

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 8th May, 2026

G.S.R. 345(E).—Whereas the draft of the rules, as required under sections 133 and 134 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) was published in the Official Gazette *vide* G.S.R 934 (E), dated the 30th December 2025 inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of forty-five days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the Gazette notification were made available to the public on the 30th December, 2025;

And whereas the objections and suggestions received from the public in respect of the draft rules have been duly considered by the Central Government;

Now, in exercise of the powers conferred by sections 133 and 134 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and in supersession of the-

1. Dock Workers (Safety, Health and Welfare) Rules, 1990;
2. Building and Other Construction Workers (Regulation of Employment and Condition of Services) (Central) Rules, 1998;
3. Mines Rules, 1955;
4. Mines Rescue Rules, 1985;
5. Mines Vocational Training Rules, 1966;
6. Pithead Bath Rules, 1959;
7. Mines Crèche Rules, 1966;
8. Contract Labour (Regulation and Abolition) Central Rules, 1971;
9. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1979.
10. Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957;
11. Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Rules, 1984;
12. Sales Promotion Employees (Conditions of Service) Rules, 1976;
13. Ease of Compliance to Maintain Register under various Labour Laws Rules, 2017 to the extent these rules are made in exercise of the powers conferred by section 62 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996); section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970); section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979); section 58 read with section 59 of the Mines Act, 1952 (35 of 1952); section 12 of the Sales Promotion Employees (Conditions of Service) Act,

1976 (11 of 1976); section 20 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) and applicable accordingly;

14. Working Journalist (Fixation of Rates of Wages) Rules, 1958; and

15. Working Journalists and Other Newspaper Employees Tribunal Rules, 1979,

except as respects things done or omitted to be done before such supersession, Central Government hereby makes the following, rules, namely:-

CHAPTER - I

PRELIMINARY

1. Short title and commencement. - (1) These rules may be called the Occupational Safety, Health and Working Conditions (Central) Rules, 2026.

(2) They extend to the whole of India.

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

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

(a) “Code” means the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020);

(b) “FORM” means FORMS annexed in Annexure VII to these rules;

(c) “Officer in charge of canteen” means the person (other than manager) appointed by the employer for securing compliance with the provision in respect of canteen under the code.

(d) “Annexure” means list annexed to these rules;

(2) The words and expressions used in these rules and are not defined therein, but are defined in the Code, shall have meanings respectively assigned to them in the Code.

CHAPTER II REGISTRATION

3. Application for registration.- (1) An employer seeking registration for an establishment shall apply electronically in **FORM-I** containing the particulars of the establishment, accompanied by documents relating to registration of the establishment, proof of identity and address on the Shram Suvidha Portal or Portal as may be designated by the Central Government by giving details about the establishment.

(2) Where an application under sub-rule (1) is complete in all respects, the certificate of registration shall be issued in **FORM-III** electronically forthwith, but in any case not later than seven days from the date of submission of complete application:

Provided that if the certificate of registration is not issued within the period specified, the establishment shall be deemed to have been registered and the certificate of registration shall be auto-generated in **FORM-III**.

(3) The late fee for registration after expiry of sixty days from the date of notification of these rules, shall be specified through general or special order by the Central Government issued from time to time.

(4) The certificate of registration shall be non-transferable and shall be displayed at conspicuous places within the premises of the establishment.

(5) Where an employer fails to comply with the requirements of sub-rule (1), the Registering Officer under the Code may, by order, direct such employer to comply with such requirements within the time specified in such order.

(6) An employer of an establishment already registered under any other Central labour laws for the time being in force shall within six months from the date on which rules come into force, update the registration particulars in **FORM-I**:

Provided that no such cancellation shall be made unless the establishment has been given an opportunity to show cause, within a period of thirty days, either electronically or by speed post, as to why the certificate of registration should not be cancelled.

(7) The employer shall quote the registration number on all documents prepared or completed by the employer in connection with the rules or the schemes, made thereunder and in all correspondence with the office concerned.

(8) Any change in the particulars furnished in **FORM-I** shall be updated on the portal by the employer within thirty days of such change and where the application for amendment is complete in all respects, the amended certificate of registration shall be issued electronically in **FORM-III** not later than seven days from the date of submission of complete application,

failing which amended certificate of registration shall be auto generated.

- (9) The registering officer shall maintain in **FORM-V** showing the particulars of establishment in relation to which certificates of registration have been issued.
- (10) The employer shall within thirty days of the closing of the establishment other than mines, intimate to the Registering Officer and also to Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated intimating the actual date of closing of establishment in **FORM-II** along with certificate of payment of all dues and statutory returns to the workers employed in such establishments and such information shall be auto-shared to Employees' Provident Fund Organisation and Employees' State Insurance Corporation.
- (11) On receipt of **FORM-II** complete in all respects, the registering officer shall cancel the certificate of registration and issue cancellation of certificate of registration in **FORM-IV** electronically within sixty days from the receipt of **FORM-II**. If registering officer fails to cancel the registration certificate of the establishment within sixty days then the cancellation of registration certificate shall be auto generated in **FORM-IV**.

4. Notice of commencement and cessation of operation.- (1) The employer of establishment relating to contract labour or building or other construction work shall within thirty days of the commencement or cessation of operation of the establishment, submit a notice in **FORM-VI** to the registering officer and also to the Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated.

(2) The notice of cessation of operation under sub-rule (1) shall be accompanied by a certificate stating 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.

Provided that in the case of mines, the employer of every mine shall give not less than thirty days' prior notice of the commencement, reopening, cessation, discontinuation or abandonment of operations or closing of mines in **FORM- VII**.

CHAPTER III

DUTIES OF EMPLOYER AND EMPLOYEE

5. Annual health examination of employees.- (1) Every employer of dock work, building or other construction work shall arrange to conduct free of cost, medical examination for employee, who has completed forty years of age.

(2) The medical examination shall be conducted by a qualified medical practitioner and a certificate shall be provided **FORM-VIII** to both the employer and employee:

Provided that an employer may avail the facility for medical examination of the employees through the Employees' State Insurance Corporation:

Provided further that in case of mines, additional tests and conditions of annual medical examinations of employees shall be governed under Rule 109.

6. Letter of appointment to employee.- No employee shall be employed in any establishment unless an appointment letter has been issued to such employee in the format given below:

Format

- (i) Name of employee:
- (ii) Date of birth:
- (iii) Father's / Mother's name:
- (iv) Aadhaar number (after obtaining consent):
- (v) Labour Identification Number of the establishment:
- (vi) Universal Account Number and / or Insurance Number (if available):
- (vii) Designation:
- (viii) Type of Employment (Regular/Fixed-term employment/Contractual):
- (ix) Category of skill:
- (x) Date of joining:
- (xi) Wages/Basic/Pay and Dearness Allowance:
- (xii) Other allowance including accommodation whichever is/are applicable:
- (xiii) Applicability of social security [Employees' Provident Fund Organisation and Employees' State Insurance Corporation] benefits:
- (xiv) Broad Nature of duties to be performed:
- (xv) Benefits available under Chapter VI (Maternity Benefit) of the Code on Social Security, 2020 (36 of 2020) (in case of women employee):
- (xvi) Any other information:

Signature / Digital Signature
of Employer

7. Notice of accidents and dangerous occurrences.- (1) Where at any place in an establishment, an accident occurs resulting to death, the employer of the establishment shall inform to the Inspector-cum-Facilitator forthwith in a notice in **FORM-XI** and inform electronically and by telephone to the Chief Inspector-cum-Facilitator(s), Inspector-cum Facilitator(s), District Magistrate or Sub-divisional Officer and the officer-in-charge of the jurisdictional police station and the family members or kin of the victim.

(2) Where at any place in an establishment, an accident occurs which results in bodily injury by reason of which the person injured is prevented from working for a period of forty eight hours or more immediately following the accident, the employer of the establishment shall inform in

FORM-XI within twelve hours after the completion of forty-eight hours, electronically to the Inspector-cum-Facilitator(s).

(3) Where in any establishment, dangerous occurrence as specified in sub-rule (4), whether causing any bodily injury or disability or not, the employer shall within twelve hours send an intimation to-

- (i) the Inspector-cum-Facilitator; and
- (ii) the District Magistrate or Sub-divisional Officer:

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

Provided further that, if the period of disability from working for forty-eight hours or more referred to in sub-rule (2) does not occur immediately following the accident, or the dangerous occurrence, but later on occurs in more than one spell, the report there of shall be sent to the Inspector-cum-Facilitator and District Magistrate or Sub-divisional Officer; in the **FORM-XI** within twenty-four hours following the hours when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes forty-eight hours.

(4) The following classes of dangerous occurrences, whether or not they result in bodily injury or disablement:

- (i) bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane;
- (iii) explosion, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;
- (iv) explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas;
- (v) collapse or failure of lifting appliances or hoists or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears; overturning of cranes used in building or other construction work;
- (vi) a spontaneous heating or outbreak of fire or appearance of smoke or other indication of heating or outbreak of fire in belowground mines;
- (vii) collapse or subsidence of 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;
- (viii) spillage or leakage of hazardous substances and damage to their container;
- (ix) an eruption or inrush of water or other liquid matter in mines;
- (x) collapse, capsizing, toppling or collision of transport equipment within the establishment;
- (xi) fall from a height of any excavation, loading or transport machinery, falling of objects from a height;
- (xii) an instantaneous failure of a pillar, part of a pillar or several pillars in working below ground;
- (xiii) a rock-burst in working below ground; a premature collapse of any part of the working;
- (xiv) a breakage, fracture or failure of a part of any machinery or apparatus including any derrick, draw-works, casing line or failure of emergency brake, whereby the safety of persons may be endangered;
- (xv) a slide causing injury to any person, damage to any machinery or interruption of normal mining operations;
- (xvi) failure of dump or side in opencast working;
- (xvii) a failure of any structure or installation whereby the safety of persons may be endangered;
- (xviii) an uncontrolled chemical spillage;
- (xix) a blowout in case of oil mines;
- (xx) spark generated due to electrical flash-over causing burn injury to any person;
- (xxi) an explosion or ignition in mines;
- (xxii) an influx of inflammable or noxious gases in belowground or oil mines;
- (xxiii) any accident due to explosives in mines;
- (xxiv) a breakage or fracture of rope, chain, headgear, pulley or axle or bearing thereof or other gear by which persons or materials are lowered or raised in a below ground mine;
- (xxv) an overwinding or hard landing of cages or other means of conveyance while persons or materials are being lowered or raised in a below ground mine;
- (xxvi) a breakage or fracture of any part of the winding engine, crankshaft, coupling, bearing, gearing, clutch, drum or drum shaft or failure of emergency brake in a below ground mine;
or
- (xxvii) any other occurrence as specified through general or special order by the Central Government issued from time to time.

8. Notice of disease.- (1) Where in any establishment, a worker contracts any disease specified in the Third Schedule to the Code, the employer of the establishment shall send a notice

forthwith either electronically or by speed post, to the Inspector-cum Facilitator or Chief Inspector-cum-Facilitator in the following format namely:-

NOTICE OF DISEASE

- (1) Name and address of the employer:
 - (2) Name and address of establishment:
 - (3) Nature of establishment:
 - (4) In case of mines, the name of the mineral:
 - (5) Details of Patient:
 - (a) Name of Patient:
 - (b) Worker number of Patient:
 - (c) Address of patient:
 - (d) Precise occupation of patient:
 - (6) Nature of disease from which patient is suffering:
 - (7) Date of detection of disease:
 - (8) Details of qualified medical practitioner:
 - (9) Has the case been reported to the Medical Officer:
- Date:

Signature of employer

(2) Where qualified medical practitioner attends to 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 to the Code, the medical practitioner shall forthwith send the report in writing to the Chief Inspector-cum-Facilitator stating-

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

9. Duties of employee.- (1) Where any employee becomes aware of an unsafe or unhealthy condition in the establishment, such employee shall as soon as practicable report the matter to the employer or health and safety representative or safety officer or official for their workplace or agent or manager in case of mine.

(2) The representative, safety officer, official, agent or manager, as the case may be, shall thereupon report the matter to the employer immediately.

10. Rights of employee.- On receipt of information from any employee regarding the existence of an imminent danger to safety and health of employees in the establishment, the employer shall take immediate remedial action and whether employee is satisfied with the remedial measures or not, shall send a report of actions taken, to the Inspector-cum-Facilitator electronically or by speed post.

CHAPTER IV

OCCUPATIONAL SAFETY AND HEALTH

11. Provisions relating to National Occupational Safety and Health Advisory Board.-

(1) The Members of the National Board as specified in clauses (g), (j), (k), (l) and (m) of sub-section(2) of section 16 shall be appointed by the Central Government through notification.

(2) The National Board may meet to discharge the functions as under sub-section (1) of section 16 as and when required.

(3) A Member of the National Board, not being an ex officio member, may resign from their office by a letter in writing addressed to the Chairperson of the National Board.

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

(5) If any Member of the National Board, not being an ex officio member, fails to attend three consecutive meetings of the National Board, without obtaining the leave sanctioned by the Chairperson of National Board for such absence, they shall cease to be a member of National Board:

Provided that the Central 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 National Board.

(6) A person shall be disqualified for being a Member of the National Board-

- (a) if person is of unsound mind and stands so declared by a competent authority;
- (b) if person is an undischarged insolvent; or
- (c) if person has been convicted for an offence, having a penalty of imprisonment of three months or more;

(7) The Central Government may remove any Member of the National Board, if in its opinion such Member has ceased to represent the interest which such member purports to represent on such National Board:

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

(8) The travelling allowance of an official Member of the National Board shall be governed by the rules applicable to such members for journey performed on official duties and shall be paid by the authority paying for the salary of the members.

(9) The non-official Members of the National Board shall be paid travelling allowance for attending the meeting of the National Board at such places in accordance with the instructions issued by the Department of Expenditure, Ministry of Finance, Government of India.

12. Technical Committees or Advisory Committees.-

- (1) The Central Government may constitute one or more Technical Committees or Advisory Committees for the purpose of assisting the National Board in discharge of its functions specified in sub section (1) of section 16 of the Code, for such period as in the order constituting Technical Committees or Advisory Committees.
- (2) The Technical Committees or Advisory Committees may be multi-members Committee and consist of members from a government, public, autonomous, private institutions or industries, research, academic institutions or occupational health.
- (3) The members of the committee shall have Bachelor's degree in engineering with Diploma or post-graduate diploma in industrial safety or Master's Degree in Physics or Chemistry or Bachelor of Medicine and Bachelor of Surgery with Associate Fellow of Industrial Health, with an experience of not less than twenty years in regulatory body or industry or research or academic institutions or occupational health may be nominated to the technical committee or advisory committee.
- (4) In case of mines, a member having Bachelor's degree in Mining engineering with First Class Manager's Certificate of Competency to manage a coal or metalliferous mine or Master of Engineering or Master of Technology or Doctor of Philosophy in mining or mechanical or electrical engineering or Bachelor of Medicine and Bachelor of Surgery, with experience of not less than twenty years in regulatory body or industry or research or academic institutions or occupational health may be nominated to the technical committee or advisory committee.
- (5) The Chairperson of the Technical Committees or Advisory Committees shall be nominated by the Central Government.
- (6) The Technical Committee or Advisory Committees may constitute sub-committees to meet the specific requirements.
- (7) The Technical Committee or Advisory Committees shall follow such rules and procedure including its transaction of business as may be specified through general or special order by

the Central Government or National Board, issued from time to time.

- (8) Travelling allowance for non-official members of the Technical Committee or Advisory Committees shall be as per the instructions by Department of Expenditure, Ministry of Finance, Government of India, issued from time to time.
- (9) A member of the Technical Committees or Advisory Committees, not being an ex officio member, may resign from their office by a letter in writing addressed to the Central Government through the Chairperson of the Technical Committees or Advisory Committees.
- (10) A Chairperson of the Technical Committees or Advisory Committees may resign from their office by a letter in writing addressed to the Secretary, Ministry of Labour and Employment, Government of India.
- (11) The seat of such a member or Chairperson as the case may be, shall fall vacant from the date on which their resignation is accepted by the Central Government or on the expiry of thirty days from the date of receipt of the letter of resignation by Central Government whichever is earlier.
- (12) If any member of the Technical Committees or Advisory Committees, not being an ex officio member, fails to attend two consecutive meetings of such Committee, without obtaining the permission of the Chairperson of such Committee for such absence, such member shall cease to be a member of such Committee:

Provided that the Central Government may, if it is satisfied that such member was prevented by sufficient cause from attending two 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 such Committee.

- (13) (i) A person shall be disqualified for being a member of the Technical Committees or Advisory Committees —

- (a) if person is of unsound mind and stands so declared by a competent court;
- (b) if person is an undischarged insolvent; or
- (c) if person has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude.

- (ii) Where a question arises as to whether a disqualification has been incurred under clause (i), the Central Government shall decide such question and such decisions should be treated as final.

- (14) The Central Government may remove any member or Chairperson of the Technical Committees or Advisory Committees, if in its opinion such member has ceased to represent the interest which such member purports to represent on such Committee:

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

13. Collection of statistics and portal for inter-State migrant workers.-The employer shall furnish to the Central Government, the detail statistics of inter-State migrant workers and of their occupational safety and health, electronically on web portal designated for the purpose by the Central Government as may be specified through general or special order by the Central Government issued from time to time.

14. Safety Committee.- (1) Every establishment employing five hundred or more workers shall constitute a Safety Committee consisting of representatives of employers and workers. (2) The Central Government may by general or special order specify varying threshold of workers for different classes of establishments issued from time to time.

(3) The tenure of the Safety Committee shall be for three years and it shall meet at least once in every quarter.

Provided that in the case of mines, the Safety Committee shall meet at least once in a month.

(4) The Safety Committee shall be adequately and suitably informed of—

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

(5) The employer shall, within fifteen days from the date of receipt of the recommendations of the Safety Committee take action to implement such recommendations.

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

- (i) a senior official, who by their position in the organisation can contribute effectively to the functioning of the Committee, shall be the Chairman;
 - (ii) a Safety Officer and qualified medical practitioner wherever available and the Safety Officer shall act as Secretary of the Committee; and
 - (iii) One representative from the production, maintenance and purchase departments.
- (2) The Safety Committee shall consist of an equal number of members representing the employer and the workers, which shall not exceed twenty;
- (3) the representatives of the employer in the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials directly associated with the working of the establishment, preferably the heads of major departments of the establishment;
- (4) the representative of the workers in the Safety Committee shall be chosen in the following manner, namely: -

- (a) where there is a sole negotiating union or a negotiating council or negotiating union, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Unions;
- (b) where there is no sole negotiating union or negotiating union or negotiating council as referred in the clause (a), the workers of the establishment shall choose amongst themselves:

Provided that the employer may, deploy an electronic process for choosing representative of workers:

Provided further that there shall be adequate representation of women and such representation shall not be less than the proportion of women workers to the total number of workers employed:

Provided also that in case there is no recognized both negotiating union or negotiating council and where any dispute arises regarding choosing of the worker's representative to the Safety Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall after hearing the parties decide the matter and the decision of Regional Labour Commissioner (Central) shall be final.

- (c) the tenure of the members of the Safety Committee shall be three years.

(5) The minutes of the meeting of the Safety Committee shall be recorded.

(6) The function and duties of the Safety Committee in an establishment shall include –

- (i) assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Safety and Health Policy of the establishment;
- (ii) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problems encountered;
- (iii) creating safety awareness amongst all workers;
- (iv) undertaking educational, training and promotional activities;
- (v) discussing reports on safety, environmental and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the

- recommendations made in the reports;
- (vi) looking into the matters likely to cause danger to the safety and health of the workers and suggesting corrective measures; and
 - (vii) reviewing the implementation of the recommendations made by it.

16. Composition of Safety Committee in mines. – (1) The Safety Committee shall consist of an equal number of members representing the employer and the workers, which shall not exceed twenty.

(2) The representative of the employer on safety committee, in the mine shall be nominated by the employer and shall, as far as possible, be officials in direct touch with or associated with the workings of the mine, preferably the heads of major departments of the mine and will consists of;

- (a) the manager referred to in section 67 of the Code shall be the Chairman;
- (b) five officials or competent persons of the mine nominated by the Chairman;
- (c) the Safety Officer, or where there is no safety officer, the senior most official next to the manager, who shall act as Secretary to the Committee;

(3) The representative of the workers in the Safety Committee shall be chosen in the following manner, namely: -

- (a) where there is a sole negotiating union or a negotiating council or negotiating union, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Unions.
- (b) where there is no sole negotiating union or negotiating union or negotiating council as referred to the clause (a), the workers of the establishment shall choose amongst themselves:

Provided that, the employer may, deploy an electronic process for choosing representative of workers:

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

Provided also that in case there is no recognised negotiating union or negotiating council and where any dispute arises regarding the choice of the representative to the Safety Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall after hearing

the parties decide the matter and the decision of Regional Labour Commissioner (Central) shall be final.

Provided also that the workers representatives at least one each from mining, electrical and mechanical discipline shall be nominated or elected as the case may be:

(c) the tenure of the members of the Safety Committee shall be three years.

17. Functions of Safety Committee in case of Mines.— The functions of the Committee shall be-

- (a) to discuss remedial measures against the unsafe conditions and practices in the mine as pointed out in the reports of representative brought to the notice of the Committee and make appropriate recommendations;
- (b) to consider, before commencement of operations in any, new area of the mine or installations of oil mine or commissioning of new electrical or mechanical installation or introduction of new mining technique, the proposed safety and health measures;
- (c) to discuss the report of inquiry into accident, dangerous occurrences etc., and make appropriate recommendations;
- (d) to formulate and implement appropriate Safety Campaigns based on analysis of accidents and dangerous occurrences;
- (e) to serve as a forum for communication on Safety and occupational health matters; and
- (f) to discuss the standard operating procedures (SOP) prepared for different plant, equipment, installations and methods at the mine and make appropriate recommendations.
- (g) to review the Safety Management Plan.

18. Safety officer for Dock Work and Building or Other Construction Work.- (1) In every establishment of dock work wherein five hundred or more workers and building or other construction work wherein two-hundred and fifty or more workers are ordinarily employed, the employer shall employ safety officer as per the scale mentioned below:-

(a) For dock work-

- (i) up to 1000 workers - one safety officer;
- (ii) up to 2000 workers – two safety officers;
- (iii) up to 5000 workers – three safety officers;
- (iv) up to 10,000 workers –four safety officers;
- (v) for every additional 5000 workers or part thereof- one safety officer.

(b) For building or other construction work-

- (i) up to 500 workers- one safety officer;

- (ii) up to 1000 workers – two safety officers;
 - (iii) up to 2000 workers – three safety officers;
 - (iv) up to 5,000 workers –four safety officers ;
 - (v) for every additional 2000 workers or part thereof- one safety officer.
- (2) A person shall not be eligible for appointment as a safety officer relating to dock work or building or other construction work unless possesses –
- (a) a recognised degree in any branch of engineering or technology and has had practical experience of working in a supervisory capacity for a period of not less than two years; or
 - (b) a recognised degree in physics or chemistry and has had practical experience in a supervisory capacity for a period of not less than five years; or
 - (c) a recognised diploma in any branch of engineering or technology and has had practical experience in a supervisory capacity for a period of not less than five years;
 - (d) possesses a degree or diploma in industrial safety recognised by the Central or State Government; or post-graduate diploma in industrial safety from Central Labour Institute or Regional Labour Institutes under Directorate General of Occupational Safety and Health.
- (3) Notwithstanding anything contained in sub-rules (1) and (2), any person who –
- (a) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than five years in a department of the Central Government or the State Government which deals with the administration of legislations pertaining to the factories or building or other construction works or dock works;
 - (b) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than five years in training, education, consultancy, or research in the field of accident prevention in industry or in any institution; shall be eligible for appointment as a Safety Officer.

19. Duties of Safety Officers in case of dock work and building or other construction work.—The

duties of a Safety Officer shall be to advise and assist in the fulfilment of statutory obligations, concerning prevention of personal injuries and maintenance of a safe working environment and shall include the following, namely:—

- (a) advising the concerned departments in planning and organising measures necessary for the effective control of personal injuries;
- (b) advising on safety aspects in all job studies and to carry out detailed job safety studies of selected jobs;
- (c) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (d) to provide advice on matters related to carrying out safety inspections;
- (e) to carry out plant safety inspections observe the physical conditions of work and the work practices and procedures followed by workers and to render advice on measures to be

- adopted for removing the unsafe physical conditions and preventing unsafe actions by workers;
- (f) to render advice on matters related to reporting and investigation of accidents, dangerous occurrences and diseases;
 - (g) to investigate selected accidents and dangerous occurrences ;
 - (h) to investigate the cases of notifiable diseases listed in the Third Schedule to the Code;
 - (i) to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the workers in establishing and maintaining safe conditions of work and procedures;
 - (j) to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries; and
 - (k) the safety officer shall maintain in a bound paged book or in retrievable and non-editable electronic form a detailed record of the work performed by safety officer.

20. Safety officer in case of mines.- (1) At every mine, wherein one hundred or more workers are ordinarily employed, the employer shall appoint safety officer on a scale of one up to five hundred workers and an additional one for every additional five hundred workers or part thereof.

(2) The Safety Officers shall possess the qualifications, namely:-

(a) in case of coal mine-

- (i) for belowground mines, person holding First Class Manager's Certificate of Competency (Coal), granted by Directorate General of Mines Safety;
- (ii) for opencast mines, person holding First Class Manager's Certificate of Competency (Coal) or First Class Manager's Certificate of Competency (Coal) restricted to mines having opencast workings only, granted by Directorate General of Mines Safety;

(b) in case of metalliferous mines-

- (i) for belowground mines, person holding First Class Manager's Certificate of Competency (Metal), granted by Directorate General of Mines Safety;
- (ii) for opencast mines, a person holding a Manager's Certificate of Competency (Metal) or a Manager's Certificate of Competency (Metal) restricted to mines having opencast workings only, granted by the Directorate General of Mines Safety;

(c) in coal and metalliferous mines wherein more than one safety officer is appointed under sub-rule (1), a safety officer with degree in mechanical engineering may also be appointed, who shall report to the safety officer from mining engineering.

(d) In case of oil mines, a safety officer shall have a degree in engineering or in industrial safety from an educational institution recognised by the Central or State Government or post-graduate diploma in industrial safety from the Central Labour Institute or the Regional Labour Institutes under Directorate General of Occupational Safety and Health and having experience in the management or supervision of operations in oil mines for a period of not less than five years.

21. Duties of Safety Officer in case of mines.- (1) It shall be the duty of the safety officer in a mine to assist the manager in matter relating to safety in the mine.

(2) The Safety Officer shall ensure that an appropriate emergency plan is in place and the requirements of the same are implemented.

(3) Except in an emergency, no duties other than those specified in sub-rule (1) and sub-rule (5) shall be assigned to the safety officer.

(4) The safety officer shall maintain in a bound paged book or in retrievable and non-editable electronic mode a detailed record of the work performed by safety officer.

(5) The duties of the safety officer shall be-

- (a) to visit the surface, aboveground and underground parts of the mine, installations of the oil mine, with a view meeting the employees on the spot, to talk to them on matters of safety and invite suggestions thereon;
- (b) to take charge of the newly recruited staff and show them around the mine pointing out the safe and unsafe acts during the course of their work in the mine;
- (c) to investigate all types of accidents, dangerous occurrences and incidents in the mine including minor accidents and to analyze the same with a view to pinpointing the nature and common causes of accidents and dangerous occurrences in the mine;
- (d) to maintain detailed statistics about mine accidents and to analyse the same with a view to pinpointing the nature and common causes of the accidents in the mine;
- (e) to study and apprise the manager referred to in section 67 of the Code, of all possible sources of danger such as inundation, fire, coal dust, blowout in oil mines and others;
- (f) to hold safety classes and give safety talks and lectures to the members of the supervisory staff;
- (g) to organise safety weeks and other safety education programmes in mines;
- (h) to see that all concerned mine employees are fully conversant with various standing orders, code of practice, support plan, and like other matters;
- (i) assist in the formulating of programme for training at the mine level, including vocational training, training in gas testing, fire-fighting and first aid, and like other matters;
- (j) to report to the manager referred to in section 67 of the Code as a result of visits to the various parts of mine, as to whether the provisions of the Code, and the rules and regulations made thereunder are being complied with in the mine; and
- (k) to promote safe practices generally and to lend active support to all measures intended for furthering the cause of safety in the mine and follow up measures for compliance.

CHAPTER V
HEALTH, SAFETY AND WORKING CONDITIONS

A. FACTORIES

22. Cleanliness and hygiene.- Employer of every factory shall ensure that: -

- (i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;
- (ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;
- (iii) the floor of every workroom is maintained in a clean and so far as is reasonably practicable, dry and non-slippery condition;
- (iv) where wet work processes are carried out—
 - (a) effective drainage is maintained;
 - (b) false floors, platforms, mats or other dry standing places are provided; and
 - (c) anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;
- (v) workrooms are cleaned as often as required by the nature of the work carried on;
- (vi) as far as practicable, sweeping and cleaning are done—
 - (a) during intervals between work; and
 - (b) in such a manner as to prevent the raising of dust;
- (vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;
- (viii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

23. Ventilation, temperature and humidity.- Employer of every factory shall ensure that:-

- (i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature, and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;

- (ii) steps are taken as are necessary to provide at all workplaces of the factory, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;
- (iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary free of charge;
- (iv) where an adequate supply of fresh air cannot be obtained by natural ventilation or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided;
- (v) where local heating apparatus, as may be necessary owing to the nature of work, are installed in workrooms, the layout of the apparatus in the room shall be such that combustion gases are prevented from entering the atmosphere of the room;
- (vi) temperature suitable for the type of work performed is maintained in workrooms and the degree of humidity be maintained for comfort of the workers;
- (vii) where owing to the nature of work, excessive high temperatures are generated, all employees shall be protected, either by heat insulation of the equipment or by other suitable means, against heat radiation and excessive temperature generated due to steam or hot-water pipes or other hot surfaces.

24. Precaution against dust, noxious gas, fumes and other impurities. - Employer of every factory shall ensure that:-

- (i) wherever exhaust systems for removal of flammable fumes, gases, mists, vapors or residues are required to be installed, they are not to be connected to any other ventilating system or discharged into a chimney or flue used for conveying gases of combustion;
- (ii) when fumes, gases, mists, vapors, dust and other refuse discharged from exhaust systems is likely to have adverse effect on the health or noxious for the employees or the neighborhood, the exhaustion shall be effected through a system that neutralizes toxic substances, sterilize infectious substances and deodorize fumes, gases, mists or vapors;
- (iii) no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

25. Artificial humidification.— Employer of every factory in which humidity of the air is artificially increased shall ensure that:-

- (i) if employees are exposed in all or some of their tasks to extreme heat and high humidity, and the hazard cannot be eliminated, then the risks to safety and health shall be assessed and the controls necessary to reduce the hazard or risks shall be effected;

- (ii) the above risk assessment takes into account including the use of appropriate protective clothing against hazardous substances that can increase the risk of heat stress and also that respiratory protectors are uncomfortable and less likely to be used in extremely hot working environments;
- (iii) where part of the risk arises from the metabolic heat produced during work or from direct exposure to sunlight and high outdoor air temperatures and when other methods of eliminating the risk are impracticable, a work-rest cycle for exposed employees, preferably in a shaded, air-conditioned or cooler resting space shall be provided to allow the employee to recover;
- (iv) to maintain hydration, sufficient quantities of drinking water, with the proper electrolytes, where appropriate, are provided at easily accessible places;
- (v) where a residual risk of heat stress remains even after all the practical control measures have been taken, employees are to be adequately supervised so that they can be withdrawn from the hot and humid conditions if symptoms occur. Also, that first-aid facilities, and staff is trained in the use of such facilities, are available;
- (vi) employees exposed to extreme hot and humid conditions are instructed and trained:
 - (a) to recognise symptoms which may lead to heat stress, in themselves or others, and the steps to be taken to prevent onset and or emergencies; and
 - (b) in the action to be taken in the event of the increased risk of accidents because of high temperatures or humidity;
- (vii) tests for determining the relative humidity of the air are carried out and recorded and if humidity level of the air is found to be harmful to the health of employees, it is artificially regulated in such a manner that humidification and temperature do not cause discomfort to employees and the water used for the purpose is taken from public supply or other source of drinking water or is purified before it is so used;
- (viii) Instruments for measurement and recording of humidity and temperature at appropriate location are provided and maintained.

B. MINES

26. Cleanliness and hygiene.- The employer of every mine shall ensure that: -

- (i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;
- (ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and

- maintained in a hygienic condition;
- (iii) the floor of every workroom is maintained in a clean and so far as possible, dry and non-slippery condition;
 - (iv) where wet work processes are carried out—
 - (a) effective drainage is maintained;
 - (b) false floors, platforms, mats or other dry standing places are provided; and
 - (c) anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;
 - (v) workplaces are cleaned as often as required by the nature of the work carried on;
 - (vi) as far as practicable, sweeping and cleaning are done—
 - (a) during intervals between work; and
 - (b) in such a manner as to prevent the raising of dust;
 - (vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;
 - (viii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

27. Ventilation, temperature and humidity.- The employer of every belowground mine shall ensure that: -

- (i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;
- (ii) steps are taken as are necessary to provide at all workplaces of the belowground mine, adequate ventilation to clear away smoke, fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;
- (iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary;
- (iv) where an adequate supply of fresh air cannot be obtained by natural ventilation or where it is difficult to get the desired amount of air to the workrooms without creating uncomfortable draughts near the inlets, mechanical ventilation is provided;

- (v) at every workplace at the surface of the mines, the temperature suitable for the type of work performed is maintained in workplaces and the degree of humidity varied in accordance with the kind of work and the outside temperature and humidity;
- (vi) measurements of air quantity, temperature and humidity are regularly taken and brought up-to-date the entries at each air measurement station.

28. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every belowground mine shall ensure that:-

- (i) such steps as may be necessary are taken for minimising emissions of any gas, fume, vapor or dust which may enter the air at any workplace and for ensuring that the exposure of employees to respirable dust, gas, fume or vapor is limited to an extent that is reasonably practicable but, in any case, not exceeding the limits that are harmful to the health of employees.
- (ii) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to remove any noxious gas, fume, vapors or dust, which may be present so as to bring their levels within the permissible limits.

29. Artificial Humidification.- The employer of every belowground mine shall ensure that:-

- (i) in respect of any belowground mine or part thereof, tests for determining the relative humidity of the air is carried out and recorded and if humidity level of the air is found to be harmful to the health of employees, is artificially regulated in such a manner that humidification and temperature do not cause any discomfort to employees;
- (ii) the water used for the purpose is taken from public supply or other source of drinking water or is purified before it is so used;
- (iii) instruments for measurement and recording of humidity and temperature at appropriate locations are provided and maintained by the employer;
- (iv) employees are trained to recognize symptoms which may lead to heat stress.

C. BUILDING OR OTHER CONSTRUCTION WORK

30. Cleanliness and hygiene.- Every employer of a building or other construction work shall ensure that:-

- (i) every building or other construction work site including its premises and surroundings are kept clean and maintained in hygienic and sanitary condition;
- (ii) place is provided for proper storage of materials and equipment;
- (iii) scrap, waste and debris are removed at appropriate intervals;
- (iv) loose materials which are not required for use is not placed or allowed to accumulate on the site

- so as to obstruct means of access to and egress from workplaces and passageways;
- (v) workplaces and passageways that are slippery are cleaned up or strewn with sand, sawdust, ash or the like;
 - (vi) where a floor is liable to become wet in the course of building or other construction works, effective drainage is maintained, kept in dry and non-slippery state and suitable safety and protective gear free of charge be provided to employees;
 - (vii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

31. Ventilation, temperature and humidity.—Every employer of a building or other construction work shall ensure that:-

- (i) where an employee is likely to be exposed to any chemical, physical or biological hazard to such an extent as is liable to be dangerous to health, appropriate preventive measures are taken against such exposure;
- (ii) the preventive measures referred under sub-rule (i) above shall comprise of-
 - (a) the replacement of hazardous substances by harmless or less hazardous substances wherever possible; or
 - (b) technical measures applied to the plant, machinery, equipment or process:

Provide that where it is not possible to comply with sub-rule (ii), other effective measures, including the use of appropriate personal protective equipment and protective clothing are provided free of charge.
- (iii) where employees are required to enter any area in which a toxic or harmful substance may be present or in which there may be an oxygen deficiency or a flammable atmosphere, adequate measures are taken to guard against danger;
- (iv) whenever heat stress, cold or wet conditions are such that they can lead to impairment of health or extreme discomfort, preventive measures are taken, such as-
 - (a) proper design of the workload and workstation, with special regard to employees in cabins, and command or driving operations;
 - (b) training, to enable detection of early signs of disorders;
 - (c) supply of appropriate protective equipment and clothing;
 - (d) routine medical surveillance;
 - (e) drinking water and electrolyte.

- (v) necessary steps are taken to constantly provide at all work places of the building or other construction work site, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless, to provide air containing sufficient oxygen and to prevent such excessive rise of temperature or humidity which may be harmful to the health of the persons employed therein;
- (vi) where the nature of the work carried out in the building or other construction work site involves or is likely to involve production of excessively high temperatures, adequate measures as are practicable are taken to protect the employees therefrom, by separating the process which produces such temperatures from the workplace, by insulating the hot parts or by other effective means;
- (vii) where part of the risk arises from the metabolic heat produced during work or from direct exposure to sunlight and high outdoor air temperatures, and when other methods of eliminating the risk are impracticable, a work-rest cycle for exposed employees, preferably in a shaded, cooler resting space shall be provided to allow the employee to recover;
- (viii) measurement of air quantity, temperature and humidity are regularly taken and brought up to date the entries at each air measurement station;
- (ix) ventilation in tunneling shall provide for -
 - (a) removal of the pollutants (exhaust gases of the vehicles, blasting fume, dust) and establishment and maintenance of a climatic state (temperature, humidity) in accordance with the required physical activities of the work force in the underground building or other construction work sites;
 - (b) choice of the ventilation system for a specific site depending on the complexity of the project (tunnel length and diameter, single or double bore, cooling requirements, intermediate multifunction stations, etc.);
 - (c) natural or artificial ventilation be so designed as to introduce a sufficient quantity of fresh or purified air per person and per hour into an area, considering the nature and conditions of the work;
 - (d) appropriate measures are taken to ensure that in enclosed premises a suitable hygrometric level in the air is maintained;
 - (e) the following instruments on the tunneling site-
 - (i) Oxygen level measuring instrument;
 - (ii) presence of flammable gases measuring instrument;
 - (iii) temperature measuring instrument;
 - (iv) dust concentration measuring instruments; and
 - (v) toxic gas measuring instrument.
 - (f) the air supply intake points for all air compressors located at places where such intake air does

not get contaminated with dust, fumes, vapor and exhaust gases or other contaminants.

32. Precaution against dust, noxious gas, fumes and other impurities.— Every employer of a building or other construction work shall ensure that:-

- (i) such steps as may be necessary for minimizing of emissions of any gas, fume, vapor or dust which may enter the air at any workplace and for ensuring that the exposure of employees to respirable dust, gas, fume or vapor is limited to an extent that is reasonably practicable but in any case, not exceeding the limits that are harmful to the health of employees;
- (ii) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

D. BEEDI AND CIGAR WORK

33. Cleanliness and hygiene.— The employer of every industrial premise for manufacture of beedi and cigar shall ensure that:-

- (i) every industry including its premises and surroundings are kept in sanitary and hygienic condition;
- (ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;
- (iii) the floor of every workroom is maintained in a clean and, so far as possible, dry and non-slippery condition;
- (iv) where wet work processes are carried out —
 - a. effective drainage is maintained;
 - b. false floors, platforms, mats or other dry standing places are provided; and
 - c. anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;
- (v) workrooms are cleaned as often as required by the nature of the work carried on;
- (vi) as far as practicable, sweeping and cleaning are done—
 - a. during intervals between work; and
 - b. in such a manner as to prevent the raising of dust;
- (vii) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

34. Ventilation, temperature and humidity.— The employer of every industrial premise shall ensure that: -

- (i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;
- (ii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary, free of charge;
- (iii) where an adequate supply of fresh air cannot be obtained by natural ventilation, or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided.

35. Precaution against dust.— The employer of every industrial premise shall ensure that no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of dust particles, which may be present, within the permissible limits.

E. MOTOR TRANSPORT WORK

36. Cleanliness and hygiene.— The employer of every motor transport undertaking shall ensure that: -

- (i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;
- (ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;
- (iii) the floor of every workroom is maintained in a clean and, so far as possible, dry and non-slippery condition;
- (iv) where wet work processes are carried out—
 - (a) effective drainage is maintained;
 - (b) false floors, platforms, mats or other dry standing places are provided; and
 - (c) anti-skid footwear and other suitable safety and protective gear for use while at work where ever required in such places without expense to employees;

- (v) workrooms are cleaned as often as required by the nature of the work carried on;
- (vi) as far as practicable, sweeping and cleaning are done—
 - (a) during intervals between work; and
 - (b) in such a manner as to prevent the raising of dust;
- (vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;
- (viii) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

37. Ventilation, temperature and humidity.- The employer of every motor transport undertaking shall ensure that: -

- (i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;
- (ii) steps are taken as are necessary to provide at all workplaces of the motor transport undertaking, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;
- (iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing appropriate protective clothes or other suitable provisions, as necessary free of charge;
- (iv) where an adequate supply of fresh air cannot be obtained by natural ventilation, or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided.

38. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every motor transport undertaking shall ensure that: -

- (i) where exhaust systems for removal of flammable fumes, gases, mists, vapors or residues are not to be connected to any other ventilating system or discharged into a chimney or flue used for conveying gases of combustion;
- (ii) when fumes, gases, mists, vapours, dust and other refuse discharged from exhaust systems is likely to have adverse effect on the health or noxious for the employees or the neighborhood, the exhaustion shall be effected through a system that neutralizes toxic substances, sterilize infectious substances and deodorize fumes, gases, mists or vapours;

- (iii) no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

F. DOCK WORK

39. Cleanliness and hygiene. - The employer of every dock work shall ensure that: -

- (i) all locations in the ship or dock where dock works are carried and where dock workers are employed are kept clean and maintained in a hygienic condition;
- (ii) all access routes and working areas are kept free from objects and materials that are liable to cause a person to trip or slip;
- (iii) loose gear, tools and similar equipment are kept safely or removed from working areas when not in use;
- (iv) spillages of oil or other materials likely to be a hazard are cleaned up by trained personnel as soon as possible under the effective supervision;
- (v) suitable safety and protective gears for use while at work wherever required are provided without expense to employees;
- (vi) where a floor is liable to become wet, effective drainage be maintained, kept in dry and non-slippery state and suitable anti-skid footwear, free of charge, be provided to employees;
- (vii) all plant and equipment are parked in appropriate designated areas when not in use;
- (viii) for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;
- (ix) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

40. Ventilation, temperature and humidity.- The employer of every dock work shall ensure that effective and suitable provisions are made in every dock for securing and maintaining in every building or an enclosure or a reefer hold or chamber or reefer container where dock workers are employed with adequate ventilation maintain such temperature and air movement so as to provide reasonable condition of comfort and to prevent any harm to the health of employees.

41. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every dock work shall ensure that: -

- (i) whenever a dock worker is required to enter into a hold or intermediate deck or other confined space or any other working place where neither natural ventilation nor mechanical ventilation

system is adequate to keep the content of any gas, fume vapour or dust below the permissible limits, appropriate manhole of adequate size or other effective means of egress shall be provided to avoid exposure of docks workers to health hazards;

- (ii) no dock worker is allowed to enter any hold or tank of a vessel wherein there is given off any dust, fumes or other impurities of such a nature and to such an extent as is likely to be injurious or offensive to the dock workers or in which explosives, poisonous, noxious or gaseous cargoes have been carried or stored or in which dry ice has been used as a refrigerant or which has been fumigated, or in which there is possibility of oxygen deficiency, unless all practical steps have been taken to remove the dust, fumes or other impurities and dangers which may be present and to prevent any further ingress thereof and such holds or tanks are certified to be safe and fit for dock workers to enter the same by the competent person;
- (iii) when dock workers are exposed to any dust in substantial quantities as in handling bulk cargos such as grains, fertilizers, cements and other similar cargoes, they are protected by appropriate Personal Protective Equipment, provided free of charge.

G. PLANTATION

42. Cleanliness and hygiene.- The employer of every plantation shall ensure that:-

- (i) all workplaces, passageways, storerooms and service rooms are kept in a hygienic condition;
- (ii) the floor and walls of every service room is maintained in a clean and, so far as possible, dry and non-slippery condition;
- (iii) service rooms are cleaned as often as required by the nature of the work carried on;
- (iv) as far as practicable, sweeping and cleaning are done—
 - (a) during intervals between work; and
 - (b) in such a manner as to prevent the raising of dust;
- (v) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination in air with pesticides, insecticides, chemicals and toxic substances;
- (vi) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

43. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every plantation shall ensure that:-

- (i) such steps are taken as may be necessary for minimizing the dust which may exist at plantation that are harmful to the employees;
- (ii) every employee who is engaged in handling, mixing, blending, spraying or applying pesticides, insecticides, chemicals and toxic substances is provided with appropriate protective clothing and Personal Protective Equipment free of charge;
- (iii) the appropriate protective clothing is made of materials which prevent or resist the penetration of any form of pesticides, insecticides, chemicals and toxic formulation. The materials are washable so that the harmful elements are removed after each use. Appropriate Protective clothing consists of the following namely: —
 - (a) protective outer garment with hat;
 - (b) rubber gloves or such other protective gloves extending up to the forearm, made of materials impenetrable to liquids;
 - (c) dust proof goggles;
 - (d) rubber boots;
 - (e) reusable cloth masks;
- (iv) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to remove noxious smell from pesticides, insecticides, chemicals and toxic substances, which may be present so as to bring their levels within the permissible limits.

H. COMMON RULES FOR HEALTH, SAFETY AND WORKING CONDITIONS

44. Potable water.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) adequate supply of clean, wholesome and safe drinking water is provided for and be readily accessible to, all employees in all workplaces;
- (ii) any supply of drinking water other than the piped supply is contained in suitable vessels clearly marked or displayed in Hindi or English and in local language, to indicate that the water is safe for drinking and such supply is replenished daily and all necessary precautions are taken to preserve the water and vessels from contamination;
- (iii) except where the water is delivered by a rising jet, the use of common drinking tumblers or cups

is prohibited.

- (iv) where water is unsafe for drinking purposes or is provided for use in other purposes, it is to be so indicated in Hindi or English and in local language:

Provided in case of building or other construction work every employer shall ensure that-

- (a) drinking water for common use is stored only in closed containers from which the water is dispensed through taps;
- (b) if drinking water has to be transported to the worksite, the transport tanks, storage tanks and dispensing container are cleaned and disinfected at regular intervals;
- (c) a supply of drinking water is never connected to a supply of water that is unfit to drink.

45. Overcrowding.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking and dock work shall ensure that:-

- (i) the floor space in any building or any dock area, wharf, jetty in case of dock work is not crowded with machinery in a manner dangerous to employees or be overcrowded with materials or products so as to constitute a menace to them;
- (ii) sufficient space is provided around the individual machines or process units to allow for normal operation, adjustments, ordinary repairs, for materials supplied, in process, or completed;
- (iii) adequate provisions are made to prevent overcrowding at any place where employees are required to work or assemble for any reason in the premises, including:-
- (a) design and use of signs or symbols (in English or Hindi and in local language) that indicate and illustrate overcrowding related hazards in all working areas specifying the number of employees allowed to work at such places at any one time;
- (b) vehicle and pedestrian pathways are kept separated using barriers indicated by distinctive colours; and
- (c) deployment of vehicles are managed effectively and overcrowding is avoided:

Provided that the sub-rule (i) and (ii) shall not be applicable in case of building or other construction work, beedi and cigar work and sub-rule (ii) shall not be applicable to motor transport undertaking.

46. Lighting (Illumination).- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) all places in the establishment including all amenities for utility services where employees work

or pass, or may have to work or pass in emergencies, are provided during time of use with adequate natural or artificial lighting or both, suitable for the operations and the special type of work performed. Natural lighting is arranged wherever possible;

- (ii) artificial lighting is provided or arranged when daylight fails or for areas where the daylight illumination is insufficient wherever possible;
- (iii) at every work place where employees are exposed to risks in the event of failure of artificial lighting, are provided with automatic emergency lighting of sufficient intensity that has energy sources independent of the installations for the general lighting systems are in working condition:

Provided that in case of plantation workers, sub-rule (i) shall not be applicable:

Provided further that in case of Building or other construction work, sub-rule (iii) and the following rules shall apply:-

- (a) close to every workplace of building or other construction work site including all amenities for utility services, adequate and suitable lighting, including portable lighting where appropriate, is provided at every workplace and any other place on the construction site where an employee may have to pass.
- (b) where natural lighting is not adequate to ensure safe working conditions, adequate and suitable lighting, including portable lighting where appropriate, is provided at every workplace and any other place on the construction site where an employee may have to pass.
- (c) artificial lighting, as far as practicable does not produce glare or disturbing shadows.
- (d) where necessary to prevent danger, lamps are protected by suitable guards against accidental breakage.
- (e) the cables of portable electrical lighting equipment are of adequate size and characteristics for the power requirements and of adequate mechanical strength to withstand severe conditions in construction operations.

47.Latrine and urinal accommodation.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (1)(i) in every work place, sufficient latrine and urinal accommodation are provided at conveniently accessible places separately for the use of male, female, transgender and person with disabilities employees;

(ii) such accommodation is sufficiently lighted and ventilated and maintained in a clean and sanitary condition at all times;

(2) (i) floor of the latrine, urinal and the sanitary blocks are maintained in non-slippery condition;

(ii) the internal walls of the latrines, urinals and the sanitary blocks are laid in glazed tiles. Alternatively, internal walls of the latrines and urinals are finished in such a manner to provide a smooth, polished and impervious surface to facilitate cleanliness and hygiene;

(iii) sanitary pans of latrines and urinals are kept washed and cleaned at all times;

(3) at least one separate latrine accommodation, for every 25 male and 15 female employees, and at least one separate latrine accommodation each for person with disabilities employees and for transgender employees is provided and at least one urinal for every 15 males employed at the same time. Sufficient water supply is provided in every latrine and urinal accommodation;

(4) while cleaning of latrine and urinal accommodation, adequate signage of cleaning in progress, in English or Hindi and in local language are kept outside such accommodation;

(5) washbasin facility with tap water is made available;

(6) sanitary napkins in sufficient quantity are provided free of charge and maintained in the women's toilets for their use and the same are to be replenished on a daily basis;

(7) disposable bins with lids are provided within the women's toilets for the collection of the used sanitary napkins. The used napkins are safely disposed of. Disposable bins with lids shall also be provided within the toilets for men, transgender and person with disabilities;

(8) every latrine is kept under cover and so partitioned off as to secure privacy, and to have a proper door, fastenings and exhaust;

(9) where male, female, transgender and person with disabilities are employed, outside each latrine block a notice "For men only" or "For women only" or "For transgender persons only" or "For persons with disabilities only", as the case may be, in Hindi or English and in local language, are displayed;

(10) waste or sullage water from latrines and urinals is treated and safely disposed of;

(11) water taps in latrines-

(i) where piped water supply is available, water taps are to be provided in or near such latrine accommodation; and

(ii) if piped water supply is not available, water is provided by the means of tap or otherwise so as to be conveniently accessible in or near the latrine and urinals:

Provided in case of building or other construction work, plantation and dock works facilities of mobile toilets are provided wherever required.

48. Treatment of waste and effluents. -Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) proper arrangements for discharging liquid effluents and gaseous emission and disposal of solid waste generated in the factory are made;
- (ii) effective arrangements are made for the treatment of wastes and effluents by ensuring compliance with the safety and health requirements;
- (iii) hazards and risks with the handling, storage and processing of wastes and effluents are identified and appropriate preventive and control measures are implemented;
- (iv) appropriate personal protective equipment based on risk assessment of handling the waste and effluents are provided, free of charge; and
- (v) employees handling the wastes and effluents are trained on the identified hazards and risks:

Provided that sub-rule (i) and (ii) shall not apply to beedi and cigar work:

Provided further that in case of plantations, sub-rules (i) and (ii) shall not apply, subject to the condition that—effective arrangements are made for disposal of used packages of pesticides, insecticides, chemicals and toxic substances to prevent their re-use and to prevent environmental, water or air pollution.

CHAPTER VI

WELFARE PROVISIONS

A. COMMON RULES

49. Washing facility.- Employer of every factory, mine, building or other construction work, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) suitable and sufficient washing facilities at easily accessible places are provided with regular and adequate supply of water including soap, towels separately for male, female, transgender and person with disabilities employees, which are-
 - (a) separated from the workplaces (and within plantation premises in case of plantation workers);
 - (b) well ventilated;
 - (c) with proper drainage system;
 - (d) maintained in a sanitary and hygienic condition;

- (e) capable of being secured from inside to secure privacy and have a proper door, fastenings;
- (f) appropriately demarcated with "For men only" or "For women only" or "for transgender persons only" or "For persons with disabilities only", as the case may be, in Hindi or English and in local language, are displayed outside;

(ii) The use of common towels is prohibited:

Provided in case of building or other construction work additional provisions as follows:-

- (a) where employees are exposed to skin contamination by poisonous, infectious, or irritating substances or oil, grease or dust, sufficient number of appropriate washing facilities or shower-baths supplied with hot and cold water;
- (b) washing facilities are not used for any other purpose.

50. Provisions of bathing places and locker rooms.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) suitable, separate and sufficient bathing places and locker facility, as may be necessary owing to the nature of work, at easily accessible places with regular and adequate supply of water including soap and towels for male, female, transgender and persons with disabilities separately, are provided which are -

- (a) separated from the workplaces (and within plantation premises in case of plantation workers);
- (b) well ventilated;
- (c) with proper drainage system;
- (d) maintained in a sanitary and hygienic condition;
- (e) capable of being secured from inside to secure privacy and have a proper door, fastenings;
- (f) properly demarcated with "For men only" or "For women only" or "For transgender persons only" or "For person with disabilities only", as the case may be, in Hindi or English and in local language, are displayed outside;

(ii) suitable, separate locker facilities, as may be necessary owing to the nature of work, at easily accessible places for storing clothing that are worn during working hours and for special clothing which is worn by any employee at work but is not taken home, for male, female, transgender and persons with disabilities.

51. Keeping of cloth not worn during working hour.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, dock work and plantation shall ensure that:-

- (i) suitable, separate and sufficient installations, as may be necessary owing to the nature of work, for male female, transgender and person with disabilities employees for keeping clothes not worn during working hours and drying them are available;
- (ii) these installations are placed in rooms separate from the workrooms;
- (iii) a separate changing room is provided with suitable facilities for all male female, transgender and person with disabilities employees, as may be necessary owing to the nature of work, for drying wet clothes and for hanging clothing including, where necessary to avoid contamination with poisonous, infectious, irritating or radioactive substances and are also provided suitable lockers for separating working clothes from street clothes;
- (iv) when employees are engaged in processes of such a nature that their working clothes are liable to become wet or have to be washed between shifts, suitable arrangements are made to ensure that dry clothes are always available to each employee on their return to work;
- (v) these facilities are to be provided with—
 - (a) individual lockers of adequate size and with adequate ventilation;
 - (b) benches or other suitable seating arrangements.

52. Sitting arrangement.- Employer of every factory, mine and dock work shall ensure that reasonable arrangements for sitting without detriment to their work are provided to employees obliged to work in standing position. Adequate and comfortable seating facilities are provided for this purpose.

53. Provision of Canteen.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) at every establishment mentioned above where in One-hundred or more workers including contract labourers are ordinarily employed, a canteen in or adjacent to the precincts of the above establishments, is provided and maintained to provide nutritious, wholesome and healthy food for the employees;
- (ii) the employer of every establishment mentioned above can also provide facility of canteen through common canteen in or adjacent to the above establishment's premises;
- (iii) the canteen is situated at appropriate distance from any latrine, urinal and process area to avoid dust, smoke or obnoxious fumes;
- (iv) the canteen is constructed to accommodate at least a dining hall, kitchen, store room, pantry and washing places separately for employees and for utensils;
- (v) canteen has separate doors for entry and exit;

- (vi) the dining hall is separated from any place where a hazardous substance may contaminate food, dishes or utensils;
- (vii) the dining hall is furnished with a sitting arrangement to accommodate sufficient number of employees normally using at any one time;
- (viii) a portion of the dining hall and service counter is reserved for women employees and person with disabilities employees; and
- (ix) washing places for male, female, transgender and person with disabilities employees are separate and screened to secure privacy;
- (x) Equipment-
 - (a) All equipment and utensils that come into contact with food are cleaned and maintained in hygienic condition;
 - (b) Furniture and other equipment are maintained in a clean and hygienic condition;
- (xi) Storage, Preparation and Handling of food-
 - (a) Each food handler is trained and instructed in food handling practices that prevent the contamination of food; and
 - (b) No person who is suffering from a communicable disease is allowed to work as a food handler;
- (xii) food waste and garbage are removed from the food preparation area or dining hall, stored in covered containers and disposed of periodically;
- (xiii) food, drink and other items are sold on a no profit no loss basis wherein the rates are fixed by canteen management committee; and
- (xiv) the charges per portion of food items, beverages and any other items served in the canteen are displayed in the canteen;
- (xv) Canteen Management Committee-
 - (a) a Canteen Managing Committee is constituted to carry out the following functions namely
 - (i) the quality and the quantity of food stuffs to be served in the canteen;
 - (ii) the arrangements of the menu;
 - (iii) the timings of meals in the canteen; and
 - (iv) any other relevant matter:

Provided that where the canteen is managed by a co-operative society registered under the Multi State Co-operative Societies Act, 2002 it shall not be necessary to appoint a Canteen Managing Committee:

- (b) the Canteen Managing Committee shall consist of an equal number of representatives of worker and employer;
- (c) the representatives of employer are nominated by the employer;
- (d) the representatives of worker are nominated by negotiating union or negotiating council as the case may be and where there is no negotiating union or negotiating council the worker will choose amongst themselves the worker representatives of the canteen committee;
- (e) the tenure of the committee shall be determined mutually. One-third of the committee members of worker and employer shall be rotated every two years;
- (f) the canteen managing committee decides on the running of the canteen in consultation with the canteen manager.

54. First Aid and Medical Appliances. - Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

- (i) in every establishment mentioned above or part thereof where employees are at work, first aid boxes or cup-boards in adequate numbers with necessary items are provided and maintained so as to be readily accessible during working hours. A Notice containing details of first-aid facilities, along with the name, contact detail of the person in-charge and the nearest hospitals, shall be displayed at a conspicuous place in English or Hindi and in local language;
- (ii) in each shift, every first-aid box or cupboard is kept in the charge of a worker or supervisor who holds a certificate in first-aid treatment and who is always be readily available during the working hours of the above establishments or part thereof. At least one fully equipped first-aid box or cupboard in every department or section is available and maintained properly all the time during working hours. The number of first aid boxes has to increase if the number of employees is more than 200 employees in department or section. The illustrative list of contents of every first-aid box or cupboard is at **Annexure- I** and employer may add more items as per requirement;
- (iii) in case of mines, the illustrative list of contents of every first-aid box or cupboard is at **Annexure- III** and employer may add more items as per requirement.
- (iv) at least thirty-three percent of the workers in every establishment mentioned above are trained in first-aid procedures and refreshers training to be imparted in every three years and wherever woman workers are employed, at least one-woman worker is trained. First Aid training is conducted by the trainer having medical qualification included in the Schedule- I or Schedule- II or Part- II of the Schedule- III of the Indian Medical Council Act, 1956 (102 of 1956). The person possessing qualifications included in Part II of Schedule- III of the Indian Medical Council Act,

- 1956 (102 of 1956), should also fulfil the condition specified in sub-section (3) of section 13 of the Indian Medical Council Act, 1956 or as per the Chapter- VI of National Medical Commission Act 2019 or diploma or degree in Industrial Health or Public Health or Emergency Medicine, or Associate Fellow in Industrial Health (AFIH) or equivalent;
- (v) every case of injury or illness during the course of work is reported to the supervisor in the above establishments for injury and illness surveillance and adequate and suitable arrangements are made available for speedy evacuation or referral of persons employed in every establishment mentioned above who while on duty suffers from serious bodily injury or illness of a serious nature or as the nature of injury and illness as decided by the first aider, from every establishment mentioned above or part thereof to the nearest dispensary or hospital;
 - (vi) every employee receiving an injury during the course of work shall report the same to the worker or supervisor who holds a certificate in first-aid treatment and who shall make arrangements for rendering first-aid to the injured as may be required. Where the employee receiving an injury is not in a position to report the same to the worker or supervisor who holds a certificate in first-aid treatment, it shall be the duty of the person who first comes to know of it to report the same to the worker or supervisor;
 - (vii) if in the opinion of the supervisor or worker who holds a certificate in first-aid treatment, the injury is of such a nature so as to require immediate medical attention by the qualified medical practitioner, such person shall arrange for the qualified medical practitioner to be called or bring it to the notice of the occupier or their representative in every establishment mentioned above;
 - (viii) it is the duty of the employer or their representative to ensure that adequate and suitable arrangements are made available for speedy transportation of that employee to nearest dispensary or hospitals preferably by means of a proper ambulance van;
 - (ix) additionally, following provisions shall be followed in case of mines:
 - (A) adequate and suitable arrangements are made for the training of the workers and supervisors in first-aid procedures;
 - (B) at every mine there shall be provided and maintained first aid station equipped with first-aid equipment as prescribed in the **Annexure-V**, at conveniently accessible places where injured persons may receive first-aid treatment as follows-
 - (a) above ground, a first- aid station –
 - (i) at the top of every shaft or incline where men or material are normally wound or hauled;
 - (ii) in every workshop;
 - (iii) at every screening plant and loading place; and
 - (iv) at every other place where more than 50 persons are employed at any one time.
 - (b) in every opencast working, a first-aid station-
 - (i) at every shovel or dragline loading point;

- (ii) at rest shelter and portable rest shelter, if any;
 - (iii) at pumping station;
 - (iv) at re-fueling station;
 - (v) at dump yard;
 - (vi) at every other place where more than 50 persons are employed at any one time.
- (c) below ground, one first-aid station –
- (i) at the bottom of every shaft where men or material are normally wound and at or near every plant;
 - (ii) near the drive end of every haulage;
 - (iii) in or at the entrance to every district or section of the mine:

Provided that nothing in this sub-rule shall be construed to require the provision of a first-aid station within 300 metres of another first-aid station;

(iv) it shall be the duty of the persons appointed to be in charge of a first-aid station to see that the equipment provided at the first-aid station is kept in good order and that it is replenished whenever necessary;

(v) every first-aid station shall be kept under the charge of a worker or supervisor holding a first-aid certificate from institutes recognized by Central or State Government;

(vi) an up-to-date list of all first-aid stations provided in the mine shall be kept in the office of the mine;

(vii) every supervisor or official possesses a valid first-aid certificate shall carry, while on duty, a first-aid outfit consisting of one large sterilised dressing, one small sterilised dressing, adhesive bandage, skin closure strips, cotton balls, antiseptic solution, and scissor with rounded tips, such outfit shall be securely packed to protect it against dirt and water.

55. Ambulance Room.- Employer of every factory, mine and building or other construction work shall ensure that:-

- (i) at every establishment mentioned above ordinarily employing more than 500 workers, a suitable ambulance room or dispensary round the clock or during working hours as the case may be and is maintained in good order. The employer of every establishment mentioned above may also tie up with hospitals for emergency services;
- (ii) the ambulance room would mean a place conveniently located in or nearby premises and have adequate space and arrangements to cope up with medical emergency and contains at least the

equipment as mentioned in illustrative list given in **Annexure- II**. The employer may add more items as per requirement;

- (iii) in case of mines, the ambulance room contains at least the equipment as mentioned in illustrative list given in **Annexure- IV**. The employer may add more items as per requirement;
- (iv) ambulance room is under the charge of a full time qualified medical practitioner appointed directly by the employer and is assisted by adequate number of paramedical staffs (at least one nurse and one General Duty Assistant-Healthcare or Nursing Assistant);
- (v) the medical practitioner required to be appointed under sub-rule (iii) has a medical qualification included in the I or II schedule or part II of the Third schedule of the Indian Medical Council Act, 1956 (102 of 1956). Persons possessing qualifications included in part II of Third schedule should also fulfil the condition specified in sub-section (3) of section 13 of the Act or as per the National Medical Commission Act, 2019 (30 of 2019) or Diploma or Degree in Industrial or Occupational Health, Associate Fellow in Industrial Health or equivalent. The Qualified Medical Practitioner shall acquire a Diploma or Degree in Industrial or Occupational Health or the Associate Fellow in Industrial Health, within one year from the date of appointment;
- (vi) qualified nurse required to be appointed under sub-rule (iv) shall have qualification registered under State Nursing Council and completed training in Basic Life Support (BLS) along with experience in emergency of not less than six months duration from a multispecialty hospital;
- (vii) ambulance Room is having adequate space for privacy and examination of the patient;
- (viii) ambulance Room is provided with Emergency Lighting Supply and a suitable communication medium preferably handheld device;
- (ix) ambulance Room is provided with drenching shower points, as may be necessary owing to the nature of work, with drainage sloping away from the showers. Water supply to drenching shower should be secured to ensure the continuous water supply.

56. Shelter and Rest Room.- Employer of every factory, mine and motor transport undertaking shall ensure that:-

- (i) in every factory and mine wherein more than fifty workers are ordinarily employed and in motor transport undertaking wherein employee is required to halt at night, sufficient and a suitable lunchroom, with provision for drinking water and washing facilities, where employees can eat their meals is provided;
- (ii) these facilities are provided separately and maintained for male, female, and transgender employees:

Provided that any canteen maintained in accordance with the provisions under rule 53 shall be regarded as compliance of this rule.

(iii) the shelters or rest rooms and lunch rooms conform to the following:

- (a) such rooms are sufficiently lighted and ventilated and maintained in a clean and hygienic condition at all times;
- (b) all the walls and roof are of suitable heat resisting materials;
- (c) the roof of such room is at suitable height from the floor level and there is sufficient floor area for employee employed at any given time;
- (d) every room is sufficiently furnished with suitable seating and eating arrangement:

Provided that in case of motor transport undertaking the employer shall ensure that the motor transport workers employed in the undertaking are provided with uniforms, raincoats and other like amenities, free of charge.

57. Welfare Officer.— Employer of every factory, mine and plantation shall ensure that:-

(i) welfare officers are appointed as prescribed below-

(a) the employer of every establishment mentioned above ordinarily employing between two hundred and fifty and upto five hundred workers appoints at least one welfare officer, and where the number of workers exceeds five hundred, an additional welfare officer for every additional five hundred workers or fraction thereof over five hundred is appointed;

(b) in every establishment mentioned above where both male and female workers are employed, the number of women welfare officers to be appointed shall be in proportion to the women workers employed and where the number of women employed is more than one hundred and the total number of women workers does not exceed one thousand, an additional woman welfare officer is appointed;

(c) where there is more than one welfare officer appointed, one of them is designated as the Chief Welfare Officer and the others as welfare officers;

(ii) person appointed as Welfare Officer has obtained a post graduate degree or diploma in social work or human resources management or labour welfare from any institution recognised by the Central or State Government in this behalf; and has knowledge of the language spoken by the majority of the workers in every establishment mentioned above.

(iii) the appointment is intimated by the employer electronically or otherwise to Inspector-cum-Facilitator, giving the details of qualifications, etc. of the officer appointed and the conditions of their service.

(iv)(a) a Welfare Officer is given appropriate status corresponding to that of the other executives of every establishment mentioned above and appointed on an executive or officer pay scale;

(b) the conditions of service of a Welfare Officer are the same as that of other members of the executives or officer of corresponding status in every establishment mentioned above :

Provided that, in the case of discharge or dismissal, the Welfare Officer will have a right of appeal to the Chief Inspector-cum-Facilitator, whose decision thereon is final and binding upon the employer.

(v) Duties of a Welfare Officer:

(a) to establish contacts and hold consultations with a view to maintaining harmonious relations between the management and workers;

(b) to bring to the notice of the management the grievances of workers with a view to securing expeditious redressal and to act as a liaison officer between the management and workers;

(c) to study and understand the point of view of workers in order to help the management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

(d) to advise on compliances, obligations, statutory or otherwise, concerning regulation of working hours, maternity benefit, medical care, compensation for injuries and sickness and other welfare measures and social Security benefits;

(e) to advise on provision of welfare facilities, such as housing facilities, foodstuffs, social and recreational facilities, sanitation, individual personnel problems and education of children; and

(f) to advise the management on training of new recruits, apprentices, workers on transfer and promotion, instructors and supervisors, supervision and control of notice board and information bulletins to further education of workers and to encourage their attendance at technical institutes;

(vi) welfare officers shall not deal with disciplinary cases or appear on behalf of the management against workers or appear before a conciliation officer or tribunal on behalf of every establishment mentioned above management.

58. Crèche Facility.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that-

(i) wherein more than fifty workers are ordinarily employed, a crèche facility is provided and maintained for the use of children under the age of six years of employees;

- (ii) mobile crèche will be provided, wherever required;
- (iii) each Crèche facility is free and accessible to all employees;
- (iv) the Crèche is located within the workplace as much as possible, or in a nearby accessible location;
- (v) the Crèche is not situated in close proximity to any part of the building or construction worksite where obnoxious fumes, dust or odours are given off or in which excessively noisy processes are carried on;
- (vi) there is in or adjoining the crèche a suitable washroom for the washing of the children and their clothing;
- (vii) the Crèche is maintained in a clean, hygienic and sanitary condition;
- (viii) personal cleanliness of the child is maintained;
- (ix) the Crèche is under the charge preferably woman for the care of children and infants;
- (x) police verification of in charge of creche, support staff and guard are mandatory;
- (xi) the person in charge of the crèche should have and maintain information about the child's identity, residential address etc;
- (xii) details of the person who is picking up and dropping the child to the creche should be available with the caretaker and the child should be handed over to that person only. In case any other person picks up or drops the child, then such person's identity with the authorization from parents would be necessary;
- (xiii) attendance of all children is taken in the morning on the child's arrival as well as at the time when child is picked up;
- (xiv) sufficient supply of clean clothes, soaps and clean towels is available for each child while the child is in the Crèche;
- (xv) the Crèche is furnished with a suitable number of resting arrangements;
- (xvi) sufficient supply of nutritious, wholesome and healthy food to all children as per their dietary requirements is provided;
- (xvii) all sharp objects like scissors, knives, blades, pins etc. are always kept away from the children;
- (xviii) chemicals such as detergents, cleaning agents, phenyl etc. are kept out of the child's reach;
- (xix) the Crèche is provided with non-combustible covered receptacles for the disposal of waste food or other waste material;
- (xx) all electrical switches or plugs are out of children's reach;
- (xxi) planning of evacuation plan and display of the same at the crèche;
- (xxii) no child is left alone at any point in the crèche, even during breaks;
- (xxiii) any kind of verbal or physical abuse is strictly prohibited;
- (xxiv) any kind of sexual abuse and sexual exploitation to be strictly dealt under Protection of Children

from Sexual Offences Act, 2012;

- (xxv) through the supervisor, that no persons, known or unknown be allowed inside the crèche at any point of time, during the functioning hours of the crèche. For example, civil work should preferably be done during weekend or holidays only;
- (xxvi) the Crèche has Closed Circuit Television monitoring during the working hours;
- (xxvii) important and emergency contact numbers (helplines like 112, 1098, fire services, child protection officer, nearest police station etc.) are displayed within the creche premises for easy access and reference;
- (xxviii) required medical support system or staff is made available on call;
- (xxix) feeding room to be provided in the Crèche:

Provided that an establishment can avail common crèche facility of the Central Government, State Government, municipality or private entity or provided by non-governmental organisation or by any other organisation or group of establishments may pool their resources for setting up of common crèche in the manner as they may agree for such purpose.

59. Mock Drills.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, and dock work shall ensure quarterly conduct of Mock drills to check emergency preparedness to deal with various emergencies.

Provided that the employer of every plantation shall ensure annually conduct of mock drills to check emergency preparedness to deal with various emergencies.

B. MINES

60. Medical Examination.- The employer of every mine shall ensure that: -

- (i) medical examination of every employee employed or to be employed in a mine including contract labour is done before commencement of their employment and subsequently every year;
- (ii) the contract labour is provided with the medical facilities at par with regular employees;
- (iii) in the event of any dispute under the provisions of sub-rule (i), the matter may be referred to the appellate medical board constituted under these rules.

61. Residential facilities for workers including contract labours.- Residential facility, if any, provided by mine employer, shall be at a safe distance from the active working area of opencast workings, pits, shafts, dump yards, stock piles, unstable workings, wells and other installations in oil mines for workers including contract labour.

C. BUILDING OR OTHER CONSTRUCTION WORK

62. Living accommodation.- Every employer of a building or other construction work shall ensure that suitable temporary living accommodation, free of charge are made available for the workers at construction sites remote from their homes, where adequate transportation between the site and their homes or other suitable living accommodation is not available. Further, the principal employer will pay the expenses incurred on providing accommodation to the contractor where the building or other construction work is done through the contractor.

D. MOTOR TRANSPORT UNDERTAKING

63. Medical facilities.- The employer of every motor transport undertaking shall ensure that: -

- (i) at every operating centre and halting station (which, in the case of city service, shall include only depots and other offices), a suitable medical facilities room or dispensary is available round the clock or during working hours as the case may be and is maintained in good order;
- (ii) the medical facilities room or dispensary is situated at a convenient place in the operating centre and halting station and have adequate space and arrangements to cope up with medical emergency and contains at least the equipment as mentioned in illustrative list given in **Annexure- VI**. The employer may add more items as per requirement;
- (iii) medical facilities room or dispensary is under the charge of a full time qualified medical practitioner appointed directly by the employer and is assisted by adequate number of paramedical staffs (at least one nurse and one General Duty Assistant-Healthcare or Nursing Assistant);
- (iv) the medical practitioner required to be appointed under sub-rule (iii) has a medical qualification included in the I or II schedule or part II of the Third schedule of the Indian Medical Council Act of 1956. Persons possessing qualifications included in part II of Third schedule should also fulfil the condition specified in section 13(3) of the Act or as per the National Medical Commission, Act 2019 or Diploma or Degree in Industrial or Occupational Health, or Associate Fellow in Industrial Health or equivalent. The Qualified Medical Practitioner shall acquire a Diploma or Degree in Industrial or Occupational Health or the Associate Fellow in Industrial Health within one year from the date of appointment;
- (v) qualified nurse required to be appointed under sub-rule (iii) shall have qualification registered under State Nursing Council and completed training in Basic Life Support along with experience