## PART 6: LABOUR DEPARTMENT

### NOTIFICATIONS

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<th>DATE</th>
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</table>
Government of Jharkhand  
Labour, Employment and Training Department

Notification

Ranchi, Dated: 29/06/2015

S.O. .........................

No. __________. Whereas, the State Government is satisfied that for rapid industrialization of Jharkhand, it is necessary to exclude all class of boilers from certain provisions of Boilers Act, 1923 (No. 5 of 1923);

Now, therefore, in exercise of the powers conferred by subsection (3) of section 34 of Boilers Act – 1923 (No. 5 of 1923), the Government of Jharkhand hereby exempt all class of boilers, which have been installed in the state or which will be installed in the state in future, from the operation of sub section (3) and (7) of section 8 of the Act, subject to following conditions, namely:-

(1) A certificate authorizing the use of boiler ceases to be in force due to an accident or steaming off of the boiler and its pressure parts or steam pipes, attached thereto, the owner of the boiler shall apply to the concerned Boiler Inspector for renewal thereof for such period as may be prescribed by regulations. In other cases the owner may apply for renewal after inspection by designated competent person as provisioned in sub section (3) of Section 8 or through concerned Boiler Inspector as per his choice.

(2) The inspection of the boiler and the boiler components and verification of alteration and addition as per the provisions of the said Act, Rules and Regulation framed thereunder, shall be carried out every year by any of the competent person as defined under clause (cb) of Section- 2 of the Boiler Act, 1923, recognized from time to time under Regulation 4J of the Indian Boiler Regulation 1950. The competent person shall follow instructions and guidelines of the Chief Inspector and shall be liable and responsible for any act, omission or commission committed against the regulation framed thereunder.

(3) The owner of the boiler will carry out repairs, if necessary, of his boiler, under regulation 392 and 392A of Indian Boiler Regulations 1950, through a repairer of appropriate class and shall get inspection done of his boiler by competent authority. The repairs, if necessary, of boiler and inspection of boiler shall be carried out as per provisions of Indian Boiler Regulations 1950.

(4) Material to be used for repair of boiler and testing thereafter shall be as per technical specifications prescribed under Indian Boiler Regulations 1950. Welder deployed for welding during repair of boiler shall possess a valid certificate of appropriate class as prescribed in Chapter XIII of Indian Boiler Regulations 1950. Records of inspection,
repair, repairer, welder, material test certificates, destructive testing & non destructive testing shall be maintained by the owner of boiler and shall be produced to boiler inspectorate on demand.

(5) After satisfactory repairs; if carried out; and inspection of boiler, the owner of the boiler and the competent persons shall issue ‘Certificate of Boiler’ as appended with this notification declaring that the boiler is fit to operate at approved working pressure for a period of twelve months from the date of inspection. This scheme shall be called “Self certification of Boiler”. It is an optional provision.

(6) The owner of the boiler shall submit Self-Certificate of Boiler in two copies along with challan of renewal inspection fee as prescribed under rules or regulation, within fifteen days from date of inspection to Jharkhand Boiler Inspectorate as prescribed from time to time. On receipt of Certificate and challan the Jharkhand Boiler Inspectorate shall record certificate & challan in Memorandum of Inspection book and then return within fifteen days, one copy of Certificate duly acknowledged, along with the Fitness Certificate to the owner of the boiler. At the discretion for the owner of the Boilers, procedure may be completed through off-line means. The process of self-certification of boiler under this scheme shall be deemed to be completed after acknowledgement by Jharkhand Boiler Inspectorate.

(7) It will be responsibility of the owner of the boiler to turn & maintain his boiler as per provisions of Boilers Act – 1923 and regulations/ rules framed under the Act. He will also be responsible for any violation of the provisions or accident.

(8) The security amount for opting for this scheme of “Self certification of Boiler” after applying to the Chief Inspector of Boilers of Jharkhand along with the challan of security deposit as under:-

(a) For boiler up to 1000 sqm heating surface area (rating) : Rs. 5000/-
(b) For boiler exceeding 1000 sqm heating surface area (rating): Rs. 20000/-

Any owner of boiler may, at any time, withdraw from the scheme by applying to Chief Inspector of Boilers of Jharkhand. Security amount shall be refunded to owner of boiler. No interest shall be payable on the security deposit.

(9) The Government may, at any time, modify or withdraw this notification.

(File No-02/F.A.-50-08/2015 L&E 17) Ranchi Dated 29/16/15
By order and in the name of Governor of Jharkhand,

Rajesh 

Under Secretary to Government.
Draft Certificate of Boiler/ Economiser under scheme of Government of Jharkhand
"Self-Certification of Boiler"

1. Name & Designation of owner :
2. Registry number of Boiler/ Economiser :
3. Type of Boiler/Economiser :
4. Boiler/Economiser Rating ($m^2$) :
5. Place & Year of Manufacture :
6. Maximum Continuous Evaporation :
7. Situation of Boiler/ Economiser :
8. Details of repairs carried out :
9. Hydraulically tested on: -------------- to ---------------- Kg/cm$^2$
10. Approved working pressure: ---------------- kg/cm$^2$

I have inspected the above boiler/economizer as required under notification No.---------
dated.--------- of Government of Jharkhand and I hereby certify that the boiler/economizer is fit
for further use at the approved working pressure, i.e., --------- Kg/cm$^2$ for twelve/ twenty four
(optional for power boilers as per para 6 of the notification) months, i.e., from --------- to ---------

Countersigned by CIB Approved Repairer
(In case of repairs only)

<table>
<thead>
<tr>
<th>Signature</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Name of CBB Approved</td>
</tr>
<tr>
<td>Seal</td>
<td>Third Party</td>
</tr>
<tr>
<td>Class of Recognition &amp; Validity</td>
<td>Certificate Number</td>
</tr>
<tr>
<td>Address</td>
<td>issued by the Authority</td>
</tr>
<tr>
<td></td>
<td>Issuing Authority Name</td>
</tr>
<tr>
<td></td>
<td>Endorsement Number in Jharkhand (if applicable)</td>
</tr>
<tr>
<td></td>
<td>Address</td>
</tr>
</tbody>
</table>

Signature ______________________
Name of owner under section ________
2(d) of Boilers Act-1923

Date: ---------
Place: ---------

Acknowledgement

Details of certificate & challan recorded in Memorandum of Inspection book & one copy of certificate
returned to owner.

Date: ---------
Place: ---------

Inspector of Boilers
Jharkhand
Government of Jharkhand,
Labour, Employment and Training Department.

NOTIFICATION

S.o........................................ Ranjhi dated..........................

PREAMBLE:

The Government of Jharkhand lays strong emphasis on labour reforms for creating an industrial friendly and conducive labour environment. With a view to “ease of doing business”, increasing transparency in the system of inspection and to enable the entrepreneur to focus on the core issues of business, “Jharkhand Industrial Policy-2012” advocates the system of “Self-Certification” for Labour related compliance of routine nature in the State.

RESOLUTION

After careful consideration, Government is pleased to introduce a ‘Self-Certification-cum-Consolidated Annual Return’ Scheme which seeks to streamline compliance by industrial establishments located in the State, while also 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 enforcement procedure of different labour laws for their implementation, which are implemented by the Office of Labour Commissioner. 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 the interest of the workers and employees by complying with all the laws as applicable and enable the Government Department of Labour, Employment and Training to effectively protect the interest of the workers as well as the employer/entrepreneur and create a friendly environment and relationship between the Government 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 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 authorized authority in the prescribed Form(s) in Annexure-I along with details as per Annexure-II and an self declaration as prescribed in Annexure-III.

4. **DEEMED APPROVAL** :- Any discrepancy in the application or enclosures shall be communicated to the applicant within 60 days from the receipt of the application in the office of authorized authority. In case no discrepancy is so communicated within 60 days from the receipt of the application, the applicant shall deem to have been enrolled under the above Scheme.
5. **SELF-DECLARATION** :- For being enrolled for the said Scheme, the concerned employer/entrepreneur shall submit a Self-Declaration as per the prescribed format in Annexure III (a). However, in case of hazardous processes industries and dangerous operations as defined in section 2 (cb) and section 87 of the factories Act 1948, the concerned employer/entrepreneur / occupier shall be required to submit an affidavit as per the prescribed format in Annexure III (b).

6. **FILING OF RETURN** :- After being enrolled for the said Scheme, the concerned employer/entrepreneur shall file the Self-Certification Return in the prescribed Performa given at Annexure-IV along with the required documents and information. The return shall be filed between 1st of June to 30th of June every year.

7. **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 occupier 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 occupier shall file annual return as prescribed. After the successful compliance under the Scheme for five years, the employer/entrepreneur occupier 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 authorized authority. In case the employer/entrepreneur occupier 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.

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 occupier :-

   **List - A**

   1. Payment of Wages Act, 1936 and the Rules made thereunder as amended from time to time.
   3. Contract Labour (Regulation & Abolition) Act, 1970 and Rules made there under as amended from time to time.
   4. Maternity Benefit Act, 1961 and Rules made there under as amended from time to time.
   5. Payment of Bonus Act, 1965 and Rules made thereunder as amended from time to time.
   6. Payment of Gratuity Act, 1972 and Rules made thereunder as amended from time to time.
   7. The Equal Remuneration Act, 1976 and Rules made thereunder as amended from time to time.
   8. Industrial Employment (Standing Order) Act, 1946 and Rules made there under as amended from time to time.
   9. The Jharkhand Shops & Establishment Act, 1953 and Rules made there under as amended from time to time.
10. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 and Rules made thereunder as amended from time to time.

11. The Inter State migrant workmen (RECS) Act, 1979 and Rules made thereunder as amended from time to time.

12. The Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996 and Rules made thereunder as amended from time to time.


List - B

1. The Factories Act, 1948 and Rules made thereunder as amended from time to time.

9. **AMOUNT OF SECURITY TO BE DEPOSITED**: An entrepreneur/employer/occupier can opt to enrol for the Scheme for legislations mentioned in either List - A only or List - A & B (Both). He shall deposit a security by way of account payee bank draft in favour of Labour Commissioner, Jharkhand from time to time. At the commencement of this scheme, the security amount shall be as under:

   **For Legislations of List - A**

   (a) Workers less than 100
       - Rs. 2000/-
   (b) Workers 100 or more but less than 500
       - Rs. 5000/-
   (c) More than 500 workers
       - Rs. 10,000/-

   **For Legislations of List - A & B (Both)**

   (a) Workers less than 100
       - Rs. 20,000/-
   (b) Workers 100 or more but less than 500
       - Rs. 50,000/-
   (c) Worker 500 or more
       - Rs. 1,00,000/-

In case of increase in labour count after being enrolled for the said Scheme, the entrepreneur/employer/occupier shall submit the remaining applicable amount of security within one month of increase.

10. **FORFEITURE OF SECURITY DEPOSIT**: In case any entrepreneur or employer or occupier 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 is detected then security so deposited shall be forfeited and in case of 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 afresh. In case any entrepreneur or employer or occupier withdraws prematurely from the Scheme i.e. before 5 years then security so deposited shall be forfeited as follows:

   - 20% shall be forfeited if exit within 1 year
   - 40% shall be forfeited if exit within 1-2 year
- 60% shall be forfeited if exit within 2-3 year
- 80% shall be forfeited if exit within 3-4 year
- 100% shall be forfeited if exit within 4-5 year

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 authorized authority of concerned region, with a copy to concerned Deputy Labour Commissioner/Assistant Labour Commissioner/Labour Superintendent/Inspector of Factories/Deputy Chief Inspector of Factories/Chief Inspector of Factories. 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 authorized authority along with relevant documents and a copy of the same shall also be sent to be Deputy Labour Commissioner/Assistant Labour Commissioner/Labour Superintendent/Factory Inspector/Deputy Chief Inspector of Factories/Chief Inspector of Factories concerned. In case the unit concerned is also covered under the Factories Act and Rules there under a copy of the same shall also be sent to the Chief Inspector of Factories and Inspector, Deputy Chief Inspector of Factories and 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 authorized authority, manually or on-line as the authority so decides.

10. **INSPECTION PROCEDURE UNDER THE SCHEME:** One planned inspection in five years and not more than 20 percent 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. However, on specific complaint, accidents, dangerous occurrences, inspection shall be conducted only on authorization from Higher Officer/Labour Commissioner or Chief Inspector of Factories who are competent to order inspection at any time.

A random inspection list of units shall be prepared. The inspection will be a joint inspection by all wings of Labour Commissionerate in the form of development visit under all the laws applicable under the Scheme. Hence, it will normally be a one-time inspection.

The units/factories which do not desire to opt for the scheme will be inspected as per existing system.

The detail of the Scheme along with a prescribed application form and inspection procedure shall be available with all the Deputy Labour Commissioner, Chief Inspector of Factories, Deputy Chief Inspector of Factories, Inspector of Factories, Assistant Labour Commissioner, and Labour Superintendent in their offices.


By order and in the name of Government of Jharkhand,

[Signature]

Under Secretary to Government, Labour, Employment and Training Department, Government of Jharkhand.
ANNEXURE-I

From,
M/S ........................................

To,
........................................

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

Sir,

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 Employer/Manager/Occupier)

Enc.: (1) Annexure II (List of documents)
(2) Annexure III (Self Declaration)

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 Sl. No. .........
Dt. ................. Any further correspondence in future in this regard may be done by stating this Sl. No. .................

Authorized Signatory
For Department of Labour, Employment & Training
Government of Jharkhand
**ANNEXURE-II**

**LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE-I**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>:</th>
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<tbody>
<tr>
<td>1</td>
<td>Status of the unit</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(Company/Firm/Shop/Others/(Please specify)</td>
<td>:</td>
</tr>
<tr>
<td>2</td>
<td>Nature of the unit</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(What work/business, it is carrying on)</td>
<td>:</td>
</tr>
<tr>
<td>3</td>
<td>Status of the industry (SSI/MSI/LSI)</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(attach attested copy of registration with department of industries)</td>
<td>:</td>
</tr>
<tr>
<td>4</td>
<td>Registration No. along with attested copy of registration/licence under the Factories Act, 1948</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>if applicable</td>
<td>:</td>
</tr>
<tr>
<td>5</td>
<td>Registration No. and date along with attested copy or registration under The Jharkhand Shops</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>&amp; Establishment Act, 1953./ The Beedi and Cigar Workers (Conditions of Employment) Act, 1966.</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>if applicable</td>
<td>:</td>
</tr>
<tr>
<td>6</td>
<td>Registration No. and date under The Contract Labour (Regulation &amp; Abolition) Act, 1970, if applicable.</td>
<td>:</td>
</tr>
<tr>
<td>7</td>
<td>License No. and date under Contract Labour (Regulation &amp; Abolition) Act, 1970, if applicable.</td>
<td>:</td>
</tr>
<tr>
<td>8</td>
<td>Number of workers being employed.</td>
<td>:</td>
</tr>
<tr>
<td>9</td>
<td>Whether Registered with Employment Exchange Portal and submitted the required Data</td>
<td>:</td>
</tr>
<tr>
<td>10</td>
<td>Details of bank draft attached.</td>
<td>:</td>
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</tbody>
</table>

**NOTE:** In case any of the above is not being attached/provided, please give specific reason.
ANNEXURE-III (a)

Self Declaration

I .................................................................

S/o/D/o/W/o.................................................................

R/o........................................and 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 Department of Labour,
Employment & Training, Government of Jharkhand, as notified vide notification No............... dated .................

1. That I have gone through the scheme and have fully understood the contents of this
scheme and under take to abide by the same.

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 it is hereby further solemnly affirmed that the contents given above are true and
correct to my knowledge.

4. 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: ........................................

Signature of the Applicant
ANNEXURE-III (b)

Affidavit
(For hazardous & dangerous operations)
(On non/judicial stamp paper)

I ..................................................................................................................
S/o/S/o/D/o/W/o..................................................................................
R/o.....................................................................................................
and 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 Department of Labour,
Employment & Training, Government of Jharkhand, as notified vide notification No.............
dated .........................

5. That I have gone through the scheme and have fully understood the contents of this
scheme and under take to abide by the same.

6. 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.

7. That it is hereby further solemnly affirmed that the contents given above are true and
correct to my knowledge.

8. 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: ..............................

Signature of the Applicant
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.)

The employer has to:

- pay the minimum wages to the workers as notified by the Government of Jharkhand from time to time.
- 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 Prescribed Form.
- 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 in Prescribed Form both as laid down under the Rules.
  (b) Annual Return in Prescribed Form.
  (c) Register of Wages in Prescribed Form containing signatures/thumb impression of the workmen.
  (d) Wage slips duly signed by the employer in Prescribed Form.
- display the following notice in English, Hindi 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 made by the Government of Jharkhand thereunder in Prescribed Form
  (b) Name and address of the inspector;
  (c) The prevalent minimum wages as notified by the Government.

- 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.
- Abide by the provision of the Minimum Wages Act, 1948 and the Rules framed by the Government of Jharkhand from time to time.

2. Payment of Wages Act, 1936 & Payment of Wages Rules.
The employer has to:

- Fix the wages period which will not exceed one month.
- 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.
- Pay the wages in current coins/currency notes.
- Deduct from the wages of an employed person wages as per provisions after following the due procedure only.
- Display the notice containing the abstract of the Act and the rules made there under in English, Hindi, 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
(Application to 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.
- Maintain the 'Set on and Set off of allocable surplus in Form-B
- Maintain the record of the bonus paid to employees for any accounting year Form-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.


- 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 as prescribed under Rules.
  (b) Rest rooms or suitable alternative accommodation to the contract labour.
  (c) Other facilities like sufficient supply of wholesome drinking water convenient places, sufficient number of latrines and urinals of the prescribed type, washing facilities etc. as prescribed under Rules.
  (d) First-aid facilities to be made available to the contract labour during all working hours with prescribed contents.
  (e) Submit the Annual Return in Prescribed Form in duplicate to the Registering Officer not later than the prescribed date following the end of the year to which it relates.
  (f) Maintain the Register of Contractors in Prescribed Form
  (g) Record certificate at the end of the entries in the Register of Wages indicating that the workmen concerned have been paid in his presence.
  (h) 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.
  (i) Comply with the orders of Labour Commissioner, Jharkhand issued under Rule-25.

(Applicable where 5 or more persons are employed on any day in the preceding twelve months).
The employer has to:

- Give a notice of opening in Prescribed Form to the Controlling Authority within 30 days.
- Give a notice in Prescribed Form to the Controlling Authority in case of any change in the name, address, employer or nature of business.
- Give a notice in Prescribed Form 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 Hindi 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.

- 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.

- Ensure that the amount of gratuity is/shall be paid within 30 days from the date it becomes payable as has been laid down under the Act and the Rules.

- Ensure that an abstract of Act and the rules made thereunder in Prescribed Form in English and in Hindi has been displayed at a conspicuous place.

6. The Maternity Benefit Act, 1961 Maternity Benefit Rules. (Applicable where 5 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.

- 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, and in case of her death before receiving the maternity benefit, the same shall be given to the person nominated by the said women.

- 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 provided by the establishment.

- Ensure that a six weeks leave for miscarriage or medical termination of pregnancy is also being given to the affected women employee.

- Ensure that leave with wages for two weeks for tubectomy operation is given to women employees.

- 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.

- Maintain the record of women employee of the establishment in Prescribed Form

- Exhibit an abstract of the Act and the rules there under in Prescribed Form in the language of the locality at a conspicuous place in every part where the women are employed.

7. Child Labour (Prohibition and Regulation) Act, 1986 & Child Labour (Prohibition and Regulation) Rules

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.

- No child is permitted to work in the establishment for more than four and half hours on any day.

- 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 hour and the spread over is not more than six hours including the time spent in waiting for work.

- No child has been permitted or required to work between 7 P.M to 8 A.M and not required or permitted to work overtime.

- Every child employed in an establishment has been allowed a weekly holiday.

- The notice to inspector as required u/s 9(2) of the Act has been given containing the information as per section 9(4) of the Act;

- The record in prescribed Form has been/shall be maintained.

- The notice containing abstract of section 3 and 14 has been displayed at the place of work in local language and in English language.

- 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 Jharkhand Shops and Establishment Act 1953 and Rules

- Obtain Registration of the shop or commercial establishment as required under the Act and also will get it amended from time to time if any change occurs in the particulars.

- Give Service Card to each Employee in the prescribed format.

- Fix the weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period as specified in the Act and rules made there under.

- Pay extra wages of overtime as twice of the ordinary rate of wages.

  Maintain the following registers:

  i) Attendance Register
  ii) Inspection Book
  iii) Leave with Wages Register
  iv) Extra Wages for overtime register, Register of Fines, and Register of Deductions for damages for loss in Prescribed Form and all other registers as required under law.

- Give the annual leave with Wages, and other admissible leave as prescribed.

- Provide safe and hygienic working condition as prescribed.

- Submit the Prescribed annual, return within the stipulated time.

- Abide by all the provisions of The Jharkhand Shops and Establishment Act and the rules framed there under by the Government of Jharkhand from time to time.

11. The Beedi & Cigar Worker (Conditions of Employment) Act, 1966
1. Employer use the place or premises as an industrial premises only with valid licence issued under the Act.
2. Employer has to observe condition of licence.
3. Industrial premises to be kept clean and free from effluvia arising from any drain, privy or other nuisance.
4. Record of date of white washing, colour washing, varnishing, painting & cleaning to be maintained by the employer.
5. Industrial Premises to maintain prescribed standards of lighting, ventilation and temperature.
6. Washing facilities to be provided and maintained in the industrial premises for both male & female employee.
7. In every Industrial premises where more than 30 (thirty) female employees are employed crèches to be provided in the mentioned standards.
8. In Industrial Premises, the employer to provide adequate fire fighting equipment.


(The provisions given below are illustrative and not exhaustive and are meant for basic guidance. For details please refer to the Act and Rules)

- (Applicable only where 10 or more persons are employed on any day in preceding twelve months);
- Get approved the building plans of the factory from the Inspectorate of factories in accordance with the provisions of section 6 of the Act and Prescribed Rule.
- Obtain license to run the factory as required under section 6 of the Act and also will get it renewed.
- If the premises layout of plant is extended/reconstructed including plant and machinery, the proposed building plans of the extension approved prior to construction.
- Fix the weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period, night shifts, prohibition of overlapping shifts as per provisions of the Act & Rule.
- Pay extra wages of overtime as twice of the ordinary rate of wages.
- Notify cases of accidents diseases to the authority within stipulated time limit in prescribed form and submit other notices/information's as per law.
- Display the following notices at the conspicuous places in the factory premises;
  i) Notice of period of work for adults in Prescribed form
  ii) Speed limit of vehicles/loco
  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) Tight Clothing Register
  v) Leave with Wages Register
  vi) Lime-Washing/Painting Register
  vii) Compensatory holidays register
  viii) Extra Wages for overtime register
  ix) Register of child workers
  x) Particulars of humidity register
  xi) Register of Accidents
xii) Register in respect of person employed in occupation declared to be dangerous.

xiii) Health registers

xiv) Register of eye sight examination

xv) All other register/records as required under law.

- Give the annual leave with Wages as per rule.
- Submit the annual within stipulates time returns.
- Abide by all the provisions of Factories Act 1948 and the rules framed there under by the Government of Jharkhand from time to time.

ANNEXURE IV

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

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 information of my enterprise during the year ........................................ is as under;

(i) Payment of Wages Act, 1936 and the Rules made there under as amended from time to time.

(ii) Minimum Wages Act, 1948 and Rules made thereunder as amended from time to time.

(iii) Contract Labour (Regulation & Abolition) Act, 1970 and Rules made thereunder as amended from time to time.

(iv) Maternity Benefit Act, 1961 and Rules made there under as amended from time to time.

(v) Payment of Bonus Act, 1965 and Rules made thereunder as amended from time to time.

(vi) Payment of Gratuity Act, 1972 and Rules made thereunder as amended from time to time.

(vii) The Equal Remuneration Act, 1976 and Rules made thereunder as amended from time to time.

(viii) Industrial Employment (Standing Order) Act, 1946 and Rules made there under as amended from time to time.

(ix) The Jharkhand Shops & Establishment Act, 1953 and Rules made there under as amended from time to time.

(x) The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 and Rules made there under as amended from time to time.

(xi) The Inter State migrant workmen (Regulation of Employment and Conditions of service) Act, 1979 and Rules made there under as amended from time to time.

(xii) The Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996 and Rules made there under as amended from time to time.

(xiii) The Motor Transport Workers Act, 1961 and Rules made there under as amended from time to time.

(xiv) The Factories Act, 1948 and Rules made there under as amended from time to time.
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./Licence No and year of commencement of the establishment/factory:
5. Nature of Industry/activity:
   Employment Portal Reg. No. Whether vacancy uploaded: Y/N
6. Number of Employees employed:
   (Including contract workers)

<table>
<thead>
<tr>
<th>Type of Worker</th>
<th>Unskilled</th>
<th>Semiskilled</th>
<th>Skilled</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Through Contractor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PART - A**

My establishment is covered under the Payment of Wages Act, 1936, Minimum Wages Act 1948, Jharkhand Shops and Establishment Act 1953, the and rules made thereunder and all workers/office staff are paid wages overtime wages as prescribed by the Government of Jharkhand. I have maintained all the registers and records as required under the law.

I provide admissible leave to all employees; have maintained all the registers and records as required under the law. I have given these the service card in the prescribed format.

- Number of days the Shop/establishment worked in the year:
- Number of man days worked in the year
- Maximum number of employee employed on any day in the year
- Number of average employees employed in the year
- Number of Service Cards Issued (if applicable)
- Total wages paid category wise
  - Male Rs.
  - Female Rs.
- Total Fine Imposed: , if any
- Other deductions: , if any
  - Rs.
PART-B:

The Part A and B information 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 eligible beneficiaries
- Total amount of bonus paid
- Date of payment
- If bonus not paid, reason there of

PART-C

Part A, B & C are to be furnished, if the establishment has employed more than 9 contract labour on any day during the year under report. (Details to be provided by the Principal Employer)

My establishment is covered under Contract Labour (Regulation and Abolition) Act, 1970 and the workers are paid wages and overtime wages as prescribed by the Government of Jharkhand. I have maintained records and registers as per the Act.

- Name and postal address of the contractor
- Nature of work/operations of contractor
- Total number of days during the year on which contract labour was employed
- Total number of man days worked during the year by contract labour
- Total number of days during the year in which direct labour was employed
- Total number of man days worked by direct labour
- Change, if any, in the management of establishment its locations, or any other particulars furnished to the Registering Officer in the application for the registration (Details may be furnished with dates of changes)

Note: In case the number of contractors are more than 9 then the details of each Contractor may be furnished in separate sheet.

ANNUAL RETURN to be submitted by the Contractors employing more than 9 workers.

- Duration of contract
- Number of days worked during the year
- Average number of contract labour worked in any day during the year.
- Details of
  (a) Working hours
  (b) Overtime work
  (c) Weekly holiday
  (d) Spread over
  (e) Weekly holiday paid or not
• Number of mandays worked during the year.

• Amount of wages paid

• Amount of deduction from wages

• The following has been provided?
  • Canteen
  • Rest rooms
  • Drinking water
  • Creches
  • First aid

For Applicants Subscribing List A and B (Both)

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, Working hour leave etc. are compiled with.

(A) Factory Identification details

Sector (Public/Private/Co-operative/ Joint Venture) :

Registration under Section 12m(ii)/12m(iii)/85 :

Registration No/License No :

Licensed workers : Licensed I.P :

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.


(v) Total number of man-hours worked including overtime but excluding rest interval.


(vi) In respect of factories carrying on processes or operation declared dangerous under section 87, furnish the following information. (See explanatory note 'A')
<table>
<thead>
<tr>
<th>Name of the dangerous processes or operation carried on</th>
<th>Average number of persons employed daily in each of the process or operation given</th>
<th>Number of persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>(See explanatory note 'A')</td>
<td>(See explanatory note 'B')</td>
</tr>
<tr>
<td>(ii)</td>
<td>1</td>
<td>Medically examined</td>
</tr>
<tr>
<td>(iii) etc.</td>
<td>2</td>
<td>Declared unfit</td>
</tr>
<tr>
<td>(iv)</td>
<td>3</td>
<td>Male</td>
</tr>
<tr>
<td>(v)</td>
<td>4</td>
<td>Female</td>
</tr>
<tr>
<td>(vi)</td>
<td>5</td>
<td>Male</td>
</tr>
<tr>
<td>(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’)</td>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>(viii)</td>
<td>6</td>
<td>Female</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of the hazardous processes or operation carried on</th>
<th>Average number of persons employed daily in each of the process or operation given</th>
<th>Number of persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>(See explanatory note ‘C’)</td>
<td>(See explanatory note ‘B’)</td>
</tr>
<tr>
<td>(ii)</td>
<td>1</td>
<td>Medically examined</td>
</tr>
<tr>
<td>(iii) etc.</td>
<td>2</td>
<td>Declared unfit</td>
</tr>
<tr>
<td>(iv)</td>
<td>3</td>
<td>Male</td>
</tr>
<tr>
<td>(v)</td>
<td>4</td>
<td>Female</td>
</tr>
<tr>
<td>(vi)</td>
<td>5</td>
<td>Male</td>
</tr>
<tr>
<td>(vii)</td>
<td>6</td>
<td>Female</td>
</tr>
</tbody>
</table>

(C) Compliance Status for Health Provisions

(1) Measures taken for prevention of dust/fumes generated in the process.
(2) Provisions of wholesome drinking water.
(3) Provisions of Urinals, Latrines & Bathrooms facilities separately for men and women (give Number for each).
(5) Provision of Factory Medical Officer if applicable (Retainer ship base-/Part time/Full time).

(D) Compliance status for Safety provisions

(1) Compliance of safety provisions prescribed under Schedules, including guarding of machinery.
(2) Details of fire fighting equipments including water storage capacity & trained personnel.
(3) Whether hoists, lifts, cranes, lifting tackles & lifting devices are tested, examined & inspected by a competent person?
(4) Whether pressure vessels are tested, examined & inspected by competent persons.
(5) Details of personal protective equipments provided and special safety equipments if any.

(6) Details of Safety Officers (if Applicable)

(7) Safety Committee functioning?
   (if Applicable)

(8) Whether provisions of Chapter-IV A of the Act and rules there under complied with (if applicable)

(9) Whether On-site emergency plan prepared / amended/approved? (if applicable)

(10) Whether Rehearsals done for On-site Emergency Plan during last year. (Give dates) (if applicable)

(11) Details of Safety Policy, Safety Audit & Safety Report (if applicable).

(12) Whether information regarding hazards and actions taken provided to public, workers and authorities.
   (if applicable).

(13) Number of Safety programs for training & safety awareness arranged during last year and number of
workers trained through it.

(E) Compliance status for Welfare provisions

(1) Whether first aid facilities are provided as per rules

(2) Provisions of Ambulance Room, required staff, Ambulance Van (if applicable)

(3) Whether canteen facility provided as per standards prescribed? (if applicable)

(4) Whether Rest Rooms and Lunch Rooms are provided? (if applicable)

(5) Whether crèche facilities are provided for the use of children of women employees? (if applicable)

(6) Whether Welfare Officer is appointed as per the Provisions laid down (Sec.49) (if applicable)

(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.

(2) Whether notice of period of work displayed

(3) Shift timings
   1st shift from ..........to ........2nd shift from ...........to ........
   3rd shift from ......to .........General shift from ......to .......

(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 (if applicable).

(b) Whether certificates of fitness
are obtained for employment of adolescents in the prescribed form.

(5) (a) Whether overtime wages being paid at the double rate or not?
(b) Whether overtime slip is provided to the worker in prescribed form or not?

(G) Compliance status for Annual leave with wages,

(a) Whether leave with wages are allowed to the eligible workers.
(b) Total number of workers discharged/dismissed from the Service/quit employment/super annuitated/died while in service during the previous year.
(c) Number of workers in respect of whom wages in lieu of leave were paid.
(d) Whether leave book provided to all eligible workers?

I. Leave with wages

Total number of workers employed during the year
Adults: (i) Men: ........ (ii) Women: ........ Total: ........
Adolescents (i) Men: ........ (ii) Women: ........ Total: ........

Number of workers who were entitled to annual leave with wages during the year
Adults: (i) Men: ........ (ii) Women: ........ Total: ........
Adolescents (i) Men: ........ (ii) Women: ........ Total: ........

Number of workers who were granted annual leave with wages during the year
Adults: (i) Men: ........ (ii) Women: ........ Total: ........
Adolescents (i) Men: ........ (ii) Women: ........ Total: ........

(11) Reporting of accidents to Factory Inspectorate

(1) Whether reportable accidents (fatal & non-fatal) reported to the Factory Inspectorate in prescribed form within stipulated time limit?

(2) Number of Fatal and Non-Fatal Accidents and Dangerous Occurrences during Previous year.
### Accident involving

<table>
<thead>
<tr>
<th>Accidents/Occurrences</th>
<th>Only non-fatal injuries</th>
<th>Fatal injuries as well as non-fatal injuries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of</td>
<td>Persons injured</td>
</tr>
<tr>
<td></td>
<td>Accidents</td>
<td>inside</td>
</tr>
<tr>
<td>The factory</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

1. Accidents including dangerous occurrences and major accidents involving injuries/deaths
2. Dangerous occurrences not involving injuries/deaths
3. Dangerous occurrences involving injuries/death
4. Major accidents involving injuries/deaths
5. Major accidents not involving injuries/deaths

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

<table>
<thead>
<tr>
<th>Hazardous process under section 2 (cb)</th>
<th>Dangerous operations under Section 87</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of accidents</td>
<td>Number of persons injured</td>
<td>Number of accidents</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td>Fatal</td>
<td>Non Fatal</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>
(4) (i) Non fatal injuries in which injured workers returned to work during the same year
   (a) Number of injuries
   (b) Man days lost due to injuries

   (ii) Non fatal injuries in which injured workers did not return to work during the same year
   (a) Number of injuries
   (b) Man days lost due to injuries (Since the date of accident, up to the date of reporting)

**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 requisite 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 of workers employed during the working season and off season should be given separately.

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 the workers, covered under the Act, in all working days. In reckoning attendance, attendance by the temporary as well as permanents employed should be counted, and all employees should be included, whether they are employed direct 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. Part 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.
Acknowledgement Slip

This is to acknowledge that annual return for the year .......... under Self Certification Scheme 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 Sl. No. .......... dated: .......... Any further correspondence in future in this regard may be done by stating this Sl. No. ................. maintained in the office of the undersigned.

Signature
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 my establishment is engaged in Building and other Construction work. Total estimated cost is Rs. and I have deposited Rs. the required cess as per law and intimated the same to Assessing officer and cess collector. I have provided all security measures at worksite and to workmen and all my workmen are registered under The Jharkhand Building and Other Construction workers Welfare Board.
5. That my establishment engages interstate migrant workmen and we fully comply with the provisions of the Act and Rules thereunder.
6. That workers were removed or retrenched during the year and I have paid their legal dues as provided under labour laws.
7. That I have maintained the registers/ records prescribed under these Acts, and Rules and displayed the required notices.
8. That I have maintained all registers/ records / displayed all notices/provided I - cards/ Leave book to all workers as prescribed under the above Acts and rules made there under. I have provided required information to workers and public in the vicinity and to concerned authorities.

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: 
Place: 

SIGNATURE OF THE EMPLOYER/OCCUPIER 
AND HIS OFFICIAL SEAL

Endl.: Receipted treasury challan/ Bank Draft for payment of Rs. on as per Notification.

Signature with seal
Government of Jharkhand
Labour, Employment, Training and Skill Development Department

NOTIFICATION

S.O .................................. Ranchi, dated ..................................

In exercise of the powers conferred by section 112 of the Factories Act, 1948 the Governor of Jharkhand proposes to make the following amendment in the Jharkhand Factories Rules, 1950: -

(1) **Short title extent and Commencement** :-

(i) These rules may be called the Jharkhand Factories (Amendment) Rules, 2015

(ii) It shall extend to the whole State of Jharkhand.

(iii) It shall come into force from the date of publication in official gazette.

(2) **Substitution of Sub rule (1) of Rule (3) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(1) No site shall be used for the location of a factory or no building shall be constructed, re-constructed, extended or taken into use as a factory or a part of a factory unless an application in form no-1 along with the documents and plan as prescribed in sub-rule (2) has been submitted to-

(a) The Dy. Chief Inspector of Factories of the area concerned for the factories proposing to employ workers not exceeding 50 or

(b) The Chief Inspector of Factories for the factories proposing to employ workers exceeding 50,

and the plans submitted have been approved by the Dy. Chief Inspector of Factories or by the Chief Inspector of Factories as the case may be, and previous permission in writing in respect thereof has been obtained in the like manner as related
here-to-fore, subject, however, to the provisions of sub-section (2) of Section 6”

(2) **Substitution of Sub-rule (2) of Rule (5) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(2) Every licence granted or renewed under this chapter shall remain valid or in force for a period of Five years up to the 31st December of the 5th year for which it is granted or renewed.

Provided that the fee prescribed under Schedule ‘A’ ‘B’ and ‘C’ shall be deposited either annually or for a period of five years at a time, within prescribed time limit.”

(4) **Substitution of Schedule ‘A’ ‘B’ and ‘C’ of the Jharkhand Factories Rules, 1950**

“Schedule ‘A’ ‘B’ and ‘C’ of the said Rules shall be Substituted by New Schedule ‘A’ ‘B’ and ‘C’ which are annexed here to.”

(5) **Substitution of sub-rule-(3) of Rule-(6) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(3) The fee for the amendment of licence shall be five hundred rupees.”

(6) **Substitution of sub-rule-(2) of Rule-(7) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“The annual fees shall be the same as that for grant thereof: - If the annual fees is not received on or before 15th January, the fee payable shall be fifty percent more in addition to the fee prescribed in schedules (A), (B) and (C) up to 31st March and after 31st March annual fee will be cent-percent more in addition to the fees prescribed in schedules (A), (B) and (C)”
(7) **Substitution of Sub rule (4) of Rule (7) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“In case the fee with fine is not received up to 30th of June of the year, the licence of the factory shall remain cancelled.

Provided that in every such case of cancellation of licence, the licence may be reinstated by the Inspector of Factories with the approval of the Chief Inspector of Factories, in case he is satisfied that the delay was due to any reason beyond the control of the occupier or due to any other reason of similar nature.”

(8) **Substitution of Rule-(9) of the Jharkhand Factories Rule, 1950**

The said Rule shall be substituted by the following-

“When a licence granted under these rules is lost or destroyed, a duplicate may be granted on payment of a fee of Rs. 100 “(one hundred rupees”)”

(9) **Substitution of Rule-(11) of the Jharkhand Factories Rule, 1950**

The said Rule shall be substituted by the following-

“It shall be the duty of the occupier to submit to the Inspector of Factories, of the area concerned, an application [manually or electronically as the authority so decides] for registration and grant of licence or for renewal of licence or for transfer or amendment of the licence, as may be necessary, within the time prescribed in the foregoing rules.”

(10) **Substitution of sub-rule (1) of Rule-14-A of the Jharkhand Factories Rule, 1950**

The said Rule shall be substituted by the following:
“(1) The Certifying Surgeon shall be entitled to the following fees for examination and grant of certificate of fitness under sub-section (2) of section 69: -

(i) Rs. 100 (Rupees one hundred) for first young person and Rs 30 (Rupees Thirty) for every subsequent person examined in a single day in a factory for the purpose of such examination.

(ii) Rs. 30 (Rupees Thirty) for the first young person and Rs. 25 (Rupees twenty five) for every subsequent young person examined on a single day when the person to be examined go to the Certifying Surgeon for the purpose of such examination.

(iii) If a Certifying Surgeon has to travel beyond a radius of five km from his dispensary or place of posting to examine any young person or persons, he shall be entitled to an additional fee at the rate of Rs. 10 (Rupees Ten) only per km for the total distance travelled by him. A Certifying Surgeon who is the servant of the State Government shall charge this additional fee from the occupier of a factory only if he does not charge any travelling allowance for the journey from the State Government.”

(11) Substitution of Rule-14-B of the Jharkhand Factories Rules, 1950

The said Rule shall be substituted by the following-

“A Certifying Surgeon shall be paid by the occupier of the factory besides the additional fee for travelling, a daily professional fee at the rate of Rs. 400 (Rupees four hundred) per day irrespective of the number of persons examined but this fee shall be reduced to Rs. 200 (Rupees two hundred) if the examination does not take more than half of a day.”
Provided that if the number of factories visited exceeds four on a single day, the professional fee payable above shall be raised to Rs. 600 (Rupees Six hundred) per day."

(12) **Substitution of sub rule-(1) of Rule-14-C of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(1) On receipt of a report under sub-section (2) of section 89 from a Medical Practitioner and after getting the report confirmed by a certificate of a Certifying Surgeon or otherwise, the Chief Inspector shall pay a fee of Rs. 100 (Rupees one hundred) only to the Medical Practitioner concerned for each person suffering from any disease specified in the Schedule to the Act.”

(13) **Substitution of sub-rule (3) of Rule 14-C of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(3) On receipt of such demand the occupier of the factory concerned shall within a fortnight deposit the amount into the nearest Treasury or Sub-Treasury by means of a Challan under the head “of account as prevalent at the time for the fees to be realized under the Factory Act” and shall immediately send the Challan in original by Registered post to the Chief Inspector in compliance to the notice of demand.”

(14) **Substitution of sub-rule (3) of Rule (8) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following-

“(3) The fee for transfer of licence shall be five hundred rupees and shall be payable by the new occupier applying for transfer of licence under sub-rule (1)”
(15) **Substitution of sub-rule (1) of Rule (66) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following:

"(1) The occupier of a factory, in which more than 250 workers are ordinarily employed, shall provide and maintain a Canteen or Canteens in or near the factory according to the standards and requirements as prescribed in these rules, within Six months from the date of enforcement of this rule:

Provided that the Chief Inspector may, by a written order, relax this time limit and may direct the occupier to provide a canteen within such period as he may specify:

Provided further, that where more factories than one belonging to the same occupier are situated in close vicinity of one another, the State Government may, by a written order, permit the canteen centrally situated to be used for some or all of the factories subject to such conditions as the State Government may specify."

(16) **Substitution of Rule (100) of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following:

1. **Annual Returns**—The manager of every factory shall furnish to the Chief Inspector not later than the 15th January of the year subsequent to that to which it relates, a return in Form 20;

Provided that-

(i) The information regarding canteen shall be furnished only by the manager of every factory wherein more than 250 workers are ordinarily employed.
(ii) The information regarding crèche shall be furnished only by the
manager of every factory wherein more than 30 women workers are
ordinarily employed, and

(iii) The information regarding shelters, rest-rooms shall be furnished
by the manager of every factory wherein more than 150 workers are
ordinarily employed.

2. **Half Yearly Return** - [Omitted]

3. **Annual Return of Holidays** - The manager of every factory shall
before the end of each year furnish a return giving notice of all the
days on which it is intended to close the factory during the next year.
This return shall be submitted whether the factory is or is not
working during the year preceding the year to which it relates:
Provided that the State Government may dispense with this return in
the case of any specified factory or of any class of factories or of the
factories in any particular area:
Provided further that instead of specifying the actual dates or days of
holidays only the system of grant of holidays may be mentioned in
the return in case of the factories in which-

(a) Sundays are observed as weekly holidays regularly,
(b) a fixed day in the week is observed as a holiday regularly, or
(c) holidays are observed according to a list approved by the Chief
Inspector:
Provided further that where the manager of any factory makes any
departure from such holidays or a list of holidays as aforesaid, prior
intimation shall be given to the Inspector.
Provided that the Government may allow to furnish the above returns manually or on-line.”

(17) **Substitution of sub-rule (1) of Rule-95 of the Jharkhand Factories Rules, 1950**

The said Rule shall be substituted by the following:

**Dangerous operations** -

“The following operation, when carried on in any factory are declared to be dangerous operations under section 87: -

1) Manufacture of aerated water and processes incidental thereto.
2) Electrolytic plating or oxidation of metal articles by use of an electrolyte containing chromic acid or other chromium compounds.
3) Manufacture and repair of electric accumulators.
4) Glass manufacture.
5) Grinding or glazing of metals.
6) Manufacture and treatment of lead and certain compounds of lead.
7) Generation petrol gas from petrol.
8) Cleaning or smoothing roughening, etc., of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam.
9) Liming and tanning of raw hides and skins and process/incidental thereto.
10) Certain lead processes carried on in printing Presses and Type Foundries.
12) Manufacture of articles from refractory materials including manufacture of refractory bricks.
13) All operations, in which any chemical is manufactured, recovered, handled, used or processed and any other work or process connected or incidental thereto, carried on in any factory.

14) Compression of oxygen and hydrogen.

15) Handling and processing of asbestos, manufacture of any article of asbestos and any other process of manufacture or otherwise in which asbestos is used in any form.

16) Manufacture or manipulation of manganese and its compounds.

17) Manufacture and manipulation of dangerous pesticides.

18) Manufacture, use, storing, handling or manipulation of benzene or any substance containing benzene.

For this purpose, Benzene includes all aromatic hydrocarbons having the chemical formula C₆H₆.

19) Process of extraction of oil or other substances from oil-cakes, rice bran or from any other material or substance by the use of any solvent.

20) Operation involving High Noise levels and vibration levels.

21) Manipulation of Stone or any other Material containing free silica.”

(18) **Substitution of schedule XX of Rules 95 of the Jharkhand Factories Rules, 1950**

Schedule XX of Rules 95 shall be substituted as following: -

**SCHEDULE-XX**

“**Operations involving high Noise and Vibration levels**

**Part-A High Noise Levels:**

1. **Application**- This Part of the schedule shall apply to all operations in any manufacturing process having high noise level.

2. **Definitions**- For the purpose of this schedule -
(a) “Noise” means any unwanted sound.
(b) “High noise level” means any noise level measured on the weighted scale is 85 dB or above.
(c) “Decibel” means one-tenth of “Bel” which is the fundamental division of a logarithmic scale used to express the ratio of two specified or implied quantities, the number of “Bels” denoting such a ratio being the logarithm to the base 10 of this ratio. The noise level (or the sound pressure level) 6 corresponds to a reference pressure of 20×10 Newton per square meter or 0.0002 dynes per square centimeter which is the threshold of hearing, that is, the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB.
(d) “Frequency” is the rate of pressure variations expressed in cycles per second or hertz.
(e) “dB A” refers to sound level in decibels as measured on sound level meter operating on the A-weighting net work with slow meter response.
(f) “A-weighting” means making graded adjustments in the intensities of sound of various frequencies for the purpose of noise measurement, so that the sound pressure level measured by an instrument reflects the actual response of the human ear to the sound measured.

3. Protection against noise-
(1) In every factory a suitable engineering control or administrative measures shall be taken to ensure, so far as is reasonably practicable, that no worker is exposed to sound levels exceeding the maximum permissible noise exposure levels specified in Tables 1 and 2.
Table 1
Permissible exposure in cases of continuous noise

<table>
<thead>
<tr>
<th>Total time of exposure (continuous exposures)</th>
<th>Sound pressure level in or a number of dB A per day, in hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>85</td>
</tr>
<tr>
<td>6</td>
<td>87</td>
</tr>
<tr>
<td>4</td>
<td>90</td>
</tr>
<tr>
<td>3</td>
<td>92</td>
</tr>
<tr>
<td>2</td>
<td>95</td>
</tr>
<tr>
<td>1 1/2</td>
<td>97</td>
</tr>
<tr>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>3/4</td>
<td>102</td>
</tr>
<tr>
<td>1/2</td>
<td>105</td>
</tr>
<tr>
<td>1/4</td>
<td>110</td>
</tr>
</tbody>
</table>

Notes: 1. No exposure in excess of 110 dBA is to be permitted.

2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column I, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

Table 2
Permissible exposure levels of impulsive or impact noise

<table>
<thead>
<tr>
<th>Peak sound pressure level in dB</th>
<th>Permitted number of impulses or impact per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>140</td>
<td>100</td>
</tr>
<tr>
<td>135</td>
<td>315</td>
</tr>
<tr>
<td>130</td>
<td>1,000</td>
</tr>
<tr>
<td>125</td>
<td>3,160</td>
</tr>
<tr>
<td>120</td>
<td>10,000</td>
</tr>
</tbody>
</table>

Notes: 1. No exposure in excess of 140 dB peak sound pressure level is permitted.

2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column I, the permitted
number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

(2) For the purpose of this schedule, if the variations in the noise level involve maximum intervals of one second or less, the noise is to be considered as a continuous one and the criteria given in Table I would apply. In other cases, the noise is to be considered as impulsive or impact noise and the criteria given in Table 2 would apply.

(3) When the daily exposure is composed of two or more periods of noise exposure at different levels their combined effect should be considered rather than the individual effect of each. The mixed exposure should be considered to exceed the limit value if the sum of the fractions

\[
\frac{C_1}{T_1} + \frac{C_2}{T_2} + \ldots + \frac{C_n}{T_n} \text{ exceeds unity},
\]

Where the \( C_1, C_2 \) etc. indicate the total time of actual exposure at a specified noise level and \( T_1, T_2, \) etc. denote the time of exposure. Less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub-clause (1) by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent possible by such control measures, and each worker so exposed shall be provided with suitable ear protectors as per relevant National or International Standards so as to reduce the exposure to noise to the levels specified in sub-clause 3(1).

(4) (1) The Occupier shall provide personal hearing protectors to the workers.
(a) So as to eliminate the risk to hearing or to reduce the risk to as low a level as is reasonably practicable.

(b) After consultation with the employees concerned or their representative.

(c) To ensure the hearing protectors is full and properly fitted, periodically checked for the effectiveness, maintained in good working order and repair.

(d) Ensure that workers are given periodical training in the use, care and maintenance of the Personal hearing protectors.

(5) Where the ear protectors provided in accordance with sub-paragraph 3(4) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level, to a level permissible under Table 1 or Table 2 as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposures specified in sub-paragraph (1).

(6) (a) In all cases where the prevailing sound levels exceed the permissible levels specified in sub-paragraph (1) there shall be administered an effective hearing conservation programme which shall include among other hearing conservation measures, pre-employment and periodical auditory surveys conducted on workers exposed to noise exceeding the permissible levels, and rehabilitation of such workers either by reducing the exposure to the noise levels or by transferring them to places where noise levels are relatively less or by any other suitable means.
(b) Every worker employed in areas where the noise exceeds the maximum permissible exposure levels specified in sub-clause (1) shall be subjected to any auditory examination by a Certifying Surgeon within 14 days of his first employment and thereafter, shall be re-examined at least once in every 12 months. Such initial and periodical examinations shall include tests which the Certifying Surgeon may consider appropriate and shall include determination of auditory thresholds for pure tones of 125, 250, 500, 1,000, 2,000, 4,000 and 8,000 cycles per seconds.

Part-B High Vibration Levels:

(1) Applications:
This part of the Schedule shall apply to all operations in a manufacturing part of the process having high undesired vibrations.

(2) Definition:

(a) “daily exposure” means the quantity of mechanical vibration to which a worker is exposed during a working day, which takes into account the magnitude and duration of the vibration;

(b) “Vibration” means a mechanical phenomenon whereby oscillations occur about equilibrium point. The oscillations may be periodic or random.

(c) “high vibration” means any exposure greater than the exposure limit, value and action value specified in clause-3.

(d) “exposure action value” means the level of daily exposure set out in clause-3 for any worker which, if reached or exceeded, requires specified action to be taken to reduce risk;

(e) “exposure limit value” means the level of daily exposure for any worker which must not exceed, as specified in sub clause-3.
(f) “hard-arm vibration” means mechanical vibration which is transmitted into the hands and arms during a work activity;

(g) “mechanical vibration” means vibration occurring in a piece of machinery or equipment or in a vehicle as a result of its operation; and

(h) “whole-body vibration” means mechanical vibration which is transmitted into the body, when seated or standing, through the supporting surface, during a work activity or as described in sub clause 3(2).

(3) **Exposure limit values and action values.**

(1) For hand-arm vibration-
   (a) the daily exposure limit value is 5 m/s² A(8);
   (b) the daily exposure action value is 2.5 m/s² A(8),

   and daily exposure shall be ascertained on the basis set out in the relevant National/International Standards specified in table I below.

(2) For whole body vibration-
   (a) the daily exposure limit value is 1.15 m/s² A(8);
   (b) the daily exposure action value is 0.5 m/s² A(8),

   and daily exposure shall be ascertained on the basis set out in the relevant National/International Standards

**Table 1**

The Threshold Limit Values (TLVs) for exposure of the hand-arm vibration in X, Y, or Z direction of axes in the three dimensional system shall be as given below:

<table>
<thead>
<tr>
<th>Total Daily Exposure Duration (hours)</th>
<th>Maximum value of frequency weighted acceleration (m/s²) in any direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 to less than 8 hours</td>
<td>4</td>
</tr>
<tr>
<td>2 to less than 4 hours</td>
<td>6</td>
</tr>
<tr>
<td>1 to less than 2 hours</td>
<td>8</td>
</tr>
<tr>
<td>less than 1 hours</td>
<td>12</td>
</tr>
</tbody>
</table>
(3)(a) Assessment of vibration exposure shall be made for each applicable direction (X,Y,Z), since vibration is a vector quantity (magnitude and direction). In each direction, the magnitude of the vibration during normal operation of the power tool, machine or work piece should be expressed by the root-mean-square (RMS) value of the frequency weighted component acceleration, in units of meter per second squared (m/s²).

(4) **Assessment of risk to health due to vibration at the work place.**

(a) An occupier who carries out work which is liable to expose any worker to vibration, shall make a suitable and sufficient assessment of the risk created by that work to the health and safety of those and the risk assessment shall identify the control measures that need to be taken.

(b) The risk assessment should be reviewed, whenever it is felt that the changes in the process make the earlier risk assessment no longer valid.

(5) **Engineering control measures.**

(1) The occupier shall ensure that risk from the exposure of workers to vibration is either eliminated at source or, where this is not reasonably practicable, reduced to as low a level as is reasonably practicable.

(2) Where it is not reasonably practicable to eliminate risk at source pursuant to paragraph (a) and an exposure action value is likely to be reached or exceeded, the employer shall reduce exposure to as low a level as is reasonably practicable by establishing and implementing a programme of engineering control measures which are appropriate to this type of activity.

(3) The occupier shall ensure that the workers are provided with the following measures:

(a) work equipment of appropriate ergonomic design which, taking account of the work to be done, produces the least possible vibration;
(b) the provision of auxiliary equipment which reduces the risk of injuries caused by vibration; and install appropriate maintenance programmes for work equipment, the work place and workplace systems;

(4) Subject to sub clause 5, the employer shall ensure that his employees are not exposed to vibration above an exposure limit value; and shall take necessary steps to identify the reasons for the limit being exceeded and take appropriate steps to reduce the exposure to vibration to below limit value.

Provided that where the exposure of an employee to vibration is usually below the exposure action value but varies markedly from time to time and may occasionally exceed the exposure limit value.

Further provided that-(a) any exposure to vibration averaged over one week is less than the exposure limit value and there is evidence to show that the risk from the actual pattern of exposure is less than the corresponding risk from constant exposure at the exposure limit value; and that the (b) risk is reduced to as low a level as is reasonably practicable, taking into account the special circumstances.

(6) Medical Examination.

(1) The occupier shall ensure that the workers who are likely to be exposed to vibration at above exposure action value are subjected to periodical medical examination once in a year. The medical examination shall include general and physical examination as well as special test for Raynaud’s phenomenon.

(2) The health record of workers shall be maintained by the occupier for a period of 5 years from the date of the last test and shall be produced to the Inspector of Factories on demand.
(3) If at any time the Certifying Surgeon/Factory Medical Inspector is of the opinion that the worker is no longer fit to work in the said process on the ground that continuous working would involve danger to the health of the worker, he shall make a record of his finding in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person declared unfit in such circumstances shall be provided with alternate placement facility unless he is fully incapacitated in the opinion of the Certifying Surgeon in which case the person affected shall be suitably rehabilitated.

(7) Personal Protective equipment.

(1) The occupier shall ensure that the worker who are likely to be exposed to high level of vibration are provided with appropriate PPE and protective clothing confirming to national or international standards. Such Personal Protective Equipment should include hand gloves and safety shoes. The protective clothing shall be able to protect the workers from cold and dump.

(2) The occupier shall ensure that workers are given periodical training in the use, care and maintenance of the Personal Protective Equipment.

(8) Administrative Control Measures.

(1) The occupier shall ensure that as far as reasonably practicable, all necessary control measures are taken to ensure that the unwanted vibrations do not affect the health of the workers employed in the process, to which this part of the schedule apply.
(2) The occupier shall provide all workers with information instruction and training, to be adopted to limit the exposure limit values and action values as set out in sub clause-3.

(3) Without prejudice to the generality of paragraph (1), the information, instruction and training provided under that paragraph shall include-

(i) the exposure limit values and action values set out in sub clause-3.
(ii) safe working practices to minimize exposure to vibration; and
(iii) suitable and sufficient information and training for employees, such that work equipment may be used correctly and safely, in order to minimize their exposure to vibration;
(iv) limitation of the duration ad magnitude of exposure to vibration;
(v) appropriate work schedules with adequate rest periods; and

(vi) The information, instruction and training required by paragraph (2) shall be updated to take account significant changes in the type of work carried out or the working methods used by the employer.

(4) The Occupier shall display pictorial cautionary notice/warning signs at conspicuous places, where there are possibilities of workers being exposed to undesired high vibrations.

(9) Prohibition in employment of women, young persons and persons with disabilities.

No women or young person or persons with disabilities shall be employed in the process covered by this part of the schedule.

Exemptions: If in respect of any factory, the Chief Inspector is satisfied that owing to any exceptional circumstances, or infrequently of the process, or for any other reasons, application of all or any of
the provisions of this schedule is not necessary for the protection of the persons employed in such factory, he may by an order in writing which he may at his discretion revoke, exempt such factory from all or any of the provisions on such conditions and for such period as he may specify in the said matter."

(19) **Insertion of schedule XXI under Rules (95) of the Jharkhand Factories Rules, 1950**

A new Schedule XXI shall be included under Rule (95) which are as follows:

**SCHEDULE- XXI**

"**Manipulation of Stone or any other Material containing free silica**

The following Manufacturing Process shall be considered as Manipulation of Stone or other material containing free Silica:

1. Stone Crushers
2. Gem and Jewellery
3. Slate Pencil Making
4. Agate Industry
5. Cement Industry
6. Pottery
7. Glass Manufacturing
8. Quartz/quartzite
9. Any other minerals/rocks containing free silica

**1. Application** – This Schedule shall apply to all factories or parts of factories in which the above said manufacturing activity containing free silica is carried on.

**2. Definitions** – For the purpose of this Schedule –

(a) "Manipulation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other
material containing free silica or any other operation involving such stone or material;
(b) "Stone or any other material containing free silica" means a stone or any other solid material containing not less than 5% by weight of free silica.

3. Preventive Control Measures

No manipulation shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted, namely -

3 (I) Engineering Control Measures

(1) Wet Methods:
(a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;
(b) Water should be provided for drilling or sawing of concrete or masonry;

(2) Ventilation:
(a) An effective Local exhaust system should be provided and maintained to control/remove silica dust from industrial processes.
(b) Dilution/ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.
(c) Dust collectors/HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contaminating work areas.
(d) Ventilation system should be kept in good working conditions.

(3) Isolation:
(a) Containment methods should be used while carrying out sand blasting.
(b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(4) Dust Control:
(a) Vacuum System with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and all transfer points.
(b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length.

Provided that such control measures as above said are not necessary if the process or operation itself is such that level of dust created and prevailing does not exceed the permissible limit of exposure specified in the Second Schedule of the Act.

3 (II) Medical Control Measures

(1) The occupier of every factory in which a worker employed in the processes specified in Sub Rule 1, shall ensure that every worker employed be examined by a Medical Inspector of Factories/Certifying Surgeon within 15 days of his first employment. Such medical examination shall include pulmonary function test and chest X-ray – posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Certifying Surgeon.

(2) Every worker employed in the said processes shall be re-examined by a Certifying Surgeon at least once in every twelve months. Such re-examination shall, Wherever the Certifying Surgeon considers appropriate, include all the tests, as specified in sub-paragraph (1) except chest X-ray which shall be read by a radiologist specialized/trained in the field of reading ILO Radiographs on
Pneumoconiosis and the chest X-ray which shall be carried out at least once in 3 years.

(3) Every worker, employed in any of the aforesaid processes on the date on which the schedule comes into force, shall be radiologically examined by the qualified Radiologist at the cost of the occupier using a standard size X-ray plates and the power of the X-ray machine shall be more than 300 milli ampere (mA). The report of such X-ray shall be submitted to the Medical Inspector of Factories/Certifying Surgeon/Chief Inspector within three months of the said date.

(4) If at any time the Medical Inspector of Factories/Certifying Surgeon is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities, unless he is fully incapacitated in the opinion of the Certifying Surgeon, in which case the person affected shall be suitably rehabilitated.

(5) No person who has been found unfit to work as said in sub-paragraph (4) above shall be re-employed or permitted to work in the said processes unless the Certifying Surgeon, after further examination again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector of Factories/Certifying Surgeon Shall not be allowed to work on any of the Processes specified in sub rule 1, unless
he has been examined again along with standard size chest X-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision, by the medical practitioner/certifying surgeon so appointed by the occupier shall be provided for his exclusive use, a room in the factory premises which shall be properly cleaned, adequately lighted, ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including X-ray arrangements for such examinations and such other equipments as may be prescribed by the Chief Inspector from time to time. The medical practitioner so appointed shall perform the following duties.

(a) maintain health register,
(b) undertake medical supervision of persons employed in the factory;
(c) look after health, education and rehabilitation of sick, injured or affected workers;
(d) carry out inspection of work rooms where dangerous operations are carried out and advise the management, the measures to be adopted for the protection of health of the workers employed therein.

(8) The Health Records of the workers exposed to silicosis, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of medical examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in separate register approved by the Chief
Inspector of Factories, Which shall be kept readily available for inspection by the Inspector and shall be produced on demand.

3 (III) Administrative Control Measures

(1) Work place/Environment Monitoring: The occupier shall ensure work place/environment monitoring to be performed, to determine magnitude of exposure/ concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.

(a) Exposure/concentration measurements should be made in the employee’s actual breathing zone.

(b) Total sampling time shall be at least 7 hours.

(c) Work place/Environment Monitoring shall be repeated quarterly.

(d) The report of dust sampling by occupier shall be made available to the public.

(2) Training/Awareness: Workers Shall be trained in the following :-

(a) Health effects of free silica dust exposure.

(b) Operation and material that produce free silica dust hazards.

(c) Engineering controls and work practice controls that reduce dust concentration.

(d) The importance of good housekeeping and cleanliness.

(e) Proper use of personal protective equipment such as respirators etc.

(f) Personal hygiene practices to reduce exposure.

(3) House Keeping: Maintenance of floors –

a) All floors or place where fine dust is likely to scatter and whereon any person has to work or pass shall be of impervious material and maintained in such conditions that they can be thoroughly
cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.

b) For this purpose dry sweeping or compressed air shall be used for cleanup of dust or wet methods of vacuum system with a HEPA filter shall be used.

c) Dust on overhead ledges and equipment should be removed before it becomes air borne due to vibration of traffic and random air current.

(4) Change room and washing facilities:

(a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers.

(b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.

(c) Workers shall take bath and change the work clothes before they leave the work site.

(d) Work clothes shall not be cleaned by blowing or shaking.

(e) Eating/lunch areas shall be located away from exposed areas.

(5) Display of Notices:

(a) Warning signs/Posters shall be displayed conspicuously in prominent place.

(b) The warning signs/poster shall contain the Hazards and precautions to be taken.

(c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(6) Personal Protective Equipment

The occupier of the every factory to which this schedule apply shall provide the following PPEs as per relevant National
Standards or International Standards and as applicable to a given work place.

(a) Dust respirator.
(b) HEPA filter respirator of fume respirator.
(c) HEPA filter respirator with full face piece.
(d) Self contained breathing apparatus (SCBA)
(e) Supplied air respirator with a full-face piece, helmet or hood.
(f) SCBA with full-face piece.
(g) Powered air-purifying respirator with a HEPA filter.

4. **Prohibition relating young person**’s – No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried out.

5. (1) **Exemptions**- If in respect of any factory, the Chief Inspector is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

(2) The notification of Silicosis and free silica related occupational diseases by Medical Practitioner/certifying surgeon should be strictly enforced and in case of any Violation, the Medical Practitioner/certifying surgeon shall be liable to be prosecuted under Sec. 89(4) of the Factories Act, 1948.”

[Notification No.................. 1365..................... Ranchi, Dated........ 07.06.15]

By order of the Governor of Jharkhand,

Under Secretary to Government
Labour, Employment, Training & Skill Development Department,
Government of Jharkhand.
\section*{SCHEDULE – ‘A’}
(Rule – 5)

Scale of fees payable for Grant of licence and Annual fees for Factories defined under section 2 (m) of the Factories Act, 1948

Other than Electricity Generating, Transforming Factories

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Total rated capacity (Power) of the Machineries and Plants installed expressed in HORSE POWER</th>
<th>20</th>
<th>50</th>
<th>100</th>
<th>250</th>
<th>500</th>
<th>750</th>
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<th>2,000</th>
<th>5,000</th>
<th>10,000</th>
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<th>Over 25,000</th>
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<td>4,000</td>
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<td>9,000</td>
<td>9,800</td>
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</tr>
<tr>
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</table>

Maximum number of persons proposed to be employed on any one day during the year for which licence is to be taken.
### Proposed

**SCHEDULE – ‘B’**

Scale of fees payable for Grant of Licence and Annual fees by all Electricity Generating, Transforming and Transmitting station (Factories).

(a) Generating and Transmitting stations (Factories):

<table>
<thead>
<tr>
<th>Total installed Generating Capacity in K.W</th>
<th>Generating Station Rs.</th>
<th>Transforming (including Conversion Station) Rs.</th>
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<tr>
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<td>1,68,000</td>
<td>1,08,000</td>
</tr>
</tbody>
</table>

(b) All transmitting stations (Factories) Rs. 22,500.00

**Explanations:**

1. Total rated Capacity (power) of machinery of plants means:
   a) In case of machinery of plants which generates or provides power, the rated generating or producing capacity (power) expressed in Horse Power;
   b) In case of any prime-mover the raised capacity expressed in Horse power.
   c) In case of any other plant or machinery the power expressed in Horse power required kw to operate the machine at its normal rated capacities.
   d) In case of electric furnaces, ovens or like plants, the consumption thereof for its rated or a normal operation converted in terms of Horse Power.
   e) In case of furnaces, ovens, and like plants fired by coal, oil, gas or any other fuel the equivalent electric power converted into Horse power.
   f) In case of Steam Boilers and Steam Generators, the rated capacity of the Boiler expressed in terms of Horse Power.
For the Boiler used for supply of process steam evaporation capacity of 34.5 lbs. of water per hour would be taken as equivalent to Horse Power.

(2) Where a factory has its own electric power generating plants to the amount of fees payable for the whole factory shall be the amount obtained by adding the amount payable for the factory excluding the power generating plant calculated as per SCHEDULE “A” and that payable for the power generating unit as per SCHEDULE “B” respectively.

Where a factory has its own transforming station the amount of fees payable shall be calculated in a like manner.

Where a factory has its own generating station as well as transforming station for drawing additional power from an external source, the fee payable shall be the amount obtained by adding the fees which would have been payable for the Generating Station. Transforming Station and the rest of the factory, respectively as if they were separate factories.

(3) In a steam power station, the capacities of the Generating units only would be taken in to account and not of the Boilers.

But if any such power station contains any boiler for supply of process steam, such boiler or part of boiler shall be separately counted for calculating the installed Horse Power.

(4) In the calculation of Installed capacity all spare stand by and emergency machines and plants shall be taken into account, and shall be deemed to be working units and they shall not be excluded merely on the ground that they were only stand by, spare or emergency units, which are to be operated only on special occasions and in emergencies.

(5) Where any machine is driven by an electric motor or any other prime-mover the rated capacity in Horse Power of the said motor shall be deemed to be the rated capacity of the machine, and the capacity of the motor or the prime mover and that of the driven machine shall not be counted separately.

(6) Where an electricity generating factory included a transmitting of converting station or plant meant for recovering transforming, converting, or transmitting of electric power supplied from a source outside the Generating Station and which is not meant for transforming, converting or transmitting power generated in the Generating Station itself the fees payable shall be the total of the fees payable by the Generating and Transforming (including converting) Station calculated separately in accordance with the rate of fees prescribed under sub-head (a) the Transmitting Station under-sub-head (b),
**SCHEDULE - 'C'**

Scale of fees payable for grant of licence and annual fees for factories declared under Section 85 of the Factories Act, 1948 (Act, 63 of 1948) other than Electricity Generating, Transforming and Transmitting Stations (Factories)  

Rs. 525.00
SCHEDULE - 'C'

Scale of fees payable for grant of licence and annual fees for factories declared under Section 85 of the Factories Act, 1948 (Act, 63 of 1948) other than Electricity Generating, Transforming and Transmitting Stations (Factories) Rs.525.00
प्रतिवट्ट-2/एफ00-50-49/2014 श्रोणित 53/06/15
श्रम, नियोजन प्रशिक्षण एवं कौशल विकास विभाग
(श्रमायकता का कार्यालय, Fax No-0651-2481013, E-Mail-labcomjhr@gmail.com)

प्रेषक,

प्रवीण कुमार टोपु, भारप्रोसेट
श्रमायकता, ज्ञानखण्ड, राँची।

सेवा में,

मुख्य निरीक्ष पदाधिकारी, ज्ञानखण्ड।
सभी उप श्रमायकता, कृषि श्रमिक सहित।
सभी सहायक श्रमायकता, कृषि श्रमिक सहित।
सभी श्रम अधीक्षक, कृषि श्रमिक सहित।
मुख्य कारखाना निरीक्षक, ज्ञानखण्ड, राँची।
सभी उप मुख्य कारखाना निरीक्षक।
सभी कारखाना निरीक्षक।

राँची, दिनांक 25/06/15

विशय — निरीक्षण व्यवस्था निरूपण हेतु निरीक्षण एवं प्रतिलिपि का मानकीकरण कर
Labour Manual के अनुरुप निरीक्षण करने के संबंध में।

महाशय,

उपर्युक्त विषय के संबंध में विभागीय अधिसूचना संख्या—650 दिनांक 25.05.2015 तथा अधोहस्ताक्षरी के पत्रांक—948 दिनांक 28.05.2015 का निर्देश करें। इस संबंध में आपको निर्देशित किया गया था कि सभी श्रम अधिनियमों के अन्तर्गत निरीक्षण कर निरीक्षण टिप्पणी यथा संबंध उसी दिन निर्गत कर देने की व्यवस्था निरूपण की गयी है। अतः निर्देशित व्यवस्था के अनुसार निरीक्षण की कार्यवाही की जाय।

इस संबंध में कतिपय पदाधिकारियों के द्वारा मुख्यालय से निरीक्षण स्थल की अनी Net Connectivity एवं अन्य कारणों का हवाला देने हेतु निरीक्षण टिप्पणी उसी दिन निर्गत करने में कठिनाई का हवाला दिया गया है।

इस पर विचारोपरांत पुनः निर्देशित किया जाता है कि निरीक्षण टिप्पणी को किसी भी परिस्थिति में 72 घंटे के भीतर सम्पन्न करना सुनिश्चित किया जाय तथा अपने अधीनस्थों से इसका अनुपालन सुनिश्चित कराया जाय।

विश्वासभाजन,

अनुरागक—यथाक्रम

ज्ञापक—2/एफ00-50-49/2014 श्रोणित 53/06/15 राँची, दिनांक 25/06/15

राँची, दिनांक 25/06/15

(प्रवीण कुमार टोपु)
श्रमायकता, ज्ञानखण्ड, राँची।

(प्रवीण कुमार टोपु)
श्रमायकता, ज्ञानखण्ड, राँची।

(प्रवीण कुमार टोपु)
श्रमायकता, ज्ञानखण्ड, राँची।
### Procedure for Registration and grant of license under The Factories Act, 1948

<table>
<thead>
<tr>
<th>Steps</th>
<th>Format</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Registration form is to be submitted by applicant office of the</td>
<td>Form No 2</td>
<td>Treasury Challan of requisite fee or through online payment gateway</td>
<td>------------------------</td>
</tr>
<tr>
<td>Inspector of Factories (IF) of the area concerned</td>
<td></td>
<td>Land paper (copy of the registered sale deed, registered lease deed, registered rent agreement). In case of lease deed and rent agreement consent of the owner his land, (in case of rent agreement, address proof of the owner is to be provided)</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ID proof of occupier</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Address proof of occupier</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ID proof of factory manger</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Address proof of factory manger</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In case of Public Ltd. Company.: List of Board of Directors, Memorandum and Article of Association, Resolution of the Board of Director regarding the occupier of the factory under section 2(n) of Factories Act 1948 and occupier must be a member of the Board</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In case of Proprietary Firm: No extra document</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In case of Partnership Firm: Partnership deed with list of partners</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In case of factory owned or control by the central government any state government or any local authority, name and address of the person appointed to manage the affairs of the factory</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CTE/CTO issued by Pollution Board of state</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other papers as required by CIF/ DCIF/ IF</td>
<td>------------------------</td>
</tr>
<tr>
<td>2. Scrutiny by office clerk</td>
<td></td>
<td>--------</td>
<td>------------------------</td>
</tr>
<tr>
<td>3. Site visit by concerned Inspector of Factories (IF)</td>
<td></td>
<td>--------</td>
<td>------------------------</td>
</tr>
<tr>
<td>4. Forwards recommendations to Deputy Chief Inspector of Factory for</td>
<td></td>
<td>--------</td>
<td>Within 12 days from the date of submission of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>5. Deputy Chief Inspector of Factory (DCIF) sends recommendation to Chief Inspector of Factory (CIF)</td>
<td>Within 8 days of receipt of recommendations from IF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Allotment of Registration number and issuance of licence with intimation to the concern of Deputy Chief Inspector of Factory (DCIF), or Inspector of Factories (IF)</td>
<td>Within 10 days from the date of receipt of recommendations from DCIF</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression.
In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received.
Online application process requires no physical touch point.
<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
</table>
| 1.   | Form 1 | A Flow chart of the manufacturing process supplemented by a brief description of this process in its various stages  
List of Plant and Machinery  
Plans in 4 copies, drawn to scale, showing:  
The site of the factory and immediate surroundings including adjacent building and other structures roads, drain etc.  
The plan elevation and necessary cross sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant machinery, aisles and passage way  
Such other particulars as the Chief inspector (or inspectorate) may require.  
Land paper (copy of the registered sale deed, registered lease deed, registered rent agreement). In case of lease deed and rent agreement consent of the owner of land, (in case of rent agreement, address proof of the owner is to be provided)  
CTE/CTO issued by Pollution Board of state  
Other papers as required by CIF/ DCIF/ IF | -------- |
| 2.   | ------ | ------ | -------- |
| 3.   | ------ | ------ | Within 30 days from the date of submission of Maps in 4 copies |
| 4.   | ------ | ------ | Within 15 days from the date of submission of recommendatio ns by the IF |
| 5.   | ------ | ------ | |
| 6.   | ------ | ------ | 30 days from the date of |
(if any) by the CIF office under intimation to IF and DCIF  
[Conditions mentioned by CIF in the approval should be complied by the applicant]

<table>
<thead>
<tr>
<th></th>
<th>submission of recommendations from DCIF</th>
</tr>
</thead>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received.  
Online application process requires no physical touch point.
<table>
<thead>
<tr>
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<th>Form</th>
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<th>Timelines</th>
</tr>
</thead>
</table>
| 1.   | Form 1 | A Flow chart of the manufacturing process supplemented by a brief description of this process in its various stages  
List of Plant and Machinery  
Plans in 4 copies, drawn to scale, showing:  
The site of the factory and immediate surroundings including adjacent building and other structures roads, drain etc.  
The plan elevation and necessary cross sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant machinery, aisles and passage way  
Such other particulars as the Chief inspector (or inspectorate) may require.  
Land paper (copy of the registered sale deed, registered lease deed, registered rent agreement). In case of lease deed and rent agreement consent of the owner of land, (in case of rent agreement, address proof of the owner is to be provided)  
CTE/CTO issued by Pollution Board of state  
Other papers as required by CIF/DCIF/IF | -------- |  
<p>|
| 2.   | ------ | ------ | -------- |
| 3.   | ------ | ------ | Within 30 days from the date of submission of Maps in 4 copies |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Site Visit by DCIF (optional)</td>
<td>&quot; &quot;</td>
<td>&quot; &quot;</td>
</tr>
<tr>
<td></td>
<td>Within 10 days from the date of submission of recommendations by the IF</td>
<td></td>
</tr>
<tr>
<td>5. Map Approval issued with conditions (if any) by the DCIF office under intimation to IF and CIF</td>
<td>&quot; &quot;</td>
<td>&quot; &quot;</td>
</tr>
<tr>
<td></td>
<td>15 days from the date of submission of recommendations from DCIF</td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be Attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Come and Inspect (Checklist)</td>
<td>Form II, Form IV, Form III A, Form IIIB, Form IIIC, Design Data Book, Boiler Pressure Parts Drawings, Design Calculations, Approved Plant layout indicating boiler position</td>
<td>Form II, Form IV, Form III A, Form IIIB, Form IIIC, Design Data Book, Boiler Pressure Parts Drawings, Design Calculations, Approved Plant layout indicating boiler position</td>
<td>None</td>
</tr>
<tr>
<td>In case of boiler ownership transfer</td>
<td>Form I memorandum of Inspection Book, Transportation advice, Transfer letter issued by Chief Inspector Of Boilers of that State</td>
<td>Form I memorandum of Inspection Book, Transportation advice, Transfer letter issued by Chief Inspector Of Boilers of that State</td>
<td>None</td>
</tr>
<tr>
<td>2. Fee Paid Online</td>
<td>None</td>
<td>Fee Schedule done</td>
<td>None</td>
</tr>
<tr>
<td>3. Form C is issued by respective IB to the applicant</td>
<td>Form C</td>
<td>None</td>
<td>Within 10 days from the day of application with fee paid</td>
</tr>
<tr>
<td>4. Inspection is done and Form V is issued</td>
<td>From V</td>
<td>None</td>
<td>Within 30 days from the date of application with fee paid</td>
</tr>
<tr>
<td>5. IB recommends to CIB in Page 2-3 of Form 1</td>
<td>Form 1</td>
<td>IB sends filled in form 1 sent to CIB</td>
<td>Within 7 days of inspection</td>
</tr>
<tr>
<td>6. CIB allots the registry number and</td>
<td>None</td>
<td>None</td>
<td>Within 7 days of inspection</td>
</tr>
</tbody>
</table>
informs IB and applicant also informing the remarks on ‘Set pressure test (Kg/cm²)’

| 7. | IB makes From VI and forwards to CIB for countersign and issued | None | None | Before the expiry of Form V (i.e., 6 months) and issue of Registry number |

Online system sends SMS to respective officers and applicant at each progression.
In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received.
Online application process requires no physical touch point.
<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application for Registration online of Principal Employer</td>
<td>Online application form</td>
<td>Fee challan/ online fee payment, ID Proof of employer, Establishment Address Proof</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
<tr>
<td>Issue of online Registration</td>
<td>Online generation of Registration Certificate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit application for Registration online as Contractor</td>
<td>Online application form</td>
<td>Fee challan/ online fee payment, ID Proof of employer, Establishment Address Proof Form V</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
<tr>
<td>Issue of online licence (Form IV, available online)</td>
<td>Online generation of license</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.

---

<table>
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<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application for Registration online of Principal Employer</td>
<td>Online application form</td>
<td>Fee challan/ online fee payment, ID Proof of employer, Establishment Address Proof</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
<tr>
<td>Issue of online Registration</td>
<td>Online generation of Registration Certificate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit application for Registration online as Contractor</td>
<td>Online application form</td>
<td>Fee challan/ online fee payment, ID Proof of employer, Establishment Address Proof Form V</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
<tr>
<td>Issue of online licence (Form IV, available online)</td>
<td>Online generation of license</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
**Procedure for Renewal and issue of License under The Contracts Labour (Regulation and Abolition) Act, 1970**

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application online in Form VII available online</td>
<td>Form VII available online</td>
<td>Fee challan/. Online payment</td>
<td>Deemed approval/ Maximum within 30 days</td>
</tr>
<tr>
<td>Issue of online licence</td>
<td>Online generation of license</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

**There is no provision for renewal of Registration for Principal Employer**

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
**Procedure for Registration and issue of License under Shops and Establishment Act**

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application online</td>
<td>Online application form</td>
<td>IPO Fee Payment / online fee payment, ID Proof of employer, Establishment Address Proof</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
<tr>
<td>Issue of registration online</td>
<td>Issue of online Registration</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.

**Procedure for Renewal and issue of License under Shops and Establishment Act**

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not required</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Procedure for Amendment and issue of License under Shops and Establishment Act**

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application online</td>
<td>Form IV</td>
<td>IPO/ online fee payment, if applicable, New ID Proof of employer, if applicable, New Establishment Address Proof</td>
<td>30 days from date submission of application along with requisite fee</td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
### Procedure for Registration under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application online</td>
<td>Online application form</td>
<td>Fee challan/online fee payment</td>
<td>30 days from date submission of application</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ID Proof of employer, Establishment Address Proof</td>
<td>along with requisite fee</td>
</tr>
<tr>
<td>Issue of online registration</td>
<td>Online generation of license</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.

### Procedure for Amendment and issue of License under Building and Other Construction Workers (RE&CS) Act 1996

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit application online</td>
<td>Online application form</td>
<td>Fee challan/online fee payment, if applicable</td>
<td>30 days from date submission of application</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New ID Proof of employer, if applicable</td>
<td>along with requisite fee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New Establishment Address Proof</td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
### Procedure for Renewal of license under The Factories Act, 1948

<table>
<thead>
<tr>
<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Online Registration form is filled up</td>
<td>Form 2</td>
<td>Treasury Challan of requisite fee or through online payment gateway</td>
</tr>
<tr>
<td>2.</td>
<td>Scrutiny by office clerk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Review by IF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Renewal License in Form 4 is issued online by IF concerned with information to CIF and DCIF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>SMS to be sent to all concern at each progress</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>* Not later than the date on which the license expires. 15 days grace period is allowed for applying. i.e., on or before 15 Jan of the year for which renewal of licence is required. 50% extra fee (late fee) is required to be deposited if application for renewal is submitted from Jan 16 to March 31. 100% extra fee (late fee) gets due for renewal after March 31.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Deemed approval if no objection is conveyed in 30 days.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
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<th>Step</th>
<th>Form</th>
<th>Documents to Be attached</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Fresh Form VI</td>
<td>Form VI</td>
<td>Within 30 days from expiry of existing certificate</td>
</tr>
<tr>
<td></td>
<td><strong>If test is satisfactory, boiler is certified and a 1 year certificate (Form VI) is issued for the boiler operations.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Fresh Form VI</td>
<td>Existing Form VI (Annual Fitness Certificate) Form XIX duly filled to be submitted along with existing Form VI</td>
<td>Within 30 days from expiry of existing certificate</td>
</tr>
<tr>
<td></td>
<td><strong>Renewal is done on annual basis. In case of power boilers (more than 1000 sqm of heating area), there is a provision under appendix J(A), boiler may be taken for shut down every alternate year instead of taking it annually.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Online system sends SMS to respective officers and applicant at each progression. In case of any clarifications, the applicant is informed on actions to be taken and start date will be after all the clarifications have been received. Online application process requires no physical touch point.
## Procedure for Planned Inspection under Labour Laws

### Online allocation of inspectors for Risk Based Inspection

<table>
<thead>
<tr>
<th>Objective:</th>
<th>The Inspection Scheme aims to achieve the objective of simplifying business regulations and bring in transparency and accountability in labour inspections in a just and transparent manner as per above mentioned principles and guidelines. It envisages objective criteria for selection of units for inspection.</th>
</tr>
</thead>
</table>
| **Mandatory inspections** | 1. In the following cases, the inspections will be mandatory for all units:  
   i) The establishments where fatal or serious accident have occurred in last two years.  
   ii) The establishments where strikes/lock out/retrenchment has taken place in two years.  
   iii) Closed establishments till their workers’ dues are settled. |
| 2. GOI has recommended for setting up a State Analysis and Intelligence Unit (SAIU) for collecting and analysing field level data for a transparent and accountable labour inspection system. The cases forwarded through State Analysis & Intelligence Unit (SAIU) will be based on data and evidence. Labour Commissioner Organization will formulate an objective methodology for selection criteria of the cases by the SAIU keeping in view its priorities and the provisions of ILO C-81. Until a separate unit is established existing resources of statistical wing of the department may be used for the purpose. |
| **Optional inspections:** | In following cases, the inspections would be generated through computer using pre-decided number tables taking into account the following factors:  
   i) The establishment is falling in the category of hazardous industry [20%],  
   ii) The establishments employing 50% Contract Labour or minimum of 50 number of Contract Labour [20%].  
   iii) The establishments where total number of worker is more than 250. [20%]  
   iv) All shops and other establishments employing minimum of 10 number employees [40%]. |
| Inspection Report is to be uploaded on the portal by the inspecting officer and made available to supervising and controlling officers as well as the unit inspected though login provided/ sent through email within 72 hours form the time of completion of inspection of the unit. |
Establishments to be inspected under the following labour laws:

- Payment of Wages Act, 1936 and the Rules
- Industrial Employment (Standing Order) Act, 1946 and Rules made
- Minimum Wages Act, 1948 and Rules
- The Jharkhand Shops & Establishment Act, 1953 and Rules
- Maternity Benefit Act, 1961 and Rules
- The Motor Transport Workers Act, 1961
- Payment of Bonus Act, 1965 and Rules
- The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- Contract Labour (Regulation & Abolition) Act, 1970 and Rules
- Payment of Gratuity Act, 1972 and Rules
- The Equal Remuneration Act, 1976 and Rules
- The Inter State migrant workmen (RECS) Act 1979 and Rules
- The Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996 and Rules
- Child Labour (Prohibition and Regulation) Act 1986
- The Factories Act, 1948 and Rules
## Procedure for Planned Inspection under The Factories Act, 1948

<table>
<thead>
<tr>
<th>Step</th>
<th>Application Format</th>
<th>Documents to Be verified</th>
<th>Timelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Online allocation of inspectors for Risk Based assessment</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1. Communication of the date of Inspection of identified factory to the respective Inspector of Factories (IF) and the employer</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Preparation by IF on status of company</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3. Visit of the Factory</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>4. Preliminary discussion with the employer</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5. Inspection of factory site</strong></td>
<td>Standard Inspection Report format</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>6. Discussion with the workers</strong></td>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>7. Verification of the records</strong></td>
<td>Standard Inspection Report format</td>
<td>• Factory Plan approval&lt;br&gt;• Factory registration/licensing/renewal/amendment&lt;br&gt;• Review of health, safety and other facilities as applicable&lt;br&gt;• Compulsory disclosure of information by the occupier&lt;br&gt;• Health record of workers&lt;br&gt;• Material safety data sheet (MSDS)&lt;br&gt;• Records on Appointment of qualified welfare officers&lt;br&gt;• Holiday register&lt;br&gt;• Shift Register&lt;br&gt;• Overtime register&lt;br&gt;• Notice of period of work display&lt;br&gt;• Register of adult workers&lt;br&gt;• Identity cards in prescribed formats&lt;br&gt;• Annual Leave with Wages register&lt;br&gt;• Notifiable diesis register&lt;br&gt;• OT-Slips/Register&lt;br&gt;• Leave book&lt;br&gt;• Muster roll&lt;br&gt;• Register of accidents&lt;br&gt;• Abstracts of Factories Act and Rule display</td>
<td>72 hours from the time of completion of</td>
</tr>
<tr>
<td><strong>8. Briefing with the employer about the findings</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>9. Submitting/Uploading of the report with a Unique number</strong></td>
<td>Standard Inspection Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishment to be inspected under the following labour laws:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Payment of Wages Act, 1936 and the Rules</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Industrial Employment (Standing Order) Act, 1946 and Rules made</td>
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<td>• Minimum Wages Act, 1948 and Rules</td>
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<td>• Child Labour (Prohibition and Regulation) Act 1986</td>
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<td>The Factories Act, 1948 and Rules</td>
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