

श्रेणी : II  
SERIES

Daman 29<sup>th</sup> November, 2013 8 Agrahayana 1935 (Saka)

सं. : 48  
No.

# सरकारी राजपत्र OFFICIAL GAZETTE



सत्यमेव जयते  
भारत सरकार  
Government of India

## संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित  
PUBLISHED BY AUTHORITY

**No. 11/01/96-06/GA/Holiday/III/12-13/3363**  
**UT. Administration of Daman & Diu,**  
**Office of the Collector/Secretary (G.A),**  
**Daman – 396 220**

**Dated : 25/11/2013**

**READ :** Government of India Department of Per. & Trg. O.M No. 12/5/2013-JCA-2 dated 11/07/2013, Government of India Ministry of Personnel Public Grievances and Pension Department of Personnel and Training North Block New Delhi.

### NOTIFICATION

In exercise of the Power conferred under section 25 of the Negotiable Instrument Act 1881 (26 of 1881), the Administrator of Union Territory of Daman & Diu is pleased to declare the holidays as specified in the Annexure I, II and III appended to this Notification for the Union Territory of Daman & Diu.

**Annexure – I** Indicates Public Holidays in the Union Territory of Daman & Diu during the calendar year 2014, Saka 1935-36 which shall apply to all Government Offices/Semi Govt. Offices/Local Bodies/Commercial Banks in Daman & Diu.

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**Annexure – II** Indicates the list of Restricted Holidays out of which an employee is entitled to avail any two holidays.

**Annexure – III** Indicates holidays under the Negotiable Instruments Act, 1881 which apply to all the Industrial Establishment, Public Sector Undertaking and Commercial Banks operating in Union Territory of Daman & Diu. The Commercial Banks operating in the U.T. of Daman & Diu shall observe holidays declared by respective regional offices according to their norms. However, State Bank of India, Daman and State Bank of Saurashtra for Diu District in which Government transaction is being done, shall have to observe the holidays specified in the Annexure – I and Government transaction/RBI chest will remain operative on other working days.

All the holidays included in Annexure – III shall be paid holidays in the Establishment, as below in the Union Territory of Daman & Diu.

- (1) Industrial workers in the U.T. of Daman & Diu
- (2) Daily wage workers in Govt. Department/U.T. Government Industrial Department.
- (3) Employees of the Commercial Banks, Industrial workers of Private establishment in the U.T. of Daman & Diu

By order and in the name of the  
Administrator of Daman & Diu

Sd/-  
**( Ramesh Verma )**  
Collector/Secretary (G.A.)  
Daman

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**ANNEXURE – I**  
**LIST OF HOLIDAYS DURING THE YEAR 2014 FOR DAMAN & DIU.**

Sr. No.	Gazetted Holiday	Date	Saka	Dated	Day of Week
			<b>SAKA-ERA 1935</b>		
1	Milad-Un-Nabi or Id-E-Milad (Birthday of Prophet. Mohammad)	January 14	Pausha	24	Tuesday
2	Republic Day	January 26	Magha	06	Sunday
3	Holi	March 17	Phalguna	26	Monday
<b>1936 SAKA-ERA</b>					
4	Ram Navami	April 08	Chaitra	18	Tuesday
5	Mahavir Jayanti	April 13	Chaitra	23	Sunday
6	Good Friday	April 18	Chaitra	28	Friday
7	Idu'l Fitr	July 29	Sravana	07	Tuesday
8	Independence Day	August 15	Sravana	24	Friday
9	Mahatma Gandhi's Birthday	October 02	Asvina	10	Thursday
10	Dussehra	October 03	Asvina	11	Friday
11	Id-ul-Zuha (Bakrid)	October 06	Asvina	14	Monday
12	Diwali (Deepavali)	October 23	Kartika	01	Thursday
13	Muharram	November 04	Kartika	13	Tuesday
14	Guru Nanak's Birthday	November 06	Kartika	15	Thursday
15	Liberation Day for Daman & Diu	December 19	Agrahayana	28	Friday
16	Christmas Day	December 25	Pausha	04	Thursday

Sd/-  
**( Ramesh Verma )**  
Collector/Secretary (G.A.)  
Daman

**ANNEXURE – II**  
**LIST OF RESTRICTED HOLIDAYS FOR THE YEAR 2014**  
**DAMAN & DIU.**

Sr. No.	Restricted Holidays	Date	SAKA-ERA 1935		Day of Week
1	New Year's Day	January 01	Pausha	11	Wednesday
2	Guru Gobind Singh's Birthday	January 07	Pausha	17	Tuesday
3	Makar Sankranti/Pongal	January 14	Pausha	24	Tuesday
4	Basanta Panchami/Sri Panchami	February 04	Magha	24	Tuesday
5	Guru Ravidas's Birthday	February 14	Magha	25	Friday
6	Shivaji Jayanti	February 19	Magha	30	Wednesday
7	Swami Dayananda Sarasvati Jayanti	February 24	Phalguna	05	Monday
8	Maha shivaratri	February 27	Phalguna	08	Thursday
9	Holika Dahan	March 16	Phalguna	25	Sunday
<b>SAKA-ERA 1936</b>					
10	Chaitra Sukladi/Gudi Padva/ Ugadi/Cheti Chand	March 31	Chaitra	10	Monday
11	Vaisakhi/Vishu/Mesadi	April 14	Chaitra	24	Monday
12	Vaisakhadi (Bengal) Bahag Bihu (Assam)	April 15	Chaitra	25	Tuesday
13	Easter Sunday	April 20	Chaitra	30	Sunday
14	Guru Rabindranath's Birthday	May 09	Vaisakha	19	Friday
15	Hazarat Ali's Birthday	May 13	Vaisakha	23	Tuesday
16	Buddha Purnima	May 14	Vaisakha	24	Wednesday
17	Rath Yatra	June 29	Ashadha	08	Sunday
18	Jamat-Ul-Vida	July 25	Sravana	03	Friday
19	Raksha Bandhan	August 10	Sravana	19	Sunday
20	Janmashtmi/Parsi New Year's day	August 18	Sravana	27	Monday
21	Vinayak Chaturthi/ Ganesh Chaturthi	August 29	Bhadra	07	Friday
22	Onam	September 07	Bhadra	16	Sunday
23	Dussehra (Maha Saptami) (Additional)	October 01	Asvina	09	Wednesday
24	Dussehra (Maha Ashtami) (Additional)	October 02	Asvina	10	Thursday
25	Dussehra (Maha Navmi)	October 03	Asvina	11	Friday

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SERIES II No. : 48

DATED : 29<sup>TH</sup> NOVEMBER, 2013.

26	Mharishi Valmiki's Birthday	October	08	Asvina	16	Wednesday
27	Kakka Chaturthi (Karva Chouth)	October	11	Asvina	19	Saturday
28	Deepavali (South India)	October	22	Asvina	30	Wednesday
29	Narka Chaturdasi	October	22	Asvina	30	Wednesday
30	Goverdhan Puja	October	24	Kartika	02	Friday
31	Bhai Duj	October	25	Kartika	03	Saturday
32	Pratihari Sashthi or Surya Sashthi (Chhat Puja)	October	29	Kartika	07	Wednesday
33	Guru Teg nbadhur's Martyrdom Day	November	24	Agrahayana	03	Monday
34	Christmas Eve	December	24	Pausha	03	Wednesday
35	Guru Gobind Singh's Birthday	December	28	Pausha	07	Sunday

Sd/-  
**( Ramesh Verma )**  
Collector/Secretary (G.A.)  
Daman

**ANNEXURE – III**  
**YEAR 2014 PUBLIC HOLIDAYS, UNDER NEGOTIABLE**  
**INSTRUMENTS ACT 1881 (FOR U.T. OF DMAN & DIU)**

**PART – A**

**SHALL APPLY TO THE COMMERCIAL BANKS ONLY**

Sr. No.	Holidays	Date	<b><u>SAKA-ERA 1935</u></b>	Day of Weeks
1	Bank's Annual Closing Day	April 01	Chaitra 11	Tuesday

**PART – B**

**SHALL APPLY TO THE INDUSTRIAL ESTABLISHMENT AND**  
**PUBLIC SECTOR UNDERTAKING**

1	Republic Day	January 26	Magha 06	Sunday
2	Holi	March 17	Phalguna 26	Monday
3	Labour Day	May 01	Vaisakha 11	Thursday
4	Independence day	August 15	Sravana 24	Friday
5	Mahatma Gandhi Birthday	October 02	Asvina 10	Thursday
6	Liberation Day for Daman & Diu	December 19	Agrahayana 28	Friday

Sd/-  
**( Ramesh Verma )**  
Collector/Secretary (G.A.)  
Daman

SERIES II No. : 48
DATED : 29 <sup>TH</sup> NOVEMBER, 2013.

**No. GPP/805/2013-14/487**  
**Administration of Daman & Diu,**  
**Govt. Printing Press,**  
**Fort Area,**  
**Moti Daman – 396 220.**

**Dated : 27/11/2013.**

Read : Order No. 1/123/DC/PF/DRT/2012-13/274 dated 24/07/2012  
O/o Development Commissioner, Daman published in the  
Official Gazette Series II No. 41 dated 11<sup>th</sup> October, 2013.

**CORRIGENDUM**

In partial modification to the order referred in the preamble above, the name at page No. 1 of fourth row may please be **read as "Dirajlal Ranchor" instead of "Dhirajlal Ranchor."**

Sd/-  
**(Dr. S. D. Bhardwaj)**  
**Head of Office,**  
**Government Printing Press,**  
**Daman.**

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**Administration of Daman & Diu  
Home Department  
Secretariat Moti Daman.**

**No. SJDM/PRE-RE/2013-2014/233**

**Dated : 28/11/2013.**

READ : No. B (Gen)-1001/2013/240 dated 22<sup>nd</sup> April, 2013 from the Hon'ble Registrar, High Court, Bombay.

**NOTIFICATION**

The Administrator of Daman & Diu is pleased to constitute a Sentence Review Board consisting of the following members for the review of sentence awarded to a prisoner and for recommending his premature release in appropriate cases :

- |   |                  |
|---|------------------|
| 1. Secretary (Home)                                       | Chairman         |
| 2. District & Session Judge, Daman                        | Member           |
| 3. Collector/I.G. (Prison), Daman                         | Member Secretary |
| OR  |                  |
| His/Her representative                                    |                  |
| 4. IGP/Deputy Inspector General of Police,<br>Daman & Diu | Member           |
| 5. Law Secretary, Daman & Diu                             | Member           |
| 6. Social Welfare Officer                                 | Member           |

The procedure for processing the cases for consideration of the Sentences Review Board will be as under :

- (i) The Superintendent of Sub Jail, who has prisoner undergoing sentence of imprisonment for life, shall initiate the case of the prisoner at least 3 months in advance of the date when the prisoner would become eligible for consideration of premature release as per the criteria laid down by the State Government in behalf.
- (ii) The Superintendent of Sub Jail shall prepare a comprehensive note in each case giving out the family and social background of the prisoner, the offence for which he was convicted and sentenced and the circumstances under which the offence was committed. He will also reflect fully about the conduct and behavior of the prisoner in the jail during the period of his incarceration, behavior/conduct during the period he was released on probation/leave change in his behavioral pattern and the jail offences, if any committed by him and punishment awarded to him for such offence(s). A report shall also be made about his physical, mental health or any serious ailment with which the prisoner is suffering entitling his case special consideration for his premature release. The note shall also contain recommendation of the jail Superintendent whether he favours for the premature release of the prisoner or not and in either case it shall be supported by adequate reasons.

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- (iii) The Superintendent of Sub Jail shall make reference to the Sub Divisional Police Officer of the district where the prisoner was ordinarily residing at the time of commission of the offence, for which he was convicted and sentenced or where he is likely to resettle after his release from the jail. However, in case the place where the prisoner was ordinarily residing at the time of commission of the offence is different from the place where he committed the offence, reference shall also be made to the Sub Divisional Police Officer of the district in which the offence was committed. In either case, he shall forward a copy of the note prepared by him to enable the Sub Divisional Police Officer to express his views in regard to the desirability of the premature release of the prisoner.
- (iv) On receipt of the reference, the concerned Sub Divisional Police Officer shall cause an inquiry to be made in the matter through senior Police Officer of appropriate rank and based on his own assessment shall make his recommendations. While making the recommendations the Sub Divisional Police Officer shall not act mechanically and oppose the premature release of the prisoner on untenable and hypothetical ground apprehensions. In case the Sub Divisional Police Officer is not in favour of the premature release of the prisoner, he shall justify the same with cogent reasons and materials. He shall return the reference to the Superintendent of the concerned Sub jail not later than 30 days from the receipt of the reference.
- (v) The Superintendent of Sub Jail shall also made reference to the **Social Welfare Officer** and shall forward to him a copy of his note. On receipt of the reference, the Social Welfare Officer shall either hold or cause to be held an inquiry through Social Welfare Officer in regard to the desirability of premature release of the prisoner having regard to his family and social background, his acceptability by his family members and the society, prospects of the prisoners for rehabilitation and leading a meaningful life as a good Citizen. He will not act mechanically and recommend each and every case for premature release. In either case he should justify his recommendation by reason/material. The Social Welfare Officer shall furnish his report/recommendations to the Superintendent of Sub Jail not later than 30 days from the receipt of the reference.
- (vi) On receipt of the report/recommendations of the Sub Divisional Officer and **Social Welfare Officer**, the Superintendent of Sub Jail shall put up the case to the Inspector General of Prisons at least one month in advance of the proposed meeting of the Sentence Review Board. The Inspector General of Prisons shall examine the case bearing in mind the report/recommendations of the Superintendent of Sub Jail, Sub Divisional Police Officer and the Social Welfare Officer and shall make his own recommendations with regard to the premature release of the prisoner or otherwise keeping in view the general or special guidelines laid down by the Government of Sentence Review Board. Regard shall also be had to various norms laid down and guidelines given by the Apex Court and various High Court in the matter of premature release of prisoners. Periodicity of the Board's meeting.

The Sentence Review Board shall meet at least once in a quarter at Daman on date to be notified to Members at least ten days in advance with complete agenda papers.

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How ever, it shall be open to the Chairman of the Board to convene a meeting of the Board more frequently as may be deemed necessary.

By order and in the name of the  
Administrator of Daman & Diu  
and Dadra & Nagar Haveli.

Sd/-  
( P. J. Bamanla )  
Joint Secretary (Home)

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**OFFICE OF THE CHIEF INSPECTOR OF FACTORIES & BOILERS,  
ADMINISTRATION OF DAMAN & DIU AND  
DADRA & NAGAR HAVELI,  
DAMAN.**

**No. 2(131)/CIF&B/ADM/DMN/2013/170**

**Dated : 28/11/2013.**

READ : Order No. 24/1/2007-Tech dated 06/05/2013 received from the Director General, Government of India, Ministry of Labour & Employment, Directorate General Factory Advice Service & Labour Institutes, Vyaavasayik Suraksha aur Swasthya Bhaven, N.S. Mankiker Marg, Sion, Mumbai - 400 022.

**NOTIFICATION**

The following draft of certain rules further to amend the Goa, Daman & Diu Factories Rules, 1985, which, the Administrator, Daman & Diu proposes to make in exercise of the powers conferred by section 112 of The Factories Act, 1948 (Act No. 63 of 1948) is hereby published, as required by sub-section (1) of section 115 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of forty five days from the date of publication of this notification in the Official Gazette.

- (2) Any objections or suggestions, which may be received from any person with respect to the said draft within the period so specified will be considered by the Administration of Daman & Diu.
- (3) Objections or suggestions if any, may be addressed to the Chief Inspector of Factories & Boilers, Administration of Daman & Diu, Daman.

**DRAFT RULES**

1. These rules may be called the Goa, Daman & Diu Factories (Amendment) Rules, 2013.
2. These rules shall apply to the U.T. of Daman & Diu.
3. In the Goa, Daman and Diu Factories Rules 1985, the following Schedule shall be substituted for Schedule XIV :

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**SCHEDULE XIV – Handling and Processing of Asbestos, Manufacture of any Article or Substance of Asbestos and any other Processes of Manufacture or otherwise in which Asbestos is used in any Form**

**1. Application.-**

- (1) This schedule shall apply to all manufacturing process as defined under Section 2(k) of the Act, carried on in a factory involving exposure of workers to asbestos and/or product containing Asbestos.
- (2) The Government may, at any time, for the purpose of giving effect to any scientific proof obtained from specialised institutions or experts in the field, notification in the Office Gazette, make suitable changes in the said schedule :
- (3) The provisions of this schedule shall apply to all workers exposed to asbestos in the factory and it shall be the responsibility of the occupier of the factory to comply with the provisions of the schedule in respect of the workers.
- (4) (a) The occupier of the factory wherein asbestos or substances containing asbestos are in use, shall prepare work procedures and practices, in the light of scientific research and technological progress for approval by the Chief Inspector and shall follow only such approved procedures.  
(b) Notwithstanding any thing mentioned in sub-paragraph (1) use of asbestos is prohibited in the manufacturing process as may be notified by the Government in this behalf  
(c) (i) spraying of all forms of asbestos is prohibited in a factory.  
(ii) The prohibition in respect of spraying of asbestos referred to in sub-para (i) may be exempted by the Chief Inspector if the Occupier represents that such spraying is inevitable certain purposes provided adequate measures for ensuring the safety and health of workers are undertaken by the occupier to the satisfaction of the Chief Inspector.

**2. Definition.-**

For the purpose of this Schedule –

- (a) "asbestos" means any fibrous silicate mineral and any admixture containing actionlite, amosite, anthophyllite, chrysotile, crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;
- (b) "asbestos textiles" means yarn or clothes composed of asbestos or asbestos mixed with any other materials;
- (c) "approved" means approved for the time being in writing by the Chief Inspector;
- (d) "breathing apparatus" means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust, or any other approved apparatus;

*Contd./---*

- (e) "efficient exhaust draught" means a localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;
- (f) "preparing" means crushing, disintegrating, and any other processes in or incidental to the opening of asbestos;
- (g) "protective clothing" means overall and head covering, which (in either case) will when worn exclude asbestos dust;
- (h) "asbestos dust" means airborne particles of asbestos or settled particles of asbestos which are liable to become airborne in the factory;
- (i) "air borne asbestos dust" means, for the purposes of measurement, dust particles measured by gravimetric assessment or other equivalent method;
- (j) "repairable asbestos fibers" means asbestos fibers having diameter of less than 3 micrometre and a length to diameter ratio greater than 3:1;
- (k) "exposure to asbestos" means exposure to airborne repairable asbestos fibers or asbestos dust; whether originating from asbestos or from minerals, materials or products containing asbestos in the factory.

#### **2-A Demolition of plants or structures –**

No person shall carry out any demolition of plants or structures containing friable asbestos insulation material and removal of asbestos from building or structures in which asbestos is liable to become air-borne, unless he is recognized and duly empowered by the Chief Inspector of Factories as qualified to carry out such work in accordance with the provisions of this schedule.

#### **3. Tools and equipment.-**

Any tools or equipment used in processes to which this schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

#### **4. Exhaust draught.-**

- (1) An effective exhaust draught shall be provided and maintained to control dust from the following processes and machines as per the relevant National Standards –
  - (a) manufacture and conveying machinery namely –
    - (i) preparing, grinding, or dry mixing machines;
    - (ii) carding, card waste and ring spinning machines, and looms;
    - (iii) machines or other plant fed with asbestos;
    - (iv) machines used for the sawing, grinding, turning, drilling, abrading or polishing; in the dry state, of articles composed wholly or partly of asbestos;

*Contd./---*

- (b) cleaning, and grinding of the cylinders or other parts of a carding machine;
  - (c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;
  - (d) work-benches for asbestos waste sorting or for other manipulation or asbestos by hand;
  - (e) workplaces at which the filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;
  - (f) sack cleaning machines;
  - (g) mixing and blending of asbestos by hand; and
  - (h) any other process in which dust is given off into the work environment.
- (2) Exhaust ventilation equipment provided in accordance with sub-paragraph (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.
- (3) Arrangements shall be made to prevent asbestos dust discharged from exhaust apparatus being drawn into the air of any workroom.
- (4) The asbestos bearing dust removed from any workroom by the exhaust system shall be collected in suitable receptacles or filter bags which shall be isolated from all work areas.

**5. Testing and examination of ventilating systems.-**

- (1) All ventilating systems used for the purpose of extracting or suppressing dust as required by this schedule shall be as per the relevant Indian Standards, examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.
- (2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alternations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector.

**6. Segregation in case of certain process.-**

Mixing or blending of asbestos by the hand, or making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in any room in which any other work is done.

**7. Storage and distribution of loose asbestos.-**

- (1) All loose asbestos shall, while not in use, be kept in suitable closed receptacles which prevent the escape of asbestos dust there from. Such asbestos shall not be distributed within a factory except in closed receptacles or in a totally enclosed system of conveyance.

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**8. Asbestos sacks –**

- (1) All sacks used as receptacles for the purpose of transport of asbestos with the factory shall be constructed of impermeable materials and shall be kept in good repair.
- (2) A sack which has contained asbestos shall not be cleaned by hand beating out by a machine, complying with paragraph 4.
- (3) Asbestos sacks or receptacles which contain asbestos shall be disposed off in a safe manner.

**9. Maintenance of floors and workplaces.-**

- (1) In every room in which any of the requirements of this schedule apply –
    - (a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and
    - (b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.
  - (2) The cleaning as mentioned in sub-rule (1) shall so far as is practicable, as carried out by means of vacuum cleaning equipment so designed and constructed and so used that asbestos dust neither escapes nor is discharged into the air of any work place.
  - (3) When the cleaning is done by any method other than that mentioned in subparagraph (2), the persons doing cleaning work and any other person employed in that room shall be provided with respiratory protective equipment and protective clothing.
  - (4) The vacuum cleaning equipment used in accordance with provisions of subparagraph (2), shall be properly maintained and after each cleaning operation, its surfaces kept in a clean state and free from asbestos waste and dust.
  - (5) Asbestos waste shall not be permitted to remain on the floors or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.
- 9 (A) The occupier shall replace asbestos or of certain types of asbestos or products containing asbestos by other materials or products or shall use alternative technology, scientifically evaluated as harmless or less harmful, wherever this is possible.
- (B) The occupier should take all the measures to prevent or control the release of asbestos into the air and to ensure that the exposure limits or other exposure criteria are complied with and also reduce exposure to as low as a level as is reasonably practicable.

*Contd./---*

**10. Breathing Apparatus, Personnel Protective Equipment and Clothing :**

- (1) The occupier of every factory to which this schedule applies shall provide to workers personnel protective equipments such as hand gloves shoes helmets, goggles earplug, aprons safety belt, overall suit, etc. as per the relevant National or International Standards as may be required.

The approved breathing apparatus and appropriate work clothing as per the relevant National or International Standards in consultation with the workers representatives and maintained in good conditions for use of every person employed –

- (a) in chambers containing loose asbestos;
  - (b) in cleaning, dust settling or filtering chambers of apparatus;
  - (c) in cleaning the cylinders, including the defer cylinders, or other parts of a carding machine by means of hand-stickles;
  - (d) in filling, beating, or leveling in the manufacture or repair of insulating mattresses; and
  - (e) in any other operation or circumstances in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.
- (2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when not in use.
  - (3) All breathing apparatus and protective clothing not in use shall be stored in the accommodation provided in accordance with sub-rule (2) above.
  - (4) All protective clothing in use shall be de-dusted under an efficient exhaust draught or by vacuum cleaning and shall be washed at suitable intervals. The cleaning schedule and procedure shall be such as to ensure the efficiency in protective the wearer.
  - (5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.
  - (6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector.
  - (7) No person shall be employed to perform any work specified in sub-paragraph (1) for which breathing apparatus is necessary to be provided under that sub-paragraph unless he has been fully instructed in the proper use of that equipment.
  - (8) No breathing apparatus provided in pursuance of sub-paragraph (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

*Contd./---*

- (9) No worker shall take home any work clothing or special protective clothing or personal protective equipment provided to him for protection against exposure to asbestos.

**11. Separate accommodation for personal clothing.-**

A separate accommodation shall be provided in a conveniently accessible position for all persons employed in operations to which this schedule applies for storing of personal clothing. This should be separated from the accommodation provided under sub-paragraph (2) of paragraph 10 to prevent contamination of personal clothing.

**12. Washing and bathing facilities.-**

- (1) There shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the processes covered by the schedule, adequate washing and bathing places having a constant supply of water under cover at the rate of one such place for every 15 persons employed.
- (2) The washing places shall have standpipes placed at intervals of not less than one metre.
- (3) Not less than one half of the total number of washing places shall be provided with bathrooms.
- (4) Sufficient supply of clean towels made suitable material shall be provided :

Provided that such towels shall be supplied individually for each worker if so ordered by the Inspector

- (5) Sufficient supply of soap and nail brushes shall be provided.

**13. Mess Room.-**

- (1) There shall be provided and maintained for the use of all workers employed in the factory covered by this schedule, remaining on the premises during the rest intervals, a suitable mess room which shall be furnished with :-
- (a) Sufficient tables and benches with back rest, and
- (b) Adequate means for warming food.

**14. Prohibition of employment of young persons.-**

No young person shall be employed in any of the process covered by this schedule.

**15. Prohibition relating to smoking.-**

No person shall smoke in any area where processes covered by this schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.



**16. Pictorial Cautionary notices.-**

Cautionary notices in the form specified in appendix and printed in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the workrooms where asbestos or substances containing asbestos are manufactured, handled or used.

**17. Air monitoring.-**

To ensure the effectiveness of control measures in continuous or respective processes, the monitoring of asbestos fibers in air as well as personal monitoring of workers shall be carried out at least once in every shift and the result so obtained shall be entered in register and

- (a) There should be no substantial change in workplace conditions.
- (b) The results of the two (2) preceding measurements have not exceeded half the relevant control limit.
- (c) "All factories should adopt membrane filter test as per the relevant National Standards without fail.

**18. Medical control measures :**

- (1) The occupier of every factory in which a worker employed in the processes specified in Sub Rule 1, shall ensure that every worker employed be examined by a Medical Inspector of Factories/Certifying Surgeon within 15 days of his first employment. Such medical examination shall include sputum examination for asbestos bodies, pulmonary function test and chest X ray – Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Certifying Surgeon.
- (2) Every worker employed in the said processes shall be re-examined by a Certifying Surgeon at least once in every twelve months. Such re-examination shall, wherever the Certifying Surgeon considers appropriate, include all the tests as specified in subparagraph (1) except chest X-ray which shall be read by a radiologist specialized/trained in the field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.
- (3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the X Ray machine shall be more than 300 milli ampere (mA). The report of such X Ray shall be submitted to the Medical Inspector of Factories/Certifying Surgeon/Chief Inspector for within three months of the said date.
- (4) If at any time the Medical Inspector of Factories/Certifying Surgeon is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Certifying Surgeon, in which case the person affected shall be suitably rehabilitated.

*Contd./---*

- (5) No person who has been found unfit to work as said in sub-paragraph (5) above shall be re-employed or permitted to work in the said processes unless the Certifying Surgeon, after further examination, again certifies him fit for employment in those processes.
- (6) If a worker already in employment and declared unfit by the Medical Inspector of Factories/Certifying Surgeon shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.
- (7) For the purpose of medical supervision by the medical practitioner/certifying surgeon so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationery, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipments as may be prescribed by the Chief Inspector for time to time. The medical practitioner so appointed shall perform the following duties.
  - (a) maintain health register;
  - (b) undertake medical supervision of persons employed in the factory;
  - (c) look after health, education and rehabilitation of sick, injured or affected workers;
  - (d) carry out inspection of work rooms where dangerous operation are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.
- (8) The Health Records of the workers exposed to asbestos, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, which ever is later and shall be accessible to workers concerned or their representatives.
- (9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

**19. Exemptions.-**

- (1) In respect of any factory, the Chief Inspector is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.
- (2) The Chief Inspector may permit temporary derogation, through a notification in an official gazette, from the measures prescribed in this Schedule under conditions and within limits of time determined after consultation with the representative organizations of employers and workers concerned.

**APPENDIX**

**PICTORIAL CAUTIONARY NOTICE**

1. Asbestos/asbestos dust which is used, handled or manipulated in this factory is a very hazardous to health.
2. Prolonged exposure to asbestos dust may lead to serious diseases like lung fibrosis (Asbestosis) and lung cancer.
3. Entry is prohibited without protective equipment.
4. Wear the Protective Equipments to safeguard your health.
5. No food stuffs or drinks shall be brought into this area.
6. Smoking, eating food or drinking and chewing tobacco in this area is prohibited.
7. Scrupulous cleanliness shall be maintained in this area.
8. Dry sweeping in this area is prohibited. Any spillage of asbestos shall be cleaned by vacuum cleaning only.
9. A sack or container contaminated with asbestos shall not be cleaned by hand and is to be disposed off by an appropriate method.
10. All protective equipments and clothing shall be re-dusted by vacuum cleaning and stored in an appropriate place provided for the purpose.
11. Entry of unauthorized persons or authorized persons without proper protective equipments is prohibited.
12. Report for the prescribed medical examinations and tests regularly to protect your own health.
13. Report to your doctor immediately if you suffer from persistent breathlessness, chest tightness, or cough.

By order and in the name of the  
Administrator of Daman & Diu.

Sd/-  
Dy. Secretary (Labour)

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