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

in emergency of not less than six months duration from a multispecialty hospital;

(vi) medical facilities room or dispensary is having a minimum of two rooms. One of the rooms is used for sitting of staff and storage of medicines. The other room is used as emergency cum dressing room or observation room for sick;

(vii) medical facilities room or dispensary is provided with Emergency Lighting Supply and a suitable communication medium preferably handheld device.

CHAPTER VII
HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

64. Working Hours.- (1) No worker shall be required or allowed to work in an establishment for more than forty eight hours in a week.

(2) In case of transport vehicle**,** a maximum of fifteen minutes interruption shall be allowed any time during which the running of the transport vehicle is interrupted.

65. Working hours of working journalist.– (1) The provisions under this rule shall apply to working journalist but not apply to editors or to correspondents, reporters or news photographers.

(2) Notwithstanding anything contained in sub-rule (1), the following provisions shall apply to every correspondent, reporter or news photographer stationed at the place at which the newspaper establishment in relation to which any such person is employed is situated, namely-

(a) subject to such agreement as may be arrived at either collectively or individually between the parties concerned, every such correspondent, reporter or news photographer shall, once enters upon duty on any day, be deemed to be on duty throughout that day till finishes all the work assigned during that day:

Provided that if such correspondent, reporter or news photographer has had at their disposal for rest any interval or intervals for a total period of two hours or less between any two or more assignments of work, they shall not be deemed to be on duty during such period:

Provided further that where the total period of such interval or intervals exceeds two hours, they shall be deemed to be on duty during the period which is in excess of the said period of two hours;

(b) period of working in excess of thirty-six hours during any week, which shall be considered as a unit of work for the purposes of this sub-rule, shall be compensated by rest during the succeeding week and shall be given in one or more spells of not less than three hours each:

Provided that where the aggregate of the excess hours worked falls short of three hours, the duration of rest shall be limited only to such excess.

(3) The number of hours which shall constitute a normal working day for a working journalist exclusive of the time for meals shall not exceed six hours per day in the case of a day shift and five and a half hours per day in the case of a night shift and no working journalist shall ordinarily be required or allowed to work for longer than the number of hours constituting a normal working day.

(4) Subject to such agreement as may be arrived at between a newspaper establishment and working journalists employed in that establishment, the periods of work for working journalist shall be so fixed that no working journalist shall work for more than four hours in the case of a day shift and three hours in the case of a night shift before they had an interval of rest, in the case of the day shift for one hour, and in the case of the night shift for half an hour.

(5) When a working journalist work for more than six hours on any day in the case of a day shift and more than five and a half-hours in the case of a night shift, they shall, in respect of that overtime work, be compensated in the form of hours of rest equal in number to the hours for which they have worked overtime or compensated by wages, which shall be twice the rate of wages.

(6) No working journalist shall be employed on a night shift continuously for more than one week at a time or for more than one week in any period of fourteen days.

(7) In the case of change of shift from night to day shift or vice versa, there shall be an interval of not less than twenty-four consecutive hours between the two shifts and in the case of a change from one day shift to another day shift or from one night shift to another night shift there shall be interval of not less than twelve consecutive hours:

Provided that no such interval may be allowed if such interval either coincides with or falls within, the interval enjoyed by a working journalist under sub-section (2) of section 25.

66. Holidays and leaves for sales promotion employees and working journalist.-

(1) A working journalist or sales promotion employee shall be entitled to ten holidays in a calendar year.

(2) Where a working journalist or sales promotion employee is required to attend on a holiday, a compensatory holiday shall be given to them , within thirty days immediately following the holiday, on a day mutually agreed upon by them and their employer.

(3) The working journalist or sales promotion employee shall be entitled to wages on all holidays as if such employee was on duty.

(4) The working journalist or sales promotion employee shall be entitled to wages for the weekly day of rest as if such employee was on duty.

(5) The working journalist or sales promotion employee may designate one or more officers in that establishment as competent officers for the purposes of these rules.

(6) The working journalist or sales promotion employee who desire to obtain leave shall apply in writing to the competent officer of the establishment.

(7) On an application for leave under sub-rule (6), other than casual leave, leave on medical certificate and quarantine leave, shall be made not less than one month before the date of commencement of leave, except in urgent or unforeseen circumstances.

(8) When leave is refused or postponed, the competent officer of the establishment shall record the reasons for such refusal or postponement, as the case may be and send a copy of the order to the working journalist or sales promotion employee as the case may be.

(9) Holidays, other than weekly days of rest, shall not be prefixed or suffixed to any leave without the prior sanction of the competent officer of the establishment.

(10) A holiday including a weekly rest day, intervening during any leave granted under this rule shall form part of the period of leave.

(11) (i) An establishment may recall an working journalist or sales promotion employee on leave, if that establishment considers it necessary to do so and in the event of such recall, such working journalist or sales promotion employee shall be entitled to traveling allowance, if at the time of recall such working journalist or sales promotion employee is spending their leave at a place other than headquarters;

(ii) The traveling allowance, which shall be paid under clause (i) shall be determined in accordance with the rules of the establishment governing traveling allowance for journeys.

(12) A working journalist or sales promotion employee who has availed themselves of leave for reasons of health may, before they resume duty, be required by their employer to produce a medical certificate of fitness from the designated qualified medical practitioner who issued the medical certificate.

(13) Every establishment employing working journalist or sales promotion employee may designate one or more qualified medical practitioners.

(14) (i) An working journalist or sales promotion employee shall be entitled to earned leave on full wages for a period not less than one month for every eleven months spent on duty:

Provided that such working journalist or sales promotion employee shall cease to earn further such leave when the earned leave due amounts to one hundred twenty days;

(ii) The period spent on duty shall include the weekly holiday, holidays, casual leave and quarantine leave.

(15) The working journalist or sales promotion employee on earned leave shall draw wages equal to their average monthly wages earned during the period of twelve complete months spent on duty or if the period is less than twelve complete months, during the entire such period, immediately preceding the month in which the leave commences.

(16) (i) When a working journalist or sales promotion employee voluntarily relinquishes their post or retires from service on reaching the age of superannuation, they shall be entitled to cash compensation for earned leave not availed of up to a maximum of one hundred and twenty days:

Provided that working journalist or sales promotion employee who has been refused earned leave due to such employee shall be entitled to get cash compensation for the earned leave so refused:

Provided further that working journalist or sales promotion employee who dies while in service and who has not availed earned leave due to them immediately preceding the date of their death, their heirs shall be entitled to cash compensation for the leave not so availed of.

(ii) Where the services of a working journalist or sales promotion employee is terminated for any reason whatsoever, other than as punishment inflicted by way of disciplinary action, shall be entitled to cash compensation for earned leave not availed of up to a maximum of one hundred and twenty days.

(iii) Such cash compensation shall not be less than the amount of wages due to an employee for the period of leave not availed of, the relevant wage being that which would have been payable to such employee had they actually proceeded on leave on the day immediately preceding the occurrence of any of the events specified in clause (i) or clause (ii), as the case may be.

(17)(i) A working journalist or sales promotion employee shall be entitled to leave on medical certificate on one-half of the wages at the rate of not less than one month for every eighteen months of service**:**

Provided that such employee shall cease to earn such leave when the leave on medical certificate amounts to ninety days.

(ii) Such medical certificate shall be from a qualified medical practitioner:

Provided that when a working journalist has proceeded to a place other than their headquarters with the permission of employer and falls ill, they may produce a medical certificate from any qualified medical practitioner:

Provided further that the employer may, when the registered medical practitioner whose certificate is produced is not in the service of the Government, arrange at their own expense for the medical examination of the working journalist or sales promotion employee concerned by any Government Medical Officer not below the rank of a Civil Assistant Surgeon or by any other Medical Officer in charge of a hospital run by a leave authority or a public organisation at that place.

(iii) Leave on medical certificate may be taken in continuation with earned leave but the total duration of earned leave and leave on medical certificate taken together shall not exceed a hundred and twenty days at any one time:

Provided that Medical Board may recommend for leave beyond one hundred twenty days.

(iv) A working journalist or sales promotion employee shall be entitled at their option to convert leave on medical certificate on one-half of the wages to half the amount of leave of full wages.

(v) The ceiling laid down in the provision to clause (i) and (iii) on the accumulation and total duration of leave may be relaxed by the competent officer in the cases of working journalists or sales promotion employees suffering from lingering illness such as tuberculosis;

(vi) Leave on medical certificate or converted leave on medical certificate referred to in clause (i) and (iv) respectively may be granted to a working journalist or sales promotion employees at their request notwithstanding that earned leave is due to them.

(18) **(i)** Quarantine leave on full wages shall be granted on medical certificate of the designated qualified medical practitioner as under sub-rule (13) or where there is no such designated qualified medical practitioner, by a district public health officer or other Municipal Health Officer of similar status, for a period not exceeding twenty-one days or, in exceptional circumstances, thirty days.

(ii) Any leave necessary for quarantine purposes in excess of that period shall be adjusted against any other leave that may be due to the working journalist or sales promotion employee.

(19) A working journalist or sales promotion employee who has no leave to their credit may be granted extraordinary leave without wages at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(20) A working journalist or sales promotion employee who has no leave to their credit may be granted leave at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(21) A working journalist or sales promotion employee may be granted study leave with or without wages at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(22) (i) A working journalist or sales promotion employee shall be eligible for casual leave at the discretion of the establishment for fifteen days in a calendar year:

Provided that not more than five days shall be taken at any one time and such leaves shall not be combined with any other leave.

(ii) Casual leave not availed of during a calendar year will not be carried forward to the following year.

67. Weekly holiday .- (1) The employer shall post a notice at conspicuous places of workplace of every establishment, showing the weekly holiday including digital means like electronic notice boards.

(2) Where the weekly holiday is not the same day for all persons employed in the establishment, the notice shall show the holiday allowed to each relay or set of persons or individual in Hindi or English and in local language.

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

(2) The employer of the establishment shall display on or before the end of the month in which holidays are lost, a notice in respect of workers allowed compensatory holidays during the following month and of the dates thereof, at the place at which the notice of periods of works is displayed.

(3) Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(4) Any compensatory holiday to which a worker is entitled shall be given to them before discharged or dismissed and shall not be reckoned as part of any period of notice required.

69. Wages for overtime.- (1) Where in an establishment-

(a) a worker works for more than eight hours in any day as daily wager or

(b) a worker, other than daily wager, for more than forty-eight hours in any week

Worker shall in respect of such overtime work be entitled to wages at the rate of twice the rate of their wages and shall be paid at the end of each wage period.

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

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

(4) The hours of work mentioned in Rule 64 may exceed under the followings works and circumstances in respect of dock, mine and building or other construction work, namely:-

(a) urgent repairs;

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

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

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

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

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

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

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

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

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

(k) exceptional press of work; and

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

Provided that no worker shall be allowed to work overtime exceeding one hundred forty-four hours in any quarter of a year:

Provided further that for overtime, a worker shall be paid wages as per section 27 of the Code at the end of each wage period.

70. Restriction on double employment in mines.- Circumstances for exemption from restriction on double employment in mines shall be specified by general or special order issued by the Central Government issued from time to time

71. Notice of periods of work.- The notice referred to in sub-section (2) of section 31 of the Code shall be displayed at conspicuous places on a notice board or electronic board of the establishment and maintained in **FORM-XII** and a copy of such notice shall be sent to Inspector-cum-Facilitator electronically or by speed post.

CHAPTER VIII

MAINTENANCE OF REGISTER, RECORDS AND RETURNS

72. Maintenance and production of reports, registers and other records.-(1) Every employer of establishment shall maintain: -

(i) **employee register** in **FORM XIII;**

(ii) **attendance register-cum-muster roll** in **FORM XIV;**

(iii) **register for wages, over time and deduction** in **FORM XV;**

(iv) registers under this rule shall be maintained electronically or otherwise;

(v) entries in the registers shall be made in English or Hindi and in local language;

(vi) every employer shall produce records and registers, on demand before the Inspector-cum-Facilitator or any person authorised by the Central Government;

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

(2) Every employer shall issue wage slips**,** electronically to the employees in **FORM XVI** on or before the day of payment of wages to the employee.

(3) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2019, the above registers and wage slips required to be maintained by the employer of the establishment under Code on Wages, 2019 and rules made thereunder shall be deemed to be maintained by the employer under these rules.

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

(5) The employer to which the provisions of this Code applies, on or before the 28th or 29th day of February following the end of each Calendar year, upload a return in **FORM-XVII** and **XVIII** on the designated portal and provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form.

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

(6) Where the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then such employer shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal , a further return in **FORM-XVII** and **XVIII** referred to in sub-rule (5) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

(7) In case of manual registers and other records,

(i) be legibly entered in ink in English, or Hindi and in local language and signed by employer;

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

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

(iii) be produced, electronically or by speed post, on demand before the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator or any person authorised in that behalf of the Central Government.

(8) Every establishment to which Chapter III (Employees' Provident Fund) and Chapter IV (Employees' State Insurance Corporation) of the Code on Social Security, 2020 applies shall submit a self-declaration in PART-IV of **FORM- XVII** electronically.

73. Display on notice board .- Every employer shall display or caused to be display at conspicuous places of the workplace of the establishment under their control, notices owing the name and address of the establishment, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the Inspector-cum-Facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English or Hindi and in the local language.

74. Annual Return.- Every employer of an establishment shall send an annual return relating to such establishment in **FORM-XVII** related to category of employees, health and welfare facilities, retrenchment or layoffs, bonus, maternity benefits etc. to the Inspector-cum-Facilitator having jurisdiction so as to reach on or before the last day of February following the end of each Calendar year electronically.

75. Register of accident and dangerous occurrences.- The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of section 33 of the Code shall be maintained in **FORM-XIX.**

76. Register of leave with wages.- (1) The employer of every establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or otherwise in **FORM-XX** and shall share the leave records of the respective employee, once in a Calendar year, on demand.

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

CHAPTER-IX

INSPECTOR-CUM-FACILITATOR AND OTHER AUTHORITY

77. Power to take samples of any articles or substances.- (1) An Inspector-cum-Facilitator shall take samples or substances in an establishment as per the inspection scheme under the Code after informing the employer of the establishment, taken in the manner herein after provided a sufficient sample of any substance used or intended to be used in the establishment, such use being–

(a) in the belief of the Inspector-cum-Facilitator in contravention of any of the provisions of the code or the rules made there under; or

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

(2) Where the Inspector-cum-Facilitator takes a sample under sub-rule (1), the Inspector-cum-Facilitator shall, in the presence of the person informed under that sub-rule (1) unless such person willfully absents themselves , divide the sample into three portions and effectively seal and suitably mark them and shall permit such person to add their own seal and mark thereto.

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

(4) The Inspector-cum-Facilitator shall-

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

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

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

(5) Any document purporting to be a report under the hand of any Government Analyst or to a Laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories upon any substance submitted for analysis and report under this rule, may be used as evidence in any proceeding instituted in respect of the substance.

78. Powers and duties of Inspector-cum-Facilitator.- **(1) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue improvement notice in the FORM- XXV pointing out the non-compliance of provisions of safety, health and working conditions under the Code or rules or regulations or standards made there under, to the employer or occupier or manager or owner or master or officer-in-charge of the ship or their agent.**

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

79. Powers and Duties of District Magistrate.- Powers and duties of District Magistrate in respect of mines, will be specified by general or special order by the Central Government issued from time to time.

80. Qualifications and experiences, duties and responsibilities of experts.-The scheme will be notified for empaneling experts for third party audit and certification. The qualifications and experiences, duties and responsibilities of experts to be empaneled will be notified through general or special order by the Central Government issued from time to time.

81. Appointment of Medical officer.- (1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019 (30 of 2019), enrolled on a State medical register defined in National Medical Commission Act, 2019.
(2) The Medical Officer shall be trained in Occupational Health course including International Labour Organisation classification of chest radiograph duly recognised by the Central Government.

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

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

(3) Medical Officer shall carry out such examination and furnish such report as Central Government may direct-

(a) for examination and certification of workers in an establishment in such hazardous processes as specified in the First Schedule to the Code;

(b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to hazardous nature of any process carried on or hazardous condition of work;

(c) in respect of any establishment or class of establishment or description of establishment in which operations involve any risk of injury to the health of any person or class of persons employed therein;

(d) to undertake occupational health survey for any or class of an establishment, where cases of illness have occurred or there is prevalence of diseases as specified in the Third Schedule to the Code;

(e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment.

CHAPTER X

SPECIAL PROVISION RELATING TO EMPLOYMENT OF WOMEN

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

(a) the consent of woman employee shall be taken in writing;

(b) no women shall be employed against the maternity benefit provisions laid down under the Code on Social Security, 2020 (36 of 2020);

(c) adequate transportation facilities shall be provided to women employee to pick-up and drop such employee at her residence;

(d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit; the toilet, washroom and drinking facilities should be near the workplace where such women employee are employed and suitable provisions of closed-circuit television surveillance on the way to these facilities shall be provided;

(e) provide safe, secure and healthy working condition is provided so that no women employee is disadvantaged in connection with her employment;

(f) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilise them, in case of any exigency or emergency;

(g) in case of below ground mine not less than three women employees shall be on duty at any place; and

(h) the provisions of the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), as applicable to the establishments, shall be complied with.

84. Adequate safety of employment of women in dangerous operations.- The Central Government may declare from time to time by notification, the class of establishments and the standard for safeguarding of women employed in hazardous processes as specified in the First Schedule to the Code.

CHAPTER XI

PART I

CONTRACT LABOUR

85. Qualification and criteria of the contractor.- For the purposes of obtaining license, the contractor as an entity or as an individual shall not be an un-discharged insolvent or be convicted at any time during the last two years, of an offence which is liable for punishment for more than three months of imprisonment.

86. Conditions of License.- (1) The contractor shall ensure that:-

(i) the hours of work shall conform to rules relating to section 25 of the Code;

(ii) the wages shall be paid in accordance with the Code on Wages, 2019 (29 of 2019);

(iii) if the contract labour of the contractor is working at the premises of the principal employer, then it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, canteen and crèche; and

(iv) all other facilities and entitlements shall be provided by the contractor.

(2) In case the contractor fails to make payment of minimum wages to the contract labour, then, the Chief Labour Commissioner (Central) or their representative, shall cause such payment to be made to the contract labours who have not been paid, out of the security deposit referred to in rule 90 including by invoking the bank guarantee.

(3) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order in the manner as specified in rule 94.

87. Form and manner of application for contractor license.- Every application by a contractor within a state for the grant of a license shall be made on-line electronically through Shram Suvidha Portal in **FORM-XXI.**

88. Single Licence for Contractor in more than one States or for whole of India.- (1) If a contractor desirous of obtaining licence for-

(i) supplying or engaging contract labour;

(ii) undertaking or executing the contract works under sub-section (1) or sub-section (2) of section 47 then, contractor shall apply electronically on Shram Suvidha Portal or Portal designated by the Central Government in **FORM-XXI** to the licensing authority for more than one States or for the whole of India.

(2) Application for single licence under this rule shall be submitted electronically to the authority.

(3) The concerned State Government shall be consulted by the authority electronically and if no

response is received within thirty days from the date of issue of such communication the consultation process is deemed to have been complied with.

(4) All applications under this rule shall be either approved or disapproved within a period of forty-five days, from the date of application by the contractor, beyond which it shall be deemed that there are no objections and the license shall be auto-generated on the Portal referred to in sub-rule (1).

(5) Copy of the licence so issued shall be sent to the State Government in whose jurisdiction, the contract work or works for which licence is issued.

(6) Licence issued under this rule shall be valid for five years.

89. Forms, terms and conditions of licence.-(1) Every licence granted shall be in **FORM-XXII**.

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

(i) the licence shall be non-transferable;

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

(iii) the fees paid for the grant or renewal of the licence shall be non-refundable;

(iv) the rates of wages payable to the contract labours by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, shall not be less than the rates so fixed.

90. Procedure for issue of licence.- (1) Before a licence is issued, bank guarantee for an amount of security calculated at the rate of Rs. 1000/- for each of the contract labours to be employed, in respect of which the application for licence has been made, shall be deposited by the contractor with the authority for performance of the conditions of the license and compliance with the provisions of the Code.

(2) If contractor proposes to engage one lakh or more but less than one lakh fifty thousand contract labours an amount of security shall be Rs. 10 Crore and engages one lakh fifty thousand but less than two lakhs contract labour an amount of security shall be Rs. 15 Crores and engages two lakh or more contract labour an amount of security shall be Rs. 20 Crores.

(3) Wherein the issued contract license had expired, based on the request of the applicant in **FORM-XXII**, the authority may adjust the security deposit under sub-rule (1) in respect of their application for new license.

(4) The fees to be paid for the grant of a license shall be as specified in the Table:

(a)	No license is required up to 49 contract labour	Nil.
(b)	50 and above but not exceeding 100 contract labour	Rs. 1000
(c)	101 and above but not exceeding 300 contract labour	Rs. 2000
(d)	301 and above but not exceeding 500 contract labour	Rs. 3000
(e)	501 and above but not exceeding 1000 contract labour	Rs. 5000
(f)	1001 and above but not exceeding 5000 contract labour	Rs. 10000
(g)	5001 and above but not exceeding 10000 contract labour	Rs. 20000
(h)	10001 and above but not exceeding 20000 contract labour	Rs. 30000
(i)	exceeding 20001 contract labour	Rs. 40000

91. Renewal of licence of Contractor.- (1) Every contractor shall apply electronically on Shram Suvidha Portal to the licensing authority for renewal of the licence.

(2) Every such application shall be submitted on the Portal referred to in sub-rule (1) at least thirty days prior to expiry of licence period but not before ninety days of such expiry of licence.

(3) The fee chargeable for renewal of the licence shall be the same as for the grant of licence under rule 90:

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

(4) It shall be the responsibility of the authority concerned to renew licence within seven days electronically failing which the licence shall be deemed to be issued and auto generated.

92. Refund of security deposit.-(1) On expiry of the period of licence the contractor may, if not intends to have their licence renewed further, make an application electronically to the licensing authority for the refund of the security deposited by them along with copy of licence so expired and notice of completion of work and bank details in which amount is required to be refunded.

(2) Where the authority is satisfied that there is no breach of the conditions of licence or there is no order for the forfeiture of security deposit or any portion thereof, authority shall direct the return of the security deposit to the contractor.

(3) If there is any order directing the forfeiture of any portion of security deposit, the amount to be forfeited shall be deducted from the security deposited and balance, if any, shall be refunded to the contractor within thirty days from the making of application.

(4) Any application for refund shall, be disposed of within thirty days of the making of such application.

93. Responsibility of contractor.-(1) The rates of wages payable to the workers by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

(2) In case where the contract labour employed by the contractor performs the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the holidays, hours of work and other conditions of service of the contract labour of the contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of work.

(3) In case of any dispute whether the work is of similar kind, the matter be referred to the concerned Deputy Chief Labour Commissioner (Central) whose decision shall be final.

(4)All contract labour shall be made member of Employees' Provident Fund Organisation and Employees' State Insurance Corporation subject to applicability as under respective provisions of the Code on Social Security, 2020 (36 of 2020).

(5) The contractor shall notify any change in the number of contract labours or conditions of work on the Shram Suvidha Portal.

94. Intimation of work order and time limit for intimation.- (1) Every contractor shall within fifteen days of the receipt of a contract work order shall intimate about the contract work order containing the details such as the name of the principal employer, address of the premises where work is being undertaken, date of commencement of the contract work, the number of contract labour employed under that work order, duration of work orders through Shram Suvidha Portal.

(2) The details of work order shall be sent under sub-rule (1) by the contractor or their authorised representative.

(3) The intimation under sub-rule (1) shall be sent electronically on Shram Suvidha portal.

95. Revocation and suspension of license.- (1) If the authority is satisfied that the licence has been obtained by mis-representation or suppression of any material fact or if the contractor has failed to comply with the conditions subject to which licence was granted or the contractor has contravened any provision of Part-I of Chapter-XI of the Code or rules made there under, the Authority shall issue a show cause notice of fifteen days to the contractor electronically.

(2) Upon receipt of the reply from the contractor within 15 days of the receipt of the notice, the Licensing Authority shall examine the same and in case the licensing authority is of the opinion that the continuation of contract business by the contractor is going to lead to grave harm to the contract labours, the authority may pass a speaking order recording the reasons for revocation or suspension or otherwise and communicate the order to the contractor electronically or by speed post.

(3) A copy of the order shall also be endorsed to the Chief Labour Commissioner (Central) , concerned

Labour Enforcement Officer (Central) and concerned State Authorities.

(4) If the contractor has complied with the concerned provisions of the Code and rules made there under within the stipulated time period, the Licensing Authority shall revoke the suspension giving a speaking order or else the suspension may be continued.

(5) If the contractor fails to comply with the order in sub-rule (1), the authority may forthwith pass an order of revocation of license, recording the reasons thereof and communicate to the contractor electronically or by speed post and the copy of the order shall be endorsed electronically to Chief Labour Commissioner (Central), concerned Labour Enforcement Officer (Central) and the concerned State Authority.

96. Amendemnt of Licence.- (1) The contractor seeking amendment in licence shall apply electronically in **FORM-XXI** on Shram Suvidha Portal by giving details about the amendment and uploading documents related to license issued, proof of Identity and address of the employer as specified in the said Form.

(2) The Form shall be signed digitally or in any other manner as may be required on the portal.

(3) The applicant shall be responsible for veracity of all information submitted in the application.

(4) The fees to be paid for the amendment of Licence as specified in sub rule (4) of Rule 90.

(5) The amended licence shall be issued electronically immediately, if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such licence shall be deemed to have been amended and the amended licence shall be auto generated.

(6) After issuance of amended licence, proportionate security deposit will be returned if number of contract labour decreases and an additional amount of security deposit, shall be deposited, if number of contract labour increases.

97. Appeal. – (1) The appellate authority under sub-section (1) of section 52 of the Code shall be notified by the Central Government, issued from time to time.

(2) The form and the fees for this purpose will be specified by general or special order by Central Government issued from time to time.

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

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

(3) The principal employer shall settle the bills of contractor related to dues of contract worker within timeline as per the terms and conditions agreed between principal employer and contractor.

(4) The wages shall be disbursed through bank transfer or electronically.

Provided that where it is not practicable to disburse wages through bank transfer or electronically, the wages shall be disbursed in current coins or currency.

(5) The wages of contract labours shall be paid without any deductions of any kind, except those specified by the Central Government.

(6) A notice showing wage period and date and time of disbursement of wages of contract labour shall be displayed at the place of work and a copy sent by the contractor to the principal employer electronically.

(7) Every contractor shall send half-yearly return in **FORM-XVIII** electronically to the Deputy Chief Labour Commissioner (Central) concerned not later than thirty days from the close of the half year, that is to say January to June, July to December.

(8) In case contractor fails to make payment of wages to the contract labour within seven days of completion of wage period, then the principal employer shall take necessary action and make payment of wages in full or the unpaid balance dues, as the case may be, to the concerned contract labour employed by the contractor within fifteen days and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as debt payable by the contractor or from the security deposit lying with the principal employer.

(9) Every principal employer of an establishment shall submit annual return in **FORM-XVII (Part-III)** electronically to the authority and concerned Deputy Chief Labour Commissioner (Central) so as to reach on or before last day of February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result.

99. Making payment of wages from the security deposit amount.- (1) If the contractor or principal employer does not pay the wages to the contract labour employed by them, the concerned Chief Labour Commissioner (Central) shall conduct or cause to conduct, an inquiry and after giving an opportunity to be heard to the contractor shall pass an order to make payment if any, of such wages from the amount deposited by the contractor as security deposit.

(2) The contractor shall re-furnish the security deposit within a period of fifteen days or else license will be liable to be suspended.

100. Experience Certificate.- Every concerned contractor shall issue on demand, experience certificate in **FORM-XXIII** to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

101. Prohibition of employment of contract labour.- If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application to the Central Government, which may refer such application to the designated authority, notified by the

Central Government. The form of application, manner and time period shall be as per general or special order by the Central Government issued from time to time:

Provided that no adverse action will be taken during the pendency of proceedings so that the operation of the activity is not affected.

PART II
INTER-STATE MIGRANT WORKER

102. Journey allowance to inter-State migrant worker.- (1) The employer shall pay a lump sum amount on account of fare for to and fro journey to inter-state migrant worker by train not less than II Class sleeper or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home-state in the event, if such worker has worked for a period of not less than one hundred and eighty days in the concerned establishments in preceding twelve months:

Provided that the journey allowance shall be given to an inter-state migrant worker once in twelve months.

(2) In the event of change of employer by the inter-State migrant worker during the middle of the employment period and such worker has not availed the journey allowance from their previous employer, then on the basis of a certificate to be given by inter-State migrant worker, the employer where the inter-State migrant worker is presently working and such worker has completed one hundred and eighty days in preceding twelve months including the period spent with the previous employer, then the present employer shall pay journey allowance.

103. Setting up of a Toll Free helpline number to the inter-state migrant worker.- A Toll-Free help-line number shall be provided through general or special order by Director General Labour Welfare Organisation of the Ministry of Labour and Employment, to address queries and safety of the inter-State migrant workers.

104. Study of inter-State migrant workers.- The Central Government may identify the studies to be carried out to promote safety, health and welfare of inter-State migrant workers as specified by general or special order by the Central Government issued from time to time. Wherever required the Central Government may also consult the State Government or expert organizations involved in the safety, health and welfare of inter-State migrant workers.

PART III

AUDIO- VISUAL WORKER

105. Agreement for audio-visual worker.- The agreement for the audio-visual worker with the producer shall be registered in **FORM-XXIV.**

106. Procedure for reference of disputes to a Conciliation Officer or a Tribunal.- The procedure for reference of dispute to a conciliation officer or a tribunal shall be as per the procedure prescribed in the Industrial Relations Code, 2020 (35 of 2020) and rules made thereunder.

PART IV

MINES

107. Qualification and appointment of manager in mines.- No mine shall be opened, re-opened or worked unless it has a duly appointed manager, who has the following qualifications specified in the Table below, namely:-

Type of mine	Average material handled or average output of the mine	Essential Qualification for the manager
(1)	**(2)**	**(3)**
Belowground coal mines	(a) Average output in excess of 2,500 tonnes	A First Class Manager's Certificate of Competency (Coal).
	(b)average output not exceeding 2,500 tonnes	A First Class Manager's Certificate (Coal) or Second Class Manager's Certificate of Competency (Coal).
Open cast Coal Mines:	(a) average material handled in excess of 20,000 cubic metre	A First Class Manager's Certificate of Competency (Coal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Coal) .

	(b) average material handled not exceeding 20,000 cubic metre	A First Class Manager's Certificate of Competency (Coal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Coal) or Second Class Manager's Certificate of Competency (Coal) or Second Class Manager's Certificate of Competency restricted to mines having opencast in coal.
Below ground metalliferous mines	(a) average output in excess of 1,250 tonnes	A First Class Manager's Certificate of competency (Metal).
	(b) average output not exceeding 1,250 tonnes	A First Class Manager's Certificate of Competency (Metal) or Second Class Manager's Certificate of Competency(Metal).
Opencast metalliferous mines	(a) average material handled in excess of 20,000 cubic meter	A First Class Manager's Certificate of Competency (Metal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Metal).
	(b) average material handled not exceeding 20,000 cubic meter	A First Class Manager's Certificate of Competency (Metal) or a First Class Manager's Certificate of competency restricted to mines having open cast workings only (Metal) or Second Class Manager's Certificate of Competency (Metal) or Second Class Manager's Certificate of Competency restricted to mines having open cast workings only (Metal).
Mine having both open cast and underground workings	all coal and metal mines	First Class Manager's Certificate of Competency (Coal or Metal as the case may be)

Oil mines	all oil mines	A degree or diploma in engineering or post-graduation in physics or geophysics or geology or chemistry of an educational institution recognised by the Central or State Government and has experience in the management and supervision of operations in oil mines for a period of not less than fifteen years in case of diploma in engineering and ten years in other cases.

Explanation: "Average output" of any mine, means the average output per month during the preceding calendar year of the total output from all workings within the specified mine boundaries;
"Average material handled" of any mine, means the average material (mineral and overburden material) handled per month during the preceding calendar year of the total material handled from all workings within the specified mine boundaries.

108. Code not to apply in certain mines.- (1).- The provision of the Code, except those contained in sections 35,38, 40,41 and 44 shall not apply to –

(i) any mine or part thereof in which excavation is being made for prospecting purposes only and not for the purpose of obtaining minerals for use and sale:

Provided that –

(a) not more than twenty persons are employed on any one day in connection with any such excavation;

(b) the depth of the excavation measured from its highest to its lowest point nowhere exceeds six meters or, in the cases of an excavation in coal, fifteen meters; and

(c) no part of such excavation extends below superjacent ground;

(ii) any mine engaged in the extraction of kankar, murram, laterite, boulder, gravel, shingle, ordinary sand (excluding moulding sand, glasss and other mineral sands), ordinary clay (excluding kaolin, china clay, white clay or fire clay), building stone, slate, road metal, earth, fullers earth, marl, chalk and limestone:

Provided that-

(a) the working do not extend below superjacent ground; or

(b) where it is an opencast workings-

i. the depth of the excavation measured from its highest to its lowest point not anywhere exceeds six meters;

ii. the number of persons employed on any one day does not exceed fifty; and

iii. explosives are not used in connection with the excavation.

(2) As soon as an establishment becomes a mine, the employer of the mine shall give notice electronically, to the Inspector-cum-Facilitator within seven days from the date it becomes a mine.

(3) Notwithstanding anything contained in sub-rule (1) the Central Government may declare by an order in writing require that all provisions of the Code shall be applicable, in such mine or part thereof subject to such conditions as may specify therein.

109. Initial and periodical medical examinations in mines.- (1) The employer of every mine shall make arrangements for –

(i) initial medical examination of every person seeking employment in a mine;

(ii) periodical medical examination of person employed in a mine annually;

(iii) the medical examination shall be conducted as per **FORM-IX**.

(2) The periodical medical examination or the X- Ray examination or both, shall be conducted at frequent intervals, if the medical examining authority deems it necessary to confirm a suspected case of a dust related disease.

110. Examining authorities.- (1) The medical examination referred to in rule 109 shall be carried out by a qualified medical practitioner in the employment of the employer of the mine or duly assigned for this purpose by the employer of group of mines or by any Government Medical Officer.

(2) The examining authority shall be trained in occupational health course including the International Labour Organisation, Classification of Chest Radiograph duly recognised by the Central Government.

111. Notice of medical examination.- (1) In respect of initial medical examination, employer shall give at least seven days prior notice in writing to the person to be examined, in Form to be specified by the Chief Inspector-cum-Facilitator and a copy of every such notice issued shall be sent by employer to the examining authority.

(2) In respect of periodical medical examination the manager shall give at least twenty days prior notice in writing to the person to be examined, in Form to be sepcified by the Chief Inspector-cum-Facilitator.

(3) A copy of every such notice issued shall be sent by the employer to the examining authority along with previous medical certificates issued, pertaining to the persons concerned.

(4) A person, who for any reasonable cause, fails to appear for the medical examination in accordance with the notice issued to such person, shall be given a second notice of a minimum period of ten days in Form to be specified by the Chief Inspector-cum-Facilitator, by the manager and a copy

of every such notice shall be sent by the manager to the examining authority.

(5) The examining authority shall inform the manager whether the person concerned has appeared for medical examination or not within one week from the date fixed for medical examination in the second notice.

112. Failure to undergo medical examination.- (1) A person who without reasonable cause, fails to appear for medical bel

Provided that a person who renders themselves so liable to be discharged for failure to appear for medical examination shall be required to show cause why such person could not comply with the notice within the time specified therein.

(2) If explanation is found satisfactory by the management, such person shall be given another chance to appear for medical examination.

(3) Where the explanation is not found satisfactory their service shall be terminated by the management.

113. Standard and report of medical examination.- (1) The examining authority holding initial and periodical medical examination shall examine a person according to the standards laid down in **FORM –IX.**

(2) After examinations, copy of the medical certificate in **FORM –IX**, shall be issued by the examining authority to the person concerned electronically or by speed post and copy be sent to the employer of the mine concerned electronically.

(3) The examining authority shall retain the third copy of the medical certificate.

(4) In the case of periodical medical examination, the examining authority shall send the copy of previous medical certificates of the person concerned, back to the manager of the mine concerned.

114. Retention and transfer of medical certificates.- (1) All medical examination records with medical history and job details to depict the occupational dust exposure profile of persons employed or to be employed in a mine shall be retained in the possession of the manager of the mine so long as the person is employed in the mine and for a period of five years thereafter:

Provided that the manager of a mine where such person is or was employed shall, if so requested by the manager of any other mine where the person is to be employed, send all medical certificates with respect to such person.

(2) If the examining authority who conducts medical examination of persons employed or to be employed in any mine is relieved of their duties regarding medical examination, such examining authority shall transfer all records of medical examination in their possession to the manager of the mine concerned.

115. Identity of candidates.- The examining authority, shall record the Aadhaar number, after obtaining consent and signature of every candidate appearing before it for medical examination on the copies of the medical certificate.

116. Medical Examination of women.- (1) A woman employee shall be examined by female qualified medical practitioner.

(2) In case a female medical practitioner is not available, the woman employee shall be medically examined by a male qualified medical practitioner in the presence of another woman.

117. Appeal for re-examination.- (1) Where as a result of an initial medical examination or of periodical medical examination, a person has been declared unfit for employment in mines or in particular category of mines or in any specified operations in mine , such person may, within thirty days of the receipt of a copy of the certificate, file an appeal with the employer , against the declaration aforesaid and request for a medical re-examination by an appellate medical board.

(2)(i) the employer in case of initial medical examination and manager of the mine in case of periodical medical examination shall forward the appeal to the convener of the appellate medical board within fifteen days of the receipt of the appeal;

(ii) the convener of the appellate medical board shall give at least fifteen days prior notice to the owner, agent or manager and also the appellant, for re-examination;

(iii) a person, who for any reasonable cause, fails to appear for a medical re-examination shall be given another notice at least seven days in advance;

(3) In respect of every medical re-examination by the appellate medical board, the appellant shall pay such fees and the medical examination shall be conducted in such manner as may be determined by the appellate medical board.

(4) In case the appellate medical board finds such person fit for employment in mines, the fees shall be reimbursed in full to the appellant by the employer of the mine where such person is employed.

118. Constitution of appellate medical board.- For the purpose of medical re-examination on appeal, the appellate medical board shall be constituted by the Central Government in the following manner, namely;

(i) an Inspector-cum-Facilitator who shall act as the convener of the board for coordination purpose;

(ii) two qualified medical practitioners in allopathic system of medicine and in the employment of the State or Central Government as nominated by the Chief Inspector-cum-Facilitator:

Provided that, the convener can co-opt any specialist medical practitioner if the appellate medical board is of the opinion that such specialist is required to be consulted for specific issues.

119. Standard and report of medical re-examination by the appellate medical board.- (1) The appellate medical board shall medically examine the appellant in accordance with the standard laid down in the **FORM –IX** for initial and periodical medical examination.

(2) The certificate of medical re-examination in the **FORM –X**, shall be issued to the manager of the mine and to the appellant.

(3) A copy of the medical certificate shall be retained with the convenor.

120. Unfit persons not to be employed.- Where, as a result of an initial medical examination or periodical medical examination or after medical re-examination, a person has been declared unfit for employment in mines or in a particular category of mines or in any specified operations in mine, the person, shall not be employed or continue to be employed in mine or in the category of mines or on the operations specified, after the expiry of thirty days from the date of medical examination unless such person has filed an appeal against the declaration:

Provided that, if the qualified medical practitioner carrying out the initial medical examination, or the periodical medical examination or the appellate medical board carrying out the medical re-examination of persons already in employment is of the opinion that the disability of the person examined is of such a nature and degree that it will not seriously affect or interfere with the normal discharge of their duties, it may recommend their continuation in employment in the mine for a period not exceeding six months, during which such person may get their disability cured or controlled and appear for another medical examination after six months and be declared fit.

121. Cost of medical examination.-The cost of medical examination under these rules, shall be borne by the employer of the mine except in case the person is declared unfit for employment in mines after re-examination by appellate medical board.

122. Exemptions from hours and limitation of employment.- The following persons shall be exempted from the provisions of sub-section (1) of section 25, sub-section (1) of section 26, section 30 and sub-section (1) of section 31 in respect of the following, namely:-

(i) person holding position of supervision or management or like other position, employed in a confidential capacity;

(ii) manager, deputy manager, installation manager, fire officer, assistant manager, ventilation officer, safety officer, information technology, instrumentation and communication officials;

(iii) mining, electrical and mechanical engineer;

(iv) mining supervisor, assistant mining supervisor and supervisor in oil mines;

(v) mechanical and electrical foreman and electrical and mechanical supervisor;

(vi) surveyor and assistant surveyor;

(vii) qualified medical practitioner, dresser, compounder, chemist, assayer, metallurgist and welfare or personnel officer; and

(viii) any other person specified by Central Government through general or special order issued from time to time.

123. Establishment and location of rescue station.- (1) The Chief Inspector-cum-Facilitator may permit or require the employer of a below ground mine or a group of below ground mines to establish and maintain rescue stations with such designs and specifications and at such places as may be considered necessary in consultation with the employer:

Provided that where there are below ground mines belonging to more than one employer, the Chief Inspector-cum-Facilitator may permit or require two or more employers to jointly establish common rescue stations:

Provided further that all the existing rescue stations as on the date of coming into force of these rule, shall continue to function for a period of three years from that date.

(2) At every rescue station, there shall be a superintendent and at least two instructors and there shall be maintained a rescue brigade of not less than eighteen rescue trained persons.

(3) Where in absence of the superintendent at a rescue station exceeds sixty days, the employer shall appoint another superintendent.

(4) The employer shall, on the same day of assumption or relinquishment of charge by the superintendent, inform the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator of the region where the mine is situated.

124. Functions of rescue station.- The functions of rescue station shall include-

(i) imparting initial training in rescue and recovery work;

(ii) imparting refresher training to rescue trained persons;

(iii) providing support by its own rescue teams and equipment in case of major accidents or long lasting rescue and recovery operations; and

(iv) carrying out the functions of rescue room in respect of those below ground mines where there is no rescue room.

125. Establishment and location of rescue room.- (1) At every below ground mine where, more than 100 persons are ordinarily employed below ground and there is no rescue station within a radius of 35 kms, the employer, shall establish a rescue room on surface close to mine entrance:

Provided that it may be sufficient to provide one rescue room for a number of mines belonging to the same employer where-

(a) the total number of persons ordinarily employed in below ground workings of all such mines does not exceed 5000; and

(b) the mines are situated within radius of 35 kms from and connected by road with the rescue room :

Provided further that the Chief Inspector-cum-Facilitator may permit the employer of a group of mines having the total number of persons ordinarily employed below ground in excess of 5000 to use the rescue room as a rescue station excepting the functions of imparting initial training in rescue work, if such rescue room is .-

(i) equipped with requisite additional rescue apparatus including at least 15 extra sets of two hour self- contained breathing apparatus; and

(ii) placed under the charge of a person holding the qualifications, experience and like other requirements of instructors and minimum of five rescue trained persons of whom at least one shall hold the qualifications, experience and like other requirements of rescue room in-charge are posted thereat.

(2) At each rescue room, there shall be appointed such number of rescue trained persons as may be necessary and one of them possessing the qualifications, experience etc. of rescue room in-charge who shall be made in-charge of the rescue room.

(3) At least one rescue trained person shall always be in attendance at the rescue room.

126. Functions of rescue room.- A rescue room shall provide facilities for the storage, assembly and testing of breathing apparatus and other rescue equipment and apparatus and for their speedy transport to mines.

127. Qualifications, experience etc. of superintendent.- No person shall be appointed as superintendent unless such person-

(i) is a rescue trained person;

(ii) has 5 years practical experience of below ground work in mines; and

(iii) holds a First Class Manager's Certificate of a type not restricted to open cast workings.

128. Qualifications, experience etc. of instructor.- No person shall be appointed as instructor unless such person-

(i) is a rescue trained person;

(ii) has 3 years practical experience of below ground work in mines; and

(iii) holds a Manager's certificate of a type not restricted to open cast workings.

129. Selection of rescue trained persons for posting at rescue station.- (1) The rescue trained persons for posting at a rescue station shall be selected, amongst the rescue trained persons employed in mines served by such rescue station, by the superintendent in consultation with the managers of such mine.

(2) A person selected under sub-rule(1) shall be posted for not less than one year and not more than five years at a rescue station at any one time.

130. Qualifications, experience etc. of rescue room in-charge.- No person shall be appointed as rescue room in-charge unless such person-

(i) is a rescue trained person;

(ii) has three years practical experience of below ground work in mines ; and

(iii) holds a Manager's or Mining Supervisor's Certificate of a type not restricted to open cast workings.

131. Equipment.-(1) At every rescue station and rescue room, there shall be provided and maintained for immediate use, apparatus and equipment as may be specified by the Chief Inspector-cum-Facilitator through general or special order.

(2) A below ground mine, where no rescue room is located, there shall be apparatus and equipment as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time and shall be maintained at the entrance of such mine.

(3) Self- contained breathing apparatus shall be provided at a rescue station and that at rescue rooms under it shall be of the same type and make.

(4) The following apparatus and equipments provided under of sub-rules (1),(2) and (3), shall be of a type or standard approved by the Chief Inspector-cum-Facilitator, namely:-

(a) breathing apparatus;

(b) smoke helmets, tube apparatus and apparatus serving the same purpose;

(c) reviving apparatus;

(d) electric safety lamps and flame safety lamps;

(e) gas detector; and

(f) self-rescuers.

(5) All breathing apparatus and every flow meter shall be adjusted and tested and the purity of oxygen for use in breathing apparatus shall be tested in such manners as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(6) In event of an accident in a below ground mine arising out of the use of any rescue apparatus, a written report thereof shall be sent, within 24 hours of such accident, by the manager of the mine to the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator in the form, as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(7) In case of an accident in a rescue station or rescue room arising out of the use of any rescue apparatus

a written report thereof shall be sent electronically, within 24 hours of such accident, by the Superintendent to the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator in the form, as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(8) No absorbent charges, chemicals, self-rescuer and gas detector tubes shall be kept at any rescue station, rescue room or below ground mine for use beyond the expiry date, which shall be legibly marked on the boxes thereof.

132. Duties and responsibilities of Superintendent.- (1) The Superintendent shall be overall in charge for control of the rescue station and the rescue rooms served by such rescue station.

(2) The Superintendent shall ensure that all the rescue equipment and apparatus kept at the rescue station, rescue rooms and at the entrance of the below ground mine under their control are-

(i) maintained in proper working order;

(ii) inspected by instructors at specified intervals; and

(iii) tested and adjustments are made accordingly.

(3) The superintendent shall ensure that adequate stock of spare parts and supplies are kept for maintaining rescue equipment and apparatus in proper working order.

(4) The superintendent shall countersign the records maintained.

(5) The superintendent shall ensure that persons selected for initial training and those undergoing refresher training receive the course of instructions and practices as may be approved by the Chief Inspector-cum-Facilitator and are issued the certificates for the same.

(6) The superintendent shall make periodical inspection of rescue rooms and the apparatus and equipment under their control.

(7) When an emergency at a below ground mine, superintendent shall perform such rescue and recovery work as may be assigned by the manager or in absence of manager, by the principal official present at the surface.

(8) The superintendent shall send a daily report and a complete report within twenty-four hours after completion of the rescue or recovery work to the Inspector-cum-Facilitator or the Chief Inspector-cum-Facilitator.

(9) The superintendent shall maintain in a bound paged book or in retrievable and non-editable electronic form and shall record therein the results of each of their inspections and the action taken by them to rectify the defects observed during inspection.

133. Duties of instructor.- (1) Under the direction of the superintendent, the instructor shall-

(i) impart course of instructions and practices to persons selected for training in rescue and recovery work as well as to rescue trained persons and maintain a record thereof; and

(ii) make inspection, test and adjustment of rescue equipment and apparatus and maintain a record thereof.

(2) When an emergency at a below ground mine, instructor shall perform such rescue and recovery work as may be assigned by the manager or in absence of the manager, by the principal official present at the surface.

(3) The instructor shall not leave the rescue station without prior permission of the superintendent.

(4) In the absence of the superintendent, the instructor shall be in-charge of the rescue station.

134. Duties and responsibilities of rescue room in-charge.- Every rescue room in-charge shall-

(i) display prominently a list of mines served by their rescue room;

(ii) maintain the equipment and apparatus kept at the rescue room in proper working order;

(iii) maintain a proper record of all rescue equipment and apparatus kept at the rescue room and inspection thereof; and

(iv) not allow any unauthorised person to enter into or permit any unauthorised person to take out any apparatus or equipment from the rescue room.

135. Duties of rescue trained persons posted at rescue station.- The rescue trained person shall-

(i) obey order of the superintendent and instructor and assist them in discharge of their functions;

(ii) attend to messages, telephone calls and wireless and maintain record thereof;

(iii) maintain the rescue station in neat and tidy condition;

(iv) maintain the equipment and apparatus kept at the rescue station in proper working order;

(v) perform rescue and recovery work in mine; and

(vi) not leave rescue station without obtaining permission from the superintendent.

136. Duties of rescue room attendant .- Every rescue room attendant shall-

(i) not leave the rescue room until relieved by a substitute;

(ii) not allow any unauthorised person to enter in or to take out any apparatus or equipment from the rescue room;

(iii) attend to telephone calls and maintain a record thereof;

(iv) maintain the rescue room in neat and tidy condition; and

(v) obey orders of the rescue room in charge and assist in discharging the functions of rescue room in-charge.

137. Telephone communication.- Every mine shall be connected preferably through wireless communication or telephonically with the rescue room and rescue station serving such mine:

Provided that where there is no communication system, the Chief Inspector-cum-Facilitator may by an order in writing and subject to such conditions as may specify therein, approve other means of communication.

138. Rescue tracings.- (1) There shall be kept at a below ground mine, more than three legible tracings of the working of the mine upto a date not before three preceding months.

(2) The tracing shall show the system of ventilation in the mine and in particular, the general direction of air-current, every point where the quantity of air is measured, every air-crossing, ventilation-door, stopping, booster fan and any other principal device for regulation and distribution of air, fire-dams, preparatory stoppings, every fire-fighting equipment, every water-dam with dimensions and other particulars of construction, every pumping, telephone and ambulance station, every room used for storing inflammable material, reserve stations and every haulage and travelling roadway.

139. Appointment of rescue trained persons in mines, their disposition and accommodation. (1) The manager of a below ground mine, where more than 100 persons are ordinarily employed, shall ensure that at least 5 rescue trained persons are readily available at surface at any time.

(2) The manager of a below ground mine, where more than 500 persons are ordinarily employed, shall ensure that persons on a scale of one man for every 100 persons or part thereof are rescue trained persons.

(3) It shall be the responsibility of the employer to provide suitable accommodation-

(i) close to the rescue station to the superintendent, instructors and members of rescue brigade;

(ii) close to rescue room to rescue room in-charge rescue trained persons and attendants attached to it; and

(iii) close to below ground mine entrance to rescue trained persons other than those specified in clauses (i) and (ii).

(4) There shall be provided at a below ground mine effective bell or other arrangements, as may be approved by the Inspector-cum-Facilitator for immediate summoning of rescue trained persons.

140. Selection of persons for training in rescue work.- No person shall be selected for training in rescue work, unless such person-

(i) is between 21 and 40 years of age and holds a valid First-aid certificate from the institutes recognised by the Central or State Government ;

(ii) is certified by the manager that such person has sufficient underground experience for the purpose of rescue work;

(iii) is certified by a qualified medical practitioner, as may be designated by the manager after examination in accordance with the standard as may be specified by the Chief Inspector-cum-Facilitator through general or special order, to be free from any organic disease or weakness and to be fit for undertaking rescue work; and

(iv) is considered by the Superintendent of rescue station, after such examination and interview as Superintendent considers necessary, to be suitable for rescue work with breathing apparatus.

141. Instructions and practices etc.- (1) Every person selected for training in rescue work shall undergo the course of instructions and practices as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, until such person has passed and has been certified as efficient by the Superintendent .

(2) Rescue trained person shall undergo practices and receive instructions as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(3) A record shall be kept at every rescue station of all persons undergoing practices and receiving instructions and such record shall contain-

(i) the date and the character of each practice;

(ii) the medical condition of each person after the practice and if anything abnormal was observed in their condition, whether it was due to a defect of the apparatus or due to that person ; and

(iii) any other relevant information.

142. Medical examination etc. of rescue trained person.- Every rescue trained person shall be re-examined once at least in every twelve months by a qualified medical practitioner as may be designated by the manager in accordance with the standard as specified in **FORM IX** and in case such person is declared medically unfit, such person shall cease to be a rescue trained person with effect from the date such person has been so declared.

143. Suspension of rescue trained persons.-If in the opinion of the employer or an Inspector-cum-Facilitator, a rescue trained person is guilty of negligence or misconduct in the performance of their duties, may after giving such person an opportunity to provide a written explanation, suspend or debar such person from undertaking any rescue and recovery work.

144. Duties of manager etc. in emergency.- (1) On receiving information of any emergency likely to require the services of a rescue team, the manager or in absence of manager, the principal official present at the surface, shall immediately-

(i) inform the rescue room or the rescue stations serving the mine for necessary assistance;

(ii) summon rescue trained person employed in the mine;

(iii)inform the owner, agent or manager of nearby mines to make available the services of rescue

trained persons employed therein if so required;

(iv) inform the rescue station about the nature of the occurrence; stating whether assistance would be needed from the rescue station;

(v) summon medical assistance; and

(vi) send information of the occurrence to the Inspector-cum-Facilitator.

(2) All rescue and recovery work at a below ground mine shall be conducted under the control, direction and supervision of the manager of the mine or in absence of the manager, the principal official present at the surface:

Provided that in the event of a major emergency, such as ignition, explosion, underground fire or an accident involving a number of persons, the manager or the principal official shall, in taking decisions regarding rescue and recovery operations, take guidance from a group consisting of a senior official of the management , a representative each from the Director General of Mines Safety, concerned rescue station and the recognised Union of the Workers, so however manager or the principal official must take necessary decisions and direct the operations as the situation warrants, without waiting for the constitution or deliberations of the said group.

145. Accommodation at the below ground mine for persons engaged in rescue work.- (1) Whenever rescue trained persons are engaged in rescue or recovery work at a below ground mine, there shall be provided at such mine suitable accommodation for storage and charging of apparatus required for that work.

(2) Such accommodation shall be situated at a convenient place near the entrance in use and shall be properly ventilated and lighted.

(3) Adequate quantity of cool and wholesome drinking water and food shall be provided for the rescue workers.

146. Entry into below ground mines for rescue or recovery work.- (1) No person shall be allowed to enter a below ground mine or part thereof which is unsafe for the purpose of engaging in rescue or recovery work, unless authorised by the manager or by the principal official of the mine present at the surface.

(2) Only rescue trained persons shall be permitted to enter the mine for the purpose of using self-contained breathing apparatus.

(3) During the course of rescue or recovery work, person shall be stationed at the entrance to the below ground mine and shall keep a written record of all persons entering and leaving such mine and the time thereof.

147. Fresh air bases.- (1) The base shall be established in fresh air, as near to the irrespirable zone or zones based on safety consideration, every such base shall, if possible be connected by telephone,-

(i) if the base is below ground to the surface ; or

(ii) if the base is on the surface, to the shaft bottom.

(2) Except in cases where the delay involved may result in danger to life, rescue trained persons shall not proceed beyond any place where a base is to be established until there have been provided at such base,-

(i) two persons, of whom one shall be a qualified medical practitioner if practicable and other shall be a rescue trained person;

(ii) a spare team with rescue apparatus, ready for immediate service;

(iii) one or more reviving apparatus, oxygen revivers and like other apparatus,

(iv) first aid box and stretcher;

(v) apparatus for testing of carbon monoxide;

(vi) a hygrometer; and

(vii) two flame safety lamps.

(3) Whenever persons already at work beyond the fresh air base, there shall be provided at the base as soon as possible the persons, apparatus and equipment as specified in sub-rule (2).

148. Leader.- Every rescue team engaged in work with breathing apparatus in a mine shall be under a leader who shall be appointed by the superintendent.

149. Instructions to leader.- Prior to sending a rescue team underground, the superintendent or a person authorised shall give clear instructions to the leader of the team as to where it shall go and what it shall attempt.

150. Test of apparatus.- (1) Before proceeding below ground the leader shall test or witness the testing of self-contained breathing apparatus of the team for leakage.

(2) No such apparatus shall be used unless it is found safe.

(3) The leader shall check the equipment of team and immediately before entering irrespirable atmosphere shall make sure that all breathing apparatus are working properly.

151. Duties of leader below ground.- (1) The leader

(i) shall not be engage in manual work.

(ii) shall give attention solely to directing the team and to maintaining its safety.

(iii) shall examine the roof and supports during the journey and if there is any likelihood of fall at any place along the roadway, then, the leader shall not proceed further until the team has made the place secure.

(2) The leader shall keep the team together and shall not allow any member of the team to stray.

(3) If the atmosphere is clear, the leader shall, when passing the junction of two or more roadways, clearly indicate the route by means of arrow marks in chalk.

(4) If the atmosphere is obscure, the leader shall see that a lifeline is laid in from the fresh air base and shall not allow any member of the team to move out of reach of that lifeline or if that course is impracticable, the leader shall not proceed until every roadway branching of from the route is fenced across the whole opening.

(5) When using rescue apparatus, the leader shall carry a watch, shall record the pressure of the compressed oxygen at every intervals of twenty minutes and shall commence the return journey in ample time.

(6) During travelling the leader shall adopt the pace of slowest member and if any member of the team is in distress, shall immediately return to the fresh air base with the whole team.

(7) The leader shall not permit any member of the team using breathing apparatus in a mine to remain at work at any one time for a period longer than one and half hours or such other period as may be specified by the Chief Inspector-cum-Facilitator in respect of the breathing apparatus being used.

152. Rescue team members and their duties.-(1) The number of persons in any rescue team using breathing apparatus in a mine shall not be less than five and not more than six, including the leader.

(2) In event there is no provision in any of the breathing apparatus carried by the rescue team for extension for supply of oxygen to another person in an emergency the team shall carry a self-rescuer.

(3) Members of rescue team shall in general, use the signals as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, in communicating to one another.

(4) In travelling with rescue apparatus on, every member of the team shall keep the place given to them when numbering off and the pace is too quick or if distress is felt, the member shall at once call attention to the fact.

(5) Every member of a rescue team engaged in work with breathing apparatus in mine shall obey the order of the leader of the team.

153. Restriction of second spell of works.- No person shall commence a second or subsequent spell of work in irrespirable atmosphere without being examined and found fit by a qualified medical practitioner.

154. Obligation of employer in certain situations.- Whenever emergency arises at a below ground mine, whether served by a rescue room or rescue station or not, the employer may seek assistance from the nearest rescue room or rescue station and in such an event-

(i) all possible assistance shall be promptly rendered by the rescue room or rescue station; and

(ii) the employer of the mine shall pay to the owner of the rescue station or rescue room, rendering such assistance, the full cost of rescue services and facilities borrowed.

155. General management.- The employer shall establish, maintain and ensure proper functioning of rescue room or rescue station as required under these rules, to appoint such persons, and to provide necessary rescue equipment and apparatus.

156. Power to relax.- The Chief Inspector-cum-Facilitator based on the recommendation of the committee constituted by Chief Inspector-cum-Facilitator may relax the conditions pertaining to a mine or rescue station or rescue room in these rules, the Chief Inspector-cum-Facilitator may by an order in writing and subject to such conditions as may be specified therein to grant relaxation from the said provisions.

157. Training Scheme.- (1) The employer of every mine shall ensure that a training scheme, based on the guidelines on the scheme of training, wherever no authority, specified by the Chief Inspector-cum-Facilitator for persons employed or to be employed in the mine:

Provided that the agent of the mine may submit the training scheme approved by the employer in writing.

(2) The Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator may by an order in writing, require such modification in the training scheme as may be specified therein.

(3) The scheme referred to in sub-rule (1) shall include, but not limited to, the following provisions, namely:-

(i) initial training for the persons to be employed in the mines;

(ii) refresher training for the persons already employed;

(iii) training in case of introduction of new technology, equipment or change in work procedure;

(iv) assessing current competencies of a person employed in the mine and prior learning, in establishing the training needs;

(v) assessing the training needs of persons working in mines for the safe performance of the mining operations;

(vi) appointing persons who are competent to give training and assess workers' competencies;

(vii) keeping and auditing records of assessment undertaken and training imparted;

(viii) the relevant standards, modules or any other guidelines issued in this behalf by the Chief Inspector-cum-Facilitator; and

(ix) course material on various topics for different categories of persons for delivering lectures in vocational training centre.

158. Scope and standard for vocational training.-The owner or agent of every mine shall ensure that every person to be employed in a mine shall, before such person is employed, be imparted training as per the training scheme under these rule for such employment:

Provided that in case of a person who is already in employment in other mine, the owner shall ensure that such person is imparted training covering such additional course of training as specified under these rules.

159. Scope and standard for Refresher Training.- Every person in employment in a mine shall undergo the refresher training at least once in four years, as per training scheme:

Provided that the Chief Inspector-cum-Facilitator may by order in writing and subject to such conditions as may be specified therein increase or decrease the interval of Refresher training at a mine.

160. Arrangement for refresher training.-The refresher training shall be so arranged that the persons shall undergo training during normal working hours on full day release system:

Provided that the Chief Inspector-cum-Facilitator may by general or special order in writing subject to conditions as may be specified may exempt any mine from the provisions the of this rule.

161. Special training.- (1) In case new technology, equipment and system of work is introduced in the mine, the employer shall prepare and submit the training module, at least sixty days before such introduction, to the Chief Inspector-cum-Facilitator , who may at any time, by an order in writing, require such modification in the training module as may be specified therein.

(2) Persons to be employed in aforesaid technology, equipment and system of work shall undergo training as per the training scheme specified under these rules, based on the training module.

162. Training of persons after long absence or after an accident or change of job.- Wherever a person returns to employment in a mine, after an absence from work for a period exceeding one year or returns to work after being involved in a serious accident or in a dangerous occurrence which could have resulted in threat to life and safety or is re-employed on a job which is different from what such person had been performing earlier shall undergo training before employment as per the training scheme specified under these rules.

163. Training Centre.—(1) The employer of every mine shall provide and maintain a training centre which shall be adequate for the purpose of imparting the training required to be undergone by the persons who are employed or to be employed in the mine:

Provided that the Chief Inspector-cum-Facilitator may, by an order and for the reasons to be recorded in writing and subject to such conditions as may be specified therein, authorise that a common training centre may be provided and maintained in respect of two or more mines belonging to the same employer.

(2)The Chief Inspector-cum-Facilitator may permit in writing, subject to such conditions as may specify therein, a common training centre owned and maintained by a group of employers for imparting training in more than one mine:

Provided that where a common training centre is established and maintained by a group of employers of those mines shall nominate one among them to assume the responsibility of employers of the common training centre for management, supervision, direction and control there at and the nominated owner shall submit notice in writing to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator.

(3) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), the Chief Inspector-cum-Facilitator may approve in writing, subject to such conditions as may be specified therein, a training centre established under any other law for the time being in force subject to having such infrastructure and facilities as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, for imparting training under these rules.

(4) Every application for approval under sub rule (3) shall be made in a proforma and accompanied by a fee prescribed by the Chief Inspector-cum-Facilitator, based on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

164. Arrangements for the training centre.—Every training centre shall have such staff, equipment and other facilities as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

165. Training Officer.— (1) Every training centre shall be placed under the charge of a training officer, possessing qualification and experience, as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(2) It shall be the responsibility of the owner or agent of the mine or the owner of common vocational training centre, as the case may be, to appoint the training officer specified under sub-rule(1):

Provided that in case of a training Centre, the person responsible for the management, control, supervision or direction of the training centre (hereinafter referred to as owner of approved training

centre), shall appoint the training officer.

(3)Notwithstanding anything contained in sub-rule (1), where the training officer is unable to perform duties by reason of temporary absence, illness or other cause, the owner, agent or manager, as the case may be, shall authorise in writing any other person having similar qualifications to act in their place:

Provided that no such authorisation shall have effect for a period exceeding thirty days, except with the previous consent in writing of the Chief Inspector-cum-Facilitator and subject to such conditions as may be specified therein.

(4) Every appointment, discharge, dismissal, resignation or termination of service of a Training officer and of the date thereof shall be sent by the owner or agent to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator within seven days from the date of such appointment, authorisation, discharge, dismissal, resignation or termination of service as the case may be.

166. Duties of Training Officer.—(1) It shall be the duty of the training officer-

(i) to organise and supervise the training of every person undergoing training in pursuance of these rules;

(ii) to recognise current competency and prior learning in establishing for the training needs;

(iii) to ensure training as per the modules or curriculum prepared under the concerned training scheme framed under these rules for different categories of persons and ensure that the instructors deliver lectures on standard course material;

(iv) to maintain records of the training given to every person and to furnish monthly reports to the mine manager on the progress of the persons undergoing training;

(v) to maintain records of the supervision in respect of the practical training on actual operations; and

(vi) to discharge such other duties as may be necessary for the proper compliance of these rules.

(2) Every training officer shall keep a record of work and shall, at the end of every year, forward to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator having jurisdiction over the training centre, through the employer or the owner of a common training centre as the case may be, a summary of the report of work during the year.

167. Instructors. — The employer of mine or owner of the approved training centre shall appoint sufficient number of instructors having qualification and experience to impart training in vocational training centre:

Provided that, in special circumstances, officials may be called for from the mines, to deliver lectures and for demonstrations at the training centre.

168. Trainers.—For the purpose of the practical training referred to in these rules, every person to be employed in a mine shall be placed under the direct supervision of an experienced person of an appropriate category, employed on operations and authorised by manager hereinafter referred to as trainer.

169. Qualification of instructors and trainers.- No person shall function as an instructor or trainer unless such person possesses qualification, training and experience as specified by the Chief Inspector-cum-Facilitator, based on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order issued from time to time

170. Duties of Instructor.— The instructor shall:-

(a) assess employees competency and deliver lectures on standard course material; and

(b) maintain records of training given to every person and to furnish weekly report to the training officer on the progress of the persons undergoing training.

171. Duties of trainer and persons undergoing training.- (1) The trainers shall be responsible for the safety of the persons undergoing training .

(2) The trainer shall monitor that the persons under their charge for training, pick up work, understand the dangers inherent in the job and develop habits, which would ensure safety in mines.

(3) The trainer shall monitor that the persons undergoing training move within the mine along with them.

(4) Every trainer shall monitor that the persons undergoing training under them, is aware of escape route from the sections where they are likely to work and other emergency response applicable to the trainee.

(5) Every person undergoing training shall, whilst under training, comply with the directions of the trainer under whom they are put in charge.

172. Training allowance.- (1) Every trainer shall, in addition to their normal wages, be paid by the owner, agent or manager of a mine, a training allowance for everyday a trainee has worked under their supervision as prescribed by the Chief Inspector-cum-Facilitator on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order, issued from time to time .

(2) Every Instructor, other than the instructor under regular appointment at the training centre shall, in addition to their normal wages, be paid by the owner, agent or manager a training allowance for every day such trainer has imparted training in Vocational Training Centre, as specified by the Chief Inspector-cum-Facilitator on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order, issued from time to time.

173. Certificate of training.-(1) Every person who undergoes a course of training specified in these rules shall, on completion of the training be assessed and subject to acceptable performance of the trainee, shall be granted a certificate duly signed by the training officer, in a Form to be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time .

(2) Where the training officer is not satisfied with the progress or performance of any trainee, such person shall report the same to the manager of the mine, who may arrange to give them, further training.

(3) The manager of every mine shall counter sign and specify date on the certificate after being satisfied of the successful completion of training.

174. Certificate to be delivered to the management.- (1) Every person employed in a mine shall:-

(a) if has obtained training certificates prior to such employment; and

(b) obtained certificates during the course of employment, within such time as may be specified by the manager of the mine;

(c) deliver the certificate issued to them under these rules;

(2) the manager of the mine who shall keep the certificate in safe custody and issue a receipt for the same.

(3) On the termination of employment, certificate deposited under sub-rule (1) shall be returned to the employee.

175. Inspection of vocational training centre.-The Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator may enter, inspect and examine any training centre or any part thereof and make such examination or inquiry as thinks fit in order to ascertain whether the provisions of these rules and of any orders made thereunder are being complied with.

176. Notice of closure or discontinuance of vocational training centre.- When it is intended to close a training centre established under these rules or to discontinue the working thereof for a period exceeding sixty days, the employer of a mine or the owner of a common vocational training centre as the case may be, shall give a notice in the manner and form as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time stating the reasons for such closure or discontinuance, not less than thirty days prior to such closure or discontinuance:

Provided that the employerof the mines shall give notice forthwith when on account of unforeseen circumstances a training centre is closed or discontinued before the said notice has been given or without previous intention the discontinuance extends a period of sixty days.

CHAPTER XII
OFFENCES AND PENALTY

177. Manner of holding enquiry.- (1) When a complaint is filed before the officer appointed under sub-section (1) of section 111 in respect of the offences referred to in said sub-section, by an Inspector-cum-Facilitator, the officer after considering such evidences as produced by the Inspector-cum-Facilitator, is satisfied that an offence has been committed, shall issue summons to the accused on the address specified in the complaint and fix a date for appearance.

(2) The authorisation to appear on behalf of either of the parties, shall be presented to the officer under sub-rule (1) during the hearing of the complaint and shall form part of the record.

(3) If the accused to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the accused regarding the offence against which the enquiry has been initiated, and

(a) If the accused pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and

(b) If the accused does not plead guilty, the officer shall proceed with the enquiry, issue summons to any person acquainted with facts and circumstances of the case, and appoint a specified date for next hearing.

(4) On such appointed date, the officer shall record all evidences produced by the accused and the Inspector-cum-Facilitator, whether documentary or by the witnesses on oath and provide opportunity of cross examination of the witnesses so produced.

(5) The officer shall after hearing the parties and considering the evidence so produced whether oral and documentary, shall decide the complaint in accordance with the provisions of the Code.

(6) The officer shall, while passing an order, record -

(a) the particulars of the complaint;
(b) the details of the parties;
(c) the nature of the offence with reference to relevant provisions of the Code;
(d) the pleadings of the parties;
(e) summary of evidence including cross-examination;
(f) findings and reasons; and
(g) penalty imposed, if any.

(7) In case, the accused or his representative fails to appear without any sufficient cause on two consecutive dates, the officer may proceed to hear and determine the complaint ex-parte:

Provided, in case where Inspector-cum-Facilitator fails to appear or through his representative without any sufficient cause, on the specified date, the officer may dismiss the complaint.

(8) Officer may allow for adjournment of the proceedings on receipt of application either from the Inspector-cum-Facilitator or the accused:

Provided that not more than three adjournments shall be allowed:

Provided further that the officer may at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(9) The officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, endorsement shall be made electronically.

(10) The parties to the issue or their authorised representative under sub-rule (2) shall be entitled to inspect any complaint or any other document filed with the officer.

(11) The officer may refuse to entertain a complaint, if he is satisfied that the complaint is incomplete and may request the Inspector-cum-Facilitator to rectify such defects within the time specified by him for such purpose:

Provided that if the officer is of the opinion that it is not possible to rectify such defects in the complaint, he may return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 111 of the code.

(13) The officer may, after giving the Inspector-cum-Facilitator an opportunity of being heard, refuse to entertain a complaint, if he is satisfied for reasons to be recorded in writing, that-

(a) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(b) the complainant fails to comply with the directions given by the officer.

(14) (i) Any person aggrieved by an order made by the officer may prefer an appeal, in manner, form and with applicable fee as prescribed by Central Government through general or special order, to the appellate authority to be appointed under sub-section (3) of section 111, within sixty days from the date on which the copy of the order referred under sub-rule (6) made by the officer is received by the aggrieved person.

(ii) The appellate authority appointed under sub-section (3) of section 111, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of appeal.

178. Onus as to age.- The medical authority referred to in sub-section (2) of section 117 shall be a medical practitioner as referred, who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019 (30 of 2019) and enrolled on a State Medical Register as defined in the National Medical Commission Act, 2019.

179. Procedure of inquiry and other related matters.- (1) Wherein any workplace an accident causing death or serious bodily injury takes place or there is an occurrence of any dangerous occurrence or cases of any occupational disease as specified in the Third Schedule to the Code has been reported or is suspected to have been contracted, the Central Government, as the case may be, appoint one or more persons possessing legal and special knowledge to act as assessors or competent persons in such inquiry in order to inquire into the causes of the accident or occupational disease.

(2) The competent person appointed under sub-rule (1) shall carry out the inquiry into the causes of the accident or dangerous occurrence along with identification of the hazardous condition for which competent person has reasonable evidence to conclude and to be recorded in writing in the inquiry report, has caused the accident or the dangerous occurrence and also identify the persons which the competent person believes, based on findings, to be responsible for such accident or occurrence, as the case may be.

(3) The inquiry report shall contain conclusive findings of the inquiry along with the recommendations for prevention of such accidents or dangerous occurrences of occupational diseases containing suggestions for implementation to prevent re-occurrence.

(4) In event of dock work, any competent person appointed by the Central Government for the purposes of inquiring into the causes of any accident, dangerous occurrence or occupational diseases connected with the dock work under the provision of section 121 of the Code shall make the inquiry in the following manner, namely-

(i) date, time and place of holding the inquiry shall be fixed and may be varied, notice of which shall be given not less than thirty days in writing of such date, time and place to every person entitled to appear at the inquiry whose name and address are known to the competent person:

Provided that,—

(a) with the consent of such persons, the competent person may give such lesser period of notice as shall be agreed to with those persons; and

(b) where it becomes necessary or advisable to vary the time or place fixed for the inquiry, the competent person shall give such notice of the variation as may appear to it to be reasonable in the circumstances;

(ii) the notice given under clause (i) shall state the name of the competent person and the names of assessors, if any, appointed to assist the competent person in the inquiry;

(iii) without prejudice to the foregoing provisions of this sub-rule, the competent person shall also for the purpose of notifying to the persons who may in any way be concerned with the subject-matter of the inquiry, take one or more of the following steps, namely:-

(a) publish notice of the inquiry in one or more newspapers, including where appropriate, newspapers circulating in the locality or area in which the subject-matter of the inquiry arose; and

(b) give such other notice of the inquiry as appears to the competent person to be appropriate; and the requirements as to the period of notice contained in clause (a) of this rule shall not apply to any such notices.

180. Persons to appear at inquiry.- (1) The person entitled to appear at the inquiry shall be—

(a) any enforcement authority concerned;

(b) any employers association or Trade Union of employees;

(c) any person who was injured or suffered damage as a result of the accident, occurrence, situation, disease or other matter which is the subject of the inquiry, or their representative;

(d) the employer of any premises in which the accident, occurrence, situation or other matter occurred or arose;

(e) any person carrying on work giving rise to the accident, occurrence, situation or other matter which is the subject of the inquiry; and

(f) any other person at the discretion of the appointed competent person making inquiry.

(2) The following shall represent at the inquiry, namely:—

(a) a corporate body may be represented by its secretary or by any other officer appointed for the purpose, or by counsel or solicitor;

(b) a Government department, an employers association or a Trade Union may be represented by a counsel or a solicitor;

(c) where there are two or more persons having a similar interest in the matter under inquiry, the competent person may allow one or more persons to appear for the benefit of some or all persons so interested.

(3) The competent person appointed by the Central Government under section 121 of the Code, may, either on their own motion or on the application of any person entitled or permitted to appear, cause to be served on any person appearing before competent person likely to be able to give material evidence or to produce any document likely to be material evidence, a notice requiring that person to attend at the inquiry at the time and place specified in the notice to give evidence or produce the document.

(4) A person on whom a notice is served under sub-rule (3) may apply to the competent person either on or before the inquiry to vary or set aside the requirement and where that person does so before the inquiry, such person shall give application to the competent person.

(5) Except as otherwise provided in these rules, the procedure at and in connection with an inquiry shall be at the discretion of the competent person and contrary to the principles of natural justice who shall state at the commencement of the hearing the procedure, which subject to consideration of any submission by the persons appearing at the inquiry, proposing to adopt and inform those persons what is proposed with regards to any site inspection arising out of the hearing.

(6) In case of mines, the persons appointed to hold inquiry under section 121 shall hold the inquiry in public in such manner and under such conditions as the competent person thinks most effectual for ascertaining the causes and circumstances of the accident or other occurrences and for enabling the competent person to make the report.

(7) Where on inquiry finds that the accident was due to any carelessness or negligence on the part of the management, the competent person may direct the recovery of the expenses of such competent person including any expenses incurred with the previous sanction of the competent person and any other expenses connected with the enquiry which the court may direct as recoverable from the owner of the mine concerned, in such manner and within such time as the competent person may specify.

(8) The amount directed to be recovered under sub rule (7) may, on application by the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator to the concerned authority, be recovered from the employer.

(9) An Inspector-cum-Facilitator nominated in this behalf by the Central Government, shall act as the Secretary to the competent person.

(10) The inquiry or the survey, as the case may be, shall be completed and submitted to the Central Government, within a period of three months from the date of the order through which it is constituted.

181. Procedure of survey and other related matters.- (1) The Central Government may direct Directorate General Occupational Safety and Health or Directorate General Mines Safety or any other institution under the control of the Central Government, to appoint a committee to undertake a survey on the situation relating to safety and health at work at any workplace or class of workplaces or into the effect of work activity on the health of the employees within and in the vicinity of the workplace.

(2)The committee shall carry out the survey with a view to finding out the status of safety and health at work the workplace and its effect on the workers.

(3)The report of the committee to be submitted to the Central government shall be of status of an inspection report and contain conclusive findings of the survey along with the recommendations for improving the status of occupational safety and health for prevention of accidents or dangerous occurrences or occupational diseases as the case may be and containing suggestions for implementation thereof for compliance which shall be ensured by the Inspector-cum-Facilitator.

182. Manner of compounding of offences by the authorised officer.-(1) The officer notified by the Central Government for the purposes of compounding of offences under sub-section (1) of section 114 shall on an application in **FORM- XXVI** by an accused person desirous of making composition of a compoundable offence, before or after holding the enquiry or as the case may be, of institution of prosecution, issue electronically a compounding notice in **Form-XXVII** to such person for the offence for which is compoundable under sub-section (1) of section 114 of the Code.

(2) The person so noticed under sub-rule (1) may apply to the officer in **Part-III of Form-XXVII**, electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The officer referred to in sub-rule (1) shall issue a composition certificate in **Part IV of FORM-XXVII** within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within the time specified, the prosecution shall be instituted after one month from the last date of specified time before the court against such person for the offences in respect of which the compounding notice was issued.

(5) For compounding of an offence, where the prosecution has already been instituted in a court, the officer referred to in sub-rule (1) shall send a copy of such order for intimation to the concerned court for further action.

CHAPTER-XIII
SOCIAL SECURITY FUND

183. Social Security Fund. - Social Security Fund set up under section 141 of the Code on Social Security, 2020 (36 of 2020) shall be deemed to have been set up under section 115 of the Code, including other sources of fund and the manner of administering and expending the fund for welfare of the unorganised workers.

CHAPTER XIV
MISCELLANEOUS

184. Grievance redressal mechanism for contract labour.-

(1) The contract labour may submit grievance relating to health, working conditions and wages, at the level of principal employer, who shall look into the matter and redress grievance.

(2) A committee shall be constituted by the principal employer in whose establishment contract labour is employed and the committee shall comprise of a chairman, who shall be the authorised representative of the principal employer and shall have representative of principal employer and contractor.

(3) The committee shall hear and dispose of the grievance of the contract labour within a period of thirty days.

(4) In event the grievance is not redressed within thirty days, the principal employer shall forward the grievance to the concerned Inspector-cum-Facilitator electronically.

(5) The Inspector-cum-Facilitator, upon receipt of the grievance forwarded under sub-rule (4), shall inquire into the matter and take appropriate action for its disposal, and shall ensure that the grievance is resolved within a period not exceeding sixty days from the date of its receipt.

185. Annual increment of regular worker of a contractor.- A worker who is regularly employed by the contractor for any activity and employment of such worker is governed by mutually accepted standards of the condition of employment shall be such that such worker gets an annual increment of not less than two percent of their wages.

186. Income from sources and quantity of hazardous substance.- Income from sources under *Explanation* to clause (x) of sub-section (1) of section 2 and substance or quantity of substance under clause (zb) of said sub-section shall be specified through general or special order by Central Government issued from time to time.

ANNEXURE- I

List of contents of First Aid Box as provided under rule 54(ii): -

1. Appropriate number of small, medium and large sized sterilized dressings pads
2. Appropriate number of large size sterilized burn dressings pads
3. Appropriate number of packets of sterilized cotton
4. Sufficient quantity of Cetrimide solution (1%-3%) or a suitable antiseptic solution (10% Povidone Iodine)
5. Pair of scissors, Tweezers, Tourniquet and disposable gloves
6. Adequate adhesive Tapes and adhesive Bandage Tape of different sizes.
7. Adequate Elastic crepe bandages of different sizes.
8. Sterilized eye pads.
9. Strips containing analgesic (Paracetamol-650 mg) and Antacid and adequate number of ORS Sachets.
10. Pain relief / analgesic spray
11. Polythene wash bottles (Normal Saline or Distilled Water)
12. Adequate Roller bandages of different sizes.
13. Adequate and suitable splints.
14. Resuscitation equipment such as ambu bag.
15. Tablets such as Asprin, Isosorbide Di-nitrate.
16. Anti-allergic medicine, eye drops
17. One copy of First-aid leaflet which includes emergency contact numbers of nearby hospitals.

ANNEXURE- II

List of equipment for ambulance room as provided under rule 55(ii):-

1. Glazed sink with hot and cold-water supply
2. Table with Chairs, Refrigerator
3. Suitable solution or Equipment for medical instruments sterilization
4. Patient Examination table or couch with pillow, Washable Rubber Sheets, Blankets, Towels
5. Appropriate number of Medium size sponge forceps
6. Kidney tray
7. Antiseptic soaps
8. Clinical thermometers
9. Hand torch

10. Adequate number of tetanus toxoid injection
11. Tablets – Antihistaminic, Antispasmodic, Antipyretic (Paracetamol), Antacid, Antiemetics
12. Tablets-Isosorbide Dinitrate (5 mg), Aspirin (75mg) + Atorvastatin (20mg) + Clopidogrel (75mg)
13. ORS Sachets
14. Injection: Atropine, Adrenalin, Hydrocortisone, Furosemide, local anaesthetics
15. Disposable Syringes with needles of different sizes and needle holder
16. Suturing needles and materials
17. Pair of dissecting forceps
18. Pair of dressing forceps
19. Pair of artery forceps
20. Surgical scissors
21. Scalpel
22. Stethoscope
23. Rubber bandage – pressure bandage
24. Oxygen cylinder/Oxygen Concentrator with necessary attachments
25. One Blood Pressure apparatus
26. Appropriate number of Normal Saline Bottle, Ringer Lactate Solution, 5% Dextrose Solution, 25% Dextrose Solution.
27. Green (18G), Pink (20G) and Blue (22G) Intravenous (IV) Cannula and suitable fixator
28. Disposable Intra venous Infusion Set
29. Intravenous Infusion Stand
30. Blood Glucose Monitoring Kit
31. Biomedical Waste Management Bins as per statutory requirement
32. Adequate number of Plain wooden splints of appropriate sizes or any other suitable splints
33. Wheelchair
34. Scoop stretcher
35. Adequate small, medium and large sterilized dressings
36. Adequate sterilized burn dressings
37. Adequate packets of sterilized cotton
38. Antiseptic solution like Cetrimide (1%-3%) or Povidone Iodine (10%) solution
39. Roll of adhesive bandages and adhesive Tapes of different sizes.
40. Elastic crepe bandages of different sizes.
41. Adequate Pieces of sterilized eye pad.
42. Adequate roller bandages of different sizes.
43. Tourniquet
44. Disposable gloves
45. Tweezers
46. Pulse Oximeter.

47. Suitable Suction unit with equipment
48. Resuscitation equipment such as Automated External Defibrillator and ambu bag.
49. Any other equipment recommended by the qualified medical practitioner according to the specific need.

ANNEXURE- III

List of contents of first aid box in case of mines as provided under rule 54(iii) :-

(i) Wound Care:

(a) Sterile adhesive bandages in various sizes (e.g., small, medium, large)
(b) Sterile gauze pads and dressings with advanced wound-healing properties
(c) Transparent film dressings for covering and protecting wounds
(d) Antiseptic wipes or solution for wound cleaning
(e) Skin closure strips for small cuts and lacerations
(f) Disposable gloves (latex-free or nitrile)
(g) Scissors with rounded tips

(ii) Cardiopulmonary Resuscitation and Resuscitation:

(a) Pocket mask or face shield with one-way valve for administering **Cardiopulmonary Resuscitation** safely
(b) Disposable resuscitation bag-valve-mask device with **Positive End-Expiratory Pressure** valve (positive end-expiratory pressure)

(iii) Medications and Ointments:

(a) Antiseptic ointment with broad-spectrum antimicrobial properties
(b) Hydrocortisone cream for insect bites and skin irritations
(c) Pain relievers (e.g., acetaminophen, ibuprofen) with appropriate dosages
(d) Antihistamines for allergic reactions, available in various formulations (tablets, liquid, etc.)
(e) Aspirin for suspected cardiac events
(f) Sugar sachets

(iv) Bandages and Dressings:

(a) Elastic bandages with self-adhesive properties and Ice pack box with ice bags for sprains and strains
(b) Non-stick wound dressings or pads with enhanced absorbency
(c) Burn Care:
(d) Hydrogel burn dressings for immediate cooling and pain relief
(e) Sterile burn sheets with hydrogel coating

(f) Burn gel or spray with a soothing effect

(v) Equipment and Tools:

(a) Digital thermometer for accurate temperature readings

(b) Suction apparatus, Stiff neck collar, Airway, Artificial manual breathing unit bag, Finger probe pulse oximeter

(vi) High-quality flashlight with adjustable brightness.

ANNEXURE- IV

List of equipments for Ambulance Room in case of mines as provided under rule 55(iii) :-

(i) Advanced Medical Equipment:

(a) Portable oxygen cylinder with a regulator and various oxygen delivery devices (nasal cannula, mask)

(b) Nebulizer for administering respiratory medication efficiently

(c) Suction device for airway management and clearing secretions

(d) Automated External Defibrillator (AED) with the latest technology and features

(e) Blood pressure monitor for accurate blood pressure readings

(f) Glucometer with test strips for blood glucose level assessment

(ii) Sanitation and Hygiene:

(a) Hand sanitizers with at least 60% alcohol content

(b) No-touch waste disposal containers for biohazardous waste

(c) Disposable wipes for cleaning surfaces and equipment

(iii) Patient Transport:

(a) Electric or hydraulic adjustable examination table with padding and safety features for patient comfort and ease of assessment.

(b) Portable patient transfer chair or stretcher with locking wheels for safe and efficient patient transport within the facility.

(c) Plastic covers for any amputated parts with ice packs.

(iv) Hygiene and Wound Care:

(a) Glazed sink with infrared sensor for hands-free operation, equipped with an integrated soap dispenser and paper towel dispenser.

(b) Antimicrobial soap with moisturizing properties for effective handwashing

(c) Disposable nail brushes with biodegradable bristles for personnel hand hygiene.

(v) Wound Dressings and Supplies:

(a) Advanced wound dressings with hydrogel or silver-based technology for better wound healing and infection prevention.

(b) Sterile silicone dressings with adhesive properties that do not damage the skin during removal.

(c) Non-adhesive wound contact layers to minimize pain during dressing changes.

(d) Transparent film dressings with enhanced breathability for covering and monitoring wounds.

(e) Sterile foam dressings for exuding wounds with high absorption capacity.

(f) Nasal suction bulb

(vi) Antiseptic Solutions:

(a) Sterile saline solution or wound wash for gentle wound irrigation.

(b) Sterile wound cleansing wipes with skin-friendly antiseptic properties.

(vii) Patient Comfort and Warmth:

(a) Soft fleece blankets with moisture-wicking and thermal-regulating properties for patient comfort and warmth.

(b) Reusable instant heat packs with advanced heat-retaining materials for on-demand warmth.

(viii) Splints and Support:

(a) Malleable, vacuum-formed, or inflatable splints with adjustable properties for better immobilization and support.

(b) Elastic cohesive bandages with self-adhesive properties for secure and comfortable support.

(c) Triangular bandages

(ix) Emergency Equipment: Pressure bandage for controlling severe bleeding effectively.

(x) Temperature Assessment: Non-contact infrared thermometers for quick and hygienic temperature assessment.

(xi) Medications and Administration Equipment: Emergency medications and equipment as prescribed by a qualified medical practitioner,

(xii) Emergency Medications: Adequate supply of anti-tetanus serum and other emergency medications as prescribed by a qualified medical practitioner.

(xiii) Medical Appliances:

(a) One Stethoscope and one Automated blood pressure monitor with digital display and adjustable cuffs for accurate readings.

(b) One Electro Cardio Graph machine

(c) One each of Suction apparatus, Stiff neck collar, Airway, Artificial manual breathing unit bag, Finger probe pulse oximeter.

ANNEXURE-V

List of equipment for first aid station in case of mines as provided under rule 54(ix)(B)

(i) One stretcher with two blankets

(ii) Inflatable splints

(iii) Patient Examination table

(iv) First aid box contains materials as prescribed in Annexure-I

ANNEXURE- VI

LIST OF EQUIPMENTS FOR MEDICAL FACILITIES ROOM OR DISPENSARY as provided under rule 63(ii) :-

1. Glazed sink with hot and cold-water supply
2. Table with Chairs, Refrigerator
3. Suitable solution or Equipment for medical instruments sterilization
4. Patient Examination table or couch with pillow, Washable Rubber Sheets, Blankets, Towels
5. Appropriate number of medium size sponge forceps
6. Kidney tray
7. Antiseptic soaps
8. Clinical thermometers
9. Hand torch
10. Adequate number of tetanus toxoid injection
11. Tablets – Antihistaminic, Antispasmodic, Antipyretic (Paracetamol), Antacid, Antiemetics
12. Tablets-Isosorbide Dinitrate (5 mg), Aspirin (75mg) + Atorvastatin (20mg) + Clopidogrel (75mg)
13. ORS Sachets
14. Injection: Atropine, Adrenalin, Hydrocortisone, Furosemide, local anaesthetics
15. Disposable Syringes with needles of different sizes and needle holder

16. Suturing needles and materials
17. Pair of dissecting forceps
18. Pair of dressing forceps
19. Pair of artery forceps
20. Surgical scissors
21. Scalpel
22. Stethoscope
23. Rubber bandage – pressure bandage
24. Oxygen cylinder/Oxygen Concentrator with necessary attachments
25. One Blood Pressure apparatus
26. Appropriate number of Normal Saline Bottle, Ringer Lactate Solution, 5% Dextrose Solution, 25% Dextrose Solution.
27. Green (18G), Pink (20G) and Blue (22G) Intravenous (IV) Cannula and suitable fixator
28. Disposable Intra venous Infusion Set
29. Intravenous Infusion Stand
30. Blood Glucose Monitoring Kit
31. Biomedical Waste Management Bins as per statutory requirement
32. Adequate number of Plain wooden splints of appropriate sizes or any other suitable splints
33. Wheelchair
34. Scoop stretcher
35. Adequate small, medium and large sterilized dressings
36. Adequate sterilized burn dressings
37. Adequate packets of sterilized cotton
38. Antiseptic solution like Cetrimide (1%-3%) or Povidone Iodine (10%) solution
39. Roll of adhesive bandages and adhesive Tapes of different sizes.
40. Elastic crepe bandages of different sizes.
41. Adequate Pieces of sterilized eye pad.
42. Adequate roller bandages of different sizes.
43. Tourniquet
44. Disposable gloves
45. Tweezers
46. Pulse Oximeter.
47. Suitable Suction unit with equipment
48. Resuscitation equipment such as Automated External Defibrillator and ambu bag.
49. Any other equipment recommended by the Medical Officer according to the specific need.

ANNEXURE- VII

List of Forms prescribed under Occupational Safety, Health and Working Conditions (Central) Rules, 2026

S.No.	Form Number	Subject
1	FORM-I	Application for registration of establishment/Amendment to certificate of registration/ Updation of registration particulars of establishments already registered under any other Central Labour Laws
2	FORM-II	Application for cancellation of Registration Certificate of establishment
3	FORM-III	Certificate of Registration of Establishment
4	FORM-IV	Certificate of cancellation of Registration Certificate of Establishment
5	FORM-V	Register of Establishment
6	FORM-VI	Notice of Commencement / cessation of operations
7	FORM-VII	Notice of Commencement/Re-opening/Cessation/ Discontinuance/ Abandonment of operations/Closing of mines
8	FORM-VIII	Health Examination (Except mine employees)
9	FORM- IX	Report of medical examination (For mine employees only)
10	FORM- X	Certificate of medical re-examination by Appellate Medical Board
11	FORM-XI	Notice of accident or dangerous occurrence
12	FORM-XII	Notice of periods of work
13	FORM-XIII	Employee register
14	FORM-XIV	Attendance register-cum-muster roll
15	FORM – XV	Register for wages, overtime and deductions
16	FORM – XVI	Wage slip
17	FORM-XVII	Annual return

18	FORM XVIII	Half Yearly Return (January to June / July to December) to be submitted by Contractor to the Deputy Chief Labour Commissioner (Central)
19	FORM-XIX	Register of accidents and dangerous occurrences
20	FORM-XX	Register for leave with wages
21	FORM-XXI	Application for Licence/Renewal of Licence/ Amendment of Licence (including Common/single licence)
22	FORM-XXII	Proforma of license
23	FORM-XXIII	Experience certificate of contract labour
24	FORM-XXIV	Agreement between Producer and Audio-visual worker
25	FORM-XXV	Improvement notice
26	FORM- XXVI	Application for composition of offence
27	FORM-XXVII	Notice to the employer for an offence committed under the provisions of the Code for the first time for composition of offences under sub-section (1) of section 114

FORM-I

(See rule 3(1))

Application for registration of establishment/Amendment to certificate of registration/ Updation of registration particulars of establishments already registered under any other Central Labour Laws

A. Establishment Details.

1. Retrieve details of Establishment through LIN:
2. Name of Establishment:
3. Location and Address of the Establishment:

3 a. PAN:

4. Others details of Establishment:
   a. Total Number of employees engaged directly in the establishment:
   b. Total Number of the contract employees engaged:
   c. Total Number of Inter-State Migrant workers employed:

5 (a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

5 (b) For mines:

Name of Mineral(s)	Lease extent of the mine (in Acres)	Name and address of the owner	Average Monthly output, targeted (Tonne)	Maximum number of persons to be employed on any day
1	2	3	4	5

5 (c) For Dock work:

Name of dock Work/Major Port	Types of Dock Works	Name of the Cargo handled and stored along with quantity	Name of the chemicals handled and stored along with quantity	Name of the hazardous Chemicals handled and stored along with quantity
1	2	3	4	5

5 (d) For building or other construction work:

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

5 (e) Any Other establishment:

6. Ownership Type/Sector:

7. Activity as per National Industrial Classification:

8. Details of Selected NIC Code:

9. Identification of the establishment e-sign/ digital sign of employer/ representative:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc. :
2. Designation :
3. Father's/ Husband's Name of the Employer :
4. Email Address, Telephone& Mobile No. :

C. Manager/ Agent Details:-

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No. :

D. Contractor Details:-

Name and Address of Contractor	Email address & Mobile No. of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement /Probable date of Completion of work
1	2	3	4	5

E. Others Details:-

Signature/ E-sign/digital sign of employer

Dated:-
Place:-

FORM-II

[(See rule 3(10)]

Application for cancellation of Registration Certificate of establishment

1. Registration No:
2. Name and Address of Establishment:-
3. Name and Designation of employer :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-

I/We here by intimate that the establishment having registration No. …….. dated…….
is closed with effect from……. (Date).

Certificate from Employer

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.
[Strikeout whichever if not applicable]

Signature of the Employer

To,
The Registering Officer
The Inspector-cum-Facilitator

Place: Signature/ E-sign/digital sign of employer

Date:

FORM-III
[See rule 3(2)]
Certificate of Registration of Establishment

Registration No. Date

A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020(37.of 2020) to….....(Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

(a) Factory (b) Mining

(c) Dock work (d) Contract Work

(e) Building or Other Construction Works (f) any other work (not covered above)

2. Details of the establishment:

a. Total Number of employees engaged directly in the establishment:

b. Total Number of the employees engaged through contractor:

c. Total Number of Contractors and their details:

d. Number of inter-state migrant workers engaged:

3 (a) For factories

Details of the manufacturing process	Full postal address and situation of the factory	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

3 (b) For mines

Name of Mineral(s)	Lease extent of the mine (in Acres)	Name and address of the owner	Average Monthly output, targeted (Tonne)	Maximum number of persons to be employed on any day
1	2	3	4	5

3 (c) For Dock work

Name of Dock Work / Major Port	Types of Dock Works	Name of the Cargo handled and stored along with quantity	Name of the chemicals handled and stored along with quantity	Name of the hazardous Chemicals handled and stored along with quantity
1	2	3	4	5

3 (d) For building or other construction work

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

3 (e) Any Other establishment:

4. Remarks of registering officers:

Place:
Date:

/Signature E -Sign/DSC of registering officer
along with designation

Conditions of Registration

(1) Every certificate of registration issued under rule 3 shall be subject to the following conditions, namely:

(a) the certificate of registration shall be non-transferable;

(b) The number employees engaged in an establishment, whether directly or on contract, shall not, on any day, exceed the maximum number specified in the certificate of registration; and

(c) Save as otherwise provided in these rules, the fees paid for the grant of certificate of registration shall be non-refundable.

(2) The employer shall intimate the change, if any, in the number of employees or the conditions of work to the registering officer within 30 days.

(3) The employer shall, within thirty days of the commencement or cessation of operation, intimate to the Registering Officer and Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment is situated or the work is executed, the actual date of such commencement or, as the case may be, closing of establishment electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

FORM-IV

[(See rule 3(11)]

Certificate of cancellation of Registration Certificate of Establishment

No. Date:

The Registration No……dated…… of ……..…….. (Name of the establishment), of Factory/ Mine/Dock Work/ Contract Work/ Building or Other Construction Work/ Any other work (work carried on in the establishment) is hereby cancelled with effect from ……. under sub-section (5) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

Place: Signature/ E -Sign/DSC of Registering Officer

Date: along with designation

FORM-V
[See rule 3(9)]
Register of Establishment

SI.No.	Nature of work	Registration No. and Date	Name, address, and location of the establishment registered	Name, Address and Contact Details of Employer	Total number of Workers and Total Horsepower(if any)	Total number of Contract Workers	Remarks
1	2	2	3	4	5	6	
	(a) Factories (b) Mines (c) Dock Work (d) Building or other Construction work (e) Contract work (f) Inter-State Migrant Work (g) Any other work(not covered above)						

FORM-VI

[See rule 4(1)]

Notice of Commencement / cessation of operations

1. Registration No:
2. Name and Address of establishment:-
3. Name and Designation of employer :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-

A. Notice of Commencement / cessation of operations

I/We hereby intimate that the operation of establishment having registration No. .....dated …… has commenced with effect from ……. (Date) and approximate duration of operation is _____ year_____month.

OR

I/We hereby intimate that the operations of the establishment having registration No.....dated …… has ceased with effect from ……. (Date).

[Strikeout whichever is not applicable]

B. Certificate from employer in case of cessation of operation

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.

[Strikeout whichever is not applicable]

Signature of the Employer

To,

The Registering Officer

The Inspector-cum-Facilitator

FORM-VII

(For Mines)

(See rule 4(2))

Notice of Commencement/Re-opening/Cessation/Discontinuance/ Abandonment of operations/Closing of mines

I. In case of Notice of commencement the following additional details to be given

Particulars of the Owner/Agent/Manager:

1. Labour Identification Number (LIN), if any
2. Mine Code, if any

3. Details of Owner, Agent, Manager					
Sl. No.	Particulars	Owner	Nominated Owner	Agent	Manager
i.	Name				
ii.	Father's name				
iii.	Address Village/area/road– Post Office- Police Station- Sub-Division (Taluq)/Tehsil- Railway station(nearest)- District- State- PIN-				
iv.	Mobile Number				
v.	Telephone number (Landline with STD Code)				
vi.	Fax number				
vii.	Email ID				

4. Date on which it is intended to open the mine (DD/MM/YYYY)

5. Plan(s) to be enclosed as required under Regulations enclosed: Yes/No;
   5.1 If yes, specify plans Nos. with date……

6. Safety Management Plan (SMP) enclosed- Yes/No;
   6.1 If yes, specify reference number with date……

7. Actual date of opening (DD/MM/YYYY)

II. In case of reopening: following additional details to be given

1. Date on which it is intended to reopen the mine (DD/MM/YYYY)

2. Plan(s) under Regulations enclosed: Yes/No;
   2. 1 If yes, specify plan No. with date……

3. Safety Management Plan (SMP) enclosed- Yes/ No

3.1 If yes, specify reference No. with date……

4. Actual date of reopening (DD/MM/YYYY)

III. In case of cessation/abandonment: following additional details to be given

1. Date on which it is intended to close/abandon* the mine (DD/MM/YYYY)

2. Actual date of closure /abandonment* (DD/MM/YYYY)

3. Number of persons likely to be affected

4. Reasons for closure / abandonment *

IV. In case of discontinuance: following additional details to be given

1. Date on which it is intended to discontinue the mine (DD/MM/YYYY)
2. Actual date of discontinuance (DD/MM/YYYY)
3. Number of persons likely to be affected
4. Reasons for discontinuance
5. Updated plans enclosed as required under Regulation - Yes/No

   5.1 If Yes, Specify the Plan(s) reference number(s)

V. In case of closing of mines: following additional details to be given:

1. Mine closure plan:
2. Details of protective works to be carried out as per statute:

[Strikeout whichever is not applicable]

Certificate from the Employer

In case of discontinuation/abandonment/cessation/closing of Mines:

I/we hereby certify that the payment of all dues to the workers employed in the establishment has been made and the premises are kept free from storage of hazardous chemicals and substances.

Yours faithfully

Signature:
Designation: Owner / Agent / Manager
Date:

To
Registering Officer
Inspector-cum-Facilitator

INSTRUCTIONS
* Strikeout whichever is not applicable

FORM-VIII
(See rule 5(2))
HEALTH EXAMINATION
(Except mine employees)

photo

PART –A (Sl.No.1-11) : To be filled by the Employee:

1. Name of employee……2. Gender…. ….. 3. Age (with DOB)……..

4. Company……. 5.Designation…….5(a). UAN:…… 5(b) Aadhaar Number (after obtaining consent)

6. In-charge Employer / Executive Contacts……

7. Complete personal /plant Address ……

8. Mobile /Phone …… 9.Email……

10. Medical illness (Current) and under treatment & medication, If any……

---

11. Nature of Job (furnish more details, if hazardous and work-related viz. Physical, Chemical, Biological, Ergonomic etc)
……

Date: Signature of Employee

PART-B:

12.Medical Test Carried out & Reports to be Attached as Annexure . Medical Officer's interpretation/ Opinion of the Tests below (To be indicated only if abnormal , with reference to the attached Test reports) :

a. Ht. (in cm)
b. Wt. (in Kg)
c. Chest measurement:

(i) On inspiration ……cm
(ii) On expiration …… cm

(d) Waist Circumference
(e) Body Mass Index: ……
(f) Vision (Ophthalmologist tests):
  i. Visual Acuity both Right & left eyes …….
  ii. Colour Vision……..
(g) Blood Pressure (mm Hg)……..
(h) Complete Blood Count: (Hb, TLC, DLC, Platelets)…….
(i) Fasting Blood Sugar
(j) Post Prandial Blood Sugar…….
(k) SpO_2……..
(l) Blood Urea ….……..
(m) S. Creatinine ……..
(n) S. Bilirubin (Total + direct)
(o) SGOT
(p) SGPT……..
(q) Lipid profile (S. Cholesterol / Triglyceride / S.HDL) ……..
(r) S. TSH ……..
(s) X-ray Chest (PA view) ……
(t) ECG……
(u) Others if any…….

13.Final Diagnosis/ Opinion / Treatment if any, advise by qualified medical practitioner ……

14. Does the person have seizure (s) related disorders or difficulty in working at height ? If yes, specify the works to be avoided: Yes/No/ NA (Not applicable)

Date: Signature of the qualified medical practitioner

SEAL

.

FORM- IX

(For mine employees only)

[See rule 109, rule 113(1) , rule 119(1) and rule 142]

Report of medical examination

(To be issued in triplicate)

Certificate No……..

Certified that Shri/ Smt. /Miss…… employed as ……. in ……mine, Employee number…… . has been examined for an Initial/Periodical Medical Examination. Employee appears to be…… years of age. The findings of the examining authority are given in the attached sheet. It is considered that Shri/Smt. /Miss……..

(a) is medically fit for any employment in mines.

(b) is suffering from……. and is medically unfit for

(i) any employment in mine; or

(ii) any employment below ground; or

(iii) any employment or work…….

(c) Employee is suffering from…… and should get the disease/disability cured/controlled and be re-examined within a period of ……..months. Employee shall appear for re-examination with the result of the test of**……** and the opinion of the ……Specialist from…… Employee may be permitted/not permitted to carry on their duties during this period.

Space for affixing Passport
Size Photograph of the
Candidate.

Place :

Signature & name of the examining authority
With date and seal

Report of the examining authority

(to be filled in for every medical examination whether initial or periodical or re-examination or after cure/control of disability).

Annexure to Certificate No……as result of medical examination on …….
Identification Mark……..

Left thumb impression and Signature of The candidate

1. General development- Good/Fair/Poor
2. Height……Cms.
3. Weight……kg.

4. Eyes :
   (i) Visual acuity-Distant vision (with or without glasses): Right eye……..Left eye……..
   (ii) any organic disease of eyes
   (iii) night blindness
   (iv) Color blindness (to be tested in IME)
   (v)Squint

5. Ears :
(i) Hearing: right ear…….Left ear ……..
(ii) Any organic diseases.
(iii) Audiometry Findings :

Conduction Type	Left Ear	Right Ear
Ear Conduction	Normal/Abnormal	Normal/Abnormal
Bone Conduction	Normal/Abnormal	Normal/Abnormal

Enclosed Audiometry Report.

6. Respiratory system.
   Auscultatory Finding:

Chest measurement :

(i) after full inspiration ……cms.

(ii) after full expiration……..cms.

Result of Lung Function Test (Spirometry)

Parameters	Predicted Value	Performed Value	% of Predicted
Forced Vital Capacity (FVC)			
Forced Vital Capacity 1 FEV1			
FEV1/FVC			
Peak Expiratory Flow			

Enclose Spirometry Report

7. Circulatory system:

Blood Pressure

Pulse

Cardiological Assessment

Auscultation	S1	
	S2	
	Additional Sound	
Electrocardiograph (12 leads) findings :		Normal/Abnormal
Echocardiography finding (to be tested in IME)		Normal/Abnormal

Enclose ECG

Enclose Echocardiography report

8. Abdomen :

Tenderness.

Liver.

Spleen.

Tumour.

Ultrasonography of Whole Abdomen (to be tested in IME)

(Enclose Ultrasonography report)

9. Nervous system:
History of fits or epilepsy
Paralysis.
Mental health.

Neurological Assessment

Findings	Normal/Abnormal
Superficial Reflexes	
Deep Reflexes	
Peripheral Circulation	
Vibrational Syndromes	

Special Tests for Manganese exposure

Behavioral Disturbances		Present/Not Present
	Speech Defect	Present/Not Present
Neurological Disturbances	Tremor	Present/Not Present
	Adiadocokinesia	Present/Not Present
	Emotional Changes	Present/Not Present

10. Locomotory system
11. Skin.
12. Hydrocele.
13. Hernia.
14. Teeth
15. Speech
16. Pathological Investigations:

S.No.	Tests	Findings
1	Blood-Tc,Dc,Hb,ESR, Platelets	WNL/Abnormal
2	Blood Sugar- Fasting & PP	WNL/Abnormal

3	HbA1c(to be tested in IME and for diabetic person during PME)	WNL/Abnormal
4	Lipid profile	WNL/Abnormal
5	Blood Urea, Creatinine	WNL/Abnormal
6	Urine (Reaction, Albumin, Sugar)	WNL/Abnormal
7	Stool Routine	WNL/Abnormal
8	Sputum test for AFB(For Food handling employee)	
9.	Hemoglobin Electrophoresis for sickle cell disease /trait (to be tested in IME)	WNL/Abnormal
10.	Bilirubin	WNL/Abnormal
11.	SGOT	WNL/Abnormal
12.	SGPT	WNL/Abnormal
13.	delta aminolevulinic acid in urine (for person exposed to Lead)	WNL/Abnormal

Enclose all Investigation Reports.

17. Skiagram of chest.

ILO Classification of Chest Radiograph :

Profusion of Pneumoconiotic opacities	Grades	Types
Present/Absent		

Enclose Chest Radiograph

18.Any other abnormality.

19. Any other test considered necessary by the examining authority.

20. Any opinion of specialist considered necessary.

Place:

Signature & name of the examining authority
With date and seal

Medical Standard of Fitness for Persons to be employed in Mines (Initial Medical Examination).

1. The person shall be in good physical and mental health and free from any physical defect, likely to interfere with efficient employment in mines.
2. Speech must be without serious impediment.
3. Teeth shall be in good condition and where necessary, the employee shall be provided with dentures for effective mastication (well filled teeth shall be considered as sound). The gums shall be in healthy condition.
4. Skin: - There shall be no evidence of extensive and chronic skin disease or ulceration. In the case of an infective type of skin disease, the candidate may be declared fit after undergoing a treatment.
5. Hearing in each ear shall be good and there shall be no sign of disease of the ear. Audiometric examination shall be normal and the person shall be free from deafness in each ear.
6. Distant vision of eye with or without glass should not be less than following standard :

   a) For underground workers

Better eye	6/6
Worse eye	6/9

   b) For surface/opencast workers

Better eye	6/9
Worse eye	6/12

   c) Intra-ocular lens implant: In the case of a person who has undergone intraocular lens implant, if the visual activity with intra-ocular lens is according to the standards laid down, the person concerned may be considered fit

   d) Fundus examination: In myopia -2Diopter or more, Fundus examination should be carried out and the results recorded. In the event of pathological condition being present, which is likely to be progressive and affect the efficiency of the candidate, he shall be declared unfit.

   e) Color vision: - The testing of color vision is compulsory and the results should be normal. The Ishihara's Plates shall be used for testing color vision.

   f) There should be no night blindness for persons employed below ground and for persons employed in open cast working in shifts other than in morning's shifts.

g) Any organic disease or a progressive refractive error which is likely to result in lowering the visual acuity should be considered a disqualification.

h) Squint:-Presence of binocular vision is essential, squint even if the visual acuity is of prescribed standard, should be considered a disqualification.

i) One eyed person - Presence of binocular vision is essential, one functional eye should be considered a disqualification.

j) There shall be no Nystagmus.

7. Respiratory system: Chest must be well formed Respiratory system should be sound and free from any chronic laryngeal, bronchial pulmonary disease. Tuberculosis of lungs if not active should not be a disqualification.

a) A full sized postero-anterior chest radiograph (not less than 11 inch. X 14 inch.) enough to include thoracic inlet and both costophrenic angles obtained by an X-ray machine (analog /digital) of atleast 300 Milli-Ampere strength shall be classified as per ILO international Classification of Radiographs of Pneumoconiosis by Medical Officer trained in such ILO classification. X-ray shall be classified using LED view box accommodating at least four chest radiographs of 14 inch. X 17inch size.

b) Lung function tests (spirometry) to record forced vital capacity (FVC) and forced expiratory volume in one second (FEVI) shall be made. Findings of spirometry shall be within normal limit.

8. Circulatory system: - There should be no evidence of cardiac or vascular disease which may interfere with their efficient employment in a mine. The Blood pressure shall not be more than 130/80 mm Hg. Detailed cardiovascular assessment of employees should be done. This should include 12 leads electrocardiogram, echocardiography and complete lipid profile.

9. Locomotor System: The limbs, hands, fingers, feet and toes should be well formed and developed & without any deformity any deformity and function of all limbs should be within normal limits.

10. There should not be any evidence of disease of abdominal organs which is likely to affect their efficient discharge of duty in a mine. Ultrasonography (whole abdomen) report shall be normal.

11. In case the candidate has hernia, he may be declared fit after he has been successfully operated for the same.

12. Hydrocele if present should not be large enough to impede the normal activities of the person. If it is large enough he may be declared fit after being successfully operated.

13. The nervous system should be sound. Persons with history of epilepsy or any other type of organic or historical fits should not be declared fit for employment in a mine. Detailed neurological examinations including testing of all major superficial and deep reflexes shall be done.

14. Fasting, Post- prandial Blood sugar and Glycoslated Hb level (HbA1c) shall be tested .GlycoslatedHb level (HbA1c) by a medical specialist as Diabetes Mellitus is known to damage of target organs. GlycoslatedHb level (HbA1c) shall not be more than 6.0. Only such cases of well controlled Diabetes Mellitus with no associated complications may be considered for appointment.

15. Serum Urea and Creatinine shall be within normal limit.

16. Bilirubin, SGOT and SGPT shall be within normal limit.

17. Routine Stool shall be within normal limit.

18. The medical examination should include examination of urine. Mere presence of albumin and sugar in the urine without any gross organic disease producing signs and symptoms should not be a disability.

19. There should not be sickle cell disease /trait. Hemoglobin Electrophoresis test shall be done.

Medical Standard of Fitness for Persons Employed (Periodical Medical Examination)

1. The person should be in good mental and bodily health and free from any physical defect likely to interfere with their efficient employment in a mine.

2. Speech must be without serious impediment.

3. Teeth shall be in good condition and where necessary, the employee shall be provided with dentures, where necessary, for effective mastication (well filled teeth will be considered as sound). The Gums should be in healthy condition.

4. Locomotor System: The limbs should be well formed and developed, and the function of all the limbs should be within normal limits. Any deformity should be recorded. There should be no deformity or paralysis which may interfere with their efficient employment in a mine.

5. Skin: - There shall be no evidence of extensive and chronic skin disease or ulceration. In case of infective skin disease, the candidate maybe declared fit after he has undergoing a treatment. All occupational skin diseases should be noted.

6. Eye :

(a) Vision with or without glass should not be less than the following standard:

i. Better eye	6/9
ii. Worse eye	6/12

(b) There should be no night blindness for persons employed below ground and for persons employed in open cast working in shifts other than in morning's shifts.

(c) A person having only one eye which functions normally should not be employed below ground, For employment on surface the vision of such a person in the other eye should be 6/9with or without glasses.

7. Hearing should be good, any progressive disease affecting hearing/or occupational deafness should be recorded. Audiometric examination shall be conducted in every case.

8. Respiratory System: Respiratory system should be sound and free from any chronic laryngeal, bronchial pulmonary disease. Tuberculosis of lungs if not active should not be a disqualification.

a) A full sized postero-anterior chest radiograph (not less than 14 inch. X11 inch.) enough to include thoracic inlet and both costophrenic angles obtained by an X-ray machine (analog /digital) of at least 300 mA Milli-Ampere strength shall be classified as per ILO international Classification of Radiographs of Pneumoconiosis by Radiologist / Medical Officer trained in such ILO classification.

b) Lung function tests (spirometry) to record forced vital capacity (FVC) and forced expiratory volume in one second (FEVI) shall be made. Findings of spirometry shall be within normal limit.

9. Circulatory system – There should be no evidence of any heart or vascular disease which may interfere with their efficient employment in a mine. Detailed cardiovascular assessment of employees should be done. This should include 12 leads electrocardiogram and complete lipid profile. The Blood pressure shall not be more than 140/90 mm Hg.

10. There should not be any evidence of disease of abdominal organs which is likely to affect their efficient discharge of duty in a mine.

11. The nervous system should be sound. Persons with history of epilepsy or any other type of organic or historical fits should not be declared fit detailed neurological examinations including testing of all major superficial and deep reflexes shall be done.

12. Persons exposed to manganese, In addition to the basic neurological examination, special emphasis should be given to behavioral and neurological disturbances such as speech defect, tremor, impairment of equilibrium, adiadochokinesia and emotional changes.

13. Persons exposed to lead; PME should include delta aminolevulinic acid in urine.

14. Persons engaged in food handling and preparation and handling of stemming material activities should undergo routine sputum for Acid Fast Bacilli (AFB).

15. Fasting & Post- prandial Blood sugar shall be tested. Diabetes shall be under controlled. Target organ shall not be affected by diabetes.

16. Serum Urea and Creatinine shall be within normal limit.

17. Bilirubin, SGOT and SGPT shall be within normal limit.

18. Routine Stool shall be within normal limit.

19. In case the candidate has hernia he may be declared fit after he has been successfully operated for the same.

20. Hydrocele if present should not be large enough to impede the normal activities off the candidate. In such cases he may be declared fit after being successfully operated.

The medical examination should include examination of urine and of other system for evidence of disease. Mere presence of albumin and sugar in the urine without any gross organic disease producing signs and symptoms should not be considered as a disability.

FORM- X

[See rule 119 (2)]

Certificate medical re-examination by Appellate Medical Board

(To be issued in triplicate)

We do hereby certify that we have examined Shri/ Smt. /Miss…… employed as ……. in ……, Employee number…… ., who was declared medically unfit for.

1. any employment in mine.
2. any employment belowground.
3. any employment in work…….
   (Specify in details)

After re-examination, we consider that –

1. Employee is medically fit for any employment in mine.

2. Employee is suffering from…….. and is medically unfit for

   (a) any employment in mine.
   (b) any employment belowground.
   (c) any employment in work…….
   (Specify in details)

3. Employee is suffering from……..and should get this disability/cured/controlled and be re-examined within a period of ……months. Employee shall appear for re-examination within a period of……months. Employee shall appear for re-examination with the result of the test

of …… and opinion of the …… specialist from……. . Employee may be permitted/may not be permitted to carry on their duties during this period.

Signature & Name of members of Appellate Medical Board with date

Paste colour passport size photograph
Attested by manager/agent/owner

1……(Convenor)
2……..
3……

Report of the Appellate Medical Board

Annexure to certificate No…….as result of Medical examination on…….

Identification mark :

Left thumb impression & Signature of the candidate

1. General development- Good/Fair/Poor
2. Height……Cms.
3. Weight……kg.
4. Eyes :

(i) Visual acuity-Distant vision (with or without glasses): Right eye…….. Left eye……..
(ii) any organic disease of eyes
(iii) night blindness
(iv) Colour blindness
(v) Squint

5. Ears :

(i) Hearing : right ear…….Left ear ……..
(ii) Any organic diseases.

Audiometry Findings if required :

Conduction Type	Left Ear	Right Ear
Ear Conduction	Normal/Abnormal	Normal/Abnormal
Bone Conduction	Normal/Abnormal	Normal/Abnormal

Enclosed Audiometry Report.

6. Respiratory system.
   Auscultatory Finding:
   Chest measurement :
   (i)after full inspiration ……cms.
   (ii)After full expiration……..cms.

Result of Lung Function Test (Spirometry) if required

Parameters	Predicted Value	Performed Value	% of Predicted
Forced Vital Capacity (FVC)			
Forced Vital Capacity 1 FEV1			
FEV1/FVC			
Peak Expiratory Flow			

Spirometry Report enclosed

7. Circulatory system:
   Blood Pressure :-
   Pulse :-

Cardiological Assessment

Auscultation	S1	
	S2	
	Additional Sound	
Electrocardiograph (12 leads) findings :		Normal/Abnormal
Echocardiography finding if required		Normal/Abnormal

Enclosed ECG
Enclosed Echocardiography report

8. Abdomen :
   Tenderness.
   Liver.
   Spleen.
   Tumour.
9. Nervous system:
   History of fits or epilepsy
   Paralysis.
   Mental health.

Neurological Assessment

Findings	Normal/Abnormal
Superficial Reflexes	
Deep Reflexes	
Peripheral Circulation	
Vibrational Syndromes	

10. Locomotory system
11. Skin.
12. Hydrocele.
13. Hernia.
14. Any other abnormality
15. Urine :
    Reaction:
    Albumin:
    Sugar:

16. Pathological Investigations:

S.No.	Tests	Findings
1	Blood-Tc,Dc,Hb,ESR, Platelets	WNL/Abnormal
2	Blood Sugar- Fasting & PP	WNL/Abnormal
3	HbA1c if required	WNL/Abnormal
4	Lipid profile	WNL/Abnormal
5	Blood Urea, Creatinine	WNL/Abnormal
6	Urine Routine	WNL/Abnormal
7.	Hemoglobin Electrophoresis (if required)	WNL/Abnormal

Enclosed all Investigation Reports.

17. Skiagram of chest.

18. ILO Classification of Chest Radiograph :

Profusion of Pneumoconiotic opacities	Grades	Types
Present/Absent		

Enclosed Chest Radiograph

19. Any other test considered necessary by the examining authority.

20. Any opinion of specialist considered necessary.

Signature & Name of members of Appellate Medical Board with date

1……(Convenor)

2……..

3……

FORM-XI
(See rule 7(1) and rule 7(2))
NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE

E.S.I.C. Employer's Code number:
E.S.I.C. Insurance
Number of the injured person :

1. Name of employer :
2. Address of
works / premises
where the accident
or dangerous
Occurrence took place :

3. Nature of
industry and
LIN of the
establishmen
t:

4. Branch or department and
Exact place where the accident
or dangerous occurrence took
place :

5. Name and address of the injured person :

6. (a) Gender :
(b) Age (at the last birthday) :
(c) Occupation of the injured person :

7. Local E.S.I.C. Office to which the injured person is attached :

8. Date, shift and hour of accident or dangerous occurrence :

9. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :

(b) Whether wages in full or part are payable to them for the day of the accident or dangerous occurrence :

10. (a) Cause or nature of accident or dangerous occurrence :

(b) If caused by machinery-

(i) Give the name of machine and the part causing the accident or dangerous occurrence :

(ii) State whether it was moved

by mechanical power at the time of accident or dangerous occurrence :

(c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :

(d) In your opinion, was the injured person at the time of accident or dangerous occurrence -

(i) acting in contravention of provisions of any law applicable to them; or

(ii) acting in contravention of any orders given by or on behalf of their employer; or

(iii) acting without instructions from their employer?

(e) In case reply to (d) (i), (ii) or (iii)is in the

affirmative , state whether the act was done for the purpose of and in connection with the employer's trade or business. :

11. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether-

(a) the injured person was travelling as a passenger to or from their place of works; :

(b) the injured person was travelling with the express or

implied permission of their employer; :

(c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and :

(d) the vehicle is being/not being operated in the ordinary course of public transport service :

12. In case the accident or dangerous occurrence took place while meeting emergency, state-

(a) its nature; and

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of their employer's trade or business in or about the

premises at which the accident or dangerous occurrence took place. :

13. Describe briefly how the accident or dangerous occurrence took place :

14. Names and addresses of witnesses : (1)
(2)

15. (a) Nature and extent of injury(e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person

was disabled for
more than 48
hours :

(b) date and time when the injured person returned to work: :

17. (a) Physician, dispensary or
hospital from whom or which
the injured person
received or is receiving treatment :
(b) Name of dispensary/panel doctor
elected by the injured person :

18. (a) Has the injured person died ? :

(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/ employer /manager/agent

Date of
dispatch of
report :
Place:

FORM-XII
(See rule 71)
NOTICE OF PERIODS OF WORK

Name of the Establishment……Place……District……

Periods of work Groups, Relays	Men												Women												Description of Groups, Nature of work	Remarks
	Total no. of men employed												Total no. of women employed													
	A			B			C			D			E			F			G			H				
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3		

On working days
From ..
To ..
From ..
To ..
From ..
To ..
On partial
Working days
From ..
To ..
From ..
To ..

Date on which this notice is first exhibited :

Signature of employer :

Date :

FORM-XIII

(See rule 72(1)(i))

EMPLOYEE REGISTER

(The register may also be maintained ~~in~~ electronically capturing, inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment		
To be maintained for all employees of the establishments		
1.	Employee Code	
2.	Name	
	Middle Name	
3.	Surname	
4.	Gender	
5.	Father's/Mother's/ Spouse's Name	
6.	Date of Birth	
7.	Place of Birth	
8.	Nationality	
9.	Education level	
10.	Date of Joining	
11.	Designation	
12.	Category (unskilled, semi-skilled, skilled or highly skilled)	
13.	Type of employment (P/T/FT/T/B)**	
14.	Mobile Number	

15.	Universal Account Number (UAN)	
16.	PAN	
17.	Nominee (To be filled on the basis of Nomination form)	
18.	EPS/NPS	
19.	Details of Family	
20.	Details of Posting	
21.	Pay	
22.	Promotion	
23.	ESIC ~~IP~~ Insurance No.	
24.	Aadhaar number	
25.	Bank A/c No.	
26.	Bank	
27.	Branch(IFSC)	
28.	Present address	
29.	Permanent address	
30.	Service Book No.	
31.	Date of Exit	
32.	Reason for Exit	
33.	Mark of Identification	
34.	Photo	
35.	Specimen Signature/Thumb Impression	
36.	Remarks	

Signature of Employee

** (Permanent/Temporary/Fixed Term/Trainee/Badli)

Signature of Employer

FORM-XIV

(See rule 72(1)(ii))

ATTENDANCE REGISTER-CUM-MUSTER ROLL

(The attendance register-cum-muster roll may also be maintained ~~in~~ electronically capturing, inter-alia the following details)

																																For **the Month** of ……. , year 20.....
Name of Establishment:																																
Name of the Employer/owner:																																
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)																																
1.	Serial Number																															
2.	Employee Code																															
3.	Name																															
4.	Designation																															
5.	Shift																															
6.	Place of work/department/section																															
7.	Date and timings of **In** and **Out**																															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15																	
	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31																
8.	Total number of days worked																															
9.	Total number of overtime hours worked																															
10.	Brief details of tour or assignment outside the work place, if any.																															
11.	Signature of Register keeper*																															

***Note:** Required in case register is maintained physically.

FORM – XV

(See Rule 72(1)(iii))

REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS

(The register may also be maintained electronically capturing, inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)		
Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
1.	Serial Number	
2.	Employee Code Number	
3.	Name of the employee	
4.	Designation	
5	Department	
6	Duration of Payment of wages (Monthly/Fortnightly/Weekly/Piece rated)	
7	Wage Period from- to	
8	Total number of days worked during the wage period	
9	Total overtime hours worked or overtime production in case of piece workers	
	Rate of Wage	
10	a)Basic	
11	b)DA	
12	c)Other allowance	
	Amount of wages earned	

13	Basic	
14	DA	
15	Allownaces	
16	Overtime	
17	Total wages earned	
	Deductions	
18	EPF	
19	ESIC	
20	Society	
21	Income Tax	
22	Insurance	
23	Advances	
24	Recovery of Fine	
25	Recovery on amount of damages/losses	
26	Total deductions	
27	Others	
28	Net Payment	
29	Date of Payment	
30	Receipt by employee/Bank Transaction ID	
31	Nature of acts and omissions for which fine imposed with date	
32	Amount of fine imposed	
33	Damage or loss caused to the employer by neglect or default of the employee	
34	Signature of Employer/Employer Representative*	

***Note: Required in case register is maintained physically**

FORM – XVI

(See rule 72(2))

Wage slip

Date of issue:				
Name of the Establishment				
Address:.....			Period:.....	
1.	Name of the Employee:			
2.	Father's/Mother's/Spouse's Name:			
3.	Designation:			
4.	UAN:			
5.	Bank Account Number:			
6.	Wage period:			
7.	Rate of wages payable	a) Basic	b) D.A.	c) other allowances
8.	Total attendance/unit of work done:			
9.	Overtime wages			
10.	Gross wages payable			
11.	Total deductions	a) PF	b) ESI	c) Others
12.	Net wages paid			
				Employer/Pay-in-charge signature*

***Note: Required in case register is maintained physically.**

FORM-XVII

[See rule 72(5) r/w rule 74]

ANNUAL RETURN

FOR THE YEAR …….ENDING 31st December.

Instructions for filling up the Annual Return

(1) This return shall be filled-up and furnished on or before the 28th or 29th day of February every year.

(2) This return consists of two parts i.e. Part-I , which shall be filled up by all establishments.

(3) Part-II shall be filled-up only by the establishments that are Mines in addition to Part-I.

(4) The terms "establishment" and "mines" shall have the same meanings as assigned to them in the Occupational Safety, Health and Working Conditions Code, 2020.

(5) This return shall be filled-up in the case of contractor or manpower supplier who has engaged more than 50 workers and in the case of mines, even where one worker was employed during the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.			Instructions for filling the column
1.	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2.	Period of the Return	From - To-	Period should be calendar year
3.	Name of the Establishment		
4.	Email ID (employer)		
5.	Telephone No. (employer)		
6.	Mobile number (employer)		
7.	Premise name		
8.	Sub-locality		
9.	District		
10.	State		

11.	Pin Code		
12.	Geo Co-ordinates		
B(a).	**Hours of Work in a day**		
B(b).	**Number of Shifts** **Number of hours in a shift**		

C. Details of Manpower Deployed

Details	**Directly employed**				**Employed through Contractor**				**Grand Total**
Skill Category	**HighlySkilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	**Highly Skilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	
(i) Maximum No. of employees employed in the establishment in any day during the year	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(ii) Average No. of employees employed in the establishment during the year	No. to be indicated	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iii) Maximum number of Migrant Worker during the year (Section 59 of OSH&WC Code)	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iv) Number of fixed term employee engaged	M/F/T	M/F/T	M/F/T	M/F/T					

D. Details of contractors engaged in the Establishment:

Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling

1.	Whether facility of Canteen provided (as per section24(v) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments wherein hundred or more worker including contract labour were ordinarily employed
2.	Crèches(as per section 67of Code on Social Security Code, 2020 and section 24 of the OSH&WC Code 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments where fifty or more workers are employed
2a	If 2 above is not given than whether Crèches allowance under Rule.. of Social Security Code given.	Tick yes or no in the box and not applicable	Reference rule.. on Social Security
3.	Ambulance Room(as per section 24(2)(i) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to mine, building or other construction work wherein more than five hundred workers are ordinarily employed
4.	Safety Committee (as per section 22(1) of OSH&WC Code, 2020.	Tick yes or no in the box and not applicable	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BOCW employing 250workers or more, and mines employing 100 or more workers.
5.	Safety Officer (as per section 22(2) of OSH&WC Code, 2020)	No. of safety officers appointed	In case of mine100 or more workers, in case of BOCW 250 or more workers and in case of dock work 500 or more workers are ordinarily employed.
6.	Qualified Medical Practitioner (as per section12 (2) of OSH&WC Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:			**Instructions for filling**
1.	Is the Works Committee has been functioning.(Section 3 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.		
2.	Whether the Safety Redressal Committee constituted (Section 4 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment employing 20 or more workers

3.	Number of registered Unions in the establishments.					
4.	Whether any negotiation union exist(Section14 of IR Code,2020)			Yes/No		
5.	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)			Yes/No		
6.	Number of workers discharged/dismissed, retrenched or whose services were terminated during the year:					
	Dismissed	**Retrenched**	**Discharged /Terminated or Removed**		**Grand Total**	
7.	**Man-days lost during the year on account of**					
Sl. No.	Reasons		Period /Date	No. of man-days lost		
(a)	Strike					
(b)	Lockout					
8.	**Details of retrenchment / lay off**					
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off		Applies on industrial establishment employing 300 or more workers

G. Details pertaining to maternity benefit:				
No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:			
Sl. No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:				
Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per section 10 of the OSH&WC Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH&WC Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH&WC Code,2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH&WC Code, 2020 along with the details of affected persons

J. Man days and production lost due to accidents / dangerous occurrences			
Sl. No.	**Accident/Dangerous Occurrence**	**Man days lost**	**Production Lost**

[See rule 72 r/w rule 74]

Part II (For Mines)

A. General information		
1.	Establishment Name	
2.	Name of Company/ Name of Owner	
3.	Type of organization (drop down)	PSU Central/ PSU State/ Private/
4.	Type of ownership (drop down)	Firm/Association/Individual/Partnership/Company
5.	Type of Mineral (drop down)	Coal/Metal/Oil
6.	Name of Mineral	
7.	Type of Mine (drop down)	Belowground/ Opencast/ Aboveground/Mixed/OffShore/OnShore
8.	Date of opening	To be filled for first time
9	Mine Code	To be filled for first time
10.	Date of closing (if any)	NA/ Calendar to be given
11.	Date of reopening (if any)	NA/ Calendar to be given
12.	Depth of working in mts.	Maximum Depth: Minimum Depth:

B. Statutory personnel employed in the mine (as on 31st December)

Sl. No.	Designation as per Code	Number of Statutory Persons required	Number of Statutory Persons employed
1.			

C. Method of Working vis-a-vis Safety Parameters

1	Name of Method (Specify the name) (as per drop down menu)		
2	Quantity of mineral Produced in Cu.m./Tonne		
3	Quantity of Waste/overburden removed in Cu.m./Tonne		
4	Stage of Working (as per drop down menu)	Development/Extraction/Mixed	
5	Permissible Void in Cu.m.		For extraction stage
6	Actual Void in Cu.m.		For extraction stage
7	Area of overhang		For extraction stage
8	Maximum Inflammable gas released in Cu. Meter per ton of coal produced		For Development stage
9	Overall Pit slope		For Opencast mines
	Individual entry for each Pit		
10	Overall dump slope		For Opencast mines
	Individual entry for each Dump		
11	Area of fire in Sq. m.		
12	Length of embankment required to be provided against the water body		
13	Length of embankment provided against the water body		
14	Length of fencing required/provided as per statute		
15	No. of opening required to be sealed in case of abandoned mines:		
16	No. of Openings sealed in case of abandoned mines:		
17	Number of Mock drills conducted and date of same with coverage of employees		
18	No. of Oil/Gas wells: under drilling/ under production/ under work over (as per drop down menu)		For Oil and gas mines
19	No. of wells where production discontinued		For Oil and gas mines
20	If Yes to pt. 19 above, Action taken		
21	Action Taken in respect of Wells where production has been discontinued		For Oil and gas mines

22	Maximum Quantity of explosive used in any day (in Kgs.)		For all types of mine
23	Whether Building or Structures not belonging to owner lies within danger zone?	Yes/No/NA	For Coal & Metalliferous Mines
24	Aggregate HP/KW of machineries installed/deployed in the mine for the year		For all types of mine

D. Medical examinations - Initial/Periodical (IME/PME):

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Undergone IME	
Undergone PME	
Declared medically Temporary unfit	
Given alternate Employment due to Medical unfitness	
Terminated on account of being medically unfit	

E. Details of Vocational training imparted:

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Imparted Basic Vocational Training	
Imparted Refresher Training	
Imparted special Training	

F. Details of Accident, Dangerous Occurrence and Occupational Diseases :

(1) Details of Accidents and Dangerous Occurrences:

Sl. No.	Date of Accidents/Dangerous Occurrences	No. of persons killed	No. of persons received Serious Bodily Injury	Number of persons injured (Excluding Serious Bodily Injury) and thereby prevented from working for a period of 48 hours or more	Nature of Occurrence	Mandays lost
1.						

(2) Details of Occupational diseases:

Sl. No	Notified Disease	No. of cases
1		

G. Details of Safety Management Plan:

(a) Safety Management Plan Prepared: (Yes/No/NA)
(b) Date of Submission : Date
(c) Last date of review of Safety Management Plan: Date
(d) Principal Hazards Identified:

Sl. no.	List of Principal hazards identified	Principal hazard Mitigation date	Principal hazard not mitigated till 31st December	Reasons for failure to mitigate the same
1.				

H. Mines Rescue Station: (For Belowground Mines Only)

A. For Mine: (To be filled by mine owner)

(i) Address of the Rescue Station with Geo-coordinates serving the mines;
(ii) Distance of the Rescue Station from mine opening; -----(in KM)
(iii) Whether a mine Rescue Station has been established by the mine ? (Yes/No)

Mines Rescue Station: (For Belowground Mines Only)
(For Rescue Station)

For Mine Rescue Station **(**To be filled by the Superintendent of the Rescue Station)

(i) Name of the owner of the mine at which the Mine Rescue Station is located:

(ii) Address of MRS:

(iii) Name of the Superintendent :

(iv) Details of the mine served by the Rescue Station:

Sl. No.	Name of the Mines	Distance of the Mine from MRS (in Kms)

(v) Details of Personnel Deployed at Rescue Station;

Sl. No.	Designation as per Code	Number of statutory persons required	Number of statutory persons employed

(vi) Details of Equipment/Apparatus :

Sl. No.	Type of Equipment/Apparatus required	Numbers of Equipment/Apparatus available

(vii) Particulars of Emergency Attended:

Sl.No.	Name of the Mine	Nature of Emergency	Response Time (time taken by rescue services to attend the emergency)	Time taken for Rescue & Recovery	Action Taken

(viii) Additional Information :

(a) Number of Rescue Rooms :
(b) Number of Rescue Trained Persons Required :
(c) Number of Rescue Trained Person available :
(d) Whether Canteen facility exist or not? (Yes/No):

Certified that the tables are duly filled in and the information and figures furnished therein are correct to the best of my knowledge.

Signature of Employer/Occupier/Owner/Agent/Manager

Place:

Dated:

PART III

[See rule 98(9)]

ANNUAL RETURN period ending 31st December

(to be submitted by the principal employer on Shram Suvidha Portal)

1. Name of the principal employer:
2. Name of the establishment:
3. Registration number (LIN) of the establishment:
4. Details of the Contractors, wages paid, etc.:

Sl.	Month	Name and address of the contractors	LIN of the contractor	Name of the work	Maximum number of contract labour employed	Amount paid against wage bill (if applicable) to the contractor (including EPF, ESIC, Bonus etc.)	Date of payment of wage bill (if applicable)	Amount of the wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Date of payment of wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Remarks

Signature of the principal employer

Date:

PART IV
(see rule 72(8))

Shram Shuvidha Portal **Ministry of Labour and Employment** **Self-Declaration form for EPFO/ESIC Contribution** **Year: ___**	
PAN No:	LIN:(*Auto-Populated*)
EPF Code No. (Auto-Populated)(Editable): Branch Code Nos. (Auto-Populated)(Editable):	ESI Code No.(Auto-Populated)(Editable): Sub Code Nos. (Auto-Populated) (Editable):

Statement of salary/wages and contribution in r/o of EPFO

1	2	3	4 =(2+3)	5	6	7	8=(5+7)	9	10	11	12=(9-10)	13
Month & Year	Total No. of employees eligible for membership under SS Code/Scheme	Total no. of employees not eligible for membership under SS Code/scheme	Total no. of employees employed	Total Wages paid to employees eligible for membership under SS Code/scheme	Total EPF Wages paid to employees eligible under SS Code/scheme	Total Wages paid to employees not eligible under SS Code/scheme	Total wages paid to all employees	Total Contribution Payable (Based on column 6)	Total contribution paid	Date of payment	Balance to be paid	No. of employees to whom dues to be paid
04/20..												
05/20..												
06/20..												

07/20..												
08/20..												
09/20..												
10/20..												
11/20..												

12/20..												
01/20..												
02/20..												
03/20..												

- *Upload Salary sheet of contribution details of all members as per* ***Form-VIIIB(Register of Wages, Overtime & Dedcution)***

	Details of Employees non-enrolled but eligible to be member:							
Sr. No	Name of Employee	Gender	Aadhaar Number	Father's Name	Date of Birth	Date of Joining	Date of Exit (If already left)	Wages paid

Contractors details:						
S.No.	Name & Address of the contractor	EPF code No.	ESI code No.	Nature of work	Maximum Number of employees employed during any day	Total payment made during the FY

*<*contractor details may be pre-filled from CLC Licence data if available with option to add other contractors>*

Details of tax benefit claimed by employer by way of contribution towards a recognized provident fund or an approved superannuation fund u/s 36(1)(iv) of Income Tax Act:

Financial Year	Contribution	Tax benefit

UPLOAD DCOUMENTS:

S. No.	DOCUMENT Name	*<upload field in portal>*
1.	Balance Sheet*	• *<upload field for Balance Sheet of the financial year>*
2.	Form 26AS*	• *<upload field for Form 26AS of the financial year>*
3.	Form 26Q*	• *<upload field for Form 26Q of the financial year>*

**mandatory field*

(Signature of the Employer/authorized representative)

<u>*Section 36(1)(iv) of Income Tax Act:</u>

any sum paid by the assessee as an employer by way of contribution towards a recognised provident fund or an approved superannuation fund, subject to such limits as may be prescribed for the purpose of recognising the provident fund or approving the superannuation fund, as the case may be; and subject to such conditions as the Board may think fit to specify in cases where the contributions are not in the nature of annual contributions of fixed amounts or annual contributions fixed on some definite basis by reference to the income chargeable under the head "Salaries" or to the contributions or to the number of members of the fund;

FORM XVIII

[See rule 72(5) and 98(7)]

Half Yearly Return (January to June / July to December) to be submitted electronically by the contractor to the Deputy Chief Labour Commissioner (Central)

1. Name and address of the contractor:
2. Name and address of the principal employer and LIN:
3. LIN of the contractor:
4. Licence number of the contractor (if applicable):
5. Name of the contract work with location/station:
6. Details of the number of Contract Labour, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Overtime	Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7th of the month or due date as applicable Yes/No	Remarks
	January									
	February									
	March									
	April									
	May									
	June									

Signature of the contractor:

Date:

FORM-XIX
(See rule 75)
REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of injured/deceased person (if any)	Date of accident or dangerous occurrence	Date of report to Inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured person to work	Number of days the injured person was absent from work	Signature of employer/representative
1	2	3	4	5	6	7

FORM-XX
(See rule 76)
REGISTER FOR LEAVE WITH WAGES

Part I - Adults
Part II - Adolescents

Establishment: Name of worker :

Department : Father's Name:

Sl. No	Sl.no. in the register of workers	Date of entry into service	Interruptions					Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Leave	Remarks
			Sickness and accidents	Authorised Leave	Lock Out or Legal Strike	Involuntary unemployment	Others					Date of Discharge	Date and amount of payment made in lieu of leave due	Accumulated carry forward leave	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Note: - Separate page shall be allotted to each worker

Signature of Employer/Register Keeper/Representative

FORM-XXI

[See rule 87, rule 88(1) and rule 96(1)]

Application for Grant of Licence/ Renewal of Licence/Amendment of Licence (including common/single licence)
Government of India, Ministry of Labour and Employment
ESTABLISHMENT PROFILE:
Labour Identification Number Date
Acknowledgement Number: **……** Date of Application: **…….**
I. Particulars of Establishment for which licence required:
1. Name of Establishment:
2. Address of establishment
(a) Head Office address along with email Id :
(b) Corporate office address along with email Id:
3. Telephone Number :
4. Activity as per National Industrial Classification : (Select all applicable activities given)
5. Details of selected NIC Code:
6. Nature of work carried on in main establishment :
7. Identifier of the Establishment : (Select) : e-sign/digital sign
II. Details of Employer:
1. Full Name of Employer: ……relationship with establishment.
2. Full Address of Employer:
3. Email Id of employer:
4. Mobile No. of employer:
III. Particulars of the Contract Labour to be employed / is employed (If licence is required work wise)

Locations of worksites	Name of works	Activity as per national industrial classification	Date of commencement	Date of completion	Name of Establishments in which contract labour is/proposed to be employed	Name Address, email id of the Site Incharge
1	2		3	4	5	6

5. Maximum number of workmen proposed to be employed on the establishment on any date:
6. Amount of Licence Fee: **INR** **(Transaction Id :)**
7. Amount of Security Deposit: **INR** **(Transaction Id :)**
IV. DETAILS OF ESTABLISHMENTS FOR WHICH COMMON LICENCE REQUIRED , (IF APPLYING FOR)

Type of Establishments	Name & Address of establishment	(i)Nature of work carried out in the establishment (ii) Activity as per National Ind'l classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of contract labour employed/ proposed to be employed	
1	2	3	4	5	6	
V. DETAILS OF ESTABLISHMENTS FOR WHICH SINGLE LICENCE IS REQUIRED (IF APPLYING FOR)						

Name of States in which the establishments are situated	Name of each work	Maximum number of labour will be/is employed	Date of commencement	Permanent establishment or probable date of completion	Registration number, if obtained, then details thereof
1	2	3	4	5	6

Signature of Contractor
(e-Sign/DSC)
Note: This is an online application summary applied on Shram Suvidha Portal or designated Portal.
APPLICATION FOR RENEWAL OF LICENCE
1. Licence No. Date :
2. LIN & PAN
3. Name and address of the establishment:
4. Date of expiry of previous licence :
5. Whether the licence of the employer/contractor was suspended or revoked:
6. Details of fees paid : (Enclose e-payment receipt):
Amount …. Date of payment :
E-sign /digital sign of the employer/contractor date:
APPLICATION FOR AMENDMENT OF LICENCE :
1. Licence No Date:
2. LIN & PAN
3. Name and address of the establishment:
4.Details for which amendment is sought :
(a). Maximum number of contract labour presently employed : When there is an increase in the maximum number of contract labour to be employed, the additional fee/security deposit required under law shall be deposited:
(b). Details of fees paid through e-payment date on which made :
(c). Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required)

E-sign /digital sign of the employer/contractor
Date of application.

Date:-
Place:-

FORM-XXII
(See rule 89(1) and rule 90(2))
PROFORMA OF LICENCE

Licence No. ---------- Reg. No. ---------- Date of Reg. ----------
Licence is hereby granted to ----------
for the premises known as ----------
situated at ----------
nature of work_____
for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

The ---------- 20.. Issuing Authority

Sl.No.	Period of issue	Valid For	Fee	Date of Payment	Excess fee for late payment	Date of payment	Signature of the Issuing Authority
		Maximum number of Contract labour on any one day					

AMENDMENTS:

Year when Amended	Maximum number of Contract labour on any one day	Date of payment of amendment fee	Date of Payment	Signature of the Issuing Authority

E-sign /digital sign of the designated authority

FORM-XXIII
(See rule 100)
EXPERIENCE CERTIFICATE OF CONTRACT LABOUR

To whomsoever it may concern
1. Name of contractor/employer*:
2. LIN/PAN No. of the contractor/employer *:
3. Email Id of the contractor /employer *:
4. Mobile No. of the contractor/employer *:
5. Nature and location of work:
6. Name of principal employer*:
7. LIN/PAN No. of the principal employer :*
8. Email Id of the principal employer : *
9. Mobile No. of the principal employer :*
10. Name of the labourer*:
11. UAN / Aadhaar No.:
12. Mobile No. :
13. Serial Number in the employee register :
14. Registration number, date and name of the Board where the building or other construction work is registered as a beneficiary:
15. Period of employment:
16. Designation:
17. Work performed:
Seal and Signature of Contractor
*Strike off whichever is not applicable.

FORM-XXIV
(See rule 105)
Agreement between Producer and Audio-visual worker

This agreement is made on this day ..... month .....year..... between M/s ..... having office at .....(hereinafter referred to as the "Producer") on the first part and Shri/Smt/Kumari .....son/daughter/wife of Shri ..... residing at ..... (herein after referred to as the "audio-visual worker") on the second part. The terms 'Producer' and 'audio-visual worker' shall include their heirs, successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:
1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual production and this period shall not exceed ____ consecutive months.

2. That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on their confirmation, to perform their respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by them in writing.

3. That inconsideration of the audio-visual worker's services, as aforesaid, the producer agrees to pay and the audio-visual worker agrees to receive a sum of Rs. .....(Rupees .....) payable as advance on signing of this agreement and the balance of Rs. .....payable in ..... equal installments.

4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.

5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.

6. That the audio-visual worker shall, if so required,

(a) attend the studios, location or work-place, as the case may be, earlier than the scheduled time of the shift, for preparatory work, and in that case, audio-visual worker shall be paid by the Producer extra wages at the rate of Rs. .....per hour or part thereof for such early attendance.

(b) continue to work beyond the working day, with one hour break and in that case, audio-visual worker shall be paid by the Producer extra wages at the rate of Rs..... for the work during the extended hours and refreshments, and transport facilities.

7. That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer's and audio-visual worker's representative organizations.

8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

9. That the Producer shall get the audio-visual worker insured for any injury or damage to such person including death caused by accident arising out of or in the course of their employment and/or during the period of their assignment under this agreement.

10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond their control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all their dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of their unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in their place.

12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of their duties or their unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be the option of the audio-visual worker whether or not to allow their name to go on the credit titles of the film.

14. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, their clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by them.

15. That the audio-visual worker agrees to render their services to the best of their ability in such manner as the Producer or, at their instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

16. That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.

17. That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.

18. That the provisions of Chapter-III of Code on Social Security, 2020 (36 of 2020) shall be applicable to this agreement.

19. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses.

1.	Witness	Producer	
			Name Address
2.	Witness	audio-visual worker	Name Address

FORM-XXV
[See Rule 78]
IMPROVEMENT NOTICE

To,

Name of the Establishment
(Employer / Principal Employer / Contractor)
Address …….

Sub-Notice regarding contraventions observed under the OSH & WC Code, 2020, OSH &WC (Central) Rules, 2026, Regulations, Standards and Orders made thereunder, in respect of . ……. (Name of the establishment)

Sir / Madam,

(1) It is to inform that the undersigned conducted inspection of …… (name of the establishment), engaged in the work of …….. (name of work) located at ……. on …….. (date).

(2) The particulars of the establishment inspected and the contravention (s) of the provisions of the OSH&WC Code 2020, OSH &WC (Central) Rules, 2026, Regulations, Standards, Notifications and Orders made thereunder observed during inspections are annexed herewith.

(3) You are hereby directed to rectify the contraventions / irregularities observed during inspections and submit compliance report (through speed post / electronic mode / designated portal) within 30 days from the date of issue of this notice, failing which necessary action will be initiated as per the relevant provisions of the statute without making any further correspondence in this regard.

Yours faithfully,

Encl: As above.

Inspector-cum-Facilitator.

FORM- XXVI
[See rule 182(1)]
APPLICATION FOR COMPOSITION OF OFFENCE

1. Name of applicant :
2. Father's / Spouse name :
3. Address of the applicant :
4. Name of establishment:
5. Particulars of the offence:**….. ……**
   ……
   ……
6. Section of the Code under which the offence is committed :……..
7. Maximum fine provided for the offence under the Code :…….
8. Whether prosecution against the applicant is pending or not ……..
9. Whether the offence is a first offence or whether the applicant has committed any other offence prior to the offence. If yes, then, full details of such prior offence
   ……
   ……..
10. Any other information which the applicant desires to provide
   ……
   ……..

Applicant
(Name and signature)

Dated:

FORM-XXVII
[See rule 182(1)]

Notice to the employer for an offence committed under the provisions of the Code for the first time for composition of offences

Notice No…… **Date:**

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

PART – I

1.	Name of the person:	
2.	Name and Address of the establishment :	
3.	Registration No. of the establishment:	
4.	Particulars of the offence:	
5.	Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed:	
6.	Amount required to be paid for compounding of the offence:	
7.	Name and details of account for depositing the amount specified in serial no. 6:	

PART –II

In view of the above, you have an option to pay the entire amount mentioned at serial no. 6 in Part-I within fifteen days from the date of issue of this notice and return the application duly filled in Part – III of this notice.

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

(Signature)
(Name and designation of Officer)

Date:
Place:
To:
……..(Employer/Establishment)
……(Name and registration number)
…….(Address)

PART – III
[See rule 182(2)]

Application under section 114 for composition of offence

Ref: Notice No…….. **Date:**

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

8. Details of the compounding amount deposited (Copy of the electronically generated receipt to be attached):

9. Details of the prosecution, if any filed in respect of the violation of the above-mentioned offences:

10. Whether the present offence is a first offence or whether the applicant has committed any other offence prior to this offence, if so, then, full details of such offence:

11. Any other information which the applicant desires to provide:

Signature of the applicant
(Name and Designation)

Date:
Place:
To:
……..(Compounding Officer)
……(Name of the Office)
…….(Address)

PART – IV

[See rule 182(3)]

Composition Certificate

Ref: Notice No…….. **Date:**

This is to certify that the offence under sub-section ….. of section 114 in respect of which Notice No. Dated: _____ was issued to Sh/Smt. ……. (Applicant), the employer of ……. (name and registration number of the establishment) has been compounded on upon receipt of thefull amount of dRs …….. (Rupees _____) towards compounding of the offence, to the satisfaction of the requirements of the said notice.

(Signature)
Name and Designation of the Officer

Date:
Place:
To:
……..(Employer/Establishment)
……(Name and registration number)
…….(Address)

[F. No. S-65025/01/2021-ISH.II]

ALOK CHANDRA, Senior Labour and Employment Advisor

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.