



GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT  
Directorate General Factory Advice Service and Labour Institutes  
**REGIONAL LABOUR INSTITUTE**

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# Legal Provisions & Framework on Safety: Indian Perspective

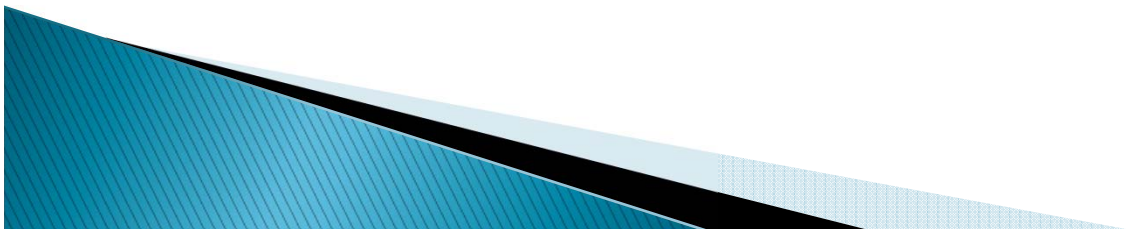
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# Launching of ASSE – India Chapter

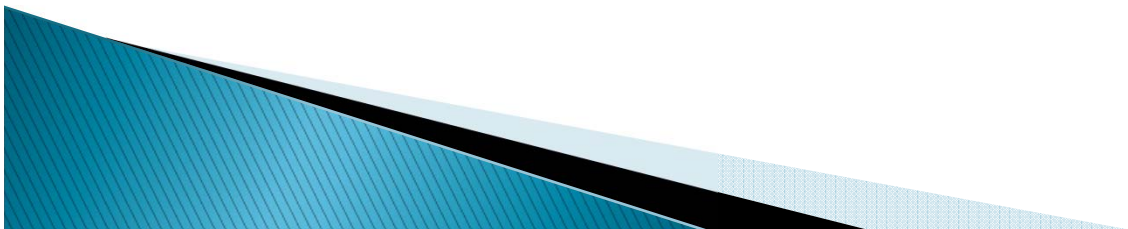
**Larson & Toubro Limited  
Convention Centre  
Chennai – 600 089**

**Date: 04.03.2012**



# DGFASLI , MOL& E,GOI

- ▶ Directorate General Factory Advice Service & Labour Institutes, Ministry of Labour and Employment, Government of India
- ▶ Mandate – Occupational Safety, Health and Environment at Workplace
  - ❖ Central Labour Institute, Mumbai
  - ❖ Regional Labour Institute, Chennai, Kanpur, Kolkata, Faridabad

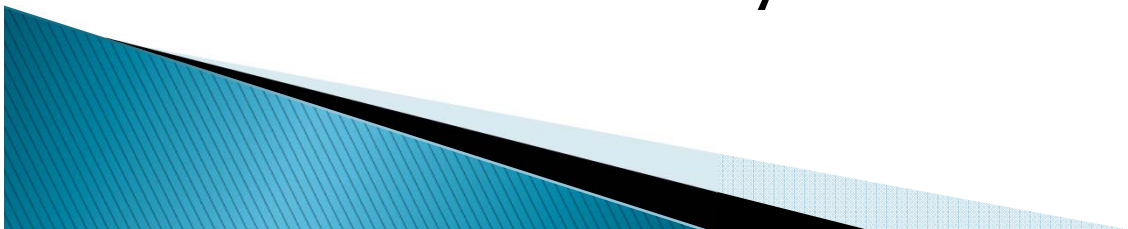


# Regional Labour Institute(RLI), Chennai

- ▶ Covers Tamilnadu, Andhra Pradesh, Karnataka, Kerala and Puduchery ( 5 states)

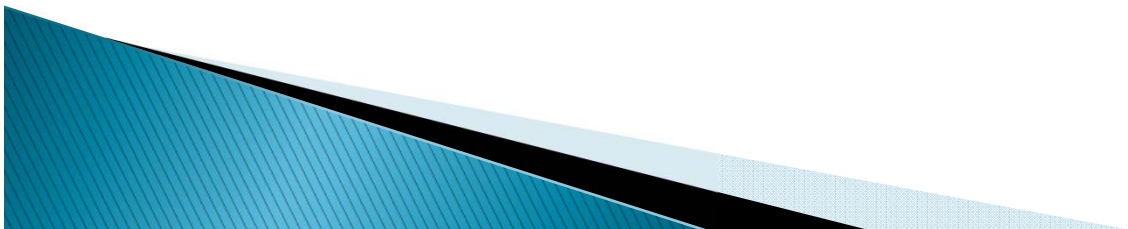
## Divisions

- ▶ Safety Division
- ▶ Industrial Hygiene Division
- ▶ Industrial Medicine Division
- ▶ Major Accident Hazard Control Division
- ▶ Risk Observatory Cell



# Standards

- ▶ Constitutional Provisions
- ▶ ILO Standards
- ▶ National Policy on SHE at Workplace
- ▶ Indian Standards ( IS )



# Constitutional Provisions

- ▶ Labour is a concurrent subject under The Constitution of India, i.e. it is a subject for which both the Centre and States are responsible to ensure compliance with the various provisions by all the Stake holders.
- ▶ The Constitution of India under the Directive Principles of State Policy enshrines detail provisions relating to Safety and Health of workers in all economic activities.



# Directive Principles

- ▶ Securing the *health and strength* of employees, men and women, that the tender age of children are not abused, that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength (**Article 39**)
- ▶ just and humane conditions of work and maternity relief are provided (**Article 42**)
- ▶ that the Government shall take steps, by suitable legislation or in any other way, to secure the participation of employee in the management of undertakings, establishments or other organizations engaged in any industry (**Article 43A**)
- ▶ for ensuring that no child below the age of 14 is employed to work in any factory or mine or engaged in any other hazardous employment (**Article 24**).





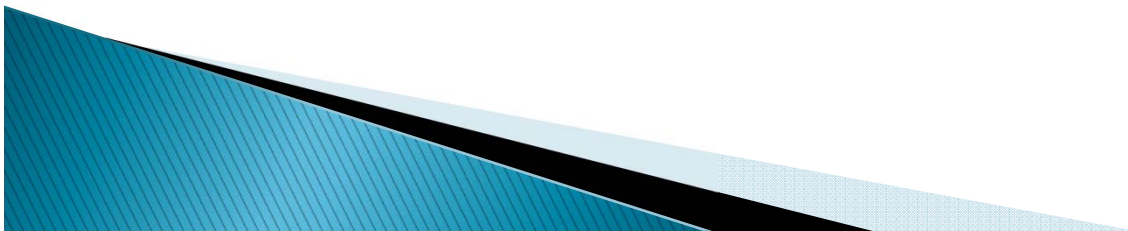
# Ratification of ILO Conventions

- ▶ As one of the founder members, India has so far ratified 41 Conventions.
- ▶ The ILO has framed about 30 Conventions relating to occupational safety and health.
- ▶ The Government of India has so far ratified three Conventions relating to Occupational Safety and Health,
  - Convention No.115 concerning Radiation Protection,
  - Convention No.136 concerning Benzene and
  - Convention No.174 concerning Prevention of Major Industrial Accidents.



# Statutes

- ▶ Factories
- ▶ Mines
- ▶ Dock works
- ▶ Building and other Construction Works



# Legislations on OSH

- ▶ The Factories Act, 1948 and State Rules
- ▶ The Dock Workers (Safety, Health & Welfare) Act, 1986 and the Regulations.
- ▶ The Mines Act, 1952 and the Rules
- ▶ The Building and other construction Workers Act, 1996 and Central Rules 1998
- ▶ The Plantation Labour Act, 1951
- ▶ The Manufacture, Storage and Import of Hazardous Chemical (MSIHC) Rules 1989
- ▶ The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules 1996
- ▶ The Public Liability Insurance Act 1991



# National Policy On Safety, Health And Environment at Work Place

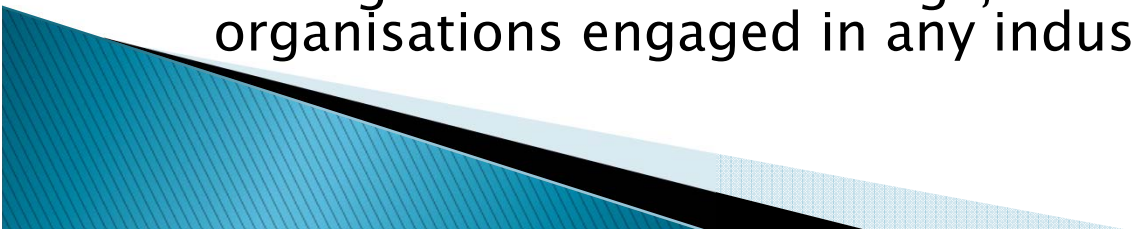
**Government of India  
Ministry of Labour and Employment**

***Declared on 20.02.2009***



# PREAMBLE

Constitution of India – Directive Principles provide :


- a) for securing the health and strength of employees, men and women;
  - b) that the tender age of children are not abused;
  - c) that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
  - d) just and humane conditions of work and maternity relief are provided; and
  - e) that the Government shall take steps, by suitable legislation or in any other way, to secure the participation of employee in the management of undertakings, establishments or other organisations engaged in any industry.
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# PREAMBLE

- ▶ The fundamental purpose of this National Policy on Safety, Health and Environment at workplace, is not only to eliminate the incidence of work related injuries, diseases, fatalities, disaster and loss of national assets and ensuring achievement of a high level of occupational safety, health and environment performance through proactive approaches but also to enhance the well-being of the employee and society, at large.
- ▶ The necessary changes in this area will be based on a co-ordinated national effort focused on clear national goals and objectives.



# PREAMBLE

- ▶ Government of India firmly believes that without safe, clean environment as well as healthy working conditions, social justice and economic growth cannot be achieved and that **safe and healthy working environment is recognized as a fundamental human right.**
  - ▶ Education, training, consultation and exchange of information and good practices are essential for prevention and promotion of such measures.
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# GOALS

- ▶ providing a statutory framework on Occupational Safety and Health in respect of all sectors of industrial activities including the construction sector, designing suitable control systems of compliance, enforcement and incentives for better compliance.
- ▶ providing administrative and technical support services.
- ▶ providing a system of incentives to employers and employees to achieve higher health and safety standards .
- ▶ providing for a system of non-financial incentives for improvement in safety and health.
- ▶ establishing and developing the research and development capability in emerging areas of risk and providing for effective control measures.





# GOALS

- ▶ Focusing on prevention strategies and monitoring performance through improved data collection system on work related injuries and diseases.
- ▶ Developing and providing required technical manpower and knowledge in the areas of safety, health and environment at workplaces in different sectors.
- ▶ Promoting inclusion of safety, health and environment, improvement at workplaces as an important component in other relevant national policy documents.
- ▶ Including safety and occupational health as an integral part of every operation.



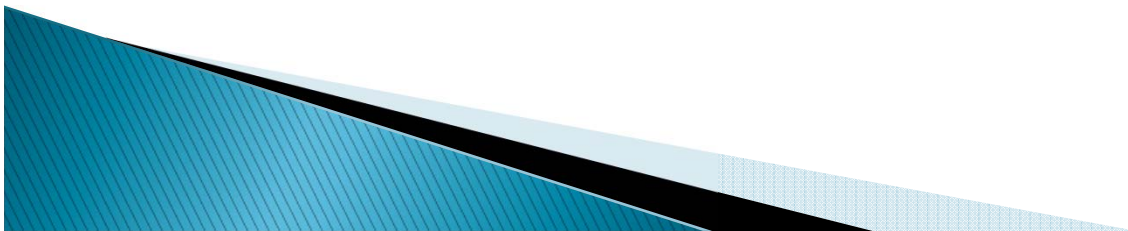
# OBJECTIVES:

- ▶ Continuous reduction in the incidence of work related injuries, fatalities, diseases, disasters and loss of national assets.
- ▶ Improved coverage of work related injuries, fatalities and diseases and provide for a more comprehensive data base for facilitating better performance and monitoring.
- ▶ Continuous enhancement of community awareness regarding safety, health and environment at workplace related areas.
- ▶ Continually increasing community expectation of workplace health and safety standards.
- ▶ Improving safety, health and environment at workplace by creation of “green jobs” contributing to sustainable enterprise development.



# ACTION PROGRAMME –

- ▶ Enforcement
- ▶ National Standards
- ▶ Compliance
- ▶ Awareness
- ▶ Research and Development
- ▶ Occupational safety and health skills development
- ▶ Data Collection
- ▶ Review



Thank you  
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