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GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

(LABOUR BRANCH)

Notification

The 1st October, 2008

No. G.S.R.52/C.A.27/1996/Ss.40 and 62/2008.—In exercise of the powers conferred under section 40 and section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, after consultation with the expert committee, where such consultation is required, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regarding measures, to be taken for the safety and health of building workers in the course of their employment and the equipment and appliances necessary to be provided to them for ensuring their safety, health and protection during such employment, and to regulate the employment and conditions of service of building and other construction workers, namely :—

PART I

PRELIMINARY

CHAPTER I

GENERAL PROVISIONS

1.**Short title, commencement and application.**—(1) These rules may Section 40 be called the Punjab Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008.

(3)They shall apply to the building or the other construction work relating to any establishment in relation to which the appropriate Government is the State Government under the Act.

2.**Definitions.**—In these rules, unless the context otherwise requires,— Section 2

(a) **"Act"** means the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 [Central Act No. 27 of 1996];

(b)**"access" or "egress"** means passage-ways, corridors, stairs, platforms, ladders or any other means, to be used by a building worker for normally entering or leaving the work place or for escaping in case of any danger;

(c)**"approved"** means approved in writing by the Chief Inspector or the State Government, as the case may be;

(d)**"base plate"** means a plate for distributing the load from a standard in the case of metal scaffolds;

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

(f) **"brace"** means a member, incorporated diagonally in a scaffold for stability;

(g)**"bulkhead"** means an airtight structure, separating the working chamber from free air or from another chamber under a lower pressure than the working pressure;

(h)**"caisson"** means an air and water tight chamber in which it is possible for men to work under air pressure greater than

atmospheric pressure at sea level to excavate material below water level;

(i) **"cofferdam"** means a structure, constructed entirely or in part below water level or below the level of the water table in the ground and intended to provide a place for work, that is free of water;

(j) **"competent person"** means a person or an institution recognized as such and so approved by the Chief Inspector, who belongs to a testing establishment in India, possessing adequate qualification, experience and skill for the purpose of testing, examination or annealing and certification of lifting appliances, lifting gears, wire ropes or pressure plant or equipment;

(k)**"compressed air"** means air mechanically raised to a pressure higher than the atmospheric pressure at sea level;

(l) **"construction site"** means any site at which any of the processes or operations, related to a building or other construction work, are carried on;

(m)**"contribution"** means the sum of money payable to the fund by the beneficiary;

(n)**"conveyor"** means a mechanical device used in building or other construction work for transport of the building material, articles, or packages or solid bulk from one point to another point;

(o)**"danger"** means danger of an accident or of injury or to health;

(p)**"decanting"** means the rapid decompression of persons in a man-lock to atmospheric pressure at sea level followed promptly by their recompression in a decant lock, where they are then decompressed according to the appropriate decompression table in accordance with approved decompression procedures;

(q)**"demolition work"** means the work incidental to or connected with the total or partial dismantling or razing of a building or any other structure and shall include removal of muck to a place, ordered by the officer in-charge of the work of a principal employer;

(r) **"excavation"** means the removal of earth, rock or other material in connection with the construction or demolition work;

(s) **"falseworks"** means the structural supports and bracing for form-works or forms;

(t) **"family"** means the husband or wife, minor sons (including major sons who are insane or physically handicapped and unable to earn), unmarried daughters and the parents of the building worker, who are solely dependant on him;

(u)**"flashpoint"** means the minimum liquid temperature at which a spark or flame causes an instantaneous flash in the vapour space above the liquid;

(v)**"form"** means a form, approved to these rules;

(w)**"frame or modular scaffold"** means a scaffold, manufactured in such a way that the geometry of the scaffold is pre-determined, and the relative spacings of the principal members are fixed;

(x)**"guardrail"** means a horizontal rail, secured to uprights and erected along the exposed sides of scaffold, floor openings, runways and gangways to prevent persons from falling;

(y)**"hazard"** means danger or potential danger;

(z) **"hazardous substance"** means any substance, which due to its explosiveness, inflammability, radio-activity, toxic or corrosive properties, or other similar characteristics, may—

(i) cause injury; or

(ii) affect adversely the human system; or

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

(za) **"high pressure air"** means air, used to supply power to pneumatic tools and devices above atmospheric pressure at sea level;

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

(zc) **"ledger"** means a member spanning horizontally and tying scaffolding, longitudinally and which acts as a support for putlogs or transoms;

(zd) **"lifting appliance"** means a crane, hoist, derrick, winch, gin pole, sheer legs, jack, pulley block, lift or other equipment, used for lifting materials, objects or, building workers;

(ze) **"lifting gear"** means ropes, chains, hooks, slings and other accessories of a lifting appliance;

(zf) **"lock attendant"** means a person incharge of a man-lock or medical-lock and who is immediately responsible for controlling the compression, recompression or decompression of the persons in such locks;

(zg) **"low pressure air"** means air, supplied to pressure the working chambers, man-locks or medical-locks;

(zh) **"magazine"** means a place in which explosives are stored or kept whether above or below ground;

(zi) **"man-lock"** means any lock, other than a medical-lock, used for the compression or decompression of a person entering or leaving a working chamber;

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

(zk) **"material-lock"** means a chamber through which materials and equipments pass from one air pressure environment into another;

(zl) **"medical-lock"** means a double compartment lock, used for the therapeutic recompression and decompression of the persons suffering from the ill effects of decompression;

(zm) **"national standards"** means standards as issued by Bureau of Indian Standards and in the absence of such standards, the standards approved by the Central Government or the State Government or the International Standards adopted by the principal employer, for a specific purpose;

(zn) **"outrigger"** means a structure projecting beyond the façade of a building with the inner end being anchored, and includes a cantilever or other support;

(zo) **"plant or equipment"** includes any plant, equipment, gear, machinery, apparatus or appliance, or any part thereof;

(zp) **"pressure"** means air pressure in bars above the atmospheric pressure;

(zq) **"pressure plant"** means the pressure vessel along with its piping and other fittings operated at a pressure, greater than the atmospheric pressure;

(zr) **"principal employer"** means the owner of a building or other construction work, and who engages any agency or contractor to carry out the work of the said building or other construction work directly or indirectly;

(zs) **"putlog"** means a horizontal member on which the board, plank or decking of a working platform are laid;

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

(zu) **"reveal tie"** means the assembly of a tie tube and a fitting, used for tightening a tube between two opposite surfaces;

(zv) **"right angle coupler"** means a coupler other than a swivel or putlog coupler, used for connecting tubes at right angles;

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

(zx) **"roofing bracket"** means a bracket used in sloped roof construction and having sharp points or other means for fastening to prevent slipping;

(zy) **"safety screen"** means an air and water tight diaphragm placed across the upper part of a compressed air tunnel between the face and bulkhead, in order to prevent flooding the crown of the tunnel between the safety screen and the bulkhead to provide a safe means of refuge and exit from a flooding or flooded tunnel;

(zz) **"safe working load"** in relation to an article of lifting gear or lifting appliance, means the load which is the maximum load that may be imposed on such article or appliance with safety in the normal working conditions as assessed and certified by a competent person;

(zza) **"scaffold"** means any temporarily provided structure on or from which building workers perform work in connection with building or other construction work to which these rules apply, and any temporarily provided structure, which enables building workers to obtain access to or which enables materials to be taken to any place at which such work is performed, and includes any working platform, gangway,

runway, ladder or step-ladder (other than a ladder or step-ladder which does not form part of such structure) together with any guardrail, toe board or other safeguards and all fixings, but does not include lifting appliance or a lifting machine or a structure, used merely to support such an appliance or such a machine or to support other plant or equipment;

(zzb)**"Schedule"** means a schedule appended to these rules;

(zzc)**"Secretary"** means the Secretary of the Board;

(zzd) **"segment"** includes a cast iron or precast concrete segmented structure formed to the curvature of the tunnel cross-section and used to support the ground, surrounding the tunnel;

(zze)**"service shaft"** means a shaft for the passage of building workers or materials to or from a tunnel under construction;

(zzf)**"shaft"** means an excavation having a longitudinal axis at an angle greater than forty-five degree from the horizontal—

(i)for the passage of building workers or materials to or from a tunnel; or

(ii) leading to an existing tunnel;

(zzg)**"shield"** means a movable frame which supports the working face of a tunnel and the ground immediately behind it and includes equipment designed to excavate and support the excavated areas in a tunnel;

(zzh)**"sole plate"** means a member used to distribute the load from the base plate or the standard of wooden scaffolds to the supporting surface;

(zzi)**"sound or good construction"** means construction conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzj)**"sound or good material"** means material of a quality, conforming to the relevant national standards or in case such national standards do not exist, to other generally accepted international engineering standards or code of practices;

(zzk)**"standard"** means a member used as a vertical support or column in the construction of scaffolds, which transmits a load to the ground or to the solid construction;

(zzl)**"standard safe operating practice"** means the practice followed in building and other construction activities for the safety and health of building workers and safe operation of machinery and equipment used in such activities and such practices conforming to all or any of the following, namely :—

(i) relevant standards approved by Bureau of Indian Standards;

(ii) national building code;

(iii) manufacturer's instructions on safe use of equipment and machinery and;

(iv) code of practices on safety and health in construction industry, published by International Labour Organisation as amended from time to time, or any other appropriate authority;

(zzm)"State Government" means the Government of the State of Punjab in the Department of Labour;

(zzn)**"steel rib"** includes all steel beams and other structural members shaped to conform to the requirements of a particular tunnel cross section, used for the purpose of supporting and stabilising the excavated areas;

(zzo)**"suspended scaffold"** means a scaffold suspended by means of ropes or chains and capable of being raised or lowered, but does not include a boatman's chair or similar appliance;

(zzp)**"testing establishment"** means an establishment with testing and examination facilities, as approved by the Central Government or the State Government, for carrying out testing, examination, annealing or similar other test or certification of lifting appliances or lifting gear or wire rope as required under these rules;

(zzq)**"tie"** means an assembly, used to connect a scaffold to a rigid anchorage;

(zzr)**"toe board"** means a member, fastened above a working platform, access landing, access way, wheelbarrow run, ramp or other platform to prevent building workers and materials falling therefrom;

(zzs)**"transom"** means a member placed horizontally and used to tie transversely one ledger to another, or one standard to another in an independent tie scaffold;

(zzt)**"trestle scaffold"** includes a scaffold in which the supports for the platform are any of the following, which are self supporting, namely:—

(i) split heads;

(ii) folding;

(iii)step-ladder;

(iv)tripods; or

(v)movable contrivances similar to any of the foregoing;

(zzu)**"tubular scaffold"** means a scaffold, constructed from tubes and couplers;

(zzv)**"tunnel"** means a subterranean passage made by excavating beneath the over-burden, into which a building worker enters or is required to enter to work;

(zzw) **"underground"** means any space within the confines of a shaft, tunnel, caisson or cofferdam;

(zzx)**"vehicle"** means a vehicle propelled or driven by mechanical or electrical power and includes a trailer, traction engine, tractor, road-building machine and transport equipment;

(zzy)**"working chamber"** means the part of the construction site where work in a compressed air environment is carried out, but does not include a man-lock or a medical-lock;

(zzz)**"working platform"** means a platform, which is used to support building workers or materials and includes a working stage;

(zzza)**"working pressure"** means pressure in a working chamber, to which a building worker is exposed;

(zzzb)**"workplace"** means a place where building workers are required to be present or to go for work and which is under the control of an employer; and

(zzzc)**"year"** means a financial year.

3.**Interpretation of words not defined.**—Words and expressions, not Section 62 defined in these rules, but defined or used in the Act, shall have the same meaning as assigned to them in the Act.

PART II

SAFETY AND HEALTH

CHAPTER II

GENERAL PROVISIONS

4.**Excessive noise, vibration etc.**—An employer shall ensure at a Section 40 (2) (u) construction site of a building or other construction work that adequate measures are taken to protect the building workers against the harmful effects of excessive noise or vibration and the noise level in no case, exceeds the limits, laid down in Schedule-I.

5.**Fire protection.**—An employer shall ensure at a construction site of Section 40 (2) (k) a building or other construction work that,—

(a) adequate and alternative staircases, ramps, ladders etc. are provided for use of the occupants of the premises of construction site;

(b)such premises or the construction site is provided with—

(i)fire extinguishing equipments sufficient to extinguish any probable fire at such construction site;

(ii)an adequate water supply at sufficient pressure as per national standards; and

(iii)the number of trained persons required to operate the fire extinguishing equipment provided under sub-clause (i);

(c)fire extinguishing equipments under sub-clause (i) of clause (b) are properly maintained and inspected at a regular interval of not less than once in a year by a responsible person and a record of such inspection is maintained;

(d)in case of every launch or boat or other craft used for transport of building workers and the equipments and the cabin of every lifting appliance including mobile crane, adequate number of portable fire extinguishing equipment of suitable type shall be provided at each of such launch, boat or craft used for building workers and lifting appliances etc.; and

(e) occupants shall be warned by a false alarm as mock exercise once in a year.

Section 40 (2) (r) and (u) 6. **Emergency action plans.**—An employer shall ensure at a construction site of a building or other construction work, an emergency action plan to handle the emergencies like—

(a)fire and explosion;

(b)collapse of lifting appliances and transport equipment;

(c)collapse of building, sheds or structures etc;

(d)gas leakage or spillage of dangerous goods or chemicals;

(e)drowning of building workers, sinking of vessels; and

(f)land slides, floods, storms and other natural calamities, resulting in any harm to building workers,

is prepared and submitted for the approval of the Chief Inspector.

Section 40 (2) (i) 7.**Fencing of Motors etc.**—An employer shall ensure at a construction site of a building or other construction work that,—

(a)all motors, cogwheels, chains and friction gearing, flywheels, shafts, dangerous and moving parts of machinery (whether or not driven by mechanical power) and steam pipes, are securely

fenced or lagged;

(b)the fencing of dangerous parts of machinery is not removed while such machinery is in motion or in use;

(c)no part of any machinery, which is in motion and which is not securely fenced, is examined, lubricated, adjusted or repaired, except by a person, skilled for such examination, lubrication, adjustments or repairs;

(d)machine parts are cleaned when such machine is stopped; and

(e)when a machine is stopped for services or repairs, adequate measures are taken to ensure that such machine does not-re-start-inadvertently unless, the necessary services or repairs are done.

8.**Lifting and carrying of excessive weight.**—An employer shall ensure Section 40 (2) (e) at a construction site of a building or other construction work that,—

(a)no building worker lifts by hand or carries overhead or over his back or shoulders any material, article, tool or appliances exceeding in weight the maximum limits, as specified in the following table :—

Building Worker	**Maximum Weight of Loan**
Adult – man	50 kg
Adult – woman	30 kg
Adolescent – male	30 kg
Adolescent – female	20 kg

unless aided by another building worker or a mechanical device; and

(b)no building worker, aided by other building worker, shall lift by hand or carry overhead or over their back or shoulders, any material, article, tool or appliance exceeding in weight, the sum total of maximum limits, as specified for each building worker separately under clause (a), unless aided by a mechanical device.

9.**Health, safety and environmental policy.**—(1) Every establishment, Section 40 (2) (r) employing fifty or more building workers, shall prepare in writing policy in respect of safety and health of building workers and submit the same for approval of the Chief Inspector.

(2)The policy referred to in sub-rule (1), shall contain the following, namely:—

(i) the intentions and commitments of the establishment regarding health, safety and environmental protection of the building workers;

(ii) organisational arrangements made to carry out the policy referred to in sub-rule 1, specifying the responsibility at different levels of hierarchy;

(iii) responsibilities of the principal employer, contractors, sub-contractors, transporters or other agencies, involved in the building or other construction work ;

(iv) techniques and methods for assessment of risk to safety, health and environmental and remedial measure therefor;

(v) arrangements for training of building workers, trainers, supervisors or other persons engaged in the construction work;

(vi) other arrangements for making the policy effective referred to in sub-rule (1); and

(3)The intentions and commitments referred to in clause (i) of sub-rule (2), shall be taken into account in making decisions relating to plant, machinery, equipment, materials and placement of the building or other construction workers.

(4)A copy of the policy referred to in sub-rule (1), signed by an authorised signatory, shall be sent to the State Government.

(5)The establishment shall revise the policy referred to in sub-rule (1), as often as necessary, under the following circumstances, namely:—

(i)whenever any expansion or modification having implication on safety and health of the building workers is made in such building or other construction work; or

(ii)whenever any new building or other construction work, substances, articles or techniques are introduced having implication on health and safety of the building workers.

(6)A copy of the policy referred to in sub-rule (1), shall be displayed at the construction site, at a conspicuous places in English and Punjabi and also in Hindi or a local language, understood by the majority of building workers.

Section 40 (2) (g)

10.**Dangerous and harmful environment.**—An employer shall ensure at a construction site of a building or other construction work that,—

(a) when an internal combustion engine exhausts harmful emissions within the prescribed limits into a confined space or excavation or tunnel or any other work place, where neither natural ventilation nor artificial ventilation system is found adequate to keep the contents of the atmosphere below fifty parts per million, adequate and suitable measures are taken at such work place in order to avoid exposure of building workers to health hazardous or alternative mode of power shall be used; and

(b)no building worker or unauthorised person is allowed to enter into any confined space, well, tank, trench or excavation wherein there is given off dust, fumes or other impurities of such a nature and to such an extent, as are likely to be injurious or offensive to the building worker or in which explosives, poisonous, noxious, gaseous material or other harmful particles, which have been carried or stored or in which dry ice has been used as a refrigerant, or which has been fumigated or in which there is a possibility of oxygen deficiency, unless all practical steps like exhaust fans etc. have been taken to remove such dust, dangerous fumes, or other impurities, which may be present, and before any ingress into such confined space, well, tank, trench or excavation, it is certified by the responsible person that such work place is safe and fit for the entry of the building workers.

Section 40 (2) (u)

11.**Overhead Protection.**—(1) The employer shall ensure at the building or other construction work that overhead protection is erected along with the periphery of every building under construction, which shall be of fifteen metres or more in height when completed.

(2)Overhead protection referred to in sub-rule (1), shall not be less than two metres wide and shall be erected at a height, not more than five metres

above the base of the building, and the outer edge of such overhead protection shall be one hundred and fifty millimetres higher than the inner edge thereof or shall be erected at an angle of not more than twenty degrees to its horizontal sloping into the building.

(3)The employer shall ensure at the building and other construction work that any area exposed to risk of falling material, articles or objects is roped off or cordoned off or otherwise suitably guarded from inadvertent entry of persons, other than the building workers at work in such area.

Section 40 (2) (m)

12.**Slipping, tripping, cutting, drowning and falling hazards.**—(1) All passageways, platforms and other places of construction work at the building or other construction work, shall be kept by the employer free from accumulations of dust, debris or similar material and from other obstructions that may cause tripping.

(2)Any sharp projections or protruding nails or similar projections, which may cause any cutting hazard to a building worker at the building or other construction work, shall be removed or otherwise made safe by taking suitable measures by the employer.

(3)No employer shall allow any building worker at building or other construction work to use the passageway, or a scaffold, platform or any other elevated working surface which is in a slippery and dangerous condition, and shall ensure that water, grease, oil or other similar substances, which may cause the surface slippery, be removed or sanded, saw dusted or covered with suitable material to make it safe from slipping hazard at a building or other construction work.

(4)Wherever building workers at a building or other construction work are exposed to the hazard of falling into water, they shall be provided by the employer with adequate equipment for saving themselves from drowning and rescuing from such hazard and if the Chief Inspector considers necessary, well-equipped boat or launch, manned with trained personnel, shall be provided by the employer at the site of such work.

(5)Every open side or opening into or through which a building worker, vehicle or lifting appliance or other equipment may fall at a building or other construction work, shall be covered or guarded suitably by the employer to prevent such fall, except where free access is necessary by reasons of the nature of the work.

(6)Wherever building workers at a building or other construction work are exposed to the hazards of falling from height while employed on such work, they shall be provided by the employer with adequate equipment or means for saving them from such hazards. Such equipment or means shall be in accordance with the national standards.

(7)Whenever there is a possibility of falling of any material, equipment on a building worker at a construction site relating to a building or other construction work, adequate and suitable safety net shall be provided by the employer in accordance with the national standards.

Section 40 (2) (g)

13.**Dust, gases, fumes etc.**—An employer shall prevent concentration of dust, gases or fumes by providing suitable means to control their concentration within the permissible limit so that they may not cause injury or pose health hazard to a building worker at a building or other construction work.

Section 40 (2) (h)

14.**Corrosive Substances.**—The employer shall ensure that explosive corrosive substances, including alkalis and acids, shall be stored and used by a person dealing with such substance at a building or other construction work in such a manner that it does not

endanger the building and other building workers and suitable protective equipment shall be provided by the employer to a construction worker during handling or use of such substance at a building or other work, and in case of spillage of such substance on the building worker, immediate remedial measures shall be taken by the employer. The employer shall also ensure that explosives are stored away from any other structure in cool areas and requisite fire fighting and security arrangements are provided.

15.**Eye Protection.**—Suitable personal protective equipment for the protection of eyes, shall be provided by an employer and used by the building worker engaged in operations like welding, cutting, chipping, grinding or similar operations, which may cause hazard to his eyes at a building or other construction work. Section 40 (2) (u)

16.**Head protection and other protective apparel.**—(1) Every building worker, required to pass through or work within the areas at a building or other construction work, where there is hazard of his being struck by falling objects or materials, shall be provided by the employer, with safety helmets, tested in accordance with the national standards. Section 40 (2) (u)

(2)Every building worker, required to work in water or in wet concrete or in other similar work at a building or other construction work, shall be provided with suitable waterproof boots by the employer.

(3)Every building worker, required to work in rain or in similar wet condition at building or other construction work, shall be provided with waterproof coat with head cover by the employer.

(4)Every building worker, required to use or handle alkali, acid or other similar corrosive substances at a building or other construction work, shall be provided with appropriate protective equipment by an employer, in accordance with the national standards.

(5)Every building worker, engaged in handling sharp objects or engaged to handle materials at a building or other construction work, which may cause hand injury, shall be provided with suitable hand-gloves by the employer, in accordance with the national standards.

17.**Electrical hazards.**—(1) Before commencement of any building or other construction work, the employer shall take adequate measures to prevent any building worker from coming into physical contact with any electrical equipment, apparatus, machine or live electrical circuit, which may cause electrical hazard during the course of his employment at a building or other construction work. No live wire shall be installed above the building, which does not conform to allowable distance according to relevant codes. Guard wire-net shall also be provided. Section 40 (2) (n)

(2)The employer shall display and maintain suitable warning signs at conspicuous places at a building or other construction work in English, Punjabi and also in Hindi or in a local language, understood by the majority of the building workers.

(3)In workplaces at a building or other construction work where the exact location of underground electric power line is not known, the building worker using jack hammers, crow bars or other hand-tools, which may come in contact with a live electrical line, shall be provided by the employer with insulated protective gloves and foot-wear of the type, which are in accordance with the national standards.

(4)The employer shall ensure that, as far as practicable, no wiring, which may come in contact with water or which may be mechanically damaged, is left on ground or floor at a building or other construction work.

(5)The employer shall ensure that all electrical appliances and current carrying equipments used at a building or other construction work, are made of good quality material and are properly and adequately earthed.

(6)The employer shall ensure that all temporary electrical installations at a building or other construction work are provided with earth-leakage circuit breakers.

(7)The employer shall ensure that all electrical installations at a building or other construction work comply with the requirements of any law for the time being in force.

Section 40 (2) (u)

18.**Vehicular Traffic.**—(1) Whenever any building or other construction work is being carried on or is located in close proximity to a road or any other place where any vehicular traffic may cause danger to the building workers, the employer shall ensure that such building or other construction work is barricaded and suitable warning signs and lights are displayed or erected to prevent such danger, and if necessary, he may make a request in writing to the concerned authorities to control such traffic. If required and feasible, another by-pass from the main road be provided.

(2)The employer shall ensure that all vehicles used at construction site of a building or other construction work comply with the requirements of the Motor Vehicles Act, 1988 (Central Act No.59 of 1988) and the rules made thereunder.

(3)The employer shall ensure that a driver of a vehicle of any class or description, operating at a construction site of a building or other construction work, holds a valid driving licence needed for that type of vehicle or machine under the Motor Vehicles Act, 1988 (Central Act No.59 of 1988).

Section 40 (2) (u)

19.**Stability of structures.**—The employer shall ensure that no wall, chimney or other structure or part of a structure is left unguarded in such a condition that it may fall, collapse or weaken due to wind pressure, vibration or due to any other reason at the site of a building or other construction work.

Section 40 (2) (i)

20.**Illumination of passageways etc.**—The employer shall ensure that illumination, sufficient for maintaining safe working conditions at a site of a building or other construction work is provided where building workers are required to work or pass through passageways, stairways and landings etc. Such illumination should conform to the standards fixed by the Bureau of Indian Standards or any other approved standards.

Section 40 (2) (h)

21.**Stacking of materials.**—The employer shall ensure, at a construction site of building or other construction work that—

(a)all building materials are stored or stacked in safe and orderly manner to avoid obstruction of any passage-way or place of work;

(b)material piles are stored or stacked in such a manner as to ensure stability;

(c)material or equipment is not stored upon any floor or platform in such quantity as to exceed its safe bearing capacity; and

(d)material or equipment is not stored or placed so close to any edge of a floor, platform or hatch as to endanger the safety of persons below or working in the vicinity.

22.**Disposal of debris.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (u)

(a)debris is handled and disposed of by a method, which does not cause danger to the safety of a person or structure;

(b)debris is not allowed to accumulate so as to constitute a hazard;

(c)debris is kept sufficiently moist to bring down the dust within the permissible limits;

(d)debris is not thrown inside or outside from any height of such building or other construction work; and

(e)on completion of work, left over building materials, articles or other substances or debris are removed and disposed of as soon as possible and the site shall be handed over all clean within the completion period.

23.**Numbering and marking of floors.**—The employer shall ensure that each floor or level of a building or other construction work is appropriately numbered or marked at the landing of such floor or level. Section 40 (2) (u)

24.**Use of safety helmets and shoes.**—The employer shall ensure that all persons, who are performing any work or services at a building or other construction work, wear safety shoes and helmets conforming to the national standards. Section 40 (2) (e)

CHAPTER III

LIFTING APPLIANCES AND GEARS

Section 40 (2) (e) 25.**Construction and maintenance of lifting appliances.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)all lifting appliances, including their parts and working gear, whether fixed or moveable and any device used in anchoring or fixing of such appliances, are—

(i) of sound construction, sound material, and of adequate strength to serve that purpose, for which these are to be used and all such appliances shall be free from patent defects; and

(ii) maintained in good repair and working condition;

(b)(i) every drum or pulley around which the rope of any lifting appliance is carried, is of adequate diameter and sound construction in relation to such rope;

(ii) any rope, which terminates at the winding drum of a lifting appliance, is securely attached to such drum and at least three dead turns of such rope remain on such drum in every operating position of such lifting appliance; and

(iii)the flange of a drum projects twice the rope diameter beyond the last layer of such rope and if such projection is not available, other measures like anti-slackness guards shall be provided to prevent such rope from coming off such drum;

(c)every lifting appliance is provided with adequate and efficient brakes which—

(i) are capable of preventing fall of a suspended load (including any test load) and of effectively controlling such load while it is being lowered or raised;

(ii) act without shock;

(iii)have shoes that can be easily removed for running; and

(iv)are provided with simple and easily accessible means of adjustment:

Provided that nothing contained in this clause shall apply to steam winch, which can be operated as safely as with brakes, as provided in accordance with this clause;

(d) controls of every lifting appliance—

(i) are so situated that the driver of such appliance at his stand or seat has ample room for operating and has an unrestricted view of building or other construction work, as far as practicable, and that he remains clear of the load and ropes, and that no load passes over him;

(ii) are positioned with due regard to egonometric considerations for proper operating of such appliance;

(iii)are so located that the driver of such appliance remains above the height of the heel block during the whole operation of such appliance;

(iv)have upon them or adjacent to them clear markings to indicate their purpose and mode of operation purpose;

(v)are provided, wherever necessary, with suitable locking device to prevent accidental movement or displacement;

(vi)move, as far as practicable, in the direction of the resultant load movement; and

(vii)wherever automatic brakes are provided, come to the neutral position in case of power failure.

26.**Test and periodical examination of lifting appliances.**—The employer shall ensure at the construction site of a building or other construction work that,— Section 40 (2) (e)

(a)all lifting appliances including all parts and gears thereof, whether fixed or moveable, are tested and examined by a competent person before being taken into use for the first time or after they have undergone any alterations or repairs, liable to affect their strength or stability, or after erection on a construction site and also once at least in every one year, in the manner, as specified in Schedule-II; and

(b)all lifting appliances are thoroughly examined by a competent person of the employer once at least in every twelve months and where the competent person making such examination forms the opinion that any of the lifting appliances cannot continue to function safely, he shall forthwith give notice in writing of his opinion to the owner of such lifting appliance.

Explanation.—For the purpose of this rule, thorough examination means a visual examination, supplemented, if necessary, by other means such as hammer test carried out as carefully as the conditions permit

in order to arrive at a reliable conclusion as to the safety of the parts examined; and, if necessary, for such examination, parts of the lifting appliance and gear, shall be dismantled.

Section 40 (2) (e)

27.**Automatic safe load indicators.**—(a) The employer shall ensure at a construction site of a building or other construction work that,—

(i)every crane, if so erected that the safe working load may be varied by raising or lowering of the jib or otherwise, is attached with an automatic indicator of safe working loads, which gives a warning to the operator wherever the load exceeds the safe working load; and

(ii)cut-out is provided, which automatically arrests the movements of the lifting parts of every crane, if the load exceeds the working load, wherever possible;

(b)the provisions of sub-clause (i) of clause (a) apply, except where it is not possible to install an automatic safe load indicator, in which case, the provisions of a table, showing the safe working loads at the corresponding inclinations or radial of the jib on the crane, shall be considered sufficient.

Section 40 (2) (e)

28.**Installation.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) fixed lifting appliances are installed—

(i)by competent persons;

(ii)in a manner that such appliance cannot be subjected to vibration or other influence;

(iii) in a manner that such appliance cannot be displaced by the load, is not exposed to danger from load, ropes or drums; and

(iv) in a manner that the operator can either see over the zone of operation or communicate with all loading and unloading points by signal or other communication system;

(b)adequate clearance is provided between parts of loads of lifting appliances and—

(i)the fixed objects, such as walls and posts; or

(ii) electrical conductors;

(c)the lifting appliances, when exposed to wind loading, are provided with stability and rigidity to withstand such loading safely; and

(d)no structural alterations or repairs are made on any part of the lifting appliances that affect the safety of such appliances without obtaining the approval of the competent person to this effect.

Section 40 (2) (e)

29.**Winches.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)(i) winches are not used, if control levers operate with excessive friction or play;

(ii)double gear winches are not used unless a positive means of locking the gears shift is provided;

(iii)there is no load, other than the one, being lifted and the hook assembly on the winch while changing gears on a two gear winch;

(iv) adequate protection is provided to winch operator against abnormal weather;

(v)temporary seats or shelters for winch operator, which may pose hazard to the winch operator or any other building worker, are not allowed to be used; and

(vi) control levers are secured in the neutral position and, whenever, possible, the power is shut off whenever winches are left unattended;

(b) in use of every steam winch—

(i)measures are taken to prevent escaping steam from obscuring any part of the construction site or other work place or from otherwise hindering or injuring any building worker;

(ii)extension control levers, which tend to fall of their own weight, are counter balanced;

(iii)winch operators are not permitted to use the winch control extension levers except for short handles on wheel type controls and that such levers are of adequate strength, secure and fastened with metal connections at the fulcrum and at the permanent control lever;

(c) in use of every electric winch, a building or other construction worker is not permitted to transfer, alter or adjust electric control circuits in case of any defect in such winch; and

(d)electric winches are not used for building work where—

(i)the electro-magnetic brake is unable to hold the load; or

(ii)one or more control points, either hoisting or lowering, are not operating properly.

Section 40 (2) (e) 30.**Buckets.**—The employer shall ensure at a construction site of a building or other construction work that tip-up buckets are equipped with a device that effectively prevents accidental tipping.

Section 40 (2) (e) 31.**Identification and marking of safe working load.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) every lifting appliance and loose gear is clearly marked for its safe working load and identification by stamping or other suitable means;

(b)(i) every derrick (other than derrick crane) is clearly marked for its safe working load when such derrick is used either in single purchase with a lower block or in union purchases in all possible block positions;

(ii) the lowest angle to the horizontal, to which the derrick may be used, is legibly marked;

(c) every lifting appliance having more than one working load is fitted with effective means to enable the operator to determine safe working load at each point under all conditions of use;

(d) means to ascertain the safe working load for lifting gears under such conditions in which such gears may be

used, are provided to enable a building worker using such gears and such means shall consist of—

(i)marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto in case of chain slings; and

(ii)either the means specified in sub-clause (i) or the notices are so exhibited, as can be easily read by any concerned building worker stating the safe working load for the various sizes of the wire rope slings used in case of wire rope slings.

32.**Loading of lifting appliances and lifting gears.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (e)

(a) no lifting appliance, lifting gear or wire rope is used in an unsafe way and in such a manner as to involve risk to life of building workers, and that they are not loaded beyond their safe working load, except for testing purposes under the direction of a competent person in the manner, as specified in Schedule-II;

(b)no lifting appliance, lifting gear or any other material handling appliance is used, if—

(i) the Inspector having jurisdiction, is not satisfied with reference to a certificate of test or examination or to an authenticated record maintained as provided in these rules;

(ii) in view of such Inspector, the lifting appliance, lifting gear or any other material handling appliance is not safe for use in building or other construction work; and

(iii)no pulley block is used in building or other construction work, unless the safe working load and its identification are clearly marked on such block.

33.**Operator's cab or cabin.**—The employer shall ensure at a construction site of a building or other construction work that the operator of every lifting machine in outdoor service is provided with a cab or cabin which— Section 40 (2) (e)

(i)is made of fire resistant materials;

(ii)has a suitable seat, a foot rest and protection from vibration;

(iii)affords the operator an adequate view of the area of operation;

(iv) affords the necessary access to working parts in cab;

(v) affords the operator adequate protection against the weather;

(vi) is adequately ventilated; and

(vii) is provided with a suitable fire extinguisher.

34.**Operation of lifting appliances.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (e)

(a) every crane driver or lifting operator possesses adequate skill and training in the operation of particular lifting appliance;

(b)no person under eighteen years of age is in control of any lifting appliance, scaffold, winch or to give signals to the operator;

(c)precaution is taken by the trained operator to prevent lifting appliance from being set in motion;

(d)the operation of lifting appliance is governed by signals, in conformity with the relevant national standards;

(e) the attention of the operator of lifting appliance is not distracted while he is working;

(f) no crane, hoist, winch or other lifting appliance or any part of such crane, hoist, winch or other lifting appliance is, except for testing purposes, loaded beyond the safe working load;

(g)during the hoisting operations, effective precaution is taken to prevent any person from standing or passing under the load in such operations;

(h)operator does not leave lifting appliance unattended while power is on or load is suspended to such appliance;

(i) no person rides on a suspended load or any other lifting appliance;

(j) every part of a load, in the course of being hoisted or lowered, is adequately suspended and supported to prevent danger;

(k)every receptacle used for hoisting bricks, tiles, slates or other material is suitably enclosed as to prevent the fall of any such materials;

(l) the hoisting platform is enclosed when loose materials or loaded wheel-barrows are placed directly on such platform or lowering such materials or wheel-barrows;

(m)no material is raised, lowered or slowed with any lifting appliance in such a way as to cause sudden jerks to such appliance;

(n)in hoisting a wheel-barrow, any wheel of such wheel-barrow is not used as a means of support unless adequate steps are taken to prevent the axle of such wheel from slipping out of its bearing;

(o)long objects like planks or girders are provided with a tag line to prevent any possibility of danger while raising or lowering such objects;

(p)during the process of landing of materials, a building worker is not permitted to lean out into empty space for finding out the loading and unloading of such material;

(q)the hoisting of loads at places where there is regular flow of traffic is carried out in an enclosed space, or in case such hoisting is impracticable in enclosed space, measures are taken to hold up or divert the traffic during the time of such hoisting;

(r) adequate steps are taken to prevent a load, in the course of being hoisted or lowered from coming in contact with any object to avoid any displacement of such load; and

(s) appliances are provided and used for guiding heavy loads when raising or lowering heavy loads to avoid crushing of hands of building workers during such raising or lowering of loads.

35.**Hoists.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (e)

(a) hoist towers are designed according to the relevant national standards;

(b)hoist shafts are provided with rigid panels or other adequate fencing—

(i) at the ground level on all sides of such shafts; and

(ii)at all other levels on all sides of the access to such shafts;

(c)the walls of hoist shafts, except at approaches, extend at least one and a half metre above the floor or platform of access to such shafts;

(d)approaches to a hoist are provided with gates which are—

(i) girded to maintain visibility;

(ii) at least of two metres height; and

(iii)equipped with a device, which requires such gate to be closed before the platform of such hoist can leave the landing and prevents the gate from being opened, unless such platform, is at the landing;

(e) approaches to a hoist are adequately lit;

(f) the guides of hoist platforms offer sufficient resistance to bending and to buckling in case of jamming, by providing a safety catch;

(g)overhead beams and their supports are capable of holding the total maximum live and dead loads that such beams and supports will be required to carry, with a safety factor of at least five;

(h)a clear space is provided—

(i)above the highest stopping place of cage or platform to allow sufficient unobstructed travel of such cage or platform in case of over winding; and

(ii) below the lowest stopping place of such cage or platform;

(i) adequate covering is provided above the top of hoist shafts to prevent materials from falling into such shafts;

(j) outdoor hoist towers are erected on adequately firm foundation and are securely braced, guided and anchored;

(k)a ladder way extends from the bottom to the top of every outdoor hoist tower, in case no other ladder way exists within easy reach and such ladder ways, comply with the relevant national standards;

(l) the rated capacity of a hoisting engine is at least one and a half times the maximum load that such engine will be required to move;

(m)all gearings on a hoisting engine are securely enclosed;

(n)steam piping of a hoisting engine is adequately protected against accidental contact of such piping with the building workers;

(o)electrical equipment of a hoisting engine is effectively earthed;

(p)a hoist is provided with suitable devices to stop a hoisting engine as soon as the platform of such hoist reaches its highest stopping place;

(q)a hoisting engine is protected by a suitable cover against weather and falling objects;

(r) a hoisting engine set up in a public thoroughfare is completely enclosed;

(s) all exhaust steam pipes discharge steam in such a manner that the steam so discharged does not scald any person or obstruct the operator’s view;

(t) the motion of a hoist is not reversed without first bringing it to rest to avoid any harm from such reverse motion;

(u)a hoist, not designed for the conveyance of persons, is not set in motion from the platform of such hoist;

(v)pawl and ratchet wheels of a hoist, requiring disengagement of such pawls from such ratchet wheels before the platform of such hoist is lowered, are not used;

(w) a platform of a hoist is capable of supporting such maximum load that such platform may carry with a safety factor of at least three;

(x)a platform of a hoist is equipped with suitable safety gear, which can hold such platform with its maximum load in case the hoisting rope breaks;

(y)on platform of a hoist, the wheelbarrows or truck are efficiently blocked in a safe position;

(z) a cage of a hoist or a platform, where the building workers are required to enter into such cage or to go on such platform at landing level, is provided with a locking arrangement to prevent such cage or platform from moving during the time a building worker enters or leaves such cage or platform;

(za)the sides of a platform of a hoist, which are not used for loading or unloading, are provided with toe-board and enclosures of a wire mesh or any other suitable means to prevent the fall of any part of a load from such platform;

(zb)a platform of a hoist, which has any probability of falling any part of load from it, is provided with an adequate covering with such fall;

(zc)the counter-weights of a hoist consisting of an assemblage of several parts are so constructed that such parts are rigidly connected together;

(zd)the counter-weight of a hoist run between guides;

(ze)at every level of work, the building workers are provided with adequate platforms for performing such work; and

(zf)a legible notice in English, Punjabi and also in Hindi or the local language, understood by majority of the building workers, is displayed at—

(i)a conspicuous place of the platforms of a hoist and that such notice states the maximum carrying capacity of such hoist in kilograms;

(ii) a conspicuous place on the hoisting engine and that such notice shall state the maximum lifting capacity of such hoist in kilograms;

(iii) a conspicuous place on a hoist authorised and certified for the conveyance of the person on the platform or cage and such notice states the maximum number of persons to be carried on such hoist at one time; and

(iv) a conspicuous place on a hoist carrying goods and other materials and such notice states that fuel hoist is not meant for carriage of persons.

Section 40 (2) (i)

36.**Fencing of and means of access of lifting appliances.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)safe means of access are provided to every part of a lifting appliance;

(b)the operator's platform on every crane or tip, driven by mechanical power, is securely fenced, and is provided with safe means of access and where access to such platform is by a ladder—

(i)the sides of such ladder extend to a reasonable height beyond such platform or some other suitable handhold is provided in lieu thereof, to prevent falling of persons from such platform;

(ii)the handling place on such platform is maintained free from obstruction and slipping; and

(iii)in case, the height of such ladder exceeds six metres, the resting platforms are provided on such ladder at every six metres of its height and where the distance between last platform so provided, and the top end of such ladder, is more than two metres, then on such top end.

Section 40 (2) (e)

37.**Rigging of derricks.**—The employer shall ensure at a construction site of a building or other construction work that every derrick has current and relevant rigging plans and any other information necessary for the safe rigging of such derricks and its gear.

Section 40 (2) (e)

38.**Securing of derrick foot.**—The employer shall ensure at a construction site of a building or other construction work that appropriate measures are taken to prevent the foot of a derrick being lifted out of its socket or support.

Section 40 (2) (e)

39.**Construction and maintenance of lifting gear.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)every lifting gear is—

(i)of good design and construction, sound material and adequate strength to perform the work for which it is used;

(ii)free from patent defects; and

(iii)properly maintained in good repair and working order;

(b)components of the loose gear, at the time of its use, are renewed, if one of its dimensions at any point has decreased by ten per cent or more by use;

(c)a chain is withdrawn from use when it is stretched and increased in length, which exceeds five per cent of its length or when a link of such chain is deformed or is otherwise damaged or raised scrags of defective weld have appeared on it;

(d)rings, hooks, swivels and end links attached to a chain are of the same material as that of such chain; and

(e)the voltage of electric supply to any magnetic lifting device does not fluctuate by more than plus ten per cent or minus ten per cent.

Section 40 (2) (e)

40.**Test and periodical, examination of lifting gears.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) the capacity of a lifting gear supplied by the manufacturer is initially tested by a competent person in a manner, specified in Schedule-II, before taking it into use or after undergoing any

substantive alterations, which renders its any part liable to affect safety, and such gear after such test, shall, subsequently be retested for the use of its owner at least once in every two years;

(b)a lifting gear in use is thoroughly examined once at least every half yearly by a competent person;

(c)a chain in use is thoroughly examined once at least every month by a responsible person for its use; and

(d)certificates of initial and periodical tests and examinations of loose gears under these rules are obtained in Form-II.

Section 40 (2) (e)

41.**Ropes.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) no rope is used for building or other construction work unless—

(i)it is of good quality and free from patent defects; and

(ii) in the case of a wire rope, it has been tested and examined by a competent person in the manner, specified in Schedule II;

(b)every wire rope of lifting appliance or lifting gears, used for building or other construction work, is inspected by a responsible person for such use, at least once in every three months :

Provided that after any such wire is broken in such a rope, it shall, thereafter, be inspected at least once in every month by the responsible person;

(c)no wire rope is used for building or other construction work, if in any length of eight diameters of such wire, the total number of visible broken wires exceed ten per cent of the total number of wires in such rope, or such rope shows sign of excessive wear, corrosion or other defects, which the person who inspects it or the Inspector having jurisdiction, declares it as unfit for use;

(d)eye splices and loops of ropes for the attachment of hooks, rings and other such parts to wire ropes are made with suitable thimble; and

(e) a thimble or loop splice made in any wire rope sling conforms to the following standards, namely :—

(i) wire rope sling shall have at least three tucks with full strand of rope and two tucks with one-half of the wires cut out of each of such strand in all cases and such strands shall be tucked against the layer of the ropes;

(ii) protruding ends of such strands in any splice of wire rope slings shall be covered or treated so as to leave no sharp points;

(iii)a fibre rope or a rope sling shall have at least four tucks; tail of such tuck being whipped in a suitable manner; and

(iv)a synthetic fibre or rope sling shall have at least four tucks with full strand followed by further tuck with one-half filaments cut out of each of such strands. Any portion of the splices containing such tucks, with reduced number

of filaments, shall be securely covered with suitable tape or other materials :

Provided that nothing contained in this sub-clause, shall apply, where any other form of splice, which may be shown to be as efficient as the splice with above standards, is used.

42.**Heat treatment of lifting gears.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (e)

(a) all chains other than bridle chains attached to derricks and all rings, hooks, shackles and swivels, used in hoisting or lowering of such derricks, are effectively annealed under supervision of a competent person and at the following intervals, namely :—

(i)such chains, rings, hooks, shackles and swivels, which are not more than twelve-and-a-half millimetre of length, are so annealed at least once in every six months; and

(ii)all other such chains, rings, hooks, shackles and swivels are so annealed at least once in every twelve months :

Provided that such annealing as referred to in sub-clause (i) and sub-clause (ii), shall not be required, if the Inspector, having jurisdiction, after obtaining the approval of the Chief Inspector, directs that such chains, rings, hooks, shackles and swivels undergo some other treatment and in such cases, the treatment directed by such Inspector, shall be followed :

Provided further that in case of such chains, rings, hooks, shackles and swivels, used solely on such derricks and other hoisting appliances, which are worked by hand, the provisions of sub-clause (i) and (ii), as the case may be, shall apply as if for the period of six months and twelve months the period of twelve months and two years respectively have been substituted therein :

Provided further that in case where the Inspector, having jurisdiction of the area, is of the opinion that owing to the size, design material or frequency of the use of any such chains, rings, hooks, shackles and swivels, the requirement of this clause for annealing is not necessary for the protection of building worker, he may after obtaining the approval of the Chief Inspector, certify in writing to such employer that subject to the conditions, specified in such certification,

such chains, rings, hooks, shackles and swivels, are exempted from such annealing and thereafter, the provisions of this clause shall apply subject to such exemption :

Provided further that this clause shall not apply to—

(i) pitched chains, working on sprocket or sprocketed wheels;

(ii) rings, hooks and swivels, permanently attached to pitched chains, pulley blocks or weighing machines; and

(iii) hooks and swivels, having ball bearings or other case hardened parts;

(b)a chain or a loose gear made of high tensile steel or alloy steel is plainly marked with a mark indicating that it is so made;

(c)no chain or loose gear made of high tensile steel or alloy steel is subjected to any form of heat treatment, except where such treatment is necessary for the purpose of repair of such chain or loose gear and that such repair is made under the direction of the competent person; and

(d)the wrought iron gear the past history of which is not traceable, is suspected of being heat treated at incorrect temperature, is normalised before using it on any building or other construction work.

Section 40 (2) (e)

43.**Certificate to be issued after actual testing and examination etc.**—The employer shall ensure at a construction site of a building or other construction work that a competent person issues a certificate in

Form VII for the purpose of rules 26, 32, 41 and 42 only after actual testing or, by examination of the apparatus, as the case may be, as specified in the said rules.

Section 40 (2) (e)

44. **Register of periodical tests, examination and certificates thereof.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) a register in Form-I, is maintained and particulars of such tests and examinations of lifting appliances, lifting gears and heat treatment as required under rule 26, rule 32 and rule 42 are entered in such register;

sa(b)certificate in respect of each of the following is obtained from a competent person in the forms, as mentioned below, namely :—

(i) in case of initial and periodical test and examination under rule 26 and rule 41 for—

(a) winches, derricks and their accessory gears in Form-II; and

(b)cranes or hoists and their accessory gears in Form III;

(ii)in case of test, examination and re-examination of loose gears under clause (d) of rule 40, in Form-IV;

(iii)in case of test and examination of wire ropes under rule 32, in Form-V;

(iv)in case of heat treatment and examination of loose gears under rule 42 in Form-VI;

(v)in case of annual through examination of the loose gears under clause (d) of rule 40, except where required particulars of such examination have been enclosed in the register, referred to in clause (a), in

Form-I, and such certificates are attached to the said register; and

(c)the register, referred to in clause (a), and the certificate, referred to in clause (b), attached to such register are—

(i) kept at such construction site in case, such register and certificate relate to lifting appliances, loose gear and wire ropes;

(ii) produced on demand before an Inspector having jurisdiction; and

(iii)retained for at least five years after the date of the last entry made in such register; and

(d)no lifting appliance or lifting gear in respect of which an entry is required to be made in the register, referred to in clause (a), and the certificate of test and examination, are required to be attached in such register in the manner as specified in clause (a) or clause (b), as the case may be, is used for building or other construction work, unless the required entries have been made in such register and certificates.

Section 40 (2) (e) 45.**Vacuum and magnetic lifting gear.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) no vacuum lifting gear, magnetic lifting gear or any other lifting gear where the load on it is held by adhesive power, is used while building workers are performing operations beneath such gear;

(b)a magnetic lifting gear used in connection with building or other construction work is provided with an alternative supply of power, such as batteries or uninterrupted power supply equipments, which may come into operation immediately in the event of failure of the main power supply; and

(c)no building worker shall work within the swinging zone of the lifting gear or load or building or other construction material suspended to such lifting gear.

Section 40 (2) (e) 46.**Knotting of chains and wire ropes.**—The employer shall ensure at a construction site of a building or other construction work that no chain or wire rope with a knot in it is used in building or other construction work.

Section 40 (2) (e) 47.**Carrying of persons by means of lifting appliances.**—(1) The employer shall ensure at a construction site of a building or other construction work that no building worker is raised, lowered or carried by a power driven lifting appliance except,—

(a) on the driver's platform in the cage of a crane; or

(b)on a hoist; or

(c)on an approved suspended scaffold :

Provided that a building worker may be raised, lowered or carried by a power driven lifting appliance—

(i) in circumstances where the use of a hoist or of a suspended scaffold is not reasonably practicable and the requirements of sub-rule (2), are complied with; or

(ii)on an aerial cableway or aerial ropeway in case where the requirements of sub-rule (2), are complied with.

(2)The requirements, referred to in proviso to sub-rule (1), are as follows—

(i) that the appliance, referred to in the said proviso can be operated from one position only;

(ii) that any winch used in connection with the appliance, referred to in the said proviso, complies with the requirements of rule 29;

(iii)that no person shall be carried by the appliance, referred to in said proviso, except—

(a) in a chair or cage; or

(b)in a skip or other receptacle at least three feet deep which is suitable for safe carriage of a person and any such chair, cage, skip or other receptacle is made of good construction, sound material, and has adequate strength, and is properly maintained with suitable means to prevent any occupant therein from falling out of it and is free from any material or tools, which may interfere with the handhold or foothold of such occupant or otherwise endanger him; and

(iv)that suitable measures shall be taken to prevent the chair, cage, skip or other receptacle from spinning or tipping in a manner dangerous to any occupant therein.

48.**Hoists carrying persons.—**The employer shall ensure at a construction site of a building or other construction work that— Section 40 (2) (e)

(a) no building worker is carried by a hoist, unless it is provided with a cage which,—

(i) is so constructed as to prevent, when its gates are shut, any building worker carried by such hoist from falling out of it, or from being trapped between any part of such cage and any fixed structure or other moving part of such hoist or from being struck by articles or materials falling down the hoist way on which such hoist is moving; and

(ii)is fitted on each of its sides from which, access is provided to a landing place with a gate, which has efficient interlocking or other devices to secure so that such gate cannot be opened, except when such cage is at a landing place and that such cage cannot be moved away from any such place until such gate is closed;

(b)every gate in the hoist-way enclosure of such hoist, used for carrying persons, is lifted with efficient inter-locking or other devices to secure so that cage cannot be opened, except when the cage of such gate is at the landing place, and that such cage cannot be moved away from the landing place until such gate is closed; and

(c)in every hoist, used for carrying building workers, these are provided with suitable and efficient automatic devices to ensure that the cage of such hoist comes to rest at a point above the lowest point to which such cage may travel.

Section 40 (2) (e) 49.**Attachment of loads.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) when a sling is used to hoist long materials, a lifting beam is used to space the sling legs for proper balance and when a load is suspended at two or more points with slings, the eyes of the lifting legs of such slings are shackled together and such shackle or eyes of the shackled slings are placed on the hook or the eyes of such lifting legs are shackled directly to the hoisting block or balance beam, as the case may be;

(b)every container or receptacle used for raising or lowering stone, bricks, tiles, slates or other similar objects is so enclosed with the hoist as to prevent the fall of such objects;

(c)a loaded wheel barrow placed directly on a platform of a hoist for raising or lowering of such wheel barrows is so secured that such wheel barrows cannot move and such platform is enclosed to prevent the fall of the contents kept in such wheel barrows; and

(d)landings of a hoist are so designed and arranged that the building workers on such hoist are not required to lean out into empty space for loading and unloading any material from such hoist.

Section 40 (2) (e)

50.**Tower Cranes.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) no person, other than the operator, trained and capable to work at heights, is employed to operate tower cranes;

(b)the ground on which a tower crane stands, has adequate bearing capacity;

(c)the bases for tower cranes and trucks for rail-mounted tower cranes are firm and levelled and such cranes are erected at a reasonably safe distance from excavations, and are operated within gradient limits as specified by the manufacturer of such cranes;

(d)tower cranes are located where there is a clear space available for erection, operation and dismantling of such cranes;

(e) tower cranes are located in such a way that the loads on such cranes are not handled over any occupied premises, public thoroughfares, railways or near power cables, other than the construction work for which such cranes are used;

(f) where two or more tower cranes are operated, every care is taken to ensure positive and proper communication between operators of such cranes to avoid any danger or dangerous occurrences;

(g)tower cranes are used for loading magnet or demolition ball service, piling operation or other similar operations, which could impose excessive load stresses on the crane structure of such cranes; and

(h)the instructions of the manufacturers of tower cranes and standard safe practices regarding such crane are followed, while operating or using such crane.

Section 40 (2) (e)

51. **Qualifications of operator of lifting winches and of signaller etc.**—The employer shall ensure at a construction site of a building or other construction work that no person is employed to drive or operate a lifting appliance whether driven by mechanical power or otherwise or to give signals to the driver

or operator of such lifting appliance or to work as a operator of a rigger or derricks unless he,—

(i) is above eighteen years of age;

(ii)is sufficiently competent and reliable;

(iii)possesses knowledge of the inherent risks involved in the operation of lifting appliances; and

(iv)is medically examined periodically and is found fit as specified in Schedule VI.

CHAPTER IV

RUNWAYS AND RAMPS

Section 40 (2) (a) 52.**Use of runways and ramps by building workers.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)runways or ramps provided for use by the building workers are of suitable width, material and are of sufficient strength to withstand the live and dead load ; and

(b)every runway or ramp provided for use of building workers, located above the floor or ground level, is on open sides provided with a guard rail of adequate strength and height of not less than eighty centimetres.

Section 40 (2) (a) 53.**Use by vehicles.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)all runways and ramps are of sound construction, strength and are securely braced and supported ; and

(b)every runway or ramp for the use of transport equipment like trailers, trucks or heavier vehicles has a width of not less than three point seven metres and is provided with curb materials of an adequate strength with not less than two hundred millimetres by two hundred millimetres in width placed parallel to, and secured to, the sides of such runway or ramp and such runways or ramps are designed in accordance with the relevant national standards.

Section 40 (2) (a) 54.**Slope of Ramps.**—The employer shall ensure at a construction site of a building or other construction work that every ramp has a slope, not less than one in seven and the total rise of a continuous ramp used by building workers carrying material or using wheel-barrows does not exceed three point seven metres, unless broken by horizontal landing of at least one point two metres in length or as provided in accordance with the relevant national standards.

Section 40 (2) (a) 55.**Use by wheel barrows etc.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)every runway or ramp used for wheel-barrows, hand carts or hand trucks is not less than one metre in width and is constructed of not less than fifty millimetres thick planking and is supported and braced suitably for such use ;

(b)every runway or ramp, located more than three metres above the floor or ground, is provided on the open sides with suitable guard fails of adequate strength.

CHAPTER V

WORK ON OR ADJACENT TO WATER

Section 40 (2) (m) 56.**Transport by water.**—(1) The employer shall ensure at a construction site of a building or other construction work that,—

(a)when any building worker has to proceed to or from any working place by water for purposes of carrying on a building or other construction work, proper measures are taken to provide for his safe transportation and vessels used for such purpose are used in the charge of a responsible person, and are properly equipped for safe navigation, and are maintained in good condition ; and

(b)the maximum number of persons, which can be safely carried in a vessel as certified under the relevant law in force, is marked plainly and conspicuously on such vessel and such number is not exceeded during use of such vessel for carrying persons ;

(2)The vessel referred to in clause (a) of sub-rule (1), shall conform to the following, namely :—

(i) that adequate protection is provided to the building workers in such vessel from inclement weather ;

(ii) that such vessel is manned by adequate and experienced crew as per relevant law on the subject for the time being in force ;

(iii)that in case, the bulwarks of such vessel are lower than sixty centimetres from the level of the deck of such vessel, the open edge of such bulwarks are fitted with suitable fencing to a height of at least one metre above such deck and the post and stanchions and similar parts used in such fencing are not spaced more than two metres apart ;

(iv)that the number of life-buoys on deck of such vessel is at least equal to the number of crew members of such vessel and is not less than two ;

(v) that all life-buoys on deck of such vessel are kept in good state of maintenance and are so placed that if such vessel sinks, then they remain to float and one of such buoys is within the immediate reach of the steersman of such vessel and another is situated after part of such vessel ; and

(vi)that the position of the steersman of the vessel is such that he has a reasonably free view of all sides.

Section 40 (2) (m)

57.**Prevention from drowning.**—The employer shall ensure at a construction site of a building or other construction work that where, on or adjacent to the work place of any construction site to which these rules apply, there is water into which, a building worker employed for work on such site, in the course of his employment, may fall and has the risk of drowning, suitable rescue equipment is provided and kept in an efficient state for ready use and measures are taken to arrange for the prompt rescue of such building worker from the danger of drowning and where there is a special risk of such fall from the edge of adjacent land or from a structure adjacent to or above the water or from floating stage on such water, secured fencing is provided near the edge of such land, structure or floating stage, as the case may be, to prevent such fall. Such fencing may be removed or allowed to remain erected for the time and to the extent, necessary for the access of building workers and the movement of materials for such work.

CHAPTER VI

TRANSPORT AND EARTH MOVING MACHINERY

Section 40 (2) (p)

58.**Earth moving machinery and vehicles.**—The employer shall ensure at a construction site of building or other construction work that,—

(a) every vehicle and earth moving machinery is made of good material, proper design and sound construction ; is

sufficiently strong for the purpose, for which such machinery is used and is maintained in good state of repair and is properly used in accordance with standard safe operating practices :

Provided that the truck or trailer employed for transporting, freight containers are of the size, sufficient to carry the containers, without overhanging, and are provided with twist locks conforming to national standards, at all the four corners of each of such truck or trailer and such truck or trailer is certified for such use by an authority under the relevant law for the time being in force and is inspected by a responsible person, at least once in a month and record of such inspection is maintained ;

(b)all transport or earth moving machinery and vehicles are inspected at least once in a week by a responsible person and in case any defect is noticed in such machinery or vehicles, the same is immediately taken out of use for repairs ;

(c)power trucks and tractors are equipped with effective brakes, head lights and tail lamps, and are maintained in good repair and working order ;

(d)side stanchions on power trucks and trailers for carrying heavy and long objects are,—

(i) of sound construction and free from defects ;

(ii) provided with tie chains attached to the top across the loads for preventing such stanchions from spreading out ; and

(iii)kept in position while loading and unloading ;

(e)safe gangways are provided for to and fro movement of building workers engaged in loading and unloading of lorries, trucks, and wagons ;

(f)trucks and other equipments are not loaded beyond their safe carrying capacity, which shall be clearly marked on such trucks and other equipment ;

(g)handles of hand trucks are so designed as to protect the hands of the building workers working on such trucks, or such handles are provided with knuckle guards ;

(h)no unauthorised person rides the transport machinery employed in such work ;

(i) a driver of a transport machinery manoeuvres such equipment under the direction of signaller ;

(j) adequate precautions such as isolating the electric supply or erecting overhead barriers of a safe height, are taken when earth moving machinery or vehicles are required to operate in dangerous proximity to any live electric conductor ;

(k)vehicles and earth moving machineries are not left on a slope with the engine of such vehicles or equipment running ; and

(l) all earth moving machineries, vehicles or other transport equipment are operated only by such persons, who are adequately trained and possess such skills as are required for

safe operation of such machinery, vehicle or other transport equipment.

59.**Power shovels and excavators**.—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (p)

(a)a shovel or an excavator, whether operated by steam or electric or by internal combustion, used for such work, is constructed, installed, operated, tested and examined as required under any law for the time being in force and the relevant national standards ;

(b)excavator equipped for use as a mobile crane is—

(i) examined and tested in accordance with the requirements for such mobile crane under these rules ; and

(ii) fitted with an automatic safe working load indicator ;

(c)buckets or grabs of power shovels are propped to restrict the movement of such buckets or grabs while being repaired or while the teeth of such buckets or grabs are being changed.

Section 40 (2) (p) 60.**Bulldozers.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)an operator of a bulldozer, before leaving such bulldozer—

(i) applies the brakes ;

(ii) lowers the blade and sipper ; and

(iii) puts the shift lever into neutral;

(b)a bulldozer is left on level ground at the close of the work for which such bulldozer is used ;

(c)the blade of bulldozer is kept low when such bulldozer is moving uphill ; and

(d)the bulldozer blades are not used as brakes except in an emergency.

Section 40 (2) (q) 61.**Scrapers.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)a tractor and scraper is joined by safety line at the time of its operation ;

(b)the scraper bowls are propped while blades of such scraper are being replaced ; and

(c)a scraper moving downhill is left in gear.

Section 40 (2) (p) 62.**Mobile asphalt layers and finishers.**—The employer shall ensure on a construction site of a building or other construction work that,— (a)a mixture elevator is within a wooden or sheet metal enclosure with a window for observation, lubrication and maintenance ;

(b)bitumen scoops have adequate covers;

(c)when asphalt plants are working on a public road, adequate traffic control is established on such road and the building workers, working with such plant, are provided with reflecting jackets;

(d)a sufficient number of fire extinguishers are kept in readiness on such work place where fire hazards may exist;

(e)the materials are loaded on the elevator after the drying drain of such elevator has warmed up;

(f)no open light is used for ascertaining the level of asphalt; and

(g)inspection opening is not opened till there is a pressure in the boiler, which may cause injury to a building worker.

63.**Pavers.**—The employer shall ensure at a construction site of a building or other construction work that pavers are equipped with guards, suitable to prevent building workers from walking under the skip of such pavers. Section 40 (2) (p)

64.**Road-rollers.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (p)

(a)before a road-roller is used on the ground, such ground is examined for its bearing capacity and general safety, especially at the edges of slopes, such as embankments on such grounds; and

(b)a road-roller is not moved downhill with the engine out of gear.

65.**General safety.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a)every vehicle or earth moving machinery is equipped with—

(i) silencers;

(ii) tail lights;

(iii) power and hand brakes;

(iv) reversing alarm; and

(v) search light for forward and backward movements, which are required for safe operation of such vehicle or earth moving machinery;

(b)the cab of vehicle or earth moving machinery is kept at least one metre from the adjacent face of a ground being excavated; and

(c)when a crane or shovel is travelling, the boom of such crane or shovel is in the direction of such travel and the bucket of scoop attached to such crane or shovel is raised and is without load, except when such travelling is downhill.

CHAPTER – VII

CONCRETE WORK

Section 40 (2) (q) 66.**General provisions regarding use of concrete.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)all construction with the use of concrete or reinforced concrete are based on plans as—

(i) include specifications of steel and concrete and other material to be used in such construction;

(ii) give technical details regarding methods for safe placing and handling of such materials as specified in sub-clause (i);

(iii) indicate the type, quality and arrangement of each part of a structure of such construction; and

(iv) explain the sequence of steps, to be taken for completion of such construction;

(b)form work and shores, used for concrete work, are structurally safe and are properly braced or tied together so as to maintain position and shape of such form work or shores; and

(c)form work structure, used for concrete work, has sufficient cat-walks and other secured access for inspection of such structure, if such structure is in two or more tiers.

Section 40 (2) (q)

67.**Preparation and pouring of concrete and erection of concrete structures.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) a building worker handling cement or concrete—

(i)wears close-fitting clothing, gloves, helmet or hard-hat, safety goggles, proper foot wear and respirator or mask to protect himself from danger in such handling;

(ii)keep as much of his body covered as is required to protect him from danger in such handling; and

(iii)takes all necessary precautions to keep cement and concrete away from his skin in such handling;

(b) lime pits are fenced or enclosed;

(c) lime pits are filled and emptied by such devices, which do not require building workers to go into the pit;

(d) moving parts of the elevators, hoist, screens, bunkers, chutes, grouting equipment, used for concrete work and of other equipment used for storing, transport and other handling ingredients of concrete, are securely fenced to avoid contact of building workers with such moving parts; and

(e) screw conveyors, used for cement, lime and other dusty materials, are completely enclosed.

Section 40 (2) (q)

68.**Buckets.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) concrete buckets used with cranes or aerial cableways are free from projections from which accumulations of concrete could fall; and

(b) movements of concrete buckets are governed by signals, necessary to avoid any danger by such movements.

Section 40 (2) (q)

69.**Pipes and pumps.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) a scaffolding, carrying a pipe for pumped concrete, is strong enough to support such pipe at that time when such pipe is filled with concrete or water or any other liquid and to bear weight of all the building workers, who may be on such scaffold at such time, safely;

(b) every pipe for carrying pumped concrete is—

(i)securely anchored at its end point and at each curve on it;

(ii)provided near the top of such pipe with an air release valve just up-stream of bends; and

(iii)securely attached to a pump nozzle by a bolted collar or other adequate means;

(c) the operation of concrete pumps are governed by the standard signals relevant in accordance with the relevant national standards; and

(d) the building workers, employed around a concrete pump wear safety goggles.

Section 40 (2) (q) 70.**Mixing and pouring of concrete.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) the concrete mixture does not contain any material which may unduly affect the setting of such concrete, weaken such concrete or corrode steel used with such concrete;

(b) when dry ingredients of concrete are being mixed in confined spaces such as silos—

(i)the dust shall be exhausted at the time of such mixing; and

(ii)in case the dust cannot be exhausted as specified in sub-clause (i), the building workers shall wear respirators at the time of such mixing;

(c) when concrete is being tipped from buckets, building workers are kept out of the range of any kickbacks of such buckets; and

(d) loads are not dumped or placed on setting concrete so as to avoid damage to green concrete.

Section 40 (2) (q) 71.**Concrete panels and slabs.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) all parts of a concrete panel or concrete slabs are hoisted uniformly;

(b)concrete panels are adequately braced in their final positions and such bracing shall remain in such position, until such panels are adequately supported by other parts of the construction for which such panels are used; and

(c)temporary bracing of concrete panels are securely fastened to prevent any part of such panels from falling when such panels are being moved.

Section 40 (2) (q) 72.**Stressed and tensioned elements.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) the building workers do not stand directly over jacking equipment while stressing of concrete girders and beams is being done;

(b)a pre-stressed concrete unit is not handled, except at points on such unit and by the devices specified for such work by the manufacturer of such devices;

(c)during transport, pre-stressed concrete girders or concrete beams are kept upright by bracing or other effective means;

(d)anchor fittings for pre-tensioned strands of pre-stressed concrete girders or concrete beams are kept in a safe condition in accordance with the instructions of the manufacturer of such anchor fittings;

(e) the building workers do not stand behind jacks or in line with tensioning elements and jacking equipment during tensioning operations of pre-stressed concrete girders or concrete beams or any other precast structural member; and

(f) the building workers do not cut wires of pre-stressed concrete girders or concrete beams under tension before such concrete used for such girders or beams has sufficiently hardened.

73.**Vibrators.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) the building workers, who are in good physical condition, operate vibrators used in concreting work;

(b)all practical measures are taken to reduce the amount of vibration transmitted to the form work and the operators working in concreting work;

(c)when electric vibrators are used in concreting work—

(i)such vibrators shall be earthed;

(ii)the leads of such vibrators shall be heavily insulated; and

(iii)the current shall be switched off when such vibrators are not in use;

(d)vibrators when worked with compressed air, are checked before use for any problem arising out of pressure; and

(e) vibrators when worked with petrol, their engine shall be checked for proper functioning and spilling of petrol.

74.**Inspection, supervision and quality control.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) a person, responsible for a concreting work, supervises the erection of the form work, shores, braces and other supports, used for such concreting work;

(b)a person, responsible for concreting work makes a through inspection of every form work after erection of such form work in such concreting work to ensure that such form work is safe and secured;

(c)a person, responsible for concreting work regularly inspects the form work, shores, braces, reshores and other supports during the placing of concrete;

(d)any unsafe condition, which is discovered during the inspections mentioned under clauses (b) and (c), shall be remedied immediately; and

(e) a person, responsible for a concreting work keeps all records of inspections referred to in clauses (a) and (b) at the work place relating to such inspection and produces the same for inspection upon demand of an Inspector having jurisdiction.

Section 40 (2) (q) 75.**Beams, floors, slabs and roofs.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) horizontal and diagonal bracings are provided in both longitudinal and transverse directions as may be necessary to provide structural stability to form work used in concreting work and shores used in such concreting work are properly seated top and bottom and are secured in their places;

(b)where shores, used in concreting work rest upon the ground, bases of bricks, wood or steel plates are provided for keeping such shores firm and in level;

(c)where the floor to ceiling height of a concreting work exceeds nine metres or where the formwork deck used in such concreting work is supported by shores constructed in two or more tiers, or where the dead, live and impact loads on the formwork used in such concreting work, exceed seven hundred kilogram per square metre, the structure of such formwork is designed by a professional engineer in the relevant field and the specifications and drawings of such formwork are kept at such construction site and produced on demand before the Inspector having jurisdiction; and

(d)where the structure of the form work used in concreting work is designed by a professional engineer, such engineer shall be responsible for the supervision of construction and stability of such structure.

76.**Stripping.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) no stripping of form work used in concreting work commences until the concrete on such form work is fully set, attained strength for carrying dead and live load during construction, examined and certified to this effect by the responsible person and record of such examination and certification is maintained;

(b)stripped forms in concreting work are removed or stock piled promptly after stripping from all areas in which building workers are required to work or pass; and

(c)protruding nails, wire ties and other form work accessories not required for subsequent concreting work are pulled, cut or otherwise made safe.

77.**Reshoring.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) reshoring used in concreting work is provided to a slab or beam for its safe support after its stripping or where such slab or beam is subjected to super imposed loads due to construction above such slab or beam; and

(b)the provisions applicable to shoring in a concreting work under this chapter, shall also be applicable to reshoring in such work.

CHAPTER–VIII

DEMOLITION

78.**Preparation.**—The employer shall ensure at a construction site of a building or other construction work that all glass or similar materials or articles in exterior openings are removed before commencing any demolition work and all water, steam, electric, gas and other similar supply lines are put off and suitably capped. The concerned department of the Government or local authority is informed and permission is obtained wherever required before commencing such demolition work and wherever it is necessary to maintain water, gas electric line or power during such demolition, such supply lines shall be so located or protected with substantial coverings so as to protect it from damage and to afford safety to the building workers and the general public. Section 40 (2) (b)

79.**Protection of adjacent structures.**—The employer, responsible Section 40 (2) (b)

for a demolition work at a construction site of a building or other construction work shall, before demolition process of such work, examine the walls of all structures, adjacent to the structure to be demolished, so as to determine the

method of support to such adjacent structure and in case, such employer has reason to believe that any of such adjacent structures is unsafe or may become unsafe during such demolition process, he shall not perform demolition activity affecting such unsafe adjacent structure, unless any remedial measures like sheet pilling, shoring, bracing, or similar other means so as to ensure safety and stability to such unsafe adjacent structure from collapsing, are taken.

Section 40 (2) (b) 80.**Demolition of walls, partitions etc.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) any demolition of walls or partitions is proceeded in a systematic manner as per the standard safe operating practices and all work above each tier of any floor beams is completed before the safety of the supports of such beam is disturbed;

(b)masonry is neither loosened nor permitted to fall in such masses or volume or weight so as to endanger the structural stability of any floor or structural support;

(c)no wall, chimney or other structure or part of a structure is left unguarded in such a condition that it may fall, collapse or weaken due to wind pressure or vibrations;

(d)in the case of demolition of exterior walls by hand, safe footing is provided for the building workers employed for such demolition in the form of sound flooring or scaffolds; and

(e) walls or partitions, which are to be demolished by hand, are not left standing more than one storey high above the uppermost floor on which persons are working.

Section 40 (2) (b) 81.**Method of operation.**—The employer shall ensure at a construction site of a building or other construction work that debris, bricks and other materials or articles are removed,—

(i) by means of chutes; or

(ii) by means of buckets or hoists; or

(iii)through opening in the floors; or

(iv)by any other safe means.

Section 40 (2) (b) 82.**Access to floor.**—The employer shall ensure at a construction site of a building or other construction work that safe access to and egress from every building is provided at all times in the course of demolition of such building by means of entrances, hallways, stairways or ladder runs, which are so protected

as to safeguard the building workers using such means from falling material or articles.

83.**Demolition of structural steel.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (b)

(a) all steel structures are commenced to be demolished from top beam and column by column and tier by tier and every structural member, which is being demolished, is not under any stress and such structural member is suitably lashed to prevent it from any uncontrolled swinging or dropping or falling;

(b)large structural members are not thrown or dropped from the building, but are carefully lowered by adopting suitable safe methods; and

(c)where a lifting appliance like a derrick is used for demolition, the floor on which such lifting appliance rests, is completely planked over or supported and such floor is of adequate strength to sustain bearing load for such lifting appliance and its operation.

84.**Storage of material or article.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (b)

(a) materials or articles are not stored or kept on platforms, floors or stairways of a building being demolished :

Provided that this clause shall not apply to the floor of a building when on such floor—

(i) an access to any stairway or passageway is not affected or blocked by storing any materials or articles; and

(ii) suitable barricades are provided so as to prevent materials or articles from sliding or rebounding into any space, used by the building workers.

85.**Floor openings.**—The employer shall ensure at a construction site of a building or other construction work that every opening used for the removal of debris from every floor, which is not closed to access, except the top or working floor, is provided with a safe and strong enclosure all around the opening of such floor so that no building worker has access to within a horizontal distance of not less than half a metre from such opening through which debris is being dropped. Section 40 (2) (b)

Section 40 (2) (b) 86.**Inspection.**—The employer shall ensure at a construction site of a building or other construction work that a person responsible for demolition work makes continuous inspections during demolition process of such demolition work so as to detect any hazard, resulting from weakened or deteriorated floors or walls or other articles during such demolition process and no building worker is permitted to work where such hazard exists, unless remedial measures like shoring or bracing or removal of weak portions and rebuilding are taken to prevent such hazards.

Section 40 (2) (b) 87.**Warning signs, barricades, etc.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) barricades and warning signs are erected along with every side throughout the length and breadth of a building or other construction work to be demolished to prevent unauthorised persons from entering into the site of such building or other construction work during demolition operations;

(b)during the demolition of an exterior masonry wall or a roof from a point more than twelve metres above the adjoining ground level of such a wall or roof, if persons below such wall or roof are exposed to falling objects, suitable and safe catch platforms shall be provided and maintained at a level, not more than four metres below the working level except where an exterior built-up scaffold is provided for safe and adequate protection of such persons; and

(c)suitable and standard warning signs in accordance with national standards are displayed or erected at conspicuous places or positions at the workplace.

Section 40 (2) (q) 88.**Mechanical method of demolition.**—The employer shall ensure at a construction site of a building or other construction work that the following requirements are fulfilled in case the mechanical method of demolition like use of swinging weight, clamshell bucket, power shovel, bulldozer or other similar mechanical methods are used for the purpose of demolition, namely:—

(a) that the building or structure or remaining portion thereof shall not be more than ten metres in height;

(b)that where a swinging weight is used for demolition, a zone of such demolition having a radius of at least one-and-a-half times

the height of the structure or portion thereof being so demolished, shall be maintained around the points of impact of such swinging weight;

(c)where a clam shell bucket is being used for demolition, a zone of demolition shall be maintained within eight metres of the line of travel of such bucket;

(d)that where other mechanical methods are being used to affect total or partial collapse of a building or other construction work, there shall be maintained, in the area into which the affected portion of such building or other construction work may fall, a zone of demolition at least one and a half times the height of such affected portion thereof; and

(e) no person, other than building workers or other persons essential to the operation of demolition work, shall be permitted to enter a zone of demolition referred to in clause (a), which shall be provided with substantial barricades.

CHAPTER IX

EXCAVATION AND TUNNELLING WORKS

89.**Notification of intention to carry out excavation and tunnelling work.**—(1) Every employer carrying out any excavation or tunnelling work at a construction site of a building or other construction work shall, within thirty days prior to the commencement of such excavation or tunnelling work, inform in writing the detailed layout plans, method of construction and schedule of such excavation or tunnelling work to the principal employer, if any, and to the Chief Inspector. Section 40 (2) (q)

(2)In case, compressed air is used in such excavation or tunnelling work or any work incidental to or required for such excavation or tunnelling work, the technical details and drawings of all man-locks and medical-locks together with names and addresses of all construction medical officers having qualification as laid down in Schedule IX, and so appointed by such employer for the purpose of such excavation or tunnelling work, shall be sent to the principal employer, if any, and to the Chief Inspector.

90.**Project Engineer.**—(1) Every employer undertaking heavy excavation or tunnelling work, shall appoint an experienced and qualified Project Engineer for safe operation of machinery and tools for execution of such projects. Section 40 (2) (q)

(2)Such Project Engineer shall be overall responsible for execution of the project.

(3)The name and address of such Project Engineer shall be forwarded to the principal employer, if any, and to the Chief Inspector.

Section 40 (2) (q)

91. **Responsible person.**—(1) Every employer, who undertakes excavation or tunnelling work at a construction site of a building or other construction work, shall appoint a responsible person for safe operation for such excavation or tunnelling work.

(2) Duties and responsibilities of the responsible person referred to in sub-rule (1), shall include,—

(a) to carry out smoothly such excavation or tunnelling work;

(b)to inspect and rectify any hazardous situation relating to such excavation or tunnelling work; and

(c)to take remedial measures to avoid any unsafe practice or conditions relating to such excavation or tunnelling work.

(3)The name and address of the responsible person referred to in sub-rule (1), shall be forwarded to the principal employer, if any, and to the Chief Inspector.

Section 40 (2) (q)

92.**Warning signs and notices.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) suitable warning signs or notices, required for the safety of building workers carrying out the work of an excavation or tunnelling, shall be displayed or erected at conspicuous places in English, Punjabi and also in Hindi language or in a language, understood by the majority of such building workers at such excavation or tunnelling work; and

(b)such warning signs and notices with regard to compressed air working shall include,—

(i) the danger involved in such compressed air work;

(ii) fire and explosion hazards; and

(iii)the emergency procedures for rescue from such danger or hazards.

Section 40 (2) (q)

93.**Register of employment etc.**—Every employer shall ensure that at a construction site of a building or other construction work where excavation or tunnelling work is being carried on, a register of employment of building workers is maintained for the building workers carrying out such excavation or

tunnelling work, and the same is produced on demand to the Inspector having jurisdiction.

Section 40 (2) (f)

94.**Illumination.**—(1) The employer shall ensure at a construction site of a building or other construction work that all work places, where excavation or tunnelling works are carried out shall be adequately illuminated in the manner specified in Schedule III. The cable for such illumination shall be checked, laid properly and is made safe wherever required.

(2)Every employer carrying out excavation or tunnelling works at a construction site of a building or other construction work shall, in case of power failure, provide for emergency electric generators on such construction sites to ensure adequate illumination of all work places, where such excavation or tunnelling work is being carried out.

Section 40 (2) (q)

95.**Stability of structure.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) where there is any doubt as to the stability of any structure adjoining the work place or other areas to be excavated or where tunnelling work is to be carried out, the Project Engineer referred to in rule 90 arranges for measures like underpinning, sheet piling, shoring, bracing or other similar means to support such structure to avoid any damage to property or equipment adjacent to such structure;

(b)where any building worker engaged in excavation is exposed to hazard of falling or sliding material or article from any bank or side of such excavation, which is more than one and a half metre above his footing, such building worker is protected by providing adequate support against such bank or side;

(c)the excavation and its vicinity are checked by a responsible person referred to in rule 91 after every rain, storm or other occurrences carrying hazards and in case, a hazard is noticed at such checking, adequate protection against slides and caving to prevent such hazard is provided;

(d)temporary sheet piling, installed for the construction of a retaining wall after excavation is not removed, except on the advice of the responsible person referred to in rule 91 after an inspection is carried out by such responsible person;

(e) where banks or an excavation are undercut, adequate shoring is provided to support the material or article over-hanging such bank;

(f) excavated material is not stored at least two metres from the edge of an open excavation or trench and the banks of such excavation or trench are stripped of loose rocks, earth and other materials, which may slide, roll or fall upon a building worker, working below such bank;

(g)adequate and suitable warning signs are put-up at conspicuous places at the excavation site or trenches; and

(h)the responsible person referred to in rule 91, ensures at the excavation work that no building worker is permitted to work where such building worker may be struck or endangered by the excavation machinery or material or article used in such excavation.

Section 40 (2) (q)

96.**Piling, shoring, bracing and shuttering.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) plank used for sheet piling in excavation or shuttering for tunnelling work is of sound material with adequate strength;

(b)shores, and braces used in excavation or tunnelling work are of adequate dimensions and are so placed as to be effective for their intended purposes;

(c)earth supporting shores or braces used in excavation or tunnelling work bear against a footing of sufficient area and stability to prevent the shifting of such shores or braces; and

(d)shuttering in tunnelling being heavy, requisite equipment for erection should be provided for the use of the building workers to avoid any danger from falling.

Section 40 (2) (q) 97.**Safe access.**—The employer shall ensure at a construction site of a building or other construction work that ladders, staircases or ramps are provided, as the case may be, for safe access to and egress from excavation, where the depth of such excavation exceeds one point five metres, and such ladders, stair-cases or ramps comply with the relevant national standards.

Section 40 (2) (q) 98.**Trenches.**—The employer shall ensure at a construction site of a building or other construction work that a trench or excavation is protected against falling of a person by suitable measures, if the depth of such trench or

excavation exceeds one and a half metres and such protection is provided by sound material to provide safety in all the three directions, where such depth exceeds four metres.

99.**Depth of trenches.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) where the depth of a trench requires two lengths of sheet piling, one above the other, the lower piling is set inside the bottom strings or walls of the upper piling and such sheet piling is driven down and braced as the excavation continues; and

(b)all metal sheet piles used in excavation or a trench are welded end to end and secured by other similar means.

100.**Positioning and use of machinery.**—The employer shall ensure at a construction site of a building or other construction work that any machinery used in excavation and tunnelling work is positioned and operated in such a way that such machinery does not endanger the operator of such machinery or any other person in the vicinity. Section 40 (2) (q)

101.**Breathing apparatus.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) suitable breathing apparatus is provided to a building worker, while working in compressed air environment for his use at excavation or tunnelling work;

(b)such breathing apparatus is maintained in good working condition at all times; and

(c)for works, where there is likelihood of gaseous emissions at the work site, a spare breathing apparatus in good working condition at all times shall be kept at site to meet with the emergency conditions.

102.**Safety measures for tunnelling operation.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40 (2) (q)

(a) where there is a danger of falling or sliding of material from the roof face or wall of a tunnel, adequate measures such as shoring, supporting by means of rock bolts, segments of steel sets and lagging between the rock and the supports called‘ribbing’ are installed for the safety of the building workers;

(b)the excavated areas are made safe by use of suitably designed and installed steel sets, rock bolts or similar other safe means, wherever required;

(c)the responsible person referred to in rule 91, examines and inspects the workplaces in a tunnel before the commencement of work in such tunnel, and at regular

intervals thereafter, to ensure safety of the building workers in such tunnel;

(d)the portal areas of a tunnel with loose soil, or rock, likely to cause injury to a person, are adequately protected with supports like steel ribbing, lagging and concreting; and

(e) while blasting in tunnels, the fumes of gases and dust, shall be removed by exhaust equipment and the entry of building workers shall only be allowed, when all such things are cleared.

Section 40 (2) (q)

103.**Pneumatic tools.**—The employer shall ensure at a construction site of a building or other construction work that supply lines to pneumatic tools used within a tunnel, are fitted with water-trap or safety chain or safety wire, as the case may be.

Section 40 (2) (q)

104.**Shafts.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) surroundings of the shaft, used in excavation or tunnel work are protected from being washed away by construction of sufficient height;

(b)where a building worker is required to enter a shaft at an excavation or tunnelling work, safe means of access is provided for such entry;

(c)every shaft at excavation or tunnelling work is provided with a steel casing, concrete piping, timber shoring or other materials of adequate strength for the safety of building workers working in such shafts;

(d)such casing and bracing are provided to a shaft at an excavation or tunnelling work up to the depth of such shaft at an excavation or tunnelling work as are required, according to the appropriate design for such casing and bracing ;

(e)a reinforced concrete raft and beam is provided around the opening of a shaft at an excavation or tunnelling work, if the ground surrounding of such opening is unstable or unsafe ; and

(f)the shaft sides shall be strengthened by providing structural steel ribs and vertical steel members shall also be provided to avoid falling of rods from the sides.

Section 40(2) of a (q)

105.**Lift for shaft.**—The employer shall ensure at a construction site building or other construction work that lift or other safe arrangement is provided for transport of building workers and materials or articles at an excavation or tunnelling work, required to descend or come out of the shaft.

Section 40(2) (q)

106.**Means of communication.**—(1) Every employer of building workers shall provide reliable and effective means of communication such as telephone, walkie-talkie, mobile phones or any other similar means of communication, and shall maintain them in working order. For arranging better and effective communication, the following locations shall be specially kept in mind—

(a) at the entry of the working chamber ;

(b)at intervals of one hundred metre along the tunnel ; and

(c)the working chamber side of the man-lock near the door, interior of each chamber of the man-lock, the lock attendant's station, the compressor plant, the first-aid station and outside the portal or at top of the shaft.

(2) Bells and whistles shall also be made available at all times at the aforesaid locations.

Section 40(2) (q)

107.**Signals.**—The employer shall ensure at a construction site of a building or other construction work, that the standard audio or video signals are used in excavation or tunnelling work and are conspicuously located or displayed near entrance to the workplace and in such other locations, as may be necessary to bring such signals to the notice of all building workers, employed in such excavation or tunnelling work.

Section 40(2) (q)

108.**Clearances.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) the minimum lateral clearance of half-a-metre is maintained between any part of a vehicle and any fixture or any equipment, used in an excavation or tunnelling work after allowing the throw or swing of such fixture, or equipment ;

(b) the overhead clearance for a locomotive drive at excavation or tunnelling work is into less than one point one zero metres above the seat of such driver and not less than two metres above the platform, where such driver stands or of any other dimension in accordance with the relevant national standards.

Section 40(2) (q)

109.**Shelters.**—The employer shall ensure at a construction site of a building or other construction work that the adequate number of shelters for the safeguard of the building workers are provided where, in the course of working, they are liable to be struck by a moving vehicle or other material handling equipment in a tunnel.

Section 40(2) (q)

110.**Use of internal combustion engine.**—The employer shall ensure at a construction site of a building or other construction work that no internal combustion engine is used in underground excavation work.

Section 40(2) (q)

111.**Inflammable oils.**—The employer shall ensure at a construction site of a building or other construction work that inflammable oils with the flash point, below the working temperature that is likely to be encountered in a tunnel, are not used in excavation or tunnelling work.

Section 40(2) (q)

112.**Coupling and hoses.**—The employer shall ensure at a construction site of a building or other construction work that only high-pressure hydraulic hoses and couplings are used in underground hydraulic plants and such hoses and couplings are adequately protected against any possible damage in excavation or tunnelling work.

Section 40(2) (q)

113. **Hose installation.**—TheEmployer shall ensure at a construction site of a building or other construction work that all hydraulic lines and plants working at a temperature, exceeding seventy degree centigrade, are protected by adequate insulation or otherwise against accidental human contact in excavation or tunnelling work.

Section 40(2) (q)

114.**Fire resistant hoses.**—The employer shall ensure at a construction site of a building or other construction work that no hydraulic hoses other than fire resistant hydraulic hoses are used when hydraulically activated machinery and equipment is employed in tunnels.

Section 40(2) (q)

115.**Flame proof equipment.**—The employer shall ensure at a construction site of a building or other construction work that only flame proof equipment of appropriate type as per relevant national standards is used, where there is a danger of inflammable or explosive atmosphere being prevalent inside the tunnel.

Section 40(2) (q)

116.**Storing of oil and fuel underground.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) all oils, greases or fuels stored underground in excavation or tunnelling work are kept in tightly sealed containers, which are fire resistant and kept at separate areas at safe distances away from explosive and other inflammable chemicals ; and

(b) appropriate flame proof installation is used in such storage areas as specified in clause (a).

117.**Use of gases underground.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (q)

(a) petrol or liquefied petroleum gas or any other inflammable substances are not used or stored inside the tunnel, except with the prior approval of the project engineer under rule 90 ;

(b) a minimum quantity of such petrol or liquefied petroleum gas or other inflammable substance as referred to in clause (a), is brought in and after its use, the remaining such material shall be immediately removed from such tunnel ; and

(c) no oxy-acetylene gas is used in a compressed air environment in excavation or tunnelling work.

118.**Water for fire fighting.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (q)

(a) adequate number of water outlets are provided on excavation or tunnelling work and are readily made accessible throughout the tunnel for fire fighting purpose and such water outlets are maintained for effective fire fighting;

(b)all air-locks are equipped with fire fighting facilities at excavation or tunnelling work ;

(c)an audible fire alarm is provided to warn the building workers whenever a fire breaks out on an excavation or tunnelling work;

(d)adequate number and types of fire extinguishers, in accordance with relevant national standards are provided and kept readily available in the storage areas of inflammable or explosive material or elsewhere around so as to fight any outbreak of fire at an excavation or tunnelling work;

(e)fire extinguishers with vaporising liquids and high pressure carbon dioxide are not used in tunnels or other confined spaces; and

(f)the instructions regarding steps to be followed to fight outbreak of fire at an excavation or tunnelling work, written in English, Punjabi and also in Hindi or local language, understood by the majority of the building workers employed on such excavation or tunnelling works, are displayed at conspicuous and vulnerable places of such excavation or tunnelling work.

Section 40(2) (q) 119.**Flooding.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)water tight bulkhead doors are installed at the entrance of a tunnel to prevent flooding during a tunnelling work, where more than one tunnel is driven from a shaft;

(b)all necessary measures are taken to ensure that no building worker is trapped in any isolated section of a tunnel, when any bulkhead door of such tunnel is closed; and

(c)where there is likelihood of flooding or water rushing into a tunnel during a tunnelling work, arrangements are kept ready for immediate

starting of water pumps to take out water of such flooding or water rushing and for giving alert signals to the building workers and other persons to keep them away from danger.

Section 40(2) (q)

120.**Steel Curtains.**—The employer shall ensure at a construction site of a building or other construction work that airtight steel curtains are provided in areas liable to flooding at tunnelling work and in case of descending tunnel, such curtains are provided in the top half of such tunnel to ensure the retention of pockets of air for rescue purpose.

Section 40(2) (q)

121.**Rest shelter.**—The employer shall ensure at construction site of a building or construction work that,—

(a)where building workers employed in a compressed air environment in a tunnelling work are required to remain at the work site for one hour or more after decompression from pressure exceeding one bar, adequate and suitable facilities are provided for such building workers to rest;

(b)every man-lock, medical-lock and any other facility inside these locks at an excavation or tunnelling work is maintained in a clear state and in good repairs;

(c)first-aid room is provided and is readily available at a construction site of excavation and tunnelling work; and

(d)each man-lock attendant station is provided with first-aid box at a construction site of a tunnelling work.

Section 40(2) (q)

122.**Permissible limit of exposure to chemicals.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)the working environment in a tunnel or a shaft in which building workers are employed, does not contain any of the hazardous substances in concentrations beyond the permissible limits as laid down in Schedule IV; and

(b)the responsible person referred to in rule 91, conducts necessary test before the commencement of a tunnelling work for the day and at suitable intervals as fixed by the Chief Inspector to ensure that the permissible limits of exposure are not exceeded and a record of such test is maintained and is made available for inspection to the Inspector having jurisdiction, on demand.

Section 40(2) (q)

123.**Ventilation.**—The employer shall ensure at a construction site of a building or other construction work that all working areas in a free air tunnel are provided with ventilation system as approved by the Chief Inspector and the fresh air supplied in such tunnel, is not less than six cubic metres per minute for each building worker employed underground in such a tunnel and the free air-flow movement inside such tunnel is not less than nine cubic metres per minute.

Section 40(2) (q)

124.**Air supply intake point.**—The employer shall ensure at a construction site of a building or other construction work that the air intake points for all air compressors are located at places, where such air does not get contaminated with dust, fumes, vapour and exhaust gases or other contaminants.

Section 40(2) (q)

125.**Emergency generators.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)every compressed air system in a tunnel is provided with emergency power supply system for maintaining continued supply of compressed air in such compressed air system and the same is capable of operating air compressor and systems of such compressed air system; and

(b)the emergency power supply system is maintained and is readily available at all times at a safe place for an excavation or tunnelling work.

126.**Air mains.**—The employer shall ensure at a construction site of a building or other construction work that every air main, supplying air to the working chamber, man-lock or medical-lock, used at an excavation or tunnelling work, is protected against accidental damage and where it is not practicable to provide such protection, a stand-by air main is provided. Section 40(2) (q)

127.**Bulk head and air-locks.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (q)

(a)a bulk head or air tight diaphragms retaining compressed air, when used within a tunnel or a shaft, is constructed to withstand the maximum pressure at one point two five times the maximum working pressure of such bulk head or diaphragm and such bulk head or diaphragm is tested before its each use by a responsible person referred to in rule 91, to ensure that such bulk head or diaphragm is in proper working order ;

(b)such responsible person keeps the record of each test referred to in clause(a) and such records are produced for inspection to the Inspector having jurisdiction on demand ;

(c)the bulk head and the diaphragm referred to in clause (a) are made of good quality material of adequate strength and are able to withstand the maximum pressure on which they are subjected to at any time of their use ; and

(d)bulk-head anchorage and air lock are tested at their work place at an excavation or tunnelling work immediately after their installation at such place.

128.**Diaphragms.**—The employer shall ensure at a construction site of a building or other construction work that all diaphragms, which are in the form of horizontal decks across a shaft, used at excavation or tunnelling work, are securely anchored. Section 40(2) (q)

129.**Portable electrical hand tools.**—The employer shall ensure at a construction site of a building or other construction work that all portable electrical hand tools and inspection lamps used underground or in a confined space at an excavation or tunnelling work are operated at a voltage, not exceeding twenty four volts. Section 40(2) (q)

130.**Circuit breaker.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (q)

(a)adequate number of differential ground fault circuit breakers are installed for every electrical distribution system and sub-systems used at an excavation or tunnelling work and the sensitivity of each of the circuit breaker is adjusted in accordance with the requirement set out in accordance with the relevant national standards ; and

(b)only enclosed fuse units are used in an underground place at an excavation or tunnelling work.

131.**Transformer.**—The employer shall ensure at a construction site of a building or other construction work that no transformer is used in any section of a tunnel under compressed air, unless such transformer is of the dry type and conforms to the relevant national standards. Section 40(2) (q)

132.**Live wires.**—The employer shall ensue at a construction site of a building or other construction work that there is no exposed live wire in working areas at excavation or tunnelling work, which are accessible to building workers other than those authorised to work on such live lines. Section 40(2) (q)

133.**Welding sets.**—The employer shall ensure at a construction site Section 40(2) of a building or other construction work that all welding sets used in a tunnel are (q)
of adequate capacity and of suitable dry type approved by the Chief Inspector.

134.**Quality and quantity of air.**— The employer shall ensure at a Section 40(2) construction site of a building or other construction work that,— (q)

(a)every working chamber at an excavation or tunnelling work, where compressed air is used, the supply of such air is maintained, not less than zero point three cubic metres per minute per person working therein ;

(b)a reserve supply of compressed air is made available at all times for man-lock and medical-lock used at a tunnelling work ; and

(c)the air supplied in a compressed air environment at a tunnelling work is, as far as practicable, free from odour and other contaminants, like dust, fumes and other toxic substances.

135.**Working temperature.**—The employer shall ensure at a Section 40(2) construction site of a building or other construction work that the temperature in (q)
any working chamber at an excavation or tunnelling work, where building workers are employed, does not exceed twenty nine degrees centigrade and that the temperature is measured by dry bulb and wet bulb inside such working chamber once in every hour and to produce such records for inspection on demand to the Inspector having jurisdiction.

136.**Man-locks and working in compressed air environment.**—Section 40(2) The employer shall ensure at a construction site of a building or other construction (q)
work that,—

(a)man-locks used at a tunnelling work are of adequate strength, made of sound material and designed to withstand any air pressure, internal or external, to which it may be subjected to in the normal use or in an emergency ;

(b) (i) doors of man-locks at an excavation or tunnelling work are made of steel ;

(ii) man-locks, used at a tunnelling work are air-tight and devices are provided for sealing the doors when such locks are under pressure ;

(iii) the anchorage of a man-lock used at tunnelling work, has adequate strength to withstand the pressure exerted by air on the man-locks ;

(iv) there is adequate room available for the building worker for working in the man-lock, used at tunnelling work ; and

(v) where work is carried out in any compressed air tunnel, a man-lock in accordance with the relevant national standards is used for such tunnel ;

(c) (i) where a man-lock is used at tunnelling work, safety instructions in English, Punjabi and also in Hindi or in the local language, understood by majority of the building workers employed therein, are displayed at conspicuous places at such tunnelling work ;

(ii) except in an emergency, compression and decompression operations are carried out in a man-lock, used at tunnelling

work ;

(iii) in an emergency, any material lock may be used at tunnelling work for compression and decompression of a building worker and a record is kept in writing and produced for inspection on demand to the Inspector having jurisdiction ;

(iv) material lock is used with the permission of the Chief Inspector for compression and decompression of building workers, where it is impracticable to install both the man-lock and the medical-lock at tunnelling work ;

(v) de-compression of all building workers to atmospheric condition at tunnelling work is carried out in accordance with a decompression procedure, approved by the Chief Inspector ;

(vi) the man-lock at tunnelling work is not used for any purpose, other than the compression or decompression of the building workers ;

(vii) no decanting of building workers at tunnelling work is carried out without prior approval of the Chief Inspector, except in an emergency ;

(viii) in case, a building worker collapses or is taken ill during his de-compression in a man-lock, used at tunnelling work, the lock attendant of such man-lock shall raise the pressure in such man-lock until such pressure is equal to the maximum pressure, which that building worker was exposed to in the working chamber prior to such de-compression, and such lock attendant shall immediately report the matter relating to such collapse to the medical-lock attendant and medical officer, on duty, at such tunnelling work ;

(ix) only a building worker, who had previously received training with a trained building worker to work in a compressed air environment at tunnelling work, is employed to work independently in such a compressed air environment ;

(x) a building worker, who had undergone three de-compressions from a pressure, exceeding one bar in a period of eight hours at tunnelling work, is not allowed to enter a compressed air environment, except for the purpose of carrying out rescue work ;

(xi) a building worker employed in a compressed air environment for a period of eight hours in a day at tunnelling work, is not allowed to enter a compressed air environment, except for the purpose of carrying out rescue work ;

(xii) no building worker is engaged in a compressed air environment at a pressure, which exceeds three bars at tunnelling work, unless he has spent not less than twelve consecutive hours of rest at atmospheric pressure ;

(xiii) no building worker is employed in a compressed air environment for more than fourteen consecutive days in a month at tunnelling work ;

(xiv)a register of employment of all building workers, employed in compressed air environment at tunnelling work, is maintained ;

(xv) an identification badge is supplied to a building worker, employed in compressed air environment at tunnelling work ;

(xvi)the badge of a building worker, referred to in sub-clause (xv), contains particulars of his name, location of the medical-lock allotted to him for work, the telephone number of the medical officer concerned for his treatment and instructions in case of his illness of unknown and doubtful causes ;

(xvii)record of all identification badges, supplied to building workers under sub-clause (xvi), is kept in a register ;

(xviii)every building worker whose name appears in the register, referred to in sub-clause (xvii), wears badge supplied to him at all times during his duty hours at tunnelling work ; and

(xix)suitable warning signs are displayed in the compressed air environment at tunnelling work for the prohibition of the following, namely:—

(a) use of alcoholic drinks ;

(b)use and carrying of lighters, match-boxes or other sources of ignition ;

(c)smoking ; and

(d)an entry to a person, who has consumed alcoholic drinks.

Section 40(2) (q)

137.**Safety instructions.**—The employer shall ensure at a construction site of a building or other construction work that all building workers, employed in compressed air environment at tunnelling work, follow the instructions, issued for their safety in the course of such employment.

Section 40(2) (q)

138.**Medical-lock.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)a suitably constructed medical-lock is maintained at tunnelling work, where building workers are employed in a working chamber at a pressure, exceeding one bar ; and

(b)where more than one hundred building workers are employed in a compressed air working environment, exceeding one bar at tunnelling work, one medical-lock is provided for every one hundred building workers or part thereof, and such medical-lock is situated as near as possible to the man-lock, used at such tunnelling work.

CHAPTER - X

CONSTRUCTION, REPAIR AND MAINTENANCE OF STEEP ROOF

Section 40(2) (u)

139.**Work on steep roofs.**—The employer shall ensure at a construction site of a building or other construction work that all practicable measures are provided to protect the building workers against sliding when carrying out work on steep roofs.

Section 40(2) (u)

140.**Construction and installation of roofing brackets.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)roofing brackets are constructed to fit the pitch of steep roof and such brackets are used to provide level working platform; and

(b)a roofing bracket, referred to in clause (a), is secured in its place by nailing pointed metal projections attached to the underside of such bracket and securely driven into a steep roof on which it is used or secured by a rope passed over the bridge pole and tie of such roof.

141.**Crawling boards.**— The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (p)

(a)all crawling boards used for work on steep roofs, are of adequate strength, made of sound material and of the type, approved for the purpose of their use as per relevant national standards;

(b)crawling board, referred to in clause (a), are kept in good repairs and inspected by a responsible person before being taken into use;

(c)crawling board, referred to in clause (a), is secured to a steep roof on which it is used by ridge hooks or other effective means; and

(d)a firmly fastened life line of adequate strength is strung beside each crawling board, referred to in clause (a), throughout its length while using such crawling board.

CHAPTER XI

LADDERS AND STEP LADDERS

142. **Construction and safe use.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (p)

(a)every ladder or step-ladder used in building or other construction work is of good condition and is made of good quality material and has adequate strength as per relevant national standards, for the purpose for which, such ladder or step-ladder is used;

(b)when a ladder is used as a means of communication, such ladder is lashed to a fixed structure so that while working on such ladder, it does not slip;

(c)a ladder or step-ladder does not stand on loose bricks or other loose packing and has a level and firm footing;

(d)where it is required, in case of use of fixed ladders, sufficient foot-hold and hand-hold are provided for use by the building workers;

(e)every ladder is—

(i) secured so as to prevent undue swaying;

(ii) equally and properly supported on each side for its upright;

(iii) so used as not to cause undue sagging; and

(iv) placed as nearly as possible at an inclination of four in one; and

(f) the use of all ladders and step-ladders conform to the relevant national standards for their use.

143.**Rungs.**—The employer shall ensure at a construction site of a building or other construction work that no ladder is used, which has a missing or defective rung or a rung which depends for its support, solely on nails, spikes or other similar fixing. Section 40(2) (p)

144.**Materials for ladders.**—The employer shall ensure at a construction site of a building or other construction work that all wooden ladders, used in building work,— Section 40(2) (u)

(a)are constructed upright of adequate strength and are made of straight–grained wood, free from defects and having the grain of such wood running lengthwise;

(b)have rungs made of straight-grained wood free from defects and mortised or securely notched into the upright; and

(c)have reinforcing metal ties, if the tenons of such ladders are not secured by wedges.

CHAPTER – XII

CATCH PLATFORM AND HOARDINGS, CHUTES, SAFETY BELTS AND NETS

Section 40(2) (u) 145.**Catch platforms.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)catch platform is not used for storage of material or as a working platform;

(b)catch platform is at least two metres wide and is inclined so that the position of outer edge of such platform is fifty centimetres higher than the inner edge; and

(c)the open end of catch platform is properly fenced to the height, not less than one metre.

Section 40(2) (u) 146.**Hoardings.**—The employer shall ensure at a construction site of a building or other construction work that hoardings are constructed when the Chief Inspector considers it necessary for protection of building workers and directs such employer to construct such hoardings.

Section 40(2) (u) 147.**Chutes, its construction and use.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)wooden or metal chutes, which are at an angle of more than forty-five degrees to the horizontal and used for the removal of materials, are closed on all sides, except at their openings used for receiving or discharging of materials or articles;

(b)all openings of chutes, except their top openings, are closed when not in use;

(c)every chute—

(i) is constructed of good quality material, adequate strength and is suitable for the purpose, it is intended for use; and

(ii) exceeding five metres in height, is constructed in accordance with the design and drawings of a professional engineer for such construction and with the approval of the Chief Inspector;

(d)a suitable warning notice is displayed at conspicuous location, written in English, Punjabi and also in Hindi or in a local language, understood by majority of the building workers employed wherein at the discharge end of every chute; and

(e)every chute is cleared, when debris has accumulated to a height, which can pose danger to the building worker, but such clearance is done in no case, less frequently than once a day.

Section 40(2) (o) 148.**Safety belt and its use.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)safety belt, life lines and devices for the attachment of such life lines, conform to the relevant national standards;

(b)every building worker is supplied with safety belt and safety life lines for his protection and such building worker uses such belts and life lines during the performance of his work;

(c)all building workers using safety belts and safety life lines have the knowledge of safe use and maintenance of such belts and life lines, and are supplied with necessary instructions; and

(d)the responsible person for supervising the use of safety belts and safety life lines, referred to in clause (b), inspects and ensures that such safety belts and life lines are fit for use, before taken into use at every time.

Section 40(2) (o)

149.**Safety net and its use.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)every safety net is of adequate strength, made of sound material and is suitable for use and conforms to the relevant national standards; and

(b)the responsible person for maintenance of safety nets and their use, ensures safe fixing of such safety nets and provides such safety nets with suitable and sufficient anchorage so that the purpose for which such safety net is intended for use, is served.

Section 40(2) (o)

150.**Storage of safety belts and nets etc.**—The employer shall ensure at a construction site of a building or other construction work that proper arrangement is made for the safe storage of safety belts, safety lifelines and safety nets, when they are not in use, and are protected against mechanical damage, damage from chemicals and damage from biological agents.

CHAPTER XIII

STRUCTURAL FRAME AND FORM WORK

Section 40(2) (b)

151.**Structural frame and formwork.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)the trained building workers under the direct supervision of a person, responsible for structural frame and formwork, are employed for erection of such structural frame or formwork, dismantling of building and structure and performance of an engineering work, formwork, false work and shoring work; and

(b)adequate measures are taken to guard against hazards arising from any temporary state of weakness or unsuitability of a structure.

Section 40(2) (b)

152.**Form work, false work and shoring.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)formwork and false work are so designed, constructed and maintained that such form work and false work, support the load that may be imposed on them; and

(b)such formwork is so erected that working platform, means of access, bracing, means of handling and stabilising could easily be fixed with such form work.

Section 40(2) (b)

153.**Erection or dismantling of steel and prefabricated structure.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)the safety of building workers, employed for the erection or dismantling of steel structures and prefabricated structures is ensured from danger by using appropriate means such as the following, namely:—

(i) ladders, gangways or fixed platforms;

(ii) platforms, buckets, boatswain's chair or other appropriate means suspended from lifting appliances;

(iii)safety harness, life lines, catch net or catch platform; and

(iv)power–operated mobile working platforms.

(b)the work of erection or dismantling of building or structure or formwork or false work or shoring or any other civil engineering work, is carried

out by trained building workers under the supervision of a person responsible for such work;

(c)steel or prefabricated structures are so designed and made that such structures can be safely transported or erected, and weight of each unit of such structures is clearly marked on each such unit;

(d)the design of each such part maintains stability of each part of the structure, referred to in clauses (a), (b) and (c), when erected and to prevent danger, the design shall explicitly take into account,—

(i) the relevant conditions and methods of attachment in the operations of stripping, transport, storing and temporary support during erection of such part; and

(ii) safeguards, such as provisions of railings, when fabricated parts are handled or stored or transported or raised or lowered;

(e)the hooks and other devices built in or provided on the structural steel or prefabricated parts that are required for lifting and transporting such parts are so shaped, dimensioned and positioned to withstand the stresses to which such hooks or other devices are subjected;

(f) prefabricated parts made of concrete are not stripped or erected before such concrete has set and hardened sufficiently to the extent provided for in the plans, and such parts are examined by the responsible person for any sign of damage before their use;

(g)store places are so constructed that—

(i) there is no risk of structural steel or prefabricated parts falling or overturning;

(ii) storage conditions generally ensure stability and avoid damage having regard to the method of storage and atmospheric conditions; and

(iii)racks are set on firm ground and designed so that units cannot move accidentally in such store places;

(h)structural steel or prefabricated parts are not subjected to stresses prejudicial to their stability, while they are stored or transported or raised or set down;

(i) tongs, clamps and other appliances for lifting structural steel and prefabricated parts are—

(a) in such shape and dimensions as to ensure a secure grip without damaging such parts; and

(b) marked with the maximum permissible load in the most unfavourable lifting conditions;

(j) structural steel or prefabricated parts are lifted by such methods and appliances that prevent them from spinning accidentally;

(k)structural steel or prefabricated parts are provided with failings and working platforms before raising such parts to prevent any danger of falling of building workers, materials or articles at the time of any work with such parts;

(l) all reasonably practical measures are taken to avoid injury to building workers, building structure or equipment while structural steel or prefabricated parts are handled or stored or transported or raised or lowered;

(m)structures are not worked on during violent storms or high winds or any other such hazardous situation;

(n)the risk of falling thereof to which the building workers, moving on high or sloping girders, may be exposed, is limited by all means of adequate collective protection or by the use of a safety harness, which is well secured to a sufficiently strong support;

(o)structural steel parts, which are to be erected at a greater height are, as far as practicable, assembled on the ground;

(p)when structural steel or pre-fabricated parts are being erected, a sufficiently extended area underneath the workplace shall be barricaded or guarded;

(q)steel trusses, which are being erected, are adequately shored, braced or guyed until they are permanently secured in position; and

(r) structural members are not forced into place by the hoisting machine while any building worker is in such a position that he is likely to be injured by such operation.

154.**Form work.**—The employer shall ensure at a construction site of Section 40(2) a building or other construction work that,— (b)

(a)all types of formwork are properly designed keeping in view the safety of the building workers, building or structures; and

(b)a responsible person for structural frame and formwork—

(i) inspects and examines the material, timber, structural steel and scaffolding for its strength and suitability before taking into use;

(ii) lays down procedure to cover all stages of such structural frames and form work;

(iii)supervises such structural frame and form work; and

(iv)takes all necessary steps or measures to correct any situation with a view to prevent accident or dangerous occurrence during performance of such structural frame and form work.

155.**Deshoring.**—The employer shall ensure at a construction site of a Section 40(2) building or other construction work that,— (b)

(a)when shoring is removed, sufficient props are left in place of such shoring to prevent any possible hazard; and

(b)after deshoring, the remaining shores are adequately braced or tied together with support to prevent any hazard.

CHAPTER – XIVs

STACKING AND UNSTACKING

156.**Stacking or unstacking of materials and articles.**— The Section 40(2) employer shall ensure at a construction site of a building or other construction (h) work that,—

(a)where stacking, unstacking, stowing or unstowing of construction material or article or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accident or dangerous occurrences are taken by shoring or otherwise to prevent any danger likely to be caused by such handling;

(b)stacking of material or article is made on firm foundation not liable to settle and deviate such material or article and does not overload the floor on which such stacking is made;

(c)the material or articles, are not stacked against partition walls or walls of a warehouse or storage place, unless it is known that such partition or wall is of sufficient strength to withstand the pressure of such materials or articles;

(d)the materials or articles are not stacked to such a height and in such a manner as would render the pile of such stack unstable and cause hazard to the building workers or the public in general;

(e)where the building workers are working on a stack exceeding one point five metres in height, safe means of access to the stack are provided;

(f) all stacking or unstacking operations are performed under the supervision of a responsible person for such stacking or unstacking;

(g)the stacking of construction materials or articles is not made near the site of excavation, shaft, pit or any other such opening; and

(h)stacks, which may lean heavily or become unstable or collapse, are barricaded.

Section 40(2) (h)

157. **Stacking of cement and other material bags.**— The employer shall ensure at a construction site of a building or other construction work that,—

(a)a stack pile is not more than ten bags in height, unless such stack pile is stacked in a suitable enclosure or otherwise adequately supported;

(b)while removing bags from the stack pile, the stability of such stack pile is ensured;

(c)bags containing cement or lime are stored in dry places;

(d)the material like bricks, tiles or blocks are stored on a firm ground;

(e)reinforcement steel is stored according to its shape, size and length;

(f) stack of reinforced steel is kept as low as possible;

(g)no pipe is stored on rack or in stack, where such pipe is likely to fall by rolling;

(h)the angle of repose is maintained, where loose materials are stacked; and

(i) when dust laden material is to be stored or handled, measures are taken to suppress the dust produced by such storing or handling and suitable personal protective equipment is supplied to and used by the building workers, working for such storing or handling.

CHAPTER – XV

SCAFFOLD

Section 40(2) (a)

158.**Scaffold construction.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)every scaffold and every component thereof is of adequate construction, made of good quality material and free from defects and is safe for the purpose, for which, it is intended for use;

(b)in case bamboo is used for scaffolding, such bamboo is of suitable quality, good condition, free from protruding knots and stripped off to avoid any injury to the building workers during handling such bamboo; and

(c)all metal scaffolds used in building or other construction work conform to the relevant national standards.

159.**Supervision by a responsible person.**—The employer shall ensure Section 40(2) at a construction site of a building or other construction work that no scaffold is (a) erected, added, altered or dismantled, except under the supervision of a responsible person for such erection, addition, alteration or dismantling.

160.**Maintenance.**—The employer shall ensure at a construction site Section 40(2) of a building or other construction work that,—— (a)

(a)the scaffold, used in buildings or other construction work is maintained in good repairs and measures are taken against its accidental displacement or any other hazard; and

(b)no scaffold or part thereof is partly dismantled and allowed to remain in such a condition, unless—

(i) the stability or safety of the remaining portion of such scaffold has been ensured by a responsible person; and

(ii) in case, the remaining part of such scaffold cannot be used by the building workers, it shall be cordoned off with necessary warning notice written in English, Punjabi and also in Hindi or in language, understood by the majority of the building workers that such scaffold is unfit for use, is displayed at the place where such scaffold is erected.

161.**Standards, ledges, putlogs.**—The employer shall ensure at a Section 40(2) construction site of a building or other construction work that,— (p)

(a)standards of a scaffold are,—

(i) in plumb;

(ii) fixed sufficiently close together to secure the stability of such scaffold having regard to all possible working situations and conditions for the intended use of such scaffold; and

(iii) spaced, as close as practicable, to ensure safety and stability of such scaffold;

(b)adequate measures are taken to prevent displacement of a standard of a scaffold either by providing sole plate or a base plate, as necessary;

(c)ledgers of metal scaffolds are placed at vertical intervals with due regard to safety and stability of such scaffold; and

(d)bamboo ledgers are kept as nearly as possible and are placed and fastened to the standards of a scaffold with due regard to the stability of such scaffold.

Section 40(2) 162.**Working platform.**—The employer shall ensure at a construction (a) site of a building or other construction work that,—

(a)working platform is provided around the face or edge of a building adjoining at every upper most permanent floor of such building under construction and at any level, where construction work of such building is carried out;

(b)a platform is designed to suit the number of the building workers, to be employed in each bay of a scaffold work on such platform and the materials or articles and tools to be carried with them in such a bay; and

(c)the safe working load and the number of building workers to be employed in each bay of a scaffold are displayed for the information of all the building workers employed at such construction site.

Section 40(2) 163.**Board, plank and decking.**— The employer shall ensure at a (a) construction site of a building or other construction work that,—

(a)board, plank and decking used in the construction of a working platform, is of uniform size and strength and is capable of supporting the load and

number of building workers in accordance with the relevant national standards, keeping in view the safety of such building workers;

(b)metal decking, which forms part of a working platform, is provided with non-skid surface;

(c)no board or plank, which forms the working platform, is projected beyond its end support unless it is effectively prevented from tripping or lifting;

(d)board, plank or decking is fastened and secured;

(e)at any one time, not more than two working platforms per bay, are used to support building workers or materials or articles at such bay;

(f) adequate measures are taken to prevent injury, which may be caused by falling material and objects by using safety nets or other suitable measures;

(g)concrete, other debris or materials are not allowed to accumulate at any platform on a scaffold; and

(h)where a work is to be done at the end of a wall, working platform at such workplace is faced, or wherever practicable, at least sixty centimetres beyond the end of such wall.

164.**Repair of damaged scaffold.**— The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (a)

(a)no building worker is permitted to work on a scaffold, which has been damaged or weakened unless scaffold is brought into aligned position and adequate safety measures have been taken to ensure the safety of such building workers; and

(b)necessary warning signs are displayed at such places, where repairs of scaffold are undertaken. Section 40(2) (a)

165.**Openings.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)there is no opening in the working platform, except for allowing access to such working platform at suitable location as approved by the engineer-in-charge of principal employer, if any;

(b)wherever opening on a platform is unavoidable, necessary measures for protection against falling of objects or building workers from such platform are taken by providing suitable safety nets, belts or any other similar means; and

(c)access from one working platform to another platform on a scaffold, if required, is provided with suitable and safe ladder for the use of building workers working on such platform.

166.**Guardrails.**— The employer shall ensure at a construction site of a building or other construction work that every side of a working platform from which a person is liable to fall, is provided with suitable and safe guardrails and toeboard of adequate strength to prevent fall of any building worker, material or tools from such platform. Section 40(2) (a)

167.**Scaffold used by building workers of different employers.**—The employer shall ensure at a construction site of a building or other construction work that, Section 40(2) (a)

(a)where a scaffold or a part of a scaffold is used, which has previously been used by another employer for his building workers, such scaffold or part thereof is used only after its inspection and examination by a

responsible person of second user that such scaffold or part thereof is safe and fit for such use; and

(b)if any rectification, alteration or modification in a scaffold or a part thereof is needed to suit its use, such rectification, alteration or modification is carried out in construction with the approval of responsible person, referred to in clause (a), before using such scaffold or part thereof.

Section 40(2) (n) 168.**Protection against electric power line.**—The employer shall ensure at a construction site of a building or other construction work that all necessary and practical measures for protection are taken to prevent any building worker, working on a scaffold, from coming into contact with the electric wires or dangerous equipment.

Section 40(2) (o) 169.**Screening net and wire nets.**—The employer shall ensure at construction site of a building or other construction work that where a scaffold is erected in an area, where the construction activities may pose hazards to pedestrians or vehicular traffic nearby from the falling of objects, wire-nets or screening nets are used to envelope such scaffold.

Section 40(2) (p) 170.**Tower scaffold.**— The employer shall ensure at a construction site of a building or other construction work that,—

(a)the height of every tower scaffold, used in a building or other construction work is not more than eight times, the lesser of a base dimension of such scaffold;

(b)a tower scaffold is lashed to a building or a fixed structure before being used by the building workers;

(c)any tower scaffold, which can be moved is,—

(i) constructed with due regard to the stability and if necessary, adequately strengthened at the base;

(ii) used only on plain and even surface; and

(iii)provided with casters with positive locking devices to hold such scaffold in position;

(d)no building worker, tool or material shall remain on board of the scaffold, when it is being shifted from one position to another position.

Section 40(2) (p) 171.**Lifting gear for suspension of scaffold.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)chains, ropes or lifting gears, used for suspension of a scaffold are of adequate strength, made of sound material and suitable for the purpose of their use as approved by the engineer-in-charge and are maintained in good repairs; and

(b)chains, wires, ropes or metal tubes, used for the suspension of a scaffold are,—

(i)properly and securely fastened to every anchorage point and to the scaffold ledges of other main supporting members, used for the support of such scaffold; and

(ii)so positioned as to ensure stability of the scaffold.

Section 40(2) (p) 172.**Trestle scaffold and cantilever scaffold.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)no trestle scaffold is constructed with more than three tiers or if its working platform is more than four point five metres above the ground or floor or other surface upon which such scaffold is erected, such

trestle scaffold is designed by professional engineers and has the approval of the principle employer, if any and of the Chief Inspector before being taken into use;

(b)no trestle scaffold is erected on a suspended scaffold;

(c)no cantilever or jib scaffold is used unless it is adequately supported, fixed and anchored on opposite side of its support, has out–rigger of adequate length and wherever necessary, sufficiently supported and braced to ensure safety and stability of such scaffold; and

(d)no working platform resting on bearer left into a wall at one end and without other support is used, unless such bearer is of adequate strength, braced through the wall and securely fastened on the other side;

173.**Scaffold supported by building.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (p)

(a)no part of a building is used as support or part of a scaffold, unless such part of the building is made of sufficient strength and made of sound material to afford safe support;

(b)overhanging eaves gutters are not used for supporting scaffold; and

(c)suspended scaffold is made of in accordance with the relevant national standards before being used by the building workers.

174.**Use of winches and climbers for suspended scaffold.**—The employer shall ensure at a construction site of a building or other construction work that,— Section 40(2) (p)

(a)no suspended scaffold is raised or lowered by winches or climbers unless such scaffold is made of sound material, adequate strength and has been tested and certified safe for use of winches or climbers for such raising or lowering by a competent person before being taken into use;

(b)all suspended scaffolds counter–balanced by counter-weights, are of types, approved by the Chief Inspector before being taken into use for building or other construction work;

(c)the working platform of a suspended scaffold is securely fastened to the building or structure as to be safe and to prevent such platform from swinging; and

(d)the safe working load, which a suspended scaffold can carry, is displayed where such scaffold is being used.

Section 40(2) (p)

175.**Safety devices for suspended scaffold.**—The employer shall ensure at a construction site of a building or other construction work that every suspended scaffold, raised or lowered by the winches or climbers, is provided at each of its suspension point with a safety rope with such automatic safety device mounted on each of such rope so that such safety rope with each automatic safety device supports the platform of such scaffold in the event of failure of primary suspension wire ropes, winches, climbers or any part of the mechanism used for raising or lowering such suspended scaffold:

Provided that this rule shall not apply—

(a)where the platform of such scaffold is supported at two independent suspension wire ropes at or near each end of such platform so that in the event of failure of one of such suspension wire ropes, the other wire rope is capable of sustaining the weights of such platform and its load and prevents it from tilting; or

(b)where a system is incorporated, which operates automatically to support the platform of such scaffold and its load in the event of failure of the primary suspension wire rope of such scaffold.

CHAPTER – XVI

COFFERDAMS AND CAISSONS

Section 40(2) (u)

176.**General provisions.**— The employer shall ensure at a construction site of a building or other construction work that,—

(a) every cofferdam and caisson is—

(i) of good construction, sound material and of adequate strength ;

(ii) provided with adequate means for building workers to reach safely at the top of such cofferdam or caisson, as the case may be, in the event of rushing in water ; and

(iii)provided with safe means of access to every place where building workers are employed in such cofferdam and caisson, as the case may be;

(b)the work relating to construction, positioning, modification or dismantling of cofferdams or caissons is carried out under the supervision of an engineer-in-charge;

(c)all cofferdams and caissons are inspected by an experienced engineer of the organisation regularly and shall be counter checked by another duly qualified and experienced person and record of regular inspection shall be duly maintained;

(d)a building worker is allowed to work on a cofferdam or caisson after such structure is inspected and found safe by responsible person within such preceding period as approved by the Chief Inspector and a record of such inspection is maintained in a register;

(e)the work in compressed air in a cofferdam or caisson is—

(i) carried out in accordance with the procedure laid down in the relevant specifications and standards;

(ii) carried out by such building workers, who have completed eighteen years of age and are medically examined and found fit as required under rule 193; and

(iii)carried out under the supervision of a responsible person;

(f)if the work on cofferdam or caisson is carried out in shifts, a record of the time spent by each building worker in each such shift for carrying out the work is maintained in a register with particulars of time taken for the compression of such building worker, if any;

(g) at every work site or project in a cofferdam or caisson, where building workers are employed to work in compressed air environment, a construction medical officer assisted by a nurse or trained first-aid attendant, is available at all times at such site or project during such work; and

(h) there is one stand-by reserve compressor of required capacity to meet the emergency at each work place of project in a cofferdam or caisson.

Section 40(2) (j)

177.**Pressure plant and equipment.**— The employer shall ensure at a construction site of a building or other construction work that,—

(a) The pressure plant and equipment—

(i) are examined and tested by the competent person before being put into use for such work;

(ii) is of proper design and construction, good quality material and adequate strength to perform the work for which it is used; and

(iii)is properly maintained in good repairs and working condition and its record is maintained ;

(b) the pressure plant and equipment, referred to in clause (a), is fitted with–

(i) a suitable safety valve or other effective device to provide maximum safe discharge pressure from being exceeded at any time;

(ii) a suitable pressure gauge with a dial range, not less than one point five times and not exceeding twice the maximum working pressure, easily visible and designed to show, at all times, the internal pressure in kilogram per square centimetre and marked with the maximum safe working pressure, is installed at such plant and equipment; and

(iii) a suitable stop valve or valves by which, the pressure plant or the system of the pressure plant may be isolated from the source of supply of pressure or otherwise;

(c) every pressure plant or equipment shall be thoroughly examined by the competent person–

(i) externally, once in every month ;

(ii) internally, once in every period of six months ; and

(iii) by hydraulic test once in a period of two years.

CHAPTER XVII

SAFETY ORGANISATION

178. **Safety Committees.—**(1) Every establishment wherein five hundred or more building workers are ordinarily employed, there shall be a Safety Committee constituted by the employer, which shall be represented by equal number of representatives of employer and building workers employed in such establishment. In no case, the number of representatives of the employer shall exceed the representatives of building workers but not less than three from either side. Sections 38 and 62

(2) The main functions of the Safety Committee shall be—

(a) to identify probable areas and causes of accident and unsafe equipment or practices in building or other construction work and to suggest remedial measures;

(b) to stimulate interest of employer and building workers in safety by organising safety weeks, safety competition, talks and film shows on safety, preparing posters or taking similar other measures as and when required or necessary;

(c) to go around the construction site with a view to check unsafe practices and detect unsafe conditions and to recommend remedial measures for their rectification including first-aid, medical and welfare facilities;

(d) to look into the health hazards associated with handling different types of explosives, chemicals and other construction materials and to suggest remedial measures including use of proper personal protective equipment;

(e) to suggest measures for improving welfare amenities at the construction site and other miscellaneous aspect of safety, health and welfare in building and other construction work; and

(f) to bring to the notice of the employer the hazards, associated with the use, handling and maintenance of the equipment used during the course of building and other construction work.

(3)The safety committee shall meet at regular intervals at least once in a month and it shall be chaired by the senior officer of principal employer, if any, at the construction site.

(4)The agenda and minutes of the meeting shall be circulated to all concerned and it shall be in the language understood by majority of the building workers and shall be produced for inspection to the Inspector on demand.

(5)The decisions and recommendations of the safety committee shall be complied with by the employer within reasonable time limits.

Sections 38 and 62

179. **Safety Officer.**—(1) In every establishment wherein five hundred or more building workers are ordinarily employed, the employer shall appoint safety officer as per the scale laid down in Schedule V. Such safety officers may be assisted by suitable and adequate staff. The safety officer, duly qualified and experienced, of the principal employer, if any, shall be the over all incharge of the safety of the project and shall report directly to the principal employer.

(2)The duties, qualifications and the conditions of service of safety officers appointed under sub-rule (1), shall be as provided in Schedule V.

(3) Wherever number of building workers employed by single employer is less than five hundred, such employers may form a group and appoint a common safety officer for such group of employers with prior permission of Chief Inspector and written information to the principal employer, if any.

Sections 39 and 62

180.**Reporting of accidents.**—(1) Notice of any accident on the construction site which either—

(a) causes loss of life; or

(b) disables a building worker from working for a period of forty eight hours or more immediately following the accident, shall forthwith be sent by telephone, fax or similar other means including special messenger within twenty-four hours in case of fatal accidents and forty eight hours, in case of other accidents involving any building worker to,—

(i) the Assistant Labour Commissioner or Labour-cum-Conciliation Officer, having jurisdiction in the area, in which such accident or dangerous occurrence took place, and such Assistant Labour Commissioner or Labour-cum-Conciliation Officer shall be the Authority, referred to in section 39 of the Act;

(ii) the Board with which the person involved in

accident was registered as a beneficiary;

(iii) the Chief Inspector;

(iv) the Principal Employer; and

(v) the next of kin or other close relatives of the building worker involved in accident.

(2)Notice of any accident at a construction site of a building or other construction work which—

(a) causes loss of life; or

(b) disables such building worker from work for more than ten days following the accident, shall also be sent to—

(i) the officer-in-charge of the nearest police station;

(ii) the Sub Divisional Magistrate of the area; and

(iii) the District Magistrate.

(3)In the case of an accident falling under clause (b) of sub-rule (1) or clause (b) of sub-rule (2), the injured building worker shall be given first-aid and immediately thereafter be transferred to a hospital or other place for medical treatment.

(4)Where any accident causing serious injury or disablement subsequently results in death of that person, notice in writing of such death shall be communicated to the authorities as mentioned in sub-rule (1) and sub-rule (2) within seventy two hours of such death.

(5)The following classes of dangerous occurrences shall be reported to the Inspector having jurisdiction of the area, whether or not any death or disablement is caused to a building worker, in a manner prescribed in sub-rule (1), namely :—

(a) collapse or failure of lifting appliances or hoist or conveyors of other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gear, overturning of cranes used in building or other construction work, falling of objects from height;

(b) collapse or subsidence of soil, any wall, floor, gallery, roof or any other part of any structure, platform, staging, scaffolding or any means of access including form work;

(c) collapse of construction work, excavation, transmission towers, pipelines, bridges etc.;

(d) explosion of receiver or vessel used for storage, at a pressure greater than atmospheric pressure, of any gas or gases or any liquid or solid used as building material;

(e) fire and explosion, causing damage to any place on construction site where building workers are employed;

(f) spillage or leakage of hazardous substances and damage to their container;

(g) collapse, capsizing, toppling of excavation machinery or collision of transport equipment or machinery or other earth moving or lifting machinery; and

(h) leakage or release of harmful toxic gases at the construction site.

(6)In case of failure of a lifting appliance, loose gear, hoist or building and other construction work machinery and transport equipment at a construction site of a building or other construction work, such appliances, gear, hoist, machinery or equipment and the site of such occurrence shall, as far as practicable, be kept undisturbed until inspected by the Inspector having jurisdiction of the area.

(7)Every notice given under sub-rule (1), sub-rule (2) or sub-rule (4), shall be followed by a written report to the Inspector and to the authority under Section 39 of the Act, the Board and the Chief Inspector in

Form-VIII under proper acknowledgement.

Sections 39 and 62

181. **Procedure for enquiry into causes of accident or dangerous occurrence.**—(1) The enquiry under sub-section (2) or sub-section (3) of section 39 of the Act, as the case may be, shall be conducted by the Authority referred to in sub-clause (i) of clause (b) or sub-rule (1) of rule 180, in the following manner,

namely:—

(a) the enquiry shall be commenced, as early as it may be, and in any case, within fifteen days of the receipt of notice of accident or dangerous occurrence under rule 180;

(b) the enquiry may be conducted by the authority referred to in sub-clause (i) of clause (b) of sub-rule (1) of rule 180 himself or by an Enquiry Officer, appointed by such Authority:

Provided that the District Magistrate or the Sub Divisional Magistrate of the area may also conduct an enquiry and shall have all the powers of the said authority :

Provided further that the Chief Inspector may also authorise any Deputy Director of Factories or Assistant Director of Factories or any other officer, as he may think fit, to hold enquiry or to be associated with the enquiry alongwith the said authority or with the enquiry officer appointed by such authority and such authorised person, while conducting enquiry independently, shall have all the powers, exercisable by such authority.

(c) the Authority or Enquiry Officer, as the case may be, shall serve or cause to be served, notice in writing, informing the date, time and place of such enquiry to all persons, entitled to appear in such enquiry, whose names and addresses are known to such Authority or Enquiry Officer; and

(d) notwithstanding the provisions of clause (b), for the purpose of notifying other persons, who may, in any way be concerned or be interested in such enquiry, the Authority or Enquiry Officer, as the case may be, may publish notice of such enquiry in one or more local newspapers, informing the date, time and place of such inquiry.

(2)The person entitled to appear at the enquiry may include—

(a) an Inspector or any officer of the Central Government or the State Government or an undertaking or public body, concerned with the enforcement of compliance of safety provisions of the Act and these rules in the concerned establishment;

(b) a trade union or an association of building workers or of employers;

(c) the building worker involved in the accident or his legal heir or authorised representative;

(d) the principal employer, employer or the contractor or their authorised representatives;

(e) the owner of the premises in which the accident took place or his authorised representative; and

(f) any other person, at the discretion of the Authority or the Enquiring Officer, as the case may be, who may be interested in or be concerned with the cause of an accident or may have

knowledge about such cause or evidence or produce a relevant such accident or dangerous occurrence. is likely to give material document in connection with

(3)In case, the entitled person, referred to in sub-rule (2), is a body corporate, a company, or any other organisation, association and group of persons, such group may be represented through an authorised representative.

(4)Subject to the provisions of sub-rule (5), the enquiry shall be held in public.

(5) In case where,—

(a) the State Government is of the opinion that the matter of the enquiry or any part of it is of such a nature that it would be against the interests of security of the State and the Union of India to hold the enquiry in public and directs the said Authority or the Enquiry Officer, as the case may be, to hold enquiry in camera; or

(b) on an application, made by any party to the enquiry, the Authority or the Enquiry Officer, as the case may be, referred to in sub-rule (1), if it or he is of the opinion that the holding of public enquiry will lead to disclosure of information relating to a trade secret, decides not to hold the enquiry or such part of it in camera, such enquiry shall not be held in public.

(6)Information disclosed by any person during the course of hearing or evidence in the cases covered under sub-rule (5) shall not be disclosed to any unconcerned person except for the purpose of the enquiry.

(7)The person entitled to appear under sub-rule (2), called for evidence or representing in an enquiry, shall be entitled to make an open statement, give evidence, request the Authority or Enquiry Officer, as the case may be, to call for specified document or evidence, cross examine other person to the extent and at the stage permitted by the Authority or Enquiry Officer holding the enquiry.

(8)Any evidence in an enquiry may be admitted at the discretion of the Authority or Enquiry Officer during the enquiry, who may also direct that documents to be tendered in evidence may be inspected by any person entitled or permitted to appear at such enquiry, and that facilities be provided to such person to take or obtain copies thereof.

(9)The Authority or Enquiry Officer holding an enquiry may authorise any person, being an officer of the State Government, to assist such Authority or Enquiry Officer, wherever necessary, for the purpose of conducting the enquiry, and the officer so authorised, may enter the premises of the concerned establishment during working hours, inspect the records relevant to such enquiry, investigate and take such evidence as may be required to conduct such enquiry, and may record statements of the persons or witnesses involved or connected.

(10)The findings of the enquiry along with all evidence, in original, including statements of witnesses, shall be forwarded to the Authority referred to above, within ten days of the completion of the enquiry in cases where such enquiry was not conducted by such Authority itself.

(11)A copy of the findings along with a brief statement of facts relating to an enquiry conducted under this rule, shall be forwarded to the Chief Inspector by the Authority referred to in sub-rule (1) of rule 180.

CHAPTER – XVIII

EXPLOSIVES

Sections 40 (2) (e) and 62

182.**Handling of explosives.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) all explosives are handled, used or stored in accordance with the instructions and the material data sheet supplied by the manufacturer of such explosives and in accordance with the provisions of the Explosive Act, 1884 (Central Act of 1884);

(b) the use of explosives is carried out in safe manner to avoid injury to any person and under the direct supervision of a responsible person; and

(c) before using any explosive, necessary warning and danger signals are erected at conspicuous places of such use to warn the building workers and the general public of the danger involved in such use.

Sections 40 (2) (e) and 62

183.**Precautions.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a)notwithstanding the provisions of rule 182, the following precautions are observed at the places of transporting, handling, storage and use of such explosives, namely:—

(i) prohibition of smoking, naked lights, sparking shoes and other sources of ignition in the vicinity, where explosives are handled, stored and used;

(ii) to keep safe distance and to use non-sparking tools while opening packages containing explosives;

(iii) to stop the use of explosives and handling thereof when the weather conditions are not suitable for such use or handling;

(iv) all transport vehicles for handling explosives shall use rubberised wheels conveyor system;

(v) storage of explosives shall be done at a cool place;

(vi) there shall be no other structure or other storage material near the storage of explosives;

(vii) the storage of explosives shall be provided with round the clock security;

(viii) only the steel conduit pipes shall be used for providing the integral wiring for illuminating the premises where the explosives are stored; and

(ix) transportation of explosives shall be done in a van which will carry the words ‘EXPLOSIVES VAN’ on its sides and back and shall also have these words in front in a suitable manner;

(b)in addition to the provisions of this chapter, all measures and precautions required to be observed for use, handling, storing or transportation of explosives under the rules framed under the Explosives Act, 1884 (Central Act 4 of 1884), are also observed.

CHAPTER XIX

PILING

184.**General Provisions.**—The employer shall ensure at a construction Sections 40 (2)

site of a building of other construction work that,— (q) and 62

(a) all pile driving equipment is of good design, sound construction and technically suitable for the soil, taking into account the ergonomic principles;

(b) the geotechnical exploration of the soil is done, which is suitable for the design and the samples thereof are properly stored and maintained;

(c) a pile driver is firmly supported on a heavy timber sill, concrete bed or other secured foundation;

(d) in case, a pile driver is required to be erected in dangerous proximity to an electrical conductor, all necessary precautions are taken to ensure safety;

(e) the hoses of steam and air hammer are securely lashed to such hammer so as to prevent them from whipping in case of connection or break;

(f) adequate precaution is taken to prevent the pile driver from over-turning;

(g) all necessary precautions are taken to prevent hammer from missing the pile; and

(h) the engineer-in-charge shall inspect the pile driving equipment before taking it into use and shall take all appropriate measures as required for the safety of the building workers before commencing piling work by such equipment.

Sections 40 (2) (q) and 62

185. **Stability of adjacent structure.**—The employer shall ensure at a construction site of a building or other construction work that where there is any question of stability of a structure for its adjoining areas to be piled, such structure is supported, where necessary, by underpinning, sheet piling, shoring, bracing or by other means to ensure safety and stability of such structure and to prevent injury to any person. In case, a building is already standing on a particular type of pile and if the building further requires extension, the choice of the pile in extended areas shall be technically approved by the engineer-in-charge of design office.

Sections 40 (2) (q) and 62

186.**Protection of operator.**—The employer shall ensure at a construction site of a building or other construction work that an operator of every pile driving equipment is protected from falling objects, steam, cinders or water by substantially covering or otherwise or by other means.

Sections 40 (2) and 62

187.**Instruction to and supervision of building workers working on pile driving equipment.**—The employer shall ensure at a construction site of a building or other construction work that every building worker, working on a pile driving equipment is given instructions regarding safe work procedure to be followed in piling operation and the work is supervised by a responsible engineer throughout such work.

Sections 40 (2) (q) and 62

188.**Entry of unauthorised persons.**—The employer shall ensure at a construction site of a building or other construction work that all piling areas where pile-driving equipment is in use, are effectively cordoned off to prevent entry of any unauthorised person.

Sections 40 (2) and 62

189.**Inspection and maintenance of pile-driving equipment.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) pile-driving equipment is not taken into use until it has been inspected by a responsible engineer and found to be safe for such use;

(b) pile-driving equipment in use is inspected by a responsible engineer for such inspection at suitable intervals to ensure safety of the building worker, working on such equipment; and

(c) all pile lines and pulley blocks are inspected by a responsible engineer before the beginning of each shift of piling operation.

190.**Operation of pile-driving equipment**.—The employer shall ensure at a construction site of a building or other construction work that,— Sections 40 (2) (q) and 62

(a) only experienced and trained building worker operates pile-driving equipment so as to avoid any probable danger from such operation;

(b) pile-driving operations are governed by generally prevalent and accepted signals so as to prevent any probable danger from such operations;

(c) every building worker, employed in pile driving operation or in the vicinity of such pile driving operation, wears ear protection and safety helmet or hard hat and safety shoes;

(d) precast piles are manufactured at a distance at least equal to twice the length of the longest pile, from the place of pile-driving operations; and

(e) when a pile driver is not in use, the hammer of such pile driver is blocked at the bottom of the head of such pile driver.

191.**Working platform on piling frames.**—The employer shall ensure at a construction site of a building or other construction work that where a structural tower supports the lead of a pile driver, suitable working platforms of adequate strength are provided on levels of such lead at which it is necessary for the building workers to work and such platforms are provided with a safety railing and toe boards on each side of such platform, except on the hammer of such pile driver or lead sides of such platform and where such platforms cannot be provided with such railing and toe boards, a safety belt is provided to each such building worker. Sections 40 (2) (q) and 62

192.**Pile testing.**—The employer shall ensure at a construction site of a building or other construction work that,— Sections 40 (2) (q) and 62

(a) the testing of pile is conducted under the supervision of a responsible engineer;

(b) all practicable measures like displaying of warning notices, barricading the area and other similar measures are taken to protect the area, where the pile testing is carried out; and

(c) entry to pile testing area is prohibited to general public to ensure safety.

CHAPTER – XX

MEDICAL FACILITIES

193.**Medical examination of building workers etc.**—The employer shall ensure at a construction site of a building or other construction work that,— Sections 40 (2) and 62 (t)

(a) (i) a building worker, who is employed for a work involving such risk or hazards, inherent in such work, as the Chief Inspector considers appropriate for the periodical medical examination of such building worker, is medically examined at such intervals, as the Chief Inspector may direct from time to time;

(ii) every operator of a crane, winch or other lifting appliance, transport equipment or vehicle, is medically examined before employing such operator and again periodically, at such intervals as the Chief Inspector may direct from time to time;

(iii) the medical examination as referred to in sub-clause (i) and (ii), is in accordance with Schedule-VI, and is conducted by such medical officers or at such hospitals, as are approved by the State Government for the purpose from time to time; and

(iv) in case of a building worker, who is exposed to special occupational health hazard owing to job or work assigned to such building worker, the periodical medical examination referred to in sub-clause (i) or sub-clause (ii), includes such special investigation, as may be deemed necessary, by the Medical Officer examining such building worker for the diagnosis of occupational disease;

(b) no building worker is charged for the medical examination, referred to in sub-clause (i) or (ii) of clause (a) and the cost of such examination is borne by the employer employing such building worker;

(c) certificate of medical examination, referred to in sub-clause (i) or (ii) of clause (a), is issued in Form-IX;

(d) the record of the medical examination referred to in sub-clause (i) or (ii) of clause (a) of every building worker employed by him is maintained in a register in Form-X and such register shall be made available on demand to the Inspector having jurisdiction of the area; and

(e) in case, the construction Medical Officer examining a building worker under sub-clause (i) or (ii) of clause (a), is of the opinion that such building worker, so examined, is required to be taken away from the building or other construction work at which he is employed for health protection, such Medical Officer shall inform the employer of such building worker accordingly and such employer shall inform of such opinion to the Board, where such building worker is registered as a beneficiary.

194.**Duties of the construction Medical Officer.**— (1) The medical examination, referred to in sub-clause (i) or (ii) of clause (a) of rule 193 shall be carried out by a construction Medical Officer. Sections 40 (2) (t) and 62

(2)The duties and responsibilities of such construction Medical Officer shall be as given below, namely:—

(a) medical examination of the building workers;

(b) first-aid care including emergency medical treatment;

(c) notification of occupational diseases to the concerned authorities in accordance with these rules;

(d) immunisation services;

(e) medical record upkeep and maintenance;

(f) health education including advisory services on family planning, personal hygiene, environmental sanitation and occupational safety; and

(g) referral services.

195. **Occupational health centres**.—The employer shall ensure at a construction site of a building or other construction work, involving hazardous processes, specified under Schedule-VII that,— Sections 40 (2) (t) and 62

(a) an occupational health centre, mobile or static is provided and maintained in good order at such site;

(b) services and facilities as per scale laid down in Schedule-VIII are provided at the occupational health centre, referred to in clause (a); and

(c) a construction Medical Officer, appointed as at occupational health centre possesses the qualification as laid down in Schedule-IX.

Sections 40 (2) (t) and 62

196.**Ambulance Room.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) in case, five hundred or more building workers are employed at such construction site, there is an ambulance room with effective communication system and such ambulance room is in the charge of a qualified nurse and the service of such ambulance room is available to a building worker employed at such construction site at every time, when he is at work and such ambulance room is in overall charge of a construction Medical Officer;

(b) an ambulance room, referred to in clause (a), is equipped with the articles specified in Schedule X; and

(c) record of all cases of accidents and sickness treated at the ambulance room referred to in clause (a) or clause (b) is maintained and produced to the Inspector having jurisdiction on demand.

Sections 40 (2) (t) and 62

197.**Ambulance van**.—The employer shall ensure at a construction site of a building or other construction work that an ambulance van is provided at such construction site or an agreement is made with a nearby hospital for providing such ambulance van for transportation of serious cases of accident or sickness of the building workers to the hospital promptly and such ambulance van is maintained in good repair and is equipped with standard facilities, specified in Schedule XI.

Sections 40 (2) and 62

198.**Stretchers**.—The employer shall ensure at a construction site (t) of a building or other construction work that sufficient numbers of stretchers are provided at such construction site so as to be readily available in an emergency.

Sections 40 (2)

199.**Occupational health services for the building** (t) and 62 **workers.**—(1) The employer shall ensure at a construction site of a building or other construction work, where one thousand or more building workers are employed that,—

(a) a special medical service or an occupational health service is available at such construction site at all times and such service shall,—

(i) provide first – aid and emergency treatment;

(ii) conduct special medical examination for occupational hazards to such building workers before their employment and thereafter at such intervals, as may be specified by the Chief Inspector from time to time;

(iii) conduct training of first-aid personnel of such medical service;

(iv) render advice to such employer on conditions of work and improvement, required to avoid hazards to the health of such building workers;

(v) promote health education/ including family welfare among such building workers;

(vi) co-operate with the Inspector having jurisdiction in the detection, measurement and evaluation of chemical, physical or biological factors suspected of being harmful to such building workers; and

(vii) undertake immunisation for all such building workers against tetanus, typhoid, cholera and other infectious diseases;

(b) the special medical service, referred to in clause (a), may collaborate with the Labour Department of the State or any other concerned department or service of the Government of State or the Government of India in the matters of treatment, job placement, accident prevention and welfare of such building workers;

(c) the special medical service, referred to in clause (a), is headed by a Medical Officer and is provided with adequate staff, laboratory and other equipments;

(d) the premises of the special medical service, referred to in clause (a) , are conveniently accessible, comprised of at least a waiting room, a consulting room, a treatment room, a laboratory and suitable accommodation for nurses and other staff of such service;

(e) the special medical service, referred to in clause (a), maintains records pertaining to its activities, referred to in sub-clause (i) to (vii) of clause (a) and sends to the Chief Inspector once in every three months, information in writing on,—

(i) the state of health of such building workers; and

(ii) the nature and causes of occupational injuries or diseases suffered by any of such building workers, treatment provided to such building worker and measures taken to prevent recurrence of such injury or disease.

Sections 40 (2) (t) and 62

200.**Notice of poisoning or occupational diseases.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) when a building worker contracts any of the diseases, specified in Schedule XII, a notice in

Form-XI is sent without delay to the Inspector, having jurisdiction of the area and to the Board with which, such building worker is registered as a beneficiary; and

(b) if any medical practitioner or construction Medical Officer attends on a building worker suffering from any of the diseases, referred to in clause (a), such medical practitioner or construction Medical Officer, shall send information regarding the name and full particulars of such building worker and the disease suffered by him to the Chief Inspector without delay.

Sections 40 (2) (t) and 62

201.**First-aid boxes.—** The employer shall ensure at a construction site of a building or other construction work that,—

(a) sufficient number of first-aid boxes or cupboards are provided and maintained for providing first-aid to the building workers;

(b) every first–aid box or cupboard is distinctly marked "First-Aid" and is equipped with the articles, specified in Schedule XIII; and

(c) nothing except appliances or requisites for first-aid is kept in a first-aid box or cupboard and such box or cupboard is so kept as to protect it against contamination by dust or other foreign matter and against penetration of moisture and is kept in the charge of a person trained in first-aid and is always readily available during working hours.

Sections 40 (2) (t) and 62

202.**Emergency care services or emergency treatment.**—The employer shall ensure at a construction site of a building or other construction work that,—

(a) essential life saving aids and appliances, required to handle,—

(i) head injuries and spinal injuries;
(ii) bleeding;
(iii) fractures and dislocations of bones and joints;
(iv) crush injuries;
(v) shock including electric shock;
(vi) dehydration due to any cause;
(vii) burns including chemical burn;
(viii) snake bite, insect bite, scorpion and bee stings;
(ix) bends or divers paralysis;
(x) other surgical, gynaecological, obstetric, or paediatric emergencies;
(xi) drowning;
(xii) sunstroke and frost bite to building workers;

are provided and properly maintained under the supervision of a construction Medical Officer;

(b) the essential life saving aids for any of the emergent situations, referred to in sub-clause (i) to (xii) of clause (a), are provided to an injured or a sick building worker during his transportation from such building site to a hospital and till such building worker is attended by a doctor in such hospital; and

(c) any other equipment or facilities, required for emergency care

or treatment to the building workers arising from special local conditions and construction processes at such site of building and other construction work as specified by the State Government from time to time, are provided.

CHAPTER XXI

INFORMATION TO BUREAU OF INDIAN STANDARDS

Sections 40 (2) (s) and 62 construction

203.**Furnishing of information to Bureau of Indian Standards.**— The employer shall ensure at a construction site of a building or other work that,—

(a) every architect and other professional like structural engineer or project engineer involved in the execution of a building or other construction project, furnishes to the Bureau of Indian Standards, the details regarding the performance of and deviations or short-comings, if any, of the building materials, articles or processes, used in such building and other construction project for which the Indian Standards are already available;

(b) the architect and other professional, referred to in clause (a), informs to the Bureau of Indian Standards, the details of building materials, articles or processes, used in the building and other construction activities for which the Indian Standards do not exist with the Bureau of Indian Standards and the performance of such materials, articles or processes alongwith the suggestions for their improvement to enable the Bureau of Indian Standards to consider and form necessary standards.

PART – III

RESPONSIBILITIES AND DUTIES OF EMPLOYERS, ARCHITECTS, PROJECT ENGINEERS, DESIGNERS, BUILDING WORKERS, ETC.

CHAPTER XXII

Sections 62 (2) construction

204.**Duties and responsibilities of employers, building workers** (zg) **and others.**— (1) It shall be the duty of every employer, who is undertaking any of the operations or works related to or incidental to building or other work to which these rules apply:—

(a) to comply with the requirements of these rules as are related to him:
Provided that the requirements of this clause shall not affect any building worker, if and so long as his presence in any place of work, is not in the course of performing any work on behalf of his employer and he is not expressly or impliedly authorised or permitted by his employer to do the work; and

(b) to comply with the requirements of these rules as are related to him in relation to any work, act or operation, performed or about to be performed by him.

(2)It shall be the duty of every employer, who erects or alters any scaffold to comply with the requirements of these rules as relate to the erection or alteration of scaffolds having regard to the purpose or purposes for which the scaffold is designed at the time of erection or alteration; and such employer, who creates, installs, works or uses any plant or equipment to which any of the provisions of these rules apply, shall erect, install, work or use such plant or equipment in a manner, which complies with the relevant provisions.

(3)Where a contractor, who is undertaking any of the operations or works to which these rules apply, appoints any artisan, tradesman or other person to perform any work or services under a contract for services, it shall be the duty of the contractor to comply with the requirements of these rules as affect that artisan, tradesman or other person and for this purpose, any reference in these rules to a building worker, shall include a reference to such artisan, tradesman or other person and the contractor shall be deemed to be his employer.

(4)It shall be the duty of every building worker to comply with the requirements of these rules as are related to the performance of or refraining from an act by him and to co-operate in carrying out the purposes of these rules.

(5)It shall be the duty of every employer, not to permit a building worker or other employer to do anything which is not in accordance with the generally accepted principles of standard safe operating practices, connected with building or other construction work, as specified by the State Government.

(6)No person related with any building and other construction work, shall wilfully do any act that may cause injury to him or to others.

(7)It shall be the duty of every employer, not to allow lifting appliance, lifting gear, lifting device, transport equipment, vehicles or any other device or equipment to be used by the building workers, which does not comply with the provisions of these rules.

(8)It shall be the duty of the employer to maintain the latrines, urinals, washing facilities and canteen in a clean and hygienic condition. The canteen shall be located in a place away from the latrines and urinals and polluted atmosphere and at the same time be easily accessible to the building workers.

(9)It shall be the duty of the employer to abide by the dates fixed and notified by him for payment of wages for a period in accordance with these rules and no change in such dates and such period shall be effected without notice to the building workers and the Inspector. The employer shall ensure timely payment of wages as provided under these rules and at the place and time, specified by him. Where the employer is a contractor, he shall ensure that the wages of building workers are paid in the presence of a representative of the employer of establishment or owner of the premises from whom he has taken the work on contract and shall obtain signature of such representative in token of having witnessed the payment of wages.

(10)It shall be the duty of the employer to ensure that the lifting appliance, lifting gear, earth moving machinery, transport equipment or vehicles, used in the building or other construction work undertaken by him, conforms to the requirements relating to testing, examination and inspection of such equipment as provided under these rules. It shall be the duty of every person in the service of the Government or any local authority or other public authority to comply with the requirements relating to him as specified in these rules.

(11)It shall be the duty of the employer or contractor to remove muck etc., and dispose of at a place, as apportioned by the officer-in-charge of the work.

Sections 40 and (zg)

205.**Responsibilities of architects, project engineers and designers.**— (1) It shall be the duty of the architect, project engineer or designer responsible for the design of any project or part thereof or any building or other construction work to ensure that, at the planning stage, due consideration is given to the safety and health aspects of the building workers, who are employed in the erection, construction, operation and execution of such projects or structures, as the case may be.

and 62 (2)

(2)Adequate care shall be taken by the architect, project engineer and other professionals involved in the project, not to include anything in the design or execution process, which would involve the use of dangerous structures or other processes or materials, hazardous to health or safety of the building workers during the course of erection, operation or execution, as the case may be.

(3)It shall also be the duty of the professionals, involved in designing the buildings, structures or other construction works, to take into account the safety aspects associated with the maintenance and upkeep of the structures, buildings, where maintenance and upkeep may involve special hazard.

206. **Responsibilities of the persons in the service of the State Government and the Board.**—It shall be the duty of every person in the service of the State Government or the Board or other statutory authority to comply with the directions given by the Central Government or the State Government from time to time, for carrying into execution the provisions of the Act and these rules. Sections 40 and 62 (2) (zg)

207.**Duties and responsibilities of workers.**—(1) It shall be the duty of every building worker to comply with the requirements of these rules as to him, and to act and co-operate in carrying out the requirements of these rules and if he discovers any defect in the lifting appliance, lifting gear, lifting device, concerning any transport equipment or other equipment, to report such defect without unreasonable delay to his employer or foreman or other person in authority. Sections 40 and 62 (2) (zg) relate

(2)No building worker shall, unless duly authorised or except in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, hatch covering, life saving appliance, lighting or other things whatsoever required by the Act and these rules. If any of aforesaid things is removed, such thing shall be restored at the end of the period, during which its removal was necessary, by the persons engaged in the work.

(3)Every building worker shall use only means of access provided in accordance with these rules and no person shall authorise or order another to use means of access other than such means of access.

(4)It shall be the duty of a building worker to keep the latrines, urinals, washing points, canteen and other facilities provided by the employer for securing the welfare of all, in a clean and hygienic condition.

208.**Exemption.**—The State Government may, by order in writing and subject to such conditions and for such period, as may be specified therein, exempt from all or any of the requirements of these rules to,— Sections 40 and 62 (2) (zg)

(a) any building or other construction work, if the State Government is satisfied that such work is confined to such works, where it is not convenient to take measures as provided in these rules; or

(b) any appliance, gear, equipment, vehicle or other device, if the State Government is satisfied that the requirement of such appliance, gear, equipment, vehicle or other device is not necessary for use and equally effective measures are taken in lieu thereof :

Provided that the State Government shall not grant exemption under this rule, unless it is satisfied that such exemption would not adversely affect the safety, health and welfare of the building workers.

CHAPTER XXIII

STATE ADVISORY COMMITTEE

Sections 4 and 62

209.**Constitution of State Advisory Committee.**— (1) The State Government shall constitute a committee to be called the 'Punjab State Building and other Construction Worker's Advisory Committee' (hereinafter referred to as the State Advisory Committee) to advise the State Government on such matters arising out of the administration of the Act, as may be referred to it.

(2) The State Advisory Committee constituted, under sub-rule (1), shall consists of the following members, namely:—

(a) Chairperson – to be appointed by the State Government;

(b) two members of the State legislature to be elected by the State Government;

(c) a member to be nominated by the Central Government;

(d) the Chief Inspector—ex-officio member;

(e) four persons to be nominated by the State Government for representing the Employers connected with the building or other construction work—Members;

(f) four persons, to be nominated by the State Government for representing the Building and Other Construction Workers, preferably from different labour unions—Members;

(g) one person, to be nominated by the State Government for representing the Architects—Member;

(h) one person, to be nominated by the State Government for representing Civil or Structural Engineers—Member;

(i) one person representing Insurance institutions/companies to be nominated by the State Government—Member.

Sections 4 and 62

210.**Terms of Office.**—(1) The term of the Chairperson of the State Advisory Committee shall be such as may be specified by the State Government in his appointment order.

(2)The member referred to in clause (b) of rule 209 shall hold the office for a period of three years and or till they remain member of the State Legislature, whichever is earlier.

(3)The member, referred to in clause (c), of rule 209, shall hold office until another member is nominated in his place by the Central Government.

(4)The members, referred to in sub-clauses (e) to (i) of sub-rule (2) of rule 209 shall hold office for a period of three years.

(5) The nomination, made under this rules, except the nomination to be made by the Central Government, shall be notified in the Official Gazette, and the term of office of the nominated members shall be counted from the date of nomination:

Provided that where the nomination of a successor of any such member has not been notified in the Official Gazette, after the expiry of his term, such member shall, notwithstanding the expiry of the period of his office, shall continue to hold office until the nomination of his successor is notified in the Official Gazette :

Provided further that the nominated members shall be eligible for re-nomination.

211.**Resignation—** (1) A member of the State Advisory Committee, not being an *ex-officio* member, may resign from his office by a letter in writing addressed to the State Government. The State Government may nominate any eligible person in his place for the remaining period. Sections 4 and 62

(2)The seat of such a member shall fall vacant from the date, on which his resignation is accepted by the State Government, or on the expiry of thirty days from the date of receipt of such resignation by the State Government, whichever is earlier.

212.**Cessation of membership.**—If any member of the State Advisory Committee, not being an ex-officio member, fails to attend three consecutive meetings without obtaining the leave of the Chairperson of the said Committee for such absence, he shall cease to be a member of the said Committee: Sections 4 and 62

Provided that the State Government may, if it is satisfied that such member was prevented by sufficient cause from attending three consecutive meetings, direct that such cessation shall not take place and in that event, such member shall continue to be a member of the said Committee.

Sections 4 and 62 213.**Disqualification for membership.**—(1) A person shall be disqualified for being a member of the State Advisory Committee, if—

(i) he is of unsound mind; or

(ii) he is an un-discharged insolvent; or

(iii) he has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude.

(2)Where a question arises as to whether a disqualification has been incurred under sub-rule (1) or not, the State Government shall decide the same.

Sections 4 and 62 214.**Removal from membership.**—The State Government may remove from office any member of the State Advisory Committee, if such member, in its opinion, has ceased to represent the interest, which he purports to represent in a meeting of the Committee :

Provided that no such member shall be removed, unless a reasonable opportunity of being heard is given to him, to plead his cause against the proposed action.

Sections 4 and 62 215.**Manner of filling the vacancies.**—When a vacancy occurs or is likely to occur in the State Advisory Committee, the Secretary of the Committee shall submit a report to the State Government at least three months before the expiry of the term of a member with the approval of the Chairperson and on receipt of such report, the State Government shall take steps to fill the vacancy by making a nomination from amongst the category of persons to which the vacancy belonged and the person so nominated against the vacancy, shall hold office only for the remainder of the period of term of office of such member, in whose place he is nominated.

Sections 4 and 62 216.**Secretary and staff of the State Advisory Committee.**— (1) The State Government may appoint one of its officers, not below the rank of Labour Commissioner, as Member Secretary of the State Advisory Committee. The State Government may also appoint such other staff from amongst the officers and officials working under the control of the Labour Commissioner, Punjab, as it may deem appropriate to enable the State Advisory Committee to carry out its functions.

(2) The Member Secretary of the State Advisory Committee shall—

(i) assist the Chairperson in convening meetings of the Committee including preparation and circulation of agenda for the meeting;

(ii) may attend the meetings of such Committee and shall also be entitled to vote at such meetings;

(iii) record the minutes of the meetings and after getting them approved from the Chairperson, circulate the same amongst the members of the Committee and shall maintain record of minutes of the meetings of the Committee; and

(iv) take necessary measures to carry out the decisions taken at the meetings of such Committee.

217.**Allowances of members.**—(1) The travelling allowance of an official member of the State Advisory Committee, shall be governed by the rules applicable to him for journeys performed by him on official duties, and shall be paid by the authority paying his salary. Sections 4 and 62

(2)A non-official member shall be paid the travelling allowance for attending the meeting of such Committee at such rates, as are specified by the State Government in this regard from time to time.

(3)The allowances of the members and other expenditure of the Committee shall be borne by the Punjab Building and other Construction Workers'Welfare Board.

218.**Disposal of business.**—(1) Every matter, which the State Advisory Committee is required to consider, shall be considered at a meeting of the Committee : Sections 4 and 62

Provided that where there is no opinion of majority on a matter and the members of such committee are equally divided, the Chairperson of the State Advisory Committee shall have a second or a casting vote.

Explanation.—For the purpose of this rules, the expression 'Chairperson of the Advisory Committee' shall also include a person, who is nominated or is selected under sub-rule (2) of rule 219 to preside over a meeting.

(2)No act or proceeding of the State Advisory Committee, shall be invalid merely for reasons of any vacancy in or any defect in the constitution of the said Committee.

219.**Meetings.**—(1) The State Advisory Committee shall meet at such place and at such time, as may be decided by the Chairperson of the State Advisory Committee, and it shall meet at least once in six months. Sections 4 and 62

(2)The Chairperson of the State Advisory Committee shall preside over the meeting of the Committee in which he is present, and in his absence, he may nominated any other member to preside over a meeting. In case, no member is nominated by the Chairperson to preside over a meeting in his absence, then the members of the State Advisory Committee, present in a meeting, shall select from amongst themselves, a member to preside over such a meeting.

Sections 4 and 62 220.**Notice of meeting and agenda.**—(1) Ordinarily, two weeks notice shall be given to the members of the State Advisory Committee of a proposed meeting :

Provided that if it is considered expedient so to do and the Chairperson is satisfied, then a notice of a lesser or longer period than the two weeks', may be given, but in no case, it shall be less than one week or longer than four weeks.

(2)No business, except which is included in the agenda for a meeting of such Committee, shall be considered at such meeting without the permission of the Chairperson of the Committee.

Sections 4 and

221.**Quorum.**—No business shall be transacted at any meeting of 62 the State Advisory Committee, unless at least six members of such Committee are present in that meeting:

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

CHAPTER XXIV

REGISTRATION OF ESTABLISHMENTS AND PAYMENT OF FEE ETC.

Sections 7 and 62

222.**Manner of making application for registration of establishments.**—(1) The application referred to in sub-section (1) of section (7) of the Act, shall be made in triplicate in

Form-XII to the Registering Officer, appointed under section 6 of the Act, for the area, in which the building or other construction work is to be carried on by the establishment.

(2)Every application, referred to in sub-rule (1), shall be signed by the employer or his authorised agent and shall also be duly countersigned by the principal employer, if any, or his authorised representative.

(3)Every application referred to in sub-rule (1), shall be accompanied by the prescribed fee, for registration of the establishment.

(4)On receipt of the application referred to in sub-rule (1), the Registering Officer shall, after noting thereon the date of receipt of the application by him, grant an acknowledgement to the applicant.

223.**Grant of certificate of registration.**—(1) The Registering Officer, after receiving the application under sub-rule (1) of rule 222, shall register

Sections 7 and 62

the establishment and issue a certificate of registration to the applicant within a period of fifteen days of receipt of application, if such applicant has complied with all the requirements as provided in these rules and has made the application, within such period as provided under clause (a) or clause (b) of sub-section (1) section 7 of the Act. The certificate of registration to be granted by the Registering Officer, shall be in

Form-XIV, showing the particulars of establishment in relation to which certificate of registration has been issued by him.

(3)If, in relation to an establishment, any change occurs in the ownership or management or other particulars specified in the certificate of registration, the employer of the establishment, shall intimate to the Registering Officer, within a period of thirty days from the date when such change takes place, the date and particulars of such change, and the reasons thereof.

224.**Payment of additional fees and amendment of register etc.**— Sections 7 and 62
(1) Where on receipt of intimation under sub-rule (3) of rule 223, the Registering Officer is satisfied that an amount, higher than the amount, which has been paid by the establishment as fees for the registration of an establishment is payable, he shall require such employer to pay the additional sum, which together with the amount already paid by such establishment, would be equal to such higher amount of fees payable for the registration of the establishment.

(2)Where, on receipt of the intimation referred to in sub-rule (3) of rule 223, the Registering Officer is satisfied that a change has occurred in the particulars of the establishment, as entered in the register in

Form-XIV, he shall amend the said register and record therein the change which has occurred :

Provided that the Registering Officer shall not carry out any amendment in the register in

Form-XIV, unless the employer has deposited the appropriate fee.

Sections 7 and 62

225.**Conditions of registration.**—(1) Every certificate of registration under rule 223 shall be issued subject to the following conditions, namely :—

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

(b) the number of building workers employed in an establishment shall not, on any day, exceed the maximum number, specified in the certificate of registration;

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

(d) the rates of wages payable to building workers by the employer shall not be less than the rates, specified under the Minimum Wages Act, 1948 (Central Act 11 of 1948), for such employment wherever applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed; and

(e) the employer shall comply with the provisions of the Act and the rules made thereunder.

(2)The employer shall intimate the change, if any, in the number of building workers or the conditions of work to the Registering Officer within a period of fifteen days from the date on which such change is made.

(3)The employer shall, before the period of thirty days of the commencement and completion of any building or other construction work, submit a written notice to the Inspector, having jurisdiction in the area where the proposed building or other construction work is to be executed, intimating the date of the commencement or completion, as the case may be, of such building or other construction work in

Form-XV.

(4)The certificate of registration of an establishment shall be valid only for such building or other construction work carried out by such establishment for which intimation required under sub-rule (3), has been given.

(5)A copy of the certificate of registration, shall be displayed at a conspicuous place at the premises where the building and other construction work is being carried on.

226. **Payment of fee.—**(1) The following shall be charged for grant of a certificate of registration under rule 223, if the number of workers proposed to be employed as building workers for a building or other construction work on any day – Sections 7 and 62

(a) does not exceed one hundred workers .. Rs. 500.00;

(b)exceeds one hundred, but does not exceed five hundred .. Rs. 2000.00;

(c)exceeds five hundred, but does not exceed one thousand .. Rs. 4000.00;

(d)exceeds one thousand .. Rs. 5000.00;

(2) The fees as specified in sub-rule (1), shall be charged, only if any application for registration is submitted within the period of sixty days as stipulated in sub-section (1) of section 7 of the Act. However, the registering officer may entertain an application for registration, if submitted after the expiry of the aforesaid stipulated period alongwith an additional fees at the rate of fifty per cent of the fee prescribed under sub-rule (1).

(3) For making an amendment in the registration certificate, a fee of rupees fifty shall be charged.

(4) Where a certificate of registration is lost, mutilated, defaced or destroyed, a duplicate registration certificate may be granted on payment of fee of rupees fifty.

227. **Head of account for making payment of fee.—** (1) All amounts of money payable on account of certificate of registration, duplicate copy of certificate of registration and amended certificate of registration, shall be paid into the concerned Government Treasury under such head of account, as may be specified in this behalf by the State Government. Sections 7 and 62

(2)The receipt obtained in respect of making payment of fee referred in sub-rule (1), shall be submitted in original to the registering officer alongwith the application.

CHAPTER XXV

HOURS OF WORK, REST INTERVALS AND WEEKLY OFFS, ETC.

228.**Hours of work, intervals of rest and spread over etc.**—(1) No building worker employed in a building or other construction work shall be required or allowed to work for more than nine hours a day or forty eight hours a week. Sections 28 and 62

(2)No building worker employed in building or other construction work, shall be required or allowed to work continuously for more than five hours, unless he had an interval or rest of half an hour.

(3)The working day of a building worker, employed in building or other construction work, shall be so arranged that inclusive of the intervals of rest, shall not spread over more than twelve hours on any day.

(4)When a building worker works in any building or other construction work for more than nine hours on any day or more than forty eight hours in any week, he shall, in respect of overtime work, be entitled to wages at double the rate of ordinary wages.

Sections 28 and 62

229.**Weekly rest, payment for work done on the day of rest at overtime rate, etc.**—(1) Subject to the provisions of these rules, each building worker employed in building or other construction work, shall be allowed one day rest every week (hereinafter referred to as the rest day, which shall ordinarily be Sunday, but the employer may fix any other day of the week) as the rest day:

Provided that the building worker shall be informed of the day, fixed as the rest day and of any subsequent change in such rest day before the change is effected, by displaying a notice to that effect in the place of employment at the place, specified by the Inspector having jurisdiction of the area in this behalf.

(2) No building worker employed in building or other construction work shall be required or allowed to work on a rest day, unless he already had or will have a substituted rest day for the whole day on one of the five days immediately before or after rest day:

Provided that no substitution shall be made, which results in the working of a building worker for more than ten days consecutively without a rest day for the whole day.

(3)Where a building worker employed in building or other construction work has worked on a rest day and has been given substituted rest day on any one of the five days before or after the rest day, as provided in sub-rule (1) and (2), such rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which such substituted rest day occurs.

(4)A building worker employed in building or other construction work, shall be granted wages for a rest day, calculated at the rate applicable to the day, preceding such rest day. In case, he has worked on a rest day and has been given a substituted rest day, he shall be paid wages for such rest day on which he worked, at the overtime rate and wages for such substituted rest day at the rate applicable to the day preceding such substituted rest day.

Explanation-I.—For the purpose of this rule, preceding day means the last day preceding a rest or a substituted rest day, as the case may be, on which a building worker had worked and where such substituted rest day falls on a day immediately after such a rest day, such "preceding day" means the last day preceding such rest day on which such building worker had worked.

Explanation-II.— For the purpose of this rule, "week" shall mean a period of seven days beginning at mid-night on Saturday night.

Sections 28 and 62

230.**Night Shifts.**—Where a building worker employed in building or other construction work, works on a shift, which extends beyond midnight,—

(a) a rest day for the purpose of rule 229 shall mean a period of twenty-four consecutive hours beginning from time when such shift ends;

(b) the hours after midnight during which such building worker has worked shall be counted towards the previous day; and

(c) the following day shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends.

Sections 28 and 62

231.**Application of provisions of this chapter to certain classes of building workers.**—(1) The provisions of this chapter shall apply to the classes of building workers, as specified under clauses (a) to (d) of sub-section (2) of section 28 of the Act subject to the following conditions, namely :—

(a)no building worker employed in building or other construction work shall be required or allowed to work continuously for more than

fifteen hours a day inclusive of intervals of rest or sixty hours in a week :

Provided that intervals of rest, not less than half-an hour are given after every five hours of continuous work as provided in sub-rule (2) of rule 228; and

(b)no building worker employed in building and other construction work shall be required or allowed to work for more than fourteen consecutive days, unless a rest of twenty four hours is given to such a building worker.

(2)Where the working hours in respect of a building worker employed in building or other construction work have exceeded the hours of work as laid down in sub-rule (1) of rule 228 or where such building worker has been deprived of a rest day due to application of sub-rule (1) of this rule, such building worker shall be paid at double the rate of normal wages in respect of the work, done in excess of such daily or weekly hours and for work done on such rest day.

CHAPTER – XXVI

NOTICES, REGISTERS, RECORDS AND COLLECTION OF STATISTICS

Sections 30 and 62

232.**Notice of wage periods, etc.**— (1) Every employer shall cause to display at a conspicuous place of the work site or of an establishment under his control, notice showing the rates of minimum wages of the building workers working in such establishment, hours of work of such building workers, their wage periods, date of payment of such wages, name and address of the Inspector having Jurisdiction to such establishment and date of payment of unpaid wages to such building workers, in English, Punjabi and also in Hindi or in the local language, understood by the majority of such building workers.

(2) A copy of the notice, referred to in sub-rule (1), shall be sent to the Inspector having jurisdiction of the area and whenever any change occurs in the facts, contained in such notice, such change shall be communicated by the employer to such Inspector.

Sections 46 and 62

233.**Notice of commencement and completion of work.**—(1) Every employer shall, at least thirty days before the commencement of any building or other construction work under his control, send or cause to be sent to the principal employer, if any, the Registering Officer and the Inspector having jurisdiction of the area, a written notice intimating the actual date of the commencement, the probable date of completion and other such particulars as referred to in sub-section (1) of section 46 of the Act relating to such building or other construction work in

Form-XV.

(2)Where any change occurs in any of the particulars furnished under sub-rule (1), the employer shall intimate such change to the principle employer, if any, the Registering Officer and the Inspector having jurisdiction of the area within forty-eight hours of such change.

234.**Register of persons employed as building workers.**—Every employer shall maintain, in respect of each registered establishment where he employs building workers, a register in Form-XVI. Sections 30 and 62

235.**Muster roll, wages register, deduction register, over-time register and issue of wage books and service certificates.**—(1) Every employer shall, in respect of each work on which he employs building workers, maintain,¾ Sections 30 and 62

(a) muster roll in Form-XVII and a register of wages in Form-XVIII:

Provided that a combined register of wage-cum-muster roll in Form-XIX, shall be maintained by the employer where the wage period for such building worker is a fortnight or less;

(b) a register of deductions for damage or loss in Form- XX, a register of fines in Form-XXI and a register of advances in Form-XXII; and

(c) a register of overtime in Form-XXIII, for recording therein the number of hours and the wages paid, for overtime work, if any.

(2)Every employer shall, in respect of each work on which he engages building workers :—

(a) issue, where the wage period is one week or more, wage book to each of such building worker in

Form-XXIV in which entries shall be made at least a day prior to the disbursement of wages to them;

(b) issue a service certificate to each of such building worker in Form-XXV on termination of his service on account of completion of such work or for any other reason; and

(c) obtain signature or thumb-impression of each such building worker against entries relating to him on the register of wages or muster roll-cum-wages register, as the case may be, and such entries shall be authenticated by the principal employer, if any, or his authorised representative.

(3)In respect of an establishment to which the Payment of Wages Act, 1936 (Central Act 4 of 1936) or Minimum Wages Act, 1948 (Central Act 11 of 1948) or the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970), applies, the following registers and record, required to be maintained by an employer under any of such Acts or the rules made thereunder, shall be deemed to be the registers and records maintained by the employer under these rules, namely :—

(a) muster roll ;
(b) register of wages ;
(c) register of deductions ;
(d) register of overtime ;
(e) register of fines ;
(f) register of advances; and
(g) combined register of wages-cum-muster-roll.

(4)Notwithstanding anything contained in these rules, where a combined or alternative form, in lieu of any of forms specified under these rules, is sought to be used by an employer to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder or for administrative convenience, such combined or alternative

form may be used with the prior approval of the Chief Inspector.

(5)Every employer shall display at a conspicuous place of the work site, where he employs building workers, an abstract of the Act and these rules in Punjabi, Hindi or in a language, understood by the majority of such building workers.

(6)Every employer shall ensure that the registers and other records required to be maintained under the Act or these rules, are maintained complete and up to date, and unless otherwise provided for, are kept at an office or the nearest convenient building within the precincts of the concerned work place.

(7) The register and other records relating to an establishment and required to be maintained under the Act or these rules, shall be maintained legibly in English, Punjabi and also in Hindi or in a language, understood by the majority of the building workers employed in such establishment.

(8) Every register or other record shall be preserved by the employer, in original, for a period of five calendar years from the date of last entry made therein.

(9)Every register, record or notice maintained under the Act, or these rules, shall be produced or caused to be produced by the employer concerned on demand before the Inspector or any other authority under the Act or any other person, authorised by the Act or by the State Government.

(10)In case, where during a wage period, no deduction has been made from the wage of a building worker or no fine has been imposed on such building worker or no overtime work has been performed by such building worker or no payment has been made for overtime work to such building worker, a 'nil' entry shall be made against such wage period at the appropriate place in the relevant record maintained in Forms XX, XXI, XXII or XXIII, as the case may be.

236. **Returns.**—Every employer of registered establishment shall send annually a return relating to such establishment in duplicate in Form-XXVI to the registering officer having jurisdiction so as to reach him not later than the fifteenth February following the end of each calendar year with a copy to the Inspector having jurisdiction. Sections 62 (2) (zg).

CHAPTER XXVII

WELFARE OF BUILDING WORKERS

237.**Latrine and urinal accommodation.**—Latrines and urinals, as required to be provided under section 33 of the Act, shall be of the types, as specified below, namely :— Sections 33 and 62 (2) (w)

(a) every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings ;

(b) (i) where both male and female building workers are employed, there shall be displayed outside each block of latrines or urinals a notice containing therein "For Men Only" or "For Women Only", as the case may be, written in the language, understood by the majority of such building workers ; and

(ii) such notice shall also bear the figure of a man or of a woman, as the case may be ;

(c) every latrine or urinal shall be conveniently situated and accessible to building workers at all times ;

(d) every latrine or urinal shall be adequately lighted and shall be maintained in a clean and sanitary condition at all times ;

(e) every latrine, other than those, connected with a flush sewage system, shall comply with the requirements of the public health authorities ;

(f) water shall be provided by means of a tap or otherwise so as to be conveniently accessible in or near every latrine or urinal ; and

(g) the walls, ceilings and partitions of every latrine or urinal shall be white washed or colour washed once in a period of four months ; if not provided with tiles.

Sections 37 (y) (2) (z) and 62

238. **Canteens.**—(1) In every place, wherein, not less than two hundred and fifty building workers are ordinarily employed, the employer of such building workers, shall provide an adequate canteen facility in a manner as provided in these rules for the use of such building workers.

(2)The canteen, referred to in sub-rule (1), shall have suitable and sufficient sitting arrangements to accommodate the building workers using such canteen and shall be sufficiently lighted at all times when any person has access to it.

(3)The precincts of the canteen, referred to in sub-rule (1), shall be maintained in a clean and sanitary condition and suitable arrangements shall be made for the collection and disposal of garbage from such canteen.

(4)The building of the canteen, referred to in sub-rule (1) shall be situated at a distance not less than fifteen metres from any latrine or urinal or any source of dust, smoke or obnoxious fumes.

Sections 37 and 62 (2) (z)

239. **Charges of foodstuff.**—The charges for food stuffs, beverages and other items served in the canteen, provided under sub-rule (1) of rule 238 shall be based on "no profit no loss", and the price list of such items shall be conspicuously displayed in such canteen.

CHAPTER XXVIII

WAGES

Sections 45 and 62 (2) (ze)

240. **Payment of wages.**—An employer shall ensure at a construction site of a building or other construction work that,—

(a) the wages of every building worker employed at such construction site, where less than one thousand such building workers are employed, are paid before the expiry of seventh day and in other cases before the expiry of tenth day after the last day of the period in respect of which, such wages are payable ;

(b) in case the employment of a building worker is terminated by or on behalf of such employer, the wages earned by such building worker are paid before the expiry of the second working day from the day on which employment of such building worker is terminated ; and

(c) all payment of wages are made on a working day at such construction site and during the working time and on a date notified in advance and in case the work is complete, the final payment of wages and other dues, if any, is made within forty eight hours of completion of such work.

Sections 30 and 62 (2) (u)

241.**Display of notices of wage regarding date of payment of wages.**—An employer shall ensure at a construction site of a building or other

construction work that a notice showing the period for which wages are to be paid, place and time of disbursement of such wages, is displayed at a conspicuous place of such construction site in English, Punjabi and also in Hindi or in a local language, understood by the majority of building workers employed at such construction site.

CHAPTER XXIX

POWERS OF CHIEF INSPECTOR, INSPECTORS AND PROHIBITION ORDERS

Sections 43 (2) and 62

242. **Power to engage experts, agencies.**—(1) The Chief Inspector may engage experts or agencies, as deemed necessary, from the fields of civil engineering, structural engineering, architecture, and other disciplines like occupational safety, health and environment as and when required for the purpose of conducting any inspection, investigation or enquiry into the cause of an accident or of a dangerous occurrence or safety of the building workers as required under the Act and these rules.

(2)The agency referred to in sub-rule (1), shall be of national standard in the relevant field and registered under the relevant law.

(3)The experts, referred to in sub-rule (1) shall,—

(a) possess a degree in the relevant field from a recognised university ; and

(b) possess, not less than ten years experience of working in the relevant field out of which, at-least five years, shall be in the field of occupational safety, health and environment.

(4)An expert from the agencies referred to in sub-rule (1), shall also possess the qualifications as referred to in sub- rule (3).

(5)The State Government may, from time to time, prepare a panel of experts and agencies referred to in sub-rule (1).

(6)An engineer or expert or agency employed under sub-rule (1), shall be paid such travelling allowances and daily allowances, as specified by the State Government from time to time.

(7)In addition to travelling allowance and daily allowance, referred to in sub-rule (6), such engineer or expert or agency shall also be paid an honorarium at such rates, as may be specified by the State Government from time to time.

Sections 43 (1) and 62

243.**Powers of the Inspector.**—(1) In addition to the powers conferred under section 43 of the Act, an Inspector, at a construction site of a building or other construction work within the local limits for which he is appointed may,—

(i) make examination of such construction site or place or premises used or to be used for such building or construction work ;

(ii) take on the spot or otherwise such evidence of any person, as he may deem necessary for the purpose of any examination or enquiry connected with such building or other construction work, directly or indirectly :

Provided that such person shall not be compelled to answer any question or give any evidence tending to incriminate him ;

(iii) take photographs, video clips, sample weight or measure of record or make such sketches, as he may consider necessary

for the purpose of any examination or inquiry under these rules ;

(iv) hold an inquiry into the cause of any accident or dangerous occurrence, which he has reasons to believe was the result of any operation connected with or incidental to such building or other construction work, or of non-compliance with any of the provisions of the Act or these rules ;

(v) issue show-cause notice or warning relating to the safety, health and welfare provisions under the Act or these rules ;

(vi) prosecute or defend in any court any complaint or other proceedings arising under the Act or these rules ;

(vii) direct any contractor or employer or building worker for getting the building workers medically examined as per the provisions of these rules ; and

(viii) require a person having powers of supervision and control of the premises or establishment or construction site, or the owner, project-in-charge or site-incharge, as the case may be, to provide such means or assistance including the launch or other mode of transport, as may be required for entry, inspection, examination or enquiry for the exercise of his powers under sub-section (1) of section 43 of the Act or these rules in relation to such construction site or project.

(2)Any person required to produce any document or thing or to give any information required by an inspector under sub-rule (1), shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code (Central Act 45 of 1860).

244.**Prohibition Orders by Registering Officers and Chief Inspector.**— (1) If it appears to the Inspector that any site or place at which any building or other construction work is being carried on, is in such condition that it is dangerous to life, safety or health of building workers or the general public, he shall immediately bring the same to the notice of the concerned Registering Officer under the Act, who, in exercising the powers of an Inspector under the Act, may serve in writing, on the employer or on the owner of the establishment or on the person-in-charge of such site or place, an order prohibiting the construction of any building or other construction at such site or place until measures have been taken to remove the cause of danger to his satisfaction. A copy of such prohibitory order shall also be endorsed immediately to the Chief Inspector for his final orders who may, after making such enquiry as he deems fit, shall annul, modify or confirm such prohibitory orders, as expeditiously as possible. Sections 62 (2) (zg)

(2) The District Magistrate and the Sub-Divisional Magistrate of the area shall also have the power to issue prohibitory orders as specified in sub rule (1).

(3) Such prohibition orders shall be complied with by the employer or by the person on whom it is served, forthwith and he shall not proceed further with the prohibited work before obtaining a clearance in writing from the Registering Officer or the Chief Inspector, as the case may be.

(4) Any person, aggrieved by an order issued under sub-rule (1) may, within a period of fifteen days from the date on which the order is communicated to him, prefer an appeal to the Chief Inspector and where such order is modified or confirmed by the Chief Inspector, to the State Government. The Chief Inspector or the State Government, as the case may be, shall, after giving the

appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible:

Provided that any appeal may be entertained after the said period of fifteen days, if the Chief Inspector or the State Government, as the case may be, is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time:

Provided further that the prohibition shall be complied with, pending the decision of the Chief Inspector or the State Government.

PART IV

THE TERMS AND CONDITIONS OF APPOINTMENT AND SALARIES AND OTHER ALLOWANCES PAYABLE TO CHAIRPERSON AND OTHER MEMBERS OF THE PUNJAB BUILDING AND OTHER CONSTRUCTION WORKERS WELFARE BOARD, AND THE MANNER OF FILLING UP THE CASUAL VACANCIES OF MEMBERS OF THE BOARD.

CHAPTER XXX

Section 18 (3)

245.**Terms and conditions of appointment of the Chairperson and other members of the Board.—**(1) The term of office of Chairperson and other members of the Board, shall be three years.

(2) The Chairperson and other members of the Board shall be paid such salary and allowances, as may be determined by the State Government in consultation with the Board.

246.**Filling up of casual vacancies.**—A Member, nominated to fill casual vacancy, shall hold office for the remaining period of the term of office the member in whose place, he is nominated. Sections 18 (4) a and 62 (2) (a) of

247.**Meetings of the Board.**—The Board shall meet at least once six months: Sections 20 (1) in and 62

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

248.**Notice of meeting and the agenda.**—Notice intimating the date, time and venue of every meeting together with agenda, to be discussed at meeting, shall be sent by registered post, courier service or by special messenger, to each member fifteen days before the meeting: Sections 20 (1) and 62 the

Provided that when the Chairperson calls a meeting for the consideration of any matter, which in his opinion is urgent, notice of not less than three days shall be deemed sufficient.

249.**Absence from the State.**—If any member leaves the State for period of not less than six months without intimation to the Chairperson, he deemed to have resigned from the Board. Sections 18 (4) a and 62 shall be

250.**Transaction of business.**—Every question considered at a meeting of the Board shall be decided by a majority of the votes of the members and voting and in the event of equal votes, the Chairperson shall have and exercise a casting vote. Sections 20 (1) and 62 present

251. **Quorum—**No business shall be transacted at any meeting of the Board, unless atleast six members are present. Sections 20 and 62

252.**Minutes of the meeting.**—The minutes of every meeting, duly approved by the Chairperson, shall be recorded by the Secretary of the Board in Minutes Book, which shall be a permanent record. Sections 20 (1) and 62 a

Sections 18 (3) and 62 (2) (zg)

253.**Fees and Allowances.**—Every non-official member of the Board shall be paid the fee and allowance for attending a meeting of the Board, as may be fixed by the Board from time to time.

Sections 20 (1) and 62 for the

254.**Appointment of Sub-Committees.**—The Board may appoint such number of sub-committees for such purposes, as it may deem necessary proper discharge of its duties.

Sections 20 (1) and 62

255.**Constitution of Sub-Committees.**—(1) A sub-committee shall consists of the following persons, namely:—

(a) a Chairperson to be appointed by the Board;

(b) one member representing the employers;

(c) one member representing the building workers; and

(d) two members representing the State Government.

(2) If the Chairperson is absent at any time, the members present shall select one from amongst themselves to preside over the meeting.

(3)No business shall be transacted at a meeting of the sub-committee, unless at least three members are present of whom, one each shall be from the members representing employers and the building workers.

(4)The term of the sub-committee shall be one year from the date of its constitution:

Provided that the sub-committee shall continue in office until a new sub-committee is constituted:

Provided further that in no case, the sub-committee shall continue beyond a period of two years from the date of its original constitution.

(5)The recommendations of the sub-committee shall be placed before the Board for its decision.

Sections 20 (1) and 62

256.**Functioning at district and Tehsil level.**—With the approval of the Government, the Board may authorise such officers and officials of the Labour Department of the State of Punjab in the districts and tehsils for the purpose of implementation of the welfare schemes under the Act.

Sections 22 and 62

257. **Powers, duties and functions of the Board.**—(1) In addition to the functions, as laid down in section 22 of the Act, the Board shall be responsible for,—

(a) all matters connected with the administration of the Fund;

(b) laying down policies for the deposits and investment of the amount of the Fund;

(c) submission of annual budget to the State Government for sanction;

(d) submission of annual report to the State Government on the activities of the Board;

(e) proper maintenance of accounts;

(f) annual audit of accounts of the Board, in accordance with provisions of the Act in consultation with the Accountant General, Punjab;

(g) collection of contribution to the Fund, grants, loans and other resources;

(h) launching of prosecutions for and on behalf of the Board;

(i) speedy settlement of claims and sanction of advances and other benefits; and

(j) proper and timely recovery of any amount due to the Board.

(2)The Board shall furnish information to the State Government on such matters as the State Government may refer to it, from time to time.

Sections 19 and 62

258.**Terms and conditions of appointment of Secretary, other officers and employees of the Board.—**The Secretary, other officers and employees of the Board shall be appointed on such terms and conditions and shall be paid such salary and allowances, as may be determined by the Board from time to time with the approval of the State Government, by regulations, to be made by the Board.

Sections 19

259.**Administrative and financial powers of the Secretary.—**(1) The Secretary of the Board may, without reference to the Board, sanction expenditure and contingencies, supplies, services, purchase of articles and refund for administering the Fund subject to the limits up to which, he may be authorised from time to time by the Board.

(2) The Secretary of the Board shall refund the actual collection expenses, not exceeding one per cent of the total collected amount of cess, levied under section 3 of the Building and Other Construction Workers Welfare Cess Act, 1996, to the authority, agency, body or cess collector, as the case may be, by whom such cess is collected and deposited with the Board:

Provided that such expenses shall be refunded only if the same has not already been deducted by the authority agency, body or cess collector, as the case may be, before depositing the same with the Board.

(3)The Secretary may also exercise such other administrative and financial powers, other than those, specified in sub-rule (1), as may be delegated to him from time to time by the Board.

(4) The Board may, from time to time delegate, subject to such conditions as it may deem fit, administrative and financial powers to any other officer under its control and supervision to the extent considered necessary for its efficient functioning.

(5) In the absence of holding of the meeting of the Board for any reason whatsoever, the Chairperson shall have the powers to approve *ad hoc* budget, which shall be deemed to be the budget, until the approval of regular budget by the Board. This *ad hoc* budget shall be signed by the Chairperson and the Secretary.

(6) The Secretary of the Board shall have the power to hire a building for the efficient use of the Board on such rent as may be assessed by the Public Works Department.

(7) The Secretary of the Board shall have the powers to make appointments on contract basis in accordance with the requirements of the Board.

Sections 12 62

260.**Membership.—**Every building worker, who has completed and eighteen years of age, but has not completed sixty years of age and who is not a member of any other Welfare Fund established under any law for the time being in force and who has completed a period of ninety days of service in the State of

Punjab as a building worker as provided under these rules in the year immediately preceding, shall be eligible for membership to the Fund.

(2) A certificate to prove age, containing the following documents, shall also be submitted alongwith the application,—

(i) school's record; or

(ii) certificate from the Registrar of Births and Deaths; or

(iii) in the absence of the above certificates, a certificate from a Medical Officer of the Government of the State of Punjab.

Form-XXVII that the applicant is a building worker as per provisions of these rules, shall also be produced alongwith the application for registration. In case, such a certificate is not available, a certificate issued by the Labour Inspector after proper verification and duly countersigned by the Assistant Labour Commissioner or Labour-cum-Conciliation Officer of the concerned area, shall also be considered.

(4)Every building worker eligible to become a beneficiary to the Fund, shall submit an application in

Form No. XXVIII to such officer as may be authorised in this behalf by the Board. Every such application shall be accompanied by the documents mentioned in this rule alongwith registration fee of rupees twenty-five.

(5)Where the officer referred to in sub-rule (4), is satisfied that the applicant fulfils all the conditions for becoming a beneficiary, such building worker shall be registered as a member.

(6)If a building worker is refused registration under sub-rule (5), he may within a period of sixty days, file an appeal to the Board against the order of rejection. The decisions of the Board on appeal shall be final.

(7)A building worker after becoming a beneficiary, shall also file a nomination in Form No. XXIX. The nomination shall have to be got revised in the name of the spouse after marriage of the beneficiary or on the happening of any legal change in the status of the family.

(8)The officer referred to in sub-rule (4), shall issue to every beneficiary an identity card with a photo of the beneficiary, affixed on

Form No. XXX, and maintain a register of identity cards, so issued in Form No. XXXI.

261.**Contribution to the Fund.**—(1) A beneficiary of the Fund, shall contribute to the Fund at such rate, as may be notified by the State Government from time to time. This contribution shall be remitted in advance once in three months in any of the banks, specified by the Board in the district, in which the member resides. Sections 16 (1) and 62

(2)If a beneficiary commits default in the payment of contribution continuously for a period of one year, he shall cease to be a beneficiary of the Fund. However, with the permission of the officer referred to in sub rule 4 of rule 260, the membership may be resumed on repayment of arrears of contribution with a fine of rupees five per month for the delayed period.

262.**Duty of the employer to file returns.**—(1) Every employer shall, within fifteen days from the commencement of these rules, send to the Secretary of the Board, a consolidated return containing the particulars of the building workers, entitled to be registered, showing their wages, as defined under the Act. Sections 15 and 62

(2)Every employer shall, before the fifteenth day of every month, send to the Secretary of the Board or any other Officer, authorised by him in this behalf, a return in

Form No. XXXII, showing the details of the building workers, entitled to be registered, as well as those who have left the service during the preceding month.

(3)Every employer shall furnish to the Secretary of the Board or any other Officer, authorised by him in this behalf, in

Form No. XXXIII, particulars regarding the establishment.

Sections 15 Every and 62

263. **Maintenance and production of records and registers.**— (1) employer shall maintain a register showing the particulars of the building workers and a register of contribution in such form, as may be directed by the Secretary of the Board or other officer authorised by him.

(2)Every employer shall, whenever the Secretary of the Board, or any other officer, authorised by him, requires verbally or by notice in writing to produce the records in respect of the building workers, shall deliver such records to the concerned officer in time and if the records are not returned, a receipt for the records retained, shall be given to the employer.

Section 24

264.**Transfer of accumulation in any other Fund.**—(1) If a building worker becomes a member of this Fund, the concerned authorities with whom he was a member earlier, shall transfer such deposits in the name of that member, to this Fund.

(2)The Authority of the other Welfare Fund shall, furnish to the Secretary of the Board or any other Officer authorised by him in this behalf, a statement, showing the total accumulation at the credit of such member on the date of transfer under sub-rule (1) and the amount of advance, if any, taken by the member.

Sections 22 With and 62

265. **Welfare Schemes and financial assistance to the beneficiaries.**— the prior approval of the State Government, the Board may, form the following schemes for the welfare of the building workers and their families and to provide financial assistance to the beneficiaries, namely,—

(i) a scheme to provide immediate assistance to a beneficiary in case of an accident;

(ii) a scheme to provide the payment of pension to the beneficiaries, who have completed the age of sixty years;

(iii) a scheme to provide loans and advances to a beneficiary for construction of a house, not exceeding such amount and on such terms and conditions, as it may deem fit;

(iv) a scheme for the payment of such amount in connection with premium for Group Insurance Scheme or any other insurance schemes for the beneficiaries, as it may deem fit;

(v) a scheme to provide such financial assistance for the education of children of the beneficiaries, as it may deem fit;

(vi) a scheme to meet such medical expenses for treatment of major ailment of a beneficiary or his dependants;

(vii) a scheme to make payment of maternity benefit to the female beneficiaries;

(viii) such other schemes, as it may deem fit for the provision and improvement of other welfare measures and facilities to the beneficiaries and their families;

266.**Recovery of advances and loans.**—The Board shall have the power to stipulate such conditions for the recovery of loans and advances, as it may deem appropriate. Section 22 (1)

267.**Refund of the contribution of deceased member.**—(1) On the death of a member, the amount of contribution standing to his credit, shall be given to his nominee. In the absence of a nominee, the amount shall be paid to the legal heirs of the beneficiary in equal shares. Section 22 (1)

Sections 26 and 62 (2) (q)

268. **Accounts.**—(1) Excluding the administrative expenses, interest, rent and other income realised and all profits or losses, if any, on the investments shall be credited or debited, as the case may be, to an account called the "Income Suspense Account".

(2) The Secretary of the Board or any other officer authorised by him, shall submit a statement to the State Government on the 15th Day of March every year or on such other date, as the State Government may specify, an annual report, appending thereto a classified statement of the assets of the Board.

Section 62 (2) (zg)

269. **Investment of amount.**— All moneys belonging to the Fund, may be invested in the Nationalised Banks or Scheduled Banks or in the securities referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1882 (Central Act 2 of 1882).

Section 24 (2)

270.**Utilization of the Fund.**—The Fund shall not, without the previous approval of the State Government, be expended for any purpose, other than those mentioned in the Act and the rules made thereunder.

Section 24 (2)

271.**Expenditure from the Fund.**— (1) All expenses for the administration of the fund, fees and allowances of the members of the Board, salaries, leave salaries, joining time pay, travelling allowance, compensatory allowances, charge allowances, pension contribution and other benefits of personnel expenses, for the legitimate needs of the Board including the stationery expenses and other office expenses, shall be met from the Administrative Account of the Fund.

(2) The amounts incurred by the State Government for the administration of the Fund, shall be treated as a loan, which shall be repaid from the Administrative Account of the Fund.

Sections 26 and (2) (zg)

272. **Report regarding the functioning of the Board.**—A report on the functioning of the Board during every financial year, shall be approved by the Board before the 15th day of June next year and be submitted to the State Government before the 31st day of July of that year. 62

Sections 27 and (2) (zg)

273. **Copies of the registers and reports to be furnished.**—The Secretary of the Board shall furnish copies of the registers and annual report of the fund to any employer or member of the Fund on a request in writing and on payment of such fees, as may be specified by the Board in this behalf with the approval of the State Government. 62

Section 62 (2) (zg)

274.**Recovery of arrears.**—If any amount is due from an employer or a member, the Secretary of the Board or any other officer, authorised by him in this behalf, shall after ascertaining the amount of arrears, issue a certificate for that amount to the Collector of the District concerned. On receipt of such certificate, the District Collector shall recover the amount as arrears of land revenue.

Section 62 (2) (zg)

275.**Execution of Contracts.**—All orders and other instruments shall be made and executed in the name of the Board and shall be authenticated by such persons, as the Board may specify.

SCHEDULE I

(*See* rule 4)

PERMISSIBLE EXPOSURE IN CASES OF CONTINUOUS NOISE

1. **Application**.—This Schedule shall apply to all operations in any construction activity having noise level.

2. **Definitions.—**for the purpose of this Schedule—

(a) "noise" means any unwanted sound;

(b) "high noise level" means any noise level, when measured on A-weighted scale is 90 db or above:

(c) "Decibel" means one-tenth of "Bel", which is the fundamental division of a logarithmic scale, used to express the ratio of two specified or implied quantities, the number of "Bels" denoting such a ratio being the logarithm to the base of 10 of this sound pressure level corresponds to a reference pressure of 2.0×10^{-6} newtons per square metre or 0.0002 dynes per square centimetre which is the threshold of hearing, that is, the lowest sound pressure level necessary in average healthy listeners. The decibel, if abbreviated

form is db.

(d) "frequency" is the rate of pressure variations, expressed in cycles per second of hertz.

(e) "dBA" refers to sound level in decibels as measured on a sound level metre operating on the A-weighting net work with slow metre response; and

(f) "A-weighting" means making graded adjustments in the intensities of sound of various frequencies for the purpose of noise measurement so that the sound pressure level measured by an instrument reflects the actual response of human ear to the sound measured.

3. **Protection against noise.—**(1) At every construction site, suitable engineering control or administrative measures shall be taken to ensure, so for exposed to sound levels exceeding the maximum permissible noise exposure levels, specified in Tables 1 and 2, given below :—

TABLE 1

Permissible exposure in cases of continuance noise

Total time of exposure (continuous or a number of short term exposures) per day, in hours	Sound pressure level in dBA.
1	2
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
¾	107
½	110
¼	115

Note .—No exposure in excess of 115 dBA is to be permitted.

For any period of exposure, falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level, is to be determined by extrapolation on a proportionate basis.

TABLE 2

Permissible exposure levels of impulsive or impact noise

Peak sound pressure Level in dB.	Permitted number of Impulses or impact per day
1	2
140	100
135	315

130	1,000
125	3,160
120	10,000

Notes.— (1) No exposure in excess of 140 dB peak sound pressure level is permitted.

(2) For any peak sound pressure level, falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impacts per day, is to be determined by extrapolation on a proportionate basis.

(3) For the purpose of this Schedule, if the variations in the noise level involve maximum at intervals of one second or less, the noise shall be considered as a continuous on and the criteria given in Table 1, shall apply and in other cases, the noise shall be considered as impulsive or impact noise and the criteria given in Table 2, shall apply.

(4) When the daily noise exposure is at different levels, their combined effect shall be considered rather than the individual effect of each. The mixed exposures shall be considered to exceed the time limit value, if the sum of the fractions C1 / T1 + C2 / TA + 4 Cn / Tn /, exceeds unity. Where the C1, C2 etc. indicate the total time of actual exposure at a specified noise level and T1,T2, etc. donate the time of exposure permissible at that level, the noise exposure of less than 90 dBA may be ignored in the above calculation.

(5) Where it is not possible to reduce the noise exposure to the levels, specified in sub-rule (1) by reasonability practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measure, and each building worker so exposed, shall be provided with suitable ear protectors so as to reduce the exposure to noise to the levels specified in sub-rule (1).

(6) Where ear protectors provided in accordance with sub- paragraph (5) and worn by a building worker, cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound, pressure levels, to a level permissible under Table 1 of Table 2, as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposure specified in paragraph (1).

(7) (1) In all cases, where the prevailing sound levels exceed the permissible levels in sub–paragraph (1), there shall be determined an effective hearing conservation programme, which shall include among other hearing conservation measures, pre-employment and periodical auditory surveys conducted on building workers, exposed to habitation of such building workers either by reducing the exposure to the noise levels or by transferring them to places where noise levels are relatively less or by any other suitable means.

(2) Every building worker employed in areas, where the noise exceeds the maximum permissible exposure levels, specified in sub-paragraph (1), shall be subjected to an auditory examination by a certifying Surgeon within fourteen days of his first employment and thereafter, shall be re-examined at least once in every twelve months. Such initial and periodical examinations and re-examinations shall include test, which the certifying Surgeon may consider appropriate, and shall include determination of auditory thresholds for pure tones of 125,250,500,1000,2000,4000 and 8000 cycles per second.

SCHEDULE II

[*See* rules 26(a), 40(a), 41(a) and 42]

MANNER OF TESTING AND EXAMINATION BEFORE PROCUREMENT OF LIFTING APPLIANCES, LIFTING GEARS AND WIRE ROPES FOR USE FOR THE FIRST TIME.

1. For testing of safe working load of machinery, equipment, the following BIS codes are to be followed :—

(i)	Code of Practice for Electric overload travelling cranes and Gantry Cranes other than Steel Works Cranes	IS : 3177
(ii)	Shovels	IS : 274
(iii)	Volumetric Rating of Dumper Bodies	IS : 10859
(iv)	Bulk Handling Equipment—Dumper, Supplier's Datasheet	IS :13652
(v)	Derrick, heavy lift gooseneck pin and bearing	IS : 5521
(vi)	Hoists and cranes, design, manufacture, erection and testing	IS : 807
(vii)	Specification for formed ends for tanks and pressure vessels	IS : 4049 (Part I)
(viii)	Code for unfired pressure vessels	IS : 2825
(ix)	Specification for hand-operated chain pulley blocks	IS : 3832
(x)	Specification for steel wire suspension ropes for lifts, elevators and hoists	IS : 2365
(xi)	Round Strand Galvanized steel wire ropes for shipping purpose – specification	IS : 2581

2. For the testing and examination of any other equipment and machinery, the relevant Indian code shall be followed, in the absence of which, the relevant International codes shall be referred to.

3. Before any test is carried out, a visual inspection of the lifting appliance or lifting gear involved, shall be conducted and any visible defective gear shall be replaced or renewed.

4. After being tested, all the lifting gears shall be examined to see whether any parts have been injured or permanently deformed by the test.

5. During the test and examination, if any defect is noticed, the same shall be removed and any unrepairable part shall be replaced by a new part.

SCHEDULE III

[*See* rule 94(1)]

LIGHTING AT CONSTRUCTION ACTIVITY

General:

1. The general illumination at construction activity, where persons are regularly employed, shall be not less than (150 lux), measured in the horizontal plane at a level of 90 cm. above the floor :

   Provided that in any such parts in which the mounting height of the light source for general illumination necessarily exceeds 7.5 metres measured from the floor or where the structure of the room or the position or construction of the fixed machinery or plant prevents the uniform attainment of this standard, the general illumination at the said level, shall be not less than 50 lux, and where work is actually being done, the illumination shall not be less than 150 lux.

2. The illumination over all other interior parts of Construction site if a light point is horizontally directly above a fan, uniformity of the light shall be disturbed. In such a case, the fan and the light point should be horizontally staggered, which persons employed pass shall, when and where a person is passing, not be less than 25 lux at floor level.

3. The standard, specified in this rule, shall be without prejudice to the provision of any additional illumination, required to render the lighting sufficient and suitable for the nature of the work.

Prevention of glare :

1. Where any source of artificial light in the factory is less than 480 cm. above floor level, no part of the light source or of the lighting fitting having a brightness greater than 10 candles per square inch shall be visible to persons whilst normally employed within 33 metres of the source or part of the fitting, as the case may be, exceeds 20 degrees.

2. Any local light, that is to say, an artificial light, designed to illuminate particularly the area or part of the area of work of a single operative or small group of operatives working near each other shall be provided with a suitable shade of opaque material to prevent glare or with other effective means by which, the light source is completely screened from the eyes of every person employed at a normal working place or shall be so placed that no such person is exposed to glare therefrom.

SCHEDULE IV

[See rule 122(a)]

PERMISSIBLE LEVELS OF CERTAIN CHEMICAL SUBSTANCES IN THE WORK ENVIRONMENT

(1) Carbon monoxide 50ppm / 40mg / m_3 (2) Nitric oxide 25ppm / 30mg / m_3 (3) Sulphur dioxide 2ppm / 5mg / m_3 (4) Welding Fumes

Xylene (0-,m,p-180 mers) 100 ppm / 435 mg/ m^3

Zirinium Compounds 5mg / m_3 (A)

Silica

(a) Crystalline

(i) Quartz

(1) In terms of dust count = $\frac{1060}{\text{mppcm}}$ / % Quartz + 10

(2) In terms of respirable dust 10

$$= \frac{}{\% \text{ respirable Quartz} + 2} \text{ mg/m}^3$$

(3) In terms of total dust

$$= \frac{30}{\% \text{ Quartz} + .3} \text{ mg/m}^3$$

(ii) Cristobalite : Half the limits given against quartz.

(iii) Tridvmite : Half the limits given against quartz.

(iv) Silica, fused : Same limits as for quartz.

(v) Tripoli : Same limits as in formula in item (2) given against quartz.

(b) Amorphous = 705 mpp cm

(5) Silicates having less than one % free silica by weight

(a)	Asbestos fibres longer Than 5 microns	2 fibres per cubic centimetre
(b)	Mica	705 mpp cm
(c)	Mineral wool fibre	10 mg / m_3
(d)	All porlite porlite	1060 m pp cm
(e)	Portland cement	1060 m pp cm
(f)	Soaps Stone	705 mm pp cm
(g)	Talc (non-bostform)	705 mm pp cm
(h)	Talc (Fibrous)	Same Limit as for as asbestos
(i)	Temlite	Same as limit as for as asbestos

1. Coal dust :

(i)	for airborne dust having less than 5 % Silicon dioxide By weight	2mg / m_3
(ii)	for airborne dust having over 5% Silicon	Same limit as prescribed by formula in item 2 against quartz

mg /m_3 -milligram per cubic metre of air

ppm - parts per million of air

mppcm - million parts per cubic metre of air

SCHEDULE V

[*See* rule 179(1) and (2)]

NUMBER OF SAFETY OFFICERS, QUALIFICATION, DUTIES ETC.

Appointment of Safety Officers :

Number of Safety Officers.—Within six months of coming into operation of these rules, every establishment employing more than 500 building workers and every other employer of the building worker shall appoint safety officers, as laid down in the scale given below :—

1. upto 1000 building workers – one safety officer;
2. upto 2500 building workers – two safety officers;
3. upto 5000 building workers – three safety officers;
4. upto 10000 building workers – four safety officers;
5. for every additional 5000 building workers in excess of 10000 building workers, one additional safety officer.

Any appointment, when made shall be notified to the inspector having jurisdiction in the area, giving full details of the qualifications, terms and conditions of service of such safety officer.

Qualification.—(a) A person shall not be eligible for appointment as a safety officer unless he—

(i) possesses a recognised degree in any branch of engineering or technology or architecture, and had a practical experience of working in a building or other construction work in a supervisory capacity for a period of not less than two years or possesses a recognised diploma in any branch of engineering or technology, and has had practical experience of building or other construction work in a supervisory capacity for a period of not less than five years;

(ii) possesses a recognised degree or diploma in industrial safety with at least one paper in construction safety as an elective subject; and

(iii) has adequate knowledge of the language, spoken by majority of building workers from the construction site in which he is to be appointed.

(b) Notwithstanding the provision contained in clause (a), any person, who—

(i) possesses a recognised degree or diploma in engineering or technology or architecture and has had experience of not less than five years in the field, dealing with the administration of Factories Act, 1948 or the Dock Workers (Safety, Health and Welfare) Act, 1986 or Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, or

(ii) possesses a recognised degree or diploma in engineering or technology, and has had experience of not less than five years or has undergone training in education, consultancy or

research in the field of accident prevention in industry, port, or in any institution or an establishment dealing with building or other construction work,

shall also be eligible for appointment as a safety officer :

Provided that in case of a person, who has been working as safety officer in industry or port, institution or an establishment dealing with building or other construction work for a period not less than three years on the date of commencement of these rules, the Chief Inspector may, subject to such conditions that he may specify, relax all or any of the above said qualifications.

Conditions of Service :—

(a) Where number of safety officers exceeds one, one of them shall be designated as Chief Safety Officer and he shall have the status higher than the others. The Chief Safety Officer shall be over all in charge of the safety functions as envisaged in sub-clause (iv), and also of other safety officers, working under his control.

(b) the Chief Safety Officer or Safety Officer where only one safety officer is appointed, shall be given the status of a Senior Executive and he shall work directly under the control of his Chief Executive. All other safety officers shall be given appropriate status to enable them to discharge their functions effectively.

(c) The scale of pay and allowances to be granted to the safety officers including the Chief Safety Officer and the other conditions of their service shall be the same as those of the officers of corresponding status of the establishment in which they are employed.

Duties of Safety Officer.—The duties of a safety officer shall be to advise and assist the employer in the fulfilment of his obligations, statutory or otherwise concerning prevention of personal injuries and maintaining a safe working environment. These duties shall include the following, namely :—

(i) to advise the building workers in planning and organising measures, necessary for effective control of personal injuries;

(ii) to advise on safety aspects in a building or other construction work and to carry out detailed safety studies of selected activities;

(iii) to check and enhance the effectiveness of action taken or proposed to be taken to prevent personal injuries and other health hazard;

(iv) to advise purchasing and ensuring quality of personal protective equipment conforming to national standards;

(v) to carry out safety inspections of building or other construction work in order to observe the physical conditions of work and the work practices and procedures, followed by building workers and to render advice on measures, to be adopted for removing unsafe physical conditions and preventing unsafe actions by building workers;

(vi) to investigate all fatal and other selected accidents;

(vii) to investigate the cases of occupational diseases contracted and reportable dangerous occurances;

(viii) to advise on the maintenance of such records, as are necessary with regard to accidents, dangerous occurances and occupational diseases;

(ix) to promote the working of safety committees and to act as an advisor to such committees;

(x) to organise with concerned departments, campaigns, competitions, contents and other activities, which will develop and maintain the interest of workers in establishing and maintaining safe conditions of work and procedures;

(xi) to design and conduct, either independently or in collaboration with other agencies, suitable training and educational programmes for prevention of accidents to building workers;

(xii) to frame rules and safe working practices in consultation with senior officials of the establishment; and

(xiii) to supervise advise and suggest safety precautions, to be taken in building and other construction work of the establishment.

Facilities to be provided to safety officers.—The employer shall provide to each safety officer with such facilities, equipment and information, as that are necessary to enable him to discharge his duties effectively.

Prohibition of performance of other duties.—No safety officer shall be required or permitted to do any work, which is unconnected to, inconsistence with or detrimental to the performance of the duties prescribed in this Schedule.

Exemptions.—Chief Inspector may, in writing, exempt any employer or group of employers from any or all of the provisions of these rules, subject to compliance with such alternative arrangements, as may be approved by him.

SCHEDULE VI

[*See* rules 51 (iv) and 193(a)(iii)]

PERIODICITY OF MEDICAL EXAMINATION OF BUILDING WORKERS

1. The employer shall arrange medical examination of all building workers employed as drivers, operators of lifting appliances and transport equipment before employing them after illness or injury, if it appears that illness or injury might have affected his fitness and thereafter, once in every two years up to the age of forty and once in a year thereafter.

2. Complete and confidential records of medical examination shall be maintained by the employer or the physician, authorised by the employer.

3. The medical examination shall include—

(a)full medical and occupational history;

(b)clinic and examination with particular reference to—

(i) General Physique;

(ii) Vision—Total visual performance using standard orthorator like Titmus Vision Tester should be estimated and suitability for placement ascertained in accordance with the prescribed job standards;

(iii) Hearing :—Person with normal hearing must be able to hear a forced whisper at 7.7 metres (twenty four feet). Person using hearing aids must be able to hear a warning shout under noisy working conditions;

(iv) Breathing—Peak flow rate using standard peak flow metre and the average peak flow rate determined out of these readings of the test performed. The result record at preplacement medical examination could be used as a standard for the same individual at the altitude for reference during subsequent examination;

(v) Upper limbs—Adequate arm function and grip (both arms);

(vi) Lower limbs—Adequate leg and foot function;

(vii) Spine—Adequately flexible for the job concerned; and

(viii) General—mental alertness and stability with good eye, hand and foot co-ordination; and

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

SCHEDULE VII

[*See* rule 195]

HAZARDOUS PROCESSES

1. Roof Work.
2. Steel erection.
3. Work under and over water.
4. Demolition.
5. Work in confined spaces.

SCHEDULE VIII

[*See* rule 195(b)]

SERVICES AND FACILITIES TO BE PROVIDED IN OCCUPATIONAL HEALTH CENTRES

(1) One full time construction medical officer for building or other construction work, employing building workers up to one thousand and one additional construction medical officer for every additional one thousand building workers or part thereof.

(2) The staff, including one nurse, one dresser–cum–compounder, one sweeper–cum-ward boy with each construction medical officer for full working hours.

(3) The occupational health centre with a floor area of minimum fifteen metre constituting two rooms with smooth walls and inpern service, adequately illuminated and ventilated.

(4) Adequate equipments for day-to-day treatment.

(5) Necessary equipments to manage any medical emergency.

SCHEDULE IX

[*See* rules 89(2) and 195(c)]

QUALIFICATION OF CONSTRUCTION MEDICAL OFFICER

(1) M.B.B.S. degree from a medical institute, recognised by the Medical Council of India; and

(2) Diploma in Industrial health or equivalent post graduate certificate of training in industrial health or health.

(3) A medical officer having working experience in organisation or establishment, involved in policy, execution and advice and safety and health of building workers, employed in mines, ports and docks, factories and buildings and other construction work, for a period of not less than three years, subject to the satisfaction of the Chief Inspector, may not be required to possess the training referred to in item (2) above.

(4) The syllabi of the courses leading to the above certificates and the organisation conducting such courses, shall be approved by the State Government, who may also from time to time, prepare a panel of such organisations.

(5) Complete particulars including name, qualification and experience of the construction medical officer, will be intimated to the inspector having jurisdiction.

SCHEDULE X

[*See* rule 196(b)]

ARTICLES FOR AMBULANCE ROOM

(i) A glazzed sink with hot and cold water always available.

(ii) A table with a smooth top at least 180 cm × 105 cm.

(iii) Means for sterilising instruments.

(iv) A couch.

(v) Two stretchers.

(vi) Two buckets or containers with close fitting lids.

(vii) Two rubber hot water bags.

(viii) A kettle and spirit stove or other suitable means of boiling water.

(ix) Twelve plain wooden splints 900 cm × 100 cm × 6 cm.

(x) Twelve plain wooden splints 350 cm × 75 cm × 6cm.

(xi) Six plain wooden splints 250 cm × 50 cm × 12 cm.

(xii) Six woollen blankets.

(xiii) Three pairs artery forceps.

(xiv) One bottle of spirit annemiae aremation (120 ml.).

(xv) Smelling salt (60 gm).

(xvi) Two medium size sponges.

(xvii) Six hand towels.

(xviii) Four kidney trays.

(xix) Four cakes of toilet, preferably antiseptic soap.

(xx) Two glass tumblers and two wine glasses.

(xxi) Two clinical thermometers.

(xxii) Two tea spoons.

(xxiii) Two graduated (120 ml.) measuring glasses.

(xxiv) Two minimum measuring glasses.

(xxv) One wash bottle (1000 cc) for washing eyes.

(xxvi) One bottle (one litre) carbolic lotion 1 in 20.

(xxvii) Three chairs.

(xxviii) One screen.

(xxix) One electric hand torch.

(xxx) Four first–aid boxes or cup-boards stocked to the standards, prescribed in Schedule XIII

(xxxi) An adequate supply of tetnus toxide.

(xxxii) Injections – morphia, pethidine, atrophine, adrenaline, coramine, novocaine (6 each).

(xxxiii) Tablets – antihistaminic antispasmodic (25 each).

(xxxiv) Syringes with needles – 2 cc, 5 cc, 10 cc and 500 cc.

(xxxv) Three surgical scissors.

(xxxvi) Two needle holders, big and small;

(xxxvii) Suturing needles and materials.

(xxxviii) Three dissecting forceps.

(xxxix) Three dressing forceps.

(xxxx) Three scalpels.

(xxxxi) One stethoscope and a B.P. apparatus.

(xxxxii) Rubber bandage – pressure bandage.

(xxxxiii) Oxygen cylinder with necessary attachments.

(xxxxiv) Atropine eye ointments.

(xxxxv) I.V. Fluids and sets 10 nos.

(xxxxvi) Suitable, foot operated, covered refuse containers.

(xxxxvii) Adequate number of sterilised, paired, latex hand gloves.

SCHEDULE XI

[*See* rule 197]

CONTENTS OF AMBULANCE VAN OR CARRIAGE

The Ambulance Van shall have equipments prescribed as under :—

(a) **General.—**A portable stretcher with folding and adjusting devices with the Head of the stretcher capable of being titled upward. Fixed suction unit with equipment. Fixed oxygen supply with equipment. Pillow with case, sheets, blankets, towels, emergency bag, bed, pan, urinal glass.

(b) **Safety Equipment.—**Flaros with life of three thousand minutes, floor lights, flash lights, fire extinguishers (dry power type) insulated guntlets.

(c) **Emergency Care Equipment :**

(i) **Resuscitation.—**Portable suction unit, portable oxygen unit, bagvalve mask, hand operated artifical ventilation unit, airways, mouthgag tracheostony adapters, shorts spine board, I.V. FLUIDS with administation unit, B.P. manometer cuff stethoscope.

(ii) **Immobilisation.—**Long and short padded boards, wire ladder splints, triangular bandage – long and short boards.

(iii) **Dressing.—**Gauaze pads – 100 mm ×100 mm universal dressing 250 × 1000 mm, roll of alluminium foils – soft roller bandages 150 mm × 5 mm yards adhesive tape in 75 mm roll safety pins, bandage sheets, burn sheet.

(iv) **Poisoning.—**Syrup of Ipecac, activated charcol prepacketed dose, snake bite kit, drinking water.

(v) **Emergency Medicines.—**As per requirement (under the advice of construction Medical Officer).

SCHEDULE XII

[*See* rule 200(a)]

NOTIFIABLE OCCUPATIONAL DISEASES IN BUILDING AND OTHER CONSTRUCTION WORK

1. Occupational dermatitis.
2. Occupational cancer.
3. Asbestosis.
4. Silicosis.
5. Lead poisoning including poisoning by occupational diseases in building and other construction work to be notified by any preparation or compound of lead or their sequela.
6. Benzene poisoning, including poisoning by any of its homologues, their nitro or amino derivatives or its sequela.
7. Occupational asthama.
8. Pesticide poisoning.
9. Toxic jaundice.
10. Toxic anaemia.
11. Compressed air illness (Caissons diseases).

12. Noise induced hearing loss.

13. Toxic nephritis.

SCHEDULE – XIII

[*See* rule 201(b)]

CONTENTS OF A FIRST–AID BOX

(i) A sufficient number of eye wash bottles filled with distilled water or suitable liquid clearly indicated by a distinctive sign which shall be visible at all times.

(ii) Four per cent xylocaine eye drops, and boric acid eye drop and soda bycarbonate eye drops.

(iii) Twenty four small sterilised dressings.

(iv) Twelve medium size sterilised dressings.

(v) Twelve large size sterilised dressings.

(vi) Twelve large size sterilised burn dressing.

(vii) Twelve (fifteen cm) packets of sterilised cotton wool.

(viii) (Two hundred ml) bottle certified solution (1 per cent) or suitable antiseptic solution.

(ix) One (two hundred ml) bottle of mercurochrome (2 per cent) solution in water.

(x) One (one hundred twenty ml) bottle of salvolatile having the doses and mode of administration indicated on the label.

(xi) One pair of scissors.

(xii) One roll of adhesive plaster (six cm x one metre).

(xiii) Two rolls of adhesive plaster (two cms x one metre).

(xiv) Twelve pieces of sterilised eye pads in separate sealed packets.

(xv) A bottle containing hundred tablets (each of three hundred twenty five mg) of aspirin or any other analgesic.

(xvi Twelve roller bandages ten cms wide.

(xvii) Twelve roller bandages five cms wide.

(xviii) One toruniquet.

(xix) A supply of suitable splints.

(xx) Three packets of safety pins.

(xxi) Kidney tray.

(xxii) A snake bite lancet.

(xxiii) One (thirty ml.) bottle containing potassium permanganate crystals.

(xxiv) One copy of first–aid leaflet issued by the Chief Inspector.

(xxv) Six triangular bandages.

(xxvi) Two pairs of suitable, sterilised, latex hand gloves.

FORM - I

[*See* rule 44(b)]

REGISTER OF PERIODICAL TEST - EXAMINATION OF LIFTING APPLIANCE AND GEARS ETC.

PART-I

Initial and periodical load test of lifting appliances and their annual thorough examination.

"Thorough examination" means a visual examination, supplemented, if necessary, by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined and if necessary, for such examination parts of the lifting appliances and gear shall be dismantled.

(A)

Initial and periodical load tests of lifting appliance

Situation and description of lifting appliances tested with distinguishing number of marks, if any	No. of certificate of test and examination of competent person	I certify that on the date on which I have appended my signature the lifting appliance shown in column (1), was tested and no defects, affecting its safe working conditions, were found other		Remarks (to be signed and dated)
		Date and Signature with seal	Date and Signature with seal	
1	2	3	4	5

(B)

Annual thorough examination

I certify that on the date on which I have appended my signature, the lifting appliance shown in column (1) was thoroughly examined and no defects affecting its safe working conditions were found, other than those, shown in column (12)				Remarks to be signed and dated		
Date and signature with seal	Date and signature with seal	Date and signature with seal	Date and signature with seal	Date and signature with seal	Date and signature with seal	Remarks to be signed and dated
6	7	8	9	10	11	12
1. 2.						

Note.—If all the lifting appliances are thoroughly examined on the same date it will be sufficient to enter in column (1) "All lifting appliances". If not, the parts, which have been thoroughly examined on the dates, must be clearly indicated.

PART II

Initial and periodical load test of loose gears and annual thorough examination

List of loose gear :

The following classes of loose gears, namely :—

1. Chains made of malleable cast iron;
2. Plate link chains;
3. Chains, rings, hooks, shackles and swivels made of steel;
4. Pitched chains;
5. Rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks, container spreaders, trays, slings, baskets, etc. and any other similar gear;
6. Hooks and swivels having screw-threaded parts or ball bearings or other case hardened part; and
7. Bordeaux connections.

Initial Test and periodical load test of loose gears

Distinguishing No. or marks	Description of loose gear tested and examined	No. of certificates of test and examination of competent person	I certify that on the date on which I have appended my signature, the loose gears, shown in columns (1) and (2), were tested and no defects affecting the safe working condition, were found other	
			Date and signature with seal	Date and signature with seal
1	2	3	4	5
1. 2. 3.				

Annual thorough examination of loose gears

Remarks (to be signed and dated)	I certify that on the date on which I have appended my signature the loose gear shown in columns (1) and (2) were thoroughly examined by me and no defects affecting their safe working condition were found other than those, shown in column (10)			
	Date and signature with seal	Date and signature with seal	Date and signature with seal	Date and signature with seal
6	7	8	9	10
1. 2. 3. 4.				

PART III

Annealing of Chains, Rings, Hocks, Shackles and Swivels (other than those exempted)

(*See* PART II)

12.5 mm and smaller chains, rings, hooks, shackles and swivels in general use. Other chains, rings, hooks, shackles and swivels in general use.	If used with lifting appliance driven by power, must be annealed once at least in every six months. If used solely with lifting appliance worked by hand must be annealed once at least in every twelve months. If used with lifting appliance driven by power, must be annealed once at least in twelve months. If used solely with lifting appliance worked by hand, must be annealed once at least in

Note.—It is recommended though not required by rules that annealing should be carried out in a suitably constructed furnace heated to temperature between 1100 degree and 1300 degree Fahrenheit or 600 degree and 700 degree Centigrade, for a period between 30 and 60 minutes.

Distinguishing No. or mark	Description of gear annealed	No. of the certificate of test and examination	I certify that on the date on which I appended my signature, the gear described in Cols. 1 & 2, was effectually annealed under my supervision, that after being so annealed, every article was carefully inspected and that no defects affecting its safe			Remarks (to be signed and dated)
			Date and signature with	Date and signature with	Date and signature with	
1	2	3	4	5	6	7

Form-II

[*See* rule 26 and 44 (b) (i) (a), Schedule-II]

CERTIFICATE OF INITIAL AND PERIODICAL TEST AND EXAMINATION OF WINCHES, DERRICKS AND THEIR ACCESSORY GEAR

Test Certificate No……. Date…… (a)

In case of construction site, name of the construction site where lifting appliances are fitted/installed/located.

Situation and Description of lifting appliances and gear with distinguishing number of marks (if any) which have been tested, thoroughly examined	Angle to the horizontal of derrick boom at which test load applied	Test load applied	Safe working load at the angle shown in column (2)
1	2	3	4
	Degrees	(Tonnes)	(Tonnes)

Name and address of public service, association, company or firm or testing establishment making the test and examination	Name and position of the Competent Person of public service, association, company or firm or
5	6

I certify that on the _____ day of 20_____ the lifting appliances shown in column (1) together with its necessary gear was tested in the manner set forth overleaf in my presence; that a careful examination of the said lifting appliances after the test showed that it had withstood the test load without injury or permanent deformation; and that the safe working load of the said lifting appliance and accessory gear is, as shown in column (4).

Signature and Seal of the Competent Person

Registration/Authority number
of the Competent Person.

Form-III

[*See* rule 26 and 44 (b) (i) (a)]

CERTIFICATE OF INITIAL AND PERIODICAL TEST AND EXAMINATION OF CRANES OR HOISTS AND THEIR ACCESSORY GEAR

Test Certificate No……. Date…….

(a)In case of construction site, name of the construction site where cranes or hoists are fitted/ installed/located.

Situation and description 1	For jib cranes radius at the test load was applied 2	Test load applied 3	Safe working load for jib cranes of radius shown in Column (2) 4
	(Metres)	(Tonnes)	(Tonnes)

Name and address of public service, association or firm or testing establishment making the test and examination	Name and position of the Competent Person of public service, association, company or firm or testing
5	6

I certify that on the _____day of _____ 20_____, the above lifting appliance together with its necessary gear, was tested in the manner set forth overleaf; that a careful examination of the said lifting appliance and gear after the test showed that it had withstood the test load without injury or permanent deformation; and the safe working load of the said lifting appliance and gear is as shown in Column (4).

Signature and Seal of the Competent Person

Registration/Authority number
of the Competent Person.

Form-IV

[*See* rules 40 and 44(b)(ii)]

CERTIFICATE OF INITIAL AND PERIODICAL TEST AND EXAMINATION OF LOOSE GEARS

Test Certificate No…… Date……

(a) In case of construction site, name of the construction site where loose gears are fitted/ installed/located.

Distinguishing number or mark	Description dimension and material of gear/ device	Number tested	Date of test	Test load applied (tonnes)	Safe working load (SWL) (tonnes)
1	2	3	4	5	6
Name and address of manufacturer or supplier	Initial test and examination certificate No. and date (only in case of periodical test and examination)		Name and address of public service, association, company or firm or testing establishment making the test and		Name and position of Competent Person in public service, association, company or firm or testing
7	8		9		10

I certify that on the _____ day of _____ 20_____ the above gear was tested and examined in the manner set forth overleaf; that the examination showed the said gear/device withstood the test load without injury or deformation; and that the safe working load of the said gear/device is as shown in column 6.

Signature and Seal of the Competent Person

Registration/Authority number
of the Competent Person.

Form-V

[*See* rules 32 and 44(b)(iii)]

CERTIFICATE OF TEST AND EXAMINATION OF WIRE ROPE BEFORE BEING TAKEN INTO USE

Test Certificate No. …….. Date……..

(1) Name and address of maker or supplier;

(2) (a) Circumference/diameter of rope

(b) Number of strands

(c) Number of wires per strand

(d) Lay

(e) Core

(3) Quality of wire (e.g. Best Plough steel)

(4) (a) Date of test of sample of rope

(b) Load at which sample broke (tonnes)

(c) Safe working load of rope (tonnes)

(d) Intended use

(5) Name and address of public service, association, company or firm or testing establishment making the test and examination.

(6) Name and position of Competent Person in public service, association, company or firm or testing establishment making the test and examination.

I certify that the above particulars are correct and that the test and examination were carried out by me and no defect affecting its safe working load (SWL) were found.

Signature and Seal of the Competent Person

Registration/Authority Number of Competent Person.

Form-VI

[*See* rules 42 and 44(b)(iv)]

CERTIFICATE OF ANNEALING OF LOOSE GEARS

Test Certificate No……. Date……..

(a) In case of construction site, name of the construction site where loose gears are fitted/ installed/ located.

Distinguishing number or mark	Description of gear	Number of the certificate of test and examinatio	Number annealed	Date of annealing	Defects found at careful inspectio n after
1	2	3	4	5	6

Name and address of public service, association, company or firm or testing establishment carrying out the annealing and inspection	Name and position of the Competent Person of public service association, company or firm or testing establishment
7	8

I certify that on the date shown in column (5), the gear described in columns (1) to (4), was effectually annealed under my supervision that after being so annealed, every article was carefully inspected ; and that no defect affecting its safe working condition were found other than those indicated in column (6).

Signature and Seal of the Competent Person

Registration/Authority Number
of the Competent Person.

Form-VII

[*See* rules 39 and 43]

CERTIFICATE OF ANNUAL THOROUGH EXAMINATION OF LOOSE GEARS EXEMPTED FROM ANNEALING

(a) Name of the Construction site where loose gears are fitted/ installed/ located:—

_____

Distinguishing number or mark	Description of gear	Number of certificate of initial and periodical test and examination	Defects, if any
1	2	3	4

Name and address of public service, association, company or firm or testing establishment making the test and examination	Name and position of the Competent Person of public service, association, company or firm or testing
5	6

I certify that on the _____ day of _____ 20 _____ the above gear, described in column (2), was thoroughly examined ; and that no defects affecting its safe working condition, were found other than those, indicated in column (4).

Signature and Seal of the Competent Person

Registration/Authority Number
of the Competent Person.

Form-VIII

[(*See* rule 180 (7)]

REPORT OF ACCIDENTS AND DANGEROUS OCCURRENCES

1. Name of the project/ work
2. Location of project/ work
3. Stage of construction work
4. Particulars of Employer :
   - (i) Name, Address and telephone/ contact number of the Principal Employer, if any :
   - (ii) Name, Address and telephone/ contact number of the Contractor :
   - (iii) Name, Address and telephone/contact number of the Sub-contractor, if any :
5. Particulars of injured person :
   - (a) Name :
   - (b) Father's name :
   - (c) Date of birth/age :
   - (d) Designation :
   - (e) Home Address :
   - (f) Date of employment :
   - (g) Marital Status: Married/unmarried/divorced
6. Particulars of Accident
   - (a) Date and time of accident:
   - (b) Exact place where accident occurred:
   - (c) What the injured person was doing at the time of accident?
   - (d) Weather conditions:
   - (e) Since how long was the building worker employed by you for this particular job?
   - (f) Particulars of equipment/ machine/ tool involved and condition of the same after the accident occurred.
   - (g) Brief description of the accident.
7. Nature of injuries
   - (a) Fatal
   - (b) Non-fatal
   - (c) If non-fatal, state precisely the nature of injuries. (Describe in detail the nature of injury, for instance fracture of right arm, sprain etc.)
   - (d) First Aid: Given: Not given:
   - (e) If not, give the reasons
   - (f) Name and designation of the person by whom first aid was given
   - (g) If admitted to hospital, Name of the hospital:

Address of the hospital:

Phone No. Name of the Doctor

8. Mode of transport used

Ambulance Truck Tempo Taxi Private Car

9. How much time was taken to shift the injured person? If very late, state the reasons.

(a) How the reporting was made?

Telephone Telegram Special Messenger Letter

(b) Who visited the accident site first and what action was proposed by him?

(c) What are the actions taken for the investigation of the accident by the employer? (Describe about photographs/ video film/ measurements taken etc.)

10. Particulars of the persons given witness.

(a) Name Address Occupation

1.

2.

3.

4.

(b) Whether Temporary Permanent

11. Particulars in case of fatal accident;

Date Time

12. Whether registered with Building and other Construction Board: Yes/no

If yes, give Reg. No.

13. Dangerous Occurrences as covered under the Regulation No.

(a) Collapse or failure of lifting appliance, hoist, conveyors etc;

(b) Collapse or subsidence of soil, any wall, floor, gallery etc;

(c) Collapse of transmission towers, pipeline, bridges, etc;

(d) explosion of receiver, vessel etc;

(e) fire and explosion;

(f) Spillage or leakage of hazardous substances;

(g) collapse, capsizing, toppling or collisions of transport equipment;

(h) leakage or release of harmful toxic gases at the construction site; and

(i) failure of lifting appliance, loose gear, hoist and building and other construction work machinery, transport equipment etc; 14. Certificate from the employer or authorised signatory.

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

Place: Signature: Date:

Designation: c.c.

forwarded for information and follow-up action

1.

2.

3.

Note: If more than one person is involved, then for each person, information is to be filled up in separate forms.

Form-IX

[*See* rule 193 (c)]

CERTIFICATE OF MEDICAL EXAMINATION 1.

Certificate Serial No. ……. Date…….

2. Name _____

Identification marks:

(1) _____
(2) _____

3. Father's Name _____
4. Sex _____
5. Residence

_____

_____

6. Date of birth/age _____
7. Physical Fitness _____
8. Reason for refusal/revocation of medical certificate_____

_____

I hereby certify that I have personally examined (name) _____Son/ daughter/ wife of _____who is desirous of being employed in building and construction work and that his/her age as nearly as can be ascertained from my examination is _____ years and that he/she is fit/unfit for employment in _____ as an adult/adolescent.

Signature/Thumb Impression of building worker

Signature with Seal of Medical Inspector/C.M.O.

Note: 1. Exact details of cause of physical disability should be clearly stated.

2. Functional productive abilities should also be stated if disability is stated.

FORM X

[See rule 193 (d)]

HEALTH REGISTER

(In respect of workers employed in Building and other construction work involving hazardous processes)

Name of the Construction Medical Officer/ Medical Inspector

(A) Mr. _____ From _____ to _____

(B) Mr. _____ From _____ to _____

(C) Mr. _____ From _____ to _____

Sr. No.	Works No.	Name of building worker	Sex	Age (last birthday)	Date of employment on present work	Date of leaving or transfer to other work
1	2	3	4	5	6	7
1. 2. 3. 4. 5.						

Reason for leaving transfer or discharge	Nature of job or occupation	Raw Material or by-product handled	Date of medical examination by certifying Surgeon Medical Inspector/	Results of medical examination	If suspended from work, state period of suspension with detailed
8	9	10	11	12	13

Certified fit to resume duty Signature of Medical Inspector/ CMO	Whether certificate of unfitness or suspension issued to building worker
14	15
1. 2. 3.	

Date : Signature with date of Medical Inspector/ CMO

Note : (i) Column (8) – Detailed summary of reason for transfer or discharge should be stated

(ii) Column (12) should be expressed as fit/ unfit/ suspended.

FORM XI

[*See* rule 200 (a)]

NOTICE OF POISONING OR OCCUPATIONAL NOTIFIABLE DISEASES

1. Name and address of the employer :
2. Name of the building worker and his work No., if any :
3. Address of the building worker :
4. Sex and Age :
5. Whether poisoned or suffering from occupational disease :
6. State exactly what the patient was doing at the time of contracting the disease :
7. Nature of poisoning or disease from which the building worker is suffering from :

Date: Signature of the employer / CMO

Note: When a building worker contracts any disease specified in Schedule XII, a notice in this form shall be sent forthwith to the Chief Inspector under the Act.

FORM XII

[*See* Rule 222 (1)]

APPLICATION (IN TRIPLICATE) FOR REGISTRATION OF ESTABLISHMENTS EMPLOYING WORKERS FOR BUILDING AND OTHER CONSTRUCTION WORK

1. Name and address of the employer :
2. Name and location of the establishment where the building or other construction work is to be carried on :
3. Postal address of the establishment :
4. Full name and address of the Principal Employer, if any :
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment :
6. Nature of building or other construction work carried on or to be carried on in the establishment :
7. Maximum number of building workers, to be employed on any day during the work :
8. Estimated date of commencement of the building or other construction work :
9. Estimated date of completion of the building or other construction work :
10. Particulars of fee deposited :

Declaration by the employer :

(i) I hereby declare that the particulars given above are true to the best of my knowledge and belief.

(ii) I undertake to abide by the provisions of the Building and other Construction workers (Regulation of Employment and Conditions of Service) Act, 1996 and Rules made thereunder.

Date……..

Signature and Seal of the employer

FORM-XIII

[*See* Rule 223 (1)]

REGISTRATION CERTIFICATE

No. …….. Date:……

GOVERNMENT OF PUNJAB

Office of the Registering Officer

A certificate of Registration is hereby granted under Sub-section (3) of section 7 of the Building and Other Construction Work (Regulation of Employment and Conditions of Service) Act, 1996 and the rules made thereunder to M/s._____ having the following particulars subject to the conditions laid down in the Annexure :—

1. Postal address/ location where building or other construction work is to be carried on by the employer :
2. Name and address of employer including location of the building and other construction work :
3. Name and permanent address of the establishment :
4. Nature of work in which building workers are employed or are to be employed :
5. Maximum number of building workers to be employed on any day by the employer :
6. Probable date of commencement of work :
7. Probable date of completion of work :
8. Other particulars relevant to the employment of building workers :

Signature and Seal of Registering Officer.

ANNEXURE

The registration granted herein above, is subject to the following conditions, namely :—

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

(b) the number of workmen employed or building workers in the establishment shall not, on any day, exceed the maximum number, specified in the certificate of registration ;

(c) save as other-wise provided in these rules, the fees paid for the grant of registration certificate shall be non-refundable ;

(d) the rates of wages payable to the building workers by the employer, shall not be less than the rates, prescribed under the Minimum Wages Act, 1948 (II of 1948) for such employment wherever applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed ; and

(e) the employer shall comply with the provisions of the Act and the rules made thereunder.

FORM-XIV

[*See* rule 223(2)]

REGISTER OF ESTABLISHMENTS

Serial No.	Registra-tion number and date	Name, address and location of the establishment registered, where a building or other construction work is to be carried on	Name of the employer and his address	Nature of building or other construct-ion work	Name and permanent address of Establish-ment	Probable date of commence-ment of work	Maximum No. of building workers to be employed on any day	Probable duration of building or other construction work and probable date of completion.	Remarks
1	2	3	4	5	6	7	8	9	10

FORM-XV

[*See* rule 225 (3) and 233]

NOTICE OF COMMENCEMENT/COMPLETION OF BUILDING OR OTHER CONSTRUCTION WORK

1. (i) Name and address (Permanent) of the establishment.
   (ii) Name of the employer and address _____
2. Name and situation of place where the building and other construction is proposed to be carried on.
3. No. and date of Certificate of registration:
4. Name and address of the person in-charge of the construction work.
5. Address to which the communications relating to building or other construction work may be sent.
6. Nature of work involved and the facilities including plant or machinery provided.
7. The arrangement of storage of explosives, if any, to be used in building or other construction work.
8. In case, the notice is for commencement of work, the approximate duration of work.

I/ We hereby intimate that the building or other construction work_____ (name of work) having registration No._____ dated _____ is likely to commence/ is likely to be completed with effect from _____ (date).

Signature and Seal of the Employer

Date……..

To

The Inspector,

_____

FORM-XVI

[See rule 234]

REGISTER OF BUILDING WORKERS EMPLOYED BY THE EMPLOYER

1. Name and address of the establishment where building and other construction work is to be carried on:
2. Name and permanent address of the establishment :
3. Nature of work _____

Serial No.	Name and Surname of workman	Age and Sex	Father's/ Husband's Name	Nature of Employ-ment/ Designation	Permanent home address of workman (Village and
1	2	3	4	5	6
1 2					

Local Address	Date of commencement of employment	Signature or Thumb impression of workman	Date of termination of employment	Reasons of termination
7	8	9	10	11
1 2				

If the building worker is/was beneficiary, the date of registration as a beneficiary, the registration No. and the name of Welfare Board	Remarks
12	13
1 2	

FORM-XVII

[*See* rule 235(1) (a)]

MUSTER ROLL

For the month of _____

1. Name and address of the establishment where building and other construction work is to be carried on:

2.

Name and permanent address of the establishment : 3. Nature of work _____

Serial No.	Name of the building worker	Father's/ Husband's name	Sex	Dates	Remarks
1	2	3	4	5	6
1 2 3 4 5				1 2 3 4 5	

FORM-XVIII

[*See* rule 235(1) (a)]

REGISTER OF WAGES

Wages for the month of _____

1. Name and address of the establishment where building and other construction work is to be carried on :

2. Name and permanent address of the establishment: 3. Nature of work

_____

Serial No.	Name of workman	Serial No. in the register of workman	Designation/ nature of work done	No. of days worked	Units of work done
1	2	3	4	5	6

Daily rates of wages/ piece rate	Basic wages	Dearness Allowances	Overtime	Other cash payments (Nature of payment to be indicated)	Total
7	8	9	10	11	12

Deductions, if any (indicate nature)	Net amount paid	Signature/Thumb impression of workman	Initial of employer or his representative
13	14	15	16

FORM-XIX

[*See* rule 235(1) (a) proviso]

FORM OF REGISTER OF WAGES CUM-MUSTER ROLL

Month: _____

1. Name and address of the establishment where building and other construction work is to be carried on:
2. Name and permanent address of the establishment:
3. Nature of work _____

Serial No.	Serial No. in Register of bilding workers	Name of building worker	Designation/ nature of work	Daily attendance/ units worked	Total attendance/ units of work done
1	2	3	4	5	6
1 2 3					

Daily rates of wages/ piece rate	Basic wages	Dearness Allowances	Overtime	Other cash payments (Nature of payment to be indicated)	Total
7	8	9	10	11	12

Deductions, if any, (indicate nature)	Net amount paid	Signature/Thumb impression of workman	Initial of employer or his representative
13	14	15	16

FORM-XX

[*See* rule 235 (1) (b)]

REGISTER OF DEDUCTIONS FOR DAMAGE OR LOSS

1. Name and address of the establishment where building and other construction work is to be carried on:
2. Name and permanent address of the establishment:
3. Nature of work _____

Serial No.	Name of building worker	Father's/ Husband's name	Designation/ nature of employment	Particulars of damage or loss	Date of damage or loss	Whether building worker showed cause against deduction
1	2	3	4	5	6	7

Name of person in whose presence building worker's explanation was heard	Amount of deduction imposed	Number of instalments	Date of Recovery	
			First Instalment	Last Instalment
8	9	10	11	12

FORM-XXI

[*See* rule 235 (1) (b)]

REGISTER OF FINES

1. Name and address of the establishment where building and other construction work is to be carried on:
2. Name and permanent address of the establishment:
3. Nature of work _____

Serial No.	Name of building workers	Father's/ Husband's name	Designation/ nature of employment	Act/omission for which fine imposed	Date offence
1	2	3	4	5	6
Whether building worker showed cause against fine	Name of person in whose presence building worker's explanation was heard	Wage period and wages payable	Amount of the fine imposed	Date on which fine realised	Remarks
7	8	9	10	11	12

FORM-XXII

[*See* rule 235 (1) (b)]

REGISTER OF ADVANCES

1. Name and address of the establishment where building and other construction work is to be carried on :
2. Name and permanent address of the establishment:
3. Nature of work _____

Serial No.	Name	Father's/ Husband's name	Nature of employment/ Designation	Wage period and wages payable	Date and amount of advance given
1	2	3	4	5	6

Pupose(s) for which advance given	No. of instalments by which advance to be repaid	Date and amount of each instalment repaid	Date on which last instalment was repaid	Remarks
7	8	9	10	11

FROM-XXIII

[*See* rule 235(1) (c)]

REGISTER OF OVERTIME

1. Name and address of the establishment where building and other construction work is to be carried on:
2. Name and permanent address of the establishment:
3. Nature of work _____

Serial No.	Name of the building worker	Father's/ Husband's name	Sex	Designation/ Nature of Employment	Date on which overtime worked
1	2	3	4	5	6
Total overtime worked or production in case of piece rated	Normal rates of wages	Overtime rate of wages	Overtime earning	Date on which overtime wages paid	Remarks
7	8	9	10	11	12

FORM-XXIV

[*See* rule 235 (2) (a)]

WAGE BOOK

For the Week/ Fortnight/Month ending_____.

Name and address of the establishment where building and other construction work is to be carried on :

Name and permanent address of the establishment : Nature of work _____

1. No. of days, worked _____
2. No. of units, worked in case of piece rate workers _____
3. Rate of daily/ monthly wages/ piece-rate _____
4. Amount of overtime wages _____
5. Gross wages payable _____
6. Deductions, if any, on account of the following :—
   (a) fines
   (b) damage or loss
   (c) loans and advances
   (d) subscription towards provident fund
   (e) subscription towards the Building Workers Welfare Fund.
   (f) any other deduction e.g. subscriptions to co-operative society or account of loan from co-operative society/ housing loan, or contribution to any relief fund as per provision of clause (P) of sub-section (2) of section 7 of the Payment of Wages Act or for payment of any premium of Life Insurance Corporation.
7. Net amount of wages paid _____

Initials of the employer
or his representative

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FORM-XXV

[*See* rule 235 (2) (b)]

SERVICE CERTIFICATE

1. Name and address of the establishment where building and other construction work is to be carried on:

2. Name and permanent address of the establishment: 3. Nature of work _____

Name and address of the workman _____ Age or Date of Birth _____

Identification Marks _____

Father's/ Mother's Name _____

Serial No.	Total period for which employed		Nature of work done	Rate of wages (with particulars of unit in case of (piece work)	If the building worker was a beneficiary, his registration No. date and the name of the Board
	From	To			

1	2	3	4	5	6
Reasons/ grounds on which the employment terminated			Remarks		
7			8		

FORM-XXVI

[*See* rule 236]

ANNUAL RETURN OF EMPLOYER TO BE SENT TO THE REGISTERING OFFICER

Year ending 31st December _____

1. Full name and full address of the establishment of the building and other construction work (Place, Post Office, District).
2. Name and permanent address of the establishment.
3. Name and address of the Employer
4. Nature of building and other construction work carried on
5. Full name of the Manager or person responsible for supervision and control of the establishment.
6. Number of building workers ordinarily employed.
7. Total number of days during the year on which building workers were employed.
8. Total number of man-days worked by building workers during the year.
9. Maximum number of building workers employed on any day during the year.
10. The number of accident that took place during the year as under :—
    (a) The total number of accidents;
    (b)The number of accident resulting in disablement of building workers for less than 48 hours, the number of building workers involved, and the number of man-days lost.
    (c)The number of accidents resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement, the number of building worker involved and the number of man days lost on account of such accidents.
    (d)The number of accidents resulting in permanent partial or total disablement, the number of building workers involved and the number of man days lost on account of such accidents.
    (e) The number of accidents resulting in deaths of building workers and the number of resultant deaths.
11. Change if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

Employer

Place _____

Date _____

FORM NO. XXVII

[*See* rule 260(3)]

CERTIFICATE BY EMPLOYER/CONTRACTOR REGARDING EMPLOYMENT OF BUILDING WORKER

No._____ Date:_____

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Sh./Smt./Miss/_____ son/daughter/wife of Sh. _____ r/o of _____ is employed with my/our establishment as _____ since_____.

Signature and Seal of the employer/contractor.

FORM NO. XXVIII

[*See* rule 260 (4)]

APPLICATION FOR REGISTRATION AS MEMBER

1.	Name	:
2.	Address	:
3.	Whether Scheduled Cast/	:

Scheduled Tribe

4.	Name of Father	:	
5.	Marital Status	:	(Married, Unmarried or Widow)
6.	Date of Birth	:	
7.	Name, address and Register No. of the Establishment where the applicant is working	:	
8.	E.S.I./ P.F. No.	:	
9.	Name and address of employer	:	
10.	Total service	:	
11.	Rate of subscription	:	
12.	Name of Bank and branch, where Subscription is to be paid	:	
13.	If the applicant is already a member of any other Welfare Board, the name of such Board and Registration No. of the applicant	:	

The above facts are true to the best of my knowledge and information.

Place:

Date:

Signature of the applicant.

Name and Signature of Employer

FORM NO. XXIX

[*See* Rule 260 (7)]

NOMINATION FORM

I nominate the following persons as rightful dependents, to receive all the dues form the Fund on my behalf and in the event of my death, as rightful heirs to receive all benefits due to me :—

Name and address of Nominee/ Nominees	Relationship with member	Age of Nominee	Amount to be given to each Nominee

Place :

Date :

Name, Address, Registration No. and
Address, of the building worker.

FORM NO. XXX

[*See* rule 260 (8)]

FORM OF IDENTITY CARD

PAGE-I

Photo

Signature, date and official designation of the registering Authority (with office seal)

PAGE-II

Name of Member

Address

Male/ Female

Name of job

Registration No.

District

Name of Bank and branch in which subscription is tobe paid

Subscription rate: _____

PAGE-III

Date of birth	:	
Completed age	:	
Date of retirement	:	
Marital status Married/ Unmarried	:	
Name of Wife/Husband	:	
Address	:	
Whether wife/ husband, a member of this Board	:	Yes/No
If so, name and registration Number	:	
Name of Nominees	:	
Relationship with the member	:	
Signature/ Thumb impression of the member	:	
Official designation and Signature of registering Authority	:	

FORM NO. XXXI

[*See* rule 260 (8)]

REGISTER OF IDENTITY CARDS

Name of district _____

Serial No.	Name and address of the Identity Card Holder	Date of Issue	Signature of the Authorised Officer	Remarks
1	2	3	5	6

FORM NO. XXXII

[See rule 262 (2)]

RETURNS FOR THE MONTH OF _____ REGARDING THE DETAILS OF BUILDING WORKERS

Name and address of the establishment :

Serial No.	No. of building workers as on the close of previous month	No. and Name(s) of the building worker(s), who left service during the month	No. and Name(s) of building worker(s), to be registered	No. of building workers as on the close of current month
1	2	3	4	5

Place :

Date : Name and Signature of the Employer (Office Seal)

FORM NO. XXXIII

[*See* rule 262 (3)]

PARTICULARS OF ESTABLISHMENT

1. Name of the establishment :
2. Nature of Establishment whether : Company/ Partnership Firm/ Sole Proprietorship
3. Names of the partners/Directors/ : Proprietors
4. Name of Managing Partner/ Managing : Director/person, who is in ultimate control of the establishment
5. Details of branches :
6. Details of occupiers :

Place : Name, Signature and Designation

Date : (Office Seal)

P. RAM,
Principal Secretary, Government of Punjab,
Department of Labour.

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