

# **\*The Orissa Shops and Commercial Establishments Rules, 1958**

**1. Short title-**These rules may be called the Orissa Shops and Commercial Establishments Rules, 1958.

## **2. Definitions-**

- (a) The "**Act**" means the Orissa Shops and Commercial Establishments Act, 1956;
- (b) "**Form**" means a form appended to these rules;
- (c) "**Government**" means the Government of Orissa;
- (d) "**Section**" means a section of the Act;
- (e) "**Schedule**" means a schedule appended to these rules;
- (f) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

**3. [Registration and renewal of registration-**The fees prescribed for registration and renewal of an establishment shall be as in the schedule below -

### **SCHEDULE**

<sup>2</sup>[\* \* \* \*]

Sl. No.	Category of Establishment	Fees for registration	Fees for renewal of registration for five years
1	2	3	4
		Rs. P.	Rs. P.
1.	Shops and commercial establishment other than items 3 and 5 employing five or more employees	5.00	10.00
2.	Shops and commercial establishment other than items 3, 4 and 5 employing less than five employees	2.50	5.00
3.	Residential hotels	5.00	10.00
4.	Hotels other than residential, restaurants, cafe, boarding and eating houses	2.50	5.00
5.	Theatres and other places of public amusement and entertainment	5.00	10.00

Published vide O.G. No. 19 dated 9.5.1958.

1. Substituted vide O.G. No. 32 dated 9.8.1968.

2. Omitted vide O.G. Part III-Page 149 Of 1970.

**4. Application for renewal** - Within the period specified in Sub-section (4) of Section 4 of the Act, the employer of every establishment shall submit to the Inspector of the area concerned an application in Form No. 1 together with the treasury challan in token of payment of the prescribed fee, for registration or renewal of registration of the establishment :

Provided that an application for the renewal of the registration shall be made so as to reach the Inspector not less than two months before the date on which the current registration expires, and if the application is so made the premises shall be held to be duly registered until such date as the Inspector renews or otherwise disposes of the application :

<sup>1</sup>[Provided further that if the application for renewal is not received within the time specified in the above proviso, a fee of twenty-five per cent in excess of the fees ordinarily payable for the registration certificate shall be payable for such renewal.

<sup>2</sup>**[5. Issue of Registration Certificate-<sup>3</sup>(a)]**-The fees prescribed for registration and renewal of registration of a commercial establishment Shop shall be as specified in the Schedule below :

#### **SCHEDULE**

##### **Fees prescribed for registration and renewal of registration of shop/ commercial establishments**

Number of workers employed in Shop/Commercial Establishment <sup>4</sup> (1)	Fees for registration and renewal of registration per year (2)
1 to 9	Rs. <sup>4</sup> [50.00]
10 to 19	Rs. <sup>4</sup> [100.00]
20 or more	Rs. <sup>4</sup> [200.00]

<sup>5</sup>[(b) The registration certificate granted under rule 5 (a) may be amended by the Inspector on being satisfied about the correctness of the statement in the application and register the amendment on the registration certificate.

(c) An employer who desires to have his registration certificate amended shall submit to the Inspector an application in Form I in duplicate duly filled-in stating the nature of amendment required and reasons therefore, alongwith the registration certificate for necessary amendment therein.

(d) The fees for the amendment of a registration certificate shall be amounted rupees <sup>4</sup>[twenty] plus the amount, if any, which the fees that would have been payable if the certificate has been originally issued in the amended form exceeds the fees originally paid for the certificate].

1. Added by O.G.P.III, No. 21.P.149-D-12.6.1970
2. Substituted by ibid.
3. Re-lettered by ibid.
4. Substituted vide O.G.E. No. 1082 dated 11.8.2004.
5. Added by O.G.P. III No. 21-P-148 dt 12.6.1970

<sup>1</sup>[(e) A fee on fifty percent in excess of the fees ordinarily payable for registration and renewal a registration as specified in clause (a) of Rule (5) shall be payable after gap of every five year].

<sup>2</sup>[**6. Validity of the Registration Certificate** - Every certificate granted under Rule 5 shall remain in force for a period of one year.]

<sup>3</sup>[**7. Refund of the paid on application under Rule 4, if rejected** - (a) All fees to be paid under these rules shall be paid into the local treasury under the provincial receipt head <sup>3</sup>[087-Labour and Employment-(a) Receipts under labour laws-(B). Fees realised under the Orissa Shops and Commercial Establishment Act, 1956] and the receipt obtained, shall be submitted to the Inspector along with the application for grant, renewal, amendment, transfer or issue of a duplicate registration certificate.

(b) If an application for grant, renewal, amendment, transfer for issue of a duplicate registration certificate is rejected, the fees paid shall be refunded to the applicant.]

**8. Procedure when duplicate registration certificate is to be issued** - If a registration certificate issued under Rule 5 is lost, destroyed or defaced the employer of the establishment shall forthwith report the matter to the Inspector, who had issued the certificate, and shall apply with a fee of <sup>4</sup>[twenty per cent of the fees of registration paid in the manner specified in Rule 5] for the issue of a duplicate registration certificate. Upon receipt of such application and the fee, the Inspector shall furnish the employer with a duplicate copy of the certificate bearing the stamp 'Duplicate'.

**9. Display of Registration certificate** - The employer shall display the certificate of registration in a conspicuous place of the establishment.

<sup>5</sup>[**10. Notice of change in establishment** - (a) An employer holding a registration certificate may, at any time, before the expiration of its period of validity apply for permission to transfer the certificate to another person in Form No. 4.

(b) Such application shall be made to the Inspector who shall, if he approves of the transfer, enter up to the registration certificate under his signature, an endorsement to the effect that the registration certificate has been transferred to the person named.

(c) The fees chargeable for transfer of registration certificate shall be <sup>6</sup>[fifty per cent of the amount in the manner specified in Rule 5]

(d) If an employer holding a Registration certificate dies or becomes insolvent, the person carrying on the business of the establishment/shop shall not be liable to any penalty under the Act for exercising the powers granted to the employer by the registration certificate during such time as may reasonably be required to allow him to make an application in Form 4 for transferring the registration certificate in his own name.

**11. Hours of work**-The employer shall exhibit in his establishment a notice specifying the daily periods of work of each employee. The notice

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1. Added vide O.G.E. No. 1082 dated 11.8.2004.
  2. Substituted vide Notfn. No. 13536/13.8.1982.
  3. Substituted vide O.G. Part III No. 21P 149 dated 12.6.1970.
  4. Added vide O.G.E. No. 1082 dated 11.8.2004.
  5. Substituted vide O.G.E. Part III No. 44 dated 8.11.1974.
  6. Substituted vide O.G.E. No. 1082 dated 11.8.2004.

shall be in Form No. 5 and shall continue to be exhibited so long as the hours of work specified in it remain in force.

**12. Manner of calculating ordinary rate of wages-**<sup>1</sup>[(1)] For the purpose of Sub-sections (1) and (2) of Section 8 ordinary rate of wages per hour shall be calculated by dividing the total wages payable to a person employed during the wage period by number of hours actually worked by him :

Provided that the hours worked by a person employed in excess of the normal daily hours during the wage period shall be excluded in calculating the number of hours actually worked by him.

(2) Monthly average market rate of foodgrains and other articles shall be computed at the end of every month.

(3) The cash equivalent of the advantage through the concessional sale of goodgrains and other articles payable to the worker doing overtime work shall be the difference between the value at the average rate in the nearest market prevailing during the month immediately preceding the overtime work and the value at the concessional rates allowed of foodgrains and other articles, he is entitled.

<sup>2</sup>[(4) Every Employer shall maintain Combined Register of Overtime Working and Payment in Form 12.]

**13. Enquiry before fixing of opening and closing hours of establishments-**

(1) The Government shall make an enquiry under Sub-section (2) of Section 11 before fixing the opening and closing hours of the establishments in the manner specified in Sub-rule (2).

(2) The Government shall give notice of their intention to pass an order fixing the opening and closing hours of establishments in Form No. 6. Such notice shall specify the area and the establishment or establishments or class or classes of establishments to which the order shall apply. The hours of opening or the hours of closing or both, which are proposed to be fixed and the day in respect of which such hours are so proposed to be fixed. The notice shall also state that objections and suggestions if any with respect to such may be sent to the Chief Inspector within one month from the date of issue of such notice.

(3) The notice shall be published in the *Orissa Gazette* and in one or two of the leading daily newspapers of the State.

(4) The Government shall consider all objections and suggestions received under Sub-rule (2) before passing any order under Sub-section (1) of Section 11.

**14. Weekly holidays-**The notice of weekly holidays shall be in Form No. 7.

**15. Registers to be maintained by every employer-**Every employer shall maintain the following registers in respect of the employees of his establishment namely :

<sup>3</sup>[(1) \* \* \*]

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1. Rule 12 re-numbered as sub-rules (1), (2), (3), & (4) inserted O.G.P. Part III No. 32 dated 9.8.1963.
  2. Substituted vide O.G.E. No. 423 dated 23.3.2009.
  3. Deleted vide O.G.E. No. 423 dated 23.3.2009.

(2) Service and Leave Account in Form No. '1[8] retainable for one year after termination of the service of the employee.

'1[(3) A Combined Muster Roll-cum-Register of Wages in Form 10 retainable for three years.]

**16. Holiday, how treated for purpose of Section 14** - A holiday shall be treated as a day of work for purpose of computing the number of days worked by an employee for purposes of Section 14.

**17. Sickness leave**-(1) If a worker absents himself from work on ground of illness, he shall, If so required by his employer by a notice in writing, submit a medical certificate signed by a registered medical practitioner or by a registered or recognised Vaidya or Hakim stating the cause of absence and the period for which the worker is in the opinion of such medical practitioner, Vaidya and Hakim, unable to attend to his work.

(2) Every application from an employee, for sickness leave under Sub-section (3) of Section 14 shall be submitted in writing. The employer shall record his orders on the application and retain them till the end of the succeeding calendar year.

**18. Wages**-The payment of Wages Act, 1936 (Act IV of 1936), shall apply *mutatis mutandis*, to all employees referred to in the Act.

**19. Gratuity**-An employee shall be entitled to a gratuity under Section 21 on-

- (i) being incapacitated to work due to an accident or otherwise rendered medically unfit;
- (ii) completion of the 60th year of age.

**20. Age of child employee**-The Inspector may require the employer to produce an authentic extract from the records of any School, Panchayat or Municipality or, in absence of such extract, a certificate from a Registered Medical Practitioner stating the age of any person employed by such employer.

**21. Maternity benefit** -The rates of the maternity benefit payable to a woman employee and the manner of its payment shall be regulated by the Orissa Maternity Benefits Act, 1953.

#### **Health, safety and welfare of employees**

**<sup>2</sup>[22]. Rubbish not to be allowed to accumulate**-No rubbish, filth or debris shall be allowed to accumulate or to remain on any premises in an establishment in such position that effluvia therefrom can arise within the establishment.

**<sup>2</sup>[23]. Precautions against fire**-No person shall smoke or use a naked light or cause or permit any such light to be used, in the immediate vicinity of any inflammable material in any establishment.

**<sup>2</sup>[24]. Qualifications of Inspectors**-(1) No person shall be appointed to be an Inspector under the Act unless (i) he is a graduate of a recognised University, (ii) obtained a diploma or degree in social work of a recognised University, and (iii) able to speak, read and write in Oriya :

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1. Substituted vide O.G.E. No. 423 dated 23.3.2009.

2. Rule 22 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 23, 24 and 25 re-numbered as 22, 23 and 24.]



Provided that in special circumstances the State Government may relax any of the above conditions.

(2) No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall continue to hold office in the area for which he is to be or has been appointed if he has or acquires, directly or indirectly by himself or by any partner, any share or interest in any establishment in such area to which the Act applies.

### **Miscellaneous**

<sup>1</sup>[25]. **Annual Returns** - <sup>2</sup>[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.]

<sup>3</sup>[26]. **Penalty**-Any person who contravenes any of the provisions of these rules shall, on conviction, if no other penalty is already provided in the Act for such contravention, be punishable with fine which may extend to fifty rupees.

<sup>4</sup>[27. **Submission of Self Certification Undertaking** - (1) The Employer/ Owner authorized executives prescribed authority, within the ambit of Section 2(4), (7), (8), (16) and (19) of the Act, shall submit a Self Certification Undertaking for the ensuing calendar year, in respect of their Shops and Commercial Establishments in Form 15 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 charge of variation of the facts and factums 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 afresh, within a month's 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 distortive, 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.]

1. Rules 26 and 27 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 28 re-numbered as 25.]
2. Substituted vide O.G.E. No. 423 dated 23.3.2009
3. Rule 29 re-numbered vide O.G.E. No. 423 dated 23.3.2009.
4. Inserted vide O.G.E. No. 423 dated 23.3.2009.

**FORM I**

**[See Rule 4]**

**Application for Registration or Renewal of Registration of an Establishment**

1. Name of the employer '[and his father's/her husband's name in case of married female employer]
2. Full postal address of the employer
3. The name, if any, of the establishment
4. Full postal address of the establishment
- \*5. The category of the establishment
6. The date on which the establishment commenced work
7. Number of employee/employees employed on the date of application
8. In case of renewal of registration whether the registration certificate of the previous year enclosed
9. An amount of Rs.....(Rupees .....only) has been paid .....Treasury .....on.....under the head of Account ..... (*vide* Challan No.....dated.....enclosed)

Signature of the employer

.....  
.....

Dated.....

- \* State if it is a shop, an establishment, residential hotel, non-residential hotel, restaurant, cafe, boarding or eating house, theatre or other place of public amusement or entertainment.

Received an application in Form No. 1, with Treasury Challan No .....dated.....from .....this day of.....20.....

Signature of the Inspector, Shops and  
Commercial Establishments  
Area.....

1. Added vide O.G. Part III Page 203-70.

**FORM 2**  
**[See Rule 5]**  
**Register of Establishments**

Part I -Shops

Part II-Commercial Establishments

Part III-Residential Hotels

Part IV-Non-residential hotels, restaurants, cafe, boarding or eating houses.

Part V-Theatres or other places of public amusement or entertainments

Serial No.	Date of receipt of application	Name and address of employer	Name and address of establishment	Number of employees	Amount of fee paid	Registration Certificate No.	Period for which granted or renewed	Remarks
1	2	3	4	5	6	7	8	9

**FORM 3**  
**[See Rule 5]**  
**Registration Certificate**

No.....

Fees Rs.....

It is hereby certified that the establishment mentioned below has been registered for carrying on business of ..... for the period ending with the 31st December, 20.....

Name of establishment, if any.....

Name of employer.....

Postal address of the shop/establishment.....

Inspector of Shops and Commercial  
Establishment  
..... Area



Date of Renewal	Date of expiry	Signature of the Inspector of Shops and Commercial Establishment
1	2	3

#### FORM 4

[See Rule 10]

#### Notice of change in the establishment

To

The Inspector of Shops and Commercial Establishments

Sir,

I hereby give notice of the following change in the establishment which requires correction of the relevant entries in the Registration Certificate No ..... enclosed.

Yours faithfully

Signature of the Employer

Dated.....

#### FORM 5

[See Rule 11]

#### Notice of daily hours of work of employee commencing ..... 20.....

Name of Employer/Establishment.....

Registration Certificate No.....

Name of employee	Whether adult male or female or child	From	To	From	To
1	2	3	4	5	6

Dated.....

Signature of Employer

**Note-**(1) The notice shall be in such language as may be read by any person whom it affects.

(2) The hours to be specified in the notice shall be the normal hours of work exclusive of overtime.

### FORM 6

[See Rule 13 (2)]

Notice is hereby given that the Government of Orissa propose to pass an order under Sub-section (1) of Section 11 of the Orissa Shops and Commercial Establishments Act, 1956 that with effect from.....no shop/commercial establishment situated in ..... shall be opened on any day earlier than ..... and/or shall be closed on any day later than .....

Any person wishing to make any objection or suggestion with respect to the above order shall send in writing to the Chief Inspector before this ..... the day of..... 20.....

Dated this..... day of ..... 20.....

Secretary to Government  
Labour Department

### FORM 7

[See Rule 14 (1)]

Name of Employer/Establishment.....

Registration Certificate No.....

Notice is hereby given that with effect from..... the establishment shall observe..... as the weekly holiday.

Signature of Employer

Date.....

### FORM 8

[\* \* \*]

**FORM 8**

**[See Rule 15 (2)]**

**Service and leave account**

Name of employee.....  
Adult, male or female, or child.....

Name of employer/establishment.....  
Registration Certificate No.....

1	2	3	4	5	6	7	8	9	Leave earned		Leave availed		Sickness leave		16	17	18	19	20
									From	To	From	To	From	To					
Name of employment, if any	Monthly or weekly rate of pay or wages			Number of days	At credit	Earned	Total	Period of leave refused to be carried over	From	To	Number of days	Balance of leave at credit	From	To	Number of days availed	Balance after each occasion	Signature or thumb impression of the employee	Signature of employer	Remarks

1. Form 9 renumbered as Form 8 vide O.G.E. No. 423 dated 23.3.2009.

**<sup>1</sup>[Form 10**

**[See rule 15(3)]**

Appendix-2(a)

**Combined Muster Roll-cum-Register of Wages**

- In lieu of
1. Form No.29 (Muster Roll) Rule 104 of Orissa Factories Rules, 1950.
  2. Form No.V (Muster Roll) Rule 26(5) of Orissa Minimum Wages Rules, 1945.
  3. Form No.X (Wages) Rule 26(1) of Orissa Minimum Wages Rules, 1954.
  4. Form No.XIII (Muster Roll) Rule 33(1) of Orissa Beedi & Cigar Workers (Condition of employment) Rules, 1969.
  5. Form No. XVI (Muster Roll) Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.
  6. Form No.XVII (Register of Wages) Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.
  7. Form No. XVIII (Register of Wages-cum-Muster Roll) Rules 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.
  8. Form No. XVII (Muster Roll) Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980.
  9. Form No.XVIII (Register of Wages) Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980.
  10. Form No.10 (Register of payment) of Orissa Shops and Commercial Establishment Rules, 1958.
  11. Form No.8 (Daily record of works & orders relating to compensating Leave and Deduction from wages of Orissa Shops and Commercial Establishment Rules, 1958.
  12. Form X (Muster Roll) Rule 36 of Orissa Motor Transport Workers Rules, 1966.
  13. Form XIII (Wages) Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975.
  14. Form XII (Muster Roll) Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975.
  15. Form VI (Muster Roll) Rule 9 of Orissa Industrial Employment (N&F) H. Rules, 1972.

**<sup>2</sup>[FORM 11]**

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1. Substituted vide O.G.E. No. 423 dated 23.3.2009.

2. Deleted vide O.G.E. No. 423 dated 23.3.2009.

**[Form 12**

**[See rule-12 (4)]**

**Appendix-2(c)**

**Combined Register of Overtime Working and Payment**

- In lieu of
- Form No.10 of Rule 79 of Orissa Factories Rules, 1950 (N.B. : Rule 80 & Form 11 may be annulled)
  - Form No.IV of Rule 25(2) of Orissa Minimum Wages Rules, 1954.
  - Form No.XIX of Rule 77(2)(e) of Orissa Contract Labour (R&A) Rules, 1975.
  - Form No.12 of Rule 12(4) & Rule 15(3) of Orissa Shops & commercial Establishment Rules, 1956.
  - Form No.XIV of Rules 33(5) of Orissa B.C.W. (COE) Rules, 1969.
  - Form No.XI of Rule 37 of Orissa M.T. Workers Rules, 1966.
  - Form No.XVII of Rule 52(2)(a) of Orissa ISMW (RE & CS) Rules, 1980.
  - Form No.XXII of Rule 239(1)(c) of Orissa Building and other Construction Workers (Regulation of Employment & Condition of Service) Rules, 2002.

Sl. No.	Name of the Employee/ Father's/ Husband's Name	Sex	Designation	Emp. No./Sl. No. in register of employees	Particulars of OT work		Normal rate of the wages per hour	Overtime rate of wages per hour	Total OT earnings	Signature of the employee	Signature of the paying Authority
					Date	Hours					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

1. Form 11 is deleted and Form 12 Substituted vide O.G.E. No. 423 dated 23.3.2009.



**[Form 13  
[see rule 25]  
Combined Annual Returns**

In the Lieu of

- (i) Form-21, Rule-101(I) Orissa Factories Rules, 1950
- (ii) Form XX, Rule-81 (I) Form XXI, Rule-81 (2) Orissa Contract Labour (R&A) Rule-1975
- (iii) Form-III, Rule-21 (4-A) Orissa Minimum Wages Rules - 1954
- (iv) Form-IV, Rule-18, Orissa Payment of Wages Rules-1936
- (v) Form 'D', Rule-5, Payment of Bonus Rules, 1975 (Central)
- (vi) Form 13, Rule-28, Orissa Shops and Commercial Rules-1958
- (vii) Form XIII, Rule-39, Orissa Motor Transport Workers Rules, 1966
- (viii) Form L, Rule-16, Orissa Maternity Benefit Rules, 1966
- (ix) Form 'V', Rule-8, O.I.E. (N&A) II Rules, 1972.
- (x) Form XXV, Rule 240, Orissa Building and Other Construction Workers (RECS), Rules-2002.
- (xi) Form XXIV, Rule 56(2) of Orissa Inter-State Migration of Workers (RECS) Rules, 1980

**A. GENERAL PARTICULARS -**

**1. (a) Name and full address of the Factory/Establishment (including Building and Other Construction of Work/Motor Transport undertakings)**

	Factory/Establishment	Regd./Administrative/Head Office
Name		
Address		
Tel :-		
Fax :-		
E-mail :-		
Website :-		

**(b) Name and Residential address of the Proprietor/Partner/Directors/ Employer/Principal/Employer/Occupier. (tick which ever is applicable).**

Sl. No.	Name/ Father's Name	Designation	Residential Address	Tel/Mobile/E-mail
(1)	(2)	(3)	(4)	(5)

- (c) Name and Residential Address of the Person responsible for the day to day conduct and control of business,

Name	Residential Address	Tel/Mobile/E-mail

- (d) Name and Residential address of the occupier and Mgr. As named under the Factories Act, 1948.

Sl. No. (1)	Name (2)	Designation (3)	Residential Address (4)	Tel/Mobile/E-mail (5)

2. Date of commencement of Manufacturing/Business/Estt./ Factories/ Construction of Works.

- 2(A) Nature/Type of Industries/Estts.

- 2(B) Particulars of Products Manufactured/Services Rendered.

Name of the Product/Services	Annual Installed capacity	Quantity Manufactured	Percentage achieved	Value

3. Registration and License

Regn. No.

License No.

- (a) Factories Act, 1948
- (b) Contract Labour (R&A) Act, 1970
- (c) O.S. and C.E. Act, 1956
- (d) ISMW (R&CE) Act, 1979
- (e) M.T.W. Act, 1961
- (f) Building and Other Construction Workers (RECS) Act, 1996

4. No. of Workmen/employees/employed.

Sl. No.	Category	Male	Female	Adolescent/ Adult	Child	Total No. of Employees
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Un skilled					
2	Semi-skilled					
3	Skilled					
4	Highly skilled					
5	ITI/Diploma					
6	Degree-Engg.					
7	Executive					
8	Probationer/ Trainees					

Form 15

[See rule 27(1)]

(to be submitted in Duplicate before  
31st December for the preceding calendar year)

SELF CERTIFICATE FORMAT

FOR

SUBMISSION BY EMPLOYER OF SHOPS AND COMMERCIAL  
ESTABLISHMENTS UNDER ORISSA SHOPS AND COMMERCIAL  
ESTABLISHMENTS ACT, 1956 AND THE ORISSA SHOPS AND  
ESTABLISHMENT RULES, 1958.

01. Name and Address of the Establishments:-
02. Registration Number and Date (Section 4  
Read with Rules 3 and 5) :-
03. Number of Employees Employed :-
  - Male :-
  - Female :-
  - Total :-
04. Whether the Registration is Renewed (Section  
4, Read with Rules 3 and 5) :-
05. Whether the prescribed Registers are  
maintained. (Section 38 Read with Rule  
15) :-

06. Whether exemption for maintaining Computerized and alternative Forms are obtained :-
07. Whether prescribed Hours of work Holidays, Leaves, Maternity Benefit is being implemented.  
(Sections 7 to 10 and 27 and Rule 11):-
08. Whether the Annual Returns are submitted (Rule 28) :-

### **CERTIFICATE**

- (i) Certified that we have complied/are complying with all the provisions under Orissa Shops and Commercial Establishment Act, 1956 and the Orissa Shops and Commercial Establishment Rules, 1958 are made thereunder, in addition to those specifically mentioned above.
- (ii) We are the authorized persons to issue the above certificate and the above certificate is issued with full knowledge of the statue. We are jointly and severally responsible for any information found incorrect subsequently and liable for prosecution under provisions of the said Act and Rules made thereunder.

**Signature of the Manager**

**Name :**

**Designation :**

**Date :**

**Seal :**

**Accepted :**

**Signature of the Occupier**

**Name :**

**Designation :**

**Date :**

**Seal :**

**Accepted :**

**Conveyed /Submitted to**

**D.L.O./A.L.C./Dy. L.C.**



# Appendix-2(b)

## Combined Register of Fines, Deductions for Damage or Loss and Advances

- In lieu of
1. Form No.I.II of Rule 21(4) of Orissa Minimum Wages Rules, 1954.
  2. Form Nos.XVII, XVI, XVIII of Rule 78 (d) (fine), 77 (22) (d) (dedu.) 77(2) (d) (adv.) of Orissa Contract Labour (R&A) Rules, 1975.
  3. Form Nos.I, II, III under Rule 3(1) (fine), 4 (deductions) and 17(3) (advances) of Orissa Payment of Wages Rules, 1936.
  4. Form XIX, XX, XXI of Rule 52(2) C of Orissa I.S.M.W. (RE &CS) Rules, 1980.
  5. Form XX, XIX and XXI under Rule-239(1)(b) of Orissa Building and Other Construction Workers (RE & CS) Rules, 2002.

Sl. No.	Name of the Employee/ Father's/ Husband's name	Designation Emp. No./ Sl. No. in register of employees	Nature & date of offence for which fine imposed	Date and particulars of damages/ loss caused	Whether worker showed cause against fine or deductions	Amount of the fine imposed/ deductions made	Date & purpose for which advance was made	Amount of advance made & purpose thereof.	No. of installments granted for repayment of fines/ deductions/ advances	Wages period and rate of wages payable	Date of recovery of fine/deduction/ advance		Penalty
											First instalment	Last instalment	

Signature of the Employer/Principal Employer/Authorized signatory



**Name & Address of the  
Principal employer  
Month/Year**

8 9 10 11 12 13 14  
15 16 17 18 19 20 21  
22 23 24 25 26 27 28  
29 30 31

EARNINGS										DEDUCTIONS															
Basic	DA/DA	HRA	Conv.	Allow.	Med.	Allow.	ATT/bonus	Spl.All.	OT	Misc. Earnings	Others	Total	ESI	PF	PT	TDS	Soc.	Insurance	Sal. Adv.	Fine	Damage	Others	Total	Net payable	Date of payment

**Complete Signature of the Employer/Principal Employer/Authorized Signature**

**5. Particulars of Employment/Payment in Factories/ Estts./ Motor Transport Undertakings/Building Construction of Work.**

**(a)**

No. of Person on Roll as on 1st January	No. of Person on Roll as on 31st December	No. of days Factory/ Estt/ Building & Other Construction Works/ Carried on	No. of days Factory/ Estt/Closed	No. of Mondays worked during the year	No. of manhours worked including O.T. during the year	Total Amount of salary/ wage paid including O.T. wages & allowances

**(b) Average Number of Employment during the year :-**

Men	Women	Total

**(c) No. of employees discharged/dismissed/terminated/retrenched/resigned or retired during the year.**

Men	Women	Total

**In respect of Minimum Wages & Payment of Wages etc.**

**6. Particulars of deduction made from salary (wages) under M.W. and P.W. Act.**

	No. of Employees involved	Total Amount of deduction made
1. Fines		
2. Damages/Loss		
3. Breach of Contract		
4. Others		
5. Total		

**In respect of the Factories Act/Orissa Shops & Commercial  
Establishment Act, 1956/Orissa Industrial Establishment (National &  
Festival) Holidays Act, 1972**

**7. Particulars of Earned Leave with Wages/National Festival Holidays  
with Wages.**

Total No. of Persons employed	No. of Employees eligible for Earned Leave	No. of employees availed/ granted Earned Leave	No. of employees paid wages/ salary in lieu of Earned Leave	No. of Person who were paid wages for the NFIT (separate figure for each day may be furnished)
1. Man				(i) 26th January (ii) 1st May (iii) 15th August (iv) 2nd October (v)
2. Woman				(vi) (vii) (viii)

**In respect of Payment of Bonus**

**8. Payment of Bonus Paid during the year**

Name of the Accounting year	Total No. of employees	No. of Employees eligible for Bonus	Percentage of Bonus/Ex gratia declared	Total amount of Bonus / Exgratia paid	Date of Payment
(1)	(2)	(3)	(4)	(5)	(6)

**Relating to the Factories Act**

**9. Does the factory carry on hazardous process under Section-2(cd)  
dangerous operation U/s 87 of Factories Act, 1948.**

- If Yes ..... Yes/No.
- (i) Whether Health and Safety Policy prepared and published Yes/No
- (ii) Whether occupational Health Centre provided Yes/No
- (iii) Whether Medical Officer appointed Yes/No
- (iv) Whether Ambulance Van provided Yes/No
- (v) Average no. of persons employed daily in hazardous process/dangerous operation. Yes/No

**10. Safety and Welfare Officers :-****(a)**

	No. of Officers required to be appointed	No. of Officer actually appointed
(i) Safety Officers as per Sec-40 (B) of Factories Act.		
(ii) Welfare Officers as per Sec-49 of the Factories Act.		

**(b) Whether the following Welfare measures are provided ?**

(i)	Ambulance Room as per Sec-45(A)	Yes/No
(ii)	Canteen as per Sec-46(I)	Yes/No
(iii)	Whether the canteen is run departmentally or through contractor departmentally/Contractor	
(iv)	Creche as per Sec-48(i)	Yes/No
(v)	Shelters, Rest Rooms and Lunch Room as per Sec-47(I)	Yes/No

**11. Particulars of Accidents, Man's days lost and others :-**

(i)		Total no. of accidents that have taken place in the year.
(ii)		Number of employees involved in such accidents :- (a) Male (b) Female
(iii)		Total number of man's days lost in such accident.
(iv)		No. of employees returned to work within 48 hours of the accident.
(v)		No. of employees returned to work after 48 hours of the accident (Reportable accident)
	(a)	Without Permanent/Partial/Total Disablement
	(b)	With Permanent/Partial/Total Disablement
(vi)		Number of employees involved in accidents with either immediately or later within 7 days resulted in death.

## Maternity Benefit Act,

### 12. (a) Rating to Maternity Benefits :-

(i)		Total no. of women workers who worked for a period of 160 days in the last 12 months immediately preceding the date of delivery.
(ii)		No. of women workers discharged/dismissed in the last 12 months.
(iii)		No. of women worker for whom pre-natal confinement and post-natal confinement.
(iv)		No. of women workers died.
	(a)	Before delivery -
	(b)	After delivery -

### (b) Leave/additional leave details :-

Item	No. of women applied for leave	Leave sanctioned	Leave reject
(i) Mis-carriage			
(ii) Illness (additional leave under sec-10)			

### (c) Maternity Benefit Paid :-

Item	No. of claim received	No. of leave sanctioned	No. of claims rejected	Total benefit paid in rupees
(i) Confinement				
(ii) Mis-carriage				
(iii) Illness				
(iv) Medical Bureaus				



## Rating to Contract Labour (R&A) Act

### 13. (a) Contractor Labour

Name & Address of the Contractor/ Contractors	Period of contract From/To	Nature of work/ operation in which contract labour were employed Deptt./Section	No. of person employed	Maximum no. of contract workman employed on any day during the year	No. of days worked	No. of man days worked
(i)						
(ii)						
(iii)						
(iv)						
		Total				

### (b) Whether contract has provided ?

(i) Canteen	Yes/No.
(ii) Rest Room	Yes/No.
(iii) Drinking Water	Yes/No.
(iv) Creche	Yes/No.
(v) First-Aid	Yes/No.
(vi) Remarks	Yes/No.

## Relating to Building and Other Construction Workers (RE&CS) Act.

### 14. Particulars of accident that took place during the year :-

(i)	The total No. of accident.
(ii)	The number of accidents resulting in disablement of building workers for less than 48 hours, the number of building workers involved and the number of man-days lost.
(iii)	The number of accidents resulting in disablement of building worker beyond 48 hours, but not resulting in any permanent, partial or permanent total disablement, the number of building workers involved, and the number of man-days lost on account of such accident.
(iv)	The number of accidents resulting on permanent, partial or total disablement, the number of building workers involved and the number of man-days lost on account of such accident.
(v)	The number of accident resulting in deaths of building workers and the number of resultant deaths.

**15. Inter-State Migrant Workmen (RE&CS) Act,****In respect of Principal Employer :-**

- (i) Number of contractors who worked in the establishment during the year with details.

Name & Address of the Contractor	Period of Contract		Nature of work	Maximum number of workers supplied by each contractor	No. of days worked	No. of man days worked
	From	To				

**16. Beedi and Cigar Workers (Condition of Employment) Act, 1966 :-**

- (i) Average number of employees employed daily in the Industrial Premises:-

Men

Women

Young person

Male

Female

- (ii) Average monthly number of home workers employed (i.e. who work in their homes)

- (iii) Number of days worked in the year in the industrial establishment.

- (iv) No. of employees who were granted leave during the calendar year.

Young persons (a) employees in the Industries Premises.

(b) employees in home.

Other than young Persons (a) employees in the Industrial Premises

(b) employed in home

- (v) Number of female employees who were given maternity benefit during the year

(a) employees in the Industrial Premises

(b) employed in home].