

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO. 323
TO BE ANSWERED ON 05.02.2024**

SAFETY OF WORKERS AT CONSTRUCTION SITES

323. SHRIMATI PRATIMA MONDAL:

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

- (a) whether the Government has any concern about the safety of workers at construction sites, especially at the tunnel constructions;**
- (b) if so, the details thereof;**
- (c) the details of steps taken for the safety of workers as per the International Labour Organization (ILO) conventions on health and safety;**
- (d) the reasons for undue delay of starting rescue operations at Silkyara tunnel collapse in Uttarkashi of Uttarakhand;**
- (e) whether the Government has taken any step to ensure the escape route/tunnels which are compulsory to meet such emergency situations in construction of long tunnels; and**
- (f) if so, the details thereof?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

(a) to (c): The Central Government is committed to protect and promote the welfare, social security, safety and health of labourers. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 [BOCW (RE&CS) Act, 1996] and Central rules, 1998 regulate the employment and conditions of service of building and other construction workers, provide for their safety, health and welfare measures and for other matters connected therewith or incidental thereto.

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India, being a founding member of the International Labour Organisation (ILO) has deep respect for its principles and objectives. The Government of India has always upheld the basic tenets of ILO in regard to conventions related to health and safety of labourers. The provision of the BOCW (RE&CS) Act, 1996 and Rules made thereunder are the comprehensive legislations stipulated all the measure to ensure Welfare, Safety and Health at construction site as par of ILO convention no. 167.

The provisions related to Safety are covered in Chapter VII of the BOCW (RE&CS) Act 1996 and the same are enforced along with other provisions of the Act and the BOCW (RE&CS) Central Rules 1998. The Chapter XIII of the BOCW (RE&CS) Central Rules, 1998 deals with exclusive provision for Excavation and Tunnelling Works under Rule 119 to 168.

The CLC(C) organization through its field offices enforces various provisions of the BOCW (RE&CS) Act 1996 and the rules made thereunder ensuring the safety measures of workers working in construction sites in the Central Sphere. Regular inspections are conducted by the Chief Labour Commissioner (Central) [CLC(C)] Organisation in the Central Sphere as per the Inspection Scheme of the Ministry of Labour & Employment.

Further, in order to augment the efforts in the direction of safety and health of construction workers, “Construction Advisory Service (CAS) Division” has been created in Directorate General of Factory Advice Service & Labour Institutes (DGFASLI). The “Construction Advisory Service (CAS) Division” at DGFASLI, Mumbai has initiated various certificate courses in the field of Construction Safety.

Further, a Model Welfare Scheme for BOC Workers and Action Plan for strengthening Implementation Machinery were forwarded to all States/UTs, wherein the State / UT Governments through their State/UT BOCW Welfare Boards were entrusted upon to comply with the Scheme for the welfare of the construction workers and asking the State Welfare Boards to formulate and implement these kind of welfare schemes including in respect of Life and disability cover, health and maternity cover, education of the wards of the workers, transit housing, skill development, awareness programs and pension to registered BOC workers.

Moreover, Several directions under Section 60 of the BOCW (RE&CS) Act, 1996 have been issued from time to time to State/UT BOCW Welfare Boards for implementation of the provisions of the Act and for optimum utilization of the cess funds for the social security & other welfare measures of the BOC workers which include the benefits of welfare schemes of the State Welfare Boards and social security schemes of the Central/State Governments.

(d): The Government is always attentive to take cognizance of such type of accidents and take timely appropriate action. In the recent accident at Silkyara in Uttarkashi wherein main thrust of the operation was of saving the precious lives of labourers.

Therefore, despite the fact that the site was a hilly area and various technical and other intricacies involved, the entire Government machinery in a planned manner & taking all precautionary measures with the help of local administration and duly monitored by the Central Government ensured safe rescue of all the trapped workers.

(e) & (f): The Provisions of the BOCW (RE&CS) Act, 1996 and BOCW (RE&CS) Central Rules, 1998 ensure the safety of workers at construction sites. Rule 36 of Chapter VI deals with provisions for emergency action plan. The Chapter XIII deals with exclusive provision for Excavation and Tunnelling Works under Rule 119 to 168, comprehensively dealing with safety provision in case of workers trapped inside of tunnel.

As per Rule 36 of the Central Rules, 1998, in case more than 500 building workers are employed at a construction site, the employer shall ensure that the emergency action plan to handle the emergencies like fire and explosion, collapse of lifting appliances and transport equipment, collapse of building, sheds or structure, etc., gas leakage or spillage of dangerous goods or chemicals, drowning of building workers, sinking of vessels, and landslides getting building workers buried, floods, storms and other natural calamities, is prepared and submitted for the approval of the Director General of Inspections under BOCW Act, 1996.