**ANNEXURE-IV**

**FORM FOR SELF CERTIFICATION TO BE SUBMITTED BY OCCUPIER / PROPRIETOR / PARTNER / DIRECTOR / EMPLOYER / PRINCIPAL EMPLOYER / CONTRACTOR FOR COMPLIANCE OF LABOUR LAWS.**

I/We, Mr./ Mrs/ Miss \_\_\_\_ hereby certify that I/ we am / are the Occupier / Proprietor /Partner /Director /Employer /Principal Employer /Contractor of the Establishment whose identification and general details are as follows; and I/We hereby certify that my/our establishment has fully and correctly complied with all the labour laws under the scheme and the status of compliance of following labour laws and annual return of my Establishment during the year------ is as under;

1. The Payment of Wages Act, 1936 and Rules made there under.
2. The Minimum Wages Act,1948 and Rules made there under.
3. The Contract Labour (Regulation & Abolition) Act, 1970 and Rules made there under.
4. The Maternity Benefit Act,1961 and Rules made there under.
5. The Payment of Bonus Act,1965 and Rules made there under.
6. Payment of Gratuity Act, 1972 and rule made there under.
7. Equal Remuneration Act, 1976 and Rules made there under
8. Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act,1979 and Rules made there Under.
9. The Beedi & Cigar Workers (Condition of Employment) Act,1966 and the Rules made there under.
10. The Motor Transport Workers Act, 1961 and Rules made there under.
11. The Child Labour (Prohibition & Regulation) Act,1986 and the Rules made there under.
12. The Building and Other Construction (Regulation of Employment & Condition of Service) Act, 1996 and Rules made there under.

**Form**

Annual Return for the Financial Year ------

(To be filed before 30th April)

1. Details of Establishment:
	1. Name of the Establishment:-----------------------------------------------------------
	2. Address of the Establishment:--------------------------------------------------------
	3. Contact Details of the Establishment:-----------------------------------------------
	4. Establishment registered under which Act? (ticket the correct option)
		1. Contact Labour (Regulation & Abolition) Act, 1970
		2. Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act,1979
		3. Other (Specify)--------------------------------------------------------------
	5. Name of Employer-------------------------------------------------------------------
	6. Address of Employer--------------------------------------------------------------------
	7. Email of employer-------------------------------------------------------------------

(h) Telephone Number of employer (Office)-------------------------(Resi)--------------

1. Mobile Number----------------------------------------------------------------------
2. Name and address of the Manager or person responsible for supervision and control of the establishment:-------------------------------------------------------------

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1. Nature of Business , industry or trade or occupation carried by employer:--

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(l) Date of commencement of Business, industry or trade or occupation: -------

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(m) Number of Regular Workers employed during the year: -------------

|  |  |  |  |
| --- | --- | --- | --- |
|  | Skilled | Semi Skilled | Unskilled |
| Male |  |  |  |
| Female |  |  |  |
| Total |  |  |  |

2. Details of Registration under Applicable Acts:

|  |  |  |  |
| --- | --- | --- | --- |
| Sl No. | Name of Act | Registration / License No. | Date of Issue / Last Renewal |
|  | Contract Labour( R & A) Act, 1970 |  |  |
|  | Interstate Migrant Workmen (RE & CS) Act,1979 |  |  |
|  | Building And Other Construction Workers(RE & CS)Act ,1996 |  |  |

1. The Payment of Wages Act, 1936 and Rules made there under

|  |  |  |
| --- | --- | --- |
| **Sl No** | **Details** | **Yes/No** |
| 1 | Whether the Employer has fixed wage period as per section 4 |  |
| 2 | Whether the authorized deductions are being made from the wages of the employed persons as per section 7 |  |
| 3 | Whether the Employer displayed in English and Hindi the approved list of acts in respect of which fines may be imposed. |  |
| 4 | Whether the Notice of date of payment of wages was displayed in English & Hindi . |  |
| 5 | Whether the following registers in the prescribed form have been maintained properly:* Register of wages(Sectionl3A)
* Register of Fines
* Register of deductions for damages or loss (Section10).
* Register of advance(Section12)
 |  |
| 6 | Whether the annual return for the last year been sent to the Labour Commissioner |  |

1. The Minimum Wages Act, 1948 and Rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
| 1 | Whether the Employer maintained Muster-roll  |  |
| 2 | Whether the period of work & rest intervals are provided as per section13 |  |
| 3 | Whether the Employer maintained the Register of wages in the prescribed form as per section 18 |  |
| 4 | Are the weekly rest days given to all employees as per section 13 |  |
| 5 | Are the Wages being paid on due dates |  |
| 6 | Whether Register of Employees are maintained as per Rule…… |  |
| 7 | Whether the Employer maintained overtime work & payment record as per section14 |  |
| 8 | Whether the Employer paid over time wage at double the ordinary rate of wages as per section 14 |  |
| 9 | Whether the wages slips were issued to workers as per section 18(3) |  |
| 10 | Whether the following Notices displayed as required as per section 18(2)* Minimum rate of wages as notified by the Government
* Abstract of Act and Rules made thereunder
* Name and Address of Inspector
 |  |

1. The Contract Labour (Regulation & Abolition) Act, 1970 and

Rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No** | **Details** | **Yes/No** |
| 1. 1
 | Whether the Contractor Licensed under the Act |  |
|  | Whether the Contractor provided the following facilities for Contract Labour :* Canteen- Section16
* Rest Room- Section17
* Drinking Water- Section18(a)
* Latrines&Urinals- Section18(b)
* Washing facilities- Sectionl8(c)
* First Aid- Section19
 |  |
|  | Whether Contractor issued wage slips as per Section |  |
|  | Whether Contractor disbursed wages to contract labour timely as per Section 21 (1) |  |
|  | Whether disbursement of wages was made before authorized representative of principal employer as per Section 21(3) |  |
|  | Whether the contractor issued Employment Cards (Identity Cards) to the Labour within 3 days of the employment of the contract labour as per Section 29(I) |  |
|  | Has the contractor displayed the following Notices as per section 29(2)* Wage period
* Place and time of disbursement of wages
* Hours of work
* Rates of wages
* Date of payment of wages
* Name & Address of Inspector
* Abstract of Act &Rules
 |  |
|  | Whether the contractor maintained the following record as per section 29(1)* Register of Workmen / contract labour employed by Contractor.
* Muster-Roll-cum-Register of wages
* Register of Over Time.
* Register of Deductions/fines/advanced
 |  |
|  | Whether the contractor complying the conditions of License granted as per section 12 |  |
|  | Whether the contractor submitted half-yearly returns to the Licensing Officer as per section29(1) |  |

1. The Maternity Benefit Act,1961 and Rules made there under.

 Number of Women workers eligible for benefits under the Act:

 Number of women workers who were extended the benefits.

 Details with respect to each woman eworker

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
| 1 | Whether the Employer engaged any women workers during the prohibited period as per section4 |  |
| 2 | Whether the Medical Bonus paid to the eligible women workers as per section 8 |  |
| 3 | Whether the leave for mis-carriage to the woman workers allowed as per section 9 |  |
| 4 | Whether leave with wages for a period of 2 weeks is allowed for tubectomy as per section9A |  |
| 5 | Whether leave for illness is allowed as prescribed as per section 10 |  |
| 6 | Whether nursing breaks are allowed as prescribed as per section … |  |
| 7 | Whether any woman worker has been dismissed during or on account of her absence in accordance section12 |  |
| 8 | Whether the employer maintained the register and record as required by maintaining muster-roll on Form-A as per section 20 |  |

1. The Payment of Bonus Act,1965 and Rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
| 1 | Whether the Employer has paid Bonus to all eligible workers as per section8 |  |
| 2 | Whether the Bonus has been paid within the time limit i.e. within 8 months from the close of Financial Year as require under section 19 |  |
| 3 | Has the Employer maintained the register/record on form A, B, C as per section 26 |  |
| 4 | Has the Employer submitted returns on Form D to the Inspector in 30 days after the time limit as per rule ---- |  |
| 5 | Whether the Employer has paid at the minimum rate as per section 10 |  |

1. Payment of Gratuity Act, 1972 and rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No** | **Details** | **Yes/No** |
|  | Whether the Employer obtained compulsory Insurance in the manner prescribed for his liability for the payment towards the gratuity as per section 4A |  |
|  | Whether notice of opening , change or closure of the establishment in Form-A submitted by the employer to the Controlling Authority as per Rule---- |  |
|  | Whether the Employer displayed the abstract of the Act and Rules and the name and address of the Controlling Authority as per rule ---- |  |

1. Equal Remuneration Act, 1976 and Rules made there under

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
|  | Whether the Employer is paying equal remuneration to men and women workers for same work or work of similar nature as per section 4 |  |
|  | Whether any discrimination is being made while recruiting men & women workers as per section 5 |  |
|  | Whether the Employer maintained register in Form-D per section 8 |  |

1. Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act,1979 and Rules made there Under

|  |  |  |
| --- | --- | --- |
| **S No** | **Details for Principal Employer** | **Yes/No** |
|  | Whether the Principal Employer has registered - Section-4 |  |
|  | Has the Register of Contractors maintained in Form-XII - Sec-23(1)  |  |
|  | Has Principal Employer directed all the Contractors employing 5 or above Inter State Migrant Workmen to obtain Licence? |  |
|  | Has Principal Employer directed all the Contractors to issue Pass Books/Identity Cards to the Inter State Migrant Workmen and to submit one copy to the concerned Licensing Officer for attestation?(Section-12(b)). |  |
|  | Has Principal employer directed all the contractors to construct and maintain Residential accommodation for the workers at safer places? (Section-16(d) |  |
|  | Has the Principal Employer appointed some officer as authorized representative in whose presence wages to the Inter State Migrant Workmen are to be disbursed (Sec-17(2)). |  |
|  | Has the Principal Employer provided the necessary facilities to the Inter State Migrant Workmen if the Contractor(s) fail(s) to provide the same (Section-18).  |  |
|  | If yes to above , have the expenses been recovered from the contractor |  |
|  | Has the Principal Employer submitted Annual Return on form No:XXVI to the concerned Licensing Officer? (Rule-56(2) |  |
|  | Has the Contractor(s) obtained the license under the Act and validity continued by its renewal (Section-8). |  |
|  | Whether the duties and obligations of contractor under Section 12 fulfilled. |  |
|  | Has the Contractor ensured the same rates of wages, holidays, hours of work and other condition or service to the workmen as is being provided to the workmen performing same or similar kind of work in the same establishment ( Section 13 (1)) |  |
|  | Whether the contractor is paying not less than the minimum wages fixed under the Minimum Wages Act, 1948 by the State Government (Sec-13(b)). |  |
|  | Whether the Contractor is paying wages in cash? (Sec-13(2) ) |  |
|  | Whether displacement allowance under Section 14 paid. |  |
|  | Whether Journey Allowance etc as per Section 15 paid. |  |
|  | Has the Contractor ensured regular payment of wages to the workmen( Sec 16(a) |  |
|  | Has the Contractor ensured equal pay for equal work irrespective of sex (Sec16(b) |  |
|  | Has the contractor provided suitable conditions of work having regard to the fact that the workman are working in a different state ( Section 16 (C)) |  |
|  | Has the Contractor provided suitable accommodation within 15 days from the employment and if the works continues for three months or more ? (Section 16(d) ) |  |
|  | Has the Contractor provided the prescribed medical facility free of charge ( Section 16(e)) |  |
|  | Has the Contractor provided the prescribed protective clothing facility free of charge? (Section 16(f)) |  |
|  | Has the Contractor provided the facility of drinking water, Latrines Urinals and washing facilities (Rule -39) |  |
|  | Whether restrooms are being provided as per Rule 40 |  |
|  | Whether canteen facility is being provided as per rule 41 |  |
|  | Whether the responsibility under Section 17(1) regarding payment of wages has been met |  |
|  | Whether the Contractor ensured the presence of authorized representative as per Section 17(3) |  |
|  | Whether the principal employer made the payment of wages in the prescribed time |  |
|  | If yes to above , whether they have been recovered from the contractor |  |
|  | Has the Contractor furnished the particulars regarding recruitment and employment of the workmen in form X? (Section-22(2) ). |  |
|  | Whether Records and registers are being maintained as per section 23 |  |
|  | Whether Service certificate under Rule 50 issued in Form XVI |  |
|  | Whether the following records have been maintained as per Section 23 of the Act and the rules below:-1. Register of Contractors (Rule 48)
2. Register of persons employed Rule-49)
3. Register of Displacement-cum-Outward journey allowance and return journey allowance)Rule 51(1)(2)
4. Muster Roll , Wages , deductions and Overtime Register ( Rule 52)
 |  |
|  | Has the employer maintained as per Rule 53 and preserved the record for the period of three calendar years |  |
|  | Has the employer displayed abstract of acts and rules and public notice as per rules 54 and 55 |  |

1. The Motor Transport Workers Act, 1961 and Rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** |  |
|  | Whether the Undertaking/ Establishment is registered under Motor Transport Workers Act | **Yes/No** |
|  | Total Number of Motor transport Workers engaged |  |

1. The Child Labour (Prohibition & Regulation) Act, 1986 and the Rules made there under.

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
| 1 | Whether Prohibition of employment of Children / Child Labour as per Section-3 is being implemented in letter and spirit |  |
| 2 | Whether the Register of Maintenance has been maintained as per Section-11 |  |
|  3 | Whether the Hours of work &Intervals are specified as per Section-7 |  |
| 4 | Whether the Weekly Holidays are provided as per section 8 |  |
| 5 | Notice to Inspector as per section 9 being given |  |
| 6 | Dispute as to Age per section 10 being referred to Concerned Inspector |  |
| 7 | Whether the Notice is Displayed per section 12 |  |
|  8 | Whether the health & safety provisions are implemented as per section13 |  |

1. The Building and Other Construction (Regulation of Employment & Condition of Service) Act, 1996 and Rules made there under.

Registration Number and Valid Upto--------------------------------------

Nature of building / Works…………………………………………….

Total Number of workers employed:

|  |  |  |
| --- | --- | --- |
| **Sl No.** | **Details** | **Yes/No** |
|  | Have the following provisions been made for the workers1. quality drinking water as per Section 32
2. Latrines and urinals as per Section 33
3. Accomodation for workers near the Site as per Section 34
4. Creches as per section 35 , if applicable
5. First Aid facilities as per Section 36
6. Canteens as per section 37
 |  |
|  |  Are Notices being issued in case of Accidents under Section 39 |  |
|  |  Whether employer is taking all applicable measures as part of Provisions for Safety and Health as mentioned in Part-III of rules to protect the workers through the following :1. Measures to protect against Excessive Noise and Vibration ( Rule 34)
2. Adequate Fire Fighting equipment for Fire Protection as per Rule 35
3. Emergenency Action plan under Rule 36
4. Fencing of motors/moving parts of macghinery as per Rule 37 being done
5. Protection against lifting excessive weight as per Rule 38
6. Formulation and Submission of Health and Safety policy as per Rule 39
7. All Measures being taken to protect workers from harmful environment as per rule 40
8. Overhead Protection under Rule 41
9. All Measures being taken to protect workers from dust , gas fumes , corrosive substances as per rule 42 and 43
10. Providing of eye protection , Head Protection equipments, safety helmets and shoes and protective apparel under Rules 45 , 46 and 54
11. Protection against Electrical Hazards under Rule 47
12. Adequate barricades , warning signs , lights etc to be placed for protection from vehicular traffic under Rule 48
13. Ensuring stability of structures and ensuring that no such wall, fence or structure in any form is left unguarded which can fall from a height under Rule 49
14. All passageways to be illuminated under Rule 50
15. Proper Stacking of materials under Rule 51
16. Safe disposal of debris under Rule 52
17. Whether All other applicable provisions under Chapter VII to Chapter XX5 under Part III are being complied with
 |  |
|  | Whether Notice of Wage periods , commencement and completion under Rules 239 and 240 are being sent |  |
|  | Whether the following registers are being maintained:1. Registers of persons employed as building workers- Rule 241
2. Muster roll, register of wages , deductions register, overtime register, wage books and service certificates as per Rule 242
 |  |

**UNDERTAKING**

1. I/We do hereby certify that the contents given above are true and correct.
2. That I/We have gone through the scheme and have fully understood the contents of the scheme and undertake to abide by the same.
3. That it is declared that I/We are complying and will continue to comply with all the provisions of **The Payment of Wages Act,1936 and the rules made thereunder , The Minimum Wages Act, 1948 1936 and the rules made thereunder, The Equal Remuneration Act, 1976 and Rules made thereunder, Contract Labour (Regulation &Abolition) Act, 1970 and the Rules made thereunder, The Payment of Gratuity Act ,1972 and the Rules made there under , The Payment of Bonus Act,1965 and the Rules made there under, Maternity Benefit Act, 1961 and the rules made thereunder,The Child Labour (Prohibition And Regulation) Act, 1986 and the Rules, The Inter-State Migrant Workmen (RECS) Act, 1979, The Beedi & Cigar Workers (Condition of Employment) Act,1966 and the Rules made there under Motor Transport Workers Act, 1961 and rules made there under, The Building and Other Construction (Regulation of Employment & Condition of Service) Act, 1996 and Rules made there under.** covered by the Self Certification Scheme.
4. That I/We agree to accept the penalty prescribed under law in case of violation detected in the unit under any law covered under the scheme after applying under the Scheme.

Place:

Date Signature of Applicant