

Inspection Procedure and Checklist

Department of Labour, Haryana

Compliance Inspection under The Equal Remuneration Act, 1976

Department Website: <https://hrylabour.gov.in/>

Link of Transparent inspection Policy: <https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| UNDER EQUAL REMUNERATION ACT, 1976 | |
|------------------------------------|--|
| 1. | Whether male and female workers employed on the same work of a similar nature under similar working conditions are being paid remuneration/wages at equal rates? |
| 2. | Whether discrimination is being made while recruiting men and women workers for the same work or in promotions training etc. (Rule 5). |
| 3. | Whether register in form 'D' in respect of workers employed is maintained? (Section 8/ Rule 6) |

May Prosecute for Violation of _____

May Warn for violation of _____

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Notification that appears before Transparent Inspection Policy (TIP) is given below. It clearly states that inspections under Labour laws will be carried out as per the TIP:

**HARYANA GOVERNMENT
LABOUR DEPARTMENT**

NOTIFICATION

Dated: 5th July 2017

No.: 6/50/2017-1Lab It is hereby ordered to mandate that henceforth the statutory inspections of the factories, shops and commercial establishments under various labour laws in the State shall be carried out on the guidelines provided in the Transparent Inspection Policy (Annexure) in which selection of units to be inspected will be based on specific risk based criteria, norms and methodology specified therein. The employers/occupiers shall submit Self Certification / Third party Certification to seek exemption under this Transparent Inspection Policy.

Dated: 29.06.2017

(Vijai Vardhan)
Additional Chief Secretary to Govt. of Haryana,
Labour Department.

Endst. No. 6/50/2017-1Lab

Dated:- 5.06.2017

A copy is forwarded to the following for information and necessary action:-

- 1) Labour Commissioner, Haryana, Chandigarh.
- 2) Additional Labour Commissioner (NCR), Gurugram.
- 3) Additional Labour Commissioner, Haryana, Chandigarh.
- 4) Additional Director (IS&H), Haryana, Chandigarh.
- 5) Joint Secretary, HBOCWW Board.
- 6) Joint Director, IS&H, NCR – Gurugram.
- 7) All Deputy Directors (IS&H) in the State.
- 8) All Deputy Labour Commissioners in the State.
- 9) Deputy Labour Commissioner (Welfare), in the State.
- 10) All Assistant Directors (IS&H) in the State.
- 11) All Assistant Directors (IS&H), Chemical in the State.
- 12) All Assistant Labour Commissioners in the State.
- 13) All Welfare Officers, HLW Board in the State.
- 14) All Labour Inspectors in the State.

- 10) All Assistant Directors (IS&H) in the State.
- 11) All Assistant Directors (IS&H), Chemical in the State.
- 12) All Assistant Labour Commissioners in the State.
- 13) All Welfare Officers, HLW Board in the State.
- 14) All Labour Inspectors in the State.


Subodh
for Additional Chief Secretary to Govt. of Haryana,
Labour Department.

LABOUR DEPARTMENT, HARYANA

TRANSPARENT INSPECTION POLICY (AMENDMENT, 2017)

The Labour Department Haryana implements various provisions related to safety, health, welfare and other conditions of employment under various labour laws. In order to ensure the compliance of various provisions under these enactments, the Department has notified various functionaries for the inspection of the establishments/factories. Although inspection guidelines have been framed in the past, but these have not been implemented properly; besides there have been some complaints of adhocism in the inspections. The prevalent instructions/guidelines are not conforming to the use of Information Technology, which has to be brought into fore in the near future. Therefore, a new comprehensive transparent inspection policy is required to be put in place with the following objectives:-

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

Inspection Procedure and Criteria:

Part-A: Transparent Inspection Scheme-Industrial Safety & Health Wing

1. Exemption of low risk Factories from Labour compliance inspections under all Labour Laws.

As a part of 'Ease of Doing Business' and in compliance of the provisions of State Enterprise Promotion Policy, 2015, the following categories of factories shall be exempted from physical inspections under all Labour laws.

- (i) All the non-hazardous Factories having valid license/registration employing less than 50 workers who opted for Self-Certification Scheme and has submitted the single return under various Labour laws.
- (ii) Start-up Establishments for a period of two years from the date of commencement of work/business.
- (iii) Establishment having no employee i.e. employing family members only.
- (iv) Any other Establishment specifically exempted by Government from time to time.
- (v) Establishment under SEZ.

2. Criteria for Inspection:

The most contentious issue in conducting the inspection is selection of the establishment/unit by adopting the predetermined criteria. It has been decided that each manufacturing unit shall be categorized in three groups based upon the level of hazards involved as enumerated in the laws i.e.

- (i) Major Accident Hazardous,

- (ii) Hazardous,
- (iii) Non Hazardous

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

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

- a) Every MAH unit shall be inspected once in a year.
- b) All the Hazardous units involving risk of fire, explosion and toxic release are to be inspected once in every two-year.
- c) The non-hazardous units are to be inspected once in every five year except the units exempted at para-1 (I to V).

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

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

4. Inspection team:

The inspections shall be conducted by the individual officer or a team of maximum three officers of the department. The Inspecting Officer/ team of inspecting officers shall be selected by the computerized system preferably in the following manner but shall be finalized by the Chief Inspector of Factories, Haryana, keeping in view the number of unit in particular slab in the particular area of jurisdiction:-

| Sr. No | No. of workers employed | Inspecting officers |
|--------|---|--|
| 1 | Non Hazardous Units employing up to 50workers | Exempted (As per Para-1) |
| 2 | Up to 250 (except Non Hazardous Units employing up to 50 workers) | Assistant Director (IS&H) or Assistant Director (IS&H), Chemical |
| 3 | 251 to 1000 | Deputy Director (IS&H) |
| 4 | Above 1000 | Joint Director (IS&H) |

Note:

- (i) The Chief Inspector of Factories-cum-Labour Commissioner may change the inspecting Officer/Officers at any point of time.

- (ii) Inspecting Officer shall ensure that he will not inspect the same factory/establishment under all labour laws twice consecutively even if he has been appointed as a member of the inspecting team by mistake.
- (iii) If Assistant Director(IS&H) found any unregistered factory in his respective jurisdiction, he will register the same under the Factories Act, 1948 and upload registration report at the Departmental Website www.hrylabour.gov.in within 24 hours.
- (iv) The Chief Inspector of Factories on receipt of information about any unregistered / un-covered factory or any complaint of violations of the provisions made under the Factories Act, 1948 and Rules framed there-under, may direct any officer or a team of officers of the Labour Department to inspect such factory.

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

The inspecting officer shall give 15-days' notice prior to the date of inspection to the management along-with the checklist for the inspection. However the checklists and inspection performa are available on the Departmental Website i.e. www.hrylabour.gov.in .

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

The inspection report shall be prepared and uploaded with-in 24 hours from the date of completion of inspection by the inspecting officer (s) on the departmental website i.e. www.hrylabour.gov.in against the ID of the factory which shall be accessible by the officers in the department and the owner of the inspected factory. The inspection report may also be supplied to the management at his place of business with a copy to the Chief Inspector of Factories, Haryana Chandigarh. A show cause notice as prescribed on behalf of Chief Inspector of Factories, Haryana giving one month time for compliance to the management shall also be delivered along with the copy of inspection report.

7. Medical Examination of the workers employed in the Factories:

Deputy Director(IH) and Assistant Director(IH)cum Certifying Surgeon will conduct medical examination only in the factories involving health hazardous processes and hold special health camps for the diagnosis of occupational diseases like silicosis, lead poisoning, asbestosis, Tuberculosis, Fibrosis etc. in the factories like Brick kilns, Stone Crushers, Saw mills, Lead processing units.

8. Compliance by the management:

The Labour Department, Haryana enforces the statutory provisions under various labour laws to protect the statutory rights of the workers by way of proactive approach. Therefore, management shall be provided ample opportunities for the compliance of the observation made by the inspecting office/officers. The action on the inspection report shall be the last resort in case of non-compliance by the management even after the best efforts by the department.

Note:

In case the Chief Inspector of Factories-cum-Labour Commissioner is not satisfied with the compliance report submitted by the management, he may order to physically verify the actual status of the compliance report.

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

There is no permanent data-base of the construction sites in the Department as the construction sites are temporary in nature and exist for a short period. The inspection of the unregistered sites shall be conducted by

the Assistant Director/Deputy Director, Industrial Safety & Health of the area concerned, as and when it came to their knowledge. The inspection of the registered site shall be conducted with prior approval of Chief Inspector of Inspection, Haryana, Chandigarh. But in case it came to the knowledge of the inspection officer of the area concerned that there is imminent danger to the construction workers working at the construction site, he may immediately inspect the site with prior intimation to the Chief Inspector of Inspections, Haryana telephonically or through e-mail and shall submit his report within 24 hours to the Head Office.

10. Accident enquiries:

In case of serious accident, the enquiry shall be conducted by concerned Assistant Director, Industrial Safety & Health and the enquiry of all fatal accidents shall be conducted by the concerned Deputy Director, Industrial Safety & Health. The enquiry reports shall be sent to head office within 48 hours of completion of enquiry. The enquiry report shall be submitted within 30 days to head office from the date on which it comes to the knowledge of enquiry officer.

Part B: Transparent Inspection Scheme – Labour Wing

1. Exemption from Labour compliance inspections under all Labour Laws.

As a part of Ease of Doing Business and in compliance of the provisions of State Enterprise Promotion Policy, 2015, the service sector units employing less than 50 workers shall be exempted from the inspections unless there is a specific case of non- payment of minimum rates of wages notified by the Government or some other serious complaint.

2. Third Party Certification.

Third Party Certification shall be recognized by the Labour Department. Such certification will be permissible only by a Company Secretary who has not been an employee or on the regular pay role of the establishment or has not been a consultant of the company for the last three years. The units which submit third party certification regularly on annual basis shall not be inspected through the random list of inspections. Such units will be inspected only in the event of serious complaints or unrest etc.

3. Inspection Criteria:

The primary task of the Labour wing is maintenance of industrial peace and grievance redressal and the inspections under the various Labour laws are conducted only to provide corollary support for compliance of Labour laws, therefore, henceforth there shall be no quota of inspections for the field staff. Therefore, the fundamental criteria for the computerized identification of units based upon risk assessment for statutory inspections and also for the purpose of grievance redressal for corollary support for maintenance of industrial peace would be as follow:-

Observations and Complaints regarding:-

- a. Non entry of names of workers in the muster roll or non-maintenance of statutory record – which logically leads to violation of various Labour laws.
- b. Non-payment of wages or less payment of wages than minimum rates of wages in violation of the Minimum Wages Act, 1948 and the Payment of Wages Act, 1936.
- c. Industrial disputes of serious nature and apprehended breach of law or industrial peace due to such disputes.

- d. Non maintenance of facilities for security health and welfare for women employed in the night shift, in accordance with the directions of the Hon'ble Supreme Court and the preconditions laid down in the permission for the purpose; or employment of women in the night without proper permission as per law.
- e. Deployment of contract Labour to the extent of 50% or more of the total strength of manpower.
- f. Non remittance of contributions to the Labour Welfare Fund under the Punjab Welfare fund Act, 1965. Accordingly, the list of units to be inspected will be prepared separately for the Labour wing at head office and the inspection will be of two types –
 - (i) Inspections based on risk assessment of units whose names are randomly generated by the computer from available database of establishments on the website; such inspections will be on the basis of criteria listed at (d), (e) and (f) mentioned above.
 - (ii) Inspections on the basis of complaints and information received from the field Officers on real time basis on the basis of criteria listed in (a), (b) and (c) above. This information will also have to be provided by the field Officers in their reports regularly to enable the O/o Labour Commissioner to assess the requirement of inspection.

As stated above, the primary concern would be non-entry of names of workers on the muster roll, the non-payment of wages or less payment of wages, if detected during the inspections for which legal action will be initiated only after giving the employer ample opportunity for taking corrective action. However If there is some other deficiency of maintenance of record which is not vital to secure such rights of the workers as mentioned above, then all efforts will be made to get the compliance done by the employer and there will be no prosecution.

The restrictions and guidelines in this Transparent Inspection Scheme would not apply for inspections regarding Child Labour and Bonded Labour; as also for units which have not been registered under any law.

The inspecting officer shall give 15-days' notice prior to the date of inspection to the management.

4. Complaint Based Inspection.

The complaints received through CM complaints cell, / District Administration/ Trade Unions / Workers or complaint related to existing dispute/litigation shall be attended promptly. This information will also have to be provided by the field Officers in their reports regularly to enable the O/ Labour Commissioner to assess the requirement of inspection. If required, the inspection in pursuance of such complaints shall also be conducted besides the inspections under the Policy but with the prior intimation / approval of the Labour Commissioner, Haryana. Complaints received directly from the workers or by Unions / representatives with critical issues and those given in general must be distinguished and action be taken as per priority.

5. Inspection team:-

The inspections shall be conducted by the individual officer or a team of maximum three officers of the Labour Department. The Inspecting Officer / team of inspecting officers shall be selected by the computerized system preferably in the following manner but shall be finalized by Labour Commissioner, Haryana, keeping in view the number of unit in particular slab in the particular area of jurisdiction:-

| Sr. No | No. of workers employed | Inspecting officers |
|--------|-------------------------|---------------------|
|--------|-------------------------|---------------------|

| | | |
|---|--|-------------------------------|
| 1 | Service sector units employing less than 50 workers. | Exempted |
| 2 | Up to 250 | Assistant Labour Commissioner |
| 3 | Above 250 | Deputy Labour Commissioner |

Note:

(i) The Labour Commissioner may change the inspecting Officer/Officers at any point of time.

(ii) Inspecting Officer shall ensure that he will not inspect the same factory / establishment under all Labour laws twice consecutively even if he has been appointed as a member of the inspecting team by mistake.

(iii) The Labour Inspectors will not inspect any establishment separately except units lacking in registration under the Shops and Commercial Establishments Act, 1958.

6. Preparation of quarterly list of inspection of establishments by computerized randomly generated system:

The office of Labour Commissioner Haryana, Chandigarh shall finalize the list of establishment to be inspected during the next quarter by computerized randomly generating system based on the pre-determined criteria of selection mentioned above. This list shall be made available to the public on Departmental web portal and also sent to the field-inspecting officers. The Inspecting Officers shall be allocated through a computer program ensuring that the same Inspector will not inspect the same establishment twice consecutively. The joint inspection of factories by Labour wing and the industrial safety wing if required will be selectively directed by head office only.

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

The inspection report shall be prepared and uploaded with-in 24 hours from the date of completion of inspection by the inspecting officer (s) on the departmental website i.e. www.hrylabour.gov.in against the ID of the factory / establishment which shall be accessible to the officers in the department and the owner of the inspected factory / establishment. The inspection report may also be supplied to the management at his place of business with a copy to the Labour Commissioner, Haryana Chandigarh. A show cause notice shall be given by the competent authority giving one month time for compliance to the management shall also be delivered along with the copy of inspection report.

8. Compliance by the management:

The Labour Department, Haryana enforces the statutory provisions under various Labour laws to protect the statutory rights of the workers by way of **proactive approach**. Therefore, management shall be provided ample opportunities for the compliance of the observation made by the inspecting office/officers. **The principle would be that the prosecution shall be for defiance to comply and not merely violation except in case of serious offence.**

- a) The inspections of units where the number of workers is upto 250 will be regulated at the level of Assistant Labour Commissioner after proper hearing of the employer. The prosecution for non-payment of wages or payment of less than minimum rates of wages can be launched only after filing of claim under the relevant provisions of Labour Laws and permission from the competent authority.
- b) The inspections of units with workers above 250 will be regulated at the level of the Dy. Labour Commissioners after proper hearing of the employer.

- c) It is clarified that no notice of inspection shall be issued to the management at the level of the Labour Inspector; and even the Senior Officers shall not issue any letter for inspection or production of record other than those permitted in the list by the Labour Commissioner.

In general, the violations where the sanctioning power is with the local officer shall be decided by the Dy. Labour Commissioner and the laws where the power to sanction prosecution is with the Govt. then the hearing will be at the level of head office; and the prosecution will be sanctioned accordingly. The principle would that prosecution shall be for defiance to comply and not violation except in the case of serious offences.

9. Synchronized/Joint Inspection

The department shall ensure that the inspection under all Labour laws including the Equal Remuneration Act 1976, the Factory Act, 1948, the Maternity Benefit Act, 1961, the Minimum Wages Act, 1948, the Punjab Shops & Establishments Act, 1958, the Punjab Welfare fund Act, 1965, the Payment of Bonus Act, 1965, the Payment of wages Act, 1936, the Payment of Gratuity Act, 1972, the Contract Labour (Regulation and Abolition Act, 1970, the Industrial Establishments (National & Festival Holidays & Casual and Sick Leave) Act, 1965 and the Building & Other Construction Workers Act, 1996 shall be conducted jointly in synchronized manner by the team of maximum three inspecting officers of the Labour department.

Compliance Inspection under the Factories Act, 1948

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| To be filled by inspecting officer (No box should be left blank) | | | | |
|---|---------|--------------|--|------------|
| Sr. No. | Section | Rule | Details | Yes/No/N.A |
| 1 | 6 | 7,8,10, 14 | Has the management submitted an application in Form No. 2 along with prescribed license fees for grant of factory licence? | |
| 2 | 6 | 9 | Does it need any amendment or change (regarding number of workers, H.P. etc.)? | |
| 3 | 6 | 3-A | Are the building plans of the factory approved from the Chief Inspector of Factories, Haryana? | |
| 4 | 6 | 4 | Has the certificate of stability (Form 1-B) been accepted by the Chief Inspector of Factories? | |
| 5 | 6 | 3-A, 4 | Are the buildings constructed in accordance with the approved plans? | |
| 6 | 6 | 3-A, 4 | If not, unauthorized additions /alterations made in building/plant/machinery. | |
| 7 | | 67-B | Has the Safety Committee constituted in accordance with the prescribed rules? | |
| 8 | | 70-B | Is written statement of policy in respect of Health and Safety of the workers prepared as prescribed? | |
| 9 | 21 | | Are dangerous/moving parts of transmission machinery properly guarded? | |
| 10 | 7-A | | Are the workers without sufficient training and effective supervision allowed to operate the machines? | |
| 11 | 24(2) | | Are suitable devices for cutting off power in emergency in every workroom provided and kept in order? | |
| 12 | 28, 29 | 60, 60-A , B | Are hoists/ lifts / cranes or other lifting machinery suitably constructed and properly maintained? | |
| 13 | 28, 29 | 60, 60-A | Are they periodically examined as prescribed by the competent person and the prescribed register maintained? | |
| 14 | 30 | | Are the provisions of Section 30 complied in respect of revolving machinery and the required notice exhibited? | |
| 15 | 31 | 61 | Are all the prescribed precautions taken in the case of pressure plants and are these periodically examined? | |
| 16 | 32 (a) | | Are floors, steps, stairs, passages and gangways of sound construction and maintained properly? | |

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|----|----------|-------------------|--|--|
| 17 | 32 (a) | 66(9) (ff) | Are hand rails of substantial construction provided on steps, stairs, passages, platforms, gangways etc.? | |
| 18 | 32 (b) | | Are safe means of access provided to all the places of work? | |
| 19 | 33 | | Are all the tanks, pits, etc., securely covered/fenced? | |
| 20 | 34 | 62 | Are excessive weights carried by the workers? | |
| 21 | 35 | 63 | Are proper precautions taken for protection of eyes? | |
| 22 | 36 | | Are necessary precautions taken against dangerous fumes? | |
| 23 | 36-A | | Are necessary precautions taken for use of portable electric light inside any chamber, tank, pit, vat etc.? | |
| 24 | 37 | | Are necessary precautions taken against explosions? | |
| 25 | 38(1) | | Are all precautions taken to prevent out break and spread of fire? | |
| 26 | 38(1)(a) | | Are means of escape in case of fire adequate? | |
| 27 | 38(1)(b) | | Are necessary equipments and facilities for extinguishing of fire provided? | |
| 28 | 38 | 66(9) (t), (u) | Are exit doors of prescribed size provided and fitted to slide or open out wards? | |
| 29 | 38 | 66(9)(aa- gg) | Are staircases constructed in accordance with Rule-66 (9)? | |
| 30 | 38 | 66(9)(d) | Are the passageways etc. free of obstructions? | |
| 31 | 39 | | Is there any building or part of building or machinery or plant in a dangerous condition? | |
| 32 | 40 | | Is any building or part of building in a dangerous condition involving imminent danger to human life or safety? | |
| 33 | 7-A | 66-A | Is any wall, chimney, gallery, stairway, ramp, platform, staging or other structure constructed, situated or maintained in the factory in unsafe manner? | |
| 34 | 7-A | 66-B | Is any machinery, plant or equipment constructed, situated, operated or maintained in unsafe manner? | |
| 35 | 7-A | 66-C | Is any process or work carried on in the factory in unsafe manner so as to cause risk of life or bodily injury? | |
| 36 | 7-A | 66-D | Is any material or requirement stacked or stored in unsafe manner? | |
| 37 | 7-A | 66-E | Are all the prescribed precautions taken in the case of Ovens and Driers and are these periodically examined? | |
| 38 | 7-A | 66-F | Are all the prescribed precautions taken in the case of Reaction Vessels and Kettles? | |
| 39 | 7-A (2) | | Are adequate precautionary measures taken to prevent the electrical hazards? | |
| 40 | 21 | 55-Sch-1 | Are all the prescribed precautions taken for Textile machinery? | |
| 41 | 21 | 55-Sch-II | Are all the prescribed precautions taken for Cotton Ginning machinery? | |
| 42 | 21 | 55-Sch- III | Are all the prescribed precautions taken for Wood working machinery? | |
| 43 | 21 | 55-Sch- IV | Are all the prescribed precautions taken for Rubber Mills? | |
| 44 | 21 | 55-Sch-V | Are all the prescribed precautions taken for Centrifugal Machines? | |
| 45 | 21 | 55-Sch- VI | Are all the prescribed precautions taken for Power Presses? | |

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|----|-------------------|------------|--|--|
| 46 | 21 | 55-Sch-VII | Are all the prescribed precautions taken for Shears, Slitters and Guillotine machines? | |
| 47 | 46 | 71-77 | Is the Canteen provided according to the prescribed provisions? | |
| 48 | 47 | 78 | Is a Rest Room provided according to the prescribed provisions? | |
| 49 | 48 | 79-82 | Is the crèche provided according to the prescribed provisions? | |
| 50 | 49 | | Is the Welfare Officer appointed and working in accordance with the prescribed rules (PWOR&CS Rules, 1952) in the factory? | |
| 51 | 40(B) | 66 | Is Safety Officer appointed and working in accordance with the prescribed rules? | |
| 52 | | 110 | Is the must roll in Form No. 25 or any other register containing the same information maintained? | |
| 53 | 51 | | Is any adult worker employed for more than 48 hours in any week? | |
| 54 | 63 | | Is any worker required to work for hours other than specified in the notice of periods of work? | |
| 55 | 52(1) (a) | | Was substituted holiday given to any person employed on the first day of any week? | |
| 56 | 52(1)(b)(i), (ii) | | Was a notice displayed in the factory and delivered to the Inspector in accordance with Section 52(1) (b)? | |
| 57 | 59(1) | | Are overtime wages paid in accordance with Section 59? | |
| 58 | 66(1) (b) | | Is any woman employed in the night shift between 7 PM and 6 AM? | |
| 59 | 54 | | Is any worker employed for more than nine hours on any day? | |
| 60 | 55 | | Are intervals for rest granted in accordance with provisions of Section 55? | |
| 61 | 67 | | Is any child allowed to work in the factory? | |
| 62 | 79(1) | | Is leave with wages granted in accordance with Section 79(1)? | |
| 63 | 79(3) | | Are wages in lieu of leave paid in accordance with section 80 to the workers who either quit/ discharged from service? | |
| 64 | 87 | 102 | Is any breach of safety provisions laid down in schedule I to XXVII of Rule 102 taking place? | |
| 65 | 88(1) | 103 | Are notices of accident sent in accordance with Section 88 and Rule 103? | |
| 66 | 53 | 83 | Is Compensatory Holiday register in Form No. 9 maintained? | |
| 67 | 59 | 85 | Is Over Time Muster Roll in Form No.10 maintained? | |
| 68 | 61 | 86 | Is Notice of Periods of work in Form No.11 displayed and copies of it sent in duplicate to the Inspector? | |
| 69 | 62 | 87 | Is Register of Adult Workers in From No.12 maintained? | |
| 70 | 79(1) | 94 | Is Register of Leave with wages in Form No.15 maintained? | |

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|----|-----------|--------|---|--|
| 71 | 79 | 95 | Is Leave Book in Form No.15 provided to each worker? | |
| 72 | 88 | 111 | Is Register of Accidents & Dangerous Occurrences in Form No.26 maintained? | |
| 73 | | 112 | Is Inspection Book in Form No.35 maintained? | |
| 74 | 61, 108 | 69A | Are notices under different sections of Factories Act displayed? (61, 108 & Rule 69-A etc.)? | |
| 75 | 110 | 107 | Is Annual Return in Form No.21 in duplicate submitted in accordance with the prescribed rules? | |
| 76 | 110 | 107 | Is Half-Yearly Return in Form No.22 in duplicate submitted in accordance with the prescribed rules? | |
| 77 | 110 | 107 | Is Annual Return of Accidents in Form No. 31 in duplicate submitted in accordance with the prescribed rules? | |
| 78 | 45 (1) | 69 | Are sufficient numbers of First-Aid Boxes provided with all the prescribed equipments? | |
| 79 | 45(3) | | Are these kept in the charge of trained persons? | |
| 80 | 45(4) | 70 | Is the ambulance room provided according to the prescribed provisions? | |
| 81 | 45(4) | 70(4) | Is an Ambulance van provided? | |
| 82 | 11(1) (a) | | Is the factory kept clean? | |
| 83 | 11(1) (d) | | Are the inside walls and ceilings including all woodwork, lime-washed /colour-washed/painted as prescribed? | |
| 84 | 12 | 19 | Are the trade wastes and effluents disposed off in an unsanitary manner? | |
| 85 | 13(1) (a) | | Are the ventilation adequate and working conditions comfortable? | |
| 86 | 14(1) | | Are the exhaust arrangements satisfactory for dust or fume given off during the manufacturing process? | |
| 87 | 16(2) | | Is any workroom over crowded? | |
| 88 | 17 | | Is lighting in all the rooms and passages sufficient and suitable? | |
| 89 | 18 | 36, 37 | Is sufficient quantity of approved drinking water provided according to the prescribed provisions for the use of the workers? | |

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|----|-------|---------|---|--|
| 90 | 18(3) | 41 | Is cool drinking water supplied in case of more than 250 persons employed as prescribed? | |
| 91 | 19(1) | 42 - 51 | Are the latrine and urinal accommodation for male and female workers provided according to the prescribed provisions? | |
| 92 | 89 | | Has any worker suspected to have contracted any notifiable disease? | |
| 93 | 89(1) | 104 | Are notices of notifiable diseases sent in accordance with the prescribed rules? | |
| 94 | 87 | 102 | Is any breach of the Health provisions laid down in schedules I to XXVII of Rule 102 taking place?? | |
| | | | | |

Inspection Report cum checklist:

| Sr. No. | Particular | Detail | | | |
|---------|--|---------|--|--|--|
| 1 | Name & Address Of the Factory | | | | |
| 2 | Name & Designation of Inspecting Officer/ Officers with office address | | | | |
| 3 | Date and time of inspection | | | | |
| 4 | Name & address of occupier with E-mail ID Phone No. | | | | |
| 5 | Name & address of the Manager with E-mail ID & Phone No. | | | | |
| 6 | No. of Workers employed | Male= | | | |
| 7 | Sanctioned Load/Power- | Female= | | | |
| 8 | Manufacturing Process | Total= | | | |
| 9 | Name & designation of the person found in-charge at the time of inspection | | | | |
| 10 | Weather on-line BIP Submitted (Yes/No) | | | | |
| 11 | Factory License No and ID | | | | |
| 12 | Category of the Factory (MAH/H/NH | | | | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Minimum Wages Act, 1948

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

Compliance Inspection under The Minimum Wages Act, 1948

| OBSERVATIONS DETECTED DURING THE COURSE OF INSPECTION | | |
|---|---|--|
| UNDER MINIMUM WAGES ACT, 1948 | | |
| 1. | Whether Muster-roll in form-V maintained? (Rule 26(5)) | |
| 2. | Whether wages, fine, damage and advances register in form X maintained? (Rule 21 (4) and 26(5)) | |
| 3. | Whether Wage-slips in prescribed Form are being issued to the workers at least a day prior to the disbursement of wages and signature or thumb impression is being taken on counterfoils? (Rule 26 (2) and 26(3)) | |
| 4. | Whether Annual Return in form III for the Year Ending 31.12..... submitted on or before 1 st , February (Rule 21(4A)) | |
| 5. | Whether weekly rest is allowed to the workers? (Rule 23) | |
| 6. | Whether the workers who worked over time, are being paid at double the rate of ordinary wages? (Rule 25) | |
| 7. | Whether following displayed? (i) Abstract of the Act and rules made there under (ii) Name and address of the Inspector (iii) Schedule of minimum rates of wages as fixed by the Government. (Rule-22) | |
| 8. | Whether wages as fixed by the Govt. are being paid to the workers? If not, give details. | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Shops and Establishments Act (as applicable)

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| INSPECTION PROFORMA UNDER THE PUNJAB SHOPS & COMMERCIAL ESTABLISHMENTS ACT, 1958 | |
|--|--|
| Name & address of the Establishment | |
| Name & address of the Employer | |
| Name & address of the Manager | |
| Name & designation of the Person incharge found at the time of inspection | |
| Date & time of Inspection Nature of Establishment | |
| List of observation | |
| 1. Whether an intimation in Form 1-A as required under clause (1) of Sub-section (2) of Section 10 submitted to the Inspector. (Rule 3) | |
| 2. Whether notice in Form B under sub-section (1) of Section 20 exhibited by the Employer (Rule 4) | |
| 3. Whether the following registers duly bound & page marked are being maintained: | |
| (a) Register of Employees in Form C | |
| (b) Register of wages of Employees in Form D | |
| (c) Register of Deductions in Form E (Rule 5) | |
| 4. Whether the payment of overtime work performed by an Employee is being paid by the Employer on the next pay day. (Section 16/Rule-3) | |
| 5. Whether any woman employee was entitled for Maternity benefit and was paid to her immediately i.e. within one week after the date of delivery. (Section 31/Rule 12) | |
| 6. Whether a statement in Form F in triplicate for registration of an establishment submitted to the Inspector. (Section 13/Rule 13) | |
| 6(a) Whether Registration Certificate needs any amendment, if so, whether notice in Form C alongwith Registration Certificate submitted to the Inspector? (Section 13(4)/Rule 13(2)) | |

| | | | |
|---|--|--|--|
| 6(b) Whether a statement in Form F in triplicate alongwith Treasury Receipt for Rs. 7- as registration fee for the period to submitted to the Inspector for Registration No. and grant of Registration Certificate? (Section 13/Rule 13(1)) | | | |
| 7. Whether the Establishment kept clean and free from dirt and refuse, sufficiently lighted and properly ventilated. (Rule 16(1) (i,7,8)). | | | |
| 8. Whether establishment is white-washed once in a year and notice indicating the last white washing & washing exhibited in the premises? (Rule 16(2)(iv)) | | | |
| 9. Whether effective means of drainage provided (in case of wet flooring) ? (Rule 16(2)). | | | |
| 10. Whether sufficient supply of drinking-water fit for human consumption stored in sheltered place & kept properly for the use of persons employed? (Rule 16(3)). | | | |
| 11. Whether spittoon in a clean and hygienic condition with a disinfectant in liquid or sand covered with lime provided? (Rule 16(4)). | | | |
| 12. Whether washing facilities such as soap, Towel, nail brushes for the use of workers in the case of workshop or manufacturing Process with a view to their use, transport or sale provided? (Rule 16 (5)). | | | |
| 13. Whether effective measures such as Exhaust appliance to prevent dust, fume or other impurity of such nature provided? (Rule 16(6)). | | | |
| 14. Whether dangerous parts of machinery while in motion, securely fenced by safeguards of substantial construction? (Rule 17(1)). | | | |
| 15. Whether suitable devices for cutting of power | | | |

| | | | |
|--|--|--|--|
| in emergencies from running machinery provided and maintained? (Rule 17(2)). | | | |
| 16. Whether tight fitting clothes provided to the workers employed on or near the moving machinery? (Rule 17(3)). | | | |
| 17. Whether adequate means of escape in case of fire i.e. buckets filled with sand, water and chemical fire extinguishers provided? (Rule 18(1) & (3)) | | | |
| 18. Whether emergency exit in case of fire provided. (Rule 18(2)). | | | |
| 19. Whether First Aid Box equipped with prescribed contents provided? (Rule 19 (1)). | | | |
| 20. IN THE ESTABLISHMENT where food, drink and beverage is served to the customers. | | | |
| Whether the workers including Employer are medically examined atleast once in a Year by Certifying Surgeon or by Doctor of Civil Dispensary and examination report regarding communication diseases in Form J kept and made available? (Rule 19(3)). | | | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Payment of Bonus Act, 1965

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

Compliance Inspection under The Payment of Bonus Act, 1965-

| INSPECTION PROFORMA UNDER THE PAYMENT OF BONUS ACT, 1965 | | |
|--|---|--|
| 1. | Inspection Report by | |
| 2. | Date and time of Inspection | |
| 3. | Name and address of the Establishment. | |
| 4. | Name and address of the Employer Person responsible (under Section 2(14)) | |
| 5. | Date of establishment of factory/ establishment | |
| 6. | Date on which (i) factory started manufacturing process (ii) establishment started working | |
| 7. | Date of commencement and completion of the Accounting year | from _____ to _____ |
| 8. | (a) Has the Employer opted for the closed of accounts and balance to any other day than 31 st March? (b) Has the option given exercised with the previous approval of the prescribed authority? (2) (1) (iii) | |
| 9. | Has the gross profit been computed/calculated in the manner specified in the first/second schedule (under Section 4 (a) (b)) | |
| 10. | (a) Indicate the amount of | Available surplus Rs. Allocable surplus Rs. |

| | | |
|-----|---|--|
| 11. | Has the calculation of direct tax payable by the Employer been made as permissible? | |
| 12. | Whether the INFANCY PERIOD Completed? If so, from which date | |
| 13. | No. of workers employed month wise during the closing year Name of month No. of workers | |
| 14. | No. of workers entitled for bonus | |
| 15. | Are all the workers entitled for payment of bonus have been paid bonus? (a) if not give details in Annexure-I (b) is there any case of short | |

| | | | |
|-----|---|--|--|
| | payment of bonus? if so, give details in Annexure-II | | |
| 16. | Has the payment of bonus been made within the prescribed time limit? if not give details as per Annexure-III | | |
| 17. | Are the accounts of set on and set off of allocable surplus been carried on? If not give details as per Annexure-IV | | |
| 18. | ARE THE FOLLOWING REGISTERS being maintained? (i) Register of computation of allocable surplus in Form A (ii) Register of set on and set off of allocable surplus in Form B (iii) Register of Bonus paid to the employees for the accounting year ending..... in form C. | | |
| 19. | Are all the columns in the above register being properly filled in? If not, give the details of the cols. in which entry has not been made. | | |
| 20. | Name of the record in which violations have been record by the INSPECTOR. | | |
| 21. | Have the defects detected during previous inspection been removed? (a) if not give details in Annexure-V. | | |
| 22. | Give details/violations detected at the time of inspection in Annexure-VI. | | |
| 23. | Name and Designation and signature of the person found incharge at the time of inspection | | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Payment of Wages Act, 1936

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| UNDER PAYMENT OF WAGES ACT, 1936 | |
|----------------------------------|---|
| 1. | Whether record as provided under Rule 6 preserved for 12 months? |
| 2. | Whether A/Return in form IV for the year ending 31.12.....submitted? (Section 26)(3)/Rule 18) |
| 3. | Whether Pay Day notice displayed? (Section 26(3)(d)/Rule 18) |
| 4. | Whether Abstract of the Act/ Rules displayed? (Section 26(3)/Rule 18) |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Contract Labour (Regulation and Abolition) Act, 1970

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| Compliance Inspection under The Contract Labour (Regulation and Abolition) Act, 1970 INSPECTION REPORT UNDER CONTRACT LABOUR (R&A) ACT, 1970 IN CASE OF PRINCIPAL EMPLOYER | |
|--|-------------------------------------|
| Inspection by Team | |
| Labour Officer-cum-Conciliation officer, Labour Inspector | |
| Date and Time of Inspection | |
| Name and address of the Establishment/ Factory | |
| Name and address of the Manager | |
| Name and designation of the Person found Incharge at the time of inspection | |
| No. of workers on roll | Male _____ Female _____ Total _____ |

OBSERVATION MADE DURING THE COURSE OF INSPECTION

| | | |
|----|---|--|
| 1. | Whether the Contractor has obtained Licence? If so, give Licence No. and date. (Section 12/Rule-21) | |
| 2. | Whether Licence needs any amendment because of change in workers strength? (Section 14/Rule 28) | |
| 3. | Whether Licence has been got renewed within prescribed time? (Section 13/Rule 29) | |
| 4. | Whether the number of workers engaged by the Contractors are not more than the number of workers for which Licence has been obtained? | |
| 5. | Whether the workers engaged on contract basis are deployed on jobs for which the Licence obtained? | |
| 6. | Whether the contract has made available the benefits of Employees' Provident Fund and Employees State Insurance Act to the Contract Labour in case such benefits are available to the workers of that area? | |
| 7. | Whether the employment of Contract Labour is not prohibited in respect of Establishment under Section 10 of the Act? | |
| 8. | Whether there is any discrimination in the wage of men and women | |

| | | |
|-----|---|--|
| | workers for equal and same nature of work? | |
| 9. | Whether the Contractor is employing with the conditions specified in the Annexure attached to the Licence in terms of Rule-25 of the Rules framed under the Act? | |
| 10. | Whether separate Latrines and Urinals as per scale for male and female workers under covers and partitioned with notice of language/Tiguro provided by the Contractor? (Section 16/ Rule 51 to 57/ Rule 40(1)) | |
| 11. | Whether Washing facilities separate for male and female workers provided by the contractor? (Section 18/Rule 57/Rule 40(1)). | |
| 12. | Whether First Aid Boxes at the scale of one box for 150 contract labour readily accessible during working hours distinctly gourd containing requisite equipments under the charge of responsible trained person provided by the Contractor? (Rule 58 to 62/Rule 40(1)) | |
| 13. | Whether Rest Room or any other suitable alternative accommodation duly maintained for contract labour on duty at night provided by the Contractor? (Section 17/Rule 41(1)(5)/Rule 41(2)) | |
| 14. | Whether separate Room for women workers provided? (Rule 41(3)) | |

| | | |
|-----|--|--|
| 15. | Whether Convene (in case of 100 contract labour) consisting of one dining hall, kitchen, store-rooms and petty and washing facilities etc. provided? (Section 2/Rule 42 to 50) | |
| 16. | Whether wage period is fixed by the Contractor? (Rule 43) | |
| 17. | Whether wages are being paid by 7 th of month? (Rule 6a) | |
| 18. | Whether a notice showing the wage period and the place and time of disbursement of wages displayed at the place of work and a copy of the same is delivered to the Employer? (Rule 70) | |
| 19. | Whether disbursement of wages was being made in the presence of any authorized representative of the Principal Employer? (Rule 71) | |
| 20. | Whether notices denoting the time and place of wages and payment actually made to the Register of Wages were being made? (Rule 72(1)) | |
| 21. | Whether notice of commencement of contract work is being set to the Inspector of this area in Form-6A within time limit prescribed? | |
| 22. | Whether the Register of contractors and the progress of contract work in Form-8? (Rule 73) | |
| 23. | Whether the Register in Form-9 of workmen employed by the contractor is maintained? | |

| | | |
|-----|--|--|
| | (Rule 75(1)) | |
| 25. | Whether service certificate in Form-11 is being issued to the workers who left services? | |
| 26. | Whether Wages Slip in Form 15 are being issued to the workers? (Rule 77(2)(b)) | |
| 27. | Whether notices of (Rule of Wages, Hours of work, Wage period, Date of payment of wages, Name and address of the Labour Inspector, Date of payment of unpaid wages displayed at conspicuous place by the Contractor? (Section 29/Rule 80(1)) | |
| 28. | Whether Half Yearly Return set to the Licensing Officer in Form-20 (in duplicate)? (Section 30/Rule 81(1)) | |
| 29. | Whether the Copy of licence displayed at the premises? | |
| 30. | Whether the payment is being made to the contract labour in the presence of representative of the Principal Employer? | |
| 31. | Whether the following Registers are being maintained by the Contractors? (i) Muster Roll in Form-12. (ii) Wages Register in Form-13. (iii) In case the wage period is fortnight or less than Muster Roll cum wage Register in Form-14 (Rule 77(2)(1)). (iv) Register of deductions for | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.

Compliance Inspection under The Payment of Gratuity Act, 1972

Department Website: <https://hrylabour.gov.in/>

Link of Transparent inspection Policy (Procedure):

<https://hrylabour.gov.in/staticdocs/labourpolicies/Final-Transparent%20Inspection%20Policy-2017.pdf>

Inspection objectives cum checklist:

| UNDER PAYMENT OF GRATUITY ACT, 1972 | | |
|-------------------------------------|--|--|
| 1. | Whether a notice in form-A for opening of the establishment submitted to the Controlling Authority? | |
| 2. | Whether any change in the name, address, employer or nature of business is there? If so, whether intimation in form B is given to the Controlling Authority? | |
| 3. | Whether the name and designation of the officer who will receive notice under the Act displayed? | |
| 4. | Whether Nomination forms in Form F sent by the employees (who have completed 1 year of service) to his employer are kept in the safe custody of the employer and are made available for checkup on demand? | |
| 5. | Whether Abstract of the Act/Rules displayed? | |

Documents Required:

No documents are required to be submitted before conducting the inspection. However, Inspecting Authority may demand, at the time of inspection, production of record in only statutorily maintained registers to ensure that the compliance has been made.