

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

LOK SABHA

**UNSTARRED QUESTION NO. 2117
TO BE ANSWERED ON 01.01.2018**

OCCUPATIONAL HEALTH AND SAFETY MEASURES

2117. SHRI RAJESHBHAI CHUDASAMA:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Government is implementing occupational health and safety measures in unorganised sector;**
- (b) if so, the details thereof;**
- (c) if not, the estimated cost borne by the Indian economy because of lack of due diligence shown in addressing the safety concerns; and**
- (d) the measures taken/proposed to be taken by the Government to better address occupational health and safety issues in the unorganised sector?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

(a) to (d): The occupational safety and health of unorganized workers depends upon the labour laws applicable to the establishment and the job/work they are engaged in. The Government of India had declared the National Policy on Safety, Health and Environment at Workplace (NPSHEW) on 20th February, 2009. The purpose of this National Policy is to establish a preventive safety and health culture in the country through elimination of the incidents of work related injuries, diseases, fatalities, disasters and to enhance the well-being of employees in all the sectors of economic activity in the country. Section 85 of the Factories Act, 1948, empowers the State Governments to declare that all or any of the provisions of the Act shall apply to any place wherein manufacturing process is carried on with or without aid of power, irrespective of the number of workers working in therein.

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For the construction sector, The Building and Other Construction Workers (Regulation of employment and Conditions of Service) Act, 1996, Central Rules 1998, and various State Rules have been enacted to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures. The Act and Rules made thereunder are made applicable to every establishment which employs, or had employed on any day of the preceding twelve months, with ten or more building workers in any building or other construction works and the same are enforced by the central and state governments.

Under the Constitution of India, safety, welfare and health of workers employed in mines are the concern of the Central Government (Entry 55-Union List-Article 246). The objective is regulated by the Mines Act, 1952 and the Rules and Regulations framed thereunder. These are administered by the Directorate-General of Mines Safety (DGMS), under the Ministry of Labour & Employment. The onus of providing for and ensuring safety in mines rests with the mine managements, as clearly laid down under section 18 of the Mines Act, 1952 as “The owner and agent of every mine shall each be responsible for making financial and other provisions and for taking other such steps as may be necessary for compliance with the provisions of this Act and regulations, rules, bye-laws and orders made thereunder.” The Mines Act, 1952 does not differentiate between the mines of organised and un-organized sector. This act is applicable in all the mines situated in the country. All the workers employed in the mines are covered by this legal frame work.

Following steps have been taken by DGMS to better address occupational health and safety measures in unorganised sector:

- (i) Sample inspection of Mines and action is taken as per law based on the observations during the inspections**
- (ii) Enquiry into Accidents, Dangerous Occurrences etc. and action is taken as per law based on the findings of the enquiry.**
- (iii) Standard Setting:**

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- (a) Amendment of safety laws,**
 - (b) Issue of guidelines for safer operations in identified thrust areas through circulars and**
 - (c) Issue of technical instructions to DGMS officers for their guidance.**
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- (iv) National Conference on Safety in Mines**
 - (v) National Safety Awards (Mines)**
 - (vi) Annual Safety week Celebrations**
 - (vii) Awareness campaign**

Further, a project on ‘Multi Centric Study of Dust Related Disease in Stone Mines and Development of Sustainable Preventive Programme’ has been undertaken in collaboration with National Institute of Miners Health, Nagpur, an autonomous institute under union Ministry of Mines to address the Silicosis related health issues of stone mines and quarries workers of unorganised sectors. The study under the project is proposed to be conducted over a sample size of about 3000 persons employed in the stone mines of unorganized sector situated in different parts of the country.

Directorate General Factory Advice Service & Labour Institutes (DGFASLI) under Ministry of Labour & Employment conducts training programmes, workshops and seminars on occupational Safety and health benefitting the stakeholders both from the organized and unorganized sectors.
