
National Safety Council, Hqs.
98-A, Institutional Area, Sector 15,
CBD Belapur, Maharashtra
NaviMumbai – 400615.
India  www.nsc.org.in
Contact no: 022-27579924/25
THE BUILDING AND OTHER CONSTRUCTION WORKERS
(REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE)
ACT, 1996 AND THE CENTRAL RULES, 1998 – SALIENT FEATURES

1. Introduction

While the construction industry plays a key role in the economic development of the country, the risk of accidents in this industry is high. A need was therefore felt to bring a comprehensive central legislation for regulating safety, health, welfare and other conditions of service of the building workers. The Government of India enacted the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and notified the Central Rules, 1998. Salient features of the statute are briefly discussed in this handout.

What is the difference between Act and Rule?

Some persons think that Act is made by central Govt. and rules are made by the state Govt. It is not that way. Some acts are made by the central Govt. some acts are made by the state govt.
The difference between Act and Rule is act tells you what to do and rules tell you how to do. To give you an example -
-Act tells you that if a person has an injury due to accident in the work field, the report (in law language ‘Notice’) of the same accident is to be sent to the appropriate authorities. -Act doesn’t tell you how to send the report? -Whether it is to be sent by post , fax, e-mail etc.
-Act doesn’t tell you in what format report is to be sent.
-Act doesn’t tell you to which authorities report is to be send.
All these answers are given in the rules.

What is section, sub-section, clause, rules, sub-rules?

If you have read any book the book is divided in chapters. In the same way every act is divided in chapters.
Every chapter is divided in paragraphs, sub-paragraphs. These paragraphs in any book are never numbered or titled. In law chapters are divided in paragraphs, sub-paragraphs. In law language paragraphs are called sections and sub-paragraphs are called sub-section. In law each section (paragraph) is numbered and titled.
If sub-section is divided it is known as clause.
In the same way rules are divided in chapters, chapters are divided in paragraphs. These paragraphs are called rules. All the rules are numbered and titled.
All the above is shown in the following diagram:

<table>
<thead>
<tr>
<th>Law</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>-Law tells you what to do</td>
<td>-Rules tell you How to do.</td>
</tr>
<tr>
<td>-Law is divided in chapters</td>
<td>-Rules are divided in chapters</td>
</tr>
</tbody>
</table>

National Safety Council, India
1.1 The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (BOCW, etc. Act)

Preamble: To regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures and for other matters connected therewith or incidental thereto.

(Preamble tells why the law is made. Preamble is not law.)

Chapter I: Preliminary

(Sections 1 to 2)

Section 1 of any act tells you the name of the act, its extension, date of commencement of the act.

Section 2 of any act tells you the definitions of the words used in that act. These definitions may not be the same as the meaning of words given in dictionary.

The BOCW, etc. Act extends to the whole of India and has come into force on 1st March 1996. It applies to every establishment, which employs or had employed on any day of the preceding twelve months, 10 or more building workers in any building or other construction work.

In all, 14 words and expressions are defined in the Act. Some of them are - appropriate Government, beneficiary, Board, building or other construction work, building worker, contractor, employer, establishment, etc.

“Appropriate Government”- the Central Government is the appropriate Government in relation to an establishment employing building workers in respect of which the appropriate Government under the Industrial Disputes Act, 1947, is the Central Government. It also enables the Central Government to specify, by notification in the Official Gazette, any public sector undertaking which is owned, controlled or managed by the Central Government in respect of which the appropriate Government will be the Central Government. In respect of the remaining establishments, the State Government is the appropriate Government.

“Building or other construction work” –

- It means the construction, alteration, repair or maintenance or demolition of or, in relation to:
- Buildings, streets, roads, railways, tramways, airfields, irrigation, drainage,
- embankment and navigation works, flood control works,
- water works (including channels for distribution of water),
- electric lines, wireless, radio; television, telephone, telegraph and overseas communication,
- dams, canals, reservoirs, watercourses, tunnels, bridges,
- viaducts, aqueducts, pipelines, towers, cooling towers,
- transmission towers and such other work as may be specified in this behalf by the appropriate Government, by notification but,

- does not include any building or other construction work to which the provisions of the Factories Act, 1948, or the Mines Act, 1952, apply;

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‘Employer’: In relation to an establishment, means the owner and includes:
In relation to BOCW
   i) He is Govt. Authority or Head of the Department if the work is carried out without a contractor.
   ii) He is a local Authority, or CEO of Authority or of an Establishment, if the work is carried without a contractor.
   iii) He is contractor, if the work is carried out by or through a contractor or by the workers supplied by a contractor.

Contractor: Who undertakes to produce the given results for any establishment by the employment of building workers?
 or
Who supplies building workers for any work of the establishment (One who supplies only material is not included).

Establishment: Any establishment belonging to or under the control of—
   - Government
   - anybody corporate or firm
   - an individual or a body of individuals who employ building workers in any BOCW
   - An establishment belonging to a contractor
(Any work related to self residence or the work which does not exceed Rs. 10 lacks is not included in this definition)

“building worker” is defined in very broad terms to include skilled, semi-skilled or unskilled, manual, supervisory, technical or clerical workers in connection with any building or other construction work but excluding persons who are employed mainly in managerial or administrative capacity, or supervisors drawing wages exceeding Rs. 1,600 per month.

Chapter II: The Advisory Committees and Expert Committees (Sections 3 to 5)

The Central and State Governments are empowered to constitute a tripartite Central Building and Other Construction Workers - Advisory Committee, State Building and Other Construction Workers. Advisory Committee to advise the Central and State Governments, respectively on such matters arising out of the administration of the Act. The Central Advisory Committee may consist of a Chairperson, and a maximum of 17
members comprising 3 members of Parliament, 1 Director General, and another members from 9 to 13 representing the employers, building workers, associations of architects/engineers, accident insurance institutions, etc. Similarly, the State Advisory Committee may consist of a Chairperson and a maximum of 15 members comprising 2 members of the State legislature, one member nominated by the Central Government, the Chief Inspector and other members ranging from 7 to 11 representing employers, building workers, associations of architects/engineers, accident insurance institutions, etc.

Also the appropriate Government may constitute one or more Expert Committees consisting of such persons specially qualified in building or other construction works for advising the concerned Government in making Rules under the Act.

Chapter III: Registration of Establishments (Sections 6 to 10)

Registering Officers were appointed and employer of every establishment should apply for registration within a period of 60 days from the commencement of the construction work for registration. Every employer shall make an application to the registering officer for the regulation of the establishment to which the Act is applicable along with the prescribed fees. The Registration officer will issue a certificate of registration to the employer to enable him to employ building workers.

Chapter IV: Registration of Building Workers as Beneficiaries (Sections 11 to 17)

The building workers registered as beneficiaries under the Act are entitled to the benefits provided by the Board from its Fund. Every building worker who has completed 18 years of age but has not completed 60 years of age and who has been engaged in any building or other construction work for not less than 90 days during the preceding 12 months is eligible for registration as a beneficiary. The Board gives an identity card with his photograph to every beneficiary. The employer should maintain a register giving the details of employment of the beneficiaries. When a beneficiary has not paid his contribution for a continuous period of not less than one year, he ceases as a beneficiary.

Chapter V: Building and Other Construction Workers. Welfare Boards (Sections 18 to 27)

Section 18 – Constitution of State Welfare Board
Section 19 – Secretary and other officers on board
Section 20 – Meeting of Board
Section 21 – Vacancies etc. not to invalidate proceedings of Board
Section 22 – Functions of Board
Section 23 – Grant and loan by central Government
Section 24 – Building and other workers’ fund and its application
Section 25 - Budget
Section 26 – Annual report
Chapter VI: Hours of Work, Welfare Measures and Other Conditions of Service of Building Workers (Sections 28 to 37)

Section 28 – Fixing hours of normal working day, etc.
Section 29 – Wages of overtime work
Section 30 – maintenance of register and record

Section 31 – Prohibition of employment of certain person in certain building or other construction work: A deaf person, a person who has defective vision, or a person who has a tendency of giddiness is not allowed to do any construction work which may have a risk of accident.

Section 32 – Drinking water
Section 33 – latrines and urinals
Section 34 – Accommodation
Section 35 – Crèches
Section 36 – First-aid
Section 37 – Canteen etc.

Chapter VII: Safety and Health Measures (Sections 38 to 41)

This Chapter deals with safety and health measures in the construction establishments. The provisions include constitution of safety committee and appointment of safety officers, notice of certain accidents, empowering appropriate Government to make Rules for the safety and health of building workers and framing of Model Rules for safety measures.

Section 38: Safety Committee and Safety officer –
(1) In every establishment wherein 500 or more building workers are ordinarily employed, a Safety Committee has to be constituted. In the safety committee representatives of workers shall in no case be less than the employers.
(2) In every establishment wherein 500 or more building workers are employed, Safety Officer(s) should be appointed. His duties, qualifications will be given in the rules (as prescribed).

Section 39: Notice of Certain accidents –
In case of certain accidents which cause death or bodily injury by reason of which the person injured is prevented from working for a period of 48 hours or more immediately following the accident, or which is of such a nature as may be prescribed, the employer should give a notice to the prescribed authority in a prescribed form within a prescribed time.
Sec. 40 Powers of Appropriate Government to make rules for the Safety and Health of Building Workers

Empowers the appropriate Government to make Rules concerning safety and health of building workers and the equipment and appliances necessary to be provided to them. Such Rules may provide for all or any of the following matters:

- safe means of access to workplace
- precautions in demolition of building and other structures to be done under supervision of competent person
- Safe handling or use of explosives under the control of competent person.
- Erection, installation, use and maintenance of transport equipment and appointment of competent persons to drive or operate such equipment.
- Erection, installation, use and maintenance of hoists, lifting appliances and lifting gear; including testing and examination and heat treatment and; appointment of competent persons on hoists or other lifting appliances
- Providing adequate and suitable lighting of every workplace and approach thereto, of every place where raising or lowering operations with the use of hoists, lifting appliance or lifting gears are in progress and of all openings dangerous to building workers.
- Precautions to prevent inhalation of dust, fumes, gases or vapours during grinding, cleaning spraying or manipulation of any materials and steps to be taken to, secure and maintain adequate ventilation of every working place or confined space.
- measures to be taken during handling, stacking or unstucking stowing or unstowing of materials or goods or handling in connection therewith.
- safeguarding of machinery including fencing of every flywheel and every moving part of prime mover or every part of transmission or other machinery.
- safe handling and use of plant and tools and equipment operated by compressed air.
- precautions to be taken in case of fire.
- limits of weights to be lifted or moved by workers.
- safe transport of workers to or from any workplace by water and provision of means for rescue from drowning.
- steps to be taken to prevent danger to workers from live electric wires or apparatus.
- keeping of safety nets, safety sheets and safety belts where special nature of the circumstances of work render necessary for the safety of workers.
• standards to be complied with regard to scaffolding, ladders and stairs, lifting appliances, ropes, chains and accessories, earth moving equipment, and floating operational equipments etc.

• precautions with respect to pile driving, concrete work, hot asphalt, tar or other sim and demolition operations. similar things, insulation work, demolition operations, excavation, underground construction and handling materials;

• preparation of a policy relating to steps to be taken to ensure the safety and health of the building workers, the administrative arrangements therefor and the matters connected therewith to be framed by employers and contractors.

• to furnish information to the Bureau of Indian Standards regarding the use of any article or process covered under the BIS Act, 1986 in a building or other construction work.

• provision and maintenance of medical facilities for building workers.

• any other matter concerning the safety and health of workers working in any of the operations being carried on in a building or other construction work.

Sec. 41 Framing of model rules for safety measures
Empowers the Central Government to make model rules after considering the recommendations of the expert committee constituted under Sec.5. It also prescribes that the rules made by the State Governments under Sec. 40 shall, so far as practicable, conform to such model rules.

Chapter VIII: Inspecting Staff (Sections 42 to 43)

This Chapter empowers the Central/State Government to appoint Director General of Inspection, Chief Inspector of Inspection, respectively through a notification, which shall be responsible for laying down the standards and monitoring the activities of construction establishments. Further, the appropriate Government may also appoint by notification such number of its officers, as it thinks fit to be inspectors for the purpose of this Act under Director General/Chief Inspector. Inspectors have the powers: enter any premises / place where building work is carried out for the purpose of examining the register or record or notices, examine any person at the place where he inspects, require any person to give any information with respect of the names and addresses of the person to whom the building or other construction work is given out or received and with respect to payment to be made for the building and other construction work, seize or take copies of any register, record of wages or notices or portion thereof as he considers relevant in respect of an offence under this Act, and exercise such other powers as may be prescribed.

The Act specifies the appointment of Director General, Chief Inspector and Inspector by Central Government and State Governments. Director General of Inspection is responsible for laying down the standards of Inspections for all establishments for which Central Government is the appropriate Government and for states the Chief Inspector of Inspection of Building and Construction is responsible for effectively carrying out the
provisions of the Act. Both the Governments appoint Inspectors for the purpose within local limits as they are subject to general control and supervision of the Director General or the Chief Inspector, as the case may be. The Inspectors have the powers to enter at all reasonable hours any premises or place for the purpose of examining any records required to be kept under the Act.

**Chapter IX: Special Provisions (Sections 44 to 46)**

**Section 44: Responsibility of the employer-**
The employer is responsible for providing constant and adequate supervision and taking all practical steps necessary to prevent accidents.

Section 45: Responsibility for payment of wages and compensation
Section 46: Notice of commencement of building and other construction work

**Chapter X: Penalties and Procedure (Sections 47 to 55)**

**Section 47: Penalty for contravention for provisions regarding safety measure:**
Under this Chapter, contravention of provisions of any Rules made under Section 40 of the Act with regard to safety and health measures shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to Rs. 2,000/-, or with both. In case of continuing of such contravention, an additional fine which may extend to Rs. 100/- for every day of contravention after conviction for the first such contravention. For subsequent conviction of the same offence within a period of two years the employer shall be punishable with six months imprisonment or with a fine of not less than Rs. 500/-, which may extend to Rs.2,000/- or with both. Similarly penalties are prescribed for other contravention of provisions under some other provisions. The Director General / Chief Inspector may impose the penalty after following the procedure laid down in the Act

Section 48: Penalty for failure to give notice of the commencement of the building and other construction work
Section 49: Penalty for obstruction
Section 50: Penalty for other offence
Section 51: Appeal
Section 52: Recovery of penalty
Section 53: Offences by companies
Section 54: Cognizance of offence
Section 55: Limitation of prosecution

**Chapter XI: Miscellaneous (Sections 56-64)**

Section 56: Delegation of powers
Section 57: Returns
Section 58: Application of Act 8 of 1923 to building workers
Section 59: Protection of action taken in good faith
Section 60: Power of central Government to give direction
Section 61: Power to remove difficulties
Section 62: Power to make rules
Section 63: Saving of certain laws
Section 64: Repeal and saving
THE BUILDING AND OTHER CONSTRUCTION WORKERS
(REGULATION OF EMPLOYMENT AND CONDITION OF SERVICE)
CENTRAL RULES, 1998 – SALIENT FEATURES

In exercise of the powers conferred under Sections 62 and 40 of the Act, the Central Government made the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Central Rules 1998. They came into force with effect from 19th November, 1998.

The Central Rules are applicable to (i) every establishment, in respect of which the appropriate Government under the Industrial Disputes Act, 1947 is the Central Government and (ii) Public Sector undertaking as defined under Section 617 of the Companies Act, 1956 which is owned, controlled or managed by the Central Government.

These Rules are divided into five Parts comprising 30 Chapters with 12 Schedules and 26 Forms.
Part III comprising 20 Chapters (Chapter VI to Chapter XXV) exclusively deals with Safety & Health.
The titles of all the Chapters, Schedules and Forms of the Rules are listed below:

Part I: Preliminary with the following two Chapters:
Chapter I and
Chapter II: Responsibilities and Duties of Employers, Architects, Project Engineers and Designers, Building Workers, etc.

Chapter I: Preliminary (Rules from 1 to 4).

This Chapter gives short title, application and commencement and definitions of 74 terms relating to the building and other construction work have been defined. The following are some of the important definitions:

- ‘Competent person’ means a person so approved by the Central Government, who belongs to a testing establishment in India, possessing adequate qualification, experience and skill for the purposes of testing, examination or annealing and certification of lifting appliances, lifting gears, wire ropes or pressure plant or equipment

- ‘Lifting appliance’ means a crane hoist, derrick winch, gin pole, sheer legs, jack, pulley block or other equipment used for lifting materials, objects or, building worker
• ‘Lifting gear’ means ropes, chains, hooks, slings, and other accessories of a lifting appliances.

• ‘Standard / Safe operating practices’ means the practice followed in building and other construction activities for the safety and health of workers and safe operation of machinery and equipment used in such activities and such practices conforms to all or any of the following, namely:-

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

  ii) national building code;

  iii) manufacturer.s instruction on safe use of equipment and machinery

  iv) code of practice on safety and health in construction industry published by the International Labour Organisation and amended from time to time.

Chapter II: Responsibilities and Duties of Employers, Architects, Project Engineers and Designers, Building Workers, Etc. (Rules from 5 to 9)

Rule 5: Duties and responsibilities of employers, employees and others. Rule 5 consists of 11 sub-rules. Important sub-rules are given below:

1) It is the duty of every employer comply with the related rules as per the work he shall be carrying out.
2) He shall comply with the rules related to scaffold if it is required for his work. He shall comply with the rules related plant and equipment he uses for his work.
3) If a contractor appoints any artisan, tradesman, or other person to carry out the work he shall comply the related rules.
5) Employer shall not allow any employee disobeying any safe operating practices connected with the work
8) Every employer shall comply the rules related to—lifting gear, lifting device, transport equipment, vehicle or any other device.
9) Every employer shall maintain latrines, urinals, washing facility in a clean and hygienic condition. The canteen shall be away from the latrine, urinals, and polluted atmosphere. It shall be easily accessible to workers
11) The employer shall ensure that the lifting appliances, lifting gears, earth moving equipment, transport equipment, or vehicles used for work - conform to-the requirement related to testing, nomination, and inspection of such equipment as per the rules.

Rule 6: Responsibility of architects, project engineers and designers-
It shall be the duty of the architect, project engineer, designer, other professionals –
1) Ensure that, at the planning stage, due consideration is given to safety and health of the building workers.
2) To take adequate care as not to include anything in the design which would involve the use of dangerous structure, processes, or material hazardous to health and safety of the worker.
3) To take account of the safety aspect associated with the maintenance and upkeep of the structure and building where maintenance and upkeep may involve special hazard.
**Part II: Central Advisory Committee, Registration of Establishments comprising three Chapters:**

- Chapter III: Central Advisory Committee
- Chapter IV: Registration of Establishments
- Chapter V: Appeals, Copies of Orders, Payment of Fees, etc.

**Part III: Safety and Health consisting of 20 Chapters:**

**Chapter VI: General Provisions**

We shall learn all the important general provisions. Rule no. 34 to 54 are in this chapter.

*RULE 34: Excessive noise, vibration etc.*

The employer shall take adequate measures to protect building workers against the harmful effects of excessive noise or, vibration. Noise level should not exceed the limits as given in schedule VI.

(Please note that rule is telling to protect the workers from harmful effect of excessive noise. It is not telling to stop the noise. Even if you give ear-plug or ear-muff and if it gives the require protection it is OK.)

<table>
<thead>
<tr>
<th>Excessive noise</th>
<th>Notice of excessive noise</th>
<th>Ear Plugs.</th>
<th>Ear Muffs.</th>
</tr>
</thead>
</table>

**SCHEDULE-VI**

**Permissible exposure in cases of Continuous Noise**

[See rule 34]

<table>
<thead>
<tr>
<th>Total time of exposure (Continuous or a number of short term exposure per day) (in hours) (in hours)</th>
<th>Sound Pressure Level (in dBA)</th>
</tr>
</thead>
</table>

[National Safety Council, India]
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>90</td>
</tr>
<tr>
<td>6</td>
<td>92</td>
</tr>
<tr>
<td>4</td>
<td>95</td>
</tr>
<tr>
<td>3</td>
<td>97</td>
</tr>
<tr>
<td>2</td>
<td>100</td>
</tr>
<tr>
<td>1-1/2</td>
<td>102</td>
</tr>
<tr>
<td>1</td>
<td>105</td>
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<tr>
<td>¾</td>
<td>107</td>
</tr>
<tr>
<td>½</td>
<td>110</td>
</tr>
<tr>
<td>¼</td>
<td>115</td>
</tr>
</tbody>
</table>

Notes – 1. No exposure in excess of 115dBA is to be permitted
2. For any period of exposure falling in between any figure and the next higher figure as indicated in column (1) the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

**Rule 35: Fire Protection**

a) An employer shall ensure at his construction site the following is provided:
   i) Sufficient number of fire extinguishing equipment to extinguish any probable fire at such construction site.
   ii) Adequate water supply at ample pressure as per national standards.
   iii) Number of trained person to operate fire extinguishing equipment.

b) Ensure that the fire extinguishing equipment are maintained and inspected at regular intervals of not less than once in a year by a responsible person and record of such inspection is maintained.
Rule 36: Emergency action plan

If more than 500 workers are on a construction site ensure that emergency action plan is drawn up to handle emergencies such as:

- fire and explosion, collapse of lifting appliances and transport equipment, collapse of building shed, structures etc., gas leakage or spillage of dangerous goods or chemicals, drowning of building workers, sinking of vessels and land slide, floods, storms, and other natural calamities is prepared and submitted for the approval of the Director General.

Rule 37: Fencing of motors etc

Ensure that:

a) All motors, cog wheels chain, sprockets, friction gearing, flywheels, shafting, dangerous and moving parts of machinery and steam pipes are securely fenced or lagged.

b) the fencing of dangerous parts of machinery is not removed when it is in motion or in use

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c) Only a skilled person is allowed to examine, lubricate, adjust, or repair part of machinery when they are in motion and not securely fenced.

d) Machine parts are cleaned when they are not in motion.

e) When machine is stopped for servicing or repairs, adequate measures are taken for not to allowing inadvertent restart of machine.

<table>
<thead>
<tr>
<th>Motor</th>
<th>Chain, sprocket</th>
<th>Friction gearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flywheels</td>
<td>Moving shafts</td>
<td>Dangerous parts of a machine</td>
</tr>
</tbody>
</table>

National Safety Council, India
Fence is removed when machine is running

**Rule 38: Excessive weight**

a) The maximum limit of weight allowed lift by hand or carried overhead, on back, on shoulders is as per the given table:

<table>
<thead>
<tr>
<th>Person</th>
<th>Maximum weight load in kg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult mail</td>
<td>55</td>
</tr>
<tr>
<td>Adult woman</td>
<td>30</td>
</tr>
<tr>
<td>Adolescent male</td>
<td>30</td>
</tr>
<tr>
<td>Adolescent female</td>
<td>20</td>
</tr>
</tbody>
</table>

b) If a worker is aided by other workers, the maximum limit of weight they can lift is the sum total of the maximum limit set out for each building worker separately under clause (a) unless aided by a mechanical device.

**Rule 39: Safety Policy**

(1): -

(a) Every establishment having 50 or more building workers, shall prepare a written statement of safety policy in respect of safety and health of building workers and submit the same for the approval of Director General.

(b) The policy referred above shall contain the following:

1. The intention and commitment related to safety, health and environment protection of building workers
2. The organizational arrangement for safety policy specifying the responsibility at different levels of hierarchy.
3. Responsibilities of the principle employer, contractor, sub-contractor, transporter or other agencies involved in the building and other construction work.
4. Techniques and methods of assessment of risk to safety, health and environment and remedial measures therefor,
5. Arrangement for training of building workers, trainers, supervisors, or other persons engaged in construction work.
6. Other arrangement for making the policy effective.

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(c) Intention and commitment referred to in subclause (i) of clause (b) shall be taken into account in making decisions relating to plant, machinery, equipment, materials, and placement of workers.

(2) A copy of this policy is to be sent to the central Government.

(3) The policy should be revised as often as necessary and in the following circumstances:
   
   (i) When any expansion or modification having implication on safety and health,
   
   (ii) Whenever any new building, substances, articles or techniques are introduced having implication on safety and health,

(4) Policy should be displayed in Hindi and Local language understood by majority of building workers at conspicuous places at the construction sites.

**Rule 40: Dangerous and harmful environment**

Ensure that:

a) When an internal combustion engine is located in confined space or evacuation or tunneling or any other place where neither natural or artificial ventilation system, see that presence of CO in the atmosphere remains below 50ppm by using suitable ventilation method.

b) Before sending any worker in any confined space such as tank, trench, excavation remove all the contaminants from the space, check O2 level. If everything is in order (certified by a responsible person to be safe and fit for entry) then only send the person inside.

**Rule 41: Overhead Protection**

1) Ensure that adequate overhead protection is erected along the periphery of every building which is 15 meter or more in height when complete, to save people from falling bodies on head.

2) It should not be less than 2m. wide and erected at a height not more than 5m from the base of the building. Outer edge of the protection should be higher by 150mm than its inner edge. It Shall be erected at an angle of not more than 20 degrees to the horizontal sloping into the building.

3) the areas where material can fall should be roped off or cordoned off. Inadvertent entry should be guarded.

**Rule 42: Slipping, tripping, cutting, drowning and falling hazards**

1) Ensure that all passageways, platforms and other places of work free from accumulation of dust, debris, and similar material from other obstruction that may cause tripping.

2) Remove all cutting hazards such as sharp projection, protruding nails, other similar projection which may cutting hazard to workers or otherwise make safe by suitable measures.
3) Ensure that all passageways, platform, scaffold should not become slippery due to water, grease, oil or other similar substances. If it has become slippery, slippery substance must be removed by sanded, saw dusted or covered with other suitable material to make it safe from slipping hazard.

4) If workers are exposed to the hazard of falling into water, they should be provided with adequate equipment for saving themselves from drowning and rescuing from such hazard. If Director General considers necessary well equipped boat or, launch with trained personnel should be provided.

5) Every open side or opening through which a person or any other equipment may fall, shall be covered or suitably guarded to prevent such a fall.

6) If workers are exposed to the hazard of falling from height, suitable equipment (as per national standards) or means must be provided to save the worker from such hazard.

7) Adequate and suitable safety (as per national standards) should be provided to arrest the fall of material, equipment or building.
**Rule 43: Dust, gas, fumes, etc.**

Employer shall prevent concentration of dust, gas and fumes and keep it in permissible levels by providing suitable means of control.

<table>
<thead>
<tr>
<th>Dust extraction</th>
<th>Fume extraction</th>
<th>Dust measuring device</th>
</tr>
</thead>
</table>

**Rule 44: Corrosive substances**

Store all corrosive substances including acids and alkalis in a safe place. Provide suitable PPE to the building workers for handling or its use. Take immediate remedial measures in case of spillage.

<table>
<thead>
<tr>
<th>Storage of corrosives</th>
<th>Storage of corrosives</th>
<th>Corrosion resistantant PPE</th>
</tr>
</thead>
</table>

National Safety Council, India
**Rule 45: Eye Protection**

Suitable eye protection shall be provided for the workers engaged in welding, cutting, chipping, grinding and other similar operations.

<table>
<thead>
<tr>
<th>Hand gloves</th>
<th>Protective clothing</th>
</tr>
</thead>
</table>

**Rule 46: Head protection and other protective apparel**

1) Suitable safety helmet shall be provided to workers to protect from falling objects, These helmets should be as per national standard

2) Provide suitable waterproof boots to the workers working in water or wet concrete or other similar work.

3) Provide waterproof coats with hats for the workers working in rain or similar wet conditions.

4) Provide suitable PPE as per national standard to the workers handling acids and alkalis or other corrosive material.

5) Provide suitable hand gloves as per national standards to the workers handling sharp objects or materials.
Rule 47: Electrical hazards

1) Take adequate measures to prevent physical contact with electrical equipment or apparatus, machines, or live electrical circuit before starting any work.

2) Display suitable warning signs in Hindi and in a local language understood by majority of workers.

3) If there is a presence of underground electrical power lines and location is not known, insulated protective gloves and footwear as per national standards should be provided to the workers using jack hammers, crow bars or other similar hand tools.

4) Wiring, which may come in contact with water or may be mechanically damaged, should not be left on the ground or floor at work.

5) All electrical appliances and current carrying equipment used at work should be made of sound material and are properly and adequately earthed.

National Safety Council, India
6) All temporary electrical installation should be provided with Earth Leakage Circuit Breaker (ELCB).

7) Ensure that all electrical installations comply with the prevailing electrical law.

<table>
<thead>
<tr>
<th>Warning signs</th>
<th>Insulated hammer</th>
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<tbody>
<tr>
<td>Insulated crow bar</td>
<td>Earth pit</td>
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</table>

**Rule 48: Vehicular Traffic**

1) If any vehicular traffic may cause danger to worker, employer shall provide suitable barricading, warning signs, and lights displayed to protect workers from vehicular traffic.

2) Ensure that all vehicles used, comply with the Motor Vehicle Act, 1988 (59 of 1988) and rules made thereunder (59 of 1988).

3) Ensure that all vehicle drivers possess a valid driving license under the Motor Vehicle Act, 1988.

**Rule 49: Stability of Structure**

Ensure that no wall, chimney or other structure is left unguarded in such a condition that it may fall, collapse or weaken due to wind pressure, vibration or any other reason.

*National Safety Council, India*
**Rule 50: Illumination of Passageways**

Provide the required illumination as per the relevant national standard for all passageways, stairways, landing etc.

**Rule 51: Stacking of materials**

Ensure that:

a) all building material is stored and stacked in a safe and orderly manner to avoid obstruction of any passageways or place of work.

b) material piles are stacked in such a way that it ensures stability.

c) material or equipment is not stored upon any floor or platform in such a quantity as to exceed its safe carrying capacity.

d) material is not be stored or placed at the edge of a floor or platform to avoid its falling on someone.

**Rule 52: Disposal of debris**

Ensure that-

a) debris are handled and disposed in a safe manner.

b) debris are not accumulated to avoid it becoming a hazard.

c) debris are kept sufficiently moist to bring down the dust within permissible limit.

d) debris are not thrown inside or outside from any height of a building or other construction work.

e) On completion of work leftover building material, article or other substance or debris are disposed as urgently as possible to avoid any hazard to any traffic or person.

**Rule 53: Numbering and marking of floors**

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.

**Rule 54: Use of Safety helmets and shoes**

Ensure that all persons who are performing any work or service at a building or other construction work, wear safety shoes and helmets conforming to the national standards.

Apart from the above general duties there are specific duties related to particular subject. These subjects are: -

- Chapter VII : Lifting Appliances and Gear
- Chapter VIII : Runways and Ramps
Chapter IX : Work on or Adjacent to Water
Chapter X : Transport and Earth Moving Equipment
Chapter XI : Concrete Workgroup
Chapter XII : Demolition
Chapter XIII : Excavation and Tunnelling Works
Chapter XIV : Construction, Repair and Maintenance of Steep Roof
Chapter XV : Ladders and Step-Ladders
Chapter XVI : Catch Platform and Hoardings, Chutes, Safety Belts and Nets
Chapter XVII : Structural Frame and Formwork
Chapter XVIII : Stacking and Unstacking
Chapter XIX : Scaffold
Chapter XX : Cofferdams and Caissons
Chapter XXI : Safety Organisation
Chapter XXII : Explosives
Chapter XXIII : Piling
Chapter XXIV : Medical Facilities
Chapter XXV : Information to Bureau of Indian Standards

Part - III comprising 20 Chapters (from Chapters VI to XXV) deals with safety and health.

All the above chapters must be read and understood by every safety engineer, site engineer. All the matter is not given in detail here. One must read in detail.

Part IV Hours of Work, Welfare, Payment of Wages, Registers and Records, etc. consists of the following five Chapters:

Chapter XXVI : Hours of Work, Rest Intervals and Weekly Off, etc.
Chapter XXVII: Notices, Registers, Records and Collection of Statistics
Chapter XXVIII: Welfare of Building Workers
Chapter XXIV: Wages

Part V: Miscellaneous Provisions consists of one Chapter.
Chapter XXX: Powers of Director General and Inspectors

SCHEDULES

Schedule I: Manner of test and examination before taking lifting appliance, lifting gear and wire rope into use for the first time.
Schedule II: Notifiable occupational diseases in building and other construction work.
Schedule III: Contents of a first-aid box
Schedule IV: Articles for ambulance room
Schedule V: Contents of Ambulance Van or Carriage
Schedule V: Permissible Exposure in cases of Continuous Noise
Schedule VII: Periodicity of Medical Examination of Building Workers.
Schedule VIII: Number of Safety Officers, Qualification, Duties, etc.
Schedule IX: Hazardous processes.
Schedule X: Services and Facilities to be Provided in Occupational Health Centres.
Schedule XI: Qualification of Construction Medical Officer
Schedule XII: Permissible Levels of Certain Chemical Substances in the Work Environment

FORMS

Form I: Application for Registration of Establishments Employing Building Workers.
Form II: Certificate of Registration.
Form III: Register of Establishments
Form IV: Notice of Commencement /Completion of Building or Other Construction Work.
Form V: Certificate of Initial and Periodical Test and Examination of Winches, Derricks, and their Accessory Gear.
Form VI: Certificate to Initial and Periodical Test and Examination of Cranes or Hoists and their Accessory Gear.
Form VII: Certificate to Initial and Periodical Test and Examination of Loose Gears.
Form VIII: Certificate of Test and Examination of Wire Rope Before Being Taken into Use.
Form IX: Certificate of Annealing of Loose Gears.
Form X: Certificate of Annual Thorough Examination of Loose Gears Exempted from Annealing.
Form XI : Certificate of Medical Examination.
Form XII : Health Register
Form XIII : Notice of Poisoning or Occupational Notifiable Diseases.
Form XIV : Report of Accidents and Dangerous Occurrences.
Form XV : Annual Return of Employer to be Sent to Registering Officer
Form XXVI : Register of Periodical Test. Examination of Lifting Appliances and Gears, etc.

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