

# **G. Labour and ESI Department**

## ***G.1. Resolution for Voluntary Compliance Scheme***

GOVERNMENT OF ODISHA  
LABOUR & ESI DEPARTMENT  
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**RESOLUTION**

Bhubaneswar dated the 30<sup>th</sup> May, 2015

LL-II-FM-15/2015-4870/LESI, After careful consideration, the Government of Odisha is pleased to introduce a "Voluntary Compliance Scheme for Industries & Commercial Establishments" which seeks to simplify the processes involved in implementation of labour laws while ensuring a more effective system for compliance with labour statutes.

This scheme will be implemented through the Labour & ESI Department and will apply to the various labour laws being implemented by the office of the Labour Commissioner, Odisha and its subordinate offices. This scheme aims to facilitate employers to comply with the provisions of the various labour statutes while protecting the interest of workers to create a harmonious relationship between employers, workers and the labour administration.

**A. DETAILS OF THE SCHEME**

1. This scheme will be applicable to all factories, shops, commercial establishments, motor transport establishments and other industrial establishments, except hazardous factories/establishments.
2. Any entrepreneur or employer will be free to join this scheme, on a voluntary basis.
3. This scheme will cover inspections and compliances under the following Acts and their related Rules:
  - (i) The Contract Labour (Regulation and Abolition) Act, 1970 and Rules, 1975.
  - (ii) The Equal Remuneration Act, 1976.
  - (iii) The Industrial Disputes Act, 1947
  - (iv) The Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act 1979 and Rules 1980.
  - (v) The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishment) Act, 1988.
  - (vi) The Maternity Benefit Act, 1961 and Rules 1966.
  - (vii) The Minimum Wages Act, 1948 and Rules 1954.
  - (viii) The Motor Transport Workers Act, 1961 and Rules 1966

- (ix) The Industrial Employment (Standing Order) Act, 1946.
- (x) The Orissa Shops and Commercial Establishment Act, 1956 and Rules, 1958.
- (xi) The Payment of Bonus Act, 1965 and Rules 1975.
- (xii) The Payment of Gratuity Act, 1972 and Rules 1974.
- (xiii) The Payment of Wages Act, 1936 and Rules 1936.
- (xiv) The Sales Promotion Employees (Condition of Service) Act and Rules, 1976.
- (xv) The Orissa Industrial Establishment (National Festival) Holidays Act, 1969.
- (xvi) The Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act) and Rules, 2002.
- (xvii) The Beedi and Cigar Workers (Condition of Employment) Act, 1966 and Rules, 1969.
- (xviii) The Working Journalists (condition of Service) and Miscellaneous Provision Act, 1955.

4. The designated authority for this scheme will be the Labour Commissioner, Odisha or any other officer authorized by the Government in Labour & ESI Department for this purpose

**5. Procedure for joining the Scheme:-**

- a) Any employer/entrepreneur desiring to opt for this Scheme should apply to the Labour Commissioner, Odisha/designated authority with a copy to the concerned District Labour Officer of the district in the prescribed **Form-I** along with a declaration in shape of affidavit as prescribed in **Form-II**. Any discrepancies in the application or enclosure shall be communicated to the applicant within 30 days from the receipt of the application in the office of the Labour Commissioner/ designated authority. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Scheme.
- b) There is no fixed time limit to join with the Scheme. In other words, any employer can opt to join the Scheme at any time.
- c) The employer/entrepreneur joining the Scheme will have to submit a combined annual return in the prescribed **Form-III** for every calendar year, on or before the 1<sup>st</sup> of February of the succeeding year to the Labour Commissioner, Odisha/designated authority,

with a copy to the District Labour Officer of the concerned district. If the return is not filed within the time-limit, a reminder will be sent to employer/entrepreneur through SMS / Email / written information and 15 days extra time will be given for filing the return.

- d) The employers/entrepreneur will have to maintain the registers prescribed under different labour laws and the same should be made available at the time of inspection.

**6. Inspection of the establishments joining the Scheme:-**

- a) Industries / establishments covered under the Scheme will be inspected once in 3 years after giving them prior information. The selection of 30% of industries/establishments under the scheme for inspection every year would be done on random basis by the Labour Commissioner/ designated authority. The inspection conducted will be a combined inspection covering all applicable labour laws. The industries / establishments where shortcomings are noticed will be given notice to rectify the shortcomings identified within a given time-limit. If after such notice, the employer/entrepreneur fails to rectify the shortcomings, necessary legal action will be taken under the relevant labour laws.
- b) If any complaint is filed or information received about violation of labour laws by an industry/establishment covered under this Scheme, then decision will be taken at the level of the Labour Commissioner/ designated authority for additional inspection. In such cases, it will be decided by the Labour Commissioner/ designated authority as to whether such inspection will be conducted by giving prior information or not, considering the subject matter of complaint.

**7. Benefits for those establishments that prepare option of voluntary compliance scheme:-**

The industries/establishments covered under this Scheme will be inspected once in 3 years and will be exempted from excess inspections under various labour laws. The inspection will be conducted with prior intimation and the purpose of the inspection will be to provide guidance to the industry/establishment to comply with the provisions of the law.



#### **8. Options of quitting the Scheme :-**

- (i) If any entrepreneur or employer wants to quit the Scheme, he can do so at any time by giving one month's prior notice.
- (ii) If the compliance to a report of inspection process is pending against any industry/establishment within the time period of the Scheme or if the investigation of a complaint is pending or in process against the said industry/establishment, then the Scheme for that industry/establishment will remain suspended till submission of the compliance report satisfactorily and/or completion of the investigation of the complaint, as the case may be.

#### **9. Penalty for submitting false information or violating the provision of the scheme:-**

If it is detected that any employer/entrepreneur submitted false information in the Forms>Returns filed by him, or it is found during the course of inspection that false entries have been intentionally made in the prescribed records/registers, then necessary legal action shall be taken against such employers/entrepreneurs under the provisions of law.

#### **10. Miscellaneous:-**

- a) The entrepreneur/employer completing 3 years successfully under the Scheme will have the option to quit the Scheme or renew it for the next 3 years.
- b) The date on which the application form is submitted by the employer, will be considered as the date of commencement of the term of the Scheme. In case there is any discrepancy pointed out by the Labour Commissioner/ designated authority, the Scheme will be applicable from the date on which the approval to the revised application is given by the Labour Commissioner/ designated authority
- c) The application for joining the Scheme along with declaration can be prepared by following officers:-
  - (i) In case of a single employer / proprietorship establishment, the employer / proprietor himself.
  - (ii) Any partner of a partnership firm or the Manager.
  - (iii) Authorized Director or Managing Director of a Company.
  - (iv) Occupier or Manager of a Factory.

This resolution shall come into effect from the date of publication in the Odisha Gazette.

**ORDER:** Ordered that the resolution be published in Odisha Gazette and copies thereof be forwarded to all concerned.

Enclosures: Forms- **I,II and III**

By order of the Governor



Principal Secretary to Government

Memo No.4871/LESI, dated the 30<sup>th</sup> May, 2015

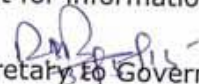
Copy forwarded to the Gazette Cell in charge, Odisha gazette Cell, C/o- Commerce Department, Odisha Secretariat, Bhubaneswar with a request to publish the above Resolution in the next issue of the Odisha Gazette and supply 100 printed copies thereof to this Department.



Under Secretary to Government

Memo No. 4872/LESI, dated the 30<sup>th</sup> May, 2015

Copy forwarded to all Departments of Government for information and necessary action.



Under Secretary to Government

Memo No.4873/LESI, dated the 30<sup>th</sup> May, 2015

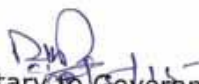
Copy forwarded to P.S to Hon'ble Minister, Steel & Mines and Labour & ESI / Pr. P.S to Principal Secretary to Govt., Labour & ESI Department / All Heads of Department under the control of Labour & ESI Department / All Officers / All Sections of Labour & ESI Department for information and necessary action.



Under Secretary to Government

Memo No.4874/LESI, dated the 30<sup>th</sup> May, 2015

Copy forwarded to State Head Portal, IT Centre, Secretariat Building, Bhubaneswar for information and necessary action. He is requested to upload the said Resolution in this Department Website.



Under Secretary to Government

***G.2. Resolution for Self-certification Scheme  
under Factories Act***



GOVERNMENT OF ODISHA  
LABOUR & ESI DEPARTMENT

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RESOLUTION

Bhubaneswar, dated the 30.3.2016

No.LL-II-FM-13/2015/ 2577 /LESI. After careful consideration, the Government of Odisha is pleased to introduce a “**Self Certification Scheme**” for the factories established in the State for “**Ease of Doing Business**”.

1. **Objective:-** This Scheme aims at making the occupier conscious and truthful as a law abiding person willing to take care of the interest of the workers by complying with the provisions of the Factories Act, 1948.
2. **Applicability:-** This Self Certification Scheme shall be valid for all the factories coming under the Factories Act, 1948 and Rules made thereunder, except the factories covered under Section 2 (cb) and Section 87 of the Factories Act, 1948 and Rules framed thereunder and factories classified as MAH category as per The Orissa Factories (Control of Major Accident Hazard) Rules, 2001.
3. **Procedure for joining the Scheme:-** The scheme will be optional and the occupier of any factory intending to adopt this scheme shall apply in duplicate to the Director of Factories and Boilers, Odisha with a copy to the Deputy Director, Factories & Boilers of concerned Division and also to the Asst. Director of Factories and Boilers of the concerned zone in the proforma in **Form-I** along with the documents in detail. The occupier is also required to produce an Affidavit in the format in **Form-II**. Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the date of receipt of the application in the office of the Directorate of Factories and Boilers.

If no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Self-Certification Scheme.

**4. Filing of Return:-** After being enrolled under the Self Certification Scheme, the concerned occupier shall file the Self-Certification Return in the prescribed Proforma in **Form-III** in duplicate to the Director, Factories & Boilers. The return shall be filed on any working day between 15<sup>th</sup> January to 15<sup>th</sup> February every year commencing with the succeeding year till expiry of the Scheme.

**5. Validity of the Scheme:-** The Scheme shall be valid till it is withdrawn or cancelled. The occupier shall file combined Annual Return in Form 21 of the Odisha Factories Rules, 1950 during the validity of Scheme. In the event of any fatal accident, the validity of the scheme will automatically cease to continue and the Occupier has to apply afresh to the authorities to join the scheme.

**6. Option for quitting the Scheme:-** If any occupier wants to quit the Scheme, he can do so at any time by giving one month's prior notice.

**7. Penalty for submitting false information or violating the provision of the scheme:-** If it comes to notice of Director, Factories and Boilers that the applicant has given false declaration or found not complying with provisions of the statute, legal action shall be initiated against the occupier and manager of the factory as per the provisions of Factories Act, 1948.

**8. Inspection Procedure:-** Twenty percent (20%) of the factories so covered under the "Self Certification Scheme" shall be selected at random for inspection once in a year to verify proper implementation of the provisions of Factories Act and rules made thereunder. However, in case of any accident or dangerous occurrence or specific complaint, inspection shall be carried out as per the provisions of Law.

This Resolution shall come into effect from the date of publication in the Odisha Gazette.

**ORDER:**

Ordered that the resolution be published in Odisha Gazette and copies thereof be forwarded to all concerned.

Enclosures:

Forms-I, II & III.

By order of the Governor

**G. Srinivas**

Principal Secretary to Government


Memo No. 2578 /LESI., dated the 30.3.2016

Copy forwarded to the Gazette Cell in charge, Odisha Gazette Cell, C/o- Commerce Department, Odisha Secretariat, Bhubaneswar with a request to publish the above Resolution in the next issue of the Odisha Gazette and supply 50 printed copies thereof to this Department.

  
Under Secretary to Government

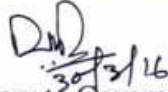
Memo No. 2579<sup>cyo</sup> /LESI., dated the 30.3.2016

Copy forwarded to all Departments of Government for information and necessary action.

  
Under Secretary to Government

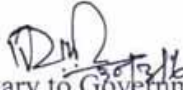
Memo No. 2580<sup>cyo</sup> /LESI., dated the 30.3.2016

Copy forwarded to P.S. to Hon'ble Minister, Steel & Mines and Labour & ESI / Pr. P.S. to Principal Secretary to Government, Labour and ESI Department / All Heads of Department under the control of Labour & ESI Department / All Officers / All Sections of Labour & ESI Department for information and necessary action.

  
Under Secretary to Government

Memo No. 2581 /LESI., dated the 30.3.2016

Copy forwarded to State Head Portal, IT Centre, Secretariat Building, Bhubaneswar for information and necessary action. He is requested to upload the said Resolution in this Department Website.

  
Under Secretary to Government



## Self Certification Scheme

## APPLICATION FORM

To

The Director, Factories & Boilers,  
Odisha, Bhubaneswar.

**Subject:-** Application to join under Self Certification Scheme.

Sir,

With reference to Resolution No..... dt. .... of Labour & ESI Department, I / We apply to join under the Self Certification Scheme. The Details of our establishment are as follows:-

- (i) Name, Designation & Address of the Owner. :
- (ii) Name and Address of the Factory :
- (iii) License No. issued by Director, Factories & Boilers. :
- (iv) Name and Present Address of the occupier :
- (v) Name and present address of the Factory Manager :
- (vi) Nature of the Factory (MAH / Hazardous / Non-hazardous) :
- (vii) No. of workers employed (regular, contractual and casual). :
- (viii) Details of product of the factory :

I / We have read and understood all provisions of the scheme. I / We undertake to comply fully with the provisions of the scheme. I / We declare that the information furnished above are true to the best of my / our knowledge and belief.

**Place:****Date:**

**Signature of Occupier**  
**(Name in Block Letter)**

FORM - II

AFFIDAVIT

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

I/We \_\_\_\_\_ Son/Daughter of Shri \_\_\_\_\_  
\_\_\_\_\_ Resident of \_\_\_\_\_  
and Occupier of M/s \_\_\_\_\_ do hereby solemnly affirm  
as under :

1. That, I/We have applied and given consent to be enrolled our factory by the name of M/s. \_\_\_\_\_ situated at (Complete address of the factory) \_\_\_\_\_ under Self Certification Scheme as per the Resolution No. \_\_\_\_\_ / Dated \_\_\_\_\_ of Labour & ESI Department, Government of Odisha.
2. That, I/We have gone through the scheme and have fully understood the contents of the scheme and undertake to abide by the same.
3. That, I/We are complying and will continue to comply with all provisions of Factories Act, 1948.
4. That, I/We will intimate the Director, Factories & Boilers in advance in the event of any addition or alteration in plant, process, equipment and machinery / manpower or installed power / change in ownership and obtain prior approval from the competent authority
5. That I / we will be liable for penal action prescribed under provisions of Factories Act, 1948 for violation of provisions in the statutes and for submitting false declaration.

Deponent

Place  
Date

VERIFICATION

I / We the above named deponent declare on oath that the statement made above and the information furnished in my application are true to the best of my / our knowledge and belief.

Deponent



**FORM-III**

Return under Self Certification Scheme.

Assessment Year .....

1.	Name & Designation of the Applicant	
2.	Name & address of the Factory	
3.	Licence No. issued by DF&B(O) [the manpower & installed power as per licence also to be mentioned]	
4.	Name & present address of the Occupier	
5.	Name & present address the Factory Manager	
6.	Details of raw materials (List to be submitted)	
7.	Details of finished products	
8.	Maximum quantity of hazardous chemicals/ substances, stored/ used/ generated	
9.	Nature of Factory (MAH / Hazardous / Non-hazardous)	
10.	Whether involves any dangerous operation under Sec.87 of Factories Act, 1948. If yes the detail of operation.	
11.	Total No. of workers employed during the year (regular, contractor & casual workers to be submitted in separate sheet)	
12.	Actual installed power in KW	
13.	Whether plans of all buildings/ structures have been approved. If so, mention the No. & date of last approval of building plans of the factory. If not, state the portions which have not been approved.	
14.	Total no. of latrines and urinals	
15.	Total no. of washing place along with their locations for female & male worker separately.	
16.	Total no. of fire extinguishers provided with locations	
17.	Total no. of fire hydrant landing valves with location	
18.	Total no. of first-aid boxes, and Total no. of trained first aiders (list with names to be attached)	
19.	Total no. of Safety Officers engaged. ( Their names, qualification and modality of functioning to be attached)	
20.	Total no. of Welfare Officers (if applicable) ( Their names, qualification and modality of functioning to be attached)	

21.	Whether Ambulance room is provided or not and the appliances are kept as per statute .	
22.	Whether ambulance van is provided or not.	
23.	Whether rest room is provided or not.	
24.	Whether canteen is provided or not with basic amenities as per statute.	
25.	Whether notice of period of work is exhibited or not and if yes, their location.	
26.	No. of personal protective equipments like shoes, helmet, aprons, face shields etc. issued to workers as per their work site.	
27.	State, whether health check up for workers has been carried out or not as per statute. Give year-wise no. of workers medically examined.	
28.	State whether safety permit system is adopted or not.	
29.	Total no. of safety committee meetings convened during the last calendar year.	
30.	Whether up-to-date On-site emergency plan is approved/ accepted by the competent authority or not. if yes, mention the no. of mock drills conducted so far. If not its present status.	
31.	Whether safety audit is undertaken or not if yes, copy of the Internal and External Safety Audit Report to be submitted.	
32.	Whether register of adult workers is maintained or not	
33.	Whether register of leave with wages is maintained or not	
34.	Whether leave books are issued to each regular, Contractual and casual workers or not	
35.	Whether over time register is maintained or not	
36.	Whether overtime wages are paid as per Factories Act or not.	
37.	Whether overtime slips are issued to all the regular, casual and contractual workers or not	
38.	Whether register of accidents and dangerous occurrences are maintained or not	
39.	Whether all the reportable accidents are investigated by the management and preventive measures taken including near miss accidents.	
40.	Whether register of compensatory holidays maintained or not	
41.	Whether periodical fire Mock drills are conducted and recorded or not. If yes no of drills conducted.	
42.	Whether cautionary notices where ever required are displayed or not at prime locations	
43.	Whether written statement of general policy with respect to health and safety of workers is prepared and followed. If yes, details to be submitted.	

44.	The present status of detection of occupational disease	
45.	No. of in house Training programme conducted during the last calendar year.	
46.	Whether National Safety Day Observed by the management.	
47.	Total manpower deployed : from the state / outside the state.	

I/We do hereby declare that the information given above are true and correct.

Place:

Date :

Signature of the Occupier  
with address and official seal

### ***G.3. Notification for third party certification of Boilers***

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**NOTIFICATION**

Bhubaneswar, dated 30th May 2015

LL-II-FM-17/2014 (Pt.) 4879/LESI. In exercise of the powers conferred by sub-section (3) of section 34 of the Boilers Act, 1923(5 of 1923), the State Government, having regard to material, design or construction of boilers and in view of the need of rapid industrialization of the State is satisfied that it is necessary so to do, hereby exempts all Boilers and Boiler Components, steam pipes and feed pipes in the whole of the State from the operation of the provision of sub-sections (2), (3) and (5) of section 7, sub-section (5) of section 8, section 9, sub-section (1) of section 10, section 12 and section 13 of the said Act subject to following conditions namely :-

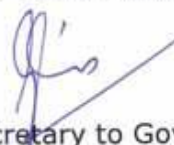
1. (a) The inspection of the boiler and the boiler components and verification of addition and alteration as per the provisions of the said Act, Rules and Regulations framed thereunder, shall be carried out every year by any 'Competent Person' as defined under clause (cb) of section 2 of the Boilers Act, 1923 and recognised as such by Central Boilers Board (Department of Industrial Policy and Promotion) from time to time under regulation 4J of the Indian Boiler Regulations, 1950.
- (b) The Competent Person shall follow the instructions and guidelines issued by the Director of Factories and Boilers and be liable for any act of omission or commission against the provisions of the said Act, Rules and Regulations framed thereunder.
- (c) The Competent Person shall submit records of inspection carried out by them to the Director of Factories and Boilers, concerned Zonal Asst. Director of Factories and Boilers and to the owner of the boiler within fifteen days of carrying out the inspection and also in the Government Website. The extracts of inspection notes shall be entered in the Inspection Book by the Competent Person.



Person every month for scrutiny with copy to the Director of Factories and Boilers, Odisha for information.

- (e) Working pressure of the boiler shall not exceed to that as specified in the last certificate issued under the provisions of the said Act, Rules and Regulations framed thereunder.
  - (f) If any accident occurs to the boiler or boiler component during the use, then, the use of the boiler shall be stopped forthwith and the concerned Zonal Asst. Director of Factories and Boilers as well as the Director of Factories and Boilers, Odisha shall be informed as per the provisions of the said Act, Rules and Regulations framed thereunder.
  - (g) The boiler shall be attended to and manned by required number(s) of certified Boiler Operation Engineer(s) and / or Boiler Attendant(s) as per the provisions of the said Act, Rules and Regulations framed thereunder.
  - (h) This notification shall be applicable to such boiler and boiler components having the safeguard system for protection against over pressure, low water level, flame failure etc. for prevention of accidents of boilers as per the provisions of the said Act, Rules and Regulations framed thereunder and the provisions of these safeguards shall have to be certified by the owner of the boiler and the Competent Person.
- 2. The owner of the boiler shall get the boiler inspected either by the existing Inspector of Boilers or by the Competent Person.
  - 3. The Director of Factories & Boilers / Joint Director of Factories & Boilers / Deputy Director of Factories & Boilers / Assistant Director of Factories & Boilers appointed by the State Government to act as Inspector under the Boilers Act, 1923 shall cross-check at least 5 % of the boiler plants inspected by the Competent Person. In case of any lapse or deviation observed at any time during such inspection, the concerned defaulting Competent Person shall be proceeded upon with due process of law.

By order of the Governor



Principal Secretary to Government

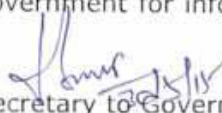
Memo No. 4880 /LESI, Bhubaneswar dated the 30th may, 2015

Copy forwarded to Odisha Gazette Cell, Commerce Department with a request to publish the said Notification in extra-ordinary Odisha Gazette and furnish one hundred (100) spare copies of the said notification to this Department for official use.

  
Joint Secretary to Government

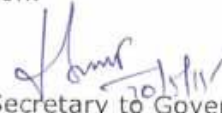
Memo No. 4881 /LESI, Bhubaneswar dated the 30th may, 2015

Copy forwarded to All Departments of Government for information & necessary action.

  
Joint Secretary to Government

Memo No. 4882 /LESI, Bhubaneswar dated the 30th may, 2015


Copy forwarded to P.S to Hon'ble Minister, Steel & Mines and Labour & ESI / Principal P.S. to Principal Secretary to Govt. Labour & ESI Department / All Heads of Department under the administrative control of Labour & ESI Department / All Officers / All Sections of Labour & ESI Department for information and necessary action.

  
Joint Secretary to Government

Memo No. 4883 /LESI, Bhubaneswar dated the 30th may, 2015

Copy forwarded to the Head, State Portal Group, IT Centre, Odisha Secretariat for information and necessary action.

He is requested to upload this Notification in Department website.

  
Joint Secretary to Government

***G.4. Notification for renewal of Factory License for a duration of ten years***

GOVERNMENT OF ODISHA  
LABOUR & ESI DEPARTMENT

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**NOTIFICATION**

Bhubaneswar, dated the 29<sup>th</sup> April, 2016

No. LL-II-FM-11/15 3372 /LESI, Whereas the draft of certain rules, further to amend the Odisha Factories Rules, 1950, was published as required by section 115 of the Factories Act, 1948 (63 of 1948) in the extra ordinary issue No.53 of the Odisha Gazette, dated the 2<sup>nd</sup> January, 2016 under the notification of the Government of Odisha in the Labour and ESI Department No. 10824, dated the 23<sup>rd</sup> December, 2015 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of forty-five days from the date of publication of the said notification in the Odisha Gazette.

And whereas, the objections and suggestions received within the specific period of 45 days in respect of said draft have been duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 112 of the said Act, the State Government do hereby make the following rules further to amend the Odisha Factories Rules, 1950, namely :-

- 1.(1) These rules may be called the Odisha Factories (Amendment) Rules, 2016.
- (2) They shall come into force on the date of their publication in the Odisha Gazette.
2. In the said rules, in rule 7, for sub-rule (4), the following sub- rule shall be substituted, namely:-

"(4) The occupier shall have the option to apply for renewal of license by the Chief Inspector in form 4-A for a term of five consecutive calendar years or ten consecutive calendar years with five times of usual license fee or ten times of usual license fee in vogue respectively, and the occupier is not required to pay the differential fee, if any, in the event of revision of fee during the said five years or ten years period, as the case may be."

By order of the Governor

**G. Srinivas**

Principal Secretary to Government



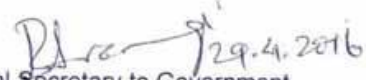
Memo No. 3373 /LESI, Bhubaneswar, dated the 29<sup>th</sup> April, 2016

Copy forwarded to the Gazette Cell In-charge, Odisha Gazette Cell, C/o: Commerce Department, Odisha, Secretariat, Bhubaneswar with a request to publish the said notification in an extra ordinary issue of Odisha Gazette and supply 100 (one hundred) copies of the same to this Department.

  
Additional Secretary to Government

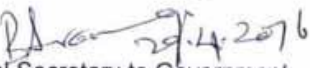
Memo No. 3374<sup>CM)</sup> /LESI, Bhubaneswar, dated the 29<sup>th</sup> April, 2016

Copy forwarded to All Departments of Government for information and necessary action.

  
Additional Secretary to Government

Memo No. 3375<sup>CS)</sup> /LESI, Bhubaneswar, dated the 29<sup>th</sup> April, 2016

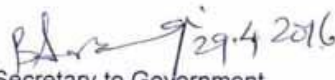
Copy forwarded to P.S. to Hon'ble Minister, Labour & ESI / Principal P.S. to Principal Secretary to Govt. Labour & ESI Department / All Heads of Department under the administrative control of Labour & ESI Department / All Officers / All Sections and Cells of Labour & ESI Department for information and necessary action.

  
Additional Secretary to Government

Memo No. 3376 /LESI, Bhubaneswar, dated the 29<sup>th</sup> April, 2016

Copy forwarded to the Head, State Portal Group, IT Centre, Odisha Secretariat, Bhubaneswar for information and necessary action.

He is requested to upload the said notification in this Department website.

  
Additional Secretary to Government



***G.5. Notification for mandatory submission  
of combined annual return amended under  
Rule 25 of Odisha Shops and Commercial  
Establishments (amended) Rules, 2009***

# The Orissa Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

No. 403, EXTRAORDINARY, PART III, 2009 CHRISTIAN L. ERA

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 20th March 2009

No.2079-LI-4-SO-5085E.—Whereas draft of certain rules whether to amend the Orissa Shops and Commercial Establishments Rules, 1958 was published as required by sub-section (3) of section 42 of the Orissa Shops and Commercial Establishments Act, 1958 (Orissa Act 30 of 1958) in the extra ordinary issue No.2007 dated the 18th December, 2008 under the notification of Government of Orissa in the Labour & Employment Department No.10791- LI-4-SO-508, dated the 18th December, 2008 inviting objections and suggestions from all persons likely to be affected thereby within a period of 45 (Forty-five) days from the date of publication of the said notification in the Orissa Gazette;

And whereas, no objection or suggestion has been received during the stipulated period in respect of the said draft.

Now, therefore, in exercise of the powers conferred by section 42 of the said Act the State Government do hereby make the following rules further to amend the Orissa Shops and Commercial Establishments Rules, 1958, namely:—

1. (1) These rules may be called the Orissa Shops and Commercial Establishments (Amendment) Rules, 2009.

(2) They shall come into force on the date of their publication in the Orissa Gazette.

2. In the Orissa Shops and Commercial Establishments Rules, 1958, (hereinafter referred to as the said rules), in rule 12, for sub-rule (f), the following sub-rule shall be substituted, namely:—

(f) Every Employee shall maintain Combined Register of Overtime Working and Payment in Form 12, '.

3. In the said rules, in rule 15, —
  - (i) item (7) shall be deleted;
  - (ii) in item (2), for figure '9', the figure '1' shall be substituted; and
  - (iii) for item (3), the following item shall be substituted, namely—
 

'(3) A Combined Master Roll-cum-Register of Shops in Form 10 retainable for three years.'
4. In the said rules, rule '22' shall be deleted.
5. In the said rules, rule '23', '24' and '25' shall respectively be read as rule '22', '23' and '24'.
6. In the said rules, rule '26' and '27' shall be deleted.
7. In the said rules, rule '28' shall be renumbered as rule '25' and for rule '27' as so renumbered, the following rule shall be substituted, namely—
 

'25. Every employer shall send to the Inspector the combined Annual return in Form 14 for the calendar year so as to reach him not later than the 31st March of the year next following year to which such return relates.'
8. In the said rules, rule '29' shall be renumbered as rule '26' and after rule '26' as so renumbered, the following rule shall be inserted, namely—
 

'27. Submission of Self Certification Undertaking— (1) The Employer/Owner authorized executive/prescribed authority, within the ambit of section 24, (7), (8), (14) and (15) of the Act shall submit a Self Certification Undertaking for the ensuing calendar year, in respect of their Shops and Commercial Establishments in Form 13 to the specified Authority of the area incorporating therein, the required details-cum-Self Certification Undertaking in duplicate before 31st December of each calendar year.

(2) In the event of any subsequent change of variation of the facts and figures incorporated in the annual self certification undertaking referred to above, it shall be mandatory / obligatory on the part of the concerned person(s) to communicate the same by way of submission of modified self certification undertaking sheet, within a months period from the date of occurrence of such change and variation to the concerned specified authority.

Provided in course of subsequent verification / check up inspection by the concerned specified Authority, if the information-cum-self certification undertaking including modified undertaking so furnished subsequently as the case may be,

found to be incorrect, erroneous and defective, the concerned persons shall inevitably be jointly & severally liable for violation of the provision of the sub-section (3) of the section 42 of the Act.

8. In the said rules, Form 'E', shall be deleted and Form 'F' shall be renumbered as Form 'E'.

9. In the subrules, for Form 'G', the following Form shall be substituted, namely:—

Form G  
(See Rule 18 (3))  
\_\_\_\_\_

10. In the subrules, Form 'H' shall be deleted.

11. In the subrules, for Form 'I', the following Form shall be substituted, namely:—

Form I  
(See Rule 21)  
\_\_\_\_\_

By order of the Governor

(A548/5425)

Commissioner cum-Secretary to Government



***G.6. Notification for delegation of authority to approve plans, renew factory licenses, renew certificate of recognition of competent persons and approve steam pipeline drawings to Joint Directors***

GOVERNMENT OF ODISHA/  
LABOUR & ESI DEPARTMENT

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**NOTIFICATION**

Bhubaneswar, dated the 23<sup>rd</sup> July, 2013

No.LL-II-FE-17/2013-9744 / LESI, In exercise of the powers conferred by sub-section 2-A of section 8 of the Factories Act, 1948(63 of 1948) read with sub-section(3) of Section 5 of the Boilers Act, 1923(5 of 1923) and in supersession of all previous notifications issued in this regard by the Government of Odisha in Labour and E.S.I Department, the Government do hereby assign the Joint Director of Factories and Boilers, Level-I and Joint Director of Factories and Boilers, Level-II to exercise such powers and perform such duties of the Director of Factories and Boilers under the said Act, as specified in the Schedule below within their respective jurisdiction under the general superintendence and control of the Director of Factories and Boilers, Odisha namely:-

**SCHEDULE**

**Powers and functions**

- 15765  
25.7.13
- (A) Approval of plans under the Factories Act, 1948 and rules made thereunder in respect of factories employing upto 50 workers.
  - (B) Renewal of factory licences for 'one year' term under section 6(1)(b) of the Factories Act, 1948 read with rule-7 of the Odisha Factories Rules, 1950, except cases of amendment, transfer and 'five -year' term licence under the Factories Act, 1948 and rules made thereunder.
  - (C) Renewal of certificate of recognition of competent persons employed in the factories under the Factories Act, 1948 and rules made thereunder.
  - (D) Approval of steam pipeline drawings upto maximum working pressure of 10.54 Kg/Cm<sup>2</sup> (150 PSI) along with permission for erection and acceptance thereof under the Boilers Act, 1923 and rules and regulation made thereunder.

By order of the Governor

CTM. Suguna

Commissioner-cum-Secretary to Government

[P.T.O.]


Memo No. 9745 / LESI, Bhubaneswar, dated the 23<sup>rd</sup> July, 2013

Copy forwarded to the Director, Printing, Stationary and Publication, Odisha Cuttack with a request to publish the above notification in the next issue of Odisha Gazette and supply 100 (hundred) copies of the same to this Department early.

  
Under Secretary to Govt.

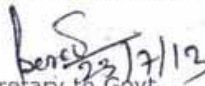
Memo No. 9746(37) / LESI, Bhubaneswar, dated the 23<sup>rd</sup> July, 2013

Copy forwarded to the Director Factories and Boilers Odisha Bhubaneswar/All Joint Directors Factories and Boilers/All Deputy Directors Factories and Boilers/All Assistant Directors Factories and Boilers for information and necessary action.

  
Under Secretary to Govt.

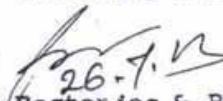
Memo No. 9747 / LESI, Bhubaneswar, dated the 23<sup>rd</sup> July, 2013

Copy forwarded to Technical Advisor, Central Boilers Board, 251-B, Udyog Bhawan, New Delhi-110011 for his information and necessary action. He is requested to circulate the above notification of the Govt. of Odisha to all the Director Factories and Boilers/ Chief Inspector of Boilers of other State/Union Territories.

  
Under Secretary to Govt.

**DIRECTORATE OF FACTORIES AND BOILERS: ODISHA: BHUBANESWAR: 751001:**  
**PH: NO: 2396070:**

Memo No. 13996 (45) Dated, the 26/7/2013  
III.K.31/2011. Copy to all Heads of field Offices of the Directorate/all Officers/Section Officers/Dealing Assistants of Headquarters Organisation for information and necessary action.

  
Director of Factories & Boilers,  
Odisha.

(-)Office Order file.

Bkn.

***G.7. Notification for delegation of authority to approve extension plans and renew factory licenses to Deputy Directors***



# The Odisha Gazette



EXTRAORDINARY  
PUBLISHED BY AUTHORITY

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No. 945, CUTTACK, FRIDAY, JUNE 19, 2015/ JAISTHA 29, 1937

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## LABOUR & ESI DEPARTMENT

### NOTIFICATION

The 12th June, 2015

No.5215-LL-II-FE-03/2015/LESI.— In exercise of the powers conferred by sub-section (2-A) of Section 8 of the Factories Act, 1948 (63 of 1948), and in partial modification of notification of the Government of Odisha in the Labour & ESI Department No. 9744-LL-II-FE-17/2013/LESI., dated the 23rd July, 2013, the State Government do hereby specify that the Deputy Director of Factories and Boilers in-charge of different Divisions of the State, shall exercise such powers of the Director of Factories and Boilers to the extent mentioned in the Schedule below within their respective jurisdictions under the general superintendence and administrative control of the Director of Factories and Boilers, Odisha.

### Schedule Powers

- (A) Approval of Extension plan under rule 3 of the Odisha Factories Rules, 1950 in respect of factories with manpower up to 100 workers.
- (B) Renewal of factory licence for 'one year' term under rule 7 of the Odisha Factories Rules, 1950 for factories with manpower up to 100 persons, except cases of amendment, transfer and 'five-year' term under the Factories Act, 1948 and rules there under.

By Order of the Governor

G. SRINIVAS

Principal Secretary to Government

***G.8. Notification for delegation of authority  
to issue certificate of stability in respect of  
buildings and structures to Executive  
Engineers***

# The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 1341. CUTTACK, THURSDAY, SEPTEMBER 24, 1970 A.M. 2. 1970

LABOUR & HR DEPARTMENT

NOTIFICATION

The 24th September, 1970

No. 8778-42,442-11(2015),215.—Whereas, the draft rules were, further to amend the Odisha Factories Rules, 1950, was published as supplementary Section 115 of the Factories Act, 1947 (21 of 1947) in the Extraordinary issue No. 545 of the Odisha Gazette dated the 4th June, 1970 under the notification of the Government of Odisha in Labour & HR Department No. 4484 dated the 10th May, 1970 taking into consideration and suggestions from all persons likely to be affected during the expiry of a period of twelve days from the date of publication of the said notification in the Odisha Gazette.

And, whereas, no objection or suggestion has been received during the aforesaid period in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 115 of the said Act, the State Government do hereby make the following rules further to amend the Odisha Factories Rules, 1950, namely:

1. (1) These rules may be called the Odisha Factories (Amendment) Rules, 1970.
- (2) They shall come into force on the date of their publication in the Odisha Gazette.
2. In the Odisha Factories Rules, 1950 (hereinafter referred to as the said rules), the first appearing in rule 141 shall be renumbered as "Noted" (inserted) and after Noted as renumbered, the following "Noted" shall be inserted, namely:—

"Noted: Notwithstanding anything contained in Section 141 of the Government of Odisha in the Works Department (Public) or in the Rural Development Department not below the rank of Executive Engineer the minimum experience with other requirements as stipulated in the respective order rule 141, may be deemed as 'competent person' for issue of Certificate of Safety in respect of buildings and structures under rule 141 for factories employing upto 100 workers in manufacturing category".

6. In the last row, for the estimate or estimate for rule 5, the following formulas shall be substituted, respectively—

**“ESTIMATE”**

Estimate 50% of the Global Exclusion Rules, 1995

(Amount of Fee in Fee)

Total amount of fees collected (in A, B, C)	Maximum number of persons to be employed during any one day of the year not exceeding—							
	40	700	500	5,000	5,000	50,000	25,000	Approx. 25,000
(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Not exceeding 100	5,000	15,000	50,000	1,000,000	1,000,000	500,000,000		
Exceeding 100 but not exceeding 100	10,000	30,000	50,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Exceeding 100 but not exceeding 5,000	50,000	50,000	1,000,000	5,000,000	5,000,000	500,000,000		
Exceeding 5,000 but not exceeding 5,000	50,000	50,000	1,000,000	5,000,000	5,000,000	500,000,000		
Exceeding 5,000 but not exceeding 10,000	50,000	1,000,000	5,000,000	5,000,000	5,000,000	1,000,000	10,000,000	
Exceeding 10,000 but not exceeding 50,000	5,000,000	1,000,000	5,000,000	5,000,000	5,000,000	5,000,000	10,000,000	5,000,000
Exceeding 50,000 but not exceeding 100,000	5,000,000	1,000,000	5,000,000	5,000,000	5,000,000	5,000,000	10,000,000	5,000,000
Exceeding 100,000 but not exceeding 1,000,000	5,000,000	1,000,000	5,000,000	5,000,000	5,000,000	5,000,000	10,000,000	5,000,000



	1971	1981	1991	2001	2002	2003	2004	2005
Population in thousands	101,000	110,000	115,000	118,000	119,000	120,000	121,000	122,000
Population in thousands in 2005								
Population in thousands in 2006								
Population in thousands in 2007								
Population in thousands in 2008								
Population in thousands in 2009								
Population in thousands in 2010								

© 2005 Blackwell Publishing Ltd, *Journal of Internal Medicine* 258: 103–110

[illegible]

Year	1990	1991	1992	1993
1990	1990	1991	1992	1993

1. *Journal of the American Medical Association*, 2000; 284: 2689-2695.

**Abstract**

1000

Received 20 January 2004; accepted 10 April 2004  
Published online 12 May 2004 in Wiley InterScience (www.interscience.wiley.com). DOI: 10.1002/anie.200400000

## ***G.9. Notification for Composite Inspection Scheme***

K. Srinivas, IAS  
Principal Secretary to Govt.,  
Labour & ESI Deptt.,  
Office, Bhuvanagiri- 761006



Ph. No. 8674- 2238776 (O)  
2235377 (R)

Cad No. 8280044448  
Fax No. 2284981

no. 7473x/986, gpo  
L-6000 32/18  
Dated March/April, 2018

To

All Collectors,  
All Deputy Labour Commissioners,  
All Assistant Labour Commissioners,  
All District Labour Officers

Sub: Composite Inspection Scheme.

Sir/Madam,

You are aware that the field officers of the labour directorate are required to undertake inspections of different types of establishments under various labour laws. Although Labour Directorate issues month-wise targets to each inspecting officer for conducting inspections under different Acts, the same is not carried out in the field in a systematic manner. The inspectors sometimes visit a single establishment more than once, for inspection under different Acts while many establishments are left uninspected for years together.

In order to ensure that field inspections are conducted in a systematic and efficient manner, it has been decided to adopt a **Composite Inspection Scheme**, the details of which are at **Annexure-1**. Under this Scheme, for each calendar year (January to December) a schedule of inspections will be drawn up for each labour district, listing out all the establishments in the district and the month wise schedule of inspection for those establishments by a specific inspector. Every inspection shall be held so as to cover all the labour statutes applicable to that establishment. The report of inspection will be submitted in a combined inspection form as per a

prescribed format. The Schedule of Inspection is to be put up by the Assistant Labour Commissioner / District Labour Officer to the Collector & District Magistrate for approval by the 1<sup>st</sup> of December of the preceding year and may be approved by the Collector latest by 15<sup>th</sup> December, marking one copy to the Labour Commissioner, Odisha. In case the Collector fails to approve the schedule by 15<sup>th</sup> December, the same shall be sent by the Assistant Labour Commissioner / District Labour Officer to the Labour Commissioner, Odisha for approval. The list of labour laws requiring inspection is at **Annexure-2**. The format for preparing the Schedule of Inspection is at **Annexure-3**. The format for the report of the combined inspection under different labour laws is at **Annexure-4**.


For the calendar year 2015, the Schedule may be approved by the Collectors by 15<sup>th</sup> May, 2015. For the calendar year 2016 the schedule is to be approved by the Collectors by 15<sup>th</sup> December 2015.

You are therefore, requested to take immediate action for preparing and approving the said Schedule of Inspection for your district. The list of establishments requiring inspection are first to be consolidated for the district with inputs from the Labour Officer, Factories Inspector, G.M., DIC, Pollution Control Board, R.T.O., District/Block Officers undertaking construction work, DFO, Urban Local Bodies and Rural Local Bodies in the district. The identified establishments should include all the industrial establishments, shops and commercial establishments, construction sites, beedi and cigar establishments, news paper establishments and motor transport establishments in the district. The list is to be revised each year due to opening of new establishments and closing of some establishments.

The approved Schedule of Inspection for the current year 2015 should be submitted to this office by 3<sup>rd</sup> week of May, 2015.

Yours faithfully,

Encl.:- As Above.

  
Principal Secretary to Government



Memo No. 3535 (3) /LESI, Bhubaneswar, dated the 22.4.2015

Copy alongwith copy of enclosures forwarded to P.S. to Hon'ble Minister, Labour & ESI / OSD to Chief Secretary, Odisha / P.S. to D.C.-cum-ACS, Odisha for information of Hon'ble Minister, Chief Secretary, DC-cum-ACS respectively.

*[Signature]*  
22-4-15

Additional Secretary to Government

Memo No. 3536 (2) /LESI, Bhubaneswar, dated the 22.4.2015

Copy alongwith copy of enclosures forwarded to Labour Commissioner, Odisha, Bhubaneswar / Director, Factories & Boilers, Odisha, Bhubaneswar for information and necessary action.

*[Signature]*  
22-4-15

Additional Secretary to Government

Memo No. 3537 /LESI, Bhubaneswar, dated the 22.4.2015

Copy alongwith copy of enclosures forwarded to Labour Commissioner(O)-cum-Member Secretary, Odisha Building & Other Construction Workers Welfare Board, Bhubaneswar for information and necessary action.

*[Signature]*  
22-4-15

Additional Secretary to Government

Memo No. 3538 (5) /LESI, Bhubaneswar, dated the 22.4.2015

Copy alongwith copy of enclosures forwarded to Labour Law-II

Section / IR Section / Audit Section / Social Security Section / Plan & Budget Section of this Department for information and necessary action.

*[Signature]*  
22-4-15

Additional Secretary to Government

## COMPOSITE INSPECTION SCHEME

### A. Objective

This Inspection Scheme aims to achieve the objective of simplifying business regulations and bring in transparency and accountability in labour inspections. It envisages objective criteria for selection of units for inspection.

### B. Criteria for Inspections

The District Collector would, through the district labour administration, collect and analyse field level data for a transparent and accountable labour inspection system. The Collector will formulate objective criteria for selection of establishments for inspection, keeping in view the industrial situation in the district.

#### 1. Mandatory inspections:

In the following cases, the inspections will be mandatory for all units:-

- i. The establishments where fatal or serious accident has occurred in last two years.
- ii. The establishments where strikes/lock out/retrenchment has taken place in last two years.
- iii. Closed establishments till their workers' dues are settled.

#### 2. Optional inspections:

In following cases, the inspections would be generated randomly, either through a computer or manually, 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 20 number of Contract Labour [20%].
- iii. The establishments where total number of worker is more than 200 [20%].
- iv. All other establishments, as per priority criteria fixed by the Collector [40%].

### C. Methodology

1. Master data on establishments to be collected and consolidated at district level.
2. Annual Inspection Schedule to be finalised taking into account criteria for inspections.
3. Inspectors to visit establishments as per pre-fixed schedule, and cover all applicable labour laws during a single inspection.
4. Inspectors to submit detailed inspection report as per prescribed format, within 3 days of inspection, to the next higher authority.

### D. General Instructions

1. The inspecting officer has to maintain registers of the establishments.
2. He has to record the statement of workers present at the time of inspection.
3. In case of contradiction in the statements of employer's, worker and entries in the record, the inspecting officer will seize the relevant records.
4. Notices/findings of inspection should be handed over to the employer's representative on the work-spot by the inspecting officer himself.
5. The inspection should be carried out during the normal working hours as far as possible.



List of Labour Laws that mandate inspection

- 1) The Minimum Wages Act, 1948 and Rules 1954.
- 2) The Payment of Wages Act, 1936 and Rules 1936.
- 3) The Payment of Bonus Act, 1965 and Rules 1975.
- 4) The Contract Labour (Regulation and Abolition) Act, 1970 and Rules 1975.
- 5) The Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act 1979 and Rules 1980.
- 6) The Child Labour (Prohibition and Regulation) Act, 1986 and Rules 1994.
- 7) The Orissa Shops and Commercial Establishment Act, 1956 and Rules 1958.
- 8) The Orissa Industrial Establishment (National Festival) Holidays Act, 1969 and Rules 1972.
- 9) The Motor Transport Workers Act, 1961 and Rules 1966.
- 10) The Equal Remuneration Act, 1976.
- 11) The Maternity Benefit Act, 1961 and Rules 1966.
- 12) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act) and Rules 2002.
- 13) The Building and other Construction Workers' Welfare Cess Act, 1996 and Rules, 1998
- 14) The Beedi and Cigar Workers (Condition of Employment) Act, 1966 and Rules 1969.
- 15) The Working Journalists (Condition of Service) and Miscellaneous Provision Act, 1955.
- 16) The Sales Promotion Employees (Condition of Service) Act and Rules 1976.
- 17) The Payment of Gratuity Act, 1972 and Rules 1974.



**COMPOSITE INSPECTION FORMAT****Report on inspection conducted under various labour laws**

- 1) Date & time of inspection :
- 2) Date of last inspection and by whom :
- 3) Name and address of the establishment :
- 4) Name of the Act under which the establishment is registered with Regd. No. & Date :
- 5) Brief description of the trade / business / work/product :
- 6) Name and address of the employer with Telephone Number (Off./Res.) & Email address :
- 7) Name and address of the Manager / Occupier or person responsible for supervision and control of the establishment :
- 8) Number of workers employed :

	Regular Worker		Temporary / Casual Worker		Contract Labour	
	Male	Female	Male	Female	Male	Female
Unskilled						
Semi-skilled						
Skilled						
Highly Skilled						
Supervisors						

- 9) Rate of wage paid :

	Regular Worker		Temporary / Casual Worker		Contract Labour	
	Male	Female	Male	Female	Male	Female
Unskilled						
Semi-skilled						
Skilled						
Highly Skilled						
Supervisors						

- 10) Date of commencement of establishment / production / manufacturing :
- 11) Name and address of the person representing the employer / management present at the time of inspection :



#### **4) Payment of Wages Act, 1936 and Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether the wages have been paid within prescribed time limit ? If not, details of unpaid wages.
  - b) Whether prescribed registers are maintained and kept ? If not, extent of violations :
  - c) Whether prescribed notices are displayed ?
  - d) Whether prescribed Return has been submitted within prescribed time limit ?
  - e) Any other violation of the provisions of the Act and Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

#### **5) Payment of Bonus Act, 1965 and Rules made thereunder**

- 1) Whether provision of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether bonus has been paid to all eligible employees within prescribed time-limit ?
  - b) Whether prescribed Registers are maintained & kept; If not, specify the extent of violations.
  - c) Whether prescribed Return has been submitted within prescribed time limit ?
  - d) Any other violation of the provisions of the Act and Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

#### **6) Equal Remuneration Act, 1976 & Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether remuneration at equal rates paid to men and women workers for performing the same or similar nature of work ? If not, specify the details of differential wages in a separate sheet.
  - b) Whether prescribed Register has been maintained and kept ?
  - c) Whether prescribed return has been submitted within prescribed time limit.
- 3) Summary of violation (mention relevant Sections and Rules) :

#### **7) Child Labour (Prohibition and Regulation) Act, 1986 and Rules made thereunder**

- 1) Whether provision of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether any child has been employed in any occupation and/or process setforth in Part-A and Part-B of the Schedule ?
  - b) Whether any child has been employed in employment other than the occupations or processes setforth in Part-A and Part-B of the Schedule ? If yes, whether the conditions as setforth in Sec.-7, Sec.-8 have been complied with and whether the Occupier has sent written notice to the Inspector as required under Section-9.
  - c) Whether prescribed Register has been maintained and kept ?

- 3) Summary of violation (mention relevant Sections and Rules) :

**8) Contract Labour (Regulation and Abolition) Act, 1970 and Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether the establishment has been registered ? If yes, Regd. No. & date, maximum number of contract labour for which registration made.
  - b) Details of contractors and number of contract labour employed by them.
  - c) Whether the contractors to whom this Act is applicable, obtained licence ? If yes, the details of licence No. and date, period of validity, maximum number of contract labour for whom licence obtained should be specified contractor wise ?
  - d) Whether the welfare amenities as per this Act have been provided ? If not, extent of violations ?
  - e) Whether the principal employer ensured the presence of his authorized representative at the time & place of the disbursement of wages by the contractors to the workmen ?
  - f) Whether prescribed registers are maintained and kept ? If not, extent of violations.
  - g) Whether prescribed notices have been displayed ?
  - h) Whether prescribed returns have been submitted by the principal employer and the contractors within prescribed time limit ?
  - i) Any other violation of the provisions of the Act and Rules noticed.

- 3) Summary of violation (specify the Sections and Rules) :

**9) Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether the establishment has been registered ? If yes, Regd. No. & date, details of contractors and maximum number of inter-state migrant workmen to be employed for whom registration obtained.
  - b) The details of contractors and maximum number of inter-state migrant workmen employed by them.
  - c) Whether the contractors to whom this Act is applicable, obtained licence ? If yes, specify the license no. and date, maximum number of inter-state migrant workmen for whom license is obtained ?
  - d) Whether displacement allowance and journey allowance are paid to the inter-state migrant workmen ?
  - e) Whether facilities as per this Act have been provided to the inter-state migrant workmen ? If not, extent of violation.
  - f) Whether prescribed registers are maintained and kept by the principal employer and the contractor(s) ? If not, extent of violations.
  - g) Whether prescribed returns have been submitted by the principal employer and contractor(s) within prescribed time limit
  - h) Any other violation of provisions of this Act and Rules noticed.



- 3) Summary of violation (mention relevant Sections and Rules) :

**10) Maternity Benefit Act & Rules made thereunder**

- 1) Whether the provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether the provisions of this Act & Rules made thereunder relating to payment of maternity benefit to women employed in the establishment are complied with ? If not, extent of violations.
  - b) Whether prescribed register, record has been maintained and kept ?
  - c) Whether abstract of the Act & the Rules made thereunder has been exhibited ?
  - d) Any other violation of the provisions of the Act & Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

**11) Payment of Gratuity Act, 1972 and Rules made thereunder**

- 1) Whether the provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether gratuity has been paid to eligible employees as per Sec. - 4 of the Act ?
  - b) Whether prescribed notices have been displayed.
- 3) Summary of violation (mention relevant Sections and Rules) :

**12) Beedi and Cigar Workers (Condition of Employment) Act, 1966 and Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether licence has been obtained to use or allow to be used any place or premises as an industrial premises ? If yes, specify the licence number, date and maximum number of employees for whom licence obtained.
  - b) Whether provisions relating to cleanliness, ventilation, overcrowding, latrines & urinal, washing facilities, crèche, First-Aid and Canteen have been complied with ? If not, extent of violations.
  - c) Whether provisions relating to working hours wages for overtime work, interval for rest, spreadover, weekly holidays, annual leave with wages have been complied with ? If not, extent of violation.
  - d) Whether any child or women or young person has been employed in contravention of the provisions of Sections 24 and/or 25 ?
  - e) Whether prescribed registers, records have been maintained and kept ?
  - f) Whether prescribed notices have been displayed ?
  - g) Whether prescribed return has been submitted within time limit ?
  - h) Any other violation of provisions of the Act & Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

**13) Building & Other Construction Workers (RE&CS) Act & Rules made thereunder**

- 1) Whether the provisions of the Act & Rules are applicable to the establishment ?
- 2) If yes;
  - a) Whether the establishment has been registered ? If yes, Regd. No. & date, maximum no. of workers for whom registration obtained.
  - b) Whether the provisions of the Act and Rules made thereunder pertaining to hours of work, rest intervals, weekly off, payment of wages etc. have been complied with ? If not, extent of violation.
  - c) Whether the provisions of the Act & Rules, made thereunder pertaining to safety and health measures have been complied with ? If not, extent of violation.
  - d) Whether prescribed notices have been displayed ?
  - e) Whether prescribed registers, records are maintained & kept ?
  - f) Whether prescribed return has been submitted within time limit ?
  - g) Any other violation of provisions of the Act & Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

**14) Building & Other Construction Workers Welfare Cess Act & Rules made thereunder**

- 1) Whether the provision of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether the employer has paid cess within the prescribed time period ? If not, specify the details of unpaid cess amount.
  - b) Whether the employer has furnished information in Form – 1 ?
- 3) Summary of violation (mention relevant Sections and Rules) :

**15) Working Journalists & Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 & Rules made thereunder**

- 1) Whether the provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether working journalists and non-journalists have been paid wages as per notified rate ? If not, specify details of less payment.
  - b) Whether the provisions of the Act & Rules relating to hours of work, leave, payment of gratuity etc. have been complied with ? If not, specify detail violation.
  - c) Whether prescribed registers, records and muster rolls are maintained and kept.
  - d) Any other violation of the provisions of the Act & Rules noticed.
- 3) Summary of violation (mention relevant Sections and Rules) :

**16) Sales Promotion Employees (Condition of Service) Act and Rules made thereunder**

- 1) Whether provisions of this Act are applicable to the establishment ?
- 2) If yes;
  - a) Whether letter of appointment in Form-A has been furnished to sales promotion employees ?
  - b) Whether leave facilities as provided under this Act and Rules have been allowed to sales promotion employees ?
  - c) Whether prescribed registers and records are maintained & kept ?
- 3) Summary of violation (mention relevant Sections and Rules) :

Signature of the Employer /  
Representative of the employer

Signature of the witness, if any

Signature of the Inspector  
with name and designation

**OFFICE OF THE**

No. \_\_\_\_\_ / Date \_\_\_\_\_

Copy forwarded to Sri \_\_\_\_\_ (Employer)  
of M/s. \_\_\_\_\_, Address : \_\_\_\_\_

\_\_\_\_\_ for information. He is requested to rectify the defects as mentioned in the above said report and submit report of compliance to the undersigned within seven days of receipt of this letter positively, failing which legal action shall be initiated for contravention of the provisions of the aforesaid labour law.

Signature of the Inspector

No. \_\_\_\_\_ / Date \_\_\_\_\_

Copy forwarded to the Collector & District Magistrate, \_\_\_\_\_ / Labour  
Commissioner, Odisha for favour of information.

Signature of the Inspector

***G.10. Order mandating that the same inspector will not inspect the same establishment in consecutive inspections***



GOVERNMENT OF ODISHA  
LABOUR & ESI DEPARTMENT

\*\*\*\*

No. LL-II-FM-26/2015-10652 /LESI, dated the 19/12/2015

From

Sri Bibhu Prasad Sarangi,  
Additional Secretary to Government

To

The Principal Secretary to Govt.,  
Industries Department.

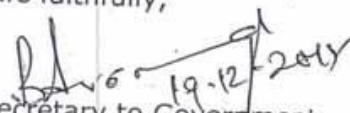
Sub: CIG framework Development and allotment of units for inspection by  
Authorities.

Ref: Industries Department letter No 7481 dated 27.11.2015.

Sir,

With reference to the Letter and the subject cited above, I am directed to inform that the proposal has been examined and it is decided that in order to be compliant with the DIPP action points on "Ease of Doing Business" and ensure that the same inspector will not inspect the same establishment twice consecutively, the first inspection of a factory shall be made by the Assistant Director and subsequent inspection of the same unit shall be made in succession by the higher officers i.e. Deputy Director / Jt. Director / Director of Factories & Boilers as appropriate having jurisdiction over the said area.

Yours faithfully,

  
Additional Secretary to Government

**OFFICE OF THE  
LABOUR COMMISSIONER : ODISHA : BHUBANESWAR**

\*\*\*  
Order No. 4952 dtd. 30.3.2016

OFFICE ORDER

In order to be compliant with the DIPP action points on "Ease of Doing Business" and ensure that the same Inspector will not inspect the same establishment twice consecutively, except in case of emergency due to accident or receipt of any complaint against an establishment or specific orders from the Government / Court of Law, the same Inspector shall not inspect the same establishment twice consecutively.

This supersedes all previous orders and shall come into force with immediate effect.

Labour Commissioner, Odisha

Memo No. 4953 Date 30.3.2016

Copy to all Deputy Labour Commissioners / Assistant Labour Commissioners / District Labour Officers / Assistant Labour Officers for information and necessary action.

Labour Commissioner, Odisha

Memo No. 4954 Date 30.3.2016

Copy to the Joint Labour Commissioner, Odisha / all Assistant Labour Commissioners, Hqrs. / Deputy Director, I/c., Hqrs. / Labour Officers, Hqrs. / Assistant Labour Officers, Hqrs. for information and necessary action.

Labour Commissioner, Odisha

Memo No. 4955 Date 30.3.2016

Copy submitted to the Principal Secretary to Government, Labour & ESI Department, Odisha, Bhubaneswar for favour of kind information.

Labour Commissioner, Odisha

Memo No. 4956 Date 30.3.2016

Copy submitted to the Principal Secretary to Government, Industries Department, Odisha, Bhubaneswar for favour of kind information.

Labour Commissioner, Odisha

***G.11. Notification for inspection report submission within 48 hours***

**OFFICE OF THE  
LABOUR COMMISSIONER, GERRA, BRUBANDIMBA**

Order No. 11149/2017 Date 2.3.2017

**OFFICE ORDER**

As part of the initiative for 'State of Doing Business' it is directed that all Inspecting Officers conducting inspection under OHS Framework shall issue and upload the inspection Reports in OHS Web Portal within 24 hours of completion of inspection in all respects. It is explicit to 10 above and mentioned at Annexure - 4.

The supersession of previous orders and shall come into force with immediate effect.

Labour Commissioner, Gerra

Order No. 11149/2017 Date 2.3.2017

Copies to all Deputy Labour Commissioners / Assistant Labour Commissioners / Deputy Labour Officers / Assistant Labour Officers for information and necessary action.

Labour Commissioner, Gerra

Order No. 11149/2017 Date 2.3.2017

Copies to the Joint Labour Commissioner, Gerra, / all Assistant Labour Commissioners, Hqs. / Deputy Director, Hq. Hqs. / Labour Officers, Hqs. / Assistant Labour Officers, Hqs. for information and necessary action.

Labour Commissioner, Gerra

Order No. 11117 Date 2.3.2017

Copies submitted to the Principal Secretary to Government, Labour & HR Department, Gerra and Brubandimba for record of this information with reference to the office memo No. 4881 and 48.02.2016.

Labour Commissioner, Gerra

Order No. 11112 Date 2.3.2017

Copies submitted to the Principal Secretary to Government, Industries Department, Gerra and Brubandimba for record of this information with reference to the office memo No. 4881 and 48.02.2016.

Labour Commissioner, Gerra

## **Annexure A**

### **List of Labour Laws**

- 1) Group Shops and Commercial Establishments Act, 1946 & Rules made thereunder
- 2) Group Industrial Establishment (National & Festival) Holidays Act, 1948 and Rules made thereunder
- 3) Minimum Wages Act, 1948 and Rules made thereunder
- 4) Payment of Wages Act, 1948 and Rules made thereunder
- 5) Payment of Bonus Act, 1965 and Rules made thereunder
- 6) Equal Remuneration Act, 1976 & Rules made thereunder
- 7) Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and Rules made thereunder
- 8) Contract Labour (Regulation and Abolition) Act, 1970 and Rules made thereunder
- 9) Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and Rules made thereunder
- 10) Maternity Benefit Act & Rules made thereunder
- 11) Payment of Gratuity Act, 1972 and Rules made thereunder
- 12) Beedi and Cigar Workers (Condition of Employment) Act, 1966 and Rules made thereunder
- 13) Building & Other Construction Workers (REGATE) Act & Rules made thereunder
- 14) Building & Other Construction Workers Welfare Cess Act & Rules made thereunder
- 15) Working Journalists & Other Newspaper Employees (Condition of Service) and Miscellaneous Provisions Act, 1978 & Rules made thereunder
- 16) Sales Promotion Employees (Condition of Service) Act and Rules made thereunder
- 17) Industrial Disputes Act, 1947
- 18) Motor Transport Workers Act, 1961
- 19) The Unlawful Labour Welfare Fund Act, 1985 & Unlawful Rules, 2011 made thereunder





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Page 1 of 1  
Date: 26/9/7

In the case of submission for "Grant of Mining Rights", it is directed that Inspection Reports of all Inspectors concerned under the Central Inspection Framework shall be issued and uploaded on the E.I.C.S. Web Portal within 30 days of completion of such inspection under the provisions of The Framework Act, 1986.

The contents of previous entries listed in this report and that entry are true and accurate.

Date: 22/2/2024 24/9/24  
 To: Chief Executive, Food Director of Fisheries & Fisheries, Level 11 / Joint Director of Fisheries & Fisheries, Level 11 / All National Deputy, Director of Fisheries & Fisheries / Deputy Director of Fisheries & Fisheries (Hq) / All Joint Nat. Director of Fisheries & Fisheries - All Director of Fisheries & Fisheries (Hq) / All Director of Fisheries & Fisheries (Hq) for information and necessary action.

Case recorded by Additional Assistant Commissioner of Police, Lahore & S.S.I  
Department, Islamabad. The last statement of the complainant was signed before  
Sub-Inspector, S.S.I, S.D.O, District, Lahore.

Issue No. 3279 on 26/11/12  
I am directed to inform you that the Department of Revenue, Government of Karnataka, has issued the following order for the assessment of the income tax of the assessee for the year 2011-12.

[illegible]

3236 (C) 2/17/17

***G.12. Order with provision for Third Party Audit under Factories Act and all applicable Labour Laws for industries***

No. VI (G)(a)2/15 8620 / Dt.

17/6/2016

OFFICE ORDER

Whereas Rule 9(2) of Odisha Factories (Control of Major Accident Hazard) Rules, 2001 provides for safety audit of certain category of factories by a competent third party agency and being satisfied about the need of third party audit for overall improvement of safety standards of a factory as envisaged under Rule 12[AA](3)(e) of Odisha Factories Rules 1950, it is decided that all factories who opt for **third party audit** by a competent agency accredited by an accreditation board constituted by the Ministry of Labour of Govt. of India; shall get the benefit of risk based inspection under CIG frame work as per details given below.

Sl. No	Categories of Factories	Frequency of Inspection
1	Factories other than those categorized as Major Accident Hazard and/or having hazardous process as defined under section 2(cb) of Factories Act, 1948.	Once in every three years.
2	Factories with hazardous manufacturing process as defined under section 2(cb) of Factories Act, 1948.	Once in a year
3	MAH( Major Accident Hazard) factories	Twice in a year

This will be implemented with immediate effect.

  
Director of Factories & Boilers,  
Odisha

Memo No. 8621(64) / Dt. 17/6/2016

Copy forwarded to all officers and staff of Head Office / all Divisional officers / all Zonal officers / Heads of Field Offices for information and necessary action.

  
Director of Factories & Boilers,  
Odisha

Memo No. 8622 / Dt. 17/6/2016

Copy forwarded to Additional Secretary to Government of Odisha, Labour & E. S. I. Department, Bhubaneswar for kind information of the Government.

  
Director of Factories & Boilers,  
Odisha

**OFFICE OF THE  
LABOUR COMMISSIONER : ODISHA : BHUBANESWAR**

\*\*\*  
Order No. 8059 / Date 29.06.2016

**OFFICE ORDER**

It is brought to the notice of all concerned that :-

1. For the purpose of Ease of Doing Business, third party audit under the provisions of various labour laws of medium risk industry is hereby allowed.
2. The third party audit shall be over and above the inspection provisions under various labour laws without contravening the statutory provisions.
3. Third party audit will be performed by the duly empanelled agencies and shall be applicable to medium risk industries.

This shall come into force with immediate effect.

  
Labour Commissioner, Odisha

Memo No. 8060 Date 29.06.2016

Copy to all Deputy Labour Commissioners / Assistant Labour Commissioners / District Labour Officers / Assistant Labour Officers for information and necessary action.

  
Labour Commissioner, Odisha

Memo No. 8061 <sup>(30)</sup> Date 29.06.2016

Copy to the Joint Labour Commissioner, Odisha / Deputy Labour Commissioner, Hqrs. / all Assistant Labour Commissioners, Hqrs. / Assistant Labour Commissioner, OB&OCWW Board / Deputy Director, I/c., Hqrs. / Assistant Director, Statistics / Labour Officers, Hqrs. / Assistant Labour Officer, Hqrs. for information and necessary action.

  
Labour Commissioner, Odisha

Memo No. 8062 Date 29.06.2016

Copy submitted to the Principal Secretary to Government, Labour & ES, Department, Odisha, Bhubaneswar for information with reference to letter No. 4959 dtd. 28.06.2016.

  
Labour Commissioner, Odisha

***G.13. Introduce a provision for issuing  
Factory License and all subsequent renewals  
with validity of 10 years or more***



GOVERNMENT OF ONTARIO  
LAWSON & SULLIVANTMENT

NOTIFICATION

The 17<sup>th</sup> day, 2017

TO: ALL PERSONS 18 & OVER The following draft of certain rules before to amend the Ontario Fisheries Rules 1985, which the State Government propose to make in exercise of the powers conferred by section 112 of the Fisheries Act, 1985 (S. 112 of 1985) is hereby published as required by section 112 of the said Act, for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the State Government on or after the expiry of a period of forty five days from the date of publication of the notification in the Ontario Gazette.

Any objection or suggestion which may be received from any person in respect of the said draft before expiry of the period so specified above will be considered by the State Government.

**DRAFT**

1. (1) These rules may be called the Ontario Fisheries (Amendment) Rules, 2017.  
(2) They shall come into force on the date of their publication in the Ontario Gazette.
2. In the Ontario Fisheries Rules 1985 (herein after referred to as the said rules) to read as after the words "grant of license", the following words shall be inserted namely: "with an option to apply for one year term or two year term or for year term license".
3. In the said rules, in rule 11, after a sub-rule (1), the following sub-rule shall be inserted, namely:-  
  
"(1) as a license for two year or two year term shall be granted in Form No. 48 by the Chief Inspector on payment of five times or as the case may be ten times of the license fee or up to".
4. In the said rules, after Form 48, the following form shall be inserted, namely:-

**REGISTRATION AND PATENT PROCEEDINGS OF LAURENCE TO GRANT A PATENT**

Registration No. \_\_\_\_\_ Date No. \_\_\_\_\_ per minute  
 Serial No. \_\_\_\_\_

Letters granted to \_\_\_\_\_ will pay for the \_\_\_\_\_ process shown on  
 per minute not below the \_\_\_\_\_ (a) \_\_\_\_\_ and situated at  
 \_\_\_\_\_ (P.O.) \_\_\_\_\_ (b) \_\_\_\_\_ for use as a factory  
 manufacturing \_\_\_\_\_

\_\_\_\_\_ under the name  
 of \_\_\_\_\_ employing not  
 more than \_\_\_\_\_ persons on any one day during the period not using motive  
 Power not exceeding \_\_\_\_\_ H.P. subject to the provisions of the Factories Act,  
 1901 and Rules made thereunder. The license is hereby granted inasmuch as a period of  
 five years **from year**

The license shall remain in force until \_\_\_\_\_ in \_\_\_\_\_

(Chief Inspector of Factories,  
 India)

(A) Any change in the process or motive power or manufacturing process or machinery or  
 promptly notified to the prescribed officer to the Chief Inspector)

(In the said rules in rule 7, the form B & C in sub-section 4 shall be substituted by in  
 Rule 6 (1) (a))

By order of the Governor  
**G. K. Kishore**  
 Minister (Industry & Commerce)