

श्रेणी : I
SERIES : I

Daman 9th January, 2015, 19 Pausa 1936 (Saka)

सं. : 01
No.

सरकारी राजपत्र OFFICIAL GAZETTE



सत्यमेव जयते

भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित
PUBLISHED BY AUTHORITY

Department of Labour & Employment,
Administration of U.T.'s of Daman & Diu and Dadra & Nagar Haveli,
Daman.

No. LEO/Labour Laws/2014/26

Dated : 05/01/2015.

RESOLUTION

After careful consideration, the Administration of U.T.'s of Daman & Diu and Dadra & Nagar Haveli is pleased to introduce a 'Self-Certification-cum-Consolidated Annual Return' Scheme which seeks to minimize unnecessary harassment to industrial establishments while ensuring a more effective system for compliance with labour laws. The details of the aforesaid Scheme are as under :-

1. **INTRODUCTION :** This Self-Certification-cum-Consolidated Annual Return Scheme is being introduced to streamline the functioning of the Commissioner of Labour, for effective implementation of various labour laws being implemented by the Labour Commissioner, Chief Inspector of Factories and Chief Inspector of Boilers and also to facilitate the employer/entrepreneur. This Self-Certification-cum-Consolidated Annual Return Scheme aims at making the employer/entrepreneur a conscious and truthful citizen and law abiding person who is willing to take care of interest of the workers and employees by complying with all the laws as applicable and enable the Department of Labour & Employment to effectively protect the interest of the workers as well as the employer/entrepreneur and create a friendly environment and relationship between the Administration and the employer/entrepreneur.

2. **OBJECTIVE :** The objective of this Self-Certification-cum-Consolidated Annual Return Scheme is to curtail unnecessary visits of Government officials for inspection of those units who opt for this Scheme without compromising on the safety, health, social security and

welfare of the workers and allow to submit Consolidated Annual Return in lieu of various returns under different labour laws.

3. PROCEDURE : This Scheme shall be optional and any employer/entrepreneur can opt for this Scheme after applying to the Labour Commissioner in the prescribed proforma at Annexure-I along with details as per Annexure-II and an affidavit as prescribed in Annexure-III. Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the receipt of the application in the Office of Labour Commissioner. In case no discrepancy is so communicated, the applicant shall deem to have been enrolled under the above Scheme.

4. FILING OF RETURN : After being enrolled for the said Scheme, the concerned employer/entrepreneur shall file the Self-Certification Return in the prescribed proforma given at Annexure-IV along with the required documents and information. The return can be filed between 1st of January and 30th of January every year on any working day between 10.30 A.M. and 4.30 P.M.

5. VALIDITY OF SCHEME : Factual information given in the prescribed Return shall be the same as on the date of filing the Return. The undertaking to abide by all the laws as applicable to the employer/entrepreneur shall be valid for a period of next one year.

Once opted for the Scheme, the same shall be valid for five years and the employer/entrepreneur shall file annual return as prescribed. After the successful compliance under the Scheme for five years, the employer/entrepreneur shall have option either to remain covered under the Scheme or opt out of the scheme. The option must be exercised in written to be made before the Labour Commissioner. In case the employer/entrepreneur successfully completes five years under the Scheme and during any inspection, carried out, if no violations of law(s) is detected the security so deposited shall be refunded. No interest shall be payable on the security deposited.

6. AMOUNT OF SECURITY TO BE DEPOSITED : Any entrepreneur/employer who opts for the Scheme shall deposit a security by way of account payee bank draft as prescribed by Labour Commissioner from time to time. At the commencement of this scheme, the security amount shall be as under :

- | | |
|---|------------|
| (a) upto workers less than 100 | Rs. 1000/- |
| (b) workers 100 or more but less than 500 | Rs. 3000/- |
| (c) more than 500 workers. | Rs. 5000/- |

7. FORFEITURE OF SECURITY DEPOSIT : In case any entrepreneur or employer withdraws prematurely from the Scheme i.e. before 5 years or fails to follow the terms and conditions of the Scheme or fails to file return in time under this Scheme or fails to abide by any undertaking given by him or any violation of law(s) is detected then security so deposited shall be forfeited and in case the violation of laws, further necessary action as per the law will be initiated and he will cease to continue under the Scheme. However, there will be no bar on fresh inclusion in the Scheme if applied a fresh.

8. LABOUR LAWS FOR WHICH THE SCHEME IS VALID:- The Scheme shall be valid for following Acts and Rules made there under as applicable to the concerned employer/entrepreneur:-
- i. Payment of Wages Act, 1936 and the rules made there under as amended from time to time.
 - ii. Minimum Wages Act, 1948 and the rules made there under as amended from time to time.
 - iii. Contract Labour (Regulation & Abolition) Act, 1970 and rules made there under as amended from time to time.
 - iv. Factories Act, 1948 and the rules made there under as amended from time to time.
 - v. Maternity Benefit Act, 1961 and rules made there under as amended from time to time.
 - vi. Payment of Bonus Act, 1965 and Rules made there under as amended from time to time.
 - vii. Payment of Gratuity Act, 1972 and rules made there under as amended from time to time.
 - viii. The Equal Remuneration Act, 1976 and rules made there under as amended from time to time.
 - ix. Industrial Employment (Standing Orders) Act, 1976 and rules made there under as amended from time to time.
 - x. Physically Handicapped Persons (Employment in Factories) Act, 1982 and rules made there under as amended from time to time.
 - xi. The Indian Boiler Act, 1923.
9. WHOM TO APPLY :- Under the above Scheme, the application for inclusion under the Scheme shall be made in triplicate as per Annexure-I addressed to the Dy. Labour Commissioner with a copy to the concerned Labour Officer/ Inspector and Chief Inspector of Factories & Boilers. Similarly, the Return to be filed in Annexure-IV shall also be filed in triplicate complete in all respect of which two copies shall be sent to the Labour Commissioner along with relevant documents and a copy of the same shall also be sent to the Dy. Labour Commissioner concerned. In case the unit concerned is also covered under the Factories Act and Rules thereunder, a copy of the same shall also be sent to the Chief Inspector of Factories. The return in Annexure-IV needs to be filed within the prescribed time limit as per the Scheme. The date shall mean the date on which application or Return is received in the office of Labour Commissioner.

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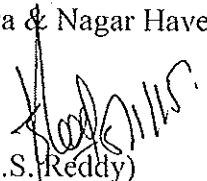
NOTE : The amount of security in the shape of account payee bank draft at concerned region (Daman or Silvassa) in the name of Labour Commissioner shall be attached with the application (Annexure-I).

10. INSPECTION PROCEDURE UNDER THE SCHEME:- Not more than 20 per cent of the units covered under the Scheme shall be picked up randomly for inspection in a year which shall be carried out only once regarding the implementation of all the laws to which this Scheme applies. Once inspected, the same unit is not likely to be inspected in the same year or in next four years provided that no specific violation of terms, conditions, undertaking given and laws by the employer/ entrepreneur is brought to notice. However, on specific complaint, only the Labour Commissioner himself/herself shall be competent to order inspection at any time.

A random inspection list of units shall be prepared by Labour Commissioner and normally the inspection of those units will take place in a year where specifically ordered by the Labour Commissioner himself/herself.

The inspection will be a joint inspection by all wings of Labour & Employment Department in the form of Development Visit under all the laws applicable under the Scheme. Hence it will normally be a one-time inspection.

By Order and in the name of
the Administrator of Daman & Diu
and Dadra & Nagar Haveli


(P.S. Reddy)

Secretary (Industries)

SERIES - I No. : 01
DATED : 9 TH JANUARY, 2015.

(ACCOMPANIMENT OF DEPARTMENT OF LABOUR & EMPLOYMENT,
ADMINISTRATION OF U.T.'s OF DAMAN & DIU AND DADRA & NAGAR HAVELI
RESOLUTION NO: No. LEO/Labour Laws/2014/26 Dated 05.01.2015 of
Labour and Employment Department)
ANNEXURE-I

From

M/S

To,
The Commissioner of Labour,
Administration of U.T.'s of Daman & Diu/ Dadra & Nagar Haveli,
Daman/ Silvassa..

Subject :Application for permission to be covered under Self-Certification-cum consolidated Annual Return Scheme under laws being implemented by Department of Labour and Employment as per the terms & conditions of Scheme.

Sir,

Reference Administration of U.T.'s of Daman & Diu and Dadra & Nagar Haveli, Labour and Employment Department Resolution No. LEO/Labour Laws/2014/26 dated 05.01.2015 regarding Self Certification Scheme of Department of Labour and Employment.

I/We have gone through the above said scheme and have understood the same. I/We wish to be covered under the said scheme. As such I/We request you kindly issue me/us necessary approval for the same. The necessary information and other documents as required under the scheme are enclosed. I/We undertake to abide by all terms and conditions of the scheme. It is also certified that I/We am/are competent & duly authorized to make any statement or provide any information to any Central/State Government agency on behalf of this establishment/enterprise.

Kindly issue the necessary approval at the earliest.

Yours faithfully,

(Name & Address of the Manager/Occupier)

- Enc.: (1) Annexure II (List of documents)
(2) Annexure III (Affidavit)

.....
Acknowledgement Slip

This is to acknowledge that an application regarding Self-Certification Scheme under labour laws has been received by the undersigned from M/s..... (Full address in capital and the same has been entered in the office receipt register at Sr. No..... Dt..... Any further correspondence in future in this regard may be done by stating this Sr. No.....

Authorized Signatory
For Labour Commissioner, Administration of Daman & Diu/ Dadra & Nagar Haveli,
Daman/ Silvassa.

SERIES - I No. : 01

DATED : 9TH JANUARY, 2015.

(ACCOMPANIMENT OF DEPARTMENT OF LABOUR & EMPLOYMENT,
ADMINISTRATION OF U.T.'s OF DAMAN & DIU AND DADRA & NAGAR HAVELI
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ANNEXURE-II

LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE. I

1	Status of the unit. (Company/Firm/Shop/Others/ (Please specify)	:	
2	Nature of the unit (What work/business, it is carrying on)	:	
3	Status of the industry (SSI/MSI/LSI) (attach attested copy of registration with department of industries)	:	
4	Registration No. and date along with attested copy of registration under the Factories Act, 1948 if applicable	:	
5	Registration No. and date along with attested copy or registration under The Shops & Establishment Act, 1948, if applicable	:	
6	Registration No. and date under The Contract Labour (Regulation & Abolition) Act, 1970, if applicable.	:	
7	License No. and date under Contract Labour (Regulation & Abolition) Act, 1970, if applicable.	:	
8	List of raw materials used and end products if the unit is a manufacturing or processing unit.	:	
9	Number of workers being employed.	:	
10	Details of bank draft attached.	:	

NOTE : In case any of the above is not being attached/provided, please give specific reason.

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(ACCOMPANIMANT OF DEPARTMENT OF LABOUR & EMPLOYMENT,
ADMINISTRATION OF U.T.'s OF DAMAN & DIU AND DADRA & NAGAR HAVELI
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ANNEXURE-III

AFFIDAVIT

(To be filled by the Occupier/Manager on a Non-Judicial Stamp Paper of Rs. 20/-)

I S/o Shri
R/oand occupier/manager of M/S.....
hereby states as under :

That I have applied for grant of coverage of unit by the name of situated at (complete address of the unit)under the Self-Certification-cum-Consolidated Annual Return Scheme of Labour and Employment Department, Administration of U.T's of Daman & Diu and Dadra & Nagar Haveli as notified vide resolution No. LEO/Labour Laws/2014/26 dated 05.01.2015.

1. That I have gone through the scheme and have fully understood the contents of this scheme and under take to abide by name.
2. That it is declared that I/we are complying and will continue to comply with all provisions of labour laws covered under this Self-Certification Scheme.
3. That I agree to accept the penalty prescribed under law in case of violation detected in the unit under any labour law covered under the scheme after filing of the return under the scheme.

PLACE :

DATE :

DEPONENT.

VERIFICATION

I/We, the above named deponent/s do hereby further solemnly affirm that the contents given above are true and correct to my knowledge.

PLACE :

DATE :

DEPONENT.

RESPONSIBILITIES OF THE EMPLOYERS UNDER DIFFERENT LABOUR LAWS

(The provisions of different labour laws given below are illustrative and not exhaustive and are meant for general guidance. For details please refer to respective act and rules.)

1. The Minimum Wages Act, 1948 & Rules thereunder.

The employer has to:

- pay the minimum wages to the workers as notified by the U.T. of Daman & Diu/ Dadra & Nagar Haveli from time to time (Section 12).
- fix and allow weekly day of rest/substitute rest day.
- fixation of number of daily working hours in case of adult for 9 hours.
- in case of over time working, to pay the workmen at double the rate of their ordinary wage and to maintain a register of overtime in Form IV.
- to maintain the following records and to produce the same for inspection to the inspecting authority :-
 - (a) register of Fines and Register of Deductions for damages for loss being maintained.
 - (b) Annual Return is being/would be sent to the Government.
 - (c) register of Wages containing signatures/thumb impression of the workmen .
 - (d) wage slips duly signed by the workmen.
- display the following notice in English, Gujarati and in a language as understood by the majority of the workers in the employment at the main entrance of the establishment and in the office in legible condition.
 - (a) abstract of the Minimum Wages Act, 1948 and the Rules.
 - (b) name and address of the inspector ;
 - (c) the prevalent minimum wages as notified by the Government.
 - (d) authenticate the entries in the register of wages and wages slips are authenticated by himself or by any person authorized by him in this behalf.
 - (e) abide by the provision of the Minimum Wages Act, 1948 and the Rules thereunder.

2. Payment of Wages Act, 1936 & Rules thereunder

The employer has to:

- fix the wages period which will not exceed one month (Sec. 4)
- pay the wages to the employed persons on or before 7th (employing less than 1000 persons)/10th (employing more than 1000 persons) of every month (Sec. 5)
- pay the wages in current coins/currency notes (Sec. 6)
- deduct from the wages of an employed person wages as per provisions (Sec.7).
- display the notice containing the abstract of the Act and the rules made thereunder in English, Gujarati, and in a language of the majority of the employed person.
- maintain the following registers
 - Register of fines ;
 - Register for deductions for damage or loss;
 - Register of wages.

3. **The Payment of Bonus Act, 1965 & Payment of Bonus Rules, 1975**

(Application only where 10 or more persons are employed on any day in the preceding twelve months).

The employer has to:

- maintain in Form "A" the record in respect of computation of the 'Available Surplus' in respect of any accounting year (Rule 4(a)).
- maintain the "Set on and Set off of allocable surplus (Sec. 15) in Form-B [Rule 4(b)]
- maintain the record of the bonus paid to employees for any accounting year Form-C [Rule4(c)]:
- Submit Annual Return in Form-D.
- pay the bonus to the employees within 8 months of the close of the accounting year;
- produce the accounts, books, registers or other documents whenever asked for inspection.

4.. Contract Labour (Regulation & Abolition) Act, 1970 and Rules thereunder.

- see the contractor of the establishment shall provide the following facilities to the contract labour and in case of failure on the part of contractor to do so the principal employer i.e. the establishment shall provide the same and may recover the expenses from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor as laid down u/s 20 of the Act:
 - (a) canteen facilities (Sec 16).
 - (b) rest rooms or suitable alternative accommodation to the contract labour (Sec 17);
 - (c) other facilities like sufficient supply of wholesome drinking water at convenient places, sufficient number of latrines and urinals of the prescribed type, washing facilities (Sec 18)
 - (d) first-aid facilities to be made available to the contract labour during all working hours with prescribed contents (Sec 19)
- submit the Annual Return in duplicate to the Registering Officer not later than the 15th February following the end of the year to which it relates.
- maintain the Register of Contractors.
- record certificate at the end of the entries in the Register of Wages indicating that the workmen concerned have been paid in his presence [Sec.21(2)];
- note that in case the contractor fails to make payment of wages within the prescribed period or make short payment, the establishment shall be liable to make the payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor

5.. Payment of Gratuity Act, 1972 & Rules thereunder.

(Applicable where 10 or more persons are employed in on any day in the preceding twelve months).

The employer has to :

- give a notice of opening to the Controlling Authority within 30 days.
- give a notice to the Controlling Authority in case of any change in the name, address, employer or nature of business.
- give a notice to the Controlling Authority in case of close down of business at least sixty days before the intended closure.
- ensure that a notice is displayed near the main entrance in bold letter in Gujarati and in a language understood by at least one third of the employees, specifying the name of the officer with designation authorized by the employer to receive on his behalf notices under the Act or the rules.
- ensure that the employees who have rendered continuous service for not less than five years are being paid/shall be paid gratuity on superannuation/retirement/resignation and the nominees of an employee who dies during the service are also being paid/shall be paid gratuity even though five years of service have not been rendered [Sec.4(1)];
- ensure that the amount of gratuity is/shall be determined by the employer and the notice in writing is /shall be given to the person to whom the gratuity is payable and also to the Controlling Authority [Sec.7(2)1];
- ensure that the amount of gratuity is/shall be paid within 30 days from the date it becomes payable as has been laid down u/s 7(3) of the Act; »
- ensure that an abstract of Act and the rules made thereunder in English and in Gujarati has been displayed at a conspicuous place.

6. The Maternity Benefit Act,1961 & Rules thereunder (Applicable where 10 or more persons are employed on any day in the preceding twelve months)

(Not applicable where the establishment is covered under the ESI scheme);

The employer has to;

- ensure that no women is being employed knowingly during the six weeks immediately following the day of her delivery. Miscarriage or medical termination of pregnancy [Sec.4(1)];
- ensure that the Maternity benefit at the rate of average daily wage for the period of her actual absence for delivery or twelve weeks whichever is less, is being paid to the women employees [Sec. 5] and in case of her death before receiving the maternity benefit, the same shall be given to the person nominated by the said women(Sec.7);
- ensure that a medical bonus of two hundred and fifty rupees is also being given to the female employees in case the free of charge pre- natal confinement and post- natal care is not provide by the establishment (Sec.8);
- ensure that a six weeks leave for miscarriage or medical termination of pregnancy is also being given to the affected women employee [Sec. 9];
- ensure that leave with wages for two weeks for tubectomy operation is given to women employees [Sec. 9A];
- ensure that every women who has delivered a child who returns to duty shall be allowed in the course of her daily work two breaks of twenty minutes duration for nursing the child until the child attains the age of fifteen months.(Sec.11);
- maintain the record of women employee of the establishment in Form -A [Sec. 20];
- exhibit an abstract of the Act and the rules there under in Form K. in the language of the locality at a conspicuous place in every part where the women are employed[Sec.19]

7. **Child Labour (Prohibition and Regulation) Act , 1986 & Rules thereunder**
(Employment of child labour is prohibited u/s 32 of the Shops & Establishment Act and Sec.67 of the Factories Act,1948)

Note : Child means a person who has not completed his fourteenth year of age.

The Employer has to ensure that;

- no child has been employed or permitted to work in any of the occupations set forth in part-A ;of the Schedule or in any workshop wherein any of the processes set forth in part B of the schedule is carried on.[Sec.3]
- no child is permitted to work in the establishment for more than four and half hours on any day[Sec.7(1)];
- the period of work of a child on each day has been so fixed that no period exceeds three hours and no child shall work for more than three hours before he has had an interval for rest for at least one hours [Sec.7(2)]and the spread over is not more than six hours including the time spent in waiting for work [Sec.7(3)]
- no child has been permitted or required to work between 7 P.M to 8 A.M [Sec.7(4)]and not required or permitted to work overtime[Sec. 7(5)];
- every child employed in an establishment has been allowed a weekly holiday)Sec.8);
- the notice to inspector as required u/s 9(2)of the Act has been given containing the information as per section 9(1) of the Act;
- the record in prescribed Form has been/shall be maintained[Sec. 11]
- the notice containing abstract of section 3 and 14 has been displayed at the place of work in local language and in English language[Sec.12];
- the health facilities and safety of child as required u/s 13 have been provided.
- all the provisions of the Act and the rules are/shall be complied with.

8. The Factories Act, 1948 & Rules thereunder

(Applicable only where 10 or more persons are employed on any day in preceding twelve months);

- Obtain license to run the factory as required under section 6 of the Act and also will get it renewed upto two years.
- Get the building plans of the factory approved from the Chief Inspector of Factories in accordance with the provisions of section 6 of the Act. If the premises is extended including plant and machinery, the proposed building plans of the extension will be got approved prior to construction.
- Comply with the general duties prescribed for the occupier[section 7-A of the Factories Act,1948];
- Fix the weekly hours, weekly holidays ,compensatory holidays, daily hours, intervals for rest, spread over period, night shifts, prohibition of over lapping shifts (Section 51,52,53,54,55,56,57 and 58 of the Act.)
- Pay extra wages of overtime as twice of the ordinary rate of wages.(section 59)
- Display the following notices at the conspicuous places in the factory premises;
 - i) Notice of period of work for adults.
 - ii) Escape in case of fire.
 - iii) Safe speed notice of machinery in motion.
 - iv) Extract of the factories Act and Rules.
 - v) Name and Address of the Inspecting staff.
- Maintain the following registers:
 - i) Attendance Register
 - ii) Inspection Book
 - iii) Adult Worker Register
 - iv) Accident Register
 - v) Tight Clothing Register
 - vi) Leave with Wages Register
 - vii) Lime Washing Register
 - viii) Compensatory holidays register
 - ix) Extra Wages for overtime register
 - x) Register of child workers
 - xi) Particulars of Humidity register
- Give the annual leave with Wages.
- Submit the annual and half yearly returns.
- Abide by the provisions of Factories Act 1948 and the rules farmed there under by the Administration of U.T. of Daman & Diu/ Dadra & Nagar Haveli from time to time.

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ANNEXURE IV

FORM FOR SELF CERTIFICATION AND CONSOLIDATED ANNUAL RETURN TO BE SUBMITTED BY AN EMPLOYER FOR COMPLIANCE OF LABOUR LAWS

(To be submitted on the stamp paper of Rs.20/-)

I, Mr./Mrs./Miss.....hereby, certify that I am Occupier/ Employer /Contractor of the factory/establishment whose identification and general details are as follows. I, hereby certify that the status of compliance of following labour laws and annual informations of my enterprise during the yearis as under;

- i) The Payment of Wages Act,1936 and Rules thereunder.
- ii) The Minimum Wages Act,1948 and Rules thereunder.
- iii) The Contract Labour (Regulation And Abolition) Act,1970 and Rules thereunder.
- iv) The Factories Act,1948 and Rules thereunder.
- v) The Maternity Benefits Act 1961 and Rules thereunder.
- vi) The Payment of Bonus Act,1965 and Rules thereunder.
- vii) The Payment of Gratuity Act,1972 and Rules thereunder.
- viii) The Equal Remuneration Act,1976 and Rules thereunder.
- ix) The Industrial Employment (Standing Orders) Act,1946 and Rules thereunder.
- x) The Physically handicapped persons (Employment in Factories) Act,1982 and Rules thereunder.
- xi) The Indian Boiler Act,1923.

- 1 Name and address
of establishment /Factory :
Tele. No. Mobile No. Fax No. e. mail address
- 2 Name and residential address of the
Employer/Occupier/contractor :
Tele. No. Mobile No. Fax No. e. mail address
- 3 Name and residential address
of the manager or person
responsible for supervision
or control of the establishment/factory :
Tele. No. Mobile No. Fax No. e. mail address
- 4 Registration No./Liscence No and
date of commencement of
the establishment/Factory :
- 5 Nature of Industry/activity:

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- 6 Number of Employees employed :
(Including contract workers)

Type of Worker	Unskilled	Semi skilled	Skilled	Total	Male	Female
Direct						
Through Contractor						
Total						

PART - A

My establishment is covered under the Minimum Wages Act, 1948 and rules made thereunder and all workers/ office staff are paid wages overtime wages as prescribed by the Administration of U.T. of Daman & Diu / Dadra & Nagar Haveli. I have maintained all the registers and records as required under the law.

- Number of days the establishment /factory worked worked in the year:
- Number of man days worked in the year
- Number of average employees employed in the year
- Total wages paid category wise
Male Rs.
Female Rs.
- Total Fine Imposed: , if any Rs.
- Other deductions: ,if any Rs.

PART- B :

The Part A and B are to be furnished if the maximum number of employees employed on any day during the year under report exceed 9(Nine)

My establishment is covered under the Payment of Bonus Act, 1965 and the workers are paid bonus. I have maintained records and registers as per the Act.

- Percentage of bonus paid :
- Number of beneficiaries :
- Total amount of bonus paid :
- Date of payment :
- If bonus is not paid, reason there of :

Part D

Details for self certification under The Factories Act, 1948 and Rules made there under.

My factory is registered under The Factories Act, 1948 and provisions regarding Health, Safety, Welfare etc, are compiled with.

- (A) **Factory Identification details** :
- FIN (Factory Identification Number) :
 - NIC Code (Five digit) :
 - Sector (Public / Private / Co-operative / Joint Venture) :
 - Registration under Section {2m (i) / 2m (ii) /85} :
 - Registration No : License No :
 - Licensed workers : Licensed H.P :
 - License renewal position (year) :
 - License renewal application submitted for the year :
 - Plan approval No: Date: Stability certificate
 - (i) obtained on date:
 - (ii) submitted on date:
 - Finished products :
 - Intermediates :
 - Raw materials :

(B) **Details of employment**

- (i) Average daily workers : Male: -----Female: -----
- (ii) Number of days the factory worked during previous Year : -----
- (iii) Number of man days worked (i.e. aggregate attendance during the previous year)
- (a) Adults: (i) Men: ----- (ii) Women: ----- Total: -----
 - (b) Adolescents (i) Men: ----- (ii) Women: ----- Total: -----
- (iv) Average number of workers employed daily. i.e. Man days worked divided by number of days worked.
- (a) Adults: (i) Men: ----- (ii) Women: ----- Total: -----
 - (b) Adolescents (i) Men: ----- (ii) Women: ----- Total: -----
- (v) Total number of man-hours worked including overtime but excluding rest interval.
- (a) Adults: (i) Men: ----- (ii) Women: ----- Total: -----
 - (b) Young persons:(i) Men: ----- (ii) Women: ----- Total: -----
- (vi) In respect of factories carrying on processes or operation declared dangerous under section 87, furnish the following information. (See explanatory note 'A')

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Name of the dangerous process or operation carried of(See explanatory note 'A')	Average number of persons employed daily in each of the process or operation given (See explanatory note 'B')	Number of persons			
		Medically examined		declared unfit	
		Male	Female	Male	Female
1	2	3	4	5	6
(i)					
(ii)					
(iii)etc.					

(vii) In respect of factories carrying on processes on "hazardous process" as defined in Section 2(cb) furnish the following information.(See explanatory note 'C')

Name of the dangerous process or operation carried of(See explanatory note 'A')	Average number of persons employed daily in each of the process or operation given (See explanatory note 'B')	Number of persons			
		Medically examined		declared unfit	
		Male	Female	Male	Female
1	2	3	4	5	6
(i)					
(ii)					
(iii)etc.					

(C) Compliance Status for Health Provisions

- (1) Measures taken for prevention of dust / fumes generated in the process :
- (2) Provision of wholesome drinking water (Sec.18) :
- (3) Provision of Urinals, Latrines& Bathrooms facilities separately for men and women (give Number for each) (Sec.19) :
- (4) Maintenance of health records :
- (5) Provision of Occupational Health Center :
- (6) Provision of Factory Medical Officer if applicable (Retainer ship base-/ Part time / Full time) :
- (7) Number of Industrial Hygienists employed to monitor work, environment as required under Section 7-A, 112. :

(D) Compliance status for Safety provisions

- (1) Compliance of safety provisions prescribed under Schedules, including guarding of machinery. (Sec.21, 22) :
- (2) Whether safe means of access provided to plants & machinery (Sec.32, 33) :
- (3) Whether emergency fire exits provided :
- (4) Details of fire fighting equipments including water storage capacity & trained personal. :
- (5) Whether hoists, lifts, cranes, lifting tackles & lifting devices are certified duly by Competent Person in prescribed forms ? (Sec.28, Sec.29) :
- (6) Whether pressure vessels in use are tested by Competent Person & duly certified in prescribed form. (Sec.31) :
- (7) Details of personal protective equipments provided and special safety equipments if any. (Sec.41) :
- (8) Details of Safety Officers & Safety Supervisors (Sec.40) :
- (9) Safety Committee functioning ? (if applicable) :
- (10) Whether provisions of Chapter-IV A there under complied with (if covered under Schedule-I framed under Sec.2cb) (Sec. 41B to41H) :
- (11) Number of Safety programs for training & safety awareness arranged during last year And number of workers trained through it. :
- (12) For Major Accident Hazard Factories:
 - (a) Onsite emergency plan prepared / amended date: :
 - (b) Rehearsals done for Onsite Emergency Plan during last year.(Give dates) :
 - (c) Details of Safety Policy, Safety Audit & Safety Report. (if applicable) :
 - (d) Whether information regarding hazards and actions taken provided to public, workers and authorities. :

(E) Compliance status for Welfare provisions

- (1) Whether first aid facilities are provided as per rules. (Sec. 45) :
- (2) Provision of Ambulance Room, required staff, Ambulance Van (if applicable) (Sec.45) :
- (3) (a) Whether canteen facility provided as per standards prescribed if more than 250 workers are employed. (Sec. 46) :
- (b) Is canteen managed / run departmentally ? through a contractor ? : Yes / No
: Yes / No.
- (4) Whether Rest Rooms and Lunch Rooms are provided ? If more than 150 workers are employed. (Sec. 47) :
- (5) Whether crèche facilities are provided for the use of children of women employees ? (if more than 30 women are employed) (Sec.48) :
- (6) Whether Welfare Officer is appointed as per the provisions laid down (Sec.49) :

(F) Compliance status of Working Hours provisions

- (1) Compliance of provisions relating to working hours for adults i.e. 9 hours a day and 48 hours per week, (Sec. 51) :
- (2) Whether notice of period of work displayed on notice board ? (Sec. 61) :
- (3) Shift timings :
1st shift from.....to..... 2nd shift from..to.....
3rd shift fromto.....General shift fromto
- (4) (a) Normal working time for women workers – :
In case of relaxation granted for working hours of women workers, whether return & transport and security facilities provided.
- (b) Whether certificates of fitness are obtained for employment of young persons (above 14 yrs) in the prescribed Form No.5 (Sec.69) :

(G) Compliance status for Annual leave with wages,

- (a) Whether leave with wages are allowed to the eligible employees (Sec.79) :

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(3) Injuries occurring inside the factory during the previous year.

Number of injuries occurring in								
Hazardous Process under Section 2(b)			Dangerous operations under Section 87			Others		
Number of			Number of			Number of		
Accidents	Persons injured		Accidents	Persons injured		Accidents	Persons injured	
	Fatal	Nonfatal		Fatal	Nonfatal		Fatal	Nonfatal
1	2	3	4	5	6	7	8	9

- (4) (i) Nonfatal injuries (workers injured during the year in which injured workers returned to work during the same year. :
- (a) Number of injuries:
 - (b) Mandays lost due to injuries:
- (ii) Nonfatal injuries (workers injuries) occurring in the previous year in which injured workers returned to work during the year to which this information relates :
- (a) Number of injuries:
 - (b) Mandays lost due to injuries (this should be the total mandays lost during the previous year as well as in the current year).

PART - E

Details for self-certification under The Payment of Wages Act - 1936 & Rules made there under.

My establishment is covered under The Payment of Wages Act, 1936 and Rules made there under. All workers /office staff are paid wages as prescribed manner. I have maintained all registers and records as required under the law.

1. Whether application in respect of Fines being imposed on the employees in sent :
2. (i) Number of Man days worked (i.e. aggregate number of attendance) during the year for person earning more than Rs.1600/- per month (See explanatory note "D") :
- (a) Adults
 - (b) Young Persons
 - Total
- (ii) Average number of workers employed daily (i.e. man days worked divided by number of days worked) for persons earning more than Rs. 1600/- per month (See explanatory note "B") :
- (a) Adults
 - (b) Young Persons
 - Total

3. "Total wages paid" including 'deductions' under Section 7(2) of the Payment of Wages Act, 1936 for persons getting less than Rs. 1600/- per month on the following accounts:
- | | |
|--|-----|
| (a) Basic wages only | Rs. |
| (b) Dearness Allowances | Rs. |
| (c) Composite wage (i.e. if combined Basic wage and dearness allowance paid) | Rs. |
| (d) Overtime wages | Rs. |
| (e) Non-profit sharing bonus | Rs. |
| (f) Any other bonus (other than Profit sharing bonus and non-profit Sharing bonus) forming part of wages As defined under the Act. | Rs. |
| (g) Any other amount paid in cash which may form part of wages As defined under the Act. (Please specify) | |
| (h) Arrears of pay in respects of Previous year paid during the year | |
| (i) Total wages paid (total of (a+b) or c+d+e+f+g+h) | |
4. Gross amount paid as remuneration to person getting less than 1600/- per month including 'deduction' under Section 7(2) of the Act on the following accounts :
- | | |
|---|-----|
| (a) Total wages paid (item 3) during the year | Rs. |
| (b) 'Bonus paid' during the year (Including arrears also, if paid During the year. This is statutory Sharing Bonus) | Rs. |
| (c) 'Amount of money value of Commission' given during the year. | Rs. |
| (d) Deductions-number of cases and amount realised | : |

PART - F

Details for self certification under The Maternity Benefit Act - 1961 & Rules made there under.

My establishment covered under The Maternity Benefit Act - 1961 & Rules made there under. All women who are entitled for medical benefits and medical bonus have been given such benefits and bonus amounts. I have maintained all the registers and record and displayed notices as required under the law.

1. Number of female workers employed on any day
2. No. of women workers, claimed Maternity benefit/ No. paid (Section 5)

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3. No. of cases in which medical Bonus is claimed /paid (Section 8)
4. No. of cases of leave for miscarriage is applied /granted (Section 9 & 9-A)
5. Number of cases of additional leave For illness applied / granted (Section 10)
6. Total amount of maternity benefit paid
7. Whether Nursing breaks allowed to the eligible women employees ? (under Section 11)
8. Whether women employees are dismissed from service during their pregnancy depriving of their entitled maternity benefit or medical bonus -if so, number of women dismissed and reasons thereof (Section 12)

PART - G

Physically Handicapped persons (Employment in Factories) Act, 1982 and rules made there under.

My establishment is covered under The Physically Handicapped Persons (Employment in Factories) Act 1982 and Rules made there under. I have already appointed physically handicapped persons as per law and maintained all registers and records as required under the law.

1. Total No. of workers employed: _____
2. Number of physically handicapped persons employed . _____
3. Certificates from Certifying Surgeon obtained from all workers ? Yes / No. _____
4. Whether all physically handicapped persons are recruited from registered Persons with employment exchange. Yes / No. _____
5. Record of physically handicapped persons maintained in Form No. II. Yes / No. _____
Rule -3

Explanatory Note

- A All such 'dangerous processes or operations' as specified and declared in the Rules framed under section 87 of the Factories Act, 1948 should be checked. If the factory or even a part of the factory submitted returns falls under this Section. The fact should be mentioned against this item and request information furnished accordingly.
- B The average number of workers employed daily should be calculated by dividing the figures of 'Mandays worked' by number of days worked in the year. For seasonal factories*, the average number

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of workers employed daily during the working season and off-season should be given separately. (Refer note B-2)

- C All such 'hazardous processes' in relation to the industries specified in the First Schedule to the Factories Act and defined under Section 2(cb) of the Act should be checked. If a factory, or even a part of the factory submitting returns falls under this Section, the fact should be mentioned against this item and requisite information furnished accordingly.
- D Mandays worked should be the aggregate number of attendance of all the workers, covered under the Act, in all the working days. In reckoning attendance, attendance by the temporary as well as permanent employed should be counted, and all employees should be included, whether they are employed directly or under contractors (Apprentices, who are not covered under the Apprentices Act, 1961; are also to be included). Attendance on separate shifts (e.g. night and day shifts) should be counted separately. Partial attendance for less than half a shift on a working day should be ignored while attendance for half a shift or more on such day should be treated as full attendance.

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Exemption /Self Certification under The Indian Boilers Act, 1923

Registry number of the Boiler/ Economiser :

A. Name of owner :

Address where Boiler/ Economiser installed :

B. Information of Boiler Proficiency Engineer reporting fitness of Boiler / Economiser :

Full Name :

Address :

Tel. No. :

Fax No.:

E-mail ID :

Type of Proficiency certificate :

No. & date of certificate and Issuing Authority :

Details of endorsement of Boiler Inspectorate (if any)

C. Certificate of Boiler Proficiency Engineer :

I have inspected above boiler/ Economiser on _____ at the request of boiler owner.
I hereby certify that the Boiler / Economiser is fit for further use at the pressure approved by the Boiler
Inspectorate for 12 months i.e. from _____ to _____.

Signature of Boiler Proficiency Engineer

Signature of Boiler Owner

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Remarks if any,

I submit that I have also complied with the following provisions:

1. The wages were paid as per law and no deductions that are not authorized under the law have been made from the wages thereof of the workers.
2. That no child below the age of 14 years has been employed in the establishment and women workers have not been discriminated against in any manner.
3. That I have complied with the provisions of the Payment of Gratuity Act, 1972, that the arrangement is made to accept the nomination form of worker, that the notice in form U has been exhibited and _____ workers are paid Rs. _____ as gratuity under the Act during the year.
4. That _____ workers were removed or retrenched during the year and I have paid their legal dues as provided under labour laws.
5. That I have maintained the registers/ records prescribed under these Acts, and displayed the required notices.
6. That I have maintained all registers/ records / displayed all notices/ provided I - cards/ Leave book to all workers as prescribed under the Factories Act, 1948 and rules made there under. I have provided required informations to workers and public in the vicinity and to concerned authorities under the Factories Act, 1948 and rules made there under.

I hereby state that the information given as above is true and correct to the best of my knowledge, information and belief and in case it is proved to be false, I will be liable for punishment as provided under concerned law.

Date :

SIGNATURE OF THE EMPLOYER

Place :

AND HIS OFFICAL SEAL

Encl. : Receipted treasury challan for payment of

Rs. _____ on _____ as per Notification.

Signature with seal