

Submission of Comments and suggestions on on draft Occupational Safety, Health and Working Conditions (Central) Rules, 2020

Sr. No	Name of Organisation	Address of Organisation	Rule or sub-rule which is proposed to be modified	Revised rule or sub rule proposed to be submitted	Reason
1	DNVGL		Rule-8. Notice of accidents and dangerous occurrences under sub-section (1) Section 10 and Section 11. Schedule	Include Incidents 1) Due to electricity 2) Falling from height/ Falling objects from height. 3) Due to Pinch Points. 4) Confined Spaces 5) Slip & Fall	Other types of incidents missed out.
2	DNVGL		Rule-8,Schedule-(vii) Spillage or leakage of hazardous substances and damage to their container;	Quantity to be specified.	Otherwise spillage of even small quantity has to be reported.
3	DNVGL		Rule-8 (3) Wherein an establishment there is any dangerous occurrence as specified in the schedule annexed hereto, whether causing any bodily injury or disability or not, a notice in Form-VI shall within twelve hours be sent to: (a) The Inspector-cum-facilitator; (b) District Magistrate or Sub-divisional Officer	Where there is near miss or minor injury, the time to report may be increased to 48 hours. Why near misses have to be reported to Dist. Magistrate ? - To be removed	

4	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	PART VI (78.) the Bill requires that any person suffering from deafness or giddiness may not be employed in construction activity which involve a risk of accident.	Any person suffering from deafness or giddiness may not be employed in any activity involving accidents	The question is why such a general safety requirement is not provided for all workers.
5	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	The Bill defines a 'worker' as any person who work for hire or reward. However, it does not define the terms 'manager' or 'supervisor' in this context	the terms 'supervisor' and 'manager' be clearly defined in the Bill as it determines the categories of persons who would be excluded from the definition of 'workers'.	It excludes persons employed in a managerial or administrative capacity, or in a supervisory capacity with wages exceeding Rs 18,000.
6	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	Chapter VII, (3) The Bill specifies additional leave for sales promotion employees. It also specifies that working journalists cannot be made to work more than 144 hours in four weeks (i.e. an average of 36 hours per week). For all other workers covered under the Bill, the minimum leave and maximum work hours are prescribed through rules.		The rationale for differential treatment with regard to working conditions between working journalists and sales promotion employees on the one hand, and all other workers on the other hand, is unclear.
7	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	Chapter 3 - Annual Examination above 45 years age	To be applicable to all the ages of the employees	Many young workers dying due to heart attack

8	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	Chapter 4 - Section 24 - Degree or Diploma	Post Graduate Engineers also need to mention	Ex. ME - Safety
9	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	Chapter 8 - Section 77. Responsibility of contractor under sub-section (4) of Section 48.- (1)	Vague Reference given of earlier Code on Wages, 2019 (...of 2019)	
10	L&T Hydrocarbon	Saki Vihar, Powai, L&T Gate 1, EPC Block, 5th Floor B wing	FORM-XVI(Under Rule-88), mentioned name [F. No. S-65025/01/2020-ISH-II] GOPAL PRASAD, Economic Adviser	Last Page- Page No. 136 Need to review	To be removed
11	Bombay Chamber and member companies	Bombay Chamber Of Commerce And Industry The Ruby, 4th Floor NW 29, Senapati Bapat Marg (Tulsi Pipe Road), Dadar (W), MUMBAI – 400 028	Section 7 - Letter of appointment to employee under clause (f) of sub-section (1) of Section 6	Comment	While issuing appointment letter is a good idea, appointment letter is challenging for construction sector since a lot of new labour is hired every day.

12	Bombay Chamber and member companies		20. Composition of Safety Committee	Comment	For construction projects, who has to form safety committee - the contractor or principal employer?
13	Bombay Chamber and member companies		20. Composition of Safety Committee	Comment	Such Committee should include contractors
14	Bombay Chamber and member companies		85. Journey allowance to Inter-State Migrant Worker under Section 61	Comment	Providing conveyance only for inter-state workers can be considered as discrimination. It could include workers from same state.
15	Bombay Chamber and member companies		123. Selection of persons for training in rescue work.- No person shall be selected for training in rescue work, unless:- (i) he is between 21 and 30 years years of age and holds a valid First-aid certificate of the standard of the St. John Ambulance Asso	Comment	Rescue worker age can be expanded beyond 21-30.
16	Bombay Chamber and member companies		FORM-I and other forms	Comment	Can the forms be online for ease of doing business?
17	Bombay Chamber and member companies		FORM-1	Comment	Can license period extended beyond 1 year for low risk companies

18	Bombay Chamber and member companies		Chapter III, 8. Notice of accidents and dangerous occurrences under sub-section (1) Section 10 and Section 11.- Schedule mentions: Spillage or leakage of hazardous substances and damage to their container;	Spillage or leakage of hazardous substances and damage to their container to mention minimum quantity of spillage or severity of impact for reporting purpose.	Leakage of hazardous substances may occur during operations however these are safeguarded with secondary containment such as dyke or floor drains contained inside the plant. This could be overwhelming to regulatory body to manage such large numbers from all industries.
19	Bombay Chamber and member companies		(xvi) a major uncontrolled emission of petroleum or chemical spillage;	(xvi) a major uncontrolled emission of petroleum or chemical spillage to mention minimum quantity of spillage or severity of impact for reporting purpose.	A chemical spillage inside the site operations could be controlled into primary containment and managed well without causing any emergency situation.
20	Bombay Chamber and member companies		123. Selection of persons for training in rescue work.- No person shall be selected for training in rescue work, unless:- (i) he is between 21 and 30 years years of age and holds a valid First-aid certificate of the standard of the St. John Ambulance Association (India);	Employees engaged in rescue work should not be restricted by this age group.	