

- (d) “Inspector-cum-Facilitator” means Inspector-cum-Facilitator appointed by the Government of Himachal Pradesh under sub-section (1) of section 34;
- (e) “Registering Officer” means Chief Inspector-cum-Facilitator or any other registering officer(s) appointed by the State Government for the purpose of these rules;
- (f) “rules” means the Occupation Safety, Health and Working Conditions (Himachal Pradesh) Rules, 2026;
- (g) Electronically mean,-
- (i) any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code; and
 - (ii) any other method or means which State Government may specify through general or special order;
- (h) Income from the sources.- A member of the family having income up to rupees five thousand per month from all sources or any other income notified by the Employees State Insurance Corporation (ESIC) for the purpose of availing medical benefit under the scheme, shall be included as dependent for the purpose of clause (x) of sub-section (1) of section 2;
- (i) Substance or quantity of substance.- For the purpose of clause (zb) of sub-section (1) of section 2, “hazardous substance” means any substance or such quantity of substance as specified by the Government of Himachal Pradesh by the way of notification;
- (j) “Local Authority” means the Gram Panchayat or Nagar Panchayat or Municipal Council or Municipal Corporation situated in the State of Himachal Pradesh;
- (k) “Portal” means web portal of the Department of Labour & Employment of Government of Himachal Pradesh for delivering services under the Code and rules made thereunder.
- (2) The words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Code.

Registration

3. Application for registration of an establishment under section 3.- (1) The employer seeking registration for an establishment not already registered shall apply electronically in **Form 1** on the web portal of the Department of Labour & Employment by giving details about the establishment and uploading documents related to Registration of establishment, proof of identity and address of employer as specified in the form to the Registering Officer. Applicant shall be responsible for veracity of all information submitted in the application.

(2) Application referred to in sub-rule (1), shall be accompanied by the fee specified under rule 4.

4. **Fees for registration of an establishment under section 3.- (1) The applicant shall pay the fee online along with the application as specified below:-**

Number of employees to be employed	Amount of fees in ₹
Up to 19	3000
20-50	5000
51-100	8000
101-150	10,000
151-250	15,000
251-500	25,000
501-1000	35,000
1001-1500	45,000
501 or above.	50,000

**Also for an establishment which is factory under section 2(1)(v)(iii)*

- (2) Where an employer has not submitted his application for registration within sixty days as required under sub-section (1) of section 3 of the Code, he shall submit the application along with late fee which shall be 25% per annum of the prescribed fee for the category.

5. **Notice for Commencement and Cessation of Operation under Section 5.- (1) The Employer of every establishment shall submit a notice of commencement or cessation of operation of any industry, trade, business, manufacturing or occupation electronically to the Inspector-cum-Facilitator of the region and Registering Officer within thirty days from the date of such Commencement or Cessation.**

- (2) The Notice of such Commencement or Cessation shall be submitted in **Forms 2 and 2A**.

Duties of Employer and Employees etc.

6. **Annual Health Examination of Employees under clause (c) of sub-section (1) of section 6.- (1) The employer shall ensure a health examination of every employee who has completed forty five years of age, at least once in every twelve months. The employee who had met an accident resulting in a serious bodily injury shall also be so examined. The employees shall also be medically examined within 15 days of their induction or prior to employment. The expense of such examination shall be borne by the employer:**

Provided that the employees engaged in hazardous process or dangerous operations shall be examined after every six month or earlier in accordance with the provisions specifically provided in the Code or rules for the same.

(2) The health examination shall be conducted by a qualified medical practitioner. The record of medical examination shall be maintained in Form 3 and shall be available to Inspector-cum-Facilitator for inspection whenever required.

General Establishments	Blood	Urine	X ray				
Establishments dealing with Hazardous Process or Hazardous Substance or Hazardous Waste	Blood	Urine	X ray	PF T	Sputum	Audiometr (if applicable)	Any other test recommended by Inspector-cum-Facilitator declared under the Code

7. Letter of appointment to employee under clause (f) of sub-section (1) of section 6.- The employer shall issue a letter of appointment to every employee in the establishment on his appointment or prior to commencing his work. The letter of appointment shall include the particulars specified in **Form 4**. However, if any employer has not give letter of appointment prior to implementation of these rules, he will issue such letter of appointment within a month.

7A. Identity Card.- Every employer to whom the Occupational Safety Health and Working Conditions Code, 2020 applies, shall submit employees/workers Identity Cards an officer not below the rank of the Labour Officer of the area concerned within three days from the date of employment of the employees/workers in **Form 4A**. The Labour Officer shall return the Identity Card to the employer within a period of fifteen days, duly attested, for further distribution to the concerned employee/worker.

8. Notice of accident and dangerous occurrences under sub-section (1) of section 10 and section 11.- (1) Where at any place in an establishment which is factory, building and other construction work and motor transport undertaking, an accident occurs which results in the death of any person, the employer or occupier or manager of the establishment shall forthwith send a notice thereof in

Form 5 electronically and through registered post or otherwise to the Chief Inspector-cum-Facilitator and District Magistrate, and Competent Authority as notified by the Himachal Pradesh Government, under Social Security Code, 2020 and the family members/kin of the injured or deceased person.

(2) Where at any place in an establishment which is factory, building and other construction work, or motor transport undertaking, 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 or occupier or manager of the establishment shall forthwith send a notice in **Form 5** electronically and through registered post or otherwise within twelve hours after the completion of forty eight hours, electronically or otherwise to the Inspector-cum-Facilitator.

(3) Where in an establishment there is any dangerous occurrence as specified in **Schedule** hereto, whether causing any death, bodily injury or disability or not, a notice in **Form 6** shall within twelve hours be sent to,-

(a) the Labour Officer having the jurisdiction of the area;

(b) the District Magistrate or Sub-Divisional Magistrate;

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

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

(e) authorities of the State in case of Migrant Worker:

Provided that if in the case of an accident or dangerous occurrence, death occurs to any person injured by such accident or dangerous occurrence after the notices referred to in the foregoing sub-rules have been sent, the employer or occupier or manager of the establishment shall forthwith send a notice thereof electronically or otherwise and also inform telephonically to the authorities and persons mentioned in sub-rules (1) and (2) and also have this information confirmed in writing within 12 hours of the death.

Provided further that, if the period of disability from working for 48 hours or more referred to in sub-rule (2) does not occur immediately following the accident, or the dangerous occurrence, but later, or occurs in more than one spell, the notices referred to in the foregoing sub-rules shall be sent to the Inspector-cum-Facilitator in the prescribed form within 24 Hours following the hours when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes 48 hours.

SCHEDULE
(see rule 8(3))

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

- (i) Bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane ;
- (iii) explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed ;
- (iv) explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas ;
- (v) collapse or failure of lifting appliances or hoist or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears, overturning of cranes used in building or other construction work, falling of objects from height ;
- (vi) collapse of any wall, floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork, contact work, excavation and collapse of transmission;
- (vii) spillage or leakage of hazardous substances and damage to their container;
- (viii) collapse, capsizing, toppling or collision of transport equipment within the establishment;
- (ix) fall from height of any excavation, loading or transport machinery;
- (x) an instantaneous failure of a pillar, part of a pillar or several pillars of coal (i. e., a ‘bump’) in working below ground;
- (xi) a rock-burst in working belowground; a premature collapse of any part of the working;
- (xii) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;
- (xiii) a slide causing injury to any person, damage to any machinery, or interruption of normal mining operations;

- (xiv) failure of dump or side in open cast working; a blowout;
- (xv) a failure of any structure or installation whereby the safety of persons may be endangered; or spark generated due to electrical flash-over causing burn injury to any person ;
- (xvi) a major uncontrolled emission of petroleum or chemical spillage.

(4) The employer shall keep the record of accidents and dangerous occurrences which have taken place in his establishment.

9. Notice of certain disease under sub-sections (1) and (2) of section 12. - (1) Where any worker in an establishment contracts any disease specified in THIRD SCHEDULE of the Code, employer shall send a notice electronically or otherwise in **Form 7** to Inspector- cum-Facilitator, Chief Inspector-cum-Facilitator and Chief Medical Officer of that district within seven days from the date on which it comes to the knowledge of the employer establishment.

(2) If any qualified medical practitioner attends on a person who is or has been employed in an establishment and who is or is believed by the qualified medical practitioner, to be suffering from any disease specified in the THIRD SCHEDULE of the Code, he shall forthwith send a report electronically or otherwise to the Chief Inspector-cum-Facilitator within 48 hours stating,-

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

10. Duties of employees under clause (d) and (g) of section 13.-(1) If an employee comes to know of any unsafe or unhealthy condition in the establishment, he shall report to the employer or manager or safety officer, as soon as practicable, electronically or in writing.

(2) Every employee shall in general wear or keep with him the identity card provided by the employer during his working hours in the establishment. The employee shall report to the employer, in writing if his identity card is lost or damaged. No employee shall misuse the card.

11. Report of Existence of imminent Danger under sub section (3) of section 14.- On the receipt of information from employee and if at any time employer or any employee has reasonable apprehension of likelihood relating to the existence of an imminent danger to their safety and health, the employer shall take immediate remedial action in this regard. The employer, whether

satisfied or not, shall send a report forthwith of such actions taken, to the Inspector-cum-Facilitator electronically or by registered speed post or telephonically.

Occupational, Safety and Health

12. Constitution, Procedure and Other Matters relating to State Advisory Board under sub section (2) of section 17 -.

(A) The State Occupational, Safety and Health Advisory Board shall consist of ,-

- (a) The Additional Chief Secretary/Principal Secretary (Labour, Employment & Overseas Placement) to the Govt. of Himachal Pradesh ex-officio Chairperson;
- (b) The Labour Commissioner–ex-officio Member Secretary;
- (c) Deputy Labour Commissioner, Himachal Pradesh – ex-officio Member;
- (d) Deputy Director Factories, Department of Labour & Employment, HP-ex officio member;
- (e) Director of Fire Services, Himachal Pradesh-ex-officio member;
- (f) Director of Industries, Himachal Pradesh-ex-officio Member;
- (g) Member Secretary, Himachal Pradesh Pollution Control Board, ex-officio Member;
- (h) Director, State Disaster Management Authority, - ex-officio Member;
- (i) Director, Health Services, Himachal Pradesh Government;
- (j) Representative of The Himachal Pradesh Building and Other Construction Workers Welfare Board;
- (k) Two representatives from recognized Trade Unions or Federations as nominated by the State Government;
- (l) Two representatives of employers establishment nominated by the State Government;
- (m) One eminent person connected with the field of occupational, safety and health as nominated by State Government.

(B) Term of Office:-

- (a) Non-Official members of the Board shall hold office for the period of three years from the date of their nomination:

Provided that the State Government may at any time before the expiry of period of term remove any non-official member from his office.

- (b) A non-official member may, at any time by a letter addressed to the State Government, resign from his office and his seat shall be deemed vacant from the date of acceptance of his resignation.

(C) Disposal of the Business.-

- (a) The Board shall meet at least once in a year or as often as necessary to discharge the function as specified in section 17(1) at the time and place fixed by the Chairperson;
- (b) The meeting of the Board shall be called by the member secretary with the prior approval of Chairperson;
- (c) The Chairperson shall preside every meeting of the Board in which he is present and in his absence the meeting shall be presided by the Labour Commissioner.
- (d) Ordinarily fifteen days notice shall be given to the members of the proposed meeting:

Provided that in case any matter is of urgent importance, a notice of lesser period may also be given.

- (e) No business, which is not on the list of businesses, shall be considered without permission of the Chairperson.
- (f) No business shall be transacted at any meeting unless at least six members are present:

Provided that if at any meeting less than six members are present, the Chairperson may adjourn the meeting to another date informing members present and giving notice to other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and thereupon it shall be lawful to dispose the business at the adjourned meeting irrespective of number of members attending the meeting.

- (g) The non-official members of the Board shall be paid travelling allowance and daily allowance for attending the meeting of the Board at such rate as are admissible to lowest of Class-I Gazetted Officer of the State Government.
- (h) Every decision taken at the meeting of the Board shall be recorded in a minutes book, which shall be a permanent record.

(D) Functions of State Advisory Board.- (1) The Board shall be responsible for securing the health, safety and welfare of employees working in all categories of establishments;

(2) Without prejudice to the generality of the powers conferred in the foregoing clause the Board shall be responsible for –

- (a) minimizing accidents, gas leakage, fire, etc in the factories. For this purpose the Board may lay down the procedure and frequency of inspection, mock drills and enquiry of all serious accidents;
- (b) review of all such accidents in any establishment where five or more persons have died;
- (c) preparation and submission of the Annual Report to the State Government on the activities

of the Board;

- (d) proper maintenance of accounts;
- (e) constitution of committees for disposal of the business of the Board or for advice in various matters pertaining to the objects of the Board;
- (f) securing the fulfillment of any contract and agreement entered into;
- (g) authorizing any person to enter into negotiations and execute contract and to rescind and vary all such contracts;
- (h) opening account with the Bank and authorising officers of the Board to operate on them as well as draw, accept, endorse and execute cheques, bills of exchange etc. on behalf of the Board;
- (i) laying down rules for affixation and safe custody of common seal of the Board;
- (j) delegating from time to time all or any of its powers to the Secretary or any other officer of the Board as may be necessary for the efficient administration of the affairs of the Board.

13. Technical Committee or Advisory Committee of State Advisory Board under sub-section (3) of section 17.- The State Government may constitute as many technical committees or advisory committees of State Advisory Board on the recommendation of State Advisory Board to assist the State Government or State Advisory Board in discharge of its functions. The technical committee shall include not less than two officers from factory wing of the Department of Labour & Employment. The term, function, procedures and allowances of the members of these committees shall be as determined by the State Government by the way of notification.

14. Safety Committee under sub-section (1) of section 22. – (1) In every establishment.-

- (a) wherein 150 or more employees are ordinarily employed; or
 - (b) which carried on any process of operation declared to be dangerous under section 82 of the Code ; or
 - (c) which carried on 'hazardous Process' as defined under section 2(1)(zb) of the Code a Safety Committee shall be constituted.
- (2) The Safety Committee shall comprise of the following:-
- (a) The employer shall be the chairman of the safety committee.
 - (b) A senior official, who by his position in the organization can contribute effectively to the functioning of the Committee, shall be the Deputy Chairman.

- (c) A Safety Officer, wherein required by the rules, or a responsible person of production department, shall be the Secretary of the Committee.
 - (d) Three representatives, one each from the production, maintenance and, purchased departments.
 - (e) at least six representatives of workers chosen by a general consensus amongst them.
- (3) The tenure of the Committee shall be two years.
- (4) Safety Committee shall meet as often as necessary but at least once in every quarter. The minutes of the meeting along with follow-up action plans shall be recorded in a register and shall be produced to the Inspector-cum-Facilitator on demand. A scanned copy thereof shall be sent to the Inspector-cum-Facilitator of Factories electronically or otherwise.
- (5) Safety committee shall have the right to be adequately and suitable in favour of data on accidents as well as data resulting from surveillance of the working environment and of the health of employees exposed to hazardous substances so far as the factory is concerned.

Provided that the Committee under-takes to use the data on measures to improve the working environment and the health and safety of the employees.

- (6) Function and duties of the Safety Committee shall include –
- (a) assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Health and Safety Policy' of the establishment;
 - (b) dealing with all matters concerning health safety and environment and to arrive at solutions to problems encountered;
 - (c) creating safety awareness amongst all employees;
 - (d) undertaking educational, training and promotional activities ;
 - (e) discussing reports on safety, environment and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports ;
 - (f) carrying out health and safety surveys and identify causes of accidents;
 - (g) looking into any complaint made on the likelihood of an imminent danger to the safety and health of the employees and suggesting corrective measures; and
 - (h) reviewing the implementation of the recommendations made by it,-
 - (i) to discuss the report of inquiry into accident, dangerous occurrences etc. and make appropriate recommendation;
 - (ii) to formulate and implement appropriate safety campaign based on analysis of accidents

and dangerous occurrences; and

- (iii) to serve as a forum for communication on Safety and occupational healthmatter and
- (7) To discuss the Standard Operating Procedures prepared for different operations; where owing to the size of the establishment, or any other reason, the functions referred to in sub-rule (6) cannot be effectively carried out by the Safety Committee, it may establish sub-committees as may be required to assist it:

Provided that in any establishment wherein more than 1000 employees are ordinarily employed not less than two sub-committees shall be formed department wise or otherwise and an employee to the rank of departmental head shall be head of the sub-committee. The minutes of meeting shall be shared with the Secretary of safety committee.

- (8) The constitution of safety committee shall be communicated to Inspector-cum-Facilitator of Factories electronically or otherwise.

15. Safety Officers under sub-section (2) of section 22.- (1) In every establishment which is a

- (i) factory wherein Five Hundred or more workers, or
- (ii) factory carrying on hazardous process wherein two hundred fifty workers or more
- (iii) building and other construction work wherein two hundred and fifty workers or more are ordinarily employed or:
- (iv) Major Accident Hazard installation irrespective of number of workers therein, not less than one Safety Officer shall be appointed by the employer.

Provided that,-

- (a) for a factory specified in sub-clause (i), one additional safety officer shall be appointed if number of workers employed are more than 1000 but not exceeding to 1500 and another safety officer shall be appointed for every additional 1000 workers ;
 - (b) for an establishment specified in sub-clause(ii), one additional safety officer shall be appointed if number of workers employed are more than 500 but not exceeding 750 and another safety officer shall be appointed for every additional 500 workers;
- (2) Qualifications, duties and other requirements shall be as set out in **Schedule** annexed to this rule.

Schedule
(see rule 15(2))

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

- (a) possesses a degree in any branch of Engineering or Technology of a University established by

- law and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or Safety Department for a period of not less than two years; or
- (b) possesses a master degree in Physics or Chemistry of a University established by law and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or Safety Department, for a period of not less than five years; or possesses a diploma in any branch of Engineering or Technology recognized by the State Government and has had practical experience of working in a factory in a supervisory capacity in production or maintenance or safety department, for a period of not less than five years; or
 - (c) possesses a recognized degree in any branch of Engineering or technology and has had experience of not less than two years in a department of the Central or the State Government; or
 - (d) possesses a recognized degree in any branch of Engineering or Technology and has had at least five years experience of working in institutions dealing with training, education, consultancy or research in the field of accident prevention in industry or in any institution; and
 - (e) possesses degree or diploma or industrial safety recognized by the State Government in this behalf or possesses a B.Tech/M. Tech. degree in health, safety and environment or fire engineering or post graduate diploma in health safety and environment or any other equivalent qualification granted by any university duly established by law:

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

2. Duties of Safety Officer.- The duties of the Safety Officer shall be to advise and assist the factory management in the fulfillment of its obligations, statutory or otherwise concerning prevention of personal injuries and maintaining a safe working environment. These duties shall also include the following, namely:-

- (a) to advise the departmental heads, supervisors and other such officers in planning and organizing measures necessary for the effective control of personal injuries;
- (b) to advise on safety aspects in all job studies, and to carry out detailed job safety studies of selected jobs;
- (c) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (d) to advise the personnel of store purchase department in ensuring high quality and availability

- of personal protective equipments etc.;
- (e) to advise on matters relating to carrying out plant safety inspections in order to observe the physical conditions of work and the work practice procedures followed by the employees and to render advice on measures to be adopted for reducing the unsafe physical conditions and preventing unsafe conditions by employees;
 - (f) to render advice on matters relating to reporting and investigation of industrial accidents and diseases;
 - (g) to investigate fatal and serious accidents and to suggest remedial measures to the management;
 - (h) to investigate the cases of industrial disease contracted and dangerous occurrences reportable under sections 10 and 11 of the Code;
 - (i) to advise on the maintenance of such records as are necessary relating to accidents; dangerous occurrences and industrial diseases;
 - (j) to promote setting up of safety committees and to act as an adviser and catalyst to such committees;
 - (k) to organise in association with the concerned department, campaign, competitions, contests and other activities which will develop and maintain the interest of the employees in establishing and maintaining safety conditions of work and procedure;
 - (l) to submit quarterly report ,along with minutes of safety committee meeting, to the Inspector-cum-Facilitator of the region through his employer in respect of the work in promoting safety, health and hygiene of workers in the establishment by him or safety department for the previous quarter. The report will be submitted by chief safety officer in case of more than one safety officer;
 - (m)to design and conduct either independently or in collaboration with the organisations, departments imparting industrial safety training, suitable training and educational programme for the prevention of personal injuries and to hold safety seminars at least once in a year; and
 - (n) to prepare an annual report of accidents and industrial diseases suggesting their remedial measures and to put it up before the annual meeting of the Board of Directors.

3. Status.— The Chief Safety Officer or the Safety Officer in the case of factories where only one Safety Officer is required to be appointed shall be given the status of a departmental head or a senior executive in the factory and he shall work directly under the control of the Chief Executive of the factory. Every other Safety Officer shall be given appropriate status corresponding the status of an officer holding a position next below other departmental heads in

the factory:

Provided that where any dispute arises as to the status of a Safety Officer or Chief Safety Officer, the case shall be referred to the State Government whose decision thereon shall be final.

- 4. Prohibition in performances of other duties.**— No Safety Officer shall do any work which is inconsistent with, or detrimental to the performance of his duties specified in this rule.

Hours of Work and Annual Leave with Wages

- 16. Conditions for exemptions of workers from weekly and compensatory holidays under sub-section (2) of section 26.**—The State Government may, by notification, exempt employees or class of employees of any establishment or class of establishment from the operation of sub-section (2) of section 26 subject to the conditions given in the said notification.
- 17. Total number of overtime hours in a day or in a week under section 27.**— (1)Where in an establishment a worker works for more than eight hours in any day or for more than forty-eight hours in any week, as the case may be, he shall in respect of such overtime work be entitled to wages at the rate of twice his ordinary rate of wages and shall be paid at the end of each wage period.
- (2) In calculating overtime on any day, a fraction of an hour between 15 to 30 minutes shall be counted as 30 minutes and in case of more than 30 minutes it shall be rounded and shall be counted as an hour on actual basis.
- (3) In calculating the wages or earnings in the case of a worker paid by the month, the daily wages shall be 1/26th of his monthly wages; and in the case of any other worker it shall be the daily wages or earnings, as the case may be.
- (4) The spread over for the workers shall exceed ten and half hours in any one day under the following works and circumstances in factories and building and other construction, namely :—
- (a) Urgent repairs;
 - (b) work in the nature of preparatory or complimentary work;
 - (c) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest;
 - (d) work which for technical reasons must be carried on continuously;
 - (e) engaged in making or supplying articles of prime necessity which must be made or supplied everyday;

- (f) engaged in a process which cannot be carried on except during fixed seasons;
- (g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;
- (h) engaged in an engine rooms or boiler houses or in attending to power plant or transmission machinery;
- (i) engaged in process on account of the break-down of machinery;
- (j) engaged in the loading or unloading of railway wagons or lorries or trucks;
- (k) exceptional press of work and engaged in any work, which is notified by Government of Himachal Pradesh in the Official Gazette as a work of national importance:

Provided that total number of hours for overtime shall be subject to the following conditions, namely:—

- (a) the total number of hours of work including overtime work in any day shall not exceed twelve;
- (b) the spread over, inclusive of intervals for rest, shall not exceed thirteen hours in any one day;
- (c) the total number of hours of work in any week, including overtime work, shall not exceed sixty;
- (d) no worker shall be allowed to work overtime, for more than seven days at a stretch and the total number of hours of overtime work in any quarter shall not exceed one hundred and forty four hours.

18. The form of notice and manner of display of such notice and the manner in which such notice shall be sent to Inspector-cum-Facilitator under sub-section (2) of section 31.- (1) Notice of period of work for the employees shall be in **Form No. 8** and it shall be displayed at conspicuous place in the establishment at or near the main entrance. It shall also be kept updated under the provisions of section 31.

- (2) No person shall be allowed to work in an establishment otherwise than in accordance with sub-rule (1):

Provided that if a person or persons are working on over time, the period of such hour and such workers shall be displayed duly signed by the manager at the conspicuous place.

- (3) In the case of an establishment beginning work after the commencement of the Code, a copy of the notice referred to in sub-rule (1) shall be sent to the Inspector-cum-Facilitator before the day on which work is begun in an establishment electronically or otherwise.

Maintenance of Registers, Records and Returns

19. Maintenance of Registers and Records under clause (a) of section 33.- (1) The employer of every establishment shall maintain electronically or otherwise, registers of workers as under:-

1. Register of adult workers: In every establishment a register of adult workers in Form-9.
2. Workers Register of adolescent workers.- In every establishment a register of adolescent workers in Form-10 shall be maintained
3. Attendance record.-

- (1) Muster-roll: (A) The employer of every establishment shall maintain a muster-roll of all the workers employed in the establishment in Form-10-A showing,
 - a. the name of each worker;
 - b. the nature of his work; and
 - c. the daily attendance of the worker.

(B) In case of establishments employing more than hundred workers, attendance shall be marked within one hour and in other cases within half an hour of the start of the duty

(2) Attendance Card

(a) No worker shall be required or allowed to work unless he has in his possession attendance card with up to date entries, in Form-10-B to be supplied by the employer. The attendance card shall always remain with the worker. The employer or his authorised person shall demand it only to make relevant entries therein, whenever necessary.

(b) If a worker loses his attendance card, the employer shall provide him/her with another copy duly completed from his record on payment of twenty-five rupees within two days of the payment.

4. Register of accidents and dangerous occurrences.- The employer of every establishment shall maintain a register of accidents and dangerous occurrences in Form-10-C

5. Register of leave with wages.- (1) The employer shall maintain a register of leave with wages in Form-10-D and the name of each worker shall be entered in this register during the month, in

which the worker is taken in employment.

(2) The register of leave with wages shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector-cum Facilitator on demand.

6. Register of Overtime.- (1) The employer of every establishment, in which workers are exempted by order or rule, shall keep a register in Form-10-E showing the normal piece-work rate of pay, or the rate of pay per hour of all exempted workers. This register shall always be available for inspection.

(2) Period of overtime work shall also be entered in overtime slips which shall be prepared in duplicate and an overtime slip duly signed by the employer or by a person duly authorised by him shall be given to the worker immediately after completion of the overtime work

Provided that if the Chief Inspector-cum-Facilitator is satisfied that because of the nature of work carried out in the establishment, it is not possible to issue daily slips to the workers he may permit issue of weekly slips to the workers.

7. Register of wages.- The employer shall maintain a register of wages in respect of employees in Form-10-F.

(2) All registers, forms, certificates, records required to be maintained electronically or otherwise under the Code and these rules including the records of testing and medical examination of workers shall be preserved for five years to which they relate. Medical records of workers who contracted any notifiable disease or had been declared unfit or suffered due to any Occupational disease or accident shall be preserved for five years.

(3) All registers and records required to be maintained under the Code electronically or otherwise and these rules shall be produced or shown on demand to Inspector-cum-Facilitator or Medical Officer.

20. Display of Notices under clause (b) of section 33. - Every employer shall display on the website of the establishment, notice showing the hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence(s) in the establishment for the last five years, name and address of the Inspector-cum-Facilitator having jurisdiction to such establishment in the local language understandable by the majority of workers:

Provided that if the establishment does not possess any such website then a notice shall be displayed at the conspicuous place of the workplace of the establishment or near the main entrance to the factory, and shall be maintained in a clean and legible condition.

21. Manner of filing the return under clause (d) section 33.- Every employer of an establishment shall send annually a return relating to such establishment in duplicate in Form 11 to the Inspector-cum-Facilitator having jurisdiction on or before 1st February of every year:

Provided that in the case of a factory in which work is carried on only during a certain season or seasons of the year, the employer shall submit the return within 15 days after the close of that season or last of the seasons, as the case may be.

Inspector-cum-Facilitator and Other Authority

22. Qualification for the post of Chief Inspector-cum-Facilitator under sub-section (5) of section 34.-Labour Commissioner, Himachal Pradesh shall be the Chief Inspector-cum-Facilitator.

23. Power to take samples of any articles or substance under clause (x) of sub-section (1) of section 35.- (1) An Inspector-cum-Facilitator may take samples of any article or substance in an establishment as per the inspection scheme mandated under the web-based portal informing the employer of the establishment, taken in the manner hereinafter provided. A sufficient sample of any substance used or intended to be used in the establishment, such use being—

- (a) in the belief of the Inspector-cum-Facilitator in contravention of any of the provisions of this Code or the rules made thereunder, or
- (b) in the opinion of the Inspector-cum-Facilitator likely to cause bodily injury to, or injury to the health of employee in the establishment.

(2) The Inspector-cum-Facilitator may in writing request the government analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) to take samples for analysis.

(3) Where the Inspector-cum-Facilitator takes a sample under sub-rule (1), he shall, in the presence of the employer or the person duly authorized by him, unless such person willfully absents himself, divide the sample into three portions and effectively seal and suitably mark them, and shall permit such person to add his own seal and mark thereto.

(4) If the Inspector-cum-Facilitator so requires, the employer or the person authorized by him shall provide the appliance for dividing, sealing and marking the sample taken under this section.

(5) The Inspector-cum-Facilitator shall-

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

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

(7) The cost incurred for taking such sample and for the analysis thereafter shall be borne by the employer.

24. Other powers and duties of Inspector-cum-Facilitator under clause (xiv) of sub-section (1) of section 35.- An Inspector-cum-Facilitator shall, for the purpose of the execution of the powers assigned to him under the Code within the local limits of his jurisdiction also have powers to do all or any of the following things:-

- (a) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue prohibition or improvement notice pointing out the non-compliance of provisions, health and working conditions under the Code, and rules framed thereunder, to the employer or owner.
- (b) Inspector-cum-Facilitator shall, at each inspection, ascertain as to what extent any shortcoming notified at a previous inspection have been rectified and the notices previously issued have been complied with. His findings and any shortcomings which may come to light during the inspection, together with any order passed by him under the Code shall be recorded and maintained.
- (c) Prohibition orders relating to construction site
 - (a) The prohibition order as prescribed in section 38(2)(a) of this Code, shall be passed by the Inspector-cum-Facilitator only after due Inspection of such site and such order should be well reasoned and speaking , covering each and every detail of such conditions of imminent danger to life, safety and health of workers or general public on such site.
 - (b) The Inspector-cum-Facilitator shall send the copy of such order of prohibition to the Chief Inspector-cum-Facilitator immediately, through electronic mode in

addition to other mode of communication.

- (c) The appellate authority as prescribed in section 38(3) of the Code i.e. Chief Inspector-cum-Facilitator or the Appropriate Government, as the case may be, on the application of the employer or person in-charge of such construction site, may pass any interlocutory order including stay or modification of the operation of such prohibition order, till the disposal of such appeal on merit.
- (d) No officer who is exercising the concurrent power of Inspector-cum-Facilitator under this Code, together with the Inspector-cum-Facilitator of concerned area who is exercising the original jurisdiction over that area, shall take cognizance of the same matter/dispute either afresh or by recalling etc. upon which the Inspector-cum-Facilitator of the concerned area has already taken the cognizance, without the prior written approval of Chief Inspector-cum-Facilitator.

25. Specialized qualification and experience, duties and responsibilities of experts empanelled under section 37.- The qualification and experience for experts to be empanelled shall be such as may be notified by State Government in the scheme to be framed for third-party audit.

26. Manner of providing alternative employment under sub-clause (d) of Clause (A) of sub-section (1) of section 38. - (1) It shall be the duty of occupier to provide alternative employment to any person whose employment has been affected by an order under clause (A) of sub-section (1) of section 38, if any other establishment of the same employer exists within the radius of one hundred kilometer;

(2) The alternative employment may be offered only when the period of employment affected by the order is fifteen days or more;

(3) Such persons shall be given notice at least three days before the actual date of such order; and

(4) The wages and other facilities shall not be affected to the detriment of such person.

27. Qualification for the appointment of Medical Officer under sub-section(1) of section 42 .- The Medical Officer for the purposes of this Code in relation to factory, mines, plantation, motor transport undertakings and building and other construction shall be a medical practitioner who possesses any recognized medical qualification as defined in the National Medical Commission Act, 2019 (30 of 2019) and who is enrolled on the Indian Medical Register and State Medical Register

28. Duties of Medical Officer under sub-section (2) of section 42.- (1) On receipt of a reference under clause (c) of sub-section (2) of section 42 of the Code, the Medical Officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the person

sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the establishment concerned after retaining a copy thereof.

- (2) The medical officer may seek opinion of specialists like radiologist, dentist and orthopedic surgeon, as the case may be, for the purpose of determination of age.
- (3) Medical Officer shall carry out such examination and furnish such report as State Government may direct,-
 - (a) for examination and certification of workers in an establishment in such dangerous occupation or processes as specified in First Schedule to the Code;
 - (b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to arduous 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 class of an establishment, where cases of illness have occurred or there is prevalence of diseases as prescribed in Third Schedule of the Code;
 - (e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishments.

Special Provision Relating to Employment of Women

- 29. Conditions relating to safety, holidays and working hours or any other condition for employment of Women to be observed by the employer under section 43.** -The women employee may be employed before 06:00 A.M. and beyond 07:00 P.M. in any establishment subject to following conditions-
1. That one time prior consent of woman employee shall be taken by the employer in writing.
 2. Any woman employee can be allowed to work for more the eight hours any day and not for more than 48 hours in any week.
 3. Every woman employee shall be given the maternity benefits as prescribed under the Maternity Benefit Act, 1961.
 4. Employer shall ensure sufficient safety through CCTV during such working hours.
 5. Employer shall provide proper lighting in the workplace in the concerned factory/establishment.

6. Employer shall maintain First-Aid Box in the concerned factory/establishment and shall provide first aid facilities immediately as and when required by any employee during her shift.
7. The toilets, washroom and drinking water facilities should be near to the workplace including passage towards conveniences or facilities concerning to these amenities.
8. The employer shall provide safe, secure and healthy working condition such that no woman employee is disadvantaged in connection with her employment.
9. The provisions of the Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (Act of 2013), as applicable to the establishment, shall be complied with.
10. Employer shall send a quarterly return to the Inspector-cum-facilitator having jurisdiction about the details of employees engaged during night shifts through electronic mode.
11. Such other conditions as may be specified in this regard by the State Government from time to time.

30. Adequate safety of employment of women in dangerous operations under section 44.- The State Government may declare by notification the class of establishments and the scheme, and standards for safeguarding of women in hazardous and dangerous processes.

Special Provisions for Contract Labour

31. Conditions of licence under sub-section (3) section 47.- The conditions of licence shall be as under:-

1. The hours of work shall conform to the rules made under section 25 of the Code.
2. The wages shall be paid in accordance with the Code on Wages, 2019 and rules made thereunder.
4. If the contract worker of the contractor is working at the premises of the principal employer then it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, Canteen and Creche.
4. In other cases all such facilities and entitlements shall be provided by the contractor.
5. In case contractor fails to make payment of minimum wages to the contract workers, then Chief Inspector-cum-Facilitator or his representative shall cause such payment to be made to the contract workers who have not been paid, out of the security deposit maintained under the licence issued by the Licensing Officer to the contractor. In case, if there is no sufficient security

deposit equivalent to the amount payable to the unpaid workers, then it will be the responsibility of the Principle Employer to pay the unpaid due amount to the eligible contract workers.

6. 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 36.

32. Form and manner of application for Contract Labour Licence under sub-section (1) of section 48.- Every application by a contractor for the grant of a license shall be made online electronically through web portal of the Department of Labour & Employment, Government of Himachal Pradesh in **Form 12** to the licensing authority. Every such application shall be accompanied with **Form 12A** and work order obtained from the Principal Employer.

33. Procedure for issue of licence under sub-section (2) of section 48.- (1) Every license shall be in Form 13.

(2) The Contractor shall deposit the security amount calculated at the rate of Rupees two thousand for each of the Workman to be employed as a contract labour in respect of which application for license has been made. In case of increase in workers at the time of renewal, amendment or modification of licence, the due security shall be deposited by the employer at the rate fixed above under this sub rule(2) of Rule 33.

(3) Wherein the issued contract license had expired, based on the request of the application Form, the licensing officer may adjust the security deposit in respect of his application for new license.

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

Sr. No.	Number of workers employed by the contractor in the establishment	Amount of fee in ₹
1	0-49	Nil
2	50-100	2000
3	101-150	3000
4	151-250	4000
5	251-500	5000
6	501-1000	10,000
7	1001 or above.	20,000

(5) Every license granted or renewed shall be subject to the following conditions, namely-

(a) The license shall be non-transferable;

(b) The number of workers employed as contract labour by the contractor shall not, on any day,

exceed the maximum number specified in the license;

- (c) Save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the license shall be non-refundable;
- (d) The rates of wages payable to the workers by the contractor shall not be less than the rates prescribed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

34. Manner for amendment of licence under sub section (3) of section 48.-(1) If the application for license or modification or amendment is complete in all respect the license shall be granted automatically by the portal:

Provided that if at any time, the information given by the contractor in application is found incorrect, the license automatically granted by the portal may be revoked by the licensing authority and fee and security deposit may be forfeited.

- (1) If application for modification is in respect of increase in the number of contract labour, the additional fees amounting to the difference of fee prescribed in corresponding slabs under sub-rule (4) of rule 33 and additional security as prescribed in sub-rule (2) of rule 33 shall be deposited by the applicant.

35. Responsibility of contractor under sub-section (4) of section 48. – (1) The rates of wages payable to the workers by the contractor shall not be less than the rates prescribed under the Code on Wages, 2019 and rules made thereunder

- (2) The contractor shall be responsible for payment of wages to each worker employed by him as contract labour and such wages shall be paid before the expiry of such period as prescribed under these rules.
- (3) Every principal employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages.
- (4) It shall be the duty of contractor to ensure the disbursement of wages in the presence of the authorised representative of the principal employer.
- (5) In case, where the worker employed by the contractor perform the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work, and other conditions of service of the workers of the contractor shall be the same as applicable to the workers directly employed by the principal

employer of the establishment on the same or similar kind of work provided that the educational qualification should be the same for such workers. In case of any dispute whether the work and educational qualification is of similar kind, the matter be referred to the Inspector-Cum Facilitator whose decision shall be final.

- (6) In other cases the wage rates, holidays, hours of work and conditions of service of the workers of the contractor shall be such as specified under the Code and rules made thereunder.
- (7) All contract labour shall be made member of Employees' Provident Fund Organization and Employees' State Insurance Corporation subject to applicability as under respective provisions of the Code on Social Security, 2020.
- (8) The contractor shall notify any change in the number of workers or conditions of work to the Licensing Authority, electronically.

36. Intimation of work order and time limit for intimation under sub-section (1) of section 50. -

When a Contractor receives work order from any establishment either to supply Contract Labour in the establishment or to execute contract through Contract Labour in the establishment, he shall within fifteen days from the date of receipt of such order intimate electronically and through registered post or otherwise to the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator having the jurisdiction of that area where the establishment is situated, containing the details such as the name of 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 order.

37. Manner of suspending or cancelling the licence under sub-section (2) of section 50.-Where the contractor fails to give intimation to the designated authority, such authority, after giving a show-cause notice of at least fifteen days and after affording the contractor a reasonable hearing, may suspend or cancel the license electronically.

38. Appellate authority under sub-section (1) of section 52.-The appellate authority under sub-section (1) of section 52 shall not be less than the rank of Deputy Labour Commissioner, Himachal Pradesh.

39. The period before which the wages shall be paid under sub section (1) of section 55.- (1) The contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month.

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

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

40. The manner of payment of wages from security deposit under sub-section (4) of section 55.-

Where contractor or principal employer does not pay the wages to the contract labour employed by him, the Chief Inspector-cum-Facilitator or his representative or the competent officer as may be notified shall conduct an inquiry and after giving an opportunity to be heard to the contractor shall pass an order to make payment if any, of such wages from the amount deposited by the contractor as security deposit. The contractor shall re-furnish the security deposit within a period of fifteen days or else his license will be liable to be suspended and in that case, the Principal Employer will be responsible for the payment of all pending dues of all eligible workers.

41. Experience certificate under section 56.- Every concerned contractor shall issue on demand, experience certificate to the contract labour employed containing following key points:-

1. Must be on letter head of contractor.
2. Salutation or declaration **“To whom so ever concerned”**
3. Name and address of Contractor
4. Name and address of Principal Employer
5. Date of issue of certificate
6. Name of employee as per record
7. Period of employment (from date of joining to date of relieving)
8. Designation or position
9. Nature and location of work.
10. Remarks
11. Seal and signature of contractor.

Provided that if the concerned contractor fails to issue experience certificate, then the concerned area Inspector-cum-Facilitator may issue the same only after verifying the relevant documents from the original record of the contractor.

42. Form and manner of making application under clause (b) of sub-section (2) of section 57.- If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application, to the Labour Commissioner giving reasons alongwith

supporting documents who shall forward it to the State Government with comment thereon within a period of thirty days of receipt of the application.

- 43. Period of making report and period of deciding the question under clause (c) of sub-section (2) of section 57.**—Where the appropriate government refer any such question suo-moto or refer the application to the designated authority under Clause (a) of sub-section (2) of section 57, such designated authority shall send a report to the State Government within a period of one month from the date of receipt of such question or application and thereafter the State Government shall decide the question within one month from the date of receipt of such report.

Inter-State Migrant Workers

- 44. Minimum service for entitlement, class of travel and other matters under section 61.**—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 of the following, namely :—

if he has worked for a period of not less than 180 days in the concerned establishment(s) in preceding twelve months :

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

- 45. Manner of providing facility of toll free helpline under section 63.**— A Toll-Free help-line number shall be provided by the Department of Labour & Employment, to address queries and grievances of the inter-state migrant workers.

- 46. Manner of providing for study on inter-state migrant workers under section 64.**—The State Government may identify the studies to be carried out to promote safety, health and welfare of inter-state migrant workers. Whenever required the State Government may also consult the expert organizations involved in the safety, health and welfare of inter-state migrant workers.

Audio-Visual Workers

- 47. Authority to whom a copy of agreement shall be forwarded by the producer under sub-section (3) of section 66.-** If an audio-visual worker is covered under the provisions of an enactment for the time being in force for providing benefit of provident fund to him then a copy of agreement shall also be forwarded by the producer of audio visual program to the Inspector-cum-Facilitator of the area concerned.
- 48. Dispute resolution process and mechanism, the constitution and other details under clause (vii) of sub-section (4) of section 66.-** The procedure for reference of dispute to a conciliation officer or a tribunal shall be as per the Industrial Relation Code, 2020 and rules framed thereunder.

FACTORIES

- 49. Class or description of factories and mode of submission of application under section 79.-**
- (A) Submission of plans of Factory-.** (1) The State Government or the Chief Inspector-cum-Facilitator may require for the purposes of the Code, submission of plans of building/structure/premises to be taken in use as a factory which was either in existence on the date of the commencement of the Code or which had been constructed or extended since then.
- (2) No building shall be constructed or shall be taken into use as a factory unless plans in respect of such building are approved by the Chief Inspector-cum-Facilitator, Himachal Pradesh.
- (3) No addition/alteration/extension in the existing factory shall be made unless such additions, alterations or extensions are approved by the Chief Inspector-cum-Facilitator, Himachal Pradesh.
- (4) Application for approval of the plans shall be made in Form 14 to the Chief Inspector-cum-Facilitator through portal along with requisite documents as per checklist provided on the portal
- (5) All dimensions in plan shall be indicated in metric units.
- (6) Colouring of plans shall be as under:-

S. No.	Item	Site & Building Plan (on white background)
1	Plot line	Thick Black
2	Building lines	Thin Black
3	Open space	No colour

4	Construction to be approved	Blue filled in
5	Work proposed to be demolished	Yellow filled in
6	Proposed construction	Brown filled in
7	Drainage & sewerage work	Red dotted
8	Water supply	Green dotted
9	Already approved construction	Orange filled in
10	Revised/Altered building	Pink filled in
11	Fire escapes	Orange dotted
12	Any other	Purple dotted

- (7) Building Plans shall be uploaded in computerized/electronic mode only and duly signed by the occupier as well as signatory of certificate of stability or building plans shall be generated in autocad mode and digitally signed by the occupier as well as signatory of certificate of stability.
- (8) The site plan to be sent along with the application shall be drawn to a scale of 1: 100 for plots upto 500 Sq.m in size and on a scale of 1:500 for plots above 500 Sq. m. in size. This site plan shall show as below:-
- (a) The plan, elevation and necessary cross sections of the various buildings indicating all relevant details.
 - (b) Boundaries of the site and any contiguous features.
 - (c) Direction of the north point relative to the site.
 - (d) Streets or roads adjoining the site with their width clearly dimensioned and names, if any.
 - (e) Area calculations such as ground coverage, Floor Area Ratio, parking calculations, any other relevant calculations as required.
 - (f) Disposal of waste water, sewerage and storm water or storage of hazardous waste.
 - (g) Details of building/ drains/structures/physical features falling within 500 meters of the factory.
 - (h) Prominent urban service points above/underground (like sewer/water pipes, gas pipeline, transformers, electric poles/lines, phone distribution boxes, etc.) within 500 metres area.
 - (i) Such other particulars as may be specified by the Chief Inspector-cum-Facilitator.

(B) Approval of Plans- On receiving application electronically on portal if the authorised officer, is satisfied that the plans, forms and documents are in accordance with the requirement of the Code and the rules, he/she will forward the application to the Chief Inspector-cum-Facilitator for acceptance or may raise the observations and will forward to the Chief Inspector-cum-Facilitator for consideration and further action. The Chief Inspector-cum-Facilitator after being satisfied shall either approve the plans or agreeing with report of authorized officer will return the application to the applicant for resolving the observations raised:

Provided that plans shall not be deemed to have been submitted till such time as they are resubmitted duly modified and corrected.

Provided further that if no communication is received from the Chief Inspector-cum-Facilitator by the employer after submission of duly modified and corrected copy of plans within 15 days, then the plans shall be deemed as approved by the Chief Inspector-cum-Facilitator.

(C) Certificate of Stability- (1) No manufacturing process shall be carried on in any building or part thereof (whether newly constructed, re-constructed, altered, repaired or extended) as a factory or increase in machinery or change in process in any existing factory until a Certificate of Stability in Form 15 in respect thereof, has been accepted by the Chief Inspector-cum-Facilitator.

(2) “Certificate of Stability” in Form 15 shall be signed by the Competent Person and occupier jointly along with the tests and analysis reports relating to stability.

(3) The plans and certificate of stability shall be certified by the empanelled competent person recognized by the Chief Inspector-cum-Facilitator as per section 2(1)(1) who shall not be the employee of the factory:

Provided that no person except in case of building owned by any Government shall be authorized to sign a Certificate of Stability or to certify plans and specifications who is in the employment of the owner or builder of the building in respect of which the certificate is given

(4) The stability Certificate accepted under this rule shall be valid for twenty five years from the date of acceptance (except in case of any alteration or modification in the building).

(D) Validity period of proposed sanction and Revocation of Sanction.- Every proposed approval shall become null and void if no construction is started within one year from approval. The

approval granted under these rules may be revoked by the Chief Inspector-cum-Facilitator, if it is found that such approval has been obtained by the occupier or manager by misrepresentation of material facts or by submitting fraudulent documents with the application or otherwise or the majority of construction is not being done in accordance with the approval granted

(E) Particulars of Rooms.- (1) The internal height of a work room shall not be less than 4.25 m measured from the floor level to the lowest part of the roof and if the roof is of corrugated iron which is neither covered with tiles nor has an inner ceiling of lining of heat-resisting material with an air space of at least 10 cm. between it and the corrugated iron, the internal height shall not be less than 5 m:

Provided that in the case of building having a brick or concrete roof, or a combination of the two, the minimum height may be 3.75 m. if approved by the Chief Inspector-cum-Facilitator:

Provided further that in case of factories employing less than 100 workers, the Chief Inspector-cum-Facilitator may, where he is satisfied that the conditions of work are reasonably good exempt such factories from the provisions of this sub-rule.

(2) There shall be provided at all times for each person employed in any room of a factory where mechanical or electrical power is used, at least 36 square feet (3.35 square meter) of floor space exclusive of that occupied by machinery and a breathing space of at least 500 cubic feet (14 cubic meter). The provisions of clause (1) above shall not apply to rooms intended for storage, go downs and like purposes and also rooms intended solely for office purposes where only clerical work is done.

(3) The rooms of the factory shall meet the standards on lighting, Over-Crowding, Ventilation, Fire-Exits, Latrines/Urinals, Drinking Water, Rest-Room, Crèche, Canteen, Ambulance Room etc. as prescribed by the Central Government from time to time.

(F) Pre-approved plans.- Plans which have already been approved by the Chief Inspector of Factories under The Factories Act, 1948 before coming into force of these rules shall be deemed to have been approved under these rules.

(G) Grant of Licence.- (1) The occupier of every factory shall submit an application in Form 12 on portal for the grant of licence atleast 15 days before he begins to occupy or use the premises as a factory.

- (2) A licence for a factory shall be granted in Form 13 by Chief Inspector-cum-Facilitator appointed under the Code on payment of the fees specified in Fee Schedule hereto alongwith documents required as per checklist available on the web portal.
- (3) Every licence granted or renewed under these rules shall remain in force upto the 31st December of the year for which the licence is granted or renewed
- (4) In case an application for grant of licence has been made for a period of one year or any number of years upto ten years, the renewal fees shall be number of years multiplied by the fees payable for renewal of licence for one year, as specified in the Fee **Schedule** hereto
- (5) Fees to obtain a licence in respect of a factory.

Fee Schedule for One Year										
Number of persons to be employed on any day during the year										
Quantity of Horse Power installed (Maximum Horse Power)	From 20 to 50	From 51 to 100	From 101 to 250	From 251 to 500	From 501 to 1000	From 1001 to 1500	From 1501 to 2000	Above 2000		
Nil	2190	2920	5840	8760	13140	17520	26280	35040		
Upto 20	2920	5840	8760	13140	17520	26280	35040	46720		
Exceeding 20 but not exceeding 50	5840	8760	13140	17520	26280	35040	46720	58400		
Exceeding 50 but not exceeding 100	8760	13140	17520	26280	35040	46720	58400	73000		
Exceeding 100 but not exceeding 250	13140	17520	26280	35040	46720	58400	73000	81760		
Exceeding 250 but not exceeding 500	17520	26280	35040	46720	58400	73000	81760	93440		
Exceeding 500 but not exceeding 1000	26280	35040	46720	58400	73000	81760	93440	105120		
Exceeding 1000 but not exceeding 1500	35040	46720	58400	73000	81760	93440	105120	116800		
Exceeding 1500 but not exceeding 2000	46720	58400	73000	81760	93440	105120	116800	131400		
Exceeding 2000 but not exceeding 3000	58400	73000	81760	93440	105120	116800	131400	146000		
Exceeding 3000 but not exceeding 5000	73000	81760	93440	105120	116800	131400	146000	160600		
Exceeding 5000 but not exceeding 7000	81760	93440	105120	116800	131400	146000	160600	175200		
Exceeding 7000 but not exceeding 10000	93440	105120	116800	131400	146000	160600	175200	189800		
Exceeding 10000 but not exceeding 15000	105120	116800	131400	146000	160600	175200	189800	204400		
Above 15000	116800	131400	146000	160600	175200	189800	204400	219000		

Provided that license renewal fee to be taken from the factories shall be increased by 10% every 5 years.

(H) Renewal of Factory Licence .- (1) A licence shall be renewed by the Chief Inspector-cum-Facilitator under the Code.

- (2) Every application for the renewal of the licence shall be made on portal in Form 12 together with the receipt of the payment of fees for a period of one year or any further period up to ten years, as the case may be, and shall be submitted not less than thirty days before the date of expiry of which the licence expires.
- (3) The fee for renewal of licence for one year shall be the same as for the grant thereof. In case an application for renewal has been made for a period of one year or any number of years up to maximum ten years, the renewal fees shall be number of years multiplied by the fees payable for renewal of licence for one year, as specified in the Fee Schedule for one year
- (4) No application for the renewal of licence made after the expiry of the period specified in clause (2), or if the period is extended, after the expiry of such extended period, be entertained and the licence renewed unless an additional fee equal to 25% fees payable per year for which licence is not renewed.
- (5) Once the application for renewal of licence with prescribed fee is submitted by the occupier through the portal of State Government the renewal of factory licence shall be deemed renewed automatically by the portal.

(I) Amendment of Factory Licence .- (1) A licence granted may be amended by the Chief Inspector-cum-Facilitator of the Area.

(2) Licensee shall get the licence amended if there is any change as specified below:-

- (a) Change of name of factory.
- (b) Change in name of occupier.
- (c) Change in name of factory manager.
- (d) Change in address of premises.
- (e) Increase or decrease in number of workers.
- (f) Increase or decrease in horsepower.
- (g) Such particulars referred in licence application Form

(3) A licensee who desires to have his licence amended, shall submit on the portal an application in Form 12 stating the nature of the amendment 3 days before such change or within 3 days from such change if the circumstances were such that licensee could not make application for

amendment

- (4) The Fee for the amendment of a licence shall be five hundred plus the amount of difference of fee required as per Fee Schedule
- (5) If the Chief Inspector-cum-Facilitator fails to amend the license within fifteen days then such license shall deemed to be amended.

(J) Transfer of Factory Licence.- (1) The holder of a licence may, at any time before the expiry of the licence, apply for permission to transfer his licence to another person.

(2) Application for the transfer of factory licence shall be same as required for the amendment of the licence which shall be in Form 12. The Chief Inspector-cum-Facilitator shall transfer the license after duly satisfying himself

(3) A fee of Rs 500/- shall be charged for such transfer.

(4) If the Chief Inspector-cum-Facilitator fails to transfer the licence within seven days then such license shall deemed to be transferred.

(5) If a licensee dies or becomes insolvent or otherwise disabled, the person carrying on the business of such licensee shall be liable to penalty for any violation under the Code or these rules while exercising the powers granted to the licensee by the licences during such time as may reasonably be required to allow him to make an application for the transfer of the licenses in his own name for the unexpired portion of the original licences.

(K) Cancellation of Licences.- The licence may be cancelled in following circumstances:-

(1) If any information given in the application or any certificate is found incorrect or forged.

(2) If at any time an occupier notifies of his intention on the Official web Portal of the Labour Department of State Government that the premise, in respect of which licence is issued will not be used for the working of the factory. The Chief Inspector-cum-Facilitator shall cancel the licences granted in respect of such factory through the Portal:

Provided that such application shall be submitted at least two months before the date of cessation of use of premises as a factory.

50. Common facilities and services for joint liability of owner of premises and occupier of the factories under section 80.- (1) Where in any premises separate buildings are leased to different occupiers for use as separate factories, the owner of the premises shall be responsible for the

provision and maintenance of common facilities and services such as approach roads, drainage, water supply, lighting and sanitation.

- (2) The Chief Inspector-cum-Facilitator shall have, powers to issue orders to the owners of the premises for carrying out the provisions of sub-rule (1).
- (3) Where in any premises, independent or self-contained, floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall also be liable, as if he were the occupier or manager of a factory, of any contravention of the provisions of this Code in respect of-
 - (i) latrines, urinals and washing facilities in so far as the maintenance of the common supply of water for these purposes is concerned;
 - (ii) fencing of machinery and plant belonging to the owner and not specifically entrusted to the custody or use of an occupier;
 - (iii) safe means of access to the floors of flats, and maintenance and cleanliness of staircases and common passages;
 - (iv) precautions in case of fire;
 - (v) maintenance of hoists and lifts; and
 - (vi) maintenance of any other common facility provided in the premises.
- (4) The provisions relating to the liability of the owner shall apply where in any premises independent rooms with common latrines, urinals and washing facilities are leased to different occupiers for use as separate factories:

Provided that the owner shall also be responsible for complying with the requirements relating to the provision and maintenance of latrines, urinals and washing facilities.

- (5) The Chief Inspector-cum-Facilitator shall have the power to issue orders to the owner of the premises referred to in section 80 of the Code.
- (6) Where in any premises portions or room or a shed are leased to different occupiers for use as separate factories, the owner of the premises shall be liable for any contravention of the provisions of this rule relating to dangerous operations.

51. Rules under section 82.- (1)The following operations when carried on in any factory shall be dangerous operations under section 82 of the Code :-

1. Manufacture of aerated water and processes incidental thereto;
2. Electrolytic plating or oxidation of metal articles by use of an electrolyte containing acids, bases or salts of metals such as chromium, nickel, cadmium, zinc, copper, silver or gold;

3. Manufacture and repair of electric accumulators;
4. Glass manufacture and matters incidental thereto;
5. Grinding or glazing of metals;
6. Manufacture and treatment of lead and certain compounds of lead;
7. Generating Petrol, gas from dangerous petroleum;
8. Cleaning, smoothening or roughening etc. of articles by a jet of sand, metal shot, grit or other abrasive propelled by a blast of compressed air or steam;
9. Liming and tanning of raw hides and skins and processes incidental thereto;
10. Carrying on of certain processes of lead and lead material in Printing Presses and Type Foundries;
11. Chemical works;
12. Manufacture of pottery and ceramics;
13. Compression of Oxygen and Hydrogen produced by the electrolysis of water;
14. Manipulation of stone or any other material containing free silica;
15. Handling and processing of asbestos, manufacture of any article of asbestos and any other process of manufacture or otherwise in which asbestos is used in any form;
16. Handling and manipulation of corrosive substances;
17. Use of ovens and dryers in factories;
18. Manufacturer or Manipulation of Carcinogenic Dye intermediates;
19. Process of extracting oils and fats from vegetable and animal sources in solvent extraction plants;
20. Manufacture and manipulation of manganese and its compounds;
21. Manufacturing, handling and usage of Benzene and substances containing Benzene;
22. Manufacture process or operation in Carbon disulphide plants;
23. Operations involving High Noise levels and vibration levels;
24. Manufacture or manipulation of dangerous pesticides;
25. Manufacture of Rayon by Viscose process;
26. Highly Flammable liquids and Flammable Compressed Gases;
27. Operation in foundries;
28. Textile machinery except used in jute mills;
29. Process of Melting in Induction Furnace;
30. Wood Working Machinery;

31. Rubber Mills;
32. Centrifugal Machines;
33. Power Presses;
34. Shears, Slitters and Guillottine Machines;
35. Thermic Fluid Heaters;
36. Manufacture of chromic acid or manufacture or recovery of the bichromate of sodium, potassium or ammonium;
37. Welding/Cutting operation with the use of LPG/Acetylene/Argon:

Provided that provisions relating to the aforementioned dangerous operations such as, specifying the manufacturing process and operations, provisions relating to welfare amenities, sanitary facilities, protection equipments and clothing etc. shall be issued separately by the Chief Inspector of Factories by way of orders after the coming into force of these rules.

- (2) **Prohibition or restricting the employment of Pregnant woman in the manufacturing process or operation.-** Every occupier or employer shall ensure to strictly prohibit the employment of pregnant women in hazardous and dangerous operations which exposes them to serious risk of bodily injury, poisoning or disease.
- (3) **Periodical Medical Examination.-** (a) For the medical examination of workers to be carried out by the certifying surgeon as required by dangerous operations 1 to 37 above, the occupier of the factory shall pay fee for the examination of each worker every time he/she is examined.
 - a. Any charges for biological, radiological or other tests which may have to be carried out in connection with the medical examination shall be borne by the occupier.
- (4) Notwithstanding anything contained in provisions relating to dangerous operations, the Inspector-cum-Facilitator may issue order in writing to the Manager or Occupier or both, directing them to carry such measures, and within such time, as may be specified in such order with a view to remove conditions dangerous to the health of the worker or to suspend any process, where such process constitutes in the opinion of the Inspector-cum-Facilitator imminent danger of poisoning or toxicity.
- (5) Any register or record of medical examinations and tests connected therewith required to be carried out, under any of the dangerous operations specified above, in respect of any worker, shall be kept readily available to the Inspector-cum-Facilitator and shall be preserved till the expiry of a period of one year after the worker ceases to be in employment of the factory.

- 52. Purposes of site Appraisal Committee under section 83.-** (1) The State Government may constitute a Site Appraisal Committee by way of notification for the purpose of setting up of Hazardous Industries.
- (2) No member, unless required to do so by a court of law, shall disclose otherwise than in connection with the purposes of the Act, at any time any information relating to manufacturing or commercial business or any working process which may come to his knowledge during his tenure as a Member on this Committee.
- (3) (i) Application for appraisal of sites in respect of the industries covered under clause (za) of sub-section (1) of section 2 of the Code shall be submitted to the Member Secretary of the Site Appraisal Committee.
- (ii) The application for site appraisal along with fifteen copies thereof shall be submitted in Form 16. The Committee may dispense with furnishing of information on any particular item in the application Form, if it considers the same to be not relevant to the application under consideration
- (iii) Functions of the Site Appraisal Committee.- (a) The Member Secretary shall arrange to register the applications received for appraisal of site in separate register and acknowledge the same within a period of seven days
- (b) The Member Secretary shall fix up the meetings in such manner that all the applications received and registered are referred to the Committee within a period of one month from the date of their receipt.
- (c) The Committee shall adopt a procedure for its working keeping in view the need for expeditious disposal of application.
- (d) The Committee shall examine the applications for appraisal of a site with reference to the prohibitions and restriction on the location of an industry and carrying on of processes and operations in different areas as per the provisions of rule 5 of the Environment (Protection) Rules, 1986 framed under the Environment (Protection) Act,1986
- (e) The Committee may call for documents examining experts, inspect the site if necessary and take other steps for formulating its views in regard to the suitability of the site; and

- (f) Whenever the proposed site requires clearance by the Ministry of Industries or by the Ministry Environment and Forests of Government of India, the application for Site Appraisal will be considered by the Site Appraisal Committee only after such clearance had been received.

53. Rules under sub-sections (1), (2), (5) and (7) of section 84.- (1) The occupier of every factory carrying on a 'hazardous process' shall arrange to obtain or develop information in the form of Material Safety Data Sheet (MSDS) in respect of every hazardous substance or material handled in the manufacture, transportation and storage in the factory. It shall be accessible upon request to a worker for reference. Every such Material Safety Data Sheet shall include the following information:-

- (a) The identity used on the label;
- (b) Hazardous ingredients of the substance;
- (c) Physical and chemical characteristics of the hazardous substance;
- (d) The physical hazards of the hazardous substance, including the potential for fire, explosion and reactivity;
- (e) The health hazards of the hazardous substance, including signs and symptoms of exposure and any medical conditions which are generally recognised as being aggravated by exposure to the substance;
- (f) The main route(s) of entry;
- (g) The permissible limits of exposure prescribed in **Schedule-C** of these rules, and in respect of a Chemical not covered by the said Schedule, any exposure limit used or recommended by the manufacturer, importer or occupier;
- (h) Any generally applicable precautions for safe handling and use of the hazardous substance, which are known, including appropriate hygienic practices, protective measures during repairs and maintenance of contaminated equipment, procedures for clean-up of spills and leaks;
- (i) Any generally applicable control measures, such as appropriate engineering controls, work practices, or use of personal protective equipment;
- (j) Emergency and first aid procedures ;
- (k) The date of preparation of the Material Safety Data Sheet, or the last change to it;
- (l) The name, address and telephone number of the manufacturer, importer, occupier or other responsible party preparing or distributing the Material Safety Data Sheet, who can provide

additional information on the hazardous substance and appropriate emergency procedures, if necessary.

- (2) The occupier while obtaining or developing a Material Safety Data Sheet in respect of a hazardous substance shall ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If he becomes newly aware of any significant evidence used in making the hazard determination, regarding the hazards of a substance, or ways to protect against the hazards, this new information shall be added to the Material Safety Data Sheet as soon as practicable. The format of such Material Safety Data Sheet shall be as per **Schedule-B** appended to these rules. Every container of hazardous substances shall be clearly labelled or marked to identify—
- (i) the contents of the container ;
 - (ii) the name and address of the manufacturer or importer of the hazardous substances ;
 - (iii) the physical and health hazards ; and
 - (iv) the recommended personal protective equipment need to work safely with the hazardous substance.
- (3) **The occupier of a factory carrying on a ‘hazardous process’ shall supply to all workers the following information in relation to handling of hazardous materials or substances in the manufacture, transportation, storage and other processes:—**
- (a) Requirements of sections 84, 85 and 89 of the Code ;
 - (b) A list of ‘hazardous processes’ carried on in the factory ;
 - (c) Location and availability of all Material Safety Data Sheets;
 - (d) Physical and health hazards arising from the exposure to or handling of substances;
 - (e) Measures taken by the occupier to ensure safety and control of physical and health hazards;
 - (f) Measures taken by the workers to ensure safe handling, storage and transportation of hazardous substances;
 - (g) Personal Protective Equipment required to be used by workers employed in ‘hazardous process’ or ‘dangerous operations’;
 - (h) Meaning of various labels and markings used on the containers of hazardous substances;
 - (i) Signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report ;
 - (j) Measures to be taken by the workers in case of any spillage or leakage of a hazardous substance ;

- (k) Role of workers vis-à-vis the emergency plan of the factory, in particular the evacuation procedures ;
- (l) Any other information considered necessary by the occupier to ensure safety and health of workers.

The information required for the foregoing rule shall be compiled and made known to workers individually through supply of booklets or leaflets and display of cautionary notices at the workplaces. The booklets, leaflets and the cautionary notices displayed in the factory shall be in the language understood by the majority of the workers and also explained to them. The Chief Inspector-cum-Facilitator may direct the occupier to supply further information to the workers as deemed necessary.

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

- (a) Name of the factory and address where situated ;
- (b) Identification, by name and position, of the person giving the information ;
- (c) Confirmation that the factory has approval from the Factories Inspectorate and Pollution Control Board ;
- (d) An explanation in simple terms of the hazardous process(es) carried on in the premises ;
- (e) The common names of the hazardous substances used which could give rise to an accident likely to affect them, with an indication of their principal harmful characteristics ;
- (f) Brief description of the measures to be taken to minimize the risk of such an accident in compliance with its legal obligations under relevant safety statutes ;
- (g) Salient features of the approved disaster control measures adopted in the factory ;
- (h) Details of the factory's emergency warning system for the General Public ;
- (i) General advice on the action members of the public should take on hearing the warning ;
- (j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimize their effects ; and
- (k) (i) Details of where further information can be obtained.
(ii) The occupier shall also supply any further information—

- (a) to general public as directed by the District Disaster Management Authority from time to time; and
- (b) to the elected representatives of the general public on request.
- (iii) The occupier shall endeavor to enter an agreement with the District Disaster Management Authority for the area, within whose jurisdiction the factory is situated, for the District Disaster Management Authority to take appropriate steps to inform the general public outside the factory who are likely to be affected by an accident as required in clause (i).
- (iv) The information specified in this sub-rule shall be in the regional language and in English or Hindi.

(5) Disclosure of information to the local authority.— The occupier of every factory carrying on a ‘hazardous process’ shall furnish the following information in writing to the local authority having jurisdiction over the area in which the factory is situated :—

- (i) the information furnished to general public as specified in sub-rule (3); and
- (ii) a statement of the names and quantities generally stored or in process of hazardous substances included in the list of chemicals prescribed under Environment (Protection) Act,1986.

(6) Disclosure of information to District Disaster Management Authority.-The occupier of a factory carrying on a hazardous process, shall intimate the District Disaster Management Authority designated by the Government of Himachal Pradesh, all information having a bearing on preparation of an on-site emergency plan and a disaster control and management plan in respect of the factory. Without prejudice to the generality of this rule, the occupier shall furnish to the District Disaster Management Authority the following :-

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

- (e) a map of the area showing the approaches to the factory location of emergency facilities such as hospitals, police, fire service ;
- (f) the organisation of the management and the responsibility for safety indicating therein the persons responsible for on- site emergency action ;
- (g) details relating to alert system ;
- (h) information on availability of antidotes for poisoning resulting from an accident ;
- (i) any other information as may be considered relevant by the occupier or asked for by the District Disaster Management Authority.

(7) Disclosure of information to the Chief Inspector-cum-Facilitator.- The occupier of every factory carrying on ‘hazardous process’ shall furnish, electronically, to the Chief Inspector-cum-Facilitator a copy of all the information furnished to the workers, local authority, general public and the District Disaster Management Authority. A copy of compilation of Material Safety Data Sheets in respect of hazardous substances used, produced or stored in the factory shall also be furnished to the Chief Inspector-cum-Facilitator and the local Inspector electronically. Further, the Occupier shall furnish any other information asked for by the Chief Inspector from time to time for the purpose of this Code and rules made thereunder.

(8) Emergency plan, Disaster Control and Management Plan.- (i) The occupier of a factory carrying on a hazardous process shall prepare a draft on-site emergency plan, disaster control and management plan in respect of his factory and submit the same electronically to the Chief Inspector-cum-Facilitator and the District Disaster Management Authority.

(ii) The District Disaster Management Authority on receipt of the plan shall hold consultation with the occupier, representatives of the Chief Inspector-cum-Facilitator, the State Pollution Control Board, local authority as well as police, health fire brigade and other authorities concerned and finalise the plan.

(iii) The occupier will intimate the workers the provisions of the emergency plan and hold rehearsals of the plan periodically. He shall review the plan from time to time and make necessary changes therein under intimation to the Chief Inspector-cum- Facilitator and the District Disaster Management Authority.

(iv) The Chief Inspector-cum-Facilitator may issue guidelines relating to formulation of emergency plans. He may also direct modifications of the emergency plan in respect of any factory as may be necessary, from time to time.

(v) The Chief Inspector-cum-Facilitator may issue guidelines for formulation of disaster control

and management plans. The Chief Inspector as well as the District Disaster Management Authority may after mutual consultation also direct modifications of the disaster control and management plan in respect of a factory as may be necessary from time to time.

(9) Information on Industrial Wastes.- (i) The information furnished under sub-rules (3), (4), (5), (6) and (7) of rule 54 shall include the quantity of the solid and liquid wastes generated per day, their characteristics and the method of treatment such as incineration of solid wastes, chemical and biological treatment of liquid wastes, and arrangements for their final disposal.-

(ii) It shall also include information on the quality and quantity of gaseous waste discharged through the stacks or other openings, and arrangements such as provision of scrubbers, cyclone separators, electro-static precipitators or similar such arrangements made for controlling pollution of the environment.

(iii) The occupier shall also furnish the information prescribed in the clause (i) and clause (ii) to the State Pollution Control Board.

(10) Review of the Information furnished to workers etc.- (i) The occupier shall review once in every calendar year and modify, if necessary, the information furnished under sub-rules (3) to (7) of this rule to the workers, general public, local authority, Chief Inspector and the District Emergency Authority.

(ii) In the event of any change in the process or operations or methods of work or when any new substance is introduced in the process, in the event of a serious accident taking place, the information so furnished shall be reviewed and modified to the extent necessary.

(11) Confidentiality of information.-(i) The occupier of a factory carrying on 'hazardous process' shall disclose all information needed for protecting safety and health of the workers and the general public in the neighbourhood to his workers, District Disaster Management Authority and Chief Inspector-cum-Facilitator as required under sub-rules (3), (6) and (7) of this rule. If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely affect his business interests, he may make a representation to the Chief Inspector-cum-Facilitator stating the reasons for withholding such information. The Chief Inspector-cum-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation;

(ii) An occupier aggrieved by an order of Chief Inspector-cum-Facilitator may prefer an appeal before the State Government within a period of 30 days. The State Government shall give an opportunity to the occupier of being heard and pass an order. The order of the State

Government shall be final.

(12) Health and Safety policy.- (1)The occupier of every factory, except, the following factories shall prepare a written statement of his policy in respect of health and safety of workers at work:-

All factories:-

- (a) covered under sub-clause (i) of clause (w) of section 2 of the Code but employing less than fifty workers;
- (b) covered under sub-clause (ii) of the said clause (w) but employing less than one hundred workers:

Provided that the factories specified in clauses (a) and (b) above are not covered in First Schedule under clause (za) of section 2 of the Code and are not carrying out processes or operations declared to be dangerous under section 82 of the Code.

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

(3) The Health and Safety policy shall contain or deal with,-

- (a) the declared intention and commitment of the top management to health, safety and environment and compliance with the relevant statutory requirements;
- (b) the organisational set up to carry out the declared policy clearly assigning the responsibility at different levels; and
- (c) arrangements for making the policy effective.

(4) In particular, the policy should specify the following, namely:-

- (a) the intentions of taking into account the health and safety performance of individuals at different levels while considering their career advancement;
- (b) fixing the responsibility of the contractors, sub-contractors, transporters and other agencies entering the premises;
- (c) providing a resume of health and safety performance of the factory in its annual report;
- (d) relevant techniques and methods, such as safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all remedial measures;
- (e) stating its intentions to integrate health and safety in all decisions including those dealing with purchase of plant, equipment, machinery and materials as well as selection and

placement of personnel; and

- (f) arrangements for informing, educating and training and retraining its own employees at different levels and the public, wherever required.
- (5) A copy of the declared Health and Safety Policy duly signed by the occupier shall be made available to the Inspector-cum-Facilitator having jurisdiction over the factory and to the Chief Inspector-cum-Facilitator.
- (6) The policy shall be made widely known by,-
 - (a) making copies available to all workers including contract workers, apprentices, transport workers and suppliers, etc.
 - (b) displaying copies of the policy at conspicuous places, and
 - (c) any other means of communication.
- (7) The occupier shall revise the Health and Safety Policy as often as may be appropriate, but it shall necessarily be revised under the following circumstances:-
 - (a) whenever any expansion or modification having implications on safety and health of persons at work is made; or
 - (b) whenever new substance(s) or articles are introduced in the manufacturing process having implications on health and safety of persons exposed to such substances.

(13) Information to be furnished by the Occupier of Hazardous process Industry to the Chief Inspector-cum-Facilitator.- The information desired under this rule shall be furnished electronically in following manner:

- 1. Name of Factory
- 2. Address of Factory.....
- 3. Product.....
- 4. Manufacturing process.....
- (5) (a) Raw Material.....
 - (b) Name & Maximum storage capacity.....
- 6. Finished Product
- 7. Intermediate Products
- 8. Hazards associated with the Factory
- 9. Safety Measure observed
- 10. Fire and Explosion Risk
- 11. Details for disposal of hazardous waste

(14) Intimation to Chief Inspector-cum-Facilitator by the occupier of the factory proposed to be engaged in hazardous process.- Information under sub-section (7) of section 84 shall be publicized by displaying the same on Notice Board at the gate or gates of the factory and such information shall also be given to District Magistrate and Chief Inspector-cum-Facilitator.

54. The conditions for accessibility of the record by the workers under clause (a) of section 85.-

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

- (a) Once in every six months or immediately after the medical examination whichever is earlier;
- (b) If the factory Medical Officer or the Certifying Surgeon as the case may be, is of the opinion that the worker has manifested signs and symptoms of any notifiable disease as specified in the Third Schedule of the Code;
- (c) If the worker leaves the employment;
- (d) If any one of the following authorities so direct:-
 - (i) the Chief Inspector-cum-Facilitator;
 - (ii) the Health Authority of the Central or Government of Himachal Pradesh;
 - (iii) the Director, Employees State Insurance Corporation; and
 - (iv) the Director General, Factory Advice Service and Labour Institutes.

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

55. The qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under clause (b) of section 85.- (1) All persons who are required to supervise the handling of hazardous substances shall possess the following qualifications and experience:-

- (a) A degree in Chemistry or Diploma in Chemical Engineering or Technology with 5 years experience; or

- (b) A Master's Degree in Chemistry or a Degree in Chemical Engineering or Technology with 2 years experience;
 - (c) The experience stipulated above shall be in process, operation and maintenance in the Chemical Industry; and
 - (d) The Chief Inspector-cum-Facilitator may require to undergo training in Health and Safety for supervision.
- (2) The syllabus and duration of the above training and the organisations conducting the training shall be approved by the **Directorate General Factory Advice Service and Labour Institutes (DGFASLI)** or the appropriate Government in accordance with the guidelines issued by the **Directorate General Factory Advice Service and Labour Institutes**.

56. The manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of section 85.- (1) Workers employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner herein after referred to as a Factory Medical Officer, in the following manner:-

- (i) Once before employment, to ascertain physical fitness of the person to do the particular job ;
 - (ii) Once in a period of 6 months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed and in cases wherein the opinion of the Factory Medical Officer it is necessary to do so at a shorter interval in respect of any workers;
 - (iii) The details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the Health Register in the Form 17.
- (2) No person shall be employed for the first time without a certificate of fitness in Form 18 granted by the Factory Medical Officer. If the Factory Medical Officer declares a person unfit for being employed in any process covered under sub-rule (1), such a person shall have the right to appeal to the Inspector who shall refer the matter to the Certifying Surgeon whose opinion shall be final in this regard. If the Inspector is also a Certifying Surgeon, he may dispose of the application himself.
- (3) Any findings of the Factory Medical Officer revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the Certifying Surgeon who shall in turn, examine the concerned worker and communicate his findings to the occupier within 30 days. If the Certifying Surgeon is of the opinion that the worker so examined is required to be taken away from the process for health protection, he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the worker so taken away shall be provided with

alternate placement unless he is in the opinion of the Certifying Surgeon, fully incapacitated in which case the worker affected shall be suitably rehabilitated.

- (4) A Certifying Surgeon on his own motion or on a reference from an Inspector may conduct medical examination of a worker to ascertain the suitability of his employment in a hazardous process or for ascertaining his health status. The opinion of the Certifying Surgeon in such a case shall be final. The fee required for this medical examination shall be paid by the occupier.
- (5) The worker taken away from employment in any process under sub-rule (2) may be employed again in the same process only after obtaining the Fitness Certificate from the Certifying Surgeon and after making entries to that effect in the Health Register.
- (6) The worker required to undergo medical examination under these rules and for any medical survey conducted by or on behalf of the Central Government or the State Government shall not refuse to undergo such medical examination.

57. The measures or standards under sub-section (1) of section 86.- (1) Occupational Health Centres.- In respect of any factory carrying on 'hazardous process', there shall be provided and maintained in good order an Occupational Health Centre with the services and facilities as per scale laid down hereunder:-

(i) For factories employing up to 50 workers-

- (a) The services of a Factory Medical Officer on retainership basis, in his clinic to be notified by the occupier. He will carry out the pre-employment and periodical medical examination as stipulated in this rule and render medical assistance during any emergency;
- (b) A minimum of 5 persons trained in first-aid procedures amongst whom at least one shall always be available during the working period; and
- (c) A fully equipped first-aid box.

(ii) For factories employing 51 to 200 workers-

- (a) An occupational Health Centre having a room with a minimum floor area of 15 sq. mm with floors and walls made of smooth and impervious surface and with adequate illumination and ventilation as well as equipment as per the Schedule annexed hereto;
- (b) A part-time Factory Medical Officer shall be overall in-charge of the Centre who shall visit the factory at least twice in a week and whose services shall be readily available during medical emergencies;
- (c) One qualified and trained dresser-cum-compounder on duty throughout the working period; and
- (d) A fully equipped first aid box in all the departments.

(iii) For Factories employing above 200 workers.-

- (a) One full-time Factory Medical Officer for factories employing up to 500 workers and one more Medical Officer for every additional 1000 workers or part thereof ;
- (b) An Occupational Health Centre having at least 2 rooms each with a minimum floor area of 15 sq. metre with floors and walls made of smooth and impervious surface and adequate illumination and ventilation as well as equipment as per the Schedule annexed hereto;
- (c) There shall be one nurse, one dresser-cum-compounder and one Sweeper-cum-Ward Boy throughout the working period ; and
- (d) The Occupational Health Centre shall be suitably equipped to manage medical emergencies.

(2) The equipment for OHS shall be as per schedule given below:-

SCHEDULE(see rule 57(2))

Equipment for occupational Health Centre in Factories.

1. A glazed sink with hot and cold water always available
2. A table with a smooth top at least 180 cm.x105 cm.
3. Means for sterilizing instruments .
4. A couch.
5. Two buckets or containers with close fitting.
6. A kettle and spirits stove or other suitable means of boiling water.
7. One bottle of spirits ammoniac aromatics(120 ml)
8. Two medium size sponges.
9. Two Kidney trays.
10. Four cakes of toilet, preferably antiseptic
- 11 Two glass tumblers and two wine glasses
12. Two clinical thermometers.
13. Two tea spoons.
14. Two graduated (120ml) measuring glasses.
15. One wash bottle (1000 cc) for washing eyes.
16. One bottle (one litre) carbolic lotion 1 in 20.
17. Three chairs.
18. One screen.
19. One electric hand torch.
20. An adequate supply of tetanus toxoid.

21. Coramine liquid (60ml.).
22. Tablets-Antihistaminic, antispasmodic (25 each)
23. Syringes with needles -2 cc, and 10 cc.
24. Two needle holders big and small.
25. One dressing forceps
26. One scalpels.
- 27 One stethoscope.
28. Rubber bandage-pressure bandage.
29. Oxygen cylinder with necessary attachments.
30. One Blood Pressure apparatus,
31. One patellar Hammer.
32. One Peak-flow meter for lung function measurement.
33. One stomach wash set.
34. Any other equipment recommended by the Factory Medical Officer according to specific need relating to manufacturing process in addition–

(1) For factories employing 51 to 200 workers-

1. Four plain wooden splints 900 mmx00 mmx6mm
2. Four plain wooden splints 50 mm x 75 mm x 6mm.
3. Two plain wooden splints 250 mm x 50 mm x 12 mm.
4. One pair artery forceps.
5. Injections-morphia, pethidine, atropine, adrenaline, coramine, novacan (2 each).
6. One surgical scissors.

(2) For factories employing above 200 workers.

1. Eight plain wooden splints 900 mm x 100 mm x 6 mm.
2. Eight plain wooden splints 350 mm x 75 mm x 6 mm.
3. Four plain wooden splints 250 mm x 50 mm x 12 mm.
4. Two pairs artery forceps.
5. Injections –morphia, pethadine, atropine , adrenaline, coramine, novacan(4each).
6. Two surgical scissors.

(3) The Factory Medical Officer required to be appointed under clause (a) above shall have

qualifications prescribed in the Schedule to the Indian Medical Degrees Act, 1916 or in the Schedules to the Indian Medical Council Act, 1956 and possess a Certificate of Training in Industrial Health of minimum three months duration recognised by the Government of Himachal Pradesh :

Provided that—

(i) A person possessing a Diploma in Industrial Health or equivalent shall not be required to possess the certificate of training as aforesaid;

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

(ii) In case of a person who has been working as a Factory Medical Officer for a period of not less than 3 years on the date of commencement of this rule, the Chief Inspector-cum-Facilitator may, subject to the condition that the said person shall obtain the aforesaid certificate of training within a period of three years, relax the qualification.

(4) The syllabus of the course leading to the above certificate, and the organisations conducting the Course shall be approved by the Directorate General of Factory Advice Service and Labour Institutes or the Government of Himachal Pradesh in accordance with the guidelines issued by the Directorate General Factory Advice Service and Labour Institutes (DGFASLI)

(5) Within one month of the appointment of a Factory Medical Officer, the occupier of the Factory shall furnish to the Chief Inspector-cum-Facilitator the following particulars :—

(i) Name and address of the Factory Medical Officer;

(ii) Qualifications ;

(iii) Experience, if any ; and

(iv) The sub-rule under which appointed.

(6) Ambulance Van—

(i) In any factory carrying on ‘hazardous process’, there shall be provided and maintained in good condition, a suitably constructed ambulance van equipped with items provided therein and manned by a full time Driver- cum-Mechanic and a Helper trained in first aid, for the purposes of transportation of serious cases of accidents or sickness. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will normally be stationed at or near to the Occupational Health Centre:

Provided that a factory employing less than 200 workers, may make arrangements for

procuring such facility at short notice from a nearby hospital or other places, to meet any emergency.

(ii) The Ambulance shall have the following equipment—

(a) General

- A wheeled stretcher with folding and adjusting devices ; with the head of the stretcher capable of being tilted upward ;
- Fixed suction unit with equipment ;
- Fixed oxygen supply with equipment ;
- Pillow with case; -Sheets; - Blankets; -Towels ;
- Emesis bag; - Bed pan; - Urinal; -Glass

(b) Safety equipment

- Flares with life of 30 minutes; - Floodlights ;
- Flash lights; -Fire extinguisher dry power type ;
- Insulated gauntlets

(c) Emergency Care Equipment Resuscitation

- Portable suction unit; Portable oxygen units ;
- Bag-valve-mask, hand operated artificial ventilation unit ;
- Airways; -Mouth gags; - Tracheostomy adapters;
- Short spine board; I.V. Fluids with administration unit;
- B.P. Manometer; - Cunn;-Stethoscope

(d) Immobilization

- Long and short padded boards; - Wire ladder splints;
- Triangular bandage; - Long and short spine boards

(e) Dressings

- Gauze pads – 4" x 4"; - Universal dressing 10"x 36",
- Roll of aluminium foils; - Soft roller bandages 6" x 5 yards ;
- Adhesive tape in 3" roll; -Safety pins ;
- Bandage sheets; - Burnsheets.

(f) Poisoning

- Syrup of Ipecac; - Activated Charcoal Pre-packeted in dozes; - Snake bite kit ;
- Drinking water

(g) Emergency Medicines

- As per requirement (under the advice of Medical Officer only)

(7) Decontamination Facilities.—In every factory, carrying out ‘hazardous process’, the following provisions shall be made to meet emergency:—

(i) fully equipped first aid box ;

(ii) readily accessible means of water for washing by workers as well as for drenching the clothing of workers who have been contaminated with hazardous and corrosive substance; and such means shall be as per the scale shown in the Table below :—

TABLE

Sr. No. of persons employed No. at any time	No. of drenching showers
--	-----------------------------

(a) Up to 50 workers

2

(b) Between 51 to 200 workers

2+1 for every additional 50 or part thereof

(c) Between 201 to 500 workers

5+1 for every additional 100 or Part thereof

(d) above 501 workers

8 + 1 for every additional 200 or part thereof

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

58. The value of the maximum permissible limit of exposure of chemical and toxic substances in manufacturing process in any factory under section 88. -The maximum permissible threshold limits of exposure of chemical and toxic substances in manufacturing process (whether hazardous or otherwise) in any Factory shall be of the value indicated in the **Schedule-C**.

59. The appellate authority for appeal against the order of Inspector-cum-Facilitator of factory and the manner of appeal under section 90.-Occupier of any factory aggrieved by an order made by Inspector-cum-Facilitator may, within fifteen days from the date on which the order is communicated to him, make an appeal to the Chief Inspector-cum-Facilitator who shall, after giving the appellant an opportunity of being heard, dispose of the appeal within one month:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said

period of fifteen days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

60. Persons holding position of supervision or management or confidential position etc. under sub-section (1) of section 91.-

(1) The following persons in factories shall be deemed to hold position of supervision or management and to be employed in confidential position:-

- (i) Managing Director, President, Chief Executive or Senior-Vice President, Vice – President or General Manager;
 - (ii) Deputy General Manager or Manager or Factory Manager;
 - (iii) Deputy Manager or Deputy Factory Manager, Assistant Manager or Assistant Factory Manager;
 - (iv) Chief Welfare Officer or Welfare Officer or Labour Welfare Officer;
 - (v) Heads of Departments ;
 - (vi) Superintending Engineer;
 - (vii) Executive Engineer or Assistant Engineer;
 - (viii) Secretary or Personal Assistant to the persons listed above at serial numbers (i) to (vii) ;
 - (ix) Sub-Station Engineer;
 - (x) Head Electrician;
 - (xi) Supervisor or Foreman;
 - (xii) Head Store Keeper
 - (xiii) Head Time-Keeper
 - (xiv) Store Purchase Officer ;
 - (xv) Office Superintendent;
 - (xvi) Head Accountant or Accountant where there is no head accountant;
 - (xvii) Cashier;
 - (xviii) Weaving master and spinning master in textile mills;
 - (xix) Power house superintendent;
 - (xx) any other person employed as such and so declared by the Chief Inspector-cum-Facilitator in writing;
- (2) The exemptions under clause(b) of sub-section(1) of section 91 shall be as per schedule given below:-

Schedule (see rule 60(2))

Class of Factories	Nature of Work	Extent of exemption	Conditions
1	2	3	4
All Factories	Urgent repairs the following shall be considered to be urgent repairs, namely:- (a) repairs to any part of the machinery plant or structure of a factory which are of such a nature that delay in their execution would involve danger to human life or safety or the stoppage of manufacturing process ;	sections 25, 26 & 31	(i) No Worker shall be employed for more than thirteen hours on any one day or thirty-nine hours during any three consecutive days commencing from his first employment n such repairs;
All Factories	(i) Work in the machine, smithy or foundry shops in connection with the mill gearing, electric driving or lighting apparatus, mechanical or electrical lifts or steam or water pipes or pumps ;	sections 25, 31	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector-cum-Facilitator on application by the occupier through the Inspector-cum-Facilitator concerned.
	(ii) Work of examination or repairing any machinery or part of the plant which is necessary for carrying on the work in the factory ; and	sections 25 & 31	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector-cum-Facilitator on application by the occupier through the Inspector-cum-Facilitator concerned.
	(iii) Work in engineer room, boiler houses and furnaces in rolling mills such as lighting fires, in order to generate steam or gas preparatory to the commencement of	sections 25 & 31	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector-cum-Facilitator on application by the occupier through the Inspector-cum-Facilitator concerned.

	regular work in the factory.		
Iron Steel Brass or Copper Rolling Mills	(a) Work in connection with roll changing	sections 25 & 31	The exemption shall be granted only in respect of a limited number of persons to be given by the Chief Inspector-cum-Facilitator on application by the occupier through the Inspector-cum-Facilitator concerned.
	(b) break-down, repairs to motive, power transmission or other essential plant of the factories collieries, Railways, tramways, motor transport, gas, electrical generation and transmission, pumping or a similar essential or public utility services carried out in general engineering works and foundries and which are necessary to enable such units to maintain their main manufacturing processes production or services during normal working hours ; and		(ii) Within twenty four hours of the commencement of the work, notice shall be sent to the Inspector-cum-Facilitator describing the nature of the urgent repair stating the names of persons employed and the exact time of commencement of work and the probable period for its completion. A copy of the above notice shall be displayed at a conspicuous place in the factory before the workers are engaged on urgent repairs ;
	(c) repairs in connection with a change of motive power for example, from steam to electricity or vice versa, when such work cannot possibly be done without stoppage of the normal manufacturing process ; and Explanation :		(iii) Exemption from the provisions of section 25 shall apply only on the case of male adult workers; (iv) No worker shall be employed to more than 14 consecutive days without a rest of 24 hours.

	(d) "Periodical cleaning" is not included in the terms "examining" or "repairing".		
All Factories	(i) Work performed by workers on lighting, ventilating and humidifying apparatus ;	sections 25 & 31	A notice describing the system of work change of shifts and grant of weekly holidays, shall be sent to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator in advance and no change shall be made without prior intimation to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator and further subject to the provisions of Section 31 ;
	(ii) work performed by fire pump men ; and		A notice describing the system of work change of shifts and grant of weekly holidays, shall be sent to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator in advance and no change shall be made without prior intimation to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator and further subject to the provisions of section 31;
	(iii) Workers engaged in loading or unloading or transporting raw materials or finished articles in factories where such work is intermittent.		
All Factories	Work relating to continuous process.	sections 25, 26 & 31	<p>In the absence of a worker who has failed to attend to his duty, a shift worker be allowed to work the whole or part of subsequent shift : Provided that,-</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Oil Tank installations	Work connected with pumping operations	sections 25, 26 & 31	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Hydro or Thermal Power Generating or Transforming Stations	Continuous work for generating or transforming electricity	sections 25, 26 & 31	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that,</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Sugar Factories	(i) Work relating to extractions of juice from the cane, clarification, evaporation or boiling of juice ;	sections 25, 26 & 31	In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that,
	(ii) Curing of massecuite and		(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;
	(iii) Bagging		<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Distilleries	Work relating to fermentation and distillation	sections 25, 26 & 31	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that,</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Chemical Factories	(i) work connected with burning of sulphur , ammuniton, chlorination preparation and purification of gases ; and	sections 25 & 26	In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that
	(ii) Work on reactors		<p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Hydrogene -ration of oil factories	Work of refining, bleaching filtering, deodorizing, generation of hydrogen compression of gases and filling of cylinders	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Paper Factories	Work on Choppers, Kneaders, digesters, strainers, washers, beaters, paper making machines, pumping plant, reelers and cutters	rules 34, 35, 38	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Rubber tyres factories	Work on Cutting	section 25	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Municipal, public and Railway water and sewerage pumping stations	All workers engaged in continuous process work	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Tanneries	Work of soaking, liming, washing, bathing, tanning and drying of hide a kelps and skins	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Bricks	Work on Kiln burners	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that,</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Roller Flour Mills	All work	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Soap	Working on soap boiling and soap drying pans	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Textile Dyeing Factories	Work connected with dyeing, bleaching, finishing and printing	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Rayon Silk	All work connected with manufacture of acelone and cellulose/acetate producer, gas acetic acid aldehyde cellulose dope	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Glass Factories	Moulding and blowing	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p>

			<p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Enamelling Works	Work in furnace enamelling	sections 25 & 26	<p>In the absence of a worker who has failed to attend to his duty, a shift worker shall be allowed to work the whole or part of subsequent shift : Provided that, -</p> <p>(i) the next shift of the worker shall not commence before a period of sixteen hours has elapsed ;</p> <p>(ii) Within twenty four hours of commencement of the subsequent shift, a notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the worker is required to work in the subsequent shift ; and</p> <p>(iii) the exemption shall be restricted to the male adult workers only.</p>
Fruit, vegetables and Canning Factories	All work engaged continuous process work	sections 25, 26 & 31	Exemption from the provisions of Section 31 will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work.
Rice Mills	Work of persons engaged in boiling, drying, lifting and storing of Paddy in Rice Mills.	section 25	Exemption from the provisions of Section 31 will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work.
News Papers and	Breakdown of machinery	sections 25, 26 & 31	1 (i) The spread over shall not exceed twelve hours on any day ;

<p>Printing Press</p>			<p>(ii) Notice shall be given to the Inspector-cum-Facilitator concerned within twenty four hours of the occurrence whenever this exemption is availed of in any emergency; and</p> <p>(iii) Exemption from the provisions of Section 31 of the Act will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work periods.</p> <p>2. Every Such worker shall be allowed adequate time to take light refreshments or meals at the place of his employment in the room or place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the worker and at the same time may not require stopping of any plant, machine or process or the normal functioning of the factory.</p> <p>3. A notice describing the system of work, change of shifts and grant of weekly holidays shall be sent to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator in advance and no change shall be made therein without the prior intimation to the Inspector-cum-Facilitator and the Chief Inspector-cum-Facilitator and subject further to the provisions of Section 31.</p>
<p>All Factories</p>		<p>sections 25, 26 & 31</p>	<p>1. (i) The spread over shall not exceed twelve hours on any day ;</p> <p>(ii) Notice shall be given to the Inspector-cum-Facilitator concerned within twenty four hours of the occurrence whenever this exemption is availed of in any emergency; and</p>

			<p>(iii) Exemption from the provisions of Section 31 of the Act will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work periods.</p>
			<p>2. Every Such worker shall be allowed adequate time to take light refreshments or meals at the place of his employment in the room or place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the worker and at the same time may not require stopping of any plant, machine or process or the normal functioning of the factory.</p>
			<p>3. Every worker shall be allowed at least one weekly holidays in every week on the average and whenever in any week the permitted hours of work daily or weekly exceed, extra wages for overtime on any particular week shall be paid in accordance with the provisions of Section 27 of the Code.</p>
All Factories	Any work which notified by the State Government in Official Gazette as a work of national importance	sections 25, 26 & 31	<p>1. (i) The spread over shall not exceed twelve hours on any day ;</p> <p>(i) Notice shall be given to the Inspector-cum-Facilitator concerned within twenty four hours of the occurrence whenever this exemption is availed of in any emergency; and</p> <p>(iii) Exemption from the provisions of Section 31 of the Act will apply in so far as it relates to the specifications of the periods of rest intervals in the notice of work periods.</p>

			<p>2. Every Such worker shall be allowed adequate time to take light refreshments or meals at the place of his employment in the room or place specially provided for the purpose and arranged in such a manner that it may not cause inconvenience to the worker and at the same time may not require stopping of any plant, machine or process or the normal functioning of the factory.</p> <p>3. Every worker shall be allowed at least one weekly holidays in every week on the average and whenever in any week the permitted hours of work daily or weekly exceed, extra wages for overtime on any particular week shall be paid in accordance with the provisions of Section 27 of the Code.</p>
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PLANTATION

61. Employer to make in his plantation provisions in respect of clauses (a) to (e) of sub-section (1) of section 92:-

A. Housing facility for workers: -

- (i) Every employer shall provide for workers and his family residing in a plantation, housing accommodation as near as possible to the place of work.
- (ii) All housing. accommodation for workers in a plantation shall have separate rooms for women employees. Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting. The rooms or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 10 square meters excluding area of kitchen and toilet for each person making use of the room. The accommodations shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.
- (iii) The housing accommodation shall be provided on dry well-drained land which,

consistent with the requirement regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance. In materials tracts, the houses shall be provided at a safe distance from the swamps and marshes and above the highest flood level.

- (iv) The employer shall allow free access to the public in those parts of the Plantation where the workers are housed.
- (v) The employer shall, at his own expenses, maintain all houses provided for accommodation of workers in a fit and safe condition and execute annual and such other repairs as may be necessary from time to time.
- (vi) A worker occupying a house may bring to the notice of the employer any defects in the condition of a house which make it dangerous to the health and safety of the worker. Where an Inspector-cum Facilitator brings any such defects to notice, it shall be the duty of the employer to rectify them with the least possible delay.
- (vii) No rent shall be charged by an employer for the housing accommodation provided to workers and their families residing in his plantation.

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

C. Educational facility for worker's children.- In case no government primary school is situated within a distance of 5Kms from the site of plantation, every employer shall if the number of worker's children between the ages of six to fourteen in his plantation exceeds 25, provide and maintain a Primary School or Schools for imparting Primary education to the children.

D. Recreational facilities.- Every employer shall provide and maintain,-

- (i) Recreation Centre to the scale of one for every one hundred and seventy-five families of resident workers or part thereof with provision for a radio and television set and indoor games for adult workers and children as specified by the Labour Commissioner of the State with prior approval of the State Government subject to there being at least one centre for each Plantation or out garden thereof."
- (ii) where adequate flat open space is available within a reasonable distance, a playground or playgrounds for adult and child workers with necessary sports equipment for outdoor games:

- (iii) Every recreation centre to be provided and maintained shall be conveniently situated as near as possible to the workers quarters.

62. Prohibiting or restricting the employment of women or adolescent under sub-section (2) of

section 93.- (a) The State Government may at any time as it deems necessary, by notification provide guidelines for the use and handling of hazardous chemicals, insecticides, pesticides and toxic substances and special safeguards for employment of women (other than pregnant women) or adolescents in using and handling hazardous chemicals and periodical examination of worker, who is expose to insecticides, pesticides, chemical and toxic substances.

- (b) No pregnant women worker shall be permitted to be engaged in handling or storage or transport of insecticide pesticide, chemicals and toxic substances.

63. Qualifications of the person appointed to supervise the use, handling, storage and transportation of insecticides, chemicals and toxic substances in the plantation under sub-

section (3) of section 93. -The use, handling, storage and transportation of insecticides, chemicals and toxic substances shall be supervised by such person who should possess the following qualifications:-

- (i) He shall be a graduate in Agriculture or in Science or he shall possess a Certificate Course on handling of chemicals and toxic substances conducted by the recognized institutes.
- (ii) He should has been given training from a designated Training Institute; and
- (iii) He shall also possess a valid certificate from a recognized institute for giving first aid treatment to workers.

64. Other matters regarding the use, handling, storage and transportation of insecticides, chemicals and toxic substances in the plantation under sub-section (4) of section 93. -(1)

No insecticides, pesticides, chemical and toxic substances shall be transported or stored in such a way as to come into direct contact with foodstuffs or animal feeds or drinking water.

- (2) If any insecticide, pesticide, chemical and toxic substance is found to be leaked out in transport or storage, it shall be the responsibility of the employer to take such measures urgently to prevent poisoning and pollution of soil or water, if any.
- (3) The packages containing insecticides, pesticides, chemicals and toxic substances shall be stored in separate rooms or premises or shall be kept in separate almirahs under lock and key depending upon the quantity and nature of the insecticides.
- (4) The rooms or premises meant for storing insecticide, pesticides, chemical and toxic substances shall be well built, dry, well lit and ventilated with sufficient dimension.

(5) The workers involved in handling insecticides, chemicals and toxic substances shall be arranged for suitable training in observing safety precautions and handling safety equipment provided to them in the institutes notified by the State Government from time to time.

65. Manner of periodical medical examination of worker under sub- section (5) of section 93. -

(1) Every worker who is engaged in the work of handling, dealing, or spraying or mixing insecticides, chemical and toxic substances shall be medically examined initially at the time of employment and thereafter once in six months. The cost of such medical examination shall be borne by the Employer.

(2) The record of medical examination and tests shall be maintained by the Employer.

(3) Any person showing symptoms of poisoning shall be immediately examined and given proper treatment.

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

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

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

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

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

(i) Protective outer garment with hat.

(ii) Rubber gloves or such other protective gloves extend way up to the fore arm made of materials impermeable to liquids.

(iii) Dust proof goggles;

(iv) Boots; and

(v) Reusable cloth masks.

67. Precautionary notice in the plantation under sub-section (9) of section 93.

Cautionary Notice

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

OFFENCES AND PENALTIES

68. Power of officers of State Government to impose penalties in certain cases under sub-section

(1) of section 111.— The officer appointed for holding enquiry for the purpose of imposing penalty shall be the Labour Commissioner, Himachal Pradesh or any other gazetted officer of the Department of Labour & Employment, Himachal Pradesh who is nominated by the Labour Commissioner, Himachal Pradesh in this behalf.

69. Manner of Compounding of offences by the authorized officers specified under sub-section

(1) of section 114.— (1) The Officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 114 shall issue electronically a Compounding Notice for the offences which are compoundable under sub-section (1) of section 114.

- (2) The person so noticed may apply to the officer electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.
- (3) The Compounding Officer shall issue a Compounding Certificate within ten days of receipt of the compounding amount, to such person from whom such amount has been received in satisfaction of the compounding notice.
- (4) If a person so noticed fails to deposit the composition amount within one month before the institution of prosecution, the prosecution shall be proceeded with before the competent Court.
- (5) No prosecution shall be instituted without giving an opportunity to the employer to comply with such provisions subject to proviso of sub-section (1) of section 110 and compounding as under section 114.

(6) Deposit and Utilization of Fine Amounts.

1. Deposit of fine amounts.

All amounts realized as fines, penalties or composition fees under the provisions of the Code or the rules made thereunder shall be credited in the following manner:

- (a) Ninety-five percent (95%) of the total amount so realized shall be deposited in the appropriate Head of Account of the Government of Himachal Pradesh; and

(b) Five percent (5%) of the total amount so realized shall be credited to the Office Expense (OE) Head of the Labour Department.

2. Utilization of the amount credited to Office Expenditure Head.

The amount credited under sub-rule (1)(b) shall be utilized for meeting office expenses and other administrative purposes of the Labour Wing, including such activities as may facilitate effective enforcement and implementation of the Code and the rules framed thereunder.

3. Approval for expenditure.

Expenditure from the amount credited under sub-rule (1)(b) shall be incurred only with the prior approval of an authority not below the rank of the Labour Commissioner, Himachal Pradesh.

4. Applicability.

The provisions of this rule shall apply to all fines, penalties and composition amounts realized under the Code and may also be adopted, wherever applicable, for implementation under other Labour Codes administered by the Labour Department.

Miscellaneous

70. Manner of survey on the situation relating to safety and health at any workplace under sub-section (2) of section 121. -The Chief Inspector- cum- Facilitator, officer or the committee so appointed by State Government to undertake survey in accordance with provisions of section 121(2) of the code, may, at any time during the normal working hours of an establishment, or at any other time as is found by him or the committee to be necessary, after giving notice in writing to the employer or manager of the establishment or any other person who for the time being purports to be in charge of the establishment, undertake survey relating to safety and health in the establishment and outside. Procedure mentioned below shall be followed alongwith other steps/activities as deemed necessary by the surveying committee to carry out the said survey: -

- (1) Employer or manager or other person shall afford all facilities for such survey, including facilities for the examination and testing of plant and machinery and collection of samples and other data relevant to the survey.
- (2) For the purpose of facilitating surveys every worker and person in near vicinity, if so required by the person conducting the survey, present himself to undergo such medical examination as may be considered necessary by such person and furnish all information in his possession and relevant to the survey.
- (3) Any time consumed by a worker for undergoing medical examination or furnishing information under sub-rule (2) shall, for the purpose of calculating wages and extra wages for overtime work, be deemed to be time during which such worker worked in the establishment.

71. Competent Person under clause (1) of sub-section (1) of section 2:- (1) The Chief Inspector-cum-Facilitator may recognize any person as 'Competent Person' within such area and for such period as may be specified for the purposes of carrying out tests, examination, inspection and certification for such buildings, dangerous machinery, hoists and lifts, lifting machines and

lifting tackles, pressure plant, confined space, ventilation system and such other process of plant and equipment located in an establishment as stipulated in the Code and the rules made there-under, if such person possesses the qualifications, experience and other requirements as specified in the Schedule appended to this rule:

Provided that the Chief Inspector-cum-Facilitator may relax the requirements of qualifications in respect of competent person if such a person is exceptionally experienced and knowledgeable;

Provided further that where it is proposed to recognise a person employed under the Chief Inspector-cum-Facilitator as a competent person, concurrence of the State Government shall be obtained and such a person after being so recognised, shall not have the powers of an Inspector-cum-Facilitator;

- (2) The Chief Inspector-cum-Facilitator may recognise an institution of repute, having persons possessing qualification and experience as specified in the **Schedule-A** appended to this rule, for the purposes of carrying out tests, examinations, inspections and certification buildings, dangerous machinery, hoists and lifts, lifting machines and lifting tackles, pressure plant confined space, ventilation system and such other processes of plant and equipment, located in an establishment as stipulated in the Code and the rules made there under, a competent person within such area and for such period as may be specified.
- (3) The person to be recognised under this rule shall not be above the age of sixty-two years and shall be physically and medically fit for the purpose of carrying out the requisite tests, examination and inspection.
- (4) The Chief Inspector-cum-Facilitator may give notice to recognise person/institute to be competent person in the month of May every year on portal or any other medium. The process of recognition may be completed within a period of 60 days from last date of receipt of applications.
- (5) Every application shall be accompanied by fee (non-refundable) of rupees 25,000 and security (refundable without interest) of rupees 1 lakh to be paid by applicant through portal which shall be credited to head of account. A record of such fee and security shall be maintained by Chief Inspector-cum-Facilitator.
- (6) A person or institute seeking recognition under the Code shall apply in Form 19 or Form 20 respectively.

- (7) If the qualification and experience of the person(s) proposed to be recognized is found in accordance rules, the person may be called to appear for a test and interview before the Interview Board to be constituted by Chief Inspector-cum-Facilitator.
- (8) The Chief Inspector-cum-Facilitator based on result of test and report of interview Board and after satisfying himself as regards to competence and facilities available at the disposal of the applicant may recognise the applicant as a competent person by issuing a certificate of competency in Form 21 or such application shall be disposed of by rejecting the same specifying reasons thereof.
- (9) The Chief Inspector-cum-Facilitator, if he has reason to believe that a Competent Person;
- (a) has violated any condition stipulated in the certificate of competency; or
 - (b) has carried out a test, examination and inspection or has acted in a manner inconsistent with the intent or the purpose of the Code or the rules made there under, or has omitted to act as required under the Code or the rules made there under; or
 - (c) for any other reason to be recorded in writing; may revoke the certificate or competency after giving an opportunity to the competent person of being heard.
- (10) If certificate is revoked the security deposited by competent person shall be forfeited.

SCHEDULE A

S. No	Purpose for which competency required.	Qualification	Experience	Facilities at disposal
1	Certification of buildings and their stability to be used as Factory	(a) Bachelors Degree in Civil or structural Engineering or its equivalent from recognized university; and (b) A Member or Associate Member of an (i) Institute of civil engineers or (ii) Institute of structural engineers; or (iii) Institute of engineers in civil engineering or structural engineering.	(i) an experience of a minimum period of ten years in design or construction or testing or repair of structures. Provided that experience for those who possesses master's degree shall be minimum of seven years. (ii) Knowledge of non-destructive testing, various standards and Codes of practices that are current and the effect of the vibrations and natural forces on the stability of the	

			building; and	
2	Dangerous Machines	Bachelor's Degree in Mechanical or production Engineering or its equivalent from recognized university.	(i) an experience of working for a minimum period of ten years in:- (a) design or operation or maintenance or (b) testing, examination and inspection of relevant machinery, their guards, safety devices and appliances. (ii) Should :- (a) be conversant with safety devices and their proper functioning (b) be able to identify defects and other causes leading to the failure. Provided that experience for those who possesses master's degree shall be minimum of seven years; And	Gauges for measurement and instruments for measurement of speed and any other equipment or device to determine the safety in the use of the dangerous machine.
3	Hoists & Lifts	Bachelor's Degree in Mechanical or Production engineering or its equivalent from recognized university.	(i) an experience of working for a minimum period of ten years in:- (a) design or erection or maintenance or (b) test and inspection procedure of hoists & lifts: Provided that experience for those who possess Master's Degree shall be minimum of seven years. (ii) Should :- (a) be conversant with the current and relevant codes of practices and test procedures; (b) be conversant with other statutory requirements covering the safety of hoists and lifts.	
4	Lifting Machines, Chains, Ropes	Bachelor's Degree in Mechanical or	(i) an experience of working for a minimum period of ten	

	and Lifting Tackles	Metallurgical or Production Engineering or its equivalent from recognized university	<p>years in,-</p> <p>(a) design or erection or maintenance or</p> <p>(b) test and inspection procedure of lifting machines, chains, ropes and lifting tackles, provided that experience for those who possess Master's Degree shall be minimum of seven years.</p> <p>(ii) Should,-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures.</p> <p>(b) be conversant with fracture machines and metallurgy of the material of construction; and</p> <p>(c) be conversant with heat treatment or stress relieving techniques as applicable to stress bearing components and parts of lifting machinery and lifting tackles.</p>	
5	Pressure Plants	Bachelor's Degree in Chemical or Mechanical or Metallurgical or Production Engineering its equivalent from recognized university	<p>(i) an experience of working for a minimum period of ten years in:-</p> <p>(a) design or erection or maintenance or</p> <p>(b) testing, examination and inspection procedure of pressure plants:</p> <p>Provided that experience for those who possess Master's Degree shall be minimum of seven years.</p> <p>(ii) Should :-</p> <p>(a) be conversant with the current and relevant codes of practices and test procedures relating to pressure plants;</p> <p>(b) be conversant with</p>	

			<p>statutory requirement concerning the safety of unfired pressure vessels and equipments operating under pressure; and</p> <p>(c) be conversant with non-destructive testing techniques as are applicable to pressure vessels.</p>	
6	Precautions against fumes, gases.	Bachelor's Degree in Chemical engineering from recognized university	<p>(i) an experience of working for a minimum period of ten years in; collection and analysis of environmental samples and calibration of monitoring equipments: Provided that experience for those who possess Master's Degree shall be minimum of seven years.</p> <p>(ii) Should be:-</p> <p>(a) conversant with the hazardous properties of chemicals and their permissible limit values; and</p> <p>(b) conversant with current techniques sampling and analysis of environmental contaminants.</p>	Meters, instruments & devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces
7	Ventilation system as required under section 82 of the Code.	Bachelor's Degree in Chemical or Mechanical Engineering or its equivalent from recognized University.	<p>(i) a minimum of ten years experience in design, fabrication, testing of ventilating system used for extraction and collection of dust, fumes and vapours and other ancillary equipment: Provided that experience for those who possesses Master's Degree shall be minimum of seven years.</p> <p>(ii) he should be conversant with relevant</p>	Facilities for testing the ventilating system instruments and gauges for testing the effectiveness of extraction system for dusts, vapours & fumes and any other equipment needed for determining the efficiency and adequacy of

			codes of practice and test procedures that are current in respect of ventilation and extraction system for fumes.	these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of system.
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72. Qualification of Inspector-cum-Facilitator under Section 133 (zzq):: No person shall be appointed as an Inspector-cum-Facilitator for the purpose of the Code, unless he possesses the qualification specified for the post of Assistant Director of Factories, Department of Labour, Employment & Overseas Placement, Himachal Pradesh.

73. Repeal and saving.— Himachal Pradesh Building and Other Construction Workers (Regulation of Employment and Condition of Services) Rules, 2008, Himachal Pradesh Factories Rules, 1950, Contract Labour (Regulation and Abolition) Himachal Pradesh Rules, 1974, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Himachal Pradesh Rules 1983; and Himachal Pradesh, Plantations Labour Rules, 1978 are hereby repealed. Notwithstanding anything such repeal, anything done or any action taken under these rules shall be deemed to have been done or taken under these rules.

By order,

Secretary(LE & OP) to the
Government of Himachal Pradesh.

Endst. No. LEP-A003/10/2026 Dated Shimla-2 the 22nd May, 2026.

Copy forwarded for information and necessary to:-

1. All the Administrative Secretaries to the Government of Himachal Pradesh, Shimla- 2.
2. The Addl. Legal Remembrance-Cum-Addl. Secretary(Law) to the Govt. of HP.
3. Spl. Pr. Secretary to Chief Secretary to the Government of Himachal Pradesh-171002.
4. The Labour Commissioner-cum-Director of Employment, Himachal Pradesh, Shimla.
5. All the Head of Departments in Himachal Pradesh.
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Secretary, HP BOCW Welfare Board, Old SDM Office, Gandhi Chowk, Hamirpur, H. P.
8. Guard File.

(Arvind Kumar Sharma)
Under Secretary(LE&OP) to the
Government of Himachal Pradesh

Schedule B

(See rule 53)

MATERIAL SAFETY DATA SHEET

1. Chemical Identify :

Chemical Name Chemical Classification		
Synonyms Trade Name		
Formula C. A. S. No. U. N. No.		
Regulated Identification	Shipping Name	Hazechem No.
	Codes/Label	
Hazaradous Waste I.D. No.		
Hazardous	Ingredients C.A.S. No. Hazaradous	Ingredients C.S.A. No.
1. 3.		
2.4		
2. Physical and Chemical Data		
Boiling Ragne / Point 0C Physical State Appearance		
Melting / Freezing Point 0C	Vapour Pressure	Odour
Vapour Density (Air- 1)	@ 35 ⁰ C mmHg	Others
	Solubility in Water	
	30 ⁰ C mm Hg	

Specific Gravity	pH				
Water – 1					
3. Fire and Explosion Hazard Data :					
Flammability Yes /No	UEL %	Flash point	0 C	Auto-ignition Temperature^	0 C
TDG Flammability	UEL %	Flash point	0 C	Hazardous Products of combustion	
Explosion Sensitivity to Impact			Explosion Sensitivity to Static Electricity		
Hazardous Polymerisation					
Combustible Liquid		Explosive Material		Corrosive Material	
Flammable Material		Oxidiser		Others	
Pyrophoric Material		Organic Peroxide			
4. Reactivity Data :					
Chemical Stability					
Incompatibility with other Materials					
Reactivity Hazardous Products of Reaction					
5. Health Hazard Data :					
Routes of Entry Effects of Exposure / Symptoms					
Emergency Treatment					
TLV (ACGIH)	ppm.	mg/m3	STEL	ppm.	Mg / m3
Permissible Exposure limit ID 50	ppm.	mg/m3	Order ppm	Threshold Mg / m3	LD50

NFPA Hazard Signals	Health Flammability	Stability Special
6. Preventive Measures :		
Personnel Protective Equipments		
Handling and Storage Precautions		
7. Emergency and First Aid Measure :		
Fire	Fire Extinguishing Media	
	Special Procedures	
	Unusual Hazards	
Exposure	First Aid Measures	
	Antidotes / Dosages	
Spills	Steps to be taken	
	Waste Disposal Method	
8. Additional Information / References :		
9. Manufacturer / Suppliers Data :		
	Contact Person in Emergency	
Name of Firm Mailing Address	Local Bodies involved	
Telephone / Telex nos. Telegraphic		
Address		
	Standard Packing	
	Tremcard Details / Reference	
Others		
10. Disclaimer :		

Information contained in this material data sheet is believed to be reliable but no representation, guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application of results to be obtained from them. It is up to the manufacturer / seller to ensure that his information contained in the material Safety data sheet is relevant to the product manufactured / handled or sold by him as the case may be. The Government marks no warranties expressed or implied in respect of the adequacy of this document for any particular Purpose:

SCHEDULE-C
(See rule 53)

1. Definitions: for the purpose of this schedule –

- (a) “mg/m³” means milligrams of a substances per cubic metre of air;
- (b) “mppem” means million particles of a substance per cubic metre of air;
- (c) “ppm” means parts of vapour or gas per million parts of air by volume at 25 degrees centigrade and 760 mm of mercury pressure;
- (d) “Time weighted average concentration” means the average concentration of a substance in the air at any work location in a factory computed from evaluation of adequate number of air samples taken at that location, spread over the entire shift on any day, after giving weightage to the duration for which each such sample is collected and the concentration prevailing at the time of taking the sample.

Time weighted average $C_1T_1 + C_2T_2 + \dots\dots C_nT_n$

Concentration = -----

$T_1 + T_2 + \dots\dots T_n$

Where C1 represents the concentration of the substance for duration T1 (in hours);

C2 represents the concentration of the substance for duration T2 (in hours); and

Cn represents the concentration of the substance for duration Tn (in hours).

- (e) “Work location” means a location in a factory at which a worker works or may be required to work at any time during any shift on any day.

2. Limits of concentration of substances at work location: - (1) The time weighted average concentration of any substance listed in table 1 or 2 of the schedule, at any work location in a factory

during any shift on any day shall not exceed the limit of the permissible time weighted average concentration specified in respect of that substance:

Provided that in the case of a substance mentioned in Table 1 in respect of which a limit in terms of short term maximum concentration is indicated, the concentration of such a substance may exceed the permissible limit of the time weighted average concentration for the substance for short periods not exceeding 15 minutes at a time, subject to the condition that-

- (a) Such periods during which the concentration exceeds the prescribed time weighted average concentration are restricted to not more than 4 per shift;
 - (b) the time interval between any two such periods of higher exposure shall not be less than 60 minutes; and
 - (c) At no time the concentration of the substance in the air shall exceed the limit of short term maximum concentration.
- (2) In the case of any substance given in Table 3, the concentration of the substance at any work location in a factory at any time during any day shall not exceed the limit of exposure for that substance specified in the table.
- (3) In the cases where the word “skin” has been indicated against certain substance mentioned in Tables 1 and 3, appropriate measures shall be taken to prevent absorption through cutaneous routes particularly skin, mucous membranes, and eyes as the limits specified in these Tables are for conditions where the exposure is only through respiratory tract.
- (4) (a) In case, the air at any work location contains a mixture of such substances mentioned in Table 1, 2 or 3, which have similar toxic properties, the time weighted concentration of each of these substances during the shift should be such that when these time weighted concentration divided by the respective permissible time weighted average concentration specified in the above mentioned tables, and the fractions obtained are added together, the total shall not exceed unity.

$C_1 C_2 C_n$

----- + ----- + ----- + -----

$L_1 L_2 L_n$

Where C_1, C_2, \dots, C_n are the time weighted concentration of toxic substances 1, 2,-----

,and n respectively, determined after measurement at work location;

And L1, L2Ln are the permissible time weighted average concentration of the toxic substances 1, 2, and n respectively.

(b) In case the air at any work location contains a mixture of substances, mentioned in Table 1, 2, 3 and these do not have similar toxic properties, then the time weighted concentration of each of these substances shall not exceed the permissible time weighted average concentration specified in the above mentioned tables, for that particular substance.

(c) The requirement in clauses (a) and (b) shall be in addition to the requirements in paragraphs 2 (1) and 2(2).

3. Power to require assessment of concentration of substances.-(1) An Inspector-cum-Facilitator may, by an order in writing, direct the occupier or manager of a factory to get before any specified date, the assessment of the time weighted average concentration at any work location of any of the substances mentioned in Table 1, 2 or 3 carried out.

(2) The results of such assessment as well as the method followed for air sampling and analysis for such assessment shall be sent to the Inspector-cum-Facilitator within 3 days from the date of completion of such assessment and also a record of the same kept readily available for inspection by an Inspector-cum-Facilitator.

4. Exemption.- If in respect of any factory or a part of a factory, the Chief Inspector-cum-Facilitator is satisfied that, by virtue of the pattern of working time of the workers at different work locations or an account of other circumstances, no worker is exposed, in the air at the work locations, to a substance or substances specified in Tables 1, 2 or 3 to such an extent as is likely to be injurious to his health, he (the Chief Inspector-cum-Facilitator) may by an order in writing, exempt the factory or a part of the factory from the requirements in paragraph 2, subject to such conditions, if any, as he may specify therein.

Table-1

Substance	Permissible level of exposure			
	Time-weighted average concentration		short-term maximum concentration	
	ppm	mg/m ³	ppm	mg/m ³
Acetic acid	10	25	15	37
Acrolein	0.1	0.25	0.3	0.8
Aldrin-skin	-	0.25	-	0.75
Ammonia	25	18	35	27
Aniline-skin	2	10	5	20
Anisidine(o-p-isomera)-skin	2.1	0.5	-	-
Arsenic and compounds	-	0.2	-	-
Benzene	10	30	-	-
Bromine	0.1	0.7	0.3	2
2-Butanone(methylethyl)(ketone-mek)	200	590	300	885
n-Buty lacetate	150	710	200	950
Secondary/Tertiary Butyl Acetate	200	950	250	1190
Cadmium dust and salt (as cd)	-	0.05	-	0.2
Cacium	-	2	-	-
Carbyl (sevin)	-	5	-	10
Carbofuran(furadan)	-	0.1	-	-
Carbon disulfide-skin	2	60	30	90
Carbon mono oxide	50	55	400	440
Carbon tetra chloride-skin	10	65	20	130
Carbonyl chloride(Phosgene)	0.1	0.4	-	-
Chlordane-skin	-	9.5	-	2
Chlorobenzene(MonoChlorobenzene)	75	350	-	-
Chlorine	1	3	3	9
Bi-Chloromethyl Ether	0.001	-	-	-
Chromic Acid and Chromates (as cr)	-	0.05	-	-
Chromium sel Chromic, Chrmous salts	-	0.05	-	-
Copper Fumes	-	0.2	-	-
Cotton Dust (raw)	-	0.02	-	-
Cresol,All Isomers-skin	5	22	-	-
Cynides (as cn) skin	-	5	-	-
Cyanogen	10	20	-	-
DDT(DicholoroDiphenylTrichloro-Ethane)	-	1	-	3
Demton-skin	0.01	0.1	0.03	0.3
Diazinon-skin	-	0.1	-	0.3
Dibutyl phthalate	-	5	-	10
Dichlorves(ddv)-skin	0.1	1	0.3	3
Dieldrin-skin	-	0.25	-	0.75

Dinitrobenzene(all isomers)-skin	0.15	1	0.5	3
Dinitrotuolene-skin	-	1.5	-	5
Diphenyl	0.2	1.5	0.6	4
Endosulfam(thiodan)-skin	-	0.1	-	0.3
Endrin-skin	-	0.1	-	0.3
Ethyl acetate	400	1000	-	-
Ethyl alcohol	1000	1900	-	-
Ethyl amine	60	18	-	-
Flourides	-	2.5	-	-
Fluorin	1	2	2	4
Hydrogen cynide-skin	10	11	15	16
Hydrogen Sulfide	10	15	16	27
Iron oxide fumes	-	5	-	10
Isoamyl acetate	100	525	125	655
Isoamyl alcohol	100	360	125	450
Isobutyl alcohol	50	150	75	225
Lead fumess and dust	-	0.15	-	0.45
Libdane-skin	-	0.5	-	1.5
Malathion-skin	-	10	-	-
Manganese fumes	-	1	-	1
Mercury	-	0.05	-	0.15
Mercury)alkyl compounds)skin	0.001	0.01	0.003	0.03
Methyl alcohol(methanol)-skin	200	260	250	310
Methyl celloply-skin(2-methoxy ethanol)	25	80	35	120
Methyl isobutyl ketone-skin	100	410	125	510
Naphthalene	10	50	15	75
Nickel carbonyl	0.05	0.35	-	-
Nitric acid	2	5	4	10
Nitric oxide	25	30	35	45
Nitrobenzene-skin	1	5	2	10
Oil mist minerals	-	5	-	10
Parathion-skin	-	0.01	-	0.03
Phenel-skin	5	19	10	38
Phorate(thimet)-skin	-	0.05	-	0.2
Phosgene(Carbonyl Chloride)	0.1	0.4	1	1
Phosphine	0.3	0.4	1	1
Phasporous(yellow)	-	0.1	-	0.3
Phasporous pentachloride	-	1	-	3
Phasporous trichloride	0.5	3	-	-
Picric acid-skin	-	0.1	-	0.3
Pyridine	5	15	10	30
Saline(silicontetrahydride)	0.5	0.7	1	1.5
Styrene monomer(phenylethylene)	100	420	125	525
Sulfur dioxide	5	13	-	-
Sulphuric acid	-	1	-	-
Toludine(toloul)-skin	100	375	150	500

O-Toludine	5	22	10	44
Trichloroethylene	100	535	150	800
Vinyl chloride	5	10	-	-
Welding fumes(nitrous oxide)	-	5	-	-
Xylene(o-m-p-isomers)-skin	100	435	150	655

TABLE – 2

S.No	Substance		Permissible time average concentration		
1	Silica				
	a	Crystalline			
		i	Quartz	1	in term of dust count =1060/(% quartz+10) in mppcm
				2	in term of respirable dust =10/(% respirable quartz+2) in mg/cubic metre
				3	in interm of total dust =30/(% quartz+3) in mg/cubic metre
		ii	Cristobalite	half of the limit given against quartz	
		iii	Tridmite	do	
		iv	Silica fused	as for quartz	
		v	Tripoli	as for item(2) quartz	
b	Amorphous	705 mppcm			
2	Silicates having less than 1 % free silica by weight				
	A	Asbestos fibres longer than 5 microns	2 fibres per cubic centimetres		
	B	Mica	705 mppcm		
	c	Mineral wool fibre	10 mg per cubic metres		
	d	Porlite	1060 mppcm		
	e	Portland cement	1060 mppcm		
	f	Soapstone	705 mppcm		
	g	Talc (nonbost)	do		
	h	Tal(fibrrous)	same as for (a)		
	i	Tetomile	do		
3	Coal Dust				
	1	for airborne dust having not more than 5% silicon dioxide by weight	2 mg per cubic metres		
	2	for airborne dust having more than 5% silicon dioxide by weight	as for item (2) of quartz		

TABLE – 3

Substance	Permissible limit of exposure	
	ppm	mg/m ³
Acetic anhydride	5	20
O-Dichlorobenzene	50	300
Formaldehyde	2	3
Hydrogen Chloride	5	7
Manganese & compounds (as Mn)	-	5
Nitrogen dioxide	5	9
Nitroglycerin-skin	0.2	2
Potassium hydroxide	-	2
Sodium hydroxide	-	2
- 2 2, 4, 6 – Trinitrotoluene (TNT)	-	0.5

FORM 1

(See rule 3)

Application for Registration for existing establishments/New Establishment/Amendment to certificate of Registration

A. Establishment Details.

1. Retrieve details of Establishment from Portal :

2. Name of Establishment:

3. Location and Address of the Establishment:

4. Others details of Establishment:

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

b. Total Number of the contract employees engaged:
.....

c. Contract employees engaged or to be engaged in process:.....

d. Total Number of Inter-State Migrant workers employed:.....

5. Type of Establishment..... (Factory/Beedi Establishment/Plantation Establishment/Construction Establishment/Other Establishment)

6 (a) For factories:

Details of the manufacturing process & Type of Factory	Full postal address and situation of the factory along with plan approval details	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

6 (b) For building and other construction work:

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

7. Ownership Type/Sector:

8. Activity as per National Industrial Classification:

9. Details of Selected NIC Code:

10. Date of opening/Start of business:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner:
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 :
4. Date on which the person assumed charge as Manager

D. Contractor Details

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

E. Others Details:-

Date-

Place;-

Signature/ E- sign/digital sign of employer

Form 2
{See rule 5}
Notice of Commencement of Establishment

1. Registration No:
2. Name and Address of Establishment:-
3. Name & Designation of employer (who has ultimate control over the affairs of the establishment):-
4. Full address to which communication relating to the establishment to be sent:-
5. Nature of work of the establishment:-
6. In case of the notice is for commencement of work the approximate duration of work:-
7. in case of cessation, the date of cessation:

I/We hereby intimate that the work of establishment having registration No.

.....dated..... is likely to

Commence or cessation is likely to be completed with effect from

.....(Date)/On (Date)

Form 2A

{See rule 5}

Notice of Cessation of Work of Establishment

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

Kindly deregister for the purpose of this code.

Signature of the Employer

To,

The Inspector-cum-Facilitator

Form 3

{See rule-6(2)}

Health Register

Sr. No.	Name of Employee	Date of Employment	Age	Gender	Nature of Job	Date of Medical Examination	Results of Medical examination	Signature of the qualified medical Practitioner	Signature of Employer

Form 4
{See rule 7}
For Appointment Letter

1. Name of the Establishment;.....
2. Name of the Employee and Father/Mother's Name.....
3. Date of birth.....
4. Permanent Address of the employee.....
5. Post for which appointment is made
6. Nature of Work.....
(hazardous/Nonhazardous/Clerical/Supervisory/Managerial)
7. Details of wages and perks.....
8. Nature of Appointment(permanent/temporary/Contract)
9. Period of Appointment
10. Employee distinct no. or code.....
11. Category of skill.....
12. Aadhar no.....

Signature

Name and Designation of Appointing Officer

Form 4A
[See rule 7A)] WORKERS/EMPLOYEES
IDENTITY CARD

1.Name & Address of the Establishment.....

2. ID Card No.

3. Name.....

4. Date of Birth [DD/MIVI/YYYY]/.....

5. Father/Husband' s Name.....

6. Local address.....

7.Name of Next of Kin

8. Permanent Address.....

9.Contractor Name.....

Signature of the worker.....

10. Licence No. if any.....

11. Address.....

12. Nature of employment.....

13. Date of employment

14. wage rate

15. Valid up to

Issued by

Employer/Contractor Signature

Date of Issue.....

Attested by

Labour Officer/Inspector

Place..... ”.

Form 5

{See rule 8(1) & 8(2)}

Notice of Accident Resulting in death or bodily injury

- 1 Name of the employer
- 2 Name and address of the establishment where accident took place?
- 3 Nature of activity being carried in establishment
- 4 (a) Branch or Department and exact place where the accident took place.
(b) Details of contractor, if any
- 5 Died/Injured person's
 - (a) Name
 - (b) Address
 - (c) Gender
 - (d) Age (last birthday)
 - (e) Occupation and designation
 - (f) Whether local or Inter-State
 - (g) Whether employee or outsider
- 6 Date and time of accident
- 7 Describe briefly how the accident occurred.
- 8 Nature and extent of injuries
- 9 In case the accident took place while traveling in employer`s transport State whether;
 - (a) the injured person was travelling as a passenger to or from his place of work.
 - (b) the injured person was travelling with the express or implied permission of the employer.
 - (c) the transport is being operated by or on the behalf of the employer or some other person by whom it is provided in pursuance of arrangement made with employer, and
 - (d) the vehicle being/not being operated in the ordinary course of public transport service.
- 10 In case the accident took place while meeting emergency, state
 - (a) its nature

(b) whether the injured person at the time of accident was employed for the purpose of and in connection with employer's trade or business.

11. Name and addresses of witnesses

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature of employer

Form-6

{See rule 8(3)}

Notice of Dangerous Occurrence

1. Name of the employer
2. Name and address of the establishment where dangerous occurrence took place?
3. Nature of activity being carried in the establishment
4. (a) Branch or Department and exact place where the dangerous occurrence took place.
(b) Details of contractor, if any
5. Date and time of dangerous occurrence
6. Describe briefly how occurred
7. Details of person/property/fauna-flora affected due to this occurrence
8. Name and addresses of witnesses

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature of Employer

Form 7

{See rule 9}

Notice of Disease

1. Name of Establishment
2. Address of Establishment
3. Address of employer
4. Nature of activity being carried out
5. Particulars of worker/employee
 - (a) Name
 - (b) Address
 - (c) Gender
 - (d) Age
6. Precise occupation of worker/employee
7. Nature of disease from which worker/employee is suffering

Signature of employer or Qualified Medical Practitioner

Form 8
{See rule 18(1)}
Notice prescribed under Sections 31 and rule 18(1)

Name of factory under which it is registered/proposed to be registered.....place.....district

Group	Nature of work of each group		Number of workers employed in each group				Relay or set of workers	Shift or period of work					
			Permanent		Temporary								
1	2		3		4		5	6					
Tuesday					Saturday								
Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
7	8	9	10	11	12	13	14	15	16	17	18	19	20

Form-9
See Rule-19(1)
Register of Adult Workers

Name and Address of establishment:

Sr. No.	Name	Aadhar Number	Address	Mobile Number	Email	Qualification	Experience	Date of joining	Designation	Date of leaving

Form-10
See Rule-19(2)
Register of adolescent workers

Name and Address of establishment:

Sr. No.	Name	Father's Name	Date of joining	Number and date of fitness certificate	Date of leaving the employment	Remarks

Form-10(A)
See Rule-19(3)(1)
Muster-Roll

Name and Address of establishment:

Periods of work and rest period (time and coding)

Sr. No.	Name	Gender	Adult/Adolescent register entry number	Whether local or Inter-State Migrant	Social Security Number (UAN/ESI)	O/T hours	Weekly-off

Form-10(B)
See Rule-19(3)(2)
Attendance Register

Month:

1. Name and address of the establishment:
2. Name of the workers
3. Father's name
4. Serial number in Adult Workers Register
5. Designation

Period of Work		
Date	From	To

Form-10(C)
See Rule-19(4)
Register of Accidents and Dangerous Occurrences

Name and address of establishment:

Date/month/year of accident or dangerous occurrence	Date/month/year of report to authorities	Description of accident or dangerous occurrence	Details of injure/died person (if any)	Date of return of injured person to duty	Total man- hours lost due to accident or dangerous occurrence
1	2	3	4	5	6

Form-10-D
See rule-19(5)

Leave with wages register

1	Name of employee	
2	Number in Adult/Adolescent Register	
3	Date of joining	
4	Wage Rate	
5	Date of resignation/ superannuation/ dismissal/death/etc	
6	Total number of days worked during the calendar Year	
	January	
	February	
	March	
	April	
	May	
	June	
	July	
	August	
	September	
	October	
	November	
	December	
7	Leaves earned during the year	
8	Balance of leaves from previous year	
9	Total number at credit in the end of year	
10	Leaves enjoyed during the year	
11	Leaves encashed during the year	
12	Balance leaves at the end of the year	
13	Remark, if any	

Form-10-E
See rule 19(5)
Overtime Register

Name and Address of Establishment
Month

Name	Department	Date on which over- time has been worked	Extent of over- time	Normal rate of wages	Over-time rate of pay	Over- time earnings	Date on which over-time payment made

Form-10-F
See rule-19(7)

Register of wages

Name of the Establishment:
Name of the Owner:

Name of the Employer:
PAN/TAN of the Employer:

Sr. No. in Employee Register	Name of the employee	Designation/Department	Duration of Payment of wages (Month/Fortnightly/Weekly/Daily/piece rated)	Wage period from-to	Total no. Of days worked during the period	Total overtime (hours worked or production in case of piece work)	Rates of wages			
							Minimum rates of wages	Basic	DA	Allowances
1	2	3	4	5	6	7	8	9	10	11

Overtime earned	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Deductions for recover of loans	Deductions in respect of House Accommodation and supply of essential commodities at concessional rates provided by employer	Amount of deduction from wages	Total amount of wages paid	Date of payment	Attendance	
									Date	Signature
12	13	14	15	16	17	18	19	20	21	22

Date and amount of advance made	Purpose for which advance made	Postponement ground	Date on which amount re-paid	Remarks
23	24	25	26	27

Form 11

{See rule 21}

Year ending 31st December, 20...

1. Registration Certificate and Licence number
2. Name of the factory/ Establishment.....
3. Name the occupier/Employer.....
4. Name the manager.....since.....
5. District.....
6. Postal address, email-address and mobile no.....
7. Nature of industry (General/Hazardous/MAH).....
8. Main product of the factory.....
9. (i) Average number of employees employed daily.....
(ii) Average number of workers [Section 2(1)(zzl)] employed daily.....

	Employees directly Employed by, occupier	Employees directly Employed by the contractor	Total average	Total number of apprentice	Total number of other apprentice
Men					
Women					
Adolescent					
Total					

10. Name, address and email- address of the contractor (s).....
11. (i) Normal hours worked per week for:
 - Male Worker.....
 - Woman Worker.....
 - Other Apprentices.....
 (ii) Total normal Man hour worked under section 25.....
 (Explanation; Man hour includes work done by workers)
12. Number of days worked in the year.....
13. What rest for intervals were given to the workers (half an hour or one hour or two hour or others)

14. Whether first day of week was substituted as weekly holidays ?
Such numbers.....
15. Was the factory or part of factory engaged in continuous process.....
16. Over time(section 27)
 (i) Total Man hour worked during the period under section 27.....
17. Average number of woman employees engaged in a shift or part thereof
 (Between 7 PM to 6 AM)
 (i) Between 7 PM to 10 PM.....
 (ii) 10 PM to 6 AM.....
- 18 . *Compensatory Holidays*
- (i) Number of workers exempted from Section 26 of the code.....
 (ii) Number of workers, who received holidays in the—
 (a) Same month.....
 (b) Following month.....
 (c) Third month.....
19. *Leave with Wages(section 32)*
- i) Total number of persons employed during the year
- (ii) Number of workers who are entitled to leave with wages during the
 year preceding the year for which this return is submitted

- (iii) Number of workers who are entitled to leave with wages during the year for
 which this return is submitted
- (iv) Number of workers who were granted leave during the preceding
 year.....
- (v) Number of workers who were granted leave during the year for which the return
 is submitted
- (a) The total number of workers discharged or dismissed from service during
 theyear.....
 (b) Number of discharged workers paid wages in lieu of leave.....
 (c) Total amount of wages paid in lieu of leave.....
 (d) Total number of workers who left the services of their own accord.....]
- (vi) Number of workers who gave notice not to avail themselves of leave during
 theyear in which leave accrued
20. (i) Total number of days of involuntary unemployment during the year.....

(ii) Number of unemployed workers.....

21. Does the factory come under—
 (i) Section 2(1)(za).....
 (ii) Section 82.....
 (iii) Section 80.....

22. Average daily number of employee employed in dangerous operations or Hazardous Process.....

23. (i) No. of safety officers employed under section 22.....
 (ii) Name of Chief Safety Officer and email address.....
 (iii) Name of the Secretary of safety committee

24. If welfare officer is appointed under section 24(2)(iv).....

25. CANTEENS

(For establishments ordinarily employing 100 or more workers)

*26. Is a canteen provided in compliance of section 24(1)(v) and Rules made thereunder-

Does the canteen provide—				Approximate number of workers patronising canteen (daily)	Are the charges levied below cost price, if so, state items provided below cost price	Percentage of expenditure borne by the employer (details regarding items, if any, and amount subsidized should be given)	How is the canteen managed	General remarks
Cooked food and refreshment, etc.	Cooked food only	Refreshment and tea only	Tea only					
1	2	3	4	5	6	7	8	9

*(Column 26). If the columns are insufficient for giving details, a separate sheet may be attached and detailed information submitted. Enter "Nil" against the column which is not applicable to your factory.

27. CRECHE

(For establishment ordinarily employing more than 50 workers)

27A. Is a creche room provided/arranged in compliance with the of provisions of the Code and rules framed thereunder? Provide Details[Section 24(3)].....

SHELTERS, REST ROOMS OR LUNCH ROOMS			
(For establishment ordinarily employing more than 50 workers)			
*28. Is a shelter, rest-room or lunch room provided in compliance with section 24(2)(iii) and rules framed thereunder in addition to a canteen?			
Average daily attendance of workers of shelter, rest room or lunch room	Details of facilities provided for drinking water	Details of accommodation, furniture and other equipments provided	General remarks
1	2	3	4
*(Column 27)-If the columns are insufficient for giving full details, a separate sheet may be attached and detailed information submitted. (ii) Enter "Nil against the column which is not applicable to your factory.			

8. ACCIDENTS

"Fatal and non-fatal accidents"

1			2	3	4								
Total number of accidents of dangerous occurrences during the year			Number of persons killed	Number of persons injured	Non-fatal accidents in which the workers returned to work during the year			Occurring during the year			Occurring during the previous year		
fatal	Non fatal	Dangerous occurrence without injury			Number of accidents	Number of persons injured	Number of mandays lost on account of	Number of accidents	Number of persons injured	Number of mandays lost on account of	Number of accidents	Number of persons injured	Number of mandays lost on account of

Total no. of fatal accidents in preceding year of this return period.....

[I/We certify that information given by me/us is true and correct to the best of my/our knowledge.]

[The employer of every establishment shall furnish to Inspector-cum-Facilitator of region on or before 15th of January of each year an annual return in the form set forth for it.]

Signature of Occupier.....

Signature of Manager.....

Dated.....

Form 12*(See rules 32 and 49)***Application for licence****On Line Application for License/Renewal of License/Amendment of License
(including Common/Single License)**

1. Application for license –
 - (a) as a factory
 - (b) for engagement of contractor
 - (c) Industrial premises for beedi and cigar work
2. Full name and postal address of the establishment
3. Details of person who will be occupier/principal employer/contactor
 - (a) Name
 - (b) Permanent address
 - (c) Local address
 - (d) Email
 - (e) Mobile number
4. Full name and address of the owner of the Premises or building
(including the percents thereof)
5. Core activity to be under-taken along with details of hazardous substances as per section 2(za) of the Code.
6. National Industrial Code
7.
 - (a) Total Number Workers to be employed in the period of license
 - (b) Total Number Workers were employed during last calendar year
8. Particulars of Contract Labour:
 - (a) Nature of work in which contract labour is employed or to be employed:
 - (b) Maximum number of contract labour to be employed on any day:
 - (c) Number of Inter-State Migrants (Fill details in Form no. 5 as mentioned in rule 6)
 - (d) Estimated date of commencement of each Contract work under each contractor:
 - (e) Estimated date of termination of employment of contract labour under each contractor:
9. Power:
Connected or proposed to be connected (in KW)
10. Furnish Reference:
 - (a) approval of plans
 - (b) stability certificate
 - (c) disposal of trade waste/effluents/hazardous waste/e-waste/biomedical waste (which is applicable)

APPLICATION FOR AMENDMENT OF FACTORY LICENCE :

- i. Change of name of factory.
- ii. Change in name of occupier.
- iii. Change in name of factory manager.
- iv. Change in address of premises.
- v. Increase or decrease in number of workers.
- vi. Increased or decrease in horsepower.
- vii. Such particulars referred in licence application form
- viii. Change in name of occupier.
- ix. Change in name of factory manager.
- x. Change in address of premises.
- xi. Increase or decrease in number of workers.
- xii. Increase or decrease in horsepower.
- xiii. Such particulars referred in licence application form

E-sign/digital sign of the Occupier

Date of application.

Form 13

{See rule 33 and 49(G)(2)}

**Common Licences For Factory/Beedi & Cigar Work/Engaging Contract Labour
Government of Himachal Pradesh**

Office of designated authority under section 119 of The Occupational Safety, Health and Working Conditions Code, 2020

License number:

Date of issue:

A license is granted to Shri.....(Name of Occupier) of establishment M/S _____ registered under the section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 having registration number _____ as below;

A. To run as a factory in which manufacturing process _____ shall be carried by employing not more than _____ workers and power not more than _____ KW for the purpose of the said Code and rules made there-under and whose plans are approved by Chief Inspector-cum-Facilitator vide number _____ date .

This license will remain in force from _____ till _____

Fee _____ Date of deposit _____

B. Engagement of contract workers subject to the conditions annexed to this license as given below;

Fee Date of deposit.....

1	Maximum number of workers to be employed as contract labour	
2	Nature of activity for which contract labour shall be engaged	

C. To use as a industrial premises to carry work of beedi or cigar by employing not more than _____ workers for the purpose of the said Code and rules made there-under and whose plans are approved by Chief Inspector-cum-Facilitator vide number _____ date .

This license will remain in force from _____ till _____

Fee _____ date of deposit _____

AMENDMENTS

Sr No.	Year when amended	Maximum number of contract workers on any one day	Date of payment of amendment fee	Date of Payment	Signature of Issuing Authority

Sr. No	Change of name of factory	Change of name of occupier	Change of name of Factory Manager	Change of address of premises	Change in workers	Change in horsepower	Such particulars referred in licence application

Name and Digital Signature Certificate of designate

Date

Form 14*[See rule 49]***Application for Permission to Construct/Addition/Alteration/Erection/Take into use any premises as a factory**

I hereby submit the application for [construction/addition/alteration/erection/take into use [[tick which applicable] any premises as a factory as below;

1. (a) Name of the applicant
- (b) Address of the applicant
- (c) Applicant's calling in relation to factory
2. Full name of the factory
3. Location of factory
 - (A) Name of Village/City, Tehsil & Distt.
 - (B) If in village then Khasra Numbers
 - (C) If in city then Street/Mohalla/Colony/Bazaar/Road/ward number
 - (D) If in industrial focal point/industrial park then plot number
 - (E) If above or below the ground level then floor on which it is situated

Signature of the applicant

Form 15**{See rule 49(C)(1)}
Stability Certificate**

1. Name of the factory
2. Address of factory
3. Name of occupier of the factory
4. Nature of manufacturing process to be carried on in the factory.
5. Number of floors of the factory

I certify that I have inspected the building/buildings, the plans of which have been approved by the Chief Inspector-cum-facilitator vide letter No-----date----- and examined the various parts including the foundations with special reference to the machinery, plant, etc. that have been installed. I am of the opinion that the building/buildings which has/have been constructed/reconstructed/extended/taken into use is/are in accordance with the plans approved by the Chief Inspector vide his letter mentioned above, that it/they is/are structurally sound and that its/their use as a factory/part of the factory for the manufacture of-----for which the machinery, plant etc. installed is intended. The building is safe against various loads, forces and effects due to process to be carried out in the factory or due to natural forces.

Signature of competent person and date_____

Name of competent person_____

Address of competent person_____

Form 16**{See rule 52(3)(ii)}****Application for the Site Appraisal Committee**

1. Name and address of the applicant :
2. Site Ownership Data :
Revenue details of the site such as Survey No., Plot No.
Whether the proposed site attracts the provisions of section 3 of Environments Protection Act, 1986, if so, the nature of the restrictions; and Local authority under whose jurisdiction the site is located.
3. **Site Plan :**
 - (a) Site plan with clear identification of boundaries and total area proposed to be occupied and showing details nearby the proposed site;
 - (b) Name of adjoining manufacturing units and human habits, educational and training institutions, petrol installations, storages liquefied Petroleum Gas and other hazardous substances, if any, *within one kilometer from the proposed unit* ;
 - (c) Water sources (rivers, streams, canal dams, water filtration plants) in the vicinity ;
 - (d) Nearest hospitals, Fire-stations, Civil Defence Stations and Police Station and their distances;
 - (e) Details of high tension electrical transmission lines, pipelines for oil, gas, sewerage, if any, passing through the site ;
 - (f) Location of railway stations, railway lines, Scheduled road, bye- pass, if any, near the site; and
 - (g) Plot Plan of the factory, showing entry and, exit points, roads.
4. **Project Report :**
A summary of the salient features of Project ;
 - (a) Maximum number of persons likely to be working in the factory;
 - (b) Maximum amount of power and requirements and source of supply ;
 - (c) Block diagrams of the buildings *installations, in the proposed project;* and
 - (d) Details of housing colony, hospital, school and other infrastructural facilities proposed.
5. **Organisational structure of the proposed manufacturing unit/ factory :**
 - (a) Person responsible for protection of safety, health and environment;
 - (b) Proposed health and safety policy of the proposed enterprise.
6. **Manufacturing Process Information :**
 - (a) Process flow diagrams;
 - (b) Brief write up on process and technology;
 - (c) Critical Process parameters such as pressure buildup, temperature rise and run-away reaction;.
 - (d) Other external effects critical to the process having safety implications

such as ingress of moisture or water, contact with incompatible substances sudden power failure ; and

- (e) High lights of the built-in-safety/pollution control devices or measures incorporated in the manufacturing technology.

7. Information of Hazardous Materials :

- (a) Raw materials, intermediates, products and bye-products and their quantities (enclose Material Safety Data Sheet in respect of each hazardous substance);
- (b) Main and intermediate storages proposed for raw material/intermediates/products/Bye-Products (maximum quantities to be stored at any time); and
- (c) Transportation methods to be used for materials in flow and out flow, their quantities to be stored at anytime.

8. Safety measures proposed for :

- (a) Handling of materials;
- (b) Internal and external transportation; and
- (c) Disposal (packing and forwarding of finished products).

9. Information or Dispersal/Disposal of wastes and pollutants :

- (a) Major Pollutants (gas, liquids, solid) their characteristics and quantities (average and at peak loads);
- (b) Quality and quantity of solid wastes generated, methods of their treatment and disposal; and
- (c) Air, Water and Soil Pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluents.

10. Process Hazards Information :

- (a) Enclose a copy of the report on environmental impact assessment;.
- (b) Enclose a copy of the report on Risk Assessment Study; and
- (c) Publish (open or classified) reports, if any, on accident situation/occupational health hazards or similar plants (within or outside the country).

11. Information of proposed Safety and Occupational Health Measure:

- (a) Details of fire-fighting facilities and minimum quantity of water cartaoxide and other fire-fighting measures needed to meet the emergencies; and
- (b) Details of in-house medical facilities proposed.

12. Information on Emergency preparedness:

- (a) On Site Emergency Plan ; and
- (b) Proposed arrangements, if any, for mutual aid scheme with the group of neighboring factories.

I certify that the information furnished above is correct to the best of my knowledge and nothing has been concealed while furnishing it.

Date :

Signature
Designation

Form 17**{See rule 56(1)(iii)}****Health Register**

1	S. No.
2	Department/Works
3	Name of Worker
4	Sex
5	Age (at last birthday)
6	Date of employment on present work
7	Date of leaving or transfer to other work with reasons for discharge or transfer
8	Nature of job or occupation
9	Raw materials, products or by-products likely to be exposed to
10	Dates
11	Result Fit or Unfit
12	Signs and symptoms observed during examination
13	Nature of tests and results thereof
14	If declared unfit for work, state period of suspension with reasons in details
15	Whether certificate of unfitness issued to the workers
16	Re-certified fit to resume duty on
17	Signature of the Certifying Surgeon with date

Form 18**{See rule 56(2)}****Certificate of Fitness**

1. I certify that I have personally examined (name)Son of (father's name)..... residing at (address).....who is desirous of being employed as (designation).....in.....(process,..... department..... and factory).....and that his age, as nearly as can be ascertained from my examination, is years, and that he is, in my opinion, fit/unfit for employment in the above mentioned factory as mentioned above.
2. He may be produced for further examination after a period of.....
3. The serial number of the previous certificate is.....

signature or left hand thumb impression of person examined :

Signature of Factory Medical Officer:

Date :

Form 19

{See rule 71 (6)}

Application for grant of competency to a person

1. Name
2. Date of birth
3. Name of the organization (if self-employed)
4. Educational qualifications (copies of testimonials to be attached)
5. Details of professional experience

Name of the Organization	Period of service	designation	Area of Responsibility

6. Memberships, if any, of professional bodies
7. (i) Details of facilities (examination, testing etc.)
(ii) Arrangements of calibrating and maintaining the accuracy of these facilities)
8. Purpose for which competency certificate sought (specify the section of the Code)
9. whether the applicant has been declared as a competent person under any other state or statute (if so furnish details)
10. Any other relevant information
I----- hereby declare that the information furnished above is true.

I undertake

- (a) that in the event of any change in facilities at my disposal (either addition or deletion) I will promptly inform the Chief Inspector-cum-Facilitator.
- (b) to maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards; and
- (c) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector-cum-Facilitator from time to time.

Place

Signature

Date

Form 20

{See rule 71(6)}

Application for grant of competency to an institution

1. Name and full address of the organization.
2. organization's status (specify whether Individual, Government, autonomous, co-operative, corporate or private)
3. purpose for which competency certificate sought (specify the section of the Code)
4. whether the organization has been declared as a competent person under any other statute (if so furnish details)
5. Particulars of persons employed and possessing qualification and experience

S.No.	Name and designation	Qualification	Experience	Section(s)/rule(s) Under which person's competency sought

6. Details of facilities and arrangements made for their maintenance and calibration periodically.
7. Any other relevant information
8. Undertaking

I ----- certify that Shri----- whose details are furnished above, is in our employment and nominate on the behalf of organization for the purpose of being declared as competent person under the Code; I also undertake that I will-

- (a) Notify to the Chief Inspector-cum-Facilitator in case the competent person leaves our institution.
- (b) To maintain the facilities in good working order calibrating periodically as per manufacturers' instructions or as per National standards;
- (c) notify to Chief Inspector-cum-Facilitator any change in facilities (either addition or deletion); and
- (d) to fulfill and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector of Factories from time to time

I----- hereby declare that the information furnished above are correct to the best of my knowledge

Date

Signature

Place

Head of Institution

Mobile number

Email

Form 21

{See rule (71)(8)}

Certificate of competency issued to a person or an institution

I ----- in exercise the power conferred on me under section 2(l) of The Occupational Safety, Health And Working Conditions Code 2020 and the rules made there-under, here by recognize Shri ----- (if employed in Name of institution) ----- to be Competent person for the purpose of carrying tests, examinations, inspections and certification for such **buildings or dangerous machinery, lifts, tackles, pressure plants, confined space, ventilation or plant and equipment as the case may be** in an establishment located in state of Himachal Pradesh under section [____] of the Code and the rules made there under.

This certificate is valid from ____ to ____

This certificate is subject to the following conditions as stipulated here under-

1. Tests, examinations and inspections shall be carried out in accordance with the provisions of Code and the rules made there under.
2. Tests, examinations, inspections shall be carried out under the direct supervision of competent person
3. The certificate of competency shall stand cancelled if the person declared competent leaves the institution.
4. Competent person or institution shall submit reports as per provisions of the Code.
5. Any other condition Chief Inspector-cum-Facilitator may think fit.

Place official seal signature

Date

Chief Inspector-cum-Facilitator,
Himachal Pradesh

FORM 12A

Certificate that I have engaged the applicant
.....
..... as a Contactor in my establishment. I undertake to be bound
by all the provisions of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of
2020) and Occupational Safety, Health and Working Conditions (Himachal Pradesh) Rules, 2026,
insofar as the provisions are applicable to me in respect of the employment of contract labour by the
applicant in my establishment.

Place:
Date:

Signature of Principal Employer

Name and address of Establishment