade
33	Scraper Grade I
34	Screening Plant Grade I
35	Pump Grade I
36	Scraper Grade I
37	Security Guards (with arms)
38	Armature Winder Grade I
39	Blacksmith Grade I and Class I
40	Boilerman Grade I
41	Boilerman Foreman Grade I
42	Brick Layer Class I
43	Cable Joiner Grade I
44	Carpenter grade I and Class I
45	Celo Cutter and Decorator
46	Chargeman Class I
47	Checker (Sr) Driver Lorry Grade I
48	Motor Lorry Grade I
49	Motor Vehicle Class I and Diesel Engine Grade I
50	Road Roller Grade I
51	Pump Class Electrician Grade I and Class I/ Grade I
52	Fitter (Grade I, Class I)
53	Pipe Class I (Head)
54	Foreman (Assistant) Line Man Grade I Mason (Skilled Grade I, Class I)
55	Mast Rig
56	Mechanic Class I and Class II
57	Mechanic (Diesel Grade I and Road Roller Grade I)
58	Air conditioning Grade I/Class I, Mistry Grade I
59	Mistry (Air conditioning Grade I)
60	Overseer
61	Overseer (Senior and Junior)
62	Dragline Grade I
63	Drill Grade I
64	Dumper Grade I
65	Excavator Grade I
66	Fork Lift Grade I
67	Generator Grade I
68	Rigger Grade I
69	Rigger Grade II

70	Charper/ Sletter Grade I
71	Shovel and Dragline Tractor Grade I
72	Tradesman Class I
73	Turner/ Miller Grade I
74	Work (Assistant) Grade I
75	Compounder
76	Surveyor
77	Winding Engine Driver
78	Operator (Heavy Earth Moving Shovel and Bulldozer)
79	Head Mistry
80	Staff Nurse with Deploma
81	Drill Operator other than Jack Hammer
82	Electrical Supervisor with Competency Certificate
83	Underground Shift Boss
84	Head Mechanic
85	Qualified and Experienced Welder
86	Machine Tool Mechanic
87	Mechanical/Plant Foreman
88	Mining Supervisor
89	Vocational Training Instructor/ Teacher
90	Head Electrician
91	Accountant
92	Steno with 7 years of service
93	Store Incharge
94	Shift Incharge
95	Supervisor
96	Incharge of Watch and Ward
97	Security Guard (Armed)
99	Crane Grade I
100	Diesel Engine Grade I
101	Dozer Grade I
102	Clamp Shell Grade I
103	Compressor Grade I
104	Grader Grade I
105	Tractor Grade I
106	Vibrator Grade I
107	Screening Plant Grade I
108	Shovel Grade I
109	Shovel and Dragline
110	Tyrevulcanser Grade I
111	Security Guard (with Arms) and other categories by whateve name called which are of Highly-skilled nature.

By Order

(Shri. C. Songate, IRS),
Principal Secretary to the Govt. of Meghalaya,
Department of Labour, Employment & Skill Development.

DRAFT RULES
CHAPTER – I
PRELIMINARY

1. Short title, extant and commencement.- (1) These rules may be called the **Meghalaya Occupational Safety, Health and Working Conditions Rules, 2024.**

(2) This Rules shall extend to whole of the State of Meghalaya.

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

(4) They shall apply to all Factories/ Establishment/ Building or other construction work relating to any establishment in relation to which appropriate Government is the State Government under the Code.

2. Definitions.-

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

(a) “access” or “egress” means passageways, corridors, stairs, platforms, ladders and any other means to be used by a building worker for normally entering or leaving the work place or for escaping in case of danger;

(b) “appendix” means an appendix appended to these Rules;

(c) “appellate authority” means the officer as notified by the State Government under Section 4 and include the appellate authority to be notified by the State Government under sub-section (6) of Section 119 of Code;

(d) "approved" means approved in writing by the Chief Inspector cum facilitator or the officer notified by the State Government in this regard as the case may be;

(e) “Artificial humidification” means the introduction of moisture into the air of a room by any artificial means whatsoever, except the unavoidable escape of steam or water vapour into the atmosphere directly due to a manufacturing process:

Provided that the introduction of air directly from outside through moistened mats or screens placed in opening at times when the temperature of the room is 26.5 degrees Centigrade or more, shall not be deemed to be artificial humidification.

(f) “Authority” means an Authority designated by the State Government under sub-section (1) of Section 119 of Code;

(g) “base plate” means a plate for distributing the load from a standard in the case of metal scaffolds;

(h) “bay” in relation to scaffolds, means that portion of the scaffold between horizontal or vertical supports whether standards or supports from which the portion is suspended, which are adjacent longitudinally;

(i) “Belt” includes any driving strap or rope;

(j) “Board” means the Meghalaya Occupational, Safety and Health Advisory Board constituted under Section 17 of Code;

(k) “brace” means a member incorporated diagonally in a scaffold for stability;

- (l) “bulkhead” means an airtight structure separating the working chamber from free air or from another chamber under a lower pressure than the working pressure;
- (m) “caisson” means an air and watertight chamber in which it is possible for men to work under air pressure greater than atmospheric pressure at sea level to excavate material below water level;
- (n) "Calendar year" means the period of twelve months beginning with the first day of January in any year;
- (o) "casual leave" means leave to cover casual absence of the employees from duty for personal reasons;
- (p) "Child" shall have the same meaning as assigned to it in clause (ii) of Section 2 of Child and Adolescent (Prohibition and Regulation) Act, 1986;
- (q) “Code” means the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020);
- (r)“cofferdam” means a structure constructed entirely or in part below water level or below the level of the water table in the ground and intended to provide a place for work that is free of water;
- (s) “compressed air” means air mechanically raised to a pressure higher than atmospheric pressure at sea level;
- (t) “Compounding Officer” means an officer notified by the State Government under Section 114 of Code;
- (u) “construction site” means any site at which any of the processes or operations, related to a building or other construction work, are carried out;
- (v) “conveyor” means a mechanical device used in building or other construction work for transport of building material, articles, or packages or solid bulk from one point to another point;
- (w) “danger” means danger of accident or of injury or to health;
- (x) “decanting” means the rapid decompression of persons in a man-lock to atmospheric pressure at sea level followed promptly by their recompression in a decant lock, where they are then decompressed according to the appropriate decompression table in accordance with approved decompression procedures;
- (y) “Degree” means the degree of a statutory university;
- (z) “Degrees” (of temperature) means degrees on the Centigrade scale;
- (za) “demolition work” means the work incidental to or connected with the total or partial dismantling or razing of a building or a structure other than a building and includes the removing or dismantling of machines or other equipment;
- (zb) “department” means Labour Department, Government of Meghalaya;
- (zc) “diploma” means a diploma awarded by a recognized institution;
- (zd) “electronically” means any information submitted by digital mode or uploading on the designated portal or digital payment in any mode for the purpose of the Code;⁴
- (ze) “Enquiry Officer” means the Officer appointed by the State Government for holding enquiry under Sub-Section (1) of Section 111 of Code;

(zf) “excavation” means the removal of earth, rock or other material in connection with construction or demolition work;

(zg) “falseworks” means the structural supports and bracing for frameworks or forms;

(zh) “first employment” means the first employment in any manufacturing process to which the relevant Schedule applies and shall also include re-employment in the manufacturing process following any cessation of employment for a continuous period exceeding three calendar months;

(zi) “flashpoint” means the minimum liquid temperature at which a spark or flame causes an instantaneous flash in the vapour space above the liquid;

(zj) “Form” means a form annexed to these Rules;

(zk) “frame or modular scaffold” means a scaffold manufactured in such a way that the geometry of the scaffold is predetermined and the relative spacings of the principal are fixed;

(zl) “guardrail” means a horizontal rail secured to uprights and erected along the exposed sides of scaffolds, floor openings, runways and gangways to prevent persons from a falling;

(zm) “hazardous substance” means any substance which due to its explosiveness, inflammability, radioactivity, toxic or corrosive properties, or other similar characteristics, may-

(i) cause injury; or

(ii) affect adversely the human system; or

(iii) cause loss of the life or damage to property on work-environment, while handling, transporting or storing and classified as such under the national standards or in case such national standards do not exist to the generally accepted international standards;

For the purpose of this sub rule, the hazardous substance is specified in Schedule- C.

(zn) “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 framed under The Environment (Protection) Act,1986 (29 of 1986);

(zo) “Health Officer” means the Municipal or Local Health Officer or District Health Officer or such other official as may be appointed by the State Government in that behalf;

(zp) “high pressure air” means air used to supply power to pneumatic tools and devices;

(zq) “Hygrometer” means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance;

(zr) “independent tied scaffold” means a scaffold, the working platform of which is supported from the base by two or more rows of standards and which apart from the necessary ties stands completely free of the building;

(zs) “industrial activity” means as defined in sub rule (h) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zt) “isolated storage” means as defined in sub rule (i) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zu) “Labour Commissioner” means an officer as such or in the capacity of Labour Commissioner appointed by the State Government;

(zv) “ledger” means a member spanning horizontally and tying scaffolding longitudinally and which acts as a support for putlogs or transoms;

(zw) “lifting appliance” means a crane, hoist derrick, winch, gin pole, sheer legs, jack, pulley block or other equipment used for lifting materials, objects or, building worker;

(zx) “lifting gear” means ropes, chains, hooks, slings and other accessories of a “lifting appliance”;

(zy) “lock attendant” means the person in charge of a man-lock or medical lock and who is immediately responsible for controlling the compression, recompression or decompression of persons in such locks;

(zz) “low pressure air” means air supplied to pressurise working chambers and man-locks and medical locks;

(zza) “magazine” means a place in which explosives are stored or kept, whether above or below ground;

(zzb) “Maintained” means maintained in an efficient state, in efficient working order and in good repair;

(zzc) “major accident” means an incident as defined in sub-rule (j) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zzd) “Major Accident Hazard (MAH) installations” means factories defined in sub-rule (ja) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zze) “Manager” means a person nominated or appointed by the employer of the establishment for the purposes of the Code and Rules;

(zzf) “man-lock” means any lock, other than a medical lock used for the compression or decompression of persons entering or leaving a working chamber;

(zzg) “material hoist” means a power or manually operated and suspended platform or bucket operating in guide rails and used for raising or lowering material exclusively and operated and controlled from a point outside the conveyance;

(zzh) “materials lock” means a chamber through which materials and equipments pass from one air pressure environment to another;

(zzi) “medical lock” means a double compartment lock used for the therapeutic recompression and decompression of persons suffering from the ill-effects of decompression;

(zzj) “Medical officer” means a person appointed under Section 42 of the Code by the Government of Meghalaya for the purposes of this Code within such local limits or for such factory or class or description of factories as it may assign to them respectively.

(zzk) “medium enterprise” means an enterprise as defined in clause (g) of Section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zxl) “micro enterprise” means an enterprise as defined in clause (h) of Section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zxm) “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;

(zzn) “outrigger” means a structure projecting beyond the facade of a building with the inner end being anchored and includes a cantilever or other support;

(zzo) “plant or equipment” includes any plant, equipment, gear, machinery, apparatus or appliance, or any part thereof;

(zzp) “portal” means the website of the Labour department of Government of Meghalaya or Shram Seva Portal for delivering services under the Code and the Rules made thereunder;

(zzq) “Power” means electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(zzr) “pressure” means air pressure in bars above atmospheric pressure;

(zzs) “pressure plant” means the pressure vessel along with its piping and other fittings operated at a pressure greater than the atmospheric pressure;

(zzt) “prime mover” means any engine, motor or other appliance which generates or otherwise provides power;

(zzu) “Private dwelling house” means a house in which persons engaged in the manufacture of beedi or cigar or both reside;

(zzv) “Public Health Authority” means the Local Health Officer having jurisdiction over the area;

(zzw) “putlog” means a horizontal member on which the board, plank or decking of a working platform are laid;

(zxx) “Qualified Nurse” means a person who possesses a qualification in nursing recognized under the Indian Nursing Council Act, 1947, and who is registered with the Meghalaya Nurses registration Council, or a similar registered body of any other State in India;

(zzy) “recognized university or institution” means,-

(i) any University, incorporated by law, by the Central or any State Government; or

(ii) any other University or institution which is declared by the State Government to be a recognized University or institution for the purposes of these Rules;

(zzz) “Registering Officer” means the registering officer appointed by the State Government for purpose of these Rules and Code;

(zzza) "responsible person" means a person appointed by the employer to be responsible for the performance of specific duty or duties and who has sufficient knowledge and experience and the requisite authority for the proper performance of such duty or duties;

(zzzb) “reveal tie” means the assembly of a tie tube and a fittings used for tightening a tube between two opposite surfaces;

(zzzc) “right angle coupler” means a coupler, other than a swivel or putlog coupler, used for connecting tubes at right angles;

(zzzd)“rock bolt”means a mechanical expansion bolt or a bolt used with cementitious or resin anchoring system which is set in drilled hole in the arch or wall of a tunnel to improve rock competency;

(zzze) “roofing bracket” means a bracket used in sloped roof construction and having sharp points or other means for fastening to prevent slippage;

(zzzf) “Rules” means the Meghalaya Occupational Safety, Health and Working Conditions Rules, 2024;

(zzzg) “Safety Officer” means a Safety Officer, and includes an Additional Safety Officer, appointed in accordance with the provisions of these Rules;

(zzzh) “safety screen” means an air and water tight diaphragm placed across the upper part of a compressed air tunnel between the face and bulkhead, in order to prevent flooding the crown of the tunnel between the safety screen and the bulkhead to provide a safe means of refuge and exit from a flooding of flooded tunnel;

(zzzi) “safe working load”, in relation to an article of lifting gear or lifting appliance, means the load which is the maximum load that may be imposed on such article or appliance with safety in the normal working conditions as accessed and certified by a competent person;

(zzzj) “scaffold” means any temporarily provided structure on or from which building workers perform work in connection with building or other construction work to which these Rules apply, and any temporarily provided structure which enables building workers to obtain access to or which enables materials to be taken to any place at which such work is performed, and includes any working platform, gangway, run, ladder or step-ladder (other than a ladder or step-ladder which does not form part of such structure) together with any guardrail, toe board or other safeguards and all fixings, but does not include lifting appliance or a lifting machine or a structure used merely to support such an appliance or such a machine or to support other plant or equipment;

(zzzk) “Section” means the Section of the Code;

(zzzl) “Schedule” means a Schedule annexed to these Rules;

(zzzm) “segment” includes a cast iron or precast concrete segmented structure formed to the curvature of the tunnel cross-section and used to support the ground surrounding the tunnel;

(zzzn) “service shaft” means a shaft for the passage of building workers or materials to or from a tunnel under construction;

(zzzo) “shaft” means an excavation having a longitudinal axis at an angle greater than forty-five degree from the horizontal-

(i) for the passage of building workers or materials to or from a tunne; or

(ii) leading to an existing tunnel;

(zzzp) “shield” means a moveable frame which supports the working face of a tunnel and the ground immediately behind it and includes equipment designed to excavate and support the excavated areas in a tunnel;

(zzzq) “shoring” means the construction of a temporary structure to support temporarily an unsafe structure. These render lateral support to walls and are used under the following circumstances-

(i) when a wall shows signs of bulging out due to bad workmanship;

(ii) when a wall cracks due to unequal settlement of foundation and the cracked wall needs repair;

(iii) when an adjacent structure is to be dismantled;

(iv) when opening are to be made or enlarged in the wall;

(zzzr) “small enterprise” means an enterprise as defined in clause (m) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zzzs) “Social Security Fund” means Meghalaya Unorganised Workers’ Social Security Fund established under the Code on Social Security, 2020;

(zzzt) “sole plate” means a member used to distribute the load from the base plate or the standard of wooden scaffolds to the supporting surface;

(zzzu) “sound or good construction” means construction conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzzv) “sound or good material” means materials of a quality conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzzw) “standard” means a member used as a vertical support or column in the construction of scaffolds which transmits a load to the ground or to the solid construction;

(zzzx) “standard safe operating practices” means the practice followed in building and other construction activities for the safety and health of workers and safe operation of machineries and equipment used in such activities and such practices conforms to all or any of the following, namely:

(i) relevant standards approved by Bureau of Indian Standards;

(ii) national building code;

(iii) manufacturer's instructions on safe use of equipment and machinery;

(iv) code of practice on safety and health in construction industry published by International Labour Organisation and amended from time-to-time;

(zzzy) "State Government" means the Government of Meghalaya;

(zzzz) "steel rib" includes all steel beams and other structural members shaped to conform to the requirements of a particular tunnel cross section, used for the purpose of supporting and stabilising the excavated areas;

(zzzza) "suspended scaffold" means a scaffold suspended by means of ropes or chains and capable of being raised or lowered but does not include a boatswain's chair or similar appearance;

(zzzzb) "Third Party Auditor" means a person or agency or experts empanelled under Rule 46;

(zzzzc) "tie" means an assembly used to connect a scaffold to a rigid anchorage;

(zzzzd) "toe board" means a member fastened above a working platform, access landing, access way, wheel barrow run, ramp or other platform to prevent building workers and materials from falling therefrom;

(zzzze) "transom" means a member placed horizontally and used to tie transversely one ledger to another, or one standard to another in an independent tie scaffold;

(zzzzf) "trestle scaffold" includes a scaffold in which the supports for the platform are any of the following which are self-supporting, namely:

- (i) split heads;
- (ii) folding;
- (iii) step-ladder;
- (iv) tripods; or
- (v) moveable contrivances similar to any of the foregoing;

(zzzzg) "tubular scaffold" means a scaffold constructed from tubes and couplers;

(zzzzh) "tunnel" means a subterranean passage made by excavating beneath the over burden into which a building worker enters or is required to enter to work;

(zzzzi) "underground" means any space within the confines of a shaft, tunnel, caisson or cofferdam;

(zzzzj) "vehicle" means all powered and manually operated truck, fork lift truck, tractor, trailer, locomotive, prime mover and any other such equipment includes a traction engine, road-building machine and transport equipment;

(zzzzk) "quarter" means the period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October;

(zzzzl) "working chamber" means the part of the construction site where work in a compressed air environment is carried out, but does not include a man-lock or medical lock;

(zzzzm) "working platform" means a platform which is used to support building workers or materials;

(zzzzn) “working pressure” means pressure, in a working chamber, to which building worker is exposed;

(zzzzo) “workplace” means all places where employees/ workers are required to be present or to go for work and which are under the control of an employer;

(zzzzp) “Workroom” means any place occupied by employees engaged in any manufacturing process, with or without the aid of power;

(zzzzq) “year” means the period of twelve months beginning from the 1st day of January in any year;

(2) The words and expressions used in these Rules and are not defined therein, but are in the Code, shall have respectively meaning assigned to them in the Code.

3. Competent person under clause (l), Sub-section 2(1) of Code.-

(1) The Chief Inspector-cum-Facilitator may recognize any person as the competent person within such area and for such period as may be specified for the purposes of carrying out tests, examination, inspection and certification for such buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other processes of plant and equipment located in an establishment as stipulated in the Code and the Rules made there under, if such person possesses the qualifications, experience and other requirements specified in Schedule-A appended to this rule;

Provided that the Chief Inspector-cum-Facilitator may relax the requirements of qualifications in respect of competent person if such a person is exceptionally experience and knowledgeable;

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

(2) The Chief Inspector-cum-Facilitator may recognise an institution of repute, having persons possessing qualifications and experience as specified in the Schedule-A appended to this rule, for the purposes of carrying out tests, examinations, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other processes of plant and equipment, located in an establishment as stipulated in the Code and the Rules made thereunder, a competent person within such area and for such period as may be specified.

(3) The person to be recognised as the competent person under this Rule shall not be above the age of sixty-two years and shall be physically and medically fit for the purpose of carrying out the requisite tests, examination and inspection.

(4) The Chief Inspector-cum-Facilitator may give a notice on portal or any other medium in the month of May every year to recognise any person or institute to be the competent person. The process of recognition may be completed within a period of sixty days from last date of receipt of application(s).

(5) Every application shall be accompanied by a fee (non-refundable) of rupees One thousand and security (refundable without interest) of rupees Twenty Thousand to be paid by the applicant through portal which shall be credited to the treasury in the head of account as may be specified by State Government from time to time. A record of such fee and security shall be maintained by the Chief Inspector-cum-Facilitator.

(6) A person or institute seeking recognition under the Code shall apply in **Form-01** or **Form-02**, respectively.

SCHEDULE-A
(Rule 3)

Serial No.	Purpose for which competency required	Qualifications	Experience	Facilities at disposal
1.	Certification of buildings and their stability to be	(a) Bachelors Degree in Civil or structural Engineering or its equivalent from recognized university; and (b) A Member or Associate Member of an (i) Institution of Civil Engineers or (ii) The Institution of Structural Engineers; or (iii) The Institution of Engineers (India) in civil engineering or structural engineering.	(i) an experience of a minimum period of ten years in design or construction or testing or repair of structures. Provided that experience for those who possesses master`s degree shall be minimum of seven years. (ii) Knowledge of non-destructive testing, various standards and Codes of practices that are current and the effect of the vibrations and natural forces on the stability of the building; and (iii) an ability to arrive at a reliable conclusion with regard to the safety of the structure or the building.	
2.	Dangerous Machines	Bachelor`s Degree in Mechanical or production Engineering or its equivalent from recognized university.	(i) an experience of working for a minimum period of ten years in:- (a) design or operation or maintenance or (b) testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. (ii) Should :- (a) be conversant with	Gauges for measurement and instruments for measurement of speed and any other equipment or device to

			<p>safety devices and their proper functioning (b) be able to identify defects and other causes leading to the failure. Provided that experience for those who possesses master`s degree shall be minimum of seven years; and (c) have ability to arrive at a reliable conclusion with regard to proper functioning of safety devices, appliances and machine guards</p>	<p>determine the safety in the use of the dangerous machine.</p>
3.	Hoists & Lifts	Bachelor`s Degree in Mechanical or Metallurgical or Production Engineering or its equivalent from recognized university	<p>(i) an experience of working for a minimum period of ten years in:-(a) design or erection or maintenance of hoists & lifts or (d) test and inspection procedure of hoists & lifts. Provided that experience for those who possesses master`s degree shall be minimum of seven years. (ii) Should :- (a) be conversant with the current and relevant codes of practices and test procedures; (b) conversant with other statutory requirements covering the safety of hoists and lifts (c) be able to identify defects and arrive at a reliable conclusion and with regard to the safety of hoists and lifts</p>	
4.	Lifting Machines, chains, Ropes and Lifting Tackles	Bachelor`s Degree in Mechanical or Metallurgical or Production Engineering or its equivalent from recognized	<p>(i) an experience of working for a minimum period of ten years in:- (a) design or erection or maintenance of lifting machines, chains, ropes and lifting tackles or (b)</p>	

		university	<p>test and inspection procedure of lifting machines, chains, ropes and lifting tackles.</p> <p>Provided that experience for those who possesses master`s degree shall be minimum of seven years.</p> <p>(ii) Should :-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures.</p> <p>(b) fracture machines and metallurgy of the material of construction; and (c) heat treatment or stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles.</p> <p>(d) Capable of identifying defects and arriving at a reliable conclusion and with regard to the safety of lifting machinery, chains, ropes and lifting tackles</p>	
5.	Pressure Plants	Bachelor`s Degree in Chemical or Mechanical or Metallurgical or Production Engineering its equivalent from recognized university	<p>(i) an experience of working for a minimum period of ten years in:-</p> <p>(a) design or erection or maintenance of pressure plants or (b) testing, examination and inspection procedure of pressure plants</p> <p>Provided that experience for those who possesses master`s degree shall be minimum of seven years.</p> <p>(ii) Should :-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures relating to pressure plants;</p> <p>(b) conversant with</p>	Facilities for carrying out hydraulic test non-destructive test, gauges, equipments/ gadgets for measurement and any other equipment or gauges to determine the safety

			<p>Statutory requirement concerning the safety of unfired pressure vessels and equipments operating under pressure</p> <p>(c) conversant with nondestructive Testing techniques as are applicable to pressure vessels; and</p> <p>(d) able to identify defects and arriving at a reliable conclusion and with regard to the safety of pressure plants.</p>	<p>in the use of Pressure Vessels.</p>
6.	<p>Precautions against dangerous fumes, gases.</p>	<p>Bachelor`s Degree in Chemical engineering from recognized university</p>	<p>(i) an experience of working for a minimum period of ten years in; collection and analysis of environmental samples and calibration of monitoring equipments. Provided that experience for those who possesses master`s degree shall be minimum of seven years.</p> <p>(ii) should be</p> <p>(a) Be conversant with the hazardous properties of chemicals and their permissible limit values;</p> <p>(b) Be conversant with current techniques sampling and analysis of environmental contaminants; and</p> <p>(c) able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out hot work</p>	<p>Meters, instruments & devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces</p>
7.	<p>Ventilation system as required under various schedules framed under Section-82 of the Code.</p>	<p>Bachelor`s Degree in Chemical or Mechanical Engineering its equivalent from recognized university.</p>	<p>i) a minimum of ten years experience in design, fabrication, testing of ventilating system used for extraction and collection of dust, fumes and vapours and other ancillary equipment.</p>	<p>Facilities for testing the ventilating systems and gauges for testing the</p>

			<p>Provided that experience for those who possess a master's degree shall be minimum of seven years.</p> <p>(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 and (iii) be able to arrive at a reliable conclusion with regard to effectiveness of the system</p>	<p>Effectiveness of extraction system for dusts, vapours & fumes and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of system.</p>
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(7) If the qualifications and experience of the person(s) proposed to be recognized are found to be in accordance with these Rules, the person may be called to appear for a test and interview before the Interview Board to be constituted by the Chief Inspector-cum-Facilitator.

(8) The Chief Inspector-cum-Facilitator based on the result of test and report of the interview Board and after satisfying himself as regards the competence and facilities available at the disposal of the applicant, may recognize the applicant as the competent person by issuing a certificate of competency in **Form-03** or such application shall be disposed of by rejecting the same specifying reasons thereof.

(9) The Chief Inspector-cum-Facilitator, if he has reason to believe that a competent person,-

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

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

(c) For any other reason to be recorded in writing, may revoke the certificate or competency after giving an opportunity to the competent person for being heard.

(10) If the certificate of competency is revoked, the security deposited by the competent person shall be forfeited.

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

CHAPTER- II REGISTRATION OF ESTABLISHMENT

4. Application for registration under Section 3 of Code.-

(1) Manner and form of filing an application for registration fee and late fee:-

(i) The occupier/employer seeking registration for an establishment shall apply electronically in **Form-04** on the official portal of Meghalaya State Labour Department Portal by giving details about the establishment, and uploading documents related to Registration of the establishment, proof of Identity and address of the occupier/employer(s), as specified in the Form. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

(ii) The Permanent Account Number (PAN) of the applicant or the establishment, allotted under Income Tax Act, 1961 (43 of 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 said form, may be verified online.

(iii) 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.

(iv) Every application referred to in sub-rule (i), shall be accompanied by the information on inter-state migrant workers in **Form-05**.

(v) The applicant shall pay the fee and the late fee (if applicable) along with application.

(vi) After submission of the application, the concerned officer shall dispose of the application and issue a registration certificate in the manner as given under Section 3 of the Code.

(vii) Fee for registration of the establishment shall be paid at the following rates—

	Number of employees employed in the establishment	Amount of fees in rupees
a.	Up to 20	1000.00
b.	21- 50	2000.00
c.	51-100	3000.00

d.	101-150	4000.00
e.	151-200	5000.00
f.	201-250	7000.00
g.	251-500	8000.00
h.	501-750	9000.00
i.	751-1000	10000.00
j.	1001-1500	11000.00
k.	1501-2000	12000.00
l.	2001-3000	13000.00
m.	3001-5000	14000.00
n.	Above 5000	15000.00

(viii) The late fee shall be twenty five percent (25%) per annum of the registration fee.

(ix) The occupier/employer in respect of any establishment registered under any Central and State labour laws (i.e The Factory Act, 1948, Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, EPF Act, 1952, ESIC Act, 1948, and Meghalaya Shop and Establishment Act, 2004) shall update the registration particulars on the portal within six months from date on which these Rules come into force.

(x) If there is any increase in the number of employees to be employed in the establishment subsequent to its registration, then the differential amount as per the schedule under sub-rule (vii) shall be payable by the occupier/employer concerned.

- (2) (i) The certificate of registration shall be issued in **Form-06** electronically immediately if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated;

Provided that in exceptional circumstances the State Government may, for such period, by notification, dispense with requirement of electronic registration, in respect of establishment or class of establishment, for part or whole state, and submission of application in **Form-4** so provided, may be allowed.

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

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

- (3) The occupier/employer shall quote the Registration Number on all documents prepared or completed by him in connection with the Code or the Rules or the

Regulations or the Scheme, as the case may be, made there under and in all correspondence with the office concerned.

(4) 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 occupier/employer within thirty days of such change.

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

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

(6) The registering officer shall maintain a register of establishment electronically in **Form-07** showing the particulars of establishment in relation to which certificates of registration have been issued by him.

(7) The occupier/employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment is situated or as the case may be, the work is to be executed, intimating the actual date of the commencement, completion of work and cessation of establishment, as the case may be, in **Form-08** electronically and the same shall be auto-shared to the Employees' Provident Fund Organization (EPFO) and the Employees' State Insurance Corporation (ESIC).

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

(i) Every occupier/employer to whom Section 5 of the Code applies, shall submit a notice of commencement of operation of any factory or relating to contract labour or building or other construction works electronically on official portal of State Government within fifteen days from the date of such commencement.

(ii) Every occupier/employer to whom Section 5 of the Code applies shall submit a notice of cessation of operation of any factory or relating to contract labour or building or other construction works electronically on official portal of State Government before sixty days from the date of such cessation with a certificate that the payment of all dues to the employees/ workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

(iii) The Notice of Commencement and cessation of operation shall be submitted in **Form -08**.

CHAPTER-III
DUTIES OF EMPLOYER AND EMPLOYEE, ETC.

6. Annual Health Examination of employees under clause (c) of sub-section (1) of Section 6.-

(1) The occupier/employer shall arrange for a medical examination of all the employees above the age of forty years, 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 employees employed in hazardous processes shall be medically examined –once before employment and every year or as per provision specifically notified otherwise.

(2) Records of such examination shall be maintained in **Form-09**.

(3) The medical examination shall include -

(a) Full medical and occupational history;

(b) Clinical examination with particular reference to-

(i) General physique;

(ii) Vision - Total visual performance using standard orthorator like litmus Vision Tester shall be estimated and suitability for placement shall be ascertained in accordance with the prescribed job standards;

(iii) Hearing - Person with normal hearing must be able to hear a forced whisper at twenty-four feet. Person using hearing aids must be able to hear a warning shout under noisy working conditions;

(iv) Breathing - Peak flow rate shall be measured using standard peak flow meter and the average peak flow rate shall be determined out of the readings of the test performed. The results recorded at pre-placement medical examination could be used as a standard for the same individual at the same altitude for reference during subsequent examination;

(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 foot coordination.

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

The medical examination shall be conducted by a qualified medical practitioner as per tests specified in the **Form-10**.

(4) Record of health examination mentioned in Sub-Rule (2) shall be submitted annually to the Inspector-cum-facilitator, electronically.

7. Letter of appointment to employee under clause (f) of sub-section (1) of Section 6.-Letter of appointment to every employee on his/her appointment in the establishment shall be in the manner in specified format as-

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

Format (Letter of appointment)

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

Signature
Occupier or employer or manager

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

- (1) Notice of any accident in any place in an establishment which either,
- (a) causes loss of life; or
 - (b) disables a person from work on which he was employed for the rest of the day or shift in which the accident occurred; shall forthwith be sent by telephone or special messenger within four hours of the occurrence to,-
- (i) the Inspector-cum-facilitator;
 - (ii) the relatives of the employees /workers when the accident causes loss of life to the employee or is likely to disable the employee from work for more than forty eight hours; and
 - (iii) in the case of fatal accidents also to:
 - (a) the officer-in-charge of the nearest Police Station, and,
 - (b) the District Magistrate or if the District Magistrate by order so directs, the Sub-Divisional Magistrate.
- (2) In the case of accidents falling under clause (b) of sub- rule (1) the injured person shall be given first-aid and thereafter immediately transferred to a hospital or other place of treatment.
- (3) Where any accident causing disablement subsequently results in the death of employee, notice in writing of the death shall be submitted to the authorities mentioned in sub-rule (1) within 48 hours after the death occurs.
- (4) Wherein an establishment there is any dangerous occurrence as specified in the schedule annexed hereto, whether or not, causing bodily injury to any person or damage to any room or place in which persons are employed, in the manner prescribed in sub-rule (1).

(5) If any accident or dangerous occurrence has occurred, the concerned appliance, gear or equipment and the site shall, as far as practicable, be kept undisturbed until inspected by the Inspector-cum-facilitator.

(6) Every notice given under sub-rule (1) and sub-rule (4), shall be confirmed within forty eight hours of the occurrence by submitting a written report to the Inspector-cum-facilitator in **Form 11**, provided that in case of an accident under Cl. (b) of sub-rule (1), such written report need be submitted only when the employee is disabled from work on which he was employed for more than forty-eight hours from the time of accident.

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

SCHEDULE-C

Classes of Dangerous Occurrences

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

- (i) Bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) Collapse or failure of lifting appliances, crane, derrick, winch, hoist, conveyors or other similar equipment used in raising or lowering persons or goods, or any part thereof, or breakage or failure of rope, chain or loose gears; overturning of cranes; falling of objects from height;
- (iii) Explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas;
- (iv) Explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
- (v) collapse of any wall, floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;
- (vi) spillage or leakage of hazardous substances and damage to their container;
- (vii) fall, collapse, capsizing, toppling or collision of vehicle within the establishment;
- (viii) an instantaneous failure of a pillar, part of a pillar or several pillars in working below ground;
- (xi) a rock-burst in working belowground; a premature collapse of any part of the working;

- (xii) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;
- (xiv) failure of dump or side in opencast working; a blowout;
- (xv) a failure of any structure or installation or spark generated due to electrical flash-over whereby the safety of persons may be endangered;
- (xvi) a major uncontrolled emission of petroleum or chemical spillage;

9. Notice of certain disease under sub-section (1) and (2) of Section 12.-

(1) A notice in the following format shall be sent forthwith electronically or otherwise, to the Inspector-cum-Facilitator or 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 occupier or manager of an establishment in which there occurs any disease as notified under the Third Schedule of the Code.

NOTICE OF DISEASE

- (1) Name of establishment:
- (2) Nature of establishment:
- (3) In case of Mines the Name of the Mineral:
- (4) Details of Patient:
 - (a) Name of Patient:
 - (b) Works number of Patient:
 - (c) Address of Patient:
 - (d) Precise occupation of patient:
- (5) Nature of disease from which patient is suffering:
- (6) Date of Detection of Disease:
- (7) Details of Medical Practitioner:
- (8) Has the case been reported to the Medical Officer :

Date: _____ Signature of employer or occupier or manager

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

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

10. Duties of employee under clause (d) and (g) of Section 13.-

(1) If an employee notices any unsafe or unhealthy condition in the establishment, he/she shall report to the occupier/employer, health and safety representative or safety

officer or manager, as soon as practicable, electronically or in writing or telephonically.

(2) Every employee shall strictly adhere to the provisions of the Code and of the Rules made thereunder and to any order or direction issued by the safety officer, health and safety representative or occupier or manager or employer with a view to the safety or convenience of persons not being inconsistent with the Code and Rules; nor shall he neglect or refuse to obey such orders or directions.

(3) No employee shall interfere with, impede or obstruct any person in the discharge of his duties, nor shall he offer or render any service, or use any threat, to any other person with a view to preventing him from complying with the provisions of the Code and of the Rules made thereunder or from performing his duties faithfully.

(4) Every employee shall-

(a) Take reasonable care for their own safety and health and that of other persons who may be affected by their acts and omissions at work including the proper care and use of protective clothing, facilities and equipment placed at their disposal;

(b) Co-operate with the occupier/employer, to permit compliance with the duties and responsibilities placed on the occupier.

(5) No employee shall, except with the authority of an official, remove or pass through any fence, barrier or gate, or remove or pass any danger signal.

(6) No employee shall sleep while on duty.

(7) Subject to the provisions of the Code and of these Rules and orders made thereunder, no employee shall remain in a factory beyond the period over which his shift extends.

(8) No employee shall report in intoxicated condition or consume any intoxicating substance while on duty.

(9) If at any time occupier/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 send a report on imminent danger and action taken thereon, electronically or otherwise to the Inspector-cum-Facilitator.

(10) Every employee shall perform such other duties as may be assigned by the State Government by general or special order.

11. Rights of Employee under sub-section (3) of Section 14,-

(1) On receipt of information from the employee relating to the existence of an imminent danger to their safety and health, the occupier/employer shall take immediate remedial action in this regard. The occupier/employer, whether satisfied or not, shall send a report forthwith of such actions taken, to the Inspector-cum-facilitator electronically or by registered post or speed post.

(2) Every employee shall have the right to-

(a) obtain from the occupier/employer, information relating to employees' health and safety at work;

(b) get trained annually within the factory wherever possible, or, to get himself sponsored by the occupier/employer for getting trained at a training centre or

institute, duly approved by the Chief Inspector-cum-Facilitator of factory or institute as Central Labour Institute or Regional Labour Institute of Directorate General Factory Advice Service and Labour Institute, where training is imparted for employees/workers' health and safety at work;

(c) represent to the Inspector-cum-Facilitator directly or through his representative in the matter of inadequate provision for protection of his health or safety in the factory.

CHAPTER-IV

OCCUPATIONAL SAFETY AND HEALTH

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

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

(2) The State Advisory Board shall consist of—

(a) The Additional Chief Secretary or Principal Secretary, Labour Department, Government of Meghalaya – Chairperson, *ex officio*;

(b) The Secretary or Joint Secretary, Labour Department, Meghalaya – Member Secretary *ex officio*;

(c) The Chief Inspector-cum-Facilitator, Office of Chief Inspector of Boiler and Factories, Government of Meghalaya- member, *ex officio*;

(d) The Labour Commissioner, Office of Labour Commissioner, Government of Meghalaya- member, *ex officio*;

(e) One representative of Meghalaya State Disaster Management Authority- member; *ex officio*;

(f) One Officers from Public Works Department, One Officers from Department of Micro, Small and Medium Enterprises and One officer from the Meghalaya State Pollution Control Board, nominated by the State Government not below the rank of Special Secretary or Scientist one of which shall be a woman, one officers from Directorate Mineral Resources Department nominated by the State Government - member, *ex officio*;

(g) Secretary of the Meghalaya Building and Other Constructions Workers Welfare Board- member, *ex officio*;

(h) One representative of the Directorate of Health Services -member, *ex officio*;

(i) One representative of Employees' State Insurance Scheme, Shillong- member, *ex officio*;

(j) One representative of Regional Labour Institute, Directorate General Factory Advice Service and Labour Institute, Ministry of Labour and Employment, Shillong- member, *ex officio*;

(k) One representative of Fire and Emergency Service, Govt. of Meghalaya- member, *ex officio*;

- (l) Five representatives of occupier/employers to be nominated by the State Government- *members*;
- (m) Five representatives of employees nominated by the State Government- *member*; and
- (n) Three persons from the field of occupational health and safety having a graduation degree in Engineering or representatives from reputed research institutions or similar other discipline nominated by the State Government- *member*.
- (o) Special invitees from the State Government or the Central Government for seeking inputs in specific matters or industry or sector which is predominant in that State- *Member*;
- (2) The members of the State Advisory Board as specified in Rule 12 (l), (m), (n), (o) shall be nominated and approved by the State Government, Labour Department.
- (3) The State Advisory Board will advise the State Government on the matters relating to -
- (a) standards, rules and regulations to be declared or framed under this Code;
 - (b) implementation of the provisions of this Code and the standards, rules and regulations relating thereto;
 - (c) the issues of policy and programme relating to occupational safety and health referred to it, from time to time, by the State Government; and
 - (d) any other matter in respect of this Code referred to it, from time to time, by the State Government.
- (4) The terms of office of the Members referred to in clauses (k), (l), (m) and (n) of sub-rule (1) shall be of three years and the procedure for their nomination, and discharge of their functions shall be such as may be prescribed by the State Government:

Provided that where the appointment of the successor of any such member has not been notified in the Official Gazette on or before the expiry of the said period of three years, such member shall, notwithstanding the expiry of the period of his office, continue to hold such office until the appointment of his successor is notified in the Official Gazette.

13. Resignation.-

- (1) A member of the State Advisory Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Chairperson of the State Advisory Board.
- (2) The seat of such a member shall fall vacant from the date on which his resignation is accepted by the State Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the State Government whichever is earlier.
- (3) 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 Board of the member in whose place he is appointed.

14. Cessation of membership.- If any member of the State Advisory Board, not being an ex-officio member, fails to attend three consecutive meetings of the State Advisory

Board, without obtaining the leave sanctioned by the Chairperson of such State Advisory Board for such absence, he/she shall cease to be a member of State Advisory Board;

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

15. Disqualification for membership.-

A person shall be disqualified for being a member of the State Advisory Board—

(i) if he/she is of unsound mind and stands so declared by a competent authority;

(ii) if he/she is an un-discharged insolvent; or

(iii) if he/she has been convicted for an offence, having a penalty of imprisonment of three months or more;

16. Removal from membership.-

The State Government may remove any member of the State Advisory Board, if in its opinion such member has ceased to represent the interest which he/she purports to represent on such State Advisory Board;

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

17. Travelling Allowance for members.-

(i) the travelling allowance of an official member shall be governed by the Rules applicable to him/her for journey performed by him/her on official duties and shall be paid by the authority paying his/her salary.

(ii) the non-official members of the State Advisory Board shall be paid travelling allowance for attending the meeting of the State Advisory Board at such places as per the instructions issued by Finance Department of Government of Meghalaya from time to time.

18. Disposal of the Business- (1) The Board constituted under Rule 12 shall meet at least once in six months at the time and place fixed by the Chairperson.

(2) The meeting of the Board shall be called by the Member Secretary with the prior approval of the Chairperson.

(3) The Chairperson shall preside every meeting of the Board in which he is present and in his absence the meeting shall be presided by the any member nominated by Chairperson in this behalf.

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

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

(5) No business, which is not on the list of businesses, shall be considered without permission of the chairperson.

(6) No business shall be transacted at any meeting unless atleast ten members are present:

Provided that if at any meeting less than ten members are present, the Chairperson may adjourn the meeting to another date informing about the same to the members present and giving notice to other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and thereupon it shall be lawful to dispose the business at the adjourned meeting irrespective of the number of members attending the meeting.

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

(8) Every decision taken at the meeting of the Board shall be recorded in a minutes book, which shall be a permanent record.

19. Appointment of other Officers and Staff.- (1) The Board may, with approval of State Government, appoint such other officers and employees as it may consider necessary for the efficient discharge of its functions;

(2) The remuneration payable to such officers and staff shall be such as may be decided by the State Government from time to time.

(3) The officers and staff appointed thereunder shall assist the Chairperson of State Advisory Board in convening meetings of the State Advisory Board.

(4) The officers and staff appointed thereunder may attend the meetings of State Advisory Board but shall not be entitled to vote at such meetings.

(5) The officers and staff appointed thereunder shall keep a record of the minutes of the meetings of State Advisory Board.

(6) The officers and staff appointed thereunder shall take necessary measures to carry out the decisions taken at the meetings of State Advisory Board.

20. Technical Committee or Advisory Committee of the State Advisory Board-

The State Government may constitute as many technical committees or advisory committees of the State Advisory Board on the recommendation of State Advisory Board to assist the State Government or State Advisory Board in discharge of their functions, as it thinks fit. The term, function, procedures and allowances of these committees shall be as determined by the Labour Department of Meghalaya State Government.

21. Collection of statistics and portal for inter-State migrant workers under sub-sections (1) and (2) of Section 21- Every employer shall submit the details of

occupational safety and health statistics electronically on web portal designated for the purpose.

22. Safety Committee under Section 22.-

(1) In every establishment,-

- (a) major accident hazard factories; or
- (b) an establishment which carries on any 'hazardous process' as defined in clause (za) of sub-section (1) of Section 2 and employs fifty or more employees; or
- (c) a factory or building and other construction work wherein two hundred fifty or more employees are ordinarily employed; or
- (d) every other establishment wherein five hundred or more employees are ordinarily employed; there shall be a Safety Committee, consisting of representatives of employers and employees;

Provided that factories declared under Section 81 of the Code situated in a particular area and carrying out 'hazardous process' or 'dangerous operation' of similar nature, shall have a common Safety Committee for them with the prior approval of the Chief Inspector-cum-facilitator for the purpose this rule. The area of common safety committee shall be decided by Chief Inspector-cum-facilitator.

(2) The constitution of the Safety Committee shall comprise of :

- (a) Occupier/ employer or Manager or Chief Executive, who by his position is the incharge of overall management in the establishment, shall be the Chairman;
- (b) In case of factory or building and other construction work, a Safety Officer and a Medical Officer, and the Safety Officer in such a case shall be the Secretary of the Committee;
- (c) (i) One representative each from the production, maintenance, human resource and purchase departments; for factories, or
 - (ii) One representative each from the engineering or technical, plant and machinery and purchased departments for building and other construction work;or
- (iii) for establishment not having department as mentioned in (i) or (ii), representative from management side may be chosen.
- (d) representatives of employees shall be chosen by the employees;

Provided that there shall be adequate representation of the women employees in the committee. Number of representatives from management shall not be more than the representatives of employees.

- (e) in case of common safety committee, minimum one employee from each factory shall be nominated by the occupier/employer.

(3) The tenure of the Committee shall be at least three years. Any change in Safety committee composition has to be supplemented with reconstitution issued by the Occupier/ employer.

(4) Safety Committee shall meet as often as necessary but at least once in every quarter. The minutes of the meeting shall be recorded, and shall be produced to the Inspector-cum-Facilitator on demand.

- (5) 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.

- (6) Function 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;
 - (b) dealing with all matters concerning health, safety and environment and to arrive at solutions to problems encountered ;
 - (c) creating safety awareness amongst all employees ;
 - (d) undertaking educational, training and promotional activities ;
 - (e) discussing reports on safety, environment and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports ;
 - (f) to investigate into the causes of accidents and unsafe practices and to suggest remedial measures;
 - (g) to go round the establishment with a view to check unsafe practices and detect, unsafe conditions and to recommend remedial measures for their rectification;
 - (h) carrying out surveys for assessment of health and safety status and performance;
 - (i) 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
 - (j) to serve as a forum for communication on Safety and occupational health matters.

(7) Where owing to the size of the establishment, or any other reason, the functions referred to in sub-rule (6) cannot be effectively carried out by the Safety Committee, it may establish sub-committees as may be required to assist it.

(8) The constitution of Safety Committee and sub-committees shall be communicated to Chief Inspector-cum-Facilitator electronically or otherwise.

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

(10) The record of minutes of meeting and action taken on recommendation shall be preserved for the period of atleast five years.

23. Safety Officer for establishment under sub-section (2) of Section 22 of Code.-

A. Qualification of safety officer -

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

(i) a recognised degree in any branch of engineering or technology and has had practical experience in any factory or building and other construction work in a supervisory capacity or above for a period of not less than 2 years; or a recognised degree in physics or chemistry and has had practical experience in any factory in a supervisory or above capacity for a period of not less than 5 years; or a recognised diploma in any branch of engineering or technology and has had practical experience in any factory or construction establishment in a supervisory capacity for a period of not less than 5 years; and

(ii) possesses a degree or diploma in industrial safety recognised by the State Government in this behalf or possesses a degree or diploma which conducted by Central Labour Institute/Regional Labour Institutes of DGFASLI.

(2) Notwithstanding anything contained in sub-rule (1), any person who - (i) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than 5 years in a department of the Central or State Government which deals with the administration of labour laws in factories or building and other construction work, or

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

(3) No person, who is or becomes the occupier/employer of an establishment or is or becomes directly or indirectly interested therein or in any process or business carried on therein on in any patent or machinery connected therewith, shall be appointed as a Safety Officer or shall be allowed to hold such office after he becomes so interested.

B. Conditions of service of Safety Officer in establishment –

(i) Where the number of Safety Officers to be appointed in an establishment as per Rule 25 exceeds one, one of them shall be designated as the Chief Safety Officer and shall have a status higher than that of the others. The Chief Safety Officer shall be in overall charge of the safety functions as envisaged in Rule 24 and other Safety Officers working under his control.

(ii) The Chief Safety Officer or the Safety Officers in the case of establishment where only one Safety Officer is required to be appointed shall be given the status of a senior executive and he/she shall work directly under the control of the chief executive of the establishment. All other Safety Officers shall be given appropriate status to enable them to discharge their functions effectively.

(iii) The scale of pay and the allowances to be granted to the Safety Officers including the Chief Safety Officer, and the other conditions of their service shall be the same as those of the other officers of corresponding status in the establishment.

(d) The Safety Officer shall be provided with adequate technical and secretarial staff and equipment, to enable him to function efficiently.

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

24. Duties of Safety Officers in establishment. – (1) The duties of a Safety Officer shall be to advise and assist the management of establishment in the fulfillment of its obligations, statutory or otherwise, concerning prevention of personal injuries and maintaining a safe working environment and such duties shall include the following, namely. –

- (i) to advise the concerned departments in planning and organising measures necessary for the effective control of personal injuries;
- (ii) to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;
- (iii) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (iv) to advise the purchasing and store departments in ensuring high quality and availability of personal protective equipments.
- (v) to advise on matters related to carrying out plant safety inspections;
- (vi) to carry out plant safety inspections in order to observe the physical conditions of work and the work practices and procedures followed by employees and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by employees;
- (vii) to render advice on matters related to reporting and investigation of industrial accidents and diseases;
- (viii) to investigate accidents, dangerous occurrences and other incidents;
- (ix) to investigate the cases of notifiable diseases listed in the Third Schedule of the Code;
- (x) to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the employees in establishing and maintaining safe conditions of work and procedures; and
- (xi) to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries.
- (xii) to advise on the maintenance of such records as are necessary relating to accidents, dangerous occurrences and industrial diseases;
- (xiii) to promote setting up of safety committees and act as advisor to such committees.

(2) No Safety Officer shall be required or permitted to do any work which is inconsistent with or detrimental to the performance of the duties mentioned in Sub-rule (1).

25. Requirement of Safety Officers in establishment.-

(1) Every establishment wherein 250 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:

- (a) Upto 500 employees -One Safety Officer.
 - (b) For every additional 500 employees or part thereof- One Safety Officer.
 - (2) for factories carrying on hazardous process or establishments carrying on building or other construction works, wherein 100 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer.
 - (3) for Major Accident Hazard Installations, wherein 50 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer.
 - (4) for establishments carrying on building or other construction works as mentioned 'hazardous construction works', wherein 50 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer
- Explanation:*Hazardous construction work related to building or other construction work- Excavation or construction work below ground (e.g. excavation for foundation with one basement floor) , high rise construction (e.g. construction height more than 15 m from ground level), steel erection, demolition, roof work, work under and above water, work in confined spaces, tunneling work.
- (5) Any appointment, when made, shall be notified to the Inspector-cum-Facilitator having jurisdiction in the area, giving full details of the qualifications, terms and conditions of service of such safety officers.

CHAPTER-V

HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

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

- (1) No employee shall be required or allowed to work in an establishment for more than forty eight hours in any week.
- (2) If the employee works in the establishment for six days in a week, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.
- (3) If the employee works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays;

Provided that the flexibility in working hours shall be permitted with the consent of sole negotiating union, negotiating union or negotiating council under the

Industrial relations Code, 2020 (35 of 2020) or with the consent of majority of employees/ workers in the absence of such negotiating union or negotiating council.

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

27. Interruption period allowed in running time under Explanation (a) of sub-section (1) of Section 25 of Code.-A maximum of fifteen minutes interruption shall be allowed any time during which the running of the transport vehicle is interrupted.

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

29. Compensatory holidays under sub-section (3) of Section 26 of code.- (1) Except in the case of employee 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.

(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 employees 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.

(3) Any compensatory holiday or holidays to which an employee 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.

(4) The Manager shall maintain a Register in **Form No.12** for an establishment as Factory:

Provided that if the Chief Inspector-cum-Facilitator of Factories is of the opinion that any muster-roll or register maintained as part of the routine of the factory or return made by the Manager, gives in respect of any or all of the employees/workers in the factory the particulars required for the enforcement of Section 26, he may, by order in writing, direct that such muster-roll or register or return shall to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that factory.

(5) The register maintained under sub-rule (2) shall be preserved for a period of five years after the last entry in it shall be produced.

30. Extra Wages for overtime under Section 27 of code.-

(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.

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

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

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

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

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

31. Prohibition of overlapping shifts in Factory under Section 29 of code.-The

manager shall arranged the duties of employees as more than one relay of employees is engaged in work of the same kind at the same time.

The Printing Press attached to the newspaper offices shall be exempted from the provisions of Section 29 of the Code, subject to the following conditions, namely:-

In such printing press-

- (i) The employees of each relay shall bear a badge of distinct colour which will identify the employees of one relay from that of the order;
- (ii) The colour of the badge to be worn by the employees of each relay shall be specified in the notice of periods of work required to be displayed and correctly

maintained and in the copies of the notice to be sent to the Inspector-cum-Facilitator;

(iii) a flag or light having the same colour as that of the badge to be worn by the employees of any relay actually at work shall be displayed during the time of actual working of one or more relays in the department concerned;

(iv) each employees engaged in the work carried on by means of overlapping shifts shall be in possession of an identity card. The identity card shall be supplied to the worker by the factory management free of costs and shall bear the photograph of the workers, his full name, signature or thumb impression and visible identification mark and the signature of the Manager.

32. Restriction on double employment in Factory under Section 30 of code.-

(1) No employee shall be required or allowed to work in any factory on any day if he has already been working in any other factory.

(2) Any employee who is appointed as a part time employee shall be allowed to work in another establishment (except factories) within next twelve hours subject to the condition that total working hours shall not exceed twelve hours, and spread over of work shall not exceed sixteen hours :

Provided that the Meghalaya State Government may, by notification, add any category of employee and condition of double employment.

33. Notice of periods of work under sub-section (2) of Section 31 of code.-(1)The notice referred to in sub-section (2) of Section 31 shall be displayed at conspicuous places on a notice board or electronic board and maintained in **Form-13** and copy of such notice shall be sent to Inspector-cum-facilitator electronically or by registered post before the day on which work is begun in the establishment/ factory or building or other construction work.

CHAPTER-VI

MAINTENANCE OF REGISTERS, RECORDS AND RETURNS

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

(1) Employer of every establishment shall maintain-

- i. Register of employment- **Form No. 14.**
- ii. Register of attendance-cum-muster roll- **Form No. 15 and Form No.15A.**
- iii. Register of wages, over time and deduction in **Form No.16.**

Registers under this chapter shall be maintained electronically or otherwise.

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

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

(2) Every employer shall issue a wage slip electronically or otherwise to the employees in **Form No. 17**, before one day of payment of wages to the employee.

35. Display of notice board.- Every employer shall cause to display at the conspicuous place of the workplace of the establishment under his control, notice showing the name and address of the establishment, Safety & Health Policy, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the Inspector-cum-facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English, Hindi and in the Local Language understood by the majority of the workers.

36. Annual Returns—

(a) The employer to which the provisions of this Code applies on or before the 28th or 29th day of February in each year, upload a unified annual return in **Form No. 18** prescribed under the Rules made in the Occupational Safety, Health and Working Conditions Code, 2020 (No.37 of 2020) online on the designated portal of the State Government, giving information as to the particulars specified in respect of the preceding year; provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

Every employer shall file such returns within such period and in such a manner as may be specified by the State Government by general or special order time to time.

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

(b) If the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal of the State Government, a further unified return in **FORM-18 and 18A** referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

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

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

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

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

37. Register of accident and dangerous occurrences.- The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of Section 33 of the Code shall be maintained in a **Form-19**.

38. Register of leave with wages under clause (a) of Section 33.-

(1) The owner, agent or manager of every establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or manually in **Form-20**.

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

CHAPTER-VII

INSPECTOR-CUM-FACILITATOR AND OTHER AUTHORITY

39. Appointment of Inspector-cum-Facilitator for Factory under sub-section (1) of Section 34. –

(1)The Chief Inspector of Boilers and Factories, Government of Meghalaya will be the Chief Inspector-cum-Facilitator for the purposes of the execution of the Code in the State for the following provisions –

- i. Occupational Safety and Health (Chapter IV)
- ii. Factories (part V of chapter XIII)
- iii. Notice of accidents under Section 10 and 11
- iv. Clause (b) of Section 6

(2) Qualification of Inspector-cum-Facilitator of Establishment as Factories- No person shall be appointed as an Inspector-cum-facilitator for the purpose of the Code unless he/she possesses of the qualifications as hereunder-

(a) He/ She must have a Degree in Mechanical or Production or Power Plant or Metallurgical Engineering or Technology of a recognised university, and preferably with practical experience of at least two years in a workshop or a manufacturing concern of good standing and

(b)Where for a particular, post, special knowledge to deal with special problems is required, the Government may, in addition to the basic qualifications, prescribe appropriate qualifications for such a post.

40. An Inspection Scheme of Inspector-cum-Facilitator of Factories under sub-section (2), (3), (4) of Section 34. –

(1) The Government shall lay down an inspection scheme for the generation of web-based inspection and calling of information under this Code, electronically and such scheme shall, inter alia, have provisions to cater to special circumstances for assigning inspection and calling for information from establishment or any other person besides web-based inspections.

(2) Under the scheme, the randomised selection of establishment and the Inspector-cum-Facilitator for inspection shall be provided. Unique number, to each establishment (which will be same as the registration number allotted to the establishment registered under Section 3, unique number to each Inspector-cum-Facilitator and to each inspection in such manner as may be assigned by the Government for inspection scheme.

(3) The Inspector-cum-Facilitator shall upload the inspection reports within seven days from the date of inspection made as sub-rule (2).

(4) The special inspection for investigation of accident or dangerous occurrence shall be made as and when required in his jurisdiction as notified by Government.

(5) Routine inspection for smooth discharge of duties is as-

(i) High Risk- required to inspected yearly,

(ii) Mid Risk Industries- required to inspected ones within two years,

(iii) Low risk – required to inspected as required only.

41. Appointment of Chief Inspector-cum-facilitator for Factory under sub-section (5) of Section 34.-

Qualification of Chief Inspector-cum-Facilitator of Factories:-

(1) No person shall be appointed to the post of Chief Inspector-cum-Facilitator of Factories unless he/she has obtained a Degree in Mechanical or Production or Power Plant or Metallurgical Engineering or any qualification declared by the Union or State Public Service Commission as equivalent thereof and has served for not less than four years as Deputy Chief Inspector (i.e. Deputy Chief Inspector-cum-Facilitator of Factories) or minimum eight years total experience as Deputy Chief Inspector (i.e. Deputy Chief Inspector-cum-Facilitator of Factories) and as Inspector of Boilers & Factories (i.e. Inspector-cum-Facilitator of Factories) or minimum eight years experience as Inspector (i.e. Inspector-cum-Facilitator of Factories) of Boiler & Factories under the Occupational Safety and Health Code or The Factories Act, 1948(earlier) and Indian Boiler Act,1923.

Qualification of Deputy Chief Inspector-cum-Facilitator of Factories:-

(2) No person shall be appointed to the post of Deputy Chief Inspector-cum-Facilitator of Factories unless he/she has the requisite qualifications of an Inspector and has served for not less than four years as Inspector (Inspector-cum-Facilitator of Factories) of Boiler & Factories under the Occupational Safety and Health Code or the Factories Act,1948 and Indian Boilers Act,1923 or Inspector-cum-Facilitator of Factories under Occupational Safety and Health Code.

42. Appointment of Inspector-cum-Facilitator for establishment other than factory under sub-section (1) of Section 34. –

(1) The Labour Commissioner, Government of Meghalaya will be the Chief Inspector-cum-Facilitator for the purposes of the execution of the Code in the State for the following provisions –

i. Occupational safety and health (chapter IV);

ii. Contract Worker (part I of chapter XIII), Interstate Migrant Worker (Part II of chapter XIII), Audio Visual Worker (Part III of chapter XIII), Beedi and

Cigar workers (part IV of chapter XIII), Building and Other Construction Workers (part VI of chapter XIII), Plantation workers (part VII of chapter XIII);
iii. Notice of accidents under Section 10 and 11;
iv. Clause (b) of Section 6 ;

- (2) 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.
- (3) The Inspector-cum-Facilitator shall exercise such other power and perform such other duties as may be required by general or special order of State Government.

43. An Inspection Scheme of Inspector-cum-Facilitator of establishment other than factory s under sub-section (2), (3), (4) of Section 34. –

- (1) The Government shall lay down an inspection scheme for the generation of web-based inspection and calling of information under this Code, electronically and such scheme shall, inter alia, have provisions to cater to special circumstances for assigning inspection and calling for information from establishment or any other person besides web-based inspections.
- (2) Under the scheme, the randomised selection of establishment and the Inspector-cum-Facilitator for inspection shall be provided. Unique number, to each establishment (which will be same as the registration number allotted to the establishment registered under Section 3, unique number to each Inspector-cum-Facilitator and to each inspection in such manner as may be assigned by the Government for inspection scheme.
- (3) The Inspector-cum-Facilitator shall upload the inspection reports within seven days from the date of inspection made as sub-rule (2).
- (4) The special inspection for investigation of accident or dangerous occurrence shall be made as and when required in his jurisdiction as notified by Government.
- (5) Routine inspection for smooth discharge of duties is as-
 - (i) High Risk- required to inspected yearly,
 - (ii) Mid Risk Industries- required to inspected ones within two years,
 - (iii) Low risk – required to inspected as required only.

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

- (1) The Chief Inspector-cum-Facilitator shall recognise any laboratory accredited with the National Accreditation Board for Testing and Calibration Laboratories for taking samples and giving analysis report required under the Code.
- (2) A notice on employer of the establishment from where or in vicinity of which sample is to be taken shall be served in **Form-21** by the Inspector-Cum-Facilitator.
- (3) The recognised laboratory on the order issued by the Inspector-cum-Facilitator in writing or on request from the employer shall take samples.
- (4) Sample shall be taken in the presence of employer himself or any person authorised by him.

- (5) Samples shall be collected in two parts and shall be placed in containers which shall be sealed, marked and signed by the person collecting sample as well as the employer or any person authorized by him.
- (6) One part of sample collected and placed, shall be handed over to the employer or his authorised person present and the other part one shall be sent forthwith to the laboratory for analysis.
- (7) The report of the laboratory shall be recorded in **Form-22** in triplicate and signed by the Analyst of the laboratory and sent to the Inspector-cum-Facilitator from whom the order for sampling is received within seven days from the date of completion of analysis of sample.
- (8) The expenditure of the sampling and analysis shall be borne by the employer of the establishment.
- (9) On receipt of the report from the laboratory, the Inspector-cum-Facilitator shall send one copy of the same to the employer of establishment from whom the sample was taken for analysis, the second copy shall be retained by him for his record and the third copy shall be sent to the Chief Inspector-cum-Facilitator alongwith recommendation, for further action.

45. Powers and duties of Inspector-cum-facilitator of Factory or Building and Other Construction work under clause (xiv) of sub-section (1) of Section 35.-

(A) Inspector-cum-Facilitator shall, for the purpose of the execution of the Code have power to do all or any of the following things, that is to say—

- (a) to photograph any worker, to inspect, examine, measure, copy, photograph, sketch or test, as the case may be any building or room, any plant, machinery, appliance or apparatus, any register or document, or anything provided for the purpose of securing the health, safety or welfare of the workers employed in a factory;
- (b) in the case of an Inspector-cum-Facilitator who is a duly qualified medical practitioner, to carry out such medical examinations, as may be necessary, for the purpose of his duties under the Act;
- (c) to seize any record or document for the purposes of examination and satisfying himself that the provisions of the Act and the rules there under were complied with or which he may consider relevant in respect of any offence under the Code which he may have reasons to believe or suspect has been committed by the occupier or the manager;
- (d) to direct by an order in writing the occupier or the manager to produce either personally or through his/her agent any prescribed record or register at his/her office or any other place where he/she may be temporarily camping or at any other convenient place;
- (e) to direct by an order in writing the manager or the occupier or any other employee of a factory to appear before him/her personally at his/her office or at the place where he/she may be temporarily camping or at any other place, to be examined and interrogated by him on any matter connected with the compliances of the provisions of the Code or the Rules.

(f) enter, with such assistants, being persons in the service of the Government, or any local or other public authority, or with an expert as he/she thinks fit, any place which is used, or which he/she has reason to believe is used, as an establishment;

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

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

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

(j) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue prohibition or improvement notice in the **Form-23** pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed there under, to the employer or occupier or manager or owner or officer-in-charge of the establishment.

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

(B) Safety of Building and Machinery under Section 35.-

(1) If it appears to the Inspector cum facilitator that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it is dangerous to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector cum facilitator that use of any building or part of a building or any part of the ways, machinery or plant in a factory involves imminent danger to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing prohibiting its use until it has been properly repaired or altered and after written permission from the Inspector cum Facilitator with prior approval of the Chief Inspector cum Facilitator of factories.

(C) Maintenance of Building under Section 35.-

(1) If it appears to the Inspector cum facilitator that any building or part of a building in a factory is in such a state of disrepair as is likely to lead to conditions detrimental

to the health and welfare of the workers, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be taken and requiring the same to be carried out before such date as is specified in the order.

(2) If it appears to the Inspector cum facilitator that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it may be dangerous to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing requiring him before a specified date-

(i) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety; or

(ii) to carry out such tests in such manner as may be specified in the order, and to inform the Inspector cum facilitator of the results thereof.

46. Third Party Audit and Certification for Factory under sub-section (2) of Section 37.-

Third Party Auditor

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

(2) The Third Party Auditor empanelled under sub-rule (1), shall,—

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

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

(3) On the basis of applications received, a committee will be formed under the chairmanship of the Chief Inspector-*cum*-Facilitator. The Chief Inspector-*cum*-facilitator, will empanel such experts as a 'Third Party Auditor' for the purpose mentioned in sub-rule (2) after recommendation of committee, their satisfactory inspection report, written test or technical interview or other guidelines for approval of competency as decided by the Office of Chief Inspector-*cum*-facilitator.

(4) The Third Party Auditor empanelled will advise health and safety provisions to minimize the accidents, perform safety audit, to concerned establishments.

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

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

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

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

(b) has carried out a audit, test, examination or has otherwise carried in a

manner inconsistent with the intent or the purpose of the Code or the Rules made there under; or

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

(7) Academic Qualification and Experience:-

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

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

III. degree or diploma in any branch of Engineering and having ten years of experience in Factory Inspectorate or Chief Inspectorate of Factories or Directorate of Industrial Safety and Health or ten years of experience in the Directorate General Factory Advice Service and Labour Institutes, Ministry of Labour and Employment or Central Labour Institute or Regional Labour Institute of Directorate General Factory Advice Service and Labour Institutes.

(8) Duties and Responsibilities of Experts:-

I. Third Party Auditor shall maintain a log book of all safety audits undertaken by him indicating the name and address of the audited establishment, name of the person who has carried out safety audit, contact persons, date of the audit and date of submission of the audit report to the Occupier.

II. It shall be scrutinized and approved by jurisdictional officers of the Chief Inspector-*cum*-Facilitator office.

III. Third Party Auditor and the person authorized to carry out shall not conduct a Safety Audit of any establishment where such auditor or person is employed, or an occupier, partner, director, or manager of that establishment, or of any establishment owned, operated, managed, or conducted by immediate family members, relatives or extended family members or wherein that auditor or such person has any direct or indirect interest whatsoever. An auditor or such person shall not carry out the safety audit of those factories to which that auditor or such person supplies any plant, machinery, raw material, safety equipment or other materials or equipment.

IV. Third Party Auditor and the person authorized to carry out safety audit shall not disclose, even after ceasing to be a recognized auditor or employee of the institution, any manufacturing or commercial secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an

auditor. Any failure in this regard, the Third Party Auditor shall be liable revocation of recognition under the rule and he shall not be eligible for recognition in future.

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

(10) Periodicity for conducting Safety Audit: The Safety Audit shall be conducted once in every two years in General Category factories & for hazardous process factories or industry and Major Accident Hazard (MAH) industry, the Safety audit shall be conducted every year.

(11) Safety Audit Report.- The Third Party Auditor shall within one month from the date of completion of safety audit shall forward his report with recommendations regarding improvement of the occupational safety and health in an establishment to the occupier and a copy of the same to be submitted to office of the Chief Inspector-cum-Facilitator:

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

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

47. Manner of alternative employment under sub-clause (A) of sub-section (1) of Section 38.-

(1) It shall be the duty of 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 kilometer.

(2) The alternative employment may be offered only when the period of employment affected by the order is fifteen days or more.

(3) Such persons shall be given notice at least three days before the actual date of such order.

(4) The wages and other facilities shall not be affected to the detriment of such person.

48. Qualification of Medical Officer under Section 42 of the Code-

(1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019(30 of 2019) and who is enrolled on a Indian Medical Register as defined in the National Medical

Commission Act, 2019 and on a State Medical Register as defined in Section 35, Section 36, Section 37 and Section 40 of the said Act.

(2) In respect of factory, in addition to the qualifications mentioned in sub-rule (1), a person should possess a certificate of Training in Industrial Health of minimum three months duration recognised by the State Government or should possess a diploma in Industrial/ Occupational Health or Associate Fellowship of Industrial Health conducted by the Directorate General Factory Advice Service and Labour Institutes (DGFASLI) or equivalent, including International Labour Organization (ILO) Classification of chest Radiograph duly recognized by the central government.

(3) No person shall be appointed to be, or authorized to exercise the powers of, the medical officer, or having been so appointed or authorized, continue to exercise such powers, who is or becomes the occupier of a factory or is or becomes directly or indirectly interested therein or in any process or business carried on therein or in any patent or machinery connected therewith or is otherwise in the employ of the factory:

Provided that the State Government may, be order in writing and subject to such conditions as may be specified in the order, exempt any person or class of person from the provisions of this sub-rule in respect of any factory or class or description of factories.

49. Dangerous occupations or processes for medical examination.-

Following shall be the dangerous occupations or processes for the purposes of medical examination and certification, namely:-

- (i) operations declared dangerous under Section 82 of the Code;
- (ii) factories carrying hazardous process as per First Schedule of the Code;
- (iii) treatment of Biomedical waste;
- (iv) sewerage treatment;
- (v) solid waste management;
- (vi) marble cutting;
- (vii) ready mix concrete;
- (viii) hot mix concrete;
- (ix) working at height;
- (x) operation of crane or heavy duty machinery;
- (xi) stone crushing or stone breaking;
- (xi) such other occupation or process as may be notified by the State Government from time to time, to be dangerous.

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

(1) On receipt of a reference under clause (c) sub section (2) of Section 42, the medical officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the worker sent for such examination, prepare the age and fitness certificate in **FORM NO.48** and deliver the same to the manager of the establishment and the worker concerned after retaining a copy thereof.

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

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

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

51. Special Powers of Inspector-cum-Facilitator in respect of factory under Section 38 of Code-The Inspector-cum-Facilitator shall exercise such other/ special power and perform such other duties as may be required by general or special order of State Government.

52. Employment of Women in establishment under Section 43.-

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

- (a) the consent of women employ shall be taken in writing;
- (b) No women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (36 of 2020);
- (c) adequate transportation facilities shall be provided to women employee to pick-up and drop such employee at her residence;
- (d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit;
- (e) the toilet, washroom, canteen and drinking facilities should be near the workplace where such women employee are employed; and
- (f) Provide safe, secure and healthy working condition such that no women employee is disadvantaged in connection with her employment.
- (g) in case of below ground level (i.e. basement) not less than 3 women employees shall be on duty at any place.
- (h) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilize them, in case of any exigency or emergency; and
- (i) The provisions of the Sexual Harassment of Women at workplace(Prevention, Prohibition and Redressal) Act, 2013 (14 of

2013)and Rules thereunder, as applicable to the establishments, shall be complied with;

- (j) during night shift not less than 1/3rd-of strength of the supervisors or shift-in-charge or foreman or other supervisory staff shall be women;
- (k) the employer shall send a fortnightly report 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 local Police station as well.

53. Adequate Safety of employment of women in dangerous operations under Section 44 of code. –

- (1) No pregnant women shall be allowed to work in a factory involved in dangerous operations, where she is likely to be exposed to hazardous substances which are carcinogenic for herself and teratogenic (for foetus).
- (2) All the measures as mentioned in the provisions related to hazardous process and dangerous operation shall be complied with.
- (3) Women shall be well trained on their job, shall be rendered knowledge about the hazardous properties of the substances being handled, stored, manufactured, hazards present at their workplace, and measure to overcome with that.
- (4) Women employed shall be provided with all the necessary personal protective appliances at the workplaces, they are deployed.
- (5) Women shall be trained and made aware about the means of escape in the events of fire, leakage, spillage hazardous substances.

**Chapter-VIII
SPECIAL PROVISIONS**

**PART-I
CONTRACT LABOUR**

54. Conditions of License under sub-section (3) of Section 47 in respect of contract labour.–

The licence issued shall be subject to the following conditions, namely:-

- (i) The licence shall be non-transferable;
- (ii) except as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the licence shall be non-refundable;
- (iii) the rates of wages payable to the contract labour by the contractor shall be as per the Code on Wages, 2019 (Central Act No. 29 of 2019) and Rules made there under;
- (iv) if the contract labour of the contractor is working at the premises of the principal employer, then, it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, canteen and crèche; and
- (v) all other facilities and entitlements shall be provided by the contractor.

(vi) In case the contractor fails to make payment of minimum wages to the contract labour, then, the Labour Commissioner or Chief Inspector-cum-Facilitator or his representative, shall cause such payment to be made to the contract labours who have not been paid, out of the security deposit referred to in Rule 63 including by invoking the bank guarantee.

(vii) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order in the manner as as specified in Rule 62.

(vi) the licensee shall notify any change in the number of contract labour or the conditions of work to the designated authority;

(ix) every licence granted under Rule 56 and renewed under Rule 57 shall remain in force for five year from the date it is granted or renewed.

55. Issue of licence for contractor under sub-section (1) of Section 48 of the Code.-

(1) Application for issuing license shall be made in **Form24** to the designated authority on Portal.

(2) Every application referred to in sub-rule (1) shall also be accompanied by the security and fees at the rates specified in the Schedule given below:-

SCHEDULE

Number of workers to be Fee for license Security to be engaged/employed by contractor deposited

	Number of workers employed in the establishment	Amount of fees in rupees
a	No license is required up to 49 contract labour	Nil.
b	50 and above but not exceeding 100 contract labour	Rs. 1000
c	101 and above but not exceeding 300 contract labour	Rs. 2000
d	301 and above but not exceeding 500 contract labour	Rs. 3000
e	501 and above but not exceeding 1000 contract labour	Rs. 5000
f	1001 and above but not exceeding 5000 contract labour	Rs. 10000
g	5001 and above but not exceeding 10000 contract labour	Rs. 20000
h	10001 and above but not exceeding 20000 contract labour	Rs. 30000
i	20001 and exceeding contract labour	Rs.40000

(3) Payments as required under sub-rule (2) shall be paid through portal which shall be credited to the treasury in the head of account as may be specified by the State Government from time to time.

(4) After receiving application on portal, the designated authority shall issue license in **Form-25** within a period of forty five days specifying the conditions laid down in Rule 55.

56. Renewal of license for contractor under sub-section (3) of Section 48.- (1) Every contractor to whom a license is issued under Rule 55 shall make an application for renewal to the designated authority on portal in the **Form-24** thirty days before the expiry of license.

(2) The designated authority shall renew the license in **Form-25** within thirty days from the date of receipt of application.

57. Amendment of license for contractor under sub-section (3) of Section 48.-

(1) Every contractor to whom license is issued under Rule 55 or 56 shall make an application for any amendment to the designated authority on portal in the **Form-26** before any change or within three days from such change.

(2) The fee for the amendment of a licence shall be rupees five hundred rupees plus the amount of difference of security and fee required as per the schedule under Rule 55.

(3) After receiving application on portal, the designated authority shall amend and issue the license to contractor in **Form-25** within a period of three days.

58. Late fee for license under Section 48.- If the application for renewal or amendment is not received within the time specified in sub-rule (1) of Rules 55 and 56, a fee of twenty five per cent in excess of the fee ordinarily payable for the licence shall be payable on Portal.

59. Responsibility of contractor under sub-section (4) of Section 48.-

(1) A contractor shall be responsible for payment of wages to each employee/worker employed by him as contract labour and such wages shall be paid before the expiry of such period as prescribed under Rules made by the appropriate Government under the Code on Wages, 2019 (Central Act No. 29 of 2019).

(2) Every employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages.

(3) It shall be the duty of the contractor to ensure the disbursement of wages in the presence of the authorised representative of the employer.

(4) In case the contractor fails to make payment of wages within the period specified in the Code on Wages, 2019 or makes short payment, then the employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

(5) It shall be the duty of the contractor to look after the welfare of the worker.

(6) It shall be the duty of the contractor to comply with the provisions of the Code.

60. Register of contractors under Section 48.- A register of contractors shall be maintained by the designated authority in **Form-27** to whom license is issued under Rules 55, 56 and 57.

61. Intimation of work under sub-section (1) of Section 50.-

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

(2) the details of work order shall be sent under sub-rule (1) by the contractor or his authorized representative.

(3) The intimation under sub-rule (1) shall also be sent electronically in **Form-28** designated Portal or e-mail of the Labour Commissioner or Chief Inspector-cum-Facilitator or his representative.

62. Manner of suspending or cancelling the License of contractor under sub-section (2) of Section 51.-

Whenever it comes to the knowledge of the designated authority that any contractor has not given intimation as required under sub-section (1) of Section 51, it may start the proceeding to cancel or suspend the license within two days of such knowledge and the following procedure shall be followed for suspension or cancellation of license, namely:-

(a) the designated authority shall issue a show cause notice to the contractor, electronically or otherwise, to explain his conduct;

(b) the contractor shall reply to the notice given under clause (a) within twenty four hours from the time of receipt of such notice; and

(c) The designated authority shall examine such reply within the next thirty six hours from the time of receipt of such reply and shall pass speaking orders.

63. Refund of security under Section 48 and sub-section (4) of Section 55.- (1) On expiry of the period of license the contractor may, if he does not intend to have his license renewed further, make an application electronically to the licensing authority for the refund of the security deposited by him (in form of bank guarantee) along with copy of licence so expired and notice of completion of work and bank details in which amount is required to be refunded.

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

(3) If there is any order directing the forfeiture of any portion of contractor's security deposit, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the contractor within 60 days from the making of application under sub-rule (1).

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

(5) Record of security shall be maintained in **Form-29**.

64. Period of wages for contract labour under sub-section (1) of Section 55.-

It shall be the duty of every contractor to pay the wages to the contract labour as per the provisions of the Code on Wages, 2019 (Central Act No. 29 of 2019) and rules made there, under by the appropriate Government.

65. Mode of payment of wages to contract labour under sub-section (2) of Section 55.- The wages shall be disbursed through bank transfer or electronic mode only.

66. Manner of payment of wages from security deposit under sub-section (4) of

Section 55.- If the contractor or principal employer does not pay the wages to the contract labour employed by him, the concerned Labour Commissioner or his representative 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 as by such labour commissioner or representative or officer as the case may be within a period of fifteen days or else his license will be liable to be suspended.

67. Experience/ Service certificate to contract labour under Section 56.-

The contractor shall issue an experience certificate to each person employed by adhering to the following key points, namely:-

- (i) must be on letter head of contractor;
- (ii) date of issue of certificate;
- (iii) salutation or declaration "TO WHOM SOEVER IT MAY CONCERN";
- (iv) name of employee as per record;
- (v) period of employment (from the date of joining to date of relieving);
- (vi) designation or position;
- (vii) remarks; and
- (viii) seal and signature of contractor.

68. Form and manner of making application under sub-section (2) of Section 57.-

If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application in the Form-30, to the Principal Secretary to the Government of Meghalaya, Department of Labour, Employment and Skill Development giving reasons along with supporting documents and the Principal Secretary shall pass order after hearing the concerned parties.

PART-II

INTER-STATE MIGRANT WORKERS

69. Journey allowance to Inter-State Migrant workers under Section 61.-

(1) The employer shall pay to every inter-State migrant worker employed in his establishment, in a year a lump sum amount of fare for to and fro journey to his native place from the place of his employment based on the following conditions, namely:-

- (i) the minimum service of the worker entitled for journey allowance shall be one hundred and eighty days;
- (ii) the journey allowance shall be provided for minimum second class fare by train or bus; and
- (iii) The employer shall pay a lump sum amount of one hundred rupees per family member per day for the period of travel of the worker (if family is staying with him at the location of his workplace) for food during the journey.

(2) the employer shall maintain a register of journey allowance in **Form-31**.

70. Scheme for availing benefits of public distribution system and building and other construction welfare fund.-The inter-state migrant worker shall have option to avail benefit of the scheme under Section 62 through official portability.

71. Toll free help line number under Section 63.-

(1) The Chief Inspector-cum-Facilitator shall establish a toll free number for inter-State migrants to address queries and grievances of the inter-State migrant workers.

(2) A record of calls on toll free number shall be maintained in the format as may be specified by Chief Inspector-cum-Facilitator.

72. Manner of providing for study of inter-State migrant workers under Section 64.- The study of Inter-State Migrant workers may be conducted by any reputed institution through its research scholars with or without the funding from State Government to promote safety, health and welfare of inter-state migrant workers.

PART-III AUDIO-VISUAL WORKERS

73. Format of agreement under sub-section (2)(a) of Section 66.- The agreement to be entered into between the producer and the employee of audio-visual programme as envisaged in clause (a) of sub-section (2) of Section 66 shall be in **Form-32**.

74. Submission of agreement under sub-section (3) of Section 66.- The agreement shall be registered and forwarded by the producer of the audio-visual programme to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator concerned.

75. Dispute resolution Mechanism under sub-section (4) (vii) of Section 66.- The procedure for reference of dispute to a conciliation officer or a tribunal shall be in conformity with the Industrial Relation, Code 2020 and rules framed thereunder.

PART-IV BEEDI AND CIGAR WORKERS

76. License to use place or industrial premises for beedi and cigar work under sub-section (2) of Section 74.- (1) Any person who intends or allows to use any place or premise for beedi or cigar work shall submit an application in **Form-33** on portal for the grant of license alongwith fee specified in Schedule C of Rule 91.

(2) A licence in **Form-34** shall be granted by the authority designated under Section 119.

(2) A licence in **Form-34** shall be granted or renewed by the authority designated under Section 119 shall be subject to the following conditions, namely :-

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

(ii) the maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence;

(iii) power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises ;

(iv) except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like

permission, no structural alterations shall be made in any building on such premises;

(v) the licence shall not be transferable;

(vi) the fees paid for the grant or renewal of the licence shall be non-refundable.

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

77. Plan of place or industrial premises for beedi and cigar work under sub-section (3) of Section 74.- Application for licence shall be accompanied by a plan of the place or premises showing-

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

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

78. Renewal of licence for beedi and cigar work under sub-section (6) of Section 74.- (1) A licence granted under Rule 76 shall be renewed by the authority designated under Section 119.

(2) Every application for renewal of the licence shall be made on portal in **Form-33**, along with fees specified in sub-rule (3), for a period of one year or any further period up to five years, as the case may be, and shall be submitted in accordance with sub-section (6) of Section 74.

(3) The fees for renewal of licence 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 five years, the renewal fees shall be number of years multiplied by the fees payable for renewal of licence for one year, as specified in Rule76:

Provided that if the application for renewal, complete in all respects, is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of a additional fee of twenty-five percent of the fees ordinarily payable for the renewal of a licence for one year, for which the application has been received late.

79. Timeline for renewal or refusal to renew license under sub-section (6) of Section 74.-

The authority designated under Section 119 shall renew or refuse to renew the license within thirty days from the date of receipt of application for renewal.

80. Appeals under Section 75. – An appeal against the order of the Licensing Authority refusing grant or renewal of license shall-

- (a) be made electronically within a period of thirty days from the date of receipt the order sought to be appealed against;
- (b) be accompanied by a copy of the order appealed against;
- (c) memorandum containing grounds and facts;
- (d) treasury challan or transaction details of payment made through electronically, as a proof of payment of fees as notified from time to time.
- (e) The fees payable in respect of an appeal under Section 75 shall be Rs. 1000.

81. Fees. –Every application under sub-section (2) of Section 74 for grant of licence shall be made online electronically through the designated portal of the State Government in Form 33 and on payment of fees as specified in the table below, namely:-

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

(2) Credit of fees. - All fees payable under these rules shall be credited into the Government treasury under the State head of the account notified in this regard.

(3) If the competent authority refuses to grant or renew any licence under Section 74, the fees paid thereof shall not be refunded.

82. Returns. - The employer in respect of every industrial premises shall send to the Chief Inspector cum Facilitator, this regard on or before the 10th day of every month, a monthly return in **Form 35** electronically or otherwise and furnish to that authority an annual return in **Form 36**electronically or otherwise on or before the 30th April of every year.

83. Maintenance of certain registers. -(1) Every employer shall provide free of cost to each home worker two books in **Form 37** (hereinafter referred to as the home workerslog-book) and the home-worker shall keep a record in the logbook of the quantum of raw materials received, the number of beedis or cigars supplied by him, number of standard beedies/cigars, the number of sub-standard or chat beedis/cigars, the wages receivable and received by him for the standard beedis/cigars, sub-standard

or chat beedis/cigars. The book shall be made of good quality paper duly bound and will contain sufficient number of pages to last one year. The supply of books shall be so arranged that one book remains with the home worker at all times during the period between the two successive supplies or raw materials by the employer.

(2) Every employer shall maintain a home workers' employment register in **Form 38** electronically or otherwise containing the names and particulars of all the home workers employed under him and the entries in the register shall be made and kept up-to-date on the basis of the entries in the home-workers' log books.

84. Permission to work by employees outside industrial premises.-

(1) The employer shall make an application addressed to Secretary of the Labour Department on behalf of the employees to obtain permission for wetting or cutting of beedi or tobacco leaves by such employees through the Labour Commissioner. The Labour Commissioner shall forward the application with his comments within a period of seven days to the state Government. The State Government shall decide the application within a period of thirty days. The permission so granted shall be valid only for such period as specified in the order granting permission.

(2) The record to be maintained by the employer of the work permitted under sub-section (1) of Section 76 to be carried on outside the industrial premises shall be in **Form 39** electronically or otherwise.

(3) 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 **Form 40** electronically or otherwise. (Hereinafter referred to as the Register of Leave with Wages of home workers).

**PART-V
FACTORIES**

85. Approval and Licensing of factories under sub-section (1) of Section 79.-

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

(a) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, hospitals, educational institutions, petrol pumps, storage of inflammable and explosive materials and other structures, water sources and location of nearest residential area, village, town settlement with its distance from the site, etc.;

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

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

(2) No site shall be used for the location of a factory or no building shall be constructed, reconstructed, extended or taken into use as a factory or part of a factory or any other extension of plant or machinery carried out in a factory unless previous permission in writing is obtained from the State Government or the Chief Inspector-cum-Facilitator. Application for permission shall be made electronically in **Form-41** which shall be accompanied by the following documents namely-

(a) a flow chart or flow diagram of manufacturing process indicating safety devices, fittings and mountings on each plant and machinery, the various process 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. In the case of chemical substances, their chemical names should also be maintained.;

(b) plans drawn to scale showing-

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

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

(c) The site plan to be sent along with the application shall be drawn to a scale of 1: 100 for plots upto five hundred square meter in size and on a scale of 1:500 for plots above five hundred square meter in size. This site plan shall show the following:-

(i) boundaries of the site and any contiguous features;

(ii) direction of the north point relative to the site;

(iii) streets or roads adjoining the site with their width clearly dimensioned and names, if any;

(iv) area calculations, such as ground coverage, floor area ratio, parking calculations, any other relevant calculations, as required;

(v) disposal of waste water, sewerage and storm water or storage of hazardous waste;

(vi) details of buildings or drains or structures or physical features falling within five hundred meters of factory;

(vii) prominent urban service points above or underground (like sewer or water pipes, gas pipeline, transformers, electric poles or lines, phone distribution boxes, etc.) within five hundred metres area; and

(viii) such other particulars, as may be required by the Chief Inspector-cum-Facilitator.

(d) The application shall consist of building plans, sections and elevations shall be drawn to the scale 1: 100 and shall include,

(i) floor plans of all the floors together with covered area clearly indicating the size and spacing of all framing members, sizes of rooms, staircases, ramps, lift wells, means of lighting, ventilation, fire-escapes, position and size of plant or machinery or equipment, drinking water points, details of urinals or latrines,

roof materials, washing facilities or de-trenching facilities, space for storing or drying of clothes, crèche, rest-rooms, mess-rooms, canteens, ambulance room or occupational health centre;

(ii) one section from front showing the height of the building or room;

(iii) one section through the staircase;

(iv) the schedule indicating the size of the doors, windows, openings and other methods of ventilation of each room or area;

(v) provision for differently-abled person, photovoltaic solar power plant, rain water harvesting system wherever required.

(3) 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 (4.25meter) 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 (10 centimeters) between it and the corrugated iron, the internal height shall be not less than 20 feet (6 meter):

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 (3.65 meter).

(4) 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 (3.35 square meter) of floor space exclusive of that occupied by machinery and a breathing space of at least 500 cubic feet (14 cubic meter).

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

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

(7) Particulars of each of the rooms, verandahs and other enclosures of the factory shall be entered in **Form 42**.

(8) The application mentioned in sub-rule (1) must also be accompanied with.-

(i) letter of no objection, scanned or otherwise, for the location of the factory from Village Authority or Municipal Authority or notified area, as the case may be;

(ii) a letter of no objection, scanned or otherwise, from State Pollution Control Board;

(iii) a letter of no objection, scanned or otherwise, from Fire Department;

(iv) license / No Objection Certificate (NOC), scanned or otherwise, issued under the Petroleum Rules, 1976 for storage of petroleum as defined in the said Rules of 1976;

(II). Certificate of stability. - No manufacturing process of a factory shall be carried on in any building which has been constructed, reconstructed extended or taken into use as a factory or part of a factory until a certificate of stability in respect of that building, obtained from a competent person in **Form-43**, has been sent by the occupier or manager of the factory to the Chief Inspector *cum-* facilitator and accepted by him/ her.

(III). Application for renewal of license. - The occupier of every factory shall submit application online through designated portal of State Government to the Chief Inspector- *cum-* facilitator an application in the prescribed **Form 33** for the renewal of the factory and grant of license to apply for one year term or three year term license:

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

(IV). Grant of license to a factory - (1) A license for a factory shall be granted by the Chief Inspector-cum-Facilitator in **Form-34** prescribed for the purpose and on payment of the fees specified in **Schedule-C** and **D** appended to this rule.

(1-a) A license for three year term shall be granted in **Form-34** by the Chief Inspector-cum- Facilitator on payment of three times or as the case may be of the license fee in vogue.

(2) Every License granted or renewed in **Form-34** under this chapter shall remain in force up to the 31st December of the year for which the license is granted or renewed.

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

(4) Revision of fees under **Schedule C and D** shall be made after each ten years by the Chief Inspector-cum-Facilitator with the prior approval of Finance Department, Government of Meghalaya.

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

(2) A licensee whose license requires to be amended by virtue of increase in the number of persons employed or in the horse power installed or change in the name of the factory or any change in manufacturing process or all taken together shall submit to Chief inspector-cum-Facilitator of Factories with an application in **Form 33** stating the nature of amendment.

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

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

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

(2-a) The License shall be deemed to be renewed provided that the application and the fee for renewal of license is received on line with self declaration in **Form 33A** certifying no change in manpower, installed power, factory layout, manufacturing process, occupier and manager.

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

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

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

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

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

(i) there is imminent danger to life and property in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in his option have not been taken to remove the danger; and/or;

(ii) employment of child worker below 14 years of age noticed;

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

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

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

(3) A fee of Rupees five hundred shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers, and be subject to the same obligations under the licenses as the original holder.

(X). Procedure on death or disability of licensee.- If a licensee dies or becomes insolvent or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty under the Code or Rules for exercising the powers granted to the licensee by the license during such time as may reasonably be required

allow him to make an application for the amendment of the license in his/her own name for the unexpired portion of the original license.

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

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

(XII). Notice of change Manager.- The notice of change of manager shall be in **Form-44**. The application for change of manager shall be submitted online. The endorsement of change of manager will be made electronically by the Chief Inspector -cum- Facilitator of factories.

(XIII). Suspension of licenses -(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 licenses is issued will not be used for the working of the factory, the Chief Inspector-cum-Facilitator shall suspend the licenses granted in respect of such factory and will be communicated to the factory through the Portal:

Provided that such application shall be submitted atleast two month before the date of cessation of use of premises as a factory.

(2) A license suspended under sub-rule (1) may be revived on application through the portal accompanied by the license and **Form-45** upon the payment of fee of rupees one hundred.

(XIV) Notice of occupation -The notice of occupation shall be in **Form-46**.

(XV) Validity period of approval.-Every approval for the proposed building plan shall become null and void, if no construction is started within one year from the date of such approval.

SCHEDULED C

Scale of fees payable for License and annual renewal of License for Factories defined in Section 2(w) of the Occupational Safety, Health and Working Conditions Code, 2020 other than Electricity Generating (or Transforming) stations.

	Maximum number of persons to be employed during the year							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)		(8)
Quantity of K.W. installed (Max.K.W.)	20	50	100	250	500	700	1000	Above 1000
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
NIL	1020	1480	2350	3600	3880	5190	4650	4700
10 K.W.	2040	2580	3240	3240	4510	5050	5580	6710
50 K.W.	2680	3370	4000	4720	5300	5870	7090	9920
100 K.W.	3520	4180	4950	5560	6170	7450	10480	12320
250 K.W.	4350	5150	5820	6450	7830	11620	13010	14790
500 K.W.	5350	6070	6760	8210	11580	13670	15610	17260
1000 K.W.	6330	7040	8570	12140	14360	16420	18230	22240
Above 1000 K.W.	10330	13230	15730	18080	20150	21930	23460	24610

SCHEDULED D

Scale of fees payable for License and annual renewal of License for Electricity Generating (or Transforming) Stations

Total installed capacity of the generating (or transforming) plant (in K.W)	Number of workers to be employed	Fees payable.
		Rs.
50 K.W. or less	10 or above	630
Over 50 K.W. not over 100 K.W.	Do	1150
Over 100 not over 150 K.W	Do	1380
Over 150 not over 300 K.W	Do	1800
Over 300 not over 750 K.W	Do	2160
Over 750 not over 1000 K.W	Do	2450
Over 1,000 not over 5,000 K.W	Do	4040
Over 5,000 not over 10,000 K.W	Do	5400
Over 10,000 not over 50,000 K.W	Do	6720
Over 50,000 K.W.	Do	8100

86. Liability of owner of premises in certain circumstances under Section 80 of Code.

-(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.

(2) The Chief Inspector- cum -Facilitator 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).

(3) Where in any premises, independent or self-contained, floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable, as if he/she 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.

(7)The information of such condition shall submit to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator by electronically.

87. Power to apply code to certain premises under sub-section (1), (2) of Section 81 of Code. –The State Government or Chief Inspector-cum-Facilitator may, by notification, declare that all or any of the provisions of this chapter shall apply to any place wherein a manufacturing process is carried on with or without the aid of power or is ordinarily carried on irrespective of the number of workers working in the factory. After the publication of such notification, the place or premises shall be deemed to be a factory for the purpose of this Code.

88. Dangerous Manufacturing Processes or Operation under Section 82 of Code.-

(1) Provision of clause(a) of Section 82 in regard specifying the following manufacturing process or operation when carried on in any factory are declared to be dangerous operation.

I. Manufacture of aerated water and processes incidental thereto.

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

III. Manufacture and repair of electric accumulators.

IV. Glass Manufacture.

V. Grinding or glazing of metals.

VI. Manufacture and treatment of lead and certain compounds of lead.

VII. Generating petrol gas from petrol.

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

IX. Liming and tanning of raw hides and skins and processes incidental thereto.

X. Certain lead processes carried on in printing presses and type foundries.

XI. Manufacture of pottery.

XII. Chemical works.

XIII. Manipulation of stone or any other material containing free silica.

XIV. Handling and processing of asbestos manufacture of any article of asbestos and any other process of manufacture or otherwise in which asbestos is used in any form.

XV. Handling or manipulation of corrosive substances.

XVI. Processing of cashew nut.

XVII. Compression of oxygen and hydrogen produced by the electrolysis of water.

XVIII. Process of extracting oils and fats from vegetable and animal sources in solvent extraction plants.

- XIX. Manufacture or manipulation of manganese and its compounds.
XX. Manufacture or manipulation of dangerous pesticides.
XXI. Manufacture, handling and usage of benzene and substances containing benzene.
XXII. Manufacturing process or operations in carbon disulphide plants.
XXIII. Manufacture or manipulation of carcinogenic dye intermediates.
XXIV. Operations involving high noise and vibration levels.
XXV. Manufacture of Rayon by Viscose Process.
XXVI. Highly flammable liquids and flammable compressed gases.
XXVII. Foundry operations.

(2) Employees employed in a 'dangerous process or operations' 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 12 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 47**.

(3) No person shall be employed for the first time without a certificate of fitness in **Form 48** 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 Chief Inspector cum facilitator, Meghalaya as Medical Officer.

(4) 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/she 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/she, in the opinion of the Medical Officer is fully incapacitated in which case the worker affected shall be suitably rehabilitated.

(5) A Medical Officer on his/ her own motion or on a reference from an Inspector cum facilitator may conduct a medical examination of a worker to ascertain the suitability of his/her employment in a dangerous process or to ascertain his/her 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.

(6) 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.

(7) 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.

(8) Notwithstanding the provision specified in the schedules annexed to this Rule, the Inspector cum facilitator may by issues of order in writing to the manager or occupier or both, direct them to carry out such measures, and within such time, as may be specified in such order with a view to removing conditions dangerous to the health of the workers, or to suspend any process, where such process constitutes, in the opinion of the Inspector cum facilitator, imminent danger of poisoning or toxicity.

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

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

Schedules specifying requirements in respect of dangerous processes and operations notified under Section 82 is mentioned below:-

**SCHEDULES SPECIFYING REQUIREMENTS IN RESPECT OF
DANGEROUS PROCESSES AND OPERATIONS NOTIFIED UNDER
SECTION 82 OF THE OSH CODE.**

SCHEDULE

SUB SCHEDULE- I

Manufacture of aerated waters and processes incidental thereto

Sl.No. 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.

Sl.No. 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 Sl.No. 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.

Provided further that where a machine is so constructed that only one arm of the bottler at work upto 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.

Sl.No. 3. Wearing of face guards and gauntlets. - All persons engaged in any of the processes specified in Sl.No. 2 of this schedule shall, while at work in such processes, wear the face guards and gauntlets provided under the provisions of the said Sl.No.

Sl.No. 4. Medical Examination by the medical officer.—

(1) Every worker employed in the processes this schedule applies to, shall be examined by a medical officer. He shall issue fitness on **Form 48**.

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

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

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

SUB SCHEDULE II

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

Sl.No. 1. Definitions.- For the purposes of this Schedule-

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

(b) “bath” means any vessel used for an electrolytic process or for any subsequent process; and

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

Sl.No. 2. Exhaust draught. - An efficient exhaust draught shall be applied to every vessel in which an electrolytic process is carried on. Such draught shall be provided by mechanical means and shall operate on the vapour or spray given off in the process as near as may be at the point of origin. The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

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

Sl.No. 4. Floor of workrooms. - The floor of every workroom containing a bath shall be impervious to water. The floor shall be maintained in good and level condition and shall be washed down at least once a day.

Sl.No. 5. Protective devices. -

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

(a) waterproof aprons and bibs; and

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

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

Sl.No. 6. Water facilities. -

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

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

(i) a trough with a smooth impervious surface filled with a waste pipe , and of sufficient length to allow at least 60cms for every 5 persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than 60cms, or

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

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

(2) In addition to the facility in Sub Sl.no. (1) of Sl.No. 6 of Sub schedule-II, an approved type emergency shower with eye fountain shall be provided and maintained in good working order. Whenever necessary, in order to ensure continuous water supply, storage tank of 1500 litres capacity shall be provided as a source of clean water for emergency use.

Sl.No. 7. Cautionary placard.- A cautionary placard in the form specified below and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

CAUTIONARY NOTICE

Electrolytic Plating

(1) Chemicals handled in this plant are corrosive and poisonous.

(2) Smoking, chewing tobacco, eating food or drinking, in this area is prohibited . No food stuff or drink shall be brought in this area.

(3) Some of these chemicals may be absorbed through the skin and may cause poisoning .

(4) A good wash shall be taken before meals.

(5) Protective devices supplied shall be used while working in this area.

(6) Spillage of the chemicals on any part of the body or on the floor shall be immediately washed away with water.

(7) All workers shall report for the prescribed medical tests regularly to protect their own health.

Sl.No. 8. Medical facilities and records of examinations and tests.- (1) The occupier of every factory in which electrolytic processes are carried on shall-

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

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

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

(2) The medical practitioner shall examine all workers before they are employed in electrolytic processes. Such examination in case of chrome plating shall include inspection of hands, forearms and nose and will be carried out once at least in every fortnight.

(3) The record of the examinations referred to in sub-Sl.No. (2) of Sl.No. 8, shall be maintained in a separate register approved by Chief Inspector - cum- Facilitator of Factories which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 9. Medical examination by the Medical officer.- (1) Every worker employed in the electrolytic processes shall be examined by a Medical Officer before his first employment. Such examination shall include X-ray of the chest and-

(a) in case of chromium plating include examination for nasal septum perforation and test for chromium in urine;

(b) in case of nickel plating, test for nickel in urine; and

(c) in case of cadmium plating, test for cadmium in urine and -2 microglobulin in urine.

(2) No worker shall be employed in any electrolytic process unless certified fit for such employment by the Medical officer.

(3) Every worker employed in the electrolytic processes shall be re-examined by a Medical officer at least once in every year, except in case of the workers employed in cadmium, chromium and nickel plating processes for whom this examination shall be carried out once in every six months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified under sub-sl.no.(1) of Sl.no. 9 excluding the X-ray of the chest which shall not be required normally to be carried out earlier than once in three years.

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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-sl.no. (1) and (2) of sl.no. 9 including the nature and the results of the tests, shall also be entered by the Medical officer in a health register in **Form 47**.

(5) The certificate of fitness and the health register shall be kept readily available for inspection by the Inspector - cum- Facilitator.

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

(7) No person who has been found unfit to work as said in sub-sl.no. (6) of sl.no.9 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.

SUB SCHEDULE III

Manufacture and repair of electric accumulators

Sl.No. 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.

Sl.No. 2. Definitions. - For the purposes of this schedule-

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

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

Sl.No. 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.

Sl.No. 4. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another , and from other processes :-

- a. manipulation of raw oxide of lend;
- b. pasting;
- c. drying of pasted plates;
- d. formation with lead turning (tacking)necessarily carried on in connection therewith ; and
- e. melting down of pasted plates.

Sl.No. 5. Air space.- In every room in which a lead process is carried on, there shall be at least 14.2 cubic meters of air space for each person employed therein, and in computing this air space no height over 3.65 meters shall be taken into account.

Sl.No. 6. Ventilation.- Every workroom shall be provided with inlets and outlets of adequate size as to secure and maintain efficient ventilation in all parts of the room.

Sl.No. 7. Distance between workers in pasting room.- In every pasting room the distance between the centre of the working position of any paster and that of the paster working nearest to him shall not be less than 1.5 meters.

Sl.No. 8. Floor of workrooms.-(1) The floor of every room in which lead process is carried on shall be -

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

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

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

(4) Without prejudice to the requirements of sub-Sl.No. (1), (2) and (3), where manipulation of raw oxide of lead or pasting is carried on, the floor shall also be -

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

Sl.No. 9. Work-benches.- The work-benches at which any lead process is carried on shall -

- (a) have a smooth surface and be maintained in sound condition; and
- (b) be kept free from all materials or plant not required for, or produced in, the process carried on thereat; and all such work-benches other than those in grid casting shops shall-
- (c) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat; and, all such work-benches in grid casting shops, shall -
- (d) be cleansed daily; and every work-bench used for pasting shall -
- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges; and
- (g) be kept constantly moist while pasting is being carried on.

Sl.No. 10. Exhaust draught.- (1)The following processes shall not be carried on without the use of an efficient exhaust draught :-

- (a) melting of lead or materials containing lead;
- (b) manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the workroom;
- (c) pasting;
- (d) trimming, brushing, filing or any other abrading or cutting of pasted plates giving rise to dust and

- (e) lead burning, other than -
- (i) tacking in the formation room; and
- (ii) chemical burning for the making of lead lining for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.

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

Sl.No. 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.

Sl.No. 12. Container for dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom, except when dross is being deposited therein.

Sl.No. 13. Container for lead waste.- A suitable receptacle shall be provided in every workroom in which old plates and waste material which may give rise to dust shall be deposited.

Sl.No. 14. Racks and shelves in drying room.-

(1) The racks or shelves provided in any drying room shall not be more than 2.4 meters from the floor nor more than 60 centimetres in width;

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

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

Sl.No. 15. Protective clothing.-

(1) Protective clothing shall be provided and maintained in good repair for all persons employed in -

- (a) manipulation of raw oxide of lead;
- (b) pasting; and

(c) the formation room; and such clothing shall be worn by the persons concerned.

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

Sl.No. 16. Messroom.- There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable messroom, which shall be furnished with sufficient tables and benches, and adequate means for warming food. The messroom shall be placed under the charge of a responsible person, and shall be kept clean.

Sl.No. 17. Cloakroom.- There shall be provided and maintained for the use of all persons employed in a lead process -

- (a) a cloakroom for clothing put off during working hours with adequate arrangements for drying the clothing if wet, which accommodation shall be separate from any messroom; and
- (b) separate and suitable arrangements for the storage of protective clothing provided under Sl.No. 15 of this sub-schedule.

Sl.No. 18. 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 process -

- (a) a wash place under cover, with either -
 - (i) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow of at least 60 centimetres 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 on not more than 60 centimetres; or
 - (ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water laid on;
- (b) a sufficient supply of clean towels made of suitable materials renewed daily, which supply, in the case of pasters and persons employed in the manipulation of raw oxide of lead, shall include a separate marked towel for each such worker; and
- (c) a sufficient supply of soap or other suitable cleansing material and of nail brushes.

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

Sl.No. 19. Time to be allowed for washing.- Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person who has been employed in the manipulation of raw oxide of lead or in pasting;

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

Sl.No. 20. 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.

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

Sl.No. 22. Medical facilities and records of examinations and tests.- (1)The occupier of every factory in which manufacture and repair of electric accumulators is carried on shall-

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

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

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

Sl.No. 23. Medical examination by Medical Officer.- (1) Every worker employed in lead processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every three calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests specified in sub-Sl.No. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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-sl.No. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

SUB SCHEDULE IV

Glass Manufacture

Sl.No. 1. Definitions.- For the purpose of this schedule -

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

(b) “lead compound” means any compound of lead other than galena which, when treated in the manner described below, yields to an aqueous solution of hydrochloric

acid a quantity soluble lead compound exceeding, when calculated as lead monoxide, five percent of the dry weight of the portion taken analysis.

The method of treatment shall be as follows :-

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 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.

Sl.No. 2. Exhaust draught.- The following processes shall not be carried on except under an efficient exhaust draught or such other conditions as may be approved by the Chief Inspector- cum- Facilitator :-

- (a) the mixing of raw materials to form a “Bator”;
- (b) the dry grinding, glazing and polishing of glass or any article of glass;
- (c) all processes in which hydrofluoric acid fumes or ammoniacal vapours are given off;
- (d) all processes in the making of furnace moulds or “pots” including the grinding or crushing of used “pots”; and
- (e) all processes involving the use of a dry lead compound.

Sl.No. 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 Sl.No. 2 or at any place where such operations are carried on.

Sl.No. 4. Floor and work-benches.- The floor and work-benches of every room in which a dry compound of lead is manipulated or in which any process is carried on giving off silica dust shall be kept moist and shall comply with the following requirements :-

- (a) the floor shall be -
 - (i) of cement or similar material so as to be smooth and impervious to water;
 - (ii) maintained in sound condition; and
 - (iii) cleansed daily after being thoroughly spread with water at a time when no other work is being carried on the room; and
- (b) the work-benches shall -
 - (i) have a smooth surface and be maintained in sound condition, and
 - (ii) cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat.

Sl.No. 5. Use of hydrofluoric acid.- The following provisions shall apply to rooms in which glass is treated with hydrofluoric acid :-

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

(c) the workplaces shall be so enclosed in projecting hoods that openings required for the 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.

Sl.No. 6. Storage and transport of hydrofluoric acid.- Hydrofluoric acid shall not be stored or transported except in cylinders or receptacles made of lead or rubber.

Sl.No. 7. Blow pipes.- Every glass blower shall be provided with a separate blow pipe bearing the distinguishing mark of the person to whom it is issued and suitable facilities shall be readily available to every glass blower for sterilising his blow pipe

Sl.No. 8. 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 room or workplace wherein any process specified in Sl.no. 2 is carried on.

Sl.No. 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 Sl.no. 2 suitable protective clothing, footwear and goggles according to the nature of the work and such clothing, footwear, etc. shall be worn by the persons concerned.

Sl.No. 10. Washing facilities.- There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in the processes specified in Sl.no. 2 -

(a) a wash place with either -

(i) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least 60 centimetres 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 centimetres; or

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

(b) a sufficient supply of clean towels made of suitable material renewed daily with 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 which shall be to the satisfaction of the Chief Inspector - cum- Facilitator.

Sl.No. 11. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which glass manufacturing processes are carried out, shall -

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

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

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

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

Sl.No. 12. Medical Examination by Medical Officer.- (1) Every workers employed in processes specified in Sl.no. 2 shall be examined by the Medical Officer within 15 days of his first employment. Such examination shall include pulmonary function tests and in suspected cases chest X-ray as well as tests for lead and urine. No worker shall be allowed to work after 15 days of first employment in the factory unless certified for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 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. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which the person affected shall be suitable rehabilitated.

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

Sl.No. 13.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 be certificate in writing authorise such suspension or relaxation as may be indicated in the certificate for such period and on such conditions as he may think fit.

SUB SCHEDULE V

Grinding or glazing of metals and processes incidental thereto

Sl.No. 1. Exception.- (1) Nothing in this schedule shall apply to any factory in which only repairs are carried on except any part thereof in which one or more persons are wholly or mainly employed in the grinding or glazing of metals.

(2) Nothing in this schedule except Sl.no. 4 of this sub schedule, 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.

Sl.No. 2. Definitions.- For the purposes of this schedule -

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

(b) “abrasive wheel” means a wheel manufactured of bonded emery or similar abrasive;

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

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

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

(f) “hacking” means the chipping of the surface of a grindstone by a hack or similar tool; and

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

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

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

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

(c) a fan or other efficient means of producing a draught sufficient to extract the dust : Provided that the Chief Inspector - 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.

Sl.No. 4. Restriction on employment on grinding operations.- Not more than one person shall at any time perform the actual process of grinding or glazing upon a grindstone, abrasive wheel or glazing appliance: or bulky articles at any such grindstone, abrasive wheel or glazing appliance.

Sl.No. 5. Glazing.- Glazing or other processes, except processes incidental to wet grinding upon a grindstone shall not be carried on in any room in which wet grinding upon a grindstone is done.

Sl.No. 6. Hacking and rodding.- Hacking or rodding shall not be done unless during the process either an adequate supply of water is laid on at the upper surface of the grindstone or adequate appliances for the interception of dust are provided in accordance with the requirements of Sl.no. 3.

Sl.No. 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 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 tests shall be kept in **Form 56**.

Sl.No. 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, shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector - cum- Facilitator of Factories; 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 of Factories, which shall be kept readily available for inspection by the Inspector- cum- Facilitator.

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

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the found 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

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.

SUB SCHEDULE VI

Manufacture and treatment of lead and certain compounds of lead

Sl.No. 1. 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) the handling or mixing of lead tetra-ethyl;
- (f) any other operation involving the use of a lead compound; and
- (g) the cleaning of workrooms where any of the operations aforesaid are carried on.

Sl.No. 2. Definitions.- For this purpose of this schedule -

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

The method of treatment shall be as follows :-

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

salt contained in the clear filtrate shall then precipitated as lead sulphate and weighed as lead sulphate;

(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 (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.

Sl.No. 3. 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 Sl.no. 1.

Sl.No. 4. 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 Sl.no. 5 to 13 of this sub schedule, are complied with.

Sl.No. 5. 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 to contrived as to operate on the dust, fume, gas or vapour as closely as possible to the point of origin.

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

Sl.No. 7. Protective clothing.- Suitable protective overalls and head coverage shall be provided, maintained and kept clean by the occupier and such overalls and head coverings shall be worn by the persons employed.

Sl.No. 8. Cleanliness of workrooms, 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.

Sl.No. 9. Washing facilities.- (1) The occupier shall provide and maintain for the use of all persons employed suitable washing facilities consisting of -

(a) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least 60 centimetres 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 centimetres; or

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

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

Sl.No. 10. Messroom 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 workroom which shall be furnished with sufficient tables and benches, and unless a canteen serving hot meals is provided, adequate means of warming the food. The room shall be adequately ventilated by the circulation of fresh air, shall be placed under the charge of a responsible person and shall be kept clean.

Sl.No. 11. Cloakroom.- The occupier shall provide and maintain for the use of persons employed, suitable accommodation for clothing not worn during working hours, and for the drying of wet clothing.

Sl.No. 12. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which grinding or glazing of metals are carried out, shall

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector- cum- Facilitator of Factories; 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 of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 13. Medical examination by the Medical Officer.- (1) Every worker employed shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include pulmonary function tests and in suspected cases chest X-rays. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.No. 14. 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 the persons employed, he may by certificate in writing exempt any factory from all or any of such provisions, subject to such conditions as he may specify.

SUB SCHEDULE VII

Generating Petrol gas from Petrol

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

Sl.No. 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.

Sl.No. 3. Generating building or room.- All plants for generation of gas from dangerous petroleum erected after the coming into force of the provisions specified in this schedule, shall be erected outside the factory building proper in a separate well ventilated building (hereinafter referred to as “generating building”). In the case of such plants erected before the coming into force of the provisions specified in this schedule, there shall be no direct communication between the room where such plants are erected (hereinafter referred to as “the generating room”) and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

Sl.No. 4. Fire extinguishers.- An efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generation of gas from dangerous petroleum.

Sl.No. 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.

Sl.No. 6. Escape of petrol.- Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

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

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

Sl.No. 9. Electric fittings.- All electric fittings shall be of flameproof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

Sl.No. 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 a 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.

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

SUB SCHEDULE VIII

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

Sl.No. 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 of a jet of sand, metal shot, or grit or other material, propelled by a blast of compressed air or steam ;

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

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

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

Sl.No. 2. Prohibition of sand blasting.- Sand or any other substance containing free silica shall not be introduced asan 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.

Sl.No. 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 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- Sl.no. (4) shall be kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is actually taking place therein, and in the case of a blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning.

Sl.No. 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 which shall be kept in a form approved by the Chief Inspector - cum- Facilitator and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the occupier, manager or other appropriate person and without prejudice to the foregoing requirements of this schedule, shall be removed without avoidable delay.

Sl.No. 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 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.

Sl.No. 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 Sl.no. 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.

Sl.No. 7. Storage accommodation for protective wear.- Adequate and suitable storage accommodation for the helmets, gauntlets and overalls required to be provided by Sl.no. 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.

Sl.No. 8. Maintenance and cleaning of protective wear.- All helmets, gauntlets, overalls and other protective devices or clothings provided and worn for the purposes of this schedule, shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every 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.

Sl.No. 9. Maintenance of vacuum cleaning plant.- Vacuum cleaning plant used for the purpose of this schedule shall be properly maintained.

Sl.No. 10. Medical facilities and records of examinations and tests.- (1) The occupier of every factory to which the Schedule applies, shall -

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

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

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

Sl.No. 11. Medical examination by the Medical Officer.- (1) Every worker employed in any of the processes to which this schedule shall be examined by a 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 Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include pulmonary function test and chest X-ray once in every three years.

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.No. 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.

Sl.No. 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 factory from such provisions of this schedule, to such an extent and subject to such conditions and for such period as may be specified in the said order.

(2) Where an exemption has been granted under sub- Sl.no. (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.

SUB SCHEDULE IX

Liming and tanning of raw hides and skins and processes incidental thereto.

Sl.No. 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-Sl.no. (1), (2) and (4) and if chrome solutions are used in the factory, the contents of the notice specified in sub- Sl.no. (3).

Sl.No. 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 and skins, other than in processes specified in sub- Sl.no. (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- Sl.no. (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.

Sl.No. 3. Washing facilities, messroom 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 centimetres 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 centimetres; 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 messroom, 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 messroom 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 put off during working hours and another accommodation for protective clothing and also adequate arrangements for drying up the clothing in both the cases, if wet. The accommodation so provided shall be kept clean at all times and placed under the charge of a responsible person.

Sl.No. 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.

Sl.No. 5. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which the schedule applies, shall -

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

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

(c) arrange for inspection of the hands of all the persons keeping in contact with chromium substances to be made twice a week; and

(d) prove 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 of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 6. Medical Examination by Medical Officer.- (1) Every workers employed in shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitable rehabilitated.

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

SUB SCHEDULE X

Printing presses and type foundries and certain lead processes carried therein.

Sl.No. 1. Definitions.- For the purpose of this schedule -

(a) "lead material" means material containing not less than five per cent of lead ;

(b) "lead process" means -

(i) the melting of lead or any lead material for casting and mechanical composing;

- (ii) the recharging of machines with used lead material;
 - (iii) any other work including removal of dross from melting pots and cleaning of plungers; and
 - (iv) manipulation, movement or other treatment of lead material.
- (c) “efficient exhaust draught” means localised ventilation effected by head or mechanical means for the removal of gas, vapour, dust or fumes so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fume, or dust originate.

Sl.No. 2. Exhaust draught.-

(1) None of the following processes shall be carried on except with an efficient exhaust draught unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on, or unless carried on 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 effected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as closely as may be at its point of origin.

Sl.No. 3. Prohibition relating to women and young persons.- No woman or young person shall be employed or permitted to work in any lead process.

Sl.No. 4. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another and from any other processes :-

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

Sl.No. 5. Container for dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom near the machine except when the dross is being deposited therein.

Sl.No. 6. Floor of workroom.- The floor of every workroom where lead process is carried on shall be -

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

Sl.No. 7. Messroom.- There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable messroom which shall be furnished with sufficient tables and benches.

Sl.No. 8. 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 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 60 centimetres 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 centimetres; 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.

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

Sl.No. 10. Medical facilities and records of examinations and tests.- (1) The occupier of every factory to which the schedule applies shall-

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

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

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

Sl.No. 11. Medical examination by Medical Officer.- (1) Every worker employed in a lead processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every six calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would

involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.No. 12. 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 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.

SUB SCHEDULE XI

Manufacture of pottery

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

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

Sl.No. 2. Definitions.- For the purposes of this schedule -

- (a) “pottery” includes earthenware, stoneware, porcelain, china tiles, and any other articles made from such clay or from a mixture containing clay and other materials such as quartz, flint, feldspar, and gypsum;
- (b) “efficient exhaust draught” means localised ventilation effected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates;
- (c) “fettling” includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery ware in which dust is given off;
- (d) “leadless glaze” means a glaze which does not contain more than one per cent of its dry weight, of a lead compound calculated as lead monoxide;
- (e) “low solubility glaze” means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight, of a soluble lead compound calculated as lead monoxide when determined in the manner described below :

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

(f) sound or powdered flint or quartz” does not include natural sands; and

(g) “potter’s shop includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing for the biscuit fire is carried on.

Sl.No. 3. Efficient exhaust draught.- The following processes shall not be carried on without the use of an efficient exhaust draught:-

(a) all processes involving the manipulation or use of a dry and 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 or other articles by pressure, except where -

(i) this is done in an machine so enclosed as to effectually prevent the escape of dust; or

(ii) the material to be shifted is so damp that no dust can be given off;

(d) pressing of tiles from clay dust, an exhaust opening being connected with each press, and pressing from clay dust of articles other than tiles, unless the material is so 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 of Factories as adequate having regard to all the circumstances of the case;

(h) fettling of biscuitware which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust;

(i) where 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 conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near to any place in which persons are employed;
- (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.

Sl.No. 4. Separation of processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another, and from other wet processes:-

- (a) crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading of saggars; and
- (b) all processes involving the use of a dry lead compound.

Sl.No. 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.

Sl.No. 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 Sl.no. 4, or at any place where such operations are carried on.

Sl.No. 7. Provision of screen to potter's wheel.- The potter's wheel (Jolly and Jigger) shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel.

Sl.No. 8. Control of dust during cleaning-

- (1) All practical measures shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.
- (2) Damp saw-dust or other suitable 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.

Sl.No. 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.

Sl.No. 10. Protective equipment.-

- (1) The occupier shall provide and maintain suitable overalls and hand coverings for all persons employed in process included under Sl.no. 3.
- (2) The occupier shall provide and maintain suitable aprons of a 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 Sl.no. 10(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 dust materials, weighing out and mixing of dusty materials and charging of ball mills and plungers without wearing a suitable and efficient dust respirator.

Sl.No. 11. Washing facilities.-

(1) The occupier shall provide and maintain, in a clean state and in good repair for the use of all persons employed in any of the processes specified in Sl.no. 3 -

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

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

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

Sl.No. 12. Time allowed for washing.- Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in any of the processes mentioned in Sl.no. 3.

Sl.No. 13. Messroom.-

(1) There shall be provided and maintained for use of all persons remaining within the premises during the rest intervals, a suitable messroom providing accommodation of 0.93 square meter per head and furnished with -

(a) a sufficient number of tables and chairs or benches with back rest;

(b) arrangements for washing utensils;

(c) adequate means for warming food; and

(d) adequate quantity of drinking water.

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

Sl.No. 14. 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 in which any of the processes mentioned in Sl.no. 3 are carried on and no person shall remain in any such room during intervals for meals or rest.

Sl.No. 15. Cloakrooms etc.- There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in Sl.no. 3.

(a) a cloakroom for clothing put off during working hours and such accommodation shall be separate from any messroom; and

(b) separate and suitable arrangements for the storage of protective equipment provided under Sl.no. 10.

Sl.No. 16. Medical facilities and records of examinations and tests.-

(1) The occupier of every factory in which manufacture of pottery is carried on, shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector - cum- Facilitator of Factories; 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 separate register approved by the Chief Inspector cum Facilitator of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 17. Medical examination by Medical Officer.-

(1) Every worker employed in any process mentioned under Sl.no. 3, shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content, stippling of cells and. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) All persons employed in any of the processes included under sub- Sl.no. 3(a) and 3(n) shall be examined by a Medical Officer once in every 3 calendar months. Those employed in any other processes mentioned in the remaining Sl.no. 3 shall be examined by a Medical Officer one in every twelve calendar months. Such examinations in respect of all the workers shall include all the tests as specified in sub- Sl.no. (1) except chest X-ray which will be once in 3 years.

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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 Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.No. 18. Exemption.- If in respect of any factory the Chief Inspector - cum- Facilitator of Factories 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.

SUB SCHEDULE XII

Chemical Works

PART I

Sl.No. 1. Application.- This schedule shall apply to all manufacture and processes incidental thereto carried on in chemical works.

Sl.No. 2. Definitions.- For the purpose of this schedule -

- (a) “chemical works” means any factory or such parts of any factory as are listed in appendix `A` to this schedule;
- (b) “efficient exhaust draught” means localised ventilation effected by mechanical or other means for the removal of gas, vapour, fume or dust to prevent it from escaping into the air of any place in which work is carried on;
- (c) “bleaching powder” means the bleaching powder commonly called chloride of lime;
- (d) “chlorate” means chlorate or perchlorate;
- (e) “caustic” means hydroxide of potassium or sodium;
- (f) “chrome process” means the manufacture of chromate or bichromate of potassium or sodium, or the manipulation, movement or other treatment of these substances;
- (g) “nitro or amino process” means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues, and the making of explosives with the use of any of these substances;
- (h) the term `permit to work` system means the compliance with the procedures laid down under para 20 of Part II;
- (i) “toxic substances” means all those substances which when they enter into the human body, through inhalation or ingestion or absorption through skin, in sufficient quantities cause fatality or exert serious affliction of health, or chronic harmful effects on the health of persons exposed to it due to its inherent chemical or biological effects. In respect of substances whose TLV is specified in Rule 106, exceeding the concentration specified therein would make the substance toxic;
- (j) “emergency” means a situation or condition leading to a circumstance or set of circumstances in which there is danger to the life or health of persons or which could result in big fire or explosion or pollution to the work and outside environment, affecting the workers or neighbourhood in a serious manner, demanding immediate action;
- (k) “dangerous chemical reactions” means high speed reactions, runaway reactions, delayed reactions, etc. and are characterised by evolution of large quantities of heat, intense release of toxic or flammable gases or vapours, sudden pressure build-up etc.;
- (l) “manipulation” means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping, handling, using, etc.;

(m) “approved personal protective equipment” means items of personal protective equipment conforming to the relevant ISI specifications or in the absence of it, personal protective equipment approved by the Chief Inspector of Factories - cum-Facilitator;

(n) “appropriate personal protective equipment” means that when the protective equipment is used by the worker, he shall have no risk to his life or health or body; and

(o) “confined space” means any space by reason of its construction as well as in relation to the nature of the work carried therein and where hazards to the persons entering into or working inside exist or are likely to develop during working.

PART II

General Requirements

Applying to all the works in Appendix 'A'

Sl.No. 1. Housekeeping.-(1) Any spillage of materials shall be cleaned up before further processing.

(2) Floors, platforms, stairways, passages and gangways shall be free of any obstructions.

(3) There shall be provided easy means of access to all parts of the parts of the plant to facilitate cleaning.

Sl.No. 2. Improper use of chemicals.- No chemicals or solvents or empty containers containing chemicals or solvents shall be permitted to be used by workers for any purpose other than in the processes for which they are supplied.

Sl.No. 3. Prohibition on the use of food, etc.- No food, drink, tobacco, pan or any edible item shall be stored or heated or consumed on or near any part of the plant or equipment.

Sl.No. 4. Cautionary Notices and Instructions.-

(1) Cautionary notices in a language understood by the majority of workers shall be prominently displayed in all hazardous areas drawing the attention of all workers about the hazards to health, hazards involving fire and explosion and any other hazard such as consequences of testing of material or substances used in the process or using any contaminated container for drinking or eating, to which the workers' attention should be drawn for ensuring their safety and health.

(2) In addition to the above cautionary notice, arrangement shall be made to instruct and educate all the workers including illiterate workers about the hazards in the process including the specific hazards to which they may be exposed to, in the normal course of their work. Such instructions and education should also deal with the hazards involved in unauthorised and unsafe practices including the properties of substances used in the process under normal conditions as well as abnormal conditions and the precautions to be observed against each and every hazard. Further, an undertaking from the workers shall be obtained within 1 month of their employment and for old workers employed, within one month of coming into operation of the rules, to the effect that they have read the contents of the cautionary notices and instructions, understood them and would abide by them. The training and instructions

to all workers and all supervisory personnel shall include the significance of different types of symbols and colours used on the labels stuck or painted on the various types of containers and pipe lines.

Sl.No. 5. Evaluation and provision of safeguards before the commencement of process.-

(1) Before commencing any process or any experimental work, or any new manufacture covered under Appendix `A`, the occupier shall take all possible steps to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions including the dangerous chemical reactions. The properties of the raw materials used, the final products to be made and any by-products derived during manufacture, shall be carefully studied and provisions shall be made for dealing with any hazards including effects on workers, which may occur during manufacture.

(2) Information in writing giving details of the process, its hazards and the steps taken or proposed to be taken from the design stage to disposal stage for ensuring the safety as in sub-para (1) above should be sent to the Chief Inspector - cum- Facilitator at the earliest but in no case less than 15 days before commencing manufacture, handling, or storage of any of items covered under Appendix `A`, whether on experimental basis, or as pilot plant or as trial production, or as large scale manufacture.

(3) The design, construction, installation, operation, maintenance and disposal of the buildings, plant and facilities shall take into consideration effective safeguards against all the safety and health hazards so evaluated.

(4) The requirements under the sub-para (1) to (3) shall not act in lieu of or in derogation to, any other provisions contained in any Act governing the work.

Sl.No. 6. Authorised entry.-Authorised persons only shall be permitted to enter any section of the factory or plant where any dangerous operations or processes are being carried on or where dangerous chemical reactions are taking place or where hazardous chemicals are stored.

Sl.No. 7. Examination of instruments and safety devices.-

(1) All instruments and safety devices used in the process shall be tested before taking into use and after carrying out any repair to them and examined once in a month, by a competent person. Records of such tests and examinations shall be maintained in a register.

(2) All instruments and safety devices used in the process shall be operated daily or as often as it is necessary, to ensure its effective and efficient working at all times.

Sl.No. 8. Electrical installations.- All electrical installations used in the process covered in Appendix `A` shall be of an appropriate type to ensure safety against the hazard prevalent in that area such as suitability against dust, dampness, corrosion, flammability and explosivity etc. and shall conform to the relevant ISI specifications governing their construction and use for that area.

Sl.No. 9. Handling and storage of chemicals.-

(1) The containers for handling and storage of chemicals shall be of adequate strength taking into consideration the hazardous nature of the contents. They shall also be provided with adequate labelling and colour coding arrangements to enable identification of the containers and their contents indicating the hazards and safe

handling methods and shall conform to the respective ISI standards. The instructions given in the label shall be strictly adhered to. Damaged containers shall be handled only under supervision of a knowledgeable and responsible person and spillage shall be rendered innocuous in a safe manner using appropriate means.

(2) The arrangements for the storage of chemicals including charging of chemicals in reaction vessels and containers shall be such as to prevent any risk of fire or explosion or formation of toxic concentration of substances above the limits specified in these Rules.

(3) Without prejudice to the generality of the requirements in sub- para (2) above, the arrangements shall have suitable ventilation facilities and shall enable the maintenance of safe levels in vessels and containers. Such arrangements shall also take into consideration, the type of flooring and the capacity of flooring and the compatibility requirements of substances with other chemicals stored nearby.

(4) (a) Storage of chemicals and intermediate products, which are highly unstable or reactive or explosive shall be limited to the quantities required for two months use.

(b) Whenever the quantities laid down in the above clause(a) are to be exceeded, the permission of the Chief Inspector - cum- Facilitator shall be obtained.

(c) Notwithstanding anything contained in clause (a) and (b) above, the Chief Inspector - cum- Facilitator of Factories may direct any factory carrying out processes covered in Appendix 'A' to further limit the storage of hazardous substances to quantities less than two months on considerations of safety.

(5) Standby arrangements equal to the biggest container shall always be available to transfer the toxic substances quickly into the standby storage facility if any defect develops in any of the container resulting in the release of toxic substances.

(6) Any storage facility constructed using non-metallic material such as Fibreglass Reinforced Plastics (FRP), all glass vessels etc., shall have adequate strength to withstand the stress, if any, exerted by the contents and shall be properly anchored. Working platforms, access ladders, pipelines etc used in such storage facility shall not have any support on the structure of the storage facility and shall be independently supported.

Sl.No. 10. Facility for isolation.- The plant and equipment shall be so constructed and maintained as to enable quick isolation of plant or part of plant or equipment, with appropriate indication. One copy of the layout plan indicating the isolation facilities shall always be available with the security personnel, the maintenance and the health and safety personnel and these isolation facilities shall be checked for its effectiveness once in a month.

Sl.No. 11. Personal protective equipment.-

(1) All workers exposed to the hazards in the processes covered by this Schedule shall be provided with appropriate and approved type of personal protective equipment. Such equipment shall be in a clean, sterile and hygienic condition before issue.

(2) The occupier shall arrange to inform, educate and supervise all the workers in the use of personal protective equipment while carrying out the job.

(3) As regards any doubt regarding the appropriateness of any personal protective equipment, the decision of the Chief Inspector - cum- Facilitator will be final.

Sl.No. 12. Alarm Systems.-

(1) Suitable and effective alarm systems giving audible and visible indications, shall be installed at the control room as well as in all strategic locations where process control arrangements are available so as to enable corrective action to be taken before the operational parameters exceed the predetermined safe levels or lead to conditions conducive for an outbreak of fire or explosion to occur. Such alarm systems shall be checked daily and tested every month at least once to ensure its performance efficiency at all times.

(2) The Chief Inspector - cum- Facilitator of Factories may direct such system to be installed in case of plants or processes where toxic materials are being used and spillage or leakage of which may cause wide spread poisoning in or around the plant.

Sl.No. 13. Control of escape of substances into the work atmosphere.-

(1) Effective arrangements such as, enclosure, or by pass, or efficient exhaust draught, maintenance of negative pressure etc., shall be provided in all plants, containers, vessels, sewers, drains, flues, ducts, culverts, and buried pipes and equipment, to control the escape and spread of substances which are likely to give rise to fire or explosion or toxic hazards during normal working and in the event of accident or emergency.

(2) In the event of the failure of the arrangements for control resulting in the escape of substances in the work atmosphere immediate steps shall be taken to control the process in such a manner, that further escape is brought down to the safe level.

(3) The substances that would have escaped into the work atmosphere before taking immediate steps as required in sub-para (2), shall be rendered innocuous by diluting with air or water or any other suitable agent or by suitably treating the substances.

Sl.No. 14. Control of dangerous chemical reactions.- Suitable provision, such as automatic and or remote control arrangements, shall be made for controlling the effects of 'dangerous chemical reactions'. In the event of failure of control arrangements automatic flooding or blanketing or other effective arrangements shall come into operation.

Sl.No. 15. Testing, examination and repair of plant & equipment.-

(1) All parts of plant, equipment and machinery used in the process which in the likely event of their failure may give rise to an emergent situation shall be tested by a competent person before commencing process and retested at an interval of two years or after carrying out repairs to it. The competent person shall identify the parts of the plant, equipment and machinery required to be tested as aforesaid and evolve a suitable testing procedures. In carrying out the test mentioned above in respect of pressure vessels or reaction vessels the following precautions shall be observed, namely -

(a) before the test is carried out, each vessel shall be thoroughly cleaned and examined externally, and as far as practicable, internally also for surface defects, corrosion and foreign matters. During the process of cleaning and removal of sludge, if any, all due precautions shall be taken against fire or explosion, if such sludge is of pyrophoric nature or contains spontaneously combustible chemicals;

(b) as soon as the test is completed, the vessel shall be thoroughly dried internally and shall be clearly stamped with the marks and figures indicating the person by whom testing has been done, and the date of test; and (c) any vessel which fails to pass the test or which for any other reason is found to be unsafe for use shall be destroyed or rendered unusable under intimation to the Chief Inspector - cum- Facilitator.

(2) All parts of plant, equipment, machinery which is the likely event of failure may give rise to an emergent situation shall be examined once in a month by the competent person.

(3) records of testing and examination referred to in Sl.no. (1) and (2) shall be maintained as long as that part of the plant, equipment and machinery are in use.

(4) All repair work including alteration, modification and addition to be carried out to the plant, equipment and machinery shall be done under the supervision of a responsible person who shall evolve a procedure to ensure safety and health of persons doing the work. When repairs or modification is done on pipelines, and joints are required to be welded, butt welding of joints shall be preferred. Wherever necessary, the responsible person shall regulate the aforesaid work through a 'Permit to work system'.

Sl.No. 16. Staging.-

(1) All staging that is erected for the purpose of maintenance work or repair work or for work connected with entry into confined spaces and used in the processes included in Appendix 'A', shall be stable, rigid and constructed out of substantial material of adequate strength. Such staging shall conform to the respective Indian Standard specifications.

(2) Staging shall not be erected over any closed or open vessel unless the vessel is so constructed and ventilated to prevent exposure of persons working on the stages.

(3) All the staging constructed for the purpose of this para shall have appropriate access which are safe and shall be fitted with proper hand rails to a height of one metre and toe board.

Sl.No. 17. Seating Arrangements.- The seating arrangements provided for the operating personnel working in processes covered in Appendix 'A' shall be located in a safe manner as to prevent the risk of exposure to toxic, flammable and explosive substances evolved in the work environment in the course of manufacture or repair or maintenance, either due to failure of plant and equipment or due to the substances which are under pressure, escaping into the atmosphere.

Sl.No. 18. Entry into or work in confined spaces.-

(1) The occupier of every factory to which the provisions of this schedule apply, shall ensure the observance of the following precautions before permitting any person to enter or work inside the confined spaces - (a) identify all confined spaces and the nature of hazards that are encountered in such spaces, normally or abnormally, and arrange to develop the most appropriate safeguards for ensuring the safety and health of persons entering into or working inside, the confined spaces;

(b) regulate the entry or work inside the confined spaces through a 'permit to work system' which should include the safeguards so developed as required under sub-clause (a) above;

(c) before testing the confined space for entry into or work, the place shall be rendered safe by washing or cleaning with neutralising agents; or purging with steam or inert gases and making adequate forced ventilation arrangements or such measure which will render the confined space safe;

(d) shall arrange to carry out such tests as are necessary for the purpose by a competent person and ensure that the confined space is safe for the persons to enter or work. Such testing shall be carried out as often as is necessary during the course of work to ensure its continued safety;

(e) shall arrange to educate and train the personnel who would be required to work in confined spaces about the hazards involved in the work. He shall also keep in readiness the appropriate and approved personal protective equipment including arrangements for, rescue resurrexion and first aid, and shall arrange supervision of the work at all times by a responsible and knowledgeable person. (2) The manager shall maintain a log of all entry into or work in, confined spaces and such record shall contain the details of persons assigned for the work, the location of the work and such other details that would have a bearing on the log book so maintained shall be retained as long as the concerned workers are in service and produces to the Inspector - cum- Facilitator when demanded.

Sl.No. 19. Maintenance work etc.-

(1) All the work connected with the maintenance of plants and equipment including cleaning of empty containers which have held hazardous substances used in the processes covered in this Schedule, shall be carried out under 'permit to work system' employing trained personnel and under the supervision of responsible person, having knowledge of the hazards and precautions required to deal with them.

(2) Maintenance work shall be carried out in such a manner that there is no risk to persons in the vicinity or to persons who pass by. If necessary, the place of such work shall be cordoned off or the presence of unconnected persons effectively controlled.

Sl.No. 20. Permit to work system.- The permit to work system shall inter-alia include the observance of the following precautions while carrying out any specified work to be subjected to the permit to work system-

(a) all work subject to the permit to work system shall be carried out under the supervision of a knowledgeable and responsible person;

(b) all parts of plant or machinery or equipment on which permit to work system is carried out, shall remain isolated from other parts throughout the period of permit to work and the place of work including the parts of plant, machinery shall be rendered safe by cleaning, purging, washing, etc.; (c) all work subject to the permit to work system shall have predetermined work procedures which integrate safety with the work. Such procedures shall be reviewed whenever any change occurs in material or equipment so that continued safety is ensured;

(d) persons who are assigned to carry out the permit to work system shall be physically fit in all respects taking into consideration the demands and nature, of the work before entering into the confined space. Such person shall be adequately informed about the correct work procedures as well as the precautions to be observed while carrying out the permit to work system;

(e) adequate rescue arrangements wherever considered necessary and adequate first aid, rescue and resurrection arrangements shall be available in good working condition near the place of work while carrying out the permit to work system, for use in emergency;

(f) appropriate and approved personal protective equipment shall be used while carrying out the 'permit to work system';

(g) after completion of work subject to the 'permit to work system' the person responsible shall remove all the equipment and tools and restore to the original condition so as to prevent any danger while carrying out regular process.

Sl.No. 21. Safety sampling personnel.- The occupier shall ensure the safety of persons assigned for collecting samples by instructing them on the safe procedures. Such personnel shall be provided with proper and approved personal protective equipment, if required.

Sl.No. 22. Ventilation.- Adequate ventilation arrangements shall be provided and maintained at all times in the process area where dangerous or toxic or flammable or explosive substances could be evolved. These arrangements shall ensure that concentrations, which are either harmful or could result in explosion, are not permitted to be built up in the work environment.

Sl.No. 23. Procedures for meeting emergencies.-

(1) The occupier of every factory carrying out the works covered in Appendix 'A', shall arrange to identify all types of possible emergencies that could occur in the processes during the course of work or while carrying out maintenance work or repair work. The emergencies so identified shall be reviewed every year.

(2) The occupier shall formulate a detailed plan to meet all such identified emergencies including arrangements for summoning outside help for rescue and fire fighting arrangements for making available urgent medical facilities.

(3) The occupier shall send the list of emergencies and the details of procedures and plans formulated to meet the emergencies, to the Chief Inspector - cum- Facilitator of Factories.

(4) The occupier shall arrange to install distinctive and recognisable warning arrangements to caution all persons inside the plant as well as the neighbouring community, if necessary, to enable evacuation of persons and to enable the observance of emergency procedures by the persons who are assigned emergency duties. All concerned must be well informed about the warning arrangements and their meaning. The arrangements must be checked for its effectiveness every month.

(5) Alternate power supply arrangements shall be made and interlocked with the normal power supply system so as to ensure constant supply of power to the facilities and equipment meant for compliance with requirements of Sl.no. 10, 11, 12, 13, 14, 18, 22, and this Sl.no. of Part II, Part III, Part IV and Part V of this Schedule.

(6) The occupier shall arrange to suspend the further process work in a place where emergency is established and shall forthwith evacuate all persons in that area except workers who have been assigned emergency duties.

(7) All the employees of the factory shall be trained about the action to be taken by them including evacuation procedures during emergencies.

(8) All emergency procedures must be rehearsed every three months and deficiencies, if any, in the achievement of the objectives shall suitably be corrected.

(9) The occupier shall arrange to have ten percent of the workers trained in the use of First Aid Fire Fighting appliances and in the rendering of specific hazards of the particular process.

(10) The occupier shall furnish immediately on request the specific chemical identity of the hazardous substance to the treating physician where the information is needed to administer proper emergency or first-aid treatment to exposed persons.

Sl.No. 24. Danger due to effluents.-

(1) Adequate precautions shall be taken to prevent the mixing of effluents from different processes and operations which may cause dangerous or poisonous gases to be evolved.

(2) Effluents which contain or give rise in the presence of other effluents to poisonous gases shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

PART III

Fire and Explosion Risks

Sl.No. 1. Sources of ignition including lighting installation.-

(1) No internal combustion engine and no electric motor or other electrical equipment, and fittings and fixtures capable of generating sparks or otherwise causing combustion or any other source of ignition or any naked light shall be installed or permitted to be in the process area where there could be fire and explosion hazards.

(2) All hot exhaust pipes shall be installed outside a building and other hot pipes or hot surface or surfaces likely to become hot shall be suitably protected.

(3) The classification of work areas in terms of its hazard potential and the selection of electrical equipment or other equipment that could constitute a source of ignition shall be in accordance with the respective Indian Standard.

(4) Where a flammable atmosphere may be prevalent or could occur, the soles of footwear worn by workers shall have no metal on them, and the wheels of trucks or conveyors shall be conductive type.

(5) All tools and appliances used for work in this area shall be of non-sparking type.

(6) Smoking in process areas where there are risks of fire and explosion shall be prohibited, and warning notices in the language understood by majority of workers shall be posted in the factory prohibiting smoking into specified areas.

Sl.No. 2. Static Electricity.-

(1) All machinery and plant, particularly, pipe lines and belt drives, on which static charge is likely to accumulate, shall be effectively earthed. Receptacles for flammable liquids shall have metallic connections to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be regulated.

(2) Mobile tanker wagons shall be earthed during filling and discharge, and precautions shall be taken to ensure that earthing is effective before such filling or discharge take place.

Sl.No. 3. Lightning protection.- Lightning protection arrangement shall be fitted where necessary, and shall be maintained.

Sl.No. 4. Process heating.- The method of providing heat for a process likely to result in fire and explosion shall be as safe as possible and where the use of naked flame is necessary, the plant shall be so constructed as to prevent any escaping flammable gas, vapour, or dust coming into contact with the flame, or exhaust gases, or other sources likely to cause ignition. Wherever possible, the heating arrangement shall be automatically controlled at a pre-determined temperature below the danger temperature.

Sl.No. 5. Leakage of flammable liquids.-

- (1) Provision shall be made to confine by means of bund walls, dykes, sumps etc. possible leakages from storage vessels containing flammable liquids.
- (2) Waste material in contact with flammable substances shall be disposed off suitably under the supervision of knowledgeable and responsible person.
- (3) Adequate and suitable fire-fighting appliances shall be installed in the vicinity of such vessels.

Sl.No. 6. Safety valves.- Every still and every closed vessel which gas is evolved or into which gas is passed, and in which the pressure is liable to rise above the atmospheric pressure, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure. These appliances shall be maintained in good condition.

Sl.No. 7. Installation of pipe line etc.- All pipelines carrying flammable or explosive substances shall be protected from mechanical damage and shall be examined by a responsible person once a week to detect any deterioration or defects, or accumulation of flammable or explosive substances, and record kept of any defects found and repairs made.

Sl.No. 8. Fire fighting systems.-

- (1) Every factory employing 500 or more persons and carrying out processes listed in Appendix 'A' shall provide-
 - (a) Trained and responsible fire fighting squad so as to effectively handle the fire fighting and life saving equipment in the event of fire or other emergency. Number of persons in this squad will necessarily depend upon the size of risk involved, but in no case shall be less than 8 such trained persons to be available at any time. The squad shall consist of watch & ward personnel, fire pump man and departmental supervisors and operators trained in the operation of fire & emergency services.
 - (b) Squad leaders shall preferably be trained in a recognised government institution and their usefulness enhanced by providing residence on the premises.
 - (c) Squad personnel shall be provided with clothing and equipment including helmets, boots and belts.
- (2) A muster roll showing the duties allocated to each member of the squad shall be prepared and copies supplied to each leader as well as displayed in prominent places so as to be easily available for reference in case of emergency.
- (3) The pump man shall be thoroughly conversant with the location of all appliances. He shall be responsible for maintaining all fire fighting equipment in proper working

order. Any defect coming to his notice shall be immediately be brought to the notice of squad leader.

(4) As far as is practicable, the fire pump room and the main gate(s) of the factory be connected to all manufacturing or storing areas through telephone inter lined and placed in a convenient location near such areas.

PART IV Risks of Toxic Substances

Sl.No. 1. Leakage.-

(1) All plants shall be so designed and constructed as to prevent the escape of toxic substance. Where necessary, separate buildings, rooms, or protective structures shall be used for the dangerous stages of the process and buildings shall be so designed as to localise any escape of toxic substances.

(2) Catch pits, bund walls, dykes, or other suitable safeguards shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipelines where there is danger involved to maintenance and other workers from such leakage.

Sl.No. 2. Drainage.- Adequate drainage shall be provided and shall lead to collection tanks specifically provided for this purpose wherein deleterious material shall be neutralised, treated or otherwise rendered safe before it is discharged into public drains or sewers.

Sl.No. 3. Covering of vessels.-

(1) Every fixed vessel or structure containing any toxic substance and not so covered as to eliminate all reasonable risk of accidental contact of any portion of the body of a worker, shall be so constructed as to avoid physical contact.

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

(3) Where such vessels adjoin and the space between them, clear of any surrounding brick or other work is either less than 45centimetres in width or is 45 or more centimetres in width, but is not securely fenced on both sides to a height of at least 90 centimetres, secure barriers shall be so placed as to prevent passage between them :

Provided that sub- Sl.no. (2) of this shall not apply to -

(a) saturators used in the manufacture of sulphate of ammonia; and

(b) that part of the sides of brine evaporating pans which require raking, drawing or filling.

Sl.No. 4. Continuous exhaust arrangement.-

(1) Any process evolving toxic vapour, gas, fume and substance shall have efficient continuous exhaust draught. Such arrangement shall be interlocked in the process control wherever possible.

(2) In the event of failure of continuous exhaust arrangement means shall be provided to automatically stop the process.

Sl.No. 5. Work Bench.- All the work benches used in the processes involving the manipulation of toxic substances, shall be graded properly and shall be made of smooth impervious surface which shall be washed daily after the completion of work.

Sl.No. 6. Waste disposal.-

(1) There shall be provided a suitable receptacle made of non-absorbable material with a tightly fitting cover for depositing waste material soiled with toxic substances and the contents of such receptacle shall be destroyed by burning or using other suitable methods under the supervision of a responsible person.

(2) During the course of manufacture, whenever any batch or intermediate products having toxicity is rejected on considerations of quality, sufficient precautions shall be taken to render them innocuous or otherwise treat them or inactivate them, before disposal.

(3) The empty containers of toxic substances shall be cleaned thoroughly before disposal under the supervision of a responsible person.

PART V

Special Provisions

Sl.No. 1. Special precautions for Nitro or Amino Processes.-

(1) Unless the crystallised nitro or amino substances or any of its liquor is broken or agitated in a completely enclosed process so as not to give rise to dust or fume, such process shall be carried on under an efficient exhaust draught or by adopting any other suitable means in such a manner as to prevent the escape of dust or fume in the working atmosphere.

(2) No part of the plant or equipment or implements which was in contact with nitro or amino compounds shall be repaired, or handled unless they have been emptied and thoroughly cleaned and decontaminated.

(3) Filling of containers with nitro or amino compounds shall be done only by using a suitable scoop to avoid physical contact and the drying of the containers in the stove shall be done in such a manner that the hot and contaminated air from the stove is not drawn into the work room.

(4) Processes involving the steaming into or around any vessel containing nitro or amino compounds or its raw materials shall be carried out in such a manner that the steam or vapour is effectively prevented to be blown back into the working atmosphere.

(5) Suitable antidotes such as methylene blue injections shall always be available at designated places of work for use during emergency involving the poisoning with nitro or amino compounds.

Sl.No. 2. Special precautions for 'chrome processes'.-

(1) Grinding and sieving of raw materials in chrome processes shall be carried on in such a manner and under such condition as to secure effective separation from any other processes and under an efficient exhaust draught.

(2) There shall be washing facilities located very near to places where wet chrome processes such as leaching, acidification, sulphate settling, evaporation,

crystallisation, centrifugation or packing are carried out, to enable quick washing of affected parts of body with running water.

(3) Weekly inspection of hand and feet of all persons employed in chrome process shall be done by a qualified nurse and record of such inspections shall be maintained in a form approved by the Chief Inspector - cum- Facilitator of Factories.

(4) There shall be always available at designated places of work suitable ointment such as glycerine, vaseline, etc. and water proof plaster in a separate box readily accessible to the workers so as to protect against perforation of nasal septum

Sl.No. 3. Special precautions for processes carried out in all glass vessels.-

(1) Processes and chemical reactions such as manufacture of vinyl chloride, benzyl chloride etc. which are required to be carried out in all glass vessels shall have suitable means like substantial wire mesh covering to protect persons working nearby in the event of breakage of glass vessel.

(2) Any spillage or emission of vapour from the all glass vessel due to breakage, shall be immediately inactivated or rendered innocuous by suitable means such as dilution with water or suitable solvents so as to avoid the risks of fire or explosion or health hazards.

Sl.No. 4. Special precautions for processes involving chlorate manufacture.-

(1) Crystallisation, grinding or packing of chlorate shall not be done in a place used for any other purpose and such places shall have hard, smooth and impervious surface made of non-combustible material. The place shall be thoroughly cleaned daily.

(2) The personal protective equipment likes overall, etc. provided for the chlorate workers shall not be taken from the place of work and they shall be thoroughly cleaned daily.

(3) Adequate quantity of water shall be available near the place of chlorate process for use during fire emergency.

(4) Wooden vessels shall not be used for the crystallisation of chlorate or to contain crystallised ground chlorate.

Sl.No. 5. Special precautions in the use of plant and equipment made from reinforced plastics.-

(1) All plant and equipment shall conform to appropriate Indian or any other National Standard.

(2) Care shall be taken during storage, transport, handling and installation of plant and equipment to avoid accidental damage.

(3) All plant and equipment shall be installed in such a way as to ensure that loads are distributed as intended in design or as per the recommendations of the manufacture.

(4) All pipe work shall be supported so that total loads local to the branches on the vessel or tank do not exceed their design values.

(5) After erection all plant and equipment shall be subjected to a pressure test followed by a thorough examination by a competent person. The test and examination shall be as per relevant Standard. A certificate of test and examination by a competent person shall be obtained and kept available at site.

(6) All plant and equipment shall be subjected to periodical test and examination and record maintained as per Sl.no. 15 in Part II of this Schedule.

(7) Plant and equipment during their use shall not be subjected to over filling or over loading beyond rated capacity.

PART VI

Medical Requirements

Sl.No. 1. Decontamination facilities.- In all places where toxic substances are used in processes listed in Appendix

'A' the following provisions shall be made to meet an emergency:

(a) fully equipped first aid box;

(b) readily accessible means of drenching with water persons, parts of body of persons, and clothing of persons who have been contaminated with such toxic and corrosive substances, and such means shall be as shown in the Table below :

No.of persons employed at any time	No. of drenching showers
Upto 50 persons	2
Between 51 to 100	3
Between 101 to 200	3 + 1 for every 50 persons thereafter
Between 201 to 400	5 + 1 for every 100 persons thereafter
401 and above	7 + 1 for every 200 persons thereafter

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

Sl.No. 2. Occupational health centre.- In all the factories carrying out processes covered in Appendix 'A' there shall be provided and maintained in good order an occupational health centre with facilities as per scale laid down hereunder

(1) For factories employing upto workers -

(a) the services of a qualified medical practitioner hereinafter known as Factory Medical Officer, available on a retainership basis, in his notified clinic near to the factory for seeking medical help during emergency. He will also carry out the pre-employment and periodical medical examinations as stipulated in Sl.no. 4 of this Part.

(b) A minimum of five persons trained in first aid procedures, amongst whom at least one shall always be available during the working period.

(c) A fully equipped first aid box.

(2) For factories employing 51 to 200 workers -

(a) The occupational health centre shall have a room having a minimum floor area of 15 sq.m., with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.

(b) A part-time Factory Medical Officer will be in over all charge of the Centre who shall visit the factory minimum twice in a week and whose services shall be readily available during emergencies.

(c) There shall be one qualified and trained dresser-cum-compounder on duty throughout the working period.

- (d) A fully equipped first aid box.
- (3) For factories employing above 200 workers -
 - (a) There shall be one full-time Factory Medical Officer for factories employing upto 500 workers and one more medical officer for every 1000 workers or part thereof.
 - (b) The occupational health centre in this case shall have a minimum of 2 rooms each having a minimum floor area of 15 sq.m. with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.
 - (c) There shall be one trained nurse, one dresser-cum-compounder and one sweeper-cum-ward boy throughout the working period.
 - (d) The Occupational Health Centre in this case shall be suitably equipped to manage medical emergencies.

Sl.No. 3. Ambulance van.-

- (1) In every factory carrying out processes covered in Appendix 'A', there shall be provided and maintained in good condition, a suitably constructed and fully equipped ambulance van as per Appendix 'C' manned by a full-time driver-cum-mechanic and a helper, trained in first aid for the purposes of transportation of serious cases of accidents or sickness unless arrangements for procuring such facility at short notice during emergencies have been made with the nearby hospital or other places. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will always be available near the Occupational Health Centre.
- (2) The relaxation to procure Ambulance Van from nearby places provided for in sub-para (1) above will not be applicable to factories employing more than 500 workers.

Sl.No. 4. Medical examination.-

- (1) Workers employed in processes covered in Appendix 'A' shall be medically examined by a Factory Medical Officer in the following manner -
 - (a) Once before employment, to ascertain physical suitability of the person to do the particular job;
 - (b) Once in a period of 6 months, to ascertain the health status of the worker, and
 - (c) The details of pre-employment and periodical medical examinations carried out as aforesaid shall be recorded in the prescribed form.
- (2) Any finding of the Factory Medical Officer revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the Medical Officer who shall in turn, examine the concerned workers and communicate his findings within 30 days. If the Medical Officer is of the opinion that the person so examined is required to be suspended from the process for health protection he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated :

Provided that the Medical Officer on his own may examine any other worker whom he feels necessary to be examined for ascertaining the suitability of his employment in the process covered in Appendix 'A' or for ascertaining the health status of any other worker and his opinion shall be final.

(3) No person shall be newly appointed without the Certificate of Fitness granted by the Factory Medical Officer. If the Factory Medical Officer declares a person unfit for being appointed to work in the process covered in Appendix 'A', such person shall have a right of appeal to the Medical Officer, whose opinion shall be final in this regard.

(4) The worker suspended from the process owing to the circumstances covered in sub-para (2) shall be employed again in the same process only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the health register.

PART VII

Additional Welfare Amenities

Sl.no. 1. Washing facilities.-

(1) There shall be provided and maintained in every factory for the use of all the workers taps for washing, at the rate of one every 15 persons including liquid soap in a container with tilting arrangements and nail brushes or other suitable means for effective cleaning. Such facilities shall be conveniently accessible and shall be kept in a clean and hygienic condition.

(2) If washing facilities as required above are provided for women, such facilities shall be separate for them and adequate privacy at all times shall be ensured in such facilities.

Sl.no. 2. Mess room facilities.-

(1) The occupier of all the factories carrying out processes covered in Appendix 'A' and employing 50 workers or more, shall provide for all the workers working in a shift mess room facilities which are well ventilated and provided with tables and sitting facilities along with the provision of cold and hygienic drinking water facilities.

(2) Such facilities shall include suitable arrangements for cleaning and washing and shall be maintained in a clean and hygienic condition.

Sl.no. 3. Cloakroom facilities.-

(1) The occupier of every factory carrying out any process covered in Appendix 'A' shall provide for all the workers employed in the process cloak room facilities with lockers. Each worker shall be provided with two lockers, one for work clothing and another separately for personal clothing and the lockers should be such as to enable the keeping of the clothing in a hanging position.

(2) The cloak room facilities provided in pursuance of sub-para (1) shall be located as far as possible near to the facilities provided for washing in pursuance of para 1(1). If it is not possible to locate the washing facilities the cloakroom facilities shall have adequate and suitable arrangements for cleaning & washing.

Sl.no. 4. Special bathing facilities.-

(1) The occupier of any factory carrying out the process covered under Appendix 'B' shall provide special bathing facilities for all the workers employed and such facilities shall be provided at the rate of 1 for 25 workers and part thereof, and shall be maintained in a clean and hygienic condition.

(2) The occupier shall insist all the workers employed in the processes covered in Appendix 'B' to take bath after the completion of the day's or shift work using the bathing facilities so provided and shall also effectively prevent such of those workers taking bath in any place other than the bathing facilities.

(3) Notwithstanding anything contained in sub-para (1) above, the Chief Inspector - cum- Facilitator may require in writing the occupier of any factory carrying out any other process for which his opinion bathing facilities are essential from the health point of view, to provide special bathing facilities.

PART VIII

Sl.no. 1. **Duties of workers.-**

(1) Every worker employed in the processes covered in Appendix 'A' and Appendix 'B' shall not make safety device or appliance or any guarding or fencing arrangement, inoperative or defective and shall report the defective condition of the aforesaid arrangements as soon as he is aware of any such defect.

(2) Before commencing any work, all workers employed in processes covered in Appendix 'A' shall check their workplace as well as the machinery, equipment or appliance used in the processes and report any mal-function or defect immediately to the supervisor or any responsible person of the management.

(3) All workers shall co-operate in all respects with the management while carrying out any work or any emergency duty assigned to them in pursuance of this schedule and shall always use all the personal protective equipment issued to them in a careful manner.

(4) All workers employed in the processes covered in Appendix 'A' or Appendix 'B' shall not smoke in the process area or storage area. If special facilities are provided by the management only such facilities should be used.

(5) All workers employed in the processes covered in Appendix 'A' shall not remain in unauthorised place or carry out unauthorised work or improvise any arrangement or adopt short cut method or misuse any of the facilities provided in pursuance of the Schedule, in such a manner as to cause risk to themselves as well as or to others employed.

(6) The workers shall not refuse undergoing medical examination as required under these rules.

PART IX

Restrictions on the employment of young persons under 18 years of age and women

(1) The Chief Inspector - cum- Facilitator of Factories may by an order in writing, restrict or prohibit the employment of women and young persons under the age of 18, in any of the processes covered in Appendix 'A' of this schedule on considerations of health and safety of women and young persons.

(2) Such persons who are restricted or prohibited from working in the process due to the order issued in pursuance of sub-para (1) above shall be provided with alternate work which is not detrimental to their health or safety.

PART X

Exemptions

1. **Power of exemption.**- The State Government or subject to the control of the State Government the Chief Inspector - cum- Facilitator may exempt from the compliance with any of the requirements of this Schedule partly or fully, any factory carrying out processes covered in Appendix `A`, if it is clearly and satisfactorily established by the occupier that the compliance with any of the requirement is not necessary to ensure the safety and health of persons employed suitable and effective alternate arrangements are available to any of the requirements covered in this schedule.

Appendix `A`

Any works or that part of works in which -

- (a) the manufacture, manipulation or recovery of any of the following is carried on :-
 - (i) sodium, potassium, iron, aluminium, cobalt, nickel, copper, arsenic, antimony, chromium, zinc, selenium, magnesium, cadmium, mercury, beryllium and their organic and inorganic salts, alloys, oxides and hydroxides;
 - (ii) ammonia, ammonium hydroxide and salts of ammonium;
 - (iii) the organic or inorganic compounds of sulphurous, sulphuric, nitric, nitrous, hydrochloric, hydrofluoric, hydriodic, hydro sulphuric, hydrobromic, boric;
 - (iv) cyanogen compounds, cyanide compounds, cyanate compounds;
 - (v) phosphorous and its compounds other than organo phosphorus insecticides.
 - (vi) chlorine
- (b) hydrogen sulphide is evolved by the decomposition of metallic sulphides, or hydrogen sulphide is used in the production of such sulphides;
- (c) bleaching powder is manufactured or chlorine gas is produced in chlor-alkali plants;
- (d) (i) gas tar or coal tar or bitumen or shale oil asphalt or any residue of such tar is distilled or is used in any process of chemicals manufacture;
- (ii) tar based synthetic colouring matters or their intermediates are produced;
- (e) nitric acid is used in the manufacture of nitro compounds;
- (f) explosives are produced with the use of nitro compounds;
- (g) aliphatic or aromatic compounds or their metallic and non-metallic derivatives or substituted derivatives, such as chloroform, ethylene glycol, formaldehyde, benzyle chloride, phenol, methyl ethyl ketone peroxide, cobalt carbonyl, tungsten carbide etc. are manufactured or recovered.

Appendix `B`

Concerning Special Bathing Accommodation in pursuance of Para 4 of Part VII

- 1. Nitro or amido processes
- 2. All chrome processes

3. Processes of distilling gas or coal tar or processes of chemical manufacture in which tar is used
4. Processes involving manufacture, manipulation, handling or recovery of cyanogen compound, cyanide compound, cyanate compounds
5. Processes involving manufacture of bleaching powder or production of chlorine gas in chlor-alkali plants
6. Manufacture, manipulation or recovery of nickel and its compounds
7. All processes involving the manufacture, manipulation or recovery of aliphatic or aromatic compounds or their derivatives or substituted derivatives.

Appendix `C`

Ambulance should have the following equipment :

General

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

Safety equipment :-

- Flares with life of 30 minutes
- Flood lights;
- Flash lights;
- Fire extinguisher dry powder type;
- Insulated gauntlets.

Emergency care equipment :-

Resuscitation :-

- Portable suction unit;
- Portable oxygen unit;
- Bag-valve-mask, hand operated artificial ventilation unit;
- Airways;
- Mouth gags;
- Tracheostomy adapters;
- Short spine board;

- I.V. Fluids with administration unit;
- B.P. manometer;
- Cugg;
- Stethoscope

Immobilisation

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

Dressings :-

- Gauze pads - 4" x 4" ;
- Universal dressing 10" x 36" ;
- Roll of aluminium foils;
- Soft roller bandages 6" x 5 yards;
- Adhesive tape in 3" roll;
- Safety pins;
- Bandage sheets;
- Burn sheet.

Poisoning :-

- Syrup of Ipecac; } } Pre packeted in doses
- Activated charcoal; }
- Snake bite kit;
- Drinking water.

Emergency Medicines

- As per requirement (under the advice of Medical Officer only)

SUB SCHEDULE XIII

Manipulation of stone, or any other material containing free silica

The following Manufacturing Process shall be considered as Manipulation of Stone or other material containing free Silica:

1. Stone Crushers
2. Gem and Jewellery
3. Slate Pencil Making
4. Agate Industry
5. Cement Industry
6. Pottery
7. Glass Manufacturing

Sl.no. 1. **Application** - This schedule shall apply to all factories or parts of factories in which the above said manufacturing activity containing free silica is carried on.

Sl.no. 2. **Definitions**- For the purpose of this Schedule -

(a) "manipulation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material;

(b) “stone or any other material containing free silica” means a stone or any other solid material containing not less than 5% by weight of free silica.

Sl.no. 3. **Preventive Control Measures**

No manipulation shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted, namely -

3(I) **Engineering Control Measures-**

(1) Wet Methods:

(a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;

(b) Water should be provided for drilling or sawing of concrete or masonry;

(2) Ventilation:

(a) An effective Local exhaust system should be provided and maintained to control/remove silica dust from industrial processes.

(b) Dilution/ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.

(c) Dust collectors /HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contaminating work areas.

(d) Ventilation systems should be kept in good working conditions.

(3) Isolation:

(a) Containment methods should be used while carrying out sand blasting.

(b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(4) Dust Control:

(a) Vacuum System with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and at all transfer points.

(b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length.

Provided that such control measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible limit of exposure specified in the Second Schedule of the Act.

3(II) **Medical Control Measures-**

(1) The occupier of every factory in which a worker employed in the processes specified in Sl.no. 1, shall ensure that every worker employed be examined by a Medical Officer of Factories/ Medical Officer within 15days of his first employment. Such medical examination shall include pulmonary function test and chest X Ray- Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no.

(1) except chest X-ray which shall be read by a radiologist specialized/ trained in the

field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size X-ray plates and the power of the X-Ray machine shall be more than 300 milli ampere (mA). The report of such X-Ray shall be submitted to the Medical Officer of Factories - cum- Facilitator / Medical Officer / Chief Inspector - cum- Facilitator for within three months of the said date.

(4) If at any time the Medical Inspector of Factories/ Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the 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- Sl.no. (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector of Factories/ Medical Officer shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipments as may be prescribed by the Chief Inspector - cum- Facilitator for time to time. The medical practitioner so appointed shall perform the following duties

- (a) maintain health register;
- (b) undertake medical supervision of persons employed in the factory;
- (c) look after health, education and rehabilitation of sick, injured or affected workers;
- (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein

(8) The Health Records of the workers exposed to silicosis, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate

register approved by the Chief Inspector - cum- Facilitator of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

3 (III) **Administrative Control Measures-**

(1) Work place/ Environment Monitoring: The occupier to ensure work place/ environment monitoring to be performed to determine magnitude of exposure/ concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.

a) Exposure/ concentration measurements should be made in the employee's actual breathing zone.

b) Total sampling time shall be at least 7 hours.

c) Work place/ Environment Monitoring shall be repeated quarterly.

d) The report of dust sampling by occupier shall be made available to the public.

(2) Training/ Awareness: Workers shall be trained in the following:-

(a) Health effects of free silica dust exposure.

(b) Operations and material that produce free silica dust hazards.

(c) Engineering controls and work practice controls that reduce dust concentration.

(d) The importance of good housekeeping and cleanliness.

(e) Proper use of personal protective equipment such as respirators etc.

(f) Personal hygiene practices to reduce exposure.

(3) House Keeping: Maintenance of floors)

All floors or places where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.

b) For this purpose Dry sweeping or compressed air shall be used for cleanup of dust or wet methods or vacuum system with a HEPA filter shall be used.

c) Dust on over head ledges and equipment should be removed before it becomes air borne due to vibration, traffic and random air current.

(4) Change room and washing facilities

(a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers..

(b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.

(c) Workers shall take bath and change the work clothes before they leave the work site.

(d) Work clothes shall not be cleaned by blowing or shaking. .

(e) Eating/lunch areas shall be located away from exposed areas.

(5) Display of Notices:

(a) Warning signs/ Posters shall be displayed conspicuously in a prominent place.

(b) The warning signs/poster shall contain the Hazards and precautions to be taken.

(c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(6) Personal Protective Equipment

The occupier of the every factory to which this schedule apply shall provide the following PPEs as per relevant National Standards or International Standards and as applicable to a given work place.

- (a) Dust respirator.
- (b) HEPA filter respirator or fume respirator.
- (c) HEPA filter respirator with full face piece.
- (d) Self contained breathing apparatus (SCBA)
- (e) Supplied air respirator with a full face piece, helmet or hood.
- (f) SCBA with full face piece.
- (g) Powered air purifying respirator with a HEPA filter.

Sl.no. 4. **Prohibition relating young person's-** No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried out.

Sl.no. 5. **Exemptions** (1) - If in respect of any factory, the Chief Inspector cum-Facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum-Facilitator may by a certificate in writing, which he may 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.

(2) The notification of Silicosis and free silica related occupational diseases by Medical Practitioner / Medical Officer should be strictly enforced and in case of any Violation, the Medical Practitioner/ Medical Officer shall be liable to be prosecuted under Rule 9 (2).

SUB SCHEDULE XIV

Handling and Processing of Asbestos, Manufacture of any Article or Substance of Asbestos and any other Processes of Manufacture or otherwise in which Asbestos is used in any Form

Sl.no. 1. **Application.-**

(1) This schedule shall apply to all manufacturing process as defined under Section 2(z) of the Code, carried on in a factory involving exposure of workers to asbestos and/or product containing Asbestos.

(2) The Government may, at any time, for the purpose of giving effect to any scientific proof obtained from specialised institutions or experts in the field, notification in the Office Gazette, make suitable changes in the said schedule:

(3) The provisions of this schedule shall apply to all workers exposed to asbestos in the factory and it shall be the responsibility of the occupier of the factory to comply with the provisions of the schedule in respect of the workers.

(4) (a) The occupier of the factory wherein asbestos or substances containing asbestos are in use, shall prepare work procedures and practices, in the light of scientific research and technological progress for approval by the Chief Inspector- cum-Facilitator and shall follow only such approved procedures.

(b) Notwithstanding anything mentioned in sub- Sl.no. (1) use of asbestos is prohibited in the manufacturing process as may be notified by the Government in this behalf.

(c) (i) spraying of all forms of asbestos is prohibited in a factory.

(ii) The prohibition in respect of spraying of asbestos referred to in sub-para (i) may be exempted by the Chief Inspector- cum- Facilitator if the Occupier represents that such spraying is inevitable certain purposes provided adequate measures for ensuring the safety and health of workers are undertaken by the occupier to the satisfaction of the Chief Inspector- cum- Facilitator.

Sl.no. 2. Definition.-

For the purpose of this Schedule –

(a) “asbestos” means any fibrous silicate mineral and any admixture containing actionlite, amosite, anthophyllite, chrysotile, crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;

(b) “asbestos textiles” means yarn or clothes composed of asbestos or asbestos mixed with any other materials;

(c) “approved” means approved for the time being in writing by the Chief Inspector;

(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 a localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;

(f) “preparing” means crushing, disintegrating, and any other processes in or incidental to the opening of asbestos;

(g) “protective clothing” means overalls and head covering, which (in either case) will when worn exclude asbestos dust;

(h) “asbestos dust” means airborne particles of asbestos or settled particles of asbestos which are liable to become airborne in the factory;

(i) “airborne asbestos dust” means, for the purposes of measurement, dust particles measured by gravimetric assessment or other equivalent method;

(j) “repairable asbestos fibres” means asbestos fibres having diameter of less than 3 micrometre and a length to diameter ratio greater than 3:1;

(k) “exposure to asbestos” means exposure to airborne repairable asbestos fibres or asbestos dust; whether originating from asbestos or from minerals, materials or products containing asbestos in the factory.

Sl.no. 2-A Demolition of plants or structures –

No person shall carry out any demolition of plants or structures containing friable asbestos insulation material and removal of asbestos from building or structures in which asbestos is liable to become air-borne, unless he is recognized and duly empowered by the Chief Inspector - cum- Facilitator of Factories as qualified to carry out such work in accordance with the provisions of this Schedule.

Sl.no. 3. Tools and equipment.-

Any tools or equipment used in processes to which this schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

Sl.no. 4. Exhaust draught.-

(1) An effective exhaust draught shall be provided and maintained to control dust from the following processes and machines as per the relevant National Standards -

(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;

(iv) machines used for the sawing, grinding, turning, drilling, abrading or polishing; in the dry state, of articles composed wholly or partly of asbestos;

(b) cleaning, and grinding of the cylinders or other parts of a carding machine;

(c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;

(d) work-benches for asbestos waste sorting or for other manipulation or asbestos by hand;

(e) workplaces at which the filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;

(f) sack cleaning machines;

(g) mixing and blending of asbestos by hand; and

(h) any other process in which dust is given off into the work environment.

(2) Exhaust ventilation equipment provided in accordance with sub-paragraph (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.

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

Sl.no. 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 as per the relevant Indian Standards, examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.

(2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alternations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector - cum- Facilitator.

Sl.no. 6. Segregation in case of certain process.-

Mixing or blending of asbestos by the hand, 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.

Sl.no. 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 there from. Such asbestos shall not be distributed within a factory except in closed receptacles or in a totally enclosed system of conveyance.

Sl.no. 8. Asbestos sacks –

- (1) All sacks used as receptacles for the purpose of transport of asbestos within the factory shall be constructed of impermeable materials and shall be kept in good repair.
- (2) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with Sl.no. 4.
- (3) Asbestos sacks or receptacles which contain asbestos shall be disposed off in a safe manner.

Sl.no. 9. Maintenance of floors and workplaces.-

- (1) In every room in which any of the requirements of this schedule apply -
 - (a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and
 - (b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.
- (2) The cleaning as mentioned in sub-rule (1) shall so far as is practicable, as carried out by means of vacuum cleaning equipment so designed and constructed and so used that asbestos dust neither escapes nor is discharged into the air of any work place.
- (3) When the cleaning is done by any method other than that mentioned in sub-Sl.no.(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- Sl.no. (2), shall be properly maintained and after each cleaning operation, its surfaces kept in a clean state and free from asbestos waste and dust.
- (5) Asbestos waste shall not be permitted to remain on the floors or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.
 - (A) The occupier shall replace asbestos or of certain types of asbestos or products containing asbestos by other materials or products or shall use alternative technology, scientifically evaluated as harmless or less harmful, wherever this is possible.
 - (B) The occupier should take all the measures to prevent or control the release of asbestos in to the air and to ensure that the exposure limits or other exposure criteria are complied with and also reduce exposure to as low as a level as is reasonably practicable.

Sl.no. 10. Breathing Apparatus, Personnel Protective Equipment and Clothing-

(1) The occupier of every factory to which this schedule applies shall provide to workers personnel protective equipments such as hand gloves shoes helmets, goggles earplug, aprons safety belt, overall suit, etc. as per the relevant National or International Standards as may be required.

The approved breathing apparatus and appropriate work clothing as per the relevant National or international standards in consultation with the workers representatives and maintained in good conditions for use of every person employed -

- (a) in chambers containing loose asbestos;
 - (b) in cleaning, dust settling or filtering chambers of apparatus;
 - (c) in cleaning the cylinders, including the defer cylinders, or other parts of a carding machine by means of hand-stickles;
 - (d) in filling, beating, or levelling in the manufacture or repair of insulating mattresses; and
 - (e) in any other operation or circumstances in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.
- (2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when not in use.
- (3) All breathing apparatus and protective clothing not in use shall be stored in the accommodation provided in accordance with sub-rule (2) above.
- (4) All protective clothing in use shall be de-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 in protective the wearer.
- (5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.
- (6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector - cum- Facilitator.
- (7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.
- (8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.
- (9) No worker shall take home any work clothing or special protective clothing or personal protective equipment provided to him for protection against exposure to asbestos.

Sl.no. 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 sub- Sl.no. (2) of Sl.no. 10 to prevent contamination of personal clothing.

Sl.no. 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 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.

Sl.no. 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.

Sl.no. 14. Prohibition of employment of young persons.-

No young person shall be employed in any of the process covered by this schedule.

Sl.no. 15. Prohibition relating to smoking.-

No person shall smoke in any area where processes covered by this schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.

Sl.no. 16. Pictorial Cautionary notices.-

Cautionary notices in the form specified in appendix and printed in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the workrooms where asbestos or substances containing asbestos are manufactured, handled or used.

Sl.no. 17. Air monitoring.-

To ensure the effectiveness of control measures in continuous or repetitive processes, the monitoring of asbestos fibres in air as well as personal monitoring of workers shall be carried out at least once in every shift and the result so obtained shall be entered in register and

(a) There should be no substantial change in workplace conditions.

(b) The results of the two (2) preceding measurements have not exceeded half the relevant control limit.

(c) "All factories should adopt membrane filter test as per the relevant National standards without fail.

Sl.no. 18. Medical control measures. -

(1) The occupier of every factory in which a worker employed in the processes specified in Sl.no. 1, shall ensure that every worker employed be examined by a Medical Inspector - cum- Facilitator of Factories/ Medical Officer within 15 days of his first employment. Such medical examination shall include sputum examination for asbestos bodies, pulmonary function test and chest X Ray - Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no. (1) except chest X-ray which shall be read by a radiologist specialized/ trained in the field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the X Ray machine shall be more than 300 milli ampere (mA). The report of such X Ray shall be submitted to the Medical Inspector- cum- Facilitator of Factories / Medical Officer / Chief Inspector - cum- Facilitator for within three months of the said date.

(4) If at any time the Medical Inspector of Factories / Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the 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- Sl.no. (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector of Factories / Medical Officer shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such

other equipments as may be prescribed by the Chief Inspector - cum- Facilitator for time to time. The medical practitioner so appointed shall perform the following duties

- (a) maintain health register;
- (b) undertake medical supervision of persons employed in the factory;
- (c) look after health, education and rehabilitation of sick, injured or affected workers;
- (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.

(8) The Health Records of the workers exposed to asbestos, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector - cum- Facilitator of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

Sl.no. 19. Exemptions.-

(1) If in respect of any factory, the Chief Inspector - cum- Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

(2) The Chief Inspector - cum- Facilitator may permit temporary derogation, through a notification in an official gazette, from the measures prescribed in this Schedule under conditions and within limits of time determined after consultation with the representative organizations of employers and workers concerned.

SUB SCHEDULE – XV

HANDLING OR MANIPULATION OF CORROSIVE SUBSTANCES

Sl.no. 1. **Definitions** – 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, carbolic 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 corrosive substance.

Sl.no. 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 resistance 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.

Sl.no. 3. **Protective equipment**- (a) the occupier shall provide for the use of all persons employed in any corrosive operation suitable protective wear for hands and feet, suitable aprons, face shields, chemical safety goggles, and respirators.

The equipment shall be maintained in good order and shall be kept in clean and hygienic condition by suitably treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The occupier shall also provide suitable protective creams and other preparations wherever necessary.

(b) The Protective equipment and preparations provided shall be used by the persons employed in any corrosive operation.

Sl.no. 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 acting 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 centimetres, 120 centimetres and 60 centimetres respectively or such dimensions as are approved by the Chief Inspector-cum-Facilitator shall be provided as the source of clean water.

Sl.no. 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 any of the operation mentioned in clause 2 above is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

CAUTIONARY NOTICE

DANGER !

Corrosive substances cause severe burns and vapours thereof 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.

Sl.no. 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.

Sl.no. 7. **Devices for handling corrosive** – (1) Tilting, lifting or pumping arrangements shall be used for emptying jars, carboys and other containers of corrosives.

(2) Corrosive substance shall not be handled by bare hands but by means of a suitable scoop or other device.

Sl.no. 8. **Opening 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.

Sl.no. 9. **Cleaning tanks, stills, etc.** – (1) In cleaning out or removing residues from stills or other large chambers used for holding any corrosive substance, suitable implements made of wood or other material shall be used to prevent production of arseniuretted hydrogen (arsine).

(2) Whenever it is necessary for the purpose of cleaning or other maintenance work for any worker to enter chamber, tank, vat, pit or other confined space where a corrosive substance had been stored, all possible precautions required under rules framed under Schedule II 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.

Sl.no. 10. **Storage** – (1) Corrosive substances shall not be stored in the same room with other chemicals, such as turpentine, carbides, metallic powders and combustible materials, the 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 substances 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.

Sl.no. 11. **Fire extinguishers and fire fighting equipment** – An adequate number of suitable types of fire extinguishers or other stored, shall be provided. Such extinguishers or other equipment shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used, printed in the language which majority of the workers employed understand, shall be affixed near each extinguisher or other equipment.

Sl.no. 12. **Exemption** – If in respect of any factory on 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.

SUB SCHEDULE – XVI

PROCESSING OF CASHEW

1. Application: This schedule shall apply to all factories in which roasting, scrubbing and shelling of cashewnut or extracting oil from cashewnut or cashewnut shells are carried on.
2. Prohibition of employment of women and young persons: No woman or young person shall be employed in any of the processes specified in Sl.no. 1 except in shelling of roasted cashewnuts.
3. Protective clothing and equipment: The occupier shall provide and maintain for the use of all persons employed in roasting and scrubbing of cashewnuts or extracting oil from cashewnuts or cashewnut shells—(a) suitable rubber or washable leather gloves;(b) suitable type of impervious aprons with sleeves to cover body down to knees and shoulders; and (c) suitable type of footwear to afford protection to feet and legs against cashewnut oil;
—and, for the workers employed in cashewnut shelling, either:— (d) a protective ointment containing 10% of shelzac, 55% of alcohol, 10% of sodium perborate, 5% of carbitol and 20% of talc; or,
(e) sufficient quantity of kaolin and coconut oil; and (f) any other material or equipment which the Chief Inspector of Factories may deem to be necessary for the protection of the workers.
4. Use of protective clothing and equipment: Every person employed in processes specified in Sl.no. 1 shall make use of protective clothing and equipment supplied and arrangements shall be made by the occupier to supervise its use, maintenance and cleanliness.
5. Disposal of shells,ashes or oil of cashewnut: (1) Shells, ashes or oil of cashewnut shall not be stored in any room in which workers are employed and shall be removed at least twice a day to any pit or enclosed place in the case of shells and ashes and to closed containers kept in a separate room in the case of oil; (2) No worker shall be allowed to handle shells or oil of cashewnuts without using the protective clothing or equipment provided under Sl.no. 3 above.
6. Floors of workrooms: The floor of every workroom in which processes specified in Sl.no. 1 are carried on, shall be of hard material so as to be smooth and impervious and of even surface and shall be cleaned daily, and spillage of any cashewnut oil in any workroom shall be washed with soap and cleaned immediately.
7. Seating accommodation: Workers engaged in shelling of cashewnuts shall be provided with adequate seats or work benches which shall be cleaned daily.
8. Messrooms: (1) There shall be provided and maintained for the use of all persons employed in processes specified in Sl.no. 1, a suitable restroom furnished with sufficient tables and chairs or benches; (2) separate lockers shall be provided where food etc. shall be stored by workers before it is consumed in the restroom.
9. Food, drinks etc prohibited in work rooms: No food, drink, pan, supari or tobacco shall be brought or consumed by any worker in any room in which processes specified in Sl.no. 1 are carried out and no person shall remain in any such room during intervals for meal or rest.

10. Washing facilities: Where roasting, scrubbing and shelling of cashewnuts or extracting oil from cashewnuts or cashewnut shells is carried on, there shall be provided and maintained in a clean state and good repair washing facilities, with a sufficient supply of soap, coconut oil, nail brushes and towels at the scale of one tap or stand pipe for every 10 workers; and the taps or stand pipes shall be spaced not less than 1.2 metres apart.

11. Time allowed for washing: Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing, to each person employed in processes specified in Sl.no. 1.

12. Smoke or gas produced by roasting cashewnuts: Where smoke or gas is produced in the operation of roasting, provision shall be made for removing the smoke or gas through a chimney of sufficient height and capacity or by such other arrangements as may be necessary to prevent the gas or smoke escaping into the air or any place in which workers are employed.

13. Storage of protective equipment: A suitable room or a portion of the factory suitably partitioned off shall be provided exclusively for the storage of all the protective equipment supplied to the workers and no such equipment shall be stored in any place other than the room or places so provided.

14. Medical facilities and records of examinations and tests: (1) The occupier of every factory to which this schedule applies shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and (b) provide to the medical practitioner all the necessary facilities for the purpose referred to in clause (a).

(2) The said medical practitioner shall inspect daily the hands and feet of all the persons employed in the processes specified in Sl.no. 1.

(3) The record of such examinations carried out by the medical practitioner shall be maintained in a separate register approved by the Chief Inspector cum facilitator of Factories, which shall be kept readily available for inspection by the Inspector.

(4) The first-aid box maintained shall also contain Burrough's Solution (1:20) and aqueous solution of tannic acid (10%) for treatment of cases of dermatitis.

14A. Medical examination by Medical Officer: (1) Every worker employed in the processes specified in Sl.no. 1 shall be examined by a Medical Officer within 15 days of his first employment. Such examinations shall include skin tests for dermatitis and no worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every three calendar months. Such examinations shall, wherever the Medical Officer considers appropriate, include a skin test for dermatitis.

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2), shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

15. Exemption: The Chief Inspector cum facilitator of Factories may grant exemptions from the operation of any of these provisions where he is satisfied that their observance is not necessary for safeguarding the health of the workers.

SUB SCHEDULE -XVII
COMPRESSION OF OXYGEN AND HYDROGEN PRODUCED BY
ELECTROLYSIS OF WATER

Sl.no. 1. Location of electrolyser plant: The room in which electrolyser plant is installed shall be separate from the plant for storing and compressing the oxygen and hydrogen and also the electric generator room.

Sl.no. 2. Testing of purity: (1) The purity of oxygen and hydrogen shall be tested by a 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 end of the compressor.

(2) The purity figure shall be entered in a register and signed by the persons carrying out such tests;

Provided, however, that if the electrolysis plant is fitted with automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient if the purity of gases is tested at the suction end of the compressor only.

Sl.no. 3. Restriction as to the compression: The oxygen and hydrogen gases shall not be compressed if their purity as determined under Sl.no. 2 above falls below 98% at any time.

Sl.no. 4. Limit switch for gasholder: The bell of any gas holder shall not be permitted to go within the 30 centimetres of its lowest position when empty and a limit switch shall be fitted to the gasholder in such a manner as to switch off the compressor motor when the limit is reached.

Sl.no. 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 motor in the event of the gasholder being emptied to the extent as to cause vacuum.

Sl.no. 6.Purity of caustic soda:The water and caustic soda used for making lye shall be chemically pure within pharmaceutical limits.

Sl.no. 7.Precautions against reversal of polarity: Electrical connections at the electrolyser cells and at the electric generator terminals shall be so constructed as to preclude the possibility of wrong connections leading to the reversal of polarity an in addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switch board or at the electric generator terminal

Sl.no. 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 pipes, the pipe after reconnection shall be purged of all air before drawing in hydrogen gas.

Sl.no. 9.Use of flameproof fittings:All electrical wiring and apparatus in the electrolyser room shall be of flame proof construction or enclosed in flame proof 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.

Sl.no. 10.Prohibition of hot work:No part of the electrolyser plant and the gasholder and compressor shall be subjected to welding, brazing,soldering or cutting until steps have been taken to remove any explosive substances from that part and render the part safe for such operations and after the completion of such operations no explosive substances shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

Sl.no. 11. Repair etc. to be done under supervision : No work of operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or repairs shall be switched on to the electrolysers 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 Sl.no. 7.

Sl.no. 12.Checking of plant: Every part of the electrolyser plant and the gasholders and compresor shall have a regular schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

SUB SCHEDULE XVIII

PROCESS OF EXTRACTING OILS AND FATS FROM VEGETABLES AND ANIMAL SOURCES IN SOLVENT EXTRACTION PLANTS

Sl.no. 1.Definitions: For the purposes of this schedule—

(a)“solvent extraction plant” means a plant in which the process of extracting oils and fats from vegetable and animal sources by use of solvent is carried on;

(b)“solvent” means an inflammable liquid such as pentane, hexane and heptane used for the recovery of vegetable oils;

(c) “flame proof enclosure” as applied to electrical machinery or apparatus means an enclosure that will withstand, when covers or other 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;

(d)“competent person” for the purpose of this schedule shall be at least a member of the Institute 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;

provided that a graduate in Mechanical Engineering or Chemical Technology with specialised knowledge of oils and fats and with a minimum experience of 5 years in a solvent extraction plant shall also be considered to be 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.

Sl.no. 2.Location and layout:(1) No solvent extraction plant shall be permitted to be constructed or extended to within a distance of 30 metres from the nearest residential locality;

(2)A 1.5 metre high continuous wire fencing shall be provided around the solvent extraction plant upto a minimum distance of 15 metres from the plant;

(3)No persons shall be allowed to carry any matches or an open flame or fire inside the area bound 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 processes are at a distance of less than 30 metres 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 metres high shall be erected at a distance of not less than 15 metres from the solvent extraction plant so that it extends to at least 30 metres of vapour travel around its ends from the plant to the possible sources of ignition.

Sl.no. 3.Electrical installation: (1) All electrical motors and wiring and other electrical equipment installed or housed in 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 or 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.

Sl.no. 4.Restriction on smoking: Smoking shall be strictly prohibited within 15 metres distance from solvent extraction plant. For this purpose, “Nosmoking” signs shall be permanently displayed in the area.

Sl.no. 5.Precautions against friction: (1)All tools and equipments including ladders, chains and other lifting tackles required to be used in the solvent extraction plant shall be of non-sparking type;

(2)No machinery or equipment in solvent extraction plant shall be belt driven unless the belt used is of such a type that it does not permit accumulation of static electricity to any dangerous level;

(3)No person shall be allowed to enter and work in the solvent extraction plant ifwearing 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.

Sl.no. 6.Fire fighting apparatus: Adequate number of portable fire extinguishers suitable for use against flammable liquid fire 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 solvent extraction plant and throughout the building housing such plant.

Sl.no. 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 condenser which shall come into play automatically with the power failure.

Sl.no. 8.Magnetic separators: Oil cake shall be fed to the extractor by a conveyor through a hopper and magnetic separator shall be provided to remove any pieces of iron during its transfer.

Sl.no. 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 solvent extraction plant is located.

Sl.no. 10.Waste water: Process waste water shall be passed through a flash-evaporator to remove any solvent before it is discharged into a sump which should be located within the fenced area but not closer than 8 metres to the fence.

Sl.no. 11.Ventilation: The solvent extraction plant shall be well ventilated and if the plant is housed in building, the building shall be provided with mechanical ventilation with provision for at least six air changes per hour.

Sl.no. 12.House keeping:(1) Solvents shall not be stored in an area covered by solvent extraction plant except in small quantities which shall be stored in approved safety cans;

(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 within 15 metres from the plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleaned up immediately.

Sl.no. 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 or steam before opening for cleaning or repairs and before introducing solvent after repairs.

Sl.no. 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.

Sl.no. 15.Employment of women and young persons: No women or young person shall be employed in the solvent extraction plant.

Sl.no. 16.Vapour detection: A suitable type of flameproof and portable combustible gas indicator shall be provided and maintained in good working order and a schedule of routine sampling of atmosphere at various locations as approved by the Chief Inspector cum facilitator shall be drawn out and entered in a register maintained for the purpose.

Sl.no. 17.Exemption: If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to exceptional circumstances or infrequency of process or for any other reasons, 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 conditions, if any, as he may specify therein.

SUB SCHEDULE XIX MANUFACTURE OR MANIPULATION OF MANGANESE AND ITS COMPOUNDS

Sl.no. 1.Application: This schedule shall apply to every factory in which or in any part of which any manganese process is carried on.

Sl.no. 2.Definitions: For the purpose of this schedule— (a) “manganese process” means processing, manufacture or manipulation of manganese or any compound of manganese or any ore or any mixture containing manganese;

(b) “first employment” means first employment in any manganese process and includes, also re-employment in any manganese process following any cessation of employment for a continuous period exceeding three calendar months;

(c) “manipulation” means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping or otherwise handling of manganese or a compound of manganese or any ore or any mixture containing manganese; and

(d) “efficient exhaust ventilation” means localised ventilation effected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from escaping into the atmosphere of any place where any work is carried on. No

draught shall be deemed to be efficient which fails to remove the dust or fume or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a work place.

Sl.no. 3.Isolation of a process: Every manganese process which may give rise to dust, vapour or mist containing manganese shall be carried on in a totally enclosed system or otherwise effectively isolated from other processes so that other plants and processes and other parts of the factory and persons employed on other processes may not be affected by the same.

Sl.no. 4.Ventilation 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.

Sl.no. 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 workers in emergency to prevent inhalation of dusts, fumes or mists. Sufficient number of complete sets of such equipment shall always be kept near the work place and the same shall be properly maintained and kept always in a condition to be used readily;

(3) The occupier shall provide and maintain for the use of all persons employed, suitable accommodation for the storage and make adequate arrangements for cleaning and maintenance of personal protective equipment.

Sl.no. 6.Prohibition relating to women and young persons: No women or young persons shall be employed or permitted to work in any manganese process.

Sl.no. 7.Food, drinks etc. prohibited in the work rooms: No food, drink, pan and supari or tobacco shall be allowed to be brought into or consumed by any worker in any work room in which any manganese process is carried on.

Sl.no. 8. Messroom: There shall be provided and maintained for the use of the persons employed in a manganese process a suitable messroom which shall be furnished with sufficient tables and benches and adequate means for warming of food. The messroom shall be placed under the charge of a responsible person and shall be kept clean.

Sl.no. 9.Washing facilities: There shall be provided and maintained in 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 plug without plug, and of sufficient length to allow at least 60 centimetres for every ten such persons employed at any one time; and having a constant supply of water from taps or jets above the trough at intervals of not more than 60cm. ;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 material and nail brushes and clean towels.

Sl.no. 10.Cloakroom: If the Chief Inspector cum facilitator so requires, there shall be provided and maintained for the use of persons employed in a manganese process a cloakroom for clothing put off during working hours with adequate arrangements for drying the clothing.

Sl.no. 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 process 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.

Sl.no. 12.Medical facilities and records of examination and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and

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

(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 of Factories, which shall be kept readily available for inspection by the Inspector.

Sl.no. 12A. Medical examination by Medical Officer: (1) Every person employed in any manganese process shall be medically examined by a Medical Officer within 15 days of his first employment. Such examination shall include test for detection of serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests and other neuro-muscular co-ordination tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated.

(2) Every person employed in a manganese process shall be re-examined by a Medical Officer at least once in every three calendar months and such examination shall, wherever the Medical Officer considers appropriate, include all the tests in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2),

including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(4) The certificate of fitness and the health register in **Form 48** shall be kept readily available for inspection by the Inspector cum facilitator.

(5) If at any time the Medical Officer is of the opinion that the worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.no. 13. 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. Dusts, fumes and mists of manganese and its compounds are toxic when inhaled or when ingested.
2. Do not consume food or drink near the work place.
3. Take a good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothing and 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 head aches, prolonged sleeplessness or abnormal sensations on the body, report to the Manager who would make arrangements for your examination and treatment.

SUB SCHEDULE- XX MANUFACTURE OR MANIPULATION OF DANGEROUS PESTICIDES

Sl.no. 1. Application: This schedule shall apply in respect of all factories or any part thereof in which the process of manufacture or manipulation of dangerous pesticides hereinafter referred to as the said manufacturing process, is carried on.

Sl.no. 2. Definitions: For the purpose of this schedule—

(a) “dangerous pesticides” means any product proposed or used for controlling, destroying or repelling any pest or for preventing growth or mitigating effects of such

growth including any of its formulations which is considered toxic under and is covered by The Insecticides Act, 1968 and the rules made thereunder and any other product, as may be notified from time to time by the State Government;

(b) “manipulation” includes mixing, blending, formulating, filling, emptying, packing or otherwise handling;

(c) “efficient exhaust draught” means localised 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) “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.

Sl.no. 3. Instruction to workers: Every worker on his first employment shall be fully instructed on the properties including dangerous properties of the chemicals handled in the said manufacturing process and the hazards involved. The employees shall also be instructed on the measures to be taken to deal with any emergency. Such instructions shall be repeated periodically.

Sl.no. 4. Cautionary notices and placards: Cautionary notices and placards in the form specified in the appendix to this schedule and printed in the language of the majority of the workers shall be displayed in all work places in which the said manufacturing process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier and the manager of the factory to periodically instruct the workers regarding the health hazards arising in the said manufacturing process and methods of protection. Such notices shall include brief instructions regarding the periodical clinical tests required to be undertaken for protecting the health of the workers.

Sl.no. 5. Prohibition relating to employment of women or young persons: No woman or young person shall be employed or permitted to work in any room in which the said manufacturing process is carried on or in any room in which dangerous pesticide is stored.

Sl.no. 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.

Sl.no. 7. Protective clothing and protective equipment: (1) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process;

(2) (a) Protective equipment consisting of rubber gloves, gum boots, rubber aprons, chemical safety goggles and respirators shall be provided for all workers employed in the said manufacturing process; (b) Gloves, boots, aprons shall be made from synthetic rubber where a pesticide contains oil.

(3) Protective clothing and equipment shall be worn by the workers supplied with such clothing and equipment.

(4) Protective clothing and equipment shall be washed daily from inside and outside if the workers handle pesticides containing nicotine or phosphorus and shall be washed frequently if handling other pesticides.

(5) Protective clothing and equipment shall be maintained in good repair

Sl.no. 8. Floors and work benches: (1) Floors in every work room where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface;

(2) Floors shall be maintained in good repair, provided with adequate slope leading to a drain and thoroughly washed once a day with hose pipe;

(3) Work benches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned at least once daily.

Sl.no. 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) Clothes, 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 plant for cleaning, maintenance and repairs.

Sl.no. 10. Empty containers used for dangerous pesticides: Containers used for dangerous pesticides shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded or destroyed.

Sl.no. 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.

Sl.no. 12. Ventilation: (1) In every work room or areas where a dangerous pesticide is manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air;

(2) Unless the process is completely enclosed, the following operations during manipulation of dangerous pesticide shall not be undertaken without an efficient exhaust draught:—(a) emptying a container holding a dangerous pesticide;

(b) blending a dangerous pesticide;

(c) preparing a liquid or powder formulation containing a dangerous pesticide ; and

(d) changing or filling a dangerous pesticide into a container, tank, hopper or machine or small 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.

Sl.no. 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.

Sl.no. 14. Washing and bathing facilities: (1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the factory where the said manufacturing process is carried on , adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every five persons employed.

- (2) The washing places shall have stand pipes placed at intervals of not less than one metre;
- (3) Not less than one half of the total number of washing places shall be provided with 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;
- (5) Sufficient supply of soap and nail brushes shall be provided.

Sl.no. 15.Cloakroom: There shall be provided and maintained for the use of all workers employed in the factory where the said manufacturing process is carried on—

- (a) a cloakroom 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 Sl.no. 7.

Sl.no. 16.Messroom: (1) There shall be provided and maintained for the use of all workers employed in which the said manufacturing process is carried on and remaining on the premises during the rest intervals, a suitable messroom which shall be furnished with—

- (a) sufficient tables and benches with back rest; and
 - (b) adequate means of food;
- (2) The messroom shall be placed under the charge of a responsible person and shall be kept clean.

Sl.no. 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.

Sl.no. 18.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and (b) Provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a);

(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 of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator.

Sl.no. 19.Medical examination by Medical Officer: (1) Every worker employed in the processes mentioned in Sl.no. 1 shall be examined by the Medical Officer within 15 days of his first employment. Such examination in respect of Halogenated Pesticides shall include tests for determination of the chemical in blood and in fat tissues, EEG-abnormalities and memory tests. In respect of organo phosphorus compounds, such examination shall include test 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 Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated;

(2) Every worker employed in the said processes shall be examined by a Medical Officer at least once in every six calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include the test specified in sub- Sl.no. (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 Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2) including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the workers, 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 processes.

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

Sl.no. 20.Exemption: If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or the infrequency of the said manufacturing process or 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.

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 these chemicals may be absorbed through skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. A good bath shall be taken at the end of the shift.
6. Protective clothing and equipment supplied shall be used while working in this area.
7. Containers of pesticides shall not be used for keeping food stuffs.
8. Spillage of the chemicals on any part of the body or on the floor or work-bench shall be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately.
10. Scrupulous cleanliness shall be maintained in this area.
11. Do not handle pesticides with barehand; use scoops provided with handles.
12. In case of sickness like nausea, vomiting, giddiness, the Manager should be informed who will make necessary arrangements for treatment.
13. All workers shall report for the prescribed medical tests regularly to protect their own health.

SUB SCHEDULE XXI

MANUFACTURE, HANDLING, AND USAGE OF BENZENE AND SUBSTANCES CONTAINING BENZENE

Sl.no. 1. Application: This schedule shall apply in respect of factories or parts thereof in which benzene or substances containing benzene are manufactured, handled or used.

Sl.no. 2. Definitions: For the purposes of this schedule— (a) “substances containing benzene” means substances wherein benzene content exceeds one percent by volume; (b) “substitute” means a chemical which is harmless or less harmful than benzene and can be used in place of benzene;

(c) “enclosed system” means a system which will not allow escape of benzene vapours to the working atmosphere; and

(d) “efficient exhaust draught” means localised ventilation effected by mechanical means for 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 dust originate.

Sl.no. 3. Prohibition and substitution: (1) The use of benzene and substances containing benzene is prohibited in the following processes— (a) manufacture of varnishes, paints and thinners; and

(b) cleaning and degreasing operations.

(2) Benzene or substances containing benzene shall not be used as a solvent or diluent unless the process in which it is used is carried on in an enclosed system or unless the process is carried on in a manner which is considered equally safe as if it were carried out in an enclosed system;

(3) Where suitable substitutes are available, they shall be used instead of benzene or substance containing benzene. This provision, however, shall not apply to the following processes—(a) Production of benzene; (b) Process where benzene is used for chemical synthesis; and (c) Motor spirits (used as fuel).

(4) The Chief Inspector cum facilitator may, subject to confirmation by the State Government, permit exemption from the percentage laid down in sub- Sl.no. 2 (a) and also from the provisions of sub- Sl.no. (2) of this Sl.no. temporarily under conditions and within limits of time to be determined after consultations with the employers and workers concerned.

Sl.no. 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 of 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 measurement of concentration of benzene vapours in air shall be carried out every 8 hours or at such intervals as may be directed by the Chief Inspector cum facilitator at places where process involving use of benzene is carried on and the result of such analysis shall be recorded in a register specially maintained for the 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 to the Chief Inspector cum facilitator stating the reason for such increase.

(4) Workers who for special reasons are likely to be exposed to concentration of benzene in the air of the workroom exceeding the maximum referred to in subparagraph (2) shall be provided with suitable respirators or face masks. The duration of such exposure shall be limited as far as possible.

Sl.no. 5.Measures against skin contact: (1) Workers who are likely to come in contact with liquid benzene or liquid substances containing benzene shall be provided with suitable gloves, aprons, boots and where necessary vapour tight chemical goggles, made of material not affected by benzene or its vapours;

(2) The protective wear referred to in sub- Sl.no. (1) shall be maintained in good condition and inspected regularly.

Sl.no. 6.Prohibition relating to employment of women and young persons : No women or young person shall be employed or permitted to work in any workroom involving exposure to benzene or substances containing benzene.

Sl.no. 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.

Sl.no. 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.

Sl.no. 9.Prohibition of consuming food etc. in workrooms: No worker shall be allowed to store or consume food or drink in the workroom in which benzene or substances containing benzene are manufactured, handled or used. Smoking and chewing tobacco or pan shall be prohibited in such workrooms.

Sl.no. 10.Instructions as regards risks: Every worker on his first employment shall be fully instructed on the properties of benzene or substances containing benzene which he has to handle and of the dangers involved. Workers shall also be instructed on the measures to be taken to deal with an emergency.

Sl.no. 11.Cautionary notices: Cautionary notices in the form specified in appendix and printed 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.

Sl.no. 12.Washing facilities, cloakroom and messroom: In factories in which benzene or substances containing benzene are manufactured, handled or used, the occupier shall provide and maintain in a clean state and in good repair—

(a) washing facilities under cover, of the standard of at least one tap for every 10 persons having constant supply of water with soap and a clean towel provided individually to each worker if so ordered by the Inspector;

(b) a cloakroom with locker for each worker, having two compartments—one for street clothing and one for work-clothing; and

(c) a messroom 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 requirement of messroom shall be dispensed with.

Sl.no. 13.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose

employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and

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

(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 of Factories, which shall be kept readily available for inspection by the Inspector.

Sl.no. 14. Medical examination by the Medical Officer: (1) Every worker employed in processes mentioned in Sl.no. 1, shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include test for detection of phenol in urine and determination of urinary sulphide ratio and C.N.S. and haematological tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. The records of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

APPENDIX

CAUTIONARY NOTICE

Benzene and substances containing benzene

1. Hazards:

(a) Benzene and substances containing benzene are harmful.

(b) Prolonged or repeated breathing of benzene vapour may result in acute or chronic poisoning.

(c) Benzene can also be absorbed through skin which may cause skin and other disease.

2. Preventive measures:
 - (a) Avoid breathing of benzene vapours.
 - (b) Avoid prolonged or repeated contact of benzene with the skin.
 - (c) Removed benzene soaked or wet clothing promptly.
 - (d) If any time you are exposed to high concentration of benzene vapours and symptoms such as dizziness, difficulty in breathing, excessive excitation and losing of consciousness, immediately inform your factory manager.
 - (e) Keep all the containeres of benzene closed.
 - (f) Handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on floor.
 - (g) maintain good house keeping.
3. Protective equipment:
 - (a) Use respiratory protective equipment in places where benzene vapours are present in high concentration.
 - (b) In emergency, use self generating oxygen mask or oxygen or air cylinder masks.
 - (c) Wear hand gloves, aprons, goggles and gumboots to avoid contact of benzene with your skin and body parts.
4. First-aid measures in case of acute benzene poisoning:
 - (a) Remove the clothing immediately if it is wetted with benzene.
 - (b) If liquid benzene enters eye, flash thoroughly for at least 15 minutes with clean running water and immediately secure medical attention.
 - (c) In case of unusual exposure to benzene vapour, call a physician immediately. Until he arrives, do the following:—
 - (i) If the exposed person is conscious—(a) Move him to fresh air in open; (b) Lay down without a pillow and keep him quiet and warm;
 - (ii) 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) Incase of shallow breathing or cyanosis (blueness of skin, lips, ears, finger-nail beds) , he should be provided with medical oxygen or oxygen carbon dioxide mixture. If needed, he should be given artificial respiration. Oxygen should be administered by a trained person only.

SUB SCHEDULEXXII
MANUFACTURING PROCESS OR OPERATIONS IN CARBON
DISULPHIDE PLANTS

Sl.no. 1.Application: This schedule shall apply to all electric furnaces in which carbon disulphide is generated and all other plants where carbon disulphide after generation,

is condensed, refined and stored. This schedule is in addition to and not in derogation of any of the provisions of the Act and Rules made thereunder.

Sl.no. 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 time.

(2) Every electric furnaces 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 the furnace or the plant may be subjected to and shall be so designed that carbon disulphide and gas are in closed system during their normal working.

(3) The electric furnace supports shall be firmly grouted about 60 centimetres 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-in-charge 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.

Sl.no. 3.Electrodes: (1) Where upper ring electrodes made of steel are used in the electric furnace, they shall be of seamless tube construction and shall have arrangement for being connected to cooling water system through a siphon built in the electrodes or through a positive pressure water pump;

(2) The arrangement for cooling water referred to in sub- Sl.no. (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 to stop the further supply of water. The alarm system and the actuating device shall be checked every day.

Sl.no. 4.Maintenance of charcoal level: When any electric furnace is in operation, it shall be ensured that the electrodes are kept covered with charcoal bed.

Sl.no. 5.Charcoal separator: A cyclone type of charcoal separator shall 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.

Sl.no. 6.Rupture disk and safety seal: (1) At least two rupture disks of adequate size which shall blow off a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe as close as possible to the furnace;

(2) A safety water seal shall be provided and tapped from a pont between the charcoal separator and the sulphur separator.

Sl.no. 7.Pyrometer and manometers: (1) Each electric furnace shall be fitted with adequate number of pyrometers to give an indication of the temperature as correctly

as reasonably practicable at various points at the furnace. The dials for reading 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.

Sl.no. 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.

Sl.no. 9.Inspection and maintenance of electric furnaces: (1) Every electric furnaces shall be inspected internally by a competent person— (a) before being placed in service after installation; (b) before being placed in service after reconstruction; 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 shall be removed; (b) after removal of any part of the lining referred to in (a) the condition of the shell shall be closely inspected; and (c) any plates forming shell found corroded to the extent that the safety of the furnace is endangered, shall be replaced.

Sl.no. 10.Maintenance of records: The following hourly records shall be maintained in a log book — (a) manometer reading at the points specified in sub-Sl.no. 7(2); (b) gas temperature indicated by pyrometers and all other vital points near the sulphur separator and primary and secondary condensers; (c) water temperature and flow of water through the siphon in the electrodes; and (d) primary and secondary voltages and current and energy consumed.

Sl.no. 11.Electrical apparatus, wiring and fittings: All buildings in which carbon disulphide is refined or stored shall be provided with electrical apparatus, wirings and fittings which shall afford adequate protection from fire and explosion.

Sl.no. 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 the majority of the workers shall be posted in the plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms.

Sl.no. 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 at reasonable intervals at opposite ends. These shall always be kept clear of all obstructions and so designed as to afford easy passage.

Sl.no. 14.Warning in case of fire: There shall be adequate arrangements for giving warnings in case of fire or explosion which shall operate on electricity and in case of failure of electricity, by some mechanical means.

Sl.no. 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.

Sl.no. 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 nearby locomotives etc., and precautions shall be taken to see that flames, smoking and matches and other sources of ignition do not come in contact with the clouds of dust arising during handling of bulk sulphur;

(2) All 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 as to minimise the formation of dust clouds and no flame, smoking and matches or other sources of ignition shall be employed during handling and non-sparking tools shall be used whenever sulphur is shovelled or otherwise removed by hand; (4) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosure where bulk sulphur is stored.

Sl.no. 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.

Sl.no. 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 time while the furnaces and plant are in operation; (2) Workers in charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

Sl.no. 19.Washing facilities: (1) The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed wash place under cover with at least one tap or stand pipe, having a constant supply of clean water for every five such persons, the taps or stand pipes being spaced not less than 120 centimetres apart with a sufficient supply of soap and clean towels, provided that the towels shall be supplied individually to each worker if so ordered by the Inspector; (2) All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

Sl.no. 20.Personal protective equipment: (1) Suitable goggles and protective clothing consisting of overalls without pockets, gloves and footwear shall be provided for the use of operatives — (a) when operating valves or cocks controlling fluids etc.; (b) drawing off of molten sulphur from sulphur pot; and (c) handling of charcoal or sulphur.

(2) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency;

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

Sl.no. 21.Cloakrooms: There shall be provided and maintained for the use of all persons employed in the processes a suitable cloakroom for clothing put off during work hours and a suitable place separate from the cloakroom for the storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of a responsible person and shall be kept clean.

Sl.no. 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.

SUB SCHEDULE XXIII MANUFACTURE OR MANIPULATION OF CARCINOGENIC DYE INTERMEDIATES

Sl.no. 1.Applications: The schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned in Sl.no. 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 the processes described in this paragraph.

2.Definition: For the purpose of this schedule the following definitions shall apply, unless the context otherwise requires— (a) "controlled substances" means chemical substances mentioned in Sl.no. 4 of this schedule;

(b) "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; (c) "efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originates; and

(d) "prohibited substances" means chemical substances mentioned in Sl.no. 3 of this schedule.

Sl.no. 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 percent :— (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.

Sl.no. 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 1.00% of beta-naphthylamine either as by-product of chemical reaction or otherwise, and its salts; (b) ortho-tolidine and its salts; (c) dianisidine and its salt; (d) dichlorobenzidine and its salts; (e) auramine; and (f) magneta.

Sl.no. 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 Sl.no. 23.

Sl.no. 6.Requirements for processing or handling controlled substances:

(1)Wherever any of the controlled substances referred to in Sl.no. 4 are formed, manufactured, processed, handled or used, all practical steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance; and its storage or transport within the plant ;or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas; (2) As far as possible all operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process; (3) The controlled substances shall be received in the factory in tightly closed containers and shall be kept so except when these substances are in process or in use. The controlled substances shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labelled to indicate the contents.

Sl.no. 7.Personal protective equipment: (1) The following items of personal protective equipment shall be provided and issued to every worker employed in the said processes:— (a) long trousers and shirts or overalls with full sleeve and head coverings. The shirt or overalls shall cover the neck completely; and (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 performance of normal duties or in the event of emergency:—(a) rubber hand gloves; (b) rubber aprons; and (c) airline respirators or other suitable respiratory protective equipment.

(3) It shall be the responsibility of the manager to maintain all items of personal protective equipment in a clean and hygienic condition and in good repair.

Sl.no. 8.Prohibition relating to employment of women and young persons: No woman or young person shall be employed or permitted to work in any room in which the said processes are carried on.

Sl.no. 9.Floors of work room: The floor of every workroom 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 left into a sewer through a closed channel.

Sl.no. 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.

Sl.no. 11.Manual handling: Controlled substances shall not be allowed to be mixed, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.

Sl.no. 12.Instructions regarding risk: Every worker on his first employment in the said processes shall be fully instructed on the properties of the toxic chemicals to which he is likely to be exposed to, of the dangers involved and the precautions to be taken. Workers shall be instructed on the measures to be taken to deal with an emergency.

Sl.no. 13.Cautionary placards: cautionary placards in the Form specified in appendix attached to this schedule and printed in the language of the majority of the workers

employed in the said processes shall be affixed in prominent places frequented by them in the factory, where the placards can be easily and conveniently read. Arrangements shall be made by the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.

Sl.no. 14.Obligation of the workers: It shall be the duty of the persons employed in the said processes to submit themselves for the medical examination including exfoliative cytology of urine by the Medical Officer or the qualified medical practitioner as provided for under these rules.

Sl.no. 15.Washing and bathing facilities: (1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the said processes:— (a) a wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with at least one stand pipe for every five such workers; (b) 50% 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 each worker; and (e) in addition to 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.

Sl.no. 16.Food, drinks etc. prohibited in workroom: No worker shall consume food, drink, pan, supari or tobacco or shall smoke in any workroom in which the said processes are carried on and no worker shall remain in any such workroom during intervals for meals or rest.

Sl.no. 17.Cloakroom: There shall be provided and maintained in a clean state and in good repair for the use of the workers employed in the said processes (a) a cloakroom 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 messroom, for the storage of protective equipment provided under Sl.no. 7. The accommodation so provided shall be under the care of a responsible person and shall be kept clean.

Sl.no. 18.Messroom: There shall be provided and maintained for the use of workers employed in the said processes who remain on the premises during the meal intervals, a messroom which shall be furnished with tables and benches and provided with suitable means for warming food.

Sl.no. 19.Time allowed for washing: Before the end of each shift 30 minutes shall be allowed for bathing for each worker who is employed in the said processes. Further, at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

Sl.no. 20.Restriction on age of persons employed: No worker under the age of 40 years shall be engaged in the factory in the said process for the first time after the date on which the schedule comes into force.

Sl.no. 21.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories, and (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a).

(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 of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator.

Sl.no. 22.Medical examination by Medical Officer : (1) Every worker employed in the said processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for detection of methemoglobin in blood (Haematological tests), paranitrophenol in urine, pulmonary function tests and C.N.S. tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every six calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests specified in sub- Sl.no. (1).

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of those tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

Sl.no. 23.Exemptions—prohibited substances: (1) The Chief Inspector cum facilitator may by a certificate in writing (which he may at his discretion revoke at any time), subject to such conditions if any, as may be specified therein, exempt any process in the course of which any of the prohibited substances is formed, processed, manufactured, handled or used, from the provision of Sl.no. 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 processes in connection with it are carried out in a totally enclosed system in such a manner that no prohibited substances other than benzidine hydrochloride is removed therefrom except in quantities not greater than that required for the purpose of control of the processes or such purposes as is necessary to ensure that the product is free from prohibited substances and that

adequate steps are taken to ensure that benzedine hydrochloride is, except while not in a totally enclosed system, kept wet with not less than one part of water to two parts of benzidine hydrochloride at all times.

Sl.no. 24. Exemptions—general : If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for the protection of the workers in the factory, the Chief Inspector 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
Carcinogenic dye intermediates.

1. Dye intermediates which are nitro 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 chemical 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 a 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.

SUB SCHEDULE XXIV
OPERATIONS INVOLVING HIGH NOISE LEVELS

Sl.no. 1. Applications: This schedule shall apply to all operations in any manufacturing process having high noise level.

Sl.no. 2. Definitions: For the purpose of this schedule— (a) “Noise” means any unwanted sound;

(b) “High noise level” means any noise level measured on the A-weighted scale is 90 dB or above;

(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 20×10^{-6} newtons per square metre or 0.0002 dynes per square centimetre which is the threshold of hearing, that is, the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB;

- (d) “Frequency” is the rate of pressure variations expressed in cycles per second or hertz;
- (e) “dBA” refers to sound level in decibels as measured on a sound level meter operating on the A-weighted network with slow meter response;
- (f) “A-weighted” 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.
- Sl.no. 3. Protection against noise: (1) In every factory , suitable engineering control or administrative measure 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 – I
Permissible exposure in cases of continuous noise

Total time of exposure (continuous or a number of short term exposures) per day in hours	Sound pressure level in dBA
8	90
6	92
4	95
3	97
2	100
1 ½	102
1	105
¾	107
½	110
¼	115

- Notes: 1. No exposure in excess of 115 dBA is to be permitted.
2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

TABLE – 2
Permissible exposure levels of impulsive or impact noise

Peak sound pressure level in dB	Permitted number of impulses or impacts per day
140	100
135	315
130	1,000
125	3,160
120	10,000

- Notes: 1. No exposure in excess of 140 dB peak sound pressure level is permitted.

2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

(2) For the purposes of this schedule, if the variations on 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.

(3) When the daily noise exposure is composed of two or more periods of noise exposure at different levels, their combined effect should be considered, rather than the individual effect of each. The mixed exposure should be considered to exceed the limit value if the sum of the fractions $C_1/T_1 + C_2/T_2 + \dots + C_n/T_n$, exceeds unity;

Where:—

C_1, C_2 etc. indicate the total time of actual exposure at a specified noise level and T_1, T_2 etc. denote the time of exposure permissible at that level. Noise exposure of less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub rule (1) by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measures and each worker so exposed shall be provided with suitable ear protectors so as to reduce the exposure to noise to the levels specified in sub-rule (1).

(5) Where the ear protectors provided in accordance with sub-paragraph (2) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level to a level permissible under Table 1 or Table 2 as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposures specified in sub- Sl.no. (1).

(6) (a) In all cases where the prevailing sound levels exceeds the permissible levels specified in sub- Sl.no. (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 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 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.

4. Medical examination by Medical officer—

(1) The occupier shall ensure that the workers who are likely to be exposed to high noise at above exposure action value are subjected to periodical medical examination once in a year. The medical examination shall include tests which the 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..

(2) Every worker exposed to high noise level shall be examined by a Medical officer within 15 days of his first employment. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical officer.

(3) Every worker employed in process involving high noise shall be reexamined by a Medical officer at least once in every 12 months and such examination shall, wherever the Medical officer considers appropriate, include all the tests in sub Sl.no. (1).

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form-48**. The record of examination and reexaminations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the occupier of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2), including the nature and the results of this test, shall also be entered by the Medical officer in a health register in **Form-47**.

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

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

(7) No person who has been found unfit to work as said in subparagraph

(6) shall be re-employed or permitted to work in the said processes unless the Medical officer, after further examination, again certifies him fit for employment in those processes.

PART-B HIGH VIBRATION LEVELS

Sl.no. 1. Applications

This part of the Schedule shall apply to all operations in a manufacturing part of the process having high undesired vibrations.

Sl.no. 2. Definition:

(a) "daily exposure" means the quantity of mechanical vibration to which a worker is exposed during a working day, which takes account of the magnitude and duration of the vibration;

(b) "Vibration" means a mechanical phenomenon where by oscillations occur about equilibrium point. The oscillations may be periodic or random.

(c) "high vibration" means any exposure greater than the exposure limit value and action value specified in clause-3.

(d) "exposure action value" means the level of daily exposure set out in clause-3 for any worker which, if reached or exceeded, requires specified action to be taken to reduce risk;

(e) "exposure limit value" means the level of daily exposure for any worker which must not be exceeded, as specified in sub clause-3

(f) "hand-arm vibration" means mechanical vibration which is transmitted into the hands and arms during a work activity;

(g) "mechanical vibration" means vibration occurring in a piece of machinery or equipment or in a vehicle as a result of its operation; and

(h) “whole-body vibration” means mechanical vibration which is transmitted into the body, when seated or standing, through the supporting surface, during a work activity or as described in sub clause 3(2).

Sl.no. 3. Exposure limit values and action values.

(1) For hand-arm vibration

(a) the daily exposure limit value is $5 \text{ m/s}^2\text{A}(8)$;

(b) the daily exposure action value is $2.5 \text{ m/s}^2\text{A}(8)$, and daily exposure shall be ascertained on the basis set out in the relevant National/ International Standards specified in table 1 below.

(2) For whole body vibration

(a) the daily exposure limit value is $1.15 \text{ m/s}^2\text{A}(8)$;

(b) the daily exposure action value is $0.5 \text{ m/s}^2\text{A}(8)$, and daily exposure shall be ascertained on the basis set out in the relevant National/ International Standards.

Table 1

The Threshold Limit Values (TLVs) for exposure of the hand to vibration in X, Y, or Z direction of axes in the three dimensional system shall be asgiven below:

Total Daily Exposure Duration (hours)	Maximum value of frequency weighted acceleration (m/s ²) in any direction
4 to less than 8 hours	4
2 to less than 4 hours	6
1 to less than 2 hours	8
less than 1hour	12

3 Assessment of vibration exposure shall be made for each applicable direction (X, Y, Z)) since vibration is a vector quantity (magnitude and direction). In each direction, the magnitude of the vibration during normal operation of the power tool, machine or work piece should be expressed by the root-meansquare(RMS) value of the frequency –weighted component acceleration, in units of meter per second squared (m/s²)

Sl.no. 4. Assessment of risk to health due to vibration at the work place.

(1) An occupier who carries out work which is liable to expose any worker from vibration shall make a suitable and sufficient assessment of the risk createdby that work to the health and safety of those and the risk assessment shall identify the control measures that need to be taken.

(2) The risk assessment should be reviewed whenever it is felt the changes in the process makes the earlier risk assessment no longer valid.

Sl.no. 5. Engineering control measures

1. The occupier shall ensure that risk from the exposure of workers to vibration is either eliminated at source or, where this is not reasonably practicable, reduced to as low a level as is reasonably practicable.

(a) Where it is not reasonably practicable to eliminate risk at source pursuant to paragraph.

(b) and an exposure action value is likely to be reached or exceeded, the employer shall reduce exposure to as low a level as is reasonably practicable by establishing and implementing a programme of engineering control measures which are appropriate to this type of activity.

(c) The occupier shall ensure that the workers are provided with the following measures:-

- (i) work equipment of appropriate ergonomic design which, taking account of the work to be done, produces the least possible vibration;
- (ii) the provision of auxiliary equipment which reduces the risk of injuries caused by vibration; and install appropriate maintenance programmes for work equipment, the workplace and workplace systems;
- (iii) Subject to sub clause 5, the employer shall ensure that his employees are not exposed to vibration above an exposure limit value; and shall take necessary steps to identify the reasons for the limit being exceeded and take appropriate steps to reduce the exposure to vibration to below limit value.

Provided that where the exposure of an employee to vibration is usually below the exposure action value but varies markedly from time to time and may occasionally exceed the exposure limit value.

Provided further that— any exposure to vibration averaged over one week is less than the exposure limit value and there is evidence to show that the risk from the actual pattern of exposure is less than the corresponding risk from constant exposure at the exposure limit value; and that the (b) risk is reduced to as low a level as is reasonably practicable, taking into account the special circumstances.

Sl.no. 6. Medical examination by Medical officer—

(1) The occupier shall ensure that the workers who are likely to be exposed to vibration at above exposure action value are subjected to periodical medical examination once in a year. The medical examination shall include general and physical examination as well as special test for Reynaud's phenomenon.

(2) Every worker employed in the processes specified in Sl.no. 1 shall be examined by a Medical officer within 15 days of his first employment. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical officer.

(3) Every worker employed in a manganese process shall be re-examined by a Medical officer at least once in every 12 months and such examination shall, wherever the Medical officer considers appropriate, include all the tests in sub Sl.no. (1).

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form-46**. 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 occupier of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2), including the nature and the results of this test, shall also be entered by the Medical officer in a health register in **Form- 47**.

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

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

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

Sl.no. 7. Personal Protective equipment

(1) The occupier shall ensure that the worker who are likely to be exposed to high level of vibration are provided with appropriate PPE and protective clothing confirming to national or international standards. Such Personal Protective Equipment should include hand gloves and safety shoes. The protective clothing shall be able to protect the workers from cold and damp.

(2) The occupier shall ensure that workers are given periodical training in the use care and maintenance of the Personal Protective Equipment.

Sl.no. 8. Administrative Control Measures

(1) The occupier shall ensure that as far as reasonably practicable as all necessary control measures are taken to ensure that the unwanted vibrations does not affect the health of the workers employed in the process to which this part of schedule apply.

(2) The occupier shall provide all workers with information instruction and training to be adopted to limit the exposure limit values and action values as setout in sub clause-3.

(3) Without prejudice to the generality of paragraph (1), the information, instruction and training provided under that paragraph shall include—

I. the exposure limit values and action values set out in sub clause -3.

II. safe working practices to minimise exposure to vibration; and

III. suitable and sufficient information and training for employees, such that work equipment may be used correctly and safely, in order to minimize their exposure to vibration;

IV. limitation of the duration and magnitude of exposure to vibration;

V. appropriate work schedules with adequate rest periods; and

VI. The information, instruction and training required by Sl.no. (2) shall be updated to take account of significant changes in the type of work carried out or the working methods used by the employer.

(4) The Occupier shall display pictorial cautionary notices/warning signs at conspicuous places where there are possibilities of workers being exposed to undesired high vibrations.

Sl.no. 9. Prohibition in employment of pregnant women, adolescent and persons with disabilities.

No pregnant women or adolescent or persons with disabilities shall be employed in the process covered by this part of the schedule

Sl.no. 10. Exemptions

If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to any exceptional circumstances, or infrequently 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 matter.

SUB SCHEDULE XXV

MANUFACTURE OF RAYON BY VISCOSE PROCESS

Sl.no. 1. **Definition:** For the purpose of this schedule—

(a) “approved” means aproved for the time being in writing by the Chief Inspectorcum facilitator;

- (b) “breathing apparatus” means a helmet or face piece with necessary connections by means of which the person using it in a poisonous, asphyxiating or irritant atmosphere breathes unpolluted air; or any other approved apparatus;
- (c) “churn” means the vessel in which alkali cellulose pulp is treated with carbon disulphide;
- (d) “dumping” means transfer of cellulose xanthate from a dry churn to a dissolver;
- (e) “efficient exhaust draught” means localised ventilation by mechanical means for the removal of any gas or vapour, so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient if it fails to control effectively any gas or vapour generated at the point where such gas or fume originates;
- (f) “fume process” means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;
- (g) “life belt” means a belt made of leather or other suitable material which can be securely fastened round the body with suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man;

Sl.no. 2. **Ventilation:** (1) In all work rooms where a fume process is carried on, adequate ventilation by natural or mechanical means shall be provided so as to control, in association with other control measures, the concentration of the pollutants in the air of every work environment within the permissible limits.

(2) An efficient exhaust draught shall be provided and maintained to control gas or vapour 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) In so far as the spinning machines and trio rollers and cutters used in staple fibre spinning are concerned, they shall be for the purpose of ensuring the effectiveness of the exhaust draft to be provided as required in sub- Sl.no. (1), enclosed as fully as practicable and provided with suitable shutters in sections to enable the required operations to be carried out without giving rise to undue quantities of vapours of pollutants escaping to the work environment.

(4) No dry churns shall be opened after completion of reaction without initially exhausting the residual vapours of carbon disulphide by operation of a suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated as long as the churn is kept opened.

(5) Whenever any ventilation apparatus normally required for the purpose of meeting the requirements in sub- Sl.no. (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- Sl.no. are in use, as soon as possible and in any case not later than 15 minutes after such an occurrence.

(6) (i) All ventilation systems provided for the purposes as required in sub- Sl.no. (2), (3) and (4) shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or tests shall be rectified forthwith; (ii) A register containing particulars of such examinations 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 Inspectorcum facilitator.

Sl.no. 3.**Waste from spinning machines:**Waste yarn from the spinning machines shall be deposited in suitable containers provided with close fitting covers. Such wastes shall be disposed off as quickly as possible after decontamination.

Sl.no. 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 churns. Such coating shall be maintained in good condition.

Sl.no. 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 atleast 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- Sl.no. (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 whrer such monitoring is to be done shall be as directed by the Inspector;

(3) If the concentration of either carbon disulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas laid down in Rules, suitable steps shall be taken for controlling the concentrations in air of such contaminants. Areport of such occurrences shall be sent to the Chief Inspectorcum facilitator forthwith.

Sl.no. 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.

Sl.no. 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.

Sl.no. 8.**Protective equipment:** 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

Process	Protective Equipment
1. Dumping	Overalls,face shields,gloves and foot wear—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 sulphur	Suitable chemical goggles.
5 Any other process involving contact with hazardous chemicals	Protective equipment as may be directed by the Chief Inspector by an order in writing.

(2) A suitable room or locker 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, roms or lockers so provided.

Sl.no. 9.**Breathing apparatus:** (1) There shall be provided in every factory where fume process is carried on, sufficient supply of— (a) breathing appaqratus; (b) oxygen and suitable appliances for its administration; and (c) life belts.

(2) (i) The breathing apparatus and other appliances referred to in sub- Sl.no. (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- Sl.no. (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 (i) shall be entered in a register provided for that purpose which shall be readily available for inspection by an Inspectorcum facilitator.

(3) Sufficient number of workers shall be trained and periodically retrained in the use of breathing apparatus and administering artificial respiration so that at least two such trained 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 be affected by fumes, shall be protected by placing them in suitable containers.

(5) No person shall be employed to perform any work specified in sub- Sl.no. (1) for which breathing apparatus is necessary to be provided under that sub- Sl.no. unless he has been fully instructed in the proper use of that equipment.

(6) No breathing apparatus provided in pursuance of sub- Sl.no. (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.

Sl.no. 10. Electric fittings: All electric fittings in any room in which carbon disulphide is produced, used or given off or is likely to be given off into the work environment, other than a spinning room, shall be of flame-proof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

Sl.no. 11. Prohibition relating to smoking etc.: No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of the workers shall be posted 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 a naked light or spark may be carried on in such room only when required for the purposes of the process itself under the direction of a responsible person.

Sl.no. 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 such 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; (5) Sufficient supply of soap and nail brushes shall be provided.

Sl.no. 13. Rest rooms: A rest room shall be provided for the workers engaged in dofining operations of filament yarn spinning process; (2) Such rest room shall be provided with fresh air supply and adequate seating arrangement.

Sl.no. 14. Caution notice and instructions: (1) The following cautionary notice shall be prominently displayed in each fume process room. 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.

CAUTIONARY NOTICE

1. Carbon disulphide (CS ₂) and Hydrogen sulphide (H ₂ S) which may be present in this room are hazardous to health
2. Follow safety instructions.
3. Smoking is strictly prohibited in this area.
4. Use protective equipment and breathing apparatus as and when required.

(2) The occupier shall make arrangements to instruct each worker employed in the fume process room regarding the health hazard connected with their work and the preventive measures and method to protect themselves. Such instructions shall be given on his first employment and repeated periodically;

(3) 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. Those instructions shall be displayed in the concerned areas and the workers shall be instructed and trained in the actions to be taken in such emergencies.

Sl.no. 15. Medical facilities and records of examinations and tests: (1) The occupier of each factory to which this schedule applies, shall— (a) employ a qualified Medical Officer for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; 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 examinations and appropriate tests carried out by the said medical officer shall be maintained in a separate register approved by the Chief Inspector of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator.

Sl.no. 16. medical examination by the Medical Officer : (1) Every worker employed in any fume process shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for estimation of exposure-co-efficient (iodine azide test on urine), as well as electro-cardiogram (ECG) and Central Nervous System (CNS) tests. No worker shall be allowed after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer, The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated;

(2) Every worker employed in any fume process shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in Form 28. The record of re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form 29.

(4) The certificate of fitness and the health register shall be kept readily available for inspection by the Inspectorcum facilitator.

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

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

Sl.no. 17.Exemptions: If in respect of any factory, The Chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory the Chief Inspectorcum facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions if any, as he may specify therein.

SUB SCHEDULE XXVI HIGHLY FLAMMABLE LIQUIDS AND FLAMMABLE COMPRESSED GASES

Sl.no. 1.Application: These rules will be applicable to all factories where highly flammable liquids or flammable compressed gases are manufactured, stored, handled or used.

Sl.no. 2.Definitins: For the purpose of this schedule— (a) “highly flammable liquid” means any liquid including its solution, emulsion or suspension which when tested in a manner specified by section 14 and 15 of the Petroleum Act,1934, (30 Of 1934) gives off flammable vapours at a temperature less than 32°Centigrade; (b) “flammable compressed gas” means flammable compressed gas as defined in section 2 of the Static and Mobile Pressure Vessels (Unfired) Rules- 1981, framed under the Explosives Act,1884.

Sl.no. 3.Storage: (1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in suitable fixed storage tank, or in suitable closed vessel located in a safe position under the ground in the open or in a stores room of adequate fire resistsnt 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 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”.

Sl.no. 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.

Sl.no. 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, pipe line, valve, joint or other part of a system, all practicable measures shall be taken to contain, drain off or dilute such spills or leakage as to prevent formation of flammable mixture with air.

Sl.no. 6.Prevention of ignition: (1) In every room, work place or other location where highly flammable liquid or flammable combustible 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 shoes with iron or steel nails or any other exposed ferrous materials which is likely to cause sparks by friction; (d) smooing, lighting or carrying of matches, lighters or smoking materials shall be prohibited; (e) transmission belts with iron fasteners shall not be used; and (f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or plant, chemical or physical-chemical reaction and radiant heat.

Sl.no. 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.

Sl.no. 8.Fire- fighting: In every factory where highly flammable liquid or flammable compressed gas is manufactured, stored, handled or used, appropriate and adequate means of fighting a fire shall be provided. The adequacy and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing material, procedures and the process of fire fighting shall be to the standards and levels prescribed by the Indian standards applicable, and in any case not inferior to the stipulations under in the Rules.

Sl.no. 9.Exemptions: If in respect of any factory, the chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SUB SCHEDULE XXVII OPERATIONS IN FOUNDRIES

Sl.no. 1.Application: Provisions of this schedule shall apply to all parts of factories where any of the following operations or processes are carried on:— (a) the production of iron castings or, as the case may be, steel castings by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell

moulding, or by centrifugal casting and any process incidental to such production; (b) the production of non-ferrous castings by casting metal in moulds made of sand, loam, metal, moulding composition or other makings or mixture of materials or by shell mouldings, die-casting (including pressure die-casting), centrifugal casting or continuous casting and any process incidental to such production; and (c) the melting and casting of non-ferrous metal for the production of ingots, billets, slabs or other similar products ;and the stripping thereof:

—but shall not apply with respect to: (a) any process with respect to the smelting and manufacture of lead and the Electric Accumulators; (b) any process for the purposes of a printing works; or (c) any smelting process in which metal is obtained by a reducing operation or any process incidental to such operation; or (d) the production of steel in the form of ingots; or (e) any process in the course of the manufacture of solder or any process incidental to such manufacture; or (f) the melting and casting of lead or any lead-based alloy for the production of ingots, billets, slabs or other similar products or the stripping thereof; or any process incidental to such melting, casting or stripping.

Sl.no. 2.Definition: For the purpose of this schedule:— (a) “approved respirator” means a resprator of a type approved by the Chief Inspectorcum facilitator;

(b) “cupola or furnace” includes a receiver associated therewith;

(c) “dressing or fettling operations” includes stripping and other removal of adherent sand, cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include (i) the removal of metal from a casting when performed incidentally in connection with the machining or assembling or casting after they have been dressed or fettled ;or (ii) any operation which is a knock-out operation within the meaning of this schedule;

(d) “foundry” means those parts of a factory in which the production of iron or steel or non-ferrous casting (not being the production of pig iron or the production of steel in the form of ingots) is carried on by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell moulding or by centrifugal casting in metal moulds lined with sand, or die casting including pressure die casting, togetherwith any part of the factory in which any of the following processes are carried on as incidental processes in connection with and in the course of such production, namely the preparation and mixing of materials used in foundry process, the preparation of moulds and cores, knock out operations and dressing or fettling operations;

(e) “knock out operations” means all methods of removing castings from moulds and the following operations, when done inconnection therewith, namely, stripping, coring-out and the removal of runners and risers;

(f) “pouring aisle” means an aisle leading from a main gangway or directly from a cupola or furnace to where metal is poured into moulds.

Sl.no. 3.Prohibition of use of certain materials as parting materials: (1) A material should not be used as a parting material if it is a material containing compounds of silicon calculated as silica to the extent more than 5% by weight of the dry material; —provided that this prohibition shall not prevent the following being used as a parting material if the material does not contain an admixture of any other silica:— (a) Zirconium silicate (Zircon); (b) Calcined china clay;(c) Calcined aluminous fireclay; (d) Silimanite; (e) Calcined or fused alumina; (f) Olivine; and (g) Natural sand.

(2) Dust or other matter deposited from a fettling or blasting process shall not be used as a parting material or as a constituent in a parting material.

Sl.no. 4.Arrangement and storage: For the purposes of promoting safety and cleanliness in workroom 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.

Sl.no. 5.Construction of floors: (1) 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; (2) no part of the floor of any such indoor workplace shall be of sand except where this is necessary by reason of the work done; (3) All parts of the surface of the floor of any such indoor workplace which are of sand shall, so far as practicable, be maintained in an even and firm condition.

Sl.no. 6.Cleanliness of indoor workplaces: (1) All accessible parts of the walls of every indoor workplace in which the processes are carried on and of everything affixed to those walls shall be effectively cleaned by a suitable method to a height of not less than 4.2 metres from the floor 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 (which shall be not less than five months nor more than nine months after the last immediately preceding washing, cleaning or other treatment);

(2) Effective cleaning by a suitable method shall be carried out at least once 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.

Sl.no. 7.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.

Sl.no. 8.Gangways and pouring aisles: (1) In every workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this schedule and, so far as reasonably practicable, in every other workroom to which this paragraph applies, sufficient and clearly defined main gangways shall be provided and properly maintained which:— (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage; (b) shall be kept, so far as reasonably practicable, free from obstruction; (c) if not used for carrying molten metal, shall be at least 920mm in width;

(d) if used for carrying molten metal, shall be— (i) where truck ladles are used exclusively, at least 600 mm wider than the overall width of the ladle; (ii) where hand shanks are carried by not more than two men, at least 920 mm. in width; (iii) where hand shanks are carried by more than two men, at least 1.2 metres in width; and (iv) where used for simultaneous travel in both directions by men carrying hand shanks, at least 1.8 metres in width.

(2) In workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this schedule, sufficient and clearly defined pouring aisles shall be provided and properly maintained which— (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage; (b) shall be kept so far as reasonably practicable free from obstruction; (c) if molten metal is carried in hand ladles or bull ladles by not more than two men per ladle, shall be at least 460 mm wide, but where any moulds alongside the aisle are more than 510 mm above the floor of the aisle, the aisle shall be not less than 600 mm wide; (d) if molten metal is carried in hand ladles or bull ladles by more than two men per ladle, shall be at least 760 mm wide; (e) if molten metal carried in crane, trolley or truck ladles, shall be of a width adequate for the safe performance of the work;

(3) Requirements of sub- Sl.no. (1) and (2) shall not apply to any workroom or a part of a workroom if by reason of the nature of the work done therein, the floor of that workroom or, as the case may be, that part of a workroom has to be of sand.

(4) In this paragraph “workroom to which this paragraph applies” means a part of a ferrous or non-ferrous foundry in which molten metal is transported or used and a workroom to which this paragraph applies shall be deemed for the purposes of this paragraph to have been constructed, reconstructed or converted for use as such after the making of this schedule if the construction, reconstruction or conversion thereof was begun after the making of this schedule.

9. Work near cupolas and furnaces: No person shall carry out any work within a distance of 4 metres from a vertical line passing through the delivery end of any spout of cupola or furnace, being a spout used for delivering molten metal, or within a distance of 24 metres from a vertical line passing through the nearest part of any ladle which is in position at the end of such a spout, except in either case where it is necessary for the proper use or maintenance of cupola or furnace that work should be carried out within that distance of that work being carried out at such a time and under such conditions that there is no danger to the person carrying it out from molten metal which is being obtained from the cupola or furnace or is in a ladle in a position at the end of the spout.

Sl.no. 10. Dust and fumes: (1) Open coal, coke or wood fires shall not be used for heating or drying ladles inside a workroom unless adequate measures are taken to prevent, so far as practicable, fumes or other impurities from entering into or remaining in the atmosphere of the workroom

(2) No open coal, coke or wood fires shall be used for drying moulds except in circumstances in which the use of such fires is unavoidable.

(3) Mould stoves, core stoves and annealing furnaces shall be so designed, constructed, maintained and worked as to prevent, so far as practicable, offensive or injurious fumes from entering into any workroom during any period when a person is employed therein.

(4) All knockout 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.

Sl.no. 11. Maintenance and examination of exhaust plant: (1) All ventilation plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be properly maintained; (2) All ventilating plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person at least once in every period of twelve months; and particulars of the results of every such examination and test shall be entered in an approved register which shall be available for inspection by an Inspector. Any defect found on any such examination and test shall be immediately reported in writing by the person carrying out the examination and test to the occupier or manager of the factory.

Sl.no. 12. Protective equipment: (1) The occupier shall provide and maintain suitable protective equipment specified for the protection of the workers; (a) suitable gloves or other protection for the hands for workers engaged in handling any hot material likely to cause damage to the hands by burn, scald or scar; or in handling pig iron, round castings or other articles likely to cause damage to the hands by cut or abrasion; (b) approved respirators for workers carrying out any operations creating a heavy dust concentration which cannot be dispelled quickly and effectively by the existing ventilation arrangements.

(2) No respirators provided for the purposes of clause 1(b) which has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.

(3) Persons who for any of their time:— (a) work at a spout of or attend to, a cupola or furnace in such circumstances that material therefrom may come into contact with the body, being material at such a temperature that its contact with the body would cause a burn; or (b) are engaged in, or in assisting with, the pouring of molten metal; or (c) carry by hand or move by manual power any ladle or mould containing molten metal; or (d) are engaged in knocking-out operations involving material at such a temperature that its contact with the body would cause a burn; — shall be provided with suitable footwear and gaiters which worn by them prevent, so far as reasonably practicable, risk of burns to his feet and ankles.

(4) Where appropriate, suitable screens shall be provided for protection against flying materials (including splashes of molten metal and sparks and chips thrown off in the course of any process).

(5) The occupier shall provide and maintain suitable accommodation for the storage and make adequate arrangements for cleaning and maintaining of the protective equipment supplied in pursuance of this paragraph.

(6) Every person shall make full and proper use of the equipment provided for his protection in pursuance of sub- Sl.no. (1) and (4) and shall without delay report to the occupier, manager or other appropriate person any defect in, or less of, the same.

Sl.no. 13.Washing and bathing facilities: (1) There shall be provided and maintained in clean state and good repair for the use of all workers employed in the foundry:—

(a) a wash place under cover with either:— (i) a trough with impervious surface fitted with a waste pipe without plug and of sufficient length to allow at least 60 centimetres for every 10 such persons employed at any one time and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 cm; or (ii) at least one tap or stand pipe for every 10 such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 1.2 metres apart; and

(b) not less than one half of the total number of washing places provided under clause (a) shall be in the form of bath rooms.

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

(2) The facilities provided for the purposes of sub- Sl.no. (1) shall be placed in charge of a responsible person or persons and maintained in a clean and orderly condition.

Sl.no. 14.Disposal of dress and skimmings: Dress and skimmings removed from molten metal or taken from a furnace shall be placed forthwith in suitable receptacles.

Sl.no. 15.Disposal of waste: Appropriate measures shall be taken for disposal of all waste products from shell moulding (including waste burnt) and as soon as reasonably practicable after the castings have been knocked out.

Sl.no. 16.Material and equipment left out of doors: All material and equipment left out of doors (including material and equipment so left only temporarily or occasionally) shall be so arranged and placed as to avoid unnecessary risk. There shall be safe means of access to all such material and equipment and so far as reasonably practicable, such access shall be by roadways or pathways which shall be properly maintained. Such roadways or pathways shall have a firm and even surface and shall, so far as reasonably practicable be kept free from obstruction.

Sl.no. 17.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspectorcum facilitator of Factories; 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 Inspectorcum facilitator of Factories, which shall be kept readily available for inspection by the Inspectorcum facilitator.

Sl.no. 18.Medical examination by Medical Officer: (1) Every worker employed in a foundry shall be examined by a 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 unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no.

(1) except chest X-ray which will be once in three years.

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 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. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.no. 19. **Exemption:** If in respect of any factory, the Chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SUB SCHEDULE – XXVIII USE OF OVENS AND DRIERS IN FACTORIES

Sl.no. **1. Application-** this schedule shall apply to ovens and driers, except those used in laboratories and kitchens of any establishment and those which have a capacity below 325 litres.

Sl.no. **2. Definitions-** for the purpose of this schedule, oven or drier means any enclosed structure, receptacle, compartment or box which is used for baking, drying or otherwise processing of any article or substance at a temperature higher than that ambient temperature of air in the room or space in which the oven or drier is situated, and in which the flammable or explosive mixture of air and flammable substance is likely to be evolved with the enclosed structure, receptacle, compartment or box or part thereof on account of article or substance which is baked or dried or otherwise processed within it.

Sl.no. **3. Separate electric connection-** Electric power supplied to every oven or drier shall be by means of separate circuit provided with an isolated switch.

Sl.no. **4. Design, construction, examination and testing-** (1) every oven or drier shall be properly designed on sound engineering practice and be of good construction, sound materials and adequate strength free from any patent defect and safe, if properly used.

(2) no oven or drier shall be taken into use in factory for the first time unless a competent person has thoroughly examined all its parts carried out the tests as are required to establish that the necessary safe systems and control provided for safety in operation for the processes for which it is to be used and a certificate of such

examination and tests signed by that competent person has been obtained and are kept available for inspection.

(3) all parts of an oven or drier has undergone any alteration or repair which has the effect of modifying any of the design characteristics, shall not be used unless a thorough examination and tests as have been mentioned in clause (b) have been carried by the competent person and a certificate of such examination and tests signed by that competent person has been obtained and are kept available for inspection.

Sl.no. 5. Safety, Ventilation- (1) every oven or drier shall be provided with a positive and effective safety ventilation system using one or more motor driven centrifugal fans so as to dilute any mixture of air and flammable substance that may be formed within the oven or drier and maintain the concentration of the flammable substance in the air at safe level of dilution.

(2) The safe level of dilution referred to in clause (a) shall be so as to achieve a concentration of concerned flammable material in air of not more than 25 % of its lower explosive limit;

Provided that level of concentration in the air up to 50% of the lower explosive limit of the concerned flammable substance may be permitted to exist subject to installation and maintenance of an automatic device which:-

(a) Shows continuously the concentration of the flammable substance in air present in the oven or drier at any instant;

(b) Sounds an alarm when the concentration of the flammable substance in air present in any part of oven or drier reaches a level of 50% of explosive limit

(c) Shuts down the heating system of the oven or drier automatically when the concentration of the flammable substance in air present in any part of oven or drier reaches a level of 60% of lower explosive limit, is provided to the oven or drier and maintained in the efficient working condition.

(d) No oven or drier shall be operated without its safety ventilation system working in efficient manner.

(e) no oven or drier shall be operated with a level of dilution less than what is referred in clause (b)

(f) exhaust ducts of safety ventilation system should be so designed and placed that their ducts discharge the mixture of air and flammable substance away from the workroom and not near windows or doors or other openings from where the mixture could re-enter the work room.

(g) The fresh air admitted into the oven or drier by means of safety ventilation system shall be circulated adequately by means of circulating fans or fans through all parts of the oven or drier so as to ensure that there are no location where the flammable substance can accumulate in the air become pocketed to any dangerous degree.

(h) Throttling dampers in any safety ventilation system should be so designed by cutting away the portion of damper or otherwise that system will handle at least the minimum ventilation rate required for safety when they are set in their maximum throttling position.

Sl.no. 6. Explosion panels – (1) every oven or drier having an internal total space of not less than half cubic meter shall be provided with suitably design explosion panel so as to allow the release of the pressure of any possible explosion within the oven or drier through explosion vents. The area of opening of any access doors which are provided with suitable arrangements for their release in case of an explosion shall not be less than 2200 sq cm for every 1 cu m of the volume of the oven or drier. The design of the explosion panel and doors as stated above shall be such as to secure their complete release under an internal pressure of 0.25 kg/sq cm.

(2) The explosion releasing panel shall, as far as practicable, be situated on the roof of the oven or drier or at those portions of the walls where persons don't remain in connection with operation of oven or drier.

Sl.no. 7. Inter locking arrangement – In each oven or drier efficient inter locking arrangement shall be provided and maintain to insure that (a) All ventilating fans and circulating fans whose failure would adversely effect the ventilation rate of flow pattern, are in operation before any mechanical conveyor that may be provided for feeding the article or substances to be processed in the oven or drier, input into operation

(b) Failure of any the ventilating or circulating fans will automatically stop any conveyor as referred to in clause (a) as may be provided as well as so the fume supply by closing the shut of valve and shut off the ignition in the case of gas or oil fired ovens and in case of electrically heated oven switch off the electrical supply to the heater

(c) The afore said mechanical conveyor is set in operation before the said shut off valve can be energies

(d) The failure of the aforesaid conveyor will automatically closed the said shut off valve in the case of oven and drier heated by gas , oil or steam and deactivate the ignition system or cut off the electrical heater in the case of electrically heated ovens are furnaces

Sl.no. 8. Automatic ventilation; - Every oven or drier heated by oil, gas, steam or electricity shall be provided with an efficient arrangement for automatic ventilation consisting of at least three volume changes with fresh air by operation of safety ventilation fans and circulating fans so as to effect purging of the oven or drier of any mixture of air and flammable substance before the heating system can be activated and before the conveyor can be placed in position.

Sl.no. 9. Temperature control – Every oven or drier shall be provided with an automatic arrangement to ensure that the temperature which does not exceed a maximum temperature required in respect of the particular process is being carried out

Sl.no. 10. Multi stage processes – Whatever material are to be processed in ovens or driers in successive operation suitable arrangements should be provided to ensure that the operating temperature necessary for safe operation at each stage are maintain within the design limit

Sl.no. 11. Combustible substances not to drip on electrical heater or burner flame

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Effecting arrangement shall be provided in every oven or drier to prevent dripping of combustible substances on electrical heater or burner flame used for heating.

Sl.no. 12. Periodical examination, testing and maintenance – (a) All parts of every oven or drier shall be properly maintain and thoroughly examined and the various control as mentioned in the schedule and the working of the oven or drier shall be tested at frequent interval to ensure its safe operation by a responsible person authorized by the occupier or manager in this behalf who by his experience and knowledge of necessary precaution against risk of explosion, is fit to undertake such work

(b) A register shall be maintained in which the details of various tests carried out from time to time under clause (a) shall be entered and every entry shall be signed by the person making the test.

Sl.no. 13. - Training of operator – No person shall be assigned any task connected with operation of any oven or drier unless he has completed 18 yrs of age and is properly trained

Sl.no. 14. **Polymerizing machine** – (a) Printed fabric shall be thoroughly dried bypassing them over drying canes or through hot flue or other equally effecting means before the same is allowed to pass through polymerizing machines

(b) Infra ray heater of polymerizing machines shall be cut off while running the Print.

89. Constitution of site appraisal committee in respect of factory under Section 83 Code.

The Government shall constitute a technical committee to be called 'Site Appraisal Committee' to assist the State Government or State Advisory Board relating to consider and to give recommendations on an application for grant of permission for the initial location of a factory involving a hazardous process or for the expansion of such factory;

(1) Constitution: The following provisions shall govern the functioning of the Site Appraisal Committee, hereinafter referred to as the 'Committee' in these rules:—

(a) The State Government may constitute a Site Appraisal Committee and reconstitute the committee as and when necessary;

(b) The State Government shall nominate Chief Inspector-cum-facilitator as Chairman of the Committee and nominate a Senior Technical Officer of the Inspectorate, to be the Member Secretary of the committee:

(c) The State Government may appoint the following as members of the committee:—

(i) A representative of the Fire & Emergency Service Department;

(ii) A representative of the Department of Commerce & Industries;

(iii) A representative of the Regional Labour Institute Shillong, Director General of Factory Advice Service and Labour Institutes (DGFASLI) not below than Assistant Director (Safety) or Assistant Director (Industrial Hygiene).

(iv) A technical representative of Meghalaya State Pollution Control Board not below the rank of the Assistant Director/ Engineer.

(2) No member, unless it is 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 of the committee.

(3) Application for appraisal of sites:—

(a) Online application for appraisal of sites in respect of the factories covered under Section 2(z) of the Code, First Schedule, shall be submitted to the Chairman of the Site Appraisal Committee;

(b) The online application for site appraisal shall be submitted in the Form annexed to this rule. The committee may dispense with furnishing information on any particular item in the application form if it considers the same to be not relevant to the application under consideration.

(4) Functions of the committee -

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

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

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

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

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

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

FORMAT OF APPLICATION OF THE SITE APPRAISAL COMMITTEE

1. Name and address of the applicant:

2. Site ownership data:

2.1: Revenue details of site such as Survey No.,Plot No., etc.

2.2:Whether the site is classified as forest and if so, whether approval of the Central Government under Section 5 of the Indian Forests Act,1927 has been taken.

2.3:Whether the proposed site attracts the provisions of Section 3(2)(v) of the E.P.Act,1986; if so ,the nature of the restrictions:

2.4:Local authority under whose jurisdiction the site is located.

3.Site plan:

3.1:Site plan with clear identification of boundaries and total area proposed to be occupied and showing the following details nearby the proposed site:—

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

(b)Names of 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;

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

(d)Nearest hospitals, fire stations, civil defence stations and police stations and their distances;

(e) High tension electrical transmission lines, pipe lines for water, oil, gas or sewerage; railway lines, roads , stations; jettiesand other similar installations.

3.2:Details of soil conditions and depth at which hard strata obtained:

3.3:Contour map of the area showing nearby hillocks and difference in levels:

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

4.Project report:

4.1:A summary of the salient features of the project:

4.2:Status of the organisation (Government, semi-Government, Public or Private etc.):

4.3:Maximum number of persons likely to be working in the factory:

4.4:Maximum amount of power and water requirements and source of their supply:

4.5:Block diagram of the buildings and installations in the proposed supply:

4.6:Details of housing colony, hospital, school and other infrastructural facilities proposed:

5.Organisation structure of the proposed manufacturing unit/factory:

5.1:Organisation diagram of:

—(i)proposed enterprise in general;

—(ii)Health, safety and environment protection departments and their linkage to operation and technical departments:

5.2:Proposed Health and Safety Policy:

5.3:Area allocated for treatment of wastes and effluent:

5.4:Percentage outlay on safety, health and environment protection measures:

6.Metrological data relating to the site:

6.1:Average, minimum and maximum of

(i)Temperature:

(ii) Humidity:

(iii) Wind velocities; during the previous ten years:

6.2: Seasonal variations of wind direction:

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

6.4:Lightning and seismic data of the area:

7. Communication links:

7.1: Availability of telephone/telex/wireless and other communication facilities for outside communication:

7.2:Internal communication facilities proposed:

8.Manufacturing process information:

8.1:Process flow diagram:

8.2:Brief write up on process and technology:

8.3:Critical process parameters such as pressure build up, temperature rise and run-away reactions:

8.4:Other external effects critical to the process having safety implications such as ingress of moisture or water, contact with incompatible substance, sudden power failure:

8.5:Highlight of the built-in safety/pollution control devices or measures incorporated in the manufacturing technology:

9.Information of hazardous materials:

9.1:Raw materials, intermediates, products and by-products and their quantities (Enclose Material Safety Data Sheet in respect of each hazardous substance):

9.2:Main and intermediate storages proposed for raw materials/intermediates/products/ by-products (maximum quantities to be stored at any time) :

9.3:Transportation methods to be used for materials inflow and outflow, their quantities and likely routes to be followed:

9.4:Safety measures proposed for: —(i) handling for materials;

—(ii) internal and external transportation; and

—(iii) disposal (packing and forwarding of finished products):

10. Information and dispersal/ Disposal of wastes and pollutants:

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

10.2:Quality and quantity of solid wastes generated, method of their treatment and disposal:

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

11.Process hazard information:

11.1:Enclose a copy of the report on environmental impact assessment:

11.2:Enclose a copy of the report on Risk Assessment Study:

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

12. Information of proposed safety and occupational health measures:

12.1: Details of fire fighting facilities and minimum quantities of water, CO₂ and/ or other fire fighting measures needed to meet the emergencies:

12.2:Details of in-house medical facilities proposed:

13.Information on Emergency Preparedness:

13.1:Onsite emergency plan:

13.2:Proposed arrangements, if any, for mutual aid scheme with the group of neighbouring factories

14.Any other 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.

90. Disclosing of information by occupier of a factory under sub-section (1) of Section 84 of Code.-(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 :-

(a) requirements of Sections 84, 85 and 89 of the 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 100;
 - (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 106 ;
 - (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 may direct the occupier to supply further information to the employees as deemed necessary.

91. Interval of information by occupier of a factory under sub-section (2) under Section 84 of Code.-

- (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 shall also furnish any other information asked for by the Chief Inspector-cum-facilitator from time to time for the purpose of the Code and the Rules made thereunder.

92. Health and Safety Policy-

- (1) The occupier of every factory, except as provided for in sub-rule (2), shall submit a written statement of his policy in respect of health and safety of workers at work.
- (2) All factories –

- (a) covered under Section 2(w) (i) but employing less than 40 workers;
- (b) covered under Section 2(w) (ii) but employing less than 80 workers; are exempted from requirements of sub-rule(1):

Provided that they are not covered under the First Schedule under Section 2(za) or carrying out processes of operations declared to be dangerous under Section 82 of the Code.

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

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

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

- (a) arrangements for involving the workers;
- (b) intention of taking into account the health and safety performance of individuals at different levels while considering their career advancement;
- (c) fixing the responsibility of the contractors, sub-contractors, transporters and other agencies entering the premises;
- (d) providing a resume of health and safety performance of the factory in its Annual Report;
- (e) relevant techniques and methods, such as safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all the remedial measures;
- (f) stating its intentions to integrate health and safety, in all decisions including those dealing with purchase of plant, equipment, machinery and material as well as selection and placement of personnel;
- (g) arrangements for informing, educating and training and retraining its own employees at different levels and the public, wherever required.

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

(7) The Policy shall be made widely known by –(a) making copies available to all workers including contract workers, apprentices, transport workers suppliers, etc. (b) displaying copies of the policy at conspicuous places; and (c) any other means of communication; in a language understood by majority of workers.

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

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

93. Intimation to Chief Inspector-cum-Facilitator by the occupier of the factory proposed to be engaged in hazardous process.-Information under sub-section (5) of Section 84 shall be in **Form 49** and shall be communicated to Chief Inspector-cum-Facilitator electronically or otherwise.

94. Manner of Compulsory disclosure of information by occupier under sub-section (5) and (7) of Section 84 of Code.

(1) Disclosure of information to workers:-

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

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

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

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

(2) Disclosure of information to General Public :-

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

- (a) Name of the factory and address where situated;
- (b) Identification, by name and position, of the person giving the information;
- (c) Confirmation that the factory has approval from the Factories Inspectorate-Office of Chief Inspector of Boilers & Factories and Pollution Control Board;
- (d) An explanation in simple terms of the hazardous process(es) carried on in the premises;

- (e) The common names of the hazardous substances used which could give rise to an accident likely to affect them, with an indication of their principal harmful characteristics;
- (f) Brief description of the measures to be taken to minimize the risk of such an accident in compliance with its legal obligations under relevant safety statutes;
- (g) Salient features of the approved disaster control measures adopted in the factory;
- (h) Details of the factory's emergency warning system for the General Public;
- (i) General advice on the action members of the public should take on hearing the warning;
- (j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimize their effects; and
- (k) Details of where further information can be obtained.

(3) Disclosure of information to the Local Authority

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

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

(i) The occupier of a factory carrying on a hazardous process, shall intimate to the Chief Inspector –*cum*- Facilitator all information having a bearing on preparation of an on-site emergency plan and a disaster control and management plan in respect of the factory.

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

Rules made thereunder.

(5) Onsite Emergency Plan- (1) The occupier of a factory carrying on a hazardous process shall prepare a draft on-site emergency plan and submit it to the Chief Inspector-*cum*-Facilitator. The Chief Inspector-*cum*-Facilitator may make such modification in the plan as necessary, in consultation with the occupier and approve the same.

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

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

(6) Confidentiality of Information

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

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

as required under sub rules (3), (6) and (7) of Rule 91. If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely

affect his business interests, he may make a representation to the Chief Inspector-*cum*-Facilitator stating the reasons for withholding such information. The Chief Inspector-*cum*-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation.

(ii) An occupier aggrieved by an order of Chief Inspector cum facilitator may prefer an appeal before the State Government within a period of 30 days. The State Government shall give an opportunity to the occupier of being heard and pass an order. The order of the Government shall be final.

SCHEDULE
Material Safety Data Sheet
SAMPLE MODEL

SECTION I – MATERIAL IDENTIFICATION AND USE

Material Name/Identifier	
Manufacturer's Name	Supplier's Name
Street Address	Street Address
City State	City State
Postal Code	Postal Code
Emergency Telephone No.	Emergency Telephone No.
Chemical Name | Chemical Identity	
Trade Name and Synonyms	Product Use

SECTION II – HAZARDOUS INGREDIENTS OF MATERIAL

Hazardous Ingredients	Approximate Concentration %	C.A.S. or UN Numbers	LD 50 (Specify Species and Route)	LC 50 (Specify Species and Route)

SECTION III – PHYSICAL DATA FOR MATERIAL

Physical State --Gas-- Liquid-- Solid	Odour and Apperance	Odour Threshold (p.p.m)	Specific Gravity	
Vapour Pressure	Vapour density (Air=1)	Evaporation Rate	Boiling point (oC)	Freezing (oC)
Solubility in water (200C)	pH	Density (g/ml)	Coefficient of water / oil Distribution	

SECTION IV – FIRE AND EXPLOSION HAZARD OF MATERIAL

Flammability

Yes / No. If yes, under what conditions

Means of Extinction

Special Procedures

Flash Point (°C) and Method	Upper Explosion Limit (% by Volume)	Lower Explosion Limit (% by Volume)
Anti-ignition Temperature (oC)	TDG Flammability Classification	Hazardous Combustion Products
Explosion Data-Sensitivity	Sensitivity to Static Discharge	

Chemical Impact |

SECTION V - REACTIVITY DATA

Chemical Stability

Yes No. If no, under what conditions

Incompatibility to other substances

Yes No. If yes, which ones

Reactivity and under what conditions

Hazardous Decomposition Products

Material

Name / Identifier

SECTION VI – TOXICOLOGICAL PROPERTIES OF MATERIAL

Route of Entry

-----Skin contact ----- Skin Absorption -----Eye Contact

-----Inhalation Acute -----Inhalation Chronic -----Ingestion

Effects of Acute Exposure to Material

Effects of Chronic Exposure to Material

Exposure Irritancy of
Limit(s) Material

Sensitization to Carcinogenicity, Reproductive

Material Effects, Teratogenicity,
Mutagenicity

Synergistic Materials

SECTION VII – PREVENTIVE MEASURES

Personal Protective Equipment

Gloves (specify) Respiratory (specify) Eyes (specify)

Footwear (specify) Clothing (specify) Other (specify)

Engineering Controls (e.g. ventilation, enclosed process, etc.)

Please specify

Leak and Spill Procedures

Waste Disposal

Handling Procedures and Equipment

Storage Requirements

Special Shipping Information

SECTION VIII – FIRST AID MEASURE

First Aid Measure

Sources used

Additional information

SECTION IX – PREPARATION DATE OF M.S.D.S.

Prepared by (Group, Department, etc.) (Phone No.) Date

NOTES:

1. CAS or UN Number – Chemical Abstract Service or United Nations (UN) Number.
2. LD 50 – Lethal Dose – 50% (LD50 – Specify species and route).
3. LC 50 – Lethal Concentration – 50% (LC50 – Specify species and route).
4. TDG Flammability – Transport of Dangerous Goods
Flammability Classification by United Nations.

95. Measure and disposal laid down under sub-section (7) of Section 84-
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.

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

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

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

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

97. Qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under clause (b) of Section 85.-

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

- (a) a degree in Chemistry or Diploma in Chemical Engineering or Technology with five years experience; or
- (b) a Master's Degree in Chemistry or a degree in Chemical Engineering or Technology with two years experience;

(2) The experience stipulated in sub-rule (1) above shall be in process operation and maintenance in a chemical industry.

(3) The Chief Inspector-cum- facilitator 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.

Issuance of guidelines- For the purposes of compliance with the requirements of Section 84 or of Section 85, the Chief Inspector-cum-facilitator 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.

98. The manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of Section 85. -

Medical Examination (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 12 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 47**.

(2) No person shall be employed for the first time without a certificate of fitness in **Form 48** 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 Chief Inspector cum facilitator, Meghalaya 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.

99. The measures or standards under sub-section (1) of Section 86.-

(I) Occupational Health 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 retainer-ship 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 104 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 sub rule (5), (6) 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 as defined in the National Medical Commission Act, 2019 (30 of 2019) and who is enrolled on a Indian Medical Register as defined in the National Medical Commission Act, 2019 and on a State Medical Register as defined in Section 35, Section 36, Section 37 and Section 40 of the said Act and possess a Certificate of Training in Industrial Health of a minimum of three months duration recognised by the State or Central 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 cum facilitator may, subject to such conditions as he may specify, grant exemption from the requirement of this sub-rule, if in his opinion a suitable person possessing the necessary qualification is not available for appointment:

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 -cum -facilitator may, subject to the condition that the

said person shall obtain the aforesaid certificate of training within a period of three years, relax the qualification.

(3) The syllabus of the course leading to the above certificate, and the organisations conducting the course shall be approved by the Directorate General, 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 Directorate General, Factory Advice Service and Labour Institutes (DGFASLI), Ministry of Labour and Employment.

(4) Within one month of the appointment of Factory Medical Officer, the occupier of the factory shall furnish to the Chief Inspector-cum-facilitator 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;

(za) one pair of dressing forceps;

(zb) one scalpel;

(zc) one stethoscope;

(zd) rubber bandage-pressure bandage;

(ze) oxygen cylinder with necessary attachments;

(zf) one blood pressure apparatus;

(zg) one patella hammer;

(zh) one Peak-flow meter for lung function measurement;

(zi) one stomach wash set; and

(zj) 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 900 mmx100mmx6mm;

(ii) four plain wooden splints of 350 mmx75mmx6mm;

(iii) two plain wooden splints of 250 mmx50mmx12mm;

(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 350 mmx75mmx6mm;

(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.

(II) Ambulance Van (1) In every factory carrying on a 'hazardous process' 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 :

(a) a wheeled stretcher with folding and adjusting devices with the head of the stretcher capable of being tilted upward ;

(b) fixed suction unit with equipment ;

(c) fixed oxygen supply with equipment ;

(d) pillow with case, sheets, blankets towels ; and

(e) emesis bag, bed pan, urinal, glass ;

(B) Safety equipments such as :-

(a) flares with life of 30 minutes, flood lights ;

(b) flash light, fire extinguisher-dry powder type ; and

(c) insulated gauntlets.

(C) Emergency Care Equipments such as :-

(a) Resuscitation Equipmentslike :-

(i) portion suction unit ; portable oxygen unit ;

(ii) bag - valve-mask, hand operated artificial ;

(iii) ventilation unit ;

(iv) airways ; mouth bags ; tracheotomyadapters ;

(v) short spine board, I. V. fluids with Administration unit ; and

(vi) B. P. manometer ;Cugg ; stethoscope ;

(b) Immobilization Equipments :-

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

(III). Decontamination Facilities- 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 :

Number of persons employed at any time	Number of drenching showers
(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 and above.	8+1 for every 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.

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

SCHEDULE

1. Definitions: for the purpose of this schedule –

- (a) “mg/m³” means milligrams of a substances per cubic metre of air;
- (b) “mppcm” means million particles of a substance per cubic metre of air;
- (c) “ppm” means parts of vapour or gas per million parts of air by volume at 25 degrees centigrade and 760 mm of mercury pressure;
- (d) “Time weighted average concentration” means the average concentration of a substance in the air at any work location in a factory computed from evaluation of adequate number of air samples taken at that location, spread over the entire shift on any day, after giving weightage to the duration for which each such sample is collected and the concentration prevailing at the time of taking the sample.

Time weighted average $C_1T_1 + C_2T_2 + \dots + C_nT_n$

$$\text{Concentration} = \frac{C_1 T_1 + C_2 T_2 + \dots + C_n T_n}{T_1 + T_2 + \dots + T_n}$$

Where C1 represents the concentration of the substance for duration T1 (in hours);
 C2 represents the concentration of the substance for duration T2 (in hours);
 and Cn represents the concentration of the substance for duration Tn (in hours).

(e) "Work location" means a location in a factory at which a worker works or may be required to work at any time during any shift on any day.

2. Limits of concentration of substances at work location: - (1) The time weighted average concentration of any substance listed in table 1 or 2 of the schedule, at any work location in a factory during any shift on any day shall not exceed the limit of the permissible time weighted average concentration specified in respect of that substance:

Provided that in the case of a substance mentioned in Table 1 in respect of which a limit in terms of short term maximum concentration is indicated, the concentration of such a substance may exceed the permissible limit of the time weighted average concentration for the substance for short periods not exceeding 15 minutes at a time, subject to the condition that-

(a) Such periods during which the concentration exceeds the prescribed time weighted average concentration are restricted to not more than 4 per shift;

(b) the time interval between any two such periods of higher exposure shall not be less than 60 minutes; and

(c) At no time the concentration of the substance in the air shall exceed the limit of short term maximum concentration.

(2) In the case of any substance given in Table 3, the concentration of the substance at any work location in a factory at any time during any day shall not exceed the limit of exposure for that substance specified in the table.

(3) In the cases where the word "skin" has been indicated against certain substance mentioned in Tables 1 and 3, appropriate measures shall be taken to prevent absorption through cutaneous routes particularly skin, mucous membranes, and eyes as the limits specified in these Tables are for conditions where the exposure is only through respiratory tract.

(4) (a) In case, the air at any work location contains a mixture of such substances mentioned in Table 1, 2 or 3, which have similar toxic properties, the time weighted concentration of each of these substances during the shift should be such that when these time weighted concentration divided by the respective permissible time weighted average concentration specified in the above mentioned tables, and the fractions obtained are added together, the total shall not exceed unity.

$$\frac{C_1}{L_1} + \frac{C_2}{L_2} + \dots + \frac{C_n}{L_n}$$

Where C1, C2..... Cn are the time weighted concentration of toxic substances 1, 2--, and n respectively, determined after measurement at work location;

And L1, L2Ln are the permissible time weighted average concentration of the toxic substances 1, 2, and n respectively.

(b) In case the air at any work location contains a mixture of substances, mentioned in Table 1, 2, 3 and these do not have similar toxic properties, then the time weighted concentration of each of these substances shall not exceed the permissible time weighted average concentration specified in the above mentioned tables, for that particular substance.

(c) The requirement in clauses (a) and (b) shall be in addition to the requirements in paragraphs 2 (1) and 2(2).

3. Power to require assessment of concentration of substances.-(1)An Inspector-cum-Facilitator may, by an order in writing, direct the occupier or manager of a factory to get before any specified date, the assessment of the time weighted average concentration at any work location of any of the substances mentioned in Table 1,2 or 3 carried out.

(2) The results of such assessment as well as the method followed for air sampling and analysis for such assessment shall be sent to the Inspector-cum- Facilitator within 3 days from the date of completion of such assessment and also a record of the same kept readily available for inspection by an Inspector-cum- Facilitator.

4. Exemption.- If in respect of any factory or a part of a factory, the Chief Inspector-cum-Facilitator is satisfied that, by virtue of the pattern of working time of the workers at different work locations or an account of other circumstances, no worker is exposed, in the air at the work locations, to a substance or substances specified in Tables 1,2 or 3 to such an extent as is likely to be injurious to his health, he /she (the Chief Inspector-cum-Facilitator) may by an order in writing, exempt the factory or a part of the factory from the requirements in paragraph 2, subject to such conditions, if any, as he may specify therein.

TABLE – 1				
Substance	Permissible level of exposure			
	Time-weighted average concentration		short-term maximum concentration	
	ppm	mg/m ³	ppm	mg/m ³
Acetic acid	10	25	15	37
Acrolein	0.1	0.25	0.3	0.8
Aldrin (Skin)	--	0.25	--	0.75
Ammonia	25	18	35	27
Aniline (Skin)	2	10	5	20
Anilidine (Opisomers Skin)	0.1	0.5	--	--
Arsenic & Compounds (as As)	--	0.2	--	--
Benzene	10	30	--	--
Bromine	0.1	0.7	0.3	2
2 Butanone (Methyl-Ethyl Ketone MEK)	200	590	300	885
n-Butyle Acetate	150	710	200	950
Sec./tert. Butyl Acetate	200	950	250	1190
Cadmium dust and salts (as Cd)	--	0.05	--	0.2
Calcium Oxide	--	2	--	--
Carbaryl (Sevin)	--	5	--	10
Carbofuran (Furadan)	--	0.1	--	--
Carbon disulphide (Skin)	20	60	30	90

Carbon monoxide	50	55	400	440
Carbon tetrachloride (Skin)	10	65	20	130
Carbonyl chloride (phosgene)	0.1	0.4	--	--
Chlordance (Skiri)		0.5	...	2
Chlorobenzene (monochloro- Bezene)	75	350	--	--
Chlorine	1	3	3	9
Bis-chloromethyl ether	0.001	--	--	--
Chromic acid and Chromites (as Cr.)	--	0.05	--	--
Chromium, Sel. Chormic Chromous	--	0.5	--	--
Salts (as Cr.)	--	--	--	--
Copper Fume	--	0.2	--	--
Cotton dust raw		0.2	...	0.6
Cresol, all isomers (Skin)	5	22	--	--
Cyanides (as CN)-(Skin)	--	5	--	--
Cyanogen	10	20	--	--
DDT (Dichloriodiphenyl trichloroethane)	--	1	...	3
Demeton skin	0.01	0.1	0.03	0.3
Diazinon-skin	--	0.1	...	0.3
Dibutyle Phthalate	--	5	...	10
Dichlorves (DD VP)-skin	0.01	1	0.3	3
Dield-rin-skin		0.25	...	0.75
Dinitro Benzene (all isomers-skin)	0.15	1	0.5	3
Dinitrotoluene-skin	--	1.5	...	4
Diphenyl	0.2	1.5	0.6	4
Endosulfan (Thinodan)-skin	--	0.1	...	0.3
Endrin-skin	--	0.1	...	0.3
Ethyl Acetate	400	1	...	--
Ethyl Amine	10	18	...	--
Ethyl Alcohol	1000	1900	...	--
Flourides (as F)	...	2.5	...	--
Flourine	1	2	2	4
Hydrogen cyanide-skin	10	11	15	16
Hydrogen Sulphide	10	15	15	27
Iron oxide from (Fe ₂ O ₃ as Fe)	...	5	...	10
Isoamyl Acetate	100	525	125	655
Isobutyl Alcohol	100	360	125	450
Isoamyl Alcohol	50	150	75	225
Lead, inorg, fumes and dust (as Pb)	...	0.15	...	0.15
Linda-he-skin	...	0.5	...	1.5
Malathoion-skin	...	10	...	--
Manganese fume (as Mn)	...	1	...	3
Mercury (as Hg)	...	0.05	...	0.15
Mercury (aikyl)	0	0.01	0.003	0.03
Compounds skin) (as Hg)	...	...	...
Methyl Alcohol (methanol) skin	200	260	250	310
Methyl collosove-skin (2-methoxy ethanol)	25	80	35	120

Methyl isobutyl Ketone-skin	100	410	125	510
Napthalene	10	50	15	75
Nickel carbonyl (as Ni)	0.05	0.35	...	...
Nitric Acid	2	5	4	10
Nitric Oxide	25	30	35	45
Nitrobenzine-skin	1	5	2	10
Oil mist-mineral	...	5	...	10
Parathion-skin	...	0.1	...	0.3
Phenol-skin	5	19	10	38
Phroate (Thimet)-skin	...	0.05	...	...
Phosgene (Carbonyl chloride)	0.1	0.4	...	...
Phosphine	0.3	0.4	1	1
Phosphorus (Yellow)	...	0.1	...	0.3
Posphorus pentachloride	...	1	...	3
Phosphorus trichloride	0.5	3	...	...
Picric acid-skin	...	0.1	...	0.3
Pyridine	5	15	10	30
Sila-ne (Sillicontetrahydrine)	0.5	0.7	1	1.5
Styrene, monomer (phenyl, othylene)	100	420	125	525
Sulfur dioxide	5	15	...	...
Sulfuric acid	...	1	...	...
Toluene (toluo) skin	100	375	1545	560
O-Toludine	5	22	10	44
Trichloroethylene	100	535	150	800
Vinyl chloride	5	10	...	...
Wielding Fumes (NOC)	...	5	...	...
Xylene (o-m-p-isomers) skin	100	435	150	655

Table-2	
Substance	Permissible time-weighted average concentration.
1. Silica-	
(a) Crystalline-	
(i) Quartz-	
(1) in term of dust count	= 1060/ (% quartz +10) in mppcm
(2) In terms of respirable dust	= 10/ (% respirable quartz + 2) in mg/cubic metre
(3) In terms of total dust	= 30/ (% quartz + 3) in mg/cubic metre
ii) Cristobalite	Half the limits given against quartz.
(iii) Tridymite	Half the limits given against quartz.
(iv) Silica fused	Same limit as for quartz.
(v) Tripoli	Same limit as in formula in item 2 given against quartz.
b) Amorphous.	705 mppcm
2. Silicate having less than 1% free silca by weight-	
(a) Asbestos (fibres longer than 5 microns)	2 fibres per cubic centimeter
(b) Mica	705 mppcm.
(c) Mineral wool fibre	10 mg/m3
(d) Porlite	1060 mppcm.

(e) Portland cement	1060 mppcm.
(f) Soap stone	705 mppcm.
(g) Talc (non-abosti form)	705 mppcm.
(h) Talc (fibrous)	Same limit as for asbestos.
(i) Tromolite	Same limit as for asbestos.
3. Coal dust-	
(1) For air born dust having less than 5% silicon dioxide by weight.	2mg/m3
2) For air-borne dust having over 5% silicon dioxide against quartz.	as for item (2) of quartz

TABLE – 3		
Substance	Permissible limit of exposure	
	ppm	mg/m3
Acetic anhydride	5	20
O-Dichlorobenzene	50	300
Formaldehyde	2	3
Hydrogen Chloride	5	7
Manganese & compounds (as Mn)	-	5
Nitrogen dioxide	5	9
Nitroglycerin-skin	0.2	2
Potassium hydroxide	-	2
Sodium hydroxide	-	2
- 2, 2, 4, 6 – Trinitrotoluene (TNT)	-	0.5

101. Appeal against the order of Inspector-cum-Facilitator in case of factory under Section 90 of Code- Occupier of any factory aggrieved by an order made by Inspector-cum-Facilitator/Deputy Chief Inspector-cum- Facilitator/ Chief Inspector-cum-Facilitator may, within fifteen days from the date on which the order is communicated to him, make an appeal to the Deputy Chief Inspector-cum-Facilitator/Chief Inspector-cum-Facilitator/ respectively who shall, after giving the appellants an opportunity of being heard, dispose of the appeal as expeditiously as possible.

102. Form and manner of making application under Section 90.-(1) The occupier shall make an application in **Form-50** to the appropriate authority.

(2) The appropriate authority shall refer the matter within three days to the Deputy Chief Inspector-cum-Facilitator, Meghalaya.

(3) The Deputy Chief Inspector-cum-Facilitator, Meghalaya shall examine the matter within fifteen days from the date of receipt.

(4) The Deputy Chief Inspector-cum-Facilitator, Meghalaya shall submit report within next two days to the appropriate authority.

(5) The appropriate authority shall pass an order within three days from date of receipt of report.

103. Persons defined to hold positions of supervision or management under clause (a) of sub-section (1) of Section 91.- The following persons in factories shall be deemed to hold position of supervision or management and to be employed in confidential position, namely:-

- (i) Managing Director, President, Chief Executive or Senior Vice-President, Vice – President or General Manager;
- (ii) Deputy General Manager or Manger or Factory Manager or Plant Head;
- (iii) Deputy Manager or Deputy Factory Manager, Assistant Manager or Assistant Factory Manager ;
- (iv) Chief Welfare Officer or Welfare Officer or Lab our Welfare Officer;
- (v) Heads of Departments ;
- (vi) Superintending Engineer ;
- (vii) Executive Engineer or Assistant Engineer ;
- (viii) Secretary or Personal Assistant to the persons listed above at serial numbers (i) to (vii) ;
- (ix) Sub-Station Engineer;
- (x) Head Electrician;
- (xi) Supervisor or Foreman;
- (xii) Head Store Keeper or Store keeper ;
- (xiii) Head Time-Keeper or Time keeper ;
- (xiv) Store Purchase Officer;
- (xv) Security In-charge; and
- (xvi) any other person employed as such and so declared by the Chief Inspector-cum-Facilitator in writing.

104. List to be maintained of persons holding confidential position or position of supervision or management.-A list showing the names and designations of all persons referred to in Rule 104 shall be maintained in every factory.

Other Schedule for the factory are mentioned below:

SCHEDULE -I

Textile Machinery except Machinery used in Jute Mills

Sl.no. 1. **Application-** The requirements of this schedule shall apply to machinery in factories engaged in the manufacture or processing of textiles other than jute textiles. The schedule would not apply to machinery in factories engaged exclusively in the manufacture of synthetic fibres.

Sl.no. 2. **Definitions-** For the purpose of this schedule-

(a)"Calendar" means a set of heavy rollers mounted on vertical side frames and arranged to pass cloth between them. Calendars may have two to ten rollers or bowls, some of which can be heated.

(b)"Embossing calendar" means a calendar with two or more rolls, one of which is engraved for producing figure-effects of various kinds on a fabric.

(c)"Card" means a machine consisting of cylinders of various sizes; and in certain cases flats - covered with card clothing and set in relation to each so that fibres in staple-form may be separated into individual relationship. The speed of the cylinders and their direction of rotation varies. The finished product is delivered as a sliver. Cards of different types are: the revolving flat card, the roller and clearer card etc.

(d)"Card clothing" means the material with which the surface of the cylinder, deffer, flats etc. of a card are covered and consists of a thick foundation material made of, either textile fabrics through which are pressed many fine closely spaced, specially bent wires, or mounted saw toothed wire.

(e)"Comber" means a machine for combing fibres of cotton, wool etc. The essential parts are device for feeding forward a fringe of fibres at regular intervals and an arrangement of combs or pins which , at the right time, pass through the fringe. All tangled fibres, short fibres and nips are removed and the long fibres are laid parallel.

(f)"Combing machinery" means a general classification machinery including combers, sliver lap machines, ribbon lap machines and grill boxes, but excluding cards.

(g)"Rotary staple cutter" means a machine consisting of one or more rotary blades used for the purpose of cutting textile fibres into staple lengths.

(h) "Garnet machine" means any of a number of types of machine for opening hard twisted waste of wool, cotton, silk etc. Essentially, such machines consist of a licker-in; one or more cylinders, each having a competent worker and stripper rolls; and a fancy roll and a deffer. The action of this machine is some what like that of a wool card but it is much more severe in that the various rolls are covered with garnett wire instead of card clothing.

(i)"Gill box" means a machine used in the worsted system of manufacturing yarns. Its function is to arrange fibres in parallel order. Essentially, it consists of a pair of feed rolls and a series of followers where the followers move at a faster surface speed and perform a combing action.

(j)"In-running rolls" means any pair of rolls or drums between which there is a 'nip'.

(k)"Interlocking arrangement" means a device that prevents the setting in motion of a dangerous part of a machine or the machine itself while the guard-cover or door provided to safeguard against danger is open or unlocked, and which will also hold the guard, cover or door closed and locked while the machine or the dangerous part is in motion.

(l)"Kier" means a large metal vat, usually a pressure type, in which fabrics may be boiled out,bleached etc.

(m)"Ribbon lapper" means a machine or a part of a machine used to prepare laps for feeding a cotton comb; its purpose is to provide a uniform lap in which the fibres have been straightened as much as possible.

(n)"Sliver lapper" means a machine or a part of a machine in which a number of parallel card slivers are drafted slightly, laid side by side in a compact sheet and wound into a cylindrical package.

(o)"Loom" means a machine for effecting the interlocking of two series of yarns crossing one another at right angles. The warp yarns are wound on a warp beam and pass through headles and reeds. The filling is shot across in a shuttle and settled in place by reeds and slay, and the fabric is wound on a cloth beam.

(p)"Starch mangle" means a mangle that is used specifically for starching cotton goods. It commonly consists of two large rolls and a shallow open vat with several immersion rolls. The vat contains the starch solution.

(q)"Water mangle" means a calendar having two or more rolls used for squeezing water from fabrics before drying. Water mangles also may be used in other ways during the finishing of various fabrics.

(r)"Mule" means a type of spinning frame having a head stock and carriage as its two main sections. The head stock is stationary. The carriage is movable and it carries the spindles which draft and spin the roving into yarn. The carriage extends over the whole width of the machine and moves slowly towards and away from the head stock during the spinning operation.

(s)"Nip" is the danger zone between two rolls or drums which by virtue of their positioning and movement create a nipping hazard.

(t)"Openers and pickers" means a general classification of machinery which includes breaker pickers, intermediate pickers, finisher pickers, single process pickers, multiple process pickers, willow machines, card and picker waste cleaners, thread extractors, shredding machines, roving waste openers, shoddy pickers, bale breakers, feeders, vertical openers, lattice cleaners, horizontal cleaners and any similar machinery equipped with either cylinders, screen section, calendar section, rolls or beaters used for the preparation of stock for further processing.

(u)"Paddler" means a trough for a solution and, two or more squeeze rolls between which cloth passes after being passed through a mordant or dye bath.

(v)"Plaiting machine" means a machine used to lay cloth into folds of regular length for convenience of subsequent process or use.

(w)"Roller printing machine" means a machine consisting of a large central cylinder, or pressure bowl, around the lower part of the perimeter of which is placed a series of engraved color rollers (each having a colour trough), furnisher roller, doctor blades etc. The machine is used for printing fabrics.

(x)"Continuous bleaching range" means a machine for bleaching of cloth in rope or open-width form with the following arrangement; The cloth, after wetting out, pass through a squeeze roll into a saturator containing a solution of caustic soda and then to an enclosed J-Box. A V-shaped arrangement is attached to the front part of the J-Box for uniform and rapid saturation of the cloth, with steam before it is packed down in the J-Box. The cloth, in a single strand rope form, passes over a guide roll down the first arm of the 'V' and up the second. Steam is injected into the 'V' at the upper end of the second arm so that the cloth is rapidly saturated with steam at this point. The J-Box capacity is such that cloth will remain hot for a sufficient time to complete the scouring action. It then passes a series of washers with a squeeze roll in between. The cloth then passes through a second set of saturator, J-Box and washer, where it is treated with the peroxide solution. By slight modification of the form of the unit, the same process can be applied to open-width cloth.

(y)"Mercerizing range" means a 3-bowl mangle, a tenter frame and a number of boxes for washing and scouring. The whole set up is in a straight line and all parts operate continuously. The combination is used to saturate the cloth with sodium

hydroxide, stretch it while saturated and washing out most of the caustic before releasing tension.

(z)"Sanforizing machine" means a machine consisting of large steam-heated cylinder and endless, thick woolen felt blanket which is in close contact with the cylinder for most of its perimeter, and electrically heated shoe which presses the cloth against the blanket while the latter is in a stretched condition as it curves around feed-in roll.

(aa)"Shearing machine" means machine used for shearing cloth. Cutting action is provided by a number of steel blades spirally mounted on a roller. The roller rotates in close contact with a fixed ledger blade. There may be from one to six such rollers on a machine.

(bb)"Singeing machine" means a machine which comprises of a heated roller, plate or an opened gas flame. The cloth or yarn is rapidly passed over the roller or the plate or through the open gas flame to remove fuzz or hairiness by burning.

(cc)"Slasher" means a machine used for applying a size mixture to warp yarns. Essentially, it consists of a stand for holding section beams, a size box, one or more cylindrical dryers or an enclosed hot air dryer, and a beaming end for winding the yarn on the loom beams.

(dd)"Tenter frame" means a machine for drying cloth under tension. It essentially consists of a pair of endless travelling chains fitted with clips of fine pins and carried on tracks. The cloth is firmly held at the selvages by the two chains which diverge as they move forward so that cloth is brought to the desired width.

(ee)"Warper" means a machine for preparing and arranging the yarns intended for the warp of a fabric, specifically, a beam warper.

Sl.no. 3. General safety requirements: (1) Every textile machine shall be provided with individual mechanical or electrical means for starting and stopping such machines. Belt shifter on machine driven by belts and shafting should be provided with a belt shifter lock of an equivalent positive locking device.

(2) Stopping and starting handles or other controls shall be of such design and so positioned as to prevent the operator's hand or fingers from striking against any moving part of any other part of the machine.

(3) All belts, pulleys, gears, chains, sprocket wheels and other dangerous moving parts of machinery which either form part of machinery or are used in association with it, shall be securely guarded.

Sl.no. 4. Openers and pickers: (1) In all opening or picker machinery, beaters and other dangerous parts shall be securely fenced by suitable guards so as to prevent contact with them. Such guards and doors or covers or openings giving access to any dangerous part of the machinery shall be provided with interlocking arrangement.

Provided that in the case of doors or covers of openings giving access to any dangerous part, other than beater covers, instead of the interlocking arrangement, such openings may be so fenced by guards which prevent access to any such dangerous part and which is either kept positively locked in position or fixed in such a manner that it cannot be removed without the use of hand tools.

(2) The feed rolls on all opening and picking machinery shall be covered with a guard designed to prevent the operator from reaching the nip while the machinery is in operation.

(3) The lap forming rollers shall be fitted with a guard or cover which shall prevent access to the nip at the intake of the lap roller and fluted roller as long as the weighted rack is down. The guard or cover shall be so locked that it cannot be raised until the machine is stopped, and the machine cannot be started until the cover or guard is closed.

Provided that the foregoing provision shall not apply to the machine equipped with automatic lap forming devices.

Provided further that any such machine equipped with an automatic lap forming device shall not be used unless the automatic lap forming device is in efficient working order.

Sl.no. 5. Cotton cards: (1) All cylinder doors shall be secured by an interlocking arrangement which shall prevent the door being opened until the cylinder has ceased to revolve and shall render it impossible to restart the machine until the door has been closed.

Provided that the latter requirement in respect of the automatic locking device shall not apply while stripping or grinding operations are carried out;

Provided further that stripping or grinding operations shall be carried out only by specially trained adult workers wearing tight fitting clothing whose names have been recorded in the Register prescribed in this behalf as required in Sub-section (1) of Section 22.

(2) The licker-in shall be guarded so as to prevent access to the dangerous parts.

(3) Every card shall be equipped with an arrangement that would enable the card cylinder to be driven by power during stripping/grinding operations without having to either shift the main belt to the fast pulley of the machine or to dismantle the interlocking mechanism. Such an arrangement shall be used only for stripping or grinding operations.

Sl.no. 6. Garnett machines: (1) Garnett licker-in shall be enclosed.

(2) Garnett fancy rolls shall be enclosed by guards. These shall be installed in a way that keeps worker rolls reasonably accessible for removal or adjustment.

(3) The underside of the garnett shall be guarded by a screen mesh or other form of enclosures to prevent access.

Sl.no. 7. Gill boxes: (1) The feed end shall be guarded so as to prevent fingers being caught in the pins of the intersecting rollers.

(2) All nips of in-running rolls shall be guarded by suitable nip guards conforming to the following specifications:—

Any opening which the guard may permit when fitted in position shall be so restricted with respect to the distance of the opening from any nip point through that opening and in any circumstances the maximum width of the opening shall not exceed the following:—

Distance of opening from nip point Maximum width of opening

10 to 38 mm	6 mm	
39 to 63 mm	10 mm	64
to 88 mm	13 mm	89 to
140 mm	15 mm	141 to
165 mm	19 mm	166 to
190 mm	22 mm	191 to
215 mm	32 mm	

Sl.no. 8. **Silver and ribbon lappers (cotton):** The calender drums and the lap spool shall be provided with a guard to prevent access to the nip between the in-running rolls.

Sl.no. 9. **Speed frames:** Jack box wheels at the head stock shall be guarded and the guard shall have interlocking arrangement.

Sl.no. 10. **Spinning mules:** Wheels on spinning mule carriages shall be provided with substantial wheel guards, extending to within 6 mm of the rails.

Sl.no. 11. **Warpers:** Swivelled double-bar gates shall be installed on all warpers operating in excess of 410 metres/minute. These gates shall have interlocking arrangement, except for the purpose of inching or jogging;

Provided that the top and bottom bars of the gate shall be at least 1.05 and 0.53 metres high from the floor or working platform, and the gate shall be located 38 mm from the vertical tangement to the beam head.

Sl.no. 12. **Slashers:** (1) Cylinder dryers—

(a) All open nips of in-running rolls shall be guarded by nip guards conforming to the requirements in Sl.no. 7.

(b) When slashers are operated by control levers, these levers shall be connected to a horizontal bar or treadle located not more than 170 cm above the floor to control the operation from any point.

(c) Slashes operated by push button control shall have stop and start buttons located at each end of the machine, and additional buttons located on both sides of the machine at the size box and the delivery end. If calender rolls are used, additional buttons shall be provided at both sides of the machine points near the nips except when slashers are equipped with an enclosed dryer as in Sl.no. (b).

(2) Enclosed hot air dryer: (a) All open nips of the top squeezing rollers shall be guarded by nip guards conforming to the requirement in Sl.no. 7 (2).

(b) When slashers are operated by control levers, these levers shall be connected to a horizontal bar or treadle located not more than 170 mm above the floor to control the operation from any point.

(c) Slashers operated by push-button control shall have stop and start buttons located at each end of the machine and additional stop and start buttons located on both sides of the machines at intervals spaced not more than 1.83 metres on centres.

Sl.no. 13. **Looms:** (1) Each loom shall be equipped with suitable guards designed to minimise the danger from flying shuttles.

(2) Beam weights for tension in beam shall be of such construction so as to prevent it from falling during its adjustment.

Sl.no. 14. **Valves of kiers, tanks and other containers:** (1) Each valve controlling the flow of steam, injurious gases or liquids into a kier or any other tank or container into which a person is likely to enter in connection with a process, operation, maintenance or for any other purpose, shall be provided with a suitable locking arrangement to enable the said person to lock the valve securely in the closed position and retain the key with him before entering the kier, tank or container.

(2) Wherever boiling tanks, caustic tanks and any other containers from which liquids which are hot, corrosive or toxic may overflow or splash, are so located that the operator cannot see the contents from the floor or working area, emergency shut off valves which can be controlled from a point not subject to danger of splash shall be provided to prevent danger.

Sl.no. 15. **Shearing machines:** All revolving blades or shearing machines shall be guarded so that the opening between the cloth surface and the bottom of the guard will not exceed 10 mm.

Sl.no. 16. **Continuous bleaching range (cotton and rayon):** The nip of all in-running rolls on open-width bleaching machine rolls shall be protected with a guard to prevent the worker from being caught at the nip. The guard shall extend across the entire length of the nip.

Sl.no. 17. **Mercerizing range (piece goods):** (1) A stopping device shall be provided at each end of the machine.

(2) A guard shall be provided at each end of the frame between the in-running chain and the clip opener.

(3) A nip guard shall be provided for the in-running rolls of the mangle and washers and the guard shall conform to the requirements in Sl.no. 7(2).

Sl.no. 18. **Tender frames:** (1) A stopping device shall be provided at each end of the machine.

(2) A guard shall be provided at each end of the machine frame at the in-running chain and clip opener.

Sl.no. 19. **Paddlers:** Suitable nip guards conforming to the requirement in Sl.no. 7(2) shall be provided to all dangerous in-running rolls.

Sl.no. 20. **Centrifugal extractors:** (1) Each extractor shall be provided with a guard with a basket, and the guard shall have interlocking arrangement.

(2) Each extractor shall be equipped with a mechanically or electrically operated brake to quickly stop the basket when the power driving the basket is shut off.

Sl.no. 21. **Squeezer or wringer extractor, water mangle, starch mangle, back washer (worsted yarn) crabbing machines and decating machines:** All in-running rolls shall be guarded with nip guards conforming to the requirements in Sl.no. 7(2).

Sl.no. 22. **Sanforizing and palmer machine:** (1) Nip guards shall be provided on all accessible in-running rolls and these shall conform to the requirements in Sl.no. 7(2).

(2) Access from the sides of the nips of in-running rolls should be fenced by suitable side guards.

(3) A safety trip rod, cable or wire centre cord shall be provided across the front and back of all palmer cylinders extending the length of the face of the cylinder. It shall operate readily whether pushed or pulled. The safety trip shall not be more than 170 cm above the level at which the operator stands and shall be readily accessible.

Sl.no. 23. **Rope washers:** (1) Splash guards shall be installed on all rope washers unless the machine is so designed as to prevent the water or liquid from splashing the operator, the floor or the working surface.

(2) A safety trip rod, cable or wire centre cord shall be provided across the front and back of all rope washers extending the length of the face of the washer. It shall operate readily whether pushed or pulled. This safety trip shall be not more than 170 cm above the level on which the operator stands and shall be readily accessible.

Sl.no. 24. **Laundry washer tumbler or shaker:** (1) Each drying tumbler, each double cylinder shaker or clothes tumbler and each washing machine shall be equipped with an interlocking arrangement which will prevent the power operation of the inside cylinder when the outer door on the case or shell is open and which will prevent the outer door on the case or shell from being opened without shutting off the power and the cylinder coming to a stop. This should not prevent the movement of the inner cylinder by means of a hand operated mechanism or on an inching device.

(2) Each closed barrel shall also be equipped with adequate means for holding open the doors or covers of the inner and outer cylinders or shells while it is being loaded or unloaded.

Sl.no. 25. **Printing machine (roller type):** (1) All in-running rolls shall be guarded by nip guards conforming to the requirement in Sl.no. 7(2).

(2) The engraved roller gears and the large crown wheel shall be guarded.

Sl.no. 26. **Calenders:** The nip at the in-running side of the rolls shall be provided with a guard extending across the entire length of the nip and arranged to prevent the fingers of the workers from being pulled in between the rolls, or between the guard and the rolls, and so constructed that the cloth can be fed into the rolls safely.

Sl.no. 27. **Rotary staple cutters:** The cutter shall be protected by a guard to prevent the hands reaching the cutting zone.

Sl.no. 28. **Plaiting machines:** Access to the trap between the knife and card bar shall be prevented by a guard.

Sl.no. 29. **Hand bailing machine:** An angle iron handle stop guard shall be installed at right angle to the frame of the machine. The stop guard shall be so designed and so located that it will prevent the hand from travelling beyond the vertical position should the handle slip from the operator's hand when the pawl has been released from the teeth of the take up-gear.

Sl.no. 30. **Flat-work ironer:** Each flat-work or collar ironer shall be equipped with a safety bar or other guard across the entire front of the feed or first pressure rolls, so arranged that the striking of the bar and guard by hand of the operator or other person will stop the machine. The guard shall be such that the operator or other person cannot reach into the rolls without removing the guard. This may be either a vertical guard in

all sides or a complete cover. If a vertical guard is used, the distance from the floor or working platform to the top of guard shall be not less than 1.83 metres.

SCHEDULE II

Cotton Ginning

Line Shaft: The line shaft of second motion in cotton ginning factories when below floor level, shall be completely enclosed by a continuous wall or unclimbable fencing with only so many openings as are necessary for access to the shaft for removing cotton seed, cleaning and oiling; and such openings shall be provided with gates or doors which shall be kept closed and locked.

SCHEDULE III

Woodworking Machinery

Sl.no. 1. **Definitions:** For the purpose of this schedule-

(a) "Woodworking machine" means a circular saw, band saw, planing machine, chain mortising machine or vertical spindle moulding machine operating on wood or cork.

(b) "Circular saw" means a circular saw working in a bench (including a rack bench), but does not include a pendulum or similar saw which is moved towards the wood for the purpose of cutting operation.

(c) "Band saw" means a band saw, the cutting portion of which runs in a vertical direction but does not include a log saw or band re-sawing machine; and

(d) "Planing machine" means a machine for overhand planing or for thicknessing or for both operations.

Sl.no. 2. **Stopping and starting device:** An efficient stopping and starting device shall be provided on every woodworking machine. The control of this device shall be in such a position as to be readily and conveniently operated by the person in charge of the machine.

Sl.no. 3. **Space around machines:** The space surrounding every woodworking machine in motion shall be kept free from obstruction.

Sl.no. 4. **Floors:** The floor surrounding every woodworking machine shall be maintained in good and level condition, and shall not be allowed to become slippery, and as far as practicable shall be kept free from chips or other loose material.

Sl.no. 5. **Training and supervision:** (1) No person shall be employed at a woodworking machine unless he has been sufficiently trained to work that class of machine, or unless he works under the adequate supervision of a person who has a thorough knowledge of the working of the machine.

(2) A person who is being trained to work a woodworking machine shall be fully and carefully instructed as to the dangers of the machine and the precautions to be observed to secure safe working of the machine.

Sl.no. 6. **Circular saw:** Every circular saw shall be fenced as follows:—

(a) behind and in direct line with the saw there shall be a riving knife, which shall have a smooth surface, shall be strong, rigid and easily adjustable and shall also conform to the following conditions:—

(i) the edge of the knife nearer the saw shall form an arc of a circle having a radius not exceeding the radius of the largest saw used on the bench;

(ii) the knife shall be maintained as close as practicable to the saw, having regard to the nature of the work being done at the time, and at the level of the bench table the distance between the front edge of the knife and the teeth of the saw shall not exceed 12 mm; and (iii) for a saw of a diameter of not less than 60 cm, the knife shall extend upwards from the bench table to within 25 mm of the top of the saw, and for a saw of a diameter 60 cm or over shall extend upwards from the bench table to a height of at least 23 cm.

(b) the top of the saw shall be covered by a strong and easily adjustable guard, with a flange at the side of the saw farthest from the fence. The guard shall be kept so adjusted that the said flange shall extend below the roots of the teeth of the saw. The guard shall extend from the top of the riving knife to a point as low as practicable at the cutting edge of the saw; and

(c) the part of the saw below the bench table shall be protected by two plates of metal or other suitable material, one on each side of the saw; such plates shall not be more than 15 cm apart, and shall extend from the axis of the saw outwards to a distance of not less than 5 cm beyond the teeth of the saw. Metal plates, if not beaded, shall be of a thickness of at least 2.5 mm or, if beaded, be of a thickness of at least 1.25 mm.

Sl.no. 7. **Push sticks:** A push stick or other suitable appliance shall be provided for use at every circular saw and at every vertical spindle moulding machine to enable the work to be done without unnecessary risk.

Sl.no. 8. **Band saws:** Every band saw shall be guarded as follows:

(a) both sides of the bottom pulley shall be completely encased by sheet or expanded metal or other suitable material;

(b) the front of the top pulley shall be covered with sheet or expanded metal or other suitable material; and

(c) all portions of the blade shall be enclosed or otherwise securely guarded, except the portion of the blade between the bench table and the top guide.

Sl.no. 9. **Planing machine:** (1) A planing machine (other than a planing machine which is mechanically fed) shall not be used for over hand planing unless it is fitted with a cylindrical cutter block.

(2) Every planing machine used for overhand planing shall be provided with a "bridge" guard capable of covering the full length and breadth of the cutting slot in the bench, and so constructed as to be easily adjusted both in vertical and horizontal direction.

(3) The feed roller of every planing machine used for thicknessing except the combined machine for overhand planing and thicknessing, shall be provided with an efficient guard.

Sl.no. 10. **Vertical spindle moulding machine:** (1) The cutter of every vertical spindle moulding machine shall be guarded by the most efficient guard having regards to the nature of the work being performed.

(2) The wood being moulded at a vertical spindle moulding machine shall, if practicable, be held in a jig or holder of such construction as to reduce as far as possible the risk of accident to the worker.

Sl.no. 11. **Chain mortising machine:** The chain of every chain mortising machine shall be provided with a guard which shall enclose the cutters as far as practicable.

Sl.no. 12. **Adjustment and maintenance of guards:** The guards and other appliances required under this schedule shall be—

- (a) maintained in an efficient state;
- (b) constantly kept in position while the machinery is in motion;and
- (c) so adjusted as to enable the work to be done without unnecessary risk.

13. **Exemptions:**Sl.no. 6, 8, 9 and 10 shall not apply to any woodworking machine in respect of which it can be proved that other safeguards are provided, maintained and used which render the machine as safe as it would be if, guarded in the manner prescribed in this schedule.

SCHEDULE IV

Rubber mills

1. **Installation of machines:** Mills for breaking down cracking, grating, mixing, refining and warming rubber compound shall be so installed that the top of the front roll is not less than 105 centimetres above the floor or working level;

Provided that in existing installations where the top of the front roll is below this height, a strong, rigid distance bar guard shall be fitted across the front of the machine in such position that the operator cannot reach the nip of the rolls.

2. **Safety devices:** (1) Rubber Mills shall be equipped with—

(a)hoppers so constructed or guarded that it is impossible for the operators to come in contact in any manner with the tip of the rolls; or

(b) horizontal safety-trip rods or tight wire cables across both front and rears, which will, when pushed or pulled, operate instantly to disconnect the power and apply the brakes, or to reverse the rolls.

(2) Safety-trip rods or tight wire cables on rubber mill shall extend across the entire length of the face of the rolls and shall be located not more than 175 cm above the floor or working level.

(3) Safety-trip rods and tight wire cables on all rubber mills shall be examined and tested daily in the presence of the Manager or other responsible person and if any defect is disclosed by such examination and test, the mill shall not be used until such defect has been remedied.

SCHEDULE V

Centrifugal Machines

Sl.no. 1. **Definition:** "Centrifugal machines" include centrifugal extractors, separators and driers.

Sl.no. 2. **Design, construction, maintenance etc:** Every part of centrifugal machine shall be—

- (a) of good design and construction and of adequate strength;
- (b) properly maintained; and
- (c) examined thoroughly by a competent person at regular intervals.

Sl.no. 3. **Inter-locking guard for drum or basket:** (1) The cage housing the rotating drum or basket of every centrifugal machine shall be provided with a strong lid. The design and construction of the cage as well as of the lid shall be such that no access is possible to the drum and basket when the lid is closed.

(2) Every centrifugal machine shall be provided with an efficient inter-locking device that will effectively prevent the lid referred to in sub- Sl.no. (1) from being opened while the drum or basket is in motion and prevent or basket from being set in motion while the lid is in the open position.

Sl.no. 4. **Braking arrangement:** Every centrifugal machine shall be provided with an effective braking arrangement capable of bringing the drum or basket to rest within as short a period of time as reasonably practicable after the power is cut off.

Sl.no. 5. **Operating speed:** No centrifugal machine shall be operated at a speed in excess of the manufacturer's rating which shall be legibly stamped at easily visible places both on the inside of the basket and on the outside of the machine casing.

Sl.no. 6. **Exceptions:** Sub- Sl.no. (2) of Sl.no. 3, Sl.no. 4 and 5 shall not apply in case of top lung machines or similar machines used in the sugar manufacturing industry.

SCHEDULE VI

Power press

Sl.no. 1. **Application:** The schedule shall apply to all types of power presses including press brakes, except when used for working hot metal.

Sl.no. 2. **Definition:** For the purpose of this schedule—

- (a) "approved" means approved by the Chief Inspectorcum facilitator;
- (b) "fixed fencing" means fencing provided for the tools of a power press being fencing which has no moving part associated with or dependent upon the mechanism of a power press and includes that part of a closed tool which acts as a guard;
- (c) "power press" means a machine used in metal or other industries for moulding, pressing, blanking, raising, drawing and similar purposes;
- (d) "Safety device" means the fencing and any other safeguard provided for the tools of a power press.

Sl.no. 3. **Starting and stopping mechanism:** The starting and stopping mechanism shall be provided with safety stop so as to prevent over running of the press or descent of the ram during tool setting etc.

Sl.no. 4. **Protection of tool and die:** (1) Each press shall be provided with a fixed guard with a slip plate on the under side enclosing the front and all sides of the tool.
 (2) Each die shall be provide with a fixed guard surrounding its front and sides, and extending to the back in the form of a tunnel through which the pressed article falls to the rear of the press.

(3) The design, construction and mutual position of the guard referred to in (1) and (2) shall be such as to preclude the possibility of the worker's hand or fingers reaching the dangerous zone.

(4) The machine shall be fed through a small aperture at the bottom of the die guard, but a wider aperture may be permitted for second or subsequent operations if feeding is done through a chute.

(5) Notwithstanding anything contained in sub-clause(1) and (2), an automatic or inter-locked guard may be used in place of a fixed guard, but where such guards are used they shall be maintained in an efficient working condition and if any guard develops a defect, the power press shall not be operated unless the defect of the guard is removed.

Sl.no. 5. Appointment of persons to prepare power presses for use: (1) Except as provided in sub- Sl.no. (4) no person shall set, reset, adjust or try out the tools on a power press or install or adjust any safety device thereon, being installation or adjustment preparatory to production of die proving, or carry out an inspection and test of any safety device thereon required by Sl.no. 8 unless he-

(a) has attained the age of eighteen;

(b) has been trained in accordance with the sub- Sl.no. 2) and has been appointed by the occupier of the factory to carry out those duties in respect of the class or description of power press or the class or description of safety device to which the power press or the safety device(as the case may be) belongs; and the name of every such person shall be entered in a Register in **Form 9**.

(2) The training shall include suitable and sufficient practical instruction in the matters in relation to each type of power press and safety device in respect of which it is proposed to appoint the person being trained.

Sl.no. 6. Examination and testing of power presses and safety devices: (1) No power press or safety device shall be taken into use in any factory for the first time in that factory, or in case of a safety device for the first time on any power press, unless it has been thoroughly examined and tested, in the case of a power press after installation in the factory, or in the case of a safety device, when in position on the power press in connection with which it is to be used.

(2) No power press shall be used unless it has been thoroughly examined and tested by a competent person within the immediately preceding period of twelve months.

(3) No power press shall be used unless every safety device (other than fixed fencing) thereon has within the immediately preceding period of six months when in position on that power press, been thoroughly examined and tested by a competent person.

(4) The competent person carrying out an examination and test under the foregoing provisions shall make a report of the examination and test containing the following particulars and every such report shall be kept readily available for inspection:—

(a) Name of the occupier of the factory:

(b) Address of the factory:

(c) Identification number or mark sufficient to identify the power press or the safety device:

(d) Date on which the power press or the safety device was first taken into use in the factory:

(e) The date of each periodical thorough examination carried out as per the requirement of sub- Sl.no. (2) above:

(f) Particulars of any defect effecting the safety working of the power press or the safety device found at any such thorough examination and steps taken to remedy such defects.

Sl.no. 7. Defects disclosed during a thorough examination and test: (1) Where any defect is disclosed in any power press or in any safety device by any examination and test under Sl.no. 6 and in the opinion of the competent person carrying out the examination and test either-

(a) the said defect is a cause of danger to workers and in consequence the power press or safety device (as the case may be) ought not to be used until the said defect has been remedied; or

(b) the said defect may become a cause of danger to workers and in consequence the power press or safety device (as the case may be) ought not to be used after the expiration of a specified period unless the said defect has been remedied, such defect shall, as soon as possible after the completion of the examination and test, be notified in writing by the competent person to the occupier of the factory and, in the case of a defect falling within clause (b) of this sub- Sl.no. such notification shall include the period within which, in the opinion of the competent person, the defect ought to be remedied.

(2) In every case where notification has been given under this Sl.no. a copy of the reports made under Sl.no. 6(4) shall be sent by the competent person to the Inspector for the area within fourteen days of the completion of the examination and test.

(3) Where any such defect is notified to the occupier in accordance with the foregoing provisions of this Sl.no. the power press or safety device (as the case may be) having the said defect shall not be used—

(a) in the case of a defect falling within clause (a) of sub- Sl.no. (1), until the said defect has been remedied; and

(b) in the case of a defect falling within clause (b) of sub- Sl.no. (1) has after the expiration of the said defect has been remedied.

(4) As soon as is practicable after any defect of which notification has been given under sub- Sl.no. (1) has been remedied, a record shall be made by or on behalf of the occupier stating the measures by which and the date on which the defect was remedied.

Sl.no. 8. Inspection and test of safety devices: (1) No power press shall be used after the setting, resetting or adjustment of the tools thereon unless a person appointed or authorised for the purpose under Sl.no. 5 has inspected and tested every safety device thereon while it is in position on the said power press;

Provided that an inspection, test and certificate as aforesaid shall not be required where any adjustment of the tools has not caused or resulted in any alteration

to or disturbance of any safety device on the power press and if after the adjustment of the tools, the safety devices remain, in the opinion of such a person as aforesaid, in efficient working order.

(2) Every power press and every safety device thereon while it is in position on the said power press shall be inspected and tested by a trained person every day.

Sl.no. 9. Defects disclosed during an inspection and test: (1) Where it appears to any person as a result of any inspection and test carried out by him under Sl.no. 8 that any necessary safety device is not in position or is not properly in position on power press or that any safety device which is in position on a power press is not in his opinion suitable, he shall notify the Manager forthwith.

(2) Except as provided in sub- Sl.no. (3) where any defect is disclosed in a safety device by any inspection and test under Sl.no. 8, the person carrying out the inspection and test shall notify the Manager forthwith.

(3) Where any defect in a safety device is the subject of a notification in writing under Sl.no. 7 by virtue of which the use of the safety device may be continued during a specified period without the said defect having been remedied, the requirement in sub- Sl.no. (2) of this Sl.no. shall not apply to the said defect until the said period has expired.

Sl.no. 10. Identification of power presses and safety devices: For the purpose of identification every power press and every safety device provided for the same shall be distinctively and plainly marked.

Sl.no. 11. Training and instructions to operators: The operators shall be trained and instructed in the safe method of work on any power press.

Sl.no. 12. Exemptions: (1) If in respect of any factory the Chief Inspector- cum- Facilitator is satisfied that owing to the circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule are not necessary for the protection of the workers employed on any power press or in any class or description of power press or 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.

(2) Where such exemption is granted, a legible copy of the certificate, showing the conditions (if any) subject to which it has been granted, shall be kept posted in the factory in a position where it may be conveniently read by the persons employed.

SCHEDULE VII

Shears, Slitters and Guillotine Machines

Sl.no. 1. Definition: For the purpose of this schedule—

(a) "Guillotin" means a machine ordinarily equipped with straight level-edged blade operating vertically against a stationery resisting edge and used for cutting metallic or non-metallic substances;

(b) "Shears" or "Shearing machine" means a machine ordinarily equipped with straight, level-edged blades operating vertically against the resisting edges, or with

rotary, overlapping cutting wheels, and used for shearing metals or non-metallic substances;

(c) "Slitter" or "Slitting machine" means a machine ordinarily equipped with circular dice-type knives, and used for trimming or cutting into metal or non-metallic substances or for slitting them into narrow strips; for the purpose of this Schedule this term includes bread or other food slicers equipped with rotary knives or cutting discs.

Sl.no. 2. **Guillotines and shears:** (1) Where practicable, a barrier metal guard of adequate strength shall be provided at the front of the knife, fastened to the machine frame and shall be so fixed as would prevent any part of the operator's body to reach the descending blade from above, below or through the barrier guard or from the sides;

Provided that in case of machines used in the paper printing and allied industries, where a fixed barrier metal guard is not suitable on account of the height and volume of the material being fed, there shall be provided suitable starting devices which require simultaneous action of both the hands of the operator or an automatic device which will move both the hands of the operator from the danger zone at every descent of the blade.

(2) At the back end of such machines, an inclined guard shall be provided over which the slit pieces would slide and be collected at a safe distance in a manner as would prevent a person at the back from reaching the descending blade.

(3) Power-driven guillotine cutters, except continuous feed trimmers, shall be equipped with:—

(a) starting devices which require the simultaneous action of both hands to start the cutting motion and of at least one hand on a control during the complete stroke of the knife; or

(b) an automatic guard which will remove the hands of the operator from the danger zone at every descent of the blade, used in conjunction with one-hand starting devices which require two distinct movements of the device to start the cutting motion, and so designed so as to return positively to the non-starting position after each complete cycle of the knife.

(4) Where two or more workers are employed at the same time on the same power-driven guillotine cutter equipped with two hand control, the device shall be so arranged that each worker shall be required to use both hands simultaneously on the safety trip to start the cutting motion and at least one hand on a control to complete the cut.

(5) Power-driven guillotine cutters, other than continuous trimmers, shall be provided, in addition to the brake or other stopping mechanism, with an emergency device which will prevent the machine from operating in the event of failure of the brake when the starting mechanism is in the non-starting position.

Sl.no. 3. **Slitting Machines:** (1) Circular disc-type knives on machines for cutting metal and leather, paper, rubber, textiles or other non-metallic substances shall, if within reach of operators standing on the floor or working level, be provided with guards enclosing the knife edges at all times as near as practicable to the surface of the material, and which may either—

- (a) automatically adjust themselves to the thickness of the material; or
- (b) be fixed or manually adjusted so that the space between the bottom of the guard and the material will not exceed 6 mm(1/2 in) at any time.

(2) portions of blades underneath the table or benches of slitting machines shall be covered by guards.

Sl.no. 4. **Index cutters and Vertical Paper Slitters:** Index cutters and other machines for cutting strips from the end of books, and for similar operations, shall be provided with fixed guards so arranged that the fingers of the operators cannot come between the blades and the tables.

Sl.no. 5. **Corner Cutters:** Corner Cutters, used in the manufacture of paper boxes, shall be equipped with:—

- (a) suitable guard, fastened to the machines in front of the knives and provided with slots or perforations to afford visibility of the operations; or

- (b) other guard equally efficient for the protection of the fingers of the workers.

Sl.no. 6. **Band Knives:** Band wheels or band knives, and all portions of the blades except the working side between the sliding guide and the table on the vertical machines or between the wheel guards on horizontal machines, shall be completely enclosed with hinged guards of sheet metal not less than 1 mm (0.04in.) in thickness or of other material of equal strength.

SCHEDULE VIII

Hoist or lift

Class or description of Hoist or lift (1)	Requirement which shall not apply (2)
Hoists or lifts mainly used for raising materials for charging blast furnaces or lime kilns. —	Sub-section 1(b) in so far as it requires a gate at the bottom landing; Sub-section 1(d); Sub-section 1(e)
Hoist not connected with mechanical power and which are not used for carrying persons. —	Sub-section 1(b) in so far as it requires the hoistway or liftway enclosure to be so constructed so as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part; Sub-section 1(e).

(1) No lifting machine and no chain, rope or lifting tackle, except a fibre rope or fibre rope ling, shall be taken in to use in any factory for the first time in that factory unless it has been tested and all parts have been thoroughly examined by a competent person and a certificate of such a test and examination specifying the safe working load or loads and signed by the person making the test and the examination, has been obtained and is kept available for inspection.

(2) Every jib-crane so constructed that the safe working load may be varied by the raising or lowering of the jib, shall have attached thereto either an automatic indicator of safe working loads or an automatic jib angle indicator and a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

(3) A table showing the safe working load of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working loads at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackles are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used;

Provided that this Sub-rule shall not apply in respect of such lifting tackle if the safe working load thereof, or in the case of a multiple sling, the safe working load at different angles of the legs, is plainly marked upon it.

(4) The Register in **Form No. 57** to be maintained under clause (a) (iii) of Sub-section (1) of Section 80 of the Code shall contain the following particulars and shall be kept readily available for inspection:—

(a) Name of Occupier of the factory:

(b) Address of the factory:

(c) Distinguishing number or mark, if any, and description sufficient to identify the lifting machine, chain, rope or the lifting tackle.

(d) Date when the lifting machine, chain, rope or lifting tackle was first taken into use in the factory:

(e) Date and number of the certificate relating to any test and examination made under Sub-Rules (1) and (9) together with the name and address of the person who issued the certificate.

(f) Date of each periodical thorough examination made under clause(a)(iii) of Sub-section(1) of Section 80 of the Code and Sub-rule (8) and by whom it was carried out:

(g) Date of annealing or other heat treatment of the chain or other lifting tackle made under Sub-rule(7) and by whom it was carried out:

(h) Particulars of any defects affecting the safe working load found at any such thorough examination or after annealing and of the steps taken to remedy such defects:

(5) All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength and have an even running surface, and every such rail or track shall be properly laid, adequately supported and properly maintained.

(6) To provide access to rail tracks of overhead travelling cranes suitable passage-ways of at least 50 centimeters width with toe boards and double hand rails 90cm high shall be provided alongside, and clear of, the rail tracks of overhead travelling cranes, such that no moving part of the crane can strike persons on the ways, and the passage-way shall be at a lower level than the crane track itself. Safe access ladders shall be

provided at suitable intervals to afford access to these passage-ways, and from passage-ways to the rail tracks;

Provided that the Chief Inspectorcum facilitator may, for reasons to be specified in writing, exempt any factory in respect of any overhead travelling crane from the operation of any provision of this Sub-rule subject to such conditions as he may specify.

(7) All chains and lifting tackles except a rope sling shall, unless they have been subjected to such other heat treatment as may be approved by the Chief Inspector Of Factories, be effectively annealed under the supervision of a competent person at the following intervals:—

(a) all chains, slings, rings, hooks, shackles and swivels used in connection with molten metal or molten slag or when they are made of 12.5 mm bar or smaller, once at least in every six months;

(b) all other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months;

Provided that chains and lifting tackles not in frequent use shall, subject to the Chief Inspector's approval, be annealed only when necessary. Particular of such annealing shall be entered in a Register prescribed under Sub-rule(4).

(8) Nothing in the foregoing Sub-rule(7) shall apply to the following classes of chains and lifting tackles:—

(a) chains made of malleable cast iron;

(b) plate link chains;

(c) chains, rings, hooks, shackles and swivels made of steel or of any non-ferrous metal;

(d) pitched chains, working on sprocket or pocketed wheels;

(e) rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks or weighing machines;

(f) hooks and swivels having screw threaded parts or ball bearing or other case hardened parts;

(g) socket shackles secured to wire ropes by white metal capping;

(h) bordeaux connections;

Provided that such chains and lifting tackles shall be thoroughly examined by a competent person once at least in every twelve months, and particulars entered in the Register kept in accordance with Sub-rule (4).

(9) All lifting machines, ropes, chains and lifting tackles, except a fibre rope or fibre sling, which have been lengthened, altered or repaired by welding or otherwise, shall, before being again taken into use, be adequately re-tested and re-examined by a competent person and certificate of such test and examination be obtained, and particulars entered in the Register kept in accordance with Sub-rule (4).

(10) No person under 18 years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a lifting machine whether driven by mechanical power or otherwise, or to give signals to a driver.

(11) Where the Chief Inspector-cum- Facilitator of Factories is satisfied that in a factory due to shut down or for any other reasons it is not practicable to maintain a

minimum distance of 6 metres between the person employed or working on or near the wheel track of a travelling crane and the crane, he may on the request of the Manager reduce the distance to such extent as he may consider necessary and also prescribe further precautions indicating appointment of suitable number of supervisors to ensure the safety of the persons while they are employed or working on or near the track.

Pressure vessels or plant

(1) In this rule:—

- (a) "Design pressure" means the maximum pressure that a pressure vessel or plant is designed to withstand safely when operating normally;
- (b) "Maximum permissible working pressure" means the maximum pressure at which a pressure vessel or plant is permitted to be operated or used under this rule and is determined by the technical requirements of the process;
- (c) "Plant" means a system of piping that is connected to a pressure vessel and is used to contain a gas, vapour or liquid under pressure greater than the atmospheric pressure, and includes the pressure vessel;
- (d) "Pressure vessel" means a vessel that may be used for containing, storing, distributing, transferring, distilling, processing or otherwise handling any gas, vapour or liquid under pressure greater than the atmospheric pressure and includes any pipeline fitting or other equipment attached thereto or used in connection therewith; and
- (e) "Competent person" means a person who is, in the opinion of the Chief Inspector cum facilitator, capable by virtue of his qualifications, training and experience, of conducting a thorough examination and pressure test, as required, on a pressure vessel or plant, and of making a full report on its condition.

(2) Exceptions: Nothing in this rule shall apply to:—

- (a) vessels made of ferrous materials having an internal operating pressure not exceeding 1Kg/cm²;
- (b) steam boilers, steam and feed pipes and their fittings coming under the purview of the Indian Boilers Act, 1923.
- (c) metal bottles or cylinders used for storage or transport of compressed gases or liquified or dissolved gases under pressure covered by the Gas Cylinder Rules, 1940 framed under the Indian Explosive Act, 1884;
- (d) vessels in which internal pressure is due solely to the static head of liquid;
- (e) vessels with a nominal water capacity not exceeding 500 litres connected in a water-pumping system containing air that is compressed to serve as a cushion;
- (f) vessels for nuclear energy application;
- (g) refrigeration plant having a capacity of 3 tons or less of refrigeration in 24 hours; and
- (h) working cylinders of steam engines or prime movers, feed pumps and steam traps, turbine casing, compressor cylinder, steam separators or driers, steam strainers, steam de-superheaters, oil separators, air receivers for fire sprinkler installations; air receivers of monotype machines, provided the maximum working pressure of the air receiver does not exceed 1.33 Kg/cm² and the capacity 85 Litres;

air receivers of electrical circuit breakers; air receivers of electrical relays; air vessels on pumps; pipe coils, accessories of instruments and appliances such as cylinders and piston assemblies used for operating relays and interlocking type of guards; vessels with liquids subjected to static head only; and hydraulically operated cylinders other than any cylinder communicating with an air loaded accumulator.

(3) Design and construction: Every pressure vessel or plant used in a factory—

(a) shall be properly designed on sound engineering practice;

(b) shall be of good construction, sound material, adequate strength and free from any patent defects; and

(c) shall be properly maintained in a safe condition;

Provided that the pressure vessel or plant in respect of the design and construction of which there is an Indian Standard or a Standard of the country of manufacture or any other Law or Regulation in force, shall be designed and constructed in accordance with the said Standard, Law or Regulation, as the case may be, and a certificate thereof shall be obtained from the manufacturer or from the competent person which shall be kept and produced on demand by an Inspector.

(4) Safety devices: Every pressure vessel shall be fitted with—

(a) a suitable safety valve or other effective pressure relieving device of adequate capacity to ensure that the maximum permissible working pressure of the pressure vessel shall not be exceeded. It shall be set to operate at a pressure not exceeding the maximum permissible working pressure and when more than one protective device is provided, only one of the devices need be set to operate at the maximum permissible working pressure and the additional device shall be set to discharge at a pressure not more than 5 percent in excess of the maximum permissible working pressure;

(b) a suitable pressure gauge with a dial range not less than 1.5 times the maximum permissible working pressure, easily visible and designed to show at all times the correct internal pressure and marked with a prominent red mark at the maximum permissible working pressure of the pressure vessel;

(c) a suitable nipple and glove valve connected for the exclusive purpose of attaching a test pressure gauge for checking the accuracy of the pressure gauge referred to in clause (b) of this sub-rule;

(d) a suitable stop valve or valves by which the pressure vessel may be isolated from other pressure vessels or plant or source of supply of pressure. Such a stop valve or valves shall be located as close to the pressure vessel as possible and shall be easily accessible; and

(e) a suitable drain cock or valve at the lowest part of the pressure vessel for the discharge of the liquid or other substances that may collect in the pressure vessel;

Provided that it shall be sufficient for the purpose of this sub-rule if the safety valve or pressure relieving device, the pressure gauge and the stop valve are mounted on a pipe line immediately adjacent to the pressure vessel and where there is a range of two or more similar pressure vessels served by the same pressure lead, only one set of such mountings need be fitted on the pressure lead immediately adjacent to the range of pressure vessels, provided they cannot be isolated.

(5) Pressure reducing devices: (a) Every pressure vessel which is designed for a working pressure less than the pressure at the source of supply, or less than the pressure which can be obtained in the pipe connecting the pressure vessel with any other source of supply, shall be fitted with a suitable pressure reducing valve or other suitable automatic device to prevent the maximum permissible working pressure of the pressure vessel being exceeded.

(b) To further protect the pressure vessel in the event of failure of the reducing valve or device, at least one safety valve having a capacity sufficient to release all the steam, vapour or gas without undue pressure rise as determined by the pressure at the source of supply, and the size of the pipe connecting the source of supply, shall be fitted on the low pressure side of the reducing valve.

(6) Pressure vessel or plant being taken into use: (a) No new pressure vessel or plant shall be taken into use in a factory after coming into force of this rule unless it has been hydrostatically tested by a competent person at a pressure at least 1.3 times the design pressure, and no pressure vessel or plant which has been previously used or has remained isolated or idle for a period exceeding two months or which has undergone alterations or repairs shall be taken into use in a factory unless it has been thoroughly examined by a competent person externally and internally, if practicable and has been hydrostatically tested by the competent person at a pressure which shall be 1.5 times the maximum permissible working pressure;

Provided, however, that the pressure vessel or plant which is so designed and constructed that it cannot safely filled with water or liquid or is used in service when even some traces of water cannot be tolerated, shall be pneumatically tested at a pressure not less than the design pressure or the maximum permissible working pressure, as the case may be;

Provided further that the pressure vessel or plant which is lined with glass shall be tested hydrostatically or pneumatically as required at a pressure not less than the design pressure or maximum permissible working pressure as the case may be.

Design pressure shall be not less than the maximum permissible working pressure and shall take into account the possible fluctuations of pressure during actual operation.

(b) No pressure vessel or plant shall be used in a factory unless there has been obtained from the maker of the pressure vessel or plant or from the competent person a certificate specifying the design pressure or maximum permissible working pressure thereof, and stating the nature of tests to which the pressure vessel or plant and its fittings (if any) have been subjected and every pressure vessel or plant so used in a factory shall be marked so as to enable it to be identified as to be the pressure vessel or plant to which the certificate relates and the certificate shall be kept available for perusal by the Inspector.

(c) No pressure vessel or plant shall be permitted to be operated or used at pressure higher than its design pressure, or the maximum permissible working pressure as shown in the certificate.

(7) In-service test and examination: (a) Every pressure vessel or plant in service shall be thoroughly examined by a Competent Person—

- (i) externally, once in every period of six months;
- (ii) internally, once in every period of twelve months;

Provided that if by the reason of the construction of a pressure vessel or plant, a thorough internal examination is not possible this examination may be replaced by a hydrostatic test which shall be carried out in every period of two years;

Provided further that for a pressure vessel or plant in continuous process which cannot be frequently opened, the period of internal examination may be extended to four years; and

- (iii) hydrostatically tested once in every period of four years;

Provided that in respect of a pressure vessel or plant with thin walls, such as sizing cylinder made of copper or any other non-ferrous metal, periodic hydrostatic test may be dispensed with subject to the condition that the requirements laid down in sub-rule (8) are fulfilled;

Provided further that when it is impracticable to carry out thorough external examination of any pressure vessel or plant every six months as required in sub-clause (i) of this clause or if owing to its construction and use a pressure vessel or plant cannot be hydrostatically tested as required in sub-clauses (ii) and (iii) of this clause, a thorough external examination of the pressure vessel or plant shall be carried out at least once in every period of two years, and at least once in every period of four years a thorough systematic non-destructive test like ultrasonic test for metal thickness or other defects of all parts the failure of which might lead to eventual rupture of the pressure vessel or plant, shall be carried out.

(b) The pressure for the hydrostatic test to be carried out for the purpose of this sub-rule shall be 1.25 times the design pressure or 1.5 times the maximum permissible working pressure, whichever is less.

(8) Thin walled pressure vessel or plant: (a) In respect of any pressure vessel or plant of thin walls such as sizing cylinder made of copper or any other non-ferrous metal, the maximum permissible working pressure shall be reduced at the rate of 5 percent of the original maximum permissible working pressure for every year of its use after the first five years and no such cylinder shall be allowed to continue to be used for more than twenty years after it was first taken into use.

(b) If any information as to the date of construction, thickness of walls or maximum permissible working pressure is not available, the age of such pressure vessel or plant shall be determined by the Competent Person in consultation with the Chief Inspector cum- Facilitator from the other particulars available with the Manager.

(c) Every new and second hand pressure vessel or plant of thin walls to which repairs likely to affect its strength or safety have been carried out, shall be tested before use to at least 1.5 times its maximum permissible working pressure.

(9) Report by Competent Person: (a) If during any examination any doubt arises as to the ability of the pressure vessel or plant to work safely until the next prescribed examination, the Competent Person shall enter in the prescribed Register his observations and conclusions with other relevant remarks with reasons and may authorise the pressure vessel or plant to be used and kept in operation subject to a

lowering of maximum permissible working pressure, or to more frequent or special examination, test or subject to both these conditions.

(b) A report of every examination or test carried out shall be completed in **Form 58** and shall be signed by the person making the examination or test and shall be kept available for perusal by the Inspector at all hours when the factory or any part thereof is working.

(c) When the report of any examination under this rule specified any condition for securing the safe working of any pressure vessel or plant, the pressure vessel or plant shall not be used unless the specified condition is fulfilled.

(d) The Competent Person making report of any examination under this rule, shall within seven days of the completion of the examination send to the Inspector a copy of the report in every case where the maximum permissible working pressure is reduced or the examination shows that the pressure vessel or plant or any part thereof cannot continue to be used with safety unless certain repairs are carried out or unless any other safety measure is taken.

(10) Application of other laws: (a) The requirements of this rule shall be in addition to and without any prejudice to and not in derogation of the requirements of any other law in force.

(b) Certificates or reports of any examination or test of any pressure vessel or plant to which sub-rule (7) to (9) do not apply, conducted or required to be conducted under any other law in force and other relevant record relating to such pressure vessel or plant, shall be properly maintained as required under the said law and shall be produced on demand by the Inspector.

Water-sealed gasholder:

(1) The expression 'Gasholder' means a water sealed gasholder which has a storage capacity of not less than 141.5 cubic metres.

(2) Every gasholder shall be of adequate material and strength, sound construction and properly maintained.

(3) Where there is more than one gasholder in a factory, every gasholder shall be marked in a conspicuous position with a distinguishing number or letter.

(4) Every gasholder shall be thoroughly examined externally by a Competent Person at least once in a period of 12 months.

(5) In the case of gasholder of which any lift has been in use for more than 10 years, the internal state of the sheeting shall, within one year of the coming into operation of these rules and thereafter at least once in every period of four years, be examined by a Competent Person by means of electronic or other accurate devices;

Provided that if the Chief Inspector- cum- Facilitator is satisfied that such electronic or other accurate devices are not available, he may permit the cutting of samples from the crown and the sides of the holder;

Provided further that if the above examination raises a doubt, an internal visual examination shall be made.

(6) All possible steps shall be taken to prevent or minimise ingress of impurities in the gasholder

(7) No gasholder shall be repaired or demolished except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risks of explosion and of persons being overcome by gas is competent to supervise such work.

(8) (a) All sample discs cut under sub-rule (5) above shall be kept readily available for inspection.

(b) A permanent Register in **Form 59** duly signed by the Occupier or Manager shall be maintained.

(c) The results of examinations by the Competent Person carried out as required under sub-rules (4) and (5) shall be recorded in **Form 60**.

(d) A copy of the report in **Form 60** shall be kept in the Register in Form 12 and both the Register and the Report shall be readily available for inspection.

(9) The Inspector- cum- Facilitator of Factories shall inspect the gasholder at least once in a period of 12 months.

SCHEDULE

Persons.	Maximum weight of material, article, tool or appliance.
(a) Adult male	55 Kilograms
(b) Adult Female	30 Kilograms
(c) Adolescent male	30 Kilograms
(d) Adolescent female	20 Kilograms
(e) Male child	16 Kilograms
(f) Female child	14 Kilograms

(b) No woman or young person shall engage, in conjunction with others, in lifting, carrying or moving by hand or on head, any material, article, tool or appliance, if the weight thereof exceeds the lowest weight fixed by the Schedule to Sub-rule (1) for any of the persons engaged, multiplied by the number of persons engaged.

Protection of eyes

Effective screens or suitable goggles shall be provided for the protection of persons employed in or in the immediate vicinity of the following processes:—

(a) The process specified in Schedule I annexed hereto, being processes which involve risk of injury to eyes from particles or fragments thrown off in the course of the processes.

(b) The processes specified in Schedule II annexed hereto being processes which involve risk of injury to eyes by reason of exposure to excessive light or infra-red or ultra-violet radiations.

SCHEDULE I

1. Breaking, cutting, dressing or curving of bricks, stone, concrete slag or similar materials by means of a hammer, chisel, pick or similar hand tool, or by means of a portable tool driven by mechanical power, and the dry grinding of surfaces of any such material by means of wheel or disc driven by mechanical power where in any of the foregoing cases, particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.

2. Dry grinding of surfaces of metal by applying them by hand to a wheel, disc or hand driven by mechanical power, and of surfaces of metal by means of a portable tool driven by mechanical power.
3. Dividing into separate parts of metal, bricks, stone, concrete or similar materials by means of a high speed saw driven by mechanical power or by means of an abrasive cutting-off wheel or disc driven by mechanical power.
4. Turning of metals or articles of metal, where particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
5. Drilling by means of portable tools, where the particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
6. Welding and cutting of metals by means of an electric, oxy-acetylene or similar process.
7. Hot fettling of steel castings by means of a flux-injected burner or air torch and de-seaming of metal.
8. Fettling of metal castings involving the removal of metal including runners, gates and risers; and removal of any other material during the course of such fettling.
9. Chipping of metal; and chipping, knocking out, cutting out or cutting off of cold rivets, bolts, nuts, lugs, pins, collars or similar articles from any structure or plant, or from part of any structure or plant, by means of a hammer, chisel, punch or similar hand tool, or by means of a portable tool driven by mechanical power.
10. Chipping or scurfing of paint, scale, slag, rust or other corrosion from the surface of metal and other hard materials by means of a hand tool or by a portable tool driven by mechanical power.
11. Breaking of scrap metal by means of a hammer or by means of a tool driven by mechanical power.
12. Routing of metal, where particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
13. Work with drop hammers and power hammers used in either case for the manufacture of forgings, and work by any person not working with such hammers, whose work is carried on in such circumstances and in such a position that particles or fragments are liable to be thrown off towards his face during work with drop hammers or power hammers.
14. Work at a furnace where there is risk to the eye from molten metal.
15. Pouring or skimming of molten metal.
16. Work involving risk to the eyes from hot sand being thrown off.
17. Truing or dressing of an abrasive wheel.
18. Handling in open vessels or manipulation of strong acids or dangerous corrosive liquids or materials; and operation, maintenance or dismantling of plant or any part of plant, being plant or part of plant which contains or has contained such acids, liquids or materials, unless the plant or part of plant has been so prepared (by isolation, reduction of pressure or otherwise) treated or designed and constructed as to prevent risk of injury.
19. Any other process wherein there is a risk of injury to eyes from particles or fragments thrown off during the course of the process.

SCHEDULE II

1. Welding or cutting of metals by means of an electrical, oxy-acetylene or similar process.
2. All work on furnaces where there is risk of exposure to excessive light or infra-red radiations.
3. Process such as rolling, casting or forging of metals where there is risk of exposure to excessive light or infra-red radiations.
4. Any other process wherein there is risk of injury to eyes from exposure to excessive light or infra-red or ultra-violet radiations.

Minimum dimensions of manholes: Every chamber, tank, vat, pipe, flue or other confined space, which persons may have to enter and which may contain dangerous fumes

to such an extent as to involve risk of the persons being overcome thereby, shall unless there is other effective means of egress, be provided with a manhole which may be rectangular, oval or circular in shape; and which shall—

(a) In the case of a rectangular or oval shape, be not less than 40 cm long and 30 cm wide; and

(b) in the case of a circular shape, be not less than 40 cm in diameter.

Exemptions under

Exemption: The requirements of Sub-Section (4) of Section 37 shall not apply to the Sub-section (5) of following processes carried on in any factory:—Section 37. (a) the operation of repairing a water sealed gas holder by the electric welding process, subject to the following conditions:—

(i) the gas holder shall contain only the following gases separately or mixed at a pressure greater than atmospheric pressure, namely, town gas, coke-oven gas, producer gas, blast furnace gas or gases other than air used in their manufacture;

Provided that this exemption shall not apply to any gas holder containing acetylene or mixture of gases to which acetylene has been added intentionally; and

(ii) Welding shall only be done by the electric welding process and shall be carried out by experienced operatives under the constant supervision of a competent person;

(b) the operations of cutting or welding steel or wrought iron by gas mains and services by the application of heat, subject to the following conditions:

(i) the main or service shall be situated in the open air and it shall contain only the following gases, separately or mixed at a pressure greater than atmospheric pressure, namely; town gas or coke-oven gas, producer gas, blast furnace gas or gases other than air, used in their manufacture;

(ii) the main or service shall not contain acetylene or any gas or mixture of gases to which acetylene has been added intentionally;

(iii) the operation shall be carried out by an experienced person or persons and at least two persons (including those carrying out the operations) experienced in work on gas mains and over 18 years of age shall be present during the operation;

- (iv) the site of the operation shall be free from any flammable or explosive gas or vapour;
- (v) where acetylene gas is used as a source of heat in connection with an operation, it shall be compressed and contained in a porous substance in a cylinder; and
- (vi) prior to the application of any flame to the gas main or service, this shall be pierced or drilled and the escaping gas ignited;
- (c) the operation of repairing an oil tank on any ship by the electric welding process shall be subject to the following conditions:—
 - (i) the only oil contained in the tank shall have a flash point of not less than 65.5 degrees centigrade (close test) and a certificate to the effect shall be obtained from a competent analyst;
 - (ii) the analyst's certificate shall be kept available for inspection by an Inspector , or by any person employed or working on the ship;
 - (iii) the welding operation shall be carried out only on the exterior surface of the tank at a place: (a) which is free from oil or oil leakage in flammable quantities and (b) which is not less than 30 centimetres below the nearest part of the surface of the oil within the tank; and
 - (iv) welding shall be done only by the electric welding and shall be carried out by experienced operatives under the constant supervision of a competent person.

Fire Protection

(1) **Processes, equipment, plant etc.** - Involving serious explosion and serious fire hazards: (a) All processes, storages, equipments, plants etc. involving serious explosion and flash fire hazard shall be located in segregated buildings where the equipment shall be so arranged that only a minimum number of employees are exposed to such hazards at any one time.

(b) All industrial processes involving serious fire hazard shall be located in building or work places separated from one another by walls of fire-resistant construction.

(c) Equipment and plant involving serious fire or flash fire hazard shall wherever possible, be so constructed and installed that in case of fire, they can be easily isolated.

(d) Ventilation ducts, pneumatic conveyors and similar equipments involving a serious fire risk should be provided with flame-arresting or automatic fire extinguishing appliances or fire resisting dampers electrically interlocked with heat sensitive smoke detectors and the air-conditioning plant system.

(e) In all work places having serious fire or flash fire hazards, passages between machines, installations or piles of material should be at least 90 cm. wide. For storage piles, the clearance between the ceiling and the top of the piles should not be less than 2 m.

(2) **Access for fire fighting:** (a) Buildings and plants shall be so laid out and roads, passage ways etc., so maintained as to permit unobstructed access for fire fighting.

(b) Doors and window openings shall be located in suitable positions on all external walls of the building to provide easy access to the entire area within the building for fire fighting.

(3) **Protection against lightning:** Protection from lightning shall be provided for—

(a) buildings in which explosive or highly flammable substances are manufactured, used, handled or stored;

(b) storage tanks containing oils, paints or other flammable liquids;

(c) grain elevators;

(d) buildings, tall chimneys or stacks where flammable gases, fumes, dust or lint are likely to be present; and

(e) sub-station buildings and out-door transformers and switch yard.

(4) **Precaution against ignition:** Wherever there is danger of fire or explosion from accumulation of flammable or explosive substances in air—

(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) workers shall wear shoes without iron or steel nails or any other exposed ferrous materials which is likely to cause spark by friction;

(d) smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;

(e) transmission belts with iron fasteners shall not be used; and

(f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or , plant, chemical or physical-chemical reaction and radiant heat.

(5) **Spontaneous ignition:** Where materials are likely to induce spontaneous ignition, care shall be taken to avoid formation of air pocket and to ensure adequate ventilation. The material susceptible to spontaneous ignition should be stored in dry condition and should be in heaps of such capacity and separated by such passage which will prevent fire. The material susceptible to ignition and stored in the open shall be at a distance not less than 10 metres away from process or storage buildings.

(6) **Cylinders containing compressed gas:** Cylinders containing compressed gas may only be stored in open if they are protected against excessive variation of temperature, direct rays of sun or continuous dampness. Such cylinders shall never be stored near highly flammable substances, furnaces or hot processes. The room where such cylinders are stored shall have adequate ventilation.

(7) **Storage of flammable liquids:** (a) The quantity of flammable liquids in any work room shall be the minimum required for the process or processes carried on in such room. Flammable liquids shall be stored in suitable containers with close fitting covers;

Provided that not more than 20 litres of flammable liquids having a flash point of 21°C or less shall be kept or stored in any work room.

(b) Flammable liquids shall be stored in closed containers and in limited quantities in well ventilated rooms of fire-resisting construction which are isolated from the remainder of the building by fire walls and self closing fire doors.

(c) Large quantities of such liquid shall be stored in isolated adequately ventilated building of fire resisting construction or in storage tanks, preferably underground and at a distance from any building required in the Petroleum Rules, 1976.

(d) Effective steps shall be taken to prevent leakage of such liquids into basements, sumps or drains and to confine in any escaping liquid within safe limits.

(8) Accumulation of flammable dust, gas, fume or vapour in air or flammable waste material on the floors: (a) Effective steps shall be taken for removal or prevention of the accumulation in the air of flammable dust, gas, fume or vapour to an extent which is likely to be dangerous.

(b) No waste material of a flammable nature shall be permitted to accumulate on the floors and shall be removed at least once in a day or shift, and more often, when possible. Such materials shall be placed in suitable metal containers with covers wherever possible.

(9) Fire exits: (a) In this rule—

(i) "Horizontal exit" means an arrangement which allows alternative egress from a floor area to another floor at or near the same level in an adjoining building or an adjoining part of the same building with adequate separation; and

(ii) "Travel distance" means the distance an occupant has to travel to reach an exit.

(b) An exit may be a door way, corridor, passage-way to an external stairway or to a verandah or to an internal stairway segregated from the rest of building by fire resisting walls which shall provide continuous and protected means of egress to the exterior of a building or to an exterior open space. An exit may also include a horizontal exit leading to an adjoining building at the same level.

(c) Lifts, escalators and revolving doors shall not be considered as exits for the purpose of this sub-rule.

(d) In every room of a factory, exits sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided which shall be free of any obstruction.

(e) The exits shall be clearly visible and suitably illuminated with suitable arrangements, whatever artificial lighting is to be adopted for this purpose, to maintain the required illumination in case of failure of the normal source of electric supply.

(f) The exits shall be marked in a language understood by the majority of the workers.

(g) Iron rung ladders or spiral staircases shall not be used as exit stair cases.

(h) Fire resisting doors or roller shutters shall be provided at appropriate places along the escape routes to prevent spread of fire and smoke particularly at the entrance of lifts or stairs where funnel or flue effect may be created inducing an upward spread of fire.

(i) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.

(j) Exits shall be so located that the travel distance to reach at least one of them on the floor shall not exceed 30 metres.

(k) In case of those factories where high hazard materials are stored or used, the travel distance to the exit shall not exceed 22.5 metres and there shall be at least two ways of escape from every room, however small, except toilet rooms, so located that the point of access thereto are out of or suitably shielded from areas of high hazard.

(l) Wherever more than one exit is required for any room, space or floor, exits shall be placed as remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served.

(m) The unit of exit width used to measure capacity of any exit shall be 50 cm. A clear width of 25 cm shall be counted as an additional half unit. Clear width of less than 25 cm. shall not be counted for exit width.

(n) Occupants per unit width shall be 50 for stairs and 75 for doors.

(o) For determining the exits required, the occupant load shall be reckoned on the basis of actual number of occupants within any floor area or 10 square metres per person, whichever is more.

(p) There shall not be less than two exits serving every floor area above and below the ground floor, and at least one of them shall be an internal enclosed stairway.

(q) For every building or structure used for storage only and every section thereof considered separately, shall have access to at least one exit so arranged and located as to provide a suitable means of escape for any persons employed therein, and in any such room wherein more than ten persons may be normally present, at least two separate means of exit shall be available, as remote from each other as practicable.

(r) Every storage area shall have access to at least one means of exit which can be readily opened.

(s) Every exit doorway shall open into an enclosed stairway, a horizontal exit on a corridor or passageway providing continuous and protected means of egress.

(t) No exit doorway shall be less than 100 cm. in width. Doorways shall be not less than 200 cm. in height.

(u) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door when opened, shall reduce the required width of stairway or landing to less than 90 cm. overhead or sliding doors shall not be installed for this purpose.

(v) An exit door shall not open immediately upon a flight of stairs. A landing of at least 1.5m x 1.5m size shall be provided in the stairway at each doorway. The level of landing shall be the same as that of the floor which it serves.

(w) The exit doorway shall be openable from the side which they serve without the use of key.

(x) Exit corridors and passageways shall be of a width not less than the aggregate required width of exit doorways leading from there in the direction of travel to the exterior.

(y) Where stairways discharge through corridors and passageways, the height of the corridors and passageways shall not be less than 2.4 metres.

(aa) A staircase shall not be arranged round a lift shaft unless the latter is totally enclosed by a material having a fire resistance rating lower than that of the type of construction of the former.

(bb) Hollow combustible construction shall not be permitted.

(cc) The minimum width of an internal staircase shall be 100cm.

(dd) The minimum width of treads without nosing shall be 25cm. for an internal staircase. The treads shall be constructed and maintained in a manner to prevent slipping.

(ee) The maximum height of a riser shall be 19 cm., and the number of risers shall be limited to 12 per flight.

(ff) Hand rail shall be provided with a minimum height of 100cm. and shall be firmly supported.

(gg) The use of spiral staircase shall be limited to low occupant load and to a building of height of 9 metres, unless they are connected to platforms such as balconies and terraces to allow escapees to pause. A spiral staircase shall be not less than 300 cm. in diameter and have adequate head room.

(hh) The width of a horizontal exit shall be same as the exit doorways.

(ii) The horizontal exit shall be equipped with at least one fire door of self closing type.

(jj) The floor area on the opposite or refuge side of a horizontal exit shall be sufficient to accommodate occupants of the floor areas served, allowing not less than 0.3 square metre per person. The refuge area shall be provided with exit adequate to meet the requirements of this sub-rule. At least one of the exits shall lead directly to the exterior or street.

(kk) Where there is difference in level between connected area for horizontal exit, ramps not more than 1 in 8 slope shall be provided. For this purpose steps shall not be used.

(ll) Doors in horizontal exits shall be openable at all times.

(mm) Ramps with a slope of not more than 1 in 10 may be substituted for the requirements of staircase. For all slopes exceeding 1 in 10 and wherever the use is such as to involve danger of slipping, the ramp shall be surfaced with non-slipping material.

(nn) In any building not provided with automatic fire alarm a manual fire alarm system shall be provided if the total capacity of the building is over 500 persons, or if more than 25 persons are employed above or below the ground floor; except that no manual fire alarm shall be required in one-storey buildings where the entire area is undivided and all parts thereof are clearly visible to all the occupants.

(10) First-aid fire fighting arrangements: (a) In every factory there shall be provided and maintained adequate and suitable firefighting equipment for fighting fire

in the early stages, those being referred to as first-aid firefighting equipment in this rule.

(b) The type of first-aid fire fighting equipment to be provided shall be determined by considering the different types of fire risks which are classified as follows:—

(i) Class A fire: Fire due to combustible materials such as wood, textiles, paper, rubbish and the like.

1. "Light hazard": Occupancies like offices, assembly halls, canteens, rest-rooms, ambulance rooms and the like.

2. "Ordinary hazard": Occupancies like saw mills, carpentry shop, small timber yards, book binding shops, engineering workshop and the like.

3. "Extra hazard": Occupancies like large timber yards, godown storing fibrous materials, flour mills, cotton mills, jute mills, large wood working factories and the like.

(ii) Class B fire: Fire in flammable liquids like oil, petroleum products, solvents, grease, paints etc.

(iii) Class C fire: Fire arising out of gaseous substances.

(iv) Class D fire: Fire from reactive chemicals, active metals and the like.

(v) Class E fire: Fire involving electrical equipment and delicate machinery and the like.

(c) The number and types of first-aid fire fighting equipment to be provided for 'light hazard' occupancy shall be as given in Schedule I. For 'ordinary hazard or extra hazard' occupancies equipment as given in [paragraph 12](#) shall be provided in addition to that given in Schedule I.

(d) The first-aid fire fighting equipment shall conform to the relevant Indian Standards.

(e) As far as possible the first-aid fire fighting equipment shall all be similar in shape and appearance and shall have the same method of operation.

(f) all first-aid fire fighting equipment shall be placed in a conspicuous position and shall be readily and easily accessible for immediate use. Generally, these equipments shall be placed as near as possible to the exits or stair landing or normal routes of escape.

(g) All water buckets and bucket pump type extinguishers shall be filled with clean water. All sand buckets shall be filled with clean, dry and fine sand.

(h) All other extinguishers shall be charged appropriately in accordance with the instructions of the manufacturer.

(i) Each first-aid fire fighting equipment shall be allotted a serial number by which it shall be referred to in the records. The following details shall be painted with white paint on the body of each equipment:—

1. Serial number;

2. Date of last refilling; and

3. Date of last inspection.

(j) First-aid fire fighting equipment shall be placed on the platforms or in cabinets in such a way that their bottom is 750 mm above the floor level. Fire buckets shall be

placed on hooks attached to a suitable stand or wall in such a way that their bottom is 750 mm above the floor level. Such equipment if placed outside the building shall be under sheds or covers.

(k) All extinguishers shall be thoroughly cleaned and re-charged immediately after discharge. Sufficient refill material shall be kept readily available for this purpose at all times.

(l) All first-aid fire fighting equipment shall be subjected to routine maintenance, inspection and testing to be carried out by properly trained persons. Periodicity of the routine maintenance, inspection and test shall conform to the relevant Indian Standards.

(11) Other fire-fighting arrangements: (a) In every factory adequate provision of water supply for fire fighting shall be made and where the amount of water required in litres per minute, as calculated from the formula $A+B+C+D$ divided by 20 is 550 or more, power driven trailer pumps of adequate capacity to meet the requirement of water as calculated above shall be provided and maintained.

In the above formula:—

A= The total area in m^2 (square metres) of all floors including galleries in all buildings of the factory;

B= The total area in m^2 of all floors and galleries including open spaces in which combustible materials are handled or stored;

C= The total area in m^2 of all floors over 15 metres above ground floor level; and

D= The total area in m^2 of all floors of all buildings other than those of fire resisting construction.

Provided in areas where the fire risk involved does not require use of water, such areas under B, C or D may, for the purpose of calculation, be halved.

Provide further that where the areas under B, C or D are protected by permanent automatic fire-fighting installations approved by any fire association or fire insurance company, such areas may, for the purpose of calculation, be halved.

Provided also that where the factory is situated at not more than 3 Kilometres from an established city or town fire service, the pumping capacity based on the amount of water arrived at by the formula above may be reduced by 25%;but no account shall be taken of this reduction in calculating water supply required under clause(a).

(b) Each trailer pump shall be provided with equipment as per Schedule II appended to this rule. Such equipment shall conform to the relevant Indian Standards.

(c) Trailer pumps shall be housed in a separate shed or sheds which shall be sited closed to a principal source of water supplies in the vicinity of the main risks of the factory.

(d) In factories where the area is such as cannot be reached by man-hauling of trailer pumps within reasonable time vehicles with towing attachment shall be provided at the scale of one for every four trailer pumps with a minimum of one such vehicle kept available at all times.

(e) Water supply shall be provided to give flow of water as required under clause (a) for at least 100 minutes. At least 50% of this water supply or 450,000 litres whichever

is less, shall be in the form of static tanks of adequate capacities (not less than 450,000 litres each) distributed round the factory, with due regard to the potential fire risks in the factory. (Where piped supply is provided, the size of the main shall not be less than 15 centimetres diameter and it shall be capable of supplying a minimum of 4,500 litres per minute at a pressure of not less than 7 Kilograms per square centimetre)

(f) All trailer pumps including the equipment provided with them and the vehicles for towing them shall be maintained in good condition and subjected to periodical inspection and testing as required.

(12) Personnel in charge of equipment and for fire-fighting, fire drills etc.:—

(a) The first-aid and other fire fighting equipment to be provided as required in sub-rules (10) and (11) shall be in charge of a trained responsible person.

(b) Sufficient number of persons shall be trained in the proper handling of fire-fighting equipment as referred to in clause (a) and their use against the types of fire for which they are intended to ensure that adequate number of persons are available for fire fighting both by means of first-aid fire fighting equipment and others. Such persons shall be provided with clothing and equipment including helmets, belts and boots, preferably gumboots. Wherever vehicles with towing attachments are to be provided as required in clause (d) of sub-rule (11), sufficient number of persons shall be trained in driving these vehicles to ensure that trained persons are available for driving them whenever the need arises.

(c) Fire-fighting drills shall be held as often as necessary and at least once in every period of two months.

(13) Automatic sprinklers and fire hydrants shall be in addition and not in substitution of the requirements in sub-rules (10) and (11).

(14) If the Chief Inspector cum- Facilitator is satisfied in respect of any factory or any part of the factory that owing to the exceptional circumstances such as inadequacy of water supply or infrequency of the manufacturing process or for any other reason, to be recorded in writing, all or any of the requirements of the rules are impracticable or are not necessary for the protection of workers, he may by an order in writing (which he may at his discretion revoke) exempt such factory or part of the factory from all or any of the provisions of the rules subject to conditions as he may by such order prescribe.

SCHEDULE I

First-aid fire fighting equipments

(1) The different types of first-aid fire fighting equipment suitable for use on them are as follows:—

Class of fire	Suitable type of appliances
A Fires in ordinary combustibles (Wood, vegetable fibres, paper and the like)	Chemical Extinguishers of Soda-acid, gas-expelled water and anti-freeze types and water buckets.
B Fires in flammable liquids, paints,	Chemical Extinguishers of

grease, Solvents and the like.	foam,carbondioxide and dry powder types and sand buckets
C Fires in gaseous substances under pressure.	Chemical Extinguishers of carbon dioxide and dry powder types
D Fires in reactive chemicals, active metals and the like.	Special types of dry powder Extinguishers and sand buckets
E Fires in electrical equipments	Chemical Extinguishers of carbon dioxide and dry powder type and sand buckets.

(2) One 9 litre bucket shall be provided for every 100 sq.m. of the floor area or part thereof and one 9 litres water type Extinguisher shall be provided to six buckets or part thereof with a minimum of one Extinguisher and two buckets per compartment of the building. Buckets may be dispensed with, provided supply of Extinguishers is double that indicated above.

(3)Acceptable replacements for water buckets and water type extinguishers in occupancies where Class B fires are anticipated, are as under:-

Acceptable Replacements	Buckets of water	Water type Extinguishers
For one bucket	For three buckets	For each 9litres(2 gallons)Extinguisher
Dry sand 1 bucket	3 buckets	-----
Carbondioxide 3 Kg.(7lbs) Extinguishers	9 Kg(20 lbs) [In not less than 2 extinguishers]	9Kg(20lbs)
Dry powder extinguishers 2 Kg (5 lbs)	5 Kg (11 lbs) [In one or more extinguishers]	5Kg (11 lbs)
Foam extinguishers 9litres (2 gallons)	9litres (2 gallons)	9 litres (2 gallons)

(4) The following provisions shall be complied with where Class E fires are anticipated:

(a) For rooms containing electrical transformers, switchgears, motors and/ or other electrical apparatus only, not less than two 2-Kg. Dry powder or Carbon Dioxide type extinguishers shall be provided within 15 m. of apparatus.

(b) Where motors and/ or other electrical equipments are installed in rooms other than those containing such equipment only, one 5kg. Dry powder or Carbon Dioxide Extinguisher shall be installed within 15 m. Of such equipment in addition to the requirements as mentioned at (2) and (3) above. For this purpose the same

extinguisher may be deemed to afford protection to all apparatus within 15 m. thereof.

(c) Where electrical motors are installed on platform, one 2-kg. Dry Powder or Carbon Dioxide type extinguisher shall be provided on or below each platform. In case of a long platform with a number of motors, one extinguisher shall be acceptable as adequate for every 3 motors on the common platform. The above requirements will be in addition to the requirements mentioned at items (2) and (3) above.

(5) The first-aid fire fighting equipments shall be so distributed over the entire floor area that a person has to travel not more than 15 m. to reach the nearest equipment.

(6) Selection of sites for the installation of first-aid fire fighting equipments:—

(a) While selecting sites for first-aid fire fighting equipments, due consideration shall be given to the nature of the risk to be covered. The equipments shall be placed in conspicuous position and shall be readily accessible for immediate use in all parts of the occupancy. It should always be borne in mind while selecting sites that first-aid fire fighting equipments are intended only for use on incipient fires and their value may be negligible if the fire is not extinguished or brought under control in the early stages.

(b) Buckets and extinguishers shall be placed at convenient and easily accessible locations either on hangers or on stands in such a way that their bottom is 750 mm above the floor level.

(7) The operating instructions of the extinguishers shall not be defaced or obliterated. In case the operating instructions are obliterated or have become illegible due to passage of time, fresh transfers of the same shall be obtained from the manufacturers of the equipments and affixed to the extinguishers.

SCHEDULE II

Equipments to be provided with Trailer Pump

For light trailer pump of a capacity of 680 litres/minute:-

No.	Description	No.	Description
1-	Armoured suction hose of 9 metres length, with wrenches	1-	Fire hook (Preventor) with cutting edge.
		1-	25 mm manila rope of 30 metres length.
1-	Metal suction strainer.		
1-	Basket strainer.	1-	Extension ladder of 9 metres length (Where necessary)
1-	Two-way suction collecting head	1-	Heavy axe.
1-	Suction adapter	1-	Spade.
10-	Unlined or rubber-lined 70 mm delivery hose of 25 metres length complete with quick-release couplings	1-	Pick axe
1-	Dividing breaching-piece	1-	Crowbar.

2-	1 Branch-piece with 15 mm nozzles	1-	Saw.
1-	Diffuser nozzle	1-	Hurricane lamp
1-	Stand pipe with blank cap	1-	Electric torch.
1-	Hydrant key.	1-	Pair Rubber gloves
4-	Collapsible canvas buckets		

For large trailer pump of capacity of 1800 litres/minute.

1 -	Armoured suction hose of 9 metres length with wrenches.	1 -	Coiling hook (preventor) with cutting edge.
1 -	Metal strainer.	1 -	50mm manila rope of 30 m length
1 -	Basket strainer.	1 -	Extension ladder of 9m length (where necessary)
1 -	Three-way suction collecting head.	1 -	Heavy axe
1 -	Suction adaptor.	1 -	Spade
14 -	Unlined or rubber-lined 70 mm delivery hose of 25 m length complete with quick-release couplings	1 -	Pick axe.
1 -	Dividing breathing-piece	1 -	Crowbar.
1 -	Collecting breathing piece	1 -	Saw.
4 -	Branch pipes with one 25 mm, two 20 mm and one diffuser nozzles	1 -	Hurricane lamp.
2 -	Stand pipe with blank caps.	1 -	Electric torch.
2 -	Hydrant keys	1 -	Pair rubber gloves
6 -	Collapsible canvas buckets.		

Note: If it appears to the Chief Inspector- cum- Facilitator of Factories that in any factory the provision of breathing apparatus is necessary, he/she may, by order in writing require the occupier to provide suitable breathing apparatus in addition to the equipment for light trailer pump or large trailer pump, as the case may be.

PART-VI PLANTATION

105. Housing accommodation for workers under sub-section (1) of Section 92.-

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

106. Standard and specification of housing accommodation under Section 92.-

All housing accommodation for workers in a plantation shall conform to such standards and specifications as may be approved by the State Government on the recommendation of the Board constituted under Section 17.

107. Sites for housing accommodation under Section 92.- (1) The housing accommodations shall be provided on dry well-drained land which is consistent with the requirement regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance.

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

(3) 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.

(4) 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.

(5) Adequate facilities of toilets with sewage disposal shall be ensured by the employer.

108. Maintenance of houses under Section 92.- (1) The employer shall, at his own expenses, maintain all houses provided for accommodation of workers in a fit and safe condition and execute annual and such other repairs as may be necessary from time to time.

(2) A worker occupying a house may, and an Inspector-cum-Facilitator appointed under the Code shall, bring to the notice of the employer any defect in the condition of a house which makes it dangerous to the health and safety of the worker. It shall be the duty of the employer to rectify the same at the earliest.

(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 in a register.

(4) If any employer fails to comply with the requirements of sub-rules (1), (2) or (3), the Chief Inspector-cum-Facilitator may cause repairs to be done and realise the cost thereof from the employer as arrears of land revenue.

109. Accommodation to be rent free under Section 92.- No rent shall be charged by an employer for the housing accommodation provided to workers and their families residing in his plantation.

110. Occupation of accommodation after termination of employment under Section 92.-(1) 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 detail below—

(i) in the case of death, transfer, termination of service, retirement or resignation, a period not exceeding two months;

(ii) in the case of leave, for the period of leave; and

(iii) in the case where the discharge of a worker is disputed and the matter has been taken to an Industrial Tribunal or Court, for so long as the case is not finally disposed off.

(2) If a worker fails to vacate the house on the expiry of the period mentioned above and continues to occupy the same when no member of his family is working, he shall

be liable to pay to the employer such rent at a rate not exceeding ten percent of his wages as may be fixed by the Chief Inspector-cum-Facilitator.

111. Benefit of sickness under Section 92.-

(1) Every worker shall be entitled to obtain sickness allowance from his employer for each day of certified sickness for a total period of fourteen days in a year at the rate of wages paid normally;

Provided however, that where under existing provisions under any law the sickness allowance is higher, workers shall not, by the dint of this rule, be deprived of such higher allowance.

(2) Sickness allowance specified in sub-rule (1) shall be paid at the option of the worker either at the time of payment of weekly advances on account of wages or along with the first installment of wages payable to the worker after he resumes his work on recovery from certified sickness.

(3) The certificate of sickness shall be issued by the Medical Officer or qualified medical practitioner appointed by the employer to every worker entitled to obtain sickness allowance.

(4) No sickness allowance shall be paid to a worker if he attends to work on any day for which he has been granted sickness allowance.

112. Crèche for Plantation Workers under Section 92.- (1) In every plantation wherein fifty or more workers are employed or were employed on any day of the preceding twelve months, the employer shall provide and maintain creche for the use of the children who are between the age of 2 and 6 years.

(2) Every crèche shall be conveniently accessible to the parents of the children accommodated therein.

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

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

(5) The plan of the crèche building shall be in accordance with the standard plan or plans laid down by the Chief Inspector-cum-Facilitator.

(6) The crèche shall be furnished with suitable furniture such as cots to lie down, benches to sit, a hammock for each child below the age of two years, etc., and provided with toys and other play things as may be specified by the Chief Inspector-cum-Facilitator with the prior approval of the State Government.

(7) A suitably fenced and shady open air play-ground shall be provided for the children.

(8) The employer shall appoint a woman as Crèche-in-charge to look after children during the absence of their parents, who shall possess such qualifications and training as may be approved by the State Government.

113. Educational facilities for worker's children under Section 92.-

(1) Every employer shall, if the number of workers children between the ages of six and twelve in his plantation exceeds twenty five, provide and maintain a Primary School 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 or within a distance of one kilometer from the place where workers reside in his plantation.

(2) Equipment in school.- The employer or employers, as the case may be shall provide for every Primary School maintained under sub-rule (1) such educational and other equipment as may be considered necessary by the State Education Department.

114. Fee to be charged under Section 92.- No fees shall be charged from the workers' children attending the Primary School.

115. Recreational facilities under Section 92.- (1) Every employer shall provide and maintain,-

(i) recreation centre to the scale of one for every one hundred and seventy-five families of resident workers or part thereof with provision for a television with dish connection and indoor games for workers and their families and such other facilities, as may be specified by the Chief Inspector-cum-Facilitator, with prior approval of the State Government; and

(ii) a playground or playgrounds for workers and their families with necessary sports equipment for out-door games:

(2) Every recreation centre to be provided and maintained shall be conveniently situated as near as possible to the worker's quarters.

116. Safeguards for women and adolescent in using or handling hazardous substances under sub-section(2) of Section 93.- No pregnant woman or adolescent shall be allowed to handle any hazardous substance.

117. Qualifications to supervise the use, handling, storage and transportation of insecticides, chemicals and toxic substances in the plantation of the employer under sub-section(2) of Section 93.- For the purposes of sub-section (3) of Section 93, no person shall be appointed by an employer unless such person is,-

(i) in possession of B.Sc. in Chemistry or Agriculture;

(ii) able to speak and understand the language of workers; and

(iii) having an experience of three years in such field.

118. Safety measures and safe work practices under sub-section(4) of Section 93.- The following safety measures and safe work practices with respect to the location, security and access to storage of insecticides, chemicals and toxic substances shall be ensured by the employer, namely:-

(a) the store or storage area shall be separate from other buildings, dwellings, storage of foodstuffs;

(b) accidental or unauthorized access to the storage area shall be prevented;

(c) the store shall be kept locked and fitted with a child proof latch to prevent risks to children, visitors to the workplace, and members of the public who are not familiar with the hazards of insecticides, chemicals and toxic substances;

(d) adequate natural or mechanical ventilation shall be provided;

- (e) impervious floors with drainage into a sump concrete door sillsconcrete or block walls to a sufficient height to contain spillsimpervious shelving;
- (f) the walls (or bund) and door sill shall be high enough to contain spillage of twenty five per cent of the total volume of packagedliquid pesticides;
- (g) provision shall be made for drainage of spills and clean up waterinto a sump or pit that can contain the insecticides, chemicals andtoxic substances, clean up materials and the wash water;
- (h) supply of wash water shall be made readily available;
- (i) good natural cross-flow ventilation shall be provided with vents inopposite walls, above bund height;
- (j) substances shall be stored at a cool temperature to preventdeterioration; and
- (k) the products shall be protected from moisture so that packagingand labelling does not deteriorate.

119. Medical examination and health record of plantation workers under sub-section (5) and (6) of Section 93.-

(1) Every worker employed in a plantation, who is exposed to insecticides,pesticides, chemicals and toxic substances shall be medically examined by aqualified medical practitioner in the following manner, namely:-

- (i) once before employment, to ascertain physical fitness of the person to dothe particular job;
- (ii) once in a period of twelve months, to ascertain the health status of all theworkers in respect of occupational health hazards to which they are exposed;and
- (iii) the details of pre-employment and periodical medical examination carriedout as aforesaid shall be recorded in the health register in **Form-47**.

(2) No person shall be employed for the first time without a certificate ofFitness in **Form-48** granted by the qualified medical practitioner. If the qualified medical practitioner declares a person unfit for being employed, such a personshall have the right to appeal to the Inspector-cum-Facilitator who shall referthe matter to the Medical Officer whose opinion shall be final in this regard.

(3) Any finding of the qualified medical practitioner revealing any abnormalityor unsuitability of any person employed shall immediately be reported to theMedical Officer who shall in turn, examine the concerned worker andcommunicate his findings to the employer within thirty days. If the MedicalOfficer is of the opinion that the worker so examined is required to be takenaway from the employment for health protection, he will direct the employeraccordingly, who shall not employ the said worker in the same employment.

However, the worker so taken away shall be provided with alternate placementunless he is fully incapacitated in the opinion of the Medical Officer in whichcase the worker affected shall be suitably rehabilitated.

(4) The workers taken away from employment under sub-rule (3) may beemployed again in the same employment only after obtaining the FitnessCertificate from the Medical Officer and after making entries to that effect inthe health register.

(5) A copy of the upto date health records including the record of worker's exposure to insecticides, pesticides, chemicals and toxic substances or, as the case may be, the medical records shall be supplied to the worker on receipt of an application from him. X-ray plates and other medical diagnostic reports may also be made available for reference to his qualified medical practitioner.

120. Washing, bathing and cloak-room facilities to plantation workers under clause (a) of sub-section (7) of Section 93.-

(1) There shall be provided and maintained in every plantation for the use of all the workers taps for washing, at the rate of one for every fifteen persons including liquid soap in a container with tilting arrangements and nail brushes or other suitable means for effective cleaning. Such facilities shall be conveniently accessible and shall be kept in a clean and hygienic condition.

(2) If washing facilities as required above are provided for women, such facilities shall be separate for them and adequate privacy at all times shall be ensured in such facilities.

(3) Every employer of a plantation where the workers engaged therein are handling insecticides, pesticides, chemicals and toxic substances and fifty workers or more are employed, shall provide for all the workers working in a shift, mess room facilities which are well ventilated and provided with tables and sitting facilities along with the provision of cold and hygienic drinking water facilities.

(4) The facilities mentioned in sub-rule (3) shall include suitable arrangements for cleaning and washing and shall be maintained in a clean and hygienic condition.

(5) Every employer of a plantation where the workers engaged therein are handling insecticides, pesticides, chemicals and toxic shall provide for cloakroom facilities with lockers. Each worker shall be provided with two lockers, one for work clothing and another separately for personal clothing and the lockers should be such as to enable the keeping of the clothing in a hanging position.

(6) The cloak room facilities provided under sub-rule (5) shall be located, as far as possible, near to the facilities provided for washing under sub-rule (1). If it is not possible to locate the washing facilities near to the cloakroom, then the cloakroom shall have adequate and suitable arrangements for cleaning and washing.

121. Protective clothing and equipment to plantation workers under clause (b) of sub-section (7) of Section 93.- When choosing Personal Protective Equipments in accordance with the label, Material Safety Data Sheet and risk assessment, the following items shall be considered, namely:-

- (a) cotton overalls buttoned to the neck and wrist;
- (b) pesticide resistant water-proof aprons when mixing or pouring concentrate;
- (c) gloves (pesticide resistant), preferably gauntlets, to be worn when handling or using chemicals;
- (d) a wide brim washable hat; if contaminated, the hat should be removed immediately and washed before re-use;
- (e) boots such as rubber or Polyvinyl chloride; waterproof leggings providing additional protection, leather boots which can absorb pesticide and prevent exposure during high volume applications;

- (f) face shield or splash proof goggles when mixing or pouring;
- (g) goggles and appropriate approved respirator, especially if exposure to spray drift is likely; and
- (h) full face air -line respirator when working in enclosed spaces, depending on the label and Material Safety Data Sheet self contained breathing apparatus for entry into confined spaces.

122. Precautionary notices in plantation under sub-section (9) of Section 93.- Precautionary notice in the form specified below and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the plantation where it can be easily and conveniently read by the workers.

PRECAUTIONARY NOTICE

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

Chapter IX

OFFENCES AND PENALTIES

123. Officer and manner for holding enquiry.-(1) For the purpose of subsection (1) of Section 111, an officer not below the rank of Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya shall be appointed for holding enquiry within his jurisdiction.

(2) The officer referred to in sub-rule (1), upon acquiring the knowledge of an offence under the Code, shall serve a notice, within seven days of such knowledge, on the person who is alleged to have committed an offence.

(3) The person on whom notice has been served under sub-rule (2) shall submit his reply within the period specified in the notice.

(4) The officer referred to in sub-rule (1), may call any person to appear before him along with any record or document required for the purpose of enquiry he is holding.

(5) The officer referred to in sub-rule (1), shall complete enquiry within sixty days from the start of such enquiry and pass a speaking order.

(6) The amount of penalty imposed and received under Section 111 shall be credited to the fund established under sub-section (1) of Section 115 and record of such receipt shall be maintained in **Form-51**.

124. Appellate Authority and manner of appeal.-(1) For the purpose of sub-section (3) of Section 111, an officer not below the rank of Commissioner & Secretary to the

Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya, shall be appointed as the Appellate Authority for hearing appeal within his jurisdiction.

(2) The aggrieved person may prefer an appeal to the officer referred to in sub-rule (1) in **Form-52** within the period specified in sub-section (3) of Section 111.

(3) A fee at the rate of two percent of penalty imposed under Rule 131 shall be accompanied by appeal which shall be paid on portal and shall be credited to the treasury in the head of the account as may be specified by the State Government from time to time.

125. Officer and manner of composition of certain offences under Section 114.-

(1) An officer as given below in the table shall be the officer for composition of certain offences, namely:-

Serial No.	Officer authorized to compound	Sections for which officer is authorized to compound
1	officer not below the rank of Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya	97, 100(1), 101, 102, 103(1), 104, 105, 106, 113(2), 114(3)
2	an officer not below the rank of Commissioner & Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya	12(3), 94, 95, 96, 98, 99, 103(2), 106, 46, 47, 54, 55, 56, 57, 100(1), 104, 106

(1) Any person seeking composition of penalty or offence as specified in sub-rule (1) shall file an application in **Form-53** to the concerned officer mentioned in sub-rule (1).

(2) The concerned officer mentioned in sub-rule (1) shall take decision within seven days from receipt of application under sub-rule (2).

(3) The concerned officer mentioned in sub-rule (1) may authorize any officer of factory wing of the Labour Department to submit copy of decision of composition before the officer who imposed penalty or the court where prosecution is instituted

(4) The amount of composition received during the month shall be credited to the fund mentioned in sub-section (1) of Section 115 for the unorganized workers, before the 7th day of the succeeding month.

(5) The amount of composition received and credited shall be recorded in a register to be maintained in **Form-54**.

CHAPTER- X
SOCIAL SECURITY FUND

- 126. Social security fund under Section 115.**- (1) The Chief Inspector-cum-Facilitator shall maintain record of the social security fund, in **Form-55**.
- (2) The social security fund administered shall be credited to the Meghalaya Unorganized Workers Social Security Board constituted under the Code on Social Security (Meghalaya) Rules, 2023.
- (3) The social security fund may also be expended on welfare schemes of the Meghalaya Unorganized Workers Social Security Board.
- (4) The other sources of social security fund shall be,-
- (i) the grants and subsidies given by the Central or State Government;
 - (ii) all voluntary donations; and
 - (iii) ten rupees per worker to be paid by the employer of every establishment at the time of its registration.
 - (iv) or such other sources as may be notified by the State Government from time to time.

CHAPTER-XI
MISCELLANEOUS

- 127. Common License for contractor, factories and to industrial premises, etc. under sub-section (2) of Section 119.**- (1) If a person desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under sub-section (1) or sub-section (2) of Section 47 in more than one districts or for the whole State then he shall apply electronically on the designated portal of the State Government in **Form-34** for the purpose of licence in respect of industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works.

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

- (2) If a person or contractor desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under sub-section (1) or sub-section (2) of Section 47 limited to a single jurisdiction, then he shall apply electronically on the designated portal of the State Government in **Form-34** to the licensing authority appointed by the State Government by notification in this behalf under sub- section (1) of Section 119 of this code.

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

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

128. Actions, manner of taking actions and inquiry under sub-section (3) of Section 119.— Where the Authority referred to in sub section (3) of Section 119 is satisfied that the common licence may be issued in respect of factory, industrial premises and for construction establishment engaging contract worker or any combination thereof, a single licence for any one of them under these rules shall be issued in **Form-34** electronically within 45 days of the receipt of the said application. In case the Authority rejects the application, he shall assign the reasons for such rejection and communicate to the party within the above mentioned period electronically.

129. The form of appeal, the fee to be accompanied there with and the appellate authority under sub-section (6) of Section 119.— (1) Any person aggrieved by an order passed under this section by the licensing authority referred to Rule 133, shall prefer an appeal before the Principal Secretary, Labour and ESI Department, Government of Meghalaya.

(2) Any person aggrieved by an order passed under this section by the licensing authority referred to Rule 133, shall prefer an appeal before the Labour Commissioner, Meghalaya or the Chief Inspector cum facilitator of Boilers & Factories, Meghalaya, as the case may be.

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

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

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

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

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

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

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

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

135. Repeal and savings.-

- (i) The Meghalaya Factories Rules, 1980.
- (ii) The Meghalaya Control of Industrial Major Accident Hazards Rules, 1994.
- (iii) The Contract Labour (Regulation and Abolition) Assam Rules, 1971 (adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (iv) The Assam Motor Transport Workers Rules, 1962 (Adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (v) The Assam Beedi and Cigars Workers (Condition of Employment) Rules, 1968, (Adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (vi) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Meghalaya Rules, 1985.
- (vii) The Assam Plantation of Labour Rules, 1956 (Adapted from Assam)vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (viii) The Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008 are hereby repealed:

Provided that, the said repeal shall not affect, -

- (a) The previous operation of the said Rules or anything duly done or suffered there under, or
- (b) Affect any right, liability or obligation acquired, occurred or incurred under the said Rules.

SCHEDULE-C

[See rule 2(zm)]

[Part-I]

(a) **Toxic Chemicals:** Chemical having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

S.No.	Toxicity	Oral Toxicity LD ₅₀ (mg/Kg)	Dermal Toxicity LD ₅₀ (mg/Kg)	Inhalation Toxicity LD ₅₀ (mg/Kg)
1	Extremely toxic	>5	<40	<0.5
2	Highly toxic	>5-50	>40-200	<0.5-2.0
3	Toxic	>50-200	>200-1000	>2-10

(b) Flammable Chemicals:

(i) **flammable gases:** Gases which at 20°C and at standard pressure of 101.3KPa are :-

- (a) ignitable when in a mixture of 13 percent or less by volume with air, or ;
- (b) have a flammable range with air of at least 12 percentage points regardless of the lower flammable limits.

Note : The flammability shall be determined by tests or by calculation in accordance with methods adopted by International Standards Organization ISO Number 10156 of 1990 or by Bureau of Indian Standard ISI Number 1446 of 1985.

(ii) **extremely flammable liquids :** chemicals which have flash point lower than or equal to 23°C and boiling point less than 35°C.

(iii) **very highly flammable liquids :** chemicals which have a flash point lower than or equal to 23°C and initial boiling point higher than 35°C.

(iv) **highly flammable liquids :** chemicals which have a flash point lower than or equal to 60°C but higher than 23°C.

(v) **flammable liquids :** chemicals which have a flash point higher than 60°C but lower than 90°C.

(c) **Explosives :** explosives mean a solid or liquid or pyrotechnic substance (or a mixture of substances) or an article.

(a) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings ;

(b) which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self sustaining exothermic chemical reaction.

[PART II]

List of Hazardous and Toxic Chemicals

Sl.	Name of the Chemical
1	Acetaldehyde
2	Acetic acid
3	Acetic anhydride
4	Acetone
5	Acetone Cyanohydrine
6	Acetone thiosemicarbazide
Sl.	Name of the Chemical

7	Acrylonitrile
8	Acetic acid
9	Acetic anhydride
10	Acetone
11	Acetone Cyanohydrine
12	Acetone thiosemicarbazide
13	Acetylene Chloride
14	Acetone (Ethyne)
15	Arcolein (2-Propenal)
16	Aldicarb
17	Sldrine
18	Alkyl Phthalate
19	Allyl Alcohol Acid and Salts.
20	Allylamine
21	Alpha Naphthyl Thiourea (Antu)
22	4-Aminodiphenyl Asbestos
23	2-Aminophenol
24	Amiton
25	Ammonia
26	Ammonium Nitrate
27	Ammonium Nitrate in Fertilizers
28	Ammonium Sulfamate
29	Anabasine
30	Aniline
31	P-Anisidine
32	Antimony & Compounds
33	Antimony Hydride (Stibine)
34	Arsenic Hydride (Arisine)
35	Arsenic Pentoxide, Arsenic (v)
36	Arsenic Trioxide, Arsenious (III)
37	Acid and Salts
38	Azinphos-Ethyl
39	Azinphos-Methyl
40	Barium Azide
41	Benzene
42	Benzidine
43	Benzidine Salts
44	Benzoquinone
45	Benzoyl Chloride
46	Benzoyl Peroxide
47	Benzyl Chloride
48	Benzyl Cyanide
49	Beryllium (Powders, Compounds)
50	Biphenyl
51	Bis (2-Chloromethyl) Ketone
52	Bis (2, 4, 6-Trinitrophenyl) Amine
53	Bis (2-Chloroethyl) Sulphide
54	Bis (Chloromethyl) Ether
55	2, 2-Bis (Tert-Butylperoxy) Butane
56	1, 1 -Bis (Tert-Butylperoxy) Cyclonexane
57	Bis-1,2 (Tribromophenoxy) Ethane
58	Bisphenol
Sl.	Name of the Chemical

59	Boron and Compounds
60	Bromine
61	Bromine Pentafluoride
62	Bromoform
63	1, 3-Butadiene
64	Butane
65	N-Butanethiol
66	2-Butanone
67	Butoxy Ethanol
68	Butyl Glycidal Ether
69	Tert-Butyl Peroxacetate
70	Tert-Butyl Peroxyisobutyrate
71	Tert-Butyl Peroxyisopropyl Carbonate
72	Tert-Butyl Peroxymalate
73	Tert-Butyl Peroxypivalate
74	Butyl Vinyl Ether Acids and Salts
75	Butyamine
76	C9-Aromatic Hydrocarbon Fraction
77	Cadmium and Compounds
78	Cadmium Oxide (Fumes)
79	Calcium Cyanide
80	Captan
81	Captofol
82	Carbaryl (Sevin)
83	Cabofuran
84	Carbon Disulphide
85	Carbon Monoxide
86	Carbon Tetrachloride
87	Carbophenothion
88	Cellulose (use in explosives)
89	Chlorates (use in explosives)
90	Chlordane
91	Chlorfenvinphos
92	Chlorinated Benzenes
93	Chlorine
94	Chlorine Dioxide
95	Chlorine Oxide
96	Chlorine Trifluoride
97	Chlormequate Chloride
98	Chloroacetal Chloride
99	Chloroacetaldehyde
100	2-Chloroaniline
101	4-Chloroaniline
102	Chlorobenzene
103	Chlorodiphenyl
104	Chloroepoxypropane
105	Chloroethanol
106	Chloroethyl Chloroformate
107	Chlorofluorocarbons
108	Chloroform

Sl.	Name of the Chemical
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109	4-(Chloroformyl) Morpholine
110	Chloromethane
111	Chloromethyl Ether
112	Chloronitrobenzene
113	Chloroprene
114	Chlorosulphuric Acid
115	Chloroprinonitrobenzene
116	Chloroxuron
117	Chromium and Compounds
118	Cobalt and Compounds
119	Copper and Compounds
120	Coumafuryl
121	Coumaphos
122	Coumatetralyl
123	Crimidine
124	Crimidine
125	Cumene
126	Cyanophos
127	Cyanotheate
128	Cyanuric Fluoride
129	Cyclohexane
130	Cyclohexanol
131	Cyclohexanone
132	Cyclohexamide
133	Cyclopentadiene
134	Cyclopentane
135	Cyclotetranethylenetrinitramine
136	Cyclototimethylenetrinitra
137	DDT
138	Decabromodiphenyl Oxide
139	Demeton
140	Di-Isobutyryl Peroxide
141	Di-n-Propyl Peroxydicarbonate
142	Di-sec-Butyl Peroxydicarbonate
143	Dialifos
144	Diazodinitrophenol
145	Diazomethane
146	Dibenzyl Peroxydicarbonate
147	Dichloroacetylene
148	O-Dichlorobenzene
149	P-Dichlorobenzene
150	Dichloroethane
151	Dischloroethyl Ether
152	2, 4-Dichlorophenol
153	Dipropylene Glycolmethylether
154	2, 4 Dichlorophenoxy Acetic Acid(2,4-D)
155	1, 2-Dichlorosalicylic Acid
156	3, 5-Dichlorosalicylic Acid
157	Dichlorovos (DDVP)
158	Dicrotophos

Sl.	Name of the Chemical
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159	Dieldrin
160	Diepoxybutane
161	Diethyl Peroxydicarbonate
162	Diethylene Glycol Dinitrate
163	DiethyleneTriamine
164	Diethyleneglycol Butyl 1 Ether/ Diethyleneglycol Butyl Acetate
165	Diethylenetriamine (Deta)
166	Diglycidyl Ether
167	2, 2-Dihydroperoxypropone
168	Disobutryl Peroxide
169	Dimefox
170	Dimethoate
171	Dimethyl Phosphoramidosyanidic Acid
172	Dimethyl Phthaiate
173	Dimethylcarbomoyl Chloride
174	Dimethylnitrosomine
175	Dinitrophenol Salts
176	Dinitrotoluene
177	Diitro-o-Cresol
178	Dioxane
179	Dioxathion
180	Dioxolane
181	Diphacinone
182	Diphosphoramie Octamethyl
183	Disulfoton
184	Formaldehyde
185	Endosulfan
186	Endrin
187	Epichlorophydrine
188	EPN
189	1, 2-Epoxypropane
190	Ethion
191	Ethyl Carbamate
192	Ethyl Either
193	Ethyl Haxanol
194	Ethyl Mercaptan
195	Ethyl Methacrylate
196	Ethyl Nitrate
197	Ethylene
198	Ethylene Chlorophydrine
199	Ethylene Diamine
200	Ethylene Dibromide
201	Ethylene Cichloride
202	Ethylene Glycol Dinitrate
203	Ethylene Oxide
204	Ethylene Limine
205	Fluenetil
206	Pensulphothion
207	Flenetil
208	4-Fluoro, 2-Hodroxybutyric Acid and Salts, Esters, Amides,

Sl.	Name of the Chemical
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209	Fluoroacetic Acid and Salts, Esters, Amides
210	Fluorobutyric Acid and Salts, Esters, Amides
211	4 Fluorochrotonic Acid and Salts, Esters, Amides
212	Glyconitrile (Hydroxyacetonitrile)
213	1, Guanyl-4 Nitrosamiaoguanyl 1-Tetrazene
214	Heptachlor
215	Hexachloro Cyclopentadiene
216	Hexachlorocyclohexane
217	Hexachlorocyclohexane
218	1, 2, 3, 7, 8, 9-Hexachloro-2,3,7,8-tetrachlorodibenzo-p-dioxin
219	Hexafluoropropene
220	Hexamethylphosphoramide
221	3, 3, 6, 6, 7, 8, Hexamethyl 1, 2, 4, 5, Tetraoxacycloheptane
222	Hexamethylenediamine
223	Hexane
224	2, 2, 4, 4, 6, 6-Hexanitrostilbene
225	Hexavalent Chromium
226	Hydrazine
227	Hydrazine Nitrate
228	Hydrochloric Acid
229	Hydrogen
230	Hydrogen Bromide (Hydrobromic Acid)
231	Hydrogen Chloride (Liquefied gas)
232	Hydrogen Cyanide
233	Hydrogen Fluoride
234	Hydrogen Sulfide
235	Hydrogen Sulphide
236	Hydroquinone
237	Iodine
238	Isobenzan
239	Isodrin
240	Isophorone Disocyanate
241	Isopropyl Ether
242	Juglone (5-Hydroxynaphthalene 1,4-Dione)
243	Lead (Inorganic fumes and dusts)
244	Lead 2, 4, 6-Trinitroresorcinate (Lead Styphnate)
245	Lead Azide
246	Leptophos
247	Lindane
248	Liquefied Petroleum Gas (LPG)
249	Maleic Anhydride
250	Manganese and Compounds
251	MercaptoBenzothiazole
252	Mercury Alkyl
253	Mercury Fulminate
254	Mercury Methyl
255	Methacrylic Anhydride
256	Methacrylonitrile
257	Methacryloyl Chloride
258	Methacryloyl Chloride
259	Methanesulfonyl Fluoride

Sl.	Name of the Chemical
260	Methanethiol
261	Methoxy Ethanol (2-Methyl Cellosolve)
262	MethoxyEthylmercuric Acetate
263	Methyl Acrylate
264	Methyl Alcohol
265	Methyl Bromide (Bromomethane)
266	Methyl Chloride
267	Methyl Chloroform
268	Nitrogen Trifluoride
269	Methyl Cyclohexene
270	Methyl Ethyl Ketone Peroxide
271	Methyl Hydrazine
272	Methyl Isobutyl Ketone
273	Methyl Isobutyl Ketone Peroxide
274	Methyl Isocyanate
275	Methyl Isothiocyanate
276	Methyl Marcaptan
277	Methyl Methacryiate
278	Methyl Parathion
279	Methyl Phosphoric Dichloride
280	N-Methyl, 2, 4, 6-Tetranitroaniline
281	Methylene Chloride
282	4,4-Methylenebis (2 Chloroaniline)
283	Methyltrichlorosilane
284	Mevinphos
285	Moiybdenum and compounds
286	N-Methyl-N, 2, 4, 6-N-Tetranitro-aniline
287	Nephtha (Coal Tar)
288	2-Naphthylamine
289	Nickel and Compounds
290	Nickel Tetracarbonyl
291	O-Nitroaniline
292	P-Nitroaniline
293	Nitrobenzene
294	P-Nitrochlorobenzene
295	Nitrocyclohexane
296	Nitroethane
297	Nitrogen Dioxide
298	Pentachloroethane
299	Nitroglycerine
300	P-Nitrophenol
301	1-Nitropropate
302	2-Nitropropate
303	Nitrosodi, ethylamine
304	Nitrololune
305	Octabromophenyl Oxide
306	Oleum
307	Oleylamine
308	oo-Diethyl S-Ethylsulphinyi methyl Phosphorothioate
309	oo-Diethyl S-EthylsulphonyImethylPhosphorothioate

Sl.	Name of the Chemical
310	oo-Diethyl S-EthylthiomethylPhosphorothioate
311	oo-Diethyl S-IsopropylthiomethylPhosphordithioate
312	oo-Diethyl S-PropylthiomethylPhosphorodithioate
313	Oxyamyl
314	Oxy-lisulfoton
315	Oxygen (Liquid)
316	Oxygen Difluoride
317	Ozone
318	Paraoxon (Diethyl 4-Nitrophenyl Phosphate)
319	Paraquat
320	Parathion Methyl
321	Paris Green (BisAceto Hex-ametraarsenitoterta Copper)
322	Pentaborane
323	Pentabromodiphenyl Oxide
324	Pentabromophenol
325	Pentachlorophenol
326	PentacrythrifolTetranitrate
327	Pentane
328	Peracetic Acid
329	Perchloroethylene
330	PerchloromethylMercaptan
331	2-Pentanone, 4-Methyl
332	Penol
333	Phenyl Glycidal Ether
334	Phenylene P-Diamine
335	Phenylmercury Acetate
336	Phorate
337	Phosacetim
338	Phosacetim
339	Phosfolan
340	Phosgene (Carbonyl Chloride)
341	Phosmet
342	Phosphamiden
343	Phosphine (Hydrogen Phosphide)
344	Phosphoric Acid and Esters
345	Phosphoric Acid, BromoethylBromo (2, 2-Dimethyl Propyl) Bromoethyl Ester
346	Phosphoric Acid, BromoethylBromo (2, 2-Dimethylpropyl) Chloroethyl Ester
347	Phosphoric Acid, ChloroethyiBromo (2, 2-Dimethoxycpropyl) Chloroethyl Ester
348	Phosphorous and Compounds
349	Phostalan
350	Picric Acid (2, 4, 6-Trinitro-Phenol)
351	Pentachoro Naphthalene
352	Potassium Arsenite
353	Potassium Chlorate
354	Promurit (3, 4-Dichlorophenyl 3-Triazenethiocarboxamide)
355	1, 3-Propanesultone
Sl.	Name of the Chemical

356	1 Propen-2-Omoro 1, 3-Diol-diacetate
357	Propylene Dichloride
358	Propylene Oxide
359	Propylenelimine
360	Pyrazoxon
361	Selenium Nexmuoride
362	SemicarbazideHydrochlorde
363	Sodium Arseun
364	Sodium Azice
365	Sodium Chlorate
366	Sodium Cyanide
367	Sodium Picramate
368	Sodium Selenite
369	Styrene, 11, 2, 2-Terachloroethane
370	Sulfotep
371	Sulphur Dichloride
372	Sulphur Dioxide
373	Sulphur Trioxide
374	Sulphuric Acid
375	Sulphoxide, 3-Chloropropyoctyl
376	Tellurium
377	Tellurium Hexafluoride
378	TEPP
379	Terbufos
380	Alpha-Terabromobisphenol
381	2, 2, 5, 6-Tetrachloro-2, 5-Cyclohexadiene-1, 4-Dione
382	2, 3, 7, 8-Tetrachlorodibezo-p Diosin (CDD)
383	Tetrafluoroethane
384	Tetramethylene Diulphotetramine.
385	Tetramethyl Lead
386	Tetranitromethane
387	Thallium and Compounds
388	Thionazin
389	Thionyl Chloride
390	Tirpate
391	Toluene
392	Tolune-2-4-Diisocyanate
393	0-Toluidine
394	Toluene 2, 6-Diisocyanate
395	Trans-1, 4 Chlorobutene
396	1-TRI, (Cyclohexyl) StannyMH 1, 2, 4 Triazole
397	1, 2, 4 Triazole
398	2, 5 Triamino 2, 4, 5, Trinitrobenzene
399	2, 4, 6-Tribromophenol
400	Trichloro Acetyl Chloride
401	Trichloro Ethane
402	TrichloroNapethalene
403	TrichloroChloromethylsilane
404	TrichloroDichlorophenylsilane
405	1, 1-Trichloroethane

Sl.	Name of the Chemical
-----	----------------------

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

FORM-01
[See Rule 3 (6)]

Application for grant of competency to a person

1. Name
2. Date of birth
3. Name of the organization (if self-employed)
4. Educational qualifications (copies of testimonials to be attached)
5. Details of professional experience

Sr. No.	Name of the Organization	Period of service	designation	Area of Responsibility
(1)	(2)	(3)	(4)	(5)

6. Memberships, if any, of professional bodies
7. (i) Details of facilities (examination, testing etc.)
(ii) Arrangements of calibrating and maintaining the accuracy of these facilities)
8. purpose for which competency certificate sought (specify the section of the Rules)
9. whether the applicant has been declared as a competent person under any other state or statute (if so furnish details)
10. any other relevant information

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

I undertake

- (a) That in the event of any change in facilities at my disposal (either addition or deletion) I will promptly inform the Chief Inspector-cum-Facilitator.
- (b) to maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards; and
- (c) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector-cum-Facilitator from time to time.

Place

signature

Date

FORM-02
[See Rule 3 (6)]

Application for grant of competency to an institution

1. Name and full address of the organization.
2. Organization's status (specify whether Individual, Government, autonomous, co-operative, corporate or private)
3. Purpose for which competency certificate sought (specify the section of the Rules)
4. Whether the organization has been declared as a competent person under any other statute (if so furnish details)
5. Particulars of persons employed and possessing qualification and Experience

Sr. No.	Name of the designation	Qualification	Experience	Section(s)/rule(s) Under which person's competency sought
(1)	(2)	(3)	(4)	(5)

6. Details of facilities and arrangements made for their maintenance and calibration periodically.

7. Any other relevant information

8. Undertaking

I _____ certify that shri./Smt. _____ whose details are furnished above, is in our employment and nominate on the behalf of organization for the purpose of being declared as competent person under the Code; I also undertake that I will-

(a) Notify to the Chief Inspector-cum-Facilitator in case the competent person leaves our institution.

(b) To maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards;

(c) notify to Chief Inspector-cum-Facilitator any change in facilities(either addition or deletion)

(d) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector of Factories from time to time

I _____ hereby declare that the information furnished above are correct to the best of my knowledge

Date

Place

Moblie number

Signature

Head of Institution

Email

FORM-03
[See Rule 3 (8)]

Certificate of competency issued to a person or an institution

I _____ in exercise the power conferred on me under section 2(l) of The Occupational Safety, Health And Working Conditions Code 2020 and the rules made there under, here by recognize shri. _____ (if employed in Name of institution) ----- to be Competent person for the purpose of carrying tests, examinations, inspections and certification for such ***buildings, dangerous machinery, lifts, tackles, pressure plants, confined space, ventilation or plant and equipment as the case may be*** in an establishment located in state of Meghalaya under section _____ of the Code and the rules made there under.

This certificate is valid from _____ to _____

This certificate is subject to the following conditions as stipulated there under-

1. tests, examinations, inspections and shall be carried out in accordance with the provisions of Code and the rules made there under.
2. tests, examinations, inspections and shall be carried out under the direct supervision of competent person
3. the certificate of competency shall stand cancelled if the person declared competent leaves the institution.
4. Competent person or institution shall submit reports as per provisions of the Code.
5. Any other condition Chief Inspector-cum-Facilitator may think fit.

Place

Official seal signature

Date

Chief Inspector-cum-Facilitator of Factories,
Meghalaya.

Note: A separate certificate should be issued under each relevant Section. A person or an institution may be recognised as competent person for the purpose of more than one Section of the Rule.

FORM-04
[See Rule-4]

**Application for Registration for existing establishments/New Establishment /
Amendment to certificate of Registration**

A. Establishment Details.

1. Retrieve details of Establishment through LIN:
2. Name of Establishment:
3. Location and Address of the Establishment:
4. Others details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:

5 (a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
(1)	(2)	(3)	(4)

6. Ownership Type/Sector:
7. Activity as per National Industrial Classification:
8. Details of Selected NIC Code:
9. Identification of the establishment e-sign/ digital sign of employer /

representative:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc.:
2. Designation:
3. Father's/ Husband's Name of the Employer :
4. Email Address, Telephone& Mobile No :

C. Manager/ Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No :

D. Contractor Details:

Name and Address Contractor	Email address& Mobile of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement / Probable date of Completion of work
(1)	(2)	(3)	(4)	(5)

E. Others Details:-

Signature/ E-sign/digital sign of employer

Dated:-

Place:-

FORM-05
[See Rule 4 (1)(iii)]

Details of inter-state migrants employed/to be employed in an establishment

1. Name of establishment:
2. Address of establishment:
3. Name and address of employer:
4. Details of inter-state migrant workers

S. No.	Name	Father/Husband`s name	Permanent address				Aadhar number	Mobile number
			Town/Village	Tehsil / Sub-division	District	State		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Signature/ E-sign/digital sign of employer

FORM-06
[See Rule-4(2)(i)]
Certificate of Registration of Establishment

Registration No.

Date

A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and Rule 4 of Occupational Safety, Health and Working Conditions (Meghalaya) Rules, 2023

to..... (Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

- | | |
|---|--|
| (a) Factory | (b) Mining |
| (c) Dock work | (d) Contract Work |
| (e) Building and Other Construction Works | (f) any other work (not covered above) |

2. Details of the establishment:

- a. Total Number of employees engaged directly in the establishment:
- b. Total Number of the employees engaged through contractor
- c. Total Number of Contractors and their details:
- c. Number of inter-state migrant workers engaged:

3 (a) For factories

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
(1)	(2)	(3)	(4)

4. Amount of registration fee paid.....

5. Remarks of registering officers

Signature/ E -Sign/DSC of
 Registering Officer along with designation

Place:

Date:

Conditions of Registration

(1) Every certificate of registration issued under Rule 4 shall be subject to the following conditions, namely:

- (a) The certificate of registration shall be non-transferable;
- (b) The number of workers employed in an establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the certificate of registration; and
- (c) Same as provided in these rules, the fees paid for the grant of registration certificate shall be nonrefundable.

(2) The employer shall intimate the change, if any, in the number of workers or the conditions of work to the registering officer within 30 days

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

intimating the actual date of the commencement or, as the case may be, completion of establishment such work in **Form -08** annexed to these rules electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

FORM-07
[See Rule-4(6)]
Register of Establishment

Sr.No	Nature of work	Registration No. and Date	Name and Address, location of the establishment registered	Name, Address And Contact Details of Employer	Total number of Workers and Total Horsepower (if any)	Total number of contract Workers	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Signature/ E -Sign/DSC of
Registering Officer along with designation

Place:
Date:

FORM-08

[See Rule-4(7) and Rule- 5]

Notice of Commencement / cessation of Establishment:

1. Registration No:
2. Name and Address of Establishment:-
3. Name & Designation of employer/ Port authority (who has ultimate control over the affairs of the establishment :-
4. Full address to which communication relating to the establishment to be sent:-
5. Nature of work of the establishment:-
6. In case of the notice is for commencement of work the approximate duration of work:-
7. in case of cessation, the date of cessation:

I / We hereby intimate that the work of establishment having registration No.....dated is likely to Commence /cessation is likely to be completed with effect from..... (Date)/ On (Date).

In case of cessation of work:

I/we hereby certify that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Signature of the Employer

To,
The Inspector-cum-Facilitator

FORM-09
[See Rule 6]
Health Register

Sr. No.	Name of Employee	Date of Employment	Age	Gender
(1)	(2)	(3)	(4)	(5)

Nature of Job	Date of Medical Examination	Results of Medical examination	Signature of the qualified medical Practitioner	Signature of Employer
(6)	(7)	(8)	(9)	(10)

Signature of Medical Officer

Signature of Employer

Place:

Date:

FORM-10
[See Rule-6]

The medical examination shall be conducted by a qualified medical practitioner as per following proforma:

A. Demographics:

Question	Answer	Remarks
Date:		
Name of the Worker:		
Age:		
Permanent Address:		
Gender:		
Total Number of family Members:		
Total monthly family Income:		
Is the employee under ESI (Employees' State Insurance) Scheme? If yes, provide IP Number.	Yes/No	
Is the employee under any other health scheme apart from ESI-Scheme? (If yes, provide the name of the scheme)	Yes/No	

B. Occupational 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:		

C. Brief Review of Medical History: Diagnosed previously or currently under treatment or Currently suffering from

Question	Answer (Yes/No)	Remarks
Anaemia		
Jaundice		
Asthma		
COPD		
History of Any other Lung Disease: (If Yes, Please Specify)		
Vertigo/Dizziness		
Diabetes Mellitus		
Hypertension		
Any Cancer (If Yes, Please Specify the Cancer)		
Chronic Low Back Pain		
Chronic Pain in hand or Elbow		
Hernia		

Hydrocele		
Varicose Vein		
Haemorrhoids		
History of amputation/fracture/dislocation injury during work (If Yes, please specify)		
Dermatitis (If Yes, specify Site)		
Hearing Impairment		
Visual Impairment		
Any Major Illness requiring hospitalization in last 1 year (If Yes, Name of the Disease)		
Occupational Injury in Last 1 year: if yes Specify the Location of injury and frequency		

D. Current Symptoms-Diseases Module

Question	Answer (Yes/No)	Remarks
Smoking habit		
Chewing Tobacco or Pan Masala or Gutkha:		
Alcohol Addiction		
Dermatosis (Irritant Contact Dermatitis /Eczema /Chloracne /Allergic Contact Dermatitis):		
Mucosal Irritation of eyes/ Nose/ Throat with response to chemical agent or biological agent:		
Symptoms like Respiratory Difficulty/ Chest Tightness/ Dry Cough at beginning of shift:		
Currently suffering from TB:		
Jaundice or Hepatitis:		
Currently suffering from Low Back Pain		
Currently suffering from Pain in hand or Elbow:		
Currently suffering from Visual Problems		
Currently suffering from Hearing Problems		
Any current injury (amputation/ fracture/ dislocation)		
Any current musculoskeletal sprains/ strains		

E. Physical Examination

Date of Examination:

Question	Answer (Yes/No) or as appropriate	Remarks
General Skin Condition: (If Any Dermatitis, please mention its location)		
Weight (in Kg):		
Height (in Meter)		

Temperature (°F):		
BP:		
Pulse:		
SpO2:		
Respiratory Rate:		
Examination of Breast of female-employee		

F. Investigation Report**Routine Blood Investigation: Attach the photocopy of the report****Blood Grouping & Rh Typing and HB Electrophoresis Once in a lifetime**

Parameter	Answer (Normal/Increase/Decrease)	Value
Hb%:		
Total WBC Count and Differential Count:		
Platelet Count:		
ESR:		
FBS:		
PPBS:		
HBA1C level		
BUN:		
Creatinine:		
Total Protein		
Albumin		
Globulin		
SGOT		
SGPT		
Bilirubin		
Urine RE		
Urine ME		
Prostate Specific Antigen (PSA)		

G. Standard Chest X Ray (PA) View: attach the photocopy of the report**Date:**

Parameter	Answer (Normal/Increase/Decrease)	Value (if any importance)
Report		

Report:

H. Spirometry: attach the photocopy of the report (For mine employee)**Date:**

Parameter	Answer (Normal/Increase/Decrease)	Value
PEFR:		

FEV1:		
Observed:		
Predicted:		
FVC:		
Observed:		
Predicted:		
FEV1/FVC:		
Final Report: Normal / Obstructive Lung Disease/ Restrictive Lung Disease/ Mixed Lung Diseases		

I. Audiometry (Pure Tone / BERA): attach the photocopy of the report (For Mine Employee)

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like wax in external ear, infection etc	
Right Ear Hearing Threshold:	
Left Ear Hearing Threshold:	
Final Report preferable based on BERA:	
Right Ear:	
Left Ear:	

J. Eye Examination: attach the photocopy of the report

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like corneal opacity/scarring, cataract etc.	
Visual Acuity: Right	
Visual Acuity: Left	
Colour Vision	
Field of Vision	
Binocularity	
Lateral Phoria	
Vertical Phoria	
Stereoscopic Vision and Depth Perception Testing	
Fundus (Retina) examination	

K. 12 lead ECG and Echocardiography:

Final Report:

L. MEDICAL FITNESS TESTS FOR PERSONS WORKING AT HEIGHT (as may be applicable):

1. Detailed Medical History and in-Depth General Medical Examination including tests for Vision, Hearing, Musculoskeletal System, Respiratory System, Cardiovascular System etc. As applicable to all employees

2. Special Examination

a) Cardiovascular

Uncontrolled hypertension or ischemic heart disease will be a contraindication. In the presence of hypertension and abnormal ECG findings, the employee should be referred to a Cardiologist for fitness.

b) Tests for Labyrinthine functions and for sense of position Eye Examination for Bilateral Nystagmus, Romberg sign.

The presence of bilateral nystagmus and a positive Romberg sign will be an absolute contraindication.

- c) Neurological examination Evaluate seizure disorders: CT Scan of Brain and E.E.G if indicated
- d) Assessment of Diabetic Control Status:
(in case of employees suffering from Diabetes Mellitus)
- e) Assessment of Phobia (Acrophobia) and any other Mental Health Disorder like Anxiety or Depression
- d) Evaluation for Vertigo and Dizziness

For use of Industrial Safety Section:

Walking freely over a horizontal bar at 1 ft. height: PASS / FAIL

Wearing a safety belt and tying the rope knot: PASS/ FAIL

Walking over a horizontal structure at 9 ft. height wearing a belt: PASS/ FAIL

General physique (O.K./NOT O.K): PASS/ FAIL

M. Any other information/examination/biological investigation/test as mutually agreed by the employer and qualified medical practitioner.

Signature of the qualified medical practitioner

Place:

Date:

[See Rule-8]

Notice of Accident or Dangerous Occurrence

E.S.I.C. Employer's Code number : E.S.I.C. Insurance Number of the
injured person :

1. Name of employer:
2. Address of works / premises where the accident or dangerous occurrence took place:
3. Nature of industry and LIN of the establishment :
4. Branch or department and exact place where the accident or dangerous occurrence took place :
5. Name and address of the injured person :
6. (a) Sex :
 - (b) Age (at the last birthday) :
 - (c) Occupation of the injured person :
7. Local E.S.I.C. Office to which the injured person is attached :
8. Date, shift and hour of accident or dangerous occurrence :
9. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :
 - (b) whether wages in full or part are payable to him for the day of the accident or dangerous occurrence :
10. (a) Cause or nature of accident or dangerous occurrence :
 - (b) If caused by machinery-
 - (i) Give the name of machine and the part causing the accident or dangerous occurrence :
 - (ii) state whether it was moved by mechanical power at the time of accident or dangerous occurrence :
 - (c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :
 - (d) In your opinion, was the injured person at the time of accident or dangerous occurrence -
 - (i) acting in contravention of provisions of any law applicable to him; or
 - (ii) acting in contravention of any orders given by or on behalf of his employer; or
 - (iii) acting without instructions from his employer?
 - (e) In case reply to (d) (i), (ii) or (iii) is in the affirmative , state whether the act was done for the purpose of and in connection with the employer's trade or business. :
 11. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether -
 - (a) the injured person was travelling as a passenger to or from his place of works; :
 - (b) the injured person was travelling with the express or implied permission of his employer; :
 - (c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and :
 - (d) the vehicle is being/not being operated in the ordinary course of public transport service :
 12. In case the accident or dangerous occurrence took place while meeting emergency, state- (a) its nature ; and

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place. :

13. Describe briefly how the accident or dangerous occurrence took place :

14. Names and addresses of witnesses : (1)

(2)

15. (a) Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person was disabled for more than 48 hours :

(b) date and hour of return of work :

17. (a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment :

(b) Name of dispensary/panel doctor elected by the injured person :

18. (a) Has the injured person died ? :

(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/ employer /manager/agent

Date of dispatch of report :

Place:

FORM-12
[See Rule-29(4)]

Register of Compensatory Holidays

Serial No.	No. in the register of workers	Name	Group or relay number	Number and date of exempting order	Year	Weekly rest days lost due to the exempting order in			
						January to March	April to June	July to September	October to December
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Date of compensatory holidays given in				Lost rest days carried to the next year	Remarks
January to March	April to June	July to September	October to December		
(11)	(12)	(13)	(14)	(15)	(16)

FORM-13
[See Rule-33]
NOTICE OF PERIODS OF WORK

Name of the Establishment.....Place.....District.....

Periods of work Groups, Relations	Men												Women												Description of Groups, Nature of work	Remarks						
	Total no. of men employed												Total no. of women employed																			
	A			B			C			D			E			F			G			H										
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3		

On working days

From ..

To ..

From ..

To ..

From ..

To ..

On partial

Working days

From ..

To ..

From ..

To ..

Date on which this notice is first exhibited :

Signature of manager or agent :

Date :

FORM 14
[See rule 34(1)]
REGISTER OF EMPLOYMENT

Name and Address of establishment:

Sr. No.	Name and Gender	Aadhar No.	Address	Mobile Number	Email
(1)	(2)	(3)	(4)	(5)	(6)

Qualification	Experience	Date of joining	Designation	Date of leaving	Number and date of fitness certificate
(7)	(8)	(9)	(10)	(11)	(12)

FORM 15
[See Rule 34(1)]
REGISTER OF MUSTER ROLL

Name and Address of establishment:

Periods of work and rest period (time and coding):

Sr. No.	Name Gender	Gender	Adult/Adolescent register entry number
(1)	(2)	(3)	(4)

Whether local or Inter-State Migrant	Social Security number (UAN/ ESI)	Over Time Hours	Weekly- off
(5)	(6)	(3)	(4)

FORM 15A
[See Rule 34(1)]
REGISTER OF ATTENDANCE

Month:

1 Name and address of the establishment:

2 Name of the worker:

3 Father`s name :

4 Serial number in Workers Register.:

5 Designation:

Period of Work:		
Date	From	To

FORM 16
[See Rule 34(1)]
REGISTER OF WAGES, OVERTIME, FINE, DEDUCTION FOR DAMAGE AND LOSS

Name of the Establishment:
Name of the Owner:

Name of the Employer:
PAN/TAN of the Employer:

Labour Identification Number (LIN):

Sr. no. in Employee Register	Name of the employee	Designation / Department	Duration of Payment of Wages (Monthly /Fortnightly /Weekly /Daily /Piece rated)	Wage Period From-To	Total no. of days worked during the period	Total overtime (hours worked or production in case of piece workers)	Basic DA Allowances		
							Basic	DA	Allowances
1	2	3	4	5	6	7	8	9	10

Overtime earning	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Amount of deduction from wages	Total amount of wages paid	Date of Payment	Attendance	
							Date	Signature
11	12	13	14	15	16	17	18	19

FORM 17
[See Rule 34(2)]
WAGE SLIP

Name of the Establishment

Address:

Period:.

1. Name of the Employee:
2. Father's/Spouse's Name:
3. Designation:
4. UAN:
5. Bank Account Number:
6. Wage period:
7. Rate of wages payable
 - a) Basic:
 - b) D.A. :
 - c) other allowances :
8. Total attendance/unit of work done:
9. Overtime wages :
10. Gross wages payable:
11. Total deductions
 - a) PF :
 - b) ESI :
 - c) Others :
12. Net wages paid :

Date:

Signature of employer

FORM 18
[See Rule 36]
ANNUAL RETURN
UNIFIED ANNUAL RETURN FORM
FOR THE YEAR ENDING.....

Single Integrated Return to be filed On-line under the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Industrial Relations, 2020, the Code on Social Security , 2020, and the Code on Wages, 2019

Instructions to fill up the Annual Return

- (1) This return is to be filled-up and furnished on or before 28th or 29th February every year.
- (2) The return has two parts i.e. Part-I to be filled up by all establishments.
- (3) Part-II to be filled-up by the establishments who are a Mine only in addition to Part-I.
- (4) The terms Establishment and Mines shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.
- (5) This return is to be filled-up in case of Contractor or manpower supplier who have engaged more than 50 workers and in case of Mines even if there is one worker employed in the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.			Instructions for filling the column
1	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2	Period of the Return	From - To-	Period should be calendar year
3	Name of the Establishment		
4	Email ID		
5	Telephone No.		
6	Mobile number		
7	Premise name		
8	Sub-locality		
9	District		
10	State		
11	Pin code		
12	Geo Co-ordinates		
B(a).	Hours of Work in a day		
B(b).	Number of Shifts		

C. Details of Manpower Deployed

Details	Directly employed				Employed through Contractor				Grand Total
	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	
(i) Maximum No. of employees employed in the establishment in any day during the year	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	
(ii) Average No. of employees employed in the establishment during the year	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	
(iii) Migrant Worker out of (ii)	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	

above									
(iv) Number of fixed term employee engaged	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	

D. Details of contractors engaged in the Establishment:		
Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.			
Sl.No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling
1	Whether facility of Canteen provided (as per section 24(v) of OSH Code, 2020)	Yes/No	Applicable to all establishments where in hundred or more worker including contract labour were ordinarily employed
2	Crèches (as per section 67 of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020)	Yes/No	Applicable to all establishments where fifty or more workers are employed
3	Ambulance Room (as per section 24(2)(i) of OSH Code, 2020)	Yes/No	Applicable to mine, building and other construction work wherein more than five hundred workers are ordinarily employed
4	Safety Committee (as per Section 22(1) of OSH Code, 2020.	Yes/No	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BoCW employing 250 workers or more, and mines employing 100 or more workers.
5	Safety Officer (as per section 22(2) of OSH Code, 2020)	No. of safety officers appointed	In case of mine 100 or more workers and in case of BoCW 250 or more workers are ordinarily employed.
6	Qualified Medical Practitioner (as per Section 12 (2) of OSH Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:					Instructions for filling
1.	Is the Works Committee has been functioning. (section 3 of IR Code, 2020)	Yes/No			Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution				
2.	Whether the Grievance Redressal Committee constituted (section 4 of IR Code, 2020)	Yes/No			Industrial establishment employing 20 or more workers are employed
3.	Number of Unions in the establishments.				
4.	Whether any negotiation union exist (Section 14 of IR Code, 2020)	Yes/No			
5.	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)	Yes/No			
6.	Number of workers discharged, dismissed, retrenched or whose services were terminated during the year:				
	Discharged	Dismissed	Retrenched	Terminated or Removed	Grand Total
7.	Man-days lost during the year on account of				
Sl. No.	Reasons	Period / Date	No. of man-days lost	Loss in term of money	
(a)	Strike				
(b)	Lockout				

8. Details of retrenchment / lay off					
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off	

G. Details pertaining to maternity benefit:				
No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:			
Sl.No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:				
Sl.No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per Section 10 of the OSH Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH Code, 2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH Code, 2020 along with the details of affected persons

J. Mandays and Production Lost due to accidents / dangerous occurrence			
Sl.No.	Accident/Dangerous Occurrence	Mandays lost	Production Lost

Certified that the tables in prescribed format are duly filled in and information and/ figures given in all the tables are correct to the best of my knowledge.

Signature of Owner/Agent/Manager with seal

Place:

Dated:

FORM 18 A

[See Rule 36]

(Half Yearly Return (January to June / July to December) to be submitted by Contractor)

1. Name and address of the contractor:
2. Name and address of the principal employer and LIN:
3. LIN of the contractor:
4. License number of the contractor (if applicable):
5. Name of the contract work with location/station:
5. Details of the number of Contract Workers, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Over time
(1)	(2)	(3)	(4)	(5)

Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7th of the month or due date as applicable Yes/No	Remark
(6)	(7)	(8)	(9)	(10)	(11)

Signature of the contractor:

Date:

FORM-19
[See Rule-37]

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of Injured person (if any)	Date of Accident or dangerous occurrence	Date of report To Inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured Person to work	Number of days the injured Person was absent from work
1	2	3	4	5	6

FORM-20
[See Rule-38]
REGISTER FOR LEAVE WITH WAGES

Part I - Adults

Part II - Adolescents

Establishment:

Name of worker :

Department :

Father's Name:

Sl. No	Sl.no. in the register of workers	Date of Entry into service	Interruptions				
			Sickness and accidents	Authorized Leave	Lock Out or Legal Strike	Involuntary unemployment	Others
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Remarks
				Date of Discharge	Date & amount of payment made in lieu of leave due	
(9)	(10)	(11)	(12)	(13)	(14)	(15)

Note:-Separate page shall be allotted to each worker.

FORM 21

[See Rule 44(2)]

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

Number:

date:

To

.....

.....

Take notice that it is intended to have analysed the sample ofwhich has
been taken today, the.....day
of.....20..... from

(Name of the Inspector-cum_Facilitator who orders sampling).

(Seal)

Date

FORM 22
[See Rule 44(7)]
REPORT BY LABORATORY

Report No.

Date

I hereby certify that IAnalyst working
in.....duly received on the.....day of
20..... from a sample of
for analysis.

The sample was in a condition fit for analysis as reported below.

I further certify that I have analysed the aforementioned sample onand
declare that the result of the analysis to be as follows:

.....
.....

The condition of seals, fastening of samples on receipt was as follows:

Signed this.....day of.....20.....

Address

.....

Signature

(Laboratory Analyst)

FORM 23
[See Rule-45]
IMPROVEMENT NOTICE AND PROHIBITION ORDER
PART I
PROHIBITION ORDER

Inspector-cum-facilitators Notice on Inspection of Establishment, Lifting Appliance, Loose Gears and other such gears, Equipment, Ladders and Staging. Inspector-cum-Facilitator's notice to the occupier, employer, owner, master, Officer-in-charge, Owner of lifting appliances, loose gears and lifting devices or the person, scaffold who, by himself, his agents, or his employers as the case may be.

Name of the establishment, lifting appliance, lifting device, transport equipment, ladders and staging	Where situated lying/used/location	Registration no. of the establishment	LIN No. of the establishment
1	2	3	4

An inspection of the above named establishment, lifting appliances, loose gears, lifting devices, transport equipment, ladders and staging was made on _____.

The activities connected with establishment which are being carried on by you/about to be carried on by you/under your control involve a risk or danger to the life. Safety and health of employee and involve the following contraventions :

CONTRAVENTIONS

Therefore. I hereby direct that the said activities shall not be carried on by you or under your control unless the said contraventions and matters mentioned have been remedied to the satisfaction of the Inspector-cum-Facilitator. This order is being issued without prejudice or any legal action which may be taken for these contraventions.

On hearing from you that the requirements have been complied with the establishment, lifting appliance, loose gear or similar gear/ transport equipment /ladders/ staging, scaffold shall again be visited with a view to the inspection being completed.

No. _____

Dated at _____ this _____ day of 20 _____

Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020

REQUIREMENTS

On compliance with all or any of the above contraventions, the Inspector-cum-Facilitator shall be informed in the manner prescribed overleaf, of the date and place

at which the establishment, lifting appliance, loose gears or similar gear transport equipment, ladders and staging, scaffold can be re-inspected.

Sir/Madam,

The contraventions notified by you have been effectively attended to. The establishment, lifting appliance, loose gears or similar gear, transport equipment, ladders and staging, scaffold shall be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20_____	Employer, Occupier, Owner, Manager, Master, Officer-in-charge or Agents, owner of machinery and gear or the person, who by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020.

PART - II
Improvement Notice

Inspector-cum-Facilitator’s notice to the employer, Owner, Master, Manager, Officer-in-Charge or Agents, Owner of lifting appliances, loose gears lifting devices, scaffold or the person, who, by himself, his agents or his employers, carries on the establishment, as the case may be.....

Name of the establishment, lifting appliances, loose gear, lifting device, transport, equipment, ladders and stagings, scaffold;	Where situated/lying used/location	Port of Registry	Official no.(if any) of the ship

An inspection of the above-named establishment, dock, ship, lifting appliances, loose gears, lifting devices, transport equipment, ladders and stagings, scaffold was made on

The following contraventions were observed. You are required to remedy the said contraventions and send the compliance report in writing within..... days.

This notice is being issued without prejudice to any legal action which may be taken for these contraventions on hearing from you that the requirements have been complied with the establishment, lifting appliance/loose gear or similar other gear/transport equipment/ladders/ staging, scaffold will again be visited with a view to the inspection being completed.

Contraventions No. _____ Dated _____ this _____
day of _____ 20_____

Inspector-cum-Facilitator under the Occupational Safety, Health and Working
Conditions Code, 2020

Requirements- On compliance with all or any of the requirements, the Inspector-cum-Facilitator should be informed in the manner prescribed overleaf of the date and place at which the establishment, lifting appliance, loose gear, transport equipment, ladders and staging, scaffold can be re-inspected.

Sir/Madam,

The requirements noted by you have been effectively fulfilled. The establishment, lifting appliance, loose gear, lifting devices, transport equipment, ladders and staging, scaffold will be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20_____	Employer, Occupier, Owner, Manager, Master, Officer-in-charge or Agents, owner of machinery and gear or the person, who by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupational Safety, Health and Working
Conditions Code, 2020.

FORM 24
(See Rules 56(1), 57(1))

Application for issue and grant, renewal of license for a contractor

- (i) Whether the application is for: (a) renewal of license (b) work-specific license
- (ii) Name and address of the contractor (including his father's name in case of individuals)
- (iii) Father's name
- (iv) Particulars of establishment where contract labour is to be employed:
 - (a) Name and address of the establishment:
 - (b) Type of business, trade, industry, manufacture or occupation carried on in the establishment.
 - (c) Number & date of Certificate of license of the establishment under the code.
 - (d) Name and address of the Principal Employer:
- (iv) Particulars of the Contract Labour:
 - (a) Nature of work in which contract labour is employed or to be employed in the establishment:
 - (b) Duration of proposed contract work (give particular of proposed date of commencing & ending)
 - (c) Name and address of the authorised person of Contractor at establishment
 - (d) Maximum number of contract labour proposed to be employed in the establishment on any date
 - (e) No. of inter-state migrant workers to be employed: Fill details in Form no. 5 as mentioned in Rule 4
 - (v) Amount and particulars of License fee deposited:
 - (vi) Amount and particulars of security deposit, if any, or requested to be adjusted:

Signature of the Applicant-Contractor

FORM 25
[See Rules 56(4), 57(2) and 58]
License to contractor
Government of Meghalaya
Office of Designated Authority under the Occupational Safety, Health And
Working Conditions Code 2020

Licence No: Date:

Fee paid:

Security deposited.....

Licence is hereby granted to.....

For the premises known as..... Situated at for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health And Working Conditions Code 2020 and the rules made there under.

The number of workmen employed, as contract labour in the establishment shall not, on any day, exceed.....

This licence shall remain in force till 31.12.20...

Issuing Authority

Place :

Date :

FORM 26
(See Rule 58)

Application for amendment of license for a contractor

- (i) Name and address of the contractor
- (ii) License number:
- (iii) Particulars of amendment:
 - (a) Name
 - (b) address :
 - (c) Number of contractor labour to be employed/supplied
 - (d) No. of inter-state migrant workers to be employed : Fill details in Form no. 5 as mentioned in Rule 4
 - (e) Nature of work for contractor labour to be employed/supplied
- (iv) Amount of additional License fee deposited:
- (vi) Amount of additional security:

Signature of the Applicant-Contractor

FORM 27
(See Rule 61)

Register of Contractors

Sr.No.	Licence Number and Date	Name and Address of contractors	Nature activity to be under taken by the contractor	Maximum workers to be employed on any day
(1)	(2)	(3)	(4)	(5)

Probable date of commencement	Date of cessation	Details of amendment, if any	Renewed upto
(6)	(7)	(8)	(9)

FORM 28
(See Rule 62)

Notice of intimation of work-order by contractor

I Shri of M/s..... having license Number..... hereby intimate that work order to supply labour/execute work (Name of work) from the establishment.

(Name and address) has been issued and work shall commence from.....

Signature of the Contractor

FORM 29
(See Rules 64 and 67)

Register of Security Deposit/Refund/Release

S. No.	Name and Address of the contractor	Amount of security deposited	Date of security deposit	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-30
[See Rule 69(1)]
Application under section 57(2)

- a. Name of aggrieved party:
- b. Address of communication:
- c. Details of grievance:
- d. Reasons of claim:
- e. Details of documents attached:

Signature of aggrieved party

FORM 31
(See Rule 70)

REGISTER OF JOURNEY ALLOWANCE

Name and Address of establishment:

Establishment registration number:

S.No.	Name of inter-state worker	Entry in adult/ adolescent worker register	Permanent address of inter-state worker	Period of journey
(1)	(2)	(3)	(4)	(5)

Number of family members	Mode of journey	Amount paid	Signature of inter-state worker
(6)	(7)	(8)	(9)

FORM 32
(See Rule 74)

Format of agreement

This agreement is made on this of20..... between Messers having office at (a sole proprietary concern/a firm registered under the Partnership Act, 1932/a Company incorporated and registered under the Companies Act, 1956) (hereinafter referred to as the "Producer") on the first part and Shri/Smt/Kumari 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:

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the Audio Visual production and this period shall not exceed.....consecutive months.
2. That the Audio Visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorized by him in writing.
3. That in consideration 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 installments.
4. That in the event of the Audio Visual production being not complete within the stipulated period and the Producer still needing the services of the Audio Visual Worker to complete the film, 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.
5. That in case the assignment of the Audio Visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the Audio Visual Worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the Audio Visual production, whichever is earlier.
6. It is agreed by the Producer that for the purposes of this agreement,
 - (a) a working day shall mean a period not exceeding eight consecutive hours (to include one hours' break for rest and refreshments) ;
 - (b) 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 :
 - (c) the Audio Visual worker shall not be required to work for more than five consecutive hours without a break ; and
 - (d) 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.
7. That the Audio Visual Worker shall, if so required,-
 - (a) attend the studios, location or work-place, as the case may be, earlier than the a scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs.per hour or part thereof for such early attendance.
 - (b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs. for the work during the extended hours and refreshments, and transport facilities.

8. 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.
9. 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.
10. 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.
11. That where the Producer is prevented from proceeding with the production of the Audio Visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-
- (a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the Audio Visual Worker and shall pay all his/her dues up to the date of service of such notice.
- Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom ; or
- (b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the Audio Visual Worker and make payment of all the amount due to the Audio Visual Worker at the time of termination.
12. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the Audio Visual Worker's duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement.
- Only after such payment to the Audio Visual Worker, the Producer shall be titled to employ another Audio Visual Worker in his/her place.
13. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the Audio Visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the Audio Visual worker of the amount due at the time of termination, calculated taking into consideration the Audio Visual worker's total work in the film and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the Audio Visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the Audio Visual workers' Organisation to which the Producer and the Audio Visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another Audio Visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the Audio Visual worker has been paid all his dues.
14. 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.
15. 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.
16. 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.

17. That the Audio Visual -worker shall comply with all the regulations of the studio, location or work place as the case may be.

18. 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.

19. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.

20. That the Producer shall not utilise the work of the Audio Visual worker in any from 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

Producer

Name

Address

2. Witness

Audio Visual Worker

Name

Address

FORM 33
(see Rule 77, 79, 85(III))

Application for grant/ renewal/ amendment/ transfer of license as a factory/industrial premises for beedi or cigar/engagement of contractor

1. Application for license –
 - (a) as a factory
 - (b) for engagement of contractor
 - (c) Industrial premises for beedi and cigar work
2. Full name and postal address of the establishment
3. Registration of establishment under the Code:
4. Details of person who will be occupier/principal employer
 - (a) Name
 - (b) Permanent address
 - (c) Local address
 - (d) Email
 - (e) Mobile number
5. Full name and address of the owner of the Premises or building (including the percents Thereof)
6. Core activity to be under taken along with details of hazardous substances as per section 2(za) of the Code.
Nature of manufacturing process/processes-
 - (a) carried on in the factory during the last twelve months (in the case of factories already in existence).....
 - (b) to be carried on in the factory during the next twelve months (in the case of all factories).....
 - (c). Names and values of principal products manufactured during the last twelve months.....
7. NIC code
8.
 - (a) Total Number Workers to be employed in the period of license
 - (b) Total Number Workers were employed during last calendar year
 - (c) Maximum number of workers proposed to be employed on any one day during the year.....
 - (d) Minimum number of workers employed on any one day during the last twelve months.....
 - (e) Number of workers to be ordinarily employed in the factory.....
9. Particulars of Contract Labour:
 - (a) Nature of work in which contract labour is employed or to be employed:
 - (b) Maximum number of contract labour to be Employed on any day :
 - (c) Number of Inter-State Migrants (Fill details in Form no. 5 as mentioned in Rule 6)
 - (d) Estimated date of commencement of each Contract work under each contractor:
 - (e) Estimated date of termination of employment of contract labour under each contractor:
10. Power:
Connected or proposed to be connected (in KW)
 - (i) Nature and total amount of power (H. P.) installed or proposed to be installed.....
 - (ii) Maximum amount of power (H. P.) proposed to be used.....
11. Furnish Reference:
 - (a) approval of plans
 - (b) stability certificate
 - (c) disposal of trade waste/effluents/hazardous waste/e-waste/ biomedical waste (which is applicable)
12. Full name and residential address of the person who shall be the Manager of the factory for the purposes of the Act.....
13. Full name and residential address of the occupier i.e.,-
 - (i) The proprietor of the factory in case of private firm/proprietary concern.....
 - (ii) Directors in case of public limited liability company/firm.....

- (iii) Where a Managing Agent has been appointed the name of Managing Agents and Directors thereof.....
- (iv) Share-holders in case a private company where no Managing Agents have been appointed.....
- (v) The Chief Administrative Head in case of a Government of local Fund factory.....
- 14. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in Section 93.....
- 15. In the case of a factory constructed or extended after the date of the commencement of the rules-
 - (a) reference number and date of approval of the plans for site whether for old or now building and for construction or extension of a factory by the State Government/Chief Inspector.....
 - (b) reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the note of the authority granting such approval.....

16. Details of fee

S.No	Particular	Amount	Date
a	Factory		
b	Engagement of contractor		
c	Industrial premises		

Employer/Occupier

Date.....

Note-1. This Form should be completed in block letter or typed.

2. If the power is not used at the time of filling up this Form, but is introduced later the fact should be communicated to the Chief Inspector immediately.
3. If any of the persons named against item 8 is minor the fact should be clearly stated.
4. In the case of a factory, where under the proviso to Sub-sections (1) and (2) of Section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.
5. In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1913 (VII of 1913), information required in item 8 should be supplied only in respect of that person or persons.

FORM 33 A
[See Rule 85(VI)]

(Self declaration by the Occupier and Manager for renewal of factory licence)

I / We _____ Son/Daughter of _____
_____ resident of _____

P.O. - _____ / PS _____, District
_____ State _____, Pin _____ do

hereby declared as under .

1. That, I Shri / Smt. _____ am the occupier
of the factory M/s. _____, Registration No.

_____ situated at _____ P.O.
_____, PS. _____, District

_____, Pin _____.

2. That, Shri / Smt. _____ is the Manager
of the factory.

3. That, the factory license for the preceeding year is _____
is in force for _____ KW and manpower of

_____.

4. That, there is no change in manpower and installed power in the factory.

5. That, there is no change in factory layout and manufacturing process, no addition
and alteration made with reference to plan approved in letter No.

_____ dt..... of the _____

Further, we undertake that, we will be held liable for penal action, if the information
furnished above are found to be false at any stage in future.

Signature of Occupier

Signature of Manager

DSC of Employer/Occupier

FORM 34

(See Rules 77, 85(IV))

Common Licence For Factory/Beedi & Cigar Work/Engaging Contract Labour

Government of Meghalaya

Office of designated authority under section 119 of The Occupational
Safety, Health and Working Conditions Code 2020

License number:

Date of issue:

A license is granted to Shree.....(Name of Occupier) of establishment M/S _____
registered under the section-3 of the code having registration number _____ as below;

A. To run as a factory in which manufacturing process _____ shall be carried by
employing not more than _____ workers and power not more than _____ KW for the purpose of
The Occupational Safety, Health And Working Conditions Code 2020 and rules made there
under and whose plans are approved by Chief Inspector-cum-Facilitator vide number _____
date .

This license will remain in force from _____ till _____

Fee _____ Date of deposit _____

B. Engagement of contract labour subject to the conditions annexed to this license as given
below;

Fee Date of deposit.....

1 Maximum number of workers to be employed as contractor labour-

2 Nature of activity for which contractor labour shall be engaged-

C. To use as a industrial premises to carry work of beedi or cigar by employing not more
than _____ workers for the purpose of The Occupational Safety, Health And Working
Conditions Code 2020 and rules made there under and whose plans are approved by Chief
Inspector-cum-Facilitator vide number _____ date .

This license will remain in force from _____ till _____

Fee _____ date of deposit _____

Name And DSC of designated authority

FORM 35
(see Rule 82)
Monthly Return

1. Name of industrial premises and full postal address
 2. No. and date of licence
 3. Month to which the return relates
 4. Name of the employer
 5. Name of the principal employer if the employer is working as contractor for the
Principal Employer
 6. Quantity of beedi and/ or cigar tobacco released by the Central Excise Department
.....
 7. Quantity of beedi and/ or cigar tobacco supplied by the Principal Employer
.....
 8. Number of beedis and/ or cigars manufactured by the employer in an industrial
establishment
 9. No. of beedis and/ or cigars manufactured by the employer in places other than
industrial establishment i.e. workers working in their homes
 10. Number of beedis and/ or cigars sold and to whom
- Dated

Signature of the Employer

FORM 36
(see Rule 82)
Annual Return

1. Name and address of the industrial premises
2. Number and date of licence
3. Name of the employer
4. Name of the principal Employer, if the employer is working as contractor for a
Principal Employer
5. Average number* of employed daily in the industrial premises
- Man
- Women
- Young persons
- Male
- Female
6. Average monthly number of home-workers employed (i.e. who work at their
homes)**
7. Normal hours worked per week in the industrial premises
8. Number of days worked in the year in the industrial premises
9. Number of employees who were granted leave during the Calendar year
..... *young persons*
 - (a) employed in the industrial premises
 - (b) employed in homes*Other than young persons*
 - (a) employed in the industrial premises
 - (b) employed in homes
10. Number of female employees who were given maternity benefit during the year
.....
 - (a) employed in the industrial premises
 - (b) employed in homes

Certified that the information furnished above is correct to the best of my knowledge and belief.

Date

Signature

Note. – Partial attendance for less than half a shift or working day shall be neglected and attendance for half a shift or more shall be treated as full attendance.

*The average daily number shall be calculated by dividing the aggregate numbers of attendance of working days by the number of the working days in the year. Attendance on separate shifts, e.g, night and day shifts shall be counted separately.

**The average shall be calculated by dividing the aggregate number of workers on the Home- workers Employment Register during each of the preceding 12 months by twelve.

FORM 37
(see Rule 82)
Home Workers' Log Book

1. Name of home worker
2. Address of the home where the manufacturing process is carried on
3. Month

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. standard of beedis	Number of substandard or chat beedis	Wages payable to worker		Wages paid to the 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 38
(See Rule 89)

Home-Workers' Employment Register

Month ending year

Beedis manufactured should be shown in respect of each home worker below the appropriate date

Name of worker	Address of Home	Wage paid	Date
			1 2 3 4 5 6 7 8 9 10 to 31

FORM-39
(See Rule-90)
Record of Outside Work

*Number and date of Government's Order permitting work outside the industrial
premises*

Date	Place or places where outside work was permitted	Nature of work	Nature of employee	Remarks
(1)	(2)	(3)	(4)	(5)

FORM-40
(See Rule-90)

HOME WORKERS' LOG BOOK

1. Name of home worker
2. Address of the home where the manufacturing process is carried on
3. Month

Account of Work Done at Home

Date	Raw Material supplier to the worker			Signature or thumb impression of the worker	No. of beedis received by the employer
	Tendu patta	Tobacco	Trread		
(1)	(3)	(3)	(4)	(5)	(6)

No. standards of beedis	Number of sub-standard or chhat beedis	Wages payable to worker		Wages paid to the 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 41
[See Rule 85(2)]

Application for permission to construct/extend or take into use any building / premises as a factory

1. Applicant's Name
Age
Father's Name
Permanent address-
Village/Plot No./Street/Lane
P.O.
P.S.
Town/City/District
State
PIN
Contact No.
Email-
2. Full name and postal address of the factory
3. Address for correspondence
4. Location of the Factory –
State
District
Sub-division
P.S. :
Near of village or town, nearest Rly. Station
5. Particulars of plants to be installed (Separate sheet where necessary be annexed)
6. (a) Number of persons proposed to be engaged
Men
Women
(In case of extension, increase of number of persons due to extension and No. of persons engaged in existing portion be mentioned separately)
(b) Amount of power proposed to be installed (The list of machines with K.W. rating of their prime movers be annexed. In case of extension, such list for existing portions and for extension be mentioned separately).
7. Proposed date of commencement of construction
8. Particulars of no objection Certificate/Consent letter of Orissa State Pollution Control Board, Bhubaneswar/Local Authority. (Attested copy to be enclosed)
9. Amount of fee paid..... Challan No..... Date..... Treasury/Bank name.....

Date.....

Place.....

(Signature of applicant)

Note - This application shall be accompanied by the following documents

- (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages.
- (b) Plans, in duplicate, drawn to scale, showing
 - (i) the site of the factory and immediate surroundings including adjacent building and other structures, roads, drains, etc; and
 - (ii) the Plan elevation and necessary cross Sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of

escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage way; and
(b) Such other particulars as the Chief Inspector may require.)

FORM 42
(See Rule 85(7))

Particulars of rooms in the factory

Name/Number Of room in factory	Dimensions in feet				
	Length	Breadth	Height		
			Maximum	Minimum	Average
(1)	(2)	(3)	(4)	(5)	(6)

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	
(7)	(8)	(9)	(10)	(11)	(12)

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 workroom of for storage only
Number and size of windows openings	Number and size of skylight openings	Total area in square feet			
(13)	(14)	(15)	(16)	(17)	(18)

Date of construction	Remarks
(19)	(20)

Signature of the Occupier.....
Signature of the Manager.....

Questionnaire Annexed to Form No. 42.

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.

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 Column No. 1 ?
- (i) Are the outlines of all rooms, sheds, enclosures, etc., shown in the site-plan and allotted the same number as in Item 1 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 91 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 50 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 existing 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. 41

- (a) Is Form No. 41 submitted with duly filled information 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. 41 ?
- (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. 1 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 91].
 - (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 Form No. 15 ?
- (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 ?
- (g) Can the windows and skylights all 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 ?

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 or 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 Form No. 41 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 45° 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?
 (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 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 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— 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. Signature of Occupier.

- N. B.—(i) After showing the above details, the plans and site-plan this questionnaire and Form No. 41 should all be submitted to the Inspector of Factories of the Region concerned for the approval of the Chief Inspector of Factories.
 (ii) A certificate of stability signed by a person having the qualifications laid down in Rule 91(II) shall be submitted on Form No. 43 before the manufacturing PROCESS with the aid of power is begin in the building.

FORM 43
[See Rule 91(II)]
Certificate of stability

1. Name of the factory.....
2. Village, town and district in which the factory is situated.....
3. Full postal address of the factory.....
4. Name of the occupier of the factory.....
5. Nature of manufacturing process to be carried on in the factory.....
6. Number of floors on which workers will be employed.....

I have inspected the premises of the factory on.....and examined the building/buildings and other structures. The details of the building / buildings and other structures are specified in the schedule appended. I certify that it is / they are found to be structurally sound and that its / their stability will not be endangered by its / their use as factory / part of factory.

Signature

Qualification:

Address of Association:

The Certificate of stability referred to in sub-rule(1) shall be signed by one of the following categories of persons, namely:—

- (i) A member of the Associate Members of Institute of Civil Engineers.Or,
- (ii) A member of the Institute of Structural Engineers. Or,
- (iii) A full member or Associate Member of the Institute of Engineers (India). Or,
- (iv) Civil Engineers of the Public Works, Electricity and Highways Department including retired Civil Engineers not below the rank of Executive Engineer.

FORM 44
(See Rule 91 (XII))
Notice of change Manager

1. Name of the factory with current licence number.....
 2. Postal address.....
 3. Name of the outgoing Manager.....
 4. Name of the new Manager with postal address
 5. His father's name with postal address.....
 6. Date and time of transfer of charge (forenoon or afternoon).....
- Signature of new Manager

Signature of Occupier

FORM 45
(See Rule 91 XIII)
Form of Certificate from Competent person

It is certified that I/We have examined the plan and details of Form 42 and the design and map of the proposed factory building. I/We further certify that the plan and details of Form 42 and design, map and other particulars given with Form 42 is in accordance with the Provisions of the Occupational Safety, health and Working Conditions Code, 2020 and Meghalaya Rules made thereunder

Date

Signature.....

(Name and Designation)

Seal

Empanelment number

FORM 46
[See Rule 91(XIV)]
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 (H.P.) installed

(b) Maximum amount of power (H.P.)

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 person who shall be Manager of the factory for the purposes of the Code.....

(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 47
(See Rule 94,104,126)
Health Register

Sr.No.	Name of worker	Serial number in adult worker register	sex	age	Date of employment on present work	Date of leaving or transferred to other work	Reason for leaving, transfer or discharge
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Nature of job or occupation	Date of medical examination by medical officer	Result of medical examination	If suspended from the work, state period of suspension with detailed reasons	Recertified fit to resume duty on (with signature of medical officer)	If certifying of unfitness or suspension issued to worker	Signature with date of medical officer
(9)	(10)	(11)	(12)	(13)	(14)	(15)

FORM 48
(See Rule 50, 94,104,126)
CERTIFICATE OF FITNESS FOR HAZARDOUS PROCESS OR DANGEROUS OPERATIONS

1. Serial No. _____
2. I certify that I have Personally examined _____ (Name of person examined) having serial Number _____ (In Adult Worker Register) who is desirous of being employed in _____ (hazardous process/ dangerous operation) in factory _____

3. He is fit to be employed

4. He may be produced for further examination after a period of _____

5. He has gone undergone following tests/examinations:

S. No.	Name of test/examination	remarks
--------	--------------------------	---------

6. Remarks of medical officer:

Name and signature of medical officer

FORM 49
[See Rule 99]
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 (H.P.) installed
(b) Maximum amount of power (H.P.)
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 person who shall be Manager of the factory for the purposes of the Code.....
(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 50
(See Rule 108)

Application to appropriate authority under section 90

- a. Name of occupier or manager:
- b. Name and Address of factory:
- c. Details of grievance:
- d. Reasons of claim:
- e. Details of documents attached:

Name and signature of occupier/ manager

FORM 51
(see Rule 131)
Penalty Register

Office of Chief Inspector of Boilers and Factories, Meghalaya
For the Month of _____, Year _____

Sr.No.	Name and address of person on whom penalty imposed	Name and address of establishment in relation to person on whom penalty imposed	Date and number of reference of imposing penalty	Offences for which penalty imposed
(1)	(2)	(3)	(4)	(5)

Amount of penalty	Date of deposit	Whether appeal preferred	Signature of officer imposing penalty	remarks
(6)	(7)	(8)	(9)	(10)

Total penalty collected at the end of month

Details of transfer of amount to fund:

- (i) Date:
- (ii) Amount:
- (iii) Bank details of transfer

Signature and Seal of
Deputy Chief Inspector cum Facilitator
of Boilers and Factories, Meghalaya.

FORM 52
(See Rule 132)

Performa for Appeal before the Appellate Authority against Order of Imposing Penalty

To,

Appellate Authority

[Under Section 111(2) of the Code]

Sir/Madam,

I undersigned with following details prefer an appeal against order of -----(details of officer imposing penalty) under section 111(2) of The Occupational Safety, Health And Working Conditions Code 2020.

1. Name and address of the establishment.
2. Name of the person preferring appeal and address details
3. Amount of penalty imposed by the officer.
4. Ground for Appeal with supporting documents

Declaration

I/We hear by declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been misrepresented in the above calculation made by me/us.

Signature of person preferring appeal

Name:

Date:

Place:

Mobile Number:

E-mail (if any)

FORM 53

[See Rule 133]

APPLICATION UNDER SUB-SECTION (1) OF SECTION 114 FOR COMPOSITION OF OFFENCE

To,

The authorised officer

[under section 114(1)]

1. Name of applicant
2. Father's / Husband's name of the applicant
3. Address of the applicant
4. Name and Address of establishment in relation to applicant.....
.....
5. Particulars of the offence
6. Section of the Code under which the offence is committed
7. Maximum fine provided for the offence under the Code.....
.....
8. Whether prosecution against the applicant is pending or not
9. Whether the offence is first offence or the applicant had committed any other offence prior to the offence, if had committed, then, full detail of the offence
.....
.....
10. Any other information which the applicant desires to provide
.....
.....
.....

Applicant (Name and signature) Dated

FORM 54

(See Rule 133)

Compounding/ Composition Register

Office of Chief Inspector cum Facilitator of Boilers and Factories, Meghalaya.

For the month of _____ (name of month with year)

Sr. No.	Name and Address of person whom offence compounded	Name and address of establishment in relation to person on whom offence compounded	Date and number of reference of compounding / composition	Offences for which compounded
(1)	(2)	(3)	(4)	(5)

Amount of penalty	Date of deposit	Whether appeal preferred	Signature of officer imposing penalty	Remarks
(6)	(7)	(8)	(9)	(10)

FORM 55
(See Rule 134)

Record of Social Security Fund

Sr.No.	Amount received for fund	Source from received	Date of receive	Details of credit to the Meghalaya Unorganised Workers Welfare Board		
				Amount	Date	Bank Details

FORM 56

(See Schedule V)

Report of examination and test of DUST EXTRACTION OR SUPPRESSION System

1. Description of system:
2. Hood:—(a) Serial number of hood:
- (b) Contaminant captured:

	Design value	Actual value
(c) Captured velocities (at points to be specified)		
(d) Volume exhausted at hood:		
(e) Hood static pressure:		

3. Total pressure drop at —
 - (a) Joints:
 - (b) Other points of system (To be specified):
4. Transport velocity in duct (at points along ducts to be specified):
5. Air cleaning device:—

(a) Type used	(b) Velocity at inlet	(c) Static pressure at inlet	(d) Velocity at outlet	(e) Static pressure at outlet

6. Fan—

(a) Type used	(b) Volume handled	(c) Static pressure	(d) pressure drop at outlet of fan

7. Fan Motor—

(a) Type	(b) Speed and power in kilowatts

8. Particulars of defects, if any, disclosed during test in 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 accessible for thorough examination. I further certify that on the said date, I thoroughly examined the above dust extraction system including its components and fittings and that the above is a true report of my examination.

Address:

Signature:

Qualification:

Date:

If employed by a company or association, name and address of the company or association:

FORM 57
 Prescribed under Schedule VIII
REPORT OF EXAMINATION OF HOISTS AND LIFTS

Occupier (or owner) of premises:

Address.....

1. (a) Type of hoist or lift and identification number or description:

(b) Date of construction or reconstruction (if ascertainable):

2. Are all parts of the hoist or lift of good mechanical construction, :

sound material and adequate strength (so far as ascertainable) ?

3. Are the following parts of the hoist or lift properly maintained :

and in good working order? If not, state what defects have been found—

(a) Enclosure of hoistway or lift way:	(e) Cage and platform & fittings, guides, buffers, interior of the hoistway or lift way:	(i) Brakes:
(b) Landing gates and cage gates:	(f) Overrunning devices:	(j) Worm or spur gearing:
(c) Interlocks and landing gates and cage gates:	(g) Suspension ropes or chain & their attachments:	(k) Other electrical equipment:
(d) Other gate fastenings:	(h) Safety gear <i>i.e.</i> , arrangements for preventing fall of platform or cage brakes:	(l) Other parts:

4. What parts, if any, were inaccessible?

5. Repairs, renewal or alterations (if any) required and the period within which they should be executed?:

6. Maximum safe working load subject to repairs, renewals or alterations (if any) specified in item 5.:

7. Other particulars:

I/We certify that on (date).....I/We thoroughly examined this hoist or lift and that the above is a correct report of the result.

Signature:

Qualification:

Address:

If employed by a company or association, name and address of the company or association:

FORM 58

Prescribed under Schedule VIII-Pressure Plant

REPORT OF EXAMINATION OR TEST OF PRESSURE VESSEL OR PLANT

1. Name of the Occupier (or factory):
2. Situation and address of factory :
3. Name,description and distinctive number :
of pressure vessel or plant.
4. Name and address of manufacturer and :
Reference to their test certificate or certificate of competent person .
5. Nature of process in which pressure :
vessel or plant is used.
6. Particulars of pressure vessel or plant—
 - (a) Date of construction:
 - (b) Thickness of walls:
 - (c) Date on which the pressure vessel or plant was first taken into use:
 - (d) Maximum permissible working pressure recommended by the manufacturer:
 - (e) Design pressure , if known :
 - (f) Brief history of the pressure vessel or plant,indicating :
whether the Examiner has seen the last previous report.
7. Date of last hydrostatic test (if any) and pressure applied:
8. Is the pressure vessel or plant in open or :
otherwise exposed to weather or to damp?
9. What part (if any) were inaccessible?:
- 10 What examination and tests were made? :

(Specify pressure if hydrostatic test was carried out).

11. Condition of pressure vessel or plant (State any defects materially affecting the maximum permissible working pressure or the safe working of the pressure vessel or plant):—

External:	Internal:
-----------	-----------

12. Are the required fittings and appliances provided in accordance with the rules?:
13. (a) Are all fittings and appliances properly :
maintained and in good condition?
 - (b) Have the pressure settings been checked and corrected ? :
14. (a) Repairs(if any) required :
 - (b) Period within which the repairs should be executed :
 - (c) Any other condition which the person making the :
examination thinks it necessary for securing safe working.
15. Maximum permissible working pressure calculated from dimensions and :

from the thickness and other data ascertained by the present examination due allowance being made for conditions of working if unusual or exceptionally severe (State minimum thickness of walls measured during the examination).

16. Where repairs affecting the maximum working pressure are required, state the working pressure:—

(a) after the examination of the period specified in item 14:	(b) after the expiration of such period if the required repairs have not been completed:	(c) after the completion of the required repairs:

17. Other observations:

I certify that on (date).....the pressure vessel or plant described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure vessel or plant, including its fittings and that the above is a true report of my examination.

Signature:

Qualification:

Address:

Date:

If employed by a company or association, name and address of the company or association:—

FORM 59
REGISTER OF EXAMINATION OF GAS HOLDERS

Distinguish-ing number or letter of gasholder	Particulars of manufacture				
	Maker's name	Date of manufacture	Number of lifts	Maximum capacity in cubic metres	Pressure thrown by gasholder when full of gas
(1)	(2)	(3)	(4)	(5)	(6)

Particulars of examination carried out		
Method of examina-tion used	Date of examina- tion	Name and designation of the person making this examination
(7)	(8)	(9)

Particulars of repairs			Remarks
Nature of repairs	Date of repairs and painting	By whom repairs are carried out	
(10)	(11)	(12)	(13)

FORM 60

REPORT OF EXAMINATION OF WATER-SEALED GASHOLDER

1. Name of occupier (or factory) :
2. Situation and address of factory :
3. Name,description,distinguishing number or letter and type of gasholder :
4. Name and address of the manufacturer :
- 5.
6. Particulars of gas to be stored in the holder:

(a) Number of lifts	(b) Maximum capacity in cubic meters	(c) Pressure thrown by holder when full of gas

7. Particulars as to the condition of:

(a) Crown	(b) Side sheeting,including grips and cups	(c) guiding mechanism (Roller carriages,rollers,pins,guiderails or ropes)	(d) Tank	(e) Other structure,if any(columns,framing and bracing)

8. Particular as to the position of the lifts at the time of examination:
9. Particulars as to whether the tank and lift were found sufficiently level :
for safe working and if not,as to the steps taken to remedy the defect.
10. Date of examination and by whom it was carried out:
11. Condition of vessel— (a) External:
(b) Internal:
- 12.(a) Are all fittings and appliances properly maintained and in good condition?:
(b) Repairs,if any,required and period within which they should be executed:
(c) Any other conditions which the persons making the :
examination thinks it necessaary for securing safe working.
13. Other observations:

I certify that on (date)the gasholder described above was thoroughly examined and such of the tests as were necessary made on the same day and that the above is a true report of my examination.

Qualification;

Address:

Signature:

Date:

If employed by a company or association, nameand address of the company or association.:

DRAFT RULES
CHAPTER – I
PRELIMINARY

1. Short title, extant and commencement.- (1) These rules may be called the **Meghalaya Occupational Safety, Health and Working Conditions Rules, 2024.**

(2) This Rules shall extend to whole of the State of Meghalaya.

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

(4) They shall apply to all Factories/ Establishment/ Building or other construction work relating to any establishment in relation to which appropriate Government is the State Government under the Code.

2. Definitions.-

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

(a) “access” or “egress” means passageways, corridors, stairs, platforms, ladders and any other means to be used by a building worker for normally entering or leaving the work place or for escaping in case of danger;

(b) “appendix” means an appendix appended to these Rules;

(c) “appellate authority” means the officer as notified by the State Government under Section 4 and include the appellate authority to be notified by the State Government under sub-section (6) of Section 119 of Code;

(d) "approved" means approved in writing by the Chief Inspector cum facilitator or the officer notified by the State Government in this regard as the case may be;

(e) “Artificial humidification” means the introduction of moisture into the air of a room by any artificial means whatsoever, except the unavoidable escape of steam or water vapour into the atmosphere directly due to a manufacturing process:

Provided that the introduction of air directly from outside through moistened mats or screens placed in opening at times when the temperature of the room is 26.5 degrees Centigrade or more, shall not be deemed to be artificial humidification.

(f) “Authority” means an Authority designated by the State Government under sub-section (1) of Section 119 of Code;

(g) “base plate” means a plate for distributing the load from a standard in the case of metal scaffolds;

(h) “bay” in relation to scaffolds, means that portion of the scaffold between horizontal or vertical supports whether standards or supports from which the portion is suspended, which are adjacent longitudinally;

(i) “Belt” includes any driving strap or rope;

(j) “Board” means the Meghalaya Occupational, Safety and Health Advisory Board constituted under Section 17 of Code;

(k) “brace” means a member incorporated diagonally in a scaffold for stability;

- (l) “bulkhead” means an airtight structure separating the working chamber from free air or from another chamber under a lower pressure than the working pressure;
- (m) “caisson” means an air and watertight chamber in which it is possible for men to work under air pressure greater than atmospheric pressure at sea level to excavate material below water level;
- (n) "Calendar year" means the period of twelve months beginning with the first day of January in any year;
- (o) "casual leave" means leave to cover casual absence of the employees from duty for personal reasons;
- (p) "Child" shall have the same meaning as assigned to it in clause (ii) of Section 2 of Child and Adolescent (Prohibition and Regulation) Act, 1986;
- (q) “Code” means the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020);
- (r)“cofferdam” means a structure constructed entirely or in part below water level or below the level of the water table in the ground and intended to provide a place for work that is free of water;
- (s) “compressed air” means air mechanically raised to a pressure higher than atmospheric pressure at sea level;
- (t) “Compounding Officer” means an officer notified by the State Government under Section 114 of Code;
- (u) “construction site” means any site at which any of the processes or operations, related to a building or other construction work, are carried out;
- (v) “conveyor” means a mechanical device used in building or other construction work for transport of building material, articles, or packages or solid bulk from one point to another point;
- (w) “danger” means danger of accident or of injury or to health;
- (x) “decanting” means the rapid decompression of persons in a man-lock to atmospheric pressure at sea level followed promptly by their recompression in a decant lock, where they are then decompressed according to the appropriate decompression table in accordance with approved decompression procedures;
- (y) “Degree” means the degree of a statutory university;
- (z) “Degrees” (of temperature) means degrees on the Centigrade scale;
- (za) “demolition work” means the work incidental to or connected with the total or partial dismantling or razing of a building or a structure other than a building and includes the removing or dismantling of machines or other equipment;
- (zb) “department” means Labour Department, Government of Meghalaya;
- (zc) “diploma” means a diploma awarded by a recognized institution;
- (zd) “electronically” means any information submitted by digital mode or uploading on the designated portal or digital payment in any mode for the purpose of the Code;⁴
- (ze) “Enquiry Officer” means the Officer appointed by the State Government for holding enquiry under Sub-Section (1) of Section 111 of Code;

(zf) “excavation” means the removal of earth, rock or other material in connection with construction or demolition work;

(zg) “falseworks” means the structural supports and bracing for frameworks or forms;

(zh) “first employment” means the first employment in any manufacturing process to which the relevant Schedule applies and shall also include re-employment in the manufacturing process following any cessation of employment for a continuous period exceeding three calendar months;

(zi) “flashpoint” means the minimum liquid temperature at which a spark or flame causes an instantaneous flash in the vapour space above the liquid;

(zj) “Form” means a form annexed to these Rules;

(zk) “frame or modular scaffold” means a scaffold manufactured in such a way that the geometry of the scaffold is predetermined and the relative spacings of the principal are fixed;

(zl) “guardrail” means a horizontal rail secured to uprights and erected along the exposed sides of scaffolds, floor openings, runways and gangways to prevent persons from a falling;

(zm) “hazardous substance” means any substance which due to its explosiveness, inflammability, radioactivity, toxic or corrosive properties, or other similar characteristics, may-

(i) cause injury; or

(ii) affect adversely the human system; or

(iii) cause loss of the life or damage to property on work-environment, while handling, transporting or storing and classified as such under the national standards or in case such national standards do not exist to the generally accepted international standards;

For the purpose of this sub rule, the hazardous substance is specified in Schedule- C.

(zn) “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 framed under The Environment (Protection) Act,1986 (29 of 1986);

(zo) “Health Officer” means the Municipal or Local Health Officer or District Health Officer or such other official as may be appointed by the State Government in that behalf;

(zp) “high pressure air” means air used to supply power to pneumatic tools and devices;

(zq) “Hygrometer” means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards construction and maintenance;

(zr) “independent tied scaffold” means a scaffold, the working platform of which is supported from the base by two or more rows of standards and which apart from the necessary ties stands completely free of the building;

(zs) “industrial activity” means as defined in sub rule (h) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zt) “isolated storage” means as defined in sub rule (i) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zu) “Labour Commissioner” means an officer as such or in the capacity of Labour Commissioner appointed by the State Government;

(zv) “ledger” means a member spanning horizontally and tying scaffolding longitudinally and which acts as a support for putlogs or transoms;

(zw) “lifting appliance” means a crane, hoist derrick, winch, gin pole, sheer legs, jack, pulley block or other equipment used for lifting materials, objects or, building worker;

(zx) “lifting gear” means ropes, chains, hooks, slings and other accessories of a “lifting appliance”;

(zy) “lock attendant” means the person in charge of a man-lock or medical lock and who is immediately responsible for controlling the compression, recompression or decompression of persons in such locks;

(zz) “low pressure air” means air supplied to pressurise working chambers and man-locks and medical locks;

(zza) “magazine” means a place in which explosives are stored or kept, whether above or below ground;

(zzb) “Maintained” means maintained in an efficient state, in efficient working order and in good repair;

(zzc) “major accident” means an incident as defined in sub-rule (j) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zzd) “Major Accident Hazard (MAH) installations” means factories defined in sub-rule (ja) of Rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, framed under The Environment (Protection) Act,1986;

(zze) “Manager” means a person nominated or appointed by the employer of the establishment for the purposes of the Code and Rules;

(zzf) “man-lock” means any lock, other than a medical lock used for the compression or decompression of persons entering or leaving a working chamber;

(zzg) “material hoist” means a power or manually operated and suspended platform or bucket operating in guide rails and used for raising or lowering material exclusively and operated and controlled from a point outside the conveyance;

(zzh) “materials lock” means a chamber through which materials and equipments pass from one air pressure environment to another;

(zzi) “medical lock” means a double compartment lock used for the therapeutic recompression and decompression of persons suffering from the ill-effects of decompression;

(zzj) “Medical officer” means a person appointed under Section 42 of the Code by the Government of Meghalaya for the purposes of this Code within such local limits or for such factory or class or description of factories as it may assign to them respectively.

(zzk) “medium enterprise” means an enterprise as defined in clause (g) of Section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zxl) “micro enterprise” means an enterprise as defined in clause (h) of Section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zxm) “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;

(zzn) “outrigger” means a structure projecting beyond the facade of a building with the inner end being anchored and includes a cantilever or other support;

(zzo) “plant or equipment” includes any plant, equipment, gear, machinery, apparatus or appliance, or any part thereof;

(zzp) “portal” means the website of the Labour department of Government of Meghalaya or Shram Seva Portal for delivering services under the Code and the Rules made thereunder;

(zzq) “Power” means electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(zzr) “pressure” means air pressure in bars above atmospheric pressure;

(zzs) “pressure plant” means the pressure vessel along with its piping and other fittings operated at a pressure greater than the atmospheric pressure;

(zzt) “prime mover” means any engine, motor or other appliance which generates or otherwise provides power;

(zzu) “Private dwelling house” means a house in which persons engaged in the manufacture of beedi or cigar or both reside;

(zzv) “Public Health Authority” means the Local Health Officer having jurisdiction over the area;

(zzw) “putlog” means a horizontal member on which the board, plank or decking of a working platform are laid;

(zxx) “Qualified Nurse” means a person who possesses a qualification in nursing recognized under the Indian Nursing Council Act, 1947, and who is registered with the Meghalaya Nurses registration Council, or a similar registered body of any other State in India;

(zzy) “recognized university or institution” means,-

(i) any University, incorporated by law, by the Central or any State Government; or

(ii) any other University or institution which is declared by the State Government to be a recognized University or institution for the purposes of these Rules;

(zzz) “Registering Officer” means the registering officer appointed by the State Government for purpose of these Rules and Code;

(zzza) "responsible person" means a person appointed by the employer to be responsible for the performance of specific duty or duties and who has sufficient knowledge and experience and the requisite authority for the proper performance of such duty or duties;

(zzzb) “reveal tie” means the assembly of a tie tube and a fittings used for tightening a tube between two opposite surfaces;

(zzzc) “right angle coupler” means a coupler, other than a swivel or putlog coupler, used for connecting tubes at right angles;

(zzzd)“rock bolt”means a mechanical expansion bolt or a bolt used with cementitious or resin anchoring system which is set in drilled hole in the arch or wall of a tunnel to improve rock competency;

(zzze) “roofing bracket” means a bracket used in sloped roof construction and having sharp points or other means for fastening to prevent slippage;

(zzzf) “Rules” means the Meghalaya Occupational Safety, Health and Working Conditions Rules, 2024;

(zzzg) “Safety Officer” means a Safety Officer, and includes an Additional Safety Officer, appointed in accordance with the provisions of these Rules;

(zzzh) “safety screen” means an air and water tight diaphragm placed across the upper part of a compressed air tunnel between the face and bulkhead, in order to prevent flooding the crown of the tunnel between the safety screen and the bulkhead to provide a safe means of refuge and exit from a flooding of flooded tunnel;

(zzzi) “safe working load”, in relation to an article of lifting gear or lifting appliance, means the load which is the maximum load that may be imposed on such article or appliance with safety in the normal working conditions as accessed and certified by a competent person;

(zzzj) “scaffold” means any temporarily provided structure on or from which building workers perform work in connection with building or other construction work to which these Rules apply, and any temporarily provided structure which enables building workers to obtain access to or which enables materials to be taken to any place at which such work is performed, and includes any working platform, gangway, run, ladder or step-ladder (other than a ladder or step-ladder which does not form part of such structure) together with any guardrail, toe board or other safeguards and all fixings, but does not include lifting appliance or a lifting machine or a structure used merely to support such an appliance or such a machine or to support other plant or equipment;

(zzzk) “Section” means the Section of the Code;

(zzzl) “Schedule” means a Schedule annexed to these Rules;

(zzzm) “segment” includes a cast iron or precast concrete segmented structure formed to the curvature of the tunnel cross-section and used to support the ground surrounding the tunnel;

(zzzn) “service shaft” means a shaft for the passage of building workers or materials to or from a tunnel under construction;

(zzzo) “shaft” means an excavation having a longitudinal axis at an angle greater than forty-five degree from the horizontal-

(i) for the passage of building workers or materials to or from a tunne; or

(ii) leading to an existing tunnel;

(zzzp) “shield” means a moveable frame which supports the working face of a tunnel and the ground immediately behind it and includes equipment designed to excavate and support the excavated areas in a tunnel;

(zzzq) “shoring” means the construction of a temporary structure to support temporarily an unsafe structure. These render lateral support to walls and are used under the following circumstances-

(i) when a wall shows signs of bulging out due to bad workmanship;

(ii) when a wall cracks due to unequal settlement of foundation and the cracked wall needs repair;

(iii) when an adjacent structure is to be dismantled;

(iv) when opening are to be made or enlarged in the wall;

(zzzr) “small enterprise” means an enterprise as defined in clause (m) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;

(zzzs) “Social Security Fund” means Meghalaya Unorganised Workers’ Social Security Fund established under the Code on Social Security, 2020;

(zzzt) “sole plate” means a member used to distribute the load from the base plate or the standard of wooden scaffolds to the supporting surface;

(zzzu) “sound or good construction” means construction conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzzv) “sound or good material” means materials of a quality conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzzw) “standard” means a member used as a vertical support or column in the construction of scaffolds which transmits a load to the ground or to the solid construction;

(zzzx) “standard safe operating practices” means the practice followed in building and other construction activities for the safety and health of workers and safe operation of machineries and equipment used in such activities and such practices conforms to all or any of the following, namely:

(i) relevant standards approved by Bureau of Indian Standards;

(ii) national building code;

(iii) manufacturer's instructions on safe use of equipment and machinery;

(iv) code of practice on safety and health in construction industry published by International Labour Organisation and amended from time-to-time;

(zzzy) "State Government" means the Government of Meghalaya;

(zzzz) "steel rib" includes all steel beams and other structural members shaped to conform to the requirements of a particular tunnel cross section, used for the purpose of supporting and stabilising the excavated areas;

(zzzza) "suspended scaffold" means a scaffold suspended by means of ropes or chains and capable of being raised or lowered but does not include a boatswain's chair or similar appearance;

(zzzzb) "Third Party Auditor" means a person or agency or experts empanelled under Rule 46;

(zzzzc) "tie" means an assembly used to connect a scaffold to a rigid anchorage;

(zzzzd) "toe board" means a member fastened above a working platform, access landing, access way, wheel barrow run, ramp or other platform to prevent building workers and materials from falling therefrom;

(zzzze) "transom" means a member placed horizontally and used to tie transversely one ledger to another, or one standard to another in an independent tie scaffold;

(zzzzf) "trestle scaffold" includes a scaffold in which the supports for the platform are any of the following which are self-supporting, namely:

- (i) split heads;
- (ii) folding;
- (iii) step-ladder;
- (iv) tripods; or
- (v) moveable contrivances similar to any of the foregoing;

(zzzzg) "tubular scaffold" means a scaffold constructed from tubes and couplers;

(zzzzh) "tunnel" means a subterranean passage made by excavating beneath the over burden into which a building worker enters or is required to enter to work;

(zzzzi) "underground" means any space within the confines of a shaft, tunnel, caisson or cofferdam;

(zzzzj) "vehicle" means all powered and manually operated truck, fork lift truck, tractor, trailer, locomotive, prime mover and any other such equipment includes a traction engine, road-building machine and transport equipment;

(zzzzk) "quarter" means the period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October;

(zzzzl) "working chamber" means the part of the construction site where work in a compressed air environment is carried out, but does not include a man-lock or medical lock;

(zzzzm) "working platform" means a platform which is used to support building workers or materials;

(zzzzn) “working pressure” means pressure, in a working chamber, to which building worker is exposed;

(zzzzo) “workplace” means all places where employees/ workers are required to be present or to go for work and which are under the control of an employer;

(zzzpz) “Workroom” means any place occupied by employees engaged in any manufacturing process, with or without the aid of power;

(zzzqq) “year” means the period of twelve months beginning from the 1st day of January in any year;

(2) The words and expressions used in these Rules and are not defined therein, but are in the Code, shall have respectively meaning assigned to them in the Code.

3. Competent person under clause (l), Sub-section 2(1) of Code.-

(1) The Chief Inspector-cum-Facilitator may recognize any person as the competent person within such area and for such period as may be specified for the purposes of carrying out tests, examination, inspection and certification for such buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other processes of plant and equipment located in an establishment as stipulated in the Code and the Rules made there under, if such person possesses the qualifications, experience and other requirements specified in Schedule-A appended to this rule;

Provided that the Chief Inspector-cum-Facilitator may relax the requirements of qualifications in respect of competent person if such a person is exceptionally experience and knowledgeable;

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

(2) The Chief Inspector-cum-Facilitator may recognise an institution of repute, having persons possessing qualifications and experience as specified in the Schedule-A appended to this rule, for the purposes of carrying out tests, examinations, inspections and certification for buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant, confined space, ventilation system and such other processes of plant and equipment, located in an establishment as stipulated in the Code and the Rules made thereunder, a competent person within such area and for such period as may be specified.

(3) The person to be recognised as the competent person under this Rule shall not be above the age of sixty-two years and shall be physically and medically fit for the purpose of carrying out the requisite tests, examination and inspection.

(4) The Chief Inspector-cum-Facilitator may give a notice on portal or any other medium in the month of May every year to recognise any person or institute to be the competent person. The process of recognition may be completed within a period of sixty days from last date of receipt of application(s).

(5) Every application shall be accompanied by a fee (non-refundable) of rupees One thousand and security (refundable without interest) of rupees Twenty Thousand to be paid by the applicant through portal which shall be credited to the treasury in the head of account as may be specified by State Government from time to time. A record of such fee and security shall be maintained by the Chief Inspector-cum-Facilitator.

(6) A person or institute seeking recognition under the Code shall apply in **Form-01** or **Form-02**, respectively.

SCHEDULE-A
(Rule 3)

Serial No.	Purpose for which competency required	Qualifications	Experience	Facilities at disposal
1.	Certification of buildings and their stability to be	(a) Bachelors Degree in Civil or structural Engineering or its equivalent from recognized university; and (b) A Member or Associate Member of an (i) Institution of Civil Engineers or (ii) The Institution of Structural Engineers; or (iii) The Institution of Engineers (India) in civil engineering or structural engineering.	(i) an experience of a minimum period of ten years in design or construction or testing or repair of structures. Provided that experience for those who possesses master`s degree shall be minimum of seven years. (ii) Knowledge of non-destructive testing, various standards and Codes of practices that are current and the effect of the vibrations and natural forces on the stability of the building; and (iii) an ability to arrive at a reliable conclusion with regard to the safety of the structure or the building.	
2.	Dangerous Machines	Bachelor`s Degree in Mechanical or production Engineering or its equivalent from recognized university.	(i) an experience of working for a minimum period of ten years in:- (a) design or operation or maintenance or (b) testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. (ii) Should :- (a) be conversant with	Gauges for measurement and instruments for measurement of speed and any other equipment or device to

			<p>safety devices and their proper functioning (b) be able to identify defects and other causes leading to the failure. Provided that experience for those who possesses master`s degree shall be minimum of seven years; and (c) have ability to arrive at a reliable conclusion with regard to proper functioning of safety devices, appliances and machine guards</p>	<p>determine the safety in the use of the dangerous machine.</p>
3.	Hoists & Lifts	Bachelor`s Degree in Mechanical or Metallurgical or Production Engineering or its equivalent from recognized university	<p>(i) an experience of working for a minimum period of ten years in:-(a) design or erection or maintenance of hoists & lifts or (d) test and inspection procedure of hoists & lifts. Provided that experience for those who possesses master`s degree shall be minimum of seven years. (ii) Should :- (a) be conversant with the current and relevant codes of practices and test procedures; (b) conversant with other statutory requirements covering the safety of hoists and lifts (c) be able to identify defects and arrive at a reliable conclusion and with regard to the safety of hoists and lifts</p>	
4.	Lifting Machines, chains, Ropes and Lifting Tackles	Bachelor`s Degree in Mechanical or Metallurgical or Production Engineering or its equivalent from recognized	<p>(i) an experience of working for a minimum period of ten years in:- (a) design or erection or maintenance of lifting machines, chains, ropes and lifting tackles or (b)</p>	

		university	<p>test and inspection procedure of lifting machines, chains, ropes and lifting tackles.</p> <p>Provided that experience for those who possesses master`s degree shall be minimum of seven years.</p> <p>(ii) Should :-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures.</p> <p>(b) fracture machines and metallurgy of the material of construction; and (c) heat treatment or stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles.</p> <p>(d) Capable of identifying defects and arriving at a reliable conclusion and with regard to the safety of lifting machinery, chains, ropes and lifting tackles</p>	
5.	Pressure Plants	Bachelor`s Degree in Chemical or Mechanical or Metallurgical or Production Engineering its equivalent from recognized university	<p>(i) an experience of working for a minimum period of ten years in:-</p> <p>(a) design or erection or maintenance of pressure plants or (b) testing, examination and inspection procedure of pressure plants</p> <p>Provided that experience for those who possesses master`s degree shall be minimum of seven years.</p> <p>(ii) Should :-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures relating to pressure plants;</p> <p>(b) conversant with</p>	Facilities for carrying out hydraulic test non-destructive test, gauges, equipments/ gadgets for measurement and any other equipment or gauges to determine the safety

			Statutory requirement concerning the safety of unfired pressure vessels and equipments operating under pressure (c) conversant with nondestructive Testing techniques as are applicable to pressure vessels; and (d) able to identify defects and arriving at a reliable conclusion and with regard to the safety of pressure plants.	in the use of Pressure Vessels.
6.	Precautions against dangerous fumes, gases.	Bachelor`s Degree in Chemical engineering from recognized university	(i) an experience of working for a minimum period of ten years in; collection and analysis of environmental samples and calibration of monitoring equipments. Provided that experience for those who possesses master`s degree shall be minimum of seven years. (ii) should be (a) Be conversant with the hazardous properties of chemicals and their permissible limit values; (b) Be conversant with current techniques sampling and analysis of environmental contaminants; and (c) able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out hot work	Meters, instruments & devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces
7.	Ventilation system as required under various schedules framed under Section-82 of the Code.	Bachelor`s Degree in Chemical or Mechanical Engineering its equivalent from recognized university.	i) a minimum of ten years experience in design, fabrication, testing of ventilating system used for extraction and collection of dust, fumes and vapours and other ancillary equipment.	Facilities for testing the ventilating systems and gauges for testing the

			<p>Provided that experience for those who possess a master's degree shall be minimum of seven years. (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 and (iii) be able to arrive at a reliable conclusion with regard to effectiveness of the system</p>	<p>Effectiveness of extraction system for dusts, vapours & fumes and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of system.</p>
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(7) If the qualifications and experience of the person(s) proposed to be recognized are found to be in accordance with these Rules, the person may be called to appear for a test and interview before the Interview Board to be constituted by the Chief Inspector-cum-Facilitator.

(8) The Chief Inspector-cum-Facilitator based on the result of test and report of the interview Board and after satisfying himself as regards the competence and facilities available at the disposal of the applicant, may recognize the applicant as the competent person by issuing a certificate of competency in **Form-03** or such application shall be disposed of by rejecting the same specifying reasons thereof.

(9) The Chief Inspector-cum-Facilitator, if he has reason to believe that a competent person,-

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

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

(c) For any other reason to be recorded in writing, may revoke the certificate or competency after giving an opportunity to the competent person for being heard.

(10) If the certificate of competency is revoked, the security deposited by the competent person shall be forfeited.

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

CHAPTER- II

REGISTRATION OF ESTABLISHMENT

4. Application for registration under Section 3 of Code.-

(1) Manner and form of filing an application for registration fee and late fee:-

(i) The occupier/employer seeking registration for an establishment shall apply electronically in **Form-04** on the official portal of Meghalaya State Labour Department Portal by giving details about the establishment, and uploading documents related to Registration of the establishment, proof of Identity and address of the occupier/employer(s), as specified in the Form. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

(ii) The Permanent Account Number (PAN) of the applicant or the establishment, allotted under Income Tax Act, 1961 (43 of 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 said form, may be verified online.

(iii) 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.

(iv) Every application referred to in sub-rule (i), shall be accompanied by the information on inter-state migrant workers in **Form-05**.

(v) The applicant shall pay the fee and the late fee (if applicable) along with application.

(vi) After submission of the application, the concerned officer shall dispose of the application and issue a registration certificate in the manner as given under Section 3 of the Code.

(vii) Fee for registration of the establishment shall be paid at the following rates—

	Number of employees employed in the establishment	Amount of fees in rupees
a.	Up to 20	1000.00
b.	21- 50	2000.00
c.	51-100	3000.00

d.	101-150	4000.00
e.	151-200	5000.00
f.	201-250	7000.00
g.	251-500	8000.00
h.	501-750	9000.00
i.	751-1000	10000.00
j.	1001-1500	11000.00
k.	1501-2000	12000.00
l.	2001-3000	13000.00
m.	3001-5000	14000.00
n.	Above 5000	15000.00

(viii) The late fee shall be twenty five percent (25%) per annum of the registration fee.

(ix) The occupier/employer in respect of any establishment registered under any Central and State labour laws (i.e The Factory Act, 1948, Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, EPF Act, 1952, ESIC Act, 1948, and Meghalaya Shop and Establishment Act, 2004) shall update the registration particulars on the portal within six months from date on which these Rules come into force.

(x) If there is any increase in the number of employees to be employed in the establishment subsequent to its registration, then the differential amount as per the schedule under sub-rule (vii) shall be payable by the occupier/employer concerned.

- (2) (i) The certificate of registration shall be issued in **Form-06** electronically immediately if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated;

Provided that in exceptional circumstances the State Government may, for such period, by notification, dispense with requirement of electronic registration, in respect of establishment or class of establishment, for part or whole state, and submission of application in **Form-4** so provided, may be allowed.

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

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

- (3) The occupier/employer shall quote the Registration Number on all documents prepared or completed by him in connection with the Code or the Rules or the

Regulations or the Scheme, as the case may be, made there under and in all correspondence with the office concerned.

(4) 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 occupier/employer within thirty days of such change.

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

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

(6) The registering officer shall maintain a register of establishment electronically in **Form-07** showing the particulars of establishment in relation to which certificates of registration have been issued by him.

(7) The occupier/employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment is situated or as the case may be, the work is to be executed, intimating the actual date of the commencement, completion of work and cessation of establishment, as the case may be, in **Form-08** electronically and the same shall be auto-shared to the Employees' Provident Fund Organization (EPFO) and the Employees' State Insurance Corporation (ESIC).

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

(i) Every occupier/employer to whom Section 5 of the Code applies, shall submit a notice of commencement of operation of any factory or relating to contract labour or building or other construction works electronically on official portal of State Government within fifteen days from the date of such commencement.

(ii) Every occupier/employer to whom Section 5 of the Code applies shall submit a notice of cessation of operation of any factory or relating to contract labour or building or other construction works electronically on official portal of State Government before sixty days from the date of such cessation with a certificate that the payment of all dues to the employees/ workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

(iii) The Notice of Commencement and cessation of operation shall be submitted in **Form -08**.

CHAPTER-III
DUTIES OF EMPLOYER AND EMPLOYEE, ETC.

6. Annual Health Examination of employees under clause (c) of sub-section (1) of Section 6.-

(1) The occupier/employer shall arrange for a medical examination of all the employees above the age of forty years, 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 employees employed in hazardous processes shall be medically examined –once before employment and every year or as per provision specifically notified otherwise.

(2) Records of such examination shall be maintained in **Form-09**.

(3) The medical examination shall include -

(a) Full medical and occupational history;

(b) Clinical examination with particular reference to-

(i) General physique;

(ii) Vision - Total visual performance using standard orthorator like litmus Vision Tester shall be estimated and suitability for placement shall be ascertained in accordance with the prescribed job standards;

(iii) Hearing - Person with normal hearing must be able to hear a forced whisper at twenty-four feet. Person using hearing aids must be able to hear a warning shout under noisy working conditions;

(iv) Breathing - Peak flow rate shall be measured using standard peak flow meter and the average peak flow rate shall be determined out of the readings of the test performed. The results recorded at pre-placement medical examination could be used as a standard for the same individual at the same altitude for reference during subsequent examination;

(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 foot coordination.

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

The medical examination shall be conducted by a qualified medical practitioner as per tests specified in the **Form-10**.

(4) Record of health examination mentioned in Sub-Rule (2) shall be submitted annually to the Inspector-cum-facilitator, electronically.

7. Letter of appointment to employee under clause (f) of sub-section (1) of Section 6.-Letter of appointment to every employee on his/her appointment in the establishment shall be in the manner in specified format as-

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

Format (Letter of appointment)

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

Signature
Occupier or employer or manager

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

- (1) Notice of any accident in any place in an establishment which either,
- (a) causes loss of life; or
 - (b) disables a person from work on which he was employed for the rest of the day or shift in which the accident occurred; shall forthwith be sent by telephone or special messenger within four hours of the occurrence to,-
- (i) the Inspector-cum-facilitator;
 - (ii) the relatives of the employees /workers when the accident causes loss of life to the employee or is likely to disable the employee from work for more than forty eight hours; and
 - (iii) in the case of fatal accidents also to:
 - (a) the officer-in-charge of the nearest Police Station, and,
 - (b) the District Magistrate or if the District Magistrate by order so directs, the Sub-Divisional Magistrate.
- (2) In the case of accidents falling under clause (b) of sub- rule (1) the injured person shall be given first-aid and thereafter immediately transferred to a hospital or other place of treatment.
- (3) Where any accident causing disablement subsequently results in the death of employee, notice in writing of the death shall be submitted to the authorities mentioned in sub-rule (1) within 48 hours after the death occurs.
- (4) Wherein an establishment there is any dangerous occurrence as specified in the schedule annexed hereto, whether or not, causing bodily injury to any person or damage to any room or place in which persons are employed, in the manner prescribed in sub-rule (1).

(5) If any accident or dangerous occurrence has occurred, the concerned appliance, gear or equipment and the site shall, as far as practicable, be kept undisturbed until inspected by the Inspector-cum-facilitator.

(6) Every notice given under sub-rule (1) and sub-rule (4), shall be confirmed within forty eight hours of the occurrence by submitting a written report to the Inspector-cum-facilitator in **Form 11**, provided that in case of an accident under Cl. (b) of sub-rule (1), such written report need be submitted only when the employee is disabled from work on which he was employed for more than forty-eight hours from the time of accident.

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

SCHEDULE-C

Classes of Dangerous Occurrences

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

- (i) Bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) Collapse or failure of lifting appliances, crane, derrick, winch, hoist, conveyors or other similar equipment used in raising or lowering persons or goods, or any part thereof, or breakage or failure of rope, chain or loose gears; overturning of cranes; falling of objects from height;
- (iii) Explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas;
- (iv) Explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
- (v) collapse of any wall, floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;
- (vi) spillage or leakage of hazardous substances and damage to their container;
- (vii) fall, collapse, capsizing, toppling or collision of vehicle within the establishment;
- (viii) an instantaneous failure of a pillar, part of a pillar or several pillars in working below ground;
- (xi) a rock-burst in working belowground; a premature collapse of any part of the working;

- (xii) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;
- (xiv) failure of dump or side in opencast working; a blowout;
- (xv) a failure of any structure or installation or spark generated due to electrical flash-over whereby the safety of persons may be endangered;
- (xvi) a major uncontrolled emission of petroleum or chemical spillage;

9. Notice of certain disease under sub-section (1) and (2) of Section 12.-

(1) A notice in the following format shall be sent forthwith electronically or otherwise, to the Inspector-cum-Facilitator or 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 occupier or manager of an establishment in which there occurs any disease as notified under the Third Schedule of the Code.

NOTICE OF DISEASE

- (1) Name of establishment:
- (2) Nature of establishment:
- (3) In case of Mines the Name of the Mineral:
- (4) Details of Patient:
 - (a) Name of Patient:
 - (b) Works number of Patient:
 - (c) Address of Patient:
 - (d) Precise occupation of patient:
- (5) Nature of disease from which patient is suffering:
- (6) Date of Detection of Disease:
- (7) Details of Medical Practitioner:
- (8) Has the case been reported to the Medical Officer :

Date: _____ Signature of employer or occupier or manager

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

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

10. Duties of employee under clause (d) and (g) of Section 13.-

(1) If an employee notices any unsafe or unhealthy condition in the establishment, he/she shall report to the occupier/employer, health and safety representative or safety

officer or manager, as soon as practicable, electronically or in writing or telephonically.

(2) Every employee shall strictly adhere to the provisions of the Code and of the Rules made thereunder and to any order or direction issued by the safety officer, health and safety representative or occupier or manager or employer with a view to the safety or convenience of persons not being inconsistent with the Code and Rules; nor shall he neglect or refuse to obey such orders or directions.

(3) No employee shall interfere with, impede or obstruct any person in the discharge of his duties, nor shall he offer or render any service, or use any threat, to any other person with a view to preventing him from complying with the provisions of the Code and of the Rules made thereunder or from performing his duties faithfully.

(4) Every employee shall-

(a) Take reasonable care for their own safety and health and that of other persons who may be affected by their acts and omissions at work including the proper care and use of protective clothing, facilities and equipment placed at their disposal;

(b) Co-operate with the occupier/employer, to permit compliance with the duties and responsibilities placed on the occupier.

(5) No employee shall, except with the authority of an official, remove or pass through any fence, barrier or gate, or remove or pass any danger signal.

(6) No employee shall sleep while on duty.

(7) Subject to the provisions of the Code and of these Rules and orders made thereunder, no employee shall remain in a factory beyond the period over which his shift extends.

(8) No employee shall report in intoxicated condition or consume any intoxicating substance while on duty.

(9) If at any time occupier/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 send a report on imminent danger and action taken thereon, electronically or otherwise to the Inspector-cum-Facilitator.

(10) Every employee shall perform such other duties as may be assigned by the State Government by general or special order.

11. Rights of Employee under sub-section (3) of Section 14,-

(1) On receipt of information from the employee relating to the existence of an imminent danger to their safety and health, the occupier/employer shall take immediate remedial action in this regard. The occupier/employer, whether satisfied or not, shall send a report forthwith of such actions taken, to the Inspector-cum-facilitator electronically or by registered post or speed post.

(2) Every employee shall have the right to-

(a) obtain from the occupier/employer, information relating to employees' health and safety at work;

(b) get trained annually within the factory wherever possible, or, to get himself sponsored by the occupier/employer for getting trained at a training centre or

institute, duly approved by the Chief Inspector-cum-Facilitator of factory or institute as Central Labour Institute or Regional Labour Institute of Directorate General Factory Advice Service and Labour Institute, where training is imparted for employees/workers' health and safety at work;

(c) represent to the Inspector-cum-Facilitator directly or through his representative in the matter of inadequate provision for protection of his health or safety in the factory.

CHAPTER-IV

OCCUPATIONAL SAFETY AND HEALTH

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

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

(2) The State Advisory Board shall consist of—

(a) The Additional Chief Secretary or Principal Secretary, Labour Department, Government of Meghalaya – Chairperson, *ex officio*;

(b) The Secretary or Joint Secretary, Labour Department, Meghalaya – Member Secretary *ex officio*;

(c) The Chief Inspector-cum-Facilitator, Office of Chief Inspector of Boiler and Factories, Government of Meghalaya- member, *ex officio*;

(d) The Labour Commissioner, Office of Labour Commissioner, Government of Meghalaya- member, *ex officio*;

(e) One representative of Meghalaya State Disaster Management Authority- member; *ex officio*;

(f) One Officers from Public Works Department, One Officers from Department of Micro, Small and Medium Enterprises and One officer from the Meghalaya State Pollution Control Board, nominated by the State Government not below the rank of Special Secretary or Scientist one of which shall be a woman, one officers from Directorate Mineral Resources Department nominated by the State Government - member, *ex officio*;

(g) Secretary of the Meghalaya Building and Other Constructions Workers Welfare Board- member, *ex officio*;

(h) One representative of the Directorate of Health Services -member, *ex officio*;

(i) One representative of Employees' State Insurance Scheme, Shillong- member, *ex officio*;

(j) One representative of Regional Labour Institute, Directorate General Factory Advice Service and Labour Institute, Ministry of Labour and Employment, Shillong- member, *ex officio*;

(k) One representative of Fire and Emergency Service, Govt. of Meghalaya- member, *ex officio*;

- (l) Five representatives of occupier/employers to be nominated by the State Government- *members*;
 - (m) Five representatives of employees nominated by the State Government- *member*; and
 - (n) Three persons from the field of occupational health and safety having a graduation degree in Engineering or representatives from reputed research institutions or similar other discipline nominated by the State Government- *member*.
 - (o) Special invitees from the State Government or the Central Government for seeking inputs in specific matters or industry or sector which is predominant in that State- *Member*;
- (2) The members of the State Advisory Board as specified in Rule 12 (l), (m), (n), (o) shall be nominated and approved by the State Government, Labour Department.
- (3) The State Advisory Board will advise the State Government on the matters relating to -
- (a) standards, rules and regulations to be declared or framed under this Code;
 - (b) implementation of the provisions of this Code and the standards, rules and regulations relating thereto;
 - (c) the issues of policy and programme relating to occupational safety and health referred to it, from time to time, by the State Government; and
 - (d) any other matter in respect of this Code referred to it, from time to time, by the State Government.
- (4) The terms of office of the Members referred to in clauses (k), (l), (m) and (n) of sub-rule (1) shall be of three years and the procedure for their nomination, and discharge of their functions shall be such as may be prescribed by the State Government:

Provided that where the appointment of the successor of any such member has not been notified in the Official Gazette on or before the expiry of the said period of three years, such member shall, notwithstanding the expiry of the period of his office, continue to hold such office until the appointment of his successor is notified in the Official Gazette.

13. Resignation.-

- (1) A member of the State Advisory Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Chairperson of the State Advisory Board.
- (2) The seat of such a member shall fall vacant from the date on which his resignation is accepted by the State Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the State Government whichever is earlier.
- (3) 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 Board of the member in whose place he is appointed.

14. Cessation of membership.- If any member of the State Advisory Board, not being an ex-officio member, fails to attend three consecutive meetings of the State Advisory

Board, without obtaining the leave sanctioned by the Chairperson of such State Advisory Board for such absence, he/she shall cease to be a member of State Advisory Board;

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

15. Disqualification for membership.-

A person shall be disqualified for being a member of the State Advisory Board—

(i) if he/she is of unsound mind and stands so declared by a competent authority;

(ii) if he/she is an un-discharged insolvent; or

(iii) if he/she has been convicted for an offence, having a penalty of imprisonment of three months or more;

16. Removal from membership.-

The State Government may remove any member of the State Advisory Board, if in its opinion such member has ceased to represent the interest which he/she purports to represent on such State Advisory Board;

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

17. Travelling Allowance for members.-

(i) the travelling allowance of an official member shall be governed by the Rules applicable to him/her for journey performed by him/her on official duties and shall be paid by the authority paying his/her salary.

(ii) the non-official members of the State Advisory Board shall be paid travelling allowance for attending the meeting of the State Advisory Board at such places as per the instructions issued by Finance Department of Government of Meghalaya from time to time.

18. Disposal of the Business- (1) The Board constituted under Rule 12 shall meet at least once in six months at the time and place fixed by the Chairperson.

(2) The meeting of the Board shall be called by the Member Secretary with the prior approval of the Chairperson.

(3) The Chairperson shall preside every meeting of the Board in which he is present and in his absence the meeting shall be presided by the any member nominated by Chairperson in this behalf.

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

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

(5) No business, which is not on the list of businesses, shall be considered without permission of the chairperson.

(6) No business shall be transacted at any meeting unless atleast ten members are present:

Provided that if at any meeting less than ten members are present, the Chairperson may adjourn the meeting to another date informing about the same to the members present and giving notice to other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and thereupon it shall be lawful to dispose the business at the adjourned meeting irrespective of the number of members attending the meeting.

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

(8) Every decision taken at the meeting of the Board shall be recorded in a minutes book, which shall be a permanent record.

19. Appointment of other Officers and Staff.- (1) The Board may, with approval of State Government, appoint such other officers and employees as it may consider necessary for the efficient discharge of its functions;

(2) The remuneration payable to such officers and staff shall be such as may be decided by the State Government from time to time.

(3) The officers and staff appointed thereunder shall assist the Chairperson of State Advisory Board in convening meetings of the State Advisory Board.

(4) The officers and staff appointed thereunder may attend the meetings of State Advisory Board but shall not be entitled to vote at such meetings.

(5) The officers and staff appointed thereunder shall keep a record of the minutes of the meetings of State Advisory Board.

(6) The officers and staff appointed thereunder shall take necessary measures to carry out the decisions taken at the meetings of State Advisory Board.

20. Technical Committee or Advisory Committee of the State Advisory Board-

The State Government may constitute as many technical committees or advisory committees of the State Advisory Board on the recommendation of State Advisory Board to assist the State Government or State Advisory Board in discharge of their functions, as it thinks fit. The term, function, procedures and allowances of these committees shall be as determined by the Labour Department of Meghalaya State Government.

21. Collection of statistics and portal for inter-State migrant workers under sub-sections (1) and (2) of Section 21- Every employer shall submit the details of

occupational safety and health statistics electronically on web portal designated for the purpose.

22. Safety Committee under Section 22.-

(1) In every establishment,-

- (a) major accident hazard factories; or
- (b) an establishment which carries on any 'hazardous process' as defined in clause (za) of sub-section (1) of Section 2 and employs fifty or more employees; or
- (c) a factory or building and other construction work wherein two hundred fifty or more employees are ordinarily employed; or
- (d) every other establishment wherein five hundred or more employees are ordinarily employed; there shall be a Safety Committee, consisting of representatives of employers and employees;

Provided that factories declared under Section 81 of the Code situated in a particular area and carrying out 'hazardous process' or 'dangerous operation' of similar nature, shall have a common Safety Committee for them with the prior approval of the Chief Inspector-cum-facilitator for the purpose this rule. The area of common safety committee shall be decided by Chief Inspector-cum-facilitator.

(2) The constitution of the Safety Committee shall comprise of :

- (a) Occupier/ employer or Manager or Chief Executive, who by his position is the incharge of overall management in the establishment, shall be the Chairman;
- (b) In case of factory or building and other construction work, a Safety Officer and a Medical Officer, and the Safety Officer in such a case shall be the Secretary of the Committee;
- (c) (i) One representative each from the production, maintenance, human resource and purchase departments; for factories, or
 - (ii) One representative each from the engineering or technical, plant and machinery and purchased departments for building and other construction work;or
- (iii) for establishment not having department as mentioned in (i) or (ii), representative from management side may be chosen.
- (d) representatives of employees shall be chosen by the employees;

Provided that there shall be adequate representation of the women employees in the committee. Number of representatives from management shall not be more than the representatives of employees.

- (e) in case of common safety committee, minimum one employee from each factory shall be nominated by the occupier/employer.

(3) The tenure of the Committee shall be at least three years. Any change in Safety committee composition has to be supplemented with reconstitution issued by the Occupier/ employer.

(4) Safety Committee shall meet as often as necessary but at least once in every quarter. The minutes of the meeting shall be recorded, and shall be produced to the Inspector-cum-Facilitator on demand.

- (5) 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.

- (6) Function 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;
 - (b) dealing with all matters concerning health, safety and environment and to arrive at solutions to problems encountered ;
 - (c) creating safety awareness amongst all employees ;
 - (d) undertaking educational, training and promotional activities ;
 - (e) discussing reports on safety, environment and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports ;
 - (f) to investigate into the causes of accidents and unsafe practices and to suggest remedial measures;
 - (g) to go round the establishment with a view to check unsafe practices and detect, unsafe conditions and to recommend remedial measures for their rectification;
 - (h) carrying out surveys for assessment of health and safety status and performance;
 - (i) 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
 - (j) to serve as a forum for communication on Safety and occupational health matters.

(7) Where owing to the size of the establishment, or any other reason, the functions referred to in sub-rule (6) cannot be effectively carried out by the Safety Committee, it may establish sub-committees as may be required to assist it.

(8) The constitution of Safety Committee and sub-committees shall be communicated to Chief Inspector-cum-Facilitator electronically or otherwise.

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

(10) The record of minutes of meeting and action taken on recommendation shall be preserved for the period of atleast five years.

23. Safety Officer for establishment under sub-section (2) of Section 22 of Code.-

A. Qualification of safety officer -

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

(i) a recognised degree in any branch of engineering or technology and has had practical experience in any factory or building and other construction work in a supervisory capacity or above for a period of not less than 2 years; or a recognised degree in physics or chemistry and has had practical experience in any factory in a supervisory or above capacity for a period of not less than 5 years; or a recognised diploma in any branch of engineering or technology and has had practical experience in any factory or construction establishment in a supervisory capacity for a period of not less than 5 years; and

(ii) possesses a degree or diploma in industrial safety recognised by the State Government in this behalf or possesses a degree or diploma which conducted by Central Labour Institute/Regional Labour Institutes of DGFASLI.

(2) Notwithstanding anything contained in sub-rule (1), any person who - (i) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than 5 years in a department of the Central or State Government which deals with the administration of labour laws in factories or building and other construction work, or

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

(3) No person, who is or becomes the occupier/employer of an establishment or is or becomes directly or indirectly interested therein or in any process or business carried on therein on in any patent or machinery connected therewith, shall be appointed as a Safety Officer or shall be allowed to hold such office after he becomes so interested.

B. Conditions of service of Safety Officer in establishment –

(i) Where the number of Safety Officers to be appointed in an establishment as per Rule 25 exceeds one, one of them shall be designated as the Chief Safety Officer and shall have a status higher than that of the others. The Chief Safety Officer shall be in overall charge of the safety functions as envisaged in Rule 24 and other Safety Officers working under his control.

(ii) The Chief Safety Officer or the Safety Officers in the case of establishment where only one Safety Officer is required to be appointed shall be given the status of a senior executive and he/she shall work directly under the control of the chief executive of the establishment. All other Safety Officers shall be given appropriate status to enable them to discharge their functions effectively.

(iii) The scale of pay and the allowances to be granted to the Safety Officers including the Chief Safety Officer, and the other conditions of their service shall be the same as those of the other officers of corresponding status in the establishment.

(d) The Safety Officer shall be provided with adequate technical and secretarial staff and equipment, to enable him to function efficiently.

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

24. Duties of Safety Officers in establishment. – (1) The duties of a Safety Officer shall be to advise and assist the management of establishment in the fulfillment of its obligations, statutory or otherwise, concerning prevention of personal injuries and maintaining a safe working environment and such duties shall include the following, namely. –

- (i) to advise the concerned departments in planning and organising measures necessary for the effective control of personal injuries;
- (ii) to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;
- (iii) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (iv) to advise the purchasing and store departments in ensuring high quality and availability of personal protective equipments.
- (v) to advise on matters related to carrying out plant safety inspections;
- (vi) to carry out plant safety inspections in order to observe the physical conditions of work and the work practices and procedures followed by employees and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by employees;
- (vii) to render advice on matters related to reporting and investigation of industrial accidents and diseases;
- (viii) to investigate accidents, dangerous occurrences and other incidents;
- (ix) to investigate the cases of notifiable diseases listed in the Third Schedule of the Code;
- (x) to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the employees in establishing and maintaining safe conditions of work and procedures; and
- (xi) to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries.
- (xii) to advise on the maintenance of such records as are necessary relating to accidents, dangerous occurrences and industrial diseases;
- (xiii) to promote setting up of safety committees and act as advisor to such committees.

(2) No Safety Officer shall be required or permitted to do any work which is inconsistent with or detrimental to the performance of the duties mentioned in Sub-rule (1).

25. Requirement of Safety Officers in establishment.-

(1) Every establishment wherein 250 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:

- (a) Upto 500 employees -One Safety Officer.
 - (b) For every additional 500 employees or part thereof- One Safety Officer.
 - (2) for factories carrying on hazardous process or establishments carrying on building or other construction works, wherein 100 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer.
 - (3) for Major Accident Hazard Installations, wherein 50 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer.
 - (4) for establishments carrying on building or other construction works as mentioned 'hazardous construction works', wherein 50 or more employees are ordinarily employed shall appoint Safety Officers, as laid down in the scale given below:
 - (a) Upto 250 employees -One Safety Officer
 - (b) For every additional 250 employees or part thereof.- One Safety Officer
- Explanation:*Hazardous construction work related to building or other construction work- Excavation or construction work below ground (e.g. excavation for foundation with one basement floor) , high rise construction (e.g. construction height more than 15 m from ground level), steel erection, demolition, roof work, work under and above water, work in confined spaces, tunneling work.
- (5) Any appointment, when made, shall be notified to the Inspector-cum-Facilitator having jurisdiction in the area, giving full details of the qualifications, terms and conditions of service of such safety officers.

CHAPTER-V

HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

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

- (1) No employee shall be required or allowed to work in an establishment for more than forty eight hours in any week.
- (2) If the employee works in the establishment for six days in a week, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.
- (3) If the employee works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays;

Provided that the flexibility in working hours shall be permitted with the consent of sole negotiating union, negotiating union or negotiating council under the

Industrial relations Code, 2020 (35 of 2020) or with the consent of majority of employees/ workers in the absence of such negotiating union or negotiating council.

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

27. Interruption period allowed in running time under Explanation (a) of sub-section (1) of Section 25 of Code.-A maximum of fifteen minutes interruption shall be allowed any time during which the running of the transport vehicle is interrupted.

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

29. Compensatory holidays under sub-section (3) of Section 26 of code.- (1) Except in the case of employee 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.

(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 employees 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.

(3) Any compensatory holiday or holidays to which an employee 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.

(4) The Manager shall maintain a Register in **Form No.12** for an establishment as Factory:

Provided that if the Chief Inspector-cum-Facilitator of Factories is of the opinion that any muster-roll or register maintained as part of the routine of the factory or return made by the Manager, gives in respect of any or all of the employees/workers in the factory the particulars required for the enforcement of Section 26, he may, by order in writing, direct that such muster-roll or register or return shall to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that factory.

(5) The register maintained under sub-rule (2) shall be preserved for a period of five years after the last entry in it shall be produced.

30. Extra Wages for overtime under Section 27 of code.-

(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.

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

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

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

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

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

31. Prohibition of overlapping shifts in Factory under Section 29 of code.-The

manager shall arranged the duties of employees as more than one relay of employees is engaged in work of the same kind at the same time.

The Printing Press attached to the newspaper offices shall be exempted from the provisions of Section 29 of the Code, subject to the following conditions, namely:-

In such printing press-

- (i) The employees of each relay shall bear a badge of distinct colour which will identify the employees of one relay from that of the order;
- (ii) The colour of the badge to be worn by the employees of each relay shall be specified in the notice of periods of work required to be displayed and correctly

maintained and in the copies of the notice to be sent to the Inspector-cum-Facilitator;

(iii) a flag or light having the same colour as that of the badge to be worn by the employees of any relay actually at work shall be displayed during the time of actual working of one or more relays in the department concerned;

(iv) each employees engaged in the work carried on by means of overlapping shifts shall be in possession of an identity card. The identity card shall be supplied to the worker by the factory management free of costs and shall bear the photograph of the workers, his full name, signature or thumb impression and visible identification mark and the signature of the Manager.

32. Restriction on double employment in Factory under Section 30 of code.-

(1) No employee shall be required or allowed to work in any factory on any day if he has already been working in any other factory.

(2) Any employee who is appointed as a part time employee shall be allowed to work in another establishment (except factories) within next twelve hours subject to the condition that total working hours shall not exceed twelve hours, and spread over of work shall not exceed sixteen hours :

Provided that the Meghalaya State Government may, by notification, add any category of employee and condition of double employment.

33. Notice of periods of work under sub-section (2) of Section 31 of code.-(1)The notice referred to in sub-section (2) of Section 31 shall be displayed at conspicuous places on a notice board or electronic board and maintained in **Form-13** and copy of such notice shall be sent to Inspector-cum-facilitator electronically or by registered post before the day on which work is begun in the establishment/ factory or building or other construction work.

CHAPTER-VI

MAINTENANCE OF REGISTERS, RECORDS AND RETURNS

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

(1) Employer of every establishment shall maintain-

- i. Register of employment- **Form No. 14.**
- ii. Register of attendance-cum-muster roll- **Form No. 15 and Form No.15A.**
- iii. Register of wages, over time and deduction in **Form No.16.**

Registers under this chapter shall be maintained electronically or otherwise.

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

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

(2) Every employer shall issue a wage slip electronically or otherwise to the employees in **Form No. 17**, before one day of payment of wages to the employee.

35. Display of notice board.- Every employer shall cause to display at the conspicuous place of the workplace of the establishment under his control, notice showing the name and address of the establishment, Safety & Health Policy, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the Inspector-cum-facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English, Hindi and in the Local Language understood by the majority of the workers.

36. Annual Returns–

(a) The employer to which the provisions of this Code applies on or before the 28th or 29th day of February in each year, upload a unified annual return in **Form No. 18** prescribed under the Rules made in the Occupational Safety, Health and Working Conditions Code, 2020 (No.37 of 2020) online on the designated portal of the State Government, giving information as to the particulars specified in respect of the preceding year; provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

Every employer shall file such returns within such period and in such a manner as may be specified by the State Government by general or special order time to time.

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

(b) If the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal of the State Government, a further unified return in **FORM-18 and 18A** referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

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

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

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

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

37. Register of accident and dangerous occurrences.- The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of Section 33 of the Code shall be maintained in a **Form-19**.

38. Register of leave with wages under clause (a) of Section 33.-

(1) The owner, agent or manager of every establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or manually in **Form-20**.

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

CHAPTER-VII

INSPECTOR-CUM-FACILITATOR AND OTHER AUTHORITY

39. Appointment of Inspector-cum-Facilitator for Factory under sub-section (1) of Section 34. –

(1)The Chief Inspector of Boilers and Factories, Government of Meghalaya will be the Chief Inspector-cum-Facilitator for the purposes of the execution of the Code in the State for the following provisions –

- i. Occupational Safety and Health (Chapter IV)
- ii. Factories (part V of chapter XIII)
- iii. Notice of accidents under Section 10 and 11
- iv. Clause (b) of Section 6

(2) Qualification of Inspector-cum-Facilitator of Establishment as Factories- No person shall be appointed as an Inspector-cum-facilitator for the purpose of the Code unless he/she possesses of the qualifications as hereunder-

(a) He/ She must have a Degree in Mechanical or Production or Power Plant or Metallurgical Engineering or Technology of a recognised university, and preferably with practical experience of at least two years in a workshop or a manufacturing concern of good standing and

(b)Where for a particular, post, special knowledge to deal with special problems is required, the Government may, in addition to the basic qualifications, prescribe appropriate qualifications for such a post.

40. An Inspection Scheme of Inspector-cum-Facilitator of Factories under sub-section (2), (3), (4) of Section 34. –

(1) The Government shall lay down an inspection scheme for the generation of web-based inspection and calling of information under this Code, electronically and such scheme shall, inter alia, have provisions to cater to special circumstances for assigning inspection and calling for information from establishment or any other person besides web-based inspections.

(2) Under the scheme, the randomised selection of establishment and the Inspector-cum-Facilitator for inspection shall be provided. Unique number, to each establishment (which will be same as the registration number allotted to the establishment registered under Section 3, unique number to each Inspector-cum-Facilitator and to each inspection in such manner as may be assigned by the Government for inspection scheme.

(3) The Inspector-cum-Facilitator shall upload the inspection reports within seven days from the date of inspection made as sub-rule (2).

(4) The special inspection for investigation of accident or dangerous occurrence shall be made as and when required in his jurisdiction as notified by Government.

(5) Routine inspection for smooth discharge of duties is as-

(i) High Risk- required to inspected yearly,

(ii) Mid Risk Industries- required to inspected ones within two years,

(iii) Low risk – required to inspected as required only.

41. Appointment of Chief Inspector-cum-facilitator for Factory under sub-section (5) of Section 34.-

Qualification of Chief Inspector-cum-Facilitator of Factories:-

(1) No person shall be appointed to the post of Chief Inspector-cum-Facilitator of Factories unless he/she has obtained a Degree in Mechanical or Production or Power Plant or Metallurgical Engineering or any qualification declared by the Union or State Public Service Commission as equivalent thereof and has served for not less than four years as Deputy Chief Inspector (i.e. Deputy Chief Inspector-cum-Facilitator of Factories) or minimum eight years total experience as Deputy Chief Inspector (i.e. Deputy Chief Inspector-cum-Facilitator of Factories) and as Inspector of Boilers & Factories (i.e. Inspector-cum-Facilitator of Factories) or minimum eight years experience as Inspector (i.e. Inspector-cum-Facilitator of Factories) of Boiler & Factories under the Occupational Safety and Health Code or The Factories Act, 1948(earlier) and Indian Boiler Act, 1923.

Qualification of Deputy Chief Inspector-cum-Facilitator of Factories:-

(2) No person shall be appointed to the post of Deputy Chief Inspector-cum-Facilitator of Factories unless he/she has the requisite qualifications of an Inspector and has served for not less than four years as Inspector (Inspector-cum-Facilitator of Factories) of Boiler & Factories under the Occupational Safety and Health Code or the Factories Act, 1948 and Indian Boilers Act, 1923 or Inspector-cum-Facilitator of Factories under Occupational Safety and Health Code.

42. Appointment of Inspector-cum-Facilitator for establishment other than factory under sub-section (1) of Section 34. –

(1) The Labour Commissioner, Government of Meghalaya will be the Chief Inspector-cum-Facilitator for the purposes of the execution of the Code in the State for the following provisions –

i. Occupational safety and health (chapter IV);

ii. Contract Worker (part I of chapter XIII), Interstate Migrant Worker (Part II of chapter XIII), Audio Visual Worker (Part III of chapter XIII), Beedi and

Cigar workers (part IV of chapter XIII), Building and Other Construction Workers (part VI of chapter XIII), Plantation workers (part VII of chapter XIII);
iii. Notice of accidents under Section 10 and 11;
iv. Clause (b) of Section 6 ;

- (2) 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.
- (3) The Inspector-cum-Facilitator shall exercise such other power and perform such other duties as may be required by general or special order of State Government.

43. An Inspection Scheme of Inspector-cum-Facilitator of establishment other than factory s under sub-section (2), (3), (4) of Section 34. –

- (1) The Government shall lay down an inspection scheme for the generation of web-based inspection and calling of information under this Code, electronically and such scheme shall, inter alia, have provisions to cater to special circumstances for assigning inspection and calling for information from establishment or any other person besides web-based inspections.
- (2) Under the scheme, the randomised selection of establishment and the Inspector-cum-Facilitator for inspection shall be provided. Unique number, to each establishment (which will be same as the registration number allotted to the establishment registered under Section 3, unique number to each Inspector-cum-Facilitator and to each inspection in such manner as may be assigned by the Government for inspection scheme.
- (3) The Inspector-cum-Facilitator shall upload the inspection reports within seven days from the date of inspection made as sub-rule (2).
- (4) The special inspection for investigation of accident or dangerous occurrence shall be made as and when required in his jurisdiction as notified by Government.
- (5) Routine inspection for smooth discharge of duties is as-
 - (i) High Risk- required to inspected yearly,
 - (ii) Mid Risk Industries- required to inspected ones within two years,
 - (iii) Low risk – required to inspected as required only.

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

- (1) The Chief Inspector-cum-Facilitator shall recognise any laboratory accredited with the National Accreditation Board for Testing and Calibration Laboratories for taking samples and giving analysis report required under the Code.
- (2) A notice on employer of the establishment from where or in vicinity of which sample is to be taken shall be served in **Form-21** by the Inspector-Cum-Facilitator.
- (3) The recognised laboratory on the order issued by the Inspector-cum-Facilitator in writing or on request from the employer shall take samples.
- (4) Sample shall be taken in the presence of employer himself or any person authorised by him.

- (5) Samples shall be collected in two parts and shall be placed in containers which shall be sealed, marked and signed by the person collecting sample as well as the employer or any person authorized by him.
- (6) One part of sample collected and placed, shall be handed over to the employer or his authorised person present and the other part one shall be sent forthwith to the laboratory for analysis.
- (7) The report of the laboratory shall be recorded in **Form-22** in triplicate and signed by the Analyst of the laboratory and sent to the Inspector-cum-Facilitator from whom the order for sampling is received within seven days from the date of completion of analysis of sample.
- (8) The expenditure of the sampling and analysis shall be borne by the employer of the establishment.
- (9) On receipt of the report from the laboratory, the Inspector-cum-Facilitator shall send one copy of the same to the employer of establishment from whom the sample was taken for analysis, the second copy shall be retained by him for his record and the third copy shall be sent to the Chief Inspector-cum-Facilitator alongwith recommendation, for further action.

45. Powers and duties of Inspector-cum-facilitator of Factory or Building and Other Construction work under clause (xiv) of sub-section (1) of Section 35.-

(A) Inspector-cum-Facilitator shall, for the purpose of the execution of the Code have power to do all or any of the following things, that is to say—

- (a) to photograph any worker, to inspect, examine, measure, copy, photograph, sketch or test, as the case may be any building or room, any plant, machinery, appliance or apparatus, any register or document, or anything provided for the purpose of securing the health, safety or welfare of the workers employed in a factory;
- (b) in the case of an Inspector-cum-Facilitator who is a duly qualified medical practitioner, to carry out such medical examinations, as may be necessary, for the purpose of his duties under the Act;
- (c) to seize any record or document for the purposes of examination and satisfying himself that the provisions of the Act and the rules there under were complied with or which he may consider relevant in respect of any offence under the Code which he may have reasons to believe or suspect has been committed by the occupier or the manager;
- (d) to direct by an order in writing the occupier or the manager to produce either personally or through his/her agent any prescribed record or register at his/her office or any other place where he/she may be temporarily camping or at any other convenient place;
- (e) to direct by an order in writing the manager or the occupier or any other employee of a factory to appear before him/her personally at his/her office or at the place where he/she may be temporarily camping or at any other place, to be examined and interrogated by him on any matter connected with the compliances of the provisions of the Code or the Rules.

(f) enter, with such assistants, being persons in the service of the Government, or any local or other public authority, or with an expert as he/she thinks fit, any place which is used, or which he/she has reason to believe is used, as an establishment;

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

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

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

(j) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue prohibition or improvement notice in the **Form-23** pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed there under, to the employer or occupier or manager or owner or officer-in-charge of the establishment.

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

(B) Safety of Building and Machinery under Section 35.-

(1) If it appears to the Inspector cum facilitator that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it is dangerous to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector cum facilitator that use of any building or part of a building or any part of the ways, machinery or plant in a factory involves imminent danger to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing prohibiting its use until it has been properly repaired or altered and after written permission from the Inspector cum Facilitator with prior approval of the Chief Inspector cum Facilitator of factories.

(C) Maintenance of Building under Section 35.-

(1) If it appears to the Inspector cum facilitator that any building or part of a building in a factory is in such a state of disrepair as is likely to lead to conditions detrimental

to the health and welfare of the workers, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be taken and requiring the same to be carried out before such date as is specified in the order.

(2) If it appears to the Inspector cum facilitator that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it may be dangerous to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing requiring him before a specified date-

(i) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety; or

(ii) to carry out such tests in such manner as may be specified in the order, and to inform the Inspector cum facilitator of the results thereof.

46. Third Party Audit and Certification for Factory under sub-section (2) of Section 37.-

Third Party Auditor

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

(2) The Third Party Auditor empanelled under sub-rule (1), shall,—

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

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

(3) On the basis of applications received, a committee will be formed under the chairmanship of the Chief Inspector-*cum*-Facilitator. The Chief Inspector-*cum*-facilitator, will empanel such experts as a 'Third Party Auditor' for the purpose mentioned in sub-rule (2) after recommendation of committee, their satisfactory inspection report, written test or technical interview or other guidelines for approval of competency as decided by the Office of Chief Inspector-*cum*-facilitator.

(4) The Third Party Auditor empanelled will advise health and safety provisions to minimize the accidents, perform safety audit, to concerned establishments.

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

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

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

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

(b) has carried out a audit, test, examination or has otherwise carried in a

manner inconsistent with the intent or the purpose of the Code or the Rules made there under; or

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

(7) Academic Qualification and Experience:-

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

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

III. degree or diploma in any branch of Engineering and having ten years of experience in Factory Inspectorate or Chief Inspectorate of Factories or Directorate of Industrial Safety and Health or ten years of experience in the Directorate General Factory Advice Service and Labour Institutes, Ministry of Labour and Employment or Central Labour Institute or Regional Labour Institute of Directorate General Factory Advice Service and Labour Institutes.

(8) Duties and Responsibilities of Experts:-

I. Third Party Auditor shall maintain a log book of all safety audits undertaken by him indicating the name and address of the audited establishment, name of the person who has carried out safety audit, contact persons, date of the audit and date of submission of the audit report to the Occupier.

II. It shall be scrutinized and approved by jurisdictional officers of the Chief Inspector-*cum*-Facilitator office.

III. Third Party Auditor and the person authorized to carry out shall not conduct a Safety Audit of any establishment where such auditor or person is employed, or an occupier, partner, director, or manager of that establishment, or of any establishment owned, operated, managed, or conducted by immediate family members, relatives or extended family members or wherein that auditor or such person has any direct or indirect interest whatsoever. An auditor or such person shall not carry out the safety audit of those factories to which that auditor or such person supplies any plant, machinery, raw material, safety equipment or other materials or equipment.

IV. Third Party Auditor and the person authorized to carry out safety audit shall not disclose, even after ceasing to be a recognized auditor or employee of the institution, any manufacturing or commercial secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an

auditor. Any failure in this regard, the Third Party Auditor shall be liable revocation of recognition under the rule and he shall not be eligible for recognition in future.

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

(10) Periodicity for conducting Safety Audit: The Safety Audit shall be conducted once in every two years in General Category factories & for hazardous process factories or industry and Major Accident Hazard (MAH) industry, the Safety audit shall be conducted every year.

(11) Safety Audit Report.- The Third Party Auditor shall within one month from the date of completion of safety audit shall forward his report with recommendations regarding improvement of the occupational safety and health in an establishment to the occupier and a copy of the same to be submitted to office of the Chief Inspector-cum-Facilitator:

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

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

47. Manner of alternative employment under sub-clause (A) of sub-section (1) of Section 38.-

(1) It shall be the duty of 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 kilometer.

(2) The alternative employment may be offered only when the period of employment affected by the order is fifteen days or more.

(3) Such persons shall be given notice at least three days before the actual date of such order.

(4) The wages and other facilities shall not be affected to the detriment of such person.

48. Qualification of Medical Officer under Section 42 of the Code-

(1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019(30 of 2019) and who is enrolled on a Indian Medical Register as defined in the National Medical

Commission Act, 2019 and on a State Medical Register as defined in Section 35, Section 36, Section 37 and Section 40 of the said Act.

(2) In respect of factory, in addition to the qualifications mentioned in sub-rule (1), a person should possess a certificate of Training in Industrial Health of minimum three months duration recognised by the State Government or should possess a diploma in Industrial/ Occupational Health or Associate Fellowship of Industrial Health conducted by the Directorate General Factory Advice Service and Labour Institutes (DGFASLI) or equivalent, including International Labour Organization (ILO) Classification of chest Radiograph duly recognized by the central government.

(3) No person shall be appointed to be, or authorized to exercise the powers of, the medical officer, or having been so appointed or authorized, continue to exercise such powers, who is or becomes the occupier of a factory or is or becomes directly or indirectly interested therein or in any process or business carried on therein or in any patent or machinery connected therewith or is otherwise in the employ of the factory:

Provided that the State Government may, be order in writing and subject to such conditions as may be specified in the order, exempt any person or class of person from the provisions of this sub-rule in respect of any factory or class or description of factories.

49. Dangerous occupations or processes for medical examination.-

Following shall be the dangerous occupations or processes for the purposes of medical examination and certification, namely:-

- (i) operations declared dangerous under Section 82 of the Code;
- (ii) factories carrying hazardous process as per First Schedule of the Code;
- (iii) treatment of Biomedical waste;
- (iv) sewerage treatment;
- (v) solid waste management;
- (vi) marble cutting;
- (vii) ready mix concrete;
- (viii) hot mix concrete;
- (ix) working at height;
- (x) operation of crane or heavy duty machinery;
- (xi) stone crushing or stone breaking;
- (xi) such other occupation or process as may be notified by the State Government from time to time, to be dangerous.

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

(1) On receipt of a reference under clause (c) sub section (2) of Section 42, the medical officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the worker sent for such examination, prepare the age and fitness certificate in **FORM NO.48** and deliver the same to the manager of the establishment and the worker concerned after retaining a copy thereof.

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

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

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

51. Special Powers of Inspector-cum-Facilitator in respect of factory under Section 38 of Code-The Inspector-cum-Facilitator shall exercise such other/ special power and perform such other duties as may be required by general or special order of State Government.

52. Employment of Women in establishment under Section 43.-

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

- (a) the consent of women employ shall be taken in writing;
- (b) No women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (36 of 2020);
- (c) adequate transportation facilities shall be provided to women employee to pick-up and drop such employee at her residence;
- (d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit;
- (e) the toilet, washroom, canteen and drinking facilities should be near the workplace where such women employee are employed; and
- (f) Provide safe, secure and healthy working condition such that no women employee is disadvantaged in connection with her employment.
- (g) in case of below ground level (i.e. basement) not less than 3 women employees shall be on duty at any place.
- (h) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilize them, in case of any exigency or emergency; and
- (i) The provisions of the Sexual Harassment of Women at workplace(Prevention, Prohibition and Redressal) Act, 2013 (14 of

2013)and Rules thereunder, as applicable to the establishments, shall be complied with;

- (j) during night shift not less than 1/3rd-of strength of the supervisors or shift-in-charge or foreman or other supervisory staff shall be women;
- (k) the employer shall send a fortnightly report 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 local Police station as well.

53. Adequate Safety of employment of women in dangerous operations under Section 44 of code. –

- (1) No pregnant women shall be allowed to work in a factory involved in dangerous operations, where she is likely to be exposed to hazardous substances which are carcinogenic for herself and teratogenic (for foetus).
- (2) All the measures as mentioned in the provisions related to hazardous process and dangerous operation shall be complied with.
- (3) Women shall be well trained on their job, shall be rendered knowledge about the hazardous properties of the substances being handled, stored, manufactured, hazards present at their workplace, and measure to overcome with that.
- (4) Women employed shall be provided with all the necessary personal protective appliances at the workplaces, they are deployed.
- (5) Women shall be trained and made aware about the means of escape in the events of fire, leakage, spillage hazardous substances.

**Chapter-VIII
SPECIAL PROVISIONS**

**PART-I
CONTRACT LABOUR**

54. Conditions of License under sub-section (3) of Section 47 in respect of contract labour.–

The licence issued shall be subject to the following conditions, namely:-

- (i) The licence shall be non-transferable;
- (ii) except as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the licence shall be non-refundable;
- (iii) the rates of wages payable to the contract labour by the contractor shall be as per the Code on Wages, 2019 (Central Act No. 29 of 2019) and Rules made there under;
- (iv) if the contract labour of the contractor is working at the premises of the principal employer, then, it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, canteen and crèche; and
- (v) all other facilities and entitlements shall be provided by the contractor.

(vi) In case the contractor fails to make payment of minimum wages to the contract labour, then, the Labour Commissioner or Chief Inspector-cum-Facilitator or his representative, shall cause such payment to be made to the contract labours who have not been paid, out of the security deposit referred to in Rule 63 including by invoking the bank guarantee.

(vii) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order in the manner as as specified in Rule 62.

(vi) the licensee shall notify any change in the number of contract labour or the conditions of work to the designated authority;

(ix) every licence granted under Rule 56 and renewed under Rule 57 shall remain in force for five year from the date it is granted or renewed.

55. Issue of licence for contractor under sub-section (1) of Section 48 of the Code.-

(1) Application for issuing license shall be made in **Form24** to the designated authority on Portal.

(2) Every application referred to in sub-rule (1) shall also be accompanied by the security and fees at the rates specified in the Schedule given below:-

SCHEDULE

Number of workers to be Fee for license Security to be engaged/employed by contractor deposited

	Number of workers employed in the establishment	Amount of fees in rupees
a	No license is required up to 49 contract labour	Nil.
b	50 and above but not exceeding 100 contract labour	Rs. 1000
c	101 and above but not exceeding 300 contract labour	Rs. 2000
d	301 and above but not exceeding 500 contract labour	Rs. 3000
e	501 and above but not exceeding 1000 contract labour	Rs. 5000
f	1001 and above but not exceeding 5000 contract labour	Rs. 10000
g	5001 and above but not exceeding 10000 contract labour	Rs. 20000
h	10001 and above but not exceeding 20000 contract labour	Rs. 30000
i	20001 and exceeding contract labour	Rs.40000

(3) Payments as required under sub-rule (2) shall be paid through portal which shall be credited to the treasury in the head of account as may be specified by the State Government from time to time.

(4) After receiving application on portal, the designated authority shall issue license in **Form-25** within a period of forty five days specifying the conditions laid down in Rule 55.

56. Renewal of license for contractor under sub-section (3) of Section 48.- (1) Every contractor to whom a license is issued under Rule 55 shall make an application for renewal to the designated authority on portal in the **Form-24** thirty days before the expiry of license.

(2) The designated authority shall renew the license in **Form-25** within thirty days from the date of receipt of application.

57. Amendment of license for contractor under sub-section (3) of Section 48.-

(1) Every contractor to whom license is issued under Rule 55 or 56 shall make an application for any amendment to the designated authority on portal in the **Form-26** before any change or within three days from such change.

(2) The fee for the amendment of a licence shall be rupees five hundred rupees plus the amount of difference of security and fee required as per the schedule under Rule 55.

(3) After receiving application on portal, the designated authority shall amend and issue the license to contractor in **Form-25** within a period of three days.

58. Late fee for license under Section 48.- If the application for renewal or amendment is not received within the time specified in sub-rule (1) of Rules 55 and 56, a fee of twenty five per cent in excess of the fee ordinarily payable for the licence shall be payable on Portal.

59. Responsibility of contractor under sub-section (4) of Section 48.-

(1) A contractor shall be responsible for payment of wages to each employee/worker employed by him as contract labour and such wages shall be paid before the expiry of such period as prescribed under Rules made by the appropriate Government under the Code on Wages, 2019 (Central Act No. 29 of 2019).

(2) Every employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages.

(3) It shall be the duty of the contractor to ensure the disbursement of wages in the presence of the authorised representative of the employer.

(4) In case the contractor fails to make payment of wages within the period specified in the Code on Wages, 2019 or makes short payment, then the employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

(5) It shall be the duty of the contractor to look after the welfare of the worker.

(6) It shall be the duty of the contractor to comply with the provisions of the Code.

60. Register of contractors under Section 48.- A register of contractors shall be maintained by the designated authority in **Form-27** to whom license is issued under Rules 55, 56 and 57.

61. Intimation of work under sub-section (1) of Section 50.-

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

(2) the details of work order shall be sent under sub-rule (1) by the contractor or his authorized representative.

(3) The intimation under sub-rule (1) shall also be sent electronically in **Form-28** designated Portal or e-mail of the Labour Commissioner or Chief Inspector-cum-Facilitator or his representative.

62. Manner of suspending or cancelling the License of contractor under sub-section (2) of Section 51.-

Whenever it comes to the knowledge of the designated authority that any contractor has not given intimation as required under sub-section (1) of Section 51, it may start the proceeding to cancel or suspend the license within two days of such knowledge and the following procedure shall be followed for suspension or cancellation of license, namely:-

(a) the designated authority shall issue a show cause notice to the contractor, electronically or otherwise, to explain his conduct;

(b) the contractor shall reply to the notice given under clause (a) within twenty four hours from the time of receipt of such notice; and

(c) The designated authority shall examine such reply within the next thirty six hours from the time of receipt of such reply and shall pass speaking orders.

63. Refund of security under Section 48 and sub-section (4) of Section 55.- (1) On expiry of the period of license the contractor may, if he does not intend to have his license renewed further, make an application electronically to the licensing authority for the refund of the security deposited by him (in form of bank guarantee) along with copy of licence so expired and notice of completion of work and bank details in which amount is required to be refunded.

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

(3) If there is any order directing the forfeiture of any portion of contractor's security deposit, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the contractor within 60 days from the making of application under sub-rule (1).

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

(5) Record of security shall be maintained in **Form-29**.

64. Period of wages for contract labour under sub-section (1) of Section 55.-

It shall be the duty of every contractor to pay the wages to the contract labour as per the provisions of the Code on Wages, 2019 (Central Act No. 29 of 2019) and rules made there, under by the appropriate Government.

65. Mode of payment of wages to contract labour under sub-section (2) of Section 55.- The wages shall be disbursed through bank transfer or electronic mode only.

66. Manner of payment of wages from security deposit under sub-section (4) of

Section 55.- If the contractor or principal employer does not pay the wages to the contract labour employed by him, the concerned Labour Commissioner or his representative 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 as by such labour commissioner or representative or officer as the case may be within a period of fifteen days or else his license will be liable to be suspended.

67. Experience/ Service certificate to contract labour under Section 56.-

The contractor shall issue an experience certificate to each person employed by adhering to the following key points, namely:-

- (i) must be on letter head of contractor;
- (ii) date of issue of certificate;
- (iii) salutation or declaration “TO WHOM SOEVER IT MAY CONCERN”;
- (iv) name of employee as per record;
- (v) period of employment (from the date of joining to date of relieving);
- (vi) designation or position;
- (vii) remarks; and
- (viii) seal and signature of contractor.

68. Form and manner of making application under sub-section (2) of Section 57.-

If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application in the Form-30, to the Principal Secretary to the Government of Meghalaya, Department of Labour, Employment and Skill Development giving reasons along with supporting documents and the Principal Secretary shall pass order after hearing the concerned parties.

PART-II

INTER-STATE MIGRANT WORKERS

69. Journey allowance to Inter-State Migrant workers under Section 61.-

(1) The employer shall pay to every inter-State migrant worker employed in his establishment, in a year a lump sum amount of fare for to and fro journey to his native place from the place of his employment based on the following conditions, namely:-

- (i) the minimum service of the worker entitled for journey allowance shall be one hundred and eighty days;
- (ii) the journey allowance shall be provided for minimum second class fare by train or bus; and
- (iii) The employer shall pay a lump sum amount of one hundred rupees per family member per day for the period of travel of the worker (if family is staying with him at the location of his workplace) for food during the journey.

(2) the employer shall maintain a register of journey allowance in **Form-31**.

70. Scheme for availing benefits of public distribution system and building and other construction welfare fund.-The inter-state migrant worker shall have option to avail benefit of the scheme under Section 62 through official portability.

71. Toll free help line number under Section 63.-

(1) The Chief Inspector-cum-Facilitator shall establish a toll free number for inter-State migrants to address queries and grievances of the inter-State migrant workers.

(2) A record of calls on toll free number shall be maintained in the format as may be specified by Chief Inspector-cum-Facilitator.

72. Manner of providing for study of inter-State migrant workers under Section 64.- The study of Inter-State Migrant workers may be conducted by any reputed institution through its research scholars with or without the funding from State Government to promote safety, health and welfare of inter-state migrant workers.

PART-III AUDIO-VISUAL WORKERS

73. Format of agreement under sub-section (2)(a) of Section 66.- The agreement to be entered into between the producer and the employee of audio-visual programme as envisaged in clause (a) of sub-section (2) of Section 66 shall be in **Form-32**.

74. Submission of agreement under sub-section (3) of Section 66.- The agreement shall be registered and forwarded by the producer of the audio-visual programme to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator concerned.

75. Dispute resolution Mechanism under sub-section (4) (vii) of Section 66.- The procedure for reference of dispute to a conciliation officer or a tribunal shall be in conformity with the Industrial Relation, Code 2020 and rules framed thereunder.

PART-IV BEEDI AND CIGAR WORKERS

76. License to use place or industrial premises for beedi and cigar work under sub-section (2) of Section 74.- (1) Any person who intends or allows to use any place or premise for beedi or cigar work shall submit an application in **Form-33** on portal for the grant of license alongwith fee specified in Schedule C of Rule 91.

(2) A licence in **Form-34** shall be granted by the authority designated under Section 119.

(2) A licence in **Form-34** shall be granted or renewed by the authority designated under Section 119 shall be subject to the following conditions, namely :-

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

(ii) the maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence;

(iii) power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises ;

(iv) except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like

permission, no structural alterations shall be made in any building on such premises;

(v) the licence shall not be transferable;

(vi) the fees paid for the grant or renewal of the licence shall be non-refundable.

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

77. Plan of place or industrial premises for beedi and cigar work under sub-section (3) of Section 74.- Application for licence shall be accompanied by a plan of the place or premises showing-

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

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

78. Renewal of licence for beedi and cigar work under sub-section (6) of Section 74.- (1) A licence granted under Rule 76 shall be renewed by the authority designated under Section 119.

(2) Every application for renewal of the licence shall be made on portal in **Form-33**, along with fees specified in sub-rule (3), for a period of one year or any further period up to five years, as the case may be, and shall be submitted in accordance with sub-section (6) of Section 74.

(3) The fees for renewal of licence 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 five years, the renewal fees shall be number of years multiplied by the fees payable for renewal of licence for one year, as specified in Rule76:

Provided that if the application for renewal, complete in all respects, is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of a additional fee of twenty-five percent of the fees ordinarily payable for the renewal of a licence for one year, for which the application has been received late.

79. Timeline for renewal or refusal to renew license under sub-section (6) of Section 74.-

The authority designated under Section 119 shall renew or refuse to renew the license within thirty days from the date of receipt of application for renewal.

80. Appeals under Section 75. – An appeal against the order of the Licensing Authority refusing grant or renewal of license shall-

- (a) be made electronically within a period of thirty days from the date of receipt the order sought to be appealed against;
- (b) be accompanied by a copy of the order appealed against;
- (c) memorandum containing grounds and facts;
- (d) treasury challan or transaction details of payment made through electronically, as a proof of payment of fees as notified from time to time.
- (e) The fees payable in respect of an appeal under Section 75 shall be Rs. 1000.

81. Fees. –Every application under sub-section (2) of Section 74 for grant of licence shall be made online electronically through the designated portal of the State Government in Form 33 and on payment of fees as specified in the table below, namely:-

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

(2) Credit of fees. - All fees payable under these rules shall be credited into the Government treasury under the State head of the account notified in this regard.

(3) If the competent authority refuses to grant or renew any licence under Section 74, the fees paid thereof shall not be refunded.

82. Returns. - The employer in respect of every industrial premises shall send to the Chief Inspector cum Facilitator, this regard on or before the 10th day of every month, a monthly return in **Form 35** electronically or otherwise and furnish to that authority an annual return in **Form 36**electronically or otherwise on or before the 30th April of every year.

83. Maintenance of certain registers. -(1) Every employer shall provide free of cost to each home worker two books in **Form 37** (hereinafter referred to as the home workerslog-book) and the home-worker shall keep a record in the logbook of the quantum of raw materials received, the number of beedis or cigars supplied by him, number of standard beedies/cigars, the number of sub-standard or chat beedis/cigars, the wages receivable and received by him for the standard beedis/cigars, sub-standard

or chat beedis/cigars. The book shall be made of good quality paper duly bound and will contain sufficient number of pages to last one year. The supply of books shall be so arranged that one book remains with the home worker at all times during the period between the two successive supplies or raw materials by the employer.

(2) Every employer shall maintain a home workers' employment register in **Form 38** electronically or otherwise containing the names and particulars of all the home workers employed under him and the entries in the register shall be made and kept up-to-date on the basis of the entries in the home-workers' log books.

84. Permission to work by employees outside industrial premises.-

(1) The employer shall make an application addressed to Secretary of the Labour Department on behalf of the employees to obtain permission for wetting or cutting of beedi or tobacco leaves by such employees through the Labour Commissioner. The Labour Commissioner shall forward the application with his comments within a period of seven days to the state Government. The State Government shall decide the application within a period of thirty days. The permission so granted shall be valid only for such period as specified in the order granting permission.

(2) The record to be maintained by the employer of the work permitted under sub-section (1) of Section 76 to be carried on outside the industrial premises shall be in **Form 39** electronically or otherwise.

(3) 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 **Form 40** electronically or otherwise. (Hereinafter referred to as the Register of Leave with Wages of home workers).

**PART-V
FACTORIES**

85. Approval and Licensing of factories under sub-section (1) of Section 79.-

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

(a) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, hospitals, educational institutions, petrol pumps, storage of inflammable and explosive materials and other structures, water sources and location of nearest residential area, village, town settlement with its distance from the site, etc.;

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

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

(2) No site shall be used for the location of a factory or no building shall be constructed, reconstructed, extended or taken into use as a factory or part of a factory or any other extension of plant or machinery carried out in a factory unless previous permission in writing is obtained from the State Government or the Chief Inspector-cum-Facilitator. Application for permission shall be made electronically in **Form-41** which shall be accompanied by the following documents namely-

(a) a flow chart or flow diagram of manufacturing process indicating safety devices, fittings and mountings on each plant and machinery, the various process 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. In the case of chemical substances, their chemical names should also be maintained.;

(b) plans drawn to scale showing-

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

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

(c) The site plan to be sent along with the application shall be drawn to a scale of 1: 100 for plots upto five hundred square meter in size and on a scale of 1:500 for plots above five hundred square meter in size. This site plan shall show the following:-

(i) boundaries of the site and any contiguous features;

(ii) direction of the north point relative to the site;

(iii) streets or roads adjoining the site with their width clearly dimensioned and names, if any;

(iv) area calculations, such as ground coverage, floor area ratio, parking calculations, any other relevant calculations, as required;

(v) disposal of waste water, sewerage and storm water or storage of hazardous waste;

(vi) details of buildings or drains or structures or physical features falling within five hundred meters of factory;

(vii) prominent urban service points above or underground (like sewer or water pipes, gas pipeline, transformers, electric poles or lines, phone distribution boxes, etc.) within five hundred metres area; and

(viii) such other particulars, as may be required by the Chief Inspector-cum-Facilitator.

(d) The application shall consist of building plans, sections and elevations shall be drawn to the scale 1: 100 and shall include,

(i) floor plans of all the floors together with covered area clearly indicating the size and spacing of all framing members, sizes of rooms, staircases, ramps, lift wells, means of lighting, ventilation, fire-escapes, position and size of plant or machinery or equipment, drinking water points, details of urinals or latrines,

roof materials, washing facilities or de-trenching facilities, space for storing or drying of clothes, crèche, rest-rooms, mess-rooms, canteens, ambulance room or occupational health centre;

(ii) one section from front showing the height of the building or room;

(iii) one section through the staircase;

(iv) the schedule indicating the size of the doors, windows, openings and other methods of ventilation of each room or area;

(v) provision for differently-abled person, photovoltaic solar power plant, rain water harvesting system wherever required.

(3) 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 (4.25meter) 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 (10 centimeters) between it and the corrugated iron, the internal height shall be not less than 20 feet (6 meter):

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 (3.65 meter).

(4) 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 (3.35 square meter) of floor space exclusive of that occupied by machinery and a breathing space of at least 500 cubic feet (14 cubic meter).

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

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

(7) Particulars of each of the rooms, verandahs and other enclosures of the factory shall be entered in **Form 42**.

(8) The application mentioned in sub-rule (1) must also be accompanied with.-

(i) letter of no objection, scanned or otherwise, for the location of the factory from Village Authority or Municipal Authority or notified area, as the case may be;

(ii) a letter of no objection, scanned or otherwise, from State Pollution Control Board;

(iii) a letter of no objection, scanned or otherwise, from Fire Department;

(iv) license / No Objection Certificate (NOC), scanned or otherwise, issued under the Petroleum Rules, 1976 for storage of petroleum as defined in the said Rules of 1976;

(II). Certificate of stability. - No manufacturing process of a factory shall be carried on in any building which has been constructed, reconstructed extended or taken into use as a factory or part of a factory until a certificate of stability in respect of that building, obtained from a competent person in **Form-43**, has been sent by the occupier or manager of the factory to the Chief Inspector *cum-* facilitator and accepted by him/ her.

(III). Application for renewal of license. - The occupier of every factory shall submit application online through designated portal of State Government to the Chief Inspector- *cum-* facilitator an application in the prescribed **Form 33** for the renewal of the factory and grant of license to apply for one year term or three year term license:

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

(IV). Grant of license to a factory - (1) A license for a factory shall be granted by the Chief Inspector-cum-Facilitator in **Form-34** prescribed for the purpose and on payment of the fees specified in **Schedule-C** and **D** appended to this rule.

(1-a) A license for three year term shall be granted in **Form-34** by the Chief Inspector-cum- Facilitator on payment of three times or as the case may be of the license fee in vogue.

(2) Every License granted or renewed in **Form-34** under this chapter shall remain in force up to the 31st December of the year for which the license is granted or renewed.

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

(4) Revision of fees under **Schedule C and D** shall be made after each ten years by the Chief Inspector-cum-Facilitator with the prior approval of Finance Department, Government of Meghalaya.

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

(2) A licensee whose license requires to be amended by virtue of increase in the number of persons employed or in the horse power installed or change in the name of the factory or any change in manufacturing process or all taken together shall submit to Chief inspector-cum-Facilitator of Factories with an application in **Form 33** stating the nature of amendment.

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

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

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

(2-a) The License shall be deemed to be renewed provided that the application and the fee for renewal of license is received on line with self declaration in **Form 33A** certifying no change in manpower, installed power, factory layout, manufacturing process, occupier and manager.

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

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

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

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

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

(i) there is imminent danger to life and property in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in his option have not been taken to remove the danger; and/or;

(ii) employment of child worker below 14 years of age noticed;

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

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

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

(3) A fee of Rupees five hundred shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers, and be subject to the same obligations under the licenses as the original holder.

(X). Procedure on death or disability of licensee.- If a licensee dies or becomes insolvent or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty under the Code or Rules for exercising the powers granted to the licensee by the license during such time as may reasonably be required

allow him to make an application for the amendment of the license in his/her own name for the unexpired portion of the original license.

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

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

(XII). Notice of change Manager.- The notice of change of manager shall be in **Form-44**. The application for change of manager shall be submitted online. The endorsement of change of manager will be made electronically by the Chief Inspector -cum- Facilitator of factories.

(XIII). Suspension of licenses -(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 licenses is issued will not be used for the working of the factory, the Chief Inspector-cum-Facilitator shall suspend the licenses granted in respect of such factory and will be communicated to the factory through the Portal:

Provided that such application shall be submitted atleast two month before the date of cessation of use of premises as a factory.

(2) A license suspended under sub-rule (1) may be revived on application through the portal accompanied by the license and **Form-45** upon the payment of fee of rupees one hundred.

(XIV) Notice of occupation -The notice of occupation shall be in **Form-46**.

(XV) Validity period of approval.-Every approval for the proposed building plan shall become null and void, if no construction is started within one year from the date of such approval.

SCHEDULED C

Scale of fees payable for License and annual renewal of License for Factories defined in Section 2(w) of the Occupational Safety, Health and Working Conditions Code, 2020 other than Electricity Generating (or Transforming) stations.

	Maximum number of persons to be employed during the year							
	(1)	(2)	(3)	(4)	(5)	(6)	(7)		(8)
Quantity of K.W. installed (Max.K.W.)	20	50	100	250	500	700	1000	Above 1000
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
NIL	1020	1480	2350	3600	3880	5190	4650	4700
10 K.W.	2040	2580	3240	3240	4510	5050	5580	6710
50 K.W.	2680	3370	4000	4720	5300	5870	7090	9920
100 K.W.	3520	4180	4950	5560	6170	7450	10480	12320
250 K.W.	4350	5150	5820	6450	7830	11620	13010	14790
500 K.W.	5350	6070	6760	8210	11580	13670	15610	17260
1000 K.W.	6330	7040	8570	12140	14360	16420	18230	22240
Above 1000 K.W.	10330	13230	15730	18080	20150	21930	23460	24610

SCHEDULED D

Scale of fees payable for License and annual renewal of License for Electricity Generating (or Transforming) Stations

Total installed capacity of the generating (or transforming) plant (in K.W)	Number of workers to be employed	Fees payable.
		Rs.
50 K.W. or less	10 or above	630
Over 50 K.W. not over 100 K.W.	Do	1150
Over 100 not over 150 K.W	Do	1380
Over 150 not over 300 K.W	Do	1800
Over 300 not over 750 K.W	Do	2160
Over 750 not over 1000 K.W	Do	2450
Over 1,000 not over 5,000 K.W	Do	4040
Over 5,000 not over 10,000 K.W	Do	5400
Over 10,000 not over 50,000 K.W	Do	6720
Over 50,000 K.W.	Do	8100

86. Liability of owner of premises in certain circumstances under Section 80 of Code.

-(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.

(2) The Chief Inspector- cum -Facilitator 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).

(3) Where in any premises, independent or self-contained, floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable, as if he/she 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.

(7)The information of such condition shall submit to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator by electronically.

87. Power to apply code to certain premises under sub-section (1), (2) of Section 81 of Code. –The State Government or Chief Inspector-cum-Facilitator may, by notification, declare that all or any of the provisions of this chapter shall apply to any place wherein a manufacturing process is carried on with or without the aid of power or is ordinarily carried on irrespective of the number of workers working in the factory. After the publication of such notification, the place or premises shall be deemed to be a factory for the purpose of this Code.

88. Dangerous Manufacturing Processes or Operation under Section 82 of Code.-

(1) Provision of clause(a) of Section 82 in regard specifying the following manufacturing process or operation when carried on in any factory are declared to be dangerous operation.

I. Manufacture of aerated water and processes incidental thereto.

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

III. Manufacture and repair of electric accumulators.

IV. Glass Manufacture.

V. Grinding or glazing of metals.

VI. Manufacture and treatment of lead and certain compounds of lead.

VII. Generating petrol gas from petrol.

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

IX. Liming and tanning of raw hides and skins and processes incidental thereto.

X. Certain lead processes carried on in printing presses and type foundries.

XI. Manufacture of pottery.

XII. Chemical works.

XIII. Manipulation of stone or any other material containing free silica.

XIV. Handling and processing of asbestos manufacture of any article of asbestos and any other process of manufacture or otherwise in which asbestos is used in any form.

XV. Handling or manipulation of corrosive substances.

XVI. Processing of cashew nut.

XVII. Compression of oxygen and hydrogen produced by the electrolysis of water.

XVIII. Process of extracting oils and fats from vegetable and animal sources in solvent extraction plants.

- XIX. Manufacture or manipulation of manganese and its compounds.
XX. Manufacture or manipulation of dangerous pesticides.
XXI. Manufacture, handling and usage of benzene and substances containing benzene.
XXII. Manufacturing process or operations in carbon disulphide plants.
XXIII. Manufacture or manipulation of carcinogenic dye intermediates.
XXIV. Operations involving high noise and vibration levels.
XXV. Manufacture of Rayon by Viscose Process.
XXVI. Highly flammable liquids and flammable compressed gases.
XXVII. Foundry operations.

(2) Employees employed in a 'dangerous process or operations' 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 12 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 47**.

(3) No person shall be employed for the first time without a certificate of fitness in **Form 48** 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 Chief Inspector cum facilitator, Meghalaya as Medical Officer.

(4) 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/she 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/she, in the opinion of the Medical Officer is fully incapacitated in which case the worker affected shall be suitably rehabilitated.

(5) A Medical Officer on his/ her own motion or on a reference from an Inspector cum facilitator may conduct a medical examination of a worker to ascertain the suitability of his/her employment in a dangerous process or to ascertain his/her 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.

(6) 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.

(7) 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.

(8) Notwithstanding the provision specified in the schedules annexed to this Rule, the Inspector cum facilitator may by issues of order in writing to the manager or occupier or both, direct them to carry out such measures, and within such time, as may be specified in such order with a view to removing conditions dangerous to the health of the workers, or to suspend any process, where such process constitutes, in the opinion of the Inspector cum facilitator, imminent danger of poisoning or toxicity.

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

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

Schedules specifying requirements in respect of dangerous processes and operations notified under Section 82 is mentioned below:-

**SCHEDULES SPECIFYING REQUIREMENTS IN RESPECT OF
DANGEROUS PROCESSES AND OPERATIONS NOTIFIED UNDER
SECTION 82 OF THE OSH CODE.**

SCHEDULE

SUB SCHEDULE- I

Manufacture of aerated waters and processes incidental thereto

Sl.No. 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.

Sl.No. 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 Sl.No. 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.

Provided further that where a machine is so constructed that only one arm of the bottler at work upto 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.

Sl.No. 3. Wearing of face guards and gauntlets. - All persons engaged in any of the processes specified in Sl.No. 2 of this schedule shall, while at work in such processes, wear the face guards and gauntlets provided under the provisions of the said Sl.No.

Sl.No. 4. Medical Examination by the medical officer.—

(1) Every worker employed in the processes this schedule applies to, shall be examined by a medical officer. He shall issue fitness on **Form 48**.

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

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

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

SUB SCHEDULE II

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

Sl.No. 1. Definitions.- For the purposes of this Schedule-

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

(b) “bath” means any vessel used for an electrolytic process or for any subsequent process; and

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

Sl.No. 2. Exhaust draught. - An efficient exhaust draught shall be applied to every vessel in which an electrolytic process is carried on. Such draught shall be provided by mechanical means and shall operate on the vapour or spray given off in the process as near as may be at the point of origin. The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

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

Sl.No. 4. Floor of workrooms. - The floor of every workroom containing a bath shall be impervious to water. The floor shall be maintained in good and level condition and shall be washed down at least once a day.

Sl.No. 5. Protective devices. -

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

(a) waterproof aprons and bibs; and

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

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

Sl.No. 6. Water facilities. -

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

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

(i) a trough with a smooth impervious surface filled with a waste pipe , and of sufficient length to allow at least 60cms for every 5 persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than 60cms, or

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

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

(2) In addition to the facility in Sub Sl.no. (1) of Sl.No. 6 of Sub schedule-II, an approved type emergency shower with eye fountain shall be provided and maintained in good working order. Whenever necessary, in order to ensure continuous water supply, storage tank of 1500 litres capacity shall be provided as a source of clean water for emergency use.

Sl.No. 7. Cautionary placard.- A cautionary placard in the form specified below and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

CAUTIONARY NOTICE

Electrolytic Plating

(1) Chemicals handled in this plant are corrosive and poisonous.

(2) Smoking, chewing tobacco, eating food or drinking, in this area is prohibited . No food stuff or drink shall be brought in this area.

(3) Some of these chemicals may be absorbed through the skin and may cause poisoning .

(4) A good wash shall be taken before meals.

(5) Protective devices supplied shall be used while working in this area.

(6) Spillage of the chemicals on any part of the body or on the floor shall be immediately washed away with water.

(7) All workers shall report for the prescribed medical tests regularly to protect their own health.

Sl.No. 8. Medical facilities and records of examinations and tests.- (1) The occupier of every factory in which electrolytic processes are carried on shall-

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

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

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

(2) The medical practitioner shall examine all workers before they are employed in electrolytic processes. Such examination in case of chrome plating shall include inspection of hands, forearms and nose and will be carried out once at least in every fortnight.

(3) The record of the examinations referred to in sub-Sl.No. (2) of Sl.No. 8, shall be maintained in a separate register approved by Chief Inspector - cum- Facilitator of Factories which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 9. Medical examination by the Medical officer.- (1) Every worker employed in the electrolytic processes shall be examined by a Medical Officer before his first employment. Such examination shall include X-ray of the chest and-

(a) in case of chromium plating include examination for nasal septum perforation and test for chromium in urine;

(b) in case of nickel plating, test for nickel in urine; and

(c) in case of cadmium plating, test for cadmium in urine and -2 microglobulin in urine.

(2) No worker shall be employed in any electrolytic process unless certified fit for such employment by the Medical officer.

(3) Every worker employed in the electrolytic processes shall be re-examined by a Medical officer at least once in every year, except in case of the workers employed in cadmium, chromium and nickel plating processes for whom this examination shall be carried out once in every six months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified under sub-sl.no.(1) of Sl.no. 9 excluding the X-ray of the chest which shall not be required normally to be carried out earlier than once in three years.

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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-sl.no. (1) and (2) of sl.no. 9 including the nature and the results of the tests, shall also be entered by the Medical officer in a health register in **Form 47**.

(5) The certificate of fitness and the health register shall be kept readily available for inspection by the Inspector - cum- Facilitator.

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

(7) No person who has been found unfit to work as said in sub-sl.no. (6) of sl.no.9 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.

SUB SCHEDULE III

Manufacture and repair of electric accumulators

Sl.No. 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.

Sl.No. 2. Definitions. - For the purposes of this schedule-

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

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

Sl.No. 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.

Sl.No. 4. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another , and from other processes :-

- a. manipulation of raw oxide of lead;
- b. pasting;
- c. drying of pasted plates;
- d. formation with lead turning (tacking)necessarily carried on in connection therewith ; and
- e. melting down of pasted plates.

Sl.No. 5. Air space.- In every room in which a lead process is carried on, there shall be at least 14.2 cubic meters of air space for each person employed therein, and in computing this air space no height over 3.65 meters shall be taken into account.

Sl.No. 6. Ventilation.- Every workroom shall be provided with inlets and outlets of adequate size as to secure and maintain efficient ventilation in all parts of the room.

Sl.No. 7. Distance between workers in pasting room.- In every pasting room the distance between the centre of the working position of any paster and that of the paster working nearest to him shall not be less than 1.5 meters.

Sl.No. 8. Floor of workrooms.-(1) The floor of every room in which lead process is carried on shall be -

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

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

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

(4) Without prejudice to the requirements of sub-Sl.No. (1), (2) and (3), where manipulation of raw oxide of lead or pasting is carried on, the floor shall also be -

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

Sl.No. 9. Work-benches.- The work-benches at which any lead process is carried on shall -

- (a) have a smooth surface and be maintained in sound condition; and
- (b) be kept free from all materials or plant not required for, or produced in, the process carried on thereat; and all such work-benches other than those in grid casting shops shall-
- (c) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat; and, all such work-benches in grid casting shops, shall -
- (d) be cleansed daily; and every work-bench used for pasting shall -
- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges; and
- (g) be kept constantly moist while pasting is being carried on.

Sl.No. 10. Exhaust draught.- (1)The following processes shall not be carried on without the use of an efficient exhaust draught :-

- (a) melting of lead or materials containing lead;
- (b) manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the workroom;
- (c) pasting;
- (d) trimming, brushing, filing or any other abrading or cutting of pasted plates giving rise to dust and

- (e) lead burning, other than -
- (i) tacking in the formation room; and
- (ii) chemical burning for the making of lead lining for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.

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

Sl.No. 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.

Sl.No. 12. Container for dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom, except when dross is being deposited therein.

Sl.No. 13. Container for lead waste.- A suitable receptacle shall be provided in every workroom in which old plates and waste material which may give rise to dust shall be deposited.

Sl.No. 14. Racks and shelves in drying room.-

(1) The racks or shelves provided in any drying room shall not be more than 2.4 meters from the floor nor more than 60 centimetres in width;

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

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

Sl.No. 15. Protective clothing.-

(1) Protective clothing shall be provided and maintained in good repair for all persons employed in -

- (a) manipulation of raw oxide of lead;
- (b) pasting; and

(c) the formation room; and such clothing shall be worn by the persons concerned.

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

Sl.No. 16. Messroom.- There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable messroom, which shall be furnished with sufficient tables and benches, and adequate means for warming food. The messroom shall be placed under the charge of a responsible person, and shall be kept clean.

Sl.No. 17. Cloakroom.- There shall be provided and maintained for the use of all persons employed in a lead process -

- (a) a cloakroom for clothing put off during working hours with adequate arrangements for drying the clothing if wet, which accommodation shall be separate from any messroom; and
- (b) separate and suitable arrangements for the storage of protective clothing provided under Sl.No. 15 of this sub-schedule.

Sl.No. 18. 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 process -

- (a) a wash place under cover, with either -
 - (i) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow of at least 60 centimetres 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 on not more than 60 centimetres; or
 - (ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water laid on;
- (b) a sufficient supply of clean towels made of suitable materials renewed daily, which supply, in the case of pasters and persons employed in the manipulation of raw oxide of lead, shall include a separate marked towel for each such worker; and
- (c) a sufficient supply of soap or other suitable cleansing material and of nail brushes.

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

Sl.No. 19. Time to be allowed for washing.- Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person who has been employed in the manipulation of raw oxide of lead or in pasting;

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

Sl.No. 20. 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.

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

Sl.No. 22. Medical facilities and records 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 qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector - cum- Facilitator of Factories; and

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

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

Sl.No. 23. Medical examination by Medical Officer.- (1) Every worker employed in lead processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every three calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests specified in sub-Sl.No. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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-sl.No. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

SUB SCHEDULE IV

Glass Manufacture

Sl.No. 1. Definitions.- For the purpose of this schedule -

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

(b) “lead compound” means any compound of lead other than galena which, when treated in the manner described below, yields to an aqueous solution of hydrochloric

acid a quantity soluble lead compound exceeding, when calculated as lead monoxide, five percent of the dry weight of the portion taken analysis.

The method of treatment shall be as follows :-

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 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.

Sl.No. 2. Exhaust draught.- The following processes shall not be carried on except under an efficient exhaust draught or such other conditions as may be approved by the Chief Inspector- cum- Facilitator :-

- (a) the mixing of raw materials to form a “Bator”;
- (b) the dry grinding, glazing and polishing of glass or any article of glass;
- (c) all processes in which hydrofluoric acid fumes or ammoniacal vapours are given off;
- (d) all processes in the making of furnace moulds or “pots” including the grinding or crushing of used “pots”; and
- (e) all processes involving the use of a dry lead compound.

Sl.No. 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 Sl.No. 2 or at any place where such operations are carried on.

Sl.No. 4. Floor and work-benches.- The floor and work-benches of every room in which a dry compound of lead is manipulated or in which any process is carried on giving off silica dust shall be kept moist and shall comply with the following requirements :-

- (a) the floor shall be -
 - (i) of cement or similar material so as to be smooth and impervious to water;
 - (ii) maintained in sound condition; and
 - (iii) cleansed daily after being thoroughly spread with water at a time when no other work is being carried on the room; and
- (b) the work-benches shall -
 - (i) have a smooth surface and be maintained in sound condition, and
 - (ii) cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat.

Sl.No. 5. Use of hydrofluoric acid.- The following provisions shall apply to rooms in which glass is treated with hydrofluoric acid :-

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

(c) the workplaces shall be so enclosed in projecting hoods that openings required for the 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.

Sl.No. 6. Storage and transport of hydrofluoric acid.- Hydrofluoric acid shall not be stored or transported except in cylinders or receptacles made of lead or rubber.

Sl.No. 7. Blow pipes.- Every glass blower shall be provided with a separate blow pipe bearing the distinguishing mark of the person to whom it is issued and suitable facilities shall be readily available to every glass blower for sterilising his blow pipe

Sl.No. 8. 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 room or workplace wherein any process specified in Sl.no. 2 is carried on.

Sl.No. 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 Sl.no. 2 suitable protective clothing, footwear and goggles according to the nature of the work and such clothing, footwear, etc. shall be worn by the persons concerned.

Sl.No. 10. Washing facilities.- There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in the processes specified in Sl.no. 2 -

(a) a wash place with either -

(i) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least 60 centimetres 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 centimetres; or

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

(b) a sufficient supply of clean towels made of suitable material renewed daily with 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 which shall be to the satisfaction of the Chief Inspector - cum- Facilitator.

Sl.No. 11. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which glass manufacturing processes are carried out, shall -

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

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

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

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

Sl.No. 12. Medical Examination by Medical Officer.- (1) Every workers employed in processes specified in Sl.no. 2 shall be examined by the Medical Officer within 15 days of his first employment. Such examination shall include pulmonary function tests and in suspected cases chest X-ray as well as tests for lead and urine. No worker shall be allowed to work after 15 days of first employment in the factory unless certified for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 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. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which the person affected shall be suitable rehabilitated.

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

Sl.No. 13.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 be certificate in writing authorise such suspension or relaxation as may be indicated in the certificate for such period and on such conditions as he may think fit.

SUB SCHEDULE V

Grinding or glazing of metals and processes incidental thereto

Sl.No. 1. Exception.- (1) Nothing in this schedule shall apply to any factory in which only repairs are carried on except any part thereof in which one or more persons are wholly or mainly employed in the grinding or glazing of metals.

(2) Nothing in this schedule except Sl.no. 4 of this sub schedule, 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.

Sl.No. 2. Definitions.- For the purposes of this schedule -

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

(b) “abrasive wheel” means a wheel manufactured of bonded emery or similar abrasive;

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

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

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

(f) “hacking” means the chipping of the surface of a grindstone by a hack or similar tool; and

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

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

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

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

(c) a fan or other efficient means of producing a draught sufficient to extract the dust : Provided that the Chief Inspector - 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.

Sl.No. 4. Restriction on employment on grinding operations.- Not more than one person shall at any time perform the actual process of grinding or glazing upon a grindstone, abrasive wheel or glazing appliance: or bulky articles at any such grindstone, abrasive wheel or glazing appliance.

Sl.No. 5. Glazing.- Glazing or other processes, except processes incidental to wet grinding upon a grindstone shall not be carried on in any room in which wet grinding upon a grindstone is done.

Sl.No. 6. Hacking and rodding.- Hacking or rodding shall not be done unless during the process either an adequate supply of water is laid on at the upper surface of the grindstone or adequate appliances for the interception of dust are provided in accordance with the requirements of Sl.no. 3.

Sl.No. 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 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 tests shall be kept in **Form 56**.

Sl.No. 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, shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector - cum- Facilitator of Factories; 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 of Factories, which shall be kept readily available for inspection by the Inspector- cum- Facilitator.

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

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the found 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

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.

SUB SCHEDULE VI

Manufacture and treatment of lead and certain compounds of lead

Sl.No. 1. 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) the handling or mixing of lead tetra-ethyl;
- (f) any other operation involving the use of a lead compound; and
- (g) the cleaning of workrooms where any of the operations aforesaid are carried on.

Sl.No. 2. Definitions.- For this purpose of this schedule -

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

The method of treatment shall be as follows :-

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

salt contained in the clear filtrate shall then precipitated as lead sulphate and weighed as lead sulphate;

(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 (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.

Sl.No. 3. 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 Sl.no. 1.

Sl.No. 4. 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 Sl.no. 5 to 13 of this sub schedule, are complied with.

Sl.No. 5. 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 to contrived as to operate on the dust, fume, gas or vapour as closely as possible to the point of origin.

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

Sl.No. 7. Protective clothing.- Suitable protective overalls and head coverage shall be provided, maintained and kept clean by the occupier and such overalls and head coverings shall be worn by the persons employed.

Sl.No. 8. Cleanliness of workrooms, 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.

Sl.No. 9. Washing facilities.- (1) The occupier shall provide and maintain for the use of all persons employed suitable washing facilities consisting of -

(a) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least 60 centimetres 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 centimetres; or

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

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

Sl.No. 10. Messroom 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 workroom which shall be furnished with sufficient tables and benches, and unless a canteen serving hot meals is provided, adequate means of warming the food. The room shall be adequately ventilated by the circulation of fresh air, shall be placed under the charge of a responsible person and shall be kept clean.

Sl.No. 11. Cloakroom.- The occupier shall provide and maintain for the use of persons employed, suitable accommodation for clothing not worn during working hours, and for the drying of wet clothing.

Sl.No. 12. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which grinding or glazing of metals are carried out, shall

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose appointment shall be subject to the approval of the Chief Inspector- cum- Facilitator of Factories; 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 of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 13. Medical examination by the Medical Officer.- (1) Every worker employed shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include pulmonary function tests and in suspected cases chest X-rays. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.No. 14. 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 the persons employed, he may by certificate in writing exempt any factory from all or any of such provisions, subject to such conditions as he may specify.

SUB SCHEDULE VII

Generating Petrol gas from Petrol

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

Sl.No. 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.

Sl.No. 3. Generating building or room.- All plants for generation of gas from dangerous petroleum erected after the coming into force of the provisions specified in this schedule, shall be erected outside the factory building proper in a separate well ventilated building (hereinafter referred to as “generating building”). In the case of such plants erected before the coming into force of the provisions specified in this schedule, there shall be no direct communication between the room where such plants are erected (hereinafter referred to as “the generating room”) and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

Sl.No. 4. Fire extinguishers.- An efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generation of gas from dangerous petroleum.

Sl.No. 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.

Sl.No. 6. Escape of petrol.- Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

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

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

Sl.No. 9. Electric fittings.- All electric fittings shall be of flameproof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

Sl.No. 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 a 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.

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

SUB SCHEDULE VIII

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

Sl.No. 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 of a jet of sand, metal shot, or grit or other material, propelled by a blast of compressed air or steam ;

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

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

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

Sl.No. 2. Prohibition of sand blasting.- Sand or any other substance containing free silica shall not be introduced asan 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.

Sl.No. 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 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- Sl.no. (4) shall be kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is actually taking place therein, and in the case of a blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning.

Sl.No. 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 which shall be kept in a form approved by the Chief Inspector - cum- Facilitator and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the occupier, manager or other appropriate person and without prejudice to the foregoing requirements of this schedule, shall be removed without avoidable delay.

Sl.No. 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 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.

Sl.No. 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 Sl.no. 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.

Sl.No. 7. Storage accommodation for protective wear.- Adequate and suitable storage accommodation for the helmets, gauntlets and overalls required to be provided by Sl.no. 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.

Sl.No. 8. Maintenance and cleaning of protective wear.- All helmets, gauntlets, overalls and other protective devices or clothings provided and worn for the purposes of this schedule, shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every 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.

Sl.No. 9. Maintenance of vacuum cleaning plant.- Vacuum cleaning plant used for the purpose of this schedule shall be properly maintained.

Sl.No. 10. Medical facilities and records of examinations and tests.- (1) The occupier of every factory to which the Schedule applies, shall -

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

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

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

Sl.No. 11. Medical examination by the Medical Officer.- (1) Every worker employed in any of the processes to which this schedule shall be examined by a 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 Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every 12 calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include pulmonary function test and chest X-ray once in every three years.

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker he shall make 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 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.No. 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.

Sl.No. 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 factory from such provisions of this schedule, to such an extent and subject to such conditions and for such period as may be specified in the said order.

(2) Where an exemption has been granted under sub- Sl.no. (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.

SUB SCHEDULE IX

Liming and tanning of raw hides and skins and processes incidental thereto.

Sl.No. 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-Sl.no. (1), (2) and (4) and if chrome solutions are used in the factory, the contents of the notice specified in sub- Sl.no. (3).

Sl.No. 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 and skins, other than in processes specified in sub- Sl.no. (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- Sl.no. (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.

Sl.No. 3. Washing facilities, messroom 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 centimetres 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 centimetres; 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 messroom, 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 messroom 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 put off during working hours and another accommodation for protective clothing and also adequate arrangements for drying up the clothing in both the cases, if wet. The accommodation so provided shall be kept clean at all times and placed under the charge of a responsible person.

Sl.No. 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.

Sl.No. 5. Medical facilities and record of examinations and tests.- (1) The occupier of every factory in which the schedule applies, shall -

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

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

(c) arrange for inspection of the hands of all the persons keeping in contact with chromium substances to be made twice a week; and

(d) prove 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 of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 6. Medical Examination by Medical Officer.- (1) Every workers employed in shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every twelve calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

SUB SCHEDULE X

Printing presses and type foundries and certain lead processes carried therein.

Sl.No. 1. Definitions.- For the purpose of this schedule -

(a) "lead material" means material containing not less than five per cent of lead ;

(b) "lead process" means -

(i) the melting of lead or any lead material for casting and mechanical composing;

- (ii) the recharging of machines with used lead material;
 - (iii) any other work including removal of dross from melting pots and cleaning of plungers; and
 - (iv) manipulation, movement or other treatment of lead material.
- (c) “efficient exhaust draught” means localised ventilation effected by head or mechanical means for the removal of gas, vapour, dust or fumes so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fume, or dust originate.

Sl.No. 2. Exhaust draught.-

(1) None of the following processes shall be carried on except with an efficient exhaust draught unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on, or unless carried on 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 effected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as closely as may be at its point of origin.

Sl.No. 3. Prohibition relating to women and young persons.- No woman or young person shall be employed or permitted to work in any lead process.

Sl.No. 4. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another and from any other processes :-

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

Sl.No. 5. Container for dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom near the machine except when the dross is being deposited therein.

Sl.No. 6. Floor of workroom.- The floor of every workroom where lead process is carried on shall be -

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

Sl.No. 7. Messroom.- There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable messroom which shall be furnished with sufficient tables and benches.

Sl.No. 8. 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 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 60 centimetres 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 centimetres; 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.

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

Sl.No. 10. Medical facilities and records of examinations and tests.- (1) The occupier of every factory to which the schedule applies shall-

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

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

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

Sl.No. 11. Medical examination by Medical Officer.- (1) Every worker employed in a lead processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood. ALA in urine, haemoglobin content, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every six calendar months. Such re-examination shall, wherever the Medical Officer considers appropriate, include tests as specified in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would

involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.No. 12. 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 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.

SUB SCHEDULE XI

Manufacture of pottery

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

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

Sl.No. 2. Definitions.- For the purposes of this schedule -

- (a) “pottery” includes earthenware, stoneware, porcelain, china tiles, and any other articles made from such clay or from a mixture containing clay and other materials such as quartz, flint, feldspar, and gypsum;
- (b) “efficient exhaust draught” means localised ventilation effected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates;
- (c) “fettling” includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery ware in which dust is given off;
- (d) “leadless glaze” means a glaze which does not contain more than one per cent of its dry weight, of a lead compound calculated as lead monoxide;
- (e) “low solubility glaze” means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight, of a soluble lead compound calculated as lead monoxide when determined in the manner described below :

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

(f) sound or powdered flint or quartz” does not include natural sands; and

(g) “potter’s shop includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing for the biscuit fire is carried on.

Sl.No. 3. Efficient exhaust draught.- The following processes shall not be carried on without the use of an efficient exhaust draught:-

(a) all processes involving the manipulation or use of a dry and 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 or other articles by pressure, except where -

(i) this is done in an 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 of Factories as adequate having regard to all the circumstances of the case;

(h) fettling of biscuitware which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust;

(i) where 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 conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near to any place in which persons are employed;
- (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.

Sl.No. 4. Separation of processes.- Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another, and from other wet processes:-

- (a) crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading of saggars; and
- (b) all processes involving the use of a dry lead compound.

Sl.No. 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.

Sl.No. 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 Sl.no. 4, or at any place where such operations are carried on.

Sl.No. 7. Provision of screen to potter's wheel.- The potter's wheel (Jolly and Jigger) shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel.

Sl.No. 8. Control of dust during cleaning-

- (1) All practical measures shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.
- (2) Damp saw-dust or other suitable 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.

Sl.No. 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.

Sl.No. 10. Protective equipment.-

- (1) The occupier shall provide and maintain suitable overalls and hand coverings for all persons employed in process included under Sl.no. 3.
- (2) The occupier shall provide and maintain suitable aprons of a 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 Sl.no. 10(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 dust materials, weighing out and mixing of dusty materials and charging of ball mills and plungers without wearing a suitable and efficient dust respirator.

Sl.No. 11. Washing facilities.-

(1) The occupier shall provide and maintain, in a clean state and in good repair for the use of all persons employed in any of the processes specified in Sl.no. 3 -

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

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

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

Sl.No. 12. Time allowed for washing.- Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in any of the processes mentioned in Sl.no. 3.

Sl.No. 13. Messroom.-

(1) There shall be provided and maintained for use of all persons remaining within the premises during the rest intervals, a suitable messroom providing accommodation of 0.93 square meter per head and furnished with -

(a) a sufficient number of tables and chairs or benches with back rest;

(b) arrangements for washing utensils;

(c) adequate means for warming food; and

(d) adequate quantity of drinking water.

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

Sl.No. 14. 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 in which any of the processes mentioned in Sl.no. 3 are carried on and no person shall remain in any such room during intervals for meals or rest.

Sl.No. 15. Cloakrooms etc.- There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in Sl.no. 3.

(a) a cloakroom for clothing put off during working hours and such accommodation shall be separate from any messroom; and

(b) separate and suitable arrangements for the storage of protective equipment provided under Sl.no. 10.

Sl.No. 16. Medical facilities and records of examinations and tests.-

(1) The occupier of every factory in which manufacture of pottery is carried on, shall -

(a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector - cum- Facilitator of Factories; 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 separate register approved by the Chief Inspector cum Facilitator of Factories, which shall be kept readily available for inspection by the Inspector - cum- Facilitator.

Sl.No. 17. Medical examination by Medical Officer.-

(1) Every worker employed in any process mentioned under Sl.no. 3, shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content, stippling of cells and. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) All persons employed in any of the processes included under sub- Sl.no. 3(a) and 3(n) shall be examined by a Medical Officer once in every 3 calendar months. Those employed in any other processes mentioned in the remaining Sl.no. 3 shall be examined by a Medical Officer one in every twelve calendar months. Such examinations in respect of all the workers shall include all the tests as specified in sub- Sl.no. (1) except chest X-ray which will be once in 3 years.

(3) The Medical Officer after examining a worker, shall issue a Certificate of Fitness in **Form 48**. 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 Sl.no.

(1) and (2), including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.No. 18. Exemption.- If in respect of any factory the Chief Inspector - cum- Facilitator of Factories 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.

SUB SCHEDULE XII

Chemical Works

PART I

Sl.No. 1. Application.- This schedule shall apply to all manufacture and processes incidental thereto carried on in chemical works.

Sl.No. 2. Definitions.- For the purpose of this schedule -

- (a) “chemical works” means any factory or such parts of any factory as are listed in appendix `A` to this schedule;
- (b) “efficient exhaust draught” means localised ventilation effected by mechanical or other means for the removal of gas, vapour, fume or dust to prevent it from escaping into the air of any place in which work is carried on;
- (c) “bleaching powder” means the bleaching powder commonly called chloride of lime;
- (d) “chlorate” means chlorate or perchlorate;
- (e) “caustic” means hydroxide of potassium or sodium;
- (f) “chrome process” means the manufacture of chromate or bichromate of potassium or sodium, or the manipulation, movement or other treatment of these substances;
- (g) “nitro or amino process” means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues, and the making of explosives with the use of any of these substances;
- (h) the term `permit to work` system means the compliance with the procedures laid down under para 20 of Part II;
- (i) “toxic substances” means all those substances which when they enter into the human body, through inhalation or ingestion or absorption through skin, in sufficient quantities cause fatality or exert serious affliction of health, or chronic harmful effects on the health of persons exposed to it due to its inherent chemical or biological effects. In respect of substances whose TLV is specified in Rule 106, exceeding the concentration specified therein would make the substance toxic;
- (j) “emergency” means a situation or condition leading to a circumstance or set of circumstances in which there is danger to the life or health of persons or which could result in big fire or explosion or pollution to the work and outside environment, affecting the workers or neighbourhood in a serious manner, demanding immediate action;
- (k) “dangerous chemical reactions” means high speed reactions, runaway reactions, delayed reactions, etc. and are characterised by evolution of large quantities of heat, intense release of toxic or flammable gases or vapours, sudden pressure build-up etc.;
- (l) “manipulation” means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping, handling, using, etc.;

(m) “approved personal protective equipment” means items of personal protective equipment conforming to the relevant ISI specifications or in the absence of it, personal protective equipment approved by the Chief Inspector of Factories - cum-Facilitator;

(n) “appropriate personal protective equipment” means that when the protective equipment is used by the worker, he shall have no risk to his life or health or body; and

(o) “confined space” means any space by reason of its construction as well as in relation to the nature of the work carried therein and where hazards to the persons entering into or working inside exist or are likely to develop during working.

PART II

General Requirements

Applying to all the works in Appendix `A`

Sl.No. 1. Housekeeping.-(1) Any spillage of materials shall be cleaned up before further processing.

(2) Floors, platforms, stairways, passages and gangways shall be free of any obstructions.

(3) There shall be provided easy means of access to all parts of the parts of the plant to facilitate cleaning.

Sl.No. 2. Improper use of chemicals.- No chemicals or solvents or empty containers containing chemicals or solvents shall be permitted to be used by workers for any purpose other than in the processes for which they are supplied.

Sl.No. 3. Prohibition on the use of food, etc.- No food, drink, tobacco, pan or any edible item shall be stored or heated or consumed on or near any part of the plant or equipment.

Sl.No. 4. Cautionary Notices and Instructions.-

(1) Cautionary notices in a language understood by the majority of workers shall be prominently displayed in all hazardous areas drawing the attention of all workers about the hazards to health, hazards involving fire and explosion and any other hazard such as consequences of testing of material or substances used in the process or using any contaminated container for drinking or eating, to which the workers’ attention should be drawn for ensuring their safety and health.

(2) In addition to the above cautionary notice, arrangement shall be made to instruct and educate all the workers including illiterate workers about the hazards in the process including the specific hazards to which they may be exposed to, in the normal course of their work. Such instructions and education should also deal with the hazards involved in unauthorised and unsafe practices including the properties of substances used in the process under normal conditions as well as abnormal conditions and the precautions to be observed against each and every hazard. Further, an undertaking from the workers shall be obtained within 1 month of their employment and for old workers employed, within one month of coming into operation of the rules, to the effect that they have read the contents of the cautionary notices and instructions, understood them and would abide by them. The training and instructions

to all workers and all supervisory personnel shall include the significance of different types of symbols and colours used on the labels stuck or painted on the various types of containers and pipe lines.

Sl.No. 5. Evaluation and provision of safeguards before the commencement of process.-

(1) Before commencing any process or any experimental work, or any new manufacture covered under Appendix `A`, the occupier shall take all possible steps to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions including the dangerous chemical reactions. The properties of the raw materials used, the final products to be made and any by-products derived during manufacture, shall be carefully studied and provisions shall be made for dealing with any hazards including effects on workers, which may occur during manufacture.

(2) Information in writing giving details of the process, its hazards and the steps taken or proposed to be taken from the design stage to disposal stage for ensuring the safety as in sub-para (1) above should be sent to the Chief Inspector - cum- Facilitator at the earliest but in no case less than 15 days before commencing manufacture, handling, or storage of any of items covered under Appendix `A`, whether on experimental basis, or as pilot plant or as trial production, or as large scale manufacture.

(3) The design, construction, installation, operation, maintenance and disposal of the buildings, plant and facilities shall take into consideration effective safeguards against all the safety and health hazards so evaluated.

(4) The requirements under the sub-para (1) to (3) shall not act in lieu of or in derogation to, any other provisions contained in any Act governing the work.

Sl.No. 6. Authorised entry.-Authorised persons only shall be permitted to enter any section of the factory or plant where any dangerous operations or processes are being carried on or where dangerous chemical reactions are taking place or where hazardous chemicals are stored.

Sl.No. 7. Examination of instruments and safety devices.-

(1) All instruments and safety devices used in the process shall be tested before taking into use and after carrying out any repair to them and examined once in a month, by a competent person. Records of such tests and examinations shall be maintained in a register.

(2) All instruments and safety devices used in the process shall be operated daily or as often as it is necessary, to ensure its effective and efficient working at all times.

Sl.No. 8. Electrical installations.- All electrical installations used in the process covered in Appendix `A` shall be of an appropriate type to ensure safety against the hazard prevalent in that area such as suitability against dust, dampness, corrosion, flammability and explosivity etc. and shall conform to the relevant ISI specifications governing their construction and use for that area.

Sl.No. 9. Handling and storage of chemicals.-

(1) The containers for handling and storage of chemicals shall be of adequate strength taking into consideration the hazardous nature of the contents. They shall also be provided with adequate labelling and colour coding arrangements to enable identification of the containers and their contents indicating the hazards and safe

handling methods and shall conform to the respective ISI standards. The instructions given in the label shall be strictly adhered to. Damaged containers shall be handled only under supervision of a knowledgeable and responsible person and spillage shall be rendered innocuous in a safe manner using appropriate means.

(2) The arrangements for the storage of chemicals including charging of chemicals in reaction vessels and containers shall be such as to prevent any risk of fire or explosion or formation of toxic concentration of substances above the limits specified in these Rules.

(3) Without prejudice to the generality of the requirements in sub- para (2) above, the arrangements shall have suitable ventilation facilities and shall enable the maintenance of safe levels in vessels and containers. Such arrangements shall also take into consideration, the type of flooring and the capacity of flooring and the compatibility requirements of substances with other chemicals stored nearby.

(4) (a) Storage of chemicals and intermediate products, which are highly unstable or reactive or explosive shall be limited to the quantities required for two months use.

(b) Whenever the quantities laid down in the above clause(a) are to be exceeded, the permission of the Chief Inspector - cum- Facilitator shall be obtained.

(c) Notwithstanding anything contained in clause (a) and (b) above, the Chief Inspector - cum- Facilitator of Factories may direct any factory carrying out processes covered in Appendix 'A' to further limit the storage of hazardous substances to quantities less than two months on considerations of safety.

(5) Standby arrangements equal to the biggest container shall always be available to transfer the toxic substances quickly into the standby storage facility if any defect develops in any of the container resulting in the release of toxic substances.

(6) Any storage facility constructed using non-metallic material such as Fibreglass Reinforced Plastics (FRP), all glass vessels etc., shall have adequate strength to withstand the stress, if any, exerted by the contents and shall be properly anchored. Working platforms, access ladders, pipelines etc used in such storage facility shall not have any support on the structure of the storage facility and shall be independently supported.

Sl.No. 10. Facility for isolation.- The plant and equipment shall be so constructed and maintained as to enable quick isolation of plant or part of plant or equipment, with appropriate indication. One copy of the layout plan indicating the isolation facilities shall always be available with the security personnel, the maintenance and the health and safety personnel and these isolation facilities shall be checked for its effectiveness once in a month.

Sl.No. 11. Personal protective equipment.-

(1) All workers exposed to the hazards in the processes covered by this Schedule shall be provided with appropriate and approved type of personal protective equipment. Such equipment shall be in a clean, sterile and hygienic condition before issue.

(2) The occupier shall arrange to inform, educate and supervise all the workers in the use of personal protective equipment while carrying out the job.

(3) As regards any doubt regarding the appropriateness of any personal protective equipment, the decision of the Chief Inspector - cum- Facilitator will be final.

Sl.No. 12. Alarm Systems.-

(1) Suitable and effective alarm systems giving audible and visible indications, shall be installed at the control room as well as in all strategic locations where process control arrangements are available so as to enable corrective action to be taken before the operational parameters exceed the predetermined safe levels or lead to conditions conducive for an outbreak of fire or explosion to occur. Such alarm systems shall be checked daily and tested every month at least once to ensure its performance efficiency at all times.

(2) The Chief Inspector - cum- Facilitator of Factories may direct such system to be installed in case of plants or processes where toxic materials are being used and spillage or leakage of which may cause wide spread poisoning in or around the plant.

Sl.No. 13. Control of escape of substances into the work atmosphere.-

(1) Effective arrangements such as, enclosure, or by pass, or efficient exhaust draught, maintenance of negative pressure etc., shall be provided in all plants, containers, vessels, sewers, drains, flues, ducts, culverts, and buried pipes and equipment, to control the escape and spread of substances which are likely to give rise to fire or explosion or toxic hazards during normal working and in the event of accident or emergency.

(2) In the event of the failure of the arrangements for control resulting in the escape of substances in the work atmosphere immediate steps shall be taken to control the process in such a manner, that further escape is brought down to the safe level.

(3) The substances that would have escaped into the work atmosphere before taking immediate steps as required in sub-para (2), shall be rendered innocuous by diluting with air or water or any other suitable agent or by suitably treating the substances.

Sl.No. 14. Control of dangerous chemical reactions.- Suitable provision, such as automatic and or remote control arrangements, shall be made for controlling the effects of 'dangerous chemical reactions'. In the event of failure of control arrangements automatic flooding or blanketing or other effective arrangements shall come into operation.

Sl.No. 15. Testing, examination and repair of plant & equipment.-

(1) All parts of plant, equipment and machinery used in the process which in the likely event of their failure may give rise to an emergent situation shall be tested by a competent person before commencing process and retested at an interval of two years or after carrying out repairs to it. The competent person shall identify the parts of the plant, equipment and machinery required to be tested as aforesaid and evolve a suitable testing procedures. In carrying out the test mentioned above in respect of pressure vessels or reaction vessels the following precautions shall be observed, namely -

(a) before the test is carried out, each vessel shall be thoroughly cleaned and examined externally, and as far as practicable, internally also for surface defects, corrosion and foreign matters. During the process of cleaning and removal of sludge, if any, all due precautions shall be taken against fire or explosion, if such sludge is of pyrophoric nature or contains spontaneously combustible chemicals;

(b) as soon as the test is completed, the vessel shall be thoroughly dried internally and shall be clearly stamped with the marks and figures indicating the person by whom testing has been done, and the date of test; and (c) any vessel which fails to pass the test or which for any other reason is found to be unsafe for use shall be destroyed or rendered unusable under intimation to the Chief Inspector - cum- Facilitator.

(2) All parts of plant, equipment, machinery which is the likely event of failure may give rise to an emergent situation shall be examined once in a month by the competent person.

(3) records of testing and examination referred to in Sl.no. (1) and (2) shall be maintained as long as that part of the plant, equipment and machinery are in use.

(4) All repair work including alteration, modification and addition to be carried out to the plant, equipment and machinery shall be done under the supervision of a responsible person who shall evolve a procedure to ensure safety and health of persons doing the work. When repairs or modification is done on pipelines, and joints are required to be welded, butt welding of joints shall be preferred. Wherever necessary, the responsible person shall regulate the aforesaid work through a 'Permit to work system'.

Sl.No. 16. Staging.-

(1) All staging that is erected for the purpose of maintenance work or repair work or for work connected with entry into confined spaces and used in the processes included in Appendix 'A', shall be stable, rigid and constructed out of substantial material of adequate strength. Such staging shall conform to the respective Indian Standard specifications.

(2) Staging shall not be erected over any closed or open vessel unless the vessel is so constructed and ventilated to prevent exposure of persons working on the stages.

(3) All the staging constructed for the purpose of this para shall have appropriate access which are safe and shall be fitted with proper hand rails to a height of one metre and toe board.

Sl.No. 17. Seating Arrangements.- The seating arrangements provided for the operating personnel working in processes covered in Appendix 'A' shall be located in a safe manner as to prevent the risk of exposure to toxic, flammable and explosive substances evolved in the work environment in the course of manufacture or repair or maintenance, either due to failure of plant and equipment or due to the substances which are under pressure, escaping into the atmosphere.

Sl.No. 18. Entry into or work in confined spaces.-

(1) The occupier of every factory to which the provisions of this schedule apply, shall ensure the observance of the following precautions before permitting any person to enter or work inside the confined spaces - (a) identify all confined spaces and the nature of hazards that are encountered in such spaces, normally or abnormally, and arrange to develop the most appropriate safeguards for ensuring the safety and health of persons entering into or working inside, the confined spaces;

(b) regulate the entry or work inside the confined spaces through a 'permit to work system' which should include the safeguards so developed as required under sub-clause (a) above;

(c) before testing the confined space for entry into or work, the place shall be rendered safe by washing or cleaning with neutralising agents; or purging with steam or inert gases and making adequate forced ventilation arrangements or such measure which will render the confined space safe;

(d) shall arrange to carry out such tests as are necessary for the purpose by a competent person and ensure that the confined space is safe for the persons to enter or work. Such testing shall be carried out as often as is necessary during the course of work to ensure its continued safety;

(e) shall arrange to educate and train the personnel who would be required to work in confined spaces about the hazards involved in the work. He shall also keep in readiness the appropriate and approved personal protective equipment including arrangements for, rescue resurrexion and first aid, and shall arrange supervision of the work at all times by a responsible and knowledgeable person. (2) The manager shall maintain a log of all entry into or work in, confined spaces and such record shall contain the details of persons assigned for the work, the location of the work and such other details that would have a bearing on the log book so maintained shall be retained as long as the concerned workers are in service and produces to the Inspector - cum- Facilitator when demanded.

Sl.No. 19. Maintenance work etc.-

(1) All the work connected with the maintenance of plants and equipment including cleaning of empty containers which have held hazardous substances used in the processes covered in this Schedule, shall be carried out under 'permit to work system' employing trained personnel and under the supervision of responsible person, having knowledge of the hazards and precautions required to deal with them.

(2) Maintenance work shall be carried out in such a manner that there is no risk to persons in the vicinity or to persons who pass by. If necessary, the place of such work shall be cordoned off or the presence of unconnected persons effectively controlled.

Sl.No. 20. Permit to work system.- The permit to work system shall inter-alia include the observance of the following precautions while carrying out any specified work to be subjected to the permit to work system-

(a) all work subject to the permit to work system shall be carried out under the supervision of a knowledgeable and responsible person;

(b) all parts of plant or machinery or equipment on which permit to work system is carried out, shall remain isolated from other parts throughout the period of permit to work and the place of work including the parts of plant, machinery shall be rendered safe by cleaning, purging, washing, etc.; (c) all work subject to the permit to work system shall have predetermined work procedures which integrate safety with the work. Such procedures shall be reviewed whenever any change occurs in material or equipment so that continued safety is ensured;

(d) persons who are assigned to carry out the permit to work system shall be physically fit in all respects taking into consideration the demands and nature, of the work before entering into the confined space. Such person shall be adequately informed about the correct work procedures as well as the precautions to be observed while carrying out the permit to work system;

(e) adequate rescue arrangements wherever considered necessary and adequate first aid, rescue and resurrection arrangements shall be available in good working condition near the place of work while carrying out the permit to work system, for use in emergency;

(f) appropriate and approved personal protective equipment shall be used while carrying out the 'permit to work system';

(g) after completion of work subject to the 'permit to work system' the person responsible shall remove all the equipment and tools and restore to the original condition so as to prevent any danger while carrying out regular process.

Sl.No. 21. Safety sampling personnel.- The occupier shall ensure the safety of persons assigned for collecting samples by instructing them on the safe procedures. Such personnel shall be provided with proper and approved personal protective equipment, if required.

Sl.No. 22. Ventilation.- Adequate ventilation arrangements shall be provided and maintained at all times in the process area where dangerous or toxic or flammable or explosive substances could be evolved. These arrangements shall ensure that concentrations, which are either harmful or could result in explosion, are not permitted to be built up in the work environment.

Sl.No. 23. Procedures for meeting emergencies.-

(1) The occupier of every factory carrying out the works covered in Appendix 'A', shall arrange to identify all types of possible emergencies that could occur in the processes during the course of work or while carrying out maintenance work or repair work. The emergencies so identified shall be reviewed every year.

(2) The occupier shall formulate a detailed plan to meet all such identified emergencies including arrangements for summoning outside help for rescue and fire fighting arrangements for making available urgent medical facilities.

(3) The occupier shall send the list of emergencies and the details of procedures and plans formulated to meet the emergencies, to the Chief Inspector - cum- Facilitator of Factories.

(4) The occupier shall arrange to install distinctive and recognisable warning arrangements to caution all persons inside the plant as well as the neighbouring community, if necessary, to enable evacuation of persons and to enable the observance of emergency procedures by the persons who are assigned emergency duties. All concerned must be well informed about the warning arrangements and their meaning. The arrangements must be checked for its effectiveness every month.

(5) Alternate power supply arrangements shall be made and interlocked with the normal power supply system so as to ensure constant supply of power to the facilities and equipment meant for compliance with requirements of Sl.no. 10, 11, 12, 13, 14, 18, 22, and this Sl.no. of Part II, Part III, Part IV and Part V of this Schedule.

(6) The occupier shall arrange to suspend the further process work in a place where emergency is established and shall forthwith evacuate all persons in that area except workers who have been assigned emergency duties.

(7) All the employees of the factory shall be trained about the action to be taken by them including evacuation procedures during emergencies.

(8) All emergency procedures must be rehearsed every three months and deficiencies, if any, in the achievement of the objectives shall suitably be corrected.

(9) The occupier shall arrange to have ten percent of the workers trained in the use of First Aid Fire Fighting appliances and in the rendering of specific hazards of the particular process.

(10) The occupier shall furnish immediately on request the specific chemical identity of the hazardous substance to the treating physician where the information is needed to administer proper emergency or first-aid treatment to exposed persons.

Sl.No. 24. Danger due to effluents.-

(1) Adequate precautions shall be taken to prevent the mixing of effluents from different processes and operations which may cause dangerous or poisonous gases to be evolved.

(2) Effluents which contain or give rise in the presence of other effluents to poisonous gases shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

PART III

Fire and Explosion Risks

Sl.No. 1. Sources of ignition including lighting installation.-

(1) No internal combustion engine and no electric motor or other electrical equipment, and fittings and fixtures capable of generating sparks or otherwise causing combustion or any other source of ignition or any naked light shall be installed or permitted to be in the process area where there could be fire and explosion hazards.

(2) All hot exhaust pipes shall be installed outside a building and other hot pipes or hot surface or surfaces likely to become hot shall be suitably protected.

(3) The classification of work areas in terms of its hazard potential and the selection of electrical equipment or other equipment that could constitute a source of ignition shall be in accordance with the respective Indian Standard.

(4) Where a flammable atmosphere may be prevalent or could occur, the soles of footwear worn by workers shall have no metal on them, and the wheels of trucks or conveyors shall be conductive type.

(5) All tools and appliances used for work in this area shall be of non-sparking type.

(6) Smoking in process areas where there are risks of fire and explosion shall be prohibited, and warning notices in the language understood by majority of workers shall be posted in the factory prohibiting smoking into specified areas.

Sl.No. 2. Static Electricity.-

(1) All machinery and plant, particularly, pipe lines and belt drives, on which static charge is likely to accumulate, shall be effectively earthed. Receptacles for flammable liquids shall have metallic connections to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be regulated.

(2) Mobile tanker wagons shall be earthed during filling and discharge, and precautions shall be taken to ensure that earthing is effective before such filling or discharge take place.

Sl.No. 3. Lightning protection.- Lightning protection arrangement shall be fitted where necessary, and shall be maintained.

Sl.No. 4. Process heating.- The method of providing heat for a process likely to result in fire and explosion shall be as safe as possible and where the use of naked flame is necessary, the plant shall be so constructed as to prevent any escaping flammable gas, vapour, or dust coming into contact with the flame, or exhaust gases, or other sources likely to cause ignition. Wherever possible, the heating arrangement shall be automatically controlled at a pre-determined temperature below the danger temperature.

Sl.No. 5. Leakage of flammable liquids.-

- (1) Provision shall be made to confine by means of bund walls, dykes, sumps etc. possible leakages from storage vessels containing flammable liquids.
- (2) Waste material in contact with flammable substances shall be disposed off suitably under the supervision of knowledgeable and responsible person.
- (3) Adequate and suitable fire-fighting appliances shall be installed in the vicinity of such vessels.

Sl.No. 6. Safety valves.- Every still and every closed vessel which gas is evolved or into which gas is passed, and in which the pressure is liable to rise above the atmospheric pressure, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure. These appliances shall be maintained in good condition.

Sl.No. 7. Installation of pipe line etc.- All pipelines carrying flammable or explosive substances shall be protected from mechanical damage and shall be examined by a responsible person once a week to detect any deterioration or defects, or accumulation of flammable or explosive substances, and record kept of any defects found and repairs made.

Sl.No. 8. Fire fighting systems.-

- (1) Every factory employing 500 or more persons and carrying out processes listed in Appendix 'A' shall provide-
 - (a) Trained and responsible fire fighting squad so as to effectively handle the fire fighting and life saving equipment in the event of fire or other emergency. Number of persons in this squad will necessarily depend upon the size of risk involved, but in no case shall be less than 8 such trained persons to be available at any time. The squad shall consist of watch & ward personnel, fire pump man and departmental supervisors and operators trained in the operation of fire & emergency services.
 - (b) Squad leaders shall preferably be trained in a recognised government institution and their usefulness enhanced by providing residence on the premises.
 - (c) Squad personnel shall be provided with clothing and equipment including helmets, boots and belts.
- (2) A muster roll showing the duties allocated to each member of the squad shall be prepared and copies supplied to each leader as well as displayed in prominent places so as to be easily available for reference in case of emergency.
- (3) The pump man shall be thoroughly conversant with the location of all appliances. He shall be responsible for maintaining all fire fighting equipment in proper working

order. Any defect coming to his notice shall be immediately be brought to the notice of squad leader.

(4) As far as is practicable, the fire pump room and the main gate(s) of the factory be connected to all manufacturing or storing areas through telephone inter lined and placed in a convenient location near such areas.

PART IV Risks of Toxic Substances

Sl.No. 1. Leakage.-

(1) All plants shall be so designed and constructed as to prevent the escape of toxic substance. Where necessary, separate buildings, rooms, or protective structures shall be used for the dangerous stages of the process and buildings shall be so designed as to localise any escape of toxic substances.

(2) Catch pits, bund walls, dykes, or other suitable safeguards shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipelines where there is danger involved to maintenance and other workers from such leakage.

Sl.No. 2. Drainage.- Adequate drainage shall be provided and shall lead to collection tanks specifically provided for this purpose wherein deleterious material shall be neutralised, treated or otherwise rendered safe before it is discharged into public drains or sewers.

Sl.No. 3. Covering of vessels.-

(1) Every fixed vessel or structure containing any toxic substance and not so covered as to eliminate all reasonable risk of accidental contact of any portion of the body of a worker, shall be so constructed as to avoid physical contact.

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

(3) Where such vessels adjoin and the space between them, clear of any surrounding brick or other work is either less than 45centimetres in width or is 45 or more centimetres in width, but is not securely fenced on both sides to a height of at least 90 centimetres, secure barriers shall be so placed as to prevent passage between them :

Provided that sub- Sl.no. (2) of this shall not apply to -

(a) saturators used in the manufacture of sulphate of ammonia; and

(b) that part of the sides of brine evaporating pans which require raking, drawing or filling.

Sl.No. 4. Continuous exhaust arrangement.-

(1) Any process evolving toxic vapour, gas, fume and substance shall have efficient continuous exhaust draught. Such arrangement shall be interlocked in the process control wherever possible.

(2) In the event of failure of continuous exhaust arrangement means shall be provided to automatically stop the process.

Sl.No. 5. Work Bench.- All the work benches used in the processes involving the manipulation of toxic substances, shall be graded properly and shall be made of smooth impervious surface which shall be washed daily after the completion of work.

Sl.No. 6. Waste disposal.-

(1) There shall be provided a suitable receptacle made of non-absorbable material with a tightly fitting cover for depositing waste material soiled with toxic substances and the contents of such receptacle shall be destroyed by burning or using other suitable methods under the supervision of a responsible person.

(2) During the course of manufacture, whenever any batch or intermediate products having toxicity is rejected on considerations of quality, sufficient precautions shall be taken to render them innocuous or otherwise treat them or inactivate them, before disposal.

(3) The empty containers of toxic substances shall be cleaned thoroughly before disposal under the supervision of a responsible person.

PART V

Special Provisions

Sl.No. 1. Special precautions for Nitro or Amino Processes.-

(1) Unless the crystallised nitro or amino substances or any of its liquor is broken or agitated in a completely enclosed process so as not to give rise to dust or fume, such process shall be carried on under an efficient exhaust draught or by adopting any other suitable means in such a manner as to prevent the escape of dust or fume in the working atmosphere.

(2) No part of the plant or equipment or implements which was in contact with nitro or amino compounds shall be repaired, or handled unless they have been emptied and thoroughly cleaned and decontaminated.

(3) Filling of containers with nitro or amino compounds shall be done only by using a suitable scoop to avoid physical contact and the drying of the containers in the stove shall be done in such a manner that the hot and contaminated air from the stove is not drawn into the work room.

(4) Processes involving the steaming into or around any vessel containing nitro or amino compounds or its raw materials shall be carried out in such a manner that the steam or vapour is effectively prevented to be blown back into the working atmosphere.

(5) Suitable antidotes such as methylene blue injections shall always be available at designated places of work for use during emergency involving the poisoning with nitro or amino compounds.

Sl.No. 2. Special precautions for 'chrome processes'.-

(1) Grinding and sieving of raw materials in chrome processes shall be carried on in such a manner and under such condition as to secure effective separation from any other processes and under an efficient exhaust draught.

(2) There shall be washing facilities located very near to places where wet chrome processes such as leaching, acidification, sulphate settling, evaporation,

crystallisation, centrifugation or packing are carried out, to enable quick washing of affected parts of body with running water.

(3) Weekly inspection of hand and feet of all persons employed in chrome process shall be done by a qualified nurse and record of such inspections shall be maintained in a form approved by the Chief Inspector - cum- Facilitator of Factories.

(4) There shall be always available at designated places of work suitable ointment such as glycerine, vaseline, etc. and water proof plaster in a separate box readily accessible to the workers so as to protect against perforation of nasal septum

Sl.No. 3. Special precautions for processes carried out in all glass vessels.-

(1) Processes and chemical reactions such as manufacture of vinyl chloride, benzyl chloride etc. which are required to be carried out in all glass vessels shall have suitable means like substantial wire mesh covering to protect persons working nearby in the event of breakage of glass vessel.

(2) Any spillage or emission of vapour from the all glass vessel due to breakage, shall be immediately inactivated or rendered innocuous by suitable means such as dilution with water or suitable solvents so as to avoid the risks of fire or explosion or health hazards.

Sl.No. 4. Special precautions for processes involving chlorate manufacture.-

(1) Crystallisation, grinding or packing of chlorate shall not be done in a place used for any other purpose and such places shall have hard, smooth and impervious surface made of non-combustible material. The place shall be thoroughly cleaned daily.

(2) The personal protective equipment likes overall, etc. provided for the chlorate workers shall not be taken from the place of work and they shall be thoroughly cleaned daily.

(3) Adequate quantity of water shall be available near the place of chlorate process for use during fire emergency.

(4) Wooden vessels shall not be used for the crystallisation of chlorate or to contain crystallised ground chlorate.

Sl.No. 5. Special precautions in the use of plant and equipment made from reinforced plastics.-

(1) All plant and equipment shall conform to appropriate Indian or any other National Standard.

(2) Care shall be taken during storage, transport, handling and installation of plant and equipment to avoid accidental damage.

(3) All plant and equipment shall be installed in such a way as to ensure that loads are distributed as intended in design or as per the recommendations of the manufacture.

(4) All pipe work shall be supported so that total loads local to the branches on the vessel or tank do not exceed their design values.

(5) After erection all plant and equipment shall be subjected to a pressure test followed by a thorough examination by a competent person. The test and examination shall be as per relevant Standard. A certificate of test and examination by a competent person shall be obtained and kept available at site.

(6) All plant and equipment shall be subjected to periodical test and examination and record maintained as per Sl.no. 15 in Part II of this Schedule.

(7) Plant and equipment during their use shall not be subjected to over filling or over loading beyond rated capacity.

PART VI

Medical Requirements

Sl.No. 1. Decontamination facilities.- In all places where toxic substances are used in processes listed in Appendix

'A' the following provisions shall be made to meet an emergency:

(a) fully equipped first aid box;

(b) readily accessible means of drenching with water persons, parts of body of persons, and clothing of persons who have been contaminated with such toxic and corrosive substances, and such means shall be as shown in the Table below :

No.of persons employed at any time	No. of drenching showers
Upto 50 persons	2
Between 51 to 100	3
Between 101 to 200	3 + 1 for every 50 persons thereafter
Between 201 to 400	5 + 1 for every 100 persons thereafter
401 and above	7 + 1 for every 200 persons thereafter

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

Sl.No. 2. Occupational health centre.- In all the factories carrying out processes covered in Appendix 'A' there shall be provided and maintained in good order an occupational health centre with facilities as per scale laid down hereunder

(1) For factories employing upto workers -

(a) the services of a qualified medical practitioner hereinafter known as Factory Medical Officer, available on a retainership basis, in his notified clinic near to the factory for seeking medical help during emergency. He will also carry out the pre-employment and periodical medical examinations as stipulated in Sl.no. 4 of this Part.

(b) A minimum of five persons trained in first aid procedures, amongst whom at least one shall always be available during the working period.

(c) A fully equipped first aid box.

(2) For factories employing 51 to 200 workers -

(a) The occupational health centre shall have a room having a minimum floor area of 15 sq.m., with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.

(b) A part-time Factory Medical Officer will be in over all charge of the Centre who shall visit the factory minimum twice in a week and whose services shall be readily available during emergencies.

(c) There shall be one qualified and trained dresser-cum-compounder on duty throughout the working period.

- (d) A fully equipped first aid box.
- (3) For factories employing above 200 workers -
 - (a) There shall be one full-time Factory Medical Officer for factories employing upto 500 workers and one more medical officer for every 1000 workers or part thereof.
 - (b) The occupational health centre in this case shall have a minimum of 2 rooms each having a minimum floor area of 15 sq.m. with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.
 - (c) There shall be one trained nurse, one dresser-cum-compounder and one sweeper-cum-ward boy throughout the working period.
 - (d) The Occupational Health Centre in this case shall be suitably equipped to manage medical emergencies.

Sl.No. 3. Ambulance van.-

- (1) In every factory carrying out processes covered in Appendix 'A', there shall be provided and maintained in good condition, a suitably constructed and fully equipped ambulance van as per Appendix 'C' manned by a full-time driver-cum-mechanic and a helper, trained in first aid for the purposes of transportation of serious cases of accidents or sickness unless arrangements for procuring such facility at short notice during emergencies have been made with the nearby hospital or other places. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will always be available near the Occupational Health Centre.
- (2) The relaxation to procure Ambulance Van from nearby places provided for in sub-para (1) above will not be applicable to factories employing more than 500 workers.

Sl.No. 4. Medical examination.-

- (1) Workers employed in processes covered in Appendix 'A' shall be medically examined by a Factory Medical Officer in the following manner -
 - (a) Once before employment, to ascertain physical suitability of the person to do the particular job;
 - (b) Once in a period of 6 months, to ascertain the health status of the worker, and
 - (c) The details of pre-employment and periodical medical examinations carried out as aforesaid shall be recorded in the prescribed form.
- (2) Any finding of the Factory Medical Officer revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the Medical Officer who shall in turn, examine the concerned workers and communicate his findings within 30 days. If the Medical Officer is of the opinion that the person so examined is required to be suspended from the process for health protection he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated :

Provided that the Medical Officer on his own may examine any other worker whom he feels necessary to be examined for ascertaining the suitability of his employment in the process covered in Appendix 'A' or for ascertaining the health status of any other worker and his opinion shall be final.

(3) No person shall be newly appointed without the Certificate of Fitness granted by the Factory Medical Officer. If the Factory Medical Officer declares a person unfit for being appointed to work in the process covered in Appendix 'A', such person shall have a right of appeal to the Medical Officer, whose opinion shall be final in this regard.

(4) The worker suspended from the process owing to the circumstances covered in sub-para (2) shall be employed again in the same process only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the health register.

PART VII

Additional Welfare Amenities

Sl.no. 1. Washing facilities.-

(1) There shall be provided and maintained in every factory for the use of all the workers taps for washing, at the rate of one every 15 persons including liquid soap in a container with tilting arrangements and nail brushes or other suitable means for effective cleaning. Such facilities shall be conveniently accessible and shall be kept in a clean and hygienic condition.

(2) If washing facilities as required above are provided for women, such facilities shall be separate for them and adequate privacy at all times shall be ensured in such facilities.

Sl.no. 2. Mess room facilities.-

(1) The occupier of all the factories carrying out processes covered in Appendix 'A' and employing 50 workers or more, shall provide for all the workers working in a shift mess room facilities which are well ventilated and provided with tables and sitting facilities along with the provision of cold and hygienic drinking water facilities.

(2) Such facilities shall include suitable arrangements for cleaning and washing and shall be maintained in a clean and hygienic condition.

Sl.no. 3. Cloakroom facilities.-

(1) The occupier of every factory carrying out any process covered in Appendix 'A' shall provide for all the workers employed in the process cloak room facilities with lockers. Each worker shall be provided with two lockers, one for work clothing and another separately for personal clothing and the lockers should be such as to enable the keeping of the clothing in a hanging position.

(2) The cloak room facilities provided in pursuance of sub-para (1) shall be located as far as possible near to the facilities provided for washing in pursuance of para 1(1). If it is not possible to locate the washing facilities the cloakroom facilities shall have adequate and suitable arrangements for cleaning & washing.

Sl.no. 4. Special bathing facilities.-

(1) The occupier of any factory carrying out the process covered under Appendix 'B' shall provide special bathing facilities for all the workers employed and such facilities shall be provided at the rate of 1 for 25 workers and part thereof, and shall be maintained in a clean and hygienic condition.

(2) The occupier shall insist all the workers employed in the processes covered in Appendix 'B' to take bath after the completion of the day's or shift work using the bathing facilities so provided and shall also effectively prevent such of those workers taking bath in any place other than the bathing facilities.

(3) Notwithstanding anything contained in sub-para (1) above, the Chief Inspector - cum- Facilitator may require in writing the occupier of any factory carrying out any other process for which his opinion bathing facilities are essential from the health point of view, to provide special bathing facilities.

PART VIII

Sl.no. 1. **Duties of workers.-**

(1) Every worker employed in the processes covered in Appendix 'A' and Appendix 'B' shall not make safety device or appliance or any guarding or fencing arrangement, inoperative or defective and shall report the defective condition of the aforesaid arrangements as soon as he is aware of any such defect.

(2) Before commencing any work, all workers employed in processes covered in Appendix 'A' shall check their workplace as well as the machinery, equipment or appliance used in the processes and report any mal-function or defect immediately to the supervisor or any responsible person of the management.

(3) All workers shall co-operate in all respects with the management while carrying out any work or any emergency duty assigned to them in pursuance of this schedule and shall always use all the personal protective equipment issued to them in a careful manner.

(4) All workers employed in the processes covered in Appendix 'A' or Appendix 'B' shall not smoke in the process area or storage area. If special facilities are provided by the management only such facilities should be used.

(5) All workers employed in the processes covered in Appendix 'A' shall not remain in unauthorised place or carry out unauthorised work or improvise any arrangement or adopt short cut method or misuse any of the facilities provided in pursuance of the Schedule, in such a manner as to cause risk to themselves as well as or to others employed.

(6) The workers shall not refuse undergoing medical examination as required under these rules.

PART IX

Restrictions on the employment of young persons under 18 years of age and women

(1) The Chief Inspector - cum- Facilitator of Factories may by an order in writing, restrict or prohibit the employment of women and young persons under the age of 18, in any of the processes covered in Appendix 'A' of this schedule on considerations of health and safety of women and young persons.

(2) Such persons who are restricted or prohibited from working in the process due to the order issued in pursuance of sub-para (1) above shall be provided with alternate work which is not detrimental to their health or safety.

PART X

Exemptions

1. Power of exemption.- The State Government or subject to the control of the State Government the Chief Inspector - cum- Facilitator may exempt from the compliance with any of the requirements of this Schedule partly or fully, any factory carrying out processes covered in Appendix `A`, if it is clearly and satisfactorily established by the occupier that the compliance with any of the requirement is not necessary to ensure the safety and health of persons employed suitable and effective alternate arrangements are available to any of the requirements covered in this schedule.

Appendix `A`

Any works or that part of works in which -

- (a) the manufacture, manipulation or recovery of any of the following is carried on :-
 - (i) sodium, potassium, iron, aluminium, cobalt, nickel, copper, arsenic, antimony, chromium, zinc, selenium, magnesium, cadmium, mercury, beryllium and their organic and inorganic salts, alloys, oxides and hydroxides;
 - (ii) ammonia, ammonium hydroxide and salts of ammonium;
 - (iii) the organic or inorganic compounds of sulphurous, sulphuric, nitric, nitrous, hydrochloric, hydrofluoric, hydriodic, hydro sulphuric, hydrobromic, boric;
 - (iv) cyanogen compounds, cyanide compounds, cyanate compounds;
 - (v) phosphorous and its compounds other than organo phosphorus insecticides.
 - (vi) chlorine
- (b) hydrogen sulphide is evolved by the decomposition of metallic sulphides, or hydrogen sulphide is used in the production of such sulphides;
- (c) bleaching powder is manufactured or chlorine gas is produced in chlor-alkali plants;
- (d) (i) gas tar or coal tar or bitumen or shale oil asphalt or any residue of such tar is distilled or is used in any process of chemicals manufacture;
- (ii) tar based synthetic colouring matters or their intermediates are produced;
- (e) nitric acid is used in the manufacture of nitro compounds;
- (f) explosives are produced with the use of nitro compounds;
- (g) aliphatic or aromatic compounds or their metallic and non-metallic derivatives or substituted derivatives, such as chloroform, ethylene glycol, formaldehyde, benzyle chloride, phenol, methyl ethyl ketone peroxide, cobalt carbonyl, tungsten carbide etc. are manufactured or recovered.

Appendix `B`

Concerning Special Bathing Accommodation in pursuance of Para 4 of Part VII

- 1. Nitro or amido processes
- 2. All chrome processes

3. Processes of distilling gas or coal tar or processes of chemical manufacture in which tar is used
4. Processes involving manufacture, manipulation, handling or recovery of cyanogen compound, cyanide compound, cyanate compounds
5. Processes involving manufacture of bleaching powder or production of chlorine gas in chlor-alkali plants
6. Manufacture, manipulation or recovery of nickel and its compounds
7. All processes involving the manufacture, manipulation or recovery of aliphatic or aromatic compounds or their derivatives or substituted derivatives.

Appendix `C`

Ambulance should have the following equipment :

General

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

Safety equipment :-

- Flares with life of 30 minutes
- Flood lights;
- Flash lights;
- Fire extinguisher dry powder type;
- Insulated gauntlets.

Emergency care equipment :-

Resuscitation :-

- Portable suction unit;
- Portable oxygen unit;
- Bag-valve-mask, hand operated artificial ventilation unit;
- Airways;
- Mouth gags;
- Tracheostomy adapters;
- Short spine board;

- I.V. Fluids with administration unit;
- B.P. manometer;
- Cugg;
- Stethoscope

Immobilisation

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

Dressings :-

- Gauze pads - 4" x 4" ;
- Universal dressing 10" x 36" ;
- Roll of aluminium foils;
- Soft roller bandages 6" x 5 yards;
- Adhesive tape in 3" roll;
- Safety pins;
- Bandage sheets;
- Burn sheet.

Poisoning :-

- Syrup of Ipecac; } } Pre packeted in doses
- Activated charcoal; }
- Snake bite kit;
- Drinking water.

Emergency Medicines

- As per requirement (under the advice of Medical Officer only)

SUB SCHEDULE XIII

Manipulation of stone, or any other material containing free silica

The following Manufacturing Process shall be considered as Manipulation of Stone or other material containing free Silica:

1. Stone Crushers
2. Gem and Jewellery
3. Slate Pencil Making
4. Agate Industry
5. Cement Industry
6. Pottery
7. Glass Manufacturing

Sl.no. 1. **Application** - This schedule shall apply to all factories or parts of factories in which the above said manufacturing activity containing free silica is carried on.

Sl.no. 2. **Definitions**- For the purpose of this Schedule -

(a) "manipulation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material;

(b) “stone or any other material containing free silica” means a stone or any other solid material containing not less than 5% by weight of free silica.

Sl.no. 3. **Preventive Control Measures**

No manipulation shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted, namely -

3(I) **Engineering Control Measures-**

(1) Wet Methods:

(a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;

(b) Water should be provided for drilling or sawing of concrete or masonry;

(2) Ventilation:

(a) An effective Local exhaust system should be provided and maintained to control/remove silica dust from industrial processes.

(b) Dilution/ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.

(c) Dust collectors /HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contaminating work areas.

(d) Ventilation systems should be kept in good working conditions.

(3) Isolation:

(a) Containment methods should be used while carrying out sand blasting.

(b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(4) Dust Control:

(a) Vacuum System with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and at all transfer points.

(b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length.

Provided that such control measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible limit of exposure specified in the Second Schedule of the Act.

3(II) **Medical Control Measures-**

(1) The occupier of every factory in which a worker employed in the processes specified in Sl.no. 1, shall ensure that every worker employed be examined by a Medical Officer of Factories/ Medical Officer within 15days of his first employment. Such medical examination shall include pulmonary function test and chest X Ray- Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no.

(1) except chest X-ray which shall be read by a radiologist specialized/ trained in the

field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size X-ray plates and the power of the X-Ray machine shall be more than 300 milli ampere (mA). The report of such X-Ray shall be submitted to the Medical Officer of Factories - cum- Facilitator / Medical Officer / Chief Inspector - cum- Facilitator for within three months of the said date.

(4) If at any time the Medical Inspector of Factories/ Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the 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- Sl.no. (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector of Factories/ Medical Officer shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipments as may be prescribed by the Chief Inspector - cum- Facilitator for time to time. The medical practitioner so appointed shall perform the following duties

- (a) maintain health register;
- (b) undertake medical supervision of persons employed in the factory;
- (c) look after health, education and rehabilitation of sick, injured or affected workers;
- (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein

(8) The Health Records of the workers exposed to silicosis, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate

register approved by the Chief Inspector - cum- Facilitator of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

3 (III) **Administrative Control Measures-**

(1) Work place/ Environment Monitoring: The occupier to ensure work place/ environment monitoring to be performed to determine magnitude of exposure/ concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.

a) Exposure/ concentration measurements should be made in the employee's actual breathing zone.

b) Total sampling time shall be at least 7 hours.

c) Work place/ Environment Monitoring shall be repeated quarterly.

d) The report of dust sampling by occupier shall be made available to the public.

(2) Training/ Awareness: Workers shall be trained in the following:-

(a) Health effects of free silica dust exposure.

(b) Operations and material that produce free silica dust hazards.

(c) Engineering controls and work practice controls that reduce dust concentration.

(d) The importance of good housekeeping and cleanliness.

(e) Proper use of personal protective equipment such as respirators etc.

(f) Personal hygiene practices to reduce exposure.

(3) House Keeping: Maintenance of floors)

All floors or places where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.

b) For this purpose Dry sweeping or compressed air shall be used for cleanup of dust or wet methods or vacuum system with a HEPA filter shall be used.

c) Dust on over head ledges and equipment should be removed before it becomes air borne due to vibration, traffic and random air current.

(4) Change room and washing facilities

(a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers..

(b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.

(c) Workers shall take bath and change the work clothes before they leave the work site.

(d) Work clothes shall not be cleaned by blowing or shaking. .

(e) Eating/lunch areas shall be located away from exposed areas.

(5) Display of Notices:

(a) Warning signs/ Posters shall be displayed conspicuously in a prominent place.

(b) The warning signs/poster shall contain the Hazards and precautions to be taken.

(c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(6) Personal Protective Equipment

The occupier of the every factory to which this schedule apply shall provide the following PPEs as per relevant National Standards or International Standards and as applicable to a given work place.

- (a) Dust respirator.
- (b) HEPA filter respirator or fume respirator.
- (c) HEPA filter respirator with full face piece.
- (d) Self contained breathing apparatus (SCBA)
- (e) Supplied air respirator with a full face piece, helmet or hood.
- (f) SCBA with full face piece.
- (g) Powered air purifying respirator with a HEPA filter.

Sl.no. 4. **Prohibition relating young person's-** No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried out.

Sl.no. 5. **Exemptions** (1) - If in respect of any factory, the Chief Inspector cum-Facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum-Facilitator may by a certificate in writing, which he may 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.

(2) The notification of Silicosis and free silica related occupational diseases by Medical Practitioner / Medical Officer should be strictly enforced and in case of any Violation, the Medical Practitioner/ Medical Officer shall be liable to be prosecuted under Rule 9 (2).

SUB SCHEDULE XIV

Handling and Processing of Asbestos, Manufacture of any Article or Substance of Asbestos and any other Processes of Manufacture or otherwise in which Asbestos is used in any Form

Sl.no. 1. **Application.-**

(1) This schedule shall apply to all manufacturing process as defined under Section 2(z) of the Code, carried on in a factory involving exposure of workers to asbestos and/or product containing Asbestos.

(2) The Government may, at any time, for the purpose of giving effect to any scientific proof obtained from specialised institutions or experts in the field, notification in the Office Gazette, make suitable changes in the said schedule:

(3) The provisions of this schedule shall apply to all workers exposed to asbestos in the factory and it shall be the responsibility of the occupier of the factory to comply with the provisions of the schedule in respect of the workers.

(4) (a) The occupier of the factory wherein asbestos or substances containing asbestos are in use, shall prepare work procedures and practices, in the light of scientific research and technological progress for approval by the Chief Inspector- cum-Facilitator and shall follow only such approved procedures.

(b) Notwithstanding anything mentioned in sub- Sl.no. (1) use of asbestos is prohibited in the manufacturing process as may be notified by the Government in this behalf.

(c) (i) spraying of all forms of asbestos is prohibited in a factory.

(ii) The prohibition in respect of spraying of asbestos referred to in sub-para (i) may be exempted by the Chief Inspector- cum- Facilitator if the Occupier represents that such spraying is inevitable certain purposes provided adequate measures for ensuring the safety and health of workers are undertaken by the occupier to the satisfaction of the Chief Inspector- cum- Facilitator.

Sl.no. 2. Definition.-

For the purpose of this Schedule –

(a) “asbestos” means any fibrous silicate mineral and any admixture containing actionlite, amosite, anthophyllite, chrysotile, crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;

(b) “asbestos textiles” means yarn or clothes composed of asbestos or asbestos mixed with any other materials;

(c) “approved” means approved for the time being in writing by the Chief Inspector;

(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 a localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;

(f) “preparing” means crushing, disintegrating, and any other processes in or incidental to the opening of asbestos;

(g) “protective clothing” means overalls and head covering, which (in either case) will when worn exclude asbestos dust;

(h) “asbestos dust” means airborne particles of asbestos or settled particles of asbestos which are liable to become airborne in the factory;

(i) “airborne asbestos dust” means, for the purposes of measurement, dust particles measured by gravimetric assessment or other equivalent method;

(j) “repairable asbestos fibres” means asbestos fibres having diameter of less than 3 micrometre and a length to diameter ratio greater than 3:1;

(k) “exposure to asbestos” means exposure to airborne repairable asbestos fibres or asbestos dust; whether originating from asbestos or from minerals, materials or products containing asbestos in the factory.

Sl.no. 2-A Demolition of plants or structures –

No person shall carry out any demolition of plants or structures containing friable asbestos insulation material and removal of asbestos from building or structures in which asbestos is liable to become air-borne, unless he is recognized and duly empowered by the Chief Inspector - cum- Facilitator of Factories as qualified to carry out such work in accordance with the provisions of this Schedule.

Sl.no. 3. Tools and equipment.-

Any tools or equipment used in processes to which this schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

Sl.no. 4. Exhaust draught.-

(1) An effective exhaust draught shall be provided and maintained to control dust from the following processes and machines as per the relevant National Standards -

(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;

(iv) machines used for the sawing, grinding, turning, drilling, abrading or polishing; in the dry state, of articles composed wholly or partly of asbestos;

(b) cleaning, and grinding of the cylinders or other parts of a carding machine;

(c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;

(d) work-benches for asbestos waste sorting or for other manipulation or asbestos by hand;

(e) workplaces at which the filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;

(f) sack cleaning machines;

(g) mixing and blending of asbestos by hand; and

(h) any other process in which dust is given off into the work environment.

(2) Exhaust ventilation equipment provided in accordance with sub-paragraph (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.

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

Sl.no. 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 as per the relevant Indian Standards, examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.

(2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alternations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector - cum- Facilitator.

Sl.no. 6. Segregation in case of certain process.-

Mixing or blending of asbestos by the hand, 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.

Sl.no. 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 there from. Such asbestos shall not be distributed within a factory except in closed receptacles or in a totally enclosed system of conveyance.

Sl.no. 8. Asbestos sacks –

- (1) All sacks used as receptacles for the purpose of transport of asbestos within the factory shall be constructed of impermeable materials and shall be kept in good repair.
- (2) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with Sl.no. 4.
- (3) Asbestos sacks or receptacles which contain asbestos shall be disposed off in a safe manner.

Sl.no. 9. Maintenance of floors and workplaces.-

- (1) In every room in which any of the requirements of this schedule apply -
 - (a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and
 - (b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.
- (2) The cleaning as mentioned in sub-rule (1) shall so far as is practicable, as carried out by means of vacuum cleaning equipment so designed and constructed and so used that asbestos dust neither escapes nor is discharged into the air of any work place.
- (3) When the cleaning is done by any method other than that mentioned in sub-Sl.no.(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- Sl.no. (2), shall be properly maintained and after each cleaning operation, its surfaces kept in a clean state and free from asbestos waste and dust.
- (5) Asbestos waste shall not be permitted to remain on the floors or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.
 - (A) The occupier shall replace asbestos or of certain types of asbestos or products containing asbestos by other materials or products or shall use alternative technology, scientifically evaluated as harmless or less harmful, wherever this is possible.
 - (B) The occupier should take all the measures to prevent or control the release of asbestos in to the air and to ensure that the exposure limits or other exposure criteria are complied with and also reduce exposure to as low as a level as is reasonably practicable.

Sl.no. 10. Breathing Apparatus, Personnel Protective Equipment and Clothing-

(1) The occupier of every factory to which this schedule applies shall provide to workers personnel protective equipments such as hand gloves shoes helmets, goggles earplug, aprons safety belt, overall suit, etc. as per the relevant National or International Standards as may be required.

The approved breathing apparatus and appropriate work clothing as per the relevant National or international standards in consultation with the workers representatives and maintained in good conditions for use of every person employed -

- (a) in chambers containing loose asbestos;
 - (b) in cleaning, dust settling or filtering chambers of apparatus;
 - (c) in cleaning the cylinders, including the defer cylinders, or other parts of a carding machine by means of hand-stickles;
 - (d) in filling, beating, or levelling in the manufacture or repair of insulating mattresses; and
 - (e) in any other operation or circumstances in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.
- (2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when not in use.
- (3) All breathing apparatus and protective clothing not in use shall be stored in the accommodation provided in accordance with sub-rule (2) above.
- (4) All protective clothing in use shall be de-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 in protective the wearer.
- (5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.
- (6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector - cum- Facilitator.
- (7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.
- (8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.
- (9) No worker shall take home any work clothing or special protective clothing or personal protective equipment provided to him for protection against exposure to asbestos.

Sl.no. 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 sub- Sl.no. (2) of Sl.no. 10 to prevent contamination of personal clothing.

Sl.no. 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 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.

Sl.no. 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.

Sl.no. 14. Prohibition of employment of young persons.-

No young person shall be employed in any of the process covered by this schedule.

Sl.no. 15. Prohibition relating to smoking.-

No person shall smoke in any area where processes covered by this schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.

Sl.no. 16. Pictorial Cautionary notices.-

Cautionary notices in the form specified in appendix and printed in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the workrooms where asbestos or substances containing asbestos are manufactured, handled or used.

Sl.no. 17. Air monitoring.-

To ensure the effectiveness of control measures in continuous or repetitive processes, the monitoring of asbestos fibres in air as well as personal monitoring of workers shall be carried out at least once in every shift and the result so obtained shall be entered in register and

(a) There should be no substantial change in workplace conditions.

(b) The results of the two (2) preceding measurements have not exceeded half the relevant control limit.

(c) "All factories should adopt membrane filter test as per the relevant National standards without fail.

Sl.no. 18. Medical control measures. -

(1) The occupier of every factory in which a worker employed in the processes specified in Sl.no. 1, shall ensure that every worker employed be examined by a Medical Inspector - cum- Facilitator of Factories/ Medical Officer within 15 days of his first employment. Such medical examination shall include sputum examination for asbestos bodies, pulmonary function test and chest X Ray - Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no. (1) except chest X-ray which shall be read by a radiologist specialized/ trained in the field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the X Ray machine shall be more than 300 milli ampere (mA). The report of such X Ray shall be submitted to the Medical Inspector- cum- Facilitator of Factories / Medical Officer / Chief Inspector - cum- Facilitator for within three months of the said date.

(4) If at any time the Medical Inspector of Factories / Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the 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- Sl.no. (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector of Factories / Medical Officer shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such

other equipments as may be prescribed by the Chief Inspector - cum- Facilitator for time to time. The medical practitioner so appointed shall perform the following duties

- (a) maintain health register;
- (b) undertake medical supervision of persons employed in the factory;
- (c) look after health, education and rehabilitation of sick, injured or affected workers;
- (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.

(8) The Health Records of the workers exposed to asbestos, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector - cum- Facilitator of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

Sl.no. 19. Exemptions.-

(1) If in respect of any factory, the Chief Inspector - cum- Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector cum Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

(2) The Chief Inspector - cum- Facilitator may permit temporary derogation, through a notification in an official gazette, from the measures prescribed in this Schedule under conditions and within limits of time determined after consultation with the representative organizations of employers and workers concerned.

SUB SCHEDULE – XV

HANDLING OR MANIPULATION OF CORROSIVE SUBSTANCES

Sl.no. 1. **Definitions** – 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, carbolic 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 corrosive substance.

Sl.no. 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 resistance 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.

Sl.no. 3. **Protective equipment**- (a) the occupier shall provide for the use of all persons employed in any corrosive operation suitable protective wear for hands and feet, suitable aprons, face shields, chemical safety goggles, and respirators.

The equipment shall be maintained in good order and shall be kept in clean and hygienic condition by suitably treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The occupier shall also provide suitable protective creams and other preparations wherever necessary.

(b) The Protective equipment and preparations provided shall be used by the persons employed in any corrosive operation.

Sl.no. 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 acting 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 centimetres, 120 centimetres and 60 centimetres respectively or such dimensions as are approved by the Chief Inspector-cum-Facilitator shall be provided as the source of clean water.

Sl.no. 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 any of the operation mentioned in clause 2 above is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

CAUTIONARY NOTICE

DANGER !

Corrosive substances cause severe burns and vapours thereof 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.

Sl.no. 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.

Sl.no. 7. **Devices for handling corrosive** – (1) Tilting, lifting or pumping arrangements shall be used for emptying jars, carboys and other containers of corrosives.

(2) Corrosive substance shall not be handled by bare hands but by means of a suitable scoop or other device.

Sl.no. 8. **Opening 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.

Sl.no. 9. **Cleaning tanks, stills, etc.** – (1) In cleaning out or removing residues from stills or other large chambers used for holding any corrosive substance, suitable implements made of wood or other material shall be used to prevent production of arseniuretted hydrogen (arsine).

(2) Whenever it is necessary for the purpose of cleaning or other maintenance work for any worker to enter chamber, tank, vat, pit or other confined space where a corrosive substance had been stored, all possible precautions required under rules framed under Schedule II 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.

Sl.no. 10. **Storage** – (1) Corrosive substances shall not be stored in the same room with other chemicals, such as turpentine, carbides, metallic powders and combustible materials, the 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 substances 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.

Sl.no. 11. **Fire extinguishers and fire fighting equipment** – An adequate number of suitable types of fire extinguishers or other stored, shall be provided. Such extinguishers or other equipment shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used, printed in the language which majority of the workers employed understand, shall be affixed near each extinguisher or other equipment.

Sl.no. 12. **Exemption** – If in respect of any factory on 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.

SUB SCHEDULE – XVI

PROCESSING OF CASHEW

1. Application: This schedule shall apply to all factories in which roasting, scrubbing and shelling of cashewnut or extracting oil from cashewnut or cashewnut shells are carried on.
2. Prohibition of employment of women and young persons: No woman or young person shall be employed in any of the processes specified in Sl.no. 1 except in shelling of roasted cashewnuts.
3. Protective clothing and equipment: The occupier shall provide and maintain for the use of all persons employed in roasting and scrubbing of cashewnuts or extracting oil from cashewnuts or cashewnut shells—(a) suitable rubber or washable leather gloves;(b) suitable type of impervious aprons with sleeves to cover body down to knees and shoulders; and (c) suitable type of footwear to afford protection to feet and legs against cashewnut oil;
—and, for the workers employed in cashewnut shelling, either:— (d) a protective ointment containing 10% of shelzac, 55% of alcohol, 10% of sodium perborate, 5% of carbitol and 20% of talc; or,
(e) sufficient quantity of kaolin and coconut oil; and (f) any other material or equipment which the Chief Inspector of Factories may deem to be necessary for the protection of the workers.
4. Use of protective clothing and equipment: Every person employed in processes specified in Sl.no. 1 shall make use of protective clothing and equipment supplied and arrangements shall be made by the occupier to supervise its use, maintenance and cleanliness.
5. Disposal of shells,ashes or oil of cashewnut: (1) Shells, ashes or oil of cashewnut shall not be stored in any room in which workers are employed and shall be removed at least twice a day to any pit or enclosed place in the case of shells and ashes and to closed containers kept in a separate room in the case of oil; (2) No worker shall be allowed to handle shells or oil of cashewnuts without using the protective clothing or equipment provided under Sl.no. 3 above.
6. Floors of workrooms: The floor of every workroom in which processes specified in Sl.no. 1 are carried on, shall be of hard material so as to be smooth and impervious and of even surface and shall be cleaned daily, and spillage of any cashewnut oil in any workroom shall be washed with soap and cleaned immediately.
7. Seating accommodation: Workers engaged in shelling of cashewnuts shall be provided with adequate seats or work benches which shall be cleaned daily.
8. Messrooms: (1) There shall be provided and maintained for the use of all persons employed in processes specified in Sl.no. 1, a suitable restroom furnished with sufficient tables and chairs or benches; (2) separate lockers shall be provided where food etc. shall be stored by workers before it is consumed in the restroom.
9. Food, drinks etc prohibited in work rooms: No food, drink, pan, supari or tobacco shall be brought or consumed by any worker in any room in which processes specified in Sl.no. 1 are carried out and no person shall remain in any such room during intervals for meal or rest.

10. Washing facilities: Where roasting, scrubbing and shelling of cashewnuts or extracting oil from cashewnuts or cashewnut shells is carried on, there shall be provided and maintained in a clean state and good repair washing facilities, with a sufficient supply of soap, coconut oil, nail brushes and towels at the scale of one tap or stand pipe for every 10 workers; and the taps or stand pipes shall be spaced not less than 1.2 metres apart.

11. Time allowed for washing: Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing, to each person employed in processes specified in Sl.no. 1.

12. Smoke or gas produced by roasting cashewnuts: Where smoke or gas is produced in the operation of roasting, provision shall be made for removing the smoke or gas through a chimney of sufficient height and capacity or by such other arrangements as may be necessary to prevent the gas or smoke escaping into the air or any place in which workers are employed.

13. Storage of protective equipment: A suitable room or a portion of the factory suitably partitioned off shall be provided exclusively for the storage of all the protective equipment supplied to the workers and no such equipment shall be stored in any place other than the room or places so provided.

14. Medical facilities and records of examinations and tests: (1) The occupier of every factory to which this schedule applies shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and (b) provide to the medical practitioner all the necessary facilities for the purpose referred to in clause (a).

(2) The said medical practitioner shall inspect daily the hands and feet of all the persons employed in the processes specified in Sl.no. 1.

(3) The record of such examinations carried out by the medical practitioner shall be maintained in a separate register approved by the Chief Inspector cum facilitator of Factories, which shall be kept readily available for inspection by the Inspector.

(4) The first-aid box maintained shall also contain Burrough's Solution (1:20) and aqueous solution of tannic acid (10%) for treatment of cases of dermatitis.

14A. Medical examination by Medical Officer: (1) Every worker employed in the processes specified in Sl.no. 1 shall be examined by a Medical Officer within 15 days of his first employment. Such examinations shall include skin tests for dermatitis and no worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated.

(2) Every worker employed in the said processes shall be re-examined by the Medical Officer at least once in every three calendar months. Such examinations shall, wherever the Medical Officer considers appropriate, include a skin test for dermatitis.

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2), shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

15. Exemption: The Chief Inspector cum facilitator of Factories may grant exemptions from the operation of any of these provisions where he is satisfied that their observance is not necessary for safeguarding the health of the workers.

SUB SCHEDULE -XVII
COMPRESSION OF OXYGEN AND HYDROGEN PRODUCED BY
ELECTROLYSIS OF WATER

Sl.no. 1. Location of electrolyser plant: The room in which electrolyser plant is installed shall be separate from the plant for storing and compressing the oxygen and hydrogen and also the electric generator room.

Sl.no. 2. Testing of purity: (1) The purity of oxygen and hydrogen shall be tested by a 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 end of the compressor.

(2) The purity figure shall be entered in a register and signed by the persons carrying out such tests;

Provided, however, that if the electrolysis plant is fitted with automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient if the purity of gases is tested at the suction end of the compressor only.

Sl.no. 3. Restriction as to the compression: The oxygen and hydrogen gases shall not be compressed if their purity as determined under Sl.no. 2 above falls below 98% at any time.

Sl.no. 4. Limit switch for gasholder: The bell of any gas holder shall not be permitted to go within the 30 centimetres of its lowest position when empty and a limit switch shall be fitted to the gasholder in such a manner as to switch off the compressor motor when the limit is reached.

Sl.no. 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 motor in the event of the gasholder being emptied to the extent as to cause vacuum.

Sl.no. 6.Purity of caustic soda:The water and caustic soda used for making lye shall be chemically pure within pharmaceutical limits.

Sl.no. 7.Precautions against reversal of polarity: Electrical connections at the electrolyser cells and at the electric generator terminals shall be so constructed as to preclude the possibility of wrong connections leading to the reversal of polarity an in addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switch board or at the electric generator terminal

Sl.no. 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 pipes, the pipe after reconnection shall be purged of all air before drawing in hydrogen gas.

Sl.no. 9.Use of flameproof fittings:All electrical wiring and apparatus in the electrolyser room shall be of flame proof construction or enclosed in flame proof 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.

Sl.no. 10.Prohibition of hot work:No part of the electrolyser plant and the gasholder and compressor shall be subjected to welding, brazing,soldering or cutting until steps have been taken to remove any explosive substances from that part and render the part safe for such operations and after the completion of such operations no explosive substances shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

Sl.no. 11. Repair etc. to be done under supervision : No work of operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or repairs shall be switched on to the electrolysers 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 Sl.no. 7.

Sl.no. 12.Checking of plant: Every part of the electrolyser plant and the gasholders and compresor shall have a regular schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

SUB SCHEDULE XVIII

PROCESS OF EXTRACTING OILS AND FATS FROM VEGETABLES AND ANIMAL SOURCES IN SOLVENT EXTRACTION PLANTS

Sl.no. 1.Definitions: For the purposes of this schedule—

(a)“solvent extraction plant” means a plant in which the process of extracting oils and fats from vegetable and animal sources by use of solvent is carried on;

(b)“solvent” means an inflammable liquid such as pentane, hexane and heptane used for the recovery of vegetable oils;

(c) “flame proof enclosure” as applied to electrical machinery or apparatus means an enclosure that will withstand, when covers or other 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;

(d)“competent person” for the purpose of this schedule shall be at least a member of the Institute 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;

provided that a graduate in Mechanical Engineering or Chemical Technology with specialised knowledge of oils and fats and with a minimum experience of 5 years in a solvent extraction plant shall also be considered to be 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.

Sl.no. 2.Location and layout:(1) No solvent extraction plant shall be permitted to be constructed or extended to within a distance of 30 metres from the nearest residential locality;

(2)A 1.5 metre high continuous wire fencing shall be provided around the solvent extraction plant upto a minimum distance of 15 metres from the plant;

(3)No persons shall be allowed to carry any matches or an open flame or fire inside the area bound 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 processes are at a distance of less than 30 metres 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 metres high shall be erected at a distance of not less than 15 metres from the solvent extraction plant so that it extends to at least 30 metres of vapour travel around its ends from the plant to the possible sources of ignition.

Sl.no. 3.Electrical installation: (1) All electrical motors and wiring and other electrical equipment installed or housed in 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 or 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.

Sl.no. 4.Restriction on smoking: Smoking shall be strictly prohibited within 15 metres distance from solvent extraction plant. For this purpose, “Nosmoking” signs shall be permanently displayed in the area.

Sl.no. 5.Precautions against friction: (1)All tools and equipments including ladders, chains and other lifting tackles required to be used in the solvent extraction plant shall be of non-sparking type;

(2)No machinery or equipment in solvent extraction plant shall be belt driven unless the belt used is of such a type that it does not permit accumulation of static electricity to any dangerous level;

(3)No person shall be allowed to enter and work in the solvent extraction plant ifwearing 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.

Sl.no. 6.Fire fighting apparatus: Adequate number of portable fire extinguishers suitable for use against flammable liquid fire 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 solvent extraction plant and throughout the building housing such plant.

Sl.no. 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 condenser which shall come into play automatically with the power failure.

Sl.no. 8.Magnetic separators: Oil cake shall be fed to the extractor by a conveyor through a hopper and magnetic separator shall be provided to remove any pieces of iron during its transfer.

Sl.no. 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 solvent extraction plant is located.

Sl.no. 10.Waste water: Process waste water shall be passed through a flash-evaporator to remove any solvent before it is discharged into a sump which should be located within the fenced area but not closer than 8 metres to the fence.

Sl.no. 11.Ventilation: The solvent extraction plant shall be well ventilated and if the plant is housed in building, the building shall be provided with mechanical ventilation with provision for at least six air changes per hour.

Sl.no. 12.House keeping:(1) Solvents shall not be stored in an area covered by solvent extraction plant except in small quantities which shall be stored in approved safety cans;

(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 within 15 metres from the plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleaned up immediately.

Sl.no. 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 or steam before opening for cleaning or repairs and before introducing solvent after repairs.

Sl.no. 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.

Sl.no. 15.Employment of women and young persons: No women or young person shall be employed in the solvent extraction plant.

Sl.no. 16.Vapour detection: A suitable type of flameproof and portable combustible gas indicator shall be provided and maintained in good working order and a schedule of routine sampling of atmosphere at various locations as approved by the Chief Inspector cum facilitator shall be drawn out and entered in a register maintained for the purpose.

Sl.no. 17.Exemption: If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to exceptional circumstances or infrequency of process or for any other reasons, 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 conditions, if any, as he may specify therein.

SUB SCHEDULE XIX MANUFACTURE OR MANIPULATION OF MANGANESE AND ITS COMPOUNDS

Sl.no. 1.Application: This schedule shall apply to every factory in which or in any part of which any manganese process is carried on.

Sl.no. 2.Definitions: For the purpose of this schedule— (a) “manganese process” means processing, manufacture or manipulation of manganese or any compound of manganese or any ore or any mixture containing manganese;

(b) “first employment” means first employment in any manganese process and includes, also re-employment in any manganese process following any cessation of employment for a continuous period exceeding three calendar months;

(c) “manipulation” means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping or otherwise handling of manganese or a compound of manganese or any ore or any mixture containing manganese; and

(d) “efficient exhaust ventilation” means localised ventilation effected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from escaping into the atmosphere of any place where any work is carried on. No

draught shall be deemed to be efficient which fails to remove the dust or fume or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a work place.

Sl.no. 3.Isolation of a process: Every manganese process which may give rise to dust, vapour or mist containing manganese shall be carried on in a totally enclosed system or otherwise effectively isolated from other processes so that other plants and processes and other parts of the factory and persons employed on other processes may not be affected by the same.

Sl.no. 4.Ventilation 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.

Sl.no. 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 for all persons employed in any manganese process and such overalls and head coverings shall be worn by the persons while working on a manganese process;

(2) The occupier of the factory shall provide suitable respiratory protective equipment for use by workers in emergency to prevent inhalation of dusts, fumes or mists. Sufficient number of complete sets of such equipment shall always be kept near the work place and the same shall be properly maintained and kept always in a condition to be used readily;

(3) The occupier shall provide and maintain for the use of all persons employed, suitable accommodation for the storage and make adequate arrangements for cleaning and maintenance of personal protective equipment.

Sl.no. 6.Prohibition relating to women and young persons: No women or young persons shall be employed or permitted to work in any manganese process.

Sl.no. 7.Food, drinks etc. prohibited in the work rooms: No food, drink, pan and supari or tobacco shall be allowed to be brought into or consumed by any worker in any work room in which any manganese process is carried on.

Sl.no. 8. Messroom: There shall be provided and maintained for the use of the persons employed in a manganese process a suitable messroom which shall be furnished with sufficient tables and benches and adequate means for warming of food. The messroom shall be placed under the charge of a responsible person and shall be kept clean.

Sl.no. 9.Washing facilities: There shall be provided and maintained in 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 plug without plug, and of sufficient length to allow at least 60 centimetres for every ten such persons employed at any one time; and having a constant supply of water from taps or jets above the trough at intervals of not more than 60cm. ;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 material and nail brushes and clean towels.

Sl.no. 10.Cloakroom: If the Chief Inspector cum facilitator so requires, there shall be provided and maintained for the use of persons employed in a manganese process a cloakroom for clothing put off during working hours with adequate arrangements for drying the clothing.

Sl.no. 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 process 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.

Sl.no. 12.Medical facilities and records of examination and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and

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

(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 of Factories, which shall be kept readily available for inspection by the Inspector.

Sl.no. 12A. Medical examination by Medical Officer: (1) Every person employed in any manganese process shall be medically examined by a Medical Officer within 15 days of his first employment. Such examination shall include test for detection of serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests and other neuro-muscular co-ordination tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated.

(2) Every person employed in a manganese process shall be re-examined by a Medical Officer at least once in every three calendar months and such examination shall, wherever the Medical Officer considers appropriate, include all the tests in sub-Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2),

including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(4) The certificate of fitness and the health register in **Form 48** shall be kept readily available for inspection by the Inspector cum facilitator.

(5) If at any time the Medical Officer is of the opinion that the worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and 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- Sl.no. (5) shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

Sl.no. 13. 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. Dusts, fumes and mists of manganese and its compounds are toxic when inhaled or when ingested.
2. Do not consume food or drink near the work place.
3. Take a good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothing and 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 head aches, prolonged sleeplessness or abnormal sensations on the body, report to the Manager who would make arrangements for your examination and treatment.

SUB SCHEDULE- XX MANUFACTURE OR MANIPULATION OF DANGEROUS PESTICIDES

Sl.no. 1. Application: This schedule shall apply in respect of all factories or any part thereof in which the process of manufacture or manipulation of dangerous pesticides hereinafter referred to as the said manufacturing process, is carried on.

Sl.no. 2. Definitions: For the purpose of this schedule—

(a) “dangerous pesticides” means any product proposed or used for controlling, destroying or repelling any pest or for preventing growth or mitigating effects of such

growth including any of its formulations which is considered toxic under and is covered by The Insecticides Act, 1968 and the rules made thereunder and any other product, as may be notified from time to time by the State Government;

(b) “manipulation” includes mixing, blending, formulating, filling, emptying, packing or otherwise handling;

(c) “efficient exhaust draught” means localised 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) “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.

Sl.no. 3. Instruction to workers: Every worker on his first employment shall be fully instructed on the properties including dangerous properties of the chemicals handled in the said manufacturing process and the hazards involved. The employees shall also be instructed on the measures to be taken to deal with any emergency. Such instructions shall be repeated periodically.

Sl.no. 4. Cautionary notices and placards: Cautionary notices and placards in the form specified in the appendix to this schedule and printed in the language of the majority of the workers shall be displayed in all work places in which the said manufacturing process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier and the manager of the factory to periodically instruct the workers regarding the health hazards arising in the said manufacturing process and methods of protection. Such notices shall include brief instructions regarding the periodical clinical tests required to be undertaken for protecting the health of the workers.

Sl.no. 5. Prohibition relating to employment of women or young persons: No woman or young person shall be employed or permitted to work in any room in which the said manufacturing process is carried on or in any room in which dangerous pesticide is stored.

Sl.no. 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.

Sl.no. 7. Protective clothing and protective equipment: (1) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process;

(2) (a) Protective equipment consisting of rubber gloves, gum boots, rubber aprons, chemical safety goggles and respirators shall be provided for all workers employed in the said manufacturing process; (b) Gloves, boots, aprons shall be made from synthetic rubber where a pesticide contains oil.

(3) Protective clothing and equipment shall be worn by the workers supplied with such clothing and equipment.

(4) Protective clothing and equipment shall be washed daily from inside and outside if the workers handle pesticides containing nicotine or phosphorus and shall be washed frequently if handling other pesticides.

(5) Protective clothing and equipment shall be maintained in good repair

Sl.no. 8. Floors and work benches: (1) Floors in every work room where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface;

(2) Floors shall be maintained in good repair, provided with adequate slope leading to a drain and thoroughly washed once a day with hose pipe;

(3) Work benches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned at least once daily.

Sl.no. 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) Clothes, 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 plant for cleaning, maintenance and repairs.

Sl.no. 10. Empty containers used for dangerous pesticides: Containers used for dangerous pesticides shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded or destroyed.

Sl.no. 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.

Sl.no. 12. Ventilation: (1) In every work room or areas where a dangerous pesticide is manipulated, adequate ventilation shall be provided at all times by the circulation of fresh air;

(2) Unless the process is completely enclosed, the following operations during manipulation of dangerous pesticide shall not be undertaken without an efficient exhaust draught:—(a) emptying a container holding a dangerous pesticide;

(b) blending a dangerous pesticide;

(c) preparing a liquid or powder formulation containing a dangerous pesticide ; and

(d) changing or filling a dangerous pesticide into a container, tank, hopper or machine or small 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.

Sl.no. 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.

Sl.no. 14. Washing and bathing facilities: (1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the factory where the said manufacturing process is carried on , adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every five persons employed.

- (2) The washing places shall have stand pipes placed at intervals of not less than one metre;
- (3) Not less than one half of the total number of washing places shall be provided with 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;
- (5) Sufficient supply of soap and nail brushes shall be provided.

Sl.no. 15.Cloakroom: There shall be provided and maintained for the use of all workers employed in the factory where the said manufacturing process is carried on—

- (a) a cloakroom 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 Sl.no. 7.

Sl.no. 16.Messroom: (1) There shall be provided and maintained for the use of all workers employed in which the said manufacturing process is carried on and remaining on the premises during the rest intervals, a suitable messroom which shall be furnished with—

- (a) sufficient tables and benches with back rest; and
 - (b) adequate means of food;
- (2) The messroom shall be placed under the charge of a responsible person and shall be kept clean.

Sl.no. 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.

Sl.no. 18.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and (b) Provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a);

(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 of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator.

Sl.no. 19.Medical examination by Medical Officer: (1) Every worker employed in the processes mentioned in Sl.no. 1 shall be examined by the Medical Officer within 15 days of his first employment. Such examination in respect of Halogenated Pesticides shall include tests for determination of the chemical in blood and in fat tissues, EEG-abnormalities and memory tests. In respect of organo phosphorus compounds, such examination shall include test 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 Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated;

(2) Every worker employed in the said processes shall be examined by a Medical Officer at least once in every six calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include the test specified in sub- Sl.no. (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 Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2) including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

(5) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the workers, 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 processes.

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

Sl.no. 20.Exemption: If in respect of any factory the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or the infrequency of the said manufacturing process or 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.

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 these chemicals may be absorbed through skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. A good bath shall be taken at the end of the shift.
6. Protective clothing and equipment supplied shall be used while working in this area.
7. Containers of pesticides shall not be used for keeping food stuffs.
8. Spillage of the chemicals on any part of the body or on the floor or work-bench shall be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately.
10. Scrupulous cleanliness shall be maintained in this area.
11. Do not handle pesticides with barehand; use scoops provided with handles.
12. In case of sickness like nausea, vomiting, giddiness, the Manager should be informed who will make necessary arrangements for treatment.
13. All workers shall report for the prescribed medical tests regularly to protect their own health.

SUB SCHEDULE XXI

MANUFACTURE, HANDLING, AND USAGE OF BENZENE AND SUBSTANCES CONTAINING BENZENE

Sl.no. 1. Application: This schedule shall apply in respect of factories or parts thereof in which benzene or substances containing benzene are manufactured, handled or used.

Sl.no. 2. Definitions: For the purposes of this schedule— (a) “substances containing benzene” means substances wherein benzene content exceeds one percent by volume; (b) “substitute” means a chemical which is harmless or less harmful than benzene and can be used in place of benzene;

(c) “enclosed system” means a system which will not allow escape of benzene vapours to the working atmosphere; and

(d) “efficient exhaust draught” means localised ventilation effected by mechanical means for 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 dust originate.

Sl.no. 3. Prohibition and substitution: (1) The use of benzene and substances containing benzene is prohibited in the following processes— (a) manufacture of varnishes, paints and thinners; and

(b) cleaning and degreasing operations.

(2) Benzene or substances containing benzene shall not be used as a solvent or diluent unless the process in which it is used is carried on in an enclosed system or unless the process is carried on in a manner which is considered equally safe as if it were carried out in an enclosed system;

(3) Where suitable substitutes are available, they shall be used instead of benzene or substance containing benzene. This provision, however, shall not apply to the following processes—(a) Production of benzene; (b) Process where benzene is used for chemical synthesis; and (c) Motor spirits (used as fuel).

(4) The Chief Inspector cum facilitator may, subject to confirmation by the State Government, permit exemption from the percentage laid down in sub- Sl.no. 2 (a) and also from the provisions of sub- Sl.no. (2) of this Sl.no. temporarily under conditions and within limits of time to be determined after consultations with the employers and workers concerned.

Sl.no. 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 of 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 measurement of concentration of benzene vapours in air shall be carried out every 8 hours or at such intervals as may be directed by the Chief Inspector cum facilitator at places where process involving use of benzene is carried on and the result of such analysis shall be recorded in a register specially maintained for the 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 to the Chief Inspector cum facilitator stating the reason for such increase.

(4) Workers who for special reasons are likely to be exposed to concentration of benzene in the air of the workroom exceeding the maximum referred to in subparagraph (2) shall be provided with suitable respirators or face masks. The duration of such exposure shall be limited as far as possible.

Sl.no. 5.Measures against skin contact: (1) Workers who are likely to come in contact with liquid benzene or liquid substances containing benzene shall be provided with suitable gloves, aprons, boots and where necessary vapour tight chemical goggles, made of material not affected by benzene or its vapours;

(2) The protective wear referred to in sub- Sl.no. (1) shall be maintained in good condition and inspected regularly.

Sl.no. 6.Prohibition relating to employment of women and young persons : No women or young person shall be employed or permitted to work in any workroom involving exposure to benzene or substances containing benzene.

Sl.no. 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.

Sl.no. 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.

Sl.no. 9.Prohibition of consuming food etc. in workrooms: No worker shall be allowed to store or consume food or drink in the workroom in which benzene or substances containing benzene are manufactured, handled or used. Smoking and chewing tobacco or pan shall be prohibited in such workrooms.

Sl.no. 10.Instructions as regards risks: Every worker on his first employment shall be fully instructed on the properties of benzene or substances containing benzene which he has to handle and of the dangers involved. Workers shall also be instructed on the measures to be taken to deal with an emergency.

Sl.no. 11.Cautionary notices: Cautionary notices in the form specified in appendix and printed 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.

Sl.no. 12.Washing facilities, cloakroom and messroom: In factories in which benzene or substances containing benzene are manufactured, handled or used, the occupier shall provide and maintain in a clean state and in good repair—

(a) washing facilities under cover, of the standard of at least one tap for every 10 persons having constant supply of water with soap and a clean towel provided individually to each worker if so ordered by the Inspector;

(b) a cloakroom with locker for each worker, having two compartments—one for street clothing and one for work-clothing; and

(c) a messroom 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 requirement of messroom shall be dispensed with.

Sl.no. 13.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose

employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; and

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

(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 of Factories, which shall be kept readily available for inspection by the Inspector.

Sl.no. 14. Medical examination by the Medical Officer: (1) Every worker employed in processes mentioned in Sl.no. 1, shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include test for detection of phenol in urine and determination of urinary sulphide ratio and C.N.S. and haematological tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. The records of examination and re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-paragraphs (1) and (2), including the nature and the results of these tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

APPENDIX

CAUTIONARY NOTICE

Benzene and substances containing benzene

1. Hazards:

(a) Benzene and substances containing benzene are harmful.

(b) Prolonged or repeated breathing of benzene vapour may result in acute or chronic poisoning.

(c) Benzene can also be absorbed through skin which may cause skin and other disease.

2. Preventive measures:
 - (a) Avoid breathing of benzene vapours.
 - (b) Avoid prolonged or repeated contact of benzene with the skin.
 - (c) Removed benzene soaked or wet clothing promptly.
 - (d) If any time you are exposed to high concentration of benzene vapours and symptoms such as dizziness, difficulty in breathing, excessive excitation and losing of consciousness, immediately inform your factory manager.
 - (e) Keep all the containeres of benzene closed.
 - (f) Handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on floor.
 - (g) maintain good house keeping.
3. Protective equipment:
 - (a) Use respiratory protective equipment in places where benzene vapours are present in high concentration.
 - (b) In emergency, use self generating oxygen mask or oxygen or air cylinder masks.
 - (c) Wear hand gloves, aprons, goggles and gumboots to avoid contact of benzene with your skin and body parts.
4. First-aid measures in case of acute benzene poisoning:
 - (a) Remove the clothing immediately if it is wetted with benzene.
 - (b) If liquid benzene enters eye, flash thoroughly for at least 15 minutes with clean running water and immediately secure medical attention.
 - (c) In case of unusual exposure to benzene vapour, call a physician immediately. Until he arrives, do the following:—
 - (i) If the exposed person is conscious—(a) Move him to fresh air in open; (b) Lay down without a pillow and keep him quiet and warm;
 - (ii) 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) Incase of shallow breathing or cyanosis (blueness of skin, lips, ears, finger-nail beds) , he should be provided with medical oxygen or oxygen carbon dioxide mixture. If needed, he should be given artificial respiration. Oxygen should be administered by a trained person only.

SUB SCHEDULEXXII
MANUFACTURING PROCESS OR OPERATIONS IN CARBON
DISULPHIDE PLANTS

Sl.no. 1.Application: This schedule shall apply to all electric furnaces in which carbon disulphide is generated and all other plants where carbon disulphide after generation,

is condensed, refined and stored. This schedule is in addition to and not in derogation of any of the provisions of the Act and Rules made thereunder.

Sl.no. 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 time.

(2) Every electric furnaces 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 the furnace or the plant may be subjected to and shall be so designed that carbon disulphide and gas are in closed system during their normal working.

(3) The electric furnace supports shall be firmly grouted about 60 centimetres 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-in-charge 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.

Sl.no. 3.Electrodes: (1) Where upper ring electrodes made of steel are used in the electric furnace, they shall be of seamless tube construction and shall have arrangement for being connected to cooling water system through a siphon built in the electrodes or through a positive pressure water pump;

(2) The arrangement for cooling water referred to in sub- Sl.no. (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 to stop the further supply of water. The alarm system and the actuating device shall be checked every day.

Sl.no. 4.Maintenance of charcoal level: When any electric furnace is in operation, it shall be ensured that the electrodes are kept covered with charcoal bed.

Sl.no. 5.Charcoal separator: A cyclone type of charcoal separator shall 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.

Sl.no. 6.Rupture disk and safety seal: (1) At least two rupture disks of adequate size which shall blow off a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe as close as possible to the furnace;

(2) A safety water seal shall be provided and tapped from a pont between the charcoal separator and the sulphur separator.

Sl.no. 7.Pyrometer and manometers: (1) Each electric furnace shall be fitted with adequate number of pyrometers to give an indication of the temperature as correctly

as reasonably practicable at various points at the furnace. The dials for reading 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.

Sl.no. 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.

Sl.no. 9.Inspection and maintenance of electric furnaces: (1) Every electric furnaces shall be inspected internally by a competent person— (a) before being placed in service after installation; (b) before being placed in service after reconstruction; 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 shall be removed; (b) after removal of any part of the lining referred to in (a) the condition of the shell shall be closely inspected; and (c) any plates forming shell found corroded to the extent that the safety of the furnace is endangered, shall be replaced.

Sl.no. 10.Maintenance of records: The following hourly records shall be maintained in a log book — (a) manometer reading at the points specified in sub-Sl.no. 7(2); (b) gas temperature indicated by pyrometers and all other vital points near the sulphur separator and primary and secondary condensers; (c) water temperature and flow of water through the siphon in the electrodes; and (d) primary and secondary voltages and current and energy consumed.

Sl.no. 11.Electrical apparatus, wiring and fittings: All buildings in which carbon disulphide is refined or stored shall be provided with electrical apparatus, wirings and fittings which shall afford adequate protection from fire and explosion.

Sl.no. 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 the majority of the workers shall be posted in the plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms.

Sl.no. 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 at reasonable intervals at opposite ends. These shall always be kept clear of all obstructions and so designed as to afford easy passage.

Sl.no. 14.Warning in case of fire: There shall be adequate arrangements for giving warnings in case of fire or explosion which shall operate on electricity and in case of failure of electricity, by some mechanical means.

Sl.no. 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.

Sl.no. 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 nearby locomotives etc., and precautions shall be taken to see that flames, smoking and matches and other sources of ignition do not come in contact with the clouds of dust arising during handling of bulk sulphur;

(2) All 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 as to minimise the formation of dust clouds and no flame, smoking and matches or other sources of ignition shall be employed during handling and non-sparking tools shall be used whenever sulphur is shovelled or otherwise removed by hand; (4) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosure where bulk sulphur is stored.

Sl.no. 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.

Sl.no. 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 time while the furnaces and plant are in operation; (2) Workers in charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

Sl.no. 19.Washing facilities: (1) The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed wash place under cover with at least one tap or stand pipe, having a constant supply of clean water for every five such persons, the taps or stand pipes being spaced not less than 120 centimetres apart with a sufficient supply of soap and clean towels, provided that the towels shall be supplied individually to each worker if so ordered by the Inspector; (2) All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

Sl.no. 20.Personal protective equipment: (1) Suitable goggles and protective clothing consisting of overalls without pockets, gloves and footwear shall be provided for the use of operatives — (a) when operating valves or cocks controlling fluids etc.; (b) drawing off of molten sulphur from sulphur pot; and (c) handling of charcoal or sulphur.

(2) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency;

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

Sl.no. 21.Cloakrooms: There shall be provided and maintained for the use of all persons employed in the processes a suitable cloakroom for clothing put off during work hours and a suitable place separate from the cloakroom for the storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of a responsible person and shall be kept clean.

Sl.no. 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.

SUB SCHEDULE XXIII MANUFACTURE OR MANIPULATION OF CARCINOGENIC DYE INTERMEDIATES

Sl.no. 1.Applications: The schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned in Sl.no. 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 the processes described in this paragraph.

2.Definition: For the purpose of this schedule the following definitions shall apply, unless the context otherwise requires— (a) "controlled substances" means chemical substances mentioned in Sl.no. 4 of this schedule;

(b) "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; (c) "efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originates; and

(d) "prohibited substances" means chemical substances mentioned in Sl.no. 3 of this schedule.

Sl.no. 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 percent :— (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.

Sl.no. 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 1.00% of beta-naphthylamine either as by-product of chemical reaction or otherwise, and its salts; (b) ortho-tolidine and its salts; (c) dianisidine and its salt; (d) dichlorobenzidine and its salts; (e) auramine; and (f) magneta.

Sl.no. 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 Sl.no. 23.

Sl.no. 6.Requirements for processing or handling controlled substances:

(1)Wherever any of the controlled substances referred to in Sl.no. 4 are formed, manufactured, processed, handled or used, all practical steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance; and its storage or transport within the plant ;or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas; (2) As far as possible all operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process; (3) The controlled substances shall be received in the factory in tightly closed containers and shall be kept so except when these substances are in process or in use. The controlled substances shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labelled to indicate the contents.

Sl.no. 7.Personal protective equipment: (1) The following items of personal protective equipment shall be provided and issued to every worker employed in the said processes:— (a) long trousers and shirts or overalls with full sleeve and head coverings. The shirt or overalls shall cover the neck completely; and (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 performance of normal duties or in the event of emergency:—(a) rubber hand gloves; (b) rubber aprons; and (c) airline respirators or other suitable respiratory protective equipment.

(3) It shall be the responsibility of the manager to maintain all items of personal protective equipment in a clean and hygienic condition and in good repair.

Sl.no. 8.Prohibition relating to employment of women and young persons: No woman or young person shall be employed or permitted to work in any room in which the said processes are carried on.

Sl.no. 9.Floors of work room: The floor of every workroom 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 left into a sewer through a closed channel.

Sl.no. 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.

Sl.no. 11.Manual handling: Controlled substances shall not be allowed to be mixed, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.

Sl.no. 12.Instructions regarding risk: Every worker on his first employment in the said processes shall be fully instructed on the properties of the toxic chemicals to which he is likely to be exposed to, of the dangers involved and the precautions to be taken. Workers shall be instructed on the measures to be taken to deal with an emergency.

Sl.no. 13.Cautionary placards: cautionary placards in the Form specified in appendix attached to this schedule and printed in the language of the majority of the workers

employed in the said processes shall be affixed in prominent places frequented by them in the factory, where the placards can be easily and conveniently read. Arrangements shall be made by the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.

Sl.no. 14.Obligation of the workers: It shall be the duty of the persons employed in the said processes to submit themselves for the medical examination including exfoliative cytology of urine by the Medical Officer or the qualified medical practitioner as provided for under these rules.

Sl.no. 15.Washing and bathing facilities: (1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the said processes:— (a) a wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with at least one stand pipe for every five such workers; (b) 50% 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 each worker; and (e) in addition to 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.

Sl.no. 16.Food, drinks etc. prohibited in workroom: No worker shall consume food, drink, pan, supari or tobacco or shall smoke in any workroom in which the said processes are carried on and no worker shall remain in any such workroom during intervals for meals or rest.

Sl.no. 17.Cloakroom: There shall be provided and maintained in a clean state and in good repair for the use of the workers employed in the said processes (a) a cloakroom 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 messroom, for the storage of protective equipment provided under Sl.no. 7. The accommodation so provided shall be under the care of a responsible person and shall be kept clean.

Sl.no. 18.Messroom: There shall be provided and maintained for the use of workers employed in the said processes who remain on the premises during the meal intervals, a messroom which shall be furnished with tables and benches and provided with suitable means for warming food.

Sl.no. 19.Time allowed for washing: Before the end of each shift 30 minutes shall be allowed for bathing for each worker who is employed in the said processes. Further, at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

Sl.no. 20.Restriction on age of persons employed: No worker under the age of 40 years shall be engaged in the factory in the said process for the first time after the date on which the schedule comes into force.

Sl.no. 21.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories, and (b) provide to the said medical practitioner all the necessary facilities for the purpose referred to in clause (a).

(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 of Factories, which shall be kept readily available for inspection by the Inspector cum facilitator.

Sl.no. 22.Medical examination by Medical Officer : (1) Every worker employed in the said processes shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for detection of methemoglobin in blood (Haematological tests), paranitrophenol in urine, pulmonary function tests and C.N.S. tests. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every six calendar months and such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests specified in sub- Sl.no. (1).

(3) The Medical Officer after examining a worker shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2), including the nature and the results of those tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

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

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

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

Sl.no. 23.Exemptions—prohibited substances: (1) The Chief Inspector cum facilitator may by a certificate in writing (which he may at his discretion revoke at any time), subject to such conditions if any, as may be specified therein, exempt any process in the course of which any of the prohibited substances is formed, processed, manufactured, handled or used, from the provision of Sl.no. 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 processes in connection with it are carried out in a totally enclosed system in such a manner that no prohibited substances other than benzidine hydrochloride is removed therefrom except in quantities not greater than that required for the purpose of control of the processes or such purposes as is necessary to ensure that the product is free from prohibited substances and that

adequate steps are taken to ensure that benzedine hydrochloride is, except while not in a totally enclosed system, kept wet with not less than one part of water to two parts of benzidine hydrochloride at all times.

Sl.no. 24. Exemptions—general : If in respect of any factory, the Chief Inspector cum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for the protection of the workers in the factory, the Chief Inspector 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
Carcinogenic dye intermediates.

1. Dye intermediates which are nitro 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 chemical 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 a 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.

SUB SCHEDULE XXIV
OPERATIONS INVOLVING HIGH NOISE LEVELS

Sl.no. 1. Applications: This schedule shall apply to all operations in any manufacturing process having high noise level.

Sl.no. 2. Definitions: For the purpose of this schedule— (a) “Noise” means any unwanted sound;

(b) “High noise level” means any noise level measured on the A-weighted scale is 90 dB or above;

(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 20×10^6 newtons per square metre or 0.0002 dynes per square centimetre which is the threshold of hearing, that is, the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB;

- (d) “Frequency” is the rate of pressure variations expressed in cycles per second or hertz;
- (e) “dBA” refers to sound level in decibels as measured on a sound level meter operating on the A-weighted network with slow meter response;
- (f) “A-weighted” 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.
- Sl.no. 3. Protection against noise: (1) In every factory , suitable engineering control or administrative measure 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 – I
Permissible exposure in cases of continuous noise

Total time of exposure (continuous or a number of short term exposures) per day in hours	Sound pressure level in dBA
8	90
6	92
4	95
3	97
2	100
1 ½	102
1	105
¾	107
½	110
¼	115

- Notes: 1. No exposure in excess of 115 dBA is to be permitted.
2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

TABLE – 2
Permissible exposure levels of impulsive or impact noise

Peak sound pressure level in dB	Permitted number of impulses or impacts per day
140	100
135	315
130	1,000
125	3,160
120	10,000

- Notes: 1. No exposure in excess of 140 dB peak sound pressure level is permitted.

2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

(2) For the purposes of this schedule, if the variations on 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.

(3) When the daily noise exposure is composed of two or more periods of noise exposure at different levels, their combined effect should be considered, rather than the individual effect of each. The mixed exposure should be considered to exceed the limit value if the sum of the fractions $C_1/T_1 + C_2/T_2 + \dots + C_n/T_n$, exceeds unity;

Where:—

C_1, C_2 etc. indicate the total time of actual exposure at a specified noise level and T_1, T_2 etc. denote the time of exposure permissible at that level. Noise exposure of less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub rule (1) by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measures and each worker so exposed shall be provided with suitable ear protectors so as to reduce the exposure to noise to the levels specified in sub-rule (1).

(5) Where the ear protectors provided in accordance with sub-paragraph (2) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level to a level permissible under Table 1 or Table 2 as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposures specified in sub- Sl.no. (1).

(6) (a) In all cases where the prevailing sound levels exceeds the permissible levels specified in sub- Sl.no. (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 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 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.

4. Medical examination by Medical officer—

(1) The occupier shall ensure that the workers who are likely to be exposed to high noise at above exposure action value are subjected to periodical medical examination once in a year. The medical examination shall include tests which the 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..

(2) Every worker exposed to high noise level shall be examined by a Medical officer within 15 days of his first employment. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical officer.

(3) Every worker employed in process involving high noise shall be reexamined by a Medical officer at least once in every 12 months and such examination shall, wherever the Medical officer considers appropriate, include all the tests in sub Sl.no. (1).

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form-48**. The record of examination and reexaminations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the occupier of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2), including the nature and the results of this test, shall also be entered by the Medical officer in a health register in **Form-47**.

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

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

(7) No person who has been found unfit to work as said in subparagraph

(6) shall be re-employed or permitted to work in the said processes unless the Medical officer, after further examination, again certifies him fit for employment in those processes.

PART-B HIGH VIBRATION LEVELS

Sl.no. 1. Applications

This part of the Schedule shall apply to all operations in a manufacturing part of the process having high undesired vibrations.

Sl.no. 2. Definition:

(a) "daily exposure" means the quantity of mechanical vibration to which a worker is exposed during a working day, which takes account of the magnitude and duration of the vibration;

(b) "Vibration" means a mechanical phenomenon where by oscillations occur about equilibrium point. The oscillations may be periodic or random.

(c) "high vibration" means any exposure greater than the exposure limit value and action value specified in clause-3.

(d) "exposure action value" means the level of daily exposure set out in clause-3 for any worker which, if reached or exceeded, requires specified action to be taken to reduce risk;

(e) "exposure limit value" means the level of daily exposure for any worker which must not be exceeded, as specified in sub clause-3

(f) "hand-arm vibration" means mechanical vibration which is transmitted into the hands and arms during a work activity;

(g) "mechanical vibration" means vibration occurring in a piece of machinery or equipment or in a vehicle as a result of its operation; and

(h) “whole-body vibration” means mechanical vibration which is transmitted into the body, when seated or standing, through the supporting surface, during a work activity or as described in sub clause 3(2).

Sl.no. 3. Exposure limit values and action values.

(1) For hand-arm vibration

(a) the daily exposure limit value is $5 \text{ m/s}^2\text{A}(8)$;

(b) the daily exposure action value is $2.5 \text{ m/s}^2\text{A}(8)$, and daily exposure shall be ascertained on the basis set out in the relevant National/ International Standards specified in table 1 below.

(2) For whole body vibration

(a) the daily exposure limit value is $1.15 \text{ m/s}^2\text{A}(8)$;

(b) the daily exposure action value is $0.5 \text{ m/s}^2\text{A}(8)$, and daily exposure shall be ascertained on the basis set out in the relevant National/ International Standards.

Table 1

The Threshold Limit Values (TLVs) for exposure of the hand to vibration in X, Y, or Z direction of axes in the three dimensional system shall be asgiven below:

Total Daily Exposure Duration (hours)	Maximum value of frequency weighted acceleration (m/s ²) in any direction
4 to less than 8 hours	4
2 to less than 4 hours	6
1 to less than 2 hours	8
less than 1hour	12

3 Assessment of vibration exposure shall be made for each applicable direction (X, Y, Z)) since vibration is a vector quantity (magnitude and direction). In each direction, the magnitude of the vibration during normal operation of the power tool, machine or work piece should be expressed by the root-meansquare(RMS) value of the frequency –weighted component acceleration, in units of meter per second squared (m/s²)

Sl.no. 4. Assessment of risk to health due to vibration at the work place.

(1) An occupier who carries out work which is liable to expose any worker from vibration shall make a suitable and sufficient assessment of the risk createdby that work to the health and safety of those and the risk assessment shall identify the control measures that need to be taken.

(2) The risk assessment should be reviewed whenever it is felt the changes in the process makes the earlier risk assessment no longer valid.

Sl.no. 5. Engineering control measures

1. The occupier shall ensure that risk from the exposure of workers to vibration is either eliminated at source or, where this is not reasonably practicable, reduced to as low a level as is reasonably practicable.

(a) Where it is not reasonably practicable to eliminate risk at source pursuant to paragraph.

(b) and an exposure action value is likely to be reached or exceeded, the employer shall reduce exposure to as low a level as is reasonably practicable by establishing and implementing a programme of engineering control measures which are appropriate to this type of activity.

(c) The occupier shall ensure that the workers are provided with the following measures:-

- (i) work equipment of appropriate ergonomic design which, taking account of the work to be done, produces the least possible vibration;
- (ii) the provision of auxiliary equipment which reduces the risk of injuries caused by vibration; and install appropriate maintenance programmes for work equipment, the workplace and workplace systems;
- (iii) Subject to sub clause 5, the employer shall ensure that his employees are not exposed to vibration above an exposure limit value; and shall take necessary steps to identify the reasons for the limit being exceeded and take appropriate steps to reduce the exposure to vibration to below limit value.

Provided that where the exposure of an employee to vibration is usually below the exposure action value but varies markedly from time to time and may occasionally exceed the exposure limit value.

Provided further that— any exposure to vibration averaged over one week is less than the exposure limit value and there is evidence to show that the risk from the actual pattern of exposure is less than the corresponding risk from constant exposure at the exposure limit value; and that the (b) risk is reduced to as low a level as is reasonably practicable, taking into account the special circumstances.

Sl.no. 6. Medical examination by Medical officer—

(1) The occupier shall ensure that the workers who are likely to be exposed to vibration at above exposure action value are subjected to periodical medical examination once in a year. The medical examination shall include general and physical examination as well as special test for Reynaud's phenomenon.

(2) Every worker employed in the processes specified in Sl.no. 1 shall be examined by a Medical officer within 15 days of his first employment. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical officer.

(3) Every worker employed in a manganese process shall be re-examined by a Medical officer at least once in every 12 months and such examination shall, wherever the Medical officer considers appropriate, include all the tests in sub Sl.no. (1).

(4) The Medical officer after examining a worker, shall issue a Certificate of Fitness in **Form-46**. 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 occupier of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2), including the nature and the results of this test, shall also be entered by the Medical officer in a health register in **Form- 47**.

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

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

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

Sl.no. 7. Personal Protective equipment

(1) The occupier shall ensure that the worker who are likely to be exposed to high level of vibration are provided with appropriate PPE and protective clothing confirming to national or international standards. Such Personal Protective Equipment should include hand gloves and safety shoes. The protective clothing shall be able to protect the workers from cold and damp.

(2) The occupier shall ensure that workers are given periodical training in the use care and maintenance of the Personal Protective Equipment.

Sl.no. 8. Administrative Control Measures

(1) The occupier shall ensure that as far as reasonably practicable as all necessary control measures are taken to ensure that the unwanted vibrations does not affect the health of the workers employed in the process to which this part of schedule apply.

(2) The occupier shall provide all workers with information instruction and training to be adopted to limit the exposure limit values and action values as setout in sub clause-3.

(3) Without prejudice to the generality of paragraph (1), the information, instruction and training provided under that paragraph shall include—

I. the exposure limit values and action values set out in sub clause -3.

II. safe working practices to minimise exposure to vibration; and

III. suitable and sufficient information and training for employees, such that work equipment may be used correctly and safely, in order to minimize their exposure to vibration;

IV. limitation of the duration and magnitude of exposure to vibration;

V. appropriate work schedules with adequate rest periods; and

VI. The information, instruction and training required by Sl.no. (2) shall be updated to take account of significant changes in the type of work carried out or the working methods used by the employer.

(4) The Occupier shall display pictorial cautionary notices/warning signs at conspicuous places where there are possibilities of workers being exposed to undesired high vibrations.

Sl.no. 9. Prohibition in employment of pregnant women, adolescent and persons with disabilities.

No pregnant women or adolescent or persons with disabilities shall be employed in the process covered by this part of the schedule

Sl.no. 10. Exemptions

If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to any exceptional circumstances, or infrequently 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 matter.

SUB SCHEDULE XXV

MANUFACTURE OF RAYON BY VISCOSE PROCESS

Sl.no. 1. **Definition:** For the purpose of this schedule—

(a) “approved” means aproved for the time being in writing by the Chief Inspectorcum facilitator;

- (b) “breathing apparatus” means a helmet or face piece with necessary connections by means of which the person using it in a poisonous, asphyxiating or irritant atmosphere breathes unpolluted air; or any other approved apparatus;
- (c) “churn” means the vessel in which alkali cellulose pulp is treated with carbon disulphide;
- (d) “dumping” means transfer of cellulose xanthate from a dry churn to a dissolver;
- (e) “efficient exhaust draught” means localised ventilation by mechanical means for the removal of any gas or vapour, so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient if it fails to control effectively any gas or vapour generated at the point where such gas or fume originates;
- (f) “fume process” means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;
- (g) “life belt” means a belt made of leather or other suitable material which can be securely fastened round the body with suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man;

Sl.no. 2. **Ventilation:** (1) In all work rooms where a fume process is carried on, adequate ventilation by natural or mechanical means shall be provided so as to control, in association with other control measures, the concentration of the pollutants in the air of every work environment within the permissible limits.

(2) An efficient exhaust draught shall be provided and maintained to control gas or vapour 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) In so far as the spinning machines and trio rollers and cutters used in staple fibre spinning are concerned, they shall be for the purpose of ensuring the effectiveness of the exhaust draft to be provided as required in sub- Sl.no. (1), enclosed as fully as practicable and provided with suitable shutters in sections to enable the required operations to be carried out without giving rise to undue quantities of vapours of pollutants escaping to the work environment.

(4) No dry churns shall be opened after completion of reaction without initially exhausting the residual vapours of carbon disulphide by operation of a suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated as long as the churn is kept opened.

(5) Whenever any ventilation apparatus normally required for the purpose of meeting the requirements in sub- Sl.no. (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- Sl.no. are in use, as soon as possible and in any case not later than 15 minutes after such an occurrence.

(6) (i) All ventilation systems provided for the purposes as required in sub- Sl.no. (2), (3) and (4) shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or tests shall be rectified forthwith; (ii) A register containing particulars of such examinations 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 Inspectorcum facilitator.

Sl.no. 3.**Waste from spinning machines:**Waste yarn from the spinning machines shall be deposited in suitable containers provided with close fitting covers. Such wastes shall be disposed off as quickly as possible after decontamination.

Sl.no. 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 churns. Such coating shall be maintained in good condition.

Sl.no. 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 atleast 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- Sl.no. (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 whrer such monitoring is to be done shall be as directed by the Inspector;

(3) If the concentration of either carbon disulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas laid down in Rules, suitable steps shall be taken for controlling the concentrations in air of such contaminants. Areport of such occurrences shall be sent to the Chief Inspectorcum facilitator forthwith.

Sl.no. 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.

Sl.no. 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.

Sl.no. 8.**Protective equipment:** 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

Process	Protective Equipment
1. Dumping	Overalls,face shields,gloves and foot wear—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 sulphur	Suitable chemical goggles.
5 Any other process involving contact with hazardous chemicals	Protective equipment as may be directed by the Chief Inspector by an order in writing.

(2) A suitable room or locker 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, roms or lockers so provided.

Sl.no. 9.**Breathing apparatus:** (1) There shall be provided in every factory where fume process is carried on, sufficient supply of— (a) breathing appaqratus; (b) oxygen and suitable appliances for its administration; and (c) life belts.

(2) (i) The breathing apparatus and other appliances referred to in sub- Sl.no. (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- Sl.no. (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 (i) shall be entered in a register provided for that purpose which shall be readily available for inspection by an Inspectorcum facilitator.

(3) Sufficient number of workers shall be trained and periodically retrained in the use of breathing apparatus and administering artificial respiration so that at least two such trained 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 be affected by fumes, shall be protected by placing them in suitable containers.

(5) No person shall be employed to perform any work specified in sub- Sl.no. (1) for which breathing apparatus is necessary to be provided under that sub- Sl.no. unless he has been fully instructed in the proper use of that equipment.

(6) No breathing apparatus provided in pursuance of sub- Sl.no. (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.

Sl.no. 10. Electric fittings: All electric fittings in any room in which carbon disulphide is produced, used or given off or is likely to be given off into the work environment, other than a spinning room, shall be of flame-proof construction and all electric conductors shall either be enclosed in metal conduits or be lead-sheathed.

Sl.no. 11. Prohibition relating to smoking etc.: No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of the workers shall be posted 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 a naked light or spark may be carried on in such room only when required for the purposes of the process itself under the direction of a responsible person.

Sl.no. 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 such 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; (5) Sufficient supply of soap and nail brushes shall be provided.

Sl.no. 13. Rest rooms: A rest room shall be provided for the workers engaged in dofining operations of filament yarn spinning process; (2) Such rest room shall be provided with fresh air supply and adequate seating arrangement.

Sl.no. 14. Caution notice and instructions: (1) The following cautionary notice shall be prominently displayed in each fume process room. 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.

CAUTIONARY NOTICE

1. Carbon disulphide (CS/2) and Hydrogen sulphide (H ₂ S) which may be present in this room are hazardous to health
2. Follow safety instructions.
3. Smoking is strictly prohibited in this area.
4. Use protective equipment and breathing apparatus as and when required.

(2) The occupier shall make arrangements to instruct each worker employed in the fume process room regarding the health hazard connected with their work and the preventive measures and method to protect themselves. Such instructions shall be given on his first employment and repeated periodically;

(3) 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. Those instructions shall be displayed in the concerned areas and the workers shall be instructed and trained in the actions to be taken in such emergencies.

Sl.no. 15.Medical facilities and records of examinations and tests: (1) The occupier of each factory to which this schedule applies, shall— (a) employ a qualified Medical Officer for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector cum facilitator of Factories; 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 examinations and appropriate tests carried out by the said medical officer shall be maintained in a separate register approved by the Chief Inspector of Factories, which shall be kept readily available for inspection by the Inspectorcum facilitator.

Sl.no. 16.medical examination by the Medical Officer : (1) Every worker employed in any fume process shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for estimation of exposure-co-efficient (iodine azide test on urine), as well as electro-cardiogram (ECG) and Central Nervous System (CNS) tests. No worker shall be allowed after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer, The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer in which case the person affected shall be suitably rehabilitated;

(2) Every worker employed in any fume process shall be re-examined by a Medical Officer at least once in every twelve calendar months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no. (1).

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in Form 28. The record of re-examinations carried out shall be entered in the certificate and the certificate shall be kept in the custody of the Manager of the factory. The record of each examination carried out under sub- Sl.no. (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in Form 29.

(4) The certificate of fitness and the health register shall be kept readily available for inspection by the Inspectorcum facilitator.

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

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

Sl.no. 17.Exemptions: If in respect of any factory, The Chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory the Chief Inspectorcum facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions if any, as he may specify therein.

SUB SCHEDULE XXVI HIGHLY FLAMMABLE LIQUIDS AND FLAMMABLE COMPRESSED GASES

Sl.no. 1.Application: These rules will be applicable to all factories where highly flammable liquids or flammable compressed gases are manufactured, stored, handled or used.

Sl.no. 2.Definitins: For the purpose of this schedule— (a) “highly flammable liquid” means any liquid including its solution, emulsion or suspension which when tested in a manner specified by section 14 and 15 of the Petroleum Act,1934, (30 Of 1934) gives off flammable vapours at a temperature less than 32°Centigrade; (b) “flammable compressed gas” means flammable compressed gas as defined in section 2 of the Static and Mobile Pressure Vessels (Unfired) Rules- 1981, framed under the Explosives Act,1884.

Sl.no. 3.Storage: (1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in suitable fixed storage tank, or in suitable closed vessel located in a safe position under the ground in the open or in a stores room of adequate fire resistsnt 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 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”.

Sl.no. 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.

Sl.no. 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, pipe line, valve, joint or other part of a system, all practicable measures shall be taken to contain, drain off or dilute such spills or leakage as to prevent formation of flammable mixture with air.

Sl.no. 6.Prevention of ignition: (1) In every room, work place or other location where highly flammable liquid or flammable combustible 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 shoes with iron or steel nails or any other exposed ferrous materials which is likely to cause sparks by friction; (d) smooing, lighting or carrying of matches, lighters or smoking materials shall be prohibited; (e) transmission belts with iron fasteners shall not be used; and (f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or plant, chemical or physical-chemical reaction and radiant heat.

Sl.no. 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.

Sl.no. 8.Fire- fighting: In every factory where highly flammable liquid or flammable compressed gas is manufactured, stored, handled or used, appropriate and adequate means of fighting a fire shall be provided. The adequacy and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing material, procedures and the process of fire fighting shall be to the standards and levels prescribed by the Indian standards applicable, and in any case not inferior to the stipulations under in the Rules.

Sl.no. 9.Exemptions: If in respect of any factory, the chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SUB SCHEDULE XXVII OPERATIONS IN FOUNDRIES

Sl.no. 1.Application: Provisions of this schedule shall apply to all parts of factories where any of the following operations or processes are carried on:— (a) the production of iron castings or, as the case may be, steel castings by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell

moulding, or by centrifugal casting and any process incidental to such production; (b) the production of non-ferrous castings by casting metal in moulds made of sand, loam, metal, moulding composition or other makings or mixture of materials or by shell mouldings, die-casting (including pressure die-casting), centrifugal casting or continuous casting and any process incidental to such production; and (c) the melting and casting of non-ferrous metal for the production of ingots, billets, slabs or other similar products ;and the stripping thereof:

—but shall not apply with respect to: (a) any process with respect to the smelting and manufacture of lead and the Electric Accumulators; (b) any process for the purposes of a printing works; or (c) any smelting process in which metal is obtained by a reducing operation or any process incidental to such operation; or (d) the production of steel in the form of ingots; or (e) any process in the course of the manufacture of solder or any process incidental to such manufacture; or (f) the melting and casting of lead or any lead-based alloy for the production of ingots, billets, slabs or other similar products or the stripping thereof; or any process incidental to such melting, casting or stripping.

Sl.no. 2.Definition: For the purpose of this schedule:— (a) “approved respirator” means a resprator of a type approved by the Chief Inspectorcum facilitator;

(b) “cupola or furnace” includes a receiver associated therewith;

(c) “dressing or fettling operations” includes stripping and other removal of adherent sand, cores, runners, risers, flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include (i) the removal of metal from a casting when performed incidentally in connection with the machining or assembling or casting after they have been dressed or fettled ;or (ii) any operation which is a knock-out operation within the meaning of this schedule;

(d) “foundry” means those parts of a factory in which the production of iron or steel or non-ferrous casting (not being the production of pig iron or the production of steel in the form of ingots) is carried on by casting in moulds made of sand, loam, moulding composition or other mixture of materials, or by shell moulding or by centrifugal casting in metal moulds lined with sand, or die casting including pressure die casting, togetherwith any part of the factory in which any of the following processes are carried on as incidental processes in connection with and in the course of such production, namely the preparation and mixing of materials used in foundry process, the preparation of moulds and cores, knock out operations and dressing or fettling operations;

(e) “knock out operations” means all methods of removing castings from moulds and the following operations, when done inconnection therewith, namely, stripping, coring-out and the removal of runners and risers;

(f) “pouring aisle” means an aisle leading from a main gangway or directly from a cupola or furnace to where metal is poured into moulds.

Sl.no. 3.Prohibition of use of certain materials as parting materials: (1) A material should not be used as a parting material if it is a material containing compounds of silicon calculated as silica to the extent more than 5% by weight of the dry material; —provided that this prohibition shall not prevent the following being used as a parting material if the material does not contain an admixture of any other silica:— (a) Zirconium silicate (Zircon); (b) Calcined china clay;(c) Calcined aluminous fireclay; (d) Silimanite; (e) Calcined or fused alumina; (f) Olivine; and (g) Natural sand.

(2) Dust or other matter deposited from a fettling or blasting process shall not be used as a parting material or as a constituent in a parting material.

Sl.no. 4.Arrangement and storage: For the purposes of promoting safety and cleanliness in workroom 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.

Sl.no. 5.Construction of floors: (1) 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; (2) no part of the floor of any such indoor workplace shall be of sand except where this is necessary by reason of the work done; (3) All parts of the surface of the floor of any such indoor workplace which are of sand shall, so far as practicable, be maintained in an even and firm condition.

Sl.no. 6.Cleanliness of indoor workplaces: (1) All accessible parts of the walls of every indoor workplace in which the processes are carried on and of everything affixed to those walls shall be effectively cleaned by a suitable method to a height of not less than 4.2 metres from the floor 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 (which shall be not less than five months nor more than nine months after the last immediately preceding washing, cleaning or other treatment);

(2) Effective cleaning by a suitable method shall be carried out at least once 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.

Sl.no. 7.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.

Sl.no. 8.Gangways and pouring aisles: (1) In every workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this schedule and, so far as reasonably practicable, in every other workroom to which this paragraph applies, sufficient and clearly defined main gangways shall be provided and properly maintained which:— (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage; (b) shall be kept, so far as reasonably practicable, free from obstruction; (c) if not used for carrying molten metal, shall be at least 920mm in width;

(d) if used for carrying molten metal, shall be— (i) where truck ladles are used exclusively, at least 600 mm wider than the overall width of the ladle; (ii) where hand shanks are carried by not more than two men, at least 920 mm. in width; (iii) where land shanks are carried by more than two men, at least 1.2 metres in width; and (iv) where used for simultaneous travel in both directions by men carrying hand shanks, at least 1.8 metres in width.

(2) In workroom to which this paragraph applies constructed, reconstructed or converted for use as such after the making of this schedule, sufficient and clearly defined pouring aisles shall be provided and properly maintained which— (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage; (b) shall be kept so far as reasonably practicable free from obstruction; (c) if molten metal is carried in hand ladles or bull ladles by not more than two men per ladle, shall be at least 460 mm wide, but where any moulds alongside the aisle are more than 510 mm above the floor of the aisle, the aisle shall be not less than 600 mm wide; (d) if molten metal is carried in hand ladles or bull ladles by more than two men per ladle, shall be at least 760 mm wide; (e) if molten metal carried in crane, trolley or truck ladles, shall be of a width adequate for the safe performance of the work;

(3) Requirements of sub- Sl.no. (1) and (2) shall not apply to any workroom or a part of a workroom if by reason of the nature of the work done therein, the floor of that workroom or, as the case may be, that part of a workroom has to be of sand.

(4) In this paragraph “workroom to which this paragraph applies” means a part of a ferrous or non-ferrous foundry in which molten metal is transported or used and a workroom to which this paragraph applies shall be deemed for the purposes of this paragraph to have been constructed, reconstructed or converted for use as such after the making of this schedule if the construction, reconstruction or conversion thereof was begun after the making of this schedule.

9. Work near cupolas and furnaces: No person shall carry out any work within a distance of 4 metres from a vertical line passing through the delivery end of any spout of cupola or furnace, being a spout used for delivering molten metal, or within a distance of 24 metres from a vertical line passing through the nearest part of any ladle which is in position at the end of such a spout, except in either case where it is necessary for the proper use or maintenance of cupola or furnace that work should be carried out within that distance of that work being carried out at such a time and under such conditions that there is no danger to the person carrying it out from molten metal which is being obtained from the cupola or furnace or is in a ladle in a position at the end of the spout.

Sl.no. 10. Dust and fumes: (1) Open coal, coke or wood fires shall not be used for heating or drying ladles inside a workroom unless adequate measures are taken to prevent, so far as practicable, fumes or other impurities from entering into or remaining in the atmosphere of the workroom

(2) No open coal, coke or wood fires shall be used for drying moulds except in circumstances in which the use of such fires is unavoidable.

(3) Mould stoves, core stoves and annealing furnaces shall be so designed, constructed, maintained and worked as to prevent, so far as practicable, offensive or injurious fumes from entering into any workroom during any period when a person is employed therein.

(4) All knockout 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.

Sl.no. 11. Maintenance and examination of exhaust plant: (1) All ventilation plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be properly maintained; (2) All ventilating plant used for the purpose of extracting, suppressing or controlling dust or fumes shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person at least once in every period of twelve months; and particulars of the results of every such examination and test shall be entered in an approved register which shall be available for inspection by an Inspector. Any defect found on any such examination and test shall be immediately reported in writing by the person carrying out the examination and test to the occupier or manager of the factory.

Sl.no. 12. Protective equipment: (1) The occupier shall provide and maintain suitable protective equipment specified for the protection of the workers; (a) suitable gloves or other protection for the hands for workers engaged in handling any hot material likely to cause damage to the hands by burn, scald or scar; or in handling pig iron, round castings or other articles likely to cause damage to the hands by cut or abrasion; (b) approved respirators for workers carrying out any operations creating a heavy dust concentration which cannot be dispelled quickly and effectively by the existing ventilation arrangements.

(2) No respirators provided for the purposes of clause 1(b) which has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.

(3) Persons who for any of their time:— (a) work at a spout of or attend to, a cupola or furnace in such circumstances that material therefrom may come into contact with the body, being material at such a temperature that its contact with the body would cause a burn; or (b) are engaged in, or in assisting with, the pouring of molten metal; or (c) carry by hand or move by manual power any ladle or mould containing molten metal; or (d) are engaged in knocking-out operations involving material at such a temperature that its contact with the body would cause a burn; — shall be provided with suitable footwear and gaiters which worn by them prevent, so far as reasonably practicable, risk of burns to his feet and ankles.

(4) Where appropriate, suitable screens shall be provided for protection against flying materials (including splashes of molten metal and sparks and chips thrown off in the course of any process).

(5) The occupier shall provide and maintain suitable accommodation for the storage and make adequate arrangements for cleaning and maintaining of the protective equipment supplied in pursuance of this paragraph.

(6) Every person shall make full and proper use of the equipment provided for his protection in pursuance of sub- Sl.no. (1) and (4) and shall without delay report to the occupier, manager or other appropriate person any defect in, or less of, the same.

Sl.no. 13.Washing and bathing facilities: (1) There shall be provided and maintained in clean state and good repair for the use of all workers employed in the foundry:—

(a) a wash place under cover with either:— (i) a trough with impervious surface fitted with a waste pipe without plug and of sufficient length to allow at least 60 centimetres for every 10 such persons employed at any one time and having a constant supply of clean water from taps or jets above the trough at intervals of not more than 60 cm; or (ii) at least one tap or stand pipe for every 10 such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 1.2 metres apart; and

(b) not less than one half of the total number of washing places provided under clause (a) shall be in the form of bath rooms.

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

(2) The facilities provided for the purposes of sub- Sl.no. (1) shall be placed in charge of a responsible person or persons and maintained in a clean and orderly condition.

Sl.no. 14.Disposal of dress and skimmings: Dress and skimmings removed from molten metal or taken from a furnace shall be placed forthwith in suitable receptacles.

Sl.no. 15.Disposal of waste: Appropriate measures shall be taken for disposal of all waste products from shell moulding (including waste burnt) and as soon as reasonably practicable after the castings have been knocked out.

Sl.no. 16.Material and equipment left out of doors: All material and equipment left out of doors (including material and equipment so left only temporarily or occasionally) shall be so arranged and placed as to avoid unnecessary risk. There shall be safe means of access to all such material and equipment and so far as reasonably practicable, such access shall be by roadways or pathways which shall be properly maintained. Such roadways or pathways shall have a firm and even surface and shall, so far as reasonably practicable be kept free from obstruction.

Sl.no. 17.Medical facilities and records of examinations and tests: (1) The occupier of every factory to which the schedule applies, shall— (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspectorcum facilitator of Factories; 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 Inspectorcum facilitator of Factories, which shall be kept readily available for inspection by the Inspectorcum facilitator.

Sl.no. 18.Medical examination by Medical Officer: (1) Every worker employed in a foundry shall be examined by a 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 unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub- Sl.no.

(1) except chest X-ray which will be once in three years.

(3) The Medical Officer after examining a worker, shall issue a certificate of fitness in **Form 48**. 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- Sl.no. (1) and (2) including the nature and the results of the tests, shall also be entered by the Medical Officer in a health register in **Form 47**.

(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 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. The person so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

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

Sl.no. 19.Exemption: If in respect of any factory, the Chief Inspectorcum facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SUB SCHEDULE – XXVIII USE OF OVENS AND DRIERS IN FACTORIES

Sl.no. **1. Application-** this schedule shall apply to ovens and driers, except those used in laboratories and kitchens of any establishment and those which have a capacity below 325 litres.

Sl.no. **2. Definitions-** for the purpose of this schedule, oven or drier means any enclosed structure, receptacle, compartment or box which is used for baking, drying or otherwise processing of any article or substance at a temperature higher than that ambient temperature of air in the room or space in which the oven or drier is situated, and in which the flammable or explosive mixture of air and flammable substance is likely to be evolved with the enclosed structure, receptacle, compartment or box or part thereof on account of article or substance which is baked or dried or otherwise processed within it.

Sl.no. **3. Separate electric connection-** Electric power supplied to every oven or drier shall be by means of separate circuit provided with an isolated switch.

Sl.no. **4. Design, construction, examination and testing-** (1) every oven or drier shall be properly designed on sound engineering practice and be of good construction, sound materials and adequate strength free from any patent defect and safe, if properly used.

(2) no oven or drier shall be taken into use in factory for the first time unless a competent person has thoroughly examined all its parts carried out the tests as are required to establish that the necessary safe systems and control provided for safety in operation for the processes for which it is to be used and a certificate of such

examination and tests signed by that competent person has been obtained and are kept available for inspection.

(3) all parts of an oven or drier has undergone any alteration or repair which has the effect of modifying any of the design characteristics, shall not be used unless a thorough examination and tests as have been mentioned in clause (b) have been carried by the competent person and a certificate of such examination and tests signed by that competent person has been obtained and are kept available for inspection.

Sl.no. 5. Safety, Ventilation- (1) every oven or drier shall be provided with a positive and effective safety ventilation system using one or more motor driven centrifugal fans so as to dilute any mixture of air and flammable substance that may be formed within the oven or drier and maintain the concentration of the flammable substance in the air at safe level of dilution.

(2) The safe level of dilution referred to in clause (a) shall be so as to achieve a concentration of concerned flammable material in air of not more than 25 % of its lower explosive limit;

Provided that level of concentration in the air up to 50% of the lower explosive limit of the concerned flammable substance may be permitted to exist subject to installation and maintenance of an automatic device which:-

(a) Shows continuously the concentration of the flammable substance in air present in the oven or drier at any instant;

(b) Sounds an alarm when the concentration of the flammable substance in air present in any part of oven or drier reaches a level of 50% of explosive limit

(c) Shuts down the heating system of the oven or drier automatically when the concentration of the flammable substance in air present in any part of oven or drier reaches a level of 60% of lower explosive limit, is provided to the oven or drier and maintained in the efficient working condition.

(d) No oven or drier shall be operated without its safety ventilation system working in efficient manner.

(e) no oven or drier shall be operated with a level of dilution less than what is referred in clause (b)

(f) exhaust ducts of safety ventilation system should be so designed and placed that their ducts discharge the mixture of air and flammable substance away from the workroom and not near windows or doors or other openings from where the mixture could re-enter the work room.

(g) The fresh air admitted into the oven or drier by means of safety ventilation system shall be circulated adequately by means of circulating fans or fans through all parts of the oven or drier so as to ensure that there are no location where the flammable substance can accumulate in the air become pocketed to any dangerous degree.

(h) Throttling dampers in any safety ventilation system should be so designed by cutting away the portion of damper or otherwise that system will handle at least the minimum ventilation rate required for safety when they are set in their maximum throttling position.

Sl.no. 6. Explosion panels – (1) every oven or drier having an internal total space of not less than half cubic meter shall be provided with suitably design explosion panel so as to allow the release of the pressure of any possible explosion within the oven or drier through explosion vents. The area of opening of any access doors which are provided with suitable arrangements for their release in case of an explosion shall not be less than 2200 sq cm for every 1 cu m of the volume of the oven or drier. The design of the explosion panel and doors as stated above shall be such as to secure their complete release under an internal pressure of 0.25 kg/sq cm.

(2) The explosion releasing panel shall, as far as practicable, be situated on the roof of the oven or drier or at those portions of the walls where persons don't remain in connection with operation of oven or drier.

Sl.no. 7. Inter locking arrangement – In each oven or drier efficient inter locking arrangement shall be provided and maintain to insure that (a) All ventilating fans and circulating fans whose failure would adversely effect the ventilation rate of flow pattern, are in operation before any mechanical conveyor that may be provided for feeding the article or substances to be processed in the oven or drier, input into operation

(b) Failure of any the ventilating or circulating fans will automatically stop any conveyor as referred to in clause (a) as may be provided as well as so the fume supply by closing the shut of valve and shut off the ignition in the case of gas or oil fired ovens and in case of electrically heated oven switch off the electrical supply to the heater

(c) The afore said mechanical conveyor is set in operation before the said shut off valve can be energies

(d) The failure of the aforesaid conveyor will automatically closed the said shut off valve in the case of oven and drier heated by gas , oil or steam and deactivate the ignition system or cut off the electrical heater in the case of electrically heated ovens are furnaces

Sl.no. 8. Automatic ventilation; - Every oven or drier heated by oil, gas, steam or electricity shall be provided with an efficient arrangement for automatic ventilation consisting of at least three volume changes with fresh air by operation of safety ventilation fans and circulating fans so as to effect purging of the oven or drier of any mixture of air and flammable substance before the heating system can be activated and before the conveyor can be placed in position.

Sl.no. 9. Temperature control – Every oven or drier shall be provided with an automatic arrangement to ensure that the temperature which does not exceed a maximum temperature required in respect of the particular process is being carried out

Sl.no. 10. Multi stage processes – Whatever material are to be processed in ovens or driers in successive operation suitable arrangements should be provided to ensure that the operating temperature necessary for safe operation at each stage are maintain within the design limit

Sl.no. 11. Combustible substances not to drip on electrical heater or burner flame

–
Effecting arrangement shall be provided in every oven or drier to prevent dripping of combustible substances on electrical heater or burner flame used for heating.

Sl.no. 12. Periodical examination, testing and maintenance – (a) All parts of every oven or drier shall be properly maintain and thoroughly examined and the various control as mentioned in the schedule and the working of the oven or drier shall be tested at frequent interval to ensure its safe operation by a responsible person authorized by the occupier or manager in this behalf who by his experience and knowledge of necessary precaution against risk of explosion, is fit to undertake such work

(b) A register shall be maintained in which the details of various tests carried out from time to time under clause (a) shall be entered and every entry shall be signed by the person making the test.

Sl.no. 13. - Training of operator – No person shall be assigned any task connected with operation of any oven or drier unless he has completed 18 yrs of age and is properly trained

Sl.no. 14. **Polymerizing machine** – (a) Printed fabric shall be thoroughly dried bypassing them over drying canes or through hot flue or other equally effecting means before the same is allowed to pass through polymerizing machines

(b) Infra ray heater of polymerizing machines shall be cut off while running the Print.

89. Constitution of site appraisal committee in respect of factory under Section 83 Code.

The Government shall constitute a technical committee to be called 'Site Appraisal Committee' to assist the State Government or State Advisory Board relating to consider and to give recommendations on an application for grant of permission for the initial location of a factory involving a hazardous process or for the expansion of such factory;

(1) Constitution: The following provisions shall govern the functioning of the Site Appraisal Committee, hereinafter referred to as the 'Committee' in these rules:—

(a) The State Government may constitute a Site Appraisal Committee and reconstitute the committee as and when necessary;

(b) The State Government shall nominate Chief Inspector-cum-facilitator as Chairman of the Committee and nominate a Senior Technical Officer of the Inspectorate, to be the Member Secretary of the committee:

(c) The State Government may appoint the following as members of the committee:—

(i) A representative of the Fire & Emergency Service Department;

(ii) A representative of the Department of Commerce & Industries;

(iii) A representative of the Regional Labour Institute Shillong, Director General of Factory Advice Service and Labour Institutes (DGFASLI) not below than Assistant Director (Safety) or Assistant Director (Industrial Hygiene).

(iv) A technical representative of Meghalaya State Pollution Control Board not below the rank of the Assistant Director/ Engineer.

(2) No member, unless it is 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 of the committee.

(3) Application for appraisal of sites:—

(a) Online application for appraisal of sites in respect of the factories covered under Section 2(z) of the Code, First Schedule, shall be submitted to the Chairman of the Site Appraisal Committee;

(b) The online application for site appraisal shall be submitted in the Form annexed to this rule. The committee may dispense with furnishing information on any particular item in the application form if it considers the same to be not relevant to the application under consideration.

(4) Functions of the committee -

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

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

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

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

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

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

FORMAT OF APPLICATION OF THE SITE APPRAISAL COMMITTEE

1. Name and address of the applicant:

2. Site ownership data:

2.1: Revenue details of site such as Survey No.,Plot No., etc.

2.2:Whether the site is classified as forest and if so, whether approval of the Central Government under Section 5 of the Indian Forests Act,1927 has been taken.

2.3:Whether the proposed site attracts the provisions of Section 3(2)(v) of the E.P.Act,1986; if so ,the nature of the restrictions:

2.4:Local authority under whose jurisdiction the site is located.

3.Site plan:

3.1:Site plan with clear identification of boundaries and total area proposed to be occupied and showing the following details nearby the proposed site:—

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

(b)Names of 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;

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

(d)Nearest hospitals, fire stations, civil defence stations and police stations and their distances;

(e) High tension electrical transmission lines, pipe lines for water, oil, gas or sewerage; railway lines, roads , stations; jettiesand other similar installations.

3.2:Details of soil conditions and depth at which hard strata obtained:

3.3:Contour map of the area showing nearby hillocks and difference in levels:

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

4.Project report:

4.1:A summary of the salient features of the project:

4.2:Status of the organisation (Government, semi-Government, Public or Private etc.):

4.3:Maximum number of persons likely to be working in the factory:

4.4:Maximum amount of power and water requirements and source of their supply:

4.5:Block diagram of the buildings and installations in the proposed supply:

4.6:Details of housing colony, hospital, school and other infrastructural facilities proposed:

5.Organisation structure of the proposed manufacturing unit/factory:

5.1:Organisation diagram of:

—(i)proposed enterprise in general;

—(ii)Health, safety and environment protection departments and their linkage to operation and technical departments:

5.2:Proposed Health and Safety Policy:

5.3:Area allocated for treatment of wastes and effluent:

5.4:Percentage outlay on safety, health and environment protection measures:

6.Metrological data relating to the site:

6.1:Average, minimum and maximum of

(i)Temperature:

(ii) Humidity:

(iii) Wind velocities; during the previous ten years:

6.2: Seasonal variations of wind direction:

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

6.4:Lightning and seismic data of the area:

7. Communication links:

7.1: Availability of telephone/telex/wireless and other communication facilities for outside communication:

7.2:Internal communication facilities proposed:

8.Manufacturing process information:

8.1:Process flow diagram:

8.2:Brief write up on process and technology:

8.3:Critical process parameters such as pressure build up, temperature rise and run-away reactions:

8.4:Other external effects critical to the process having safety implications such as ingress of moisture or water, contact with incompatible substance, sudden power failure:

8.5:Highlight of the built-in safety/pollution control devices or measures incorporated in the manufacturing technology:

9.Information of hazardous materials:

9.1:Raw materials, intermediates, products and by-products and their quantities (Enclose Material Safety Data Sheet in respect of each hazardous substance):

9.2:Main and intermediate storages proposed for raw materials/intermediates/products/ by-products (maximum quantities to be stored at any time) :

9.3:Transportation methods to be used for materials inflow and outflow, their quantities and likely routes to be followed:

9.4:Safety measures proposed for: —(i) handling for materials;

—(ii) internal and external transportation; and

—(iii) disposal (packing and forwarding of finished products):

10. Information and dispersal/ Disposal of wastes and pollutants:

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

10.2:Quality and quantity of solid wastes generated, method of their treatment and disposal:

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

11.Process hazard information:

11.1:Enclose a copy of the report on environmental impact assessment:

11.2:Enclose a copy of the report on Risk Assessment Study:

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

12. Information of proposed safety and occupational health measures:

12.1: Details of fire fighting facilities and minimum quantities of water, CO₂ and/ or other fire fighting measures needed to meet the emergencies:

12.2:Details of in-house medical facilities proposed:

13.Information on Emergency Preparedness:

13.1:Onsite emergency plan:

13.2:Proposed arrangements, if any, for mutual aid scheme with the group of neighbouring factories

14.Any other 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.

90. Disclosing of information by occupier of a factory under sub-section (1) of Section 84 of Code.-(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 :-

(a) requirements of Sections 84, 85 and 89 of the 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 100;
 - (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 106 ;
 - (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 may direct the occupier to supply further information to the employees as deemed necessary.

91. Interval of information by occupier of a factory under sub-section (2) under Section 84 of Code.-

- (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 shall also furnish any other information asked for by the Chief Inspector-cum-facilitator from time to time for the purpose of the Code and the Rules made thereunder.

92. Health and Safety Policy-

- (1) The occupier of every factory, except as provided for in sub-rule (2), shall submit a written statement of his policy in respect of health and safety of workers at work.
- (2) All factories –

- (a) covered under Section 2(w) (i) but employing less than 40 workers;
- (b) covered under Section 2(w) (ii) but employing less than 80 workers; are exempted from requirements of sub-rule(1):

Provided that they are not covered under the First Schedule under Section 2(za) or carrying out processes of operations declared to be dangerous under Section 82 of the Code.

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

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

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

- (a) arrangements for involving the workers;
- (b) intention of taking into account the health and safety performance of individuals at different levels while considering their career advancement;
- (c) fixing the responsibility of the contractors, sub-contractors, transporters and other agencies entering the premises;
- (d) providing a resume of health and safety performance of the factory in its Annual Report;
- (e) relevant techniques and methods, such as safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all the remedial measures;
- (f) stating its intentions to integrate health and safety, in all decisions including those dealing with purchase of plant, equipment, machinery and material as well as selection and placement of personnel;
- (g) arrangements for informing, educating and training and retraining its own employees at different levels and the public, wherever required.

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

(7) The Policy shall be made widely known by –(a) making copies available to all workers including contract workers, apprentices, transport workers suppliers, etc. (b) displaying copies of the policy at conspicuous places; and (c) any other means of communication; in a language understood by majority of workers.

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

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

93. Intimation to Chief Inspector-cum-Facilitator by the occupier of the factory proposed to be engaged in hazardous process.-Information under sub-section (5) of Section 84 shall be in **Form 49** and shall be communicated to Chief Inspector-cum-Facilitator electronically or otherwise.

94. Manner of Compulsory disclosure of information by occupier under sub-section (5) and (7) of Section 84 of Code.

(1) Disclosure of information to workers:-

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

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

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

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

(2) Disclosure of information to General Public :-

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

- (a) Name of the factory and address where situated;
- (b) Identification, by name and position, of the person giving the information;
- (c) Confirmation that the factory has approval from the Factories Inspectorate-Office of Chief Inspector of Boilers & Factories and Pollution Control Board;
- (d) An explanation in simple terms of the hazardous process(es) carried on in the premises;

- (e) The common names of the hazardous substances used which could give rise to an accident likely to affect them, with an indication of their principal harmful characteristics;
- (f) Brief description of the measures to be taken to minimize the risk of such an accident in compliance with its legal obligations under relevant safety statutes;
- (g) Salient features of the approved disaster control measures adopted in the factory;
- (h) Details of the factory's emergency warning system for the General Public;
- (i) General advice on the action members of the public should take on hearing the warning;
- (j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimize their effects; and
- (k) Details of where further information can be obtained.

(3) Disclosure of information to the Local Authority

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

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

(i) The occupier of a factory carrying on a hazardous process, shall intimate to the Chief Inspector –*cum*- Facilitator all information having a bearing on preparation of an on-site emergency plan and a disaster control and management plan in respect of the factory.

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

Rules made thereunder.

(5) Onsite Emergency Plan- (1) The occupier of a factory carrying on a hazardous process shall prepare a draft on-site emergency plan and submit it to the Chief Inspector-*cum*-Facilitator. The Chief Inspector-*cum*-Facilitator may make such modification in the plan as necessary, in consultation with the occupier and approve the same.

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

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

(6) Confidentiality of Information

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

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

as required under sub rules (3), (6) and (7) of Rule 91. If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely

affect his business interests, he may make a representation to the Chief Inspector-*cum*-Facilitator stating the reasons for withholding such information. The Chief Inspector-*cum*-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation.

(ii) An occupier aggrieved by an order of Chief Inspector cum facilitator may prefer an appeal before the State Government within a period of 30 days. The State Government shall give an opportunity to the occupier of being heard and pass an order. The order of the Government shall be final.

SCHEDULE
Material Safety Data Sheet
SAMPLE MODEL

SECTION I – MATERIAL IDENTIFICATION AND USE

Material Name/Identifier	
Manufacturer's Name	Supplier's Name
Street Address	Street Address
City State	City State
Postal Code	Postal Code
Emergency Telephone No.	Emergency Telephone No.
Chemical Name | Chemical Identity	
Trade Name and Synonyms	Product Use

SECTION II – HAZARDOUS INGREDIENTS OF MATERIAL

Hazardous Ingredients	Approximate Concentration %	C.A.S. or UN Numbers	LD 50 (Specify Species and Route)	LC 50 (Specify Species and Route)

SECTION III – PHYSICAL DATA FOR MATERIAL

Physical State --Gas-- Liquid-- Solid	Odour and Apperance	Odour Threshold (p.p.m)	Specific Gravity	
Vapour Pressure	Vapour density (Air=1)	Evaporation Rate	Boiling point (oC)	Freezing (oC)
Solubility in water (200C)	pH	Density (g/ml)	Coefficient of water / oil Distribution	

SECTION IV – FIRE AND EXPLOSION HAZARD OF MATERIAL

Flammability

Yes / No. If yes, under what conditions

Means of Extinction

Special Procedures

Flash Point (°C) and Method	Upper Explosion Limit (% by Volume)	Lower Explosion Limit (% by Volume)
Anti-ignition Temperature (oC)	TDG Flammability Classification	Hazardous Combustion Products
Explosion Data-Sensitivity	Sensitivity to Static Discharge	

Chemical Impact |

SECTION V - REACTIVITY DATA

Chemical Stability

Yes No. If no, under what conditions

Incompatibility to other substances

Yes No. If yes, which ones

Reactivity and under what conditions

Hazardous Decomposition Products

Material

Name / Identifier

SECTION VI – TOXICOLOGICAL PROPERTIES OF MATERIAL

Route of Entry

-----Skin contact ----- Skin Absorption -----Eye Contact

-----Inhalation Acute -----Inhalation Chronic -----Ingestion

Effects of Acute Exposure to Material

Effects of Chronic Exposure to Material

Exposure Irritancy of
Limit(s) Material

Sensitization to Carcinogenicity, Reproductive

Material Effects, Teratogenicity,
Mutagenicity

Synergistic Materials

SECTION VII – PREVENTIVE MEASURES

Personal Protective Equipment

Gloves (specify) Respiratory (specify) Eyes (specify)

Footwear (specify) Clothing (specify) Other (specify)

Engineering Controls (e.g. ventilation, enclosed process, etc.)

Please specify

Leak and Spill Procedures

Waste Disposal

Handling Procedures and Equipment

Storage Requirements

Special Shipping Information

SECTION VIII – FIRST AID MEASURE

First Aid Measure

Sources used

Additional information

SECTION IX – PREPARATION DATE OF M.S.D.S.

Prepared by (Group, Department, etc.) (Phone No.) Date

NOTES:

1. CAS or UN Number – Chemical Abstract Service or United Nations (UN) Number.
2. LD 50 – Lethal Dose – 50% (LD50 – Specify species and route).
3. LC 50 – Lethal Concentration – 50% (LC50 – Specify species and route).
4. TDG Flammability – Transport of Dangerous Goods Flammability Classification by United Nations.

95. Measure and disposal laid down under sub-section (7) of Section 84-
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.

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

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

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

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

97. Qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under clause (b) of Section 85.-

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

- (a) a degree in Chemistry or Diploma in Chemical Engineering or Technology with five years experience; or
- (b) a Master's Degree in Chemistry or a degree in Chemical Engineering or Technology with two years experience;

(2) The experience stipulated in sub-rule (1) above shall be in process operation and maintenance in a chemical industry.

(3) The Chief Inspector-cum- facilitator 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.

Issuance of guidelines- For the purposes of compliance with the requirements of Section 84 or of Section 85, the Chief Inspector-cum-facilitator 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.

98. The manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of Section 85. -

Medical Examination (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 12 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 47**.

(2) No person shall be employed for the first time without a certificate of fitness in **Form 48** 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 Chief Inspector cum facilitator, Meghalaya 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.

99. The measures or standards under sub-section (1) of Section 86.-

(I) Occupational Health 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 retainer-ship 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 104 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 sub rule (5), (6) 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 as defined in the National Medical Commission Act, 2019 (30 of 2019) and who is enrolled on a Indian Medical Register as defined in the National Medical Commission Act, 2019 and on a State Medical Register as defined in Section 35, Section 36, Section 37 and Section 40 of the said Act and possess a Certificate of Training in Industrial Health of a minimum of three months duration recognised by the State or Central 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 cum facilitator may, subject to such conditions as he may specify, grant exemption from the requirement of this sub-rule, if in his opinion a suitable person possessing the necessary qualification is not available for appointment:

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 -cum -facilitator may, subject to the condition that the

said person shall obtain the aforesaid certificate of training within a period of three years, relax the qualification.

(3) The syllabus of the course leading to the above certificate, and the organisations conducting the course shall be approved by the Directorate General, 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 Directorate General, Factory Advice Service and Labour Institutes (DGFASLI), Ministry of Labour and Employment.

(4) Within one month of the appointment of Factory Medical Officer, the occupier of the factory shall furnish to the Chief Inspector-cum-facilitator 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;

(za) one pair of dressing forceps;

(zb) one scalpel;

(zc) one stethoscope;

(zd) rubber bandage-pressure bandage;

(ze) oxygen cylinder with necessary attachments;

(zf) one blood pressure apparatus;

(zg) one patella hammer;

(zh) one Peak-flow meter for lung function measurement;

(zi) one stomach wash set; and

(zj) 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 900 mmx100mmx6mm;

(ii) four plain wooden splints of 350 mmx75mmx6mm;

(iii) two plain wooden splints of 250 mmx50mmx12mm;

(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 350 mmx75mmx6mm;

(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.

(II) Ambulance Van (1) In every factory carrying on a 'hazardous process' 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 :

(a) a wheeled stretcher with folding and adjusting devices with the head of the stretcher capable of being tilted upward ;

(b) fixed suction unit with equipment ;

(c) fixed oxygen supply with equipment ;

(d) pillow with case, sheets, blankets towels ; and

(e) emesis bag, bed pan, urinal, glass ;

(B) Safety equipments such as :-

(a) flares with life of 30 minutes, flood lights ;

(b) flash light, fire extinguisher-dry powder type ; and

(c) insulated gauntlets.

(C) Emergency Care Equipments such as :-

(a) Resuscitation Equipmentslike :-

(i) portion suction unit ; portable oxygen unit ;

(ii) bag - valve-mask, hand operated artificial ;

(iii) ventilation unit ;

(iv) airways ; mouth bags ; tracheotomyadapters ;

(v) short spine board, I. V. fluids with Administration unit ; and

(vi) B. P. manometer ;Cugg ; stethoscope ;

(b) Immobilization Equipments :-

- (i) long and short padded boards wire ladder splints ; and
- (ii) triangular bandage ; long and short spine boards.
- (c) Dressings like :-
 - (i) gauze pads -4"x4" universal dressing 10"x36" ;
 - (ii) roll of aluminiumfoils ; soft roller bandages 6"x5" Yards ; adhesive tape in 3" roll ; safety pins ; and
 - (iii) bandage sheets ; burn sheet ;
- (d) Poisoning Equipments to deal with poisoninglike:-
 - (i) syrup of Ipecac; Codeivated Charcoal prepacketed in doses; snake bite kit ; and
 - (ii) drinking water ;
- (e) Emergency medicines as per requirement (under the advice of Medical Officer only).

(III). Decontamination Facilities- 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 :

Number of persons employed at any time	Number of drenching showers
(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 and above.	8+1 for every 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.

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

SCHEDULE

1. Definitions: for the purpose of this schedule –

- (a) “mg/m³” means milligrams of a substances per cubic metre of air;
- (b) “mppcm” means million particles of a substance per cubic metre of air;
- (c) “ppm” means parts of vapour or gas per million parts of air by volume at 25 degrees centigrade and 760 mm of mercury pressure;
- (d) “Time weighted average concentration” means the average concentration of a substance in the air at any work location in a factory computed from evaluation of adequate number of air samples taken at that location, spread over the entire shift on any day, after giving weightage to the duration for which each such sample is collected and the concentration prevailing at the time of taking the sample.

Time weighted average $C_1T_1 + C_2T_2 + \dots + C_nT_n$

$$\text{Concentration} = \frac{C_1 T_1 + C_2 T_2 + \dots + C_n T_n}{T_1 + T_2 + \dots + T_n}$$

Where C1 represents the concentration of the substance for duration T1 (in hours);
 C2 represents the concentration of the substance for duration T2 (in hours);
 and Cn represents the concentration of the substance for duration Tn (in hours).

(e) "Work location" means a location in a factory at which a worker works or may be required to work at any time during any shift on any day.

2. Limits of concentration of substances at work location: - (1) The time weighted average concentration of any substance listed in table 1 or 2 of the schedule, at any work location in a factory during any shift on any day shall not exceed the limit of the permissible time weighted average concentration specified in respect of that substance:

Provided that in the case of a substance mentioned in Table 1 in respect of which a limit in terms of short term maximum concentration is indicated, the concentration of such a substance may exceed the permissible limit of the time weighted average concentration for the substance for short periods not exceeding 15 minutes at a time, subject to the condition that-

(a) Such periods during which the concentration exceeds the prescribed time weighted average concentration are restricted to not more than 4 per shift;

(b) the time interval between any two such periods of higher exposure shall not be less than 60 minutes; and

(c) At no time the concentration of the substance in the air shall exceed the limit of short term maximum concentration.

(2) In the case of any substance given in Table 3, the concentration of the substance at any work location in a factory at any time during any day shall not exceed the limit of exposure for that substance specified in the table.

(3) In the cases where the word "skin" has been indicated against certain substance mentioned in Tables 1 and 3, appropriate measures shall be taken to prevent absorption through cutaneous routes particularly skin, mucous membranes, and eyes as the limits specified in these Tables are for conditions where the exposure is only through respiratory tract.

(4) (a) In case, the air at any work location contains a mixture of such substances mentioned in Table 1, 2 or 3, which have similar toxic properties, the time weighted concentration of each of these substances during the shift should be such that when these time weighted concentration divided by the respective permissible time weighted average concentration specified in the above mentioned tables, and the fractions obtained are added together, the total shall not exceed unity.

$$\frac{C_1}{L_1} + \frac{C_2}{L_2} + \dots + \frac{C_n}{L_n}$$

Where C1, C2..... Cn are the time weighted concentration of toxic substances 1, 2--, and n respectively, determined after measurement at work location;

And L1, L2Ln are the permissible time weighted average concentration of the toxic substances 1, 2, and n respectively.

(b) In case the air at any work location contains a mixture of substances, mentioned in Table 1, 2, 3 and these do not have similar toxic properties, then the time weighted concentration of each of these substances shall not exceed the permissible time weighted average concentration specified in the above mentioned tables, for that particular substance.

(c) The requirement in clauses (a) and (b) shall be in addition to the requirements in paragraphs 2 (1) and 2(2).

3. Power to require assessment of concentration of substances.-(1)An Inspector-cum-Facilitator may, by an order in writing, direct the occupier or manager of a factory to get before any specified date, the assessment of the time weighted average concentration at any work location of any of the substances mentioned in Table 1,2 or 3 carried out.

(2) The results of such assessment as well as the method followed for air sampling and analysis for such assessment shall be sent to the Inspector-cum- Facilitator within 3 days from the date of completion of such assessment and also a record of the same kept readily available for inspection by an Inspector-cum- Facilitator.

4. Exemption.- If in respect of any factory or a part of a factory, the Chief Inspector-cum-Facilitator is satisfied that, by virtue of the pattern of working time of the workers at different work locations or an account of other circumstances, no worker is exposed, in the air at the work locations, to a substance or substances specified in Tables 1,2 or 3 to such an extent as is likely to be injurious to his health, he /she (the Chief Inspector-cum-Facilitator) may by an order in writing, exempt the factory or a part of the factory from the requirements in paragraph 2, subject to such conditions, if any, as he may specify therein.

TABLE – 1				
Substance	Permissible level of exposure			
	Time-weighted average concentration		short-term maximum concentration	
	ppm	mg/m ³	ppm	mg/m ³
Acetic acid	10	25	15	37
Acrolein	0.1	0.25	0.3	0.8
Aldrin (Skin)	--	0.25	--	0.75
Ammonia	25	18	35	27
Aniline (Skin)	2	10	5	20
Anilidine (Opisomers Skin)	0.1	0.5	--	--
Arsenic & Compounds (as As)	--	0.2	--	--
Benzene	10	30	--	--
Bromine	0.1	0.7	0.3	2
2 Butanone (Methyl-Ethyl Ketone MEK)	200	590	300	885
n-Butyle Acetate	150	710	200	950
Sec./tert. Butyl Acetate	200	950	250	1190
Cadmium dust and salts (as Cd)	--	0.05	--	0.2
Calcium Oxide	--	2	--	--
Carbaryl (Sevin)	--	5	--	10
Carbofuran (Furadan)	--	0.1	--	--
Carbon disulphide (Skin)	20	60	30	90

Carbon monoxide	50	55	400	440
Carbon tetrachloride (Skin)	10	65	20	130
Carbonyl chloride (phosgene)	0.1	0.4	--	--
Chlordance (Skiri)		0.5	...	2
Chlorobenzene (monochloro- Benzene)	75	350	--	--
Chlorine	1	3	3	9
Bis-chloromethyl ether	0.001	--	--	--
Chromic acid and Chromites (as Cr.)	--	0.05	--	--
Chromium, Sel. Chormic Chromous	--	0.5	--	--
Salts (as Cr.)	--	--	--	--
Copper Fume	--	0.2	--	--
Cotton dust raw		0.2	...	0.6
Cresol, all isomers (Skin)	5	22	--	--
Cyanides (as CN)-(Skin)	--	5	--	--
Cyanogen	10	20	--	--
DDT (Dichloriodiphenyl trichloroethane)	--	1	...	3
Demeton skin	0.01	0.1	0.03	0.3
Diazinon-skin	--	0.1	...	0.3
Dibutyle Phthalate	--	5	...	10
Dichlorves (DD VP)-skin	0.01	1	0.3	3
Dield-rin-skin		0.25	...	0.75
Dinitro Benzene (all isomers-skin)	0.15	1	0.5	3
Dinitrotoluene-skin	--	1.5	...	4
Diphenyl	0.2	1.5	0.6	4
Endosulfan (Thinodan)-skin	--	0.1	...	0.3
Endrin-skin	--	0.1	...	0.3
Ethyl Acetate	400	1	...	--
Ethyl Amine	10	18	...	--
Ethyl Alcohol	1000	1900	...	--
Flourides (as F)	...	2.5	...	--
Flourine	1	2	2	4
Hydrogen cyanide-skin	10	11	15	16
Hydrogen Sulphide	10	15	15	27
Iron oxide from (Fe ₂ O ₃ as Fe)	...	5	...	10
Isoamyl Acetate	100	525	125	655
Isobutyl Alcohol	100	360	125	450
Isoamyl Alcohol	50	150	75	225
Lead, inorg, fumes and dust (as Pb)	...	0.15	...	0.15
Linda-he-skin	...	0.5	...	1.5
Malathoion-skin	...	10	...	--
Manganese fume (as Mn)	...	1	...	3
Mercury (as Hg)	...	0.05	...	0.15
Mercury (aikyl)	0	0.01	0.003	0.03
Compounds skin) (as Hg)	...	...	...
Methyl Alcohol (methanol) skin	200	260	250	310
Methyl collosove-skin (2-methoxy ethanol)	25	80	35	120

Methyl isobutyl Ketone-skin	100	410	125	510
Napthalene	10	50	15	75
Nickel carbonyl (as Ni)	0.05	0.35	...	...
Nitric Acid	2	5	4	10
Nitric Oxide	25	30	35	45
Nitrobenzine-skin	1	5	2	10
Oil mist-mineral	...	5	...	10
Parathion-skin	...	0.1	...	0.3
Phenol-skin	5	19	10	38
Phroate (Thimet)-skin	...	0.05	...	...
Phosgene (Carbonyl chloride)	0.1	0.4	...	...
Phosphine	0.3	0.4	1	1
Phosphorus (Yellow)	...	0.1	...	0.3
Posphorus pentachloride	...	1	...	3
Phosphorus trichloride	0.5	3	...	...
Picric acid-skin	...	0.1	...	0.3
Pyridine	5	15	10	30
Sila-ne (Sillicontetrahydrine)	0.5	0.7	1	1.5
Styrene, monomer (phenyl, othylene)	100	420	125	525
Sulfur dioxide	5	15	...	...
Sulfuric acid	...	1	...	...
Toluene (toluo) skin	100	375	1545	560
O-Toludine	5	22	10	44
Trichloroethylene	100	535	150	800
Vinyl chloride	5	10	...	...
Wielding Fumes (NOC)	...	5	...	...
Xylene (o-m-p-isomers) skin	100	435	150	655

Table-2	
Substance	Permissible time-weighted average concentration.
1. Silica-	
(a) Crystalline-	
(i) Quartz-	
(1) in term of dust count	= 1060/ (% quartz +10) in mppcm
(2) In terms of respirable dust	= 10/ (% respirable quartz + 2) in mg/cubic metre
(3) In terms of total dust	= 30/ (% quartz + 3) in mg/cubic metre
ii) Cristobalite	Half the limits given against quartz.
(iii) Tridymite	Half the limits given against quartz.
(iv) Silica fused	Same limit as for quartz.
(v) Tripoli	Same limit as in formula in item 2 given against quartz.
b) Amorphous.	705 mppcm
2. Silicate having less than 1% free silca by weight-	
(a) Asbestos (fibres longer than 5 microns)	2 fibres per cubic centimeter
(b) Mica	705 mppcm.
(c) Mineral wool fibre	10 mg/m3
(d) Porlite	1060 mppcm.

(e) Portland cement	1060 mppcm.
(f) Soap stone	705 mppcm.
(g) Talc (non-abosti form)	705 mppcm.
(h) Talc (fibrous)	Same limit as for asbestos.
(i) Tromolite	Same limit as for asbestos.
3. Coal dust-	
(1) For air born dust having less than 5% silicon dioxide by weight.	2mg/m3
2) For air-borne dust having over 5% silicon dioxide against quartz.	as for item (2) of quartz

TABLE – 3		
Substance	Permissible limit of exposure	
	ppm	mg/m3
Acetic anhydride	5	20
O-Dichlorobenzene	50	300
Formaldehyde	2	3
Hydrogen Chloride	5	7
Manganese & compounds (as Mn)	-	5
Nitrogen dioxide	5	9
Nitroglycerin-skin	0.2	2
Potassium hydroxide	-	2
Sodium hydroxide	-	2
- 2, 2, 4, 6 – Trinitrotoluene (TNT)	-	0.5

101. Appeal against the order of Inspector-cum-Facilitator in case of factory under Section 90 of Code- Occupier of any factory aggrieved by an order made by Inspector-cum-Facilitator/Deputy Chief Inspector-cum- Facilitator/ Chief Inspector-cum-Facilitator may, within fifteen days from the date on which the order is communicated to him, make an appeal to the Deputy Chief Inspector-cum-Facilitator/Chief Inspector-cum-Facilitator/ respectively who shall, after giving the appellants an opportunity of being heard, dispose of the appeal as expeditiously as possible.

102. Form and manner of making application under Section 90.-(1) The occupier shall make an application in **Form-50** to the appropriate authority.

(2) The appropriate authority shall refer the matter within three days to the Deputy Chief Inspector-cum-Facilitator, Meghalaya.

(3) The Deputy Chief Inspector-cum-Facilitator, Meghalaya shall examine the matter within fifteen days from the date of receipt.

(4) The Deputy Chief Inspector-cum-Facilitator, Meghalaya shall submit report within next two days to the appropriate authority.

(5) The appropriate authority shall pass an order within three days from date of receipt of report.

103. Persons defined to hold positions of supervision or management under clause (a) of sub-section (1) of Section 91.- The following persons in factories shall be deemed to hold position of supervision or management and to be employed in confidential position, namely:-

- (i) Managing Director, President, Chief Executive or Senior Vice-President, Vice – President or General Manager;
- (ii) Deputy General Manager or Manger or Factory Manager or Plant Head;
- (iii) Deputy Manager or Deputy Factory Manager, Assistant Manager or Assistant Factory Manager ;
- (iv) Chief Welfare Officer or Welfare Officer or Lab our Welfare Officer;
- (v) Heads of Departments ;
- (vi) Superintending Engineer ;
- (vii) Executive Engineer or Assistant Engineer ;
- (viii) Secretary or Personal Assistant to the persons listed above at serial numbers (i) to (vii) ;
- (ix) Sub-Station Engineer;
- (x) Head Electrician;
- (xi) Supervisor or Foreman;
- (xii) Head Store Keeper or Store keeper ;
- (xiii) Head Time-Keeper or Time keeper ;
- (xiv) Store Purchase Officer;
- (xv) Security In-charge; and
- (xvi) any other person employed as such and so declared by the Chief Inspector-cum-Facilitator in writing.

104. List to be maintained of persons holding confidential position or position of supervision or management.-A list showing the names and designations of all persons referred to in Rule 104 shall be maintained in every factory.

Other Schedule for the factory are mentioned below:

SCHEDULE -I

Textile Machinery except Machinery used in Jute Mills

Sl.no. 1. **Application-** The requirements of this schedule shall apply to machinery in factories engaged in the manufacture or processing of textiles other than jute textiles. The schedule would not apply to machinery in factories engaged exclusively in the manufacture of synthetic fibres.

Sl.no. 2. **Definitions-** For the purpose of this schedule-

(a)"Calendar" means a set of heavy rollers mounted on vertical side frames and arranged to pass cloth between them. Calendars may have two to ten rollers or bowls, some of which can be heated.

(b)"Embossing calendar" means a calendar with two or more rolls, one of which is engraved for producing figure-effects of various kinds on a fabric.

(c)"Card" means a machine consisting of cylinders of various sizes; and in certain cases flats - covered with card clothing and set in relation to each so that fibres in staple-form may be separated into individual relationship. The speed of the cylinders and their direction of rotation varies. The finished product is delivered as a sliver. Cards of different types are: the revolving flat card, the roller and clearer card etc.

(d)"Card clothing" means the material with which the surface of the cylinder, deffer, flats etc. of a card are covered and consists of a thick foundation material made of, either textile fabrics through which are pressed many fine closely spaced, specially bent wires, or mounted saw toothed wire.

(e)"Comber" means a machine for combing fibres of cotton, wool etc. The essential parts are device for feeding forward a fringe of fibres at regular intervals and an arrangement of combs or pins which , at the right time, pass through the fringe. All tangled fibres, short fibres and nips are removed and the long fibres are laid parallel.

(f)"Combing machinery" means a general classification machinery including combers, sliver lap machines, ribbon lap machines and grill boxes, but excluding cards.

(g)"Rotary staple cutter" means a machine consisting of one or more rotary blades used for the purpose of cutting textile fibres into staple lengths.

(h) "Garnet machine" means any of a number of types of machine for opening hard twisted waste of wool, cotton, silk etc. Essentially, such machines consist of a licker-in; one or more cylinders, each having a competent worker and stripper rolls; and a fancy roll and a deffer. The action of this machine is some what like that of a wool card but it is much more severe in that the various rolls are covered with garnett wire instead of card clothing.

(i)"Gill box" means a machine used in the worsted system of manufacturing yarns. Its function is to arrange fibres in parallel order. Essentially, it consists of a pair of feed rolls and a series of followers where the followers move at a faster surface speed and perform a combing action.

(j)"In-running rolls" means any pair of rolls or drums between which there is a 'nip'.

(k)"Interlocking arrangement" means a device that prevents the setting in motion of a dangerous part of a machine or the machine itself while the guard-cover or door provided to safeguard against danger is open or unlocked, and which will also hold the guard, cover or door closed and locked while the machine or the dangerous part is in motion.

(l)"Kier" means a large metal vat, usually a pressure type, in which fabrics may be boiled out,bleached etc.

(m)"Ribbon lapper" means a machine or a part of a machine used to prepare laps for feeding a cotton comb; its purpose is to provide a uniform lap in which the fibres have been straightened as much as possible.

(n)"Sliver lapper" means a machine or a part of a machine in which a number of parallel card slivers are drafted slightly, laid side by side in a compact sheet and wound into a cylindrical package.

(o)"Loom" means a machine for effecting the interlocking of two series of yarns crossing one another at right angles. The warp yarns are wound on a warp beam and pass through headles and reeds. The filling is shot across in a shuttle and settled in place by reeds and slay, and the fabric is wound on a cloth beam.

(p)"Starch mangle" means a mangle that is used specifically for starching cotton goods. It commonly consists of two large rolls and a shallow open vat with several immersion rolls. The vat contains the starch solution.

(q)"Water mangle" means a calendar having two or more rolls used for squeezing water from fabrics before drying. Water mangles also may be used in other ways during the finishing of various fabrics.

(r)"Mule" means a type of spinning frame having a head stock and carriage as its two main sections. The head stock is stationary. The carriage is movable and it carries the spindles which draft and spin the roving into yarn. The carriage extends over the whole width of the machine and moves slowly towards and away from the head stock during the spinning operation.

(s)"Nip" is the danger zone between two rolls or drums which by virtue of their positioning and movement create a nipping hazard.

(t)"Openers and pickers" means a general classification of machinery which includes breaker pickers, intermediate pickers, finisher pickers, single process pickers, multiple process pickers, willow machines, card and picker waste cleaners, thread extractors, shredding machines, roving waste openers, shoddy pickers, bale breakers, feeders, vertical openers, lattice cleaners, horizontal cleaners and any similar machinery equipped with either cylinders, screen section, calendar section, rolls or beaters used for the preparation of stock for further processing.

(u)"Paddler" means a trough for a solution and, two or more squeeze rolls between which cloth passes after being passed through a mordant or dye bath.

(v)"Plaiting machine" means a machine used to lay cloth into folds of regular length for convenience of subsequent process or use.

(w)"Roller printing machine" means a machine consisting of a large central cylinder, or pressure bowl, around the lower part of the perimeter of which is placed a series of engraved color rollers (each having a colour trough), furnisher roller, doctor blades etc. The machine is used for printing fabrics.

(x)"Continuous bleaching range" means a machine for bleaching of cloth in rope or open-width form with the following arrangement; The cloth, after wetting out, pass through a squeeze roll into a saturator containing a solution of caustic soda and then to an enclosed J-Box. A V-shaped arrangement is attached to the front part of the J-Box for uniform and rapid saturation of the cloth, with steam before it is packed down in the J-Box. The cloth, in a single strand rope form, passes over a guide roll down the first arm of the 'V' and up the second. Steam is injected into the 'V' at the upper end of the second arm so that the cloth is rapidly saturated with steam at this point. The J-Box capacity is such that cloth will remain hot for a sufficient time to complete the scouring action. It then passes a series of washers with a squeeze roll in between. The cloth then passes through a second set of saturator, J-Box and washer, where it is treated with the peroxide solution. By slight modification of the form of the unit, the same process can be applied to open-width cloth.

(y)"Mercerizing range" means a 3-bowl mangle, a tenter frame and a number of boxes for washing and scouring. The whole set up is in a straight line and all parts operate continuously. The combination is used to saturate the cloth with sodium

hydroxide, stretch it while saturated and washing out most of the caustic before releasing tension.

(z)"Sanforizing machine" means a machine consisting of large steam-heated cylinder and endless, thick woolen felt blanket which is in close contact with the cylinder for most of its perimeter, and electrically heated shoe which presses the cloth against the blanket while the latter is in a stretched condition as it curves around feed-in roll.

(aa)"Shearing machine" means machine used for shearing cloth. Cutting action is provided by a number of steel blades spirally mounted on a roller. The roller rotates in close contact with a fixed ledger blade. There may be from one to six such rollers on a machine.

(bb)"Singeing machine" means a machine which comprises of a heated roller, plate or an opened gas flame. The cloth or yarn is rapidly passed over the roller or the plate or through the open gas flame to remove fuzz or hairiness by burning.

(cc)"Slasher" means a machine used for applying a size mixture to warp yarns. Essentially, it consists of a stand for holding section beams, a size box, one or more cylindrical dryers or an enclosed hot air dryer, and a beaming end for winding the yarn on the loom beams.

(dd)"Tenter frame" means a machine for drying cloth under tension. It essentially consists of a pair of endless travelling chains fitted with clips of fine pins and carried on tracks. The cloth is firmly held at the selvages by the two chains which diverge as they move forward so that cloth is brought to the desired width.

(ee)"Warper" means a machine for preparing and arranging the yarns intended for the warp of a fabric, specifically, a beam warper.

Sl.no. 3. General safety requirements: (1) Every textile machine shall be provided with individual mechanical or electrical means for starting and stopping such machines. Belt shifter on machine driven by belts and shafting should be provided with a belt shifter lock of an equivalent positive locking device.

(2) Stopping and starting handles or other controls shall be of such design and so positioned as to prevent the operator's hand or fingers from striking against any moving part of any other part of the machine.

(3) All belts, pulleys, gears, chains, sprocket wheels and other dangerous moving parts of machinery which either form part of machinery or are used in association with it, shall be securely guarded.

Sl.no. 4. Openers and pickers: (1) In all opening or picker machinery, beaters and other dangerous parts shall be securely fenced by suitable guards so as to prevent contact with them. Such guards and doors or covers or openings giving access to any dangerous part of the machinery shall be provided with interlocking arrangement.

Provided that in the case of doors or covers of openings giving access to any dangerous part, other than beater covers, instead of the interlocking arrangement, such openings may be so fenced by guards which prevent access to any such dangerous part and which is either kept positively locked in position or fixed in such a manner that it cannot be removed without the use of hand tools.

(2) The feed rolls on all opening and picking machinery shall be covered with a guard designed to prevent the operator from reaching the nip while the machinery is in operation.

(3) The lap forming rollers shall be fitted with a guard or cover which shall prevent access to the nip at the intake of the lap roller and fluted roller as long as the weighted rack is down. The guard or cover shall be so locked that it cannot be raised until the machine is stopped, and the machine cannot be started until the cover or guard is closed.

Provided that the foregoing provision shall not apply to the machine equipped with automatic lap forming devices.

Provided further that any such machine equipped with an automatic lap forming device shall not be used unless the automatic lap forming device is in efficient working order.

Sl.no. 5. Cotton cards: (1) All cylinder doors shall be secured by an interlocking arrangement which shall prevent the door being opened until the cylinder has ceased to revolve and shall render it impossible to restart the machine until the door has been closed.

Provided that the latter requirement in respect of the automatic locking device shall not apply while stripping or grinding operations are carried out;

Provided further that stripping or grinding operations shall be carried out only by specially trained adult workers wearing tight fitting clothing whose names have been recorded in the Register prescribed in this behalf as required in Sub-section (1) of Section 22.

(2) The licker-in shall be guarded so as to prevent access to the dangerous parts.

(3) Every card shall be equipped with an arrangement that would enable the card cylinder to be driven by power during stripping/grinding operations without having to either shift the main belt to the fast pulley of the machine or to dismantle the interlocking mechanism. Such an arrangement shall be used only for stripping or grinding operations.

Sl.no. 6. Garnett machines: (1) Garnett licker-in shall be enclosed.

(2) Garnett fancy rolls shall be enclosed by guards. These shall be installed in a way that keeps worker rolls reasonably accessible for removal or adjustment.

(3) The underside of the garnett shall be guarded by a screen mesh or other form of enclosures to prevent access.

Sl.no. 7. Gill boxes: (1) The feed end shall be guarded so as to prevent fingers being caught in the pins of the intersecting rollers.

(2) All nips of in-running rolls shall be guarded by suitable nip guards conforming to the following specifications:—

Any opening which the guard may permit when fitted in position shall be so restricted with respect to the distance of the opening from any nip point through that opening and in any circumstances the maximum width of the opening shall not exceed the following:—

Distance of opening from nip point Maximum width of opening

10 to 38 mm	6 mm	
39 to 63 mm	10 mm	64
to 88 mm	13 mm	89 to
140 mm	15 mm	141 to
165 mm	19 mm	166 to
190 mm	22 mm	191 to
215 mm	32 mm	

Sl.no. 8. **Silver and ribbon lappers (cotton):** The calender drums and the lap spool shall be provided with a guard to prevent access to the nip between the in-running rolls.

Sl.no. 9. **Speed frames:** Jack box wheels at the head stock shall be guarded and the guard shall have interlocking arrangement.

Sl.no. 10. **Spinning mules:** Wheels on spinning mule carriages shall be provided with substantial wheel guards, extending to within 6 mm of the rails.

Sl.no. 11. **Warpers:** Swivelled double-bar gates shall be installed on all warpers operating in excess of 410 metres/minute. These gates shall have interlocking arrangement, except for the purpose of inching or jogging;

Provided that the top and bottom bars of the gate shall be at least 1.05 and 0.53 metres high from the floor or working platform, and the gate shall be located 38 mm from the vertical tangement to the beam head.

Sl.no. 12. **Slashers:** (1) Cylinder dryers—

(a) All open nips of in-running rolls shall be guarded by nip guards conforming to the requirements in Sl.no. 7.

(b) When slashers are operated by control levers, these levers shall be connected to a horizontal bar or treadle located not more than 170 cm above the floor to control the operation from any point.

(c) Slashes operated by push button control shall have stop and start buttons located at each end of the machine, and additional buttons located on both sides of the machine at the size box and the delivery end. If calender rolls are used, additional buttons shall be provided at both sides of the machine points near the nips except when slashers are equipped with an enclosed dryer as in Sl.no. (b).

(2) Enclosed hot air dryer: (a) All open nips of the top squeezing rollers shall be guarded by nip guards conforming to the requirement in Sl.no. 7 (2).

(b) When slashers are operated by control levers, these levers shall be connected to a horizontal bar or treadle located not more than 170 mm above the floor to control the operation from any point.

(c) Slashers operated by push-button control shall have stop and start buttons located at each end of the machine and additional stop and start buttons located on both sides of the machines at intervals spaced not more than 1.83 metres on centres.

Sl.no. 13. **Looms:** (1) Each loom shall be equipped with suitable guards designed to minimise the danger from flying shuttles.

(2) Beam weights for tension in beam shall be of such construction so as to prevent it from falling during its adjustment.

Sl.no. 14. **Valves of kiers, tanks and other containers:** (1) Each valve controlling the flow of steam, injurious gases or liquids into a kier or any other tank or container into which a person is likely to enter in connection with a process, operation, maintenance or for any other purpose, shall be provided with a suitable locking arrangement to enable the said person to lock the valve securely in the closed position and retain the key with him before entering the kier, tank or container.

(2) Wherever boiling tanks, caustic tanks and any other containers from which liquids which are hot, corrosive or toxic may overflow or splash, are so located that the operator cannot see the contents from the floor or working area, emergency shut off valves which can be controlled from a point not subject to danger of splash shall be provided to prevent danger.

Sl.no. 15. **Shearing machines:** All revolving blades or shearing machines shall be guarded so that the opening between the cloth surface and the bottom of the guard will not exceed 10 mm.

Sl.no. 16. **Continuous bleaching range (cotton and rayon):** The nip of all in-running rolls on open-width bleaching machine rolls shall be protected with a guard to prevent the worker from being caught at the nip. The guard shall extend across the entire length of the nip.

Sl.no. 17. **Mercerizing range (piece goods):** (1) A stopping device shall be provided at each end of the machine.

(2) A guard shall be provided at each end of the frame between the in-running chain and the clip opener.

(3) A nip guard shall be provided for the in-running rolls of the mangle and washers and the guard shall conform to the requirements in Sl.no. 7(2).

Sl.no. 18. **Tender frames:** (1) A stopping device shall be provided at each end of the machine.

(2) A guard shall be provided at each end of the machine frame at the in-running chain and clip opener.

Sl.no. 19. **Paddlers:** Suitable nip guards conforming to the requirement in Sl.no. 7(2) shall be provided to all dangerous in-running rolls.

Sl.no. 20. **Centrifugal extractors:** (1) Each extractor shall be provided with a guard with a basket, and the guard shall have interlocking arrangement.

(2) Each extractor shall be equipped with a mechanically or electrically operated brake to quickly stop the basket when the power driving the basket is shut off.

Sl.no. 21. **Squeezer or wringer extractor, water mangle, starch mangle, back washer (worsted yarn) crabbing machines and decating machines:** All in-running rolls shall be guarded with nip guards conforming to the requirements in Sl.no. 7(2).

Sl.no. 22. **Sanforizing and palmer machine:** (1) Nip guards shall be provided on all accessible in-running rolls and these shall conform to the requirements in Sl.no. 7(2).

(2) Access from the sides of the nips of in-running rolls should be fenced by suitable side guards.

(3) A safety trip rod, cable or wire centre cord shall be provided across the front and back of all palmer cylinders extending the length of the face of the cylinder. It shall operate readily whether pushed or pulled. The safety trip shall not be more than 170 cm above the level at which the operator stands and shall be readily accessible.

Sl.no. 23. **Rope washers:** (1) Splash guards shall be installed on all rope washers unless the machine is so designed as to prevent the water or liquid from splashing the operator, the floor or the working surface.

(2) A safety trip rod, cable or wire centre cord shall be provided across the front and back of all rope washers extending the length of the face of the washer. It shall operate readily whether pushed or pulled. This safety trip shall be not more than 170 cm above the level on which the operator stands and shall be readily accessible.

Sl.no. 24. **Laundry washer tumbler or shaker:** (1) Each drying tumbler, each double cylinder shaker or clothes tumbler and each washing machine shall be equipped with an interlocking arrangement which will prevent the power operation of the inside cylinder when the outer door on the case or shell is open and which will prevent the outer door on the case or shell from being opened without shutting off the power and the cylinder coming to a stop. This should not prevent the movement of the inner cylinder by means of a hand operated mechanism or on an inching device.

(2) Each closed barrel shall also be equipped with adequate means for holding open the doors or covers of the inner and outer cylinders or shells while it is being loaded or unloaded.

Sl.no. 25. **Printing machine (roller type):** (1) All in-running rolls shall be guarded by nip guards conforming to the requirement in Sl.no. 7(2).

(2) The engraved roller gears and the large crown wheel shall be guarded.

Sl.no. 26. **Calenders:** The nip at the in-running side of the rolls shall be provided with a guard extending across the entire length of the nip and arranged to prevent the fingers of the workers from being pulled in between the rolls, or between the guard and the rolls, and so constructed that the cloth can be fed into the rolls safely.

Sl.no. 27. **Rotary staple cutters:** The cutter shall be protected by a guard to prevent the hands reaching the cutting zone.

Sl.no. 28. **Plaiting machines:** Access to the trap between the knife and card bar shall be prevented by a guard.

Sl.no. 29. **Hand bailing machine:** An angle iron handle stop guard shall be installed at right angle to the frame of the machine. The stop guard shall be so designed and so located that it will prevent the hand from travelling beyond the vertical position should the handle slip from the operator's hand when the pawl has been released from the teeth of the take up-gear.

Sl.no. 30. **Flat-work ironer:** Each flat-work or collar ironer shall be equipped with a safety bar or other guard across the entire front of the feed or first pressure rolls, so arranged that the striking of the bar and guard by hand of the operator or other person will stop the machine. The guard shall be such that the operator or other person cannot reach into the rolls without removing the guard. This may be either a vertical guard in

all sides or a complete cover. If a vertical guard is used, the distance from the floor or working platform to the top of guard shall be not less than 1.83 metres.

SCHEDULE II

Cotton Ginning

Line Shaft: The line shaft of second motion in cotton ginning factories when below floor level, shall be completely enclosed by a continuous wall or unclimbable fencing with only so many openings as are necessary for access to the shaft for removing cotton seed, cleaning and oiling; and such openings shall be provided with gates or doors which shall be kept closed and locked.

SCHEDULE III

Woodworking Machinery

Sl.no. 1. **Definitions:** For the purpose of this schedule-

(a) "Woodworking machine" means a circular saw, band saw, planing machine, chain mortising machine or vertical spindle moulding machine operating on wood or cork.

(b) "Circular saw" means a circular saw working in a bench (including a rack bench), but does not include a pendulum or similar saw which is moved towards the wood for the purpose of cutting operation.

(c) "Band saw" means a band saw, the cutting portion of which runs in a vertical direction but does not include a log saw or band re-sawing machine; and

(d) "Planing machine" means a machine for overhand planing or for thicknessing or for both operations.

Sl.no. 2. **Stopping and starting device:** An efficient stopping and starting device shall be provided on every woodworking machine. The control of this device shall be in such a position as to be readily and conveniently operated by the person in charge of the machine.

Sl.no. 3. **Space around machines:** The space surrounding every woodworking machine in motion shall be kept free from obstruction.

Sl.no. 4. **Floors:** The floor surrounding every woodworking machine shall be maintained in good and level condition, and shall not be allowed to become slippery, and as far as practicable shall be kept free from chips or other loose material.

Sl.no. 5. **Training and supervision:** (1) No person shall be employed at a woodworking machine unless he has been sufficiently trained to work that class of machine, or unless he works under the adequate supervision of a person who has a thorough knowledge of the working of the machine.

(2) A person who is being trained to work a woodworking machine shall be fully and carefully instructed as to the dangers of the machine and the precautions to be observed to secure safe working of the machine.

Sl.no. 6. **Circular saw:** Every circular saw shall be fenced as follows:—

(a) behind and in direct line with the saw there shall be a riving knife, which shall have a smooth surface, shall be strong, rigid and easily adjustable and shall also conform to the following conditions:—

(i) the edge of the knife nearer the saw shall form an arc of a circle having a radius not exceeding the radius of the largest saw used on the bench;

(ii) the knife shall be maintained as close as practicable to the saw, having regard to the nature of the work being done at the time, and at the level of the bench table the distance between the front edge of the knife and the teeth of the saw shall not exceed 12 mm; and (iii) for a saw of a diameter of not less than 60 cm, the knife shall extend upwards from the bench table to within 25 mm of the top of the saw, and for a saw of a diameter 60 cm or over shall extend upwards from the bench table to a height of at least 23 cm.

(b) the top of the saw shall be covered by a strong and easily adjustable guard, with a flange at the side of the saw farthest from the fence. The guard shall be kept so adjusted that the said flange shall extend below the roots of the teeth of the saw. The guard shall extend from the top of the riving knife to a point as low as practicable at the cutting edge of the saw; and

(c) the part of the saw below the bench table shall be protected by two plates of metal or other suitable material, one on each side of the saw; such plates shall not be more than 15 cm apart, and shall extend from the axis of the saw outwards to a distance of not less than 5 cm beyond the teeth of the saw. Metal plates, if not beaded, shall be of a thickness of at least 2.5 mm or, if beaded, be of a thickness of at least 1.25 mm.

Sl.no. 7. **Push sticks:** A push stick or other suitable appliance shall be provided for use at every circular saw and at every vertical spindle moulding machine to enable the work to be done without unnecessary risk.

Sl.no. 8. **Band saws:** Every band saw shall be guarded as follows:

(a) both sides of the bottom pulley shall be completely encased by sheet or expanded metal or other suitable material;

(b) the front of the top pulley shall be covered with sheet or expanded metal or other suitable material; and

(c) all portions of the blade shall be enclosed or otherwise securely guarded, except the portion of the blade between the bench table and the top guide.

Sl.no. 9. **Planing machine:** (1) A planing machine (other than a planing machine which is mechanically fed) shall not be used for over hand planing unless it is fitted with a cylindrical cutter block.

(2) Every planing machine used for overhand planing shall be provided with a "bridge" guard capable of covering the full length and breadth of the cutting slot in the bench, and so constructed as to be easily adjusted both in vertical and horizontal direction.

(3) The feed roller of every planing machine used for thicknessing except the combined machine for overhand planing and thicknessing, shall be provided with an efficient guard.

Sl.no. 10. **Vertical spindle moulding machine:** (1) The cutter of every vertical spindle moulding machine shall be guarded by the most efficient guard having regards to the nature of the work being performed.

(2) The wood being moulded at a vertical spindle moulding machine shall, if practicable, be held in a jig or holder of such construction as to reduce as far as possible the risk of accident to the worker.

Sl.no. 11. **Chain mortising machine:** The chain of every chain mortising machine shall be provided with a guard which shall enclose the cutters as far as practicable.

Sl.no. 12. **Adjustment and maintenance of guards:** The guards and other appliances required under this schedule shall be—

- (a) maintained in an efficient state;
- (b) constantly kept in position while the machinery is in motion;and
- (c) so adjusted as to enable the work to be done without unnecessary risk.

13. **Exemptions:**Sl.no. 6, 8, 9 and 10 shall not apply to any woodworking machine in respect of which it can be proved that other safeguards are provided, maintained and used which render the machine as safe as it would be if, guarded in the manner prescribed in this schedule.

SCHEDULE IV

Rubber mills

1. **Installation of machines:** Mills for breaking down cracking, grating, mixing, refining and warming rubber compound shall be so installed that the top of the front roll is not less than 105 centimetres above the floor or working level;

Provided that in existing installations where the top of the front roll is below this height, a strong, rigid distance bar guard shall be fitted across the front of the machine in such position that the operator cannot reach the nip of the rolls.

2. **Safety devices:** (1) Rubber Mills shall be equipped with—

(a)hoppers so constructed or guarded that it is impossible for the operators to come in contact in any manner with the tip of the rolls; or

(b) horizontal safety-trip rods or tight wire cables across both front and rears, which will, when pushed or pulled, operate instantly to disconnect the power and apply the brakes, or to reverse the rolls.

(2) Safety-trip rods or tight wire cables on rubber mill shall extend across the entire length of the face of the rolls and shall be located not more than 175 cm above the floor or working level.

(3) Safety-trip rods and tight wire cables on all rubber mills shall be examined and tested daily in the presence of the Manager or other responsible person and if any defect is disclosed by such examination and test, the mill shall not be used until such defect has been remedied.

SCHEDULE V

Centrifugal Machines

Sl.no. 1. **Definition:** "Centrifugal machines" include centrifugal extractors, separators and driers.

Sl.no. 2. **Design, construction, maintenance etc:** Every part of centrifugal machine shall be—

- (a) of good design and construction and of adequate strength;
- (b) properly maintained; and
- (c) examined thoroughly by a competent person at regular intervals.

Sl.no. 3. **Inter-locking guard for drum or basket:** (1) The cage housing the rotating drum or basket of every centrifugal machine shall be provided with a strong lid. The design and construction of the cage as well as of the lid shall be such that no access is possible to the drum and basket when the lid is closed.

(2) Every centrifugal machine shall be provided with an efficient inter-locking device that will effectively prevent the lid referred to in sub- Sl.no. (1) from being opened while the drum or basket is in motion and prevent or basket from being set in motion while the lid is in the open position.

Sl.no. 4. **Braking arrangement:** Every centrifugal machine shall be provided with an effective braking arrangement capable of bringing the drum or basket to rest within as short a period of time as reasonably practicable after the power is cut off.

Sl.no. 5. **Operating speed:** No centrifugal machine shall be operated at a speed in excess of the manufacturer's rating which shall be legibly stamped at easily visible places both on the inside of the basket and on the outside of the machine casing.

Sl.no. 6. **Exceptions:** Sub- Sl.no. (2) of Sl.no. 3, Sl.no. 4 and 5 shall not apply in case of top lung machines or similar machines used in the sugar manufacturing industry.

SCHEDULE VI

Power press

Sl.no. 1. **Application:** The schedule shall apply to all types of power presses including press brakes, except when used for working hot metal.

Sl.no. 2. **Definition:** For the purpose of this schedule—

- (a) "approved" means approved by the Chief Inspectorcum facilitator;
- (b) "fixed fencing" means fencing provided for the tools of a power press being fencing which has no moving part associated with or dependent upon the mechanism of a power press and includes that part of a closed tool which acts as a guard;
- (c) "power press" means a machine used in metal or other industries for moulding, pressing, blanking, raising, drawing and similar purposes;
- (d) "Safety device" means the fencing and any other safeguard provided for the tools of a power press.

Sl.no. 3. **Starting and stopping mechanism:** The starting and stopping mechanism shall be provided with safety stop so as to prevent over running of the press or descent of the ram during tool setting etc.

Sl.no. 4. **Protection of tool and die:** (1) Each press shall be provided with a fixed guard with a slip plate on the under side enclosing the front and all sides of the tool.
 (2) Each die shall be provide with a fixed guard surrounding its front and sides, and extending to the back in the form of a tunnel through which the pressed article falls to the rear of the press.

(3) The design, construction and mutual position of the guard referred to in (1) and (2) shall be such as to preclude the possibility of the worker's hand or fingers reaching the dangerous zone.

(4) The machine shall be fed through a small aperture at the bottom of the die guard, but a wider aperture may be permitted for second or subsequent operations if feeding is done through a chute.

(5) Notwithstanding anything contained in sub-clause(1) and (2), an automatic or inter-locked guard may be used in place of a fixed guard, but where such guards are used they shall be maintained in an efficient working condition and if any guard develops a defect, the power press shall not be operated unless the defect of the guard is removed.

Sl.no. 5. Appointment of persons to prepare power presses for use: (1) Except as provided in sub- Sl.no. (4) no person shall set, reset, adjust or try out the tools on a power press or install or adjust any safety device thereon, being installation or adjustment preparatory to production of die proving, or carry out an inspection and test of any safety device thereon required by Sl.no. 8 unless he-

(a) has attained the age of eighteen;

(b) has been trained in accordance with the sub- Sl.no. 2) and has been appointed by the occupier of the factory to carry out those duties in respect of the class or description of power press or the class or description of safety device to which the power press or the safety device(as the case may be) belongs; and the name of every such person shall be entered in a Register in **Form 9**.

(2) The training shall include suitable and sufficient practical instruction in the matters in relation to each type of power press and safety device in respect of which it is proposed to appoint the person being trained.

Sl.no. 6. Examination and testing of power presses and safety devices: (1) No power press or safety device shall be taken into use in any factory for the first time in that factory, or in case of a safety device for the first time on any power press, unless it has been thoroughly examined and tested, in the case of a power press after installation in the factory, or in the case of a safety device, when in position on the power press in connection with which it is to be used.

(2) No power press shall be used unless it has been thoroughly examined and tested by a competent person within the immediately preceding period of twelve months.

(3) No power press shall be used unless every safety device (other than fixed fencing) thereon has within the immediately preceding period of six months when in position on that power press, been thoroughly examined and tested by a competent person.

(4) The competent person carrying out an examination and test under the foregoing provisions shall make a report of the examination and test containing the following particulars and every such report shall be kept readily available for inspection:—

(a) Name of the occupier of the factory:

(b) Address of the factory:

(c) Identification number or mark sufficient to identify the power press or the safety device:

(d) Date on which the power press or the safety device was first taken into use in the factory:

(e) The date of each periodical thorough examination carried out as per the requirement of sub- Sl.no. (2) above:

(f) Particulars of any defect effecting the safety working of the power press or the safety device found at any such thorough examination and steps taken to remedy such defects.

Sl.no. 7. Defects disclosed during a thorough examination and test: (1) Where any defect is disclosed in any power press or in any safety device by any examination and test under Sl.no. 6 and in the opinion of the competent person carrying out the examination and test either-

(a) the said defect is a cause of danger to workers and in consequence the power press or safety device (as the case may be) ought not to be used until the said defect has been remedied; or

(b) the said defect may become a cause of danger to workers and in consequence the power press or safety device (as the case may be) ought not to be used after the expiration of a specified period unless the said defect has been remedied, such defect shall, as soon as possible after the completion of the examination and test, be notified in writing by the competent person to the occupier of the factory and, in the case of a defect falling within clause (b) of this sub- Sl.no. such notification shall include the period within which, in the opinion of the competent person, the defect ought to be remedied.

(2) In every case where notification has been given under this Sl.no. a copy of the reports made under Sl.no. 6(4) shall be sent by the competent person to the Inspector for the area within fourteen days of the completion of the examination and test.

(3) Where any such defect is notified to the occupier in accordance with the foregoing provisions of this Sl.no. the power press or safety device (as the case may be) having the said defect shall not be used—

(a) in the case of a defect falling within clause (a) of sub- Sl.no. (1), until the said defect has been remedied; and

(b) in the case of a defect falling within clause (b) of sub- Sl.no. (1) has after the expiration of the said defect has been remedied.

(4) As soon as is practicable after any defect of which notification has been given under sub- Sl.no. (1) has been remedied, a record shall be made by or on behalf of the occupier stating the measures by which and the date on which the defect was remedied.

Sl.no. 8. Inspection and test of safety devices: (1) No power press shall be used after the setting, resetting or adjustment of the tools thereon unless a person appointed or authorised for the purpose under Sl.no. 5 has inspected and tested every safety device thereon while it is in position on the said power press;

Provided that an inspection, test and certificate as aforesaid shall not be required where any adjustment of the tools has not caused or resulted in any alteration

to or disturbance of any safety device on the power press and if after the adjustment of the tools, the safety devices remain, in the opinion of such a person as aforesaid, in efficient working order.

(2) Every power press and every safety device thereon while it is in position on the said power press shall be inspected and tested by a trained person every day.

Sl.no. 9. **Defects disclosed during an inspection and test:** (1) Where it appears to any person as a result of any inspection and test carried out by him under Sl.no. 8 that any necessary safety device is not in position or is not properly in position on power press or that any safety device which is in position on a power press is not in his opinion suitable, he shall notify the Manager forthwith.

(2) Except as provided in sub- Sl.no. (3) where any defect is disclosed in a safety device by any inspection and test under Sl.no. 8, the person carrying out the inspection and test shall notify the Manager forthwith.

(3) Where any defect in a safety device is the subject of a notification in writing under Sl.no. 7 by virtue of which the use of the safety device may be continued during a specified period without the said defect having been remedied, the requirement in sub- Sl.no. (2) of this Sl.no. shall not apply to the said defect until the said period has expired.

Sl.no. 10. **Identification of power presses and safety devices:** For the purpose of identification every power press and every safety device provided for the same shall be distinctively and plainly marked.

Sl.no. 11. **Training and instructions to operators:** The operators shall be trained and instructed in the safe method of work on any power press.

Sl.no. 12. **Exemptions:** (1) If in respect of any factory the Chief Inspector- cum- Facilitator is satisfied that owing to the circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule are not necessary for the protection of the workers employed on any power press or in any class or description of power press or 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.

(2) Where such exemption is granted, a legible copy of the certificate, showing the conditions (if any) subject to which it has been granted, shall be kept posted in the factory in a position where it may be conveniently read by the persons employed.

SCHEDULE VII

Shears, Slitters and Guillotine Machines

Sl.no. 1. **Definition:** For the purpose of this schedule—

(a) "Guillotin" means a machine ordinarily equipped with straight level-edged blade operating vertically against a stationery resisting edge and used for cutting metallic or non-metallic substances;

(b) "Shears" or "Shearing machine" means a machine ordinarily equipped with straight, level-edged blades operating vertically against the resisting edges, or with

rotary, overlapping cutting wheels, and used for shearing metals or non-metallic substances;

(c) "Slitter" or "Slitting machine" means a machine ordinarily equipped with circular dice-type knives, and used for trimming or cutting into metal or non-metallic substances or for slitting them into narrow strips; for the purpose of this Schedule this term includes bread or other food slicers equipped with rotary knives or cutting discs.

Sl.no. 2. Guillotines and shears: (1) Where practicable, a barrier metal guard of adequate strength shall be provided at the front of the knife, fastened to the machine frame and shall be so fixed as would prevent any part of the operator's body to reach the descending blade from above, below or through the barrier guard or from the sides;

Provided that in case of machines used in the paper printing and allied industries, where a fixed barrier metal guard is not suitable on account of the height and volume of the material being fed, there shall be provided suitable starting devices which require simultaneous action of both the hands of the operator or an automatic device which will move both the hands of the operator from the danger zone at every descent of the blade.

(2) At the back end of such machines, an inclined guard shall be provided over which the slit pieces would slide and be collected at a safe distance in a manner as would prevent a person at the back from reaching the descending blade.

(3) Power-driven guillotine cutters, except continuous feed trimmers, shall be equipped with:—

(a) starting devices which require the simultaneous action of both hands to start the cutting motion and of at least one hand on a control during the complete stroke of the knife; or

(b) an automatic guard which will remove the hands of the operator from the danger zone at every descent of the blade, used in conjunction with one-hand starting devices which require two distinct movements of the device to start the cutting motion, and so designed so as to return positively to the non-starting position after each complete cycle of the knife.

(4) Where two or more workers are employed at the same time on the same power-driven guillotine cutter equipped with two hand control, the device shall be so arranged that each worker shall be required to use both hands simultaneously on the safety trip to start the cutting motion and at least one hand on a control to complete the cut.

(5) Power-driven guillotine cutters, other than continuous trimmers, shall be provided, in addition to the brake or other stopping mechanism, with an emergency device which will prevent the machine from operating in the event of failure of the brake when the starting mechanism is in the non-starting position.

Sl.no. 3. Slitting Machines: (1) Circular disc-type knives on machines for cutting metal and leather, paper, rubber, textiles or other non-metallic substances shall, if within reach of operators standing on the floor or working level, be provided with guards enclosing the knife edges at all times as near as practicable to the surface of the material, and which may either—

- (a) automatically adjust themselves to the thickness of the material; or
- (b) be fixed or manually adjusted so that the space between the bottom of the guard and the material will not exceed 6 mm(1/2 in) at any time.

(2) portions of blades underneath the table or benches of slitting machines shall be covered by guards.

Sl.no. 4. **Index cutters and Vertical Paper Slitters:** Index cutters and other machines for cutting strips from the end of books, and for similar operations, shall be provided with fixed guards so arranged that the fingers of the operators cannot come between the blades and the tables.

Sl.no. 5. **Corner Cutters:** Corner Cutters, used in the manufacture of paper boxes, shall be equipped with:—

- (a) suitable guard, fastened to the machines in front of the knives and provided with slots or perforations to afford visibility of the operations; or

- (b) other guard equally efficient for the protection of the fingers of the workers.

Sl.no. 6. **Band Knives:** Band wheels or band knives, and all portions of the blades except the working side between the sliding guide and the table on the vertical machines or between the wheel guards on horizontal machines, shall be completely enclosed with hinged guards of sheet metal not less than 1 mm (0.04in.) in thickness or of other material of equal strength.

SCHEDULE VIII

Hoist or lift

Class or description of Hoist or lift (1)	Requirement which shall not apply (2)
Hoists or lifts mainly used for raising materials for charging blast furnaces or lime kilns. —	Sub-section 1(b) in so far as it requires a gate at the bottom landing; Sub-section 1(d); Sub-section 1(e)
Hoist not connected with mechanical power and which are not used for carrying persons. —	Sub-section 1(b) in so far as it requires the hoistway or liftway enclosure to be so constructed so as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part; Sub-section 1(e).

(1) No lifting machine and no chain, rope or lifting tackle, except a fibre rope or fibre rope ling, shall be taken in to use in any factory for the first time in that factory unless it has been tested and all parts have been thoroughly examined by a competent person and a certificate of such a test and examination specifying the safe working load or loads and signed by the person making the test and the examination, has been obtained and is kept available for inspection.

(2) Every jib-crane so constructed that the safe working load may be varied by the raising or lowering of the jib, shall have attached thereto either an automatic indicator of safe working loads or an automatic jib angle indicator and a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

(3) A table showing the safe working load of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working loads at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackles are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used;

Provided that this Sub-rule shall not apply in respect of such lifting tackle if the safe working load thereof, or in the case of a multiple sling, the safe working load at different angles of the legs, is plainly marked upon it.

(4) The Register in **Form No. 57** to be maintained under clause (a) (iii) of Sub-section (1) of Section 80 of the Code shall contain the following particulars and shall be kept readily available for inspection:—

(a) Name of Occupier of the factory:

(b) Address of the factory:

(c) Distinguishing number or mark, if any, and description sufficient to identify the lifting machine, chain, rope or the lifting tackle.

(d) Date when the lifting machine, chain, rope or lifting tackle was first taken into use in the factory:

(e) Date and number of the certificate relating to any test and examination made under Sub-Rules (1) and (9) together with the name and address of the person who issued the certificate.

(f) Date of each periodical thorough examination made under clause(a)(iii) of Sub-section(1) of Section 80 of the Code and Sub-rule (8) and by whom it was carried out:

(g) Date of annealing or other heat treatment of the chain or other lifting tackle made under Sub-rule(7) and by whom it was carried out:

(h) Particulars of any defects affecting the safe working load found at any such thorough examination or after annealing and of the steps taken to remedy such defects:

(5) All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength and have an even running surface, and every such rail or track shall be properly laid, adequately supported and properly maintained.

(6) To provide access to rail tracks of overhead travelling cranes suitable passage-ways of at least 50 centimeters width with toe boards and double hand rails 90cm high shall be provided alongside, and clear of, the rail tracks of overhead travelling cranes, such that no moving part of the crane can strike persons on the ways, and the passage-way shall be at a lower level than the crane track itself. Safe access ladders shall be

provided at suitable intervals to afford access to these passage-ways, and from passage-ways to the rail tracks;

Provided that the Chief Inspectorcum facilitator may, for reasons to be specified in writing, exempt any factory in respect of any overhead travelling crane from the operation of any provision of this Sub-rule subject to such conditions as he may specify.

(7) All chains and lifting tackles except a rope sling shall, unless they have been subjected to such other heat treatment as may be approved by the Chief Inspector Of Factories, be effectively annealed under the supervision of a competent person at the following intervals:—

(a) all chains, slings, rings, hooks, shackles and swivels used in connection with molten metal or molten slag or when they are made of 12.5 mm bar or smaller, once at least in every six months;

(b) all other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months;

Provided that chains and lifting tackles not in frequent use shall, subject to the Chief Inspector's approval, be annealed only when necessary. Particular of such annealing shall be entered in a Register prescribed under Sub-rule(4).

(8) Nothing in the foregoing Sub-rule(7) shall apply to the following classes of chains and lifting tackles:—

(a) chains made of malleable cast iron;

(b) plate link chains;

(c) chains, rings, hooks, shackles and swivels made of steel or of any non-ferrous metal;

(d) pitched chains, working on sprocket or pocketed wheels;

(e) rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks or weighing machines;

(f) hooks and swivels having screw threaded parts or ball bearing or other case hardened parts;

(g) socket shackles secured to wire ropes by white metal capping;

(h) bordeaux connections;

Provided that such chains and lifting tackles shall be thoroughly examined by a competent person once at least in every twelve months, and particulars entered in the Register kept in accordance with Sub-rule (4).

(9) All lifting machines, ropes, chains and lifting tackles, except a fibre rope or fibre sling, which have been lengthened, altered or repaired by welding or otherwise, shall, before being again taken into use, be adequately re-tested and re-examined by a competent person and certificate of such test and examination be obtained, and particulars entered in the Register kept in accordance with Sub-rule (4).

(10) No person under 18 years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a lifting machine whether driven by mechanical power or otherwise, or to give signals to a driver.

(11) Where the Chief Inspector-cum- Facilitator of Factories is satisfied that in a factory due to shut down or for any other reasons it is not practicable to maintain a

minimum distance of 6 metres between the person employed or working on or near the wheel track of a travelling crane and the crane, he may on the request of the Manager reduce the distance to such extent as he may consider necessary and also prescribe further precautions indicating appointment of suitable number of supervisors to ensure the safety of the persons while they are employed or working on or near the track.

Pressure vessels or plant

(1) In this rule:—

- (a) "Design pressure" means the maximum pressure that a pressure vessel or plant is designed to withstand safely when operating normally;
- (b) "Maximum permissible working pressure" means the maximum pressure at which a pressure vessel or plant is permitted to be operated or used under this rule and is determined by the technical requirements of the process;
- (c) "Plant" means a system of piping that is connected to a pressure vessel and is used to contain a gas, vapour or liquid under pressure greater than the atmospheric pressure, and includes the pressure vessel;
- (d) "Pressure vessel" means a vessel that may be used for containing, storing, distributing, transferring, distilling, processing or otherwise handling any gas, vapour or liquid under pressure greater than the atmospheric pressure and includes any pipeline fitting or other equipment attached thereto or used in connection therewith; and
- (e) "Competent person" means a person who is, in the opinion of the Chief Inspector cum facilitator, capable by virtue of his qualifications, training and experience, of conducting a thorough examination and pressure test, as required, on a pressure vessel or plant, and of making a full report on its condition.

(2) Exceptions: Nothing in this rule shall apply to:—

- (a) vessels made of ferrous materials having an internal operating pressure not exceeding 1Kg/cm²;
- (b) steam boilers, steam and feed pipes and their fittings coming under the purview of the Indian Boilers Act, 1923.
- (c) metal bottles or cylinders used for storage or transport of compressed gases or liquified or dissolved gases under pressure covered by the Gas Cylinder Rules, 1940 framed under the Indian Explosive Act, 1884;
- (d) vessels in which internal pressure is due solely to the static head of liquid;
- (e) vessels with a nominal water capacity not exceeding 500 litres connected in a water-pumping system containing air that is compressed to serve as a cushion;
- (f) vessels for nuclear energy application;
- (g) refrigeration plant having a capacity of 3 tons or less of refrigeration in 24 hours; and
- (h) working cylinders of steam engines or prime movers, feed pumps and steam traps, turbine casing, compressor cylinder, steam separators or driers, steam strainers, steam de-superheaters, oil separators, air receivers for fire sprinkler installations; air receivers of monotype machines, provided the maximum working pressure of the air receiver does not exceed 1.33 Kg/cm² and the capacity 85 Litres;

air receivers of electrical circuit breakers; air receivers of electrical relays; air vessels on pumps; pipe coils, accessories of instruments and appliances such as cylinders and piston assemblies used for operating relays and interlocking type of guards; vessels with liquids subjected to static head only; and hydraulically operated cylinders other than any cylinder communicating with an air loaded accumulator.

(3) Design and construction: Every pressure vessel or plant used in a factory—

(a) shall be properly designed on sound engineering practice;

(b) shall be of good construction, sound material, adequate strength and free from any patent defects; and

(c) shall be properly maintained in a safe condition;

Provided that the pressure vessel or plant in respect of the design and construction of which there is an Indian Standard or a Standard of the country of manufacture or any other Law or Regulation in force, shall be designed and constructed in accordance with the said Standard, Law or Regulation, as the case may be, and a certificate thereof shall be obtained from the manufacturer or from the competent person which shall be kept and produced on demand by an Inspector.

(4) Safety devices: Every pressure vessel shall be fitted with—

(a) a suitable safety valve or other effective pressure relieving device of adequate capacity to ensure that the maximum permissible working pressure of the pressure vessel shall not be exceeded. It shall be set to operate at a pressure not exceeding the maximum permissible working pressure and when more than one protective device is provided, only one of the devices need be set to operate at the maximum permissible working pressure and the additional device shall be set to discharge at a pressure not more than 5 percent in excess of the maximum permissible working pressure;

(b) a suitable pressure gauge with a dial range not less than 1.5 times the maximum permissible working pressure, easily visible and designed to show at all times the correct internal pressure and marked with a prominent red mark at the maximum permissible working pressure of the pressure vessel;

(c) a suitable nipple and glove valve connected for the exclusive purpose of attaching a test pressure gauge for checking the accuracy of the pressure gauge referred to in clause (b) of this sub-rule;

(d) a suitable stop valve or valves by which the pressure vessel may be isolated from other pressure vessels or plant or source of supply of pressure. Such a stop valve or valves shall be located as close to the pressure vessel as possible and shall be easily accessible; and

(e) a suitable drain cock or valve at the lowest part of the pressure vessel for the discharge of the liquid or other substances that may collect in the pressure vessel;

Provided that it shall be sufficient for the purpose of this sub-rule if the safety valve or pressure relieving device, the pressure gauge and the stop valve are mounted on a pipe line immediately adjacent to the pressure vessel and where there is a range of two or more similar pressure vessels served by the same pressure lead, only one set of such mountings need be fitted on the pressure lead immediately adjacent to the range of pressure vessels, provided they cannot be isolated.

(5) Pressure reducing devices: (a) Every pressure vessel which is designed for a working pressure less than the pressure at the source of supply, or less than the pressure which can be obtained in the pipe connecting the pressure vessel with any other source of supply, shall be fitted with a suitable pressure reducing valve or other suitable automatic device to prevent the maximum permissible working pressure of the pressure vessel being exceeded.

(b) To further protect the pressure vessel in the event of failure of the reducing valve or device, at least one safety valve having a capacity sufficient to release all the steam, vapour or gas without undue pressure rise as determined by the pressure at the source of supply, and the size of the pipe connecting the source of supply, shall be fitted on the low pressure side of the reducing valve.

(6) Pressure vessel or plant being taken into use: (a) No new pressure vessel or plant shall be taken into use in a factory after coming into force of this rule unless it has been hydrostatically tested by a competent person at a pressure at least 1.3 times the design pressure, and no pressure vessel or plant which has been previously used or has remained isolated or idle for a period exceeding two months or which has undergone alterations or repairs shall be taken into use in a factory unless it has been thoroughly examined by a competent person externally and internally, if practicable and has been hydrostatically tested by the competent person at a pressure which shall be 1.5 times the maximum permissible working pressure;

Provided, however, that the pressure vessel or plant which is so designed and constructed that it cannot safely filled with water or liquid or is used in service when even some traces of water cannot be tolerated, shall be pneumatically tested at a pressure not less than the design pressure or the maximum permissible working pressure, as the case may be;

Provided further that the pressure vessel or plant which is lined with glass shall be tested hydrostatically or pneumatically as required at a pressure not less than the design pressure or maximum permissible working pressure as the case may be.

Design pressure shall be not less than the maximum permissible working pressure and shall take into account the possible fluctuations of pressure during actual operation.

(b) No pressure vessel or plant shall be used in a factory unless there has been obtained from the maker of the pressure vessel or plant or from the competent person a certificate specifying the design pressure or maximum permissible working pressure thereof, and stating the nature of tests to which the pressure vessel or plant and its fittings (if any) have been subjected and every pressure vessel or plant so used in a factory shall be marked so as to enable it to be identified as to be the pressure vessel or plant to which the certificate relates and the certificate shall be kept available for perusal by the Inspector.

(c) No pressure vessel or plant shall be permitted to be operated or used at pressure higher than its design pressure, or the maximum permissible working pressure as shown in the certificate.

(7) In-service test and examination: (a) Every pressure vessel or plant in service shall be thoroughly examined by a Competent Person—

- (i) externally, once in every period of six months;
- (ii) internally, once in every period of twelve months;

Provided that if by the reason of the construction of a pressure vessel or plant, a thorough internal examination is not possible this examination may be replaced by a hydrostatic test which shall be carried out in every period of two years;

Provided further that for a pressure vessel or plant in continuous process which cannot be frequently opened, the period of internal examination may be extended to four years; and

- (iii) hydrostatically tested once in every period of four years;

Provided that in respect of a pressure vessel or plant with thin walls, such as sizing cylinder made of copper or any other non-ferrous metal, periodic hydrostatic test may be dispensed with subject to the condition that the requirements laid down in sub-rule (8) are fulfilled;

Provided further that when it is impracticable to carry out thorough external examination of any pressure vessel or plant every six months as required in sub-clause (i) of this clause or if owing to its construction and use a pressure vessel or plant cannot be hydrostatically tested as required in sub-clauses (ii) and (iii) of this clause, a thorough external examination of the pressure vessel or plant shall be carried out at least once in every period of two years, and at least once in every period of four years a thorough systematic non-destructive test like ultrasonic test for metal thickness or other defects of all parts the failure of which might lead to eventual rupture of the pressure vessel or plant, shall be carried out.

(b) The pressure for the hydrostatic test to be carried out for the purpose of this sub-rule shall be 1.25 times the design pressure or 1.5 times the maximum permissible working pressure, whichever is less.

(8) Thin walled pressure vessel or plant: (a) In respect of any pressure vessel or plant of thin walls such as sizing cylinder made of copper or any other non-ferrous metal, the maximum permissible working pressure shall be reduced at the rate of 5 percent of the original maximum permissible working pressure for every year of its use after the first five years and no such cylinder shall be allowed to continue to be used for more than twenty years after it was first taken into use.

(b) If any information as to the date of construction, thickness of walls or maximum permissible working pressure is not available, the age of such pressure vessel or plant shall be determined by the Competent Person in consultation with the Chief Inspector cum- Facilitator from the other particulars available with the Manager.

(c) Every new and second hand pressure vessel or plant of thin walls to which repairs likely to affect its strength or safety have been carried out, shall be tested before use to at least 1.5 times its maximum permissible working pressure.

(9) Report by Competent Person: (a) If during any examination any doubt arises as to the ability of the pressure vessel or plant to work safely until the next prescribed examination, the Competent Person shall enter in the prescribed Register his observations and conclusions with other relevant remarks with reasons and may authorise the pressure vessel or plant to be used and kept in operation subject to a

lowering of maximum permissible working pressure, or to more frequent or special examination, test or subject to both these conditions.

(b) A report of every examination or test carried out shall be completed in **Form 58** and shall be signed by the person making the examination or test and shall be kept available for perusal by the Inspector at all hours when the factory or any part thereof is working.

(c) When the report of any examination under this rule specified any condition for securing the safe working of any pressure vessel or plant, the pressure vessel or plant shall not be used unless the specified condition is fulfilled.

(d) The Competent Person making report of any examination under this rule, shall within seven days of the completion of the examination send to the Inspector a copy of the report in every case where the maximum permissible working pressure is reduced or the examination shows that the pressure vessel or plant or any part thereof cannot continue to be used with safety unless certain repairs are carried out or unless any other safety measure is taken.

(10) Application of other laws: (a) The requirements of this rule shall be in addition to and without any prejudice to and not in derogation of the requirements of any other law in force.

(b) Certificates or reports of any examination or test of any pressure vessel or plant to which sub-rule (7) to (9) do not apply, conducted or required to be conducted under any other law in force and other relevant record relating to such pressure vessel or plant, shall be properly maintained as required under the said law and shall be produced on demand by the Inspector.

Water-sealed gasholder:

(1) The expression 'Gasholder' means a water sealed gasholder which has a storage capacity of not less than 141.5 cubic metres.

(2) Every gasholder shall be of adequate material and strength, sound construction and properly maintained.

(3) Where there is more than one gasholder in a factory, every gasholder shall be marked in a conspicuous position with a distinguishing number or letter.

(4) Every gasholder shall be thoroughly examined externally by a Competent Person at least once in a period of 12 months.

(5) In the case of gasholder of which any lift has been in use for more than 10 years, the internal state of the sheeting shall, within one year of the coming into operation of these rules and thereafter at least once in every period of four years, be examined by a Competent Person by means of electronic or other accurate devices;

Provided that if the Chief Inspector- cum- Facilitator is satisfied that such electronic or other accurate devices are not available, he may permit the cutting of samples from the crown and the sides of the holder;

Provided further that if the above examination raises a doubt, an internal visual examination shall be made.

(6) All possible steps shall be taken to prevent or minimise ingress of impurities in the gasholder

(7) No gasholder shall be repaired or demolished except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risks of explosion and of persons being overcome by gas is competent to supervise such work.

(8) (a) All sample discs cut under sub-rule (5) above shall be kept readily available for inspection.

(b) A permanent Register in **Form 59** duly signed by the Occupier or Manager shall be maintained.

(c) The results of examinations by the Competent Person carried out as required under sub-rules (4) and (5) shall be recorded in **Form 60**.

(d) A copy of the report in **Form 60** shall be kept in the Register in Form 12 and both the Register and the Report shall be readily available for inspection.

(9) The Inspector- cum- Facilitator of Factories shall inspect the gasholder at least once in a period of 12 months.

SCHEDULE

Persons.	Maximum weight of material, article, tool or appliance.
(a) Adult male	55 Kilograms
(b) Adult Female	30 Kilograms
(c) Adolescent male	30 Kilograms
(d) Adolescent female	20 Kilograms
(e) Male child	16 Kilograms
(f) Female child	14 Kilograms

(b) No woman or young person shall engage, in conjunction with others, in lifting, carrying or moving by hand or on head, any material, article, tool or appliance, if the weight thereof exceeds the lowest weight fixed by the Schedule to Sub-rule (1) for any of the persons engaged, multiplied by the number of persons engaged.

Protection of eyes

Effective screens or suitable goggles shall be provided for the protection of persons employed in or in the immediate vicinity of the following processes:—

(a) The process specified in Schedule I annexed hereto, being processes which involve risk of injury to eyes from particles or fragments thrown off in the course of the processes.

(b) The processes specified in Schedule II annexed hereto being processes which involve risk of injury to eyes by reason of exposure to excessive light or infra-red or ultra-violet radiations.

SCHEDULE I

1. Breaking, cutting, dressing or curving of bricks, stone, concrete slag or similar materials by means of a hammer, chisel, pick or similar hand tool, or by means of a portable tool driven by mechanical power, and the dry grinding of surfaces of any such material by means of wheel or disc driven by mechanical power where in any of the foregoing cases, particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.

2. Dry grinding of surfaces of metal by applying them by hand to a wheel, disc or hand driven by mechanical power, and of surfaces of metal by means of a portable tool driven by mechanical power.
3. Dividing into separate parts of metal, bricks, stone, concrete or similar materials by means of a high speed saw driven by mechanical power or by means of an abrasive cutting-off wheel or disc driven by mechanical power.
4. Turning of metals or articles of metal, where particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
5. Drilling by means of portable tools, where the particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
6. Welding and cutting of metals by means of an electric, oxy-acetylene or similar process.
7. Hot fettling of steel castings by means of a flux-injected burner or air torch and de-seaming of metal.
8. Fettling of metal castings involving the removal of metal including runners, gates and risers; and removal of any other material during the course of such fettling.
9. Chipping of metal; and chipping, knocking out, cutting out or cutting off of cold rivets, bolts, nuts, lugs, pins, collars or similar articles from any structure or plant, or from part of any structure or plant, by means of a hammer, chisel, punch or similar hand tool, or by means of a portable tool driven by mechanical power.
10. Chipping or scurfing of paint, scale, slag, rust or other corrosion from the surface of metal and other hard materials by means of a hand tool or by a portable tool driven by mechanical power.
11. Breaking of scrap metal by means of a hammer or by means of a tool driven by mechanical power.
12. Routing of metal, where particles or fragments are liable to be thrown off towards the face of the operator in the course of the process.
13. Work with drop hammers and power hammers used in either case for the manufacture of forgings, and work by any person not working with such hammers, whose work is carried on in such circumstances and in such a position that particles or fragments are liable to be thrown off towards his face during work with drop hammers or power hammers.
14. Work at a furnace where there is risk to the eye from molten metal.
15. Pouring or skimming of molten metal.
16. Work involving risk to the eyes from hot sand being thrown off.
17. Truing or dressing of an abrasive wheel.
18. Handling in open vessels or manipulation of strong acids or dangerous corrosive liquids or materials; and operation, maintenance or dismantling of plant or any part of plant, being plant or part of plant which contains or has contained such acids, liquids or materials, unless the plant or part of plant has been so prepared (by isolation, reduction of pressure or otherwise) treated or designed and constructed as to prevent risk of injury.
19. Any other process wherein there is a risk of injury to eyes from particles or fragments thrown off during the course of the process.

SCHEDULE II

1. Welding or cutting of metals by means of an electrical, oxy-acetylene or similar process.
2. All work on furnaces where there is risk of exposure to excessive light or infra-red radiations.
3. Process such as rolling, casting or forging of metals where there is risk of exposure to excessive light or infra-red radiations.
4. Any other process wherein there is risk of injury to eyes from exposure to excessive light or infra-red or ultra-violet radiations.

Minimum dimensions of manholes: Every chamber, tank, vat, pipe, flue or other confined space, which persons may have to enter and which may contain dangerous fumes

to such an extent as to involve risk of the persons being overcome thereby, shall unless there is other effective means of egress, be provided with a manhole which may be rectangular, oval or circular in shape; and which shall—

(a) In the case of a rectangular or oval shape, be not less than 40 cm long and 30 cm wide; and

(b) in the case of a circular shape, be not less than 40 cm in diameter.

Exemptions under

Exemption: The requirements of Sub-Section (4) of Section 37 shall not apply to the Sub-section (5) of following processes carried on in any factory:—Section 37. (a) the operation of repairing a water sealed gas holder by the electric welding process, subject to the following conditions:—

(i) the gas holder shall contain only the following gases separately or mixed at a pressure greater than atmospheric pressure, namely, town gas, coke-oven gas, producer gas, blast furnace gas or gases other than air used in their manufacture;

Provided that this exemption shall not apply to any gas holder containing acetylene or mixture of gases to which acetylene has been added intentionally; and

(ii) Welding shall only be done by the electric welding process and shall be carried out by experienced operatives under the constant supervision of a competent person;

(b) the operations of cutting or welding steel or wrought iron by gas mains and services by the application of heat, subject to the following conditions:

(i) the main or service shall be situated in the open air and it shall contain only the following gases, separately or mixed at a pressure greater than atmospheric pressure, namely; town gas or coke-oven gas, producer gas, blast furnace gas or gases other than air, used in their manufacture;

(ii) the main or service shall not contain acetylene or any gas or mixture of gases to which acetylene has been added intentionally;

(iii) the operation shall be carried out by an experienced person or persons and at least two persons (including those carrying out the operations) experienced in work on gas mains and over 18 years of age shall be present during the operation;

- (iv) the site of the operation shall be free from any flammable or explosive gas or vapour;
- (v) where acetylene gas is used as a source of heat in connection with an operation, it shall be compressed and contained in a porous substance in a cylinder; and
- (vi) prior to the application of any flame to the gas main or service, this shall be pierced or drilled and the escaping gas ignited;
- (c) the operation of repairing an oil tank on any ship by the electric welding process shall be subject to the following conditions:—
 - (i) the only oil contained in the tank shall have a flash point of not less than 65.5 degrees centigrade (close test) and a certificate to the effect shall be obtained from a competent analyst;
 - (ii) the analyst's certificate shall be kept available for inspection by an Inspector , or by any person employed or working on the ship;
 - (iii) the welding operation shall be carried out only on the exterior surface of the tank at a place: (a) which is free from oil or oil leakage in flammable quantities and (b) which is not less than 30 centimetres below the nearest part of the surface of the oil within the tank; and
 - (iv) welding shall be done only by the electric welding and shall be carried out by experienced operatives under the constant supervision of a competent person.

Fire Protection

(1) **Processes, equipment, plant etc.** - Involving serious explosion and serious fire hazards: (a) All processes, storages, equipments, plants etc. involving serious explosion and flash fire hazard shall be located in segregated buildings where the equipment shall be so arranged that only a minimum number of employees are exposed to such hazards at any one time.

(b) All industrial processes involving serious fire hazard shall be located in building or work places separated from one another by walls of fire-resistant construction.

(c) Equipment and plant involving serious fire or flash fire hazard shall wherever possible, be so constructed and installed that in case of fire, they can be easily isolated.

(d) Ventilation ducts, pneumatic conveyors and similar equipments involving a serious fire risk should be provided with flame-arresting or automatic fire extinguishing appliances or fire resisting dampers electrically interlocked with heat sensitive smoke detectors and the air-conditioning plant system.

(e) In all work places having serious fire or flash fire hazards, passages between machines, installations or piles of material should be at least 90 cm. wide. For storage piles, the clearance between the ceiling and the top of the piles should not be less than 2 m.

(2) **Access for fire fighting:** (a) Buildings and plants shall be so laid out and roads, passage ways etc., so maintained as to permit unobstructed access for fire fighting.

(b) Doors and window openings shall be located in suitable positions on all external walls of the building to provide easy access to the entire area within the building for fire fighting.

(3) **Protection against lightning:** Protection from lightning shall be provided for—

(a) buildings in which explosive or highly flammable substances are manufactured, used, handled or stored;

(b) storage tanks containing oils, paints or other flammable liquids;

(c) grain elevators;

(d) buildings, tall chimneys or stacks where flammable gases, fumes, dust or lint are likely to be present; and

(e) sub-station buildings and out-door transformers and switch yard.

(4) **Precaution against ignition:** Wherever there is danger of fire or explosion from accumulation of flammable or explosive substances in air—

(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) workers shall wear shoes without iron or steel nails or any other exposed ferrous materials which is likely to cause spark by friction;

(d) smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;

(e) transmission belts with iron fasteners shall not be used; and

(f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation of ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or , plant, chemical or physical-chemical reaction and radiant heat.

(5) **Spontaneous ignition:** Where materials are likely to induce spontaneous ignition, care shall be taken to avoid formation of air pocket and to ensure adequate ventilation. The material susceptible to spontaneous ignition should be stored in dry condition and should be in heaps of such capacity and separated by such passage which will prevent fire. The material susceptible to ignition and stored in the open shall be at a distance not less than 10 metres away from process or storage buildings.

(6) **Cylinders containing compressed gas:** Cylinders containing compressed gas may only be stored in open if they are protected against excessive variation of temperature, direct rays of sun or continuous dampness. Such cylinders shall never be stored near highly flammable substances, furnaces or hot processes. The room where such cylinders are stored shall have adequate ventilation.

(7) **Storage of flammable liquids:** (a) The quantity of flammable liquids in any work room shall be the minimum required for the process or processes carried on in such room. Flammable liquids shall be stored in suitable containers with close fitting covers;

Provided that not more than 20 litres of flammable liquids having a flash point of 21°C or less shall be kept or stored in any work room.

(b) Flammable liquids shall be stored in closed containers and in limited quantities in well ventilated rooms of fire-resisting construction which are isolated from the remainder of the building by fire walls and self closing fire doors.

(c) Large quantities of such liquid shall be stored in isolated adequately ventilated building of fire resisting construction or in storage tanks, preferably underground and at a distance from any building required in the Petroleum Rules, 1976.

(d) Effective steps shall be taken to prevent leakage of such liquids into basements, sumps or drains and to confine in any escaping liquid within safe limits.

(8) Accumulation of flammable dust, gas, fume or vapour in air or flammable waste material on the floors: (a) Effective steps shall be taken for removal or prevention of the accumulation in the air of flammable dust, gas, fume or vapour to an extent which is likely to be dangerous.

(b) No waste material of a flammable nature shall be permitted to accumulate on the floors and shall be removed at least once in a day or shift, and more often, when possible. Such materials shall be placed in suitable metal containers with covers wherever possible.

(9) Fire exits: (a) In this rule—

(i) "Horizontal exit" means an arrangement which allows alternative egress from a floor area to another floor at or near the same level in an adjoining building or an adjoining part of the same building with adequate separation; and

(ii) "Travel distance" means the distance an occupant has to travel to reach an exit.

(b) An exit may be a door way, corridor, passage-way to an external stairway or to a verandah or to an internal stairway segregated from the rest of building by fire resisting walls which shall provide continuous and protected means of egress to the exterior of a building or to an exterior open space. An exit may also include a horizontal exit leading to an adjoining building at the same level.

(c) Lifts, escalators and revolving doors shall not be considered as exits for the purpose of this sub-rule.

(d) In every room of a factory, exits sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided which shall be free of any obstruction.

(e) The exits shall be clearly visible and suitably illuminated with suitable arrangements, whatever artificial lighting is to be adopted for this purpose, to maintain the required illumination in case of failure of the normal source of electric supply.

(f) The exits shall be marked in a language understood by the majority of the workers.

(g) Iron rung ladders or spiral staircases shall not be used as exit stair cases.

(h) Fire resisting doors or roller shutters shall be provided at appropriate places along the escape routes to prevent spread of fire and smoke particularly at the entrance of lifts or stairs where funnel or flue effect may be created inducing an upward spread of fire.

(i) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.

(j) Exits shall be so located that the travel distance to reach at least one of them on the floor shall not exceed 30 metres.

(k) In case of those factories where high hazard materials are stored or used, the travel distance to the exit shall not exceed 22.5 metres and there shall be at least two ways of escape from every room, however small, except toilet rooms, so located that the point of access thereto are out of or suitably shielded from areas of high hazard.

(l) Wherever more than one exit is required for any room, space or floor, exits shall be placed as remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served.

(m) The unit of exit width used to measure capacity of any exit shall be 50 cm. A clear width of 25 cm shall be counted as an additional half unit. Clear width of less than 25 cm. shall not be counted for exit width.

(n) Occupants per unit width shall be 50 for stairs and 75 for doors.

(o) For determining the exits required, the occupant load shall be reckoned on the basis of actual number of occupants within any floor area or 10 square metres per person, whichever is more.

(p) There shall not be less than two exits serving every floor area above and below the ground floor, and at least one of them shall be an internal enclosed stairway.

(q) For every building or structure used for storage only and every section thereof considered separately, shall have access to at least one exit so arranged and located as to provide a suitable means of escape for any persons employed therein, and in any such room wherein more than ten persons may be normally present, at least two separate means of exit shall be available, as remote from each other as practicable.

(r) Every storage area shall have access to at least one means of exit which can be readily opened.

(s) Every exit doorway shall open into an enclosed stairway, a horizontal exit on a corridor or passageway providing continuous and protected means of egress.

(t) No exit doorway shall be less than 100 cm. in width. Doorways shall be not less than 200 cm. in height.

(u) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door when opened, shall reduce the required width of stairway or landing to less than 90 cm. overhead or sliding doors shall not be installed for this purpose.

(v) An exit door shall not open immediately upon a flight of stairs. A landing of at least 1.5m x 1.5m size shall be provided in the stairway at each doorway. The level of landing shall be the same as that of the floor which it serves.

(w) The exit doorway shall be openable from the side which they serve without the use of key.

(x) Exit corridors and passageways shall be of a width not less than the aggregate required width of exit doorways leading from there in the direction of travel to the exterior.

(y) Where stairways discharge through corridors and passageways, the height of the corridors and passageways shall not be less than 2.4 metres.

(aa) A staircase shall not be arranged round a lift shaft unless the latter is totally enclosed by a material having a fire resistance rating lower than that of the type of construction of the former.

(bb) Hollow combustible construction shall not be permitted.

(cc) The minimum width of an internal staircase shall be 100cm.

(dd) The minimum width of treads without nosing shall be 25cm. for an internal staircase. The treads shall be constructed and maintained in a manner to prevent slipping.

(ee) The maximum height of a riser shall be 19 cm., and the number of risers shall be limited to 12 per flight.

(ff) Hand rail shall be provided with a minimum height of 100cm. and shall be firmly supported.

(gg) The use of spiral staircase shall be limited to low occupant load and to a building of height of 9 metres, unless they are connected to platforms such as balconies and terraces to allow escapees to pause. A spiral staircase shall be not less than 300 cm. in diameter and have adequate head room.

(hh) The width of a horizontal exit shall be same as the exit doorways.

(ii) The horizontal exit shall be equipped with at least one fire door of self closing type.

(jj) The floor area on the opposite or refuge side of a horizontal exit shall be sufficient to accommodate occupants of the floor areas served, allowing not less than 0.3 square metre per person. The refuge area shall be provided with exit adequate to meet the requirements of this sub-rule. At least one of the exits shall lead directly to the exterior or street.

(kk) Where there is difference in level between connected area for horizontal exit, ramps not more than 1 in 8 slope shall be provided. For this purpose steps shall not be used.

(ll) Doors in horizontal exits shall be openable at all times.

(mm) Ramps with a slope of not more than 1 in 10 may be substituted for the requirements of staircase. For all slopes exceeding 1 in 10 and wherever the use is such as to involve danger of slipping, the ramp shall be surfaced with non-slipping material.

(nn) In any building not provided with automatic fire alarm a manual fire alarm system shall be provided if the total capacity of the building is over 500 persons, or if more than 25 persons are employed above or below the ground floor; except that no manual fire alarm shall be required in one-storey buildings where the entire area is undivided and all parts thereof are clearly visible to all the occupants.

(10) First-aid fire fighting arrangements: (a) In every factory there shall be provided and maintained adequate and suitable firefighting equipment for fighting fire

in the early stages, those being referred to as first-aid firefighting equipment in this rule.

(b) The type of first-aid fire fighting equipment to be provided shall be determined by considering the different types of fire risks which are classified as follows:—

(i) Class A fire: Fire due to combustible materials such as wood, textiles, paper, rubbish and the like.

1. "Light hazard": Occupancies like offices, assembly halls, canteens, rest-rooms, ambulance rooms and the like.

2. "Ordinary hazard": Occupancies like saw mills, carpentry shop, small timber yards, book binding shops, engineering workshop and the like.

3. "Extra hazard": Occupancies like large timber yards, godown storing fibrous materials, flour mills, cotton mills, jute mills, large wood working factories and the like.

(ii) Class B fire: Fire in flammable liquids like oil, petroleum products, solvents, grease, paints etc.

(iii) Class C fire: Fire arising out of gaseous substances.

(iv) Class D fire: Fire from reactive chemicals, active metals and the like.

(v) Class E fire: Fire involving electrical equipment and delicate machinery and the like.

(c) The number and types of first-aid fire fighting equipment to be provided for 'light hazard' occupancy shall be as given in Schedule I. For 'ordinary hazard or extra hazard' occupancies equipment as given in [paragraph 12](#) shall be provided in addition to that given in Schedule I.

(d) The first-aid fire fighting equipment shall conform to the relevant Indian Standards.

(e) As far as possible the first-aid fire fighting equipment shall all be similar in shape and appearance and shall have the same method of operation.

(f) all first-aid fire fighting equipment shall be placed in a conspicuous position and shall be readily and easily accessible for immediate use. Generally, these equipments shall be placed as near as possible to the exits or stair landing or normal routes of escape.

(g) All water buckets and bucket pump type extinguishers shall be filled with clean water. All sand buckets shall be filled with clean, dry and fine sand.

(h) All other extinguishers shall be charged appropriately in accordance with the instructions of the manufacturer.

(i) Each first-aid fire fighting equipment shall be allotted a serial number by which it shall be referred to in the records. The following details shall be painted with white paint on the body of each equipment:—

1. Serial number;

2. Date of last refilling; and

3. Date of last inspection.

(j) First-aid fire fighting equipment shall be placed on the platforms or in cabinets in such a way that their bottom is 750 mm above the floor level. Fire buckets shall be

placed on hooks attached to a suitable stand or wall in such a way that their bottom is 750 mm above the floor level. Such equipment if placed outside the building shall be under sheds or covers.

(k) All extinguishers shall be thoroughly cleaned and re-charged immediately after discharge. Sufficient refill material shall be kept readily available for this purpose at all times.

(l) All first-aid fire fighting equipment shall be subjected to routine maintenance, inspection and testing to be carried out by properly trained persons. Periodicity of the routine maintenance, inspection and test shall conform to the relevant Indian Standards.

(11) Other fire-fighting arrangements: (a) In every factory adequate provision of water supply for fire fighting shall be made and where the amount of water required in litres per minute, as calculated from the formula $A+B+C+D$ divided by 20 is 550 or more, power driven trailer pumps of adequate capacity to meet the requirement of water as calculated above shall be provided and maintained.

In the above formula:—

A= The total area in m^2 (square metres) of all floors including galleries in all buildings of the factory;

B= The total area in m^2 of all floors and galleries including open spaces in which combustible materials are handled or stored;

C= The total area in m^2 of all floors over 15 metres above ground floor level; and

D= The total area in m^2 of all floors of all buildings other than those of fire resisting construction.

Provided in areas where the fire risk involved does not require use of water, such areas under B, C or D may, for the purpose of calculation, be halved.

Provide further that where the areas under B, C or D are protected by permanent automatic fire-fighting installations approved by any fire association or fire insurance company, such areas may, for the purpose of calculation, be halved.

Provided also that where the factory is situated at not more than 3 Kilometres from an established city or town fire service, the pumping capacity based on the amount of water arrived at by the formula above may be reduced by 25%;but no account shall be taken of this reduction in calculating water supply required under clause(a).

(b) Each trailer pump shall be provided with equipment as per Schedule II appended to this rule. Such equipment shall conform to the relevant Indian Standards.

(c) Trailer pumps shall be housed in a separate shed or sheds which shall be sited closed to a principal source of water supplies in the vicinity of the main risks of the factory.

(d) In factories where the area is such as cannot be reached by man-hauling of trailer pumps within reasonable time vehicles with towing attachment shall be provided at the scale of one for every four trailer pumps with a minimum of one such vehicle kept available at all times.

(e) Water supply shall be provided to give flow of water as required under clause (a) for at least 100 minutes. At least 50% of this water supply or 450,000 litres whichever

is less, shall be in the form of static tanks of adequate capacities (not less than 450,000 litres each) distributed round the factory, with due regard to the potential fire risks in the factory. (Where piped supply is provided, the size of the main shall not be less than 15 centimetres diameter and it shall be capable of supplying a minimum of 4,500 litres per minute at a pressure of not less than 7 Kilograms per square centimetre)

(f) All trailer pumps including the equipment provided with them and the vehicles for towing them shall be maintained in good condition and subjected to periodical inspection and testing as required.

(12) Personnel in charge of equipment and for fire-fighting, fire drills etc.:—

(a) The first-aid and other fire fighting equipment to be provided as required in sub-rules (10) and (11) shall be in charge of a trained responsible person.

(b) Sufficient number of persons shall be trained in the proper handling of fire-fighting equipment as referred to in clause (a) and their use against the types of fire for which they are intended to ensure that adequate number of persons are available for fire fighting both by means of first-aid fire fighting equipment and others. Such persons shall be provided with clothing and equipment including helmets, belts and boots, preferably gumboots. Wherever vehicles with towing attachments are to be provided as required in clause (d) of sub-rule (11), sufficient number of persons shall be trained in driving these vehicles to ensure that trained persons are available for driving them whenever the need arises.

(c) Fire-fighting drills shall be held as often as necessary and at least once in every period of two months.

(13) Automatic sprinklers and fire hydrants shall be in addition and not in substitution of the requirements in sub-rules (10) and (11).

(14) If the Chief Inspector cum- Facilitator is satisfied in respect of any factory or any part of the factory that owing to the exceptional circumstances such as inadequacy of water supply or infrequency of the manufacturing process or for any other reason, to be recorded in writing, all or any of the requirements of the rules are impracticable or are not necessary for the protection of workers, he may by an order in writing (which he may at his discretion revoke) exempt such factory or part of the factory from all or any of the provisions of the rules subject to conditions as he may by such order prescribe.

SCHEDULE I

First-aid fire fighting equipments

(1) The different types of first-aid fire fighting equipment suitable for use on them are as follows:—

Class of fire	Suitable type of appliances
A Fires in ordinary combustibles (Wood, vegetable fibres, paper and the like)	Chemical Extinguishers of Soda-acid, gas-expelled water and anti-freeze types and water buckets.
B Fires in flammable liquids, paints,	Chemical Extinguishers of

grease, Solvents and the like.	foam,carbondioxide and dry powder types and sand buckets
C Fires in gaseous substances under pressure.	Chemical Extinguishers of carbon dioxide and dry powder types
D Fires in reactive chemicals, active metals and the like.	Special types of dry powder Extinguishers and sand buckets
E Fires in electrical equipments	Chemical Extinguishers of carbon dioxide and dry powder type and sand buckets.

(2) One 9 litre bucket shall be provided for every 100 sq.m. of the floor area or part thereof and one 9 litres water type Extinguisher shall be provided to six buckets or part thereof with a minimum of one Extinguisher and two buckets per compartment of the building. Buckets may be dispensed with, provided supply of Extinguishers is double that indicated above.

(3)Acceptable replacements for water buckets and water type extinguishers in occupancies where Class B fires are anticipated, are as under:-

Acceptable Replacements	Buckets of water	Water type Extinguishers
For one bucket	For three buckets	For each 9litres(2 gallons)Extinguisher
Dry sand 1 bucket	3 buckets	-----
Carbondioxide 3 Kg.(7lbs) Extinguishers	9 Kg(20 lbs) [In not less than 2 extinguishers]	9Kg(20lbs)
Dry powder extinguishers 2 Kg (5 lbs)	5 Kg (11 lbs) [In one or more extinguishers]	5Kg (11 lbs)
Foam extinguishers 9litres (2 gallons)	9litres (2 gallons)	9 litres (2 gallons)

(4) The following provisions shall be complied with where Class E fires are anticipated:

(a) For rooms containing electrical transformers, switchgears, motors and/ or other electrical apparatus only, not less than two 2-Kg. Dry powder or Carbon Dioxide type extinguishers shall be provided within 15 m. of apparatus.

(b) Where motors and/ or other electrical equipments are installed in rooms other than those containing such equipment only, one 5kg. Dry powder or Carbon Dioxide Extinguisher shall be installed within 15 m. Of such equipment in addition to the requirements as mentioned at (2) and (3) above. For this purpose the same

extinguisher may be deemed to afford protection to all apparatus within 15 m. thereof.

(c) Where electrical motors are installed on platform, one 2-kg. Dry Powder or Carbon Dioxide type extinguisher shall be provided on or below each platform. In case of a long platform with a number of motors, one extinguisher shall be acceptable as adequate for every 3 motors on the common platform. The above requirements will be in addition to the requirements mentioned at items (2) and (3) above.

(5) The first-aid fire fighting equipments shall be so distributed over the entire floor area that a person has to travel not more than 15 m. to reach the nearest equipment.

(6) Selection of sites for the installation of first-aid fire fighting equipments:—

(a) While selecting sites for first-aid fire fighting equipments, due consideration shall be given to the nature of the risk to be covered. The equipments shall be placed in conspicuous position and shall be readily accessible for immediate use in all parts of the occupancy. It should always be borne in mind while selecting sites that first-aid fire fighting equipments are intended only for use on incipient fires and their value may be negligible if the fire is not extinguished or brought under control in the early stages.

(b) Buckets and extinguishers shall be placed at convenient and easily accessible locations either on hangers or on stands in such a way that their bottom is 750 mm above the floor level.

(7) The operating instructions of the extinguishers shall not be defaced or obliterated. In case the operating instructions are obliterated or have become illegible due to passage of time, fresh transfers of the same shall be obtained from the manufacturers of the equipments and affixed to the extinguishers.

SCHEDULE II

Equipments to be provided with Trailer Pump

For light trailer pump of a capacity of 680 litres/minute:-

No.	Description	No.	Description
1-	Armoured suction hose of 9 metres length, with wrenches	1-	Fire hook (Preventor) with cutting edge.
		1-	25 mm manila rope of 30 metres length.
1-	Metal suction strainer.		
1-	Basket strainer.	1-	Extension ladder of 9 metres length (Where necessary)
1-	Two-way suction collecting head	1-	Heavy axe.
1-	Suction adapter	1-	Spade.
10-	Unlined or rubber-lined 70 mm delivery hose of 25 metres length complete with quick-release couplings	1-	Pick axe
1-	Dividing breaching-piece	1-	Crowbar.

2-	1 Branch-piece with 15 mm nozzles	1-	Saw.
1-	Diffuser nozzle	1-	Hurricane lamp
1-	Stand pipe with blank cap	1-	Electric torch.
1-	Hydrant key.	1-	Pair Rubber gloves
4-	Collapsible canvas buckets		

For large trailer pump of capacity of 1800 litres/minute.

1 -	Armoured suction hose of 9 metres length with wrenches.	1 -	Coiling hook (preventor) with cutting edge.
1 -	Metal strainer.	1 -	50mm manila rope of 30 m length
1 -	Basket strainer.	1 -	Extension ladder of 9m length (where necessary)
1 -	Three-way suction collecting head.	1 -	Heavy axe
1 -	Suction adaptor.	1 -	Spade
14 -	Unlined or rubber-lined 70 mm delivery hose of 25 m length complete with quick-release couplings	1 -	Pick axe.
1 -	Dividing breathing-piece	1 -	Crowbar.
1 -	Collecting breathing piece	1 -	Saw.
4 -	Branch pipes with one 25 mm, two 20 mm and one diffuser nozzles	1 -	Hurricane lamp.
2 -	Stand pipe with blank caps.	1 -	Electric torch.
2 -	Hydrant keys	1 -	Pair rubber gloves
6 -	Collapsible canvas buckets.		

Note: If it appears to the Chief Inspector- cum- Facilitator of Factories that in any factory the provision of breathing apparatus is necessary, he/she may, by order in writing require the occupier to provide suitable breathing apparatus in addition to the equipment for light trailer pump or large trailer pump, as the case may be.

PART-VI PLANTATION

105. Housing accommodation for workers under sub-section (1) of Section 92.-

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

106. Standard and specification of housing accommodation under Section 92.-

All housing accommodation for workers in a plantation shall conform to such standards and specifications as may be approved by the State Government on the recommendation of the Board constituted under Section 17.

107. Sites for housing accommodation under Section 92.- (1) The housing accommodations shall be provided on dry well-drained land which is consistent with the requirement regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance.

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

(3) 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.

(4) 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.

(5) Adequate facilities of toilets with sewage disposal shall be ensured by the employer.

108. Maintenance of houses under Section 92.- (1) The employer shall, at his own expenses, maintain all houses provided for accommodation of workers in a fit and safe condition and execute annual and such other repairs as may be necessary from time to time.

(2) A worker occupying a house may, and an Inspector-cum-Facilitator appointed under the Code shall, bring to the notice of the employer any defect in the condition of a house which makes it dangerous to the health and safety of the worker. It shall be the duty of the employer to rectify the same at the earliest.

(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 in a register.

(4) If any employer fails to comply with the requirements of sub-rules (1), (2) or (3), the Chief Inspector-cum-Facilitator may cause repairs to be done and realise the cost thereof from the employer as arrears of land revenue.

109. Accommodation to be rent free under Section 92.- No rent shall be charged by an employer for the housing accommodation provided to workers and their families residing in his plantation.

110. Occupation of accommodation after termination of employment under Section 92.- (1) 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 detail below—

(i) in the case of death, transfer, termination of service, retirement or resignation, a period not exceeding two months;

(ii) in the case of leave, for the period of leave; and

(iii) in the case where the discharge of a worker is disputed and the matter has been taken to an Industrial Tribunal or Court, for so long as the case is not finally disposed off.

(2) If a worker fails to vacate the house on the expiry of the period mentioned above and continues to occupy the same when no member of his family is working, he shall

be liable to pay to the employer such rent at a rate not exceeding ten percent of his wages as may be fixed by the Chief Inspector-cum-Facilitator.

111. Benefit of sickness under Section 92.-

(1) Every worker shall be entitled to obtain sickness allowance from his employer for each day of certified sickness for a total period of fourteen days in a year at the rate of wages paid normally;

Provided however, that where under existing provisions under any law the sickness allowance is higher, workers shall not, by the dint of this rule, be deprived of such higher allowance.

(2) Sickness allowance specified in sub-rule (1) shall be paid at the option of the worker either at the time of payment of weekly advances on account of wages or along with the first installment of wages payable to the worker after he resumes his work on recovery from certified sickness.

(3) The certificate of sickness shall be issued by the Medical Officer or qualified medical practitioner appointed by the employer to every worker entitled to obtain sickness allowance.

(4) No sickness allowance shall be paid to a worker if he attends to work on any day for which he has been granted sickness allowance.

112. Crèche for Plantation Workers under Section 92.- (1) In every plantation wherein fifty or more workers are employed or were employed on any day of the preceding twelve months, the employer shall provide and maintain creche for the use of the children who are between the age of 2 and 6 years.

(2) Every crèche shall be conveniently accessible to the parents of the children accommodated therein.

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

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

(5) The plan of the crèche building shall be in accordance with the standard plan or plans laid down by the Chief Inspector-cum-Facilitator.

(6) The crèche shall be furnished with suitable furniture such as cots to lie down, benches to sit, a hammock for each child below the age of two years, etc., and provided with toys and other play things as may be specified by the Chief Inspector-cum-Facilitator with the prior approval of the State Government.

(7) A suitably fenced and shady open air play-ground shall be provided for the children.

(8) The employer shall appoint a woman as Crèche-in-charge to look after children during the absence of their parents, who shall possess such qualifications and training as may be approved by the State Government.

113. Educational facilities for worker's children under Section 92.-

(1) Every employer shall, if the number of workers children between the ages of six and twelve in his plantation exceeds twenty five, provide and maintain a Primary School 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 or within a distance of one kilometer from the place where workers reside in his plantation.

(2) Equipment in school.- The employer or employers, as the case may be shall provide for every Primary School maintained under sub-rule (1) such educational and other equipment as may be considered necessary by the State Education Department.

114. Fee to be charged under Section 92.- No fees shall be charged from the workers' children attending the Primary School.

115. Recreational facilities under Section 92.- (1) Every employer shall provide and maintain,-

(i) recreation centre to the scale of one for every one hundred and seventy-five families of resident workers or part thereof with provision for a television with dish connection and indoor games for workers and their families and such other facilities, as may be specified by the Chief Inspector-cum-Facilitator, with prior approval of the State Government; and

(ii) a playground or playgrounds for workers and their families with necessary sports equipment for out-door games:

(2) Every recreation centre to be provided and maintained shall be conveniently situated as near as possible to the worker's quarters.

116. Safeguards for women and adolescent in using or handling hazardous substances under sub-section(2) of Section 93.- No pregnant woman or adolescent shall be allowed to handle any hazardous substance.

117. Qualifications to supervise the use, handling, storage and transportation of insecticides, chemicals and toxic substances in the plantation of the employer under sub-section(2) of Section 93.- For the purposes of sub-section (3) of Section 93, no person shall be appointed by an employer unless such person is,-

(i) in possession of B.Sc. in Chemistry or Agriculture;

(ii) able to speak and understand the language of workers; and

(iii) having an experience of three years in such field.

118. Safety measures and safe work practices under sub-section(4) of Section 93.- The following safety measures and safe work practices with respect to the location, security and access to storage of insecticides, chemicals and toxic substances shall be ensured by the employer, namely:-

(a) the store or storage area shall be separate from other buildings, dwellings, storage of foodstuffs;

(b) accidental or unauthorized access to the storage area shall be prevented;

(c) the store shall be kept locked and fitted with a child proof latch to prevent risks to children, visitors to the workplace, and members of the public who are not familiar with the hazards of insecticides, chemicals and toxic substances;

(d) adequate natural or mechanical ventilation shall be provided;

- (e) impervious floors with drainage into a sump concrete door sills concrete or block walls to a sufficient height to contain spills impervious shelving;
- (f) the walls (or bund) and door sill shall be high enough to contain spillage of twenty five per cent of the total volume of packaged liquid pesticides;
- (g) provision shall be made for drainage of spills and clean up water into a sump or pit that can contain the insecticides, chemicals and toxic substances, clean up materials and the wash water;
- (h) supply of wash water shall be made readily available;
- (i) good natural cross-flow ventilation shall be provided with vents in opposite walls, above bund height;
- (j) substances shall be stored at a cool temperature to prevent deterioration; and
- (k) the products shall be protected from moisture so that packaging and labelling does not deteriorate.

119. Medical examination and health record of plantation workers under sub-section (5) and (6) of Section 93.-

(1) Every worker employed in a plantation, who is exposed to insecticides, pesticides, chemicals and toxic substances shall be medically examined by a qualified medical practitioner in the following manner, namely:-

- (i) once before employment, to ascertain physical fitness of the person to do the particular job;
- (ii) once in a period of twelve months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed; and
- (iii) the details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the health register in **Form-47**.

(2) No person shall be employed for the first time without a certificate of Fitness in **Form-48** granted by the qualified medical practitioner. If the qualified medical practitioner declares a person unfit for being employed, such a person shall have the right to appeal to the Inspector-cum-Facilitator who shall refer the matter to the Medical Officer whose opinion shall be final in this regard.

(3) Any finding of the qualified medical practitioner revealing any abnormality or unsuitability of any person employed shall immediately be reported to the Medical Officer who shall in turn, examine the concerned worker and communicate his findings to the employer within thirty days. If the Medical Officer is of the opinion that the worker so examined is required to be taken away from the employment for health protection, he will direct the employer accordingly, who shall not employ the said worker in the same employment.

However, the worker so taken away shall be provided with alternate placement unless he is fully incapacitated in the opinion of the Medical Officer in which case the worker affected shall be suitably rehabilitated.

(4) The workers taken away from employment under sub-rule (3) may be employed again in the same employment only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the health register.

(5) A copy of the upto date health records including the record of worker's exposure to insecticides, pesticides, chemicals and toxic substances or, as the case may be, the medical records shall be supplied to the worker on receipt of an application from him. X-ray plates and other medical diagnostic reports may also be made available for reference to his qualified medical practitioner.

120. Washing, bathing and cloak-room facilities to plantation workers under clause (a) of sub-section (7) of Section 93.-

(1) There shall be provided and maintained in every plantation for the use of all the workers taps for washing, at the rate of one for every fifteen persons including liquid soap in a container with tilting arrangements and nail brushes or other suitable means for effective cleaning. Such facilities shall be conveniently accessible and shall be kept in a clean and hygienic condition.

(2) If washing facilities as required above are provided for women, such facilities shall be separate for them and adequate privacy at all times shall be ensured in such facilities.

(3) Every employer of a plantation where the workers engaged therein are handling insecticides, pesticides, chemicals and toxic substances and fifty workers or more are employed, shall provide for all the workers working in a shift, mess room facilities which are well ventilated and provided with tables and sitting facilities along with the provision of cold and hygienic drinking water facilities.

(4) The facilities mentioned in sub-rule (3) shall include suitable arrangements for cleaning and washing and shall be maintained in a clean and hygienic condition.

(5) Every employer of a plantation where the workers engaged therein are handling insecticides, pesticides, chemicals and toxic shall provide for cloakroom facilities with lockers. Each worker shall be provided with two lockers, one for work clothing and another separately for personal clothing and the lockers should be such as to enable the keeping of the clothing in a hanging position.

(6) The cloak room facilities provided under sub-rule (5) shall be located, as far as possible, near to the facilities provided for washing under sub-rule (1). If it is not possible to locate the washing facilities near to the cloakroom, then the cloakroom shall have adequate and suitable arrangements for cleaning and washing.

121. Protective clothing and equipment to plantation workers under clause (b) of sub-section (7) of Section 93.- When choosing Personal Protective Equipments in accordance with the label, Material Safety Data Sheet and risk assessment, the following items shall be considered, namely:-

- (a) cotton overalls buttoned to the neck and wrist;
- (b) pesticide resistant water-proof aprons when mixing or pouring concentrate;
- (c) gloves (pesticide resistant), preferably gauntlets, to be worn when handling or using chemicals;
- (d) a wide brim washable hat; if contaminated, the hat should be removed immediately and washed before re-use;
- (e) boots such as rubber or Polyvinyl chloride; waterproof leggings providing additional protection, leather boots which can absorb pesticide and prevent exposure during high volume applications;

- (f) face shield or splash proof goggles when mixing or pouring;
- (g) goggles and appropriate approved respirator, especially if exposure to spray drift is likely; and
- (h) full face air -line respirator when working in enclosed spaces, depending on the label and Material Safety Data Sheet self contained breathing apparatus for entry into confined spaces.

122. Precautionary notices in plantation under sub-section (9) of Section 93.- Precautionary notice in the form specified below and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the plantation where it can be easily and conveniently read by the workers.

PRECAUTIONARY NOTICE

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

Chapter IX

OFFENCES AND PENALTIES

123. Officer and manner for holding enquiry.-(1) For the purpose of subsection (1) of Section 111, an officer not below the rank of Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya shall be appointed for holding enquiry within his jurisdiction.

(2) The officer referred to in sub-rule (1), upon acquiring the knowledge of an offence under the Code, shall serve a notice, within seven days of such knowledge, on the person who is alleged to have committed an offence.

(3) The person on whom notice has been served under sub-rule (2) shall submit his reply within the period specified in the notice.

(4) The officer referred to in sub-rule (1), may call any person to appear before him along with any record or document required for the purpose of enquiry he is holding.

(5) The officer referred to in sub-rule (1), shall complete enquiry within sixty days from the start of such enquiry and pass a speaking order.

(6) The amount of penalty imposed and received under Section 111 shall be credited to the fund established under sub-section (1) of Section 115 and record of such receipt shall be maintained in **Form-51**.

124. Appellate Authority and manner of appeal.-(1) For the purpose of sub-section (3) of Section 111, an officer not below the rank of Commissioner & Secretary to the

Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya, shall be appointed as the Appellate Authority for hearing appeal within his jurisdiction.

(2) The aggrieved person may prefer an appeal to the officer referred to in sub-rule (1) in **Form-52** within the period specified in sub-section (3) of Section 111.

(3) A fee at the rate of two percent of penalty imposed under Rule 131 shall be accompanied by appeal which shall be paid on portal and shall be credited to the treasury in the head of the account as may be specified by the State Government from time to time.

125. Officer and manner of composition of certain offences under Section 114.-

(1) An officer as given below in the table shall be the officer for composition of certain offences, namely:-

Serial No.	Officer authorized to compound	Sections for which officer is authorized to compound
1	officer not below the rank of Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya	97, 100(1), 101, 102, 103(1), 104, 105, 106, 113(2), 114(3)
2	an officer not below the rank of Commissioner & Secretary to the Government of Meghalaya, Department of Labour, Employment & Skill Development, Government of Meghalaya	12(3), 94, 95, 96, 98, 99, 103(2), 106, 46, 47, 54, 55, 56, 57, 100(1), 104, 106

(1) Any person seeking composition of penalty or offence as specified in sub-rule (1) shall file an application in **Form-53** to the concerned officer mentioned in sub-rule (1).

(2) The concerned officer mentioned in sub-rule (1) shall take decision within seven days from receipt of application under sub-rule (2).

(3) The concerned officer mentioned in sub-rule (1) may authorize any officer of factory wing of the Labour Department to submit copy of decision of composition before the officer who imposed penalty or the court where prosecution is instituted

(4) The amount of composition received during the month shall be credited to the fund mentioned in sub-section (1) of Section 115 for the unorganized workers, before the 7th day of the succeeding month.

(5) The amount of composition received and credited shall be recorded in a register to be maintained in **Form-54**.

CHAPTER- X
SOCIAL SECURITY FUND

- 126. Social security fund under Section 115.**- (1) The Chief Inspector-cum-Facilitator shall maintain record of the social security fund, in **Form-55**.
- (2) The social security fund administered shall be credited to the Meghalaya Unorganized Workers Social Security Board constituted under the Code on Social Security (Meghalaya) Rules, 2023.
- (3) The social security fund may also be expended on welfare schemes of the Meghalaya Unorganized Workers Social Security Board.
- (4) The other sources of social security fund shall be,-
- (i) the grants and subsidies given by the Central or State Government;
 - (ii) all voluntary donations; and
 - (iii) ten rupees per worker to be paid by the employer of every establishment at the time of its registration.
 - (iv) or such other sources as may be notified by the State Government from time to time.

CHAPTER-XI
MISCELLANEOUS

- 127. Common License for contractor, factories and to industrial premises, etc. under sub-section (2) of Section 119.**- (1) If a person desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under sub-section (1) or sub-section (2) of Section 47 in more than one districts or for the whole State then he shall apply electronically on the designated portal of the State Government in **Form-34** for the purpose of licence in respect of industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works.

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

- (2) If a person or contractor desirous of obtaining common licence in respect of factories, industrial premises for beedi and cigar work or for supplying or engaging contract labour; or undertaking or executing the contract works or any combination thereof under sub-section (1) or sub-section (2) of Section 47 limited to a single jurisdiction, then he shall apply electronically on the designated portal of the State Government in **Form-34** to the licensing authority appointed by the State Government by notification in this behalf under sub- section (1) of Section 119 of this code.

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

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

128. Actions, manner of taking actions and inquiry under sub-section (3) of Section 119.— Where the Authority referred to in sub section (3) of Section 119 is satisfied that the common licence may be issued in respect of factory, industrial premises and for construction establishment engaging contract worker or any combination thereof, a single licence for any one of them under these rules shall be issued in **Form-34** electronically within 45 days of the receipt of the said application. In case the Authority rejects the application, he shall assign the reasons for such rejection and communicate to the party within the above mentioned period electronically.

129. The form of appeal, the fee to be accompanied there with and the appellate authority under sub-section (6) of Section 119.— (1) Any person aggrieved by an order passed under this section by the licensing authority referred to Rule 133, shall prefer an appeal before the Principal Secretary, Labour and ESI Department, Government of Meghalaya.

(2) Any person aggrieved by an order passed under this section by the licensing authority referred to Rule 133, shall prefer an appeal before the Labour Commissioner, Meghalaya or the Chief Inspector cum facilitator of Boilers & Factories, Meghalaya, as the case may be.

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

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

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

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

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

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

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

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

135. Repeal and savings.-

- (i) The Meghalaya Factories Rules, 1980.
- (ii) The Meghalaya Control of Industrial Major Accident Hazards Rules, 1994.
- (iii) The Contract Labour (Regulation and Abolition) Assam Rules, 1971 (adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (iv) The Assam Motor Transport Workers Rules, 1962 (Adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (v) The Assam Beedi and Cigars Workers (Condition of Employment) Rules, 1968, (Adapted from Assam) vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (vi) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Meghalaya Rules, 1985.
- (vii) The Assam Plantation of Labour Rules, 1956 (Adapted from Assam)vide The State of Meghalaya Adaption of Laws Order (No1), 1974.
- (viii) The Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008 are hereby repealed:

Provided that, the said repeal shall not affect, -

- (a) The previous operation of the said Rules or anything duly done or suffered there under, or
- (b) Affect any right, liability or obligation acquired, occurred or incurred under the said Rules.

SCHEDULE-C

[See rule 2(zm)]

[Part-I]

(a) **Toxic Chemicals:** Chemical having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

S.No.	Toxicity	Oral Toxicity LD ₅₀ (mg/Kg)	Dermal Toxicity LD ₅₀ (mg/Kg)	Inhalation Toxicity LD ₅₀ (mg/Kg)
1	Extremely toxic	>5	<40	<0.5
2	Highly toxic	>5-50	>40-200	<0.5-2.0
3	Toxic	>50-200	>200-1000	>2-10

(b) Flammable Chemicals:

(i) **flammable gases:** Gases which at 20°C and at standard pressure of 101.3KPa are :-

- (a) ignitable when in a mixture of 13 percent or less by volume with air, or ;
- (b) have a flammable range with air of at least 12 percentage points regardless of the lower flammable limits.

Note : The flammability shall be determined by tests or by calculation in accordance with methods adopted by International Standards Organization ISO Number 10156 of 1990 or by Bureau of Indian Standard ISI Number 1446 of 1985.

(ii) **extremely flammable liquids :** chemicals which have flash point lower than or equal to 23°C and boiling point less than 35°C.

(iii) **very highly flammable liquids :** chemicals which have a flash point lower than or equal to 23°C and initial boiling point higher than 35°C.

(iv) **highly flammable liquids :** chemicals which have a flash point lower than or equal to 60°C but higher than 23°C.

(v) **flammable liquids :** chemicals which have a flash point higher than 60°C but lower than 90°C.

(c) **Explosives :** explosives mean a solid or liquid or pyrotechnic substance (or a mixture of substances) or an article.

(a) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings ;

(b) which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self sustaining exothermic chemical reaction.

[PART II]

List of Hazardous and Toxic Chemicals

Sl.	Name of the Chemical
1	Acetaldehyde
2	Acetic acid
3	Acetic anhydride
4	Acetone
5	Acetone Cyanohydrine
6	Acetone thiosemicarbazide
Sl.	Name of the Chemical

7	Acrylonitrile
8	Acetic acid
9	Acetic anhydride
10	Acetone
11	Acetone Cyanohydrin
12	Acetone thiosemicarbazide
13	Acetylene Chloride
14	Acetone (Ethyne)
15	Acrolein (2-Propenal)
16	Aldicarb
17	Sldrine
18	Alkyl Phthalate
19	Allyl Alcohol Acid and Salts.
20	Allylamine
21	Alpha Naphthyl Thiourea (Antu)
22	4-Aminodiphenyl Asbestos
23	2-Aminophenol
24	Amiton
25	Ammonia
26	Ammonium Nitrate
27	Ammonium Nitrate in Fertilizers
28	Ammonium Sulfamate
29	Anabasine
30	Aniline
31	p-Anisidine
32	Antimony & Compounds
33	Antimony Hydride (Stibine)
34	Arsenic Hydride (Arisine)
35	Arsenic Pentoxide, Arsenic (v)
36	Arsenic Trioxide, Arsenious (III)
37	Acid and Salts
38	Azinphos-Ethyl
39	Azinphos-Methyl
40	Barium Azide
41	Benzene
42	Benzidine
43	Benzidine Salts
44	Benzoquinone
45	Benzoyl Chloride
46	Benzoyl Peroxide
47	Benzyl Chloride
48	Benzyl Cyanide
49	Beryllium (Powders, Compounds)
50	Biphenyl
51	Bis (2-Chloromethyl) Ketone
52	Bis (2, 4, 6-Trinitrophenyl) Amine
53	Bis (2-Chloroethyl) Sulphide
54	Bis (Chloromethyl) Ether
55	2, 2-Bis (Tert-Butylperoxy) Butane
56	1, 1 -Bis (Tert-Butylperoxy) Cyclonexane
57	Bis-1,2 (Tribromophenoxy) Ethane
58	Bisphenol
Sl.	Name of the Chemical

59	Boron and Compounds
60	Bromine
61	Bromine Pentafluoride
62	Bromoform
63	1, 3-Butadiene
64	Butane
65	N-Butanethiol
66	2-Butanone
67	Butoxy Ethanol
68	Butyl Glycidal Ether
69	Tert-Butyl Peroxacetate
70	Tert-Butyl Peroxyisobutyrate
71	Tert-Butyl Peroxyisopropyl Carbonate
72	Tert-Butyl Peroxymalate
73	Tert-Butyl Peroxypivalate
74	Butyl Vinyl Ether Acids and Salts
75	Butyamine
76	C9-Aromatic Hydrocarbon Fraction
77	Cadmium and Compounds
78	Cadmium Oxide (Fumes)
79	Calcium Cyanide
80	Captan
81	Captofol
82	Carbaryl (Sevin)
83	Cabofuran
84	Carbon Disulphide
85	Carbon Monoxide
86	Carbon Tetrachloride
87	Carbophenothion
88	Cellulose (use in explosives)
89	Chlorates (use in explosives)
90	Chlordane
91	Chlorfenvinphos
92	Chlorinated Benzenes
93	Chlorine
94	Chlorine Dioxide
95	Chlorine Oxide
96	Chlorine Trifluoride
97	Chlormequate Chloride
98	Chloroacetal Chloride
99	Chloroacetaldehyde
100	2-Chloroaniline
101	4-Chloroaniline
102	Chlorobenzene
103	Chlorodiphenyl
104	Chloroepoxypropane
105	Chloroethanol
106	Chloroethyl Chloroformate
107	Chlorofluorocarbons
108	Chloroform

Sl.	Name of the Chemical
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109	4-(Chloroformyl) Morpholine
110	Chloromethane
111	Chloromethyl Ether
112	Chloronitrobenzene
113	Chloroprene
114	Chlorosulphuric Acid
115	Chloroprintroobenzene
116	Chloroxuron
117	Chromium and Compounds
118	Cobalt and Compounds
119	Copper and Compounds
120	Coumafuryl
121	Coumaphos
122	Coumatetralyl
123	Crimidine
124	Crimidine
125	Cumene
126	Cyanophos
127	Cyanotheate
128	Cyanuric Fluoride
129	Cyclehexane
130	Cyclohexanol
131	Cyclohexanone
132	Cyclphexamide
133	Cyclopentadiene
134	Cyclopentane
135	Cyclotetranethyleneterranitramine
136	Cyclototimethylenetrinitra
137	DDT
138	Decabromodiphenyl Oxide
139	Demeton
140	Di-Isobutyryl Peroxide
141	Di-n-Propyl Peroxydicarbonate
142	Di-sec-Butyl Peroxydicarbonate
143	Dialifos
144	Diazedinitrophenol
145	Diazomethane
146	DibenzylPeroxycarbonate
147	Dichloroacetylene
148	O-Dichlorobenzene
149	P-Dichlorobenzene
150	Dichloroethane
151	Dischloroethyl Ether
152	2, 4-Dichlorophenol
153	DiprophyleneGlycolmethylether
154	2, 4 Dichlorophenoxy Acetic Acid(2,4-D)
155	1, 2-Dichlorosalicylic Acid
156	3, 5-Dichlorosalicylic Acid
157	Dichlorovos (DDVP)
158	Dicrotophos

Sl.	Name of the Chemical
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159	Dieldrin
160	Diepoxybutane
161	Diethyl Peroxydicarbonate
162	Diethylene Glycol Dinitrate
163	DiethyleneTriamine
164	Diethyleneglycol Butyl 1 Ether/ Diethyleneglycol Butyl Acetate
165	Diethylenetriamine (Deta)
166	Diglycidyl Ether
167	2, 2-Dihydroperoxypropone
168	Disobutryl Peroxide
169	Dimefox
170	Dimethoate
171	Dimethyl Phosphoramidosyanidic Acid
172	Dimethyl Phthaiate
173	Dimethylcarbomoyl Chloride
174	Dimethylnitrosomine
175	Dinitrophenol Salts
176	Dinitrotoluene
177	Diitro-o-Cresol
178	Dioxane
179	Dioxathion
180	Dioxolane
181	Diphacinone
182	Diphosphoramie Octamethyl
183	Disulfoton
184	Formaldehyde
185	Endosulfan
186	Endrin
187	Epichlorophydrine
188	EPN
189	1, 2-Epoxypropane
190	Ethion
191	Ethyl Carbamate
192	Ethyl Either
193	Ethyl Haxanol
194	Ethyl Mercaptan
195	Ethyl Methacrylate
196	Ethyl Nitrate
197	Ethylene
198	Ethylene Chlorophydrine
199	Ethylene Diamine
200	Ethylene Dibromide
201	Ethylene Cichloride
202	Ethylene Glycol Dinitrate
203	Ethylene Oxide
204	Ethylene Limine
205	Fluenetil
206	Pensulphothion
207	Flenetil
208	4-Fluoro, 2-Hodroxybutyric Acid and Salts, Esters, Amides,

Sl.	Name of the Chemical
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209	Fluoroacetic Acid and Salts, Esters, Amides
210	Fluorobutyric Acid and Salts, Esters, Amides
211	4 Fluorochrotonic Acid and Salts, Esters, Amides
212	Glyconitrile (Hydroxyacetonitrile)
213	1, Guanyl-4 Nitrosamiaoguanyl 1-Tetrazene
214	Heptachlor
215	Hexachloro Cyclopentadiene
216	Hexachlorocyclohexane
217	Hexachlorocyclohexane
218	1, 2, 3, 7, 8, 9-Hexachloro-2,3,7,8-tetrachlorodibenzo-p-dioxin
219	Hexafluoropropene
220	Hexamethylphosphoramide
221	3, 3, 6, 6, 7, 8, Hexamethyl 1, 2, 4, 5, Tetraoxacycloheptane
222	Hexamethylenediamine
223	Hexane
224	2, 2, 4, 4, 6, 6-Hexanitrostilbene
225	Hexavalent Chromium
226	Hydrazine
227	Hydrazine Nitrate
228	Hydrochloric Acid
229	Hydrogen
230	Hydrogen Bromide (Hydrobromic Acid)
231	Hydrogen Chloride (Liquefied gas)
232	Hydrogen Cyanide
233	Hydrogen Fluoride
234	Hydrogen Sulfide
235	Hydrogen Sulphide
236	Hydroquinone
237	Iodine
238	Isobutane
239	Isodrin
240	Isophorone Disocyanate
241	Isopropyl Ether
242	Juglone (5-Hydroxynaphthalene 1,4-Dione)
243	Lead (Inorganic fumes and dusts)
244	Lead 2, 4, 6-Trinitroresorcinol (Lead Styphnate)
245	Lead Azide
246	Leptophos
247	Lindane
248	Liquefied Petroleum Gas (LPG)
249	Maleic Anhydride
250	Manganese and Compounds
251	MercaptoBenzothiazole
252	Mercury Alkyl
253	Mercury Fulminate
254	Mercury Methyl
255	Methacrylic Anhydride
256	Methacrylonitrile
257	Methacryloyl Chloride
258	Methacryloyl Chloride
259	Methanesulfonyl Fluoride

Sl.	Name of the Chemical
260	Methanethiol
261	Methoxy Ethanol (2-Methyl Cellosolve)
262	MethoxyEthylmercuric Acetate
263	Methyl Acrylate
264	Methyl Alcohol
265	Methyl Bromide (Bromomethane)
266	Methyl Chloride
267	Methyl Chloroform
268	Nitrogen Trifluoride
269	Methyl Cyclohexene
270	Methyl Ethyl Ketone Peroxide
271	Methyl Hydrazine
272	Methyl Isobutyl Ketone
273	Methyl Isobutyl Ketone Peroxide
274	Methyl Isocyanate
275	Methyl Isothiocyanate
276	Methyl Marcaptan
277	Methyl Methacryiate
278	Methyl Parathion
279	Methyl Phosphoric Dichloride
280	N-Methyl, 2, 4, 6-Tetranitroaniline
281	Methylene Chloride
282	4,4-Methylenebis (2 Chloroaniline)
283	Methyltrichlorosilane
284	Mevinphos
285	Moiybdenum and compounds
286	N-Methyl-N, 2, 4, 6-N-Tetranitro-aniline
287	Nephtha (Coal Tar)
288	2-Naphthylamine
289	Nickel and Compounds
290	Nickel Tetracarbonyl
291	O-Nitroaniline
292	P-Nitroaniline
293	Nitrobenzene
294	P-Nitrochlorobenzene
295	Nitrocyclohexane
296	Nitroethane
297	Nitrogen Dioxide
298	Pentachloroethane
299	Nitroglycerine
300	P-Nitrophenol
301	1-Nitropropate
302	2-Nitropropate
303	Nitrosodi, ethylamine
304	Nitrololune
305	Octabromophenyl Oxide
306	Oleum
307	Oleylamine
308	oo-Diethyl S-Ethylsulphinyi methyl Phosphorothioate
309	oo-Diethyl S-EthylsulphonyImethylPhosphorothioate

Sl.	Name of the Chemical
310	oo-Diethyl S-EthylthiomethylPhosphorothioate
311	oo-Diethyl S-IsopropylthiomethylPhosphordithioate
312	oo-Diethyl S-PropylthiomethylPhosphorodithioate
313	Oxyamyl
314	Oxy-lisulfoton
315	Oxygen (Liquid)
316	Oxygen Difluoride
317	Ozone
318	Paraoxon (Diethyl 4-Nitrophenyl Phosphate)
319	Paraquat
320	Parathion Methyl
321	Paris Green (BisAceto Hex-ametraarsenitoterta Copper)
322	Pentaborane
323	Pentabromodiphenyl Oxide
324	Pentabromophenol
325	Pentachlorophenol
326	PentacrythrifolTetranitrate
327	Pentane
328	Peracetic Acid
329	Perchloroethylene
330	PerchloromethylMercaptan
331	2-Pentanone, 4-Methyl
332	Penol
333	Phenyl Glycidal Ether
334	Phenylene P-Diamine
335	Phenylmercury Acetate
336	Phorate
337	Phosacetim
338	Phosacetim
339	Phosfolan
340	Phosgene (Carbonyl Chloride)
341	Phosmet
342	Phosphamiden
343	Phosphine (Hydrogen Phosphide)
344	Phosphoric Acid and Esters
345	Phosphoric Acid, BromoethylBromo (2, 2-Dimethyl Propyl) Bromoethyl Ester
346	Phosphoric Acid, BromoethylBromo (2, 2-Dimethylpropyl) Chloroethyl Ester
347	Phosphoric Acid, ChloroethyiBromo (2, 2-Dimethoxycpropyl) Chloroethyl Ester
348	Phosphorous and Compounds
349	Phostalan
350	Picric Acid (2, 4, 6-Trinitro-Phenol)
351	Pentachoro Naphthalene
352	Potassium Arsenite
353	Potassium Chlorate
354	Promurit (3, 4-Dichlorophenyl 3-Triazenethiocarboxamide)
355	1, 3-Propanesultone
Sl.	Name of the Chemical

356	1 Propen-2-Omoro 1, 3-Diol-diacetate
357	Propylene Dichloride
358	Propylene Oxide
359	Propylenelimine
360	Pyrazoxon
361	Selenium Nexmuoride
362	SemicarbazideHydrochlorde
363	Sodium Arseun
364	Sodium Azice
365	Sodium Chlorate
366	Sodium Cyanide
367	Sodium Picramate
368	Sodium Selenite
369	Styrene, 11, 2, 2-Terachloroethane
370	Sulfotep
371	Sulphur Dichloride
372	Sulphur Dioxide
373	Sulphur Trioxide
374	Sulphuric Acid
375	Sulphoxide, 3-Chloropropyoctyl
376	Tellurium
377	Tellurium Hexafluoride
378	TEPP
379	Terbufos
380	Alpha-Terabromobisphenol
381	2, 2, 5, 6-Tetrachloro-2, 5-Cyclohexadiene-1, 4-Dione
382	2, 3, 7, 8-Tetrachlorodibezo-p Diosin (CDD)
383	Tetrafluoroethane
384	Tetramethylene Diulphotetramine.
385	Tetramethyl Lead
386	Tetranitromethane
387	Thallium and Compounds
388	Thionazin
389	Thionyl Chloride
390	Tirpate
391	Toluene
392	Tolune-2-4-Diisocyanate
393	0-Toluidine
394	Toluene 2, 6-Diisocyanate
395	Trans-1, 4 Chlorobutene
396	1-TRI, (Cyclohexyl) StannyMH 1, 2, 4 Triazole
397	1, 2, 4 Triazole
398	2, 5 Triamino 2, 4, 5, Trinitrobenzene
399	2, 4, 6-Tribromophenol
400	Trichloro Acetyl Chloride
401	Trichloro Ethane
402	TrichloroNapethalene
403	TrichloroChloromethylsilane
404	TrichloroDichlorophenylsilane
405	1, 1-Trichloroethane

Sl.	Name of the Chemical
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406	TrichloroethylSillane
407	Trichloroethylene
408	Trichloromethanesulphenyl
409	2, 4, 5-Trichlorophenol
410	Triethylamine
411	Triethylenemelamine
412	Trimethylchlorosilane
413	TrimethylopropanePhosphite
414	Trinitroaniline
415	2, 4, 6 Trinitroanisole
416	Trinitrobenzene
417	Trinitrobenzoic Acid
418	2, 4, 6-Trinitroresorcinol (Styphnic Acid)
419	Trinitrotoluene
420	Tricrthocresyl Phosphate
421	Triphenylin Chloride
422	Terpentine
423	Uranium and Compounds
424	Venadium and Compunds
425	Vinyl Chloride
426	Vinyl Fluoride Chloride
427	Warfarin
428	Xylene
429	Xylidine
430	Zinc and Compounds
431	Zironium and Compounds.

FORM-01
[See Rule 3 (6)]

Application for grant of competency to a person

1. Name
2. Date of birth
3. Name of the organization (if self-employed)
4. Educational qualifications (copies of testimonials to be attached)
5. Details of professional experience

Sr. No.	Name of the Organization	Period of service	designation	Area of Responsibility
(1)	(2)	(3)	(4)	(5)

6. Memberships, if any, of professional bodies
7. (i) Details of facilities (examination, testing etc.)
(ii) Arrangements of calibrating and maintaining the accuracy of these facilities)
8. purpose for which competency certificate sought (specify the section of the Rules)
9. whether the applicant has been declared as a competent person under any other state or statute (if so furnish details)
10. any other relevant information

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

I undertake

- (a) That in the event of any change in facilities at my disposal (either addition or deletion) I will promptly inform the Chief Inspector-cum-Facilitator.
- (b) to maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards; and
- (c) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector-cum-Facilitator from time to time.

Place

signature

Date

FORM-02
[See Rule 3 (6)]

Application for grant of competency to an institution

1. Name and full address of the organization.
2. Organization's status (specify whether Individual, Government, autonomous, co-operative, corporate or private)
3. Purpose for which competency certificate sought (specify the section of the Rules)
4. Whether the organization has been declared as a competent person under any other statute (if so furnish details)
5. Particulars of persons employed and possessing qualification and Experience

Sr. No.	Name of the designation	Qualification	Experience	Section(s)/rule(s) Under which person's competency sought
(1)	(2)	(3)	(4)	(5)

6. Details of facilities and arrangements made for their maintenance and calibration periodically.

7. Any other relevant information

8. Undertaking

I _____ certify that shri./Smt. _____ whose details are furnished above, is in our employment and nominate on the behalf of organization for the purpose of being declared as competent person under the Code; I also undertake that I will-

(a) Notify to the Chief Inspector-cum-Facilitator in case the competent person leaves our institution.

(b) To maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards;

(c) notify to Chief Inspector-cum-Facilitator any change in facilities(either addition or deletion)

(d) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector of Factories from time to time

I _____ hereby declare that the information furnished above are correct to the best of my knowledge

Date

Place

Moblie number

Signature

Head of Institution

Email

FORM-03
[See Rule 3 (8)]

Certificate of competency issued to a person or an institution

I _____ in exercise the power conferred on me under section 2(l) of The Occupational Safety, Health And Working Conditions Code 2020 and the rules made there under, here by recognize shri. _____ (if employed in Name of institution) ----- to be Competent person for the purpose of carrying tests, examinations, inspections and certification for such ***buildings, dangerous machinery, lifts, tackles, pressure plants, confined space, ventilation or plant and equipment as the case may be*** in an establishment located in state of Meghalaya under section _____ of the Code and the rules made there under.

This certificate is valid from _____ to _____

This certificate is subject to the following conditions as stipulated there under-

1. tests, examinations, inspections and shall be carried out in accordance with the provisions of Code and the rules made there under.
2. tests, examinations, inspections and shall be carried out under the direct supervision of competent person
3. the certificate of competency shall stand cancelled if the person declared competent leaves the institution.
4. Competent person or institution shall submit reports as per provisions of the Code.
5. Any other condition Chief Inspector-cum-Facilitator may think fit.

Place

Official seal signature

Date

Chief Inspector-cum-Facilitator of Factories,
Meghalaya.

Note: A separate certificate should be issued under each relevant Section. A person or an institution may be recognised as competent person for the purpose of more than one Section of the Rule.

FORM-04
[See Rule-4]

**Application for Registration for existing establishments/New Establishment /
Amendment to certificate of Registration**

A. Establishment Details.

1. Retrieve details of Establishment through LIN:
2. Name of Establishment:
3. Location and Address of the Establishment:
4. Others details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:

5 (a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
(1)	(2)	(3)	(4)

6. Ownership Type/Sector:
7. Activity as per National Industrial Classification:
8. Details of Selected NIC Code:
9. Identification of the establishment e-sign/ digital sign of employer /

representative:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc.:
2. Designation:
3. Father's/ Husband's Name of the Employer :
4. Email Address, Telephone& Mobile No :

C. Manager/ Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No :

D. Contractor Details:

Name and Address Contractor	Email address& Mobile of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement / Probable date of Completion of work
(1)	(2)	(3)	(4)	(5)

E. Others Details:-

Signature/ E-sign/digital sign of employer

Dated:-

Place:-

FORM-05
[See Rule 4 (1)(iii)]

Details of inter-state migrants employed/to be employed in an establishment

1. Name of establishment:
2. Address of establishment:
3. Name and address of employer:
4. Details of inter-state migrant workers

S. No.	Name	Father/Husband`s name	Permanent address				Aadhar number	Mobile number
			Town/Village	Tehsil / Sub-division	District	State		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Signature/ E-sign/digital sign of employer

FORM-06
[See Rule-4(2)(i)]
Certificate of Registration of Establishment

Registration No.

Date

A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and Rule 4 of Occupational Safety, Health and Working Conditions (Meghalaya) Rules, 2023

to..... (Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

- | | |
|---|--|
| (a) Factory | (b) Mining |
| (c) Dock work | (d) Contract Work |
| (e) Building and Other Construction Works | (f) any other work (not covered above) |

2. Details of the establishment:

- a. Total Number of employees engaged directly in the establishment:
- b. Total Number of the employees engaged through contractor
- c. Total Number of Contractors and their details:
- c. Number of inter-state migrant workers engaged:

3 (a) For factories

Details of the manufacturing process	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
(1)	(2)	(3)	(4)

4. Amount of registration fee paid.....

5. Remarks of registering officers

Signature/ E -Sign/DSC of
 Registering Officer along with designation

Place:

Date:

Conditions of Registration

(1) Every certificate of registration issued under Rule 4 shall be subject to the following conditions, namely:

- (a) The certificate of registration shall be non-transferable;
- (b) The number of workers employed in an establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the certificate of registration; and
- (c) Same as provided in these rules, the fees paid for the grant of registration certificate shall be nonrefundable.

(2) The employer shall intimate the change, if any, in the number of workers or the conditions of work to the registering officer within 30 days

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

intimating the actual date of the commencement or, as the case may be, completion of establishment such work in **Form -08** annexed to these rules electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

FORM-07
[See Rule-4(6)]
Register of Establishment

Sr.No	Nature of work	Registration No. and Date	Name and Address, location of the establishment registered	Name, Address And Contact Details of Employer	Total number of Workers and Total Horsepower (if any)	Total number of contract Workers	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Signature/ E -Sign/DSC of
Registering Officer along with designation

Place:
Date:

FORM-08

[See Rule-4(7) and Rule- 5]

Notice of Commencement / cessation of Establishment:

1. Registration No:
2. Name and Address of Establishment:-
3. Name & Designation of employer/ Port authority (who has ultimate control over the affairs of the establishment :-
4. Full address to which communication relating to the establishment to be sent:-
5. Nature of work of the establishment:-
6. In case of the notice is for commencement of work the approximate duration of work:-
7. in case of cessation, the date of cessation:

I / We hereby intimate that the work of establishment having registration No.....dated is likely to Commence /cessation is likely to be completed with effect from..... (Date)/ On (Date).

In case of cessation of work:

I/we hereby certify that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Signature of the Employer

To,
The Inspector-cum-Facilitator

FORM-09
[See Rule 6]
Health Register

Sr. No.	Name of Employee	Date of Employment	Age	Gender
(1)	(2)	(3)	(4)	(5)

Nature of Job	Date of Medical Examination	Results of Medical examination	Signature of the qualified medical Practitioner	Signature of Employer
(6)	(7)	(8)	(9)	(10)

Signature of Medical Officer

Signature of Employer

Place:

Date:

FORM-10
[See Rule-6]

The medical examination shall be conducted by a qualified medical practitioner as per following proforma:

A. Demographics:

Question	Answer	Remarks
Date:		
Name of the Worker:		
Age:		
Permanent Address:		
Gender:		
Total Number of family Members:		
Total monthly family Income:		
Is the employee under ESI (Employees' State Insurance) Scheme? If yes, provide IP Number.	Yes/No	
Is the employee under any other health scheme apart from ESI-Scheme? (If yes, provide the name of the scheme)	Yes/No	

B. Occupational 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:		

C. Brief Review of Medical History: Diagnosed previously or currently under treatment or Currently suffering from

Question	Answer (Yes/No)	Remarks
Anaemia		
Jaundice		
Asthma		
COPD		
History of Any other Lung Disease: (If Yes, Please Specify)		
Vertigo/Dizziness		
Diabetes Mellitus		
Hypertension		
Any Cancer (If Yes, Please Specify the Cancer)		
Chronic Low Back Pain		
Chronic Pain in hand or Elbow		
Hernia		

Hydrocele		
Varicose Vein		
Haemorrhoids		
History of amputation/fracture/dislocation injury during work (If Yes, please specify)		
Dermatitis (If Yes, specify Site)		
Hearing Impairment		
Visual Impairment		
Any Major Illness requiring hospitalization in last 1 year (If Yes, Name of the Disease)		
Occupational Injury in Last 1 year: if yes Specify the Location of injury and frequency		

D. Current Symptoms-Diseases Module

Question	Answer (Yes/No)	Remarks
Smoking habit		
Chewing Tobacco or Pan Masala or Gutkha:		
Alcohol Addiction		
Dermatosis (Irritant Contact Dermatitis /Eczema /Chloracne /Allergic Contact Dermatitis):		
Mucosal Irritation of eyes/ Nose/ Throat with response to chemical agent or biological agent:		
Symptoms like Respiratory Difficulty/ Chest Tightness/ Dry Cough at beginning of shift:		
Currently suffering from TB:		
Jaundice or Hepatitis:		
Currently suffering from Low Back Pain		
Currently suffering from Pain in hand or Elbow:		
Currently suffering from Visual Problems		
Currently suffering from Hearing Problems		
Any current injury (amputation/ fracture/ dislocation)		
Any current musculoskeletal sprains/ strains		

E. Physical Examination

Date of Examination:

Question	Answer (Yes/No) or as appropriate	Remarks
General Skin Condition: (If Any Dermatitis, please mention its location)		
Weight (in Kg):		
Height (in Meter)		

Temperature (°F):		
BP:		
Pulse:		
SpO2:		
Respiratory Rate:		
Examination of Breast of female-employee		

F. Investigation Report**Routine Blood Investigation: Attach the photocopy of the report****Blood Grouping & Rh Typing and HB Electrophoresis Once in a lifetime**

Parameter	Answer (Normal/Increase/Decrease)	Value
Hb%:		
Total WBC Count and Differential Count:		
Platelet Count:		
ESR:		
FBS:		
PPBS:		
HBA1C level		
BUN:		
Creatinine:		
Total Protein		
Albumin		
Globulin		
SGOT		
SGPT		
Bilirubin		
Urine RE		
Urine ME		
Prostate Specific Antigen (PSA)		

G. Standard Chest X Ray (PA) View: attach the photocopy of the report**Date:**

Parameter	Answer (Normal/Increase/Decrease)	Value (if any importance)
Report		

Report:

H. Spirometry: attach the photocopy of the report (For mine employee)**Date:**

Parameter	Answer (Normal/Increase/Decrease)	Value
PEFR:		

FEV1:		
Observed:		
Predicted:		
FVC:		
Observed:		
Predicted:		
FEV1/FVC:		
Final Report: Normal / Obstructive Lung Disease/ Restrictive Lung Disease/ Mixed Lung Diseases		

I. Audiometry (Pure Tone / BERA): attach the photocopy of the report (For Mine Employee)

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like wax in external ear, infection etc	
Right Ear Hearing Threshold:	
Left Ear Hearing Threshold:	
Final Report preferable based on BERA:	
Right Ear:	
Left Ear:	

J. Eye Examination: attach the photocopy of the report

Date:

Parameter	Value/Result/Interpretation
Visual inspection of Eye for any abnormality like corneal opacity/scarring, cataract etc.	
Visual Acuity: Right	
Visual Acuity: Left	
Colour Vision	
Field of Vision	
Binocularity	
Lateral Phoria	
Vertical Phoria	
Stereoscopic Vision and Depth Perception Testing	
Fundus (Retina) examination	

K. 12 lead ECG and Echocardiography:

Final Report:

L. MEDICAL FITNESS TESTS FOR PERSONS WORKING AT HEIGHT (as may be applicable):

1. Detailed Medical History and in-Depth General Medical Examination including tests for Vision, Hearing, Musculoskeletal System, Respiratory System, Cardiovascular System etc. As applicable to all employees

2. Special Examination

a) Cardiovascular

Uncontrolled hypertension or ischemic heart disease will be a contraindication. In the presence of hypertension and abnormal ECG findings, the employee should be referred to a Cardiologist for fitness.

b) Tests for Labyrinthine functions and for sense of position Eye Examination for Bilateral Nystagmus, Romberg sign.

The presence of bilateral nystagmus and a positive Romberg sign will be an absolute contraindication.

- c) Neurological examination Evaluate seizure disorders: CT Scan of Brain and E.E.G if indicated
- d) Assessment of Diabetic Control Status:
(in case of employees suffering from Diabetes Mellitus)
- e) Assessment of Phobia (Acrophobia) and any other Mental Health Disorder like Anxiety or Depression
- d) Evaluation for Vertigo and Dizziness

For use of Industrial Safety Section:

Walking freely over a horizontal bar at 1 ft. height: PASS / FAIL

Wearing a safety belt and tying the rope knot: PASS/ FAIL

Walking over a horizontal structure at 9 ft. height wearing a belt: PASS/ FAIL

General physique (O.K./NOT O.K): PASS/ FAIL

M. Any other information/examination/biological investigation/test as mutually agreed by the employer and qualified medical practitioner.

Signature of the qualified medical practitioner

Place:

Date:

[See Rule-8]

Notice of Accident or Dangerous Occurrence

E.S.I.C. Employer's Code number : E.S.I.C. Insurance Number of the injured person :

1. Name of employer:
2. Address of works / premises where the accident or dangerous occurrence took place:
3. Nature of industry and LIN of the establishment :
4. Branch or department and exact place where the accident or dangerous occurrence took place :
5. Name and address of the injured person :
6. (a) Sex :
 - (b) Age (at the last birthday) :
 - (c) Occupation of the injured person :
7. Local E.S.I.C. Office to which the injured person is attached :
8. Date, shift and hour of accident or dangerous occurrence :
9. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :
 - (b) whether wages in full or part are payable to him for the day of the accident or dangerous occurrence :
10. (a) Cause or nature of accident or dangerous occurrence :
 - (b) If caused by machinery-
 - (i) Give the name of machine and the part causing the accident or dangerous occurrence :
 - (ii) state whether it was moved by mechanical power at the time of accident or dangerous occurrence :
 - (c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :
 - (d) In your opinion, was the injured person at the time of accident or dangerous occurrence -
 - (i) acting in contravention of provisions of any law applicable to him; or
 - (ii) acting in contravention of any orders given by or on behalf of his employer; or
 - (iii) acting without instructions from his employer?
 - (e) In case reply to (d) (i), (ii) or (iii) is in the affirmative , state whether the act was done for the purpose of and in connection with the employer's trade or business. :
11. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether -
 - (a) the injured person was travelling as a passenger to or from his place of works; :
 - (b) the injured person was travelling with the express or implied permission of his employer; :
 - (c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and :
 - (d) the vehicle is being/not being operated in the ordinary course of public transport service :
12. In case the accident or dangerous occurrence took place while meeting emergency, state- (a) its nature ; and

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place. :

13. Describe briefly how the accident or dangerous occurrence took place :

14. Names and addresses of witnesses : (1)

(2)

15. (a) Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person was disabled for more than 48 hours :

(b) date and hour of return of work :

17. (a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment :

(b) Name of dispensary/panel doctor elected by the injured person :

18. (a) Has the injured person died ? :

(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/ employer /manager/agent

Date of dispatch of report :

Place:

FORM-12
[See Rule-29(4)]

Register of Compensatory Holidays

Serial No.	No. in the register of workers	Name	Group or relay number	Number and date of exempting order	Year	Weekly rest days lost due to the exempting order in			
						January to March	April to June	July to September	October to December
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Date of compensatory holidays given in				Lost rest days carried to the next year	Remarks
January to March	April to June	July to September	October to December		
(11)	(12)	(13)	(14)	(15)	(16)

FORM-13
[See Rule-33]
NOTICE OF PERIODS OF WORK

Name of the Establishment.....Place.....District.....

Periods of work Groups, Relations	Men												Women												Description of Groups, Nature of work	Remarks						
	Total no. of men employed												Total no. of women employed																			
	A			B			C			D			E			F			G			H										
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3		

On working days

From ..

To ..

From ..

To ..

From ..

To ..

On partial

Working days

From ..

To ..

From ..

To ..

Date on which this notice is first exhibited :

Signature of manager or agent :

Date :

FORM 14
[See rule 34(1)]
REGISTER OF EMPLOYMENT

Name and Address of establishment:

Sr. No.	Name and Gender	Aadhar No.	Address	Mobile Number	Email
(1)	(2)	(3)	(4)	(5)	(6)

Qualification	Experience	Date of joining	Designation	Date of leaving	Number and date of fitness certificate
(7)	(8)	(9)	(10)	(11)	(12)

FORM 15
[See Rule 34(1)]
REGISTER OF MUSTER ROLL

Name and Address of establishment:

Periods of work and rest period (time and coding):

Sr. No.	Name Gender	Gender	Adult/Adolescent register entry number
(1)	(2)	(3)	(4)

Whether local or Inter-State Migrant	Social Security number (UAN/ ESI)	Over Time Hours	Weekly- off
(5)	(6)	(3)	(4)

FORM 15A
[See Rule 34(1)]
REGISTER OF ATTENDANCE

Month:

1 Name and address of the establishment:

2 Name of the worker:

3 Father`s name :

4 Serial number in Workers Register.:

5 Designation:

Period of Work:		
Date	From	To

FORM 16
[See Rule 34(1)]
REGISTER OF WAGES, OVERTIME, FINE, DEDUCTION FOR DAMAGE AND LOSS

Name of the Establishment:
 Name of the Owner:

Name of the Employer:
 PAN/TAN of the Employer:

Labour Identification Number (LIN):

Sr. no. in Employee Register	Name of the employee	Designation / Department	Duration of Payment of Wages (Monthly /Fortnightly /Weekly /Daily /Piece rated)	Wage Period From-To	Total no. of days worked during the period	Total overtime (hours worked or production in case of piece workers)	Basic DA Allowances		
							Basic	DA	Allowances
1	2	3	4	5	6	7	8	9	10

Overtime earning	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Amount of deduction from wages	Total amount of wages paid	Date of Payment	Attendance	
							Date	Signature
11	12	13	14	15	16	17	18	19

FORM 17
[See Rule 34(2)]
WAGE SLIP

Name of the Establishment

Address:

Period:.

1. Name of the Employee:
2. Father's/Spouse's Name:
3. Designation:
4. UAN:
5. Bank Account Number:
6. Wage period:
7. Rate of wages payable
 - a) Basic:
 - b) D.A. :
 - c) other allowances :
8. Total attendance/unit of work done:
9. Overtime wages :
10. Gross wages payable:
11. Total deductions
 - a) PF :
 - b) ESI :
 - c) Others :
12. Net wages paid :

Date:

Signature of employer

FORM 18
[See Rule 36]
ANNUAL RETURN
UNIFIED ANNUAL RETURN FORM
FOR THE YEAR ENDING.....

Single Integrated Return to be filed On-line under the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Industrial Relations, 2020, the Code on Social Security , 2020, and the Code on Wages, 2019

Instructions to fill up the Annual Return

- (1) This return is to be filled-up and furnished on or before 28th or 29th February every year.
- (2) The return has two parts i.e. Part-I to be filled up by all establishments.
- (3) Part-II to be filled-up by the establishments who are a Mine only in addition to Part-I.
- (4) The terms Establishment and Mines shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.
- (5) This return is to be filled-up in case of Contractor or manpower supplier who have engaged more than 50 workers and in case of Mines even if there is one worker employed in the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.			Instructions for filling the column
1	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2	Period of the Return	From - To-	Period should be calendar year
3	Name of the Establishment		
4	Email ID		
5	Telephone No.		
6	Mobile number		
7	Premise name		
8	Sub-locality		
9	District		
10	State		
11	Pin code		
12	Geo Co-ordinates		
B(a).	Hours of Work in a day		
B(b).	Number of Shifts		

C. Details of Manpower Deployed

Details	Directly employed				Employed through Contractor				Grand Total
	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	
(i) Maximum No. of employees employed in the establishment in any day during the year	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	
(ii) Average No. of employees employed in the establishment during the year	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	
(iii) Migrant Worker out of (ii)	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	

above									
(iv) Number of fixed term employee engaged	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	Male-Female-Transgender-Total-	

D. Details of contractors engaged in the Establishment:		
Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.			
Sl.No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling
1	Whether facility of Canteen provided (as per section 24(v) of OSH Code, 2020)	Yes/No	Applicable to all establishments where in hundred or more worker including contract labour were ordinarily employed
2	Crèches (as per section 67 of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020)	Yes/No	Applicable to all establishments where fifty or more workers are employed
3	Ambulance Room (as per section 24(2)(i) of OSH Code, 2020)	Yes/No	Applicable to mine, building and other construction work wherein more than five hundred workers are ordinarily employed
4	Safety Committee (as per Section 22(1) of OSH Code, 2020.	Yes/No	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BoCW employing 250 workers or more, and mines employing 100 or more workers.
5	Safety Officer (as per section 22(2) of OSH Code, 2020)	No. of safety officers appointed	In case of mine 100 or more workers and in case of BoCW 250 or more workers are ordinarily employed.
6	Qualified Medical Practitioner (as per Section 12 (2) of OSH Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:					Instructions for filling
1.	Is the Works Committee has been functioning. (section 3 of IR Code, 2020)	Yes/No			Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution				
2.	Whether the Grievance Redressal Committee constituted (section 4 of IR Code, 2020)	Yes/No			Industrial establishment employing 20 or more workers are employed
3.	Number of Unions in the establishments.				
4.	Whether any negotiation union exist (Section 14 of IR Code, 2020)	Yes/No			
5.	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)	Yes/No			
6.	Number of workers discharged, dismissed, retrenched or whose services were terminated during the year:				
	Discharged	Dismissed	Retrenched	Terminated or Removed	Grand Total
7.	Man-days lost during the year on account of				
Sl. No.	Reasons	Period / Date	No. of man-days lost	Loss in term of money	
(a)	Strike				
(b)	Lockout				

8. Details of retrenchment / lay off					
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off	

G. Details pertaining to maternity benefit:				
No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:			
Sl.No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:				
Sl.No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per Section 10 of the OSH Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH Code, 2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH Code, 2020 along with the details of affected persons

J. Mandays and Production Lost due to accidents / dangerous occurrence			
Sl.No.	Accident/Dangerous Occurrence	Mandays lost	Production Lost

Certified that the tables in prescribed format are duly filled in and information and/ figures given in all the tables are correct to the best of my knowledge.

Signature of Owner/Agent/Manager with seal

Place:

Dated:

FORM 18 A

[See Rule 36]

(Half Yearly Return (January to June / July to December) to be submitted by Contractor)

1. Name and address of the contractor:
2. Name and address of the principal employer and LIN:
3. LIN of the contractor:
4. License number of the contractor (if applicable):
5. Name of the contract work with location/station:
5. Details of the number of Contract Workers, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Over time
(1)	(2)	(3)	(4)	(5)

Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7th of the month or due date as applicable Yes/No	Remark
(6)	(7)	(8)	(9)	(10)	(11)

Signature of the contractor:

Date:

FORM-19
[See Rule-37]

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of Injured person (if any)	Date of Accident or dangerous occurrence	Date of report To Inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured Person to work	Number of days the injured Person was absent from work
1	2	3	4	5	6

FORM-20
[See Rule-38]
REGISTER FOR LEAVE WITH WAGES

Part I - Adults

Part II - Adolescents

Establishment:

Name of worker :

Department :

Father's Name:

Sl. No	Sl.no. in the register of workers	Date of Entry into service	Interruptions				
			Sickness and accidents	Authorized Leave	Lock Out or Legal Strike	Involuntary unemployment	Others
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Remarks
				Date of Discharge	Date & amount of payment made in lieu of leave due	
(9)	(10)	(11)	(12)	(13)	(14)	(15)

Note:-Separate page shall be allotted to each worker.

FORM 21

[See Rule 44(2)]

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

Number:

date:

To

.....

.....

Take notice that it is intended to have analysed the sample ofwhich has
been taken today, the.....day
of.....20..... from

(Name of the Inspector-cum_Facilitator who orders sampling).

(Seal)

Date

FORM 22
[See Rule 44(7)]
REPORT BY LABORATORY

Report No.

Date

I hereby certify that IAnalyst working
in.....duly received on the.....day of
20..... from a sample of
for analysis.

The sample was in a condition fit for analysis as reported below.

I further certify that I have analysed the aforementioned sample onand
declare that the result of the analysis to be as follows:

.....
.....

The condition of seals, fastening of samples on receipt was as follows:

Signed this.....day of.....20.....

Address

.....

Signature

(Laboratory Analyst)

FORM 23
[See Rule-45]
IMPROVEMENT NOTICE AND PROHIBITION ORDER
PART I
PROHIBITION ORDER

Inspector-cum-facilitators Notice on Inspection of Establishment, Lifting Appliance, Loose Gears and other such gears, Equipment, Ladders and Staging. Inspector-cum-Facilitator's notice to the occupier, employer, owner, master, Officer-in-charge, Owner of lifting appliances, loose gears and lifting devices or the person, scaffold who, by himself, his agents, or his employers as the case may be.

Name of the establishment, lifting appliance, lifting device, transport equipment, ladders and staging	Where situated lying/used/location	Registration no. of the establishment	LIN No. of the establishment
1	2	3	4

An inspection of the above named establishment, lifting appliances, loose gears, lifting devices, transport equipment, ladders and staging was made on _____.

The activities connected with establishment which are being carried on by you/about to be carried on by you/under your control involve a risk or danger to the life. Safety and health of employee and involve the following contraventions :

CONTRAVENTIONS

Therefore. I hereby direct that the said activities shall not be carried on by you or under your control unless the said contraventions and matters mentioned have been remedied to the satisfaction of the Inspector-cum-Facilitator. This order is being issued without prejudice or any legal action which may be taken for these contraventions.

On hearing from you that the requirements have been complied with the establishment, lifting appliance, loose gear or similar gear/ transport equipment /ladders/ staging, scaffold shall again be visited with a view to the inspection being completed.

No. _____

Dated at _____ this _____ day of 20 _____

Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020

REQUIREMENTS

On compliance with all or any of the above contraventions, the Inspector-cum-Facilitator shall be informed in the manner prescribed overleaf, of the date and place

at which the establishment, lifting appliance, loose gears or similar gear transport equipment, ladders and staging, scaffold can be re-inspected.

Sir/Madam,

The contraventions notified by you have been effectively attended to. The establishment, lifting appliance, loose gears or similar gear, transport equipment, ladders and staging, scaffold shall be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20_____	Employer, Occupier, Owner, Manager, Master, Officer-in-charge or Agents, owner of machinery and gear or the person, who by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupational Safety, Health and Working Conditions Code, 2020.

PART - II
Improvement Notice

Inspector-cum-Facilitator’s notice to the employer, Owner, Master, Manager, Officer-in-Charge or Agents, Owner of lifting appliances, loose gears lifting devices, scaffold or the person, who, by himself, his agents or his employers, carries on the establishment, as the case may be.....

Name of the establishment, lifting appliances, loose gear, lifting device, transport, equipment, ladders and stagings, scaffold;	Where situated/lying used/location	Port of Registry	Official no.(if any) of the ship

An inspection of the above-named establishment, dock, ship, lifting appliances, loose gears, lifting devices, transport equipment, ladders and stagings, scaffold was made on

The following contraventions were observed. You are required to remedy the said contraventions and send the compliance report in writing within..... days.

This notice is being issued without prejudice to any legal action which may be taken for these contraventions on hearing from you that the requirements have been complied with the establishment, lifting appliance/loose gear or similar other gear/transport equipment/ladders/ staging, scaffold will again be visited with a view to the inspection being completed.

Contraventions No. _____ Dated _____ this _____
day of _____ 20_____

Inspector-cum-Facilitator under the Occupational Safety, Health and Working
Conditions Code, 2020

Requirements- On compliance with all or any of the requirements, the Inspector-cum-Facilitator should be informed in the manner prescribed overleaf of the date and place at which the establishment, lifting appliance, loose gear, transport equipment, ladders and staging, scaffold can be re-inspected.

Sir/Madam,

The requirements noted by you have been effectively fulfilled. The establishment, lifting appliance, loose gear, lifting devices, transport equipment, ladders and staging, scaffold will be ready for inspection on the date and place named below:

Date of Inspection	Place
Dated at _____ this day of _____ 20_____	Employer, Occupier, Owner, Manager, Master, Officer-in-charge or Agents, owner of machinery and gear or the person, who by himself, his agents or his employers, carried on the establishment.

To

The Inspector-cum-Facilitator under the Occupational Safety, Health and Working
Conditions Code, 2020.

FORM 24
(See Rules 56(1), 57(1))

Application for issue and grant, renewal of license for a contractor

- (i) Whether the application is for: (a) renewal of license (b) work-specific license
- (ii) Name and address of the contractor (including his father's name in case of individuals)
- (iii) Father's name
- (iv) Particulars of establishment where contract labour is to be employed:
 - (a) Name and address of the establishment:
 - (b) Type of business, trade, industry, manufacture or occupation carried on in the establishment.
 - (c) Number & date of Certificate of license of the establishment under the code.
 - (d) Name and address of the Principal Employer:
- (iv) Particulars of the Contract Labour:
 - (a) Nature of work in which contract labour is employed or to be employed in the establishment:
 - (b) Duration of proposed contract work (give particular of proposed date of commencing & ending)
 - (c) Name and address of the authorised person of Contractor at establishment
 - (d) Maximum number of contract labour proposed to be employed in the establishment on any date
 - (e) No. of inter-state migrant workers to be employed: Fill details in Form no. 5 as mentioned in Rule 4
 - (v) Amount and particulars of License fee deposited:
 - (vi) Amount and particulars of security deposit, if any, or requested to be adjusted:

Signature of the Applicant-Contractor

FORM 25
[See Rules 56(4), 57(2) and 58]
License to contractor
Government of Meghalaya
Office of Designated Authority under the Occupational Safety, Health And
Working Conditions Code 2020

Licence No: Date:

Fee paid:

Security deposited.....

Licence is hereby granted to.....

For the premises known as..... Situated at for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health And Working Conditions Code 2020 and the rules made there under.

The number of workmen employed, as contract labour in the establishment shall not, on any day, exceed.....

This licence shall remain in force till 31.12.20...

Issuing Authority

Place :

Date :

FORM 26
(See Rule 58)

Application for amendment of license for a contractor

- (i) Name and address of the contractor
- (ii) License number:
- (iii) Particulars of amendment:
 - (a) Name
 - (b) address :
 - (c) Number of contractor labour to be employed/supplied
 - (d) No. of inter-state migrant workers to be employed : Fill details in Form no. 5 as mentioned in Rule 4
 - (e) Nature of work for contractor labour to be employed/supplied
- (iv) Amount of additional License fee deposited:
- (vi) Amount of additional security:

Signature of the Applicant-Contractor

FORM 27
(See Rule 61)

Register of Contractors

Sr.No.	Licence Number and Date	Name and Address of contractors	Nature activity to be under taken by the contractor	Maximum workers to be employed on any day
(1)	(2)	(3)	(4)	(5)

Probable date of commencement	Date of cessation	Details of amendment, if any	Renewed upto
(6)	(7)	(8)	(9)

FORM 28
(See Rule 62)

Notice of intimation of work-order by contractor

I Shri of M/s..... having license Number..... hereby intimate that work order to supply labour/execute work (Name of work) from the establishment.

(Name and address) has been issued and work shall commence from.....

Signature of the Contractor

FORM 29
(See Rules 64 and 67)

Register of Security Deposit/Refund/Release

S. No.	Name and Address of the contractor	Amount of security deposited	Date of security deposit	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-30
[See Rule 69(1)]
Application under section 57(2)

- a. Name of aggrieved party:
- b. Address of communication:
- c. Details of grievance:
- d. Reasons of claim:
- e. Details of documents attached:

Signature of aggrieved party

FORM 31
(See Rule 70)

REGISTER OF JOURNEY ALLOWANCE

Name and Address of establishment:

Establishment registration number:

S.No.	Name of inter-state worker	Entry in adult/ adolescent worker register	Permanent address of inter-state worker	Period of journey
(1)	(2)	(3)	(4)	(5)

Number of family members	Mode of journey	Amount paid	Signature of inter-state worker
(6)	(7)	(8)	(9)

FORM 32
(See Rule 74)

Format of agreement

This agreement is made on this of20..... between Messers having office at (a sole proprietary concern/a firm registered under the Partnership Act, 1932/a Company incorporated and registered under the Companies Act, 1956) (hereinafter referred to as the "Producer") on the first part and Shri/Smt/Kumari 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:

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the Audio Visual production and this period shall not exceed.....consecutive months.
2. That the Audio Visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorized by him in writing.
3. That in consideration 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 installments.
4. That in the event of the Audio Visual production being not complete within the stipulated period and the Producer still needing the services of the Audio Visual Worker to complete the film, 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.
5. That in case the assignment of the Audio Visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the Audio Visual Worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the Audio Visual production, whichever is earlier.
6. It is agreed by the Producer that for the purposes of this agreement,
 - (a) a working day shall mean a period not exceeding eight consecutive hours (to include one hours' break for rest and refreshments) ;
 - (b) 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 :
 - (c) the Audio Visual worker shall not be required to work for more than five consecutive hours without a break ; and
 - (d) 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.
7. That the Audio Visual Worker shall, if so required,-
 - (a) attend the studios, location or work-place, as the case may be, earlier than the a scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs.per hour or part thereof for such early attendance.
 - (b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs. for the work during the extended hours and refreshments, and transport facilities.

8. 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.

9. 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.

10. 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.

11. That where the Producer is prevented from proceeding with the production of the Audio Visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the Audio Visual Worker and shall pay all his/her dues up to the date of service of such notice.

Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the Audio Visual Worker and make payment of all the amount due to the Audio Visual Worker at the time of termination.

12. 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.

13. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the Audio Visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the Audio Visual worker of the amount due at the time of termination, calculated taking into consideration the Audio Visual worker's total work in the film and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the Audio Visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the Audio Visual workers' Organisation to which the Producer and the Audio Visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another Audio Visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the Audio Visual worker has been paid all his dues.

14. 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.

15. 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.

16. 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.

17. That the Audio Visual -worker shall comply with all the regulations of the studio, location or work place as the case may be.

18. 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.

19. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.

20. That the Producer shall not utilise the work of the Audio Visual worker in any from 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

Producer

Name

Address

2. Witness

Audio Visual Worker

Name

Address

FORM 33
(see Rule 77, 79, 85(III))

Application for grant/ renewal/ amendment/ transfer of license as a factory/industrial premises for beedi or cigar/engagement of contractor

1. Application for license –
 - (a) as a factory
 - (b) for engagement of contractor
 - (c) Industrial premises for beedi and cigar work
2. Full name and postal address of the establishment
3. Registration of establishment under the Code:
4. Details of person who will be occupier/principal employer
 - (a) Name
 - (b) Permanent address
 - (c) Local address
 - (d) Email
 - (e) Mobile number
5. Full name and address of the owner of the Premises or building (including the percents Thereof)
6. Core activity to be under taken along with details of hazardous substances as per section 2(za) of the Code.
Nature of manufacturing process/processes-
 - (a) carried on in the factory during the last twelve months (in the case of factories already in existence).....
 - (b) to be carried on in the factory during the next twelve months (in the case of all factories).....
 - (c). Names and values of principal products manufactured during the last twelve months.....
7. NIC code
8.
 - (a) Total Number Workers to be employed in the period of license
 - (b) Total Number Workers were employed during last calendar year
 - (c) Maximum number of workers proposed to be employed on any one day during the year.....
 - (d) Minimum number of workers employed on any one day during the last twelve months.....
 - (e) Number of workers to be ordinarily employed in the factory.....
9. Particulars of Contract Labour:
 - (a) Nature of work in which contract labour is employed or to be employed:
 - (b) Maximum number of contract labour to be Employed on any day :
 - (c) Number of Inter-State Migrants (Fill details in Form no. 5 as mentioned in Rule 6)
 - (d) Estimated date of commencement of each Contract work under each contractor:
 - (e) Estimated date of termination of employment of contract labour under each contractor:
10. Power:
Connected or proposed to be connected (in KW)
 - (i) Nature and total amount of power (H. P.) installed or proposed to be installed.....
 - (ii) Maximum amount of power (H. P.) proposed to be used.....
11. Furnish Reference:
 - (a) approval of plans
 - (b) stability certificate
 - (c) disposal of trade waste/effluents/hazardous waste/e-waste/ biomedical waste (which is applicable)
12. Full name and residential address of the person who shall be the Manager of the factory for the purposes of the Act.....
13. Full name and residential address of the occupier i.e.,-
 - (i) The proprietor of the factory in case of private firm/proprietary concern.....
 - (ii) Directors in case of public limited liability company/firm.....

- (iii) Where a Managing Agent has been appointed the name of Managing Agents and Directors thereof.....
- (iv) Share-holders in case a private company where no Managing Agents have been appointed.....
- (v) The Chief Administrative Head in case of a Government of local Fund factory.....
- 14. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in Section 93.....
- 15. In the case of a factory constructed or extended after the date of the commencement of the rules-
 - (a) reference number and date of approval of the plans for site whether for old or now building and for construction or extension of a factory by the State Government/Chief Inspector.....
 - (b) reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the note of the authority granting such approval.....

16. Details of fee

S.No	Particular	Amount	Date
a	Factory		
b	Engagement of contractor		
c	Industrial premises		

Employer/Occupier

Date.....

Note-1. This Form should be completed in block letter or typed.

- 2. If the power is not used at the time of filling up this Form, but is introduced later the fact should be communicated to the Chief Inspector immediately.
- 3. If any of the persons named against item 8 is minor the fact should be clearly stated.
- 4. In the case of a factory, where under the proviso to Sub-sections (1) and (2) of Section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.
- 5. In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1913 (VII of 1913), information required in item 8 should be supplied only in respect of that person or persons.

FORM 33 A
[See Rule 85(VI)]

(Self declaration by the Occupier and Manager for renewal of factory licence)

I / We _____ Son/Daughter of _____
_____ resident of _____

P.O. - _____ / PS _____, District _____
_____ State _____, Pin _____ do

hereby declared as under .

1. That, I Shri / Smt. _____ am the occupier
of the factory M/s. _____, Registration No.

_____ situated at _____ P.O.
_____, PS. _____, District _____

_____, Pin _____.

2. That, Shri / Smt. _____ is the Manager
of the factory.

3. That, the factory license for the preceeding year is _____
is in force for _____ KW and manpower of _____.

4. That, there is no change in manpower and installed power in the factory.

5. That, there is no change in factory layout and manufacturing process, no addition
and alteration made with reference to plan approved in letter No.

_____ dt..... of the _____

Further, we undertake that, we will be held liable for penal action, if the information
furnished above are found to be false at any stage in future.

Signature of Occupier

Signature of Manager

DSC of Employer/Occupier

FORM 34

(See Rules 77, 85(IV))

Common License For Factory/Beedi & Cigar Work/Engaging Contract Labour

Government of Meghalaya

Office of designated authority under section 119 of The Occupational Safety, Health and Working Conditions Code 2020

License number:

Date of issue:

A license is granted to Shree.....(Name of Occupier) of establishment M/S _____ registered under the section-3 of the code having registration number _____ as below;

A. To run as a factory in which manufacturing process _____ shall be carried by employing not more than _____ workers and power not more than _____ KW for the purpose of The Occupational Safety, Health And Working Conditions Code 2020 and rules made there under and whose plans are approved by Chief Inspector-cum-Facilitator vide number _____ date .

This license will remain in force from _____ till _____

Fee _____ Date of deposit _____

B. Engagement of contract labour subject to the conditions annexed to this license as given below;

Fee Date of deposit.....

1 Maximum number of workers to be employed as contractor labour-

2 Nature of activity for which contractor labour shall be engaged-

C. To use as a industrial premises to carry work of beedi or cigar by employing not more than _____ workers for the purpose of The Occupational Safety, Health And Working Conditions Code 2020 and rules made there under and whose plans are approved by Chief Inspector-cum-Facilitator vide number _____ date .

This license will remain in force from _____ till _____

Fee _____ date of deposit _____

Name And DSC of designated authority

FORM 35
(see Rule 82)
Monthly Return

1. Name of industrial premises and full postal address
 2. No. and date of licence
 3. Month to which the return relates
 4. Name of the employer
 5. Name of the principal employer if the employer is working as contractor for the
Principal Employer
 6. Quantity of beedi and/ or cigar tobacco released by the Central Excise Department
.....
 7. Quantity of beedi and/ or cigar tobacco supplied by the Principal Employer
.....
 8. Number of beedis and/ or cigars manufactured by the employer in an industrial
establishment
 9. No. of beedis and/ or cigars manufactured by the employer in places other than
industrial establishment i.e. workers working in their homes
 10. Number of beedis and/ or cigars sold and to whom
- Dated

Signature of the Employer

FORM 36
(see Rule 82)
Annual Return

1. Name and address of the industrial premises
2. Number and date of licence
3. Name of the employer
4. Name of the principal Employer, if the employer is working as contractor for a
Principal Employer
5. Average number* of employed daily in the industrial premises
- Man
- Women
- Young persons
- Male
- Female
6. Average monthly number of home-workers employed (i.e. who work at their
homes)**
7. Normal hours worked per week in the industrial premises
8. Number of days worked in the year in the industrial premises
9. Number of employees who were granted leave during the Calendar year
..... *young persons*
 - (a) employed in the industrial premises
 - (b) employed in homes*Other than young persons*
 - (a) employed in the industrial premises
 - (b) employed in homes
10. Number of female employees who were given maternity benefit during the year
.....
 - (a) employed in the industrial premises
 - (b) employed in homes

Certified that the information furnished above is correct to the best of my knowledge and belief.

Date

Signature

Note. – Partial attendance for less than half a shift or working day shall be neglected and attendance for half a shift or more shall be treated as full attendance.

*The average daily number shall be calculated by dividing the aggregate numbers of attendance of working days by the number of the working days in the year. Attendance on separate shifts, e.g, night and day shifts shall be counted separately.

**The average shall be calculated by dividing the aggregate number of workers on the Home- workers Employment Register during each of the preceding 12 months by twelve.

FORM 37
(see Rule 82)
Home Workers' Log Book

1. Name of home worker
2. Address of the home where the manufacturing process is carried on
3. Month

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. standard of beedis	Number of substandard or chat beedis	Wages payable to worker		Wages paid to the 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 38
(See Rule 89)

Home-Workers' Employment Register

Month ending year

Beedis manufactured should be shown in respect of each home worker below the appropriate date

Name of worker	Address of Home	Wage paid	Date
			1 2 3 4 5 6 7 8 9 10 to 31

FORM-39
(See Rule-90)
Record of Outside Work
Number and date of Government's Order permitting work outside the industrial premises

Date	Place or places where outside work was permitted	Nature of work	Nature of employee	Remarks
(1)	(2)	(3)	(4)	(5)

FORM-40
(See Rule-90)

HOME WORKERS' LOG BOOK

1. Name of home worker
2. Address of the home where the manufacturing process is carried on
3. Month

Account of Work Done at Home

Date	Raw Material supplier to the worker			Signature or thumb impression of the worker	No. of beedis received by the employer
	Tendu patta	Tobacco	Trread		
(1)	(3)	(3)	(4)	(5)	(6)

No. standards of beedis	Number of sub-standard or chhat beedis	Wages payable to worker		Wages paid to the 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 41
[See Rule 85(2)]

Application for permission to construct/extend or take into use any building / premises as a factory

1. Applicant's Name
Age
Father's Name
Permanent address-
Village/Plot No./Street/Lane
P.O.
P.S.
Town/City/District
State
PIN
Contact No.
Email-
2. Full name and postal address of the factory
3. Address for correspondence
4. Location of the Factory –
State
District
Sub-division
P.S. :
Near of village or town, nearest Rly. Station
5. Particulars of plants to be installed (Separate sheet where necessary be annexed)
6. (a) Number of persons proposed to be engaged
Men
Women
(In case of extension, increase of number of persons due to extension and No. of persons engaged in existing portion be mentioned separately)
(b) Amount of power proposed to be installed (The list of machines with K.W. rating of their prime movers be annexed. In case of extension, such list for existing portions and for extension be mentioned separately).
7. Proposed date of commencement of construction
8. Particulars of no objection Certificate/Consent letter of Orissa State Pollution Control Board, Bhubaneswar/Local Authority. (Attested copy to be enclosed)
9. Amount of fee paid..... Challan No..... Date..... Treasury/Bank name.....

Date.....

Place.....

(Signature of applicant)

Note - This application shall be accompanied by the following documents

- (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages.
- (b) Plans, in duplicate, drawn to scale, showing
 - (i) the site of the factory and immediate surroundings including adjacent building and other structures, roads, drains, etc; and
 - (ii) the Plan elevation and necessary cross Sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of

escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage way; and
(b) Such other particulars as the Chief Inspector may require.)

FORM 42
(See Rule 85(7))

Particulars of rooms in the factory

Name/Number Of room in factory	Dimensions in feet				
	Length	Breadth	Height		
			Maximum	Minimum	Average
(1)	(2)	(3)	(4)	(5)	(6)

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	
(7)	(8)	(9)	(10)	(11)	(12)

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 workroom of for storage only
Number and size of windows openings	Number and size of skylight openings	Total area in square feet			
(13)	(14)	(15)	(16)	(17)	(18)

Date of construction	Remarks
(19)	(20)

Signature of the Occupier.....
Signature of the Manager.....

Questionnaire Annexed to Form No. 42.

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.

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 Column No. 1 ?
- (i) Are the outlines of all rooms, sheds, enclosures, etc., shown in the site-plan and allotted the same number as in Item 1 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 91 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 50 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 existing 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. 41

- (a) Is Form No. 41 submitted with duly filled information 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. 41 ?
- (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. 1 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 91].
 - (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 Form No. 15 ?
- (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 ?
- (g) Can the windows and skylights all 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 ?

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 or 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 Form No. 41 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 45° 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?
 (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 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 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— 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. Signature of Occupier.

- N. B.—(i) After showing the above details, the plans and site-plan this questionnaire and Form No. 41 should all be submitted to the Inspector of Factories of the Region concerned for the approval of the Chief Inspector of Factories.
 (ii) A certificate of stability signed by a person having the qualifications laid down in Rule 91(II) shall be submitted on Form No. 43 before the manufacturing PROCESS with the aid of power is begin in the building.

FORM 43
[See Rule 91(II)]
Certificate of stability

1. Name of the factory.....
2. Village, town and district in which the factory is situated.....
3. Full postal address of the factory.....
4. Name of the occupier of the factory.....
5. Nature of manufacturing process to be carried on in the factory.....
6. Number of floors on which workers will be employed.....

I have inspected the premises of the factory on.....and examined the building/buildings and other structures. The details of the building / buildings and other structures are specified in the schedule appended. I certify that it is / they are found to be structurally sound and that its / their stability will not be endangered by its / their use as factory / part of factory.

Signature

Qualification:

Address of Association:

The Certificate of stability referred to in sub-rule(1) shall be signed by one of the following categories of persons, namely:—

- (i) A member of the Associate Members of Institute of Civil Engineers.Or,
- (ii) A member of the Institute of Structural Engineers. Or,
- (iii) A full member or Associate Member of the Institute of Engineers (India). Or,
- (iv) Civil Engineers of the Public Works, Electricity and Highways Department including retired Civil Engineers not below the rank of Executive Engineer.

FORM 44
(See Rule 91 (XII))
Notice of change Manager

1. Name of the factory with current licence number.....
 2. Postal address.....
 3. Name of the outgoing Manager.....
 4. Name of the new Manager with postal address
 5. His father's name with postal address.....
 6. Date and time of transfer of charge (forenoon or afternoon).....
- Signature of new Manager

Signature of Occupier

FORM 45
(See Rule 91 XIII)
Form of Certificate from Competent person

It is certified that I/We have examined the plan and details of Form 42 and the design and map of the proposed factory building. I/We further certify that the plan and details of Form 42 and design, map and other particulars given with Form 42 is in accordance with the Provisions of the Occupational Safety, health and Working Conditions Code, 2020 and Meghalaya Rules made thereunder

Date

Signature.....

(Name and Designation)

Seal

Empanelment number

FORM 46
[See Rule 91(XIV)]
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 (H.P.) installed
- (b) Maximum amount of power (H.P.)
- 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 person who shall be Manager of the factory for the purposes of the Code.....
- (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 47
(See Rule 94,104,126)
Health Register

Sr.No.	Name of worker	Serial number in adult worker register	sex	age	Date of employment on present work	Date of leaving or transferred to other work	Reason for leaving, transfer or discharge
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Nature of job or occupation	Date of medical examination by medical officer	Result of medical examination	If suspended from the work, state period of suspension with detailed reasons	Recertified fit to resume duty on (with signature of medical officer)	If certifying of unfitness or suspension issued to worker	Signature with date of medical officer
(9)	(10)	(11)	(12)	(13)	(14)	(15)

FORM 48
(See Rule 50, 94,104,126)
CERTIFICATE OF FITNESS FOR HAZARDOUS PROCESS OR DANGEROUS OPERATIONS

1. Serial No. _____
2. I certify that I have Personally examined _____ (Name of person examined) having serial Number _____ (In Adult Worker Register) who is desirous of being employed in _____ (hazardous process/ dangerous operation) in factory _____
3. He is fit to be employed
4. He may be produced for further examination after a period of _____
5. He has gone undergone following tests/examinations:

S. No.	Name of test/examination	remarks
--------	--------------------------	---------

6. Remarks of medical officer:

Name and signature of medical officer

FORM 49
[See Rule 99]
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 (H.P.) installed
- (b) Maximum amount of power (H.P.)
- 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 person who shall be Manager of the factory for the purposes of the Code.....
- (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 50
(See Rule 108)

Application to appropriate authority under section 90

- a. Name of occupier or manager:
- b. Name and Address of factory:
- c. Details of grievance:
- d. Reasons of claim:
- e. Details of documents attached:

Name and signature of occupier/ manager

FORM 51
(see Rule 131)
Penalty Register

Office of Chief Inspector of Boilers and Factories, Meghalaya
For the Month of _____, Year _____

Sr.No.	Name and address of person on whom penalty imposed	Name and address of establishment in relation to person on whom penalty imposed	Date and number of reference of imposing penalty	Offences for which penalty imposed
(1)	(2)	(3)	(4)	(5)

Amount of penalty	Date of deposit	Whether appeal preferred	Signature of officer imposing penalty	remarks
(6)	(7)	(8)	(9)	(10)

Total penalty collected at the end of month

Details of transfer of amount to fund:

- (i) Date:
- (ii) Amount:
- (iii) Bank details of transfer

Signature and Seal of
Deputy Chief Inspector cum Facilitator
of Boilers and Factories, Meghalaya.

FORM 52
(See Rule 132)

Performa for Appeal before the Appellate Authority against Order of Imposing Penalty

To,

Appellate Authority

[Under Section 111(2) of the Code]

Sir/Madam,

I undersigned with following details prefer an appeal against order of -----(details of officer imposing penalty) under section 111(2) of The Occupational Safety, Health And Working Conditions Code 2020.

1. Name and address of the establishment.
2. Name of the person preferring appeal and address details
3. Amount of penalty imposed by the officer.
4. Ground for Appeal with supporting documents

Declaration

I/We hear by declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been misrepresented in the above calculation made by me/us.

Signature of person preferring appeal

Name:

Date:

Place:

Mobile Number:

E-mail (if any)

FORM 53

[See Rule 133]

APPLICATION UNDER SUB-SECTION (1) OF SECTION 114 FOR COMPOSITION OF OFFENCE

To,

The authorised officer

[under section 114(1)]

1. Name of applicant
2. Father's / Husband's name of the applicant
3. Address of the applicant
4. Name and Address of establishment in relation to applicant.....
.....
5. Particulars of the offence
6. Section of the Code under which the offence is committed
7. Maximum fine provided for the offence under the Code.....
.....
8. Whether prosecution against the applicant is pending or not
9. Whether the offence is first offence or the applicant had committed any other offence prior to the offence, if had committed, then, full detail of the offence
.....
.....
10. Any other information which the applicant desires to provide
.....
.....
.....

Applicant (Name and signature) Dated

FORM 54

(See Rule 133)

Compounding/ Composition Register

Office of Chief Inspector cum Facilitator of Boilers and Factories, Meghalaya.

For the month of _____ (name of month with year)

Sr. No.	Name and Address of person whom offence compounded	Name and address of establishment in relation to person on whom offence compounded	Date and number of reference of compounding / composition	Offences for which compounded
(1)	(2)	(3)	(4)	(5)

Amount of penalty	Date of deposit	Whether appeal preferred	Signature of officer imposing penalty	Remarks
(6)	(7)	(8)	(9)	(10)

FORM 55
(See Rule 134)

Record of Social Security Fund

Sr.No.	Amount received for fund	Source from received	Date of receive	Details of credit to the Meghalaya Unorganised Workers Welfare Board		
				Amount	Date	Bank Details

FORM 56

(See Schedule V)

Report of examination and test of DUST EXTRACTION OR SUPPRESSION System

1. Description of system:
2. Hood:—(a) Serial number of hood:
- (b) Contaminant captured:

	Design value	Actual value
(c) Captured velocities (at points to be specified)		
(d) Volume exhausted at hood:		
(e) Hood static pressure:		

3. Total pressure drop at —
 - (a) Joints:
 - (b) Other points of system (To be specified):
4. Transport velocity in duct (at points along ducts to be specified):
5. Air cleaning device:—

(a) Type used	(b) Velocity at inlet	(c) Static pressure at inlet	(d) Velocity at outlet	(e) Static pressure at outlet

6. Fan—

(a) Type used	(b) Volume handled	(c) Static pressure	(d) pressure drop at outlet of fan

7. Fan Motor—

(a) Type	(b) Speed and power in kilowatts

8. Particulars of defects, if any, disclosed during test in 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 accessible for thorough examination. I further certify that on the said date, I thoroughly examined the above dust extraction system including its components and fittings and that the above is a true report of my examination.

Address:

Signature:

Qualification:

Date:

If employed by a company or association, name and address of the company or association:

FORM 57
 Prescribed under Schedule VIII
REPORT OF EXAMINATION OF HOISTS AND LIFTS

Occupier (or owner) of premises:

Address.....

1. (a) Type of hoist or lift and identification number or description:

(b) Date of construction or reconstruction (if ascertainable):

2. Are all parts of the hoist or lift of good mechanical construction, :

sound material and adequate strength (so far as ascertainable) ?

3. Are the following parts of the hoist or lift properly maintained :

and in good working order? If not, state what defects have been found—

(a) Enclosure of hoistway or lift way:	(e) Cage and platform & fittings, guides, buffers, interior of the hoistway or lift way:	(i) Brakes:
(b) Landing gates and cage gates:	(f) Overrunning devices:	(j) Worm or spur gearing:
(c) Interlocks and landing gates and cage gates:	(g) Suspension ropes or chain & their attachments:	(k) Other electrical equipment:
(d) Other gate fastenings:	(h) Safety gear <i>i.e.</i> , arrangements for preventing fall of platform or cage brakes:	(l) Other parts:

4. What parts, if any, were inaccessible?

5. Repairs, renewal or alterations (if any) required and the period within which they should be executed?:

6. Maximum safe working load subject to repairs, renewals or alterations (if any) specified in item 5.:

7. Other particulars:

I/We certify that on (date).....I/We thoroughly examined this hoist or lift and that the above is a correct report of the result.

Signature:

Qualification:

Address:

If employed by a company or association, name and address of the company or association:

FORM 58

Prescribed under Schedule VIII-Pressure Plant

REPORT OF EXAMINATION OR TEST OF PRESSURE VESSEL OR PLANT

1. Name of the Occupier (or factory):
2. Situation and address of factory :
3. Name,description and distinctive number :
of pressure vessel or plant.
4. Name and address of manufacturer and :
Reference to their test certificate or certificate of competent person .
5. Nature of process in which pressure :
vessel or plant is used.
6. Particulars of pressure vessel or plant—
 - (a) Date of construction:
 - (b) Thickness of walls:
 - (c) Date on which the pressure vessel or plant was first taken into use:
 - (d) Maximum permissible working pressure recommended by the manufacturer:
 - (e) Design pressure , if known :
 - (f) Brief history of the pressure vessel or plant,indicating :
whether the Examiner has seen the last previous report.
7. Date of last hydrostatic test (if any) and pressure applied:
8. Is the pressure vessel or plant in open or :
otherwise exposed to weather or to damp?
9. What part (if any) were inaccessible?:
- 10 What examination and tests were made? :

(Specify pressure if hydrostatic test was carried out).

11. Condition of pressure vessel or plant (State any defects materially affecting the maximum permissible working pressure or the safe working of the pressure vessel or plant):—

External:	Internal:
-----------	-----------

12. Are the required fittings and appliances provided in accordance with the rules?:
13. (a) Are all fittings and appliances properly :
maintained and in good condition?
 - (b) Have the pressure settings been checked and corrected ? :
14. (a) Repairs(if any) required :
 - (b) Period within which the repairs should be executed :
 - (c) Any other condition which the person making the :
examination thinks it necessary for securing safe working.
15. Maximum permissible working pressure calculated from dimensions and :

from the thickness and other data ascertained by the present examination due allowance being made for conditions of working if unusual or exceptionally severe (State minimum thickness of walls measured during the examination).

16. Where repairs affecting the maximum working pressure are required, state the working pressure:—

(a) after the examination of the period specified in item 14:	(b) after the expiration of such period if the required repairs have not been completed:	(c) after the completion of the required repairs:

17. Other observations:

I certify that on (date).....the pressure vessel or plant described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure vessel or plant, including its fittings and that the above is a true report of my examination.

Signature:

Qualification:

Address:

Date:

If employed by a company or association, name and address of the company or association:—

FORM 59
REGISTER OF EXAMINATION OF GAS HOLDERS

Distinguish-ing number or letter of gasholder	Particulars of manufacture				
	Maker's name	Date of manufacture	Number of lifts	Maximum capacity in cubic metres	Pressure thrown by gasholder when full of gas
(1)	(2)	(3)	(4)	(5)	(6)

Particulars of examination carried out		
Method of examina-tion used	Date of examina- tion	Name and designation of the person making this examination
(7)	(8)	(9)

Particulars of repairs			Remarks
Nature of repairs	Date of repairs and painting	By whom repairs are carried out	
(10)	(11)	(12)	(13)

FORM 60

REPORT OF EXAMINATION OF WATER-SEALED GASHOLDER

1. Name of occupier (or factory) :
2. Situation and address of factory :
3. Name,description,distinguishing number or letter and type of gasholder :
- 4.Name and address of the manufacturer :
- 5.
6. Particulars of gas to be stored in the holder:

(a) Number of lifts	(b) Maximum capacity in cubic meters	(c) Pressure thrown by holder when full of gas

7. Particulars as to the condition of:

(a) Crown	(b) Side sheeting,including grips and cups	(c) guiding mechanism (Roller carriages,rollers,pins,guiderails or ropes)	(d) Tank	(e) Other structure,if any(columns,framing and bracing)

8. Particular as to the position of the lifts at the time of examination:
9. Particulars as to whether the tank and lift were found sufficiently level :
for safe working and if not,as to the steps taken to remedy the defect.
10. Date of examination and by whom it was carried out:
11. Condition of vessel— (a) External:
(b) Internal:
- 12.(a) Are all fittings and appliances properly maintained and in good condition?:
(b) Repairs,if any,required and period within which they should be executed:
(c) Any other conditions which the persons making the :
examination thinks it necessaary for securing safe working.
13. Other observations:

I certify that on (date)the gasholder described above was thoroughly examined and such of the tests as were necessary made on the same day and that the above is a true report of my examination.

Qualification;

Address:

Signature:

Date:

If employed by a company or association, nameand address of the company or association.:

GOVERNMENT OF MEGHALAYA
LABOUR DEPARTMENT

NOTIFICATION
Dated Shillong, the 31st March, 2022

LBG 75/2012/417 - In continuation to this Department's Notification No. LBG 75/2012/412 dated 03.01.2022, the Governor of Meghalaya is pleased to revise the Minimum Wages payable to the employees under the 29 Schedule of Employments with effect from 1st April, 2022 as follows :-

Sl No.	Category	Minimum wage + Revised VDA
1.	Unskilled	₹300/- +73 = ₹373/-
2.	Semi-skilled	₹340/- +83 = ₹423/-
3.	Skilled	₹380/- +93 = ₹473/-
4.	Highly-skilled	₹420/- +102 = ₹522/-

The Variable Dearness Allowance has been rounded off to the next higher rupee.

These issues with the concurrence of Finance Department vide I/D No. F(PR)98/2022 dated 23.03.2022.

Sd/-
G.H.P.Raju IPS,
Principal Secretary to the Govt. of Meghalaya,
Labour Department.

Memo No. LBG 75/2012/417-A

Dated Shillong, the 31st March, 2022

Copy to :

1. P.S. to Chief Minister, Meghalaya for favour of kind information of Hon'ble Chief Minister.
2. P.S. to Minister i/c Labour, Meghalaya for favour of kind information of Minister
3. P.S. to all Ministers, Meghalaya for favour of kind information.
4. P.S. to Chief Secretary to the Govt. of Meghalaya for favour of kind information of the Chief Secretary
5. The Additional Chief Secretary/Principal Secretary/Commissioner & Secretary/Secretary of all Departments
6. Finance (Pay Revision) Department (consulted I/D above).
7. All Administrative Department/All Heads of Department
8. The Labour Commissioner, Meghalaya, Shillong for information and necessary action.
9. Director of Information and Public Relations for wide publicity.
10. Director of Printing and Stationery, Meghalaya, Shillong for publication in the extra ordinary gazette and to supply 100 copies to this Department urgently.

Contd... 2/-

11. Managing Director, MTC, Meghalaya, Shillong
12. Chairman/Chief Executive Officer, Shillong/Jowai/Tura/Williamnagar/Baghmara/Resubelpara Municipal Board.
13. President, Frontier Chamber of Commerce, G.S. Road, Shillong-2.
14. Managing Director, Meghalaya Plywood Pvt. Ltd C/o Bawri Mansion, Dhankheti, Shillong
15. General Secretary, Shillong Municipality Harijan Mazdoor Union, Bara Bazar, Harijan Colony, Shillong-2
16. President INTUC, Meghalaya Branch, Opp Lum Jingshai, Short Round Road, Shillong.
17. General Secretary, AITUC, Meghalaya Branch, C/o CPI Officer, Quinton Road, Shillong-2.
18. General Secretary, Meghalaya Power Workers' Union, C/o B.C. House, Me.E.C.L, Shillong1.
19. General Secretary, Garo Hills PWD, Labour Union, P.O. Tikrikilla, P.S. Phulbari.
20. General Secretary, Shillong Municipal Employers' Association, Shillong.
21. General Secretary, Meghalaya PWD, Muster Roll Workers' Union, C/o CPI Office, Quinton Road, Shillong-1.

By Order etc.,


Under Secretary to the Govt. of Meghalaya,
Labour Department

GOVERNMENT OF MEGHALAYA
DEPARTMENT OF LABOUR, EMPLOYMENT & SKILL DEVELOPMENT
Room No.511 (A), Addl. Secretariat Building, Shillong-793001
E-mail: labourdeptt.sectt@gmail.com

NOTIFICATION

Dated Shillong, the 3rd December, 2024

No.LE&SD.9/2023/Pt/5 –In exercise of the powers sub-section (2) of Section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948) as amended, the Governor of Meghalaya is pleased to revise the rates of minimum wages in respect of the following schedule of Employments all categorized and defined as indicated in the table below :-

Agriculture (2) Construction and maintenance of Buildings including Public Health Engineering, etc., (3) Stone crushing and breaking operations (4) Construction, Generation and Distribution of Powers, Water supply, land development excavation and reclamation, (5) Sericulture & Weaving, (6) Fruit Preservation, (7) Soil Conservation, (8) Animal Husbandry and Veterinary, (9) Forest, (10) Local Authority, (11) Public Motor Transport (12) Saw Mill, (13) Plywood Industry, (14) Motor Workshops, (15) Furniture Industry, (16) Bakery (17) Shops and Establishment, (18) Printing Press (19) Sales, Distribution and handling of petroleum products (20) Steel Fabrication and concrete products including brick making, (21) Tailoring, (22) Wax and Candle industry (23) Hotels and Restaurants (24) Mines and Minerals(25) Safai Karamcharis (26) Employment in Registered Factories not elsewhere classified (27) Employment under Government Authority (casual contingency Employee) (28) Domestic Workers and (29) Security Guard :-

Sl. No.	Category	Minimum wage + Revised VDA payable w.e.f 1 st October,2024
1.	Unskilled	₹300/- + ₹ 119 = ₹ 419/-
2.	Semi-skilled	₹340/- + ₹ 134 = ₹ 474/-
3.	Skilled	₹380/- + ₹ 150 = ₹ 530/-
4.	Highly-skilled	₹420/- + ₹ 166 = ₹ 586/-

The above rates of minimum wages are effective from 1st October, 2024.

Explanation:

- UNSKILLED** : means work which involves simple operation, little or no skill or experience in the job.
- SEMI-SKILLED**: means work which involves some degree of skill and competence acquired through experience on the job which is capable of being performed under the supervision and guidance of skilled employees and includes unskilled supervisory works.
- SKILLED** : means work which involves skill or competence acquired through experience on the job or through training as apprentice in a technical or vocational institute and the performance of which calls for initiative and judgement.
- HIGHLYSKILLED** : means expert in the work requiring great skills.

The revised rates proposed are inclusive of Variable Dearness Allowance but exclusive of other concession if any enjoyed by the employees. The existing task and hours of work i.e. 8 (eight) hours a day 48 (forty eight) hours a week shall continue until further orders. The Minimum rates of wages proposed include the wages payable for weekly day of rest. The rate of wages of overtime work shall be double the ordinary rate of wages.

The revised rates shall be deemed to come in force with effect from 01.10.2024 and will be revised every 6 (six) months by adoption of Consumer Price Index (CPI) linked Variable Dearness Allowance (VDA).

This supersedes this Department's earlier Notification No.LE&SD.9/2023/17 dt 25.06.2024.

Contd.....2/-

The Variable Dearness Allowance has been rounded off to the next higher rupee.

This issues with the concurrence of Finance (PR) Department vide I/D No.F(PR).335/24 dated 21.10.2024 and Finance (EA) Department vide I/D No.FEA.135/24 dated 29.11.2024.

Sd/-
C. Songate, IRS,
Principal Secretary to the Govt. of Meghalaya,
Department of Labour, Employment & Skill Development

Memo No. LE&SD. 9/2023/Pt/5-A

Dated Shillong, the 3rd December, 2024.

Copy to :

1. P.S. to Chief Minister, Meghalaya for favour of kind information of Hon'ble Chief Minister.
2. P.S. to Minister i/c Department of Labour, Employment & Skill Development, Meghalaya for favour of kind information of Minister.
3. P.S. to all Ministers, Meghalaya for favour of kind information of Minister.
4. P.S. to Chief Secretary to the Govt. of Meghalaya for favour of kind information of the Chief Secretary.
5. P.S. to the Additional Chief Secretary/Principal Secretary/Commissioner & Secretary/Secretary for kind information of Additional Chief Secretary/Principal Secretary/Commissioner & Secretary/Secretary.
6. The Labour Commissioner, Meghalaya, Shillong for information and necessary action.
7. Finance (Pay Revision) Department (consulted I/D above).
8. Finance (EA) Department (consulted I/D above).
9. Director of Information and Public Relations for wide publicity.
10. Director of Printing and Stationery, Meghalaya, Shillong for publication in the extra ordinary gazette and to supply 100 copies to this Department urgently.
11. Managing Director, MTC, Meghalaya, Shillong
12. Chairman/Chief Executive Officer, Shillong/Jowai/Tura/Williamnagar/ Baghmara/ Resubelpara Municipal Board
13. All Administrative Department/All Heads of Department.
14. President, Frontier Chamber of Commerce, G.S. Road, Shillong-2
15. Managing Director, Meghalaya Plywood Pvt. Ltd C/o Bawri Mansion, Dhankheti, Shillong
16. General Secretary, Shillong Municipality Harijan Mazdoor Union, Bara Bazar, Harijan Colony, Shillong-2
17. President INTUC, Meghalaya Branch, Opp. Lum Jingshai, Short Round Road, Shillong
18. General Secretary, AITUC, Meghalaya Branch, C/o CPI Officer, Quinton Road, Shillong-2
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20. General Secretary, Garo Hills PWD, Labour Union, P.O. Tikrikilla, P.S. Phulbari.
21. General Secretary, Shillong Municipal Employers' Association, Shillong.
22. General Secretary, Meghalaya PWD, Muster Roll Workers' Union, C/o CPI Office, Quinton Road, Shillong-1
23. General Secretary, All Jaintia Muster Roll Workers & Labour Union, Central Executive Committee, Headquarter, Jowai-793150.

By Order etc.,

Deputy Secretary to the Govt. of Meghalaya,
Department of Labour, Employment & Skill Development