

दिनांक 25.08.2012 को प्रधान सचिव, श्रम, नियोजन एवं प्रशिक्षण विभाग, झारखण्ड सरकार की अध्यक्षता में सिलिकोसिस बीमारी की रोकथाम के लिए तैयार कार्य योजना पर बैठक की कार्यवाही :-

उपस्थिति

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|-----|---|------------------------|
| 1. | प्रधान सचिव,
श्रम, नियोजन एवं प्रशिक्षण विभाग, झारखण्ड, राँची | - अध्यक्ष |
| 2. | श्रमायुक्त, झारखण्ड, राँची | - सदस्य सचिव |
| 3. | निदेशक, खान एवं भूतत्व विभाग, झारखण्ड, राँची | - सदस्य |
| 4. | निदेशक, कर्मचारी राज्य बीमा योजना निदेशालय,
नेपाल हाउस, डोरण्डा, झारखण्ड, राँची । | - सदस्य |
| 5. | निदेशक, प्रमुख स्वास्थ्य सेवायें, झारखण्ड, राँची | - सदस्य |
| 6. | महानिदेशक, खान सुरक्षा, धनबाद के प्रतिनिधि | - सदस्य |
| 7. | क्षेत्रीय निदेशक, राज्य कर्मचारी बीमा निगम, नामकुम, राँची | - सदस्य |
| 8. | सचिव, राज्य प्रदूषण नियंत्रण पर्वद, झारखण्ड, राँची | - सदस्य |
| 9. | मुख्य कारखाना निरीक्षक, झारखण्ड, राँची | - सदस्य |
| 10. | प्रधान सचिव,
स्वास्थ्य चिकित्सा, शिक्षा एवं परिवार कल्याण विभाग,
झारखण्ड, राँची | - विशेष आमंत्रित सदस्य |



बैठक में प्रारम्भ में प्रधान सचिव, श्रम, नियोजन एवं प्रशिक्षण विभाग के द्वारा उपस्थित पदाधिकारियों को बताया गया कि ज्ञापांक-1483 दिनांक 27.07.2012 द्वारा सिलिकोसिस की रोकथाम हेतु राज्य कार्य योजना परिचारित की गयी है, जिसके बिन्दुवार कार्यान्वयन हेतु एक निश्चित समय-सीमा निर्धारित किया जाना आवश्यक है। इसके साथ ही कार्य योजना के कतिपय बिन्दुओं को संशोधन एवं इसका ससमय अनुपालन वांछित है।

2. प्रधान सचिव के द्वारा सर्वेक्षण की दिशा में खनन एवं भूतत्व निदेशालय के द्वारा अब तक कोई भी कार्रवाई नहीं किये जाने को गंभीरता से लेते हुए खनन विभाग के उपस्थित पदाधिकारी को निदेशित किया गया कि वे झारखण्ड में पाये जाने वाले जैसे खनिज पदार्थ, जिनमें सिलिका तत्व प्रचूरता में पाये जाते हैं, की सूची एक सप्ताह के भीतर उपलब्ध कराना सुनिश्चित करें। इस सूची को संबंधित जिलों के उपायुक्तों को प्रेषित किया जायेगा जो एक समिति के माध्यम से सिलिका पर आधारित उद्योगों कारखानों तथा खानों का सर्वेक्षण 30 सितम्बर तक पूर्ण करायेंगे। इस समिति में निम्नलिखित सदस्य होंगे :-

- i. प्रदूषण नियंत्रण पर्सद के क्षेत्रीय पदाधिकारी
- ii. जिला खनन पदाधिकारी/सहायक खनन पदाधिकारी
- iii. स्थानीय क्षेत्राधिकारिता के कारखाना निरीक्षक

इसके अतिरिक्त उपायुक्त स्वास्थ्य या उद्योग विभाग के किसी अन्य पदाधिकारी को सर्वेक्षण कार्य में सहयोग प्रदान करने हेतु नामित कर सकेंगे।

सभी उपायुक्त सर्वेक्षण प्रतिवेदनों को संकलित कराके दिनांक 15 अक्टूबर, 2012 तक श्रमायुक्त, झारखण्ड को उपलब्ध करायेंगे।

इसके अतिरिक्त संबंधित विभागों को कार्ययोजना को लागू करने हेतु समान्तर रूप से कार्रवाई करने का निदेश दिया गया। बैठक में कार्ययोजना के विभिन्न पहलुओं पर विचार-विमर्श के उपरान्त प्रत्येक कार्य बिन्दु हेतु स्पष्ट समय-सीमा निर्धारित करते हुए कार्ययोजना को निम्नानुसार संशोधित करने तथा तदनुसार सभी को पत्र लिखने का निर्णय लिया गया :-

Government of Jharkhand
Labour Employment and Training Department

State Action Plan for the Prevention and Mitigation of Silicosis

In the light of the decision taken in the State level meeting held by Chief Secretary, Government of Jharkhand on 11.06.2012 and deliberations held in the meeting dated 14.07.2012 of the State Level task force for prevention of Silicosis under the Chairmanship of Principal Secretary, Labour, Employment and Training Department. This State action plan has been prepared for the prevention and mitigation of Silicosis in Jharkhand.

Jharkhand is a mineral rich State. In India history of mining and processing of metallic and non-metallic minerals is 300 years old. Several Mines of different minerals, coal, copper, iron, quartz, granite, bauxite and uranium and related industries are currently operational. There are several stone crushers, ramming mass units, iron ore crushers and sponge iron units and construction sites. Many of these sites and units have production (including construction) units which emit silica dust at workplace and many such units come under the unorganized sector- in rural and industrial areas of urban localities. Workers of Jharkhand working in these units are prone to silicosis. Pneumoconiosis is a preventable and incurable diseases. Many silicosis victims are diagnosed as TB patients and there is no proper policy to prevent these occupational diseases.

A National conference on Silicosis was organized by the National Human Rights Commission (NHRC) on 1st March, 2011. The Conference was attended by representatives of the concerned Central Government Ministries/organizations as well as State/UT Governments. The objective of the conference was to assess the action taken by the State Governments to tackle the problem of silicosis, a disease of lungs caused by inhalation of dust containing crystalline silica. This was especially with regard to the action taken by the State/UT Governments on the preventive, rehabilitative and remedial recommendations issued by the NHRC in December, 2010. It was also to obtain the advice/suggestions of the NGOs and technical institutions working in the area. Since then NHRC is monitoring the issue on periodical basis.

Objective:-

1. To identify silicosis prone industries, mines, factories and establishments.
2. To identify workers working in these establishments and get them medically diagnosed at the beginning of employment.
3. Awareness generation amongst the employers, workmen and other stake holders on various aspects of silicosis.
4. To encourage industries to install dust controlling devices and modern gadgets.
5. To encourage the employees and employers to use protective equipments.
6. To train and sensitize medical officers and paramedics on the issue.
7. To foster intra departmental co-ordination between different departments.
8. To take every possible step to prevent and control the disease.

SURVEY AND SAFETY

To assess the magnitude and impact of Silicosis, a detailed survey of the Silica prone industries shall be conducted. Department of Mines and Geology will provide a list of Silica prone minerals within a week as per the standards procedures defined by National Human Rights Commission. It is proposed to complete the survey up to 30th September, 2012. All Deputy Commissioners of respective districts shall be responsible to co-ordinate the activities of survey and follow-up action, concerned Deputy Commissioners may nominate any officer including that of Health, Mines and Industries Departments from the district, who in his opinion may support these activities. Survey report shall be compiled at the district level upto 15th October and a detailed report will be submitted to Department of Labour, Employment & Training, Govt. of Jharkhand.

(a) All the enlisted and identified factories, mines and industries shall be surveyed and inspected by a team consisting of following Officers :-

1. Regional Officer of State Pollution Control Board.
 2. Districts Mining Officer &
 3. Factory Inspector, having territorial jurisdiction of the area
- The team thus constituted shall enquire the emission status, installation of equipments and gadgets as per National Institute of Occupational Health (NIOH), specifications and guidelines and statutory provisions in respective Acts and take suitable action as per law.

ROLE OF DIFFERENT DEPARTMENTS IN IDENTIFICATION AND PREVENTION OF SILICOSIS :

(A) Department of Labour, Employment and Training.

- i. After conducting Occupational health and dust survey medical examination of every worker will be compulsory before recruitment and his health record shall be maintained. All enrolled workers would be clinically examined with chest radiography and pulmonary function test as per law to rule out any respiratory disorder. *(Time frame :- Continuous process)*
- ii. State factory Inspectorate will be equipped with latest equipments and will engage one Industrial Hygiene expert. *(Time frame :- Six months)*
- iii. Office of the factory inspector shall encourage, promote and propagate the use of various cost effective engineering control measures to manage silica dust. *(Time frame :- Three months)*
- iv. Implementation of precautionary measures including the protective gears for the workers of silicosis prone factories. *(Time frame :- One month)*
- v. NIOH has developed control devices for agate grinding and quartz crushing industries based on the principle of local exhaust ventilation. Installation of Dust control devices at work place by propagating and promoting the use of wet drilling and dust extractors shall be done on priority basis. *(Time frame :- Three months)*
- vi. Occupational Health and Safety Committees (OHSC) with the representation from workers and Health care providers shall be constituted in silica prone factories. *(Time frame :- One month)*

- vii. Certifying Surgeons for every district shall be notified. *(Time frame :- Fifteen days)*
- viii. State Social Security Board shall be set up under the unorganized workers Social Security Act, 2008 and this Board shall recommend welfare schemes to be formulated for the welfare of the unorganized workers including those who are at the risk of contracting silicosis as well as those already affected and their families. *(Time frame :- Six months)*
- ix. Wide publicity campaigns to be launched with the use of electronic and print media. *(Continuous process)*
- x. To co-ordinate with concerned Government Departments to prevent silicosis.

(B) Department of Health, Medical, Education & Family Welfare

- i. The Department shall identify and establish High resolution digital X-ray machines and Pathological labs in each district where silicosis prone industry, factory or quarrying project is going on. *(Up to 30th of September)*
- ii. At least one E.S.I./One Government Hospital to be notified as Occupational Disease Diagnostic centers (ODDC) OPD for occupational disease shall be provided. *(Time frame :- One month)*
- iii. To conduct Post mortem of every person who dies suffering from occupational disease. *(Continuous process)*
- iv. Recruitment of Certified surgeons, radiologists and chest specialists and their capacity building and training arrangement on dust diseases as per WHO & ILO standard. *(Time frame :- Six months)*
- v. Separate cell under NRHM shall be constituted which shall co-ordinate all the activities in the health department. *(Time frame :- Fifteen days)*
- vi. Training of all district T.B. Officers and identified doctors is required. Master trainers shall be developed to impart training to all public health doctors/paramedics for early diagnosis and detection of silicosis, training course will also be conducted for the employers and workmen. *(Time frame :- Six Months)*
- vii. District Tuberculosis Officer shall collect and maintain accurate information and documentation on the number of workplaces and workers at risk from silica exposure. *(Continuous process)*

viii. Appropriate counseling shall be provided to the persons affected by silicosis.
(Continuous process)

ix. To co-ordinate with concerned Government Departments to prevent silicosis.

(C) Department of Mines and Geology

i. To identify silica prone minerals within 7 days and create a data base to be shared with different departments. (Time frame :- Seven days)

ii. To update the list periodically. (Continuous process)

iii. To take suitable action against illegal crushes and small quarries in the mines lease areas. (Time frame :- Fifteen days)

iv. To co-ordinate with concerned Government Departments to prevent silicosis.

(D) Department of Industry

i. To produce the list of silicosis prone industries and convince the investors/ industrialists to install dust preventive approved equipments during project clearance licensing stage itself. (Time frame :- One month)

ii. To co-ordinate with various departments and stake holders and share the data base with all stake holders.

iii. To co-ordinate with concerned Government Departments to prevent silicosis.

(E) Department of Forest and Pollution Control Board

i. To nominate one officer in each district for the inspection team. (Time frame :- Seven days)

ii. To make sure that NOC is provided to the users of updated technology only as per specifications. (Continuous process)

iii. To conduct periodical inspections and take appropriate action as per law.
(Continuous process)

iv. To ensure that illegal crushers in the forest areas are closed. (Time frame :- Fifteen days)

v. To co-ordinate with concerned Government Departments to prevent silicosis.

(F) Director General Mines Safety

i. To prepare a database of mines and quarries which generate silica dust.
(Time frame:-Seven Days)

- ii. To conduct periodical inspections and take appropriate safety measures as per law, so that workman are not exposed to risky silica dust. (*Continuous process*)
- iii. To take suitable action against the illegal quarries and mines. (*Continuous process*)
- iv. To co-ordinate with concerned Government Departments to prevent silicosis.

COMPENSATION :-

As per NHRC guideline Silicosis is a compensable injury enlisted under the ESI Act and the Workmen's Compensation Act. Therefore, NHRC has recommended that a separate Silicosis Board similar to the one set up by the Government of Orissa shall be formed in every State. As the Government has already initiated the process of formulating State Social Security Board, under the unorganized workers Social Security Act, viability of a separate Silicosis Board will be discussed. The guideline and model calculation of compensation may be framed under the ESI Act and the Workmen's Compensation Act. A Committee consisting of Presiding Officer, Labour Courts shall be constituted under the chairmanship of Presiding Officer Industrial Tribunal which shall formulate guidelines and recommend model calculation.

The Board can carry out surveillance of silicosis cases and assessment of disability/loss of earning capacity resulting from the diseases for the purpose of compensation and rehabilitation.

The compensation could be calculated based on Disability Adjusted Life Year (DALY) developed by World Health Organisation as per attached annexure A

Co-ordination and Monitoring

For timely co-ordination and monitoring of these activities of the proposed action plan to be executed by various departments and stake holders. A high level committee shall be constituted under the Chairmanship of Chief Secretary.

Constitution of High Level Committee :

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| 1. Chief Secretary, Jharkhand, Ranchi. | Chairman |
| 2. Principal Secretary/Secretary,
Department of Labour, Employment and Training,
Government of Jharkhand. | Member
Secretary |
| 3. Principal Secretary/Secretary,
Department of Health, Medical Education & Family Planning,
Government of Jharkhand. | Member |

4. <i>Principal Secretary/Secretary, Department of Mines & Geology, Jharkhand, Ranchi.</i>	<i>Member</i>
5. <i>Principal Secretary/Secretary, Industries Department, Jharkhand, Ranchi.</i>	<i>Member</i>
6. <i>Chairman/Secretary, State Pollution Control Board, Jharkhand, Ranchi.</i>	<i>Member</i>
7. <i>Principal Chief Conservator of forest, Jharkhand, Ranchi.</i>	<i>Member</i>
8. <i>Director General Mines Safety, Dhanbad or Member Nominated by him.</i>	<i>Member</i>
9. <i>Labour Commissioner, Jharkhand, Ranchi.</i>	<i>Member</i>
10. <i>Chief Inspector of Factories, Jharkhand, Ranchi.</i>	<i>Member</i>
11. <i>Regional Director, E.S.I. Ranchi.</i>	<i>Member</i>
12. <i>Director, E.S.I. Labour, Employment & Training Deptt. Govt. of Jharkhnd, Ranchi.</i>	<i>Member</i>

This committee shall meet at least once in a quarter and suggest measures to mitigate the problem. The meeting of this committee shall take place at the venue and time to be decided by the Chairman of the committee.

To execute the decisions of high level committee and day to day activities, state level task force shall be constituted under the Chairmanship of Principal Secretary/Secretary, Department of Labour, Employment and Training which will consist of the following members :-

(1) <i>Principal Secretary, Labour, Employment and Training Department, Government of Jharkhand, Ranchi.</i>	<i>Chairman</i>
(2) <i>Labour Commissioner, Government of Jharkhand, Ranchi.</i>	<i>Member Secretary</i>
(3) <i>Director, Industries, Government of Jharkhand, Ranchi.</i>	<i>Member</i>
(4) <i>Director, Mines and Geology, Government of Jharkhand, Ranchi.</i>	<i>Member</i>
(5) <i>Director, Employees State Insurance Directorate, Labour, Employment and Training Department, Government of Jharkhand, Ranchi.</i>	<i>Member</i>
(6) <i>Director in chief Health Services, Government of Jharkhand, Ranchi.</i>	<i>Member</i>
(7) <i>Director, NRHM, Jharkhand, Ranchi.</i>	<i>Member</i>
(8) <i>Representative of Director General, Mines Safety, Dhanbad</i>	<i>Member</i>
(9) <i>Regional Director E.S.I. Namkom, Ranchi.</i>	
(10) <i>Secretary, State Pollution Control Board, Jharkhand, Ranchi.</i>	<i>Member</i>

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|---|--------|
| (11) Chief Inspector of Factories, Ranchi. | Member |
| (12) Deputy Chief Inspector of factories, Jamshedpur. | Member |
| (13) Deputy Chief Inspector of factories, Dumka. | Member |
| (14) Deputy Chief Inspector of factories, Bokaro. | Member |

District Level Task Force

To execute the decisions of high level task force, district level task force shall be constituted under the chairmanship of Deputy Commissioner which will consist of the following members :-

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| (1) Deputy Commissioner | Chairman |
| (2) Civil Surgeon | Member |
| (3) District T.B. Officer | Member |
| (4) District Mining Officer/Assistant Mining Officer | Member |
| (5) GM District Industries Centre | Member |
| (6) Senior most factory inspector having jurisdiction in the District | Member |
| (7) Regional Officer of State Pollution Control Board | Secretary
Member |
| (8) Representative of DGMS, Dhanbad. | Member |
| (9) Medical Officer Incharge/Superintendent, E.S.I. Hospital in the District | Member |

This task force will hold its meeting every month to review the progress in the implementation of the action plan for mitigating Silicosis in the District.

All stake holders shall update their data base periodically and share it with various stake holders in co-ordination meetings and do the needful to mitigate the problem.

अन्त में धन्यवाद ज्ञापन के साथ बैठक की कार्यवाही समाप्त हुई।

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(विष्णु कुमार)

सरकार के प्रधान सचिव,
श्रम, नियोजन एवं प्रशिक्षण विभाग,
झारखण्ड, राँची।

Memo No.....1760..... Ranchi, Dated..12/9/12.....

Copy to:-Labour Commissioner, Jharkhand, Ranchi/Director, Department of Industries, Jharkhand, Ranchi/Director, Mines & Geology, Jharkhand, Ranchi/Director in Chief, Health Services, Government of Jharkhand, Ranchi/Director, NRHM, Jharkhand, Ranchi/Director, Employees State Insurance Directorate, Labour, Employment and Training Department, Jharkhand, Ranchi/Regional Director, E.S.I. Namkom, Ranchi/Secretary, State Pollution Control Board, Jharkhand, Ranchi/Chief Inspector of Factories, Ranchi/Deputy Chief Inspector of Factories, Jamshedpur, Dumka and Bokaro/Principal Chief Conservator of Forest, Jharkhand, Ranchi for information and necessary action.

(Vishnu Kumar)
Principal Secretary,
Labour, Employment and Training Department,
Government of Jharkhand.

OFFICE OF THE CHIEF INSPECTOR OF FACTORIES, JHARKHAND, RANCHI.

Memo no...539/

Ranchi, Dated: 25...September 2012.

Copy to Dy. Chief Inspector of Factories, Jamshedpur...../Inspector of Factories,with a copy of minutes of the meeting held on 25.08.2012 under the chairmanship of Principal Secretary, labour, Employment and Training department, Government of Jharkhand for the prevention of Silicosis diseases. They are requested to inform the action being taken at the district level, in regard to the identification of factories and industries processing minerals and materials which contain enough silica to cause silicosis. They are also requested to send a copy of such Factories/Industries, which will be submitted to D.C. after the survey, is completed.

Chief Inspector of Factories, Jharkhand,
Ranchi.