

Orissa Rules under The Workmen's Compensation Act, 1923

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Rule

ORISSA-RULES-UNDER-THE-WORKMEN-S-COMPENSATION-ACT-1923 of 1923

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Orissa Rules under The Workmen's Compensation Act, 1923Published vide Notification No. 7964-Com., dated 3.12.1938No. 7964-Com.-Dated 3.12.1938. - In exercise of the powers conferred on them by Section 32 of the Workmen's Compensation Act, VIII of 1923, the Government of Orissa are pleased to make the following rules in supersession of all previous rules on the subject made by the Governor of Bihar and Orissa, Madras and the Central Province and Berar and which have been in force in the Province of Orissa.Chapter -1 Fees

1.

The following fees shall be payable in respect of proceedings under this Act-

I. Applications for compensation-

(a)	Where compensation is claimed in the form of recurring payments;	...	Fifty paise
(b)	Where compensation is claimed in the form of lump sum	...	One rupee where the sum does not exceed Rs. 500 plus one rupee for each additional sum of Rs. 500 or fractional thereof.

II. Applications for commutation

	(a)	By agreement between parties ...	Fifty paise
	(b)	In all other cases ...	One rupee
III.	Application for the deposit of compensation		
	(a)	Under Section 8 (1) of the Act ...	Nil
	(b)	Under Section 8 (2) of the Act ...	Fifty paise
	(In respect of each person to whom compensation is payable)		
IV.	Applications for distribution by dependents for each dependant ...		One rupee
V.	Application for review-		
	(a)	Where the review claimed is the continuance, increase, decrease, or ending of half monthly payment ...	Fifty paise
	(b)	Where the half-monthly payments are sought to be converted into a lump sum ...	Two rupees
	(c)	In all other cases ...	One rupee
VI.	Applications for the registration of agreements		
	(a)	Where the application of the memorandum of agreement is signed by both parties ...	Nil
	(b)	In all other cases ...	Fifty paise
VII.	Applications to summon witness-		
	(a)	For the first witness mentioned in application ...	Fifty paise
	(b)	For every subsequent witness ...	Twenty-five paise
VIII.	Application for the indemnification ...		Three rupees
IX.	Application for the recovery of		

compensation-

(a)	Under an order already passed by the Commissioner	...	Fifty paise
(b)	In all cases	...	The same fee as is payable on a similar application for compensation
X.	All applications not otherwise provided for	...	Fifty paise

2.

In the case of any applications failing under head X, the Commissioner may if he thinks fit, permit the application to be made with fee.

3.

If in any case the Commissioner considers that he ought to pass orders granting relief of a different kind or to a different extent from that claimed by the applicant, and if the fee which would have been payable by the applicant on an application for the relief which the Commissioner considers to be is due is greater than the fee which has actually been paid, the Commissioner may require the applicant to deposit fees to the extent of the difference. The order shall not be executed until the difference is paid.

Chapter II

Costs

4.

Where the Commissioner directs that any costs shall not follow the event, he shall state his reasons in writing.

5.

The costs which may be awarded shall include -(a)the charges necessarily incurred on account of Court-fees;(b)the charges necessarily insured on subsistence money to witness; and(c)pleader's fees on the scale prescribed in the following rule.

6.

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 pleader's fee allowed shall be Rs.10 subject by special order of the Commissioner to diminution to a sum not less than Rs.5 and to

increase to a sum not more than Rs-50 for each such proceedings. In all other applications the pleader's fee allowed shall be Rs. 9 subject to increase by special order to a sum not exceeding Rs. 20.

7.

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

8.

If several defendants have substantially one defence to make not more than one pleader's fee should be allowed, and such fee shall be apportioned by the Court among the several defendants as it may think fit.

9.

If several defendants have separate and distinct defences, they may be allowed separate costs whether they are represented by separate pleaders or not.

Chapter III

Statement regarding fatal accidents

10.

(1)The notice to be sent by a Commissioner under Sub-section (1) of Section 10-A of the Act shall in Form I and shall be accompanied by copy of Form II.(2)The statement to be submitted by an employer under Section 10-A shall be in Form II. Form I Whereas I have received information that (1).....a workman employed by you in (2).....has died as the result on an accident arising out of and in the course of employment. I hereby require you in accordance with Section 10-A of the Workmen's Compensation Act, 1923 to submit to me within 30 days of the receipt of this notice the enclosed form with the particulars required in paragraphs 1 and 2 and the particulars required in either paragraph 3 or paragraph 4 duly filled in. In the event of your admitting liability to pay compensation, the necessary deposits must under Section 10-A (2) of the Act, be made within 30 days of the receipt to this notice..... Commissioner Workmen's Compensation. Form II

1. In reply to your notice, dated the.....20..... which was received by me on the20 it is submitted that (1).....residing atworkmen over/under 15 years of age and employed in (2).....met with an accident on the..... 20.....as a result of which died on the20.....The monthly wages of the deceased amounted to Rs.....

2. The circumstances in which the deceased met his death were as follows :

3. I admit liability to pay as compensation, on account of the deceased's death amount of Rs.....was/will be deposited with you on/before the.....20.....

4. I disclaim liability to pay compensation on account of the deceased's death on the following grounds :

.....Emp
name of workmen.(2)Insert name of establishment.

Chapter IV

Notice book under Section 10(3)

11.

(1)A notice book shall be maintained under Sub-section (3) of Section 10 of the Act by employers who employ 100 or more workmen in railway workshops. Form IIINotice Book of Accidents(To be filled up by or on behalf of workmen)Date and time of accident.....Date and time of notice.....Name of person injured.....Address.....Cause of injury.....Signature or thumb-impression of person giving notice.(To be filled up by the employer or his agent)Rate of wages.....Place of accident.....Nature of injuries.....Name of eye-witness.....Note of circumstances.....[Chapter V] [Inserted vide L.E. & H. Department Notification No-33-Dated/3.1.1966.] Prescribing abstract of the Act under Act to be displayed by the employer under Section 30(O)

12.

The abstracts of the Act to be displayed by the employer under Section 32(O) shall be displayed in English and in a language understood by the majority of the persons employed, in Form IV-Form IV

1. Section 2(1)(d). -"dependent" means any of the following relative of a deceased workmen, namely :

(i)a widow, a minor legitimate son and unmarried legitimate daughter, or a widowed mother

and(ii)if wholly dependent on the earnings of the workman at the time of his death a son or a daughter who has attained the age of 18 years and who is infirm;(iii)if wholly or in part dependent on the earnings of the workman at the time of his death-(a)widower,(b)a parent other than a widowed mother,(c)a minor illegitimate son, an unmarried illegitimate daughter or a daughter legitimate or illegitimate if married and a minor or if widowed and a minor,(d)a minor brother or an unmarried sister or a widowed sister if a minor,(e)a widowed daughter-in-law,(f)a minor child or a pre-deceased son;(g)a minor child of a pre-deceased where no parent of the child is alive, or(h)a paternal grand parent if no parent of the workman is alive;(i)"partial disablement" means, where the disablement is of a temporary nature, such disablement as reduces the earning capacity of a workman in any employment in which he was engaged at the time of the accident resulting in the disablement, and where the disablement is of a permanent nature, such disablement as reduces his earning capacity in every employment which he was capable of undertaking at that time, provided that every injury specified in Part II of Schedule I shall be deemed to result; in permanent partial disablement;(j)"total disablement" means such disablement, whether of a temporary or permanent nature as incapacitates a workman for all work which he was capable of performing at the time of the accident resulting in such disablement :Provided that permanent total disablement shall be deemed to result from every injury specified in Part I of Schedule I or from any combination of injuries specified in Part II thereof where the aggregate percentage of the loss of earning capacity as specified in said part against those injuries amounts to one hundred per cent or more;(k)"workman" means any person (other than a person whose employment is of a casual nature and who is employed otherwise than for the purpose of the employer's trade or business) who is-(i)a railway servant as defined in Section 3 of the Indian Railways Act, IX of 1890, not permanently employed in any administrative, district or subdivisional of a railway and not employed in any such capacity as is specified in Schedule II; or(ii)employed on monthly wages not exceeding five hundred rupees, in any such capacity as is specified in Schedule II, whether the contract or employment was made before or after the passing of this Act and whether such contract is expressed or implied, oral or in writing; but does not include any person working in the capacity of a member of the Armed Forces of the Union; and any reference to a workman who has been injured shall, where the workman is dead include a reference to his dependants or any of them.

II

[See Section 2(1)(n)]List of Persons who, Subject to The Provisions of Section 2(1)(n) are included in The Definition of WorkmenThe following persons are workmen within the meaning of Section 2(1)(n) and subject to the provisions of that Section, that is to say any person who is-(i)employed, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of a lift or a vehicle propelled by steam or other mechanical power or by electricity or in connection with the loading or unloading of any such vehicle; or(ii)employed, otherwise than in a clerical capacity, in any premises wherein or within the precincts whereof a manufacturing process as defined in Clause (k) of Section 2 of the Factories Act, 1948 is being carried on, or in any kind of work whatever incidental to or connected with any such manufacturing process or with the article made (whether or not employment in any such work is within such premises or precincts) and steam, water or other mechanical power or electrical power is used; or(iii)employed for the purpose of making, altering, repairing ornamenting, finishing or otherwise adopting for use, transport or any

article or part of an article in any premises wherein or within the precincts whereof twenty or more persons are so employed; Explanation. - For the purposes of this clause, persons employed outside such premises or precincts but in any work incidental to, or connected with, the work relating to making, altering, repairing, ornamenting, finishing or otherwise adopting for use, transport or sale any article or part of an article shall be deemed to be employed within such premises or precincts; or (iv) employed in the manufacture or handling of explosives in connection with the employer's trade or business; or (v) employed, in any mine as defined in Clause (i) of Section 2 of the Mines Act, 1952, in any mining operation or in any kind of work, other than clerical work, incidental to or connected with any mining operation or with the mineral obtained, or in any kind of work whatsoever below ground; or (vi) employed as the master or as a seaman of - (a) any ship which is propelled wholly or in part by steam or other mechanical power or by electricity or which is towed or intended to be towed by a ship so propelled; or (b) any ship not included in Sub-clause (a) of twenty five tons net tonnage or over; or (c) any sea-going ship not included in Sub-clause (a) or Sub-clause (b) provided with sufficient area for navigation under sails along; or (vii) employed for the purpose of - (a) loading, unloading, fuelling, constructing, repairing, demolishing, cleaning or painting any ship of which he is not the master or a member of the crew, or handling or transport within the limits or any port subject to the Indian Ports Act, 1908, of goods which have been discharged from or are to be loaded into any vessels; or (b) warping a ship through the lock; or (c) mooring and unmooring ships at harbour wall berths or in pier; or (d) removing or replacing dry dock caissons when vessels are entering or leaving dry docks; or (e) the docking or undocking of any vessel during an emergency; or (f) preparing splicing coir springs and check wires, painting depth marks on lock-sides, removing or replacing fenders whenever necessary, landing of fag wags, maintaining lifebuoys upto or any other maintenance work of a like nature; or (g) any work or jolly-boats for bringing a ship's line to the wharf; or (viii) employed in the construction, maintenance, repair or demolition of - (a) any building which is designed to be or is or has been more than one story in height above the ground or twelve feet or more from the ground level to the apex of the roof; or (b) any dam or embankment which is twelve feet or more in height from its lowest to its highest point; or (c) any road, bridge, tunnel or canal; or (d) any wharf, quay, sea-wall or other marine work including any moorings of ships; or (ix) employed in sheeting up maintaining, repairing or taking down any telegraphs or telephone line or Post or any overhead electric line or cable or post or standard or fittings and fixtures for the same; or (x) employed otherwise than in a clerical capacity in the construction, working, repair or demolition of any aerial ropeway, canal, pipeline or sewer; or (xi) employed in the service of any fire brigade; or (xii) employed upon a railway as defined in Clause (4) of Section 3 and Sub-section (1) of Section 148 of the Indian Railways Act, 1890, either directly or although a sub-contractor, by a person fulfilling a contract with the railway administration; or (xiii) employed as an Inspector, mail guard, sorter or van peon in the Railway Mail Service (or as a telegraphist or as a postal or railway signaller) or employed in an occupation ordinarily involving outdoor work in the Indian Posts and Telegraph Department; or (xiv) employed otherwise than in a clerical capacity in connection with operations for winning natural petroleum or natural gas; or (xv) employed in any occupation involving blasting operations; or (xvi) employed in the making of any excavation in which or any one day of the preceding twelve months more than (twenty-five) persons have been employed or explosives have been used or whose depth from its highest to its lowest point exceeds (twelve) feet; or (xvii) employed in the operation of any ferry boat capable of carrying more than ten persons; or (xviii) employed otherwise than in a clerical capacity,

on any estate which is maintained for the purpose of growing (cardamom) cinchona, coffee, rubber or tea and on which on any one day in the preceding twelve months, twenty-five or more persons have been so employed; or^(xix)employed otherwise than in a clerical capacity, in the generating, transforming or supplying of electrical energy or in the generating or supplying of gas; or^(xx)employed in a light house as defined in Clause (d) of Section 2 of the Indian Lighthouse Act, 1972; or^(xxi)employed in producing cinematography pictures intended for public exhibition or in exhibiting such pictures; or^(xxii)employed in the training, keeping or working of elephants or wild animals;^(xxiii)employed in the tapping of palm-trees or the felling or logging of trees or the transport of timber by inland waters or the control or extinguishing of forest fires; or^(xxiv)employed in operation for the catching or hunting of elephants or wild animals; or^(xxv)employed as driver; or^(xxvi)employed in the handling or transport of goods, or within the precincts of-(a)any warehouse or other places in which goods are stored and in which on any one day of the preceding twelve months ten or more persons have so employed; or(b)any market in which any one day of preceding twelve months (fifty) or more persons have been so employed; or^(xxvii)employed in any occupation involving the handling and manipulation of radium or X-rays apparatus, or contract with radio-active substances; or^(xxviii)employed in or in connection with the construction erection, dismantling operation or maintenance of an aircraft as defined in Section 2 of the Indian Aircraft Act, 1934; or^(xxix)employed in farming by tractors or other contrivances driven by steam or other mechanical power or by electricity; or^(xxx)employed otherwise than in a clerical capacity, in the Construction, working, repair or maintenance of a tubewell; or^(xxxi)employed in the maintenance, repair or renewal of electric fittings in any building; or^(xxxii)employed in a circus.Explanation. - In this Schedule the preceding twelve months' relates in any particular case to the twelve month ending with the day on which the accident in such case occurred.

3. Section 3(1) - Employer's liability for compensation. - If personal injury is caused to a workman by accident arising out of and in the course of his employment, the employer shall be liable to pay compensation in accordance with the provisions of this Chapter:

Provided that the employer shall not be so liable-(a)in respect of any injury which does not result in the total or partial disablement of the workman for a period exceeding three days;(b)in respect of any injury not resulting in death caused by an accident which is directly attributable to -(i)the workman have been at the time thereof under the influence of drink or drugs; or(ii)the wilful disobedience of the workman to an order expressly given, or to a rule expressly framed, for the purpose of securing the safety of workmen, or(iii)the wilful removal or disregard by the workman of any safety guard or other device which he knew to have been provided for the purpose of securing safety of workman.

4. Section 4(1). - Subject to the provisions of this Act, the amount of compensation shall be as follows, namely :

(a)where death results from the injury and deceased workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV, the amount shown against such limits

in the second column thereof;(b)where permanent total disablement results from the injury and the injured workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV, the amount shown against such limits in the column thereof;(c)where permanent partial disablement results from the injury-(i)in the case of an injury specified in Part II of Schedule I, such percentage of the compensation which would have been payable in the case of permanent total disablement as is specified therein as being the percentage of the loss of earning capacity caused by that injury, and(ii)in the case of an injury not specified in Schedule I such percentage of the compensation payable in the case of permanent total disablement, as is proportionate to the loss of earning capacity permanently caused by the injury.Explanation. - Where more injuries than one are caused by the same accident the amount of compensation payable under this head shall be aggregated but not so in any case as to exceed the amount which would have been payable if permanent total disablement has resulted from the injuries;(d)where temporary disablement, whether total or partial, result from the injury and the injured workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV-A half monthly payment of the sum shown against such limits in the fourth column thereof payable on the sixteenth day-(i)from the date of the disablement, where such disablement lasts for a period of twenty-eight days or more, or(ii)after the expiry of a waiting period of three days from the date of the disablement, where such disablement lasts for a period of less than twenty-eight days, and thereafter half-monthly during the disablement or during a period of five years, which ever period is shorter provided that -(a)there shall be deducted from any lump sum of half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment as the case may be; and(b)no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident.Explanation. - Any payment or allowance, which the workman has received from the employer towards his medical treatment shall not be deemed to be a payment or allowance received by him by way of compensation within the meaning of Clause (a) of the proviso.(2)On the ceasing of the disablement before the date on which any half-monthly payment falls due, there shall be payable in respect of that half-month a sum proportionate to the duration of the disablement in that half-month.

I

[See Sections 2 (1) & (4)]

Sl. No.	Description of injury	Percentage of loss of earning capacity
(1)	(2)	(3)
Part I List of Injuries Deemed to Result in Permanent Total Disablement		
1.	Loss of both hands or amputation at higher sites ...	100

2.	Loss of hand and a foot	... 100
3.	Double amputation-through leg or thigh or amputation through leg or thigh on one side and loss of other foot	... 100
4.	Loss of sight to such an extent as to render the claimant unable to perform any work for which eyesight is essential	... 100
5.	Very severe facial disfigurement	... 100
6.	Absolute deafness	... 100

Part III
List of Injuries Deemed
to Result on Permanent Partial
Disablement

	Amputation cases, upper limbs (either arm)	
1.	Amputation through shoulder joint	... 90
2.	Amputation below shoulder with stump less than 8" from tip of acromion.	... 80
3.	Amputation from tip of acromion to less than 4.5" below tip of olecranon.	... 70
4.	Loss of a hand or of the thumb and four fingers of one hand or amputation from 4.5" below tip of olecranon.	... 60
5.	Loss of thumb	... 30
6.	Loss of thumb and its metacarpal bone	... 40
7.	Loss of four fingers of one hand	... 50
8.	Loss of three fingers of hand	... 30
9.	Loss of two fingers of one hand	... 20
10.	Loss of terminal phalanx of thumb	... 20

Amputation cases - Lower
limbs

11.	Amputation of both feet resulting in end-bearing stumps	... 90
12.	Amputation through both feet proximal to the metatarso-phalangeal joint	... 80
13.	Loss of all toes of both feet through the metatarsophalangeal joint	... 40
14.	Loss of all toes of both feet proximal to the interphalangeal joint	... 30
15.	Loss of all toes of both feet distal to the proximal interphalangeal joint	... 20
16.	Amputation at hip	... 90

17.	Amputation below hip with stump not exceeding 5" in length measured from tip of great trochanter	... 80
18.	Amputation below hip with stump exceeding 5" in length measured from tip of great trochanter, but not beyond middle thigh.	... 70
19.	Amputation below middle thigh to 3.5" below knee	... 60
20.	Amputation below knee with stump exceeding 3.5" but not exceeding 5".	... 50
21.	Amputation below knee with stump exceeding 5"	... 40
22.	Amputation of one foot resulting in end-bearing	... 30
23.	Amputation through one foot proximal to the metatarsophalangeal joint	... 30
24.	Loss of all toes of one foot through the metatarsophalangeal joint.	... 20
Other injuries		
25.	Loss of one eye, without complications, the other being normal.	... 40
26.	Loss of vision of one eye, without complications, or disfigurement of eye-ball, the other being normal	... 30
Loss of Fingers of right or left hand-Index finger		
27.	Whole	... 14
28.	Two phalanges	... 11
29.	One phalanx	... 9
30.	Guillotine amputation of tip without loss of bone	... 5
Middle finger		
31.	Whole	... 12
32.	Two phalanges	... 9
33.	One phalanx	... 7
34.	Guillotine amputation of tip without loss of bone	... 4
Ring or little finger		
35.	Whole	... 7
36.	Two phalanges	... 6
37.	One phalanx	... 5

38. Guillotion amputation of tip without loss of bone ... 2

B. Toes of right and left foot -
Great toe

39. Through metatarso phalangeal joint ... 14

40. Part, with some loss of bone ... 3

Any other toe

41. Through metatarso phalangeal joint ... 3

42. Part, with some loss of bone ... 1

Two toes of one foot,
excluding great toe

43. Through metatarsophalangeal joint ... 5

44. Part, with some loss of bone ... 2

Through toes of one foot,
excluding great toe

45. Through metatarso phalangeal joint ... 6

46. Part, with some loss of bone ... 3

Four, toes of one foot
excluding great toe

47. Through metatarso phalangeal joint ... 9

48. Part, with some loss of bone ... 3

[Note. - Complete and permanent loss of the use of any limb or member referred to in this Schedule shall be deemed to be the equivalent of the loss of that limb or member] [Added by Act 58 of 1960.]. [Schedule II] [Substituted by Act 65 of 1976.] [See Section 4] Compensation Payable in Certain Cases

Amount of
compensation for -

Monthly wages of the workmen injured	Death	Permanent total disablement	Half monthly payment as compensation for temporary disablement	
(1)	(2)	(3)	(4)	
More than-	But not more than			
Rs.	Rs.	Rs.	Rs.	Rs. P.
0	10	1,000	1400	Half his monthly wages
10	13	1,100	1,540	Ditto
13	18	1,200	1,680	6-50

18	21	1,260	1,764	7-00
21	24	1,440	2,016	8-00
24	27	1,620	2,268	8-50
27	30	1,800	2,530	9-50
30	35	2,100	2,940	9-50
35	40	2,400	3,360	10-00
40	45	2,700	3,780	13-00
45	50	3,000	4,200	13-00
50	60	3,600	5,040	18-50
60	70	4,200	5,880	18-50
70	80	4,800	6,720	20-00
80	100	6,000	8,400	26-00
100	150	7,000	9,800	37-50
150	200	7,000	9,800	52-50
200	300	8,000	11,200	60-00
300	400	9,000	12,600	75-00
400	-	10,000	14,000	87-50

5. Section 3(2). - Occupational Diseases for which compensation is payable -

If a workman employed in any employment specified in Part A of Schedule III contracts and disease specified therein as an occupational disease peculiar to that employment, or if a workman, whilst In the service of an employer in whose service he has been employed for a continuous period of not less than six months (which period shall not include a period of service under any other employer in the same kind of employment) in any employment specified in Part B of Schedule III, contracts any disease specified therein as an occupational disease peculiar to that employment or if a workman whilst in the service of one or more employees in any employment specified in Part C of Schedule III for such continuous period as the Central Government may specify in respect of each employment, contracts any disease specified therein as an occupational disease peculiar to that employment, the contracting of the disease shall be deemed to be an injury by accident within the meaning of this section and unless the contrary is proved, the accident shall be deemed to have arisen out of and in the course of the employment :Provided that if it is proved(a)that a workman whilst in the service of one or more employers in any employment specified in Part C of Schedule III has contracted a disease specified therein as in occupational disease peculiar to that employment during a continuous period which is less than the period specified under this Sub-section for that employment; and(b)that the disease has arisen out of and in the course of the employment; the contracting of such disease shall be deemed to be an injury by accident within, the meaning of this Section :Provided further that if it is proved that a workman who having served under any employer in any employment specified in Part B of Schedule III or who having served under any one or more employers in any employment specified in Part C of Schedule III for a continuous period specified under this Sub-section for the employment and he has after the cessation of such service contracted any disease specified in the said Part B or the said Part C, as the case may be, as an occupational

disease peculiar to employment and that such disease arose out of the employment, the contracting of the disease shall be deemed to be an injury by accident within the meaning of this Section. (2-A) If a workman employed in any employment specified in Part C of Schedule III contracts any occupational disease peculiar to that employment, the contracting whereof is deemed to be an injury by accident within the meaning of this Section and such employment was under more than one employer, all such employers shall be liable for the payment of the compensation in such proportion as the Commissioner may, in the circumstances, deem just.

III

[See Section 3]List of Occupational Diseases

Occupational disease (1)	Employment (2)
Part A	
Anthrax	Any employment- (a) involving the handling of wool, hair, bristles or animalcarcasses, or parts of such carcasses, including hides, hoofsand horns, or (b) in connection with animal infected with anthrax; or (c) involving the loading, unloading or transport of anymerchandise.
Compressed air illness or its sequelae ...	Any process carried on in compressed air.
Poisoning by lead tetra-ethyl ...	Any process involving the use of lead tetra-ethyl.
Poisoning by nitrous fumes ...	Any process involving the exposure to nitrous fumless.
[Poisoning by organic phosphorous insecticides ...	Any process involving the use or handling or exposure to thefumes, dust or vapour containing any of the organic phosphorousinsecticides.
Part B	
Poisoning by lead, its alloys or compounds or its sequelaeexcluding poisoning by leae tetra ethyl;...	Any process involving the handling or (use of lead ore orlead) or any of its preparation or compounds except lead tetraethyl.
Poisoning by phosphorous or its compounds, or its sequelae...	Any process involving liberation of phosphorous or use orhandling of phosphorus or its preparation or compounds.
Poisoning by mercury, its amalgams and compounds, or itssequelae...	Any process involving the use of mercury or its preparationsor compounds.
Poisoning by henxene, or its homologous their amidol andnitro-derivatives or its sequelae...	Any process involving the manufacture, liberation, or use offbenzene, benezene homologous and their amidol andintroderivatives.
Chrome ulceration or its sequelae...	Any process involving the chromic acid or bichromate ofammonium, potassium or sodium or their preparation (or

	themanufacture of bichromate).
Poisoning by arsenic or its compounds, or its sequelae	Any process involving the production, liberation or utilisation of arsenic or its compounds.
Pathological manifestations due to-	
(a) Radium and other radio active substances;	Any process involving exposure to the action of radium,radioactive substances or X-rays.
(b) X-ray	
Primary epitheliomatous cancer of the skin ...	Any process involving the handling or use of tar, pitch,bitumen, mineral oil, paraffin or the compounds, products orresidues of these substances
Posting by halogenated hydro-carbons of the aliphatic series and their halogen derivatives.	Any process involving the manufacture, (liberation) and useof hydrocarbons of the aliphatic series and their halogenderivatives.
Poisoning by carbon disulphide or its sequelae	Any employment in -
	(a) the manufacture of artificial silk disulphide; or
	(b) the manufacture of artificial silk viscose process; or
	(c) rubber industry; or
	(d) any other industry involving the production or use ofproducts containing carbon disulphide or exposure to emanationsfrom carbon disulphide.
Occupational cataract due to infra-radiations	Any manufacturing process involving exposure to glare frommolten material or to any other sources of infra red radiations
Telegraphist's Gramp...	Any employment involving the use to telegraphic instruments.
Poisoning by manganese or a compound of manganese or its sequelae.	Any process involving the use of or handling of or exposure to the fumes, dust or vapour of manganese or a compound ofmanganese or a substance containing manganese.
Part C	
Silicosis ...	Any employment involving exposure to the inhalation of dustcontaining silica.
Coal Mine's Pneumoconiosis ...	Any employment in coal mining
Asbestosis ...	Any employment in-
	(1) the production of-
	(i) fibre cement materials; Or
	(ii) asbestos mill board; or
	(2) the processing of ores containing asbestos,
Bagassosis...	

Any employment in the production of bagasse mill board or other articles from bagasse.

6. Section 9. - Compensation not be assigned, attached and charged. - Save as under this Act, on lump sum or half monthly payment payable under this Act, shall in any way be capable of being assigned or charged or be liable to attachment or pass to any person other than the workman by operation of law, nor shall any claim be set off against the same.

7. Section 10 - Notice and claim. - (1) No claim for compensation shall be entertained by a Commissioner unless notice of the accident has been given in the manner hereinafter provided as soon as practicable after the happening thereof and unless the claim is preferred before him within two years of the occurrence of the accident or, in case of death, within two years from the date of death:

Provided that, where the accident is the contracting of a disease in respect of which the provisions of Sub-section (3) are applicable the accident shall be deemed to have occurred on the first of the day during which the workman was continuously absent from work in consequence of the disablement caused by the disease :Provided further that in case of partial disablement due to the contracting of any such disease and which does not force the workman to absent himself from work, the period of two years shall be counted from the day the workman gives notice of the disablement to his employer :Provided further that if a workman who having been employed in an employment for a continuous period, specified under Sub-section (2) of Section 3 in, respect of that employment ceases to be so employed and develops symptoms of occupational disease peculiar to that employment within two years of the cessation of employment, the accident shall be deemed to have occurred on the day on which the symptoms were first detected; provided further that the want of or any defect or irregularity in a notice shall not be a bar to the entertainment of a claim-(a)if the claim is preferred in respect of the death of a workman resulting from an accident which occurred in the premises of the employer, or at any place where the workman at the time of the accident which occurred on control of the employer or of any person employed by him and the workman died on such premises or at such place, or on any premises belonging to the employer, or died without having left the vicinity of the premises or place where the accident occurred, or(b)if the employer or any one of the several employers or any person responsible to the employer for the management of any branch of the trade or business in which the injured workman was employed had knowledge of the accident from any other source at or about the time when it occurred provided further, that the Commissioner may entertain and decide any claim to compensation in any case notwithstanding that the notice has not been given, or the claim has not been preferred, in due time as provided in this subsection if he is satisfied that the failure so to give the notice or prefer the claim, as the case may be was due sufficient cause.(2)Every such notice shall give the name and address of the person injured and shall state in ordinary language the cause of the injury and the date on which the accident happened and shall be served on the employer or upon any one of several employer or upon any person responsible to the employer for the management of any branch of the trade or

business in which the injured workman was employed.(3)The State Government may require that any prescribed class of employers shall maintain at their premises at which workmen are employed a notice book in the prescribed form which shall be read accessible at all reasonable times to any injured workmen employed on the premises and to any person acting bona fide on his behalf.(4)A notice under this Section may be served by delivering it at or sending it by registered post addressed to the residence or any office or place of business of the person on whom it is to be served, or where a notice book is maintained entry in the notice book-

8. Section 12 - Contracting. - (1) Where any person (hereinafter in this Section referred to as the principal, in the course of or for the purpose of his trade or business contracts with any other person (hereinafter in this section referred to as the contractor for the execution by or under the contractor of the whole or any part of any work which is ordinarily part of the trade or business of the principal, the principal shall be liable to pay to any workman employed in the execution of the work, any compensation which he would have been liable to pay if that workman had been immediately employed by him and where compensation is claimed from the principal, this Act, shall apply as if references to the principal were substituted for references to the employer except that the amount of compensation shall be calculated with reference to the wages of the workman under the employer by whom he is immediately employed.

(2)Where the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by the contractor (or any other person from whom the workman could have recovered compensation and where a contractor who is himself a principal is liable to pay compensation or to indemnify a principal under this Section shall be entitled to be indemnified by any person standing to him in the relation of a contractor from whom the workman could have recovered compensation) and all questions as to the right to and the amount such indemnity shall, in default of agreement, be settled by the Commissioner.(3)Nothing in this section shall be construed as preventing a workman from recovering compensation from the contractor instead of the principal.(4)This section shall not apply in any case where the accident occurred elsewhere than on, in or about the premises on which the principal has undertaken, or usually undertakes, as the case may be, to execute the work or which are otherwise under his control or management.

9. Section 17 - Contracting out. - Any contract or agreement where made before or after the commencement of this Act, whereby a workman relinquishes any right of compensation from the employer for personal injury arising out of or in the course of the employment, shall be null and void in so far as it purports to remove or reduce the liability of any person to pay compensation under this Act.

10. Section 24 - Appearance of parties. - Any appearance, application or act required to be made or done by any person before or to a Commissioner (other than an appearance of a party which is required for the purpose of his examination as a witness) may be made or done on behalf of such person by a legal practitioner or by an official of an Insurance Company or a registered Trade Union or by an Inspector appointed under Sub-section (1) of Section 8 of the Factories Act, 1948, or under Sub-section (1) of Section 5 of the Mines Act, 1952, or by any other officer specified by the State Government in this behalf, authorised in writing by such person, or with the permission of the Commissioner, by any other person so authorised.