

INSPECTION MANNUAL FOR COMPLIANCE OF LABOUR LAWS

JAMMU AND KASHMIR

The Labour Department Jammu & Kashmir implements various provisions related to safety, health, welfare and other conditions of employment under various labour laws. In order to ensure the compliance of various provisions under these enactments, the Department has notified various functionaries for the inspection of the establishments/factories. Although inspections are carried out on routine basis still there have been some complaints of non compliance of labour laws and adhocism in the inspections. Further the present thrust of the government to reduce inspector raj and promote ease of doing business a new comprehensive transparent inspection policy is required to be put in place with the following broad objectives

- For simplifying business regulations.
- To regulate the implementation of statutory provisions under various labour laws in transparent and accountable manner through wide scale adoption of technology and innovation.
- To protect the rights of workers in relation to their Safety, Health and Welfare as also other conditions of employment in the spirit and manner as envisaged in the law,
- To eliminate the arbitrariness and adhocism in the actions of inspecting authorities as also to curb the malpractices and harassment of the industrial and other establishments with a view to improve the ease of doing business,

I. Criteria for Inspection:

The inspection can be categorized based on two main factors i.e.

- a. Industrial safety
- b. Labour parameters

a. Industrial safety

The most contentious issue in conducting the inspection is selection of the establishment/unit by adopting the predetermined criteria. Each manufacturing unit can be categorized in three groups based upon the level of hazards involved as enumerated in the laws i.e.

- (i) Highly Hazardous,

- (ii) Hazardous
- (iii) Non Hazardous
- (iv) Factories involving mechanical and health hazard
- (v) Factories involving health hazard
- (vi) Factories which are less prone to accidents.

The selections of units for inspections shall be determined taking into account the nature of hazard in the industry the time period since last inspection and number of workers employed. Such list of industries will be reviewed quarterly for addition/deletion of units found to be sensitive in terms of industrial relations/unrest, complaints received against some industries etc.

The periodicity of inspection shall be in accordance to the following criteria:

- Every Highly Hazardous unit shall be inspected twice a year.
- All the Hazardous units involving risk of fire, explosion and toxic release are to be inspected once in every year.
- The rest of the units, which are non-hazardous are to be inspected once in every three year.

| | Name of Category | Details of Industry covered under the category | Periodicity of Inspection |
|----------|---|--|----------------------------------|
| 1 | Highly Hazardous: All Factories posing high risk to workers and general public i.e. having Off-Site Emergency Risk and On-Site and which would require outside help to combat serious accident. | i) Fertilizers, L.P.G. (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units | Twice a year |
| 2 | Moderately Hazardous: All Factories with medium hazard i.e. having On-Site risks only and wherein the accidents could be controlled by the resources of the plant itself or with the help of neighbouring units | ii) Solvent Extraction Plants, Hydrogenating Plants, Paper Mills using Chlorine, Distilleries, Breweries and Sugar Factories etc. | Twice a year |
| 3 | Less Hazardous: All Factories except (i) + (ii) with less hazards potential i.e. where accidents can be controlled by unit by own resources | Electroplating, Heat treatment plant, Rubber factories and factories covered under Section 85 of the Factories Act, 1948 | Once a year |
| 4 | Factories involving mechanical and health hazards | rules framed under section 21(2) of the Factories Act, 1948 including Paper Mills, Textile Mills, Ice Plants/Cold Storages, Thermal Power Stations and Primary Metallurgical producing units i.e. Zinc, Cadmium, Lead, Mercury Nickel, Aluminium, Copper and Steel | Once a year |
| 5 | Factories involving health hazards. | Tanneries, Paper Mills, not using chlorine, Board Mills and factories employing 20 or more workers | Once a year |

| | | | |
|---|---|---|---------------------|
| | | excepting Brick Kiln, electronic goods, Printing Presses and Saw Mills | |
| 6 | Factories which are less prone to accidents | factories manufacturing Bricks in Kilns, Printing Process and Saw Mills etc | Once a year |
| 7 | Non-hazardous units | green and orange category units not mentioned above | Once in three years |

b. Labour Parameter

The violation of labour laws is a basic cause of labour unrest. If the complaints against an establishment are frequent, it directly indicates lack of compliance; which ultimately culminates into unrest. The major issue in the complaints is the non-entry of names of workers on the muster roll. The second is non-payment of minimum wages and other violations under the Minimum Wages Act, 1948. The other violations could be only regarding the non-maintenance of records resulting in depriving the workers of legitimate rights like gratuity and leave etc.

Exploitation of contract labour is another major area of concern especially in the units deploying large number of contract labour:

Accordingly the criteria for labour inspection is

- (i) Units paying wages at minimum levels.
- (ii) Units having more than 30% of the total strength as contract labour.
- (iii) Seasonal Units

II. Preparation of quarterly list of inspection of factories/establishments by computerized randomly generated system:

The list of units for inspections shall be prepared one month in advance for every quarter. The office of Chief inspector of Factories, Jammu & Kashmir shall finalize the list of factories to be inspected during the next quarter based on the pre-determined criteria of selection. This list shall be made available to the public on Departmental web portal and also sent to the field-inspecting officers.

III. The constitution of inspections team:

Inspections shall be done by an authority designated under particular Act/Rule like Factories Inspector under Factories Act-1948, Labour Inspector under Shops & Establishment Act, 1958 etc.

IV. The information to the owner/management of units about date and time of inspection:

The Inspector/Inspecting team shall give 15-days prior notice of inspection with a copy to its head office, if any on the prescribed format along-with the checklist for inspection.

V. The check list and inspection Performa:

The checklists for the inspection shall be based upon number of workers employed and the manufacturing process. It shall be supplied to the management along-with notice of inspection or may be downloaded from the web-portal of the Department. The Department shall use predetermined and published different sets of checklist and inspection performa for different size of the units.

VI. The preparation and uploading of inspection report on the web site:

The inspection report shall be prepared and uploaded/submitted with-in 72 working hours from the date of completion of inspection. A copy of inspections report shall be also supplied to the management at his place of business and a copy to its head office, if any. A show cause notice as prescribed on behalf of Chief Inspector of Factories, Jammu & Kashmir giving one month compliance time to the management shall also be delivered along-with the copy of inspection report.

VII. Inspection of construction sites under Building & Other Construction Workers (RE&CS) Act, 1996:

There is no permanent data-base of the construction sites in the Department as the construction sites are temporary in nature and exist for a short period. The inspection of the unregistered sites shall be conducted by the Labour Officer of the area concerned as and when it comes to their knowledge.

The inspection of the registered site shall be conducted in the same manner as under the Factories Act, 1948, Further provided that the periodicity of the inspection under BOCW Act, 1996 shall be at least six months. But in case it came to the knowledge of the Concerned authority of the area that there is imminent danger to the construction workers working at the construction site, he may immediately inspect the site with prior intimation to the Deputy Labour telephonically or through e-mail and shall submit his report within 24 hours to the Head Office.

VIII. Accident enquiries:

In case of serious accident, the enquiry shall be conducted by Factories Inspector and Assistant Labour Commissioner. These officers may take assistance of any other official/officer. The enquiry reports shall be sent to head office within 72 hours of completion of enquiry.

INSPECTION PROCEDURE :-

1. To ensure ease of doing business, the inspections of the Establishments can be carried out under the directions of Labour Commissioner-Chief Inspector Factories only. Under the process about 5-10 percent of the units covered under the Scheme shall be picked up randomly for inspection by the Head of Department every year.
2. However, on specific complaint, only the Labour Commissioner- Chief Inspector Factories may order inspection at any time. The inspection will be done by an inspection team under the labour laws, Hence it will normally be a one-time inspection on authorization by the Labour Commissioner.

CHECK LIST FOR INSPECTION AND PROCEDURE UNDER LABOUR LAWS:

Following is the document checklist which the establishment/unit needs to present at the time of inspection

| S.NO | RECORD TO BE PRODUCED BY THE EMPLOYER |
|-------------|--|
| I | CONTRACT LABOUR (R &A) ACT,1970 |
| | (principal employer) |
| 1 | Certificate of Registration (Form-II) |
| 2 | Amount of Registration fee paid |
| 3 | Register of Contractors (Form- XII) |
| 4 | Notice of Commencement /completion of the contract work (Form-VI-A and VI-B) |
| 5 | Annual Return (Form-XXV) |
| | (Contractor) |
| 1 | Wage register (Form-XVII) |
| 2 | Employment Cards (Form-XIV) |
| 3 | Muster Roll (Form-XVI) |
| 4 | Register of persons employed (Form- XIII) |
| 5 | Wage Slip (Form-XIX) |
| 6 | Register of Advance (Form-XXII) |
| 7 | Register of Overtime (Form-XXIII) |
| 8 | Register of Deductions for damage or loss (Form-XX) |
| 9 | Register of Fines (Form-XXI) |
| 10 | Notice of commencement of the contract work (Form-VI A) |
| 11 | Half yearly Return (Form-XXIV) |
| II | PAYMENT OF WAGES ACT 1936 |
| 1 | Payment register |
| 2 | Ensure payment of wages to employees on 7/10 of every month. |
| 3 | Abstract of act (S 25) |
| 4 | Pay day notice (R8) |
| 5 | Annual return |
| III | MINIMUM WAGES ACT, 1948 |
| 1 | Register of Fine (Form-I) |
| 2 | Register of Deductions for damage or loss (Form-II) |
| 3 | Overtime register for workers (Form-IV) |
| 4 | Muster Roll (Form-V) |
| 5 | Wage Slip (Form-XIII) |
| 6 | Annual Returns (Form-III) |
| 7 | Abstract of act and name of inspecting authorities (Form-XI-A) |

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| IV | PAYMENT OF GRATUITY ACT, 1972 |
| 1 | No. of Employees who have been paid their gratuity and mode of payment. |
| 2 | No. of Employees who have been paid their gratuity and reason in brief. |
| 3 | Notice of opening (in Form-A) /Notice of change (in Form-B)/ Notice of Closer (Form-C) |
| 4 | Nomination (Form-F)/Abstract of the Act and Rule (in Form –U) |
| V | PAYMENT OF BONUS ACT, 1965 |
| 1 | (Computation of Allocable Surplus Under Section 2(4) (Form –A) |
| 2 | (Set-on and set-off of allocable surplus under section 15) (Form-B) |
| 3 | (Bonus paid to employers for the accounting year ending on.) (Form- C) |
| 4 | Annual Return in Form D. |
| VI | EQUAL REMUNERATION ACT, 1976 |
| 1 | Register in Form-D |
| VII | J&K SHOPS AND ESTABLISHMENT ACT 1966 |
| 1 | Register of Establishment under Rule 3(2) (Form-A) |
| 2 | Register of certificate Rule 3(3) (Form-C) |
| 3 | Notice of change Rule 8 (Form-D) |
| 4 | Register of leave with wages Rule 11(1) (Form G) |
| 5 | Leave Book Rule 11(3) (Form-H) |
| 6 | Register of employees (Form-L) |
| 7 | (Attendance, Overtime Wages) Rule 20(1) (Close Day 20(4) (Form-O) |
| 8 | Service Card-(Rule-13) (Form-P) |
| VIII | INSPECTION CHECK LIST FOR EMPLOYERS UNDER FACTORY ACT, 1948 |
| 1 | Obtain license to run the factory as required under section 6 of the Act and also will get it renewed (rule7,8,10 and 14) |
| 2 | Get approved the building plans of the factory from the Chief Inspector of Factories in accordance with the provisions of section 6 of the Act and rule 3 and 4. If the premises is extended including plant and machinery, the proposed building plans of the extension will be got approved prior to construction. |
| 3 | Comply with the general duties prescribed for the occupier (section 7-A) of the Factories Act, 1948). |
| 4 | Fix the Weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period , night shifts, prohibition of over lapping shifts (Section 51, 52, 53, 54, 55, 56, 57 and 58 of the Act) |
| 5 | Pay extra wages of overtime as twice of the ordinary rate of wages. |
| 6 | Display the following notices at the conspicuous places in factory premises:- |
| a | Notice of period of work for adults in Form-XII |
| b | Escape in case of fire Rule-66 |
| c | Safe speed notice of machinery in motion Section 30 |
| d | Abstract of the Factories Act and Rule:106 |

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|-------------|--|
| 7 | Maintain the following registers: |
| a | Attendance Register - Rule 110 |
| b | Inspection Book - Rule 112 |
| c | Adult Worker Register - Rule 87 |
| d | Accident Register - Rule 111 |
| e | Leave With Wages Register - Rule 94 |
| f | Lime Washing Register - Rule 18 |
| g | Compensatory Holidays Register - Rule 84 |
| h | Extra Wages For Overtime Register - Rule 85 |
| i | Register Of Child Workers - Rule 93 |
| j | Give the annual leave with wages as per- Rule 94 |
| k | Submit the annual return in form 21. |
| IX | MOTOR TRANSPORT WORKERS ACT, 1961 |
| 1 | Certificate of registration to work a Motor Transport Undertaking in (Form-II) |
| 2 | Record of lime washing , painting etc. (Form-VI) |
| 3 | Notice of period of work for Motor Transport Workers (Form-V) |
| 4 | Register of compensatory holidays (Form-VI) |
| 5 | Register of leave with wages (Form-VII) |
| 6 | Leave Book (Form -VIII) |
| 7 | Muster Roll (Form -X) |
| 8 | Annual Return (Form XIII) |
| X | NATIONAL AND FESTIVALS HOLIDAYS ACT |
| 1 | Statement of National and Festival Holidays (Rule-3) |
| XI | CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986 |
| 1 | Certificate of Age (Form B) |
| XII | THE MATERNITY BENEFIT ACT |
| 1 | Muster Roll (Form-A) |
| 2 | Receipt of Maternity Benefit (Form –F) |
| 3 | Abstract of the Maternity Benefit and rules framed there under (Form-K) |
| XIII | WORKING JOURNALIST AND OTHER NEWSPAPER EMPLOYEES ACT |
| 1 | Register of employees (Form –D) |
| 2 | Service register (Form-E) |
| 3 | Leave Register (Form-F) |
| 4 | Muster Roll (Form G) |
| XIV | BUILDING AND OTHER CONSTRUCTION WORKERS ACT |
| 1 | Certificate of registration (Form-II) |

| | |
|-----------|--|
| 2 | Register of Establishment (Form III) |
| 3 | Notice of commencement /completion of building and other construction workers. (Form-IV) |
| 4 | Health register (Form-XII) |
| 5 | Register of Building workers employed by the employee. (Form-XV) |
| 6 | Muster Roll (Form XVI) |
| 7 | Register of Wages. (Form-XVI) |
| 8 | Register of deductions for damages or loss. (Form-XIX) |
| 9 | Register of fines. (Form-XX) |
| 10 | Register of advances. (Form-XXI) |
| 11 | Overtime Register (Form-XXII) |
| 12 | Wages Book (Form-XXIII) |
| 13 | Service certificate (Form-XXIV) |
| 14 | Annual return of employer to be sent to the Registering Officers. (Form-XXV) |
| XV | INTERSTATE MIGRANT WORKERS ACT |
| 1 | Certificate of Registration (Form-II) |
| 2 | Register of Establishment (Form-III) |
| 3 | Licence of Contractor (Form-VIII) |
| 4 | Return to be sent by the Contractor (Form-XI) |
| 5 | Register of Contractor (Form-XII) |
| 6 | Register of workmen employed by the contractor (Form-XIII) |
| 7 | Displacement of outward journey allowance sheet (Form-XV) |
| 8 | Muster Roll (Form-XVII) |
| 9 | Register OF Wages (Form-XVIII) |
| 10 | Register of Deduction for damages or loss (Form-XIX) |
| 11 | Register of fines (Form-XX) |
| 12 | Register of advances (Form-XXI) |
| 13 | Register Of Overtime (Form-XXII) |
| 14 | Return to be sent by the contractor to the licensing officers (Form-XXIII) |
| 15 | Annual return of Principal employer to be sent to the Registering officers (Form-XXIV) |

CHECK LIST FOR INSPECTION AND PROCEDURE UNDER LABOUR LAWS:

(For Establishments Filing Returns And Maintaining Records As Per Provisions OF Labour Laws (Exemption From Furnishing Returns And Maintaining Register By Certain Establishments Act 1988 And labour Laws (Exemption From Furnishing Returns And Maintaining Register By Certain Establishments Amendment Act ,2014,And Having Upto 40 Employees)

| S.NO | RECORD TO BE PRODUCED BY THE EMPLOYER |
|-------------|---|
| 1 | Form I |
| 2 | Form II |
| 3 | Form III |
| 4 | Wage Slips In The Form XIII As Per Jammu And Kashmir Minimum Wages Rules, 1972 |
| 5 | Slips Relating To Measurement Of The Amount Of Work Done By Piece-Rated Workers As Per Form X Under Jammu And Kashmir Payment Of Wages Rules 1972 |
| 6 | File Returns Relating To Accidents As Per Form 19 Jammu And Kashmir Factories Rules , 1972 |

CHECK LIST FOR INSPECTION AND PROCEDURE UNDER LABOUR LAWS:

(For Establishments which are registered under Self-Certification Scheme)

| S.NO | RECORD TO BE PRODUCED BY THE EMPLOYER |
|-------------|--|
| I | CONTRACT LABOUR (R &A) ACT,1970 |
| | (principal employer) |
| 1 | Certificate of Registration (Form-II) |
| 2 | Amount of Registration fee paid |
| 3 | Register of Contractors (Form- XII) |
| 4 | Notice of Commencement /completion of the contract work (Form-VI-A and VI-B) |
| 5 | Consolidated return as per Self-Certification Scheme |
| | (Contractor) |
| 1 | Wage register (Form-XVII) |
| 2 | Employment Cards (Form-XIV) |
| 3 | Muster Roll (Form-XVI) |

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| 4 | Register of persons employed (Form- XIII) |
| 5 | Wage Slip (Form-XIX) |
| 6 | Register of Advance (Form-XXII) |
| 7 | Register of Overtime (Form-XXIII) |
| 8 | Register of Deductions for damage or loss (Form-XX) |
| 9 | Register of Fines (Form-XXI) |
| 10 | Notice of commencement of the contract work (Form-VI A) |
| 11 | Consolidated return as per Self-Certification Scheme |
| II | PAYMENT OF WAGES ACT 1936 |
| 1 | Payment register |
| 2 | Ensure payment of wages to employees on 7/10 of every month. |
| 3 | Abstract of act (S 25) |
| 4 | Pay day notice (R8) |
| 5 | Consolidated return as per Self-Certification Scheme |
| III | MINIMUM WAGES ACT, 1948 |
| 1 | Register of Fine (Form-I) |
| 2 | Register of Deductions for damage or loss (Form-II) |
| 3 | Overtime register for workers (Form-IV) |
| 4 | Muster Roll (Form-V) |
| 5 | Wage Slip (Form-XIII) |
| 6 | Consolidated return as per Self-Certification Scheme |
| 7 | Abstract of act and name of inspecting authorities (Form-XI-A) |
| IV | PAYMENT OF GRATUITY ACT, 1972 |
| 1 | No. of Employees who have been paid their gratuity and mode of payment. |
| 2 | No. of Employees who have been paid their gratuity and reason in brief. |
| 3 | Notice of opening (in Form-A) /Notice of change (in Form-B)/ Notice of Closer (Form-C) |
| 4 | Nomination (Form-F)/Abstract of the Act and Rule (in Form –U) |
| V | PAYMENT OF BONUS ACT, 1965 |
| 1 | (Computation of Allocable Surplus Under Section 2(4) (Form –A) |
| 2 | (Set-on and set-off of allocable surplus under section 15) (Form-B) |
| 3 | (Bonus paid to employers for the accounting year ending on.) (Form- C) |

| | |
|-------------|--|
| 4 | Consolidated return as per Self-Certification Scheme |
| VI | EQUAL REMUNERATION ACT, 1976 |
| 1 | Register in Form-D |
| VII | J&K SHOPS AND ESTABLISHMENT ACT 1966 |
| 1 | Register of Establishment under Rule 3(2) (Form-A) |
| 2 | Register of certificate Rule 3(3) (Form-C) |
| 3 | Notice of change Rule 8 (Form-D) |
| 4 | Register of leave with wages Rule 11(1) (Form G) |
| 5 | Leave Book Rule 11(3) (Form-H) |
| 6 | Register of employees (Form-L) |
| 7 | (Attendance, Overtime Wages) Rule 20(1) (Close Day 20(4) (Form-O) |
| 8 | Service Card-(Rule-13) (Form-P) |
| VIII | INSPECTION CHECK LIST FOR EMPLOYERS UNDER FACTORY ACT, 1948 |
| 1 | Obtain license to run the factory as required under section 6 of the Act and also will get it renewed (rule7,8,10 and 14) |
| 2 | Get approved the building plans of the factory from the Chief Inspector of Factories in accordance with the provisions of section 6 of the Act and rule 3 and 4. If the premises is extended including plant and machinery, the proposed building plans of the extension will be got approved prior to construction. |
| 3 | Comply with the general duties prescribed for the occupier (section 7-A) of the Factories Act, 1948). |
| 4 | Fix the Weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period , night shifts, prohibition of over lapping shifts (Section 51, 52, 53, 54, 55, 56, 57 and 58 of the Act) |
| 5 | Pay extra wages of overtime as twice of the ordinary rate of wages. |
| 6 | Display the following notices at the conspicuous places in factory premises:- |
| a | Notice of period of work for adults in Form-XII |
| b | Escape in case of fire Rule-66 |
| c | Safe speed notice of machinery in motion Section 30 |
| d | Abstract of the Factories Act and Rule:106 |
| 7 | Maintain the following registers: |
| a | Attendance Register - Rule 110 |
| b | Inspection Book - Rule 112 |
| c | Adult Worker Register - Rule 87 |

| | |
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| d | Accident Register - Rule 111 |
| e | Leave With Wages Register - Rule 94 |
| f | Lime Washing Register - Rule 18 |
| g | Compensatory Holidays Register - Rule 84 |
| h | Extra Wages For Overtime Register - Rule 85 |
| i | Register Of Child Workers - Rule 93 |
| j | Give the annual leave with wages as per- Rule 94 |
| k | Submit the annual return in form 21. |
| IX | MOTOR TRANSPORT WORKERS ACT, 1961 |
| 1 | Certificate of registration to work a Motor Transport Undertaking in (Form-II) |
| 2 | Record of lime washing , painting etc. (Form-VI) |
| 3 | Notice of period of work for Motor Transport Workers (Form-V) |
| 4 | Register of compensatory holidays (Form-VI) |
| 5 | Register of leave with wages (Form-VII) |
| 6 | Leave Book (Form -VIII) |
| 7 | Muster Roll (Form -X) |
| 8 | Annual Return (Form XIII) |
| X | NATIONAL AND FESTIVALS HOLIDAYS ACT |
| 1 | Statement of National and Festival Holidays (Rule-3) |
| XI | CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986 |
| 1 | Certificate of Age (Form B) |
| XII | THE MATERNITY BENEFIT ACT |
| 1 | Muster Roll (Form-A) |
| 2 | Receipt of Maternity Benefit (Form –F) |
| 3 | Abstract of the Maternity Benefit and rules framed thereunder (Form-K) |
| XIII | WORKING JOURNALIST AND OTHER NEWSPAPER EMPLOYEES ACT |
| 1 | Register of employees (Form –D) |
| 2 | Service register (Form-E) |
| 3 | Leave Register (Form-F) |
| 4 | Muster Roll (Form G) |

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| XIV | BUILDING AND OTHER CONSTRUCTION WORKERS ACT |
| 1 | Certificate of registration (Form-II) |
| 2 | Register of Establishment (Form III) |
| 3 | Notice of commencement /completion of building and other construction workers. (Form-IV) |
| 4 | Health register (Form-XII) |
| 5 | Register of Building workers employed by the employee. (Form-XV) |
| 6 | Muster Roll (Form XVI) |
| 7 | Register of Wages. (Form-XVI) |
| 8 | Register of deductions for damages or loss. (Form-XIX) |
| 9 | Register of fines. (Form-XX) |
| 10 | Register of advances. (Form-XXI) |
| 11 | Overtime Register (Form-XXII) |
| 12 | Wages Book (Form-XXIII) |
| 13 | Service certificate (Form-XXIV) |
| 14 | Consolidated return as per Self-Certification Scheme |
| XV | INTERSTATE MIGRANT WORKERS ACT |
| 1 | Certificate of Registration (Form-II) |
| 2 | Register of Establishment (Form-III) |
| 3 | Licence of Contractor (Form-VIII) |
| 4 | Consolidated return as per Self-Certification Scheme |
| 5 | Register of Contractor (Form-XII) |
| 6 | Register of workmen employed by the contractor (Form-XIII) |
| 7 | Displacement of outward journey allowance sheet (Form-XV) |
| 8 | Muster Roll (Form-XVII) |
| 9 | Register OF Wages (Form-XVIII) |
| 10 | Register of Deduction for damages or loss (Form-XIX) |
| 11 | Register of fines (Form-XX) |
| 12 | Register of advances (Form-XXI) |
| 13 | Register Of Overtime (Form-XXII) |
| 14 | Return to be sent by the contractor to the licensing officers (Form-XXIII) |
| 15 | Consolidated return as per Self-Certification Scheme |

INSPECTION NOTE TO BE ISSUED BY JOINT INSPECTION TEAM

Name and Address of the Establishment _____

Name of employer/Manager/In-charge _____

Date and time of Inspection _____

Nature of Irregularities detected

| S.no | Name of the Act | Irregularity observed |
|------|--|-----------------------|
| 1 | The Contract Labour (R&A) Act, 1970 | |
| 2 | The Payment Of Wages Act, 1936 | |
| 3 | The Minimum Wages Act, 1948 | |
| 4 | The Payment Of Bonus Act, 1965 | |
| 5 | The Equal Remuneration Act, 1976 | |
| 6 | The Payment Of Gratuity Act, 1972 | |
| 7 | The Maternity Benefit Act, 1961 | |
| 8 | The Motor Transport Workers Act, 1961 | |
| 9 | The Child Labour (Prohibition And Regulation) Act, 1986 | |
| 10 | The Building And Other Construction Workers (Regulation Of Employment And Conditions Of Service) Act, 1996 | |
| 11 | The Building And Other Construction Workers' Welfare Cess Act, 1996 | |
| 12 | The Inter-State Migrant Workmen (Regulation Of Employment And Conditions Of Service) Act, 1979 | |
| 13 | Working Journalist And Other Newspaper Employees Act | |
| 14 | National And Festivals Holidays Act | |
| 15 | J&K Shops And Establishment Act 1966 | |
| 16 | The Factories Act, 1948 | |

Signature

Inspector/Member/Head of Inspection team

The afore said irregularities have been observed in your establishment during the joint inspection conducted on _____. You are requested to rectify the same and submit the compliance report to the undersigned within 7 days failing which legal action shall be initiated for contravention of the provisions of the aforesaid Labour laws.

Signature

Inspector/Head of inspection team

I Sh/Smt _____ employer/Manager/In-charge of the M/S _____ has received the inspection note from the joint inspection team on _____

Signature
Of Witness (if any)

Signature employer/Manager/In-charge
M/S _____

INSPECTION NOTE TO BE ISSUED BY INSPECTOR/INSPECTION TEAM

(For Establishments Filing Returns And Maintaining Records As Per Provisions OF Labour Laws (Exemption From Furnishing Returns And Maintaining Register By Certain Establishments Act 1988 And labour Laws (Exemption From Furnishing Returns And Maintaining Register By Certain Establishments Amendment Act ,2014,And Having Upto 40 Employees)

Name and Address of the Establishment _____

Name of employer/Manager/In-charge _____

Date and time of Inspection _____

Nature of Irregularities detected

| S.no | Name of the Act | Irregularity observed |
|------|---|-----------------------|
| 1 | Form I | |
| 2 | Form II | |
| 3 | Form III | |
| 4 | Wage Slips In The Form XIII As Per Jammu And Kashmir Minimum Wages Rules, 1972 | |
| 5 | Slips Relating To Measurement Of The Amount Of Work Done By Piece-Rated Workers As Per Form X Under Jammu And Kashmir Payment Of Wages Rules 1972 | |
| 6 | File Returns Relating To Accidents As Per Form 19 Jammu And Kashmir Factories Rules , 1972 | |

Signature

Inspector/Member/Head of Inspection team

The afore said irregularities have been observed in your establishment during the joint inspection conducted on _____. You are requested to rectify the same and submit the compliance report to the undersigned within 7 days failing which legal action shall be initiated for contravention of the provisions of the aforesaid Labour laws.

Signature

Head, Joint inspection team

I Sh/Smt _____ employer/Manager/In-charge of the M/S _____ has received the inspection note from the joint inspection team on _____

Signature
Of Witness (if any)

Signature employer/Manager/In-charge
M/S _____

COMPLIANCE REPORT TO BE SUBMITTED BY INSPECTOR/INSPECTION TEAM

1. Labour Identification Number of portal of the establishment
(if LIN number not given than give following details) _____

1. Name & address of establishment/employer _____

2. Name & location of work _____

3. Period of work _____

4. Name & address of principal employer _____

5. Registration code under PF/ESI/Registration No./License No. _____

6. Working Hours _____

7. (a) Wage period and date of payment _____

(b) Rates of notified wages _____

8. Weekly holiday:- _____

9. Number of workers employed on the date of inspection

| | Regular | Contract Labour | Total |
|--------|---------|-----------------|-------|
| Male | | | |
| Female | | | |
| | | | |

10. Name and designation of employer/s representatives present during the inspection. _____

11. Whether notice and abstract of the Act displayed _____

12. Whether Registration /Licenses/Code taken under EPF/ESI/BOCW/ISMW/CL(R&A)/or any other Act applicable in the establishment. _____

13. Whether Registered under J&K Self Certification Scheme _____ if yes Registration No. and date _____

14. Whether Employment Card/Wages slips/Measurement slips issued to the workers. _____

15. Registers and records checked and comments upon (As below)

I. Contract Labour (R & A) Act, 1970

| | | |
|---|--|------------------------------------|
| 1 | Whether provisions of this Act are applicable to the establishment? | |
| | If yes | Give below mentioned detail |
| | 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) : | |

II. Building and Other Construction Workers (RE & CS) Act, 1996

| | | |
|---|--|------------------------------------|
| 1 | Whether the provisions of the Act & Rules are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | 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 there under 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 there under 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) | |

III. Payment of Wages Act, 1936

| | | |
|---|--|------------------------------------|
| 1 | Whether provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | 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) : | |

IV. Minimum Wages Act, 1948

| | | |
|---|---|------------------------------------|
| 1 | Whether provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | b) Whether prescribed registers i.e Register of Fine, Register of Deductions for damage or loss, Overtime register, Muster Roll and Wage Slip are maintained and kept? If not, extent of violations : | |
| | c) Whether prescribed Return has been submitted within | |

| | | |
|---|--|--|
| | prescribed time limit? | |
| 3 | Summary of violation (mention relevant Sections and Rules) : | |

V. Payment of Gratuity Act, 1972

| | | |
|---|---|------------------------------------|
| 1 | Whether the provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | 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 | |

VI. Payment Of Bonus Act, 1965

| | | |
|---|--|------------------------------------|
| 1 | Whether provision of this Act is applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | 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) : | |

VII. Equal Remuneration Act, 1976

| | | |
|---|--|------------------------------------|
| 1 | Whether provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether remuneration at equal rates paid to men and women workers for performing the same or similar nature of work | |
| | b) Whether prescribed register has been maintained or kept? | |

| | | |
|---|---|--|
| | c) Whether prescribed return has been submitted within the prescribed time limit? | |
| | d) Whether prescribed Return has been submitted within prescribed time limit? | |
| 3 | Summary of violation (mention relevant Sections and Rules) | |

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

| | | |
|---|---|------------------------------------|
| 1 | Whether provision of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether any child has been employed in any occupation and/or process set | |
| | b) Whether any child has been employed in employment other than the occupations or processes set forth in Part-A and Part-B of the Schedule? If yes, whether the conditions as set forth 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) | |

IX. Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and Rules

| | | |
|---|---|------------------------------------|
| 1 | Whether provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the establishment has been registered? If yes, Regd date & date, details 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 contractor 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 | |

| | | |
|---|---|--|
| | 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) | |

X. Maternity Benefit Act & Rules

| | | |
|---|---|------------------------------------|
| 1 | Whether the provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the provisions of this Act & Rules made there under 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 there under has been exhibited? | |
| | d) Any other violation of the provisions of the Act & Rules noticed. | |
| 3 | Summary of violation (mention relevant Sections and Rules) | |

XI. Building & Other Construction Workers Welfare Cess Act & Rules

| | | |
|---|---|------------------------------------|
| 1 | Whether the provision of this Act is applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the employer has paid cess within the prescribed time | |
| 3 | Summary of violation (mention relevant Sections and Rules) : | |

XII. Working Journalists & Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 & Rules

| | | |
|---|---|------------------------------------|
| 1 | Whether the provisions of this Act are applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | 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) | |

XIII. MOTOR TRANSPORT WORKERS ACT, 1961

| | | |
|---|---|------------------------------------|
| 1 | Whether provision of this Act is applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the establishment has been registered? If yes, Regd. No. & date, maximum number of labour for which registration made. | |
| | b) Whether the provisions of the Act and Rules made there under 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 there under 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? | |
| 3 | Summary of violation (mention relevant Sections and Rules) | |

XIV. J&K SHOPS AND ESTABLISHMENT ACT 1966

| | | |
|---|---|------------------------------------|
| 1 | Whether provision of this Act is applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the establishment has been registered? If yes, Regd. No. & date, maximum number of labour for which registration made. | |
| | b) Whether the provisions of the Act and Rules made there under pertaining to hours of work, rest intervals, weekly off, payment of wages etc. have been complied with? If not, extent of violation | |
| | c) Whether prescribed registers, records i.e Register of leave with wages, Leave Book, Register of employees, Attendance, Overtime Wages, Service Card, are maintained & kept? | |
| | d) Whether prescribed Close Day Form-O displayed | |
| | e) Whether prescribed return has been submitted within time limit? | |
| 3 | Summary of violation (mention relevant Sections and Rules) | |

XI. FACTORY ACT, 1948

| | | |
|---|---|------------------------------------|
| 1 | Whether provision of this Act is applicable to the establishment? | |
| 2 | If yes; | Give below mentioned detail |
| | a) Whether the establishment has obtained licence and its timely renewal? If yes, licence. No. & date, and validity of renewal | |
| | b) Whether the building plans of the factory approved from the Chief Inspector of Factories in accordance with the provisions of the Act?. If the premises is extended including plant and machinery, approval there under | |
| | c) Whether the provisions of the Act and Rules made there under pertaining to hours of work, rest intervals, weekly off, compensatory holidays spread over period, night shifts, prohibition of over lapping shifts etc. Have been complied with? If not, extent of violation | |
| | d) Whether the provisions of the Act and Rules made there under pertaining payment of wages Pay extra wages of overtime as twice of the ordinary rate of wages etc. Have | |

| | | |
|---|--|--|
| | been complied with? If not, extent of violation. | |
| | e) Whether the provisions of the Act and Rules made there under pertaining to Display of Notice of period of work for adults, Escape in case of fire, Safe speed notice of machinery in motion the following notices at the conspicuous places in factory premises have been complied with? If not, extent of violation. | |
| | f) Whether prescribed registers, records i.e Abstract of the Factories Act and Rule, Attendance Register, Inspection Book , Adult Worker Register , Accident Register , Leave With Wages Register , Lime Washing Register , Compensatory Holidays Register, Extra Wages For Overtime Register, Register Of Child Workers, annual leave with wages are maintained & kept? | |
| | g) Whether prescribed return has been submitted within time limit? | |
| 3 | Summary of violation (mention relevant Sections and Rules) | |

STATEMENT OF WORKERS (if any)

| S. NO | Name of Worker | Father's Name | Permanent Address (Compulsory) | Present address & phone no | Date of Joining | Nature of Work | Category | Rate of wages | Signature/Thumb impression | Remark |
|-------|----------------|---------------|--------------------------------|----------------------------|-----------------|----------------|----------|---------------|----------------------------|--------|
| | | | | | | | | | | |
| | | | | | | | | | | |

Signature

Inspector/Member/Head of Inspection team