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Government of Himachal Pradesh
Department of Labour Employment.

No. Shram(F)1-1/2015.

Dated Shimla-171002, 12th May, 2017.

NOTIFICATION

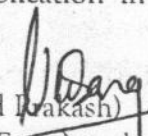
In order to enhance the Ease of Doing Business in Himachal Pradesh and further in consonance with Business Reform Action Plan, prepared by the Government of India, Ministry of Commerce & Industries, Department of Industry Policy & Promotion, the Governor of Himachal Pradesh is pleased to introduce "Self Certification Scheme" annexed as Annexure "A" for the factories, shops and commercial establishments in the State to liberalize the enforcement of labour laws under the concept of Self Regulatory Mechanism.

By order

R.D.Dhiman, IAS
Pr. Secretary (Lab. & Emp.) to the
Government of Himachal Pradesh

Endst No. As Above Dated Shimla-2, the 12th May, 2017.

1. The Secretary, Ministry of Labour & Employment, Government of India, New Delhi, Shram Shakti Bhawan, Rafi Marg, New Delhi
2. The Secretary, Department of Industrial Policy & Promotion, Ministry of Commerce & Industry, Government of India, Udyog Bhawan, New Delhi
3. All the Administrative Secretaries to the Government of Himachal Pradesh.
4. All Heads of the Departments in Himachal Pradesh
5. The Labour Commissioner-cum-Director of Employment, HP, Shimla-1.
6. The Director Industries, HP Udyog Bhawan, Bemloe, Shimla-1.
7. All Deputy Commissioners in Himachal Pradesh.
8. The Controller, Printing & Stationer, HP, Shimla-5 for publication in the Rajpatra.


(Ved Prakash)

Under Secretary (Lab. & Emp.) to the
Government of Himachal Pradesh.

0177-2620672.

"SELF CERTIFICATION SCHEME"

The Scheme shall consist of the following provisions:-

1. **Preamble:** The Self Certification Scheme aims for making an employer or an entrepreneur a trust worthy and law abiding citizen who is willing to take care of all interests of the workers and employees by following all the laws as applicable and enable the Department of Labour to effectively protect the interest of the workers as well as the employers and to create a friendly and safe environment and healthy relationship between the Employer and the Employees. The scheme aims at better compliance of labour laws by way of self regulatory mechanism and making the employers responsible for protecting the interests of working class apart from enforcement machinery of Labour Department.
2. **Object:** The objects of the Scheme is to curtail visits of Labour Department officials for inspection of those units who opt for this Scheme without compromising the safety, health, social security and welfare of the workers as provided under the various labour laws.
3. **Procedure:** The Scheme shall be optional and any establishment/industry whether high risk, medium risk & low risk can opt for this Scheme by applying to Labour Commissioner-cum-Chief Inspector of Factories in the prescribed Performa. However, in case of Shop & Commercial Establishment, the said application shall be made to the concerned Labour Officer of the area. Any discrepancy in the application shall be communicated to the applicant within 15 days from the receipt of application. In case, no discrepancy is communicated within stipulated time, the applicant shall be deemed to have been enrolled under the Self-Certification Scheme. Application for self certification shall be submitted online and Labour Commissioner-cum-Chief Inspector of Factories or concerned Labour Officer will also communicate online.



4. **Validity of Scheme:** Once opted, the same shall be valid for three years. After the successful compliance under the Self-Certification Scheme for three years, the employer or entrepreneur or occupier shall have option either to remain covered under the Self-Certification Scheme or opt out of the Scheme. The option must be exercised again by making application on line to the Labour Commissioner-cum-Chief Inspector of Factories or concerned Labour Officer in the same manner as at the time of initial enrolment.

5. **Labour Laws for which the scheme is valid:** The Scheme shall be valid for the following Acts and Rules made there under as applicable to the concerned employer/entrepreneur/occupier:

- a. Factories Act, 1948 and Rules framed there under.
- b. Minimum Wages Act, 1948 and Rules framed there under.
- c. Payment of Wages Act, 1936 and Rules framed there under.
- d. Contract Labour (Regulation & Abolition) Act, 1970 and Rules framed there under
- e. Payment of Bonus Act. 1965 and Rules framed there under.
- f. Payment of Gratuity Act, 1972 and Rules framed there under.
- g. Maternity Benefit Act, 1961 and Rules framed there under.
- h. Child Labour (Prohibition & Regulation) Act, and Rules framed there under.
- i. HP Shops & Commercial Establishments Act, 1969 and Rules framed there under.
- j. The Inter-State Migrant Workmen (RECS) Act, 1979 and Rules framed there under
- k. The Equal Remuneration Act, 1976 and Rules framed there under.
- l. Motor Transport Workers Act, 1961 and Rules framed there under.
- m. HP Industrial Establishments (National & Festival Holidays & Casual and Sick Leave) Act, 1969.

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6. **How to Apply:** Under this Scheme, the applicant applies "on line" to the Labour Commissioner-cum-Chief Inspector of Factories in the case of factories and concerned Labour Officer in the case of Shop & Commercial Establishment. This Scheme shall be effective prospectively from the date of receipt of application in the office of Labour

Commissioner-cum-Chief Inspector of Factories/Labour Officer. Initially, the employer/entrepreneur may apply for the scheme till 31st December, 2017, thereafter; the application shall be received only from 1st January to 31st March of every year.

7. Procedure in case of detection of violation and complaints:

- (a) In case any employer fails to follow the terms and conditions of the self certification scheme or fails to abide by any undertaking given by him or any violation of Act/Rules/Norms is detected against the establishment then he shall be immediately pushed to High Risk category as defined. The establishment shall also be debarred from applying for the scheme for three years in case of conviction by any court of law
- (b) In case of violation of any Act, further necessary action under the respective law shall be initiated.
- (c) In case of acquittal, he would be reverted to his earlier status and category in risk profiling.
- (d) On the basis of instructions received from the State Government/District Collector/Court/National Human Rights Commission/Lokayukta/Elected Public Representative, inspection of the establishment concerned may be carried out at any time.
- (e) Once inspected, the same establishment will not be inspected before the next randomization, provided that no specific violation of terms or conditions or undertaking given or the laws by the employer is brought to notice. Therefore, no Inspector will visit any establishment twice consecutively during the period of validity of three years.
- (f) Establishments defined as new start ups under "Chief Minister's Startup/Innovation Projects/New Industries Scheme" as notified by the Government (Inds. Deptt) vide Notification No. Ind-II(F) 12-3/2015, dated 15.11.2016 shall also be exempted from inspections for a period of initial three years of establishment.

8 Inspection Procedure under the scheme: Under this Scheme once inspected the same industry/establishment is not likely to be inspected in the next 3 years. However, on specific complaints, accidents, dangerous occurrences, violation of labour laws, inspection can be conducted only with the prior approval of Labour Commissioner, Himachal Pradesh. Frequency of inspections in respect of High, Medium & Low risk industries opting for scheme will be as under:

Category of the establishment	% of the establishment to be selected randomly
Low Risk Industry	0 %
Medium Risk Industry	20 %
High Risk Industry	50%

9. Inspection Procedure in case of establishment which do not opt self certification scheme:-

Category of the establishment	Frequency of Inspection
High Risk Industry	Once in 6 months
Medium Risk Industry	Once in the year.
Low Risk Industry	Once in 3 years.

10 Self Certification scheme and all prescribed performa will be available on the website of the department and application shall be made in the performa attached with the scheme.

Note: Only factories/establishments having valid licence/registration under Factories Act, 1948 and HP Shops & Commercial Establishment, 1969 will be eligible for scheme.

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To

The Labour Commissioner-cum-
Chief Inspector of Factories,
Shimla, Himachal Pradesh.

**Sub:- Application for Registration under Self Certification Scheme for
factories under various labour laws.**

Sir,

With reference to Himachal Pradesh Government Labour Department
notification number.....dated.....regarding self certification scheme.

I/We have gone through the above said scheme and have understood the same
and wish to be covered under this scheme. The Self Certification Proforma is enclosed herewith.
I/We undertake to abide by all terms and conditions of the Scheme. It is also certified that I/We
am/are competent & duly authorized to make any statement or provide any information to any
Central / State Government agency on behalf of this establishment. I/We further undertake that
we are liable for action under any labour law in case any violations is detected

Yours faithfully,

(Sign. of employer/entrepreneur/occupier)
Name..... Address.....
E-mail.....Contact No.....

Encls: Self -Certification Proforma

Self-Certification Proforma under Factories Act, 1948

[Prescribed under Self Certification Scheme of Government of HP, Labour Department

Notification No.....Dated.....

D.D. Singh

1. Name & Address of the Factory.....
2. Name of Occupier/Employer (Inc. Email ID).....
3. Licence No under Factories Act, 1948(with validity).....
4. Average No. of workers employed
 - Male
 - Female
 - Total
5. Manufacturing Process
6. Sanctioned Load

A. The Equal Remuneration Act, 1976

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

B. The Factories Act, 1948

Sr No	Details	Yes/No
1	Whether the Factory has obtained the licence under the Act as per section 6 & rule 4	
2	Whether the Factory has got the Building Plans approved from Chief Inspector of Factories, HP as per section 6 and rule 3	
3	Whether the register of adult workers has been maintained as per section 62	
4	Whether the Fire Extinguishers have been installed in the premises of the factory as per section 38(1)	
5	Whether the workers are adequately trained to operate fire-fighting equipments as per section 38(2)	
6	Whether the cautionary notices have been displayed in the premises of the factory as per section 7A (1) (2)	
7	Whether the First-aid-Box has been maintained as per section 45(1)	
8	Whether there is cleanliness in the factory section 11	
9	Whether the temperature comfortable in the premises of the factory as per section 13	
10	Whether proper provision of drinking water has been done as per section 18	
11	Whether exhaust fans have been installed as per section 14	
12	Whether the notice at drinking waters point has been displayed as per section 18(2)	
13	Whether the notice of period of work has been displayed as per section 61	

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14	Whether Abstract of Factories Act, 1948 and rules framed there under has been displayed as per section 108	
15	Whether notice outside worker's toilet has been displayed as per section 19(3)	
16	Whether there is a person in the factory having Certificate in First aid treatment as per section 45(3)	
17	Whether the contents of First-aid-Box are inadequate section 45(1)	
18	Whether safe working load has been displayed on Chain Pulley Blocks/Lifting machines as per Section 29(1)(b)	
19	Whether Safety Committee has been constituted as per Section 41-G	
20	Whether Pressure Vessels have been tested by competent person recognized by Chief Inspector of Factories as per Section 31(2)	
21	Whether Muster-roll/attendance register has been maintained as per rule 103	
22	Whether Lime washing register has been maintained as per rule 16	
23	Whether the register of compensatory holidays has been maintained as per rule 77	
24	Whether Inspection Book has been maintained as per rule 105	
25	Whether the workers have been provided with personal protective equipments such as gloves, shoes, masks, protective clothing's, ear plugs/ear muffs, helmet and Goggles etc. as per section 7-A(1) & 35	
26	Whether there is a cleanliness in workers toilet as per section 19(1) (d)	
27	Whether there is overcrowding in the premises of factory. Space per worker is less than 36square feet as per section 16	
28	Whether the Health Register has been maintained as per section 10	
29	Whether Chain Pulley Block/Lifting machines has not been tested by competent person recognized by, Chief Inspector of Factories as per section 29(1)	
30	Whether Stair case has been provided with hand rails as per section-32(a)	

31	Whether Pits/openings in floors have been covered properly as per section 33(1)	
32	Whether drinking water points are located very near to toilets whereas the same should be at least 6 meters away from toilets as per section 18(2)	
33	Whether the humidity register has been maintained as per rule 22	
34	Whether Proper provision of worker's toilets has been done as per section 19	
35	Whether crèches has been provided as per section 48	
36	Whether lift has been tested by competent person recognized by Chief inspector of Factories as per section 28(1)	
37	Whether safe working load has been displayed on lift Section 28(1) c	
38	Whether floors of the factory have been maintained in clean condition Section 33(1) (a)	
39	Whether the nature of work has been specified in attendance register as per rule 103	
40	Whether the name of workers employed through contractor have been entered in the register of adult workers as per section 62	
41	Whether the nature of work has been specified in the register of adult worker as per section 62	
42	Whether the lighting provisions have been found sufficient as per section 16	
43	Whether NOC from Fire Office have been obtained as per section 38(1)	
44	Whether the washing facilities have been provided as per section 42	
45	Whether the register of leave with wages has been maintained as per section 79	
46	Whether the emergency exits in case of fire has been earmarked and displayed properly as per section 38	
47	Whether leave books have been issued to the workers as per rule 88	
48	Whether the permission to engage the worker in overtime has been obtained from CIF as per Section 65(2)	

49	Whether the annual returns have been submitted as per section 110	
50	Whether the canteen has been provided as per section 46	
51	Whether the shelters, rest rooms & lunch rooms has been provided as per section 47	
52	Whether the fencing of machinery has been done as per section 21	
53	Whether the safety officers has been appointed as per section 40B	
54	Whether the welfare officers has been appointed as per section 49	
55	Whether the Muster Roll for occupation of worker has not been maintained (Overtime Register) as per rule 78	
56	Whether the accident register has been maintained as per rule 104	
57	Whether the working Hours of women worker are observed/followed as per section 66	

C. The Minimum Wages Act, 1948

Sr No	Details	Yes/No
1	Whether the Employer maintained Muster-roll Rule 28(5)	
2	Whether the period of work & rest intervals are provided as per section 13	
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 i.e 7 th or 10 th after the expiry of wage period per section	
6	Whether Register of Employees are maintained as per rule 28(6)	
7	Whether the Employer maintained over time work & payment Record as per section 14	
8	Whether the Employer paid over time wage at double the ordinary rate of wages as per section 14	
9	Whether the wages slips being issued to workers as per section 18(3)	

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10	Whether the following Notices displayed as required as per section 18(2) <ul style="list-style-type: none"> • Minimum rate of wages as notified by the Government • Abstract of Act and Rules made thereunder • Name and Address of Inspector 	
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D. The Payment of wages act, 1936

Sr No	Details	Yes/No
1	Whether the Employer fixed wage period as per section 4	
2	Whether the authorized deductions, 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 and commissions in respect of which fines may be imposed as per rule 13	
4	Whether the Notice of date of payment of wages been displayed in English & Hindi as per Rule 9	
5	Whether the following registers in the prescribed form been properly maintained <ul style="list-style-type: none"> • Register of wages (Section 13A, Rule 5) • Register of Fines (Rule 3) • Register of deductions for damages or loss (Section 10, Rule 4). • Register of advance (Section 12, Rule 17) 	
6	Whether the annual return for the last year been sent to the Labour Commissioner, HP as per Rule 18	

E. The Payment of Gratuity Act, 1972

Sr No	Details	Yes/No
1	Whether the Employer obtained compulsory Insurance in the manner prescribed for his liability for the payment towards the Gratuity under the Act as per section 4A	
2	Whether notice of opening, change or closure of the establishment in Form-A submitted by the Employer to the Controlling Authority as per Rule 4(1)	
3	Whether the Employer displayed the abstract of the Act and Rules and the name and address of the Controlling Authority as per rule 20	
4	Whether notice under Rule-4(1)	

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

Sr No	Details	Yes/No
1	Whether the Contractor Licensed under the Act	

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2	Whether the Contractor provided the following facilities for Contract Labour: <ul style="list-style-type: none"> • Canteen-Section 16 • Rest Room-Section 17 • Drinking Water-Section 18(a) • Latrines & Urinals-section 18(b) • Washing facilities-Section 18(c) • First Aid-Section 19 	
3	Whether the Contractor is disbursing the wages to the Contract Labour before the expiry of 7 th day & before the expiry of 10 th day as per section 21(1)	
4	Whether the Contractor issue the Wage Slips to contract labour as per section 29(1)	
5	Whether the payment to workers is being made in the presence of authorized representative of Principal Employer as per section 21(3)	
6	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(1)	
7	Has the contractor displayed the following Notices as per section 29(2) <ul style="list-style-type: none"> • 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 	
8	Whether the contractor maintained the following record as per section 29(1) <ul style="list-style-type: none"> • Register of Workmen/contract labour employed by Contractor. • Muster-Roll-cum-Register of wages • Register of Over Time. • Register of Deductions/fines/advanced 	
9	Whether the contractor complying the conditions of License granted as per section 12	
10	Whether the contractor submitting half-Yearly return to the Licensing Officer as per section 29(1)	

G. The Maternity Benefit Act, 1961

Sr No	Details	Yes/No
1	Whether the Employer engaged any women workers during the prohibited period as per section 4	
2	Whether the Medical Bonus paid to the eligible women workers as per section 8	

3	Whether the leave with 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 section 9A	
5	Whether leave for illness is allowed as prescribed as per section 10	
6	Whether nursing breaks are allowed to women workers as per section 11	
7	Whether any woman worker has been dismissed during or on account of her absence in accordance with the provisions of this Act as per section 12	
8	Whether the employer maintained the register and record as required by maintaining muster-roll on Form-A as per section 20	
9	Whether the Employer submitted Annual Returns under Rule-16, Forms L, M, N, O	
10	Whether the abstract of acts & Rules are displayed in Form-K as per rule 15	

H. The Child Labour (Prohibition & Regulations) Act, 1986

Sr No	Details	Yes/No
1	Prohibition of Children /Child Labour as per section Section-3	
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	
6	Dispute as to Age per section 10	
7	Whether the Notice Displayed per section 12	
8	Whether the health & safety provisions are implemented per section 13	

I. Payment of Bonus Act, 1965

S No	Details	Yes/No
1	Whether the Employer has paid Bonus to all eligible workers as per section 8	
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	

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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	
5	Whether the Employer has paid at the minimum rate as per section 10	

J. The HP Industrial Establishments (National and Festival Holidays, Casual & Sick Leave

S No	Details	Yes/No
1	Whether the Employer maintained the record of Holidays/Leaves as per section 6	
2	Whether the wages paid for the Holidays/Leaves as per section 5	
3	Whether the Employer declared National and Festival Holidays and displayed the same in the premises and intimated to the Inspector.	

K. Inter State Migrant Workmen (RECS) Act, 1979 and Rules thereof

S No	Details for Principal Employer	Yes/No
1	Whether the Principal Employer has got itself registered with the Registering Officer?(Section-4/ Rule-3)	
2	Has the Register of Contractors maintained in Form-XII (Sec-23(1) Rule-48).	
3	Has Principal Employer directed all the Contractors employing 5 or above Inter State Migrant Workmen to obtain Licence ?	
4	Has Principal Employer directed all the Contractors 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)R-23).	
5	Has Principal Employer directed all the contractors to construct and maintain residential accommodation for the workers at safer places?(Section-16(d)Rule-R-23).	
6	Has the Principal Employer submitted Annual Return on form No:XXV to the concerned Licensing Officer? (Rule-56(2)	
7	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)R-34).	
8	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-18R-24).	
For Contractor		
9	Has the Contractor(s) obtained the license under the Act and validity continued by its renewal? (Section-8R-7).	
10	Have the Pass Books been issued to the Inter State Migrant Workmen?(Section-12(b)-R-23).	

11	Has the Contractor furnished to the Labour Officer-cum-Licensing Officer concerned the particulars regarding recruitment and employment of the workmen in form X? (Sec-22(2) Rule-21).	
12	Has the Contractor provided payment of displacement allowance equal to the 50% of the monthly wages at the time of the recruitment in addition to the wages or other amount payable to the workmen? (Section 14(1)).	
13	Has the Contractor paid journey allowance to the workmen from the place of residence to the place of work? (Section 15 R-22).	
14	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) R-45.	
15	Has the Contractor provided the prescribed medical facility free of charge? (Section 16(e) R-37.	
16	Has the Contractor provided the prescribed protective clothing facility free of charge? (Section 16(f) R-38.	
17	Has the Contractor provided the facility of drinking water? (R-39).	
18	Has the Contractor provided the facility of Latrines and Urinals? (R-42).	
19	Has the Contractor provided the facility of Washing? (R-43).	
20	Has the Contractor ensured regular payment of wages to the workmen? Sec 16(a) (R-28}.	
21	Has the Contractor ensured equal pay for equal work irrespective of sex? Sec 16(b) (R}.	
22	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 ?Sec-13 (R-36}.	
23	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)).	
24	Whether the Contractor is paying wages in cash? (Sec-13(2) R-32).	
25	Whether it is found that the contractor failed to provide allowances specified in section 14 and 15(R-22) and facilities prescribed in section 16(R-28,45,37,38) has the Principal Employer provided such facilities at the cost of concerned contractor ?	
26	If yes to above, the expenses incurred by the Principa Employer and recovered/recoverable from the contractor (Section18-R-46).	

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27	If no, to above reasons to be stated along with action taken or proposed to be taken against the contractor and the Principal employer.	
28	Whether the employer paid the wages within time 7 th day/10 th day after the close of the wage period(Section-17(4) PE R-28.	
29	Whether the wages were disbursed to the workmen in the presence of authorized representative of the Principal Employer and whether such authorized representative records a necessary certificate of the record of payment of the wages(Section-17R-34).?	
30	Whether the contractor provided crèches facility if 20 or more women workers are working and works is likely to continue for three months or more?(Rule-44).	
31	Whether the rest rooms to the workmen have been provided (Rule-40)?	
32	Whether the canteen facility has been provided within 60 days of the commencement of the employment of the workmen if the number of workmen is 100 or more?(Sectio-41).	
33	Whether the service certificate has been issued in Form-XIV to the workmen whose services are terminated?(R-50).	
34	Whether the following record has been maintained:-i)Register of persons employed(Sec-23(1)Rule-49, ii)Register of Displacement-cum-Outward journey allowance and return journey allowance(Section-23(1)R-51(1)(2),iii)Muster-roll R-52,Register of Wages R-52,Register of Over-time R-52,Register of deductions R-52,fines R-52 and advances R-52.	
35	Has the employer maintained and preserved the record for the period of three calendar years (Rule-53).	
36	Has the employer displayed abstract of the Act and Rules Rule-54.(ii) Notice showing rate of wages, Hours of work wage period, dates of payments of wages and date of payment of unpaid wages, name and address of the Inspector at the work site Rule-55.(Sec-23(2))	
37	Whether the contractor has submitted the copy of the notice to the Inspector concerned (Sec-23(2) Rule-55(2).	
38	Whether the Contractor has submitted half yearly Return in form No: XXIII to the concerned Licensing Officer-cum-Labour Officer? (Sec-12(C) Rule-56(1))	

L. Motor Transport Workers Act, 1961 and Rules thereof

S No	Details	Yes/No
1	Whether undertaking has been registered under the Motor Transport Workers Act, 1961	

2	Whether the registration number has been marked on the vehicles on the left side as required under the rule 13	
3	Whether the running staff has been provide with uniform	
4	Whether washing allowance is being paid in accordance with rule 24(2)	
5	Whether the first aid box has been provided in the vehicles	
6	Whether the workmen are allowed weekly rest as per rule 29	
7	Whether the workmen are allowed gazetted holidays as per rule 32	
8	Whether compensatory holidays are being allowed in accordance section 20 read with rule 30	
9	Whether overtime is being given as per rule 31	
10	Whether leave books to the workers are being provided	
11	Whether register of workers (Rule 35), muster-roll (Rule 36) and overtime register (Rule 37) being maintained	

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 provisions of **Factories Act, 1948, The Payment of Wages Act,1936, The Minimum Wages Act, 1948, 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 thereunder, The Payment of Bonus Act, 1965 and the Rules made thereunder, Maternity Benefit Act, 1961, The HP Industrial Establishments (National Festival Holidays And Casual and Sick Leave) Act, 1969, The Child Labour (Prohibition And Regulation) Act, 1986 and the Rules, The Inter-State Migrant Workmen (RECS) Act, 1979, Motor Transport Workers Act, 1961 and rules made thereunder, 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:

(Sign. of employer / entrepreneur / occupier)
Name.....
Address..... E-mail.....

To

The Labour Officer,
.....

Sub:- Application for Registration under Self Certification Scheme for Shops and Commercial Establishments under the various labour laws.

Sir

With reference to Himachal Pradesh Government Labour Department notification number.....dated.....regarding self certification scheme.

I/We have gone through the above said scheme and have understood the same and wish to be covered under this scheme. The Self Certification Performa under the scheme is enclosed herewith. I/We undertake to abide by all terms and conditions of the scheme. It is also certified that I/We am/are competent & duly authorized to make any statement or provide any information to any Central / State Government agency on behalf of this establishment. I/We further undertake that we are liable for action under any labour law in case any violations is detected

Yours faithfully,

(Sign. of employer/entrepreneur)

Name..... Address.....

E-mail.....Contact No.....

Encls:- {Self -Certification Proforma}

Self-Certification Proforma for HP Shops and Commercial Establishments under various Labour laws

[Prescribed under Self Certification Scheme of Government of Himachal Pradesh, Labour Department Notification No.....Dated.....

1. Name & Address of the establishment/factory.....
2. Name of Owner
3. Registration number of the establishment under the HP Shops & Commercial Establishment Act, 1958.....
4. Average number of workers employed
 - Male
 - Female
 - Total
5. Business Activity

A. The Shop & Commercial Establishment Act, 1969

S No	Details	Yes/No
1	Whether opening & closing Hours (9 am to 8 pm) of the Shops/Establishments are followed as per section 9.	
2	Whether Shops/Establishments are closed on close day i.e on Sunday as per section 10(1)	
3	Whether the working hours are intimated to the Authority as per section 10(2)	
4	Whether Establishment/Shop get registered as per section 13(1)	
5	Whether the Registration Certificate produced to the Inspector on demand as per section 13(2)	
6	Whether the earned leaves are given to employees as per section 14(1).	
7	Whether the Employer maintained in the prescribed form and manner, keep exhibited in the establishment a notice setting forth a close day, the working hours etc as per section 20(1)	
8	Whether the Employer maintained the register of employees as per section 20(2)	
9	Whether the Employer maintained the register of attendance of employees as per section 20(3).	
10	Whether the Employer maintained records/registers such as register of attendance, register of employees, register of wages etc for the purpose of the Act as per section 20(5).	
11	Whether the employer make available such registers/records maintained for the purpose of the Act for inspections as per section 21(1).	

B. The Minimum Wages Act, 1948

S No	Details	Yes/No
1	Whether the Employer maintained Muster-roll Rule 28(5)	
2	Whether the period of work & rest intervals are provided as per section 13	
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 i.e 7 th or 10 th after the expiry of wage period per section	
6	Whether Register of Employees are maintained as per rule 28(6)	
7	Whether the Employer maintained over time work & payment Record as per section 14	
8	Whether the Employer paid over time wage at double the ordinary rate of wages as per section 14	
9	Whether the wages slips being issued to workers as per section 18(3)	
10	Whether the following Notices displayed as required as per section 18(2) M. Minimum rate of wages as notified by the Government N. Abstract of Act and Rules made thereunder O. Name and Address of Inspector	

C. The Payment of wages act, 1936

S No	Details	Yes/No
1	Whether the Employer fixed wage period as per section 4	
2	Whether the authorized deductions, 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 and commissions in respect of which fines may be imposed as per rule 13	
4	Whether the Notice of date of payment of wages been displayed in English & Hindi as per Rule 9	
5	Whether the following registers in the prescribed form been properly maintained <ul style="list-style-type: none"> • Register of wages (Section 13A, Rule 5) • Register of Fines (Rule 3) • Register of deductions for damages or loss (Section 10, Rule 4). • Register of advance (Section 12, Rule 17) 	
6	Whether the annual return for the last year been sent to the Labour Commissioner, HP as per Rule 18	

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

S No	Details	Yes/No
1	Whether the Contractor Licensed under the Act	
2	Whether the Contractor provided the following facilities for Contract Labour: <ul style="list-style-type: none"> • Canteen-Section 16 • Rest Room-Section 17 • Drinking Water-Section 18(a) • Latrines & Urinals-section 18(b) • Washing facilities-Section 18(c) 	

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	<ul style="list-style-type: none"> • First Aid-Section 19 	
3	Whether the Contractor is disbursing the wages to the Contract Labour before the expiry of 7 th day & before the expiry of 10 th day as per section 21(1)	
4	Whether the Contractor issue the Wage Slips to contract labour as per section 29(1)	
5	Whether the payment to workers is being made in the presence of authorized representative of Principal Employer as per section 21(3)	
6	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(1)	
7	Has the contractor displayed the following Notices as per section 29(2) <ul style="list-style-type: none"> • 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 	
8	Whether the contractor maintained the following record as per section 29(1) <ul style="list-style-type: none"> • Register of Workmen/contract labour employed by Contractor. • Muster-Roll-cum-Register of wages • Register of Over Time. • Register of Deductions/fines/advanced 	
9	Whether the contractor complying the conditions of License granted as per section 12	
10	Whether the contractor submitting half-Yearly return to the Licensing Officer as per section 29(1)	

E. Payment of Bonus Act, 1965

S No	Details	Yes/No
1	Whether the Employer has paid Bonus to all eligible workers as per section 8	
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	
5	Whether the Employer has paid at the minimum rate as per section 10	

F. Payment of Gratuity Act, 1972

DR.

S No	Details	Yes/No
1	Whether the Employer obtained compulsory Insurance in the manner prescribed for his liability for the payment towards the Gratuity under the Act as per section 4A	
2	Whether notice of opening, change or closure of the establishment in Form-A submitted by the Employer to the Controlling Authority as per Rule 4(1)	
3	Whether the Employer displayed the abstract of the Act and Rules and the name and address of the Controlling Authority as per rule 20	
4	Whether notice under Rule-4(1)	

G. The Maternity Benefit Act, 1961

S No	Details	Yes/No
1	Whether the Employer engaged any women workers during the prohibited period as per section 4	
2	Whether the Medical Bonus paid to the eligible women workers as per section 8	
3	Whether the leave with 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 section 9A	
5	Whether leave for illness is allowed as prescribed as per section 10	
6	Whether nursing breaks are allowed to women workers as per section 11	
7	Whether any woman worker has been dismissed during or on account of her absence in accordance with the provisions of this Act as per section 12	
8	Whether the employer maintained the register and record as required by maintaining muster-roll on Form-A as per section 20	
9	Whether the Employer submitted Annual Returns under Rule-16, Forms L, M, N, O	
10	Whether the abstract of acts & Rules are displayed in Form-K as per rule 15	

H. The Child Labour (Prohibition & Regulations) Act, 1986

S No	Details	Yes/No
1	Prohibition of Children /Child Labour as per section Section-3	

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	
6	Dispute as to Age per section 10	
7	Whether the Notice Displayed per section 12	
8	Whether the health & safety provisions are implemented per section 13	

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 provisions of **The HP Shops & Commercial Establishments Act, 1969, The Payment of Wages Act,1936, The Minimum Wages Act, 1948, Contract Labour (Regulation & Abolition) Act, 1970 and the Rules made thereunder, The Payment of Gratuity Act, 1972 and the Rules made thereunder, The Payment of Bonus Act, 1965 and the Rules made thereunder, Maternity Benefit Act, 1961, The Child Labour (Prohibition And Regulation) Act, 1986 and the Rules made thereunder and the rules made thereunder, 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:

(Sign. of employer / entrepreneur / occupier)

Name.....

Address..... E-mail.....

Disc