[Extract from the Punjab Govt. Gaz. (Extra), dated the 9th December, 2013]

GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
NOTIFICATION
The 6th December, 2013

No.21/46/2013-4Labour/837.-The Governor of Punjab is pleased to formulate a Scheme for the Industries/Establishments in the State to ease the regulations under various labour laws as under :-

1. INTRODUCTION :- This Scheme is being introduced to streamline the implementation of various Labour Laws being implemented by the Labour Commissioner-cum-Director of Factories and also to facilitate the employer/entrepreneur. The Scheme will be applicable on Very Small, Small, Lower Medium, Medium, Large Scale and Very Large Scale Industries/Establishments which are defined as under :-
   1) Very small industry means any factory/establishment employing less than 10 workers.
   2) Small Scale industry means any factory/establishment employing 10 or more but less than 20 workers.
   3) Lower Medium Scale industry means any factory/establishment employing 20 or more but less than 50 workers.
   4) Medium Scale industry means any factory/establishment employing 50 workers or more but less than 100 workers.
   5) Large Scale industry means any factory/establishment employing 100 workers or more but less than 500 workers.
   6) Very Large Scale industry means any factory/establishment employing 500 or more than 500 workers.

2. OBJECTIVE :- The objective of this Scheme is to introduce transparency and to curtail visits of Government officials for inspection and to reduce visits of entrepreneurs to Government Offices, by automatising approval and regulatory compliances.

3. PROCEDURE :- This Scheme shall be optional and any employer/entrepreneur can opt for this Scheme after applying to the Labour Commissioner in the prescribed proforma at Annexure-I and Self declaration as prescribed in Annexure-II. Any discrepancy in the application and self declaration shall be communicated to the applicant within 30 days from the receipt of the application in the office of Labour Commissioner, Punjab. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Scheme.

4. FILING OF RETURNS :- The concerned employer/entrepreneur shall file the Self-Certification Return in the prescribed Form No.21 alongwith the required documents for factory registered under the Factories Act and for other establishments in Annexure - III. The return can be filed online during the prescribed period.

5. VALIDITY OFUNDERTAKING :- Factual information given in the prescribed Return shall be the same as on the date of filing the Return. The undertaking to abide by all the laws as applicable to the employer/entrepreneur shall be valid for the period for which he remains registered under this Scheme.

6. AMOUNT OF BANK GUARANTEE TO BE FURNISHED :- Any entrepreneur/ employer who opts for the Scheme shall give Bank Guarantee in favour of Labour Commissioner, Punjab at the following rates :-

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Type of Industry</th>
<th>Security Amount (in Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Very Small</td>
<td>05,000/-</td>
</tr>
<tr>
<td>2</td>
<td>Small Scale</td>
<td>20,000/-</td>
</tr>
<tr>
<td>3</td>
<td>Lower Medium Scale</td>
<td>50,000/-</td>
</tr>
</tbody>
</table>
4. **Medium Scale**
   1,00,000/-
5. **Large Scale**
   2,00,000/-
6. **Very Large Scale**
   5,00,000/-

7. **VALIDITY OF SCHEME** - Once opted for the Scheme, the same shall be valid for a period of five years. The employer can at any time opt out of the Scheme by giving intimation to the Labour Commission in writing. If during inspection, an employer is found violating any of the labour laws mentioned in Para 8 of the Scheme then apart from taking legal action under the relevant labour laws, the Bank Guarantee submitted by the employer will be encashed and his registration under this Scheme will stand cancelled. If he wants to re-opt for the Scheme he will have to give double the Bank Guarantee for his class of establishment. In case the employer/entrepreneur successfully completes five years under the Scheme and he does not want to remain in the Scheme or he withdraws from the Scheme prematurely, his Bank Guarantee will be released. He will also have an option to continue in the Scheme for another five years.

8. **LABOUR LAWS FOR WHICH THE SCHEME IS VALID** - This Scheme shall be valid for the following Acts and Rules made thereunder:
   ii. Payment of Wages Act, 1936.

9. **INSPECTION PROCEDURE** -
   1. To ensure ease of doing business, the inspections of the Establishments covered under the Scheme can be carried out under the directions of Labour Commissioner-cum-Director of Factories only. Under the Scheme about 2-10 percent of the units covered under the Scheme shall be picked up randomly for inspection by the Head of Department every year.
   2. However, on specific complaint, only the Labour Commissioner-cum-Director of Factories may order inspection at any time. The inspection will be a joint inspection under the labour laws. Hence it will normally be a one-time inspection on authorization by the Labour Commissioner.

10. **FORMS** - A copy of this Scheme along with prescribed Application and Returns shall be available with all the Deputy Director of Factories/Assistant Director of Factories/Assistant Labour Commissioner/ Labour-cum-Conciliation Officer in their offices & can be obtained on the official website plabour.gov.in.

Chandigarh.
The 5th December, 2013.

G. VAIRALINGAM
Principal Secretary to Government of Punjab
Department of Labour

0380/12-2013/Pbh. Govt. Press, S.A.S. Nagar
APPLYING FOR PROVISIONS TO BE COVERED UNDER SELF CERTIFICATION SCHEME

1. Name of the Applicant
   Designation of Applicant

2. a) Name of Factory/Shop or Commercial Establishment
   b) Address (In capital letters)
   c) Telephone No./Fax No./Mobile No./Email address

3. Reg. No. & Date as applicable
   a) Under Factories Act, 1948
   b) Shops & Commercial Establishment Act, 1958
   c) Any other Act (please specify)
   d) No. and date of building plans of the factory approved under the Factories Act, 1948

4. Name & residential address of
   a) Occupier
   b) Manager/Factory Manager

5. Average number of workers employed during the year
   a) Male
      i) Adults (more than 18 years)
      ii) Adolescents (more than 14 but less than 18 years)

---

2. Dd. Director of Factories/Assistant Director of Factories, Circle
   Dist ................................
3. Assistant Labour Commissioner/ Labour-cum-Conciliation Officer, Circle No. ................. Dist.
   ...........................................................................
b) Female
   i) Adults (more than 18 years) :
   ii) Adolescents (more than 14 but less than 18 years) :

c) Total
   i) Adults (more than 18 years) :
   ii) Adolescents (more than 14 but less than 15 years) :
      (Also fill form at Annex. V)


7. Manufacturing Process :
   a) Raw materials used :
      i) _______ ii) _______ iii) _______
   b) End product :

8. Code of the industry :
   (to be specified as per NIC Classifications enclosed in Annex. VI)

9. Timings :
   General
   A Shift
   B Shift
   C Shift

10. Self Certification applied for :
    (Please mark (X) on the Act which is not applicable to your unit/establishment as per law):
    i. Minimum Wages Act, 1948 & Rules made there under amended from time to time.
    ii. Payment of Wages Act, 1936 & Rules made there under amended from time to time.
    viii. Payment of Gratuity Act, 1972 & Rules made thereunder amended time to
ix Maternity Benefit Act, 1961 & Rules made thereunder amended time to time.

x Child Labour (Prohibition & Regulation) Act, 1986 & Rules made thereunder.


xii Factories Act, 1948 & Rules made thereunder amended by time to time.

CERTIFICATION

I/We do hereby certify that the contents given above are true and correct. Kindly register __________ establishment under the Self Certification Scheme. The self declarant is enclosed herewith.

PLACE: ________________________
DATED: ________________________

SIGNATURES (with name(s) and the stamp of Organisation)

Acknowledgement Slip

This is to acknowledge that a return under Self-Certification Scheme under labour laws has been received by the undersigned from M/s ________ (full address in capital) and the same has been entered in the office receipt register at Sr.No. ___ dt ______. Any further correspondence in future in this regard may be done by stating this Sr. No.

Name & Signatures: ________________________
Designation (DDF/ADF/ALC/LCO): ________________________
Circle No. ________________________
Distt. ________________________
SELF DECLARATION

(To be filed by the Occupier/Manager/Authorized by the occupier)

I, ________________ S/o Sh. ________________, R/o ________________ and occupier/manager of M/s ________________ hereby

states as under :-

1. That I have applied for grant of coverage of factory/Shops or Commercial Establishment unit by the name of ________________ situated at (complete address of the unit) ________________ under the Self-Certification Scheme of Department of Labour, Government of Punjab as notified by the State Punjab vide Notification No. ________________ dated ________________.

2. That I have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by the same.

3. That it is declared that I/we are complying and will continue to comply with all provisions of labour laws applicable to the establishment covered under this Self-Certification Scheme.

PLACE: DEPONENT
DATED:

VERIFICATION

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

PLACE: DEPONENT
DATED:
**Annexure – III**

**NOTE:** To ensure delivery at proper destination address the return to "The Labour Commissioner, Punjab (Statistical Section), S.C.O. 30, 3rd Floor, Sector – 17E, Chandigarh – 160017. (To be dispatched upto 31 January)."  

Shops and for Other Establishments

<table>
<thead>
<tr>
<th></th>
<th>Registration No. and Date of Establishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Name of Establishment</td>
</tr>
<tr>
<td>3</td>
<td>Name of Occupier</td>
</tr>
<tr>
<td>4</td>
<td>Name of Manager</td>
</tr>
<tr>
<td>5</td>
<td>Telephone No.</td>
</tr>
<tr>
<td>6</td>
<td>Name of the Locality, Mohalla, Plot No. etc. where the Establishment is situated</td>
</tr>
<tr>
<td>7</td>
<td>Postal Address (Post Box No. etc.)</td>
</tr>
<tr>
<td>8</td>
<td>Nature of Business</td>
</tr>
<tr>
<td>9</td>
<td>Sector</td>
</tr>
<tr>
<td></td>
<td>(a) Public</td>
</tr>
<tr>
<td></td>
<td>(b) Private</td>
</tr>
<tr>
<td></td>
<td>(c) Joint</td>
</tr>
<tr>
<td></td>
<td>(d) Co-operative</td>
</tr>
<tr>
<td>10</td>
<td>Average daily No. of workers employed</td>
</tr>
<tr>
<td></td>
<td>ADULTS</td>
</tr>
<tr>
<td></td>
<td>Men</td>
</tr>
<tr>
<td></td>
<td>Women</td>
</tr>
<tr>
<td></td>
<td>ADOLESCENT</td>
</tr>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td></td>
<td>Female</td>
</tr>
<tr>
<td></td>
<td>CHILDREN</td>
</tr>
<tr>
<td></td>
<td>Boys</td>
</tr>
<tr>
<td></td>
<td>Girls</td>
</tr>
<tr>
<td>11</td>
<td>No. of days worked in the year</td>
</tr>
<tr>
<td>12</td>
<td>No. of mandays worked during the year (total attendences)</td>
</tr>
<tr>
<td></td>
<td>(a) Adult</td>
</tr>
</tbody>
</table>
(i) Men  
(ii) Women  
(b) Adolescent  
   (i) Male  
   (ii) Female  
(c) Children  
   (i) Boys  
   (ii) Girls

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Total no. of Man hours worked including overtime</td>
</tr>
<tr>
<td></td>
<td>(a) Men</td>
</tr>
<tr>
<td></td>
<td>(b) Women</td>
</tr>
<tr>
<td></td>
<td>(c) Children</td>
</tr>
<tr>
<td>14</td>
<td>Normal hours worked per week</td>
</tr>
<tr>
<td></td>
<td>Men</td>
</tr>
<tr>
<td></td>
<td>Women</td>
</tr>
<tr>
<td></td>
<td>Children</td>
</tr>
</tbody>
</table>

**FORM L.M.N.O.**  
(Prescribed under section 28(2)(h) of the Maternity Benefit Act, 1961 and rule 6 of the Punjab Maternity Benefit Rules, 1967)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>No. of women who claimed maternity benefit for actual birth</td>
</tr>
<tr>
<td>16</td>
<td>No. of claims accepted and paid either fully or partially</td>
</tr>
<tr>
<td></td>
<td>(a) Total</td>
</tr>
<tr>
<td></td>
<td>(b) From the current year</td>
</tr>
<tr>
<td>17</td>
<td>Total medical amount of maternity benefit paid (including medical bonus)</td>
</tr>
<tr>
<td>18</td>
<td>Amount of medical bonus paid</td>
</tr>
</tbody>
</table>

**SUGGESTION SCHEME**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>19A</td>
<td>(a) Is a Suggestion Scheme in operation in the Establishment</td>
</tr>
<tr>
<td></td>
<td>(b) If so, the number of suggestion</td>
</tr>
<tr>
<td></td>
<td>(i) Received during the year</td>
</tr>
</tbody>
</table>
(ii) Accepted during the year

B Amount awarded in cash prizes during the year:
(i) Total amount awarded Rs.
(ii) Value of the maximum cash prize, awarded Rs.
(iii) Value of the minimum cash prize awarded Rs.

SCHEDULE

20 Accidents
(a) No. of cases which occurred during the year-
(i) Death
(ii) Permanent disablement
(iii) Temporary disablement
(b) No. of injuries in respect of which final compensation has been paid during the year-
(i) Death
(ii) Permanent disablement
(iii) Temporary disablement
(c) Amount of compensation paid
(i) Death
(ii) Permanent disablement
(iii) Temporary disablement (Occupational Diseases)
(d) No. of cases in respect of which final compensation has been paid during the year
(i) Death
(ii) Permanent disablement
(iii) Temporary disablement
(e) Amount of compensation paid -
(i) Death
(ii) Permanent disablement
(iii) Temporary disablement
FORM NO. III

[Prescribed under section 18(1) of the Minimum Wages Act, 1948 and Rule 21 (4A) of the Punjab Minimum Wages Rules, 1950]

(Information may be given only for those categories of workers in respect of whom minimum wages have been fixed under the Minimum Wages Act, 1948)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>No. of days worked during the year</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>No. of mandays worked during the year (total attendance)</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Average No. of persons employed daily during the year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adults</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Children</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Total wages paid</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Cash value of wages paid in kind</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Deductions made on account of Fines</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No. of cases</td>
<td>Damage or loss</td>
</tr>
<tr>
<td></td>
<td>Amount</td>
<td>No. of cases</td>
</tr>
<tr>
<td>27</td>
<td>Balance of fine fund at the beginning of the year</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Disbursement from the fine fund</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Purpose</td>
<td>Amount spent</td>
</tr>
<tr>
<td></td>
<td>(a)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d)</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Balance of the fine fund at the end of the year</td>
<td></td>
</tr>
</tbody>
</table>

FORM NO. IV

[Prescribed under section 26(3)(d) of the payment of Wages Act, 1936 and Rule 18 of the Punjab Payment of Wages Rules, 1937]

(Information may be given in respect of only those workers whose average monthly wages are less than Rs. 6,500 per month)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Adults</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>No. of days worked during the year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>No. of mandays worked during the year (Total attendances)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Average daily No. of persons</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
33 Total wages paid
   (a) Basic wages
   (b) Dearness and other allowances
   (c) Arrears of pay in respect of previous year paid during the year
   (d) Amount of bonus
       At the rate of
   (i) Under Bonus Act/Agreement
   (ii) Incentive Bonus
   (iii) Profit sharing bonus
   (e) Amount of leave with wages paid to workers dismissed, discharged/terminated
   (f) Amount of overtime wages paid
   (g) Amount of lay-off retrenchment compensation paid
   (h) Money value of concession
   (i) Amount of deduction made
   (j) Grand total of columns (a) to (i)

34 Deductions made during the year
   **Nature of deduction**   **No. of cases**   **Amount**
   (a) Fines
   (b) Damage or loss
   (c) Breach of contract

35 Balance of fine fund at the beginning of the year

36 Disbursement from fine fund
   **Disbursement**   **Purpose**   **Amount**
   (a)
   (b)
   (c)
   (d)

37 Balance of fine fund in hand at
Number of workers attendances, days worked and wages paid

<table>
<thead>
<tr>
<th>Month</th>
<th>No. of workers as on Roll</th>
<th>Total attendances of the workers</th>
<th>No. of days the Establishment worked</th>
<th>Total amount of wages paid (for workers getting upto Rs. 6,500 per month)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February</td>
<td></td>
<td></td>
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<td>March</td>
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<td>April</td>
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<td>May</td>
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<td>June</td>
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<td>July</td>
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<td>August</td>
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<td>September</td>
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<td>October</td>
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<tr>
<td>November</td>
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</tr>
<tr>
<td>December</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date. Signature of Manager
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 of please refer to respective Act and Rules)

   The employer has to:-
   * pay the minimum wages to the workers as notified by the Punjab Government from time to time (Section 12).
   * fix and allow weekly day of rest/substitute rest day (Rule 23).
   * fixation of number of daily working hours in case of adult for 9 hours a day and 48 hours _______ and in case of child for 4 1/2 hrs. (Rule 24).
   * in case of over time working, to pay the workmen at double the rate of their ordinary wage [Rule 25(b)] and to maintain a register of overtime in Form IV.
   * to maintain the following records and to produce the same for inspection to the inspecting authority (Rule 26B):
     a. register of Fines in Form-I and Register of Deductions for damages for Loss in Form-II (both as laid down under Rule 21(4) of the Rules) are being maintained;
     b. annual Return in Form-III according to Rule 21(4A) is being/would be sent to the Government.
     c. register of Wages in Form-X containing signatures/thumb impressions of the workmen;
     d. wage slips duly signed by the workmen in Form-XI;
   * display the following notices in English 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 conditions (Rule 22)
     - abstract of the Minimum Wages Act, 1948 and the Rules made by the Punjab Government thereunder in Form IX-A;
     - name and address of the inspector;
     - the prevalent minimum wages as notified by the Government;
   * authenticate the entries in the register of wages and wage slips authenticated by himself or by any person authorized by him in this behalf (Rule 26).
   * abide by the provisions of the Minimum Wages Act, 1948 and the ______ framed by the Punjab Government from time to time.

2. Payment of Wages Act, 1936 & Punjab Payment of Wages Rules, 1937
   The employer has to:-
   * fixed the wage period which shall not exceed one month (Sec 4).
   * Pay the wages to the employed persons on or before 7th (employing less than 1000 persons) /10th (employing more than 1000 persons) of every month (Sec 5).
   * Pay the wages in current coins/ currency notes (Sec 6).
   * deduct from the wages of an employed person wages as per provisions (Sec 7) after following the due procedure (Rule 14).
• display the notice containing the abstract of the Act and the rules made thereunder in English and in a language of the majority of the employed persons (Sec).

• maintain the following registers (Sec 26, Rule 5):-
  - Register of fines;
  - Register for deductions for damage or loss;
  - Register of wages

• maintain the registers/records for three years after the last entry therein;

(Applicable only where 10 or more workmen are employed in a factory)

The employer has to:-

• allow the national holidays for the whole day of 26th January, 15th August and 2nd October to every worker of the industrial establishment in each calendar year and at least four festival holidays in each calendar year (Sec 3).

• allow the workers seven days casual leaves and fourteen days sick leave (Sec 4).

• pay the wages to the workers for national & festival holidays and sick and casual leaves (Sec 5).

• allow where the workers are entitled to sickness benefit under the employees' State Insurance Act, 1948, the wages for the days of sick leave allowed to him under the Act as has been laid down in Section 5(b) of the Act but where the worker is not entitled to such sickness benefit or sickness allowance he is to be paid at the rate of one half of the average daily wages (Sec);

• pay the worker in case the worker works on any holiday, at twice his average daily wage for that day or his average daily wage for that day and a substituted holiday (Sec 2(2)).

• submit to the inspected a statement of Festival Holidays to be allowed to the workers during the calendar year before 31st December of the preceding year in Form-A and a copy of the same is also exhibited at a conspicuous place at the Notice Board of the establishment.

• keep the account of holidays and leave in Form-B (Sec 6, Rule 7(2));


The employer has to:-

• pay to the Welfare Commissioner, Punjab, all fines realized from the employees and all unpaid accumulations during the quarters ending 31st March, 30th June, 30th September and 31st December within a month of the ending of relevant quarter and submit a statement giving particulars of the unpaid accumulations;

• following registers (Rule 22):-
  - a register of wages in Form A;
  - a consolidated register of unclaimed wages and fines in Form-B.
submit a copy of the extract from the register in Form B pertaining to the previous years, by 31st January every year, to the Welfare Commissioner, Punjab.

5. **Payment of Bonus Act, 1965 & Payment of Bonus Rules, 1975**
   (Applicable only where 10 or more persons are employed on any day in the preceding twelve months)
   **The employer has to:-**
   - maintain in Form 'A' the record in respect of computation of the 'available surplus; in respect of any accounting year [Rule 4(a)];
   - maintain the 'Set on and Set off of allocable surplus (Sec 15) in Form-B [Rule4(b)];
   - maintain the record of the bonus paid to employees for any accounting year Form-C [Rule4(c)];
   - 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.

   (Applicable only where 20 or more workmen are employed an any day in the preceding twelve months)
   **The employer has to:-**
   - submit, five copies of the draft standing orders for adoption within six months from the date of applicability of the Act; [Sec 3(1)];
   - state that the draft standing orders are accompanied by a statement giving prescribed particulars of the workmen employed in the industrial establishment including the name of the trade union, if any, to which they belong [Sec 3(3)];
   - display prominently the text of the Certified Standing Orders in English and in a language understood by the majority of the workmen on special board near the entrance gate of the establishment;
   - check that every workman has been given an appointment letter and the name of every workman has been entered on the muster roll and they have been given attendance card/token/ticket etc.

   (Applicable where 20 or more workmen are employed on any day in the preceding twelve months)
   **The employer has to:-**
   - obtain the Registration Certificate from the Registering Officer of the area [Sec7(1)];
   - intimate the Registering Officer concerned for modification of any, of the registration certificate [Rule 18(4)];
   - issue form V to the contractor [Rule 21(2)];
   - ensure that the contractor applies for license to the Licensing Officer before executing the contracted work [Sect 12(1)];
   - see that the contractor of the establishment shall provide the following facilities to the contract labour and in case of failure on the part 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 a debt payable by the contractor as laid down u/s 20 of the Act:

a. canteen facilities (where the contract labour is numbering one hundred or more), [Section 16, Rule 42 to 50];

b. rest rooms or suitable alternative accommodation to the contract labour [Sec 17, Rule 41];

c. other facilities like sufficient supply of wholesome drinking water at convenient places, sufficient number of latrines and urinals of the prescribed type, washing facilities [Sec 18, Rule 40 and 51 to 57];

d. first-aid facilities to be made available to the contract labour during all working hours with prescribed contents [Sect 19, Rule 58 to 62];

- submit the annual return in Form XXV in duplicate to the Registering Officer not later than the 15th February following the end of the year to which it relates (Rule );

- maintain the Register of Contractors in Form XII (Rule 74);

- record certificate at the end of the entries in the Register of Wages indicating that the workmen concerned have paid in his presence [Sec 21(2)];

- note that in case the contractor fails to make payment of wages within the prescribed period or make short payment, the establishment shall be liable to make the payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor;

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

The employer has to:

- given a notice of opening in Form-A to the Controlling Authority within 30 days [Rule 3(1)];

- give a notice in Form-B to the Controlling Authority in case of any change in the name, address, employer or nature of business [Rule 3(2)];

- given a notice in Form-C to the Controlling Authority in case of close down of business at least sixty days before the intended closure [Rule 3(3)];

- ensure that a notice has displayed near the main entrance in bold letter in Punjabi 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 [Rule 4];

- ensure that the employees who have rendered continuous service for not less than five years are being paid/shall be paid gratuity on superannuation/retirement/resignation and the nominees of an employee who dies during the service are also being paid/shall be paid gratuity even though five years of service have not been rendered [Sec 4(1)];

- ensure that the amount of gratuity is/shall be determined by the employer and the notice in writing is/shall be given to the person to whom the gratuity is payable and also to the Controlling Authority [Sec7(2)];
ensure that the amount of gratuity is shall be paid within 30 days from the date it becomes payable as has been laid down u/s 7(3) of the Act;

- ensure that an abstract of Act and the rules made thereunder in Form U in English and in Punjabi has been displayed at a conspicuous place [Rule 20];

   (Applicable where 10 or more persons are employed on any preceding twelve months) (Not applicable where the establishment is covered under the ESI Scheme)

The employer has to:-

- ensure that no women is being employed knowingly during the six weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy [Sec 4(1)];

- ensure that the maternity benefit at the rate of average daily wage for the period of her actual absence for delivery or twelve weeks whichever is less, is being paid to the women employees [Sec 5] and in case of her death before receiving her maternity benefit, the same shall be given to the person nominated by the said women [Sec 7];

- ensure that a medical bonus of two hundred and fifty rupees is also being given to the female employees in case the free of charge pre-natal confinement and post-natal care is not provide by the establishment [Sec 8];

- ensure that a six weeks leave for miscarriage or medical termination of pregnancy is also being given to the affected women employee [Sec 9];

- ensure that leave with wages for two weeks for tubectomy operation is given to women employees [Sec 9-A]

- ensure that a leave for a maximum period of month for illness arising out of pregnancy, delivery, premature birth of child, miscarriage, medical termination of pregnancy or tubectomy operation is given to the women employees. [Sec 10];

- ensure that every women who has delivered a child who returns to duty shall be allowed in he course of her daily work two breaks of twenty minutes duration for nursing the child until the child attains the age of fifteen months. (Sec 12, Rule 7)

- maintain the record of women employee of the establishment in Form-A [Sec 20, Rule 3]

- exhibit an abstract of the Act and the rules thereunder in Form K in the language of the locality at a conspicuous place in every part where the women are employed. [Sec 19, Rule 15]

10. **Child Labour (Prohibition and Regulation) Act, 1986 & Child Labour (Prohibition and Regulation) Punjab Rules, 1997**

(employment of child is prohibited u/s 29 of the Punjab Shops & Commercial Establishment Act, 1958 and Sec 67 of the Factories Act, 1948)

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

The employer has to ensure that:-

- no child has been employed or permitted to work in any of the occupations set forth in Part-A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on. [Sec 3, Rule 6];

- no child is permitted to work in the establishment for more than four and half hours on any day [Sec 7(1), Rules];
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 [Sec 7(2)] and is spread over in not more than six hours including the time spent in waiting for work [Sec 7(3)]

no child has been permitted or required to work between 7 p.m. to 8 a.m. [Sec 7(4)] and not required or permitted to work overtime [Sec 7(5)];

every child employed in an establishment has been allowed a weekly holiday [Sec 8];

the notice to inspector as required u/s 9(2) of the Act has been given containing the information as per section 9(1) of the Act;

the record in prescribed Form-A has been/shall be maintained [Sec 11, Rule 16(1)];

the notice containing abstract of Sections 3 and 14 has been displayed at the place of work in local language and in English language [Sec 12];

the employed child has been provided safety gadgets and necessary training to the child has been provided before employing [Sec 13, Rules 7];

the health facilities as required u/s 13 and Rule 8 have been provided.

all the provisions of the Act and rules are/shall be complied with.

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

The employer has to:-

• obtain licence to run the Factory as required under Section 6 of the Act and also will get it renewed for five years [rule 7, 8, 10 and 14].

• get approved the building plans of the factory from the Directorate of Factories in accordance with the provisions of Section 6 of the Act and rule 3A and 4. If the premises is extended including plant and machinery, the proposed building plans of the extension will be got approved prior to construction.

• comply with the general duties prescribed for the occupier [section 7-A of the Factories Act, 1948].

• fix the weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period, night shifts, prohibition of over-lapping shifts [section 51, 52, 53, 54, 55, 56, 57 and 58 of the Act].

• pay extra wages of overtime as twice of the ordinary rate of wages.

• display the following notices at the conspicuous places in factory premises:-
  i) Notice of period of work for adults in from XI
  ii) Escape in case of fire R-66
  iii) Safe speed notice of machinery in motion: Section 30
  iv) Extract of the Factories Act and Rules: R-106
  v) Name and address of the inspecting staff: S-108

• Maintain the following registers:-
  i) Attendance Register Rule 110
  ii) Inspection Book Rule 112
  iii) Adult worker Register Rule 87
iv) Accident Register  
   v) Tight Clothing Register  
   vi) Leave with Wages Register  
   vii) Lime Washing Register  
   viii) Compensatory Holidays Register  
   ix) Extra Wages for Overtime Register  
   x) Register of child Workers  
   xi) Particulars of Rooms Register  

   • issue the attendance cards and leave cards to all the workers under rule 110 (3) and 95.

   • give the annual leave with wages as per rule 79.

   • In case of small and very small establishments submit return in Form A prescribed under The Labour Laws (Exemption from Furnishing Returns and maintaining registers by certain establishments) Act, 1988.

   • In case of Factories registered under the Factories Act, 1948 not covered under the The Labour Laws (Exemption from Furnishing Returns and maintaining registers by certain establishments) Act, 1988 in Form 21 and 22 respectively.

   • Abide by the provisions of Factories Act, 1948 and the rules framed thereunder by the Punjab Government from time to time.