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Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, MONDAY, OCTOBER 19, 2020
(ASVINA 27, 1942 SAKA)

PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 19th October, 2020

No. 30-PLA-2020/74.- The Factories (Punjab Amendment) Bill, 2020 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.30-PLA-2020

THE FACTORIES (PUNJAB AMENDMENT) BILL, 2020

A

BILL

Further to amend the Factories Act, 1948, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Seventy-first Year of the Republic of India, as follows:-

1. (1) This Act may be called the Factories (Punjab Amendment) Act, 2020. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment of section 2 of Central Act 63 of 1948.

2. In the Factories Act, 1948 (hereinafter referred to as the principal Act), in its application to the State of Punjab, in section 2, in clause (m),-

(i) in sub-clause (i), for the word "ten", the word "twenty" shall be substituted; and

(ii) in sub-clause (ii), for the word "twenty", the word "forty" shall be substituted.

Amendment of section 65 of Central Act 63 of 1948.

3. In the principal Act, in section 65, in sub-section (3), in clause (iv), for the word "seventy-five", the words "one hundred and fifteen" shall be substituted.

Amendment of section 85 of Central Act 63 of 1948.

4. In the principal Act, in section 85, in sub-section (1), in clause (i), for the words "ten" and "twenty", the words "twenty" and "forty" shall, respectively, be substituted.

Insertion of new section 106B in Central Act 63 of 1948.

5. In the principal Act, after section 106A, the following section shall be inserted, namely:-

"106B. The Inspector may, subject to any general or special order of the State Government in this behalf, compound any offence (except offences under Chapter IV and IV A of the Factories Act, 1948) punishable under this Act with fine only, and committed for the first time, either before or after the institution of the prosecution, on realization of such amount of composition fee as he thinks fit not exceeding the maximum amount of fine fixed for the offence; and where the offence is so compounded,-

(i) before the institution of the prosecution, the offender shall not be liable to prosecution, for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender.".

Repeal and saving.

6. (1) The Factories (Punjab Amendment) Ordinance, 2020 (Punjab Ordinance No. 3 of 2020), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

At present factory has been defined as any premises where ten or more workers are employed in a manufacturing process with aid of power. In case, it is without power the figure is twenty. Because of the existing limit, small units are also covered under the definition of "factory". Due to increase in manufacturing activities by small units in the State, the existing threshold limit of "ten" and "twenty" is proposed to be amended by "twenty" and "forty" respectively, so that establishing of small manufacturing units is promoted resulting in creation of more employment opportunities for workers.

Under the existing provisions of the Act, there is no provision for compounding of offences, resulting in high number of prosecution cases. For speedy disposal of offences and to minimise litigation, a new provision, i.e. section 106B is proposed to be inserted for compounding of offences (except offences under Chapter IV and IV A of the Factories Act, 1948).

Hence the Bill seeks to achieve the aforesaid objectives.

BALBIR SINGH SIDHU

Labour Minister, Punjab

CHANDIGARH
THE 19th OCTOBER, 2020

SHASHI LAKHANPAL MISHRA
SECRETARY.

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR

NOTIFICATION

The 12th June, 2015

No. G.S.R.40/C.A.63/1948/S.112/Amd.(33)/2015.-With reference to the Government of Punjab, Department of Labour, Notification No. G.S.R.8/C.A.63/1948/S.112/Amd./2015, dated 17th March, 2015 and in exercise of the power conferred by section 112 of the Factories Act, 1948 (Central Act No.63 of 1948), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Factory Rules, 1952, namely:-

RULES

1. These rules may be called the Punjab Factory (Second Amendment) Rules, 2015.
2. They shall come into force on and with effect from the date of their publication in the Official Gazette.
3. In the Punjab Factory Rules, 1952 (hereinafter referred to as the said rules), in rule 8,-
 - (i) in sub-rule (1), for the words "one year or five years" the words "one year or any further period upto ten years" shall be substituted; and
 - (ii) in sub-rule (2), -
 - (a) for the words "five years," and "five times" the words "more than one year" and "multiplied by the number of years," shall respectively be substituted;
 - (b) for the existing Schedule, the following Schedule shall be substituted, namely:-

" SCHEDULE

Fees for the grant of licence for a factory for one year

Quantity Kilo Watt installed (Max Kilo Watt)	Maximum number of workers to be employed on any day during the year						
	Upto 20	From 21 to 50	From 51 to 100	From 101 to 250	From 251 to 500	From 501 to 1000	Above 1000
Upto 20	450	750	1500	3000	4500	7500	10,500
21 upto 50	675	1500	2250	4500	7500	10,500	15,000
51 upto 100	1500	2250	3000	7500	10,500	15,000	18,000
101 upto 250	2250	3000	6000	10,500	15,000	18,000	22,500
251 upto 500	3000	4500	7500	12,000	18,000	22,500	30,000
501 upto 1000	4500	6000	10,500	15,000	22,500	30,000	37,500
Above 1000	6000	10,500	15,000	22,500	30,000	37,500	45,000."

(iii) in sub-rule (3), for the words " five years , or ten years " the words "one year, or any number of years upto ten years," shall be substituted.

3 In the said rules, in rule 10, in sub-rule (2) for the words "one year or five years" the words "one year or any further period upto ten years" shall be substituted ;

VISWAJEET KHANNA,
Principal Secretary to Government of Punjab,
Department of Labour.



Punjab Government Gazette

ORDINARY

Published by Authority

CHANDIGARH, FRIDAY, DECEMBER 4, 2020
(AGRAHAYANA 13, 1942 SAKA)

LEGISLATIVE SUPPLEMENT

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PART III
GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR
(Labour Branch)

NOTIFICATION

The 27th November, 2020

No. G.S.R. 98/C.A.63/1948/S.112/Amd.(34)/2020.-With reference to the Government of Punjab, Department of Labour (Labour Branch), Notification No.11/01/2019-21(P.F.)/1347, dated the 10th September, 2020 published in the Punjab Government Gazette dated the 25th September, 2020 and in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Factory Rules, 1952, namely:-

RULES

1. (1) These rules may be called the Punjab Factory (Amendment) Rules, 2020.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Factory Rules, 1952 (hereinafter referred to as the said rules), in rule 2-A, after sub-rule (5), the following sub-rules shall be added, namely:-
 - “(6) Following leading technical Institutions in the State of Punjab and Chandigarh having Civil or Structural Engineering courses shall be the competent person for the purpose of clause (a) of sub-section (1) of section 6 of the Act, namely:-
 - (1) Punjab Engineering College (deemed to be University), Sector-12, Chandigarh;
 - (2) Chandigarh College of Engineering and Technology, Sector-26, Chandigarh;
 - (3) Thapar Institute of Engineering and Technology, Patiala;
 - (4) Guru Nanak Dev Engineering College, Ludhiana;
 - (5) Dr. B.R. Ambedkar National Institute of Technology, Jalandhar;
 - (6) Giani Zail Singh Campus College of Engineering and Technology, Maharaja Ranjit Singh Punjab Technical University, Bathinda;

-
- (7) Indian Institute of Technology, Ropar;
(8) Punjabi University, Patiala;
(9) Shaheed Bhagat Singh State Technical Campus, Ferozepur; and
(10) any other institute, as may be notified by the State Government.
- (7) The certification done by the institutions referred in sub-rule (6) shall be accepted only when such certification is signed by the Head of the Civil or Structural Engineering Department and Head of the Institution.”.

3. In the said rules, in rule 3(A), -

(i) for sub-rule (2), the following shall be substituted, namely:-

“(2) No additions, alterations or extensions in the existing factory shall be made, except those specified in the Schedule given below, unless such additions, alterations or extensions are accepted by the Chief Inspector.

SCHEDULE

Serial No.	Type of additions, alterations or extensions
1.	Boundary Wall upto height of 6 Feet.
2.	Rooms or cabins be used for clerical or managerial or pantry purposes.
3.	Security pickets or guard rooms
4.	Electricity meter rooms
5.	Sheds for vehicle parking
6.	Canopies for generator sheds
7.	Store where non-combustible or non-inflammable or non-toxic material to be stored.
8.	Balcony or chajjas.
9.	Toilets or urinals.
10.	Demolition of any part of factory building.
11.	Addition of machinery which does not result in any change in process or end product or by product.
12.	Changes in outer gates.
13.	Additional stair cases or ramps.
14.	Rooms to be used for residential purposes”; and

- (ii) In the sub-rule (3);-
- (a) for the words, figure, signs and letter “Application for submission the plans shall be made by the competent person, in Form No. 1-C along with the following plans and documents in duplicate (In duplicate duly countersigned by the Occupier or Manager as the case may be), to the Chief Inspector”, the words, brackets and signs “ Application for submission of the plans shall be uploaded by the Occupier or Manager along with the following plans and documents on the portal (pblabour.gov.in) of the Chief Inspector,-” shall be substituted; and
- (b) For clause (f), the following clause shall be substituted, namely:-
- " (f) (i) the occupier or manager of the factory shall appoint a competent person for certification of Building Plans and Stability Certificate; and
- (ii) the competent person shall make an application of self certification to the effect that the building plans and stability certificate being certified are as per the Act and rules made thereunder. The occupier or manager of the factory shall submit such certified application through his user name on the portal "pblabour.gov.in" of the Chief Inspector for acceptance;"
4. In the said rules, after rule 10, the following rule shall be inserted, namely:-
- “10 –A. Automatic Renewal of License.-** (1) A license shall be renewed for one year digitally through automatic mode if there is no change in particulars of license from the previous granted or renewed license and other conditions required by Government.
- (2) For the purposes of sub-rule (1), every application for the renewal of license shall be made in Form 2-B together with the fees for a period of one year, and shall be submitted on departmental portal “pblabour.gov.in” not less than thirty days before the date on which the license is to expire.
- (3) The fees for renewal of license for one year shall be as specified in the Schedule given under sub-rule (2) of rule 8:
- Provided that if the application for renewal, complete in all respects, is not submitted on the portal within the time specified in sub-rule (2), a late fee of twenty-five percent of the fees payable for the renewal of a license for one year shall be chargeable.
- (4) The license generated under this rule shall have the same sanctity as renewed under rule 10."
5. In the said rules, in rule 70, for sub-rule (5), the following shall be substituted, namely:-
- “(5) The Chief Inspector, may, by an order in writing exempt any factory from the

requirements of this rule, subject to such conditions as he may specify in that order, if there is an empanelment of a hospital or nursing home of minimum twenty beds at a travel distance of not more than two kilometers from the main gate of the factory and also there is a provision of ambulance van in the premises of the factory.”.

6. In the said rules, after rule 113, the following rule shall be added, namely:-

“114. Maintenance of registers in electronic or digital format.- (1) Occupier or factory Manager shall have an option to maintain the registers mentioned in the Schedule given below in electronic or digital format with time stamp, geo positioning and digital signatures of the occupier or factory manager in the same format as specified for the said registers in these rules.

SCHEDULE

Serial.	Name of Register	Section	Rule
1.	Particular of Rooms Register	6	3-A
2.	Lime-Washing Register	11	18
3.	Humidity Register	15	24
4.	Tight-cloth Register	22	58
5.	Compensatory Holidays register	53	83
6.	Overtime muster roll for exempted workers Register	59	85
7.	Adult Workers Register	62	87
8.	Child Labour Register	73	93
9.	Leave With Wages Register	83	94-A
10.	Health Register	87	102
11.	Muster Roll	112	110
12.	Accident Register	112	111
13.	Inspection Book	112	112

- (2) The Occupier or Manager shall provide access to the Inspector to inspect such registers as and when required and shall also make a provision for signing of such registers digitally by the Inspector.
- (3) The Occupier or Manager shall preserve such registers as required under the provisions of the Act and these rules.”.

FORM 2-B

(See rule 10-A)

**APPLICATION FOR AUTOMATIC RENEWAL OF LICENCE FOR THE
YEAR.....**

1. Full name of the factory and address of the factory:
2. Nature of manufacturing process or processes, bye-products to be carried in factory:
3. Maximum number of workers proposed to be employed in any one day during the year for which licence is sought:
4. Amount of power in K.W. Installed or proposed to be installed:
5. Full name, residential address and name of father of the person who shall be the manager of the factory for the purposes of the Act:
6. Full name, residential address and name of father of person who is occupier for the purpose of Act:
 - (a) Proprietor in case of proprietary concern
 - (b) Partner in case of partnership firm/LLP
 - (c) The directors in case of a private/public limited Liability Company
 - (d) Person appointed by Government in case of a Government or local authority factory
 - (e) Managing Director of society in case of co-operative societies
7. Full name and address of the owner of the premises or building (including the Precincts thereof) referred to in section 93:
8. Reference number and date of approval of the plans and stability:
9. Amount of fee paid: Rs. Date of payment.....

Digital Signature of occupier:

Digital Signature of manager:

VIJAY KUMAR JANJUA, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Labour.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF REVENUE & REHABILITATION

(LAND REVENUE-1 BRANCH)

NOTIFICATION

The 25th November, 2020

No. S.O. 57/C.A.30/2013/S.43/2020.- In supersession of the Government of Punjab, Department of Revenue, Rehabilitation and Disaster Management, Notification No. 24/84/2013-LR-1/15806, dated the 17th September, 2015 and in exercise of the powers conferred by sub-section (1) of section 43 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013) and all other powers enabling him in this behalf, the Government of Punjab is pleased to appoint all the Additional Deputy Commissioners (General) in the State of Punjab as Administrators, Rehabilitation and Resettlement, within their respective jurisdiction, under the *ibid* Act.

VISWAJEET KHANNA,

Additional Chief Secretary-cum-Financial
Commissioner, Revenue and Rehabilitation,
Punjab.



Punjab Government Gazette

EXTRAORDINARY

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CHANDIGARH, THURSDAY, AUGUST 6, 2020 (SRAVANA 15, 1942 SAKA)

GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR
(LABOUR BRANCH)

NOTIFICATION

The 6th August, 2020

No.21/65/2019-4L/1098.-In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act 20 of 1946), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to exempt all MSME Industrial establishments in state of Punjab from mandatory certification of Standing Orders as provided under section 5 of the said Act. However they will have to comply with the provisions of Model Standing Orders given in schedule II to the Industrial Employment (Standing Orders) Punjab Rules 1978. In case they desire to modify the Model Standing Orders given in Schedule II to the Industrial Employment (Standing Orders) Punjab Rules 1978 they have to get it certified under Section-5 of the Industrial Employment (Standing Orders) Act, 1946.

Sd/-

(VIJAY KUMAR JANJUA, IAS)

Additional Chief Secretary to Government of Punjab,
Department of Labour.

2076/8-2020/Pb. Govt. Press, S.A.S. Nagar



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CHANDIGARH, THURSDAY, AUGUST 6, 2020 (SRAVANA 15, 1942 SAKA)

GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR
(LABOUR BRANCH)

NOTIFICATION

The 6th August, 2020

No.21/65/2019-4L/1095.-A Notification No. 21/65/2019-4L/787 was published in the official Gazette on 12th June, 2020, calling for objections and suggestions from general public and the affected parties. The suggestions and objections which were received have been considered by the Government of Punjab. Now in exercise of the powers conferred by section 15 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act No. 20 of 1946), the Governor of Punjab is pleased to make the following Rules further to amend the Industrial Employment (Standing Orders) Punjab Rules 1978:

1. These Rules may be called the Industrial Employment (Standing Orders) Punjab (Amendment) Rules, 2020.
2. In the Industrial Employment (Standing orders) Punjab Rules, 1978, (hereinafter) referred to as the said Rules), after rule 3, the following rule shall be inserted namely:-

" 3-A. Employer not to convert the posts. - No employer of an industrial establishment shall convert the posts of the permanent workmen existing in his industrial establishment as Fixed Term Employment.
3. In the said Rules, in rule 5, after item (7), the following item shall be inserted, namely:-

"(7-A) number of fixed term employment workman;"
4. In the said rules, in Schedule II,-
 - (i) In clause 3, after sub-clause (7), the following sub-clause (8) shall be inserted, namely:-

"(8) "fixed term employment workman" is a workman, who has been engaged for a fixed period, on the basis of a written contract of employment:

Provided that-

- (a) his hours of work, wages, allowances and other benefits, shall not be less than that of a

permanent workman; and

- (b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him, even if his period of employment does not extend to the qualifying period of employment required in the statute.";
- (ii) In clause 19, after sub-clause (3), the following sub-clause (4) shall be inserted, namely:-

"(4) Subject to the provisions of the Industrial Disputes Act (Central Act No.14 of 1947, -

- (iii) no notice of termination of employment, shall be necessary in the case of temporary workman whether monthly rated, weekly rated or piece rated and probationers or badli workmen; and
- (iv) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that a temporary workman, who has completed three month's continuous service, shall be given two week's notice of the intention to terminate his employment, if such termination is not in accordance with the terms of the contract of his employment:

Provided that the services of a temporary workman, shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the matter, as specified in Para 23."

Sd/-

(VIJAY KUMAR JANJUA, IAS)

Additional Chief Secretary to Government of Punjab,
Department of Labour.

PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 1st October, 2020

No.17-Leg./2020.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 23rd day of September, 2020, is hereby published for general information:-

**THE INDUSTRIAL DISPUTES (PUNJAB AMENDMENT)
ACT, 2020**

(Punjab Act No. 14 of 2020)

AN

ACT

further to amend the Industrial Disputes Act, 1947, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Industrial Disputes (Punjab Amendment) Act, 2020. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Industrial Disputes Act, 1947 (hereinafter referred to as the principal Act), in its application to the State of Punjab, in section 2A, after sub-section (3), the following sub-section (4) shall be added, namely:- Amendment of section 2A of Central Act 14 of 1947.

“(4) Notwithstanding anything contained in sub-sections (1), (2) and (3), no such dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute if such dispute is not raised in conciliation proceeding within a period of three years from the date of such discharge, dismissal, retrenchment or termination;

Provided that an authority, as may be specified by the State Government, may consider to extend the said period of three years when the applicant workman satisfies the authority that he had sufficient cause for not raising the dispute within the period of three years."

3. In the principal Act, for section 25K, the following section shall be substituted, namely:-

Substitution of section 25K of Central Act 14 of 1947.

"25K. (1) The provisions of this Chapter shall apply to an industrial establishment (not being an establishment of a seasonal character or in which work is performed only intermittently) in which not less than three hundred workmen were employed on an average per working day for the preceding twelve months.

(2) Without prejudice to the provisions of sub-section (1), the State Government may, if satisfied that maintenance of industrial peace or prevention of victimization of workmen so requires, by notification in the Official Gazette apply the provisions of this Chapter to an industrial establishment (not being an establishment of a seasonal character or in which work is performed only intermittently), in which less than three hundred workmen but not less than one hundred workmen, as may be specified in the notification, were employed on an average per working day for the preceding twelve months.

(3) If a question arises whether an industrial establishment is of a seasonal character or whether work is performed therein only intermittently, the decision of the appropriate Government thereon shall be final."

4. In the principal Act, in section 25 N,-

Amendment of section 25N of Central Act 14 of 1947.

"(i) in sub-section (1), in clause (a), the signs and words ", or the workman has been paid in lieu of such notice, wages for the period of the notice" shall be omitted; and

(ii) in sub-section (9), after the words "six months", the following words shall be added, namely:-

"and an amount equivalent to his three months average pay".

5. In the principal Act, in section 25-O, in sub-section (8), after the words "six months", the following words shall be added, namely:-

Amendment of section 25-O of Central Act 14 of 1947.

"and an amount equivalent to his three months average pay".

6. In the principal Act, in Fifth Schedule, in part II, after paragraph 5, the following Explanation shall be added, namely:-

Amendment of Fifth Schedule of Central Act 14 of 1947.

“Explanation.- For the purpose of this paragraph, ‘go slow’ means any such activity by any number of persons, employed in any industry, acting in combination or with common understanding, to slow down or to delay the process of production or work purposely whether called by work to rule or by any other name, so as the fixed or average or normal level of production or work or output of workman or workmen of the establishment is not achieved:

Provided that all necessary ingredients or inputs for standard quality production or work are made available in time and in sufficient quantity.”.

7. (1) The Industrial Disputes (Punjab Amendment) Ordinance, 2020, published in the Punjab Government Gazette (Extraordinary) dated the 11th August, 2020, is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the principal Act, as amended by this Act.

S.K. AGGARWAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

Item No. 33

Government of Punjab
Department of Labour
Labour Branch

PST
01/11
PS

Order

No. 21/134/2001- 5Labour(PF)/ 1345272 Dated, Chandigarh, the 01st Nov, 2018

In supersession of the earlier orders in this regard issued vide No. 28674-28780, dated 31-10-2017 and in exercise of the powers conferred under section 28 of the Punjab Shops and Commercial Establishments Act, 1958 it is ordered that registration under Section 13 of the said Act shall be granted within one day from the date of submission of online application without prior inspection by the competent authority. The renewal of Registration required under section 13(2) (ii) of the Act is here by exempted.

P.S/Labour/Diary No. 35589
Date 2/11/18

R. Venkat Ratnam, IAS
Principal Secretary Government of Punjab
Department of Labour

Endst. No. 21/134/2001- 5Labour(PF)/1345272/1 Dated, Chandigarh, the 01st Nov, 2018

A copy is forwarded to the Controller, Printing and Stationery Department, Punjab, S.A.S Nagar for its publication in the next official gazette.

B. Man
of Superintendent

Endst. No. 21/134/2001- 5Labour(PF)/1345272/2 Dated, Chandigarh, the 01st Nov, 2018

A copy is forwarded to the Labour Commissioner, Punjab to ensure its implementation by all the concerned officers and officials working in the Department of Labour, Punjab.

B. Man
of Superintendent

GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
(LABOUR BRANCH)

NOTIFICATION

The 11th August, 2020

No.11/01/2019-2L/..[13].....The following Ordinance of the Punjab State Legislature received the assent of the President of India vide letter FNO.14/01/2020-Judl & PP on the 11th day of June, 2020 and is hereby published for general information:-

The Contract Labour (Regulation and Abolition)(Punjab Amendment) Ordinance, 2020

An

Ordinance

Further to amend the Contract Labour (Regulation and Abolition) Act, 1970 in its applicability to the State of Punjab.

Promulgated by the Governor of Punjab in the Seventy-first Year of the Republic of India.

Whereas the Legislative Assembly of the State of Punjab is not in session and the Governor is satisfied that circumstances exist, which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Punjab is pleased to promulgate the following Ordinance, namely:-

1. (1) This Ordinance may be called The Contract Labour (Regulation and Abolition) (Punjab Amendment) Ordinance, 2020.

(2) It shall come into force with effect from the date it is notified in the Punjab Government Official Gazette.

2. In the Contract Labour (Regulation and Abolition) Act, 1970, in its applicability to the State of Punjab, in section 1, in sub-section (4), in clauses (a), (b) and the proviso thereunder, for the word "twenty", the word "fifty" shall be substituted.

Short title, extent
and
commencement

Amendment of
Section 1 of Central
Act 37 of 1970

-sd-

GOVERNOR OF PUNJAB

Endst. No.11/01/2019-2L/

Dated, Chandigarh, the

A copy of the above is forwarded to the Controller, Printing and Stationery Department, Punjab, S.A.S. Nagar with the request that this notification may please be published in the Extra-ordinary gazette and supply 20 copies thereof to this department.

-Sd-

Vijay Kumar Janjua, IAS
Additional Chief Secretary to Government of Punjab,
Department of Labour.

-2-

Endst. No.11/01/2019-2L/ 1133

Dated, Chandigarh, the 11/08/2020

✓ A Copy of above is forwarded to the Labour Commissioner, Punjab for information and necessary action.



Vijay Kumar Janjua, IAS
Additional Chief Secretary to Government of Punjab,
Department of Labour



Punjab Government Gazette

ORDINARY

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CHANDIGARH, FRIDAY, DECEMBER 4, 2020
(AGRAHAYANA 13, 1942 SAKA)

LEGISLATIVE SUPPLEMENT

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PART III
GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR
(Labour Branch)

NOTIFICATION

The 27th November, 2020

No. G.S.R. 98/C.A.63/1948/S.112/Amd.(34)/2020.-With reference to the Government of Punjab, Department of Labour (Labour Branch), Notification No.11/01/2019-21(P.F.)/1347, dated the 10th September, 2020 published in the Punjab Government Gazette dated the 25th September, 2020 and in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Factory Rules, 1952, namely:-

RULES

1. (1) These rules may be called the Punjab Factory (Amendment) Rules, 2020.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Factory Rules, 1952 (hereinafter referred to as the said rules), in rule 2-A, after sub-rule (5), the following sub-rules shall be added, namely:-
 - “(6) Following leading technical Institutions in the State of Punjab and Chandigarh having Civil or Structural Engineering courses shall be the competent person for the purpose of clause (a) of sub-section (1) of section 6 of the Act, namely:-
 - (1) Punjab Engineering College (deemed to be University), Sector-12, Chandigarh;
 - (2) Chandigarh College of Engineering and Technology, Sector-26, Chandigarh;
 - (3) Thapar Institute of Engineering and Technology, Patiala;
 - (4) Guru Nanak Dev Engineering College, Ludhiana;
 - (5) Dr. B.R. Ambedkar National Institute of Technology, Jalandhar;
 - (6) Giani Zail Singh Campus College of Engineering and Technology, Maharaja Ranjit Singh Punjab Technical University, Bathinda;

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- (7) Indian Institute of Technology, Ropar;
(8) Punjabi University, Patiala;
(9) Shaheed Bhagat Singh State Technical Campus, Ferozepur; and
(10) any other institute, as may be notified by the State Government.
- (7) The certification done by the institutions referred in sub-rule (6) shall be accepted only when such certification is signed by the Head of the Civil or Structural Engineering Department and Head of the Institution.”.

3. In the said rules, in rule 3(A), -

(i) for sub-rule (2), the following shall be substituted, namely:-

“(2) No additions, alterations or extensions in the existing factory shall be made, except those specified in the Schedule given below, unless such additions, alterations or extensions are accepted by the Chief Inspector.

SCHEDULE

Serial No.	Type of additions, alterations or extensions
1.	Boundary Wall upto height of 6 Feet.
2.	Rooms or cabins be used for clerical or managerial or pantry purposes.
3.	Security pickets or guard rooms
4.	Electricity meter rooms
5.	Sheds for vehicle parking
6.	Canopies for generator sheds
7.	Store where non-combustible or non-inflammable or non-toxic material to be stored.
8.	Balcony or chajjas.
9.	Toilets or urinals.
10.	Demolition of any part of factory building.
11.	Addition of machinery which does not result in any change in process or end product or by product.
12.	Changes in outer gates.
13.	Additional stair cases or ramps.
14.	Rooms to be used for residential purposes”; and

- (ii) In the sub-rule (3);-
- (a) for the words, figure, signs and letter “Application for submission the plans shall be made by the competent person, in Form No. 1-C along with the following plans and documents in duplicate (In duplicate duly countersigned by the Occupier or Manager as the case may be), to the Chief Inspector”, the words, brackets and signs “ Application for submission of the plans shall be uploaded by the Occupier or Manager along with the following plans and documents on the portal (pblabour.gov.in) of the Chief Inspector,-” shall be substituted; and
- (b) For clause (f), the following clause shall be substituted, namely:-
- " (f) (i) the occupier or manager of the factory shall appoint a competent person for certification of Building Plans and Stability Certificate; and
- (ii) the competent person shall make an application of self certification to the effect that the building plans and stability certificate being certified are as per the Act and rules made thereunder. The occupier or manager of the factory shall submit such certified application through his user name on the portal "pblabour.gov.in" of the Chief Inspector for acceptance;"
4. In the said rules, after rule 10, the following rule shall be inserted, namely:-
- “10 –A. Automatic Renewal of License.-** (1) A license shall be renewed for one year digitally through automatic mode if there is no change in particulars of license from the previous granted or renewed license and other conditions required by Government.
- (2) For the purposes of sub-rule (1), every application for the renewal of license shall be made in Form 2-B together with the fees for a period of one year, and shall be submitted on departmental portal “pblabour.gov.in” not less than thirty days before the date on which the license is to expire.
- (3) The fees for renewal of license for one year shall be as specified in the Schedule given under sub-rule (2) of rule 8:
- Provided that if the application for renewal, complete in all respects, is not submitted on the portal within the time specified in sub-rule (2), a late fee of twenty-five percent of the fees payable for the renewal of a license for one year shall be chargeable.
- (4) The license generated under this rule shall have the same sanctity as renewed under rule 10."
5. In the said rules, in rule 70, for sub-rule (5), the following shall be substituted, namely:-
- “(5) The Chief Inspector, may, by an order in writing exempt any factory from the

requirements of this rule, subject to such conditions as he may specify in that order, if there is an empanelment of a hospital or nursing home of minimum twenty beds at a travel distance of not more than two kilometers from the main gate of the factory and also there is a provision of ambulance van in the premises of the factory.”.

6. In the said rules, after rule 113, the following rule shall be added, namely:-

“114. Maintenance of registers in electronic or digital format.- (1) Occupier or factory Manager shall have an option to maintain the registers mentioned in the Schedule given below in electronic or digital format with time stamp, geo positioning and digital signatures of the occupier or factory manager in the same format as specified for the said registers in these rules.

SCHEDULE

Serial.	Name of Register	Section	Rule
1.	Particular of Rooms Register	6	3-A
2.	Lime-Washing Register	11	18
3.	Humidity Register	15	24
4.	Tight-cloth Register	22	58
5.	Compensatory Holidays register	53	83
6.	Overtime muster roll for exempted workers Register	59	85
7.	Adult Workers Register	62	87
8.	Child Labour Register	73	93
9.	Leave With Wages Register	83	94-A
10.	Health Register	87	102
11.	Muster Roll	112	110
12.	Accident Register	112	111
13.	Inspection Book	112	112

- (2) The Occupier or Manager shall provide access to the Inspector to inspect such registers as and when required and shall also make a provision for signing of such registers digitally by the Inspector.
- (3) The Occupier or Manager shall preserve such registers as required under the provisions of the Act and these rules.”.

FORM 2-B

(See rule 10-A)

**APPLICATION FOR AUTOMATIC RENEWAL OF LICENCE FOR THE
YEAR.....**

1. Full name of the factory and address of the factory:
2. Nature of manufacturing process or processes, bye-products to be carried in factory:
3. Maximum number of workers proposed to be employed in any one day during the year for which licence is sought:
4. Amount of power in K.W. Installed or proposed to be installed:
5. Full name, residential address and name of father of the person who shall be the manager of the factory for the purposes of the Act:
6. Full name, residential address and name of father of person who is occupier for the purpose of Act:
 - (a) Proprietor in case of proprietary concern
 - (b) Partner in case of partnership firm/LLP
 - (c) The directors in case of a private/public limited Liability Company
 - (d) Person appointed by Government in case of a Government or local authority factory
 - (e) Managing Director of society in case of co-operative societies
7. Full name and address of the owner of the premises or building (including the Precincts thereof) referred to in section 93:
8. Reference number and date of approval of the plans and stability:
9. Amount of fee paid: Rs. Date of payment.....

Digital Signature of occupier:

Digital Signature of manager:

VIJAY KUMAR JANJUA, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Labour.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF REVENUE & REHABILITATION

(LAND REVENUE-1 BRANCH)

NOTIFICATION

The 25th November, 2020

No. S.O. 57/C.A.30/2013/S.43/2020.- In supersession of the Government of Punjab, Department of Revenue, Rehabilitation and Disaster Management, Notification No. 24/84/2013-LR-1/15806, dated the 17th September, 2015 and in exercise of the powers conferred by sub-section (1) of section 43 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013) and all other powers enabling him in this behalf, the Government of Punjab is pleased to appoint all the Additional Deputy Commissioners (General) in the State of Punjab as Administrators, Rehabilitation and Resettlement, within their respective jurisdiction, under the *ibid* Act.

VISWAJEET KHANNA,

Additional Chief Secretary-cum-Financial
Commissioner, Revenue and Rehabilitation,
Punjab.



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, WEDNESDAY, DECEMBER 30, 2020
(PAUSA 9, 1942 SAKA)

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	2. Notification No. G.S.R. 108/C.A.37/1870/S.35/Amd.(9).2020, dated the 30th December, 2020, containing amendment in the Punjab Contract Labour (Regulation and Abolition) Rules, 1973.	.. 683-684

3. Notification No. G.S.R. 109/C.A.59/1988/
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namely, the Punjab Motor Vehicles
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Nil

PART III
GOVERNMENT OF PUNJAB

DEPARTMENT OF SOCIAL SECURITY AND WOMEN AND CHILD DEVELOPMENT
(Social Security Branch)

NOTIFICATION

The 29th December, 2020

No. G.S.R. 107/Const./Arts. 309 and 15/Amd.(1)/2020.-In exercise of the powers conferred by the proviso to Article 309 read with clause (3) of Article 15 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Civil Services (Reservation of Posts for Women) Rules, 2020, namely:-

RULES

1. (1) These rules may be called the Punjab Civil Services (Reservation of Posts for Women) (First Amendment) Rules, 2020.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Civil Services (Reservation of Posts for Women) Rules, 2020, in rule 4, for **sub-rule (1)**, **the following shall be substituted, namely :-**
“ (1) Notwithstanding anything contained in any Service rules, there shall be a thirty-three percent reservation, **as per Annexure ‘A’**, in favour of women, in all posts in Group ‘A’, Group ‘B’, Group ‘C’ and Group ‘D’ services under all the establishments at the stage of direct recruitment and this reservation shall be horizontal and compartmentalized”.

Annexure 'A'
(See rule 4)

Serial No.	Category/Class	Roster Points 33% reservation
1	Scheduled Castes (8) 33% of 25%=8.25%=8	1,13,25,37,49,61,77,85
2	Backward Class (4) 33% of 12%=3.96%=4	8,42,64,88
3	Ex-servicemen (4) 33% of 13%=4.29%=4	7,28,60,67
4	Sportsperson (1) 33% of 3%=0.99%=1	23
5	Freedom Fighter (1) 1%	63 (By rotation)
6	Physically Handicapped (1) 4% As per the instructions dated 03.10.2019 (at Local reference) of Department of Social Security, Women and Child Development. . Blindness and low vision-1% . Deaf and hard of hearing-1% . Locomotor Disability-1% . Intellectual Disability-1%	11,40,71 and 90 (By rotation)
7	Economically weaker Section 33% of 10%=3.33%=3	10,39,99
8.	General Category (11) 33% of 32%=10.56%=11	2,12,22,31,36,47,55,66,76,83,92
Total		33

JASPAL SINGH,
Principal Secretary to Government of Punjab,
Department of Social Security and Women
and Child Development.

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
(LABOUR BRANCH)
NOTIFICATION

The 30th December, 2020

No. G.S.R. 108/C.A.37/1970/S.35/Amd.(9)/2020.- With reference to the Government of Punjab, Department of Labour (Labour Branch), Notification No.G.S.R.106/C.A.37/1970/S.35/ Amd./2020, dated the 21st December, 2020, published in the Punjab Government Gazette (Extraordinary), dated the 22nd December, 2020, and in exercise of the powers conferred by section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No. 37 of 1970), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Contract Labour (Regulation and Abolition) Rules, 1973, namely:-

RULES

1. These rules may be called the Punjab Contract Labour (Regulation and Abolition) (Amendment) Rules, 2020.

2. In the Punjab Contract Labour (Regulation and Abolition) Rules, 1973 (hereinafter referred to as the said rules), for rule 29, the following shall be substituted, namely:-

"29. Renewal of License.- (1) Every Contractor shall apply for renewal of the license on online portal www.pblabour.gov.in.

(2) Every application for renewal shall be in Form VII available on online portal specified in sub-rule (1) and shall be made not less than thirty days before the date on which the license expires, and if the application is so made, the license shall be renewed within seventy two hours of the receipt of online application.

(3) The contractor shall upload a self-declaration that he has fully complied with the labour laws and nothing is due to workers under labour laws.

(4) Records of certain percentage of contractors would be inspected to ensure the genuineness of declaration submitted by them and to see that contract workers are deployed only on the jobs for which license was obtained. In case self-declaration is found incorrect, the license shall be revoked.

(5) In case of any application for renewal of license, where there is no change in the particulars mentioned in previously granted or renewed license, such license shall be renewed automatically within seventy two hours of the receipt of online application. However, the applicant shall have to apply for renewal of license on online portal and license shall be renewed through automatic mode online within seventy two hours of the receipt of online application.

(6) The fees chargeable for renewal of the license shall be same as for the grant thereof :

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent in excess of the fees ordinarily payable for the license shall be payable for such renewal :

Provided further that in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit, as he deems fit, the payment of such excess fee."

3. In the said rules, after rule 78, the following rule shall be inserted, namely:-

"78A. Maintenance of register and record in digital format.- (1) Any register and record required to be maintained under these rules may also be maintained and preserved in digital format and shall contain time stamp, Geo Positioning and Digital Signature of the concerned principal employer or contractor.

(2) The principal employer or contractor shall provide access to the Inspector to inspect such registers as and when required and shall also make a provision for signing of registers digitally by the Inspectors."

VIJAY KUMAR JANJUA, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Labour.

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF TRANSPORT
(TRANSPORT-II BRANCH)

NOTIFICATION

The 29th December, 2020

No. G.S.R. 109/C.A.59/1988/Ss.111 and 212/Amd./2020.-The following draft of rules further to amend the Punjab Motor Vehicles Rules, 1989, which the Governor of Punjab proposes to make in exercise of the powers conferred by section 111 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act, for the information of the persons likely to be affected thereby.

Notice is hereby given that the draft of rules will be taken into consideration after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with objections or suggestions, if any, which may be received by the Principal Secretary to the Government of Punjab, Department of Transport, Chandigarh with respect to the draft of the rules, before the expiry of period so specified, namely:-

DRAFT RULES

1. These rules may be called the Punjab Motor Vehicles (Amendment) Rules, 2020.
2. In the Punjab Motor Vehicles Rules 1989, after rule 130, the following rule shall be inserted, namely:-

"130-A. Communicating the certificate issued by a testing agency.- (1) A manufacturer shall make an application to the State Transport Commissioner (along with the certificate issued by the testing agency as specified in rule 126 of the Central Motor Vehicles Rules, 1989), for communicating the same to the Registering Authorities in the State, for registration of a new model of the motor vehicle or its variants or CNG or LPG kit approval or electric vehicle, as the case may be.

(2) Such application shall be submitted along with a fee of rupees five thousand, for each new model of a motor vehicle specified in sub-rule (1)."

K. SIVA PRASAD,
Principal Secretary to Government of Punjab,
Department of Transport.



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, FRIDAY, DECEMBER 18, 2020
(AGRAHAYANA 27, 1942 SAKA)

LEGISLATIVE SUPPLEMENT

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PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
(LABOUR BRANCH)

NOTIFICATION

The 17th December, 2020

No. G.S.R. 105/C.A.30/1979/S.35/Amd.(4)/2020.-With reference to the Government of Punjab, Department of Labour (Labour Branch), Notification No. Labour-Lab0Misc/32/2020-2L/1824, dated the 27th November, 2020, published in the Punjab Government Gazette (Extra-ordinary), dated the 27th November, 2020 and in exercise of the powers conferred by section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act No. 30 of 1979), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983, namely:-

RULES

1. These rules may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Amendment Rules, 2020.
2. In the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983 (hereinafter referred to as the said rules), for rule 14, the following shall be substituted, namely:-

"14. Renewal of License.- (1) Every Contractor shall apply for renewal of the license on online portal www.pblabour.gov.in.

(2) Every application for renewal shall be in Form IX available on online portal specified in sub-rule (1) and shall be made not less than thirty days before the date on which the license expires, and if the application is so made, the license shall be renewed within seventy two hours of the receipt of online application.

(3) The contractor shall upload a self-declaration that he has fully complied with the labour laws and nothing is due to workers under labour laws.

(4) Records of certain percentage of contractors would be inspected to ensure the genuineness of declaration submitted by them and to see

that contract workers are deployed only on the jobs for which license was obtained. In case self declaration is found incorrect the license shall be revoked.

(5) In case of any application for renewal of license, where there is no change in particulars mentioned in previously granted or renewed license such license shall be renewed automatically within seventy two hours of the receipt of online application. However, applicant has to apply for renewal of license on online portal and license shall be renewed through automatic mode online within seventy two hours of the receipt of online application.

(6) The fees chargeable for renewal of the license shall be same as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent in excess of the fees ordinarily payable for the license shall be payable for such renewal :

Provided further that in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit, as he deems fit, the payment of such excess fee."

3. In the said rules, after rule 53, the following rule shall be inserted, namely:-

"53A. Maintenance of register and record in digital format.-(1) Any register and record required to be maintained under these rules may also be maintained and preserved in digital format and shall contain time stamp, Geo ositioning and Digital Signature of the concerned principal employer or contractor.

(2) The principal employer or contractor shall provide access to the Inspector to inspect such registers as and when required and shall also make a provision for signing of registers digitally by the Inspectors."

VIJAY KUMAR JANJUA, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Labour.

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

GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

NOTIFICATION

The 6th December, 2013

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

1. **INTRODUCTION :-** This Scheme is being introduced to streamline the implementation of various Labour Laws being implemented by the Labour Commissioner-cum-Director of Factories and also to facilitate the employer/entrepreneur. The Scheme will be applicable on Very Small, Small, Lower Medium, Medium, Large Scale and Very Large Scale Industries/Establishments which are defined as under :-
 - 1) Very small industry means any factory/establishment employing less than 10 workers.
 - 2) Small Scale industry means any factory/establishment employing 10 or more but less than 20 workers.
 - 3) Lower Medium Scale industry means any factory/establishment employing 20 or more but less than 50 workers.
 - 4) Medium Scale industry means any factory/establishment employing 50 workers or more but less than 100 workers.
 - 5) Large Scale industry means any factory/Establishment employing 100 workers or more but less than 500 workers.
 - 6) Very Large Scale industry means any factory/Establishment employing 500 or more than 500 workers.
2. **OBJECTIVE :-** The objective of this Scheme is to introduced transparency and to curtail visits of Government officials for inspection and to reduce visits of entrepreneurs to Government Offices, by automatising approval and regulatory compliances.
3. **PROCEDURE :-** This Scheme shall be optional and any employer/entrepreneur can opt for this Scheme after applying to the Labour Commissioner in the prescribed proforma at Annexure-I and Self declaration as prescribed in Annexure-II. Any discrepancy in the application and self declaration shall be communicated to the applicant within 30 days from the receipt of the application in the office of Labour Commissioner, Punjab. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Scheme.
4. **FILING OF RETURNS :-** The concerned employer/entrepreneur shall file the Self-Certification Return in the prescribed Form No.21 alongwith the required documents for factory registered under the Factories Act and for other establishments in Annexure - III. The return can be filed online during the prescribed period.
5. **VALIDITY OF UNDERTAKING :-** Factual information given in the prescribed Return shall be the same as on the date of filing the Return. The undertaking to abide by all the laws as applicable to the employer/entrepreneur shall be valid for the period for which he remains registered under this Scheme.
6. **AMOUNT OF BANK GUARANTEE TO BE FURNISHED :-** Any entrepreneurs/ employer who opts for the Scheme shall give Bank Guarantee in favour of Labour Commissioner, Punjab at the following rates :-

Sr. No.	Type of Industry	Security Amount (in Rs.)
1	Very Small	05,000/-
2	Small Scale	20,000/-
3	Lower Medium Scale	50,000/-

4	Medium Scale	1,00,000/-
5	Large Scale	2,00,000/-
6	Very Large Scale	5,00,000/-

7. **VALIDITY OF SCHEME :-** Once opted for the Scheme, the same shall be valid for a period of five years. The employer can at any time opt out of the Scheme by giving intimation to the Labour Commission in writing. If during inspection, an employer is found violating any of the labour laws mentioned in Para 8 of the Scheme then apart from taking legal action under the relevant labour laws, the Bank Guarantee submitted by the employer will be encashed and his registration under this Scheme will stand cancelled. If he wants to re-opt for the Scheme he will have to give double the Bank Guarantee for his class of establishment. In case the employer/ entrepreneur successfully completes five years under the Scheme and he does not want to remain in the Scheme or he withdraws from the Scheme prematurely, his Bank Guarantee will be released. He will also have an option to continue in the Scheme for another five years.
8. **LABOUR LAWS FOR WHICH THE SCHEME IS VALID :-** This Scheme shall be valid for following Acts and Rules made thereunder :-
- i Minimum Wages Act, 1948.
 - ii Payment of Wages Act, 1936.
 - iii Contract Labour (Regulation & Abolition) Act, 1970.
 - iv Industrial Employment (Standing Orders) Act, 1946.
 - v Punjab Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Act, 1965.
 - vi Punjab Labour Welfare Fund Act, 1965.
 - vii Payment of Bonus Act, 1965.
 - viii Payment of Gratuity Act, 1972.
 - ix Maternity Benefit Act, 1961.
 - x Child Labour (Prohibition & Regulation) Act, 1986.
 - xi Punjab Shops & Commercial Establishment Act, 1958.
 - xii Factories Act, 1948.
9. **INSPECTION PROCEDURE :-**
- 1 To ensure ease of doing business, the inspections of the Establishments covered under the Scheme can be carried out under the directions of Labour Commissioner-cum-Director of Factories only. Under the Scheme about 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-cum-Director of Factories may order inspection at any time. The inspection will be a joint inspection under the labour laws, Hence it will normally be a one time inspection on authorization by the Labour Commissioner.
10. **FORMS :-** A copy of this Scheme alongwith prescribed Application and Returns shall be available with all the Deputy Director of Factories/Assistant Director of Factories/Assistant Labour Commissioner/ Labour-cum-Conciliation Officer in their offices & can be obtained on the official website pblabour.gov.in.

Chandigarh.
The 5th December, 2013

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

Annexure – I

**APPLICATION FOR PROVISION TO BE COVERED UNDER
SELF CERTIFICATION SCHEME**

1. Labour Commissioner & Director of
Factories, S.C.O. No.47-48, Sector-
17E, Chandigarh.
2. Dy. Director of Factories/Assistant
Director of Factories, Circle
.....Distt
3. Assistant Labour Commissioner/
Labour-cum-Conciliation Officer,
Circle No. Distt.
.....

-
1. Name of the Applicant :
Designation of Applicant :
 2. a) Name of Factory/Shop or Commercial :
Establishment :
b) Address (In capital letters) :
c) Telephone No./Fax No./Mobile No./ :
Email address :
 3. Reg. No. & Date as applicable :
a) Under Factories Act, 1948 :
b) Shops & Commercial Establishment :
Act, 1958 :
c) Any other Act (please specify) :
d) No. and date of building plans of the :
factory approved under the Factories :
Act, 1948 :
 4. Name & residential address of :
a) Occupier :
b) Manager/Factory Manager :
 5. Average number of workers employed :
during the year :
a) Male i) Adults (more than 18 :
years) :
ii) Adolescents (more than 14 :
but less than 18 years) :

- b)Female i) Adults (more than 18 years) :
- ii) Adolescents (more than 14 but less than 18 years) :
- c) Total i) Adults (more than 18 years) :
- ii) Adolescents (more than 14 but less than 15 years) :
- (Also fill form at Annex. V)
6. Nature of Industry : Hazardous/Non-Hazardous
7. Manufacturing Process :
- a) Raw materials used : i) _____ ii) _____ iii) _____
- b) End product :
8. Code of the industry :
(to be specified as per NIC Classifications enclosed in Annex. VI)
9. Timings : General
A Shift
B Shift
C Shift
10. Self Certification applied for :-
(Please mark (X) on the Act which is not applicable to your unit/establishment as per law) :
- i. Minimum Wages Act, 1948 & Rules made there under amended from time to time.
- ii Payment of Wages Act, 1936 & Rules made there under amended from time to time.
- iii Contract Labour (Regulation & Abolition) Act, 1970 & Rules made thereunder.
- iv Industrial Employment (Standing Orders) Act, 1946 & Rules made thereunder
- v Punjab Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Act, 1965 & Rules made thereunder amended by time to time.
- vi Punjab Labour Welfare Fund Act, 1965 & Rules made thereunder amended time to time.
- vii Payment of Bonus Act, 1965 & Rules made thereunder amended time to time.
- viii Payment of Gratuity Act, 1972 & Rules made thereunder amended time to

- ix time.
Maternity Benefit Act, 1961 & Rules made thereunder amended time to time.
- x Child Labour (Prohibition & Regulation) Act, 1986 & Rules made thereunder.
- xi Punjab Shops & Commerical Establishment Act, 1958 & Rules made thereunder amended time to time.
- xii Factories Act, 1948 & Rules made thereunder amended by time to time.

CERTIFICATION

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

PLACE:
DATED:

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

Acknowledgement Slip

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

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

(Specimen)

Annexure – II

SELF DECLARATION

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

I, _____ S/o Sh. _____, R/o
_____ and occupier/manager of M/s _____ hereby
states as under :-

1. That I have applied for grant of coverage of factory/Shops or Commercial Establishment unit by the name of _____ situated at (complete address of the unit) _____ under the Self-Certification Scheme of Department of Labour, Government of Punjab as notified by the State Punjab vide Notification No. _____ dated _____.
2. That I have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by the same.
3. That it is declared that I/we are complying and will continue to comply with all provisions of labour laws applicable to the establishment covered under this Self-Certification Scheme.

PLACE:
DATED:

DEPONENT

VERIFICATION

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

PLACE:
DATED:

DEPONENT

Annexure - III

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

Shops and for Other Establishments

- 1 Registration No. and Date of Establishment
- 2 Name of Establishment
- 3 Name of Occupier
- 4 Name of Manager
- 5 Telephone No.
- 6 Name of the Locality, Mohalla, Plot No. etc. where the Establishment is situated
- 7 Postal Address (Post Box No. etc.)
- 8 Nature of Business
- 9 Sector
 - (a) Public
 - (b) Private
 - (c) Joint
 - (d) Co-operative
- 10 Average daily No. of workers employed

{	ADULTS
	Men
	Women
{	ADOLESCENT
	Male
	Female
{	CHILDREN
	Boys
	Girls
- 11 No. of days worked in the year
- 12 No. of mandays worked during the year (total attendences)
 - (a) Adult

- (i) Men
 - (ii) Women
 - (b) Adolescent
 - (i) Male
 - (ii) Female
 - (c) Children
 - (i) Boys
 - (ii) Girls
- 13 Total no. of Man hours worked including overtime
 - (a) Men
 - (b) Women
 - (c) Children
- 14 Normal hours worked per week
 - Men
 - Women
 - Children

FORM L.M.N.O.

(Prescribed under section 28(2)(k) of the Maternity Benefit Act, 1961 and rule 6 of the Punjab Maternity Benefit Rules, 1967

- 15 No. of women who claimed maternity benefit for actual birth
- 16 No. of claims accepted and paid either fully or partially
 - (a) Total
 - (b) From the current year
- 17 Total medical amount of maternity benefit paid (including medical bonus)
- 18 Amount of medical bonus paid

SUGGESTION SCHEME

- 19A (a) Is a Suggestion Scheme in operation in the Establishment
- (b) If so, the number of suggestion
 - (i) Received during the year

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

SCHEDULE

(Prescribed under section 16 of the Workmen's Compensation Act, 1923 – vide Punjab Government Notification No. 7715-IP-52-7535, dated 19th August, 1952)

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

FORM NO. III

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

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

- 21 No. of days worked during the year _____
- 22 No. of mandays worked during the year (total attendance) _____
- 23 Average No. of persons employed daily during the year
 - Adults _____
 - Children _____
- 24 Total wages paid _____
- 25 Cash value of wages paid in kind _____
- 26 Deductions made on account of _____

No. of cases	<u>Fines</u>		No. of cases	<u>Damage or loss</u>		No. of cases	<u>Breach of contract</u>	
	No. of cases	Amount		Amount	Amount			

- 27 Balance of fine fund at the beginning of the year _____
- 28 Disbursement from the fine fund
 - Purpose**
 - (a) _____ **Amount spent**
 - (b) _____
 - (c) _____
 - (d) _____
- 29 Balance of the fine fund at the end of the year _____

FORM NO.4

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

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

- 30 No. of days worked during the year
 - Adults _____
 - Children _____
- 31 No. of mandays worked during the year (Total attendances) _____
- 32 Average daily No. of persons _____

	employed during the year		
33	Total wages paid		
	(a) Basic wages	_____	
	(b) Dearness and other allowances	_____	
	(c) Arrears of pay in respect of previous year paid during the year	_____	
	(d) Amount of bonus	_____	
	At the ate of		
	(i) Under Bonus Act/Agreement	_____	
	(ii) Incentive Bonus	_____	
	(iii) Profit sharing Bonus	_____	
	(e) Amount of leave with wages paid to workers dismissed, discharged/ terminated	_____	
	(f) Amount of overtime wages paid	_____	
	(g) Amount of lay-off retrenchment compensation paid	_____	
	(h) Money value of concession	_____	
	(i) Amount of deduction made		
	(j) Grand total of columns (a) to (i)		
34	Deductions made during the year		
	Nature of deduction	No. of cases	Amount
	(a) Fines		
	(b) Damage or loss		
	(c) Breach of contract		
35	Balance of fine fund at the beginning of the year		
36	Disbursement from fine fund - Disbursement	Purpose	Amount
	(a)		
	(b)		
	(c)		
	(d)		
37	Balance of fine fund in hand at		

the end of year

38 Number of workers attendances, days worked and wages paid

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

Date:

Signature of Manager

RESPONSIBILITIES OF THE EMPLOYERS UNDER DIFFERENT LABOUR LAWS

(The provisions of different labour laws given below are illustrative and not exhaustive and are meant for general guidance. For details of please refer to respective Act and Rules)

1. Minimum Wages Act, 1948 & Punjab Minimum Wages Rules, 1950

The employer has to :-

- pay the minimum wages to the workers as notified by the Punjab Government from time to time (Section 12).
- fix and allow weekly day of rest/substitute rest day (Rule 23).
- fixation of number of daily working hours in case of adult for 9 hours a day and 48 hours _____ and in case of child for 4 ½ hrs. (Rule 24).
- in case of over time working, to pay the workmen at double the rate of their ordinary wage [Rule 25(b)] and to maintain a register of overtime in Form IV.
- to maintain the following records and to produce the same for inspection to the inspecting authority (Rule 26B) :-
 - a. register of Fines in Form-I and Register of Deductions for damages for Loss in Form-II (both as laid down under Rule 21(4) of the Rules) are being maintained;
 - b. annual Return in Form-III according to Rule 21(4A) is being/would be sent to the Government.
 - c. register of Wages in Form-X containing signatures/thumb impressions of the workmen;
 - d. wage slips duly signed by the workmen in Form-XI;
- display the following notices in English and in a language as understood by the majority of the workers in the employment at the main entrance of the establishment and in the office in legible conditions (Rule 22)
 - abstract of the Minimum Wages Act, 1948 and the Rules made by the Punjab Government thereunder in Form IX-A;
 - name and address of the inspector;
 - the prevalent minimum wages as notified by the Government;
- authenticate the entries in the register of wages and wages slips authenticated by himself or by any person authorized by him in this behalf (Rule 26).
- abide by the provisions of the Minimum Wages Act, 1948 and the _____ framed by the Punjab Government from time to time.

2. Payment of Wages Act, 1936 & Punjab Payment of Wages Rules, 1937

The employer has to:-

- fixed the wage period which shall not exceed one month (Sec 4).
- Pay the wages to the employed persons on or before 7th (employing less than 1000 persons) /10th (employing more than 1000 persons) of every month (Sec 5).
- Pay the wages in current coins/ currency notes (Sec 6).
- deduct from the wages of an employed person wages as per provisions (Sec 7) after following the due procedure (Rule 14).

- display the notice containing the abstract of the Act and the rules made thereunder English and in a language of the majority of the employed persons (Sec).
- maintain the following registers (Sec 26, Rule 5):-
 - Register of fines;
 - Register for deductions for damage or loss;
 - Register of wages
- maintain the registers/ records for three years after the last entry therein;

3. The Punjab Industrial Establishments (National and Festival Holidays and Casual and Sick Leave) Act, 1965 & the Punjab Industrial Establishments (National and Festival Holidays and Casual and Sick Leave) Rules, 1966
(Applicable only where 10 or more workmen are employed in a factory)

The employer has to:-

- allow the national holidays for the whole day of 26th January, 15th August and 2nd October to every worker of the industrial establishment in each calendar year and at least four festival holidays in each calendar year (Sec 3).
- allow the workers seven days casual leaves and fourteen days sick leave (Sec 4).
- pay the wages to the workers for national & festival holidays and sick and casual leaves (Sec 5).
- allow where the workers if entitled to sickness benefit under the employees' State Insurance Act, 1948, the wages for the days of sick leave allowed to him under the Act as has been laid down in Section 5(b) of the Act but where the worker is not entitled to such sickness benefit or sickness allowance he is to be paid at the rate of one half of the average daily wages (Sec);
- pay the worker in case the worker works on any holiday, at twice his average daily wage for that day or his average daily wage for that day and a substituted holiday [Sec 2(2)].
- submit to the inspector a statement of Festival Holidays to be allowed to the workers during the calendar year before 31st December of the preceding year in Form-A and a copy of the same is also exhibited at a conspicuous place at the Notice Board of the establishment.
- keep the account of holidays and leave in Form-B [Sec 6, Rule 7(2)];

4. Punjab Labour Welfare Fund Act, 1965 & Punjab Labour Welfare Fund Rules, 1966

The employer has to:-

- pay to the Welfare Commissioner, Punjab, all fines realized from the employees and all unpaid accumulations during the quarters ending 31st March, 30th June, 30th September and 31st December within a month of the ending of relevant quarter and submit a statement giving particulars of the unpaid accumulations;
- following registers (Rule 22):-
 - a register of wages in Form A ;
 - a consolidated register of unclaimed wages and fines in Form-B.

- submit a copy of the extract from the register in Form B pertaining to the previous years, by 31st January every year, to the Welfare Commissioner, Punjab.
5. **Payment of Bonus Act, 1965 & Payment of Bonus Rules, 1975**
(Applicable only where 10 or more persons are employed on any day in the preceding twelve months)
The employer has to:-
- maintain in Form 'A' the record in respect of computation of the 'available surplus' in respect of any accounting year [Rule 4(a)];
 - maintain the 'Set on and Set off of allocable surplus (Sec 15) in Form-B [Rule4(b)];
 - maintain the record of the bonus paid to employees for any accounting year Form-C [Rule4(c)];
 - pay the bonus to the employees within 8 months of the close of the accounting year;
 - produce the accounts, books, registers or other documents whenever asked for inspection.
6. **Industrial Employment (Standing Orders) Act, 1946 & Industrial Employment (Standing Orders) Punjab Rules, 1978**
(Applicable only where 20 or more workmen are employed on any day in the preceding twelve months)
The employer has to:-
- submit, five copies of the draft standing orders for adoption within six months from the date of applicability of the Act; [Sec 3(1)];
 - state that the draft standing orders are accompanied by a statement giving prescribed particulars of the workmen employed in the industrial establishment including the name of the trade union, if any, to which they belong [Sec 3(3)];
 - display prominently the text of the Certified Standing Orders in English and in a language understood by the majority of the workmen on special board near the entrance gate of the establishment;
 - check that every workman has been given an appointment letter and the name of every workman has been entered on the muster roll and they have been given attendance card/token/ticket etc.
7. **Contract Labour (Regulation & Abolition) Act, 1970 & Punjab Contract Labour (Regulation & Abolition) Rules, 1973**
(Applicable where 20 or more workmen are employed on any day in the preceding twelve months)
The employer has to:-
- obtain the Registration Certificate from the Registering Officer of the area [Sec7(1)];
 - intimate the Registering Officer concerned for modification of any, of the registration certificate (Rule 18(4));
 - issue form V to the contractor [Rule 21(2)];
 - ensure that the contractor applies for license to the Licensing Officer before executing the contracted work [Sect 12(1)];
 - see that the contractor of the establishment shall provide the following facilities to the contract labour and in case of failure on the part contractor to do so, the principal

employer i.e. the establishment shall provide the same and may recover the expenses from the contractor either by deduction from any amount payable to the contractor under any contract or a debt payable by the contractor as laid down u/s 20 of the Act:-

- a. canteen facilities (where the contract labour is numbering one hundred or more), [Section 16, Rule 42 to 50];
 - b. rest rooms or suitable alternative accommodation to the contract labour [Sec 17, Rule 41];
 - c. other facilities like sufficient supply of wholesome drinking water at convenient places, sufficient number of latrines and urinals of the prescribed type, washing facilities [Sec 18, Rule 40 and 51 to 57];
 - d. first-aid facilities to be made available to the contract labour during all working hours with prescribed contents [Sect 19, Rule 58 to 62];
- submit the annual return in Form XXV in duplicate to the Registering Officer not later than the 15th February following the end of the year to which it relates (Rule);
 - maintain the Register of Contractors in Form XII (Rule 74);
 - record certificate at the end of the entries in the Register of Wages indicating that the workmen concerned have paid in his presence [Sec 21(2)];
 - note that in case the contractor fails to make payment of wages within the prescribed period or make short payment, the establishment shall be liable to make the payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor;

8. Payment of Gratuity Act, 1972 & Payment of Gratuity (Punjab) Rules, 1973

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

The employer has to:-

- given a notice of opening in Form-A to the Controlling Authority within 30 days [Rule 3(1)];
- give a notice in Form-B to the Controlling Authority in case of any change in the name, address, employer or nature of business [Rule 3(2)];
- given a notice in Form-C to the Controlling Authority in case of close down of business at least sixty days before the intended closure [Rule 3(3)];
- ensure that a notice has displayed near the main entrance in bold letter in Punjabi and in a language understood by at least one third of the employees, specifying the name of the officer with designation authorized by the employer to receive on his behalf notices under the Act or the rules [Rule 4];
- ensure that the employees who have rendered continuous service for not less than five years are being paid/shall be paid gratuity on superannuation/retirement/resignation and the nominees of an employee who dies during the service are also being paid/shall be paid gratuity even though five years of service have not been rendered [Sec 4(1)];
- ensure that the amount of gratuity is/shall be determined by the employer and the notice in writing is/shall be given to the person to whom the gratuity is payable and also to the Controlling Authority [Sec7(2)];

- ensure that the amount of gratuity is shall be paid within 30 days from the date it becomes payable as has been laid down u/s 7(3) of the Act;
- ensure that an abstract of Act and the rules made therunder in Form U in English and in Punjabi has been displayed at a conspicuous place [Rule 20];

9. **The Maternity Benefit Act, 1961 & Punjab maternity Benefit Rules, 1967**

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

The employer has to:-

- ensure that no women is being employed knowingly during the six weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy [Sec 4(1)];
- ensure that the maternity benefit at the rate of average daily wage for the period of her actual absence for delivery or twelve weeks whichever is less, is being paid to the women employees [Sec 5] and in case of her death before receiving he maternity benefit, the same shall be given to the person nominated by the said women [Sec 7];
- ensure that a medical bonus of two hundred and fifty rupees is also being given to the female employees in case the free of charge pre-natal confinement and post-natal care is not provide by the establishment [Sec 8];
- ensure that a six weeks leave for miscarriage or medical termination of pregnancy is also being given to the affected women employee [Sec 9];
- ensure that leave with wages for two weeks for tubectomy operation is given to women employees [Sec 9-A]
- ensure that a leave for a maximum period of month for illness arising out of pregnancy, delivery, premature birth of child, miscarriage, medical termination of pregnancy or tubectomy operation is given to the women employees. [Sec 10];
- ensure that every women who has delivered a child who returns to duty shall be allowed in he course of her daily work two breaks of twenty minutes duration for nursing the child until the child attains the age of fifteen months. (Sec 12, Rule 7)
- maintain the record of women employee of the establishment in Form-A [Sec 20, Rule 3]
- exhibit an abstract of the Act and the rules thereunder in Form K in the language of the locality at a conspicuous place in every part where the women are employed. [Sec 19, Rule 15]

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

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

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

The employer has to ensure that:-

- no child has been employed or permitted to work in any of the occupations set forth in Part-A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on. [Sec 3, Rule 6];
- no child is permitted to week in the establishment for more than four and half hours on any day [Sec 7(1), Rules];

- the period of work of a child on each day has been so fixed that no period exceeds three hours and no child shall work for more than three hours before he has had an interval for rest for at least one hour [Sec 7(2)] and is spread over in not more than six hours including the time spent in waiting for work [Sec 7(3)]
- no child has been permitted or required to work between 7 p.m. to 8. a.m. [Sec 7(4) and not required or permitted to work overtime [Sec 7(5)];
- every child employed in an establishment has been allowed a weekly holiday [Sec 8];
- the notice to inspector as required u/s 9(2) of the Act has been given containing the information as per section 9(1) of the Act;
- the record in prescribed Form-A has been/shall be maintained [Sec 11, Rule 16(1)];
- the notice containing abstract of Sections 3 and 14 has been displayed at the place of work in local language and in English language [Sec 12];
- the employed child has been provided safety gadgets and necessary training to the child has been provided before employing [Sec 13, Rules 7];
- the health facilities as required u/s 13 and Rule 8 have been provided.
- all the provisions of the Act and rules are/shall be complied with.

11. The Factories Act, 1948 & Punjab Factories Rules, 1952

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

The employer has to:-

- obtain licence to run the Factory as required under Section 6 of the Act and also will get it renewed for five years [rule 7, 8, 10 and 14].
- get approved the building plans of the factory from the Directorate of Factories in accordance with the provisions of Section 6 of the Act and rule 3A and 4. If the premises is extended including plant and machinery, the proposed building plans of the extension will be got approved prior to construction.
- comply with the general duties prescribed for the occupier [section 7-A of the Factories Act, 1948].
- fix the weekly hours, weekly holidays, compensatory holidays, daily hours, intervals for rest, spread over period, night shifts, prohibition of over lapping shifts [section 51, 52, 53, 54, 55, 56, 57 and 58 of the Act].
- pay extra wages of overtime as twice of the ordinary rate of wages.
- display the following notices at the conspicuous places in factory premises:-
 - i) Notice of period of work for adults in from XI
 - ii) Escape in case of fire: R-66
 - iii) Safe speed notice of machinery in motion: Section 30
 - iv) Extract of the Factories Act and Rules: R-106
 - v) Name and address of the inspecting staff: S-108
- Maintain the following registers:-

i) Attendance Register	Rule 110
ii) Inspection Book	Rule 112
iii) Adult worker Register	Rule 87

iv)	Accident Register	Rule 111
v)	Tight Clothing Register	Rule 58
vi)	Leave with Wages Register	Rule 94-A
vii)	Lime Washing Register	Rule 18
viii)	Compensatory Holidays Register	Rule 83
ix)	Extra Wages for Overtime Register	Rule 85-A
x)	Register of chill Workers	Rule 93
xi)	Particulars of Rooms Register	Rule 6

- issue the attendance cards and leave cards to all the workers under rule 110 (3) and 95.
- give the annual leave with wages as per rule 79.
- In case of small and very small establishments submit return in Form A prescribed under The Labour Laws (Exemption from Furnishing Returns and maintaining registers by certain establishments) Act, 1988.
- In case of Factories registered under the Factories Act, 1948 not covered under the The Labour Laws (Exemption from Furnishing Returns and maintaining registers by certain establishments) Act, 1988 in Form 21 and 22 respectively
- Abide by the provisions of Factories Act, 1948 and the rules framed thereunder by the Punjab Government from time to time.