

TRIPURA GAZETTE



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PART -- I -- Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA LABOUR DEPARTMENT.

No.F.90(32)-LAB/PL/COM/97/4527

Dated, Agartala, the 7th May, 2018.

NOTIFICATION

Whereas, in exercise of the powers conferred by Sub-Section (1) of Section-43 of the Plantations Labour Act, 1951 (Act 69 of 1951), the State Government with the previous approval of the Central Government intended to amend the "Tripura Plantations Labour (Amendment) Rules, 2017" was published on 01/12/2017 in Tripura Gazette Extra Ordinary issued, giving 06(six) weeks time for information of all concerned likely to be affected thereby and also to submit objection or suggestion, if any, to the Labour Commissioner, Jackson Gate, Agartala;

And whereas, within the specified time no objection or suggestion was received from any person;

Now, therefore, having regard to that and considering all aspects, the State Government hereby publish the following Rules namely, "Tripura Plantations Labour (Amendment) Rules 2017" with effect from the date of publication of this in Extra Ordinary issue of Tripura Gazette.

By order

Sd/- Illegible
Dy. Secretary,
Government of Tripura.

TRIPURA PLANTATIONS LABOUR (AMMENDMENT) RULES, 2017

1. Short title, extent and commencement-

(a) These rules may be called the "Tripura Plantations Labour (Fourth Amendment) Rules, 2017".

(b) They shall apply to whole of the State of Tripura.

(c) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 2A (2)- Under Chapter IA, the Rule 2A (2) of the Principal rules shall be substituted with the following, namely,

"2A (2): The application shall be accompanied by Treasury Challan showing payment of fees under the Head of Account "0230- Labour & Employment" as specified below :-

- a) Plantation with an area from 5 hectares to 50 hectares - Rs.500/-
- b) Plantation with an area above 50 hectares up to 100 hectares - Rs.1000/-
- c) Plantation with an area above 100 hectares - Rs.2000/-"

3. Insertion of new chapter IV-A: After Chapter IV of the Principal Rules, the following rules shall be inserted namely-

"CHAPTER IV-A

WELFARE FOR SPRAYING WORKERS

69A. Eligibility for employment in spraying works :- No person who has not attained 18 years of age and no women shall be employed or permitted to be employed in use, handling, Spraying, Storage and transport of insecticides, chemicals and toxic substances in the tea gardens.

69B. Medical examination:- (1) Every person who is to be engaged in connection with the works of use, handling, spraying, storage and transportation of insecticides, chemicals and toxic substances, shall get examined by a Registered medical practitioner before his engagement and within 15 days, by a Certifying Surgeon appointed under the plantations Labour Act, 1951. Such medical examination shall include appropriate tests that are necessary for assessment of his health status.

(2) The employers of a Tea Estate shall appoint at least one person designated as Chemical Supervisor and having minimum qualification of Higher Secondary (pass) with Chemistry as one of the subjects and duly trained in handling, use and storage of insecticides, chemicals and toxic substances with additional qualification on first-aid measures to supervise the safe & proper use of such substances in the plantations.

(3) There shall be compulsory medical check-up of each Workers engaged for the purpose at an interval of not more than 90 days by a Certifying Surgeon appointed under the Plantations Labour Act, 1951.

(4) Every employer shall ensure that every worker in the plantation employed for handling, mixing, blending and applying insecticides, chemicals and toxic substances is trained thoroughly about the possible hazards involved in the operation in which he is engaged, the various safety measures and safe work practices to be adopted in emergencies arising from spillage of such insecticides, chemicals and toxic substances which may lead to contamination of lungs, skin, eyes, and other parts of the body through inhalation, swallowing etc. The employers shall also ensure through repeated periodic instructions for safety measures and safe working practices in words, related to use, handling, mixing, blending,

storage and applying of such substances.

(5) Any worker showing symptom of poisoning shall immediately be examined and given proper medical treatment.

(6) The employer shall report immediately to the Certifying Surgeon declared under the Plantations Labour Act, 1951 of any accident caused due to use, handling, mixing, blending, storage and transportation of such substances.

(7) Every employer shall maintain health records of every worker who is exposed to insecticides, chemicals and toxic substances in Form No.20 and every affected worker shall have access to such records with precautions. The record shall also be presented before Certifying Surgeon notified under the Plantations Labour Act, 1951, as well as before the Labour Officer of the area. The same also be presented before any Inspector declared under the Act having jurisdiction over the area where the Plantation is located, If asked for either orally or in writing on his visit to the Plantation or within 3 months at his office, whichever is earlier.

69C. Washing Facilities and Cloak Room :- (1) The washing, bathing and cloakroom facilities as prescribed under sub-section (7) (a) of Section 18A, shall be provided in the following manner-

These shall be provided and maintained in a cleanly state and in good condition for the use of all persons employed :-

- (a) a through with a smooth impervious surface fitted with a waste pipe with plug, and of sufficient length to allow at least two feet for every ten persons employed at any one time, and having a constant supply of water from taps or jets above the through at intervals of not more than two feet; or
- (b) at least one wash basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material and clean towels changed daily;
- (c) suitable accommodation for clothing not worn during working hours with adequate arrangement for drying the clothing if wet. The accommodation so provided shall be placed under charge of a responsible person.

(2) No food, drink or eatables including pan, supari or tobacco shall be brought into or consumed by any worker either at the work place or at the washrooms.

69D. Precautionary Notice:- Every employer shall exhibit precautionary notices indicating the hazards of insecticides, chemicals and toxic substances in the vicinity of the work place, printed / typed in the language of the majority of the workers and shall be affixed in prominent places where it could be easily seen and conveniently read by the workers.

69E. First Aid measures:- In all cases of poisoning, first-aid treatment shall always be given before the physician is called. The Indian Standard Guide for handling cases of pesticide

poisoning Part 1, First Aid Measure [I.S.4015 (Part-II)- 1967] shall be consulted for such first-aid treatment in addition to any other books on the subject. The workers shall also be educated in periodic manner as deems fit, on the effects on poisoning and the first -aid treatment to be given.

69F. Protective Clothing :- (1) Every worker handling insecticides during transport or application, shall be adequately protected with appropriate clothing.

(2) The protective clothing shall be used wherever necessary in conjunction with appropriate respiratory devices for preventing inhalation of toxic dusts, vapours or gases.

(3) No worker shall be allowed to dilute chemical solutions to be used for spraying nor allowed to spray without using gauntlets, dust-proof hats, hood, goggles, knee-length polythene apron, rubber gloves, rubber boots (gum boots) with socks, nose mask or bleached kerchief to cover nose and mouth.

(4) Lenses of goggles shall be of good quality.

(5) Rubber or rag-pad shall be used on the back to minimize, the jerking of spraying machine.

(6) Every worker engaged in spraying shall be provided with a bar of washing soap every fortnight.

(7) The equipment used for spraying as well as protective clothing and other equipments shall be maintained properly and replaced whenever necessary, immediately.

69G . Provision of change of batch used in spraying :- Workers engaged in spraying work shall be changed and replaced by other batches of workers after they have worked continuously for a period of three months.

69H. Disposal of used packages surplus materials and washings of insecticides :-
(1) It shall be the duty of the Employers and Operators to dispose packages or surplus materials and washings of insecticides, chemicals and other toxic substances in a safe manner so as to prevent environmental or water pollution.

(2) The used packages shall not be left outside to prevent their re-use.

(3) The packages shall be broken and buried away from human habitation.”

By order of the Governor,

Sd/- Illegible
Dy. Secretary
to the Govt. of Tripura
Labour Department.