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No. 3667

GOVERNMENT OF KERALA

Labour and Skills(D) Department.

NOTIFICATION

D2/400/2020/LBRD.

*Dated, Thiruvananthapuram 15th, December 2021
30th Vrischikam, 1197.*

The following draft rules, which the Government of Kerala proposes to make in exercise of the powers conferred under section 154, section 156, section 158 of the Code on Social Security, 2020 (Central Act 36 of 2020) read with section 24 of the General Clauses Act, 1897 (Central Act



10 of 1897) and in supersession of the -

1. Kerala Maternity Benefits Rules, 1964;
2. Kerala Payment of Gratuity Rules, 1973;
3. Kerala Workmen's Compensation Rules, 1958;
4. Kerala Workmen's Compensation (Schedule III Parts 'A', 'B' and 'C' Occupational Diseases) Rules, 2001;
5. The Workmen Compensation (Transfer of Money) Rules, 1935;
6. Workmen Compensation (Venue of Proceedings) Rules, 1996;
7. Kerala Unorganised workers' Social Security Rules, 2010.

made by the Government of Kerala under the enactments repealed by section 164 of the said Code on Social Security, 2020 (Central Act 36 of 2020), except as respects things done or omitted to be done before such supersession, are hereby notified, as required by section 158, for information of all persons likely to be affected thereby and notice is hereby given that the said draft notification will be taken into consideration after the expiry of a period of forty five days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;

Objections and suggestions, if any, may be addressed to Secretary to Government, Labour and Skills (E) Department, Government Secretariat, Thiruvananthapuram – 695 001.

Objections and suggestions, which may be received from any person or organization with respect to the said draft rules before expiry of the period specified above, will be considered by the State Government.

DRAFT RULES

CHAPTER I

PRELIMINARY

1.Short title, extent and commencement.- (i) These rules may be called Kerala Social Security Rules, 2021.



- (ii) They extend to the whole of State of Kerala.
- (iii) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-(1) In these rules, unless the subject or context otherwise requires,-

- (a) “accident” means any organic injury of functional disturbance whether immediate or subsequent, or death occurring suddenly in the course of the employment or in consequence thereof;
- (b) “annexure” means annexures appended to these rules;
- (c) “ Board” means the Kerala Unorganised Workers Social Security Board constituted under sub-section (9) of section 6 or Kerala Building and Other Construction Workers' Welfare Board constituted under sub- section(1) of section 7;
- (d) “Chairperson” means the chairperson of the Kerala State Unorganized Workers social Security Board or Kerala Building and Other Construction Workers' Welfare Board;
- (e) ‘Chief Executive Officer’ means the Member Secretary of Kerala Unorganised Workers Social Security Board or Secretary of Kerala Building and Other Construction Workers' Welfare Board;
- (f) “Clinical Manifestation” of disease means clinical manifestation as given in the Annexure 1 to these rules;
- (h) “Code” means the Code on Social Security, 2020 (Central Act 36 of 2020);
- (i) ‘contribution’ means the amount of contribution payable by the unorganized worker, the self-employed person or other beneficiary as a member of the scheme or the aggregators as provided under clause (c),(d),(e) and (f) of sub-section(3)of section 114 and includes the amount given by the Central and the State Government from time to time as per the scheme notified under sub-section(1)of section 114 ;
- (j) “diagnosis” means diagnosis of disease as per the guidelines given in the Annexure 1 to these rules.



- (k) “disease” means every variation in physio, psycho and pathological status which arises as a consequence of the type of work in which the employee has been engaged or in the environment in which he is obliged to give his service;
- (l) “electronically” means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;
- (m) “Form” means a form appended to these rules;
- (n) “Immovable property” includes land, benefits to arise out of land, things attached to the earth, or permanently fastened to anything attached to the earth;
- (o) “injury” means any accident or disease to which employees are exposed in the course of the employment or any consequence thereof;
- (p) “Medical Board” means the Medical Board constituted or recognised by the State Government under Rule 64 for the purposes of these rules;
- (q) “Medical Tribunal” means the tribunal constituted by the State Government under Rule 61 for the purposes of these rules;
- (r) “movable property” means property of every description except immovable property;
- (s) “nomination” means nomination made under section 55 of the Code;
- (t) “Portal” means the web portal maintained by the State Government for the purpose of the Code
- (u) “Registered Medical Practitioner” means a medical practitioner whose name has been enrolled in a register maintained under any law for the time being in force regulating the registration of practitioners of medicine;
- (v) “schedule” means the schedule of the Code;
- (w) “scheme” means the Welfare Schemes formulated and notified by the State Government under sub clause (a) of sub-section (15) of section 6 of the Code.
- (x) “section” means a section of the Code’



(y) “Shram Suvidha Portal” means portal maintained by the Ministry of Labour and Employment for the purpose of this Code.

(z) “specified” means specified by an order of the Central Government or any State

Government or any officer so authorised by such Government;

(za) “Useful Laboratory Investigation for diseases” means useful laboratory investigation as given in the Annexure 1 to the Rules.

(zb) “year” shall mean the financial year, that is to say, beginning from the first of April and ending with the thirty-first of March of the year following.

(2) The words and expressions used in these rule and not defined herein, but are defined in the Code shall have the same meaning as are respectively assigned to them, under the Code.

CHAPTER II

SOCIAL SECURITY ORGANISATIONS

STATE SOCIAL SECURITY BOARD

3. The constitution, term, functions and powers of the Kerala Unorganized Workers Social Security Board constituted under sub-section (9) and (10) of section 6 of the Code.

(1) The Board constituted under sub-section (9) of section 6 shall be called as the Kerala Unorganized Workers Social Security Board.

(2) The State Government may seek nomination from amongst the representatives of associations of unorganized sector workers and employers associations of unorganised sector in the category of sub-clauses (i) and (ii) of clause (d) of sub-section (10) of section 6 in such a manner, as decided by the State Government.

(3) The State Government may nominate two members from the Legislative Assembly under sub- clause (iii) of clause (d) of sub-section (10) of section 6.

(4) The State Government shall nominate five members under sub-clause (iv) of clause (d) of sub-section (10) of section 6 from amongst persons of eminence in the field of labour welfare, management, finance, law and administration.



(5) The State Government shall nominate ten Members under sub-clause (v) of clause (d) of sub-section (10) of section 6, one member each representing Labour, Finance, Law, Local self Government Department in the Secretariat of the State Government, State Labour Commissioner, Director of Employment, one member representing the Social welfare Department, one member representing Kudumbasree Mission, two representatives nominated by the Government from any other department.

(6) One member representing Central Government in the Ministry of Labour and Employment of clause (c) of sub-section (10) of section 6.

(7) A member nominated under sub-clauses (i), (ii), (iii) and (iv) of clause (d) of sub-section (10) of the section 6, shall cease to be a member of the Board if he ceases to represent the category of interest from which he was so nominated:

Provided that out of seven persons nominated under sub-clause (i), one member each from the Scheduled Caste, Scheduled Tribe, Minorities and Women shall be given representation.

(8) A member nominated under sub-clause (iii) of clause (d) of sub-section (10) of section 6 shall cease to be a member of the Board if he ceases to be a member of the Legislative Assembly.

(9) The official members of the Board nominated under sub - clause (v) of clause (d) of sub-section (10) of section 6 shall hold their offices in the Board so long as they serve in their official capacity.

(10) The State Government shall appoint an officer not below the rank of Joint Labour Commissioner in the Labour Department as Member Secretary of the Board under clause (e) of sub-section (10) of section 6.

(11) No person shall be chosen as, or continue to be, a member of the Board, if such person incurs any of the disqualifications under section 8.

(12) A member, other than an ex-officio member, shall hold office for a period not exceeding three years from the date of his nomination.

(13) A member shall be eligible for re-nomination:



Provided that a member shall not hold the office for more than two terms.

4. Resignation of members of the Board:- (1) A member of the Board, other than an ex-officio member, may by writing under his hand addressed to the Chairperson resign his office at any time.

(2) The Chairperson shall take decision to accept or reject the resignation letter, within a month. The resignation shall be deemed to have come into effect from the date of acceptance of the resignation or on the date of expiry of one month from the date of receipt of resignation letter whichever is earlier and thereupon such member shall fall vacant with effect from that date.

(3) The Chairperson shall place before the next board meeting, the receipt of resignation letter from a member and the decision taken thereon. If the resignation letter is rejected, the reason for rejection may also be reported to the Board.

(4) The Board shall inform Government regarding the acceptance of resignation of a member.

5. Filling up casual vacancies.-When a vacancy arise in the Board due to resignation, death or removal or otherwise of a member, the secretary shall inform the Government and the Government shall immediately nominate another person from the category concerned as a member and the member so appointed shall, subject to the provisions of sub rule (7) of Rule 3, hold office for the remaining period of the term of office of the member in whose vacancy he is nominated.

6. Board Meeting.-(1) The Board shall meet at least once in three months. The Member Secretary shall convene the meeting at such time, date and at such place as decided by the Chairperson.

(2) The Chairperson shall convene meeting of the Board on the written requisition of not less than fifteen members jointly demanding to convene the Board meeting, within twenty days of receipt of such a requisition.

(3) The Chairperson shall have powers to call special meeting of the Board at any time to decide any matter which is urgent.

7. Notice of the Meeting.- (1) The Member Secretary shall give notice of the meeting at least ten days prior to the date of the proposed meeting, showing the date, time and place of the meeting together with the agenda, to every member directly or through special messenger or by registered post or electronically.

(2) For special meeting convened under sub-rule (3) of rule 6 to consider any urgent matter, two days prior notice informing the subject shall be given to each member.



8. Change in the address.-(1) Each member shall inform the Member Secretary of any change in the address given in the order nominating him as a member and the Secretary shall make suitable alterations in the records.

(2) If the member fails to give the information as required under sub-rule(1), the notice under rule 7 shall be sent in the available address and even if such notice is not received due to any change in the address, it will be considered that the notice is duly served.

9. Presiding over of the Meeting.-(1) The Chairperson shall preside over every meeting of the Board.

(2) If the Chairperson is absent at any time, he may nominate a member of the Board to preside over such a meeting in his place and in the absence of such a nomination by the Chairperson, the members of the Board present in such meeting may elect one among them and the member so elected shall preside over that meeting.

(3) The member who presided over the meeting as per sub-rule (2) shall have and exercise all the powers and rights of the Chairperson.

10. Quorum of the Meeting.-(1) No business shall be transacted at any meeting of the Board unless at least one third of the members existing at the time in the Board or seven members, whichever is less, are present of whom at least one each shall be from among those nominated under clauses (i) and (ii) of clause (d) of sub-section (10) of section 6 and sub-rule (3) of rule 3.

(2) If there is no quorum for the meeting, the Chairperson may adjourn the meeting, to another date after the expiry of not less than seven days, informing the members present directly and giving notice to those who are absent and in the adjourned meeting whether there is prescribed quorum or not, it shall thereupon be lawful for him to dispose of the business irrespective of the number of members attending the meeting.

11. Agenda of the meeting and disposal of business.-(1) Nothing other than the subjects shown in the agenda for the meeting shall be discussed or decided in the meeting, except with the permission of the Chairperson.

(2) Every decision in the meeting of the Board shall be taken by a majority of the members present and voting at the meeting.

(3) In the case of equal number of votes on any issue, the matter shall be decided by exercising a second vote or casting vote by the Chairperson.



12. Minutes of the Meeting.-(1) The Member Secretary shall prepare the minutes of the meeting and the Chairperson and the Member Secretary shall affix their signatures on it.

(2) The minutes signed by the Chairperson shall be read over to the members in the next meeting. Modifications, if any, made thereon shall be signed by the Chairperson and the Member Secretary after such modification and confirmation on it.

13. Allowance to the members of the Board.- (1) The members of the Board except the ex-officio Chairperson, and Member Secretary, members of the Legislative Assembly and the official members shall be eligible for sitting fee for attending the meeting at the rate as decided by the Government from time to time.

(2) The Board shall pay to every non-official member travelling allowance and daily allowance for attending the meeting of the Board at such rates admissible to Class I Officers of the Government.

(3) Travelling allowance and daily allowance for attending the meeting of the Board to every official member, including the ex-officio Secretary, shall be paid by the Board at the rate admissible to him as per the rules applicable to him for journeys performed on official duty.

(4) The members of the Legislative Assembly and the ex-officio Chairperson shall be paid travelling allowance by the Board for attending the meeting of the Board, at the rates admissible to them as per the provisions of the Payment of Salaries and Allowances Act, 1951 (Act 14 of 1951)

(5) For the purpose of calculation of travelling allowance of a member, the place of his residence/office shown in his appointment order as a member will be taken as his headquarters.

14. Functions of the Board.- In addition to the functions stated in sub-section(15) of section 6 of the Code, the Board shall have the following functions, namely:-

- (a) Realisation of fee and other charges for registration of the unorganised workers as members;
- (b) preparation of annual budget and submission to the Government;
- (c) preparation of annual report on the working of the Board and submission to the Government;
- (d) Maintenance of accounts;
- (e) Implementation of the directions issued by the Government from time to time;
- (f) Implementation of all matters entrusted by the Central and State Governments, according to their directions and furnishing of information required by the Government in time.

15. Expenditure and maintenance of accounts by the Board.-The amount for initial administrative



expenditure required for the functioning of the Board shall be sanctioned by the Government.

(2) The Board shall maintain necessary and proper accounts in respect of the income and expenditure of the Board.

(3) All amounts received by the Board shall be deposited in the manner as decided by the Board.

16. Formulation of Scheme.- The State Government may, by notification in the Gazette, formulate welfare schemes on the subjects enlisted under sub-section (2) of section 109 of the Code commonly for all subjects together or separately for one or more such subjects;

17. Contribution to scheme.- (1) Any contribution or fees or any other amount fixed in the scheme notified under Rule 17 shall be paid by the unorganized worker or the self-employed person or the employer or the aggregator or the beneficiary as the case may be, at such rate and at such time and in the manner specified in such *scheme or* schemes.

(2) The Contribution or any other amount payable to the Board as per sub-rule (1) or any Government Contribution or grant received shall be credited to the account of the Board and expended or disbursed in the manner provided in such Schemes.

(3) All sums due to the Board from the Central Government or the State Government for the implementation of the provisions of the Code and the Schemes shall be obtained and made available to the Board by the State Labour Commissioner.

(4) The procedure for accepting, depositing and utilizing the fund payable as per the provisions of any scheme shall be as specified in the scheme concerned, which shall be under the guidance of the Board.

18. Other staffs of the Board.-(1) The Government may appoint such number of staff as they consider necessary to assist the Member Secretary and specify their service conditions.

(2) The duties, powers and functions of the Member Secretary shall be as decided by the Board, with the prior approval of the Government.



19. **Annual Report.**-The Board shall before 31st July of every year submit to the Government an annual report on the working of the Board and the implementation of the Code and the Schemes.

20. **Budget.**- The Board shall submit to the Government before 30th September every year, after its approval, a Budget showing the probable income of the Board, contributions, or grant from the Central or State Governments, other sums to be received and all the expenses required for the functioning of the Board and for the implementation of the Code and Rules, in the next financial year.

21. **Audit.**-All accounts of the Board for an year shall be audited every year as directed by the Government and the audit report shall be submitted to the Government before 31st of December of the next year.

22 .- **The constitution, term, functions and powers of the Kerala Building and other Construction Workers Welfare Board constituted under sub-section (1) of section 7 of the Code:-**

(1) The State Government shall, by notification, constitute a Board under sub-section (1) of section 7 as the Kerala Building and other Construction Workers Welfare Board to exercise the powers and perform such functions assigned to it under the Code

(2) The Board shall consists of the following members, namely:-

(a) A Chairperson appointed by the Government;

(b) A member to be nominated by the Central Government .

(d) A Secretary – Chief Executive Officer appointed by the Government as ex-officio member

(e) The State Government shall nominate four members representing employers;

(f) The State Government shall nominate four members representing building and other construction workers;

(g) The State Government shall nominate one member each from Labour, Finance, Law Department in the Secretariat of the State Government and State Labour Commissioner

(3) The official members of the board nominated under sub clause (d) and clause (g) shall hold their offices in the board so long as they serve in their official capacity.

(4)A member nominated under sub-clauses (e) and (f) shall cease to be a member of the Board if he ceases to represent the category of interest from which he was so nominated:



(5) The State Government shall appoint an officer not below the rank of Joint Labour Commissioner in the Labour Department as Secretary of the Board under sub-clause (d)

(6) No person shall be chosen as, or continue to be, a member of the Board, if such person attracts any provision(s) of section 8.

(7) A member other than members under sub clause (d) and (g), shall hold office for a period not exceeding three years from the date of his nomination.

(8) A member shall be eligible for re-nomination:

Provided that a member shall not hold the office for more than total of two terms

(9) Resignation of members of the Board:- (1) A member of the Board, other than an ex-officio member, may by writing under his hand addressed to the Chairperson resign his office at any time.

(10) The Chairperson shall take decision to accept or reject the resignation letter, within a month. The resignation shall be deemed to have come into effect from the date of acceptance of the resignation or on the date of expiry of one month from the date of receipt of resignation letter whichever is earlier and the seat of such member shall fall vacant with effect from that date.

(11) The Chairperson shall place before the next board meeting, the receipt of resignation letter from a member and the decision taken thereon. If the resignation letter is rejected, the reason for rejection may also be reported to the Board.

(12) The Board shall inform Government regarding the acceptance of resignation of a member.

(13) Filling up casual vacancies.-When vacancies arise in the Board due to resignation, death or removal or otherwise of a member, the secretary shall inform the Government and the Government shall immediately nominate another person from the category concerned as a member and the member so appointed shall, subject to the provisions of Rule 23(4), hold office for the remaining period of the term of office of the member in whose vacancy he is nominated.

(14) Board Meeting.-(i) The Board shall meet at least once in three months. The Secretary shall convene the meeting at such time, date and at such place as decided by the Chairperson.

(ii) The Chairperson must convene meeting of the Board on the written requisition of not less than five members jointly demanding to convene the Board meeting, within twenty days of receipt of such a requisition.



(iii) The Chairperson shall have powers to call special meeting of the Board at any time to decide any matter which is urgent.

(15) Notice of the Meeting.- (i) The Secretary shall give notice of the meeting at least ten days prior to the date of the proposed meeting, showing the date, time and place of the meeting together with the agenda, to every member directly or through special messenger or by registered post or electronically. (iii) For special meeting convened under sub-rule (iii) of Rule 14 to consider any urgent matter, two days prior notice informing the subject shall be given to each member.

(16) Change in the address.- (i) Each member shall inform the Secretary of any change in the address given in the order nominating him as a member and the Secretary shall make suitable alterations in the records.

(ii) If the member fails to give the information as required under sub-rule(i), the notice under rule 15 shall be sent in the available address and even if such notice is not received due to any change in the address, it will be considered that the notice is duly served.

(17) Presiding over of the Meeting.- (i) The Chairperson shall preside over every meeting of the Board.

(ii) If the Chairperson is absent at any time, he may nominate a member of the Board to preside over such a meeting in his place and in the absence of such a nomination by the Chairperson, the members of the Board present in such meeting may elect one among them and the member so elected shall preside over that meeting.

(iii) The member who presided over the meeting as per sub-rule (ii) shall have and exercise all the powers and rights of the Chairperson.

(18) Quorum of the Meeting.- (i) No business shall be transacted at any meeting of the Board unless at least one third of the members existing at the time in the Board or 5 members, whichever is less, are present of whom at least one each shall be from among those nominated under clauses (e) and (f) sub-rule (2) of Rule 23.

(ii) If there is no quorum for the meeting, the Chairperson may adjourn the meeting, to another date after the expiry of not less than seven days, informing the members present directly and giving notice to those who are absent and in the adjourned meeting whether there is prescribed quorum or not, it shall thereupon be lawful for him to dispose of the business irrespective of the number of members attending



the meeting.

(19) Agenda of the meeting and disposal of business.- (i) Nothing other than the subjects shown in the agenda for the meeting shall be discussed or decided in the meeting, except with the permission of the Chairperson.

(ii) Every decision in the meeting of the Board shall be taken by a majority of the members present and voting at the meeting.

(iii) In the case of equal number of votes on any issue, the matter shall be decided by exercising a second vote or casting vote by the Chairperson.

(20) Minutes of the Meeting.- (i) The Secretary shall prepare the minutes of the meeting and the Chairperson and the Secretary shall affix their signatures on it.

(ii) The minutes signed by the Chairperson shall be read over to the members in the next meeting. Modifications, if any, made thereon shall be signed by the Chairperson and the Secretary after such modification and confirmation on it.

(21) Allowance to the members of the Board.- (i) The Board shall pay to chairperson and every non-official members travelling allowance and daily allowance for attending the meeting of the Board at such rates admissible to Class I Officers of the Government.

(ii) Travelling allowance and daily allowance for attending the meeting of the Board to every official member, including the ex-officio Secretary, shall be paid by the Board at the rate admissible to him as per the rules applicable to him for journeys performed on official duty.

(22) Functions of the Board.- In addition to the functions stated in sub-section(6) of section 7 of the Code, the Board shall have the following functions, namely:- (a) Realisation of fee and other charges for registration of the Building workers as members;

(b) preparation of annual budget and submission to the Government;

(c) preparation of annual report on the working of the Board and submission to the Government;

(d) Maintenance of accounts;

(e) Implementation of the directions issued by the Government from time to time;

(f) Implementation of all matters entrusted by the Central and State Governments, according to their directions and furnishing of information required by the Government in time.



(23) Expenditure and maintenance of accounts by the Board.-(i)The amount for initial administrative expenditure required for the functioning of the Board shall be sanctioned by the Government.

(ii) The Board shall maintain necessary and proper accounts in respect of the income and expenditure of the Board.

(iii) All amounts received by the Board shall be deposited in the manner as decided by the Board.

(24) Other staffs of the Board.-(i) The Government may appoint such number of staff as they consider necessary to assist the Member Secretary and specify their service conditions.

(ii) The duties, powers and functions of the Member Secretary shall be as decided by the Board, with the prior approval of the Government.

(25). Annual Report.-The Board shall before 31st July of every year submit to the Government an annual report on the working of the Board and the implementation of the Code and the Schemes.

(26) Budget.- The Board shall submit to the Government before 30th September every year, after its approval, a Budget showing the probable income of the Board, contributions, or grant from the Central or State Governments, other sums to be received and all the expenses required for the functioning of the Board and for the implementation of the Code and Rules, in the next financial year.

(27)Audit.-All accounts of the Board for an year shall be audited every year as directed by the Government and the audit report shall be submitted to the Government before 31st of December of the next year.

(28). Appointment, terms and conditions of Chairperson and members under sub section (4) of Section 7,- The State Government may notify the terms and conditions of appointment and salaries and other allowances payable to the Chairperson and the other members from time to time.



CHAPTER III

GRATUITY

23. Bank or other financial institution in which the gratuity shall be invested for the benefit of minor under the third proviso to sub-section (1) of section 53.-In the case of nominee, or an heir, who is minor, the competent authority shall invest the gratuity amount deposited with him for the benefit of such minor in term deposit with the State Bank of India or any other Nationalised Bank or State Treasury.

Explanation.- "Nationalised Bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980).]

24. Time, form and manner of nomination by an employee under sub-section (1), the time to make fresh nomination under sub-section (4), the form and manner of modification of a nomination under sub-section (5) and the form for fresh nomination under sub-section (6) of section 55.- (1) A nomination shall be in **Form-I** and submitted in duplicate by the employee either by personal service, after taking proper receipt or by registered post acknowledgement due or electronically to the employer,

- (i) in the case of an employee who is already in employment for a year or more on the date of commencement of these rules but not submitted the nomination, ordinarily, within ninety days from such date; and
- (ii) in the case of an employee who completes one year of service after the date of commencement of these rules, ordinarily within thirty days of the completion of one year of service:

Provided that nomination in **Form-I** shall be accepted by the employer after the specified period, if filed and no nomination so accepted shall be invalid merely because it



was filed after the specified period.

(2) Within thirty days of the receipt of nomination in **Form-I** under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in **Form-I** duly attested either by the employer or an officer authorized in this behalf by him, as a token of recording of the nomination by the employer and the other copy of the nomination shall be recorded.

(3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of section 55, duplicate in **Form-P** to the employer and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was made under sub-rule (1).

(4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in **Form-I** to the employer in the manner specified in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis*.

(5) A nomination or a fresh nomination or a notice of modification of nomination shall be, signed by the employee or, if illiterate, shall bear his thumb impression and shall be submitted by the employee electronically or by registered post acknowledgement due.

(6) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer.

25 Time within which and the form in which a written application shall be made under sub-section (1) and the form of application to the competent authority under clause (b) of sub-section (5) of section 56.-

(1) Application for Gratuity: (a) An employee who is eligible for payment of gratuity under the Code, or any person authorised, in writing, to act on his behalf, shall apply, ordinarily



within thirty days from the date the gratuity became payable, in **Form-II** to the employer:

Provided that where the date of superannuation or retirement of an employee is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement:

Provided further that an employee on fixed term employment shall be eligible for gratuity, if he renders service under the contract for a period of one year and he shall be paid gratuity at the rate of fifteen days' wages based on the rate of wages last drawn by him, for every completed year of service or part thereof in excess of six months.

(b) A nominee of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 53 shall apply, ordinarily within thirty days from the date of gratuity became payable to him, in **Form-II** to the employer:

Provided that an application in plain paper with relevant particulars shall also be accepted. The employer may obtain such other particulars as may be deemed necessary by him.

(c) A legal heir of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 53 shall apply, ordinarily within one year from the date of gratuity became payable to him, in **Form-II** to the employer.

(d) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses(a),(b)and(c)of sub-rule(1) shall be deemed to be operative from the date of such commencement.

(e) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present his application within the specified period. Any dispute in this regard shall be referred to the competent authority for his decision.

(f) An application under this rule shall be presented to the employer either by



electronically or personal service or by registered post acknowledgement due.

26. Notice for payment of gratuity -(1) Within fifteen days of the receipt of an application under sub-rule (1) of rule 27 for payment of gratuity, the employer shall-

- (i) if the claim is found admissible on verification, issue a notice in **Form-III** to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof, or
- (ii) if the claim for gratuity is not found admissible, issue a notice in **Form-III** to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible.

In the case of denial of gratuity a copy of the notice shall be endorsed to the competent authority.

(2) In case payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice in **Form-III** under sub-clause (i) of sub-rule (1) shall be re-fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.

(3) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim, as the case may be. In that case, the time limit specified for issuance of notices under sub-rule (1) shall be operative with effect from the date such witness or evidence, as the case may be, called for by the employer is furnished to the employer.

(4) A notice in **Form-III** shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due or electronically.

(5) A notice under sub-section (2) of section 56 shall be in **Form-III**.

27. Mode of payment of gratuity:- The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case maybe:

Provided that intimation about the details of payment shall also be given by the employer



to the competent authority of that area.

28. Application to competent authority for direction under clause (b) of sub-section (5) of section 56:-(1) If an employer,-

- a. refuses to accept a nomination under Rule 26 or to entertain an application sought to be filed under rule 28, or
- b. issues a notice under clause (1) of rule 28 either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or
- c. having received an application under Rule 28 fails to issue notice as required under Rule 29 within the time specified therein, the claimant employee, nominee or legal heir, as the case may be, may, within one hundred eighty days of the occurrence of the cause for the application, apply in **Form-IV** to the competent authority for issuing a direction under sub-section (5) of section 56 with as many extra copies as are the opposite party:

Provided that the competent authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

(2) Application under sub-rule (1) and other documents relevant to such an application shall be presented in person to the competent authority or shall be sent by registered post acknowledgement due or electronically.

29. Procedure for dealing with application for direction - (1) On receipt of an application under rule 30 the competent authority shall, by issuing a notice in **Form-V**, by electronically or registered post acknowledgment due or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorized representative together with all relevant document and witnesses, if any.

(2) Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the competent authority a letter of authority from the employer or the person concerned, as the case maybe, on whose behalf he seeks to act together



with a written statement explaining his interest in the matter and praying for permission so to act. The competent authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.

(3) A party appearing by an authorised representative shall be bound by the acts of the representative.

(4) After completion of hearing on the date fixed under sub-rule (1), or after such further evidence, examination of documents, witnesses, hearing and inquiry, as may be deemed necessary, the competent authority shall record his finding as to whether any amount is payable to the applicant under the Code. A copy of the finding shall be given to each of the parties.

(5) If the employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause, the competent authority may proceed to hear and determine the application ex-parte. If the applicant fails to appear on the specified date of hearing without sufficient cause, the competent authority may dismiss the application:

Provided that an order under sub-rule (5) may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for rehearing of the application.

30. Appearance and examination of opposite party. -- (i) The opposite party may, and if so required by the Competent Authority, shall at or before that first hearing or within such time as the Competent Authority may permit, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

(ii) If no written statement has been filed by the Opposite party, within the time fixed, the Competent Authority shall proceed with the enquiry ex-parte and take evidence on the side of applicant and pronounce the order.



(iii) If the opposite party contests the claim, the Competent Authority shall proceed to examine him upon the claim, and shall reduce the result of examination to writing.

31. Place and time of hearing.-The sittings of the competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit.

32. Administration of oath.-The competent authority may authorise a clerk of his office to administer oaths for the purpose of making affidavits.

33. Method of recording evidence.-The competent authority shall make a brief memorandum of the substance of the evidence of every witness as the examination of the witness proceeds, and such memorandum shall be authenticated under the hand of the competent authority and shall form part of the record:

Provided that, if the competent authority is prevented from making such memorandum, he shall record the reason of his inability to do so and shall cause such memorandum to be made in writing from his dictation and shall sign the same and such memorandum shall form part of the record.

34. Summoning and attendance of witnesses.-The competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the competent authority just, issue summons to any person in **Form-V** either to give evidence or to produce documents or for both purposes on a specified date, time and place.

35. Service of summons or notice.- (1) Subject to the provisions of sub-rule(2) any notice, summons, process or order issued by the competent authority may be served either personally or by registered post acknowledgement due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(2) Where there are numerous persons as parties to any proceeding before the competent authority and such persons are members of any trade union or association or are



represented by an authorised person, the service of notice on the Secretary, or where there is no Secretary, on the principal officer of the trade union or association, or on the authorised person shall be deemed to be service on such persons.

36. Direction for payment of gratuity: If a finding is recorded under sub-rule (4) of rule 31 that the applicant is entitled to payment of gratuity under the Code, the competent authority shall issue a notice to the employer concerned in **Form-VI** electronically or registered post acknowledgment due or in person specifying the amount payable and directing payment thereof to the applicant under intimation to the competent authority within thirty days from the date of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case maybe.

37. Appeal and Appellate authority- (1) Appellate authority means the State Government or the authority specified by the State Government under sub-section (8) of section 56;

(2) The Memorandum of appeal under sub-section (8) of section 56 of the Code shall be submitted to the appellate authority with a copy thereof to the opposite party and the competent authority either through delivery in person or under registered post acknowledgement due or electronically.

(3) The Memorandum of appeal shall contain the facts of the case, the decision of the competent authority, the grounds of appeal and the relief sought.

(4) There shall be appended to the Memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.

(5) On receipt of the copy of Memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.

(6) Within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.

(7) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to



the appeal by electronically or registered post or in person and a copy there of shall be sent to the competent authority returning his records of the case.

(8)The competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.

(9)On receipt of the decision of the appellate authority, the competent authority shall, if required under the decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in **Form-VI** specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the competent authority within fifteen days of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.

38.Application for recovery of gratuity.- Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the competent authority under rule 38 or rule 39, as the case may be, the employee concerned, his nominee or legal heir, as the case may be, to whom the gratuity is payable may apply to the competent authority in duplicate in **Form VII** for recovery thereof under section 129 of the Code.

39. Maintenance of records of cases by the competent authority.-(1) The competent authority shall maintain a register in Form VIII electronically and record the particulars of each gratuity case.

(2) The competent authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.

(3) Any record, other than a record of any order or direction, which is required by these rules to be signed by the competent authority, may be signed on behalf of and under the direction of the competent authority by any subordinate officer appointed in writing for this purpose by the competent authority.

40. Qualifications and experience of the officer appointed as the competent authority under sub-section (1) of section 58.- Any officer not below the rank of Deputy



labour Commissioner having 3 years experience in Labour Department shall be appointed as the competent authority by the State Government.

CHAPTER IV

EMPLOYEES COMPENSATION

41. Notice of Fatal Accidents and serious bodily injuries under section 73 (1)- The notice of fatal accidents and serious bodily injuries shall be reported by the employer in Form IX to the competent authority.

42. Right of employer to present memorandum when information received. – Any employer who has received information of an accident may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, present to the Competent Authority a memorandum, supported by an affidavit made by himself or by any person subordinate to him having knowledge of the facts stated in the memorandum, embodying the results of any investigation or inquiry which has been made into the circumstances or cause of the accident.

43. Review of half-monthly payments and consultation thereof when application may be made without medical certificate under section 79.-Application for review of half-monthly payment may be made without being accompanied by a medical certificate.

- (1) by the employer, on the ground that since the right to compensation was determined, the employee's wages have increased;
- (2) by the employee, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the employee's condition such as to warrant such cessation;
- (3) either by the employer or by the employee, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or



other improper means;

- (4) either by the employer or by the employee on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.

44. Procedure on application for review: -- If, on examining an application for review by an employer in which the reduction or discontinuance of half monthly payments is sought, it appears to the Competent Authority that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half monthly payments in whole or in part pending his decision on the application.

45. Procedure on application for commutation under section 80. – (1) Where application is made to the Competent Authority for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Competent Authority shall form an estimate of the probable duration of the disablement and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one half per cent of that total for each month comprised in that period:

Provided that fractions of a rupee included in the sum so computed shall be disregarded.

(2) When, in any case to which sub-rule (1) applies, the Competent Authority is unable to form an approximate estimate of the probable duration of the disablement, he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

46. Deposits under sub-section (1) of section 81(1). – (1) An employer depositing compensation with the Competent Authority under sub-section (1) of Section 81, in respect of an employee whose injury has resulted in death shall furnish therewith a statement in Form X, and shall be given a receipt in Form XI. In other cases of deposits with the Competent Authority under Sub-section (1) of Section 81, the employer shall furnish a statement in Form XII, and shall be given a receipt in Form XI.



(2) If, when depositing compensation in respect of fatal accidents, the employer indicates in the statement referred to in sub-section (1) that he desires to be made a party to the distribution proceedings, the Competent Authority shall, before allotting the sum deposited as compensation, afford to the employer and opportunity of establishing that the person to whom he proposes to allot such sum is not a dependent of the deceased employee or, as the case may be that no one of such person is a dependent.

(3) The statement of disbursements to be furnished on application by the employer under sub-section (4) of section 81 shall be in Form XIII.

47. Publication of lists of deposits. -- The Competent Authority shall cause to be displayed in a prominent position outside his office and in the portal by the State Government, an accurate list of the deposits received by him under sub-section (1) of section 81, together with the names and addresses of the depositors and of the employee in respect of whose death or injury the deposits have been made.

48. Application by dependents for deposit of compensation. – (1) A dependent of a deceased employee may apply to the Competent Authority for the issue of an order to deposit compensation in respect of the death of the employee. Such application shall be made in Form XIV.

(2) If compensation has not been deposited, the Competent Authority shall dispose of such application in accordance with the provisions of these rules:

Provided that the Competent Authority may, at any time before issues are framed, cause notice to be given in such manner as he think fit to all or any of the dependents of the deceased employee who have not joined in the application, requiring them, if they desire to join therein to appear before him on a date specified in this behalf:

Provided further that any dependent to whom such notice has been given and who fails to



appear and join in the application on the date specified in the notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation unless he satisfies the Competent Authority, that he was prevented by any sufficient cause from appearing when the case was called on for hearing.

(3) If, after completing the enquiry into the application the Competent Authority issues an order requiring the employer to deposit compensation in accordance with sub-section (1) of Section 81, nothing in sub-rule (2) shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependent of the deceased employee who failed to join the application.

49. Deposit under sub-section (2) of section 81(2). – An employer, depositing compensation in accordance with sub-section (2) of section 81, shall furnish therewith a statement in Form XV; and shall be given a receipt in Form XI.

50. Investment of money. -- Money in the hands of Competent Authority may be invested for the benefit of the dependents of deceased employee in Government securities or Post Office Cash Certificates or may be deposited in a Post Office Savings Bank or Nationalised Bank or State Treasuries.

51. Class of employers required to maintain notice book under sub section (4) of section 82.- The State government may from time to time notify the class of employers and form of notice book required to be maintained.

52. Employee not to be required to submit to medical examination save in accordance with rules. – An employee who is required by sub-section (1) of section 84 to submit himself for medical examination shall be bound to do so in accordance with the rules contained in this Part and not otherwise.



53. Examination when employee and medical practitioner both on premises. - When such employee is present at the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present the employee shall submit himself for examination forthwith.

54. Examination in other cases. -- In cases to which rule 55 does not apply, the employer may:-

- a. send the medical practitioner to the place where the employee is residing for the time being in which case the employee shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- b. send to the employee an offer in writing to have him examined free of charge by qualified medical practitioner, in which case the employee shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified:

Provided that the time so specified shall not save with the express consent of the employee, be between the hours of 7 p.m. and 6 a.m:

Provided further that in cases where the employee's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.

55. Restrictions on number of examinations. --An employee who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

56. Examination after suspension of right to compensation. -- If an employee whose right to compensation has been suspended under sub-section (2) or sub-section (3) of section 84,



subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer, and at a time to be fixed by the employer not being, save with the express consent of the employee, more than seventy two hours after the employee has so offered himself.

57. Examination of women. – No women shall without her consent be medically examined by a male practitioner, save in the presence of another woman, if no female medical practitioner is available. All the expenses for the medical examination shall be met by the employer.

58. Constitution of Medical Board.-(1) The State Government shall constitute a Medical Board for the conduct of medical examinations useful laboratory investigations to diagnosis the diseases for which guidelines are given in Annexure 1:

Provided that the State Government may recognize any Medical Board for the purpose of these rules.

(2) The Medical Board constituted or recognised under sub-rule (1) shall consist of at least three persons allowed to practice as medical practitioners under the National Medical Commission Act 2019, of whom one may preferably be a specialist in the particular disability under consideration and the other shall preferably be an expert in occupational diseases. The senior most member of the Board shall be the Chairman.

(3) The decision of the Medical Board regarding the certification of the nature of disease and the extend of incapacity shall be final and binding on the parties unless appealed to the Medical Tribunal within three months from the date on which the copy of the decision of the Board is supplied to the parties concerned.

(4) The State Government shall notify the constitution or recognition of the Medical Board, unless already done, within three months from the date of filing the application for compensation under the Code.

(5) The Medical Board shall furnish its decision to the State Government or the authority so notified within three months from the date of the application for compensation is referred to the Medical Board.

(6) Procedure for medical examination may be as prescribed in Rule 54 to 59:



Provided that the Medical Board shall have the discretion to appoint a medical practitioner to examine the employee and give medical facts report in cases where the employee's condition renders it impossible or inadvisable for him to leave the place where he is residing for the time being. On these occasions the Medical Board shall inform the employer that he/she may send his/her medical officer to be present at the time of medical examination envisaged above, if he/she so desires.

59. Medical Tribunal.-(i) The State Government shall constitute a Medical Tribunal for entertaining, hearing and deciding the appeals presented to it, against the decisions of the Medical Board.

(ii) (a) Medical Tribunal shall consist of sitting or retired District and Sessions Judge and two qualified medical practitioners with post graduate medical degree who have not been members of the Medical Board whose decision is appealed against.

(b) One of the two Medical Practitioners shall be an expert in Occupational Diseases and the other be a Specialist in the discipline in which the disease the employee is alleged to be suffering from belongs to.

(iii) The Tribunal shall have the discretion to co-opt any other Medical Expert or Experts in Occupational Diseases to advise and to assist the Tribunal in its hearing of the appeal.

(iv) Final decision on the appeal shall be based on the decision of the majority of the members of the Tribunal other than the co-opted members.

(v) The appeal shall be finally disposed of by the Tribunal within three months from the date of the first hearing of the appeal referred to it.

(vi) The decision of the Medical Tribunal in this regard shall be final.

60. Disease or injury when to be considered occupational.-The diagnosis shall be carried out in consonance with the guidelines given in the Annexure 1. The report shall contain details of –

(i) Occupational history of all his/her previous employments;

(ii) Hazardous operations in present and past;

(iii) Toxic work environment employment;

(iv) Clinical examination report;

(v) Haemayological, Biochemical, Pathological, Radiological etc. reports as indicated;

(vi) Present health status, including specific evaluation of occupational disease and disability.



61. Description and diagnosis of injury or disease.- (1) the descriptions and diagnosis of injury or disease shall be carried out with all the necessary technical guarantee and guidelines given in the Annexure 1.

(ii) Medical condition laid down in Rule 58 shall be complied with while reporting diagnosis.

62. Payment of Compensation.- (i) Compensation for disability or death in respect of an occupation disease or/and injury under Part 'A', 'B' and 'C' of schedule III of the Code shall not be payable unless the disease is due to the reasons of employment and contracted or suffered thereon.

Provided that the employee was engaged in a particular process/occupation or place of employment mentioned in Schedule III shall itself be sufficient proof.

(ii) There shall be no time limit for contraction of the disease to deny compensation in the case of an employee who contracted the disease in the employment mentioned in the Schedule III with the employer by whom he was employed at the time of his disablement. Provided however that where there has been neither a claim filed for determination prior to the death of an employee that the disablement was due to exposure to any harmful environment or operation, the dependents of such an employee shall be entitled to compensation for death resulting from the disease due to such exposure.

(iii) An employee may suffer disability from a disease mentioned in Schedule III without even having been incapacitated for work. In such a case he may claim disablement benefit right away from the date of diagnosis of such disease, unless otherwise determined by a Medical Board or Tribunal.

(iv) Recrudescence of the disease shall be presumed if further attack develops during the existing benefit period of injury or disablement due to the disease.

(v) A fresh contraction shall be presumed after the disablement period has come to an end.

63. Date and period of disablement.-(i) For the purpose of these rules the date and period of disablement shall be such date and period as the Medical Board or in appeal the Medical Tribunal determines on the hearing of the claim or appeal as the case may be.

(ii) (a) Normally such a date may be the first day of loss of facility where disablement benefit is claimed and;

(b) date of death, where death benefit is claimed.



64. Liability of employer.-The employer in whose employment an employee was employed in an occupational hazard operation shall be liable for the payment as required in Chapter VII of the Code when disability or death of the employee shall be due to such hazard/operation.

Notwithstanding the provisions of rule 64 the employer shall be liable for payment under Chapter VII of the Code when such disability/occupational disease or death results at any time from such exposure or operation.

65. Evaluation of disablement - (i) the evaluation of disablement shall be made with reference to the physical and mental manifestations for the performance of regular functions which would be expected on a healthy person of the same age, sex and socio-economic status.

(ii) The disablement shall be determined on the basis of the Guidelines for Assessment of Disability (Annexure II), whether the disablement is temporary or permanent and also the percentage loss of function as it pertains to the loss of earning capacity for receiving compensation.

66. Classification of employees.-(i) When an employee is not suffering from any occupational disease, he is considered normal.

(ii) When there is presence of symptoms which while not providing the existence of disease and not involving immediate incapacity of work require periodical supervision of the employees, he is considered to be under observation.

(iii) Cases where occupational diseases exist with resultant incapacity which may be of varied degrees.

67. Review of incapacity.-The cases of incapacity certified as due to occupational disease shall be reviewed every two years or earlier if it is considered by the Medical Board or the employee or the employer or the Employees State Insurance Corporation that the clinical condition of the patient has altered.

68. Application for autopsy.-In case of death of the employee application for autopsy either by the dependent or by the employer shall suffice and findings of the postmortem should be made available to both parties for compensation purpose.

69. Certificate of cases – The Medical Board or Tribunal as the case may be, shall certify in the



Form XVI and XVII, the claim for compensation of an employee suffering from disablement or disease specified in parts 'A', 'B' and 'C' of Schedule III.

70. Procedure where indemnity claimed under Section 85(2). -- (1) Where the opposite party claims that if compensation is recovered against him he will be entitled under sub-section (2) of Section 85 to be indemnified by a person not being a party to the case, he shall, when first called upon to answer the application, present a notice of such claim to the Competent Authority accompanied by the prescribed fee, and the Competent Authority shall thereupon issue notice to such person in Form XVIII.

(2) If any person served with a notice under sub-rule (1) desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, he shall appear before the Competent Authority on the date fixed for the hearing of the case or any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings; in default of so appearing he shall be deemed to admit the validity of any award made against the opposite party and to admit his own liability to indemnify the opposite party for any compensation recovered from him:

Provided that, if any person so served appears subsequently and satisfies the Competent Authority that he was prevented by any sufficient cause from appearing, the Competent Authority shall, after giving notice to the aforesaid opposite party, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(3) If any person served with a notice under sub-rule (1), whether or not he desires to contest applicant's claim for compensation or the opposite party's claim to be indemnified, claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor from whom the employee could have recovered compensation, he shall on or before the date fixed in the notice under sub-rule (1) present a notice of such claim to the



Competent Authority accompanied by the prescribed fee and the Competent Authority shall thereupon issue the notice to such person in Form XIX.

(4) If any person served with a notice under sub-rule (3) desires to contest the applicant's claim for compensation, or the claim under sub-rule (3) to be indemnified he shall appear before the Competent Authority on the date fixed in the notice in Form XIX, or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings; in default of so appearing he shall be deemed to admit the validity of any award made against the original opposite party or the person served with a notice under sub-rule (1) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him:

Provided that, if any person so served appears subsequently and satisfies the Competent Authority that he was prevented by any sufficient cause from appearing, the Competent Authority shall, after giving notice to all parties on the record, hear such person, and may set aside or vary any award made against such person under this rule upon such terms may be just.

(5) In any proceeding in which a notice has been served on any person under sub-rule (1) or sub-rule (3) the Competent Authority shall if he awards compensation record in his judgment a finding in respect of each of such person, whether he is or is not liable to indemnify any of the opposite parties and shall specify the party if any whom he is liable to indemnify.

71. Procedure in connected cases. -- (1) Where two or more cases pending before a Competent Authority arise out of the same accident and any issue involved in common to two or more such cases, such cases may so far as the evidence bearing on such issue is concerned, be heard simultaneously.

(2) Where action is taken under sub-rule (1) the evidence bearing on the common issue or



issues shall be recorded on the record of one case, and the Competent Authority shall certify under his hand on the record of any such other case the extent to which the evidence so recorded applies to such other case, and the fact that the parties to such other case had the opportunity of being present, and, if they were present, of cross examining the witnesses.

72. Notice by competent authority under section 88.-The notice sent by a Competent Authority under sub-section (1) of Section 88 shall be in Form XX

73. Statement submitted by the employer under section 88.- The statement submitted by an employer under Section 88 shall be in Form XXI and shall be accompanied by a copy of Form XX.

74. Form of memorandum under sub section (1) of section 89 -- Memoranda of agreement sent to the Competent Authority shall, unless the Competent Authority otherwise directs, be in electronic and shall be in as close conformity as the circumstances of the case admit in Form XXII or Form XXIII or Form XXIV as the case maybe.

75. Procedure of recording the memorandum under sub section (1) of section 89.--(1) On receiving a memorandum of agreement, the Competent Authority shall fix a date for hearing and issue notice in writing in Form XXV to the parties concerned that in default of objections he proposes to record the memorandum on the date so fixed:

Provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

(2) On the date so fixed, the Competent Authority shall record the memorandum unless, after hearing any of the parties who appears and desire to be heard, he considers that it ought not to be



recorded:

Provided that, the issue of a notice under sub rule (1) shall not be deemed to prevent the Competent Authority from refusing to record the memorandum on the date so fixed even if no objection be made by any party concerned.

(3) If on such date, the Competent Authority decides that the memorandum ought not to be recorded, he shall inform the parties present, his decision and of the reasons therefore and if any party desiring the memorandum to be recorded is not present, he shall send information to that party in Form XXVI.

76. Procedure where Competent Authority considers that he should refuse to record the memorandum. -- (1) If, on receiving a memorandum of agreement, the Competent Authority considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded and shall inform such party or parties and, if he thinks fit, any other party concerned, of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form XXVII as the case may be and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.

(3) If, on the date fixed under sub-rule (1) the party or parties desiring the memorandum to be recorded show adequate cause for proceeding to record the same, the Competent Authority may, if information has already been given to all the parties, concerned record the agreement. If information has not been given to all such parties he shall proceed in accordance with Rule 76.

(4) If, on the date so fixed, the Competent Authority refused to record the memorandum, he shall send notice in Form XXVI to any party who did not receive information under sub-rule (1)



77. Procedure on refusal to record memorandum under sub section (1) of section 89. -- (1) If in any case Competent Authority refused to record a memorandum of agreement he shall briefly record his reasons for such refusal.

(2) If the Competent Authority refuses to record a memorandum of agreement he shall not pass any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Competent Authority considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the employee.

78. Registration of memorandum accepted for record under sub section (1) of section 89 -- In recording a memorandum of agreement, the Competent Authority shall cause the same to be entered in a register in Form XXVIII and shall cause an endorsement to be entered under his signature in a copy of a memorandum to be retained by him in the following form, namely:

“The memorandum of agreement bearing Serial No. _____ of 20 _____ in the register has been recorded this _____ day of

(Signature)

Competent Authority”



79. Manner of filling up of the vacancy competent authority under sub-section (1) of

section 91.- (1) The State Government may by notification in Official Gazette appoint one or more competent authorities for the chapter VII of this Code.

(2) A person shall not be qualified for appointment as competent authority under sub rule (1) who is or has been a member of a state judicial service for a period of not less than five years or is or has been for not less than five years an advocate or is or has been a gazette officer for not less than five years having educational qualifications and experience in personal management , human resource development , industrial relation and legal affairs or he is holding office of the Deputy Labour Commissioner of State Labour Department having five years' experience in conciliation or quasi-judicial functions connected with labour disputes.

80. Manner of processing of application by the competent authority under sub section (1) of

section 92. -- (1) Any application of the nature referred to in Section 93 may be sent to the Competent Authority by registered post or electronically or may be presented to him or to any of his subordinates authorized by him in this behalf, and, if so sent or presented, shall, unless the Competent Authority otherwise directs, be made in duplicate in Form XXIX, if any, and shall be signed by the applicant.

(2) There shall be appended to every such application a certificate, which shall be signed by the applicant to the effect that the statement of facts contained in the application is true to the best of his knowledge and belief.

(3) Any application of the nature referred to in Section 80 may be sent to the Competent Authority by registered post or electronically or maybe presented to him or to any of his subordinates authorized by him in this behalf, and, if so sent or presented, shall, unless the Competent Authority otherwise directs, be made in duplicate in Form XXX, if any, and shall be signed by the applicant

81. Production of documents. -- (1) When the application for relief is based upon a document, the document shall be appended to the application.



(2) Any other document, which any party desires to tender in evidence, shall be produced at or before the first hearing.

(3) Any document which is not produced at or within the time specified in sub-rule (1) or (2) as the case be, shall not, without the sanction of the Competent Authority, be admissible in evidence on behalf of the party who should have produced it.

(4) Nothing in this rule applies to any document, which is produced for the purposes of cross-examination a witness or is handed to a witness to refresh his memory.

82. Manner of disposal of application.--(1)-- (i) On receiving an application of the nature referred to in Section 93, the Competent Authority may examine the applicant on oath, or may send the application to an officer authorized by the State Government in this behalf and direct such officer to examine the applicant and his witnesses and forward the record thereof to the Competent Authority.

(ii) The substance of any examination made under sub-rule (1) shall be recorded in the manner provided for the recordings of evidence in Section 97.

(2) Summary dismissal of application.-- (i) The Competent Authority may after considering the application and the result of any examination of the applicant under sub rule (1), summarily dismiss the application, if, for reasons to be recorded, he is of opinion that there are no sufficient grounds for proceeding thereon.

(ii) The dismissal of the application under sub-rule (1) shall not of itself preclude the applicant from presenting a fresh application for the settlement of the same matter.

(3) Preliminary inquiry into application.-- If the application is not dismissed under sub rule (2), the Competent Authority may, for reasons to be recorded call upon the applicant to produce



evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Competent Authority is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

(4) Notice to opposite party. –(i) If the Competent Authority does not dismiss the application under sub rule (2) or (3), he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party) a copy of the application together with a notice of the date on which he will dispose of the application and may call upon the parties to produce upon that date any evidence which they may wish to tender.

(ii) If the opposite party fails to appear before the Competent Authority even after receiving the notice duly served him, the Competent Authority shall set the opposite party ex-parte and pronounce the order after taking the evidence of the applicant and hearing him.

If the opposite party files application to set aside the ex-parte order and shows sufficient cause for his nonappearance to the satisfaction of the Competent Authority, the Competent Authority may set aside the ex-parte order passed against the opposite party with or without terms which he thinks fit, provided that the applicant shall be heard before passing such an order.

(5) Certificate Of Medical Officer.- (i) The Competent Authority may at any time during the pendency of a case before him or otherwise, if he considers it necessary, direct any Medical Officer in a Government Hospital or in a Medical College Hospital or Medical Board to examine the employee and issue a certificate regarding loss of earning capacity indicating the degree and extend of the physical disability, if any, sustained as a result of the accident.

(ii) The authorities on receiving a direction as per sub-rule (1) shall examine the employee, assess his loss of earning capacity and sent to the certificate to the Competent Authority without any delay.

(6) Appearance and examination of opposite party. -- (i) The opposite party may, and if so required by the Competent Authority, shall at or before that first hearing or within such time as the Competent Authority may permit, file a written statement dealing with the claim raised in the



application, and any such written statement shall form part of the record.

(ii) If no written statement has been filed by the Opposite party, within the time fixed, the Competent Authority shall proceed with the enquiry ex-parte and take evidence on the side of applicant and pronounce the order.

(iii) If the opposite party contests the claim, the Competent Authority shall proceed to examine him upon the claim, and shall reduce the result of examination to writing.

(3) Framing of issues.--(i) After considering any written statement and the result of any examination of the parties, the Competent Authority shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

(ii) In recording the issues, the Competent Authority shall distinguish between those issues which in his opinion concern points of facts and those which concern points of law.

(8) Power to postpone trial of issues of fact where issues of law arise.-- Where issues both of law and of fact, arise in the same case, and the Competent Authority is of the opinion that the case may be disposed of on the issues of law only, he may try those issues first and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

(9) Diary. -- The Competent Authority shall maintain under his hand a brief diary of the proceedings on an application.

(10) Reasons for postponement to be recorded. -- If the Competent Authority finds it impossible to dispose of an application at one hearing he shall record the reasons, which necessitate



a postponement.

(11)Special Provision relating to trial and disposal of application -- (i) The trial of an application under the Code shall so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion unless the Competent Authority finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded.

(ii) Every application under the Code shall be tried as expeditiously as possible and endeavor shall be made to conclude the trial within six months from the date of service of notice of the application on the opposite party.

(12)Judgment.-- (i) The Competent Authority, in passing orders, shall record concisely in a judgment, his finding on each of the issues framed and his reasons for such finding.

(ii) The Competent Authority, at the time of signing and dating his judgment, shall pronounce his decision, and thereafter no addition or alteration shall be made to the judgment other than the correction of clerical or arithmetical mistake arising from any accidental slip or omission.

(13)Summoning of witnesses.--If an application is presented by any party to the proceedings of the citation of witnesses, the Competent Authority shall, on payment of the prescribed expenses and fees, issue summons, for the appearance of such witnesses, unless he considers that their appearance is not necessary for the just decision of the case.

83. Costs under sub - section (4) of section 93.- (1) Where the Competent Authority directs that any costs shall not follow the event, he shall state his reasons in writing.

(2) The costs which may be awarded may include:-

(a) the charge necessarily incurred on account of court fees.



(b) the charges necessarily incurred on subsistence money to witnesses; and

(c) Pleader's fee on the scale prescribed in the following rule.

(i) In any proceeding involving an application for compensation in the form of a lump sum, an application for commutation or an application for indemnification, the fee allowed shall be Rs. 10 subject to a special order of the Competent Authority to diminution to a sum not less than Rs. 5 and to increase to a sum not more than Rs. 50 for each such proceeding. In all other applications, the fee allowed shall be Rs. 5 subject to increase by special order to a sum not exceeding Rs. 20.

(ii) When a party engages more pleaders than one to conduct or defend a case he shall be allowed one set of costs only.

(iii) When several dependents having substantially one defence to make employees several pleaders they shall be allowed one set of costs only. In such cases it will be for the applicant, at the time of hearing to ask for a direction of the court that separate costs be not allowed.

(iv) When two or more dependents having separate substantial defences have engaged the services of one pleader, they shall be allowed separate sets of costs. In this case it will be for the dependents interested to apply at hearing for separate costs.

(v) When several dependents having separate defences are represented by separate pleaders, they shall be entitled to separate costs.

84. Right of entry for local inspection. -- A Competent Authority before whom any proceeding relating to an injury by accident is pending may at any time enter the place where the employee was injured, or where the employee ordinarily performed his work, for the purpose of making a local inspection or of examining any persons likely to be able to give information relevant to the proceedings:

Provided that the Competent Authority shall not enter any premises of any industrial establishment, except during the ordinary working hours of that establishment, save with the



permission of the employer or of some person directly responsible to him for the establishment.

85. Procedure in connection with local inspection. -- (1) If the Competent Authority proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representative notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(2) Such notice may be given orally or in writing and, in the case of an employer may be given to any person upon whom notice of a claim can be served under sub-section (3) of Section 82, or the representative of any such person.

(3) Any party, or the representative of any party, may accompany the Competent Authority at a local inspection.

(4) The Competent Authority, after making a local inspection, shall not briefly in a memorandum any facts observed and shall show the memorandum to any party who desires to see the same, and on payment of the prescribed fee, shall supply any party with a copy thereof.

(5) The memorandum shall form part of the record.

86. Power of Summary Examination. -- (1) The Competent Authority, during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily any person likely to be able to give information relative to such case, whether such person has been or is to be called as a witness in the case or not, and, whether any or all of the parties are present or not.

(2) No oath shall be administered to a person examined under sub-rule(1).



(3) Statements made by persons examined under sub-rule (1), if reduced to writing, shall not be signed by the person making the statement, nor shall they, except as hereinafter provided, be incorporated in the record or utilized by the Competent Authority for the purpose of arriving at a decision in the case.

(4) If a witness who has been examined under sub-rule (1) makes in evidence any material statement contradicting any statement made by him in such examination and reduced to writing, the Competent Authority may call his attention to such statement and shall in that case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross-examining the witnesses.

(5) Any statements or part of a statement, which is furnished to the parties under sub-rule (4) shall be incorporated in the record.

(6) Where a case is settled by agreement between the parties, the Competent Authority may incorporate in the record any statement made under sub-rule (1) and may utilize such statement for the purpose of justifying his acceptance of, or refusal to accept, the agreement reached.

87. Agreement to abide by Competent Authority's decision. -- (1) If a party states in writing his willingness to abide by the decision of the Competent Authority, the Competent Authority shall inquire whether the other party is willing to abide by his decision.

(2) If the other party agrees to abide by the Competent Authority's decision the fact of his agreement shall be recorded in writing and signed by him.

(3) If the other party does not agree to abide by the Competent Authority's decision, the first party shall not remain under an obligation so to abide.



88. Provisions regarding signature of forms. -- Any form, other than a receipt for compensation, which is by these rules required to be signed by a Competent Authority may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

89. Apportionment of compensation among dependents. -- The provisions of this Part, except those contained in Rules 73, sub rule (4) or (6) of rule 84 shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among the dependents of a deceased employee.

90. Transfer of report. -- A Competent Authority transferring any matter to another Competent Authority for report in accordance with sub-section (3) of Section 92 shall, along with the documents referred to in that sub-section, transmit to such other Competent Authority a concise statement, in the form of question and answer, of the matter on which report is required.

(2) A Competent Authority to whom a case is so transferred for report shall not be required to report on any question of law.

91. When representative must be appointed. -- Where any party to a proceeding is under the age of fifteen years or unable to make an appearance, the Competent Authority shall appoint some suitable person, who consents to the appointment to represent such party for the purposes of the proceeding.

92. When new representatives to be appointed. -- If the Competent Authority considers that the interests of any party for whom a representative has been appointed under Rule 94 are not being adequately protected by the representative or if a person appointed to act as representative dies or becomes incapable of acting, or otherwise ceases to act as such, the Competent Authority shall appoint in his place another person who consents to the appointment.

93. Register of applications. -- All applications presented to the Competent Authority shall be registered in a register in Form XXXI



94. Register of fatal accidents.-Every Competent Authority shall maintain a separate register in Form XXXII of fatal accidents which come to his knowledge either on account of deposits made by or on behalf of employers, or because of applications made by dependents of a deceased employee for an order for deposit and payment of compensation.

95. Register of non-fatal accident.-Every Competent Authority shall maintain a separate register in Form XXXIII or non-fatal accidents which come to his knowledge in any of the following ways, namely,-

- (1) On account of applications for registration of memoranda of agreements.
- (2) On account of applications for commutation of half-monthly payments.
- (3) On account of amount of compensation deposited with the Competent Authority under sub section (2) of Section 81.
- (4) On account of applications for settlement of claim made by the injured employee.

96. Language of the record.-The record of the Competent Authority shall be kept in the English language.

97. Supply of certified copies to parties.-Certified copies of any papers in any proceedings before a Competent Authority should be supplied to the parties in accordance with the rules in the Civil Rules of Practice for the time-being in force;

Provided that certified copies required by Government Officers in their official capacity for purposes other than production before a Court of law shall be issued in plain paper.

98. Allowance to witnesses.-In cases where a Competent Authority has to issue summons



to a witness either at the instance of a party to a proceeding before him, or on his own initiative the allowance to be paid to the witness, shall be on the same scale as obtained in the Civil Court.

99. Fees to assessors.-Where in pursuance of the provisions of sub-section (3) of Section 91, any person possessing special knowledge of any matter relevant to the case under inquiry is chosen by the Competent Authority to assist him in holding the same, he shall be entitled to such fee as the Competent Authority may fix, subject to a maximum of Rs. 5000 and a minimum of Rs. 2000;

Provided that he shall be entitled to an additional fee of rupees one thousand.

- (a) for each extra case if he is required to sit in more than one case on the same day; and
- (b) for each of the second and third days of any one case.

CHAPTER V

SOCIAL SECURITY AND CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

100. Time limit for payment of cess under section 101.-Every employer shall pay cess payable within thirty days from the date of receipt of the assessment order.

101. Fee for Appeal under sub section (2) of Section 105.-A non-refundable fee equivalent to half percent, but not exceeding rupees twenty five thousand of the amount in dispute



or penalty or both, as the case may be under such appeal.

CHAPTER VI

FINANCE AND ACCOUNTS

102. Holding of property and investment of money under Sub section (1) and (2) of section 120.-(1)The State Government may notify conditions for acquiring, selling or transferring of both movable and immovable property of social security organization from time to time.

(2) The State Government may notify conditions for investment, reinvestment or realization of money of social security organization from time to time.

103. Terms under sub section (4) of section 120.-The state Government may notify terms for the benefits of its officers and staffs or any class of them from time to time.

CHAPTER VII

MAINTENANCE OF RECORDS & REGISTERS

104. Maintenance records and registers under section 123.- (1) Every employer shall maintain the following registers electronically or otherwise and shall be kept available at the office of the establishment or the nearest convenient building within the precincts of the establishment;
A combined register in Form XXXIV showing the following details namely,-



- (i) Wage paid to the employees;
- (ii) Leave, leave wages, wages for overtime work and attendance;
- (iii) Employees identification number;
- (iv) Statutory deduction from wages in – respect of chapter III and IV of the Code;
- (b) Register for Number of days for which work performed by the employees in Form XXXV;
- (c) Register for Number of hours of work performed by the employees in Form XXXV;
- (d) Register for Total number of employees in Form XXXV;
- (e) Register for Persons recruited for a particular period in Form XXXVI;
- (f) Register for Occupational details of employees in Form XXXVI;
- (g) Register of dangerous occurrences, accidents, injuries in-respect of which compensation paid and the amount of compensation paid in Form XXXVII;
- (h) Register of cess paid in Form XXXVIII;
- (i) Register of vacancies for which suitable candidates were not available in Form XXXIX;
- (2) The State Government may by notification prescribed the manner and the form to be displayed by the employer in work place from time to time under Section 123 (b).

CHAPTER VIII

COMPOSITION OF OFFENCE

105. Compounding of Offences.-The State Government shall notify as many officers not below the rank of District Labour Officer of Labour department, as an officer for compounding of offences under sub section (1) of section 138.

106. Manner of compounding of offences by the officer specified under sub-section (1) of section 138.-(1) Any accused person if intent to compound the offence alleged against him which is compoundable under this Code may submit an application in Form XL to the



officer notified by the Government for the purpose of compounding of offences under sub-section (1) of section 138 (herein after referred to as the compounding officer).

(2) If prosecution is pending before the Judicial First Class Magistrate Court under sub section (3) of Section 136 the compounding officer shall sent an intimation of the receipt of application for composition to the court concerned.

(3) The Compounding officer, after due enquiry, found that the offence is compoundable, issue an order of composition directing to deposit the amount within fifteen days from the date of receipt of order.

(4) On receipt of the amount of composition, the compounding officer shall issue an intimation in writing to the Judicial First Class Magistrate Court where the prosecution is pending to discharge the accused.

(5) The accused person failed to remit the compounding amount within the time prescribed, in sub rule (3), he is liable for a fine according to sub section (7) of section 138.

(6) The accused person failed to remit the composition amount as per sub rule (3) and (5), the compounding officer shall issue a certificate for that amount to the District Collector who shall recover the same as arrears of land revenue.

(7) The provisions of section 320 of the Code of Criminal Procedure, 1973 shall apply to such compositions.

CHAPTER IX

EMPLOYMENT INFORMATION AND MONITORING

107. Manner of establishment and maintenance of career centre and the career services under clause (9) of section 2.- (1)The State Government may establish, run and maintain Career Centre or modify and declare its already established office or employment exchange or both or a portal



or authorize any other such centre as Career Centre by notification. Till such notification, existing local Employment Exchanges would function as Career Centres

(2)The State Government may also enter into an agreement with any institution, local authority, local body or private body for running a Career Centre .

(3)The Career Centres established under sub-rules (1) and (2) above shall inter-alia perform the following functions namely;

(a) collection and furnishing of information, either by the keeping of registers or otherwise, manually, digitally, virtually or through any other mode; relating to:

- (i) persons who seek to employ employees;
- (ii) persons who seek employment;
- (iii) occurrence of vacancies; and
- (iv) persons who seek vocational guidance and career counseling or guidance to start self-employment;

(b) providing career counseling & vocational guidance;

(c) organizing job-fairs and job drives;

(d) employment related surveys and studies;

(e) employability enhancement activities; and

(f) other services as may be decided by the appropriate Government from time to time.

108. Manner and form of reporting vacancies and form of filing the return by the employer, to the concerned career centre under rule 110.- (1) Reporting of Vacancies to Career Centres: (a) After the commencement of this Code the employer in every establishment in public sector in the State shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre as may be specified in the notification by the State Government.



(b) The employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre from such date as may be specified in the notification by the State Government.

(c) State Government shall provide for mechanism (including digital) for receipt of vacancies reported by the employers. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than three working days from the date of receipt of reporting of vacancies.

Explanation: (I) *Establishment in "Public Sector"* means an establishment owned, controlled or managed by -

(i) the State Government or a Department of the State Government

(ii) a Government company as defined in clause (45) of Section 2 of the Companies Act, 2013 (Central Act 18 of 2013);

(iii) a corporation (including a co-operative society) or an autonomous organization or an authority or a body established by or under a State Act, which is owned, controlled or managed by the State Government; and

(iv) a local authority.

(II) "Establishment in private sector" means an establishment which is not an establishment in public sector and with ordinarily 50 or more employees or such number of employees as may be notified by the State Government.

(2) ***Type of vacancies and respective Career Centre for reporting of vacancies:*** All vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by the state Government, occurring in establishments in respect of which the State Government is the appropriate Government under the Code shall be reported to the Career Centre concerned.



(3) **Form and manner of reporting of vacancies:** (a) The vacancies shall be reported in writing or through valid official email or digitally to the Career Centre specified by the State Government.

(b) The vacancies shall be reported in the format given at **Form-XLI**, furnishing as many details as practicable, separately in respect of each type of vacancy.

(c) Any change in the particulars already furnished to the Career Centre under clause (a) of sub-rule(3), shall be reported in writing or through official email or digitally as the case may be, to the specified Career Centre.

(4) **Time limit in the reporting of vacancies:** Vacancies, required to be reported to the Career Centre, shall be reported at least fifteen days before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.

(5) **Maintenance of records:** (a) After commencement of the Code, the employers in every establishment in the public sector in the State shall maintain records manually or electronically or digitally about the following namely,-

i) Total number of employees (regular, contractual or fixed term employment) on *31st March* of every year;

ii) Persons recruited during the year ending on *31st March*;

iii) Occupational details of its employees on 31st March of every year;

iv) Vacancies for which suitable candidates were not available during the year ending on 31st March;

and

v) Approximate number of vacancies likely to occur during the next financial year.

(b) State Government may by notification, require that from such date as may be specified in the notification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about



- i) Total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
- ii) Persons recruited during the year ending on 31st March;
- iii) Occupational details of its employees on 31st March of every year;
- iv) Vacancies for which suitable candidates were not available during the year ending on 31st March; and
- v) Approximate number of vacancies likely to occur during the *next financial year*.

(6) **Submission of returns:** An employer shall furnish to the Career Centre concerned yearly returns inform EIR (Employment Information Return) as given at **Form-XLII**. Yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the respective State Government in notification, within thirty days of the due date namely *31st March* of the year.

(7) **Declaration of Executive Officer:** The Director of Employment or officer of his equivalent or above rank, controlling the work of Career Centres of the State Government, will declare in writing an enforcement /implementation of Chapter XIII (Employment Information and Monitoring) of the Code. He shall be the officer who shall exercise the rights and perform duties referred to in Section 139 of the Code, or authorize any person in writing to exercise those rights and perform duties.



FORM I

[(See Rule 24)]

**Nomination/Fresh Nomination/Modification of
Nomination**

(Strike out the words not applicable)

To.....

(Give here name or description of the establishment with full address)

I, Shri/Shrimati/Kumari (Name in full here) whose particulars are given in the statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of Section 2 of Code on Social Security, 2020 with effect from the (date here) in the manner indicated below and therefore nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

Or

I, Shri/Shrimati/Kumari (Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date and recorded under your reference No..... dated..... shall stand modified in the following manner-

**Strike out unnecessary portion.*

2. I hereby certify that the person(s) mentioned is/are a member(s) of my family within the



meaning of clause(33) of section 2 of the Code on Social Security,2020.

3. I hereby declare that I have no family within the meaning of clause (33) of section 2 of the said Code.

4. 4 (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

5. I have excluded my husband from my family by a notice dated the..... to the

Competent Authority in terms of clause (33) of Section 2 of the said Code.

6. Nomination made herein invalidates my previous nomination.

Nominee(s)

S.No.	Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1.				
2.				
3.				
So on				

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being rendered dependent or through other process like adoption)



Statement

1. Full Name of employee
2. Sex
3. Religion
4. Whether unmarried/married/widow/widower
5. Department/Branch/Section where employed
6. Post held with Ticket No. or Serial No., if any
7. Date of appointment
8. Permanent address:

Village..... Taluk..... District.....

State..... Post Office..... Pin.....

ID No..... Mobile No..... Email ID.....

Place:

Date:

Signature/Thumb-impression

of the

Employee



Certificate by the Employer

Certified that the particulars of the above nomination have been verified and recorded in this establishment. Employer's Reference No., if any

Signature of the employer/Office rauthorised

Designation

Date:

Name and address of the
establishment and

Stamp thereof.

Acknowledgement by the Employee

Received the duplicate copy of nomination in **Form-I** filed by me and duly certified by the employer.

Date:.....

Signature of the Employee

FORM-II

[See Rule 25]

Application for Gratuity by an Employee/Nominee/Legal heir

(Strike out the words not applicable)



To.....

(Give here name or description of the establishment with full address)

Sir/Madam,

I,.....(name of employee/nominee/legal heir)/nominee of late..... (Name of the employee)/as a legal heir of late.....(Name of the employee), hereby apply for payment of gratuity to which I am entitled under sub-section (1) of section 53 of the Code on Social Security, 2020 on account of-

(a) my superannuation/retirement/resignation after completion of not less than five years, three years in case of working journalists, of continuous service/total disablement due to accident/total disablement due to disease/on termination of the contract period under fixed term employment with effect from the or;

(b) death of aforesaid employee while in service/superannuation on after completion ofyears service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the (date)or;

(c) death of aforesaid employee of your establishment while in service/superannuation on..... (date) without making any nomination after completion of years of service/total disablement of the aforesaid employee due to accident or diseases while in service with effect from.....(date)

Necessary particulars relating to my appointment are given in the statement below.

1. Name of employee in full, (if, the gratuity is claimed by an employee)
 - a. Marital status of employee(unmarried/married/widow/widower)
 - b. Address in full of employee

or

Name of nominee/legal heir, (if the gratuity is claimed by nominee/legalheir)

- c. Name of Employee



- d. Marital status of nominee/legal heir(unmarried/married/widow/widower)
 - e. Relationship of nominee/legal heir with the employee
 - f. Address in full of nominee/legal heir
 - g. Date of death and proof of death of the employee
 - h. Reference No. of recorded nomination if available
2. Department/Branch/Section where last employed
 3. Post held by employee.
 4. Date of appointment.
 5. Date and cause of termination of service
 6. Date of Death
 7. Total period of service of the employee
 8. Wages last drawn by the employee.
 9. Total gratuity payable to the employee/ share of gratuity claimed by a nominee/legal heir.
 10. Payment may please be made by crossed bank cheque/credit in my bank account No.....of Bank at branch having IFSC Code.....

Place:

Yours faithfully

Date :

Signature/Thumb-impression of the applicant
employee/nominee/legal heir



FORM III**[See Rule26]****Notice for Payment/Rejecting claim of Gratuity***(Strike out the words not applicable)*

To.....

(Name and address of the applicant employee/nominee legal heir)

You are hereby informed that

(a) *as required under clause (ii) of sub-rule (1) of rule 24 of Kerala Social Security Rules,2021,that your claim for payments of gratuity as indicated on your application in **Form-II** under the said rules is not admissible for the reasons stated below:

Reasons (Here specify the reasons); or

(b) * as required under clause (i) of sub-rule (1) of Rule 24 of the Kerala Social Security Rules,2021 that a sum of Rs..... (Rupees.....) is payable to you as gratuity/as your share of gratuity in terms of nomination made by on..... and..... recorded in this as a legal heir of an employee of this establishment.

(i) * Please call aton (Here specify place) (date) at (time) for collecting your payment of gratuity crossed cheque.

(ii) Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.

(iv) Brief statement of calculation

- Date of appointment.
 - Date of termination/superannuation/resignation/disablement/death.
 - Total period of service of the employee concerned:
- Yearsmonths.



- Wages last drawn:
- Proportion of the admissible gratuity payable in terms of nomination/as a
Legal heir:
- Amount payable:

**strike out para, if, not applicable*

Place:

Date:

Signature of the Employer/authorized officer.

Name or description of establishment or
stamp thereof.

Copy to: The Competent Authority in case of denial of gratuity.

FORM-IV

[See Rule 28]

Application for Direction

**Before the Competent Authority for Chapter III under the Code on Social Security,
2020**

Application No.

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer concerned with full address)

1. The applicant is an employee of the above-mentioned employer/ a nominee of
late an employee of the above mentioned employer/ a legal heir of
late and employee of the above- mentioned employer, and is entitled to



payment of gratuity under section 53 of the Code on Social Security, 2020 on account of his own/aforesaid employee's superannuation on date his on retirement/ aforesaid employees resignation on (date) completion of years of continuous service/ his own/aforesaid employees total disablement with effect from (date) due to accident/disease death of aforesaid employee on

2. The applicant submitted an application under Rule..... of the Kerala Social Security Rules,2021 on the(date) but the mentioned employer refused to entertain it/issued a notice dated the under clause of sub-rule..... offering an amount of gratuity which is less than my due/issued a notice dated the under clause of sub-rule of rule rejecting my eligibility to payment of gratuity. The duplicate copy of the said notice is enclosed.

3. The applicant submits that there is a dispute on the matter (specify the dispute).

4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above-mentioned employer to pay the same to the petitioner.

5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Place

Date:

Signature/Thumb impression of the applicant.

ANNEXURE

1. Full name and address of the applicant :
2. Basis of claim (Death/Superannuation/Retirement/Resignation/Disablement of Employee/Completion of contract period under Fixed Term Employment)



3. Full Name and address of the employee
4. Marital status of the employee(unmarried/married/widow/widower)
5. Name and address in full of the employer
6. Department/Branch/Section where the employee last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any (if known)
8. Date of appointment of the employee (if known)
9. Date and cause of termination of service of the employee (Superannuation /retirement / resignation/disablement/death/completion of contract period under Fixed Term Employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, No. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant

Place:

Date:

Signature/Thumb-impression of theapplicant



FORM V

[See rule 29 & 34]

Notice/Summons for Appearance before the Competent Authority*(strike out the words not applicable)*

To,

(Name and address of the employer/applicant)

Whereas Shri/Smt/Kumari an employee under you/a nominee(s)/legal heir(s) of Shri./Smt/Kumari..... an employee under the above mentioned employer, has/have filed an application under rule 28 Kerala Social Security Rules,2021 alleging that---- (A copy of the said application is enclosed, and if, summons is issued then copy of application is not required)

Now therefore, you are hereby called upon/summon to appear before the Competent Authority at (Place) either personally or through a person duly authorised in this behalf for the purpose of answering all material questions relating to the application on theday of 20..... atO'Clock in the forenoon/afternoon in support of/to answer the allegation; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your allegation/defence.

Take notice that in default of your appearance on the day before-mentioned, the application will be dismissed/heard and determined in your absence.

Whereas your attendance is required to give evidence/you are required to produce the documents mentioned in this list below, on behalf of in the case arising out of the claim for gratuity by fromand referred to this Authority by an application under section 56 of the Code on Social Security, 2020, you are hereby summoned to appear personally before this Authority on the day of



20..... at’O’clock in the forenoon/afternoon and to bring with you for to send to this Authority) the said documents.

List of documents-

- 1.
- 2.
3.

Given under my hand and seal, this day of 20.....

Competent Authority

under the Code on Social Security Code 2020

Note 1. Strike out the words or paragraph portions not applicable

2. The summons shall be issued in duplicate. The duplicate is to be signed and

Returned by the persons served before the date fixed.

3. In case the summons is issued only for producing a document and not to give

evidence it will be sufficient compliance to the summons if the documents are

caused to be produced before the Competent Authority on the day and hour fixed for



FORM VI*[See rule 36 & 37 (9)]***Notice for Payment of Gratuity as Determined by Competent/Appellate Authority***(Strike out the words not applicable)*

To

(Name and address of employer)

1. Whereas Shri/Smt./Kumari..... of an employee..... (address) under you/a nominee(s)/legal heir(s) of late an employee under you, filed an application under Section 56 of the Code on Social Security, 2020, before me; or

Whereas a notice was given to you on requiring you to make payment of Rs..... to Shri/Smt./Kumari as gratuity under the Code on Social Security, 2020.

2. And whereas the application was heard in your presence on and after the hearing have come to the finding that the said Shri./Smt./Kumari..... is entitled to a payment of Rs..... as gratuity under the Code on Social Security, 2020; or

Whereas you/the applicant went in appeal before the appellate authority, who has decided that an amount of Rs..... is due to be paid to Shri./Smt./Kumari.... as gratuity due under the Code on Social Security,2020.

Now, therefore, I hereby direct you to pay the said sum of Rs..... to Shri./Smt./Kumari..... within thirty days of the receipt of this notice with an intimation thereof to me.

Given under my hand and seal, this the day of 20.....



Competent Authority under the
Code on Social Security Code, 2020

Copy to:

1. The Applicant- who is advised to contact the employer for collecting payment.
2. The Appellate Authority if applicable.

Note.---(Strike out paragraphs if not applicable)

FORM VII

[See rule 38]

**Application Before the Competent Authority
Recovery of Gratuity**

Application No.

Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer/Trust/Insurer concerned with full address)

1. The applicant is an employee of the above mentioned employer/a nominee of late..... an employee of the above mentioned employer/legal heir of late an employee of the above mentioned employer, and you were pleased to direct the said employer in your notice dated the under rule 36/37 Kerala Social Security Rules, 2021 for payment of a sum of Rs..... as gratuity payable under the Code on Social Security,2020.
2. The applicant submits that the said employer failed to pay the said amount of



gratuity to me as directed by you although I approached him for payment.

3. The applicant therefore prays that a certificate may be issued under section 129 of the Code for recovery of the said sum of Rs..... due to me as gratuity in terms of your direction.

Signature/Thumb-impression of applicant.

Place:

Date:

Note. Strike out the words not applicable.

—

FORM VIII
REGISTER OF GRATUITY
[See Rule 39]

1. Serial No.
2. Date of the application
3. Name and address of the applicant
4. Name and address of the employer
5. Amount of gratuity claimed
6. Dates of hearing
7. Findings with date
8. Amount awarded
9. Cost, if any, awarded
10. Date of Notice issued for payment of gratuity
11. Date of appeal, if any
12. Decision of the appellate authority



13. Date of issue of Final Notice for payment of gratuity
14. Date of payment of Gratuity by employer and mode of payment
15. Date of receipt of application for recovery of gratuity
16. Date of issue of recovery certificate
17. Date of recovery
18. Remarks if, any :
19. Signature
20. Date

FORM IX

[See rule 41]

Notice of Fatal Accidents

To

..... (Competent Authority)

Sir,

1. I have the honour to submit the following report of an accident which occurred on(date), at..... (here enter details of premises) and which resulted in serious body injuries / death of the employee/employees of whom particulars are given in the statement annexed.
2. The circumstances relating to serious body injuries / death of the employee/employees were as under:-
 - (a) Time of accident.
 - (b) Place where the accident occurred.
 - (c) Manner in which deceased/injured was/were employed at the time.



- (d) Cause of the accident.
 (e) Any other relevant particulars.

(Signature and
 designation of person
 making the report)

Statement

Name	Sex	Age	Nature of Employment	Full postal address Mobile No & Mail Id
------	-----	-----	-------------------------	--

FORM X

[See sub -rule (1) of rule 46]

Deposit of Compensation of Fatal Accident

1. Compensation amounting to Rs. _____ is hereby presented for deposit in respect of injuries resulting in the death of the employee, whose particulars are given below, which occurred on _____.

Name _____

Father's Name (Husband's name in case of married woman and widow) _____

Local address _____

Permanent address _____



His/her monthly wages are estimated at Rs._____ He/She was over/under the age of 15 years at the time of his/her death _____

2. The said workman had prior to the date of his/her death received the following payments,namely,

Rs._____ on _____ Rs._____ on _____ Rs.
 _____ on _____ Rs._____ on _____ Rs.
 _____ on _____ Rs._____ on _____ Rs.
 _____ on _____ Rs._____ on _____

Amounting to all toRs._____.

3. An advance of Rs._____ Has been made on account of compensation to _____ being his/her dependent.

4. I do not desire to be made a party to the proceedings for distribution of the aforesaid compensation.

Dated _____ 20.

 (Employer)

FORM XI

[See rule 46 & 49]

Receipt of Compensation

[Deposited under sub section (1) Section 81 of the Social Security Code, 2020]

Book No..... Receipt No..... Register No.....



Depositor.....

Deceased or injured employee Date of deposit 20 Sum deposited Rs.....

Competent Authority

FORM XII

[See sub- rule (1) of rule 46]

Deposit of Compensation for Non-Fatal Accident to a Woman or Person under Legal Disability

1. Compensation amounting to Rs. _____ is hereby presented for deposit in respect of injuries _____ sustained by residing at _____ on loss of _____ temporary _____ disablement. His/her monthly wages are estimated at Rs. _____. He/ She was over/under the age of 15 years at the time of the accident.

2. The said injured employee has prior to the date of the deposit received the following half-monthly payments, namely:

Rs. _____ on _____ Rs. _____ on _____
Rs. _____ on _____ Rs. _____ on _____
Rs. _____ on _____ Rs. _____ on _____

Dated _____

Employer



FORM XIII**[See sub-rule (3) of rule 46]****Statement of Disbursements**

Serial No.....

Depositor.....

Date.....

Rs..... Amount deposited.....

Amount deducted and repaid to the employer under the proviso to sub section (1) of Section 81.

Funeral expenses paid.....

Compensation paid to the following dependents:

Name.....Relationship.....

....Rs

Dated20

Total

Competent Authority

FORM XIV**(See rule 48]****Application for Order for Deposit of Compensation**

To



The Competent Authority(Place)

residing at..... (Applicant)

Versus

.....Residing at

(OppositeParty)

...

It is hereby submitted that: --

(1)
.....an employee employed by (a) contractor with the opposite party received personal injury by accident on arising out of and in the course of employment resulting in his death on the. day of _____20 The cause of injury was. (here insert briefly in ordinary language the cause of the injury).

(2) The applicant(s) is/are dependents (s) of the deceased employee being his _____.

(3) The monthly wages of the deceased amount is Rs. _____.

The deceased was over/under the age of 15 years at the time of his/her death.

(4) (a) Notice of the accident was served on the day of _____.

(b) Notice was served as soon as practicable on _____.

(c) Notice of the accident was not served (in due time by reason of)



_____.

(5) The deceased before his death received as compensation the total sum of Rs..

The applicant(s) is/are accordingly entitled to receive a lump sum payment of Rs.

You are, therefore, requested to award to the applicant the said compensation or any other compensation to which he may be entitled.

Certified that the statement of facts contained in this application is true to the best of my knowledge and belief.

Dated this the day of20.....

Applicant.

FORM XV

[See rule 49]

Deposit of Compensation for Non-fatal Accidents, other than to a woman or person under Legal Disability

Compensation amounting to Rs._____is hereby presented for depositing with respect of permanent/temporary injuries sustained by.....residing at_____, which occurred on_____20_____.

Dated_____20_____

Employer



FORM XVI
(See rule 69)
CERTIFICATE OF DISABILITY/DEATH

This is to certify that Shri/Smt Son/daughter of
ageyears residing at.....employed in
 Is died on...../was suffering from* due to**
/ not suffering from any disease which is/was attributable to his
 employment.

1. Temporary disablement

The disability is in my opinion of a temporary nature likely to last foryearsmonths.
 He is temporarily unfit for work in his present employment and/or fit for employment in any
 other job where he is not exposed.

2. Permanent disablement

The disability is of a permanent nature and is assessed atpercent.

3. Death

Death is attributable to the contracting of the disease.....

Place.....

Medical Inspector

Date.....

Factories/Certifying Surgeon.

Signature of the

of

* Cancel out portions not applicable.

** Enter the name of the diseases (See Part A, B or C of Schedule III)



FORM XVII

(See rule 69)

**ENDORSEMENT TO BE MADE BY MEDICAL BOARD IN CASE OF PERMANENT
DISABILITY OR DEATH**

This is to certify that Shri/ Smt Son/daughter of
agedyears, residing at.....employed
 in..... is /died on..... /was suffering from*
 which is/was attributable to his being employed on/as**

1. Permanent disablement

The disability is of a permanent nature and is assessed atpercent.

2. Death

This is to certify that the death of Shri/ Smt..... is attributable to contracting of the
 disease..... (name of the disease)

Place.....

Medical Board

Date.....

Signature of the

* Name of the disease

** Process/Occupation



FORM XVIII**[See rule (70)]****Notice to indemnifier**

Whereas a claim for compensation has been made byapplicant, against

_____ and the said..... has claimed that you are liable under Section 85 (2) of the Social Security Code, 2020, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim. You are hereby informed that you may appear before me on----- and contest the claim for compensation made by the said applicant or the claims for indemnity made by the opposite party. In default of your appearance, you will be deemed to admit the validity of any award made against the opposite party and your liability to indemnify the opposite party for the compensation recovered from him.

Dated_____20_____.

Competent Authority

FORM XIX**[See sub-rule (3) of Rule 70]****Notice to Person of Indemnify**

Whereas a claim for compensation has been made by_____applicant against

_____And the said_____has claimed that_____is

liable under Section 85 (2) of the Social Security Code, 2020, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, and whereas the said_____on notice served has claimed that you

_____stand to him in the relation of a contractor from whom the



applicant could have recovered compensation you are hereby informed that you may appear before me on _____ and contest the claim for compensation made by the said applicant or the claim for indemnity made by the opposite party _____. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party _____ and your liability to indemnify the opposite party for any compensation recovered from him.

Dated _____ 20 _____.

Competent Authority

Form XX

[See rule 72]

Notice Requiring Statement of Accident

Whereas I have received information that (1) an employee employed by you in (2) has died as the result of an accident arising out of and in the course of his employment, I hereby require you in accordance with Section 88 of the Social Security Code, 2020 to submit to me within thirty days of the receipt of this notice the enclosed Form with the particulars required in paragraphs 1, 2 and 3 and the particulars required in either paragraphs 4 or 5 duly filled in. in the event of your admitting liability to pay compensation, the necessary deposit must, under Section 88(2)) of the said Code, be made within thirty days of the receipt of this notice.

Dated.....

Competent Authority

(1) Insert name of employee.

(2) Insert name of establishment.



Form XXI
[See rule 72 & 73]
Reply Statement by the Employer

1. In reply to your notice dated the20
 which received by me on the20..... it is
 submitted that (1) residing at who
 is an employee over/under 15 years of age employed in (2) met with
 an accident on the20 as a result of which he died on
 20 The monthly wages of the deceased amounted to
 Rs.....
2. The circumstances in which deceased met with his death were as follows:-
3. The deceased left the following dependents (3).
- *4. I admit liability to pay as compensation, on account of the deceased's death, the amount
 of Rs....
 which was/will be deposited with you on/before20.....
5. I disclaim liability to pay compensation on account of the deceased's death on the
 following
 grounds.

.....Employer.
(Name of Establishment) &
 Stamp thereof

-
1. Insert name of employee.



2. Insert name of establishment.
3. Insert names and addresses where known.

* One of these paragraphs to be stuck out.

FORM XXII

[See rule 73]

Memorandum of agreement

It is hereby submitted on the day of _____ 20_____ personal injury was caused to _____ resident at _____ by accident arising out of and in the course of _____ employment in _____. The said injury has resulted in temporary disablement to the said employee whereby it is estimated that he will be prevented from earning more than of his previous/any wages for a period of _____ months. The said employee has been in receipt of half-monthly payments, which have continued from the _____ day of20_ until the continued from the day _____ of.....20_ _____ until the _____ day of _____ 20 amounting to Rs. in all. The said employee's monthly wages are estimated at Rs. _____. The employee is over the age of 15 years will reach the age of 15 years on _____.

It is further submitted that the..... employer of the said employee has agreed to pay, and the said employee has agreed to accept, the sum of Rs. _____ in full settlement of all and every claim under the Social Security Code, 2020, in respect of all disablement of a temporary nature arising out of the said accident, whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.



Dated_____20

Signature of employer

Witness

Signature of employee

Note. -- An application to register an agreement can be presented under the signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filed in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs._____.

Dated_____20.Employee

The money has been paid and this receipt is signed in my presence.



Witness

Note. -- This form may be varied to suit special cases, e.g., injury by occupational disease, agreement when employee is under legal disability ,etc.



FORM XXIII**[See rule 73]****Memorandum of Agreement**

It is hereby submitted that on the _____ day of _____ 20- _____ personal injury was Caused to _____ residing at _____ by accident arising out of and in the course of his Employment in _____. The said injury has resulted in permanent disablement to the said employee of the following nature, namely:--

The said employee's monthly wages are estimated at Rs. _____. The employee is over the age of 15 years will reach the age of 15 years on _____.

The said employee has, prior to the date of the agreement, received the following payments, namely: --

Rs. _____ on _____ Rs. _____ on _____
 _____ Rs. _____ on _____ Rs. _____
 _____ on _____ Rs. _____ on _____
 _____ Rs. _____ on _____

It is further submitted that the employer of the said employee has agreed to pay, and the said employee has agreed to accept, the sum of Rs. _____ in full settlement of all and every claim under the Social Security Code, 2020 in receipt of the disablement stated above and all disablement now manifest. It is therefore requested that this memorandum be duly recorded.

Dated _____ 20 .

Signature of employer

Witness



Witness

Signature of employee

Note. -- Application to register an agreement can be presented under signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of Rs._____.

Dated_____20.

employee

The money has been paid and this receipt signed in my presence.

Witness

Note. -- This form may be varied to suit special cases, e.g. injury by occupational disease, agreement when employee is under legal disability, etc.



FORM XXIV**[See rule 73]****Memorandum of Agreement**

It is hereby submitted that on the _____ day of 20____ personal injury was caused to _____ residing at _____ by accident arising out of said in the course of employment in _____. The said injury has resulted in temporary disablement to the said employee, who is at present in receipt of wages amounting to Rs. _____ per month/no wages.

The said employee's monthly wages prior to the accident are estimated at Rs. _____.
The employee is subject to a legal disability by reason of.

It is further submitted that the employer of the employee has agreed to pay and on behalf of the said employee has agreed to accept half-monthly payments at the rate of Rs. for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with provisions of the said Code on account of an alteration in the earnings of the said employee during disablement. It is further stipulated that all rights of commutation under Section 80 of the said Code are unaffected by this agreement it is therefore requested that this memorandum be duly recorded.

Dated _____ 20 .

Witness

Signature of employer

Signature of employee

Witness



Note. -- An application to register and agreement can be presented under the signature of one party : provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs._____.

Employee

Dated_____20.

The money has been paid and this receipt signed in my presence.

Witness

Note. -- This form may be varied to suit special cases, e.g., injury by occupational disease, etc.



FORM XXV**[See rule 75]****NOTICE OF HEARING**

Whereas an agreement to pay compensation is said to have been reached between _____ and _____ and whereas has/have applied for registration of the agreement under Section 89 of the Social Security Code, 2020, notice is hereby given that said agreement will be taken into consideration on _____ 20 _____ and that any objections to the registration of the said agreement should be made on that date. In the absence of valid objections it is my intention to proceed to the registration of the agreement.

Dated _____ 20 _____.

Competent Authority

FORM XXVI**[See Rules 75(3) and 76 (4)]****REJECTION ORDER FOR HEARING**

Take notice that registration of the agreement to pay compensation said to have been reached between you _____ on the 20 _____ has been refused for the following reasons namely:-----

Dated this the day of 20.....

Competent Authority



FORM XXVII
[See Rule 76(2)]
NOTICE OF HEARING

Whereas an agreement to pay compensation is said to have been reached between _____ and _____ and whereas _____ has/have applied for registration of the agreement under Section 89 of the Social Security Code, 2020 and whereas it appears to me that the said agreement ought not to be registered for the following reasons namely:.....

An opportunity will be afforded to you of showing cause on 20 why the said agreement should be registered. *If no adequate cause is shown on that date, registration of the agreement will be refused/ Any representation, which you have to make with regard to the said agreement, should be made on that date. If adequate cause in them shown, the agreement may be registered.

Dated _____ 20 _____.

Competent Authority

* Strike out whichever is not applicable.

FORM XXVIII

[See Rule 78]

Register of Memorandum accepted for the year....._____.

S.No.	Date of agreement	Date of registration	Employer	Employee	Initial of Competen t	Reference to orders rectifying The register



 Authority

 1 2 3 4 5 6 7

FORM XXIX**[See Rule 80]****Application for Compensation by workman****To the Competent Authority**

Applicant..... residing
at.....

Versus

Opposite Party.....residing at.....

It is hereby submitted that:-

(1) The applicant, an employee employed by (contractor with) the opposite party on theday of..... 20.....received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was..... (here insert briefly in ordinary language the cause of the injury)

(2) The applicant sustained the following injuries namely:--

(3) The monthly wages of the applicant amount of Rs. _____over/under the age of 15 years.

(4) (a) Notice of the accident was served on



theday of.

The applicant is

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of.

(5) he applicant is accordingly entitled to receive:--

(a) half monthly payment of Rs. _____ From the

_____20_____to

(b) a lump sum payment of Rs.....day of

(6) The applicant has taken the following steps to secure a settlement by agreement, namely, but it has proved impossible to settle the question in dispute because

_____.

You are therefore requested to determine the following questions in dispute, namely: --

- (a) Whether the applicant is an employee within the meaning of the Code;
- (b) Whether the accident arose out of or in the course of the applicants employment;
- (c) Whether the a amount of compensation claimed is due, or any part of that amount;
- (d) Whether the opposite party is liable to pay such compensation as is due;
- (e) etc., (as required)

Date_____20.

Applicant



FORM XXX
[See Rule 80 (3)]
Application for Commutation

To

The Competent Authority,

.....

residing at.....Applicant

Versus

.....

residing at..... Opposite Party

It is hereby submitted that—

(1) The applicant/opposite party has been in receipt of half monthly payment from _____ to _____ in respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The opposite party is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payment should be redeemed.

You are therefore requested to pass an order—



- (a) directing that the right to receive half-monthly payments should be redeemed.
 (b) Fixing a sum for the redemption of the right to receive half-monthly payments.

Dated _____ 1 .

Applicant

Form XXXI

[See Rule 93]

REGISTER OF APPLICATIONS FOR THE YEAR 20.....

Name of Application													Order				
Date of presentation of the application	Serial No.	For distribution	For Deposit	For Compensation	For half-monthly payments	For commutation	For review	For recovery	Application for registration of agreement	Miscellaneous	Name and address of applicant	Name and address of the opposite party	Claim	Date	For whom	For what amount	Appeal
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18



Form XXXII

[See Rule 94]

REGISTER OF FATAL ACCIDENTS FOR THE YEAR 20.....

S e r i a l N o .	Dat e o f i n f o r m a t i o n	Date o f a c c i d e n t	Nam e o f d e c e a s e d e m p l o y e e	Nam e o f e m p l o y e r	Depe n d a n t s o f t h e d e c e a s e d e m p l o y e e	Natur e o f a c c i d e n t a n d i n j u r y	Amou n t o f c o m p e n s a t i o n a n d r a t e o f m o n t h l y w a g e s	Date of d i s t r i b u t i o n a m o n g t h e d e p e n d a n t s	Remar k s
1	2	3	4	5	6	7	8	9	10



Form XXXIII

[See Rule 95]

REGISTER OF NON-FATAL ACCIDENTS FOR THE YEAR 20.....

S er ia l N o.	Date of infor matio n	Date of accide nt	Name of emplo yee injure d	Name of emplo yer	Name of Injury		Amount of compensation and monthly wages		Date of disp osal
					Perma nent	Tempo rary	Lump sum	Half mont hly	
1	2	3	4	5	6	7	8	9	10



FORM XXXIV
[See rules 104 (1)(a)]
Register of wages and
Deduction

Em ploy ee cod e	Em ploy ee nam e	Na me of fath er /hus ban d	Se x	Dat e of Birt h	Add ress	Ph oto	Ident ificat ion Mar k	Desi gnat ion	Cat ego ry (H S/S /SS /US)	Desig nation code/ grade as in Gover nment Order	Dat e of join ing	Educat ion Qualifi cation	Date of Exit	Rea son for Exit
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
			IF S C C od e	Ban k Acc ount Nu mber	Day s of atten danc e	Los s of pay day s	Num ber of wee kly off grant ed	Nu mber of Lea ve gran ted	Bas ic	DA	HR A	City Compe nsation allowa nces	Gros s Mon thly Wag es	Ove rtim e wag es
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Lea ve wag es	Nati onal & Fest ival	Arr ear paid	B on us	Mat erni ty Ben efit	Othe r Allo wan ces	Ad van ce	Total Amo unt	Emp loye es Prov iden	Em plo yee Stat	Welfa re Fund	Pro fess ion al Tax	Tax Deduct edat Source	Ded ucti on of Fine	Ded ucti on for Los



	Holidays wages							Insurance Fund						s & Da mag es
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
Oth er Ded ucti on	Tota l Ded ucti on	Net wag es paid	D at e of pa y m en t	Re mar ks	EPF No	ESI No	Elect ion ID No	Aad har No	Loa n Pay me nt	Loan Recov ery	Sig nat ure/ Thu mb Imp ress ion			
46	47	48	49	50	51	52	53	54	55	56	57			



FORM XXXV

[See rule 104 (1) (b), (c), (d)]

Muster Roll

Name of establishment..... Place

Sl No.	Name	Fathers'/Husbands' Names	Sex	Date of Entry in Service	Designation/ category						Total number of hours work performed
						1	2	3	4	5	



FORM XXXVI

[See rule 104(1)(e)]

REGISTER OF EMPLOYEES

Name of the Establishment-----Name of
Employer-----
---LIN-----

Sl No.	Employee Code	Name	Gender	Father's/ Spouse Name	Date of Birth	National ity	Education Qualificai on	Date of joinin g	Designati on
1	2	3	4	5	6	7	8	9	10

Category (HS/S/S S/US)	Type of Employ ment	Mobi le Num ber	U A N	P A N	E S I C I P	L W F	AAD HAAR	Ba nk A/ c Num ber	Ba nk	Bran ch (IF SC)	Prese nt Addr ess	Perman ent
11	12	13	14	15	16	17	18	19	20	21	22	23

Date of Exi	Reason for Exit	Mark of Identificatio n	Phot o	Specimen Signature/Thu mb	Remar ks
-------------------	-----------------------	-------------------------------	-----------	---------------------------------	-------------



t				Impression	
24	2	2	27	2	29
	5	6		8	

FORM XXXVII

[See rule 104(1)(g)]

REGISTER OF DANGEROUS OCCURRENCES, ACCIDENTS, INJURIES

Name and address of the Establishment:

Name of the Employer / Contractor:

Sl No.	Date & time of accident	Date of information to authorities	Name of employee injured/ deceased	Nature of injury permanent / temporary	Amount of compensation and monthly wages Lump sum / half monthly	Date of disposal & mode of payment: By cheque /Demand Draft/Bank transfer	Remarks

FORM XXXVIII

[See rule 104(1)(h)]

REGISTER OF CESS

Name and address of the Establishment:

Name of the Employer:

Sl	Date of	Type of	Date of	Estimated	Advance	Mode	Balance	Tot	File No
----	---------	---------	---------	-----------	---------	------	---------	-----	---------



No.	Commencement of construction	Construction Residential/ Commercial	Proposed completion of construction	Cost of construction	Cess amount paid	Date of payment	Cess amount to be paid	Actual cess paid	
1	2	3	4	5	6	7	8	9	10

FORM XXXIX

[See rule 104(1)(i)]

REGISTER OF VACANCIES

Name and address of the Establishment:

Name of the Employer:

Sl. No.	Total Number of employees			Persons recruited upto 31 st March year	Occupational details of employees recruited	Number of unfilled vacancies/ posts		
	Regular	Contractual	Fixed term employment			Skill/Qualification/technical/experience prescribed	Essential	Desirable



FORM-XL

[See rule 106]

APPLICATION FOR COMPOUNDING OF OFFENCES

1. Name of applicant
.....

2. Father's / Husband's name of the applicant.....

3. Address of the applicant

4. Mobile number/email

5. Name , address, Mobile no, and email of Complainant

6. whether any case pending before any authority or Court in the same matter

If Yes, Particulars

• Particulars of the offences.....

• Provisions of the Code/Scheme/Rules/Regulations under which

the offence is committed:

• Maximum fine provided for the offence under the Code.....

• Whether the offence is first offence or the applicant had committed any other offence prior to the offence, if had committed, then, full detail of the offence

.....
.....



.....
.....

- Any other information which the applicant desires to provide

.....
.....
.....
.....

I, pray for the compounding of offences as stated above.

Dated:

Applicant (Name and signature)

FORM XLI

[See Rule 108(3)]

Form for Reporting Vacancies to Career Centres

To

Authorised Signatory

Career Centre

	Particulars of the employer:	
	Name:	
	Address :	
	Telephone No. :	
	Mobile No.:	
	Email address:	



	<p>Name & Type of Establishment (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under the Code: Economic activity details:</p>	
2.	<p>Particulars of the indenting Officer: Name: Designation: Telephone No. : Mobile No.: Email address :</p>	
3.	<p>Particulars of vacancy(ies): (a) Designation/nomenclature of the Vacancy(ies) to be filled (b) Description of duties of the post (job role/functional role)</p>	

4.	<p>(c) Qualifications/Skills required (educational, technical experience) (i) Educational Qualifications (ii) Technical Qualification (iii) Skills</p>	Essential/Desirable/Preferable
----	--	--------------------------------



	<p>(v) Experience</p> <p>(d) Age Limits, if any (Age as on last date of application)</p> <p>(e) Preferences (such as Ex-servicemen, persons with Disabilities, women, etc) if any</p> <p>(f) No of Posts</p> <p>(i) 3-6 months</p> <p>(ii) 6-12 months</p> <p>(iii) 12 months and more</p>	
5.	<p>Whether there is any obligation for arrangement for giving reservation/ preference to any category of persons such as Scheduled Caste(SC), Scheduled Tribe(ST), Economically Weaker Sections(EWS), Other Backward Classes (OBC), Ex-serviceman and persons with disabilities (pwd),etc, in filling up the vacancies : Yes/No.</p> <p>(if yes, give the number of vacancies to be filled by such categories of persons as detailed below)</p>	
	Category	Number of vacancies to be filled
	<p>(a) Scheduled Caste</p> <p>(b) Scheduled Tribe</p> <p>(c) OBC</p> <p>(d) EWS</p> <p>(e) Ex-Serviceman</p> <p>(f) Persons with disabilities (pwd)</p> <p>(g) women</p> <p>(h) Others(specify)</p>	<p>Total</p> <p>*By Priority candidates</p> <p>* (Applicable for Central Government Vacancies)</p>
6.	<p>Pay And Allowances :</p> <p>For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with</p>	



	other details if any For others: Mention minimum total emoluments per month with other details, if any.	
7.	Place of work (Name of the town/village and district, pin code ,etc. in which it is situated)	
8.	Mode of Application(email, online, in writing, etc) and Last date for receipt of applications.	
9.	Particulars of officer to whom the applications be sent/candidates should approach (Mention Name, designation, email id, address , telephone No., website address in case of online)	
10	Mode of Recruitment {Through Career Centre, Placement Agency , self- management, any other mode(specify) }	
11.	Would like to prefer submission of list of eligible candidates registered with Career Centre	Yes/No
12.	Any other relevant information	

Signature, Name & Designation of Authorised Signatory of establishment/employer with seal & date

(For Office Use- to be filled by Career Centre

13. Date of receipt of Vacancies

14. NIC Code of the establishment/

15. NCO Code of the post

16. Unique Vacancy ID(number)



Signature, Name & Designation of Authorised
Signatory

of Career Centre with seal & date

NOTE:

1. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than 3 working days from the date of receipt of reporting of vacancies.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall be reported in writing or through

valid official email or digitally (including through a portal) as the case may be, to the appropriate Career Centre.
4. Separate forms to be used for each type of posts.



FORM-XLII
[See Rule 108(6)]
(Employment Information Return)

Yearly Return to submitted to the Career Centre (Regional) for the Year ended

.....

The following information is to be submitted under the Code on Social Security 2020.

Name & Address of the Employer		
Whether Head Office		
Branch Office Type of Establishment (Public /Private Sector)		
Nature of business/Principal activity		
Establishment Registration No. under the Code		
<p>1. (a) EMPLOYMENT</p> <p>Total number of <i>manpower of establishment</i> including working <i>proprietors/partners//contingent</i> paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary <i>is paid</i>).</p>		
Category	On the last working day of the previous Year	On the last working day of the Year under



		report
MEN		
WOMEN		
Other (Transgender)		
TOTAL :		
PWD (persons with disabilities) out of above total		

(EIR-continued)

2. Number of vacancies* occurred and reported to Career Centre during the year and the number of vacancies filled during the year			
Occurred	Reported		
	Career Centre (Regional)	Career Centre (Central)	Filled
1	2	3	4

*As per provisions of Code on Social Security, 2020(Chapter XIII) and Rules made there under,



3. MANPOWER SHORTAGES:

Vacancies/posts remained unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/posts	
	Skill/ qualifications (educational / technical/ experience) prescribed	Essential
1	2	3

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Requirement by Occupational Classification during the next calendar year (Please give below the number of employees in each occupation separately).

Occupation	Number of employees Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/ expansion or re-organisation.



Description	Men	Women	Others (trans- gender)	Total
1	2	3	4	5
*				
Total :				

* In the column (description) -Use exact terms such as Engineer (Mechanical), Assistant Director (Metallurgist); Research Officer (Economist); Supervisor (Tailoring), Inspector (Sanitary), Superintendent (Office), Manager (Sales), Manager (Accounts), Executive (Marketing), Data Entry Operator.....so on.

Signature, Name & Designation of Authorised
Signatory

of establishment/ employer with seal
& date

To

The Career Centre,

.....



Note:- 1. This return is to be rendered to the Career Centre (Regional) within 30 days after the end of the *financial year* concerned by establishments/employers vide their obligation under the Code on Social Security, 2020 (ChapterXIII-Employment Information and Monitoring).

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the jobseekers and connecting them with the employers. This is helpful in ascertaining the skill needs also. Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

ANNEXURE I

GUIDELINES FOR DIAGNOSIS OF OCCUPATIONAL DISEASES

1. Infectious and Parasitic Diseases contracted in an occupation where there is a particular risk of contamination

Occupational Exposure:

Agricultural Work :

Hospitals, laboratories, clinics, autopsy rooms, etc work involving handling of animals and their products (veterinary clinics, slaughter houses, meat and fish markets, etc.)

Outdoor work where animal excreta may be encountered ((work in canals, rivers, ditches, sewers, docks, farm yards, construction sites, etc)

Infectious and parasitic diseases and encountered in any other occupation.

Guidelines for Diagnosis:

(i) Circumstantial evidence or risk of exposure.



- (ii) Positive effects on the human system (clinical manifestations)
- (iii) Positive proof (direct/indirect) of the presence of the infective agents in the diseases person

Notes :- For full description, diagnostic methods, differential diagnoses, prognoses and treatment procedures of these diseases standard medical text books have to be referred to.

2. Diseases caused by work in compressed AIR

Occupational Exposer :

Caisson workers, canal tunnelers, divers, mines tunneler, rail road tunnelers, road tunnelers, sewer tunnelers and air crews and air pilots flying high in a non-compressed cabin, any other work involving exposure to the risk concerned.

Guidelines for diagnosis:

Clinical Manifestations:

Decompression Sickness Type I & II

Type I – Sudden diffuse pain in a limb joint (from mild discomfort to intense pain). The pain may be followed by erythematous rashes over the trunk and limbs.

Type II – More severe form of acute decompression sickness. The Clinical manifestations may be related to respiratory, cardiovascular, nervous or ocular system.

Respiratory Manifestations :

Substernal pain, tightness in chest, pain on deep breathing and inspiratory ‘snatch’ dyspnoea and cough.

Cardiovascular manifestations:

Angina, irregular pulse, hypotension and collapse.

Neurological manifestations:

Headache, vertigo, tingling and numbness in the limbs, weakness, coma, paraplegia, paralysis of bladder.

Ocular manifestations:

Flashes of light, scotomata

8. Chronic Decompression Sickness (Dysbaricosternecrosis)

The lesions are symptomless and produces no disability unless the juxta articular surface of the joint is involved. A progressive Juxta articular lesion results in the rupture of the articular surface and collapse of the joint with subsequent osteoarthritis. Commonly affected sites include



the lower end of femur, the proximal part humerus and the proximal parts of the shaft of fibia and humerus.

Useful Laboratory investigations:

Radiographs of upper part of humerus including shoulder, joint, upper part of femur including hip joint and knee joint including upper part of tibia and fibula showing characteristic lesions.

3. Diseases caused by lead or its toxic compounds

(a) Poisoning by Lead Tetra Etiyl:

Occupational Exposure:

Storage tank cleaners, TEL blenders, TEL mixers or TEL makers, any other work involving exposure to the risk concerned, '=

Guidelines for Diagnosis:

Clinical Manifestations :

Insomania, headache, nightmares, nervousness, irritability and vague gastro-intestinal symptoms.

Frequent episodes of maniacal behavior, fatigue, weakness, weight loss, muscular pains, temors, slow pulse and low blood pressure.

Severe cases show symptoms of acute toxic psychosis and encephalopathy.

Useful Laboratory investigations

Analysis of blood and urine for lead. Urine lead levels are more useful (above 0.15mg/litre).

(b) Poisoning by Lead, its compounds or Alloys or its sequelae (Excluding poisoning by lead Tetra Ethyl)

Occupational Exposures:

Workers is smelting and storage battery manufacturing plants, scrap workers, painters, potters, workers in the ceramic industry, foundry workers, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis:

Clinical Manifestations :



Pallor, loss of weight, lassitude, constipation, abdominal colic and tenderness, nocturia, albuminuria, numbness and tingling of extremities, tremors, headache, irritability, mental confusion and delirium, acute or chronic encephalopathy, optic neuritis, anemia, erythrocyte stippling, blue line over the gums.

Useful Laboratory Investigations

- (i) Elevated levels of lead in blood and urine
- (ii) The activity of delta aminolevulinic acid dehydratase (ALAD) in blood.
- (iii) The amount of delta-aminolevulinic acid (d-ALA) in urine
- (iv) The amount of coproporphyrin in urine
- (v) The concentration of zinc protoporphyrin (Znpp) in red blood cells.

4. Poisoning by Nitrous Fumes

Occupational Exposure:

Brass cleaners, braziers, bright dip workers, bronze cleaners, copper cleaners, cotton bleachers, electric arc welders, electric platers, nitrate workers, nitric acid makes oxidized cellulose compound makers, raw silk bleachers and silo fillers, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis:

Irritation of eyes and upper respiratory tract and yellow staining of teeth and skin.

Cough and chest pain followed by a 5 to 12 hours of symptoms free period. Subsequently, the onset of signs and symptoms of acute pulmonary oedema. Death may result within 24 hours. If the acute episode is survived, sequelae such as bronchitis or emphysema may develop.

Useful Laboratory Investigations

- (i) Chest Radiography. The pulmonary oedema following exposure to the nitrous fumes may be diagnosed by chest radiography.
- (ii) Decrease in blood PH; serum proteins.
- (iii) Increase in urinary hydroprolinic and mucopolysaccharides



5. Poisoning by Organophosphorous Compounds

Occupational Exposure:

Workers involved in the manufacturing and formulation of the pesticides, spraymen, farm workers and those engaged in stocking transportation, application storage and distribution of the pesticides, any other work involving exposure to the risk connected.

Guidelines for Diagnosis :

Clinical Manifestations:

Acute:

Gastro-intestinal Excessive salivation, nausea, vomiting pain in abdomen, diarrhoea tenesmus and involuntary defecation.

Respiratory :- Tightness in chest, cough, wheezing expiration.

Eyes :- Lacrymation, blurring of vision, loss of accommodation, reflex, miosis

Cardiovascular – Brady – cardia, that may progress to heart-block (muscarinic effects) or tachycardia, allure elevation of blood pressure (nicotinic effects)

Musculo-skeletal-Muscular weakness, involuntary twitching and cramps progressing to generalized fasciculations,

Neurological – Headache, anxiety, restlessness, insomnia, slurred speech, neurosis, ataxia, generalized weakness, polyneuropathy has been described as a late complication of some organo phosphorous compounds

Useful Laboratory Investigations

Inhibition of cholinesterase activity in red cells, plasma and whole blood.

Demonstration of pesticide residue in the blood.

6. Diseases caused by Phosphorous or its Toxic Compounds



Occupational Exposure:

Bronze alloy makers, electroluminescent coating makers, metallic phosphide makers, metal refiners, incendiary makers, munition workers, pesticide workers, phosphoric acid makers, match factory workers, rat poison makers, semi conductor makers, smoke bomb makers; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis :**Acute:**

Due to ingestion of yellow phosphorous, Local: Gastrointestinal irritation followed by systemic poisoning and shock. If patient survives the acute episode, death may occur at a later stage due to liver, kidney or heart failure brought about by the direct action of the phosphorus compounds. Inhalation of phosphorous fumes may lead to pulmonary oedema.

Chronic:

The chronic effects of phosphorus are mainly on bones (mandible) and liver. Periostitis with suppuration and ulceration may develop, followed by bone necrosis and severe deformity of mandible (phossy jaw). Maxilla also may be affected. Liver damage leads to the symptoms and signs of toxic hepatitis. Dermatitis and non-specific respiratory symptoms have been associated with phosphorus exposure.

Useful Laboratory Investigations:

- (i) X-ray of jaws.
- (ii) Liver function testis.

7. Diseases caused by Mercury or its Toxic Compound**Occupational Exposure:**

Mercury ore mining, production or metallic mercury in metallurgy production of sodium and potassium hydroxide, dyes, fluorescent lamps, production and repair of electrical measuring devices, laboratory instruments, amalgam production in dentistry, seed treatment and wood



protection by organic mercurial compounds; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis :

Clinical Manifestations:

Acute:

Results from ingestion of mercury. The symptoms are due desquamation necrosis and bleeding of the gastro-intestinal mucosa. Inhalation of massive amount of mercury vapour leads to chemical pneumonitis.

Chronic:

Tremors of hands, which seriously impairs the ability to carry out fine and complex movements such as hand-writing, erethism refers to a form of organic psychosis, characterised by excessive timidity, irritability, an abnormal resentment of criticism and outburst of temper, ataxia resulting in difficulty in walking. In methyl mercurial poisoning, cerebellar ataxia, dysarthria and construction of the visual fields predominate the clinical picture.

Useful Laboratory Investigations:

- (i) Inorganic Mercury: Quantitative assessment of mercury in urine by atomic absorption spectrophotometer.
- (ii) Organic Mercury: Estimation of organic mercury in plasma and red cells.

8. Diseases caused by Benzene or its Toxic Homologues

Occupational Exposure:

Petrochemical workers, workers in laboratory and in industries using benzene, synthetic glue makers, users of anything glues in the manufacture of shoes leather or rubber goods and furniture, dye makers, printers (in rotogravure particularly), paint sprayers and other work involving exposure to them risk concerned.

Guidelines for Diagnosis :

Clinical Manifestations:



Acute:

Headache, dizziness, confusion, feeling of drunkcheck staggering gait, coma and death due to respiratory failure.

Chronic:

Early changes (Reversible).- Qualitative or quantitative deficiency of platelets associated with clothing defects and purpurra, mild haemolyticaemia, splenomegaly, raised serum billirubin levels, mild hyperplasia of bone marrow, red cell stippling, granulocytopenia, monocytosis and lymphocytosis.

Late Changes (Irreversible).- Pancytopenia with a hyperplastic marrow picture progressing to an aplastic anemia. Elevations in serum iron and secondary clinical features resulting from anaemia, disturbed immunological mechanisms and interstitial haemerhanges in parenchymatousorganis. Lymphoid and myeloid leukaemia have also been observed as late complications.

Non-hematological effect of chronic benzene poisoning is behavioural changes and impairment of labyrinthine/vestibular system. Exposure to high concentration of benzene may produce myocardial changes and cardiac dysrhythmias.

Useful Laboratory Investigations:

1. Estimation of urinary sulfates (inorganic/total Sulfates).
2. Estimation of phenel levels in Urine.
3. Hameatological examinations:
 - (i) bocyte count.
 - (ii) Differential leycocyte count
 - (iii) Measurement of bleeding time.

9. Diseases caused by Toxic Nitro and Amino Derivates of Benzene or its Homologues

(a) Anilline

Occupational Exposure:



Chemical and rubber workers, dye makers and vulcanizers, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis :

Clinical Manifestations:

Aniline absorption causes anoxia owing to the formation of methaemoglobin.

Acute poisoning.- The development of methaemoglobinemia is often insidious. Following skin absorption, the onset of symptoms may be delayed for upto four hours. Headache is commonly the first symptom and may become quite intense as the severity of methaemoglobinemia progress. Cyanosis occurs when the blood level of methaemoglobin exceeds 15g. per 100g. haemoglobin. Coma may ensue about 70g/100g. and the ethal level is estimated at 85.90g./100g. hemoglobin. Erythrocytic inclusions (Heinz bodies) develop in serious poisoning, but haemolysis is rare.

Chronic poisoning.- Although liver damage and cerebral effects from repeated exposure to aniline have been alleged, the general view is that there are no chronic effects.

Useful Laboratory Investigations:

The Measurement of pnitrophenel in urine at the end of the workshift is the method of choice.

10. Disease caused by Chrominum of its Toxic Compounds

Occupational Exposure:

Workers in industries producing mono and dichromate and ferrochromium alloys, stainless steel welders, chromium platers, furniture polishers, chromium pigment spray painters, leather tanners and other leather workers, cement producers and building workers, printers and photographic technicians; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis :

Clinical Manifestations:

Allergiodermatitis (contact dermatitis) and asthmatic type of reactions are important effects of chronic exposure to chromium. Higher incidence of lung cancer has been reported among the individual occupationally exposed to chromium compounds.

Chrome Ulcers are usually found on the finger roots and on the finger knuckles. The skin



ulcers may be very deep (chrome holes). They are circular well demarcated lesions, which look as though they have been punched out of the skin. Pain is very little in absence of secondary infection. Chrome ulcers on the nasal septum result in nasal perforation and chronic rhinitis.

Useful Laboratory Investigations:

The determination chromium concentration in erythrocytes is useful indicator of chromium exposure even upto 7-8 weeks after a single high dose exposure.

11. Diseases caused by Arsenic and its Toxic Compounds

Occupational Exposure:

Miners, ore smelters, workers in refineries, pesticide formulators and handlers; manufacture of food preservatives; metallurgy and electronic industry workers and lacquer industry workers; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis :

Clinical Manifestations:

(a) Acute poisoning:

Ingestion: Severe vomiting, diarrhea, shock, dehydration, muscular cramps, facial oedema and cardiac abnormalities.

Inhalation: Rhinitis, pharyngitis, laryngitis.

Skin Contact: Contact dermatitis, folliculitis, oozematous, eruption and ulceration.

(b) Chronic poisoning

Skin: Pigmentation, herpetic lesions around the mouth, hyperkeratosis of palms and soles and rarely skin cancer.

Respiratory: Deformations of nasal septum, chronic bronchitis and possibly basilar fibrosis of lungs.

Vascular system: Endangitisobliterans, acrodermatitis.

Haemopoetic system: Normochromic anaemias, neutropenia and thrombocytopenia. In addition cirrhosis of liver may also occur.

Useful Laboratory Investigations:

- (i) Analysis of urine, hair or nail for arsenic.
- (ii) X-ray chest.



- (iii) Liver function tests.
- (iv) Renal function tests.

12. Diseases caused by Ionizing Radiation

Occupational Exposure:

Persons at greatest risks of exposure to ionizing radiation include uranium miners and mill workers, nuclear reactor and atomic energy plant workers; industrial radiographers (including those doing field work involving pipeline welding); certain personnel (radiologists), workers employed in the production of radionuclides; scientists using radioactive material for research and luminous dial painters; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute:

Whole body irradiation-Irradiation of the whole body with over 1 Gy of penetrating radiation in a single exposure or over 1-2 days results in the so called acute radiation syndrome, which is characterised by cell damage and death in the exposed tissues.

Dose of 1-2.5 Gy produce prodromal symptoms (nausea, vomiting, fatigue) and early hematological changes particularly early lymphocytopenia and transient leukocytosis. After a latent phase, radiation induced suppression of bone marrow leads to leukopenia, thrombocytopenia and anaemia.

Local irradiation: Accidental exposure of parts of the body usually of the hands in occupational exposure-is more frequent than whole body irradiation.

Chronic.- Chronic radiation sickness may occur in individuals who have been repeatedly exposed to ionizing radiation over a long period (several years) during which the total cumulative dose has reached at least 1.5- 4Gh.

Mild forms are revealed by the presence of autonomic nervous system disorders (slight imbalance of the autonomic nervous system, tendency towards arterial hypotension, tachycardia and sinus arrhythmia, dyskinesia of the intestine and the biliary tract, general excitability) and moderate and unstable leukopenia. In more advanced cases the changes become more severe and stable. There is a further progression of autonomic nervous disorders, inhibition of the secretory function of the stomach, the appearance of clinical and electrocardiographic indications of



dystrophic changes in the myocardium, persistent arterial hypotension, signs of microstructural changes in the central nervous system, ovarian dysfunction (hypomenorrhoea and oligomenorrhoea) in women, bone marrow hypoplasia with persistent leukopenia (both granulocytopenia and lymphocytopenia) and less persistent thrombocytopenia.

Useful Laboratory Investigations:

The biological specimen (urine, blood, expired air etc.) is selected in relation to the target organ of the toxic substance in question. Radioactivity is measured directly or after separation of the radioactive substance by radio-chemical methods. There is also the possibility of measuring the content of some radionuclides directly by whole-body counters, scintillation detectors, etc.

13. Primary Epithelial cancer of the Skin

Occupational Exposure:

Arsenic, tar, pitch, mineral oil, anthracene and compounds, products and residues of these substances and exposure to radiation and radio active substances; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Long term exposure to carcinogens produce following change in the skin. Irregular areas of atrophy; patchy hyperpigmentation and hypopigmentation, wart-like papillomas on damaged skin which may later develop into squamous cell carcinoma.

The scrotum is particularly prone to develop squamous cell carcinoma of the skin.

Useful Laboratory Investigations:

Biopsy of the suspected area.

14. Diseases caused by the Toxic Halogen Derivatives of Hydrocarbons (of the aliphatic and aromatic series)

Occupational Exposure:

Halogenated aliphatic hydrocarbons are widely used as solvents, degreaser, paint removers, refrigerants, extraction agent, fire extinguishers and in chemical synthesis aromatic halogenated hydrocarbons are used as intermediate in the production of dyes, pharmaceuticals, pesticides, plastics, etc. any other work involving exposure to the risk concerned, for e.g. carbon tetrachloride, trichloroethylene, hexachloronaphthalene, polychlorinated biphenyl, and vinyl chloride.



Guidelines for Diagnosis

Clinical Manifestations:

Local Strong irritants of eyes and throat.

Generally the bromides are more irritants than chloride compounds.

Acute.- The acute effects are narcotic and closely resemble the effects of general anaesthetic. High concentration of the compounds may produce cardiac arrhythmias. The symptoms are nausea, headache, dizziness, confusion, lack of co-ordination, vertigo and abdominal pain.

Chronic.- Single acute exposure or repeated exposures can lead to the damage of liver and kidney which may be at times very severe. Long term exposure to vinyl chloride (Monomer) leads to the development of angiosarcoma of liver.

Useful Laboratory Investigations:

- (i) Liver function Tests.
- (ii) Renal function Tests.

15. Diseases caused by Carbon disulphide

Occupational Exposure:

Viscose rayon industry, artificial silk manufacturing industry, cellophane workers, rubber and rubber cement workers, vulcanisers, in reclaiming old rubber, in extraction of oils and fats from hides, bones and wools, it is a solvent of sulphur and phosphorus in manufacture of matches in manufacture of the fine chemicals, pharmaceutical products dry cleaning any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute poisoning.- Exposure to high concentration (3-5g/m³) results in different psychiatric and neurological symptoms and signs, including extreme irritability, hallucinations, maniac delirium, paranoia and other disturbances.

Behavioural changes associated with pyramidal and extra-pyramidal syndromes, disturbances in automatic functions, symmetrical polyneuropathy affecting mainly sensory nerves of lower limbs.

Vascular change: Arteriosclerosis in relatively young people.



Endocrine changes: Reduced spermatogenesis; menstrual irregularity and impaired thyroid function.

Gastrointestinal changes: Dyspepsia, gastritis and ulocative changes.

Useful Laboratory Investigations:

- (i) Examination of blood lipid pattern.
- (ii) Electroencephalography.
- (iii) Electromyography.
- (iv) Electrocardiography
- (v) Measurement of nerve conduction velocity.

16. Occupational Cataract due to Infra-red Radiation

Occupational Exposure:

Prolonged exposure to rays from molten or red hot materials such as during electrical arc welding, electric furnace operations, foundry operations, glass blowing; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Slow and progressive diminution of acuity of vision leading to development of cataract.

Useful Laboratory Investigations:

Presence of posterior polar cataract as found by slit lamp microscopy in relatively younger people.

17. Diseases caused by Manganese or its Toxic compounds

Occupational Exposure:

Mining, crushing and processing of manganese ore; manufacture of dry cell batteries, fire works, manganese bricks, matches, permanganate, metal refining, arc welding, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Neurological:

Acute: Psychomotor disturbances, dysarthria and disturbance of gait followed by maniac or



depressive psychosis and parkinsonism.

Pulmonary: Increases incidence of pneumonia and higher rate of acute and chronic bronchitis.

Useful Laboratory Investigations:

Analysis of blood, urine and hair for manganese.

18. Skin Diseases caused by Physical Chemical or Biological Agents not included in other items

Occupational Exposure:

Physical agents pressure or friction, weather condition, heat radiation, mineral fibres, chemical agents, primary irritants, sensitizer acnegenic agents, photosensitizers. Biological agents, microbes, fungi, skin parasites and their products.

Guidelines for Diagnosis

Clinical Manifestations:

- (i) Primary irritant contact dermatitis, Erythema, oedema, papules, vesicles or bullas, localised as a rule on the hands, forearms or face.
- (ii) Allergic contact dermatitis, clinical features same as those of irritant dermatitis except that the symptoms appear sometime after exposure (Sensation) and the severity is usually less related to the dose and the patch test.
- (iii) Oil Folliculitis: Follicular papules and pustules and discolouration with comedone formation on exposure to cooling and cutting oils. Lesions are found over things and forearms.
- (iv) Chloracne: In contrast to oil folliculitis, comedones are pale in colour and are associated with pale, yellowish or flesh coloured inflammatory lesions.
- (v) Occupational vitiligo or occupational leucoderma; exposure to certain substituted phenols and catechols, clinically the conditions is indistinguishable from naturally occurring vitiligo.

Useful Laboratory Investigations:

Patch test in case of allergic contact dermatitis.

19. Hearing Impairment caused by Noise

Occupational Exposure:



Long term occupational exposure to high levels (more than 90 DBA) of noise.

Guidelines for Diagnosis

Clinical Manifestations:

- (i) The hearing loss is bilateral and symmetrical.
- (ii) The hearing loss is inner ear type.
- (iii) The hearing loss commences at 4000 Hz with a characteristic 'V' shaped notch in audiogram and then spreads to the other frequencies.
- (iv) The hearing loss is permanent and stable even after the removal of worker from further exposure.

Useful Laboratory Investigations:

Audiometry

20. Poisoning by Dinitrophenol or a Homologue or by substituted Dinitrophenol or by the Salts of such substances

Occupational Exposure:

The use or handling or exposure to the fumes of or vapour containing such substances as in dye makers, explosive workers, herbs workers, wood preservative workers.

Guidelines for Diagnosis

Clinical Manifestations:

Local:- Allergic (Urticaria and exfoliative dermatitis). 2,4-Dinitrochlorobenzene (DNCB) is a powerful sensitizer of the skin and can induce delayed hypersensitivity.

Systemic:- Anorexia, nausea vomiting, sweating, thirst dyspnoea, tachycardia and fever. All these symptoms are due to stimulation of basal metabolic rate (BMR). Other manifestations are retropenia, agranulocytosis hepatitis, peripheral neuritis and cataract formation. There is intense yellow staining of the tissues.

Useful Laboratory Investigations:

Estimation of dinitrophenol and aminodinitrophenol in urine.

21. Diseases caused by Beryllium or its Toxic Compounds

Occupational Exposure:

Aerospace industry manufacture of precision instruments and computers X-ray tubes, fluorescent tubes, vacuum electrodes, heater cathodes, moderator for use in nuclear industry, or any



other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute: Nasopharyngitis, tracheobronchitis, bronchitis or pulmonary cedema, appearing 1-2 days after exposure.

Chronic: The manifestations of chronic beryllium poisoning are due to formation of granulomas, which are confined mainly to the lungs but may be found in liver, spleen, skin etc. Usual signs and symptoms are breathlessness on exertion cough and fever.

Useful Laboratory Investigations:

- (i) X-ray chest, diffuse bilateral granulomatosis.
- (ii) Pulmonary function tests, reduced diffusion capacity.
- (iii) Other laboratory tests, rise in serum immunoglobulins (IgA and IgG), hyperuricaemia, hypercalcaemia and hypercalcinuria.
- (iv) Presence of beryllium, in tissue or urine.

22. Diseases caused by Cadmium or its Toxic Compounds

Occupational Exposure:

Primary or secondary cadmium smelters, cadmium plating industries, alkaline battery, vadmium pigment makers and welders.

Guidelines for Diagnosis

Clinical Manifestations:

Acute: Gastrointestinal disturbances and chemical penumonitis.

Chronic: Renal: Proteinuria, glycosuria, aninociduria, impaired acid secretion, decreased urine concentrating capacity of the kidney.

Respiratory: Emphysema, obstructive pulmonary disease, interstitial fibrosis.

Bone lesions: Osteomalacia, ostosporosis, spontaneous fractures.

Useful Laboratory Investigations:

- (i) Estimation of cadmium concentration in urine.
- (ii) Quantitative determination of total protein (buiretmethod) albumin, retinel, binding protein and Betazmicroglobulim concentration in urine.



- (iii) Pulmonary function tests.
- (iv) X-ray chest.

23. Occupational Asthma

Workers at greatest risk includes those who handle grains and cereals (silo workers, millers, bakers); grain storage, workers expose to mites, workers exposed to dusts from castor or coffee beans and those involved in tea shifting and packing, woodworker, sawmill operators and workers in the furniture industry, printing workers, laboratory workers handling animals manufactures of detergent enzymes, platinum refiners, (rarely chromium or nickel platers), workers in the chemical and pharmaceutical Industries manufacturers or polyurethane foam using isocyanates, painters and insulation workers meant wrappers exposed to fumes of polyvinyl chloride (PVC) soft-wrap film and health personnel, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

The clinical symptoms of bronchial hyperreaction and chemical asthma are identical to those of asthma of non occupational origin. They include spnoea, chest tightness, wheezing and pulmonary function impairment of the obstructive type. With an immediate hypersensitivity reaction, the attack develops within a few minutes after exposure at the work place itself and the patient recovers within about two hours after withdrawl from exposure. The late hypersensitivity reaction starts several hours after the first exposure, often after the work-shift or at night and recovery may take more than 24 hours.

Useful Laboratory Investigations:

- (i) Simple lung function tests.
- (ii) Reliable biological tests of exposure are available for only a limited number of chemical substances. If there is a relevant antigen, skin tests and IgE estimations may indicate hypersensitivity in symptom free workers, reflecting the allergenic potency of the agent.

24. Diseases caused by Fluorine or its Toxic Compounds

Occupational Exposure:

Workers in phosphate fertilizer manufacture, open hearth and basic oxygen furnaces in steel



plants and aluminum reduction cell room operation and cryolite plant or fluor spar miners are at greatest risk. Others who may also be exposed include cement, porcelain, enamel, magnesium foundry and certain electroplating workers.

Guidelines for Diagnosis

Clinical Manifestations:

Acute: Acute poisoning may occur after exposure to high concentration in- of are of fluorine and hydrogen fluoride. In such cases, there is immediate irritation of the exposed tissues, including the eyes and the respiratory tract.

Chronic: The most significant consequence of excessive fluoride exposure is the damage to the skeletal system and associated tissues. The first stage of osteoporosis consists of an increase in the density of pelvic and vertebra bones, with coarsening and blurring of bone trabeculae. After some years the second stage ensues with increased density and blurring of contour of the pelvic and vertebral bones, ribs and extremities.

Useful Laboratory Investigations:

The most practical indicator of fluorine body burden is the concentration of fluorides in the urine which can be accurately and quickly measured with ion-specific electrodes.

25. Diseases caused by Nitroglycerin and other Nitric

(a) Acid Esters:

Workers engaged in the production of these substances and in the manufacture and use of explosives (e.g. in mines) are at greatest risk of exposure, workers handling these substances in the pharmaceutical industry may also be at risk, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Nitroesters and the intermediates of ethylene glycol dinitrate metabolism (Mononitro glycol and nitrites) causes vasodilation with a subsequent fall in blood pressure; heart rate acceleration and pulse pressure reduction. After the first contact with nitroesters or on resuming work after a long period of rests, the worker may develop headache, nausea, weakness and palpitations and may even collapse. Physical examination of such patients reveal a weak accelerated pulse and decreased blood pressure after daily repeated exposure most workers acquire a tolerance and the fall in blood pressure is less. This is not due to changes in metabolism



but to the physiological regulatory mechanism. However, there may be a decreased tolerance to alcohol, digestive troubles, sleep disturbances parasthesias, tremor and mental inhibition.

Useful Laboratory Investigations:

Although the determination of nitroesters in blood and of inorganic nitrates in urine is possible the levels are not reliable reflections of exposure.

26. Diseases caused by Alcohols Glycols and Ketones

(a) Alcohols and Glycols

Occupational Exposure:

Workers in the production or use of these substances, dye makers, dyers, printers are at greatest risk of exposure any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute Poisoning: Acute poisoning from alcohols and glycols in industry is rare and occurs mainly as a result of accidental ingestion. Acutely intoxicated patients complain of headache, vertigo, confusion feeling of drunkenss, nausea, vomiting, epigastrio pain and sensory function impairment. Methyl alcohol poisoning also produces visual disturbances due to optic, retrobulbar neuritis, which may progress to optic atrophy Metabolic acidosis due to the formation of formic acid is the typical bio-chemical feature of acute methyl alcohol poisoning.

Chronic poisoning: Except for occasional headache and upper respiratory tract irritation, no typical syndromes are usually associated with chronic exposure. Eye and upper respiratory tract irritation, optic neuritis with Photophobia and disturbed vision and central nervous system disorders are the manifestations of chronic methyl alcohol intoxication.

Useful Laboratory Investigations:

There are no reliable routine methods for biological monitoring. The final metabolities in urine or volatile alcohols in expired air could be measures but the exact relationship between exposure level and amounts excreted is unknown.

(b) Ketones:

Occupational Exposure:

Workers in the production of ketone and those in the above mentioned industries are at greatest risk, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis



Clinical Manifestations:

Acute poisoning: All ketones are moderate irritants of mucous membranes. High Level exposure to ketones results in central nervous system depression and pre-narcotic symptoms which may progress to narcosis.

Chronic poisoning: Prolonged exposure to MBK (and to mixtures of MBK with methyl ethyl ketone) may produce a toxic sensory motor peripheral neuropathy similar to that caused by other industrial toxins (e.g. carbon disulfide, acrylamide and n-hexane.)

Useful Laboratory Investigations:

There are no reliable methods for the biological monitoring of exposure. The metabolic end-products of methyl n-butyl metone (MBK) and methyl ethyl ketone can be measures in the urine, or the unchanged ketone can be measured in the expired air, but the analytical methods are rather complicated and the exact relationship between exposure level and the amount excreted is not well established.

27. Diseases caused by Asphyxiants: Carbon Monoxide Hydrogen cyanide and its Toxic Derivates and Hydrogen Sulfide

(a) Carbon Monoxide:

Occupational Exposure:

Workers in the manufacture and distribution of gas (coal gas) made from solid fuel, garage mechanics, engine operators, traffic personnel, acetylene welders, boiler –room workers, chemical workers fire fighters, miners are at greatest risk, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute Poisoning: Exposure to high concentrations of carbon monoxide cause acute poisoning. Typical signs and symptoms are headache, dizziness drowsiness, nausea and vomiting. Depending on the concentration of CO in the air, duration of exposure and resulting carboxyhaemoglobin concentration in the blood, collapse, coma and death may occur.

Chronic poisoning.- Health impairment can occur due to long-term exposure to concentrations of carbon monoxide insufficient to cause acute poisoning. The following symptoms could be attributed to long term exposure, headache, memory defects, falling work output, sleep, disturbances, vertigo, emotional liability, signs of central and peripheral nervous



system impairment (encephalopathy, neuropathy) autonomic nervous system disorders (particularly impairment of its regulatory function over the cardio vascular system) and increased concentrations of serum cholesterol, lipoproteins and glucose.

Useful Laboratory Investigations:

There are two biological methods of determining exposure (a) by measuring the carboxyhaemoglobin concentration in blood and (b) by measuring the carbon monoxide concentration in the expired air. Since carbon monoxide also occurs naturally in the body (as a product of heme breakdown) so does carboxyhaemoglobin. The normal level of carboxyhaemoglobin is upto 0.5/100 g. haemoglobin, but if any haemolytic disorders are present it may be as high as 5/g/100g.

(b) Hydrogen cyanide and its Toxic Derivatives:

Occupational Exposure:

Fumigant workers, organic chemical synthesizers, electroplaters, gold and silver extractors, steel workers and workers in the production of plastics (particularly acrylonitrile-styrene)

Guidelines for Diagnosis

Clinical Manifestations:

Acute effects.- Initial symptoms of acute hydrogen cyanide poisoning include weakness headache, confusion and occasionally nausea and vomiting. In severe cases, coma, convulsions, and death due to respiratory arrest may occur.

Chronic effect.- the following conditions are allegedly caused by chronic exposure of hydrogen cyanide and its derivatives, neurasthenia with autonomic nervous system involvement, psychio alterations, precordial pains, breathlessness on exertion, bradycardin, arterial hypotonia, polyoethaemia, dyspepsia, hepatic impairment and thyroidal hypofunction. Allergic dermatoses due to skin contact with certain cyanides have been observed.

Useful Laboratory Investigations:

The determination of the CN ion in blood or tissues is of significance only in acute poisoning. In occupational exposure to cyanides, the concentration of thiocyanates in the urine may be elevated.

(c) Hydrogen Sulfide:

Occupational Exposure:



Sewage treatment plant workers, miners, metallurgists, silo workers, sugar beet processors, tannery workers, viscose rayon and cellophane workers, chemical workers (manufacturing of sulfuric acids, barium salts etc.) are at greatest risk of exposure, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute effects:- Hydrogen sulfide has a direct irritant action on the eyes which sometimes leads to keratoconjunctivitis. It is also an irritant of the respiratory tract and may cause bronchitis or even pulmonary edema.

Chronic poisoning: Nonspecific symptoms and disorders such as impaired sleep, headache, vertigo, poor concentration, lability of mood, hyperhidrosis, autonomic nervous system impairment, chronic bronchitis and dyspepsia are accepted by some authorities as resulting from long term exposure to concentrations of hydrogen sulphide lower than those causing acute poisoning.

Useful Laboratory Investigations:

There are no methods of biological assessment.

28. Lung Cancer and Mesotheliomas caused by Asbestos

Occupational Exposure:

Workers in the following occupations are at-greatest risk: mining, milling and processing of asbestos, transport of mined or milled asbestos, manufacture of asbestos products, disposal of waste material from asbestos, mining, milling etc. any use or dismantling of asbestos products that causes airborne asbestos dust, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Asbestos related lung cancer is clinically indistinguishable from lung cancer unrelated to asbestos exposure. Adenocarcinoma is more common in workers exposed to asbestos. Crocidolite is casually related to mesotheliomas in man.

Chest pain and shortness of breath due to massive blood-stained pleural effusion frequently occur in pleural tumours, peritoneal tumours generally give abdominal pain and swelling from gross ascitis.

Useful Laboratory Investigations:



1. Using the ILO international classification of radiographers of puenumoconiceses, Pulmonary, changes resulting from expose to asbestos can be detected by radiography.

(ii) Pulmonary function tests are useful but are less specified than radiography.

29. Primary Neoplasm of the Dpithelial Lining of the Urinary Bladder or the kidney or the ureter

Occupational Exposure:

Work involving exposure to any of the following substances.

- (a) Alpha-naphthylamine, betanephthylamine or methylene bis-orthochlereaniline.
- (b) Diphenyl substituted by at least one nitro and primary amino group (including benzidine)
- (c) Any of the substances in sub paragraph
- (d) Above if furthering substituted by halogen, methyl or methoxy groups.
- (e) Auramine or mageta.

Guidelines for Diagnosis

Clinical Manifestations:

Painless haematuria and colic due to obstruction by blood clot Tenderness in the flank may be present.

Useful Laboratory Investigations:

- (i) Microscopic examination of urine
- (ii) Urography and Uthasonography
- (iii) Cystoscopy
- (iv) Exfoliative cytology of urine
- (v) Boopsy

30. Pnemoconiosis caused by Sclerogenic Mineral Dust

(a) Silicosis and Silico-Tuberculosis:

Occupational Exposure:

Mining, tunneling, drilling of rocks, foundries and ceramic industries, slate pencil industry, glass



manufacturing quartz grinding, agate polishing, stone cutting and dressing sand blasting industries, any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Progressive dyspnoea, cough and expectoration. Presence of haemoptysis and fever usually indicate complication by tubercular infection.

Useful Laboratory Investigations:

- (i) X-ray chest, bilateral symmetrical nodular opacities which may be accompanied by irregular massive shadows and egg shell calcification of hilar glands.
- (ii) Pulmonary function tests, restrictive or combined (restrictive and obstructive) type of functional abnormality.
- (iii) Culture of mycobacteria in spectrum in case of silico-tuberculosis.

(c) Coal-Miners' Pneumoconiosis (Coal Workers' Pneumoconiosis or Anthraco-Silicosis)

Occupational Exposure:

Coal mining, trimming of coal in the ship, fuelling of coal in the power generating plants.

Anthraco-silicosis is caused by exposure to mixed dust in which free silica is present.

Guidelines for Diagnosis

Clinical Manifestations:

Cough, blackish sputum and dyspnoea on exertion.

Useful Laboratory Investigations:

- (i) X-ray chest: Simple pneumoconiosis; small, rounded bilaterally symmetrical, pinhead opacities. Progressive massive fibrosis (PMF) Large, irregular opacities, usually confined to the upper lung fields.
- (ii) Pulmonary function test: May be normal in simple pneumoconiosis or there may be restrictive or combined type of functional abnormality. Transfer factor is normal.

Asbestosis

Occupational Exposure:

Working or handling of asbestos or any admixture of asbestos;

Manufacture or repair of asbestos textiles or other articles containing or composed of



asbestos;

Cleaning of any machinery or plant used in any of the foregoing operations and of any chambers, fixtures of appliances for the collections of asbestos dust;

Any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Increasing breathlessness, cough and sometimes tightness of chest, Dry end-inspiratory rales (crackles) at the basis of the lungs and exillac just above the diaphragm.

Useful Laboratory Investigations:

- (i) Pulmonary Function Test: Restrictive type of pulmonary function abnormality and transfer factor.
- (ii) X-ray chest: showing bilateral, irregular opacities prominent at the lung bases.

31. Bagassosis

Occupational Exposure:

Occupational exposure to bagassas (remains of sugarcane after juice is extracted) as in manufacture of different types of paper and cardboard and a variety of building materials such as insulating wall and board and fillers for veneered doors; any other work involving exposure to the risk concerned.

Guidelines for Diagnosis

Clinical Manifestations:

Acute and subacute: Symptoms occur 4 to 8 hours after exposure. They include nausea vomiting, fever, chest tightness, breathlessness, cough, cyanosis and crepitations on auscultation.

Chronic: Dyspnoea on exertion.

Useful Laboratory Investigations:

X-ray chest: small opacities, symmetrically distributed over middle and lower lung fields. In chronic cases the radiographic appearances resemble diffuse interstitial pulmonary fibrosis.

Pulmonary function tests: Diminished ventilator capacity and gas transfer factor.

32. Bronchopulmonary Diseases caused by cotton dust flax, hemp and sisal dust (Byssionsis)



Occupational Exposure:

Prolonged occupational exposure to cotton, flax and soft hemp.

Guidelines for Diagnosis

Clinical Manifestations:

Chest tightness on the first day of the work after holidays. With progress of the disease, chest tightness accompanied by breathlessness and the symptoms are more severe and persist longer.

Useful Laboratory Investigations:

Pulmonary function tests: Fall in FEV 1.0 following exposure on the first day of the work after holidays.

33. Extrinsic Allergic Aiveolitis caused by the inhalation of organic dust.

Occupational Exposure:

Exposure to microbial spores; Moulding vegetable matt such as hay and barely, mushroom compost, bagassae and wood bark.

Guidelines for Diagnosis

Clinical Manifestations:

Acute: Breathlessness with fever and flu like symptoms such headache and muscular pains.

Sub acute: Follows repeated but intermittent heavy exposure to spores breathlessness, malaise, weight loss and fever, Chronic (Irreversible pulmonary fibrosis): Breathlessness without constitutional symptoms other than weight loss, fingers clubbing and scattered inspiratory crackles and squeaks head over the lungs.

Useful Laboratory Investigations:

- (i) X-ray chest: Diffuse bitateral mottling
- (ii) Pulmonary functionaries: Restrictive functional abnormality with reduced diffusion capacity.
- (iii) Immunological Tests: Positive serological test against appropriate antigen.

34. Bronchopulmonary diseases caused by hard metal dusts

Occupational Exposure:

Workers at greatest risk are those engaged in the production of sintered carbides (mixing, pulverizing, forming furnace heating machining, precision grinding) and in the manufacture of



tools and machine parts as well as those responsible for sharpening the tools produced, Although those engaged in grinding and sharpening are the most exposure to the hazard, workers engaged in other tasks in the immediate vicinity in the same workshop may also run a high risk of exposure.

Guidelines for Diagnosis

Clinical Manifestations:

In a majority of those exposure a variety or irritative symptoms are seen including cough, allergic rhinitis, asthma like dyspnoea and dyspnoea on exertion. The symptoms improve after the cessation of exposure. Deffuse interstitial pulmonary fibrosis is far less cum and affects about 1.4% of workers.

The early signs of disease begin to appear following exposure for more than three years. These include dry or weight loss, progressive dyspnoea on exertion. Crepitant rules may be heard on auscultation. Chest X-rays which difficult to interpret at the onset of the disease, show liner marking and reticular shadows of varying capacity.

Useful Laboratory Investigations:

Increased excretion of cobalt in the urine may be used as supplementary test of environment exposure. However, the relationship between hard metal dust exposure and cobalt urine is obscure.

ANNEXURE II

GUIDELINES FOR ASSESSMENT OF DISABILITY (VIDE RULE II)

Introduction:

The evaluation of disability due to occupational diseases is usually governed by the same principles as applied to accident injuries. However evaluation is more difficult in case of disease than in the case of injury since quantification entails not only diagnosis but also determination of severity. It is not possible to draw up schedules for diseases and assessment will depend both on amount of information available and on the assessor's crit faculty consequently accurate



evaluation of disability due to industrial diseases demands increasingly refined and accurate instrumentation and particularly gifted assessors.

When evaluating reduced working capacity due to occupational diseases it is essential to determine both the extent of the pathological manifestations and their repercussions on the subject's personality. Allowance should be made for re-existing factors that may effect the significance of the diagnosis, such as the outcome of recent therapy or the effect of specific, contingent climate conditions (for example Chronic Bronchitis which becomes acute in person with pneumnchorisis) in cardio-vascular function tests, allowance must be made for the subjects current physical conditions which will depend on whether he is actively employed or moderate or heavy work or confined to bed. The evaluation of such factors implies reliable methods of investigation and considerable experience on the part of the assessor.

Definitions:

Physical impair leads to functional limitations and functional limitation leads to disability. Hence physical impairment, functional limitation and disability have been defined by W.H.O. as follows:-

- (i) Impairment: An impairment is a permanent or transitory Psychological or anatomical loss and /or abnormality. For example a missing or defective part, tissue organ, or mechanism of thromsis, restricted pulmonary capacity, diabetes, myopia, disfigurement, mental retardation, Hypertension, perceptual disturbance.
- (ii) Functional limitation: Impairment may cause functional limitations which are the partial or total inability to perform those activities necessary for motor, sensory, or mental functions within the range and manner of which a human being is normally capable such as walking, lifting, seeing, speaking, bearing, reading, writing, counting, taking interest in and making contact with surroundings. A functional limitation may last for a short time, a long time, be permanent or reversible. It should be quantifiable whenever possible. Limitations may be described as "progressive" or "regressive".
- (iii) Disabilities: Disability in which functional limitation and on impairment is a causative factor is defined as an existing difficulty in performing one or more activities which, in accordance with the subject's age, sex and normative social role, are generally accepted as essential, basic components of daily living, such as selfcare, social



relations and economic activity. Depending in part on the duration of the functional limitation, disability may be short term and long term or permanent. In this context we will only deal with long term and permanent disability.

Medically disability is physical impairment and inability to perform physical functions normally.

Legally, disability is a permanent injury to body for which the person should or should not be compensated.

Under the statutes or Workmen's Compensation disability may be divided into three periods which are:

1. Temporary total disability is that period in which injured person is totally unable to work. During this time the received orthopaedic or other medical treatment.
2. Temporary partial disability is that period when recovery has reached the stage of improvement so that the person may begin some kind of gainful occupation.
3. Permanent disability applies to permanent damage or to loss of use of some part of the body after the state of maximum improvement, from orthopaedic or other medical treatment, has been reached and the condition is stationary.

The Doctor and the Evaluation:

The doctor may be called upon to testify as an expert witness in the court of justice. The expert witness is legally bound to declare his knowledge of the case and express his opinions.

Effects of disability are physical, social, psychological and vocational. Since the total disability is not purely a medical condition, medical man should evaluate the permanent physical impairment rather than total disability. Physical..... impairment evaluation certificate is to be issued only by Medical Doctors who are registered under the 1st schedule of M.C.I Act, 1956. Aggregate of permanent physical impairment should not exceed more than 100%.

Hearing Impairment:

The ultimate test in any formula for determining hearing disability is the ability to understand speech, but because speech audiometry has certain limitations for practical use, pure-tone audiometry is used. The most commonly used frequencies for calculating hearing impairment are 500, 1000 and 2000 Hz. Recently the AAO has recommended that 3000 Hz also be included. A so-called low fence has been determined, below which a hearing loss is considered insufficient



to warrant compensation. There is a difference of opinions as to precisely where this “low fence” be maintained at 25dB. Each state has its own method of paying disability and uses its own formula and provides a method for measuring and calculating binaural hearing impairment. The hearing level for each frequency is the number of decibels at which the listeners threshold of hearing lies above the standard audiometric O for that frequency. The hearing level for speech is a simple average of the hearing level at the frequencies 500, 1000, 2000 and now 3000 Hz. The following is an example of how to calculate hearing impairment for compensation purpose (AAO guidelines 1978):

1. The average of the hearing threshold levels at 500, 1000, 2000 and 3000 Hz should be calculated for each ear.
2. The percent impairment for each ear should be calculated by multiplying by 1.5% the amount by which the above average hearing threshold level exceeds 25 dB (low fence) upto a maximum of 100%, which is reached at 92 dB (high fence).
3. The hearing handicap a binaural assessment, should then be calculated by multiplying the smaller percentage (better ear) by 5, adding the figure to the larger percentage (poorer ear) and dividing the total by 6.

Hearing Loss:

	500 Hz	1000Hz	2000Hz	3000Hz
Right ear	15	25	45	55
Left ear	20	30	50	60
AAO method: 25-dB Fence				
1. Right ear	15+25+45+55	= 140	= 35-dB average	
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	4	4		
2. Left ear	20+30+50+60	= 160	= 40-dB average	
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	4	4		

Monural Impairment

3. Right ear $35 - 25 = 10\text{dB} \times 1.5\% = 15\%$



4. Left ear $40-25 = 15 \text{ dB} \times 1.5\% = 22.5\%$
5. Better ear $15 \times 5 = 75$
6. Poorer ear $22.5\% \times 1 = 22.5$
7. Total $97.5 \times 6 = 16.25\%$

The per cent of binaural hearing impairment as related to the whole man can be calculated as per the Table given below.

Per cent of binaural hearing impairment as related to the whole man Impairment.

Impairment of Binaural Hearing %	Whole man %	Important of Binaural Hearing %	Whole man %
0-1.7	0	50.0-53.1	18
1.8-4.2	1	53.2-55.7	19
4.3-7.4	2	55.8-58.8	20
7.5-9.9	3	58.9-61.4	21
10.0-13.1	4	61.5-64.5	22
13.2-15.9	5	64.6-67.1	23
16.0-18.8	6	67.2-70.0	24
18.9-21.4	7	70.1-72.8	25
21.5-24.5	8	72.9-75.9	26
24.6-27.1	9	76.0-78.5	27
27.2-30.0	10	78.6-81.7	28
30.1-32.8	11	81.8-84.2	29
32.9-35.9	12	84.3-87.4	30
36.0-38.5	13	87.5-89.9	31
38.6-41.7	14	90.0-93.1	32
41.8-44.2	15	93.2-95.7	33
44.3-47.4	16	95.7-98.8	34
47.5-49.9	17	98.9-100.0	35

Note:- Impairment of whole man contributed binaural hearing impairment may rounded in the nearest 5% only when it is the sole impairment involved.

CRITERIA FOR EVALUATING PERMANENT SKIN IMPAIRMENT

Class -1	Class-2	Class-3	Class-4	Class-5
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Impairment 0%-5%	Impairment 10%-20%	Impairment 25%-50%	Impairment 55%-80%	Impairment 85%-95%
Signs or symptoms of skin disorder are present AND With treatment there is no or minimal limitation in the performance of the activities of daily living	Signs or symptoms of skin disorder are present AND Intermittent treatment is required AND There is limitation in the performance of some of the activities of daily living	Signs or symptoms of skin disorder are present AND Continuous treatments is required AND There is limitation in the performance of may of the activities of daily living	Signs or symptoms of skin disorder are present AND Continuous treatment is required which may include periodic confinement at home of other domicile AND There is limitation in the performance of may of the activities of daily living	Signs or symptoms of skin disorder are present AND Continuous treatment is required which necessitates confinement at home or other domicile AND There is severe limitation in the performance of the activities of daily living
CLASSES OF RESPIRATORY IMPAIRMENT				
Dyspnea	When it occurs is consistent with the circumstances of activity	Does not occur at rest and seldom occurs during the performance of the usual activities of daily living	Does not occur at rest but does occur during the usual activities of daily living	Occurs during such activities as climbing one flight of stairs or walking 100 yards on the level, on less



Test of Ventilatory Function (At least two should be performed) FBC l.oMVV	Not less than 85% of predicted	70% - 85%	55%-70% of predicted	exertion or even at test. Less than 55% of predicted
Arterial Oxygen Saturation (when performed)	Not applicable	Not applicable	Usually 88% or greater at test and after exercise	Usually less than 88% at test and after exercise
Roentgenogram Appearance	Usually normal but there may be evidence of healed or inactive chest diseases.	May be normal or abnormal	Usually is abnormal but may be normal	Usually is abnormal

CLASSES OF AIR PASSAGE DEFECTS

Class I (0-10% impairment of whole man)	Class II (10-20% impairment of whole man)	Class III (25-35% impairment of whole man)	Class IV (50-70% impairment of whole man)
(1)	(2)	(3)	(4)
A recognized air passage defect exists	A recognized air passage defect exists	A recognized air passage defect exists	A recognized air passage defect exists
Dyspnea does NOT occur at rest	Dyspnea does NOT occur at rest	Dyspnea does NOT occur at rest	Dyspnea occurs at rest although patient is not necessarily bed ridden
Dyspnea is NOT produced by walking	Dyspnea IS produced by stress, prolonged	Dyspnea IS produced by walking more than	Dyspnea is aggravated by the performance of any of the usual



or climbing stairs freely, performance of other usual activities of daily living, stress, prolonged exertion, hurrying, hill climbing, recreation, requiring intensive effort of similar activity	exertion, hurrying, hill climbing, recreation except sedentary forms or similar activity Dyspnea is NOT produced by walking freely on the level, climbing at least one flight of ordinary stairs or the performance of other usual activities of daily living	the or two blocks on the level or climbing one flight or ordinary stairs even with periods of rest, performance of other usual activities of daily living, stress, hurrying hill-climbing recreation or similar activity	activities of daily living beyond personal cleaning dressing, grooming or its equivalent
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(1)	(2)	(3)	(4)
Examination reveals ONE or more of the following partial obstruction of oropharynx, laryngopharynx, larynx, upper reaches to (4 th ring) lower traches, bronchi, or complete obstruction of the nose (bilateral or nasopharynx)	Examination reveals ONE or more of the following partial obstruction of oropharynx, laryngopharynx, larynx, upper reaches to (4 th ring) lower traches, bronchi, or complete obstruction of the nose (bilateral or nasopharynx)	Examination reveals ONE or more of the following partial obstruction of oropharynx, laryngopharynx, larynx, upper reaches to (4 th ring) lower traches, bronchi,	Examination reveals ONE or more of the following partial obstruction of oropharynx, laryngopharynx, larynx, upper reaches to (4 th ring) lower traches, bronchi,

Classes of Organic Heart Disease – Guide for Evaluating-Impairment of the whole man (Adopted with revision from the American Heart Association (New York Heart Association) and American Medical Association (Committee on Medical Rating or Physical Imairment)

Class I Prime (None)	Class I (Minimum)	Class II (Moderate)	Class III (Severe)	Class IV (Very Severe)
Energy expenditure over	Expenditure	Expenditure	Expenditure	Expenditure upto



<p>7 Calories/min.</p> <p>No symptoms with any type of activity</p> <p>Walking, climbing stairs freely and all activities of daily living do not produce symptoms</p> <p>Continuous (3 min. or longer) very severe (rapid action of mass musculature physical, exertion, hurrying, hill climbing, severe or competitive recreation do not produce</p>	<p>continuous upto 5 Calories/min, intermittent to 6.6 Calories/min.</p> <p>No symptoms with ordinary activity</p> <p>Walking climbing stairs and usual activities or daily living do not produce symptoms</p> <p>Intermittent (2min.or less) severe physical exertion, hurrying hill climbing, active recreation and marked emotional stress do not produce symptoms</p>	<p>continuous upto 2.5 Calories/min, intermittent to 4 Calories/min.</p> <p>Slight symptoms with ordinary activity, none at rest</p> <p>Walking on level climbing one flight of stairs (average pace) and usual activities of living do not produce symptoms</p> <p>Emotional stress, hurrying hill climbing, active recreation or similar physical activity produce slight symptoms</p>	<p>continuous upto 2 Calories/min, intermittent to 2.7 Calories/min</p> <p>Less than ordinary activity causes symptoms none at rest</p> <p>Walking more than one block on level or climbing one flight of stairs (average pace) or usual activities of daily living produce symptoms</p> <p>Emotional stress, hurrying hill climbing, active reaction or similar activities produce marked symptoms</p>	<p>1.5 Calories min.</p> <p>Symptoms even at rest</p> <p>Performance of any of activities of daily living beyond personal toilet of its equivalent produce increased discomfort</p> <p>Symptoms increase with emotional reaction any physical activity increases discomfort</p>
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symptoms.				
Signs of congestive heart failure are not present	Signs of congestive heart failure are not present	Signs of congestive heart failure are not present	Signs of congestive heart failure may be present and if so are usually relieved by therapy	Signs of congestive heart failure, if present, are usually resistant to therapy

OCCUPATION

Watch repairing	1.6
Typing	1.8
Driving tractor	1.9
Painting sitting	2.0
Gardening light	2.1
Armature winding	2.2
Gobbling	2.2
Hammering nails	2.4
Using hand tools	2.5
Radio assembly	2.7
Drive car or truck	2.8
Sewing at machine	2.9
Upholstering	3.0
Saw, power hand	3.1
Planning wood, soft	3.4
Sweep or rake	3.4
Mow lawn, power	3.8
Brick laying	4.0
Plastering	4.0
Tractor ploughing	4.2
Assembly line work	4.5



Pump tire	5.0	
Wheel barrow, 115 lbs	5.0	
Horse ploughing	5.9	
Saw soft wood		6.3
Carry 50 lbs	6.7	
Carpentry	6.8	
Pusingsheel barrow	7.0	
Pull, lightly	7.0	
Saw hard wood	7.3	
Mow lawn by hand	7.7	
Digging	8.0	
Felling tree	8.0	
Shoveling earth	8.5	
Ascending stairs 17 lb.load	9.0	
Shoveling sand	9.0	
Splitting wood		9.0
Planning wood, hard	9.1	
Pull, hard	10.0	
Tending furnace	10.2	
Climb ladder	10.4	
Chop with ax, pick or		
Sledge hammer	10.8	
Chopping trees	12.0	
Lift more than 100 lbs		16.0

SELF CARE

Rest supine	1.0
Sitting	1.2
Standing relaxed	1.4



Feeding self, sitting	1.4	
Conversation	1.4	
Dressing, undressing	2.3	
Propulsion wheel chair	2.4	
Washing hands, face standing		2.5
Walking slowly, 1 mile in 24 min.	3.5	
Beside commode	3.6	
Dressing, Washing, Shaving	3.8	
Showering	4.2	
Using bedpan	4.7	
Walking downstairs	5.2	
Walking (military) 1 mile in 6 min.	5.6	
Walking, level icy street	5.6	
Walking moderately fast 1 mile in 15 min.	6.2	
Walking up hill 5" slope	7.2	
Ambulation braces and crutches	8.0	
Walking fast, 1 mile 2.5 min.	8.0	
Climbing, descending 2 flights stairs/min.	8.5	
Walking level 2 ½"	10.7	
Walking uphill 10" slope	13.01	

OCCUPATIONAL THERAPY

Leather tooling reclining	1.2	
Making link belt, reclining	1.3	
Rug hooking, sitting	1.3	
Chip carving reclining		1.5
Knitting	1.5	



Book binding	1.6
Copper tooling	1.6
Leather carving, sitting	1.8
Typing	1.8
Painting sitting	2.0
Weaving, floor loom	2.0
Chisel carving c mallet standing	2.0
Chisel carving c mallet sitting	2.2
Power standing	2.2
Sawing softwood	6.3
Sawing hardwood	7.3

EXERCISE

Walking slowly, 1 mile in 24 min	3.5
Cycling, 5.5 mph, 1 mile in 11 min.	4.5
Straight leg raising	4.8
Swimming 20 yds/min	5.0
Walking briskly, 1 mile in 20 min.	5.0
Walking (military) 1 mile in 16 min.	5.6
Rowing, alone	6.0
Swimming 30 yds/min	7.0
Walking fast 1 mile in 12.5 min	8.0
Up and down 2 flights of stairs in min.	8.5
Master two step test	9.0
Deep knee bends 30/min	8.8
Push up 30 min	9.0
Running 1 mile 11 min	11.0
Cycling 13 mph 1 mile in 45 min	11.0
Walking 5 mph 1 mile in 12 min	11.0
Running 1 mile 9 min	14.0



Running 1mile 7.5min 17.0

HOUSEWORK

Hand sewing	1.4	
Cooking standing	1.6	
Painting	1.6	
Sweeping floors, light		1.7
Machine sewing	1.8	
Polishing furniture	2.4	
Light ironing standing		2.7
Scrubbing standing	2.9	
Peeling potatoes	2.9	
Washing small clothes	3.0	
Dusting	3.1	
Vaccum cleaning	3.2	
Kneading dough	3.3	
Scrubbing floors	3.6	
Cleaning windows	3.7	
Mow lawn power	3.8	
Filling washing machine	4.1	
House painting	4.1	
Making beds	4.1	
Heavy ironing	4.2	
Mopping	4.2	
Waxing by hand	4.4	
Hanging wash	4.5	
Beating carpets	4.9	
Washing floors	5.3	
Carrying 20 lbs	5.3	
Putting wash thru hand wringer	5.7	



Carrying 50 lbs	6.7
Shoveling snow moderately wet 10/min	11.4

RECREATIONAL

Embroidering	1.2
Rug hooking sitting	1.3
Knitting	1.5
Typing	1.8
Plying cards	2.0
Painting sitting	2.0
Chisel carving	2.0
Work in garden light	2.1
Power sanding	2.2
Playing Piano	2.5
Driving car	2.8
Golf putting	3.0
Horseback riding slow	3.0
Volley ball	3.5
Walking slow I mile in 24 min	3.5
Golf using irons	3.7
Throwing	4.0
Bowling	4.4
Cycling 1 mile in 11 min	4.5
Golf using woods	5.0
Swimming 20 yards/min	5.0
Cycling 10 mph 1 mile in 6 min	5.3
Dancing foxtrot	5.5
Gardening moderate	5.6
Golf, walking caddle	6.2



Ice skating	6.2
Sawing soft wood	6.3
Table Tennis	6.5
Wash-wax car	6.5
Dancing rumba	7.0
Golf, pulling cart also carrying cart	7.0
Tennis doubles	7.1
Sawing hard wood	7.3
Trotting horse	8.0
Canoeing	8.3
Spading	8.6
Skating, tow, downhill	9.9
Squash	10.2
Cycling, 13 mph 1 mile in 4.5 min	11.0
Swimming, crawl, fast	11.5
Running 1 mile in 8 min	11.7
Skating, cross country	12.0

Assessment of Physical Impairment in Neurological Conditions

1. Assessment in neurological condition is not the assessment of disease but it is the assessment of the effect, i.e, clinical manifestations
2. Any neurological assessment has to be done after six months of onset.
3. These guidelines will only be used for central and upper motor neurone lesions
4. Proforma A&B will be utilised for assessment of lower motor neurone lesions, muscular disorders and other locomotor conditions
5. Total percentage of physical impairment in neurological conditions will not exceed 100%.
6. In the mixed cases the highest score will be taken into consideration. The lower score will be added to it and calculations will be done by the formula

$$\frac{a+b(100-a)}{100}$$

100



7. Additional rating of 4% will be given for dominant upper extremely
8. Additional 10% has been given for sensation in each extremity, but the maximum total physical impairment will not exceed 100%

TABLE I

Altered Sensorium	Disability Rate
	100%

TABLE II

Intellectual Disability (to be assessed by Clinical Psychologist)

	Disability Rate
Mild (I.Q. 80-90)	25%
Moderate (I.Q. 70-80)	50%
Severe (I.Q.60-70)	75%
Very Severe (I.Q. below 60)	100%

TABLE III

Speech Disability

	Disability Rate
Mild	25%
Moderate	50%
Severe	75%
Very Severe	100%

Tested by a 100 word text. Ability to read (in educated) comprehend, when read out, answer question on text clearly and ability to write a synopsis (in educated)

TABLE IV

Cranial Nerve Disability

Disability Rate



- (a) Motor carnial nerves: total or partial 20% for each nerve
 (b) Sensory: Total or partial 10% for each nerve

	Unilateral	Bilateral
Mild	20%	30%
Moderate	40%	70%
Severe	60%	100%

TABLE V
Motor System Disability

	Disability Rate
Monoparesis	25%
Monoplegia	
Hemiparesis	50%
Paraparesis	75%
Paraplegia	100%
Hemiplegia	
Quadriparesis	75%
Quadriplegia	100%

TABLE VI
Sensory System Disability

	Disability Rate
Anaesthesia	
Hypoaesthesia	
Paraesthesia	Each limb 10%
For involvement of hand/hands, foot/feet	25%

TABLE VII
Bladder disability due to Neurogenic involvement



	Disability Rate
Mild (Hesitancy/Frequency)	25%
Moderate (Precipitancy)	50%
Severe (Occasional incontinence)	75%
Very Severe (Retention/Total incontinence)	100%

TABLE VIII

Post head injury Fits and Epileptics

	Disability Rate
Mild (Occurrence of a convulsion)	25%
Moderate (1.5 fits/month on adequate medication)	50%
Severe (6-10 fits/month on adequate medication)	75%
Very Severe (10 fits/month on adequate medication)	100%

TABLE IX

Ataxia (Sensory or cerebellar)

	Disability Rate
Mild (Detected on examination)	25%
Moderate (Symptomatic but not disability)	50%
Severe (partial disability)	75%
Very Severe (total disability)	100%

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By Order of the Governor

MINI ANTONY,
Secretary to Government

