



## Occupational Safety and Health

This editorial is based on [“A Dipping Graph in Occupational Safety”](#) which was published in The Hindu on 14/02/2022. It talks about the scenario of occupational safety and health in India.

**For Prelims:** Occupational Safety, Health and Working Conditions Code, 2020, Labour Bureau, Silicosis, International Labour Organisation, ILO Conventions.

**For Mains:** Occupational safety and health in India - Analysis, Challenges and Steps that can be taken.

India's record in promoting occupational and industrial safety remains weak even with years of robust economic growth. **Making work environments safer is a low priority**, although the productivity benefits of such investments have always been clear.

The consequences are frequently seen in the form of a **large number of fatalities and injuries**, but in a market that has a steady supply of labour, policymakers tend to ignore the wider impact of such losses.

Although **occupational safety and health (OSH) is an existential human and labour right**, it has not received the due attention from law-makers and even trade unions in India.

There is a need for **strong monitoring (inspections) and comprehensive databases** in all the states to frame corrective actions and policies to **ensure safe workplaces for all**.

### Occupational Safety in India

#### What are the Provisions for Ensuring Occupational Safety?

- In India, the statistics concerning industrial accidents and eventually occupational safety are produced by the [Labour Bureau](#), Ministry of Labour and Employment.
- The [Occupational Safety, Health and Working Conditions Code, 2020](#) spells out duties of employers and employees, and **envisages safety standards for different sectors**, focusing on the **health and working condition of workers, hours of work, leaves**, etc.
  - The code also recognises the right of contractual workers.
  - The code provides for **statutory benefits like social security and wages to fixed-term employees** at par with their permanent counterparts.
- The code also brings in gender equality and empowers the women workforce.
  - Women will be entitled to be employed in all establishments for all types of work and, with consent, can work before 6 am and beyond 7 pm subject to such conditions relating to safety, holidays and working hours.

#### What are the Shortcomings of the Statistics Presented by the Labour Bureau?

- The available government statistics show a **decreasing trend in occupational injuries in manufacturing and mining sectors**. However, when interpreting the statistics, the **unregistered factories and mines are not covered**.
  - During 2011-16, the number of cases of **occupational diseases** reported to the government in India was only 562. In contrast, a scientific article published in the National Medical Journal of India, 2016, indicates **prevalence of occupational diseases such as silicosis and byssinosis**.
- The Labour Bureau compiles and publishes data on **industrial injuries relating only to a few sectors**, viz. factories, mines, railways, docks and ports.
  - The body has **not yet expanded the scope of statistics on injuries** by adding sectors such as plantations, construction, the service sector, etc.
- Also, the data produced is **not representative of the situation in India** as several major States default in the provision of data to the Labour Bureau.
  - For example, during 2013-14, several major States such as Delhi, Gujarat, Kerala, Odisha, Punjab, Tamil Nadu, Uttar Pradesh and West Bengal **defaulted**, then the all-India statistics was reduced to that extent.
- **Under-reporting** is another serious issue which is **more likely to be in case of non-fatal injuries** than fatal ones for obvious reasons.
  - There is massive under-reporting of industrial injuries in small-scale industries.

### What is the Status of Employing Factory Inspectors and Inspection Rates?

- According to the **Directorate General, Factory Advice and Labour Institutes (DGFASLI)**, in 2019, the proportion of working in sanctioned posts for factory inspectors (employment rate) for India was **70.60%**.
  - However, major States such as Maharashtra (38.93%), Gujarat (57.52%), Tamil Nadu (58.33%), and Bihar (47.62%) had poor employment rates of inspectors.
  - In 2019, there was **only one inspector for every 487 registered factories** (one inspector for every 25,415 workers), thus revealing the heavy workload of inspectors.
- The **inspection rates for all-India declined** from 36.23% during 2008-11 to 34.65% during 2012-2015 and further to **24.76% in 2018-19**.
  - While Kerala and Tamil Nadu had higher inspection rates at 63%-66%, Gujarat and Maharashtra had lower rates at 26%-30% and **Haryana the lowest at 11.09%** during 2008-2019.
  - The decline over the three sub-periods noted above for Maharashtra (31% to 12%) and Haryana (14% to 7%) was much higher (50% and over) than for others.
    - The inspection rates fell in almost all the States over the last 12 years.

### What Can Be The Way Forward?

- **Abiding by the Conventions:** India has ratified [International Labour Organization \(ILO\)](#) conventions, the **Labour Inspection Convention, 1947** and **Labour Statistics Convention, 1985**, and hence, it should take immediate and strict actions to prevent the violation of these conventions.
  - It is critical that India establishes efficient **Occupational Safety and Health (OSH) data collection systems** to better understand the situation for effective interventions.
- **Revisiting Existing Policies:** The labour codes, especially the OSH Code, the inspection and the labour statistical systems need to be reviewed as the Government is in the process of framing the **Vision@2047 document for the Labour Ministry**.
  - It is essential to formulate **policies that go through careful scrutiny by experienced parliamentarians**, aided by fresh **inputs from employees, employers and experts**.
  - Compromising on safety can lead to extreme consequences that go beyond factories, and leave something that is etched in the nation's memory as in the case of the **Bhopal gas disaster**.
- **Public Awareness:** Public awareness for **preventing work-related accidents and diseases** and improving hazardous working environments should also be encouraged.
  - India can **undertake stronger national campaigns** and awareness raising activities for workers and employers.
    - **Young people** are especially vulnerable to OSH risks and need to play an **active**

### **role in finding OSH solutions.**

- The **mass media and journalists could highlight the safety and health challenges** of workers in various economic sectors and disseminate information on how to mitigate accidents and diseases.
- **OSH Committees:** At the workplace level, the first thing to do is to **establish OSH committees and involve workers** for identifying hazards and improving OSH.
  - Workers are in the frontline to notice OSH risks and implement solutions.
  - It has been well established that **a safe and healthy workplace is a productive and dynamic one**, leading to sustainable businesses.

## **Conclusion**

The world of work is undergoing profound changes. It is important for governments, employers and workers, and other stakeholders to **seize the opportunities to create a safe and healthy future workplace** for all. Their day-to-day efforts to improve safety and health at work can directly contribute to the **sound socioeconomic development of India.**

### ***Drishti Mains Question***

"A safe and healthy workplace is a productive and dynamic one. It directly contributes to the sound socioeconomic development of India.". Comment.