# Punjab Government Gazette

## EXTRAORDINARY

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**Contents** ***Pages***


**Part - I** **Acts**

*Nil*

**Part - II** **Ordinances**

*Nil*

**Part - III** **Delegated Legislation**

Notification No.G.S.R.58/C.A.37/2020/Ss.133 and 135/2026 dated 31.10.2026 containing the Punjab Occupational Safety, Health and Working Conditions Rules, 2026 .. 771-984

**Part - IV** **Correction Slips, Republications and Replacements**

*Nil*


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**PART-III**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF LABOUR

**NOTIFICATION**

The 31st October, 2026

**No.G.S.R.58/C.A.37/2020/Ss.133and135/2026.-** With reference to Government of Punjab, Department of Labour, Notification No. Labour-lab0MISC/16/2026-4L/14 dated 20th January ,2026 and in exercise of the powers conferred by sections 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020) and in supersession of the following rules, notifications and orders, namely:

(i) The Punjab Factory Rules, 1952;

(ii) The Punjab Control of Industrial Major Accident Hazards Rules,1993;

(iii) The Punjab Welfare Officers (Recruitment and Conditions of Service) Rules, 1952;

(iv) The Punjab Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008;

(v) The Punjab Contract Labour (Regulation and Abolition) Rules, 1973;

(vi) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983;

(vii) The Punjab Motor Transport Workers Rules, 1963; rules made in exercise of the powers conferred by sections 112 and 64 of the Factories Act 1948(Central Act 63 of 1948), sections 40 and 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996), section 35 of the Contract Labour (Regulation and Abolition ) Act, 1970(Central Act 37 of 1970) , section 40 of the Motor Transport Workers Act, 1961(Central Act 27 of 1961), all exemptions issued under the Factories Act,1948 (Central Act 63 of 1948) and Punjab Factory rules,1952 as the case may be, except as respect to the things done or omitted to be done before such supersession , The Governor of Punjab is pleased to make the following rules, namely :-

**RULES**

## CHAPTER-I

## PRELIMINARY

**1. Short title, extent and commencement.** - (1) These rules may be called as the Punjab Occupational Safety, Health and Working Conditions Rules, 2026.

(2) They shall extend to the whole of the State of Punjab.

(3) They shall come into force on and with effect from the date of their publication in the Official Gazette.

**2. Definitions.** - (1) In these rules, unless the context otherwise requires, -

(a) "Appendix" means an appendix appended to these rules;

(b) "Breathing space" means the minimum cubic space required per worker in a workroom to ensure adequate volume of air for proper respiration;

(c) "Code" means the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020);

(d) "Continuous process" means the materials either dried bulk or fluids that are being processed and are continuously in motion, undergoing chemical reaction and are subject to mechanical or heat treatment or any other process specified by State Government;

(e) "Designated Authority" means an authority notified by State Government under section 119 of the Code;

(f) "Electronically" means any information submitted by email or uploaded on the portal or by making digital payment through any mode for the purposes of Code;

(g) "First employment" means the first employment in any manufacturing process to which the relevant Schedule applies and shall also include re-employment in the manufacturing process following any cessation of employment for a continuous period exceeding three calendar months;

(h) "Form" means the Form appended to these rules;

(i) "Hazardous waste" means the hazardous waste as defined in clause (17) of sub-rule (1) of rule 3 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016;

(j) "Labour Welfare Fund" means contribution deposited as per the Punjab Labour Welfare Fund Act,1965(Punjab Act No. 17 of 1965) and rules made thereunder;

(k) "Major accident" means an incident involving loss of life inside or outside the establishment or ten or more injuries inside, or one or more injuries outside, or release of toxic chemical, or explosion, or fire or spillage of hazardous chemicals resulting in an 'on-site' or 'off-site' emergency(s) or damage to

equipment leading to stoppage of process or adverse effect to the environment;

(l) "Major Accident Hazard (MAH) Installations" shall have the meaning assigned to them in Rule 2(ja) of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989;

(m) "Medium enterprise" means an enterprise as defined in clause (g) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act No. 27 of 2006);

(n) "Micro enterprise" means an enterprise as defined in clause (h) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act No. 27 of 2006);

(o) "OSH standards" means the Occupational, Safety and Health standards as notified by central government under section 18 of Occupational safety, health and working conditions code,2020 for factories, Building and other Construction work and other establishments and as amended from time to time;

(p) "Portal" means the platform designated by Labour Department of the Government of Punjab for delivering services under the Code and the rules made thereunder;

(q) "Quarter" means the period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October;

(r) "Recognized university or institution" means, any University, incorporated by law, by the Central or ~~the~~ State Government; or any other University or institution which is declared by the State Government to be a recognized University or institution for the purposes of these rules;

(s) "Registering officer" means an officer appointed under section 3 of the Code;

(t) "Schedule" means the Schedule appended to these rules;

(u) "Section" means the section of the Code;

(v) "Small enterprise" means an enterprise as defined in clause (m) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act No. 27 of 2006);

(w) "State Government" means the Government of the State of Punjab;

(x) "Wages" means the wages as defined in clause (y) of section 2 of the Code on Wages, 2019 (Central Act No. 29 of 2019);

(y) "Work room" means any room in which any "manufacturing process" as defined in section 2(1) (zi) of the code is carried out; and

(z) "Year" means the period of twelve months beginning from the 1st day of January in any year.

(2) The words and expressions used in these rules but not defined therein, but defined in the Code, shall have the respective meanings as assigned to them in the Code.

Section 2(1)(x).

**3. Income from the sources.** -For the purposes of clause (x) of sub-section 1 of section 2, such income from such sources means that a dependent having monthly income up to Rs 15000 from the following sources;

(a) Interests from Bank Deposits;

(b) Agricultural Income;

(c) Income from shares and mutual funds;

(d) Salary;

(e) Any kind of rental Income;

(f) Scholarship;

(g) Pension;

(h) Any kind of prize money including lottery;

(i) Any kind of sponsorship; and

(j) Any other source of income as notified by government from time to time.

**4. Hazardous Substance.** - Hazardous Substance means any chemical along with quantity as specified in the sub-clause (i), (ii) and (iii) of clause (e) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 as amended from time to time. Section 2(1)(zb).

## CHAPTER-II

## REGISTRATION

**5. Registration of establishment.** -(1)(i) An employer seeking registration for an establishment not already registered shall apply electronically in **Form-I** on Portal by giving details about the establishment, accompanied by documents relating to registration of the establishment, proof of Identity and address of the employer(s) as specified in the Form-I. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application. Section 3.

(ii) The Permanent Account Number (PAN) of the applicant or the establishment allotted under Income Tax Act, 2025(Central Act No. 30 of 2025) or any other unique number allotted to the establishment under any other Act for the time being in force or any other particular furnished in the form, may be verified online.

(iii) The fee payable for registration of an establishment shall be such as may be notified by the State Government from time to time.

(iv) The certificate of registration shall be issued in such a form and within such time as prescribed by the central government, if the application is complete in all respects along with prescribed fee, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated.

(v) The certificate of registration shall be non-transferable and a copy of the certificate of registration shall be displayed in the premises of the establishment at the conspicuous place in hard copy or electronically.

(2) The registering officer under the Code may direct the employer who fails to comply with the requirements of sub-rule (1), to do so within the time stated there in and such employer shall, there upon comply with the instructions issued by the officer in this behalf.

(3) The employer in respect of an establishment already registered under any other central or state labour law for the time being in force shall, update the registration particulars on the Portal in Form -I, within six months.

(4) Any registration obtained by providing wrong information shall be liable to be cancelled, provided that establishment has been given an opportunity to show cause, within a period of Thirty days either electronically or by registered post, as to why the certificate of registration should not be cancelled.

(5) The employer shall quote the Registration Number on all documents in connection with the Code or the Rules or the Regulations or the Scheme, as the case may be, and in all correspondence with the office concerned.

(6) Any change in the particulars furnished in FORM-I shall be updated on the portal by the employer within thirty days of such change and where the application for amendment is complete in all respects and along with requisite fees, if any as per sub rule 5(1)(iii), the amended certificate of registration shall be issued electronically in a form as prescribed by central government not later than seven days from the date of submission of complete application, failing which amended certificate of registration shall be auto generated.

(7) The employer shall, within thirty days of the closing of the establishment intimate to the Registering Officer and also to Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated intimating the actual date of closing of establishment in FORM-II along with certificate of payment of all dues and statutory returns to the workers employed in such establishments and such information shall be auto-shared to Employees' Provident Fund Organization and Employees' State Insurance Corporation.

(8) On receipt of FORM-II complete in all respects, the registering officer shall cancel the certificate of registration and issue cancellation of certificate of registration in **FORM-III** electronically within sixty days from the receipt of FORM-II. If registering officer fails to cancel the registration

certificate of the establishment within sixty days, then the cancellation of registration certificate shall be auto generated in FORM-III.

(9) The registering officer shall maintain a register of establishments electronically in Form-IV showing the particulars of establishment in relation to which certificates of registration have been issued by him.

(10) The responsibility under this rule shall entirely lie with the employer of the establishment.

Section 3(1). **6. Late fee for registration.** - (1) If an application for registration is not made within the time specified in sub-section (1) of section 3, a late fee, as may be notified by the State Government from time to time, shall be payable.

(2) If an application for change in the number of workers, along with the differential fees, is not made within thirty days, a late fee, as may be notified by the State Government from time to time, on the differential fees payable as specified under Rule 5(1)(iii), shall be levied.

(3) The fees payable under rules 5 and 6(1and 2) shall be paid through the online portal as may be specified by the State Government from time to time.

Section 4. **7. Appeal.** - (1) The employer aggrieved by an order of registering officer under section 3 of the code, may appeal against such order before appellate officer as may be notified by State Government for such purpose within thirty

days from the date of receipt by him of such order, electronically or by speed post.

(2) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form as specified by the State Government by general or special order.

(3) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the Registering Officer, against whose order the appeal has been preferred and the Registering Officer shall thereupon send the records of the case to the appellate officer online electronically or by speed post.

(4) On receipt of an appeal, the appellate officer shall send a notice electronically or by registered post or speed post to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal. If the appellant is present when the appeal is called on for the hearing, the Appellate Officer shall proceed to hear the appellant or his authorized agent and any other person summoned by him for this purpose, and pronounce judgment on the appeal confirming, reversing or varying the order appealed against the appeal is preferred.

(5) If on the date fixed for hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the

appellants by sending the copy of the order of dismissal to the applicant electronically or by speed post.

(6) Where an appeal has been dismissed, the appellant may apply electronically or by registered post or speed post, to the appellate officer for the restoration of the appeal within thirty days from the date of receipt of the order of dismissal under sub-rule (5) and if the appellate officer is satisfied that the appellant was prevented by sufficient cause from appearing, the appellate officer shall restore the appeal.

(7) The order of the appellate officer under sub-rule (6) shall be communicated electronically or by speed post to the appellant and copy thereof shall be sent to the Registering Officer against whose order the appeal has been preferred.

(8) An appeal under this rule shall be disposed of within thirty days from the date on which the appeal is received.

Section 5.

**8. Notice of commencement and cessation of operation.** - (1) The employer of establishment relating to contract labour or building or other construction work or Factory shall within thirty days of the commencement or cessation of operation of the establishment, submit a notice in FORM-V to the registering officer and also to the Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated.

(2) The notice of cessation of operation under sub-rule (1) shall be accompanied by a certificate stating that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

## CHAPTER-III

## DUTIES OF EMPLOYER, EMPLOYEES ETC.

(c). **9. Annual Medical examination of employees.** -(1) Every employer of a factory, beedi or cigar work and building or construction work shall arrange to conduct free of cost annual medical examination for all the employees who has completed forty (40) years of age. The medical examination shall be conducted by a qualified medical practitioner as per proforma in the Form-VI given under this rule: Section 6(1)(c).

Provided that all the employees irrespective of age or type of establishment, engaged in handling of hazardous substance or hazardous process or dangerous operations shall be medically examined bi-annually within sixty days from the 1st day of January and the 1st day of July:

Provided further that an employer may avail facility for medical examination of the employee (s) under relevant rule of Social Security (Central) Rules, 2026 through Employees' State Insurance Corporation (ESIC).

(2) The record of medical examination shall be maintained in Form-V electronically or otherwise and shall be made available to the Inspect cum- Facilitator for inspection, whenever required.

Section 6(1)(f). **10. Appointment letter to employee.** - No employee shall be employed any establishment unless an appointment letter has been issued to suc employee in the format given below:

(1) Name of the employee:

(2) Name of employee's father/husband/mother:

(3) Date of birth:

(4) Identification Number of employee: (Aadhaar Number/ESI/UAN/PAN)

(5) Name and address of establishment:

(6) Registration number/Labour Identification Number:

(7) Type of employment (Regular/Fixed Term employment/Contractual):

(8) Designation:

(9) Category of skill:

(10) Date of Joining:

(11) Wages, Basic pay and dearness allowance:

(12) Other allowance including accommodation whichever is/are applicable:

(13) Applicability of Social security EPFO and ESIC benefits:

(Yes/No); If No: Specify reasons

(14) Broad nature of duties to be performed:

(15) Benefits available under Chapter VI (Maternity Benefit) of the Code on Social Security, 2020 (Central act 36 of 2020) (in case of women employee):

(16) Any other information:

Occupier/Employer/Owner/ Manager seal and signature

**11. Notice of accident.** - (1) Where at any place in an establishment an accident occurs which resulting to death, the employer of the establishment, shall inform to the Inspector-cum-Facilitator and Chief Inspector- cum-facilitator within twenty-four hours from time of accident and shall also inform the following electronically or telephonically: Section 10(1).

(a) District Magistrate or Sub-Divisional Magistrate;

(b) the Officer-in-charge of the Police Station;

(c) the family of the deceased person; and

(d) to the authorities of concerned State in case of inter-state migrant worker.

(2) An information given as required under sub-rule (1) shall be subsequently confirmed by the employer of the establishment to the

authorities mentioned in sub-rule (1) within twenty-four hours of the accident by sending them a report in Form-VIII.

(3) When any accident takes place in an establishment and it causes such bodily injury to any person as prevents the person injured from working for a period of forty-eight hours or more immediately following the accident the employer of the establishment shall send a report thereof to the Inspector-cum-Facilitator and Chief Inspector- cum-facilitator in Form-VIII within twenty-four hours after the expiry of the forty- eight hours from the time of the accident:

Provided that if in the case of an accident, death occurs to any person injured by such accident after the notices and reports referred to in the foregoing sub-rule have been sent, the employer of the establishment shall forthwith send an intimation in thereof by telephone, special messenger or email to the authorities and persons mentioned in sub-rule (1) and also have this information confirmed in Form -VIII within twenty-four hours of the death:

Provided further that, if the period of disability from working for forty-eight hours or more referred to in sub-rule (3) does not occur immediately following the accident but later on occurs in more than one spell, the report shall be sent to the Inspector-cum-Facilitator and Chief Inspector- cum- facilitator in Form-VIII within twenty-four hours immediately following the hour when the actual total period of

disability from working resulting from the accident becomes forty-eight hours.

**12. Notice of Dangerous Occurrence.** - (1) When any dangerous occurrence specified in sub-rule (2) takes place in an establishment, the employer of the establishment shall inform below mentioned authorities and send a notice in Form-VIII thereof electronically or otherwise within twenty-four hours to- Section 11.

(a) Sub-Divisional Magistrate;

(b) Chief Inspector-cum-Facilitator;

(c) the Officer-in-charge of the Police Station; and

(d) Inspector-cum- facilitator.

(2) The following class of occurrence shall be dangerous occurrence within the meaning of this rule; namely: -

(i) bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;

(ii) collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane;

(iii) explosion, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;

(iv) explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas;

(v) collapse or failure of lifting appliances or hoists or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears; overturning of cranes used in building or other construction work;

(vi) collapse or subsidence of floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;

(vii) spillage or leakage of hazardous substances and damage to their container;

(viii) an eruption or inrush of water or other liquid matter in mines;

(ix) collapse, capsizing, toppling or collision of transport equipment within the establishment;

(x) fall from a height of any excavation, loading or transport machinery, falling of objects from a height;

(xi) an instantaneous failure of a pillar, part of a pillar or several pillars in working below ground;

(xii) a rock-burst in working below ground; a premature collapse of any part of the working;

(xiii) a breakage, fracture or failure of a part of any machinery or apparatus including any derrick, draw-works, casing line or failure of emergency brake, whereby the safety of persons may be endangered;

(xiv) a slide causing injury to any person, damage to any machinery or interruption of normal operations;

(xv) failure of dump or side in opencast working;

(xvi) a failure of any structure or installation whereby the safety of persons may be endangered;

(xvii) an uncontrolled chemical spillage;

(xviii) spark generated due to electrical flash-over causing burn injury to any person; and

(xix) any other occurrence as specified through general or special order by the State Government issued from time to time.

Section 12 (1 and 2).

**13. Notice of Disease.** - (1) A notice in Form-IX shall be sent forthwith to the Inspector-cum-Facilitator and Chief Inspector- cum- facilitator by the employer of an establishment in which there occurs any disease as notified under the Third Schedule of the Code.

(2) The qualified medical practitioner shall send a report in writing to the office of the Chief Inspector-cum-Facilitator with a copy to the Inspector-cum-Facilitator in Form-IX through E-mail within forty-eight hours from the time the disease specified in the Third Schedule appended to the Code came to his knowledge.

Section 13(d).

**14. Manner of making report by employee.** - The employee shall submit the report in Form-X to the Safety Committee or Safety Officer or Employer with regard to unsafe or unhealthy situation with copy to Inspector-cum-Facilitator.

Section 14(3).

**15. Manner of sending report of action taken.** - An Employer or Employee of an establishment shall submit the report in Form-XI to the Inspector-cum- Facilitator appointed for such class of establishment within twenty-four hours from the time remedial action is taken with regard to the imminent danger electronically or registered post or speed post.

## CHAPTER-IV

## OCCUPATIONAL SAFETY AND HEALTH

Section 17(1).

**16. Constitution of the Punjab Occupational Safety and Health Advisory Board.** -(1) The Punjab Occupational Safety and Health Advisory Board, (hereinafter referred to in these rules as the Board) shall consist of the following, namely: -

(i) Administrative Secretary, Department of Labour, Punjab .....Chairperson ( ex-officio);

(ii) Administrative Secretary, Department of Industries, Punjab .....Member (ex-officio);

(iii) Administrative Secretary, Department of Local Government, Punjab..... Member (ex-officio);

(iv) Administrative Secretary, Department of Housing and Urban Development, Punjab.....Member (ex-officio);

(v) Administrative Secretary, Department of Public Works Department (Building and Roads), Punjab..... Member (ex-officio);

(vi) Administrative Secretary, Department of Water Resources, Punjab..... Member (ex-officio);

(vii) Administrative Secretary, Department of Water Supply & Sanitation, Punjab .... Member (ex-officio);

(viii) Regional Director, Employees' State Insurance Corporation..... Member (ex-officio);

(ix) Director, Health Services, Punjab..... Member (ex-officio);

(x) Chairman, Punjab Pollution Control Board.....Member (ex-officio);

(xi) Three representatives of employers, at least one from MSME sector to be nominated by the State Government..... Members;

(xii) Three representatives of employees to be nominated by State Government.....Members;

(xiii) Three eminent persons connected with the field of occupational safety and health, or representatives from reputed research institutions or similar other discipline to be nominated by the State Government .....Members; and

(xiv) Chief Inspector-cum-Facilitator .....Member Secretary.

(2) The terms of office of the members referred to in clauses (xi), (xii), and (xiii) shall be of three years.

**17. Constitution of technical committee.** – (1) The State Government may constitute one or more Technical Committees for the purpose of assisting the State Government or Punjab Occupational Safety and Health Advisory Board in discharge of its functions specified in sub section (1) of Section 17 of the Code. Section 17(3).

(2) The Technical Committees may be multi-members committee, and consist of members from government, public, autonomous or private institutions or industries.

(3) The member of the committee shall have a Bachelor's degree in engineering or Master's Degree in (Physics/Chemistry) or MBBS with Associate Fellow of Industrial Health (AFIH), having an experience of not less than 10 years in the field of Occupational, Safety and Health in an Industry

(4) The Chairperson of the Technical Committee shall be from the department of labor as nominated by the State Government.

(5) The Technical Committee may constitute sub-committees to meet the specific requirements.

Section 17 (2 and 3).

**18. Notice of meeting and the agenda.** - (1) Notice intimating the date, time and venue of every meeting together with agenda, to be discussed at the meeting, shall be sent by registered post, email or by special messenger, to each member as far as possible fifteen days before the meeting:

Provided that when the Chairperson calls a meeting for the consideration of any matter, which in his opinion is urgent, notice of not less than three days shall be deemed sufficient.

(2) Punjab Occupational Safety and Health Advisory Board or technical committees (if constituted) shall meet as often as necessary but at least once in a year.

Section 17 (2 and 3).

**19. Absence from the State.** - If any member leaves the State for a period of not less than six months without intimation to the Chairperson, he shall be deemed to have resigned from the Board or committee.

Section 17 (2 and 3).

**20. Transaction of business and Quorum.** - 1) Every question considered at a meeting of the Board or Committee shall be decided by a majority of the votes of the members present and voting and in the event of equal votes, the Chairperson shall have and exercise a casting vote.

2) No business shall be transacted at any meeting of the Board or committee unless at least two-third members are present or give their consent.

**21. Minutes of the meeting.** -The minutes of every meeting, duly approved by the Chairperson, shall be recorded by the Member-Secretary of the Board or Committee which shall be a permanent record. Section 17 (2 and 3).

**22. Fees and allowances.** - Every non-official member of the Board or Committee shall be paid the fee and allowance for attending a meeting of the Board or Committee at such rates as may be fixed by the State Government from time to time. Section 17 (2 and 3).

**23. Resignation.** - A member of the Board or Committee, not being an ex-officio member, may resign his office by a letter in writing addressed to the State Government and the Office of such a member shall fall vacant from the date on which his resignation is accepted by the State Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the State Government, whichever is earlier. Section 17 (2 and 3).

**24. Cessation of Membership.** - If any member of the Board or Committee, not being an ex- officio member, fails to attend three consecutive meetings of the Board or Committee, without Section 17 (2 and 3).

obtaining the leave from the Chairperson for such absence, he shall cease to be member of the Board:

Provided that the State Government may, if it is satisfied that such member was prevented by sufficient cause from attending three consecutive meetings of the Board or Committee, direct that such cessation shall not take place and on such direction being made, such member shall continue to be a member of the Board or Committee.

Section 17 (2 and 3).

**25. Disqualification for membership. -**(1) A person shall be disqualified for being reappointed, and for being a member of the Board or Committee, -

(a) if he is of unsound mind and stands so declared by a competent court; or

(b) if he is an undischarged insolvent; or

(c) if he has been or is convicted of an offence which, in the opinion of the State Government, involves moral turpitude.

(2) If a question arises as to whether a disqualification has been incurred under sub-rule (1) or not, the State Government shall decide the same.

**26. Removal from Membership.** - The State Government may remove any member of the Board or Committee, if in its opinion such a member has ceased to represent the interest, ~~which~~ such member purports to represent in the Board or Committee: Section 17 (2 and 3).

Provided that no such member shall be removed, unless a reasonable opportunity is given to him for making any representation against the proposed action.

**27. Manner of filling vacancies.** - When a vacancy occurs or is likely to occur in the membership of the Board or Committee, the Member Secretary of the Board or Committee shall submit a report to the State Government and on receipt of such report, the State Government may, by notification, nominate a person to fill the vacancy and the person so nominated shall hold office for the remaining period of the term of office of the member in whose place he is nominated. Section 17 (2 and 3).

**28. Collection of statistics and portal for inter-state migrant workers.** - The employer shall furnish to the State Government, the detail statistics of inter-State migrant workers and their occupational, safety and health, electronically on web portal designated for the purpose by the central government as may be specified through general or special order by the Central government issued from time to time. Section 21 (2).

Section 22(1).

**29. Safety Committee.** -(1) In every establishment, -

(i) wherein five hundred or more workers are ordinarily employed; or

(ii) which carries on any hazardous process as defined in clause (za) of section 2 or carries operation declared to be dangerous under section 82 of the Code;

(iii)there shall be a Safety Committee to be constituted by the employer consisting of an equal number representatives of workers and employer.

(2) The representatives for the management of Safety Committee shall consists of; -

(i) a senior official, who by virtue of his position in the establishment can contribute effectively to the functioning of the Committee. Such a senior official shall be the Chairman of the Safety Committee;

(ii) a Safety Officer or Medical Officer, wherever available, the Safety Officer in such a case shall be the Secretary of the Safety Committee; and

(iii) a representative each from the human resource, production, maintenance and purchase departments preferably the heads of major departments.

(3) (i) The Safety Committee shall consist of an equal number of members representing the employer and the workers, which shall not exceed twenty;

(ii) The representatives of the employer on the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials directly associated with the working of the establishment, preferably the heads of major departments of the establishment.

(4) The representative of the workers on the Safety Committee shall be chosen in the following manner, namely: -

(a) where there is a sole negotiating union or negotiating union under sub-section (2) or sub-section(3) of section 14 or a negotiating council under sub-section(4) of the said section 14 of the Industrial Relations Code,2020( Central Act 35 of 2020) shall nominate the representatives of the workers on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented on the Safety Committee in proportion to the number of workers of the industrial establishment who are

members of such Trade Union;

(b) where there is no such sole negotiating union or negotiating union or negotiation council as referred in clause (a), the workers of the industrial establishment shall choose amongst themselves the worker's representatives on the Safety Committee:

Provided that, the employer may, deploy an electronic process for choosing representative of workers:

Provided further that there shall be adequate representation of women workers on the Safety Committee and such representation shall not be less than the proportion of women workers to the total number of workers employed in the industrial establishment:

Provided further that the tenure of the members of the Safety Committee shall be three years:

Provided also that in case there is no recognized both negotiating union or negotiating council and where any dispute arises regarding choosing of the worker representative to the Safety Committee, the matter may be referred to the concerned Inspector-cum-Facilitator who shall after hearing the parties decide the matter and his decision shall be final.

(5) The Safety Committee shall meet as often as necessary but at least once in every quarter. The minutes of the meeting shall be recorded and produced to the Inspector-cum-Facilitator on

demand.

(6) The Safety Committee shall have the right to, -

(a) ask for necessary information concerning health and safety of the employees; and

(b) seek any relevant information concerning health and safety of the employees.

(7) The functions and duties of the Safety Committee shall include, -

(i) assisting and co-operating with the management in achieving the aims and objectives outlined in the "Health and Safety Policy" of the establishment;

(ii) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to the problems encountered;

(iii) creating safety awareness amongst all employees;

(iv) undertaking educational, training and promotional activities;

(v) discussing on reports of safety environmental and occupational health surveys, emergency plans, safety audits, risk assessment and implementation of the recommendations made in the reports;

(vi) carrying out health and safety surveys and identifying causes of accidents;

(vii) looking into the matter likely to cause danger to the safety and health of the employees and suggest corrective measures; and

(viii) reviewing the implementation of the recommendations made by it.

(8) Where an establishment employs more than 1,000 workers, the functions referred to in sub-rule (7) cannot be effectively discharged by a Single Safety Committee. Accordingly, the employer shall constitute sub-committee in each unit or section carrying out different operations, to assist the Safety Committee.

(9) Intimation of the constitution of a Safety Committee and any Sub-Committee, if required, shall be sent to the Inspector-cum-Facilitator within fifteen days from the date of such constitution.

Section 22 (2 ). **30. Safety Officer.**-(1) There shall be one Safety Officer-

(a) for factories employing five hundred or more workers:

(i) Up to 1000 workers – One Safety Officer;

(ii) More than 1000 and up to 2000 workers – Two Safety Officers;

(iii) More than 2000 and up to 3000 workers -Three Safety Officers;

(iv) More than 3000 and up to 4000 workers -Four Safety Officers;

Provided that there shall be an additional safety officer for every 1000 workers or fraction thereof; or

(b) for factories carrying out hazardous process or establishments for building and other construction works employing two hundred and fifty or more workers:

(i) Up to 500 workers– One Safety Officer;

(ii)More than 500 and up to 1000 workers– Two Safety Officers;

(iii) More than 1000 and up to 1500 workers-Three Safety Officers;

(iv) More than 1500 and up to 2000 workers -Four Safety Officers;

Provided that there shall be an additional safety officer for every 500 workers or fraction thereof:

Provided further that wherever more than one safety officers shall be employed, employer shall nominate one safety officer as chief safety officer.

(2) The employer shall inform the Chief Inspector-cum- Facilitator and the Inspector-cum-Facilitator about the appointment of the Safety Officer or Chief Safety Officer within fifteen days from such appointment.

(3) The qualification, conditions of service, facilities to be provided to safety officers, prohibition on performance of other duties and duties of safety officers in case factories and Building and Other Construction work sites shall be as per OSH standards or as may be notified by the State Government, from time to time.

(4) The safety officer shall maintain in a bound paged book or in retrievable and non-editable electronic form as per Form – XII a detailed record of the work performed by safety officer.

## CHAPTER-V

## HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

Section 25 (1)(b).

**31. Daily hours of work.** - (1) No worker shall be required or allowed to work in an establishment for more than forty-eight hours in any week.

(2) In case of transport vehicle, a maximum of fifteen minutes interruption shall be allowed any time during which the running of the transport vehicle is interrupted.

Section 26.

**32. Weekly holiday.** - (1) The employer shall display a notice at conspicuous places of workplace of every establishment, showing the weekly holiday including digital means like electronic notice boards.

(2) Where the weekly holiday is not the same day for all persons employed in the establishment, the notice shall show the holiday

allowed to each relay or set of persons or individual in Punjabi, Hindi and English.

**33. Compensatory holidays.** -(1) Except in the case of worker engaged in any work which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be allowed and shall be so spaced that not more than two compensatory holidays are given in one week. Section 26.

(2) The employer of the establishment shall display on or before the end of the month in which holidays are lost, a notice in respect of workers allowed compensatory holidays during the following month and of the dates thereof, at the place at which the notice of periods of works is displayed.

(3) Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(4) Any compensatory holiday to which a worker is entitled shall be given to them before discharged or dismissed and shall not be reckoned as part of any period of notice required.

**34. Wages for hours of overtime.** - (1) Where in an establishment, - Section 27.

(a) a worker works for more than eight hours in any day as daily wager or

(b) a worker, other than daily wager, for more than forty-eight hours in any week;

worker shall in respect of such overtime work be entitled to wages at the rate of twice the rate of their wages and shall be paid at the end of each wage period as per Code on Wages 2019 (Central Act No. 29 of 2019) and rules made thereunder.

(2) In calculating overtime on any day, a fraction of an hour between fifteen (15) to thirty (30) minutes shall be counted as thirty (30) minutes and in case of more than thirty (30) minutes it shall be rounded and shall be counted as an hour on actual basis.

(3) In calculating the wages or earnings in the case of a worker paid by the month, the daily wages shall be 1/26th of his monthly wages; and in the case of any other worker, it shall be the daily wages or earnings, as the case may be.

Section 27.

**35. Total number of hours of overtime.** -The hours of work mentioned in rule 31 may exceed under the following works and circumstances in respect of factories and building or other construction work, namely: -

(a) urgent repairs;

(b) work in the nature of preparatory or complimentary work;

(c) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more

than the intervals for rest;

(d) work which for technical reasons must be carried on continuously;

(e) engaged in making or supplying articles of prime necessity which must be made or supplied every day;

(f) engaged in a process which cannot be carried on except during fixed seasons;

(g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;

(h) engaged in an engine-rooms or boiler-houses or in attending to power-plant or transmission machinery;

(i) engaged in process on account of the break-down of machinery;

(j) engaged in the loading or unloading of railway wagons or lorries or trucks;

(k) exceptional press of work; and

(l) engaged in any work, which is notified by the State Government in the Official Gazette as a work of national importance:

Provided that no worker shall be allowed to work overtime for more than seven days at a stretch and total numbers of over time shall not exceed one hundred forty-four hours in any quarter of a year:

Provided further that for overtime, a worker shall be paid wages as per section 27 of the code at the end of each wage period.

Section 30. **36. Prohibition of Double Employment.** - No worker shall be required or permitted to work in a factory if he has already been working in any other such similar establishment within the preceding twelve hours, except under such circumstances as may be notified by the State Government from time to time.

Section 31(2). **37. Notice of periods of work.** -(1) There shall be displayed in Punjabi and Hindi or English language and correctly maintained in every establishment, a notice of periods of work for adults, showing clearly for every day the periods during which workers may be required to work in Form-XIII.

(2) Where all the workers in an establishment are required to work during the same periods, the employer of the establishment shall fix those periods for such workers generally.

(3) Where all the workers in an establishment are not required to work during the same periods, the employer of the establishment shall classify them into groups according to the nature of their work indicating the number of workers in each group.

(4) For each group which is not required to work on a system of shifts, the employer of the establishment shall fix the periods during which the group may be required to work.

(5) Where any group is required to work on a system of shifts and the relays are not to be subject to predetermined periodical changes of shifts, the employer of an establishment shall fix the periods during which each relay of the group may be required to work.

(6) Where any group is to work on a system of shifts and the relays are to be subjected to predetermined periodical changes of shifts, the employer of an establishment shall draw up a scheme of shifts where under the periods during which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

(7) The Form-XIII as per sub rule-1 shall be sent to Inspector-cum-Facilitator electronically.

## CHAPTER-VI

## REGISTERS, RECORDS AND RETURNS

**38. Maintenance and production of reports, registers and other Records.** -(1) Every employer of establishment shall maintain, - Section 33 And Section 133(zzq).

(I) employee register in FORM XIV;

(ii) attendance register-cum-muster roll in FORM XV electronically or otherwise;

(iii) In case of establishments employing more than hundred employees, attendance shall be marked within one hour and in other cases within half an hour of the start of the duty; and

(iv) attendance card in Form XVI: (a) No worker shall be required or allowed to work unless he has in his possession attendance card with up-to-date entries, in Form-XVI to be supplied by the employer. The attendance card shall always remain with the worker. The employer or his authorized person shall demand it only to make relevant entries therein, whenever necessary.

(b) If a worker loses his attendance card, the employer shall provide him or her with another copy duly completed from his record on payment of twenty-five rupees within two days of the payment.

Nothing in clause (iii) of sub-rule 1 shall be applicable to an establishment having an arrangement of attendance system satisfying the following conditions: -

(I) The system must have biometric identity verification capability with a Short Message Service (SMS) alert to every

employee on his mobile number or app-based access for specifying the entry or exit time and the name of the establishment also;

(II) the data must be safe so as to prevent identity theft;

(III) the system must be kept functional always;

(IV) there must be sufficient number of access points or web kiosks;

(V) Management Information system (MIS) reports with the queries of daily and weekly hours worked or overtime hours or leave record or absenteeism or weekly holidays or gender or personal details of the employee must be made available to the employees;

(VI) the system may have integration to payroll management systems;

(VII) the data of the system should be backed up daily with logs of any changes made on the local and external servers used for backup purposes only; and

(VIII) regulatory authorities must be given access to the system as well as backup servers;

(v) entries in the registers shall be made in Punjabi, and English or Hindi;

(vi) every employer shall produce records and registers, on demand before the Inspector-cum- Facilitator or any person authorised by the State Government; and

(vii) all the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein.

(2) Every employer shall issue wage slips, electronically or otherwise to the employees in the format as prescribed by the rules made by the appropriate Government under the Code on Wages, 2019(Central Act No. 29 of 2019) on or before the payment of wages.

(3) Register of wages, overtime and deduction in the format as prescribed by the rules made by the appropriate Government under the Code on Wages, 2019 (Central Act No. 29 of 2019).

(4) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2019(Central Act No. 29 of 2019), the above registers and wage slips required to be maintained by the employer of the establishment under Code on Wages, 2019 (Central Act No. 29 of 2019) and rules made thereunder shall be deemed to be maintained by the employer under these rules.

(5) All registers and other records required to be maintained under the Code shall be maintained complete and up-to-date and unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place or at a place within a radius of three kilometres.

(6) The employer to which the provisions of this Code apply, on or before the 28th or 29th day of February following the end of each Calendar year, upload a return in **Form-XX** (Part I, II, III (optional) and IV (Labour welfare fund)) and **XXI** on the designated portal and provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form.

**Explanation** – For the purposes of this sub-rule, the expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (Central Act 21 of 2000).

(7) Where the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then such employer shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal, a further

return in **FORM-XX(Part I ,II, III(Optional) and IV(Labour welfare fund))** and **XXI** referred to in sub-rule (6).

(8) In respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

(9) In case of manual registers and other records,-

(i) be legibly entered in ink in Punjabi and English, or Hindi and signed by the employer;

(ii) be preserved in original for a period of five years after the date of the last report or entry:

Provided that when the original record is lost or destroyed before the expiry of five years period, true copies thereof, if available, shall be preserved for a specified period;

(iii) be produced, electronically or by speed post, on demand before the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator or any person authorised in that behalf of the Central Government.

(10) Part III of the Form XX shall be submitted to the concerned authorities and its submission to the State Government is optional.

(11) Part IV of the Form XX shall be submitted on the portal by all the establishments.

**39. Register of accidents and dangerous occurrences.-** The employer of every establishment shall maintain a register of accidents and dangerous occurrences in Form-XVII electronically or otherwise. Section 33(a)

**40. Register of leave with wages.-** (1) The employer of every establishment shall maintain a register of leave with wages in Form-XVIII electronically or otherwise and the name of each worker shall be entered in this register during the month, in which the worker is taken into employment. Section 33(a)

(2) The register mentioned in sub-rule (1) shall be preserved for a period of five years after the last entry in them has been made and shall not be destroyed even after the expiry of that period unless it has been properly transferred to the new register.

**41. Names of authorities.** - There shall be a notice displayed in Punjabi and Hindi or English Language at conspicuous place near main entrance of the establishment carrying the names and address of authorities under the Code in Form-XIX. Section 33(b)

**42. Display of certificates and licenses.-** The employer of every establishment shall display a notice carrying registration certificates and licenses issued under the code at entrance of establishment. Section 33(b)

**43. Display of name and address of establishment .-** (1) The name board of every establishment shall be displayed in Punjabi, written in Section 33(b)

Gurmukhi Script. Where other languages are also used, their versions shall be placed below the Punjabi version. The Punjabi version shall be displayed more prominently by providing greater space than that allotted to other languages.

(2) If any establishment is situated within the periphery of any heritage building, it shall comply with the specific instructions regarding name boards as may be issued by the State Government from time to time.

Section 33(d). **44. Annual and half yearly return.** - (1) Every employer of an establishment shall send annually, a return relating to such establishment in Form-XX (Part I, II, III (optional) and IV (Labour welfare fund)) on the portal not later than the last day of February following the end of each calendar year with a copy to the Director General, Labour Bureau, electronically.

(2) Every contractor shall send half-yearly return in FORM-XXI so as to reach the Designated Authority concerned not later than thirty days from the close of the half year, electronically, that is to say January to June, July to December.

## CHAPTER VII

## INSPECTOR-CUM- FACILITATOR AND OTHER AUTHORITY

Section 34(5). **45. Qualifications and experience of Chief Inspector-cum-Facilitator.** - Any Indian Administrative Services (IAS) officer having

experience of not less than eight years appointed as Labour Commissioner-cum-Director of Factories in the State of Punjab shall be the Chief Inspector-cum-Facilitator.

**46. Power to take samples of any articles or substances.-** (1) An Inspector-cum-Facilitator shall take samples or substances in an establishment as per the inspection scheme mandated under the Code after informing the employer of the establishment, taken in the manner hereinafter provided a sufficient sample of any substance used or intended to be used in the establishment, such use being, – Section 35(1)(x)

(a) in the belief of the Inspector-cum-Facilitator in contravention of any of the provisions of this code or the rules made thereunder, or

(b) in the opinion of the Inspector-cum-Facilitator likely to cause bodily injury to, or injury to the health of employee in the establishment.

(2) Where the Inspector-cum-Facilitator takes a sample under sub-rule (1), he shall, in the presence of the person informed under that sub-rule unless such person willfully absents himself, divide the sample into three portions and effectively seal and suitably mark them, and shall permit such person to add his own seal and mark thereto.

(3) The person informed as aforesaid shall, if the Inspector-cum-Facilitator so requires, provide the appliance for dividing, sealing and marking the sample taken under this rule.

(4) The Inspector-cum-Facilitator shall,-

(a) forthwith give one portion of the sample to the person informed under sub-rule (1);

(b) forthwith send the second portion of the sample to a Government Analyst or to a laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL) for analysis and report thereon; and

(c) retain the third portion for production to the Court before which proceedings, if any, are instituted in respect of the substance.

(5) Any document purporting to be a report under the hand of any Government Analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory upon any substance submitted to him for analysis and report under this rule, may be used as evidence in any proceeding instituted in respect of the substance.

**47. Powers and duties of Inspector-cum-Facilitator.**- (1) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue prohibition or improvement notice in the Form-XXII pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed thereunder, to the employer or occupier. Section 35(1)(xiv)

(2) An Inspector-cum-Facilitator shall, at each inspection, ascertain to what extent any shortcomings notified at a previous inspection have been rectified and the notices previously issued have been complied with. His findings and any shortcomings which may come to notice during the inspection, together with any order passed by him under the Code or rules or the regulations made thereunder shall be recorded and maintained.

**48. Manner of providing alternative employment.** - Every employer as the case may be, shall provide employment to the affected workers in other areas of the establishment: Section 38(1)(d)

Provided that the wages of the affected person shall not be reduced due to alternate employment:

Provided further that if the whole or a part of establishment working as factory is fully closed by an order, then it shall be the duty of the occupier or employer as the case may be to pay wages to the

affected workers for the number of days for which the establishment remained closed.

Section 42(1). **49. Appointment of Medical officer.-** The Medical Officer shall be a medical practitioner possessing a recognized medical qualification as defined under the National Medical Commission Act, 2019 (Central Act No. 30 of 2019) and shall be enrolled with the Punjab Medical Council.

Section 42(2)(a). **50. Dangerous occupations or processes for medical examination.** - Following shall be the dangerous occupations or processes for the purposes of medical examination and certification, namely, -

(i) operations declared dangerous under section 82 of the Code;

(ii) factories carrying hazardous process as per First Schedule of the Code;

(iii) treatment of Biomedical waste;

(iv) sewerage treatment;

(v) solid waste management;

(vi) marble cutting;

(vii) ready mix concrete;

(viii) hot mix concrete;

(ix) working at height more than four meters;

(x) operation of crane or heavy-duty machinery; and

(xi) such other occupation or process as may be notified by the State Government from time to time, to be dangerous.

Explanation: for the purpose of this rule heavy duty machinery includes Excavator, Bulldozer, Skid Steer loader, Compactor, Trencher, Truck or Dumper having more than six tyres or load capacity more than 15MT, earthmoving equipment and machinery producing noise above 85dBA.

**51. Medical supervision of establishments where cases of illness have occurred.** - If any case of a specific illness, arising from the nature of the process associated with an establishment, comes to the notice of the Medical Officer; Section 42(2)(b).

(i) the Medical Officer shall report such case to the concerned Inspector-cum-Facilitator;

(ii) the Inspector-cum-Facilitator shall respond immediately and seek approval for inspection from the Chief Inspector-cum-Facilitator; and

(iii) the inspection shall be carried out in accordance with the inspection procedure laid down under these rules.

Section 42(2)(c).

**52. Medical Examination and certification of adolescent.** - (1) A medical officer shall, on the application of any adolescent or his parent or guardian accompanied by a document signed by the employer of an establishment that such person will be employed therein if certified to be fit for work in an establishment, or on the application of the employer of the establishment in which any adolescent wishes to work, examine such person and ascertain his fitness for work in an establishment.

(2) The medical officer, after examination, may grant to such adolescent, in Form-XXIII, or may renew a certificate of fitness to work in an establishment as an adolescent, if he is satisfied that the adolescent has completed his fourteenth year, has attained the prescribed physical standards and is fit for such work:

Provided that unless the medical officer has personal knowledge of the place where the adolescent proposes to work and of the manufacturing process in which he will be employed, he shall not grant or renew a certificate under this sub-rule until he has examined such place.

(3) A certificate of fitness granted or renewed under sub-rule (2), -

(a) shall be valid only for a period of twelve months from the date thereof; and

(b) subject to conditions about the nature of the work in which adolescent may be employed, or requiring re-examination of the adolescent before the expiry of the period of twelve months.

(4) A medical officer shall revoke any certificate granted or renewed under sub-rule (2), if in his opinion the holder of it is no longer fit to work in the capacity stated therein in an establishment.

(5) Where a certificate under this rule with reference to any adolescent is granted or renewed subject to such conditions as are referred to in sub-rule (3), the adolescent shall not be required or allowed to work in any establishment, except in accordance with those conditions.

(6) Medical charges for the issuance of a fitness certificate shall be paid or reimbursed by the employer within one week of such medical examination.

(7) Medical Officer shall maintain record of such examinations conducted under this rule.

**Chapter VIII**

**Special Provisions Relating to Employment of Women**

Section 43.

**53. Conditions relating to safety, holidays and working hours of women in night shift.** - The following conditions shall be met for employment of women during night or before 6.00 a.m. and beyond 7.00 p.m. in any day,

namely: -

(a) the consent of women shall be taken;

(b) No women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (Central Act No. 36 of 2020);

(c) adequate transportation facilities shall be provided to women to pick-up and drop such employee at her residence;

(d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, dining area, rest room, creche, entry and exit of women should be well-lit; the toilet, washroom and drinking facilities shall be within the premises of establishment; and suitable provisions of Closed-circuit television (CCTV) Surveillance on the way to these facilities shall be provided;

(e) provide safe, secure and healthy working condition is provided so that no women are disadvantaged in connection with her employment;

(f) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles,

so that any women employee can utilize them, in case of any exigency or emergency; And such telephones should be manned at all the hours of work;

(g) the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Central Act No. 14 of 2013) and rules made thereunder, as applicable to the establishments, shall be complied with.

**54. Adequate safety of employment of women in dangerous operations.** -The State Government may declare, from time to time, by notification, the class of establishments and the standard for safeguarding of women employed in hazardous process as specified in first schedule of the Code and dangerous operations as specified in OSH standards. Section 43.

## Chapter-IX

## Special Provisions for Contract Labour and Inter-State Migrant Worker, Etc.

### PART-I

### Contract Labour

Section 47(3).

**55. Conditions of Licence.** - (1) The contractor shall ensure that, -

(i) the hours of work shall conform to the rules made under Section 25 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020);

(ii) the wages shall be paid in accordance with the Code on Wages, 2019 (Central Act No. 29 of 2019);

(iii) if the contract labour of the contractor is working at the premises of the principal employer, then it shall be the responsibility of the principal employer to provide the safety, health and welfare facilities as per sections 18,23 and 24 of the Code; and

(iv) all other facilities and entitlements shall be provided by the contractor.

(2) In case the contractor fails to make payment of minimum wages to the contract labour , then the Designated Authority, who shall cause such payment to be made to the contract labour who have not been

paid, out of the security deposit maintained under rule 66 including by invoking the bank guarantee.

(3) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details the contract work order in the manner as specified in rule 61.

(4) A copy of the Licence shall be displayed prominently at the premises where contract work is being carried on.

**56. Procedure of Issue of Licence to contractor. -** (1) Application for issuing Licence shall be made in Form-XXIV to the Designated Authority on Portal. Section 48(1 and 2).

(2) Every application referred to in sub-rule (1) shall also be accompanied by a security in the form of a bank guarantee and such Licence fee, as may be notified by the State Government from time to time, in respect of the contract labour for whom the application for Licence has been made. Such security shall be furnished to ensure due performance of the conditions of the Licence and compliance with the provisions of the Code and the rules made thereunder

(3) Licence fee as required under sub-rule (2) shall be paid through online mode on portal, which shall be credited to the treasury in the head of account as may be specified by the State Government from time to time.

(4) After receiving application on portal, the designated authority shall issue Licence in Form-XXV within a period of Twenty-one days with following conditions; namely: -

(i) the Licence shall be non-transferable;

(ii) the number of workers employed as contract labour by the contractor shall not, on any day, exceed the maximum number as specified in the license;

(iii) save as provided in these rules, the fees paid for the grant, or as the case may be, for the renewal of the Licence shall be non-refundable; and

(iv) the rates of wages payable to the contract labour by the contractor shall not be less than the rates prescribed under the Code on Wages, 2019 (Central Act No. 29 of 2019) and rules made thereunder and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

(5) If the Designated Authority fails to grant a Licence on an application complete in all respects, or fails to decide upon such application within a period of twenty-one days, the Licence shall be deemed to have been granted upon the expiry of the said period.

(6) The Licence fee and security deposit, where applicable submitted prior to the commencement of these rules shall be accounted for at the time of issuing the Licence under this Code.

**57. Renewal of Licence for *contractor.*** - (1) Every contractor shall apply for renewal of the Licence in Form XXIV to Designated Authority on portal. Section 48(1).

(2) Every such application shall be submitted on the said portal at least thirty days prior to expiry of Licence period but not before sixty days of such expiry of license.

(3) The security *in the form of Bank Guarantee and* the fee chargeable for renewal of the Licence shall be the same as for the grant of Licence under rule 56:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a late fee, as may be notified by the *State Government* from time to time, shall be payable for such renewal.

(4) If the Designated Authority fails to renew a Licence in form XXV on an application complete in all respects, or fails to decide on such application within a period of twenty-one days the Licence shall be deemed to have been granted upon the expiry of the said period.

(5) The Licence shall be auto-renewed if there is no change in the contract labour, name of principal employer, subject to the deposit of labour welfare fund, submission of requisite returns, and the payment of such fees or late fees as applicable.

Section 51.

**58. Amendment of Licence for contractor.** - (1) Every contractor to whom Licence is issued under rule 56 or renewed under rule 57 shall make an application for any amendment to the Designated Authority on portal in the Form-XXIV before any change or within three days from such change.

(2) The amendment fee shall be such as may be notified by the State Government from time to time.

(3) After receiving application on portal complete in all aspects, the Designated Authority shall amend and issue the Licence to contractor in Form-XXV within a period of twenty-one days.

(4) After issuance of amended license, proportionate security deposit will be returned if number of contract labour decreases and an additional amount of security deposit, shall be deposited, if number of contract labour increases.

Section 48(4).

**59. Responsibility of contractor.** -(1) In case where the contract labour employed by the contractor perform the same or similar kind of work as the worker directly employed by the principal employer of the

establishment, the rate of wages, holidays, hours of work and other conditions of service of the contract labour of the contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of work. In case of any dispute whether the work is of similar kind, the matter be referred to the Designated Authority whose decision shall be final.

(2) In other cases, the rate of wages, holidays, hours of work and conditions of service of the contract labour of the contractor shall be such as specified under the Code on Wages, 2019 (Central Act No. 29 of 2019) and rules made thereunder.

(3) A contractor shall be responsible for payment of wages to each worker employed by him as contract labour, and such wages shall be paid before the expiry of such period as prescribed under rules made by the State Government under the Code on Wages, 2019 (Central Act No. 29 of 2019).

(4) It shall be the duty of the contractor to ensure the disbursement of wages and proof of the same shall be sent to the principal employer for compliance of sub rule-(2).

(5) All contract labour shall be made member of Employees Provident Fund organisation (EPFO) and Employee State Insurance Corporation

(ESIC) subject to applicability as under respective provisions of the Code on Social Security, 2020 (Central Act 36 of 2020).

Provided that any person aggrieved by the decision of the Designated Authority may, within thirty days from the date of such decision may file an appeal to the appellate authority as notified by the State Government from time to time. The appellate authority may by order confirm, modify or reverse any such decision of the Designated Authority by passing the speaking order.

Section 48. **60. Register of contractors.** - A register of contractors shall be maintained by the Designated Authority in Form-XXVI to whom Licence is issued under rules 56, 57 and 58.

Section 50. **61. Intimation of work order.** -Every contractor shall within, fifteen days of the receipt of a contract work order shall intimate electronically in Form-XXVII to the Designated Authority, and the Inspector-cum-Facilitator of the area in which the establishment is situated.

***62. Manner of suspending or cancelling the Licence of contractor.*** Section 50(2).
- Whenever it comes to the knowledge of the Designated Authority that any contractor has not given intimation as required under sub-section (1) of section 50, the following procedure shall be followed for suspension or cancellation of license, namely: -

(i) the Designated Authority shall issue a show cause notice to the contractor, electronically or otherwise, to explain his conduct;
(ii) the contractor shall reply to the notice given under clause (i) within fifteen days from the receipt of such notice; and
(iii) the Designated Authority shall examine the reply and shall pass a speaking order, recording the reasons thereof, within thirty days and intimate the same to the Inspector-cum-Facilitator, the contractor and principal employer.

**63. Appeal.** -The appellate authority for appeal under sub-section (1) of section 52 of the Code shall be as notified by the State Government in this behalf. Section 52(1).

**64. Release of Security deposit in the form of Bank Guarantee.** -(1) On expiry of validity of Licence of the contractor and if he does not intend to have his Licence renewed further, or upon completion of work order in an establishment, the contractor may, make an application to the Designated Authority for the release of security Section 48(3).

deposit in the form of bank guarantee with copy of licence and notice of completion.

(i) Before releasing the security deposit to the contractor, a notice shall be issued to the principal employer within fifteen days of receipt of the application under sub-rule (1), seeking any objection to such release of security deposit.

(ii) In case any objection is received from the principal employer, the Designated Authority, after examining such objection, may or may not release the security deposit on the application received under sub-rule (1) by passing a speaking order.

(2) If the authority is satisfied that there is no breach of the conditions of Licence or there is no order for the forfeiture of security deposit or any portion thereof, he shall direct the release of the security deposit in the form of bank guarantee to the applicant.

(3) If there is any order directing the forfeiture of any portion of contractor 's security deposit in the form of Bank Guarantee, the amount to be forfeited shall be deducted from the security deposit in the form of Bank Guarantee, and balance, if any, shall be released to the contractor.

(4) Any application for release shall, as far as possible, be disposed of within thirty days of the receipt of the application and in case bank guarantee is not released within such time period then application shall automatically be moved to higher authority on the portal and higher authority will decide such application within fifteen days.

(5) Record of security deposit in the form of Bank guarantee shall be maintained in Form- XXVIII.

**65. Responsibility of payment of wages for contract labour .-** (1) The contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month. Section 55(1 and 2).

(2) The wages of every person employed as contract labour in an establishment or by a contractor shall be paid before the expiry of seventh day after the last day of the wage period in respect of which the wages are payable.

(3) The principal employer shall settle the bills of contractor related to dues of contract worker within timeline as per the terms and conditions agreed between principal employer and contractor.

(4) The wages shall be disbursed through bank transfer or electronically:

Provided that where it is not practical to disburse wages through bank transfer or electronically, the wages shall be disbursed in current coins or currency.

(5) The wages of contract labours shall be paid without any deductions of any kind, except those specified by the State Government.

(6) A notice showing wage period and date and time of disbursement of wages of contract labour shall be displayed at the place of work and a copy thereof shall be sent by the contractor to the principal employer electronically.

(7) Every contractor shall submit half-yearly return in **FORM-XXI** electronically not later than thirty days from the close of the half year, that is to say January to June, July to December.

(8) In case contractor fails to make payment of wages to the contract labour within seven days of completion of wage period, then the principal employer shall take necessary action and make payment of wages in full or the unpaid balance dues, as the case may be, to the concerned contract labour employed by the contractor within fifteen days and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as debt payable by the contractor or from the security deposit lying with the principal employer.

(9) Every principal employer of an establishment shall submit annual return in **FORM-XX (Part-II)** electronically on or before last day of February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result:

Provided that the Government may, by notification, exempt any category of workers/ establishment from the operation of this provision.

**66. Manner of payment of wages from security deposit.-** Subject to the provisions of the section 55 of the code, in case the contractor does not pay the wages to the contract labour employed by him, then,- Section 55(4).

(i) the Inspector-cum-Facilitator shall prepare the details of payment to be made and send the same to the Designated Authority to release the payments from the security deposited by the respective contractor;

(ii) the Designated Authority shall transfer the amount to the Inspector-cum-Facilitator;

(iii) the Inspector-cum-Facilitator shall disburse the amount among contract labour and furnish details to the Designated Authority;

(iv) the balance amount after above said disbursement shall be refundable as the case may be;

(v) the Designated Authority shall make entries in register to be maintained in Form-XXVIII;

(vi) the Inspector-cum-Facilitator shall maintain a record of disbursement of payment to contract labour;

(vii) whenever there is a shortfall in the Security Deposit or any excess liability, the Designated Authority shall issue a notice to the Contractor requiring the Contractor to replenish the Security Deposit and pay the excess liability, if any, within thirty days from the date of issuance of such notice; and

(viii) Failure by the contractor to replenish the security deposit and deposit any excess liability within the period prescribed under sub-rule (vii) shall render the contractor's licence liable to suspension or cancellation, subject to the contractor being afforded a reasonable opportunity of being heard. In such event, the Designated Authority shall issue a certificate of recovery to the concerned Collector or District Magistrate, who shall recover the amount due as arrears of land revenue and remit the same to the Designated Authority for disbursement to the concerned contract labour.

Section 56.

***67. Experience certificate to contract labour.*** -Every concerned contractor shall issue on demand, experience certificate in **Form XXIX** to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

Section 57(2)(b).

**68. Prohibition of employment of contract labour.**- If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application in **FORM**

**XXX** to the State Government, which may refer such application to the Designated Authority, notified by the State Government. The form of application, manner and time period shall be as per general or special order by the State Government issued, from time to time:

Provided that no adverse action will be taken during the pendency of proceedings so that the operation of the activity is not affected.

**PART-II**

**Inter-State Migrant Workers**

**69. Journey allowance. -** (1) The employer shall pay a lump sum amount on account of fare for to and fro journey to inter-state migrant worker by train (not less than II[nd] Class Sleeper) or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home-state in the event; if he has worked for a period of not less than one hundred and eighty days in the concerned establishments in preceding twelve months: Section 61.

Provided that the journey allowance shall be given to an inter-state migrant worker once in twelve months.

(2) In the event of change of employer by the inter-state migrant worker during the middle of the employment period and he has not

availed the journey allowance from his previous employer, then on the basis of a certificate to be given by inter-state migrant worker, the employer where the inter-state migrant worker is presently working and such worker has completed one hundred and eighty days in preceding twelve months including the period spent with the previous employer, then the present employer shall give journey allowance.

(3) The employer shall maintain a register of journey allowance in Form-XXXI electronically or otherwise.

Section 62. **70. Scheme for availing benefit of public distribution system .-**The State Government may notify a scheme to provide an option to an interstate migrant worker, -

(a) for availing benefits of the public distribution system; or

(b) for the portability of such benefits in respect of inter-state migrant workers engaged in building or other construction work.

Section 63. **71. Toll free help line number.** -The State Government may establish a toll-free number for inter-state migrant workers, which may either operate as an independent facility or be integrated with any existing helpline scheme administered by the State Government.

**72. Manner of providing for study of inter-state migrant workers. -** Section 64.
The State Government may identify the studies to be carried out to promote safety, health and welfare or any other matter of inter-state migrant workers. Wherever required the State Government may also engage the expert organizations involved in the safety, health and welfare of inter-state migrant workers.

## PART-III

### Audio-Visual Workers

**73. Format of agreement. -** The agreement to be entered into between the producer and the employee of audio-visual program as envisaged in clause (a) of sub-section (2) of section 66 shall be in Form-XXXII. Section 66(3).

**74. Submission of agreement.** - The copy of the agreement shall be forwarded by the producer of the audio-visual programme to the Chief Inspector-cum- Facilitator and the Inspector-cum-Facilitator concerned. Section 66(3).

**75. Dispute resolution Mechanism. -** The procedure (conciliation and arbitration) for reference of dispute shall be in conformity with the Industrial Relation, Code 2020 (Central Act No.35 of 2020) and rules made thereunder. Section 66(4).

## PART-IV

### Beedi and Cigar Workers

Section 74(2).

**76. Licence to use place or industrial premises for beedi and cigar work.** -(1) Any person who intends or allows to use any place or premises for beedi or cigar work shall submit an application in Form-XXXIII on portal for the grant of Licence along with fee as notified by the State Government, from time to time.

(2) A Licence in Form-XXXIV shall be granted by the authority designated under section 119.

(3) The Licence under this rule shall be issued within twenty-one days from the date of application on portal complete in all respects.

(4) If the Designated Authority fails to grant a Licence on an application complete in all respects, or fails to decide on such application within a period of twenty-one days, the Licence shall be deemed to have been granted upon the expiry of the said twenty-one days.

(5) The responsibility under this rule shall entirely lie with the occupier of any place or premises for beedi or cigar work.

**77. Plan of place or industrial premises for beedi and cigar work.-** Section 74(3).
The plan of the place or industrial premises to be used for beedi and cigar work shall conform to the provisions of rules 83 to 94 of these rules.

**78. Renewal of Licence for beedi and cigar work.** -(1) A Licence granted in Form XXXIV under rule 76 shall be renewed by the authority designated under section 119, upon payment of such fee as may be notified by the State Government, from time to time. Section 74(6).

(2) Every application for renewal of the licence shall be made on portal in Form-XXXIII, along with fees as notified by the State Government, from time to time, for a period of one year or any further period up to five years, as the case may be, and shall be submitted within time limit in accordance with sub-section (6) of section 74 of the Code:

Provided that if an application for renewal, complete in all respects, is not received within the time limit in accordance with sub-section (6) of section 74 of the Code, the Licence shall be renewed only on payment of an additional fee, as may be notified by the State Government, over and above the fees ordinarily payable for the renewal of a Licence for one year, in respect of which the application has been received late.

Section 74(6).

**79. Timeline for renewal or refusal to renew Licence .-**(1) The authority designated under section 119 shall renew or refuse to renew the Licence within twenty-one days from the date of receipt of application for renewal.

(2) If the Designated Authority fails to grant a Licence to any place or premises for beedi or cigar work on an application complete in all respects, or fails to entertain such application within a period of twenty-one days, such Licence shall be deemed to have been granted on the expiry of the said period.

Section 75.

**80. Appeals. -** Any person aggrieved by the decision of the competent authority refusing to grant or renew a Licence or cancelling or suspending a Licence may, within fifteen days from the date of such refusal, cancellation or suspension of license, and on payment of such fee as may be notified by the State Government, from time to time, prefer an appeal to such authority as the State Government may, by , specify in this behalf. The appellate authority may by order confirm, modify or reverse any order refusing to grant or renew or cancelling or suspending a license.

**81. Permission to work by employees outside industrial premises.-** (1) Section 76(1). The employer shall make an application to the Chief Inspector-cum-Facilitator for the work required to be carried out outside the industrial premises as required under the sub-section (1) of section 76 of the Code.

(2) It shall be the duty of every employer to ensure the provision of safety, health, working conditions and welfare measures, as prescribed under sections 23 and 24 of the Code or under any other Statute of the State Government, and no employer shall, whether directly or indirectly, charge any fee from any worker for such purpose.

(3) The employer shall maintain the records of the workers permitted under sub-rule (1) to be carried on outside the industrial premises as given below:

(i) Date:

(ii) Place or places where the work required to be carried out outside the industrial premises:

(iii) Nature of work:

(iv) Name of employees:

(v) Remarks:

## PART-V

## FACTORIES

Section 79.

**82. Submission and approval or acceptance of Building plans of factory.** -(1) The State Government or the Chief Inspector-cum-Facilitator may require for the purposes of the Code, submission of plans of building(s) or structure(s) or premise(s) to be taken in use as a factory which was either in existence before the date of commencement of the Code or which had been constructed or extended since then.

(2) No building shall be constructed or used as a factory, which falls under First Schedule of the Code , unless its building plans are duly approved by the Chief Inspector-cum-Facilitator.

(3) No building shall be constructed or used as a factory, which does not fall under First schedule of the Code, unless its building plans are duly self-certified by the competent person and submitted to Chief Inspector- cum- Facilitator to the effect that plans submitted are in consonance with relevant provisions of the Code and the rules made thereunder.

(4) No additions, alterations or extensions in an existing factory shall be made, except those as specified in the Schedule-I given below, unless such additions, alterations or extensions have been duly

approved by the Chief Inspector-cum-Facilitator or, as the case may be.

| SCHEDULE-I | |
|---|---|
| **Serial No.** | **Type of additions or alterations or extensions** |
| (1) | Boundary Wall up to height of 4 Feet. |
| (2) | Rooms/Cabins to be used for clerical/managerial/Pantry purposes. |
| (3) | Security picket/Guard Rooms |
| (4) | Sheds for Vehicle Parking |
| (5) | Canopies for Generator Sheds |
| (6) | Balcony/Chajjas. |
| (7) | Changes in Outer Gates. |
| (8) | Rooms to be used for Residential Purposes. |
| (9) | Electricity Meter rooms |
| (10) | Toilets/Urinals |
| (11) | Demolition of any part of factory building |

| | |
|---|---|
| (12) | Additional staircases or ramps |
| (13) | Addition or re-orientation of machinery which does not result in any change in manufacturing process or end product or by product or breathing space of the work room |
| (14) | Stores where noncombustible or nonflammable or non-toxic materials to be stored. |

(5) Any application for submission of the building plans shall be made in Form- XXXV to the Chief Inspector-cum- Facilitator on the portal along with the following documents or forms, namely: -

(a) letter of allotment from the concerned authority or agency which has developed the focal point, or industrial park or plotted industrial area if the factory is situated therein;

(b) Copy of Change of Land Use (CLU), under The Punjab Regional and Town Planning and Development Act, 1995(Punjab Act No.11 of 1995) from the competent authority for the area falling outside Municipal Corporation or Municipal Council limits. For area within Municipal Corporation or Municipal Council limits, classification of the land use as per the master plan as verified by the local authority (i.e. Municipal Council or Municipal corporation etc.);

(c) particulars of building(s) or shed(s) in Form-XXXVI;

(d) details of the manufacturing process, including raw materials, by-products, or finished products, along with proposed or actual quantity or capacity;

(e) list of chemicals to be used, stored or manufactured or produced, along with proposed or actual quantity;

(f) details of Building and Other Construction Workers Welfare Cess paid under the Social Security Code,2020 (Central Act No. 36 of 2020) and rules made thereunder;

(g) Consent of Fire department in case of proposed plans or Fire safety certificate in case of existing building plans; and

(h) such other documents as the Chief Inspector-cum-Facilitator may require.

(6) The occupier and the competent person shall sign the application, forms, building plans or drawings and the documents as required, before making submission of building plan on the portal.

(7) All dimensions in the plan shall be indicated in international system of units (S.I) or Centimeter Gram Second (cgs) or Foot Pound Second (fps) units.

(8) Colorings of plans shall be as under: -

| Serial No. | Item | Site and Building Plan (on white background) |
|---|---|---|
| (I) | Plot/Premises line | Thick Black |
| (II) | Building lines | Thin Black |
| (III) | Open space | No colour |
| (IV) | Construction to be approved | Blue filled in |
| (V) | Construction proposed to be demolished | Yellow filled in |
| (VI) | Proposed construction | Brown filled in |
| (VII) | Drainage & sewerage work | Red dotted |
| (VIII) | Water supply | Green dotted |
| (IX) | Already approved construction | Orange filled in |
| (X) | Revised/Altered building | Pink filled in |
| (XI) | Fire escapes | Orange dotted |

| | | |
|---|---|---|
| (XII) | Any other | Purple dotted |

(9) The site plan to be sent along with the application shall be drawn to a scale of 1:100 for plots up-to five hundred square meter in size and on a scale of 1:500 for plots above five hundred square meter in size. This site plan shall show the following: -

(a) boundaries of the site and any contiguous surroundings;

(b) direction of the north point relative to the site;

(c) foundation details of building and boundary wall;

(d) streets or roads adjoining the site with their width clearly dimensioned and names, if any;

(e) disposal of waste water, sewerage and storm water or storage of hazardous waste;

(f) details of buildings or drains or structures or physical features falling within five hundred meters of factory;

(g) prominent urban service points above or underground (like sewer or water pipes, gas pipeline, oil pipeline, transformers etc.) within five hundred meters area; and

(h) such other particulars, as may be required by the Chief Inspector-cum-Facilitator.

(10) The application shall consist of building plans, sections and elevations shall be drawn to the scale1:100 and shall include,

(a) floor plans of all the floors together with covered area clearly indicating the size and spacing of all framing members, sizes of rooms, staircases, ramps, lift wells, means of lighting, ventilation, fire escapes, position and size of plant and machinery or equipment, drinking water points, details of urinals and latrines, roof materials, washing facilities, decontamination or drenching facilities, space for storing or drying of clothes, crèche, rest-rooms or shelters, lunch-rooms, mess room, canteen, ambulance room or occupational health center;

(b) all possible elevations and one section from front showing the maximum height of the building;

(c) one section through the staircase;

(d) the schedule indicating the size of the doors, windows, openings and other method of ventilation of each room or area;

(e) provision for differently-abled person, photovoltaic solar power plant, rain water harvesting system wherever required; and

(f) The plans of building or structure to be used as factory shall not be approved unless such plans meet the occupational safety and health standards declared by the Central Government under sections 18 and 23 of the Code and such building plans shall also meet the welfare facilities prescribed by the Central Government under section 24 of the Code or any other standards as may be prescribed by the Central Government or the State Government, from time to time.

(11) Any submission of building plans and forms made as per above sub-rules shall be accepted by the Chief Inspector-cum-Facilitator, if such building plans and forms are self-certified by the competent person possessing the qualifications and experience as specified in Schedule -II given below: -

SCHEDULE-II

(1) Any person possessing educational qualifications, experience and facilities as specified below shall be eligible to be a competent person for the purpose of carrying tests, examination, inspection and certification for such buildings and ventilation calculations for factory and beedi and cigar establishments or any other type of establishment as stipulated in Code and rules made there under:

Provided further that the competent person recognize under this rule shall not be above the age of sixty-five years and shall be physically fit for the purpose of carrying out the requisite tests, examination and inspection.

(2) Any institution having employed person possessing educational qualifications, experience and facilities as specified below shall be eligible to be a competent person for the purpose of carrying tests, examination, inspection and certification for such buildings and ventilation calculations for factory and beedi and cigar establishments or any other type of establishment as stipulated in Code and rules made there under.

| Serial | Purpose for which | Qualifications | Experience | Facilities |
|---|---|---|---|---|

| No. | competency required | | | | |
|---|---|---|---|---|---|
| (1) | (a) | Rules made under section 79; Preparation of plans of buildings and structures to be used as factory | Bachelor's or Master's Degree in Civil or Structural or Mechanical Engineering or Architect from a recognized university. The government may add or remove any qualification by way of notification | An experience in the field of preparation or scrutiny of building plans of buildings carrying out manufacturing process, as defined in the code, or a minimum period of five years for Bachelor 's Degree or two years for Master 's Degree in Civil or Structural or Mechanical Engineering. | |
| (1) | (b) | Following leading technical Institutions in the State of Punjab and | | | |

| | | |
|---|---|---|
| | | Chandigarh having Civil or Structural Engineering courses shall be the competent<br>person, namely: -<br>(1) Punjab Engineering College (deemed to be University), Sector-12, Chandigarh;<br>(2) Chandigarh College of Engineering and Technology, Sector-26, Chandigarh;<br>(3) Thapar Institute of Engineering and Technology, Patiala;<br>(4) Guru Nanak Dev Engineering College, Ludhiana;<br>(5) Dr. B.R. Ambedkar National Institute of Technology, Jalandhar;<br>(6) Giani Zail Singh Campus College of Engineering and Technology, Maharaja<br>Ranjit Singh Punjab Technical University, Bathinda;<br>(7) Indian Institute of Technology, Ropar;<br>(8) Punjabi University, Patiala,<br>(9) Shaheed Bhagat Singh State Technical Campus, Ferozepur; and<br>(10) any other institute, as may be notified by the State Government. |

(a) On receipt of such self-certified building plans, the Chief Inspector-cum-Facilitator shall raise the requisite fee after scrutiny within three working days of submission of the self-certified building plans and forms on the portal. An acceptance letter of self-certified building plan shall be issued by the Chief Inspector-cum-Facilitator within three working days of payment of such fee. The Chief Inspector-cum-

Facilitator, however, reserves the right to examine such submitted building plans and forms at any point of time;

(b) If the self-certified building plans and forms submitted under the sub-rule (11) of rule 82 are found not to be in conformity with the provisions of the Code and the rules made there under then: -

(i) the Chief Inspector-cum-Facilitator may direct the competent person who has certified the building plans and the applicant or occupier who has self-certified the plans to make such changes in these plans and such buildings or structures to be used as a factory. The competent person or applicant shall be given a period of thirty days for making such changes. In case the applicant and the competent person fail to comply, then the Chief inspector cum facilitator may by passing the speaking order, may reject such submission made under sub-rule (11) of rule 82; and

(ii) the competent person who has certified such plans incorrectly may be barred or black-listed from self-certification of such building plans by passing a speaking order by the Chief Inspector-cum-Facilitator after issuance of thirty days notice and affording an opportunity of being heard:

Provided that competent person or applicant or occupier aggrieved by the order of the Chief Inspector-cum-Facilitator may, within thirty (30) days from the date of such order, prefer an appeal to

the State Government. The State Government may, by order, confirm, modify, or reverse any order passed by the Chief Inspector-cum-Facilitator as the case may be.

(12) The building plans and forms as per above sub-rules of factories which falls in the First Schedule of the Code shall, either be approved or rejected within thirty days from the date of receipt of such application, if Chief Inspector -cum- Facilitator fails to act within the period of thirty days, then the plans shall be deemed to be approved after expiration of thirty days.

(13) Competent person shall maintain records of all self-certified building plans and shall provide one set of hard copy of self-certified building plans to the applicant with a copy to Chief Inspector-cum-Facilitator and to the concerned Inspector-cum- Facilitator with his or her signature and stamp.

**83. Applicability of Building Bye laws.-** Department of Labour may prepare a draft of the building bye-laws and place the same before the competent authority for approval. The rules shall be framed under section 79, subject to such conditions as may be specified. The bye-laws shall be formulated by the Department of labour, Government of Punjab, in respect of all categories of factories, keeping in view the norms relating to safety, health, welfare and working conditions, and by taking note of the prevalent bye-laws in the Section 79.

State. The bye-laws may, however, be amended from time to time, keeping in view the requirements and needs of industry, manufacturing processes, setbacks, open areas, floor area ratio (FAR), and other relevant factors.

Section 79.

**84. Pre-approved plans.**- All the building plans which have already been approved by the Chief Inspector of Factories before the coming into force of these rules, shall be deemed to have been approved under these rules.

Section 79.

**85. Stability Certificate.** - (1) No manufacturing process shall be carried on in any building or part thereof (whether newly constructed, re-constructed, altered, repaired or extended) as a factory or addition in machinery or change in manufacturing process in any existing factory until a Certificate of Stability in Form-XXXVII in respect thereof, has been submitted to the Chief Inspector-cum-Facilitator.

(2) The Certificate of Stability shall be verified and certified by a competent person as specified in Schedule III given below after examination of such building(s) or structure(s) and after analyzing reports, relating to stability of building(s) or structure(s).

| SCHEDULE-III |
| --- |
| (1) Any person possessing educational qualifications, experience and facilities as specified below shall be eligible to be a competent person for the purpose of carrying |

tests, examination, inspection and certification for such buildings and ventilation calculations for factory and beedi and cigar establishments or any other type of establishment as stipulated in Code and rules made there under.

Provided further that the competent person recognize under this rule shall not be above the age of sixty-five years and shall be physically fit for the purpose of carrying out the requisite tests, examination and inspection.

(2) Any institution having employed person possessing educational qualifications, experience and facilities as specified below shall be eligible to be a competent person for the purpose of carrying tests, examination, inspection and certification for such buildings and ventilation calculations for factory and beedi and cigar establishments or any other type of establishment as stipulated in Code and rules made there under.

s

| Serial No. | Purpose for which competency required | Qualifications | Experience | Facilities |
|---|---|---|---|---|
| (1) | (a) Following leading technical Institutions in the State of Punjab and Chandigarh having Civil or Structural Engineering courses shall be the competent person, namely: -<br>(1) Punjab Engineering College (deemed to be University), Sector-12, Chandigarh;<br>(2) Chandigarh College of Engineering and Technology, Sector-26, Chandigarh; | | | |

| | | | | | |
|---|---|---|---|---|---|
| | | (3) Thapar Institute of Engineering and Technology, Patiala;<br>(4) Guru Nanak Dev Engineering College, Ludhiana;<br>(5) Dr. B.R. Ambedkar National Institute of Technology, Jalandhar;<br>(6) Giani Zail Singh Campus College of Engineering and Technology, Maharaja<br>Ranjit Singh Punjab Technical University, Bathinda;<br>(7) Indian Institute of Technology, Ropar;<br>(8) Punjabi University, Patiala;<br>(9) Shaheed Bhagat Singh State Technical Campus, Ferozepur; and<br>(10) any other institute, as may be notified by the State Government. | | | |
| (1) | (b) | Rules made under Section 79; certificate of stability for buildings | Bachelor 's or Master 's Degree in Civil or Structural Engineer from a recognized university. | An experience of minimum period of five years for Bachelor 's Degree or two years for Master Degree | (i) Must have laboratory fully equipped with Instruments required for Non- Destructive Test, Compression test Vibration test, Live or Dead load test Estimation of age of structure, Measuring, Weighing. This laboratory should be accredited with National Accreditation |

| | | | | | |
|---|---|---|---|---|---|
| | | | | | Board for Testing and Calibration laboratories; or (ii) May have agreement in place with such laboratory which fulfill the above condition (i) |

(3) The validity of such stability certificate shall be ten years for all factories except factories having manufacturing process as per first schedule of the Code or Dangerous operations as stated in rule 100 where the validity of such stability certificate shall be for five years, however the Chief Inspector-cum-Facilitator, for reasons to be recorded in writing may reduce the validity of such stability certificate.

(4) All responsibility with respect to the stability of the building(s) or structure(s), wherever certified by a competent person, shall rest with the competent person and occupier of the said factory.

(5) The Chief Inspector-cum-Facilitator reserves the right to cancel any stability certificate, if found contrary to the provisions of the Code or the rules made thereunder at any point of time.

(6) If a stability certificate issued by a competent person is found to be contrary to the provisions of the Code or the rules made thereunder, such competent person may be barred or black listed from

certification of such stability certificate by passing a speaking order by the Chief Inspector-cum-Facilitator, after issuance of a thirty days notice and after affording an opportunity of being heard.

(7) The Chief Inspector-cum-Facilitator reserves the right to have any factory, building(s) or structure(s) examined, if there are reasons to believe that such building(s) or structure(s) may not possess the required structural strength. On such inspection, if the buildings or structures are found not to be structurally sound, the Chief Inspector-cum-Facilitator may issue a notice granting time at least ninety days to the occupier or applicant to rectify the anomalies and shall submit fresh stability certificate. For non-compliance of such notice with in specified time, the Chief Inspector-cum-Facilitator may suspend the licence of such factory for such period by passing a speaking order after affording the applicant an opportunity of personal hearing.

(8) Any competent person or occupier or applicant aggrieved by an order of the Chief Inspector-cum-Facilitator may, within thirty days from the date of such order, prefer an appeal to the State Government. The State Government may, by order, confirm, modify, or reverse any order passed by the Chief Inspector-cum-Facilitator:

Provided that if the Chief Inspector-cum-Facilitator is satisfied that any operation or any building(s) or structure(s) is dangerous or can compromise the safety of workers, the Chief Inspector-cum-

Facilitator, may by passing a speaking order, may suspend the manufacturing activity in such factory as may be mentioned in the orders.

**86. Revocation of Building plan (Framed under section 79).-** (1) If the Chief Inspector-cum-Facilitator is satisfied that any approval or acceptance under this Code and rules has been obtained by misrepresentation or suppression of any material fact, such approval or acceptance shall be revoked and may suspend the Licence of such factory, by passing a speaking order after issuing a notice and affording an opportunity of being heard. Further, the concerned competent person may be barred or black-listed from any such submission, by passing a speaking order by the Chief Inspector-cum-Facilitator after issuance of Thirty days notice and affording an opportunity of being heard. Section 79.

(2) In case the building(s) or structure(s) have come up in violation of provisions of Code and applicable building bye laws, the Chief Inspector-cum-Facilitator may give a notice to the applicant to make such changes as required in such building giving at least ninety days to do so. In case, the applicant fails to make such changes, in such time, the Chief Inspector-cum-Facilitator may after giving an opportunity of personal hearing to the applicant, may refuse to grant such Licence or suspend the Licence of such factory by passing a speaking order:

Provided that the competent person or applicant or occupier aggrieved by the order of the Chief Inspector-cum-Facilitator may, within thirty days from the date of such order, prefer an appeal to the State Government. The State Government may, by order, confirm, modify, or reverse any order passed by the Chief Inspector-cum-Facilitator, as the case may be.

Section 79.

**87. Fire Exits in the Building.** - (1) In this rule: — "Horizontal exit" means an arrangement which allows alternative egress from a floor area to another floor at or near the same level in an adjoining building or an adjoining part of the same building with adequate separation; and — "travel distance" means the distances an occupant has to travel to reach an exit.

(a) An exit may be a doorway, corridor, passageway to an external stairway or to a verandah or to an internal stairway segregated from the rest of building by fire- resisting walls which shall provide continuous and protected means of egress to the exterior of a building or to an exterior open space. An exit may also include a horizontal exit leading to an adjoining building at the same level.

(b) Lifts, escalators and revolving doors shall not be considered as exits for the purpose of this sub-rule.

(c) In every room of a factory, exits sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided which shall be free of any obstruction.

(d) The exits shall be clearly visible and suitably illuminated with suitable arrangement, wherever artificial lighting is to be adopted for this purpose to maintain the required illumination in case of failure of the normal source of electric supply.

(e) The exits shall be marked in a language understood by the majority of the workers.

(f) Iron rung ladders or spiral staircases shall not be used as main exit staircases.

(g) Fire resisting doors or roller shutters shall be provided at appropriate places along the escape routes to prevent spread of fire and smoke, particularly at the entrance of lifts or stairs where funnel or flue effect may be created inducing an upward spread of fire.

(h) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.

(i) Exits shall be so located that the travel distance to reach at least one of them on the floor shall not exceed 30 meters.

(j) In case of those factories where high hazard materials are stored or used, the travel distance to the exit shall not exceed 22.5 meters and there shall be at least two ways of escape from every room, however small, except toilet rooms, so located that the points of access thereto are out of or suitably shielded from areas of high hazard.

(k) Wherever more than one exit is required for any room, space or floor; exits shall be placed as remote from each other as possible and shall be arranged to provide direct access to separate directions from any point in the areas served.

(l) The unit of exit width used to measure capacity of any exit shall be 50 centimeters. A clear width of 25 centimeters shall be counted as an additional half unit. Clear width of less than 25 centimeters shall not be counted for exit width.

(m) Occupants per unit width shall be fifty for stairs and seventy-five for doors.

(n) For determining the exits required, the occupant load shall be reckoned on the basis of actual number of occupants within any floor area or 10 square meters per person, whichever is more.

(o) There shall not be less than two exits serving every floor area above and below the ground floor, and at least one of them shall be an internal enclosed stairway.

(p) For every building or structure used for storage only, and every section thereof considered separately, shall have access to at least one exit so arranged and located as to provide a suitable means of escape for any person employed therein, and in any such room wherein more than 10 persons may be normally present, at least two separate means of exit shall be available, as remote from each other as practicable.

(q) Every storage area shall have access to at least one means of exit which can be readily opened.

(r) Every exit doorway shall open into an enclosed stairway, horizontal exit on a corridor or passageway providing continuous and protected means of egress.

(s) No exit doorway shall be less than 100 centimeters in width; doorways shall be not less than 200 centimeters in height.

(t) Exit doorways shall open outwards, that is, away from the room but shall not obstruct the travel along any exit. No door when opened shall reduce the required width of a stairway or landing to less than 90 centimeters overhead or sliding doors shall not be installed for this purpose.

(u) An exit door shall not open immediately upon a flight of stairs. A landing at least 1.5 meters x 1.5 meters in size shall be provided in the stairway to each doorway. The level of landing shall be the same as that of the floor which it serves.

(v) The exit doorways shall be open able from the side which they serve without the use of a key.

(w) Exit corridors and passageways shall be of a width not less than the aggregate required width or exit doorways leading from there in the direction of travel to the exterior.

(x) Where stairways discharge through corridors and passageways the height of the corridors and passageways shall not be less than 240 centimeters.

(y) A staircase shall not be arranged round a lift shaft unless the latter is totally enclosed by a material having a fire resistance rating not lower than that of the type of construction of the former.

(z) Hollow combustible construction shall not be permitted.

(aa) The minimum width of an internal staircase shall be 100 centimeters.

(bb) The minimum width of treads without nosing shall be 25 centimeters for an internal staircase. The treads shall be constructed and maintained in a manner to prevent slipping.

(cc) The maximum height of a riser shall be 19 centimeters and the number of risers shall be limited to twelve per flight.

(dd) Hand rails shall be provided with minimum height of 100 centimeters and shall be firmly supported.

(ee) The use of spiral staircase shall be limited to low occupant load and to a building of height of 9 meters, unless they are connected to platform such as balconies and terraces to allow escape or pause.A spiral staircase shall not be less than 300 centimeters in diameter and have adequate headroom.

(ff) The width of a horizontal exit shall be same as for the exit doorways.

(gg) The horizontal exit shall be equipped with at least one fire door of self- closing type.

(hh) The floor area on the opposite or refuge side of a horizontal exit shall be sufficient to accommodate occupants of the floor areas served, allowing not less than 0.3 square meters per person. The refuge area shall be provided with exits adequate to meet the requirements of this sub-rule. At least one of the exits shall lead directly to the exterior or street.

(ii) Where there is difference in level between connected areas for horizontal exit, ramps, not more than 1 in 8 slope shall be provided. For this purpose, steps shall not be used.

(jj) Doors in horizontal exits shall be open able at all times.

(kk) Ramps with a slope of not more than one in ten may be substituted for the requirements of staircase. For all slopes exceeding one in ten and wherever the use is such as to involve danger of slipping, the ramp shall be surfaced with non-slipping material.

(II) In any building not provided with automatic fire alarm a manual fire alarm system shall be provided if the total capacity of the building is over Five hundred persons, or if more than twenty-five persons are employed above or below the ground floor, except that no manual fire alarm shall be required in one storey buildings where the entire area is undivided and all parts thereof are clearly visible to all occupants.

(2) The Chief Inspector-cum-Facilitator may, where he is satisfied that the conditions of work are reasonably good, exempt such factories or class of factories from any provision of sub-rule (1).

**88. Specifications of Factory Buildings or Sheds.** -(1) The minimum internal height of a work room shall be fixed as per table below: - Section 79.

| Serial No. | Type of roof | Minimum Internal Height from the floor level to lowest part of the roof |
|---|---|---|
| 1 | Corrugated Iron or cement sheets or any type of shed | 4.25 meters |

| | | |
|---|---|---|
| 2 | Brick or concrete roof or combination of two | 3.75 meters |

Provided that, in the case of factories employing less than fifty workers or employing less than twenty workers in a particular work room, the Chief Inspector-cum-Facilitator may exempt such factories from the provisions of this sub-rule, subject to the condition that the minimum height shall not be less than 3.25 meters in any case provided work room is having mechanized ventilation.

(2) There shall be provided at all times for each person employed in any work room of a factory where mechanical or electrical power is used, at least 36 square feet (3.35 square meter) of floor space exclusive of that space which is occupied by machinery and a breathing space of at least 500 cubic feet (14 cubic meter).

(3) Every latrine shall have minimum area of 1.2 square meter with minimum width of 0.9 meter and minimum height of 2.1 meter.

(4) Ventilation of the work rooms shall be minimum fifteen percent of the floor area. The amount of fresh air supplied by mechanical means of ventilation in an hour shall be equivalent to at least six times the cubic capacity of the workroom and shall be distributed evenly throughout the work-room without air-pockets or undue draughts caused by high inlet velocities:

Provided where the work room is fully air conditioned or else, the Chief Inspector-cum-Facilitator may exempt such factory from the provisions of this sub-rule.

(5) Wherever railing is required to be provided, shall have a height of minimum one meter.

(6) Specifications for Canteen, -

(i) The canteen building shall be situated not less than 15 meters from any latrine, urinal, boiler house, coal stacks, ash dumps, effluent treatment plant or any other source of dust, smoke or obnoxious fumes or anything which may be considered insanitary:

Provided that the Chief Inspector-cum-Facilitator may in any particular factory relax the provisions of this subrule to such extent as may be reasonable in the circumstances and may require measures to be adopted to secure the essential purpose of this sub-rule.

(ii) The canteen building shall accommodate at least a dining hall, kitchen, store-room, pantry with suitable fixtures and washing places separately for workers and for utensils.

(iii) In a canteen the floor and inside walls up to a height of 125 centimeter from the floor shall be made of smooth and impervious materials.

(iv) The dining hall shall normally accommodate at a time twenty percent of the workers working at the time:

Provided that, in any particular factory or in any particular class of factories, the Chief Inspector-cum-Facilitator by an order in writing in this behalf, after the percentage of workers to be accommodated.

(v) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs, shall not be less than 0.75 square meter per diner to be accommodated.

(7) Specifications of Rest room, Lunch room and shelters,-

(i) The building shall be soundly constructed and all the walls and roof shall be of suitable heat resisting material and shall be waterproof. The floor and walls to the height of 0.9 meter shall be so laid or finished as to provide a smooth and impervious surface.

(ii) The height of every room in the building shall be not less than 3.25 meter from floor level to the lowest part of the roof and there shall be at least 1.1 Square meter of floor area for every person employed.

(8) Specification of Ambulance room: It shall have a floor area of at least 24 square meters and smooth, hard and impervious walls and floors shall be adequately ventilated and lighted by both natural and artificial means.

(9) Every part of factory where workers are working shall meet the Occupational Safety and Health standards notified by the Central Government under sections 18 and 23 of the Code and such plans shall also meet the welfare provisions prescribed by the Central Government under section 24 of the Code or any other standards as may be prescribed by the Central Government or the State Government from time to time.

**89. Processing fee for building plans.** -(1) Processing fee, in respect of building plans, at such rate as may be notified by the State Government from time to time shall be levied on total covered area of the factory and shall be paid along with application by the occupier. Section 79.

(2) Processing fee to be paid under sub-rule (1) shall be paid as may be notified by the State Government, from time to time.

(3) The Chief Inspector-cum-Facilitator shall maintain an online Register in Form-XXXVIII for all the building plans under these rules.

**90. Prohibition of running a factory without a valid Licence** .–(1) No occupier shall use any premises as a factory, unless a Licence has been issued in respect of such premises. Section 79.

(2) It shall be the responsibility of the occupier of the factory to have a valid Licence at all times till the factory is in operation.

Section 79.

**91. Grant of Licence for factory.** -(1) The occupier of every factory shall submit an application in Form-XXXIII on portal for the grant of license.

(2) A Licence for a factory shall be granted in Form-XXXIV by the Designated Authority on payment of such fees as may be notified by the State Government, from time to time, for a period of one year or for any further period not exceeding ten years from the date of grant of license.

(3) The Licence under this rule shall be granted within twenty-one days from the date of submission of the application on the portal, complete in all respects.

(4) If the Designated Authority fails to decide upon an application submitted for the grant of a Licence within a period of twenty-one days, such Licence shall be deemed to have been granted on the expiry of the said period.

(5) The responsibility under this rule shall entirely lie with the occupier of the factory.

(6) The Licence shall be granted subject to parameters such as the approved or accepted building plan, the validity of the stability certificate, the ownership details or notarized lease agreement, as applicable, between the landowner and the Occupier, Power of

attorney in case of partnership or Limited firm, compliance with the provisions of the Punjab Right to Business Act, 2020 (Punjab Act No. 1 of 2020) and the rules made thereunder(if applicable), and any other aspect as may be specified by the State Government, from time to time.

**92. Amendment of factory Licence** .-(1) A licensee shall obtain an amended Licence in the event of any change or before such change in; Section 79.

(i) the name of the factory; or

(ii) the manufacturing process; or

(iii) the occupier of the factory; or

(iv) the requirement of motive power or increase in motive power ;or

(v) the increase in the area of factory; or

(vi) the number of workers employed therein.

(2) A Licence granted under sub-rule (2) of rule 91 may be amended by the Designated Authority in Form-XXXIV.

(3) A licensee who desires to have Licence amended, shall submit an application on portal in Form-XXXIII stating the nature of the amendment within Thirty days from such change.

(4) The fee for the amendment of a Licence shall be, as may be notified by the State Government, from time to time.

(5) If the Designated Authority fails to decide upon an application submitted for the amended Licence within a period of twenty-one days, such Licence shall be deemed to have been amended on the expiry of the said period.

Section 79.

**93. Renewal of factory Licence.** -(1) A Licence shall be renewed by the designated authority in Form-XXXIV.

(2) Every application for renewal of the Licence shall be made on portal in Form-XXXIII together with such fees as may be notified by the State Government, from time to time for a period of one year or any further period up to ten years and shall be submitted not less than thirty days before the date on which the Licence expires.

(3) If the Designated Authority fails to decide on an application submitted for renewal of Licence within the period of twenty-one days, then such Licence shall be deemed to have been renewed on the expiration of twenty-one days.

(4) The Licence shall be renewed subject to parameters such as the approved or accepted building plan, proof of ownership or notarized lease agreement, if any, between the landowner and the Occupier , Power of attorney in case of partnership or Limited firm, the validity of the stability certificate, compliance with the provisions of the Punjab Right to Business Act, 2020 (Punjab Act No. 1 of 2020) and the rules

made thereunder, payment of up to date labour welfare fund, and any other aspect, as may be specified by the State Government, from time to time.

(5) The Licence shall be auto-renewed if there is no change in the parameters specified in the sub-rule (1) of Rule 92, subject to the validity of stability certificate, deposit of the labour welfare fund and annual return, and payment of such fees or late fees as may be applicable.

**94. Procedure on death or disability of factory licensee. -** (1) If a licensee dies or becomes insolvent, the person carrying on the business of such licensee shall make an application in the form XXXIII for the amendment of the Licence in his own name for the unexpired portion of the original license. Section 79.

(2) No fee shall be charged for such change, if application is made within thirty days from the date of death or insolvency.

Section 79.

**95. Late fee in relation to factory Licence.-**(1) If the application for renewal or amendments as the case may be, is not received within the time specified in sub-rule (3) of rule 92 or sub-rule (2) of rule 93 or sub-rule (2) of rule 94, then such late fee as may be notified by the State Government, from time to time, shall be payable by the occupier.

(2) The fees required under rules 91, 92, 93, 94 and 95 shall be paid to such account as notified by the State Government. Any fees paid under the Code and rules made thereunder is non-refundable.

Section 79.

**96. Suspension of factory Licence.-** At any point of time, if it comes to the notice of the Chief Inspector-cum-Facilitator that the Licence was obtained by the licensee through fraud or by misrepresentation of facts or any other reason to be specified or reasons as specified in sub-rule (1) and (2) of rule 86 and sub-rule 8 of rule 85, Chief Inspector-cum-Facilitator may after giving an opportunity of personal hearing to the applicant, may suspend the Licence for such period of such factory by passing a speaking order:

Provided that occupier or applicant aggrieved by the order of the Chief Inspector-cum-Facilitator may, within thirty days from the date of such order, prefer an appeal to the State Government. The State Government may, by order, confirm, modify, or reverse any order passed by the Chief Inspector-cum-Facilitator, as the case may be.

**97. Liability of owner for common facilities.** -The Chief Inspector-cum-Facilitator may, by order, specify the liability of the owner and the occupiers, jointly or separately, upon receiving an application made by both the occupiers and the owner of the factory. Such application shall be accompanied by a copy of the mutual agreement duly signed between the owner and the occupiers, detailing the utilization of common facilities, including safety and fire prevention and protection, access, hygiene, occupational health, ventilation, temperature control, emergency preparedness and response, canteens, shelters, rest rooms and crèches, and clearly indicating the financial and operational liabilities for maintaining all such facilities. The Chief Inspector-cum-Facilitator shall decide upon such application within a period of fifteen days: Section 80.

Provided that, in case the occupier or the owner does not make such application, both the occupier and the owner shall be jointly liable for the common services and facilities.

**98. Qualifications and experience of Competent person.-** Section 80, 133(zzq) And 135(za).

(1) The Chief Inspector-cum-Facilitator as per section 2(1)(l) of the Code shall empanel such person or institution such as Proprietor firm or Registered Firm under the Indian Partnership Act,1932 (Central Act No. 9 of 1932) or Company registered under The Companies Act,2013 (Central Act No. 10 of 2013) or LLP firm under the Limited Liability Partnership

Act,2008 (Central Act No. 06 of 2008) having employed such person(s) possessing educational qualifications, experience and facilities as specified below shall be eligible to be a competent person for the purpose of carrying tests, examination, inspection and certification for such buildings, dangerous machinery and lifting tackles , pressure plants ,confined space, ventilation system and such other purposes of plant and equipment located in a factory, building and construction site, beedi and cigar establishment or any other type of establishment as stipulated in Code and rules made there under:

Provided further that the competent person recognize under this rule shall not be above the age of sixty-five years and shall be physically fit for the purpose of carrying out the requisite tests, examination and inspection.

| Serial No. | Purpose for which competency required | Qualifications | Experience | Facilities |
|---|---|---|---|---|
| (1) | **Dangerous machines** | Bachelor 's Degree in Mechanical or Electrical or Textile Engineering or its equivalent from recognized university | (i) An experience of minimum period of five years for Bachelor's Degree or two years for Master's Degree in: - (a) Design or operation maintenance of concerned Plant or Machinery Equipment; or (b) testing, examination and inspection of relevant machinery, their safety guards | Gauges for measurement and instruments for measurement of speed and any other equipment or device to determine any other parameter for the safe use of the dangerous machine. |

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| | | | (c) Scrutiny or examination of test reports of such Plant or Machinery or Equipment | |
| (2) | **Hoists and Lifts** | Bachelor Degree in Mechanical engineering or its equivalent from recognized university. | (i)An experience of minimum period of five years for Bachelor 's Degree or two years for Master's Degree in:-<br>(a) Design erection maintenance hoists and lifts,' or<br>(b) test an inspection procedure of hoists and lifts; or | Facilities for load testing, tensile testing gauges, equipment or gadgets for measurement and any other equipment required for determining the safe working conditions of hoist and lifts |

| | | | | |
|---|---|---|---|---|
| | | | (c) Scrutiny or examination of test reports of such Plan or Machinery or Equipment. | |
| (3) | Lifting Machines, Chains, Ropes and Lifting Tackles, Winch, Jib Crane, Overhead crane and Derrick | Bachelor 's Degree in Mechanical Engineering or its equivalent from recognized university | (i) An experience of minimum period of five years for Bachelor 's Degree or two years for Master 's Degree in:- (a) design or erection or maintenance of Lifting Machines, chains, Ropes and Lifting Tackles: or (b) test and inspection | Facilities for load testing, tensile testing gauges, equipment or gadgets for measurement and any other equipment required for determining the safe working conditions of lifting machines, chains, ropes and lifting tackles, winch, jib crane, overhead crane and derrick |

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|---|---|---|---|---|
| | | | procedure of lifting machines, chains, ropes and lifting tackles; or (c) scrutiny or examination of test reports of such Plant or Machinery or Equipment. | |
| (4) | Pressure Plants | Bachelor Degree in Chemical, Mechanical Engineering or its equivalent from recognized university | (i) An experience of minimum period of five years for Bachelor's Degree or two years for Master's Degree in:- (a) design or erection or maintenance of | Facilities for carrying hydraulic tests, gauges, equipment or gadgets for measurement or any other equipment gauges to determine the safety in the use of pressure vessel. |

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|---|---|---|---|---|
| | | | Pressure Plants: or (b) testing, examination and inspection procedure of pressure plants; or (c) scrutiny or examination of test reports of such Plant or Machinery or Equipment | |
| (5) | Precautions against fumes and gases. | Bachelor 's Degree in Chemical engineering or its equivalent from recognized university | (i) An experience of minimum period of five years for Bachelor Degree or two years for Master 's Degree in; Collection and analysis of | Meters, instruments and devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces |

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|---|---|---|---|---|
| | | | environmental samples and calibration of monitoring equipment's | |
| (6) | Ventilation system | Bachelor 's Degree in Mechanical Engineering or its equivalent from recognized university | (i) An experience of minimum period of five years for Bachelor's Degree or two years for Master 's Degree in design, | Facilities for testing the ventilating system instruments and gauges for testing the Effectiveness of extraction |
| (7) | Other periodic testing from competent person as required in OSH Standards | Bachelor 's Degree in Chemical, Mechanical Engineering or its equivalent from recognized university. | (i)An Industrial experience of minimum period of five years for Bachelor's Degree or two years for Master 's Degree | Facilities for testing as required |

(2) The government may by notification amend the qualification, experience and facilities mentioned in sub rule -1, keeping in view the change in technology and operations.

**99. Dangerous operations.** - (1) The dangerous operations as declared in the OSH standards. Section 82.

(2) Any other manufacturing process or operation may be declared as dangerous operation by the State Government by notification under section 82 of the Code.

**100. Site Appraisal Committee.** –(1) Site appraisal Committee shall consider the cases for approval of sites of factories involving hazardous processes as per First Schedule of the Code as given below : Section 83(1).

(i) the Chief Inspector-cum- Facilitator, Punjab.....Chairman;

(ii) a senior officer of the Department of Labour.....Member Secretary;

(iii) a representative of the Department of Local Government (Fire Wing);

(iv) a representative of the Department of Industries;

(v) a representative of Punjab Pollution Control Board;

(vi) a representative of the Department of Forest and Wild Life;

(vii) a representative of the Department of Health;

(viii) a representative of the Metrological Department, Government of India;

(ix) a representative of the Department of Science , Technology and Environment;

(x) a representative of the Regional Labour Institute, Faridabad;

(xi) the Chief Town Planner as nominated by the Department of Housing and Urban Development, Punjab;

(xii) a representative of the Central Pollution Control Board, New Delhi; and

(xiii) two experts to be nominated by the State Government, from time to time.

The Site Appraisal Committee shall make recommendations for the approval of the site of a factory involving a hazardous process, or for its expansion whether by increase in capacity, change of product, change in manufacturing process, or expansion of land of such factory as specified in the First Schedule of the Code:

Provided that if the State Government considers it necessary to amend the constitution of the Committee, or to add or remove any member thereof, such amendment shall be made through an executive order.

(2) No member, unless required to do so by a court of law, shall disclose otherwise than in connection with the purposes of the Code,

at any time any information relating to the manufacturing or commercial business or any working process which may come to his knowledge during his tenure as a Member of this Committee.

(3) Applications for appraisal of site, - (a) Applications for appraisal of sites in respect of the factories covered under clause (za) of section 2 of the Code shall be submitted to the Chairman of the Site Appraisal Committee; and

(b) The application for site appraisal shall be submitted electronically in Form- XLI. The Committee may dispense with furnishing of information on any particular item in the application form, if it considers the same to be not relevant to the application under consideration.

(4) Functions of the Committee. - (a) The Member Secretary shall arrange to register the applications received for appraisal of site in a separate register and acknowledge the same within a period of seven days;

(b) the Member Secretary shall fix up the meetings in such manner that all the applications received and registered are referred to the Committee within a period of one month, from the date of their receipt;

(c) the Committee shall adopt a procedure for its working, keeping in view the need for expeditious disposal of applications;

(d) the Committee shall examine the applications for appraisal of a site with reference to the prohibitions and restrictions on the location of an industry and the carrying on of processes and operations in different areas as per the provisions of different departments given representation in the Committee;

(e) the Committee may call for documents, examine experts, inspect the site if necessary and take other steps for formulating its views with regard to the suitability of the site; and

(f) No meeting shall be held unless at least five members are present.

(5) The committee shall be reconstituted as and when required or in case of retirement or death of any member, as the case may be.

(6) Exemption. - Industrial projects granted clearance under Notification No. S.O. 1533(E), dated 14th September, 2006, issued under the Environmental (Protection) Act, 1986 (Central Act No. 29 of 1986) the Government of India, Ministry of Environment and Forests, shall not be required to obtain clearance from this Committee. Factories situated or proposed to be set up in designated or approved industrial areas, industrial estates, industrial focal points, approved industrial parks, or industrial zones of the master plan shall also be exempted from the requirement of clearance from this Committee:

Provided further that approval of site from the Site Appraisal Committee can be made mandatory for category of industry as notified by the State Government, from time to time irrespective of area where the industry is situated.

**101. Health and safety policy.** - (1) All factories shall prepare health and safety policy except those; Section 84(2).

(a) covered under sub-clause (i) of clause (w) of section 2 of the Code, but employing less than fifty workers;

(b) covered under sub-clause (ii) of the said clause (w), but employing less than one hundred workers:

Provided that the factories specified in clauses (a) and (b) above are not covered in the First Schedule under clause (za) of section 2 of the Code and are not carrying out processes or operations declared to be dangerous under section 82.

(2) The charter of Health and safety policy shall be inconsonance with, the OSH standards or may be notified by the State Government, from time to time.

(3) Information regarding processes involved, hazards associated, precautions to be adopted and the requisite details in this regard to shall be submitted to the Inspector-cum-Facilitator.

(4) At the time of registration, Occupier shall submit the health and safety policy as prescribed under this rule along with the application for registration to the registering authority.

Section 84(1).

**102. Collection, development and dissemination of information and labeling** .-(1) (a) The occupier of every factory carrying on a hazardous process shall arrange to obtain or develop detailed information in the form of the Material Safety Data Sheet (MSDS) prescribed in Form-XXLII in respect of every hazardous substance or material handled in the manufacture, transportation and storage in the factory. It shall be accessible upon request to a worker for reference.

(b) The occupier while obtaining or developing a Material Safety Data Sheet in respect of a hazardous substance shall ensure that the information recorded accurately reflects the scientific evidence used in making that hazard determination. If occupier becomes newly aware of any significant information regarding the hazards, of a substance or ways to protect against the hazards, this new information shall be added to the Material Safety Data Sheet within seventy-two hours of coming into occupier's knowledge.

(2) Every container of a hazardous substance shall be clearly labelled or marked to identity: -

(a) the contents of the container;

(b) the name and address of the manufacturer or importer of the hazardous substance;

(c) the physical and health hazards; and

(d) the recommended personal protective equipment needed to work safely with the hazardous substance.

(3) In case a container is required to be transported by road outside the factory premises, it shall be labelled or marked in accordance with the requirements laid down under sub-rule (2).

**103. Disclosure of information to Workers.** -(1) The occupier of a factory carrying on a hazardous process shall supply to all workers, the following information in relation to the handling of hazardous materials or substances in the manufacture, transportation, storage and other processes, namely: - Section 84(1).

(a)requirements of section 84 of the Code;

(b) a list of hazardous processes carried on in the factory;

(c) location and availability of all Material Safety Data Sheets as provided in rule 107;

(d) physical and health hazards arising from the exposure to or handling of substances;

(e)measures taken by the occupier to ensure safety and control of physical and health hazards;

(f) measures to be taken by the workers to ensure safe handling, storage and transportation of hazardous substances;

(g)personal protective equipment required to be used by the workers employed in hazardous process or dangerous operations;

(h) meaning of various labels and markings used in the containers of hazardous substances as provided under rule 102;

(i) signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report;

(j) measures to be taken by the workers in case of any spillage or leakage of a hazardous substance;

(k) role of workers vis-à-vis the emergency plan of the factory in particular the evacuation procedures; and

(l) any other information considered necessary by the occupier to ensure safety and health of workers.

(2) The information required by sub-rule (1) shall be complied and made known to the workers individually through supply of booklets or leaflets and display of cautionary notices at the work places.

(3) The booklets, leaflets and the cautionary notices displayed in the factory will be in the language understood by the majority of the workers and also explained to them.

(4) The Chief Inspector-cum-Facilitator may direct the occupier to supply further information to the workers as may be deemed necessary.

**104. Disclosure of information to the Chief Inspector-cum-Facilitator.** - (1) The occupier of every factory carrying on hazardous process shall furnish, in writing, to the Chief Inspector-cum-Facilitator and the Inspector-cum- Facilitator, a copy of all the information furnished to the workers. Section 84(1).

(2) A copy of the Material Safety Data Sheet prescribed in Form-XLII, in respect of the hazardous substances used, produced or stored in the factory shall be furnished to the Chief Inspector-cum-Facilitator and the Inspector-cum- Facilitator of the area.

(3) The occupier shall also furnish any other information asked for by the Inspector-cum-Facilitator related to hazardous process for the purposes of the Code and these rules.

**105. Information on industrial wastes.**- (1) The information furnished under rules 102, 103 and 104 shall include the quantity of solid and liquid wastes generated per day, their characteristics and the method of treatment such as incineration of solid wastes, chemical and biological treatment or liquid wastes, and arrangements for their final disposal. Section 84(3).

(2) It shall also include information on the quality and quantity of gaseous waste discharged through the stacks or other openings, and arrangements such as provision of scrubbers, cyclone separators, and electrostatic precipitators or similar such arrangements made for controlling pollution of the environment.

Section 84.

**106. Review of information furnished to workers etc.-** (1) The occupier shall review once in every calendar year and modify, if necessary, the information furnished under these rules to the workers, the Chief Inspector- cum-Facilitator and the Inspector-cum-Facilitator of the area.

(2) In the event of any change in the process or operations or methods of work or when any new substance is introduced in the process or in the event of a serious accident taking place, the information so furnished shall be reviewed and modified to the extent necessary.

Section 84.

**107. Confidentiality of information. –**(1) The occupier of a factory carrying on 'hazardous process' shall disclose all information needed for protecting safety and health of the workers to :-

(a) his workers; and

(b) the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator as required under rules 102,103,104,105 and 106.

If the occupier is of the opinion that the disclosure of details regarding the process and formulations will adversely affect his business interests, he may make a representation to the Chief Inspector-cum-Facilitator stating the reasons for withholding such information. The Chief Inspector-cum-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation.

(2) An occupier aggrieved by the order of the Chief Inspector-cum-Facilitator may refer an appeal before the State Government within a period of thirty days. The State Government shall give an opportunity to the occupier of being heard and pass an order. The order of the State Government shall be final.

**108. Qualifications of supervisors.** - (1) All persons who are required to supervise the handling of hazardous substances in a factory involving hazardous process shall possess the following qualifications and experience as follows: - Section 85(b).

| Serial No. | Name of process as first schedule of code | Qualification |
|---|---|---|
| (1) | Ferrous Metallurgical Industries<br>(a) Integrated Iron and Steel<br>(b) Ferro-alloys | (1)Diploma in Mechanical, Metallurgy, |

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| | (c) Special Steels. | Production, Chemical or equivalent with two years' experience; or (2) Bachelor's Degree with any of the above Branch of engineering or equivalent with one year experience |
| (2) | Non-ferrous metallurgical Industries<br>(a) Primary Metallurgical Industries, namely, zinc, lead, copper, manganese and aluminum. | |
| (3) | Foundries (ferrous and non-ferrous)<br>(a) Castings and forgings including cleaning or smoothening or roughening by sand and shot blasting. | |
| (4) | Coal (including coke) industries<br>Coal, Lignite, Coke and like other substances , Fuel Gases (including Coal Gas, Producer Gas, Water Gas). | |

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| (5) | Power Generating Industries. | (1)Diploma in Mechanical, Electrical, Instrumentation or equivalent with two years' experience ; or<br>(2) Bachelor's Degree in any of the above branch of engineering or equivalent with one year experience |
| (6) | Pulp and paper (including paper products) industries. | (1) Bachelor's degree in Science or Diploma in Chemical Engineering or Technology with two years' experience or equivalent; or |
| (7) | Fertilizer Industries<br>Nitrogenous<br>Phosphatic<br>Mixed. | |
| (8) | Cement Industries<br>Portland Cement (including slag cement, pozzolana cement and their products). | |

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| (9) | Petroleum Industries<br>Oil Refining<br>Lubricating Oils and Greases. | (2)Master's Degree in Chemistry or a Bachelor's degree in Chemical Engineering or Technology with one year experience or equivalent |
| (10) | Petro-chemical Industries | |
| (11) | Drugs and Pharmaceutical Industries<br>Narcotics, Drugs and Pharmaceuticals. | |
| (12) | Fermentation Industries (Distilleries and Breweries). | |
| (13) | Rubber (Synthetic) Industries. | |
| (14) | Paints and Pigment Industries. | |
| (15) | Leather Tanning Industries | (1) Diploma in Leather technology or equivalent with two years' experience; or |

| | | |
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| | | (2 ) Bachelor's degree in any of the above branch of engineering or equivalent with one year experience |
| (16) | Electro-plating Industries | (1) Bachelor's degree in Science or Diploma in Chemical Engineering or Technology with two years' experience; or (2) Master's Degree in Chemistry or a Bachelor's Degree in Chemical Engineering or Technology with one year experience. |
| (17) | Chemical Industries.<br>(a) Coke Oven by-products and Coal tar Distillation products Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, | |

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| | nitrous oxide, halogenated hydrocarbon, ozone, or any like gases);<br>(b) Industrial Carbon;<br>(c) Alkalies and Acids;<br>(d) Chromates and di-Chromates;<br>(e) Lead and its compounds;<br>(f) electro chemicals (metallic sodium, potassium and magnesium, chlorates, perchlorates and peroxides);<br>(g) Electrothermal produces (artificial abrasive, | |

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| | calcium carbide);<br>(h) Nitrogenous compounds (cyanides, cyanamides and other nitrogenous compounds);<br>(i) Phosphorous and its compounds;<br>(j) Halogens and Halogenated compounds (Chlorine, Fluorine, Bromine and Iodine);<br>(k) Explosives (including industrial explosives and detonators and fuses). | |

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| (18) | Insecticides, Fungicides, Herbicides and other Pesticides Industries. | |
| (19) | Synthetic Resin and plastics. | |
| (20) | Man made Fibre (Cellulosic and non-cellulosic) industry. | |
| (21) | Manufacture and repair of electrical accumulators. | (1)Diploma in Mechanical, Electrical, Instrumentation or equivalent with two years' experience ; or<br>2. Bachelor'Degree in any of the above branch of engineering or equivalent with one year experience |
| (22) | Glass and Ceramics | |
| (23) | Grinding or glazing of metals. | |

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| (24) | Manufacture, handling and processing of asbestos and its products. | (1) Bachelor's degree in Science or Diploma in Chemical Engineering or Technology with two years' experience; or (2) Master's Degree in Chemistry or a Bachelor's Degree in Chemical Engineering or Technology with one year experience. |
| (25) | Extraction of oils and fats from vegetable and animal sources. | |
| (26) | Manufacture, handling and use of benzene and substances containing benzene. | |
| (27) | Manufacturing processes and operations involving carbon disulphide. | |
| (28) | Dyes and Dyestuff including their intermediates. | |
| (29) | Highly flammable liquids and gases. | |
| (30) | Printing and dyeing on fabrics in textiles and plywood and laminate manufacturing process. | (1) Bachelor's degree in Science or Diploma in Chemical or Textile Engineering or Technology with two years' experience; or (2) Master's Degree in Chemistry or a |

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| | | Bachelor's Degree in Chemical or Textile Engineering or Technology with one year experience. |
| (31) | Process involving usage of radium or Radioactive Substances. | RSO (Radiological Safety officer) Licence from AERB (Atomic Energy Regulatory Board) |
| (32) | Stone Crushing industry. | Bachelor's degree in Science or Diploma in any engineering; |
| (33) | Extraction of Oil and Raw material from the scrap tyres | 1. Bachelor's degree in Science or Diploma in Chemical Engineering or Technology with two years' experience; or |
| (34) | Cigarette manufacturing industry. | |

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| | | 2. Master's Degree in Chemistry or a Bachelor's Degree in Chemical Engineering or Technology with one year experience. |
| (35) | Ship breaking industry | 1. Bachelor's degree in Science or Diploma in Mechanical, Metallurgy, Production, Chemical or equivalent with two years' experience<br><br>2. Master Degree in science or Bachelor's degree with any of the above Branch of engineering or equivalent with one year experience |
| (36) | Hazardous waste and e-waste processing plants. | |

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| (37) | Semiconductor manufacturing industry. | (1)Diploma in Mechanical, Electronics, Electrical or equivalent with two years' experience; or<br>(2)Bachelor's Degree with any of the above Branch of engineering or equivalent with one year experience |
| (38) | Styrene manufacturing, handling and processing industry | 1. Bachelor's degree in Science or Diploma in Chemical Engineering or Technology with two years' experience; or<br>2. Master's Degree in Chemistry or a Bachelor's Degree in Chemical Engineering |

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| | | or Technology with one year experience. |
| (39) | Nano-particles utilizing industry. | (1) Bachelor's degree in Science or Diploma in Mechanical, Metallurgy, Production, Chemical or equivalent with two years' experience<br>(2) Master's degree in science or a Bachelor's Degree with any of the above Branch of engineering or equivalent with one year experience |
| (40) | Manufacturing, processing, preparation and utilization of Mercury or Compounds of Mercury, Lead Tetra-ethyl, Manganese, Arsenic, Chrome, Aliphatic series, | (1)Bachelor's degree in Science or Diploma in Chemical Engineering or |

| | | |
|---|---|---|
| | Beryllium, Phosgene and Isocyanates. | Technology with two years' experience; or<br>(2 )Master's Degree in Chemistry or a Bachelor's Degree in Chemical Engineering or Technology with one year experience. |

**109. Issue of guidelines.** - For the purpose of compliance with the requirements of section 84 or section 85 of the Code, the Chief Inspector-cum-Facilitator may, if deemed necessary, issue guidelines, from time to time to the occupiers of factories carrying on hazardous process. Such guidelines shall be based on National Standards, Codes of Practice, Issued by Director General Occupational Safety and Health (DGOSH) or by the Central or the State Government or recommendations of international bodies such as the International Labour Organization and the World Health Organization. Section 84 and 85.

**110. Medical examination of the workers employed in hazardous process.**- The workers employed in a hazardous process shall be medically examined by a qualified medical practitioner in a manner as specified in the OSH standards or as may be notified by the State Government, from time to time and details shall be recorded in health register in Form-XL and medical fitness certificate shall be granted in Form-XXXIX electronically or otherwise. Section 85.

**111. Occupational Health Centers.** -In respect of any factory carrying on hazardous process, there shall be provided and maintained in good order an Occupational Health Centre with the services and facilities as specified in OSH standards or as may be notified by the State Government, from time to time. Section 85.

Section 85. **112. Ambulance van.** - The availability of ambulance van shall be as specified in OSH standards or as may be notified by the State Government, from time to time.

Section 85. **113. Decontamination facilities.** -Decontamination facility shall be made available as per the specification laid down in the OSH standards or as may be notified by the State Government, from time to time.

Section 85. **114. Making available health records to workers.** -Health records of the workers shall be made available by the factory in a manner as specified in OSH standards or as may be notified by the State Government, from time to time.

Section 88. **115. Permissible levels in factories.-** Without prejudice to the requirements in any other provisions in the Code or the rules made there under, the maximum permissible threshold limits of exposure of chemicals and toxic substances in manufacturing process shall be as specified in OSH standards or as may be notified by the State Government, from time to time.

Section 90. **116. Appropriate authority for appeal.** – The Chief Inspector-cum-Facilitator shall be appropriate authority for the purposes of section 90 of the Code.

**117. Form and manner of making application.** - (1) Any appeal in Form XLIII received by the appellate authority shall be disposed of by the appellate authority within a period of fifteen days. Section 90.

(2) In case no order is passed by the appellate authority within the prescribed period, the applicant may commence operations, and the responsibility for such commencement shall rest with the appellate authority.

**118. Persons holding position of supervision or management or confidential position etc.**-(1) The occupier shall submit an application, giving details for the purposes of section 91 of the Code, to the Chief Inspector-cum-Facilitator within fifteen days from the commencement of the Code or from the commencement of operations in the factory. Section 91.

(2) The Chief Inspector-cum-Facilitator shall examine such application and may raise observations, if any.

(3) The Chief Inspector-cum-Facilitator shall communicate such observations to the occupier within fifteen days of receipt of the application

(4) If no observation is raised within fifteen days, the information submitted shall be deemed to have been accepted, and the persons mentioned therein shall be considered as holding positions of

supervision, management, or confidential position, as the case may be.

Section 91(1). **119. List to be maintained of persons holding confidential position or position of supervision or management.** - A list showing the names and designations of all persons referred to in rule 118 shall be maintained in every factory.

## PART-VI

## Plantation

Section 92. **120. Housing accommodation for workers.** - Every employer shall provide for worker and his family residing in a plantation, housing accommodation as near as possible to the place of work.

Section 92. **121. Standard and specification of housing accommodation.** -All housing accommodation for workers in a plantation shall conform to such standards and specifications as may be approved by the State Government on the recommendation of the Board constituted under section 17 of the Code.

Section 92. **122. Sites for housing accommodation.** - (1) The housing accommodation shall be provided on dry well-drained land which is consistent with the requirement regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance.

(2) Adequate lighting arrangements shall be provided in and around the area in which housing accommodation is provided.

(3) The employer shall maintain all the approach roads, passages, sewers and drains in good condition to the area where houses are located.

(4) The employer shall cause the vicinity of all houses to be kept clear of refuse and excreta and the latrines and drains to be cleaned out daily and all refuse in or near them to be collected, removed and disposed of hygienically.

(5) Adequate facilities of toilets with sewage disposal shall be ensured by the employer.

**123. Maintenance of houses.** -(1) The employer shall, at his own expenses, maintain all houses provided for accommodation of workers in a fit and safe condition and execute annual and such other repairs as may be necessary, from time to time. Section 92.

(2) A worker occupying a house may, and an Inspector-cum-Facilitator appointed under the Code shall, bring to the notice of the employer any defect in the condition of a house which makes it dangerous to the health and safety of the worker. It shall be the duty of the employer to rectify the same at the earliest.

(3) The employer shall get all the houses lime-washed at least once every year and all the doors, windows and other wooden structure varnished or painted once in three years. A record of dates on which lime-washing or painting was carried out shall be maintained in a register.

(4) If any employer fails to comply with the requirements of sub-rules (1), (2) or (3), the Chief Inspector-cum-Facilitator may cause repairs to be done and realize the cost thereof from the employer as arrears of land revenue.

Section 92. **124. Accommodation to be rent free.** -No rent shall be charged by an employer for the housing accommodation provided to the workers and their families residing in his plantation.

Section 92. **125. Occupation of accommodation after termination of employment.** - (1) When a worker dies in the service of the employer, or retires, or goes on transfer, or resigns or goes on leave or when his services are terminated, he or his family may retain the house up to the period as detail below,-

(i) in the case of death, transfer, termination of service, retirement or resignation, a period not exceeding two months;

(ii) in the case of leave, for the period of leave; and

(iii) in the case where the discharge of a worker is disputed and the matter has been taken to an Industrial Tribunal or Court, for so long as the case is not finally disposed of".

(2) If a worker fails to vacate the house on the expiry of the period mentioned above and continues to occupy the same when no member of his family is working, he shall be liable to pay to the employer such rent at a rate not exceeding ten percent of his wages as may be fixed by the Chief Inspector-cum-Facilitator.

**126. Benefit of sickness.** -(1) Every worker shall be entitled to obtain sickness allowance from his employer for each day of certified sickness for a total period of fourteen days in a year at the rate of wages paid normally: Section 92.

Provided however, that where under existing provisions under any law the sickness allowance is higher, workers shall not, by the dint of this rule, be deprived of such higher allowance.

(2) Sickness allowance specified in sub-rule (1) shall be paid at the option of the worker, either at the time of payment of weekly advances on account of wages or along with the first installment of wages payable to the worker after he resumes his work on recovery from certified sickness.

(3) The certificate of sickness shall be issued by the Medical Officer or qualified medical practitioner appointed by the employer to every worker entitled to obtain sickness allowance.

(4) No sickness allowance shall be paid to a worker if he attends to work on any day for which he has been granted sickness allowance.

Section 92. **127. Crèche for Plantation Workers.** - In every plantat vherein fifty or more workers are employed or were employed on any day of the preceding twelve months, the employer shall provide and maintain creche as prescribed under rule 58 of the Occupational Safety, Health and Working Conditions (Central) Rules,2026.

Section 92. **128. Educational facilities for worker's children.** - E ıployer shall, if the number of workers children between the age of six to twelve years in his plantation exceed twenty-five, provide and maintain a Primary School for imparting Primary education to the children:

Provided that an employer may not provide and maintain a Primary school if there is one under the direct management of the State Government or of any local body for imparting free education to the children up to the primary or higher standard, with enough seats to admit the children between the age of six to twelve years of the workers in his plantation or within a distance of one kilometer from the place where workers reside in his plantation.

**129. Equipment in school.** - The employer or employers, as the case may be shall provide for every Primary School maintained under rule 128 such educational and other equipment as may be considered necessary by the State Education Department. Section 92.

**130. Fee to be charged.** - No fees shall be charged from the workers' children attending the Primary School. Section 92.

**131. Recreational facilities.** -(1) Every employer shall provide and maintain, - (i) recreation center to the scale of one for every one hundred and seventy-five families of resident workers or part thereof with provision for a television with dish connection and indoor games for workers and their families and such other facilities, as may be specified by the Chief Inspector-cum-Facilitator, with prior approval of the State Government; and Section 92.

(ii) a playground or playgrounds for workers and their families with necessary sports equipment for out-door games:

(2) Every recreation center to be provided and maintained shall be conveniently situated as near as possible to the worker's quarters.

Section 93(2). **132. Safeguards for women and adolescent in using or handling hazardous substances.** - No pregnant woman or adolescent shall be allowed to handle any hazardous substance.

Section 93(3). **133. Qualifications to supervise the use, handling, storage and transportation of insecticides, chemicals and toxic substances in the plantation of the employer.** - For the purposes of sub-section (3) of section 93 of the Code, no person shall be appointed by an employer unless such person is,-

(i) in possession of B.Sc in Chemistry or Agriculture;

(ii) able to speak and understand the language of workers; and

(iii) having an experience of three years in such field.

Section 93(4). **134. Safety measures and safe work practices.** -The following safety measures and safe work practices with respect to the location, security and access to storage of insecticides, chemicals and toxic substances shall be ensured by the employer, namely:-

(a) the store or storage area shall be separate from other buildings, dwellings and storage of foodstuffs;

(b) accidental or unauthorized access to the storage area shall be prevented;

(c) the store shall be kept locked and fitted with a child proof latch to prevent risks to children, visitors to the workplace, and members of

the public who are not familiar with the hazards of insecticides, chemicals and toxic substances;

(d) adequate natural or mechanical ventilation shall be provided;

(e) impervious floors with drainage into a sump concrete door sills concrete or block walls to a sufficient height to contain spills impervious shelving;

(f) the walls (or bund) and door sill shall be high enough to contain a spillage of twenty-five per cent of the total volume of packaged liquid pesticides;

(g) provision shall be made for drainage of spills and cleanup water into a sump or pit that can contain the insecticides, chemicals and toxic substances, cleanup materials and the wash water;

(h) supply of wash water shall be made readily available;

(i) good natural cross-flow ventilation shall be provided with vents in opposite walls, above bund height;

(j) substances shall be stored at a cool temperature to prevent deterioration; and

(k) the products shall be protected from moisture so that packaging and labelling does not deteriorate.

Section 93(5).

**135. Medical examination and health record of plantation workers.** - (1) Every worker employed in a plantation, who is exposed to insecticides, pesticides, chemicals and toxic substances shall be medically examined by a qualified medical practitioner in the following manner, namely:-

(i) once before employment, to ascertain physical fitness of the person to do the particular job;

(ii) once in a period of twelve months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed; and

(iii) the details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the health register in Form-XL electronically or otherwise.

(2) No person shall be employed for the first time without a certificate of Fitness in Form-XXXIX granted by the qualified medical practitioner. If the qualified medical practitioner declares a person unfit for being employed, such a person shall have the right to appeal to the Inspector-cum-Facilitator who shall refer the matter to the Medical Officer whose opinion shall be final in this regard.

(3) Any finding of the qualified medical practitioner revealing any abnormality or unsuitability of any person employed shall immediately be reported to the Medical Officer who shall in turn, examine the

concerned worker and communicate his findings to the employer within thirty days. If the Medical Officer is of the opinion that the worker so examined is required to be taken away from the employment for health protection, he will direct the employer accordingly, who shall not employ the said worker in the same employment. However, the worker so taken away shall be provided with alternate placement unless he is fully incapacitated in the opinion of the Medical Officer in which case the worker affected shall be suitably rehabilitated.

(4) The workers taken away from employment under sub-rule (3) may be employed again in the same employment only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the health register.

(5) A copy of the upto date health records including the record of worker's exposure to insecticides, pesticides, chemicals and toxic substances or, as the case may be, the medical records shall be supplied to the worker on receipt of an application from him. X-ray plates and other medical diagnostic reports may also be made available for reference to his qualified medical practitioner.

Section 93(7). ***136. Washing, bathing and locker room facilities to plantation workers.-*** Every Employer of the plantation shall ensure washing, bathing and locker room facility as prescribed under rule 49 and 50 of the Occupational Safety, Health and Working Conditions (Central) Rules,2026.

Section 93(7). ***137. Protective clothing and equipment to plantation workers. -*** When choosing Personal Protective Equipment in accordance with the label, Material Safety Data Sheet and risk assessment, the following items shall be considered, namely: -

(a) cotton overalls buttoned to the neck and wrist;

(b) pesticide resistant water-proof aprons when mixing or pouring concentrate;

(c) gloves (pesticide resistant), preferably gauntlets, to be worn when handling or using chemicals;

(d) a wide brim washable hat; if contaminated, the hat should be removed immediately and washed before re-use;

(e) boots such as rubber or Polyvinyl chloride; waterproof leggings providing additional protection, leather boots which can absorb pesticide and prevent exposure during high volume applications;

(f) face shield or splash proof goggles when mixing or pouring;

(g) goggles and appropriate approved respirator, especially if exposure to spray drift is likely; and

(h) full face air-line respirator when working in enclosed spaces, depending on the label and Material Safety Data Sheet self-contained breathing apparatus for entry into confined spaces.

***138. Precautionary notices in plantation.*** – Precautionary notice in the form specified below and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the plantation where it can be easily and conveniently read by the workers. Section 93(9).

**PRECAUTIONARY NOTICE**

(1) Chemicals handled in this plantation are hazardous.

(2) Smoking, chewing tobacco, eating food or drinking, in this area is prohibited.

(3) No foodstuff or drink shall be brought in this area.

(4) Some of these chemicals may be absorbed through the skin and may cause poisoning.

(5) A good wash shall be taken before meals.

(6) Protective devices supplied shall be used while working in this area.

(7) Spillage of the chemicals on any part of the body or on the floors shall be immediately washed away with water.

All workers shall report for the prescribed medical tests regularly to protect their own health.

## CHAPTER-X

### OFFENCES AND PENALTIES

Section 111 (1 and 3).

**139. Officer and manner for holding enquiry.** - (1) When a complaint is filed before the officer appointed under sub-section (1) of section 111 in respect of the offences referred to in said sub-section, by an Inspector- cum-Facilitator, the officer after considering such evidences as produced by the Inspector-cum-Facilitator, is satisfied that an offence has been committed, shall issue summons to the accused on the address specified in the complaint and fix a date for appearance.

(2) The authorisation to appear on behalf of either of the parties, shall be presented to the officer under sub-rule (1) during the hearing of the complaint and shall form part of the record.

(3) If the accused to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the accused regarding the offence against which the enquiry has been initiated, -

(a) If the accused pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code; and

(b) If the accused does not plead guilty, the officer shall proceed with the enquiry, issue summons to any person acquainted with facts and

circumstances of the case, and appoint a specified date for next hearing.

(4) On such appointed date, the officer shall record all evidences produced by the accused and the Inspector-cum-Facilitator, whether documentary or by the witnesses on oath and provide opportunity of cross examination of the witnesses so produced.

(5) The officer shall after hear the parties and considering the evidence so produced whether oral and documentary, shall decide the complaint in accordance with the provisions of the Code.

(6) The officer shall, while passing an order, record ,–

(a) the particulars of the complaint;

(b) the details of the parties;

(c) the nature of the offence with reference to relevant provisions of the Code;

(d) the pleadings of the parties;

(e) the summary of evidence including cross-examination;

(f) the findings and reasons; and

(g) the penalty imposed, if any details of penalty imposed shall be maintained in penalty register as per form XLIV.

(7) In case, the accused or his representative fails to appear without any sufficient cause on two consecutive dates, the officer may proceed to hear and determine the complaint ex-parte:

Provided that, in case where the Inspector-cum-Facilitator fails to appear or through his representative without any sufficient cause, on the specified date, the officer may dismiss the complaint.

(8) Officer may allow for adjournment of the proceedings on receipt of application either from the Inspector-cum-Facilitator or the accused:

Provided that not more than three adjournments shall be allowed:

Provided further that the officer may at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(9) The officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, endorsement shall be made electronically.

(10) The parties to the issue or their authorised representative under sub-rule (2) shall be entitled to inspect any complaint or any other document filed with the officer.

(11) The officer may refuse to entertain a complaint, if he is satisfied that the complaint is incomplete and may request the Inspector-cum-Facilitator to rectify such defects within the time specified by him for such purpose:

Provided that if the officer is of the opinion that it is not possible to rectify such defects in the complaint, he may return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 111 of the code.

(13) The officer may, after giving the Inspector-cum-Facilitator an opportunity of being heard, refuse to entertain a complaint, if he is satisfied for reasons to be recorded in writing, that-

(a) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(b) the complainant fails to comply with the directions given by the officer.

(14) (i) Any person aggrieved by an order made by the officer may prefer an appeal, in manner, form-XLVII and with applicable fee as prescribed by the State Government through general or special order, fees shall be paid on portal and shall be credited to the treasury in the head of account as may be specified by the State Government, to the appellate authority to be appointed under sub-section (3) of section 111 of the Code, within sixty

days from the date on which the copy of the order referred under sub-rule (6) made by the officer and is received by the aggrieved person.

(ii) The appellate authority appointed under sub-section (3) of section 111 of the Code, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of appeal.

Section 114 (1).

***140. Officer and manner of compounding of certain offences .- (1)*** The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 114 shall on an application in **FORM- XLV** by an accused person desirous of making composition of a compoundable offence, before or after holding the enquiry or as the case may be, of institution of prosecution, issue electronically a compounding notice in **Form-XLVI** to such person for the offence for which is compoundable under sub-section (1) of section 114 of the Code.

(2) The person so noticed under sub-rule (1) may apply to the officer in **Part-III of Form-XLVI**, electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The officer referred to in sub-rule (1) shall issue a composition certificate in **Part IV of FORM XLVI within** ten days

of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within the time specified, the prosecution shall be instituted after one month from the last date of specified time before the court against such person for the offences in respect of which the compounding notice was issued.

(5) For compounding of an offence, where the prosecution has already been instituted in a court, the officer referred to in sub-rule (1) shall send a copy of such order for intimation to the concerned court for further action.

## CHAPTER-XI

## SOCIAL SECURITY FUND

***141. Social Security Fund.*** -(1) The Chief Inspector-cum Facilitator shall maintain record of the social security fund, in Form-XLVIII. Section 115 .

(2) The social security fund administered shall be credited to the Punjab Unorganized Workers Social Security Board constituted under the Punjab Social Security Rules, 2026.

(3) The social security fund shall be utilized for welfare schemes of the Punjab Unorganized Workers Social Security Board.

(4) The other sources of social security fund shall be, -

(i) The grants and subsidies given by the Central or the State Government; or

(ii) All voluntary donations and

(iii) any other source as may be notified by the State Government from time to time.

## CHAPTER-XII

## MISCELLANEOUS

Section 119 .

**142. Common Licence for contractor, factories and to industrial premises, etc. -**(1) Any person desirous of obtaining common Licence in respect of a factory, industrial premises for beedi and cigar work and for engaging contract workers or any combination thereof or single Licence for anyone of them under the Code shall make an application in Form-XXXIII to the Designated Authority on portal. -

(2) For the purpose of Licence referred to in sub-section (1), fee shall, respectively be payable as notified by the State Government, from time to time.

(3) The Designated Authority, upon being satisfied, shall issue a Licence in Form-XXXIV within a period of twenty-one days from the

date of submission of the application on the portal, complete in all respects.

(4) If the Designated Authority fails to decide upon an application submitted for the grant of a licence within a period of twenty-one days, such licence shall be deemed to have been granted on the expiry of the said period.

(5) The Licence shall be granted subject to the parameters such as approved or accepted building plans, ownership proof or notarized lease agreement, if any, between the landowner and the Occupier , the validity of the stability certificate, the provisions of the Punjab Right to Business Act, 2020 (Punjab Act No.1 of 2020) and the rules(if applicable) made thereunder, and any other aspect as may be notified by the State Government, from time to time.

***143. Appointment of Inspector-cum-Facilitator.*** - The State Government shall appoint any officer of Labour Department as the Inspector-cum-Facilitator as deemed fit for the enforcement by the way of notification. Section 133 (zzq) and 135 (za).

144. **Issue of Guidelines, specific Instructions.** - For the purpose of ensuring compliance with provisions relating to occupational health, safety, working and welfare conditions, the Chief Inspector-cum-Facilitator may, if considered necessary, issue guidelines or specific instructions, from time to time, to the employers. Section 133 (zzq) and 135 (za).

145. **Grievance redressal mechanism for contract labour.-** (1) The Section 133 (zzq) and 135 (za)).

contract labour may submit his grievance(s) relating to health, working conditions and wages, at the level of principal employer, who shall look into the matter and redress grievance(s) if any.

(2) A committee may be constituted consisting of a chairman, who shall be the authorized representative of the principal employer. The committee shall have representatives of principal employer and contractors. The aforesaid committee shall hear and dispose off the grievance(s) of the contract labour within a period of one month.

(3) In case, the grievance(s) is not redressed within one month of raising of such grievance(s), the principal employer shall forward the grievance(s) to the concerned designate authority electronically or through registered post or speed post. Designate authority shall ensure that the grievance is resolved with in a period of sixty days from the date of its receipt.

Section 133 (zzq) and 135 (za).

***146. Savings and Repeal.***--*Notwithstanding anything contained* in these rules, where any establishment, to which these rules apply, has already been registered or issued a Licence under any central acts and rules made there under which are repealed by these rules or State acts which are in the mandate of labour department and rules made there under and which applies to the establishment which is in existence at the time of the commencement of these rules shall be deemed to have been registered or issued Licence under the provisions of these rules

subject to the condition that registration/Licence holder provides the details of registration to the concerned registering officer/Designated Authority within 6 months from the commencement of these rules and in the respective forms as prescribed in these rules.

## FORM-I

*[See sub-rule (1) of rule 5]*

**Application for Registration for existing Establishment/New Establishment/Amendment to certificate of Registration**

### A. Establishment Details

1. Retrieve details of Establishment through Registration No. (In case of already registered Establishment)
2. Name of Establishment:
3. Location details of establishment:
   (a) Location & Address of establishment/Geo tagging
   (b)Zone: (Agriculture/Industrial/Mixed land use) as per Master Plan prevalent in the area.
   (c) Whether this location is part of any Industrial focal point developed by Govt agency or by a private developer?

3a. PAN:

4. Other details of Establishment:
   a. Total Number of employees engaged directly in the establishment:
   b. Total Number of the contract labour engaged:
   c. Total Number of Inter-state Migrant workers employed:

5(a) For factories:

a) Whether the manufacturing process is hazardous in nature as per First schedule of the code : Yes/No
   If yes, please attach the Health and Safety policy as per Rule 102

| Details of the manufacturing process | Full postal address and situation of the factory along with plan approval details | Name and address of the occupier and manager | Maximum number of workers to be employed on any day |
|---|---|---|---|

| 1 | 2 | 3 | 4 |
|---|---|---|---|

5(b) For building and other construction work:

| Type of Construction work | Probable period of commencement of work | Expected period for completion of work | Details of approval of the local authority |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

6. Ownership Type: (Proprietorship/ Partnership/Company/Corporation/Cooperative)
7. Sector:(Public/Private/Mixed)
8. Activity as per National Industrial Classification:
9. Details of Selected NIC Code:
10. Identification of the establishment e-sign/digital sign of employer/representative

**B. Details of Employer: -**

1. Name & Address of Employer/Occupier/Owner/Agent/Chief Executive etc:
2. Designation:
3. Father's/Husband's Name of the Employer:
4. Email Address, Telephone & Mobile No:

**C. Contractor Details**

| Name and Address Contractor | Email address & Mobile of Contractor | Name of Work | Maximum No. of Contract Labour engaged | Date of Commencement / Probable date of Completion of work |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

**D. Interstate Migrant Workers Details: -**

| Sr. No. | Name | Father/Husband`s name | Permanent address Town/Village | District | Aadhaar number | Mobile number |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Dated:-

Place:-

Signature/E-Sign/Digital Sign of Employer

FORM-II

[See sub-rule (7) of rule 5]

Application for cancellation of Registration Certificate of establishment

1. Registration No:

2. Name and Address of Establishment: -

3. Name and Designation of employer: -

4. Full address to which communication relating to the establishment to be sent: -

5. Nature of work of the establishment: -

I/We hereby intimate that the establishment having registration No. ..... dated is closed with effect from..... (Date).

Certificate from Employer

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.

Signature of the Employer

To,

The Registering Officer

The Inspector-cum-Facilitator

Place: Signature/ E-sign/digital sign of employer

Date:

FORM-III

[See sub-rule 8 of rule5]

Certificate of cancellation of Registration Certificate of Establishment

No. Date:

The Registration No.....dated..... of ..... (Name of the establishment), of Factory/ Contract Work/ Building or Other Construction Work/ Any other work (work carried on in the establishment) is hereby cancelled with effect from ..... under sub-section (5) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

Place: Signature/ E -Sign/DSC of
Registering Officer

Date: along with
designation

FORM-IV

*[See sub-rule 9 of rule 5]*

Register of Establishment

| Sr. No. | Nature of work | Registration No. and Date | Name and Address, location of the establishment registered | Name, Address and Contact Details of Employer | Total number of Workers and Total Motive power (if any) | Total number of contract labour | Remarks |
|---|---|---|---|---|---|---|---|

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | (a) Factories<br><br>(b) Building and other Constructio n work<br><br>(c) Contract work<br><br>(d) Interstate Migrant Work<br><br>(e) Any other work (not covered above) | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

## FORM-V

[See rule 8]

## Notice of Commencement / cessation of operations

1. Registration No:

2. Name and Address of establishment: -

3. Name and Designation of employer:-

4. Full address to which communication relating to the establishment to be sent :-

5. Nature of work of the establishment:-

A. Notice of Commencement / cessation of operations

I/We hereby intimate that the operation of establishment having registration No. ..... dated ..... has commenced with effect from ..... (Date) and approximate duration of operation is _____ year_____month.

OR

I/We hereby intimate that the operations of the establishment having registration No. .....dated.....has ceased with effect from .....(Date).

[Strikeout whichever is not applicable]

B. Certificate from employer in case of cessation of operation

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.

[Strikeout whichever is not applicable]

Signature of the Employer

To,

The Registering Officer

The Inspector-cum-Facilitator

## FORM-VI

*[See sub-rule (1) of rule 9]*

HEALTH EXAMINATION

**PART –A (Sl.No.1-13) : To be filled by the Employee:**

Photo

1. Name of employee.....

2. Employee Code .....

3. Sex..... .....

4. Age (with DOB).....

5.Name of establishment .....

6. Registration Number of establishment.....

7.Designation.....

7a. UAN:.....

7(b) Aadhar No. (after Obtaining Consent) .....

8. In-charge Employer / Executive Contacts.....

9. Complete personal /plant Address .....

10. Mobile /Phone .....

11. Email.....

12. Medical illness (Current) and under treatment & medication, If any.....

13. Nature of Job (furnish more details, if hazardous and work-related viz. Physical, Chemical, Biological, Ergonomic etc).....

Date: Signature of Employee

**Part-B**

12. Medical Test Carried out & Reports to be Attached as Annex . Medical Officer's interpretation/ Opinion of the Tests below (To indicate only if abnormal, referring the attached Test reports) :

a. Ht. (in cm)

b. Wt. (in Kg)

c. Chest measurement:

(i) On inspiration .....cm
(ii) On expiration ..... cm
(d) Waist Circumference
(e) Body Mass Index: .....
(f) Vision (Ophthalmologist tests):
i. Visual Acuity both Right & left eyes .....
ii. Colour Vision.....
(g) Blood Pressure (mm Hg).....
(h) Complete Blood Count: (Hb, TLC, DLC, Platelets).....
(i) Fasting Blood Sugar
(j) Post Prandial Blood Sugar.....
(k) SpO2.....
(l) Blood Urea .....
(m) S. Creatinine .....
(n) S. Bilirubin (Total + direct)
(o) SGOT
(p) SGPT.....
(q) Lipid profile (S. Cholesterol / Triglyceride / S.HDL) .....
(r) S. TSH .....
(s) X-ray Chest (PA view) .....
(t) ECG.....
(u) Others if any.....

---

13.Final Diagnosis/ Opinion / Treatment if any, advise by qualified medical practitioner .....

14. Does the person have seizure (s) related disorders or difficulty in working at height ? If yes, specify the works to be avoided: Yes/No/ NA (Not applicable)

Date: Signature of the qualified medical practitioner

SEAL

NOTE: All the above information is highly confidential between the Applicant and the Examining Physician. Sharing of the above with Employer or any other agency/persons is permitted only on obtaining Consent from the Applicant/Employee.

**FORM-VII**

*[See sub-rule (2) of rule 3]*

**Health Register**

| Sr. No. | Name of Employee | Date of Employment | Age | Gender | Nature of Job | Date of Medical Examination | Results of Medical examination | Signature of the qualified medical Practitioner | Signature of Employer |
|---|---|---|---|---|---|---|---|---|---|

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|

**FORM-VIII**

*[See Sub-rule (2) of rule 11 and sub-rule (1) of 12]*

**NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE**

1. Registration Number :
2. Name and address of Establishment
3. E.S.I.C. Employer's Code number :
4. E.S.I.C. Insurance Number of the injured person :
5. Name of employer :
6. Address of works / premises where the accident or dangerous occurrence took place :
7. Nature of industry / LIN of the establishment:
8. Branch or department and exact place where the accident or dangerous occurrence took place :
9. Name and address of the injured person :
10. (a) Sex :
    (b) Age (at the last birthday) :
    (c) Occupation of the injured person :
11. Local E.S.I.C. Office to which the injured person is attached :
12. Date, shift and hour of accident or dangerous occurrence :
13. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :
    (b) whether wages in full or part are payable to him for the day of the accident or dangerous occurrence :
14. (a) Cause or nature of accident or dangerous occurrence :
    (b) If caused by machinery-
        I. Give the name of machine and the part causing the accident or dangerous occurrence :
        II. state whether it was moved by mechanical power at the time of accident dangerous occurrence :
    (c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :
    (d) In your opinion, was the injured person at the time of accident or dangerous occurrence -
        (i) acting in contravention of provisions of any law applicable to him; or
        (ii) acting in contravention of any orders given by or on behalf of his employer; or

(iii) acting without instructions from his employer?

(e) In case reply to (d)(i), (ii) or (iii) is in the affirmative, state whether the act was done for

the purpose of and in connection with the employer 's trade or business. :

15. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether-

(a) the injured person was travelling as a passenger to or from his place of works; :

(b) the injured person was travelling with the express or implied permission of his employer; :

(c) the transport is being operated by or on achalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and :

(d) the vehicle is being/not being operated in the ordinary course of public transport service :

16. In case the accident or dangerous occurrence took place while meeting emergency, state-

(a) its nature; and

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place. :

17. Describe briefly how the accident or dangerous occurrence took place :

18. Names and addresses of witnesses : (1) (2)

19. (a) Nature and extent of injury (e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

20. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person was disabled for more than 48 hours :

(b) date and hour of return of work :

21. (a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment :

(b) Name of dispensary/panel doctor elected by the injured person :

22. (a) Has the injured person died? :

(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Date of dispatch of report:

Place:

Signature and Name and Designation of owner/employer/manager

**FORM-IX**

*[See rule 13]*

**Notice of Disease**

1. Registration No.
2. Name and address of Establishment:
3. Nature of Establishment
4. Manufacturing process if any
5. Details of Patient (worker/employee)
   - (a) Name
   - (b) Employee Code
   - (c) Address of patient
   - (d) Age/Gender
   - (e) Date of joining
   - (f) Date since employee working in establishment
   - (g) Precise occupation of patient
6. Nature of disease from which worker/employee is suffering
7. Date of detection of diseases
8. Details of Medical practitioner:
9. Has the case been reported to medical officer:

Signature of employer or Qualified Medical Practitioner

**FORM-X**

*[See rule 14]*

**Application by employee to Employer regarding intimation of unsafe /Unhealthy situation**

The Employer/Safety Officer/Safety Committee

(Name of establishment) (Address of establishment)

**Subject: intimation of unsafe/unhealthy situation**

Sir

[Detail of unsafe/unhealthy situation and proposed suggestions]

Name of Employee

Designation

**CC:** Copy to Inspector-cum-Facilitator

## FORM-XI

*[See rule 15]*

**Action taken report in regard unsafe/unhealthy situation**

To

Inspector-cum-Facilitator

It is brought to your knowledge that an unsafe/unhealthy situation [details] was brought into notice by [Name and designation of employee]. The remedial action report is submitted as below;

[Details of remedial action]

Employer

## FORM-XII

[See rule 30]

**Record Book**

1. Name of establishment:
2. Registration No.
3. Name of safety officer:
4. Date of joining as safety officer:
5. Number of subordinates (if any):

| Month (Jan to Dec) | Details of Awareness /Seminar/Program conducted | Details of near miss reported | Details of Unsafe and unhealthy situation reported | Details of safety challan issued | Remarks |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |

## FORM-XIII

*[See rule 37]*

**Notice of period of work**

1. Name and Address of establishment.....

2. Registration No.....

3. Rest day .....

| Periods of work | Men | Women | Description of Groups. | Remarks |
|---|---|---|---|---|
| | Total no. of men employed | Total no. of women employed | | |

| Groups, Relays | A | B | C | D | E | F | G | H | Nature of work | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | 1 2 3 | | |

On working days:

From ..... To....

On partial Working Days :

From..... To.....

Date on which this notice is first exhibited : Signature of Employer

Date

**Form XIV**

**Adult /Adolescent Employee and worker register**
*[See rule 38]*

| **Name of Establishment:** | | |
|---|---|---|
| **Name of the Employer/owner:** | | |
| **Registration Number of Establishment** | | |
| **To be maintained for all Adult/Adolescent employees/workers of the establishments** | | |
| 1. | Employee Code | |
| 2. | Name | |
| 3. | Surname | |
| 4. | Gender | |
| 5. | Father's/Spouse's Name | |
| 6. | Date of Birth | |
| 7. | Place of Birth | |
| 8. | Nationality | |
| 9. | Education level | |
| 10. | Date of Joining | |
| 11. | Designation | |
| 12. | Category (unskilled, semi-skilled, skilled or highly skilled) | |
| 13. | Type of employment(Permanent/Temporary/Fixed term/Trainee/Badli) | |
| 14. | Mobile Number | |
| 15. | Universal Account Number (UAN) | |

| | | |
|---|---|---|
| 16. | PAN | |
| 17. | PPF No. | |
| 18. | Nominee | |
| 19. | EPS/NPS | |
| 20. | Details of Family | |
| 21. | Details of Posting | |
| 22. | Scale of Pay | |
| 23. | Promotion | |
| 24. | ESIC Insurance No. | |
| 25. | Aadhaar number | |
| 26. | Bank A/c No. | |
| 27. | Bank | |
| 28. | Branch(IFSC) | |
| 29. | Present address | |
| 30. | Permanent address | |
| 31. | Service Book No. | |
| 32. | Date of Exit | |
| 33. | Reason for Exit | |
| 34. | Mark of Identification | |
| 35. | Photo | |
| 36. | In case of Adolescent, fitness certificate No. and date | |
| 37. | Specimen Signature/Thumb Impression | |
| 38. | Remarks | |
| | | Signature of employee |
| | | Signature of employer |

## FORM-XV

*[See sub-rule(ii) of rule 38]*

**Muster-Roll**

1. Registration No.
2. Name and address of establishment: Month and Year:
3. Periods of work and rest period (time and coding)

| S. No. | Name | Gender | Department | Employee/ Worker/ adolescent code | Whether local or Inter-State Migrant | Date from 1st of month to last date to the month (1 2...31) | O/T hours | weekly-off | Weekly rest days lost due to exempting order along with Date of compensatory holiday | Lost rest days carried to next month | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|

| 1 | 2 | 3 | 4 | 5 | 6 | 7 (1 to 31) Time in /Out on Each day | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|

*(Note: The table has columns for dates 1-31 under the date range, but due to width, it's summarized; in full Markdown, expand as needed.)*

## FORM-XVI

*[See sub-rule (iii) of rule 38]*

**Attendance Card**

Month:

1 Registration No. of Establishment

2 Name and address of the establishment:

3 Name of the worker

4 Father`s name

5 Employee/Worker No./Code:

6 Designation:

7 Gender

| Date | Period of Work (From) | Period of Work (To) | Normal Working Hours | Over Time Hours |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

## FORM-XVII

*[See rule 39]*

**Register of Accidents and Dangerous Occurrences**

1. Registration No.
2. Name and address of establishment:

| Date/month/year of accident or dangerous occurrence | Date/month/year of report to authorities | Description of accident or dangerous occurrence | Details of injured/ died | Date of return of injured | Total man- hours lost due to accident or |
|---|---|---|---|---|---|

| | | | person (if any) | person to duty | dangerous occurrence |
|---|---|---|---|---|---|
| 1 | 2 | 3 (Fatal/Non-fatal/Dangerous occurrence) | 4 | 5 | 6 |

# FORM-XVIII

*[See rule 40]*

**Leave with wages register**

1. Name of Employee/Worker:
2. Employee Code/ Number in Adult/Adolescent Register
3. Name and address of establishment
4. Nature of work
5. Date of Joining
6. Wage rate
7. Date of Resignation/Superannuation/Dismissal/Death

| | | | |
|---|---|---|---|
| 1 | Total number of days worked during the calendar year; | | |
| | I | January | |
| | II | February | |
| | III | March | |
| | IV | April | |
| | V | May | |
| | VI | June | |
| | VII | July | |
| | VIII | August | |
| | IX | September | |
| | X | October | |
| | XI | November | |
| | XII | December | |
| 2 | Leaves earned during the year | | |
| 3 | Balance of leaves from previous year | | |
| 4 | Total number at credit in the end of year | | |
| 5 | Leaves enjoyed during the year | | |
| 6 | Leaves en-cashed during the year | | |
| 7 | Balance leaves at the end of the year | | |

## FORM-XIX

*[See rule 41]*

**Name of Authorities**

| | |
|---|---|
| **Name of establishment** | |
| Address of establishment | |
| Employer's Name | |
| Details of Inspector-cum-Facilitator of the area | Name |
| | Address |
| | Email |
| Details of medical officer of the area | Name |
| | Address |
| | Email |

## FORM-XX

[See rules 38 and 44]

ANNUAL RETURN (For Calendar year 1st Jan to 31 Dec,...)

**Single Annual Integrated Return to be filed On-line on or before 28th February or 29th February of the next year under the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Industrial Relations, 2020,theCode on Social Security , 2020,and the Code on Wages, 2019 and the rules made there under.**

**Instructions to fill up the Annual Return**

(1) This return is to be filled-up and furnished on or before 28thFebruary or 29th February every year.
(2) The return has two parts i.e. Part-I to be filled up by all establishments.
(3) Part-II to be filled-up by the establishments which occupies contractor or manpower supplier who have engaged more than 50 workers.

**Applicable to All Establishments - Part-I**

**A. General Information:**

| Sl. No. | | | Instructions for filling the column |
|---|---|---|---|
| 1. | Establishment registration Number | | |
| 2. | Period of the Return | From - To- | Period should be calendar year |
| 3. | Name of the Establishment | | |
| 4. | Email ID (employer) | | |

| | | | |
|---|---|---|---|
| 5. | Telephone No. (employer) | | |
| 6. | Mobile number (employer) | | |
| 7. | Premise name | | |
| 8. | Sub-locality | | |
| 9. | District | | |
| 10. | State | | |
| 11. | Pin code | | |
| 12. | Type of establishment | A. Factory [ 2w(i)/2w(ii)/81] B. Motor transport C. Building or Other Construction Work D. other | |
| 13. | Hazardous | Yes/No | |
| 14. | NIC Code | | |
| 15. | Nature of activity | | |
| 16. | Ownership details | Public sector/Private sector/Joint sector/Co-operative sector/Proprietorship/partnership/government department/local authority/L.L.P | |
| 17. | Is the establishment seasonal? | Yes/No | |
| 18. | No. of days worked in the year | | |

| | | |
|---|---|---|
| B(a). | **Hours of Work in a day** | |
| B(b). | **Number of Shifts Number of hours in a shift** | |

**C. Details of Manpower Deployed**

| **Details** | **Directly employed** | | | | **Employed through Contractor** | | | | **Grand Total** |
|---|---|---|---|---|---|---|---|---|---|
| **Skill Category** | **Highly Skilled** | **Skilled** | **Semi-Skilled** | **Un-Skilled** | **Highly Skilled** | **Skilled** | **Semi-Skilled** | **Un-Skilled** | |
| (i) Maximum No. of employees employed in the establishment in any day during the year | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | |
| (ii) Average No. of employees employed in the establishment during the year | No. to be indicated | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | |
| (iii) Maximum number of Migrant Worker during the year (Section 59 of OSH Code) | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| (iv) Number of fixed term employee engaged | M/F/T | M/F/T | M/F/T | M/F/T | | | | | |
| (v) No. of Adolescent working who are certified by medical officer | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | |
| **D. Total No. of Manhours of Overtime** | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | M/F/T | |

**E. Details of contractors engaged in the Establishment:**

| Sl. No. | Name of the Contractor | No. of Contract Labour Engaged |
|---|---|---|
| | | |

**F. Details of various Health and Welfare Amenities provided.**

| Sl. No. | Nature of various welfare amenities provided | Statutory (specify the statute) | Instructions for filling |
|---|---|---|---|
| 1. | Whether facility of Canteen provided (as per section24(v) of OSH Code, 2020) | Tick yes or no in the box and not applicable | Applicable to all establishments wherein hundred or more worker including contract labour were ordinarily employed |
| 2. | Crèches (as per section 67of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020) | Tick yes or no in the box and not applicable | Applicable to all establishments where fifty or more workers are employed |
| 2a | If 2 above is not given than whether Crèches allowance under Rule.. of Social Security Code given. | Tick yes or no in the box and not applicable | Reference rule.. on Social Security |
| 3. | Ambulance Room (as per section 24(2)(i) of OSH Code, 2020) | Tick yes or no in the box and not applicable | Applicable to mine, building and other construction work wherein more than five hundred workers are ordinarily employed |
| 4. | Safety Committee (as per Section 22(1) of OSH Code, 2020. | Tick yes or no in the box and not applicable | Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BOCW employing 250workers or more, and mines employing 100 or more workers. |
| 5. | Safety Officer (as per Section 22(2) of OSH Code, 2020) | No. of safety officers appointed | In case of Factories 500 or more workers and in case of |
| | | | Hazardous factories or BOCW 250 or more workers are ordinarily employed. |
| 6. | Qualified Medical Practitioner (as per Section12 (2) of OSH Code 2020) | No. of Qualified Medical Practitioner appointed. | There is no specification for minimum number of Qualified Medical Practitioneremployed in establishment. However, this detail is required to have data on occupational health. |
| 7. | Whether facility of rest rooms, shelters and lunch rooms is provided as per Section 24(2)(iii) of OSH Code,2020 | Tick Yes/NO in the box and not applicable | Applicable to concerned establishments as per the section 24(2)(iii) of the code |

| | | | |
|---|---|---|---|
| 8. | Welfare officer appointed (as per section 24(2)(iv) of the code | Tick yes /No and No. of officers | Applicable to concerned establishments as per the section 24(2)(iv) of the code |

**G. Establishments carrying on processes or operation declared hazardous as First schedule or Dangerous as per section 82 of OSH code, furnish the following information**

| Name of the dangerous process or operation carried on | Average number of persons employed daily in each of the process or operation given | Number of persons | |
|---|---|---|---|
| | | Medically examine | Declared Unfit |
| | | M/F/T | M/F/T |

**H. Leave with wages**

| Particular of regular, contract, migrant and fixed term employees /workers | Total Number of workers | Number of workers entitles for leave with wages | Number of workers granted leave | Number of workers dismissed/ died/discharged/left the service | Number of workers in respect of whom wages in lieu of leave were paid |
|---|---|---|---|---|---|
| Adult (M/F/T) | | | | | |
| Adolescent(M/F/T) | | | | | |

| **I. The Industrial Relations:** | | | | | **Instructions for filling** |
|---|---|---|---|---|---|
| 1. | Is the Works Committee has been functioning. (Section 3 of IR Code, 2020) | | | Yes/No and not applicable | Industrial establishment in which 100 or more workers are employed |
| (a) | Date of its constitution. | | | | |
| 2. | Whether the Safety Redressal Committee constituted (Section 4 of IR Code, 2020) | | | Yes/No and not applicable | Industrial establishment employing 20 or more workers |
| 3. | Number of registered Unions in the establishments. | | | | |
| 4. | Whether any negotiation union exist(Section14 of IR Code,2020) | | | Yes/No | |
| 5. | Whether any negotiating council is constituted (Section 14 of IR Code, 2020) | | | Yes/No | |
| 6. | Number of workers discharged/dismissed, retrenched or whose services were terminated during the year: | | | | |
| | **Dismissed** | **Retrenched** | **Discharged /Terminated or** | **Grand Total** | |

| | | | | | |
|---|---|---|---|---|---|
| | | | **Removed** | | |
| | | | | | |
| **7.** | **Man-days lost during the year on account of** | | | | |
| Sl. No. | Reasons | Period /Date | No. of man- days lost | | |
| A | Strike | | | | |
| B | Lock out | | | | |
| **8.** | **Details of retrenchment / lay off** | | | | |
| Sl. No. | No. of persons retrenched during the period | Details of payment paid to retrenched employees | No. of workers laid off during the period | No. of man-days lost due to lay-off | Applies on industrial establishment employing 300 or more workers |
| | | | | | |

| **J. Details pertaining to maternity benefit:** | | | | |
|---|---|---|---|---|
| No. of female employees | No. of female employees availed maternity leave | No. of female employees paid medical bonus | No. of deduction of wages, if any made from female employees | |
| | | | | |
| | | | | |

| **K. Details of payment of bonus:** | | | |
|---|---|---|---|
| Sl. No. | No. of employees covered under the Bonus provision | Total amount of bonus actually paid | Date on which the Bonus paid |
| | | | |

| **L. Details of accidents, dangerous occurrence and notifiable diseases:** | | | | |
|---|---|---|---|---|
| Sl. No. | Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per Section 10 of the OSH Code, 2020. | Total number of fatal accidents and names of the deceased as per Section 10 of the OSH Code, 2020. | Total number of Dangerous Occurrences as defined under Section 11 of the OSH Code,2020 | Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH Code, 2020 along with the details of affected persons |
| | | | | |

| **M. Mandays and Production Lost due to accidents / dangerous occurrence** |
|---|

| Sl. No. | Accident/Dangerous Occurrence | Man days lost | Production Lost |
|---|---|---|---|
| | | | |

Certified that the tables are duly filled in and information and figures given in all the tables are correct to

the best of my knowledge.

Date: Signature of employer/occupier/Owner

Place:

**PART II**

**[See rules 38,44 and 65]**

ANNUAL RETURN period ending 31ST December

(to be submitted by the principal employer on Portal)

1. Name of the principal employer:
2. Name of the establishment:
3. Registration number of the establishment:
4. Details of the Contractors, wages paid, etc.:

| Sl. No. | Month | Name and address of the contractor | Name of the work | Maximum number of contra- labour employed | Amount paid against wage bill (if applicable) to the contractor (including EPF, ESIC, Bonus etc.) | Date of payment of wage bill (if applicable | Amount of the wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay) | Date of payment of wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay) |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |

Date: Signature of principal employer

Place:

Part-III(Optional)
[see rules 38 and 44]

**E labour Portal**
**Labour department**
**Self-Declaration form for EPFO/ESIC Contribution**

**Year-.....**

| PAN No: | | Registration No. *(Auto-Populated)* |
|---|---|---|
| EPF Code No. (Auto-Populated) (Editable): | | ESI Code No. (Auto-Populated) (editable): |
| Branch Code Nos. (Auto- Populated) (Editable): | | Sub Code Nos. (Auto-Populated) (editable): |

**Statement of salary/wages and contribution in H/o of EPFO**

| 1 | 2 | 3 | 4 =(2+3) | 5 | 6 | 7 | 8=(5+7) | 9 | 10 | 11 | 12=(9-10) | 13 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Month & Year | Total No. of employees eligible for membership under SS Code/Scheme | Total no. of employees not eligible for membership under SS Code/ scheme | Total no. of employees employed | Total Wages paid to employees eligible for membership under SS Code/scheme | Total EPF Wages paid to employees eligible under SS Code/scheme | Total Wages paid to employees not eligible under SS Code/ scheme | Total wages paid to all employees | Total Contribution Payable (Based on column 6) | Total contribution paid | Date of payment | Balance to be paid | No. of employees in whom dues to be paid |
| CALANDUR YEAR Month wise | | | | | | | | | | | | |

- *Upload Salary sheet of contribution details of all members as per* ***Register of Wages, Overtime & Deduction***

| Details of Employees non-enrolled but eligible to be member: | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Sr. No | Name of Employee | Gender | Aadhaar Number | Father's Name | Date of Birt | Date of Joinin | Date of Exit (If alread | Wages paid |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | h | g | y left) | |
| | | | | | | | | |

**Part-IV**

**Labour welfare fund return**

| Return | No. of workers for which return is filed | Total contribution | Date of deposit | Remarks |
|---|---|---|---|---|
| Jan to December | | | | |

**Form XXI**

[See rules 38 and 44]

**Half yearly return (January to June/July to December) to be submitted by Contractor to filled electronically to the Designated Authority under section 119 of the code**

1. Name and address of contractor:
2. Name and address of the principal employer:
3. Licence no. of contractor (if applicable)
4. Name of contract work with location/station:
5. Details of the number of contract labour, wages paid etc.

| Sr. No. | Months | Number of contract labour employed | Total amount wages paid in a month | Overtime | Bonus | Date and amount of wages bill received by contractor from principal employer | ECR No. of ESIC | ECR No. of EPF | Wages paid by 7th of the month or due date as applicable Yes/No | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|
| | Jan | | | | | | | | | |
| | Feb | | | | | | | | | |
| | Mar | | | | | | | | | |
| | April | | | | | | | | | |
| | May | | | | | | | | | |
| | June | | | | | | | | | |

Date :

Signature of the contractor:

Place:

## FORM–XXII

*[See rule 47]*

**IMPROVEMENT NOTICE**

To,

Name of the Establishment
(Employer / Occupier/ Principal Employer / Contractor)
Address .....

Sub-Notice regarding contraventions observed under the OSH & WC Code, 2020, Punjab OSH &WC Rules, 2026, Regulations, Standards and Orders made thereunder, in respect of..... (Name of the establishment)

Sir / Madam,

(1) It is to inform that the undersigned conducted inspection of ..... (name of the establishment), engaged in the work .....(name of work) located at ..... on.....(date).

(2) The particulars of the establishment inspected and the contravention (s) of the provisions of the OSH&WC Code 2020, Punjab OSH&WC Rules, 2026, Regulations, Standards, Notifications and Orders made thereunder observed during inspections are annexed herewith.

(3) You are hereby directed to rectify the contreventions / irregularities observed during inspections and submit compliance report (through speed post / electronic mode / designated portal) within 30 days from the date of issue of this notice, failing which necessary action will be initiated as per the relevant provisions of the statute without making any further correspondence in this regard.

Encl: As above,

Yours faithfully,

Inspector -cum-Facilitator

## FORM-XXIII

*[See rule 52]*

**Certificate of Fitness**

Certificate Number: Date:

| | |
|---|---|
| Name of adolescent | |
| Father Name | |
| Address | |
| Gender/Age | |
| Descriptive Marks | |
| Name of establishment | |
| Registration No. of establishment | |
| Details of tests conducted along with results | |
| Whether | Fit or Unfit |
| Remarks | |

Name and Signature of Medical Officer

# FORM-XXIV

**[See Rules 56,57 and 58]**

**APPLICATION FOR CONTRACT LABOUR LICENSE**

| **Online Application for License/ Renewal of License/Amendment of Licence (including Common/Single license)** |
|---|
| **CONTRACTOR PROFILE** |
| Registration No./LIN No. (If any) Date |
| Acknowledgement Number: ..... Date of Application: ..... |
| **I. Particulars of the Contractor for which Licence required:** |
| 1. Name of the Contractor : |
| 2. Constitution of firm (Proprietorship/ Partnership/Company/Cooperative): |
| 2. Address of the Contractor's firm: |
| 3. Contact Details (Mobile/email): |

| 4. Name, Father's Name and residential address of the Contractor: | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **II. Particulars of the Contract Labour is employed/ proposed to be employed (If licence is required work wise)** | | | | | | | | |
| Locations and address of sites of work | Nature of work | Activity as per national industrial classification | Date of commencement | Probable date of completion | Name of Establishments along with Registration No. (If any) in which contract labour is employed /proposed to be employed | Maximum number of contract labour including inter state migrant worker employed/proposed to be employed | Name and address of the Principal Employer | Name Address, email id of the Site Incharge |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 5. Amount of Licence Fee: **INR** **( Transaction Id : )** | | | | | | | | |
| 6. Details of Bank Guarantee as security: **No. and date** | | | | | | | | |
| **III. Details of Establishments for which Common Licence is required, (If Applying for supply of manpower )** | | | | | | | | |
| Type of Establishments | Name & Address of establishment along with Registration No (If any) | Maximum number of contract labour including inter state migrant worker supplied/ proposed to be supplied | Start date | End date | (i)Nature of work carried out in the establishment (ii) Activity as per National Industrial classification | Name and address of the Principal Employer | Name of authorised representative of the contractor | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

| **IV. Details of interstate migrant workers if any** | | | | | | |
|---|---|---|---|---|---|---|
| Sr. No | Name | Father/Husband's name | Permanent address Town/Village | District | Aadhar number | Mobile number |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | **Signature of Contractor** |
| | | | | | | **(eSign/DSC)** |
| **APPLICATION FOR RENEWAL OF LICENCE** | | | | | | |
| 1. Licence No | | | Date : | | | |
| 2. Registration No./LIN & PAN | | | | | | |
| 3. Details of Contractor and Establishments retrieved through Licence No | | | | | | |
| 4. Date of expiry of previous Licence : | | | | | | |
| 5. Whether the Licence of the employer/contractor was suspended or revoked: | | | | | | |
| 6. Details of Fees paid : (Enclose e-payment receipt): Amount .... | | | | date of payment : | | |
| E-sign /digital sign of the employer/contractor | | | | date: | | |

| **APPLICATION FOR AMENDMENT OF LICENCE :** | |
|---|---|
| 1. Licence No | Date: |
| 2. Registration No./ LIN & PAN | |

| |
|---|
| 3. Details of Contractor and Establishments retrieved through Licence No. |
| 4 Details for which amendment is sought: |
| (a). Maximum number of contract labour presently employed: (If there is increase in the maximum number of contract labour to be employed, then additional fees/security deposit as per law needs to be deposited: |
| (b). Details of fees paid through e payment date on which made: |
| 6. Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required) |

**E-sign /digital sign of the employer/contractor**

# FORM-XXV

**[See Rules 56,57 and 58]**

**PROFORMA OF LICENSE**

Licence No. ----------

Licence is ----------

hereby ----------

~~granted to~~ ----------

M/s of

Sh.....

.....

.... s/o

for executing the work through contract labour or for supplying/ engaging man power within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

Date ----------

Designated Authority

| S.No. | Validity of License From To | Maximum number of Contract labour including Inter state migrant worker on any one day | Name and address of Establishment | Details of sites of work | Name of work | Name of Principal Employer | Fee paid | Date of Payment | Security Deposit/ Bank Guarantee details | Signature of the issuing Authority |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | |
| | | | | | | | | | | |

AMENDMENTS:

| Year when amended | Maximum number of Contract labour including Interstate migrant workers on any one day | Date of payment of amendment fee | Date of Payment | Signature of the Issuing Authority |
|---|---|---|---|---|

## FORM-XXVI

[See rule 60]

Register of Contractors

| S. No. | Licence number and name | Name and address of the Contractor | Name and address of the Establishment | Nature of work to be carried out by the contractor | Maximum number of contract labour to be employed on any day | Probable date of commencement | Date of completion | Details of amount paid as wages | Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

## FORM-XXVII

[See rule 61]

Notice of intimation of work-order by contractor

I ..... of M/s ..... having Registration/Licence Number (if any) ..... hereby intimate about receipt of contract work order with following details:

1. Name of the Principal employer:

2. Address of the Establishment where work is being undertaken:

3. Date of commencement of the contract work:

4. The number of contract labour employed under the work order:

5. Duration of work order:

Signature of the Contractor

## FORM-XXVIII

[See rules 64 and 66]

Register of Security Deposit/Bank Guarantee

| S.No. | Name and Address of the contractor | Amount of security deposit /Bank Guarantee | Details of Bank Guarantee | Amount recovered from Bank Guarantee for payment of wages | Reference of order of Designated authority for recovery of payment of wages from security deposit/Bank Guarantee | Remarks |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

## FORM-XXIX

**[See rule 67]**

EXPERIENCE CERTIFICATE OF CONTRACT LABOUR

| To whom so ever concerned |
|---|
| 1. Name of contractor/employer*: |
| 2. LIN/PAN No./Licence No of the contractor/employer *: |
| 3. Email Id of the contractor /employer *: |
| 4. Mobile No. of the contractor/employer *: |
| 5. Nature and location of work: |
| 6. Name of Principal Employer*: |
| 7. LIN/PAN No/Registration No. of the Principal Employer :* |
| 8. Email Id of the Principal Employer : * |
| 9. Mobile No. of the Principal Employer :* |
| 10. Name of the worker*: |
| 11. UAN / Aadhaar No.: |
| 12. Mobile No. : |
| 13. Employee Code: |
| 14.Registration number, date and name of the Board if the building and other construction worker is registered as a beneficiary: |
| 15. Period of Employment: |
| 16. Designation: |
| Seal and Signature of Contractor |

## FORM-XXX

[See rule 68]

Application under Section 57 (2)

a. Name of aggrieved party:

b. Address of communication:

c. Details of grievance:

d. Reasons of claim:

e. Details of documents attached:

Signature of aggrieved party

Name and Address of establishment:

Establishment registration number:

## FORM-XXXI

[See rule 69]

Register of Journey Allowance

| S. No. | Name of inter-state worker | Entry in Employee's Register/adolescent worker register | Permanent address of inter-state worker | Period of journey | Mode of journey | Amount paid | Signature of inter-state worker |
|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

## FORM-XXXII

[See rule 73]

Agreement between Producer and Audio-visual worker

This agreement is made on this day ..... month ..... year ..... between Messrs having office at ..... (hereinafter referred to as the —Producerll) on

the first part and Shri/Smt/Kum ..... son/daughter/wife of Shri ..... residing at (hereinafter referred to as the —audio-visual worker‖) on the second part. The terms „Producer" and „audio-visual worker' shall include their heirs, successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual and this period shall not exceed consecutive months.
2. That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by him in writing.
3. That in consideration of the audio-visual worker services, as aforesaid, the Producer agrees to pay and the audio-visual worker agrees to receive a sum of Rs ..... (Rupees .....) payable as advance on signing of this agreement and the balance of Rs ..... payable in equal installments.
4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.
5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.
6. That the audio-visual worker shall, if so required,
   (a) attend the studios, location or work-place, as the case may be, earlier than the as scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs per hour or part thereof for such early attendance.
   (b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs for the work during the extended hours and refreshments, and transport facilities.
7. That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer's and audio-visual worker's representative organizations.
8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

9. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.
10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control:-
    (a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom; or
    (b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visuel worker at the time of termination.
11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.
12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.
13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audio-visual worker whether or not to allow his/her name to go on the credit titles of the film.

14. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.
15. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.
16. That the Producer shall also pay for all traveling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.
17. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.
18. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control:-
    (a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from; or
    (b) he shall be entitled to terminate this agreement as form the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.
19. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.
20. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of

termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are provide before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favor of such termination and the audio-visual worker has been paid all his dues.

21. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audio-visual workers whether or not to allow his/her name to go on the credit titles of the film.
22. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.
23. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.
24. That the audio-visual worker shall comply with all the regulations of the studio, location or workplace as the case may be.
25. That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.
26. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.
27. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses.

1. Witness
Producer

Name Address

2. Witness audio-visual worker

Name Address

# FORM-XXXIII

[See rules 76, 78, 91, 92, 93, 94 and 142]

## Application for common grant/renewal/amendment Licence for factories & industrial premises for beedi or cigar & engagement of contractors

| Online Application for License/ Renewal of License/Amendment of Licence (including Common/Single License) | | | | | |
|---|---|---|---|---|---|
| **ESTABLISHMENT PROFILE:** | | | | | |
| Registration No. | | | Date: | | |
| Acknowledgement Number: ..... Date of Application: ..... | | | | | |
| **I. Particulars of Establishment(Factory/Industrial premises for beedi cigar) for which Licence required:** | | | | | |
| 1. Name of the Establishment: | | | | | |
| 2. (a)Address of the establishment | | | | | |
| (b) Office address along with email Id : | | | | | |
| (c) Other correspondence address along with email Id: | | | | | |
| 3. Telephone/Mobile Number: | | | | | |
| 4. Location of establishment/ Geo tagging: | | | | | |
| **II. Details of Employer/Occupier:** | | | | | |
| 1. Full Name of Employer/Occupier: | | | | | |
| 2. Full residential address of Employer/Occupier: | | | | | |
| 3. Email Id of Employer/Occupier: | | | | | |
| 4. Mobile No. of Employer/Occupier: | | | | | |
| Note : Partnership deed in case partnership firm, GST registration in case of proprietor firm, Memorandum of article in Company, Any other type of firm relevant document should be attached (copy to be attached) | | | | | |
| **III-A Particulars of the Factory** | | | | | |
| **Factory Name** | **Full address of Factory** | **Manufacturing Process/ Activity as per national industrial classification and NIC Code** | **Date of applicability as Factory** | **Max power to be used (KW)** | **Total Number of workers proposed to be employed(Including contract labour)** |
| 1 | 2 | 3 | 4 | 5 | 6 |
| **A. Name, Father's Name, residential address and mobile no. of manager** | | | | | |
| **B. Details of approved Building plans** | | | | | |
| **C. Details of submitted Stability Certificate** | | | | | |
| **D.** Disposal of trade waste/effluents/hazardous waste/e- waste/biomedical waste (which is applicable) | | | | | |
| **E. Amount of fees: INR** | | | **Transaction Id:** | | |
| **F. Type of Factory (Hazardous/Non Hazardous)** | | | | | |
| **III-B Particulars of the Contract Labour is employed/ proposed to be employed** | | | | | |
| Name and address of the Contractor | Name of work in which contract labour is employed/proposed to be employed | Maximum Number of contract labour to be employed on any day | Activity as per national industrial classification | Estimated Date of commencement of each contract work | Estimated Date of completion of each contract work | Number of inter state migrants |

| | | | | | | |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| A. Amount of Licence Fee: INR ( Transaction Id : ) | | | | | | |
| B. Details of Bank Guarantee as security deposit : | | | | | | |
| III-C. Details related to Beedi cigar works in the establishment(Factory or industrial premises) | | | | | | |
| A. Maximum Number of workers to be Employed | | | | | | |
| B. Details of approved building plans | | | | | | |
| C. Fees | Transaction id. | | | | | |
| (eSign/DSC of employer /Occupier) | | | | | | |

## FORM-XXXIV

[See rules 76, 78, 91, 92, 93 and 142]

**Common Licence For Factory/Beedi & Cigar Work/Engaging Contract Labour**

**Government of Punjab**

Office of Designated Authority under section 119 of The Occupational Safety, Health And Working Conditions Code 2020

Licence number: Date of issue:

A Licence is granted to M/S..... registered under the section-3 of the code having registration number.....with following details:

| | |
|---|---|
| 1. Name of Occupier/Employer | |
| 2. Manufacturing Process | |
| 3. Motive Power | |
| 4. Maximum Number of workers | |
| 5.Details of Fees | |

| 6.Name of Contractors | A | B | C | D |
|---|---|---|---|---|
| | | | | |
| 7.Number of contract labour | | | | |
| 8.Name of contract work | | | | |
| 9.Details of fee for contract labour and details of security deposit/Bank Guarantee | | | | |
| 10.Number of workers employed in beedi cigar | | | | |
| 11.Details of Building plan and stability certificate (Factory/Industrial Premises) | | | | |
| 12.Details of fees for Beedi cigar | | | | |

This Licence will remain in force from .....till.....

Name And DSC of Designated Authority

## FORM-XXXV

[See Sub-rule (5) of rule 82]

Application for Permission to Construct/Addition/Alteration/Erection/Take into use any premises as a factory

I hereby submit the application for [construction/addition/alteration/erection] [tick which applicable] any premises as a factory as given below;

1. (a) Name of the Applicant/Occupier:
   (b) Address of the Occupier/Applicant:
   (c) Applicant's relation to the factory:
2. Full name of the factory:
3. Location of factory :

(A) Name of Village/City, Tehsil & Distt.
(B) Khasra Numbers if any :
(C) Street/Mohalla/Colony/Bazzar/Road/ward number if applicable
(D) If in industrial focal point/industrial park then plot number
(E) If above or below the ground level then floor on which it is situated
(F) Number of Floors

(G) Whether having basement

4. Name of competent person:
5. Site visit photograph of competent person along with geo tagging: -
6. Manufacturing process carried on /to be carried out:
7. Total covered area of the Factory:

Signature of the applicant/ Occupier along with date

## FORM-XXXVI

[See clause (c) of sub-rule (5) of rule 82]

**Particulars of Factory Buildings**

1. Name of the factory:
2. Address of factory:
3. Name of the Competent person:
4. Name of the Occupier/Applicant:

| Name/Number of Buildings (as in plans) | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | | |

Signature of Occupier/Applicant

Signature of Competent person

## FORM-XXXVII

[See rule 85]

Stability Certificate

1 Name and address of the factory:
2 Name of occupier of the factory:
3 Nature of manufacturing process carried on in the factory:
4 Number of floors of the factory (including basement, if any):
5 Location coordinates:
6 Structural strength report:

I certify that I have inspected the building(s)/structure(s), the plans of which have been approved/accepted by the Chief Inspector-cum-Facilitator vide letter No date - - and examined the various parts including the foundations with special reference to the machinery, plant, etc. that have been installed. I am of the opinion that the building(s)/structure(s) which has/have been constructed/reconstructed/extended/taken into use is/are in accordance with the plans approved/accepted by the Chief Inspector vide his letter mentioned above, that these are structurally sound and that their use as a factory/part of the factory for the manufacturing for which the machinery, plant etc. installed is intended. The building is safe to use for the manufacturing process carried on/to be carried out in the factory.

Signature of competent person with date

Name of competent person

Address of competent person

Competency Letter No. issued by Chief Inspector-cum-Facilitator

## FORM-XXXVIII

[See sub-rule (3) of rule 89]

Register of Building Plans of Factories

| S.No. | Name and Address of Factory | Date of submission | Date of Processing Regular approval Deemed approval | Date of amendment | Date of refusal | Date of return | Processing fee amount | Remarks |
|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

## FORM-XXXIX

[See rules 110 and 135]

CERTIFICATE OF FITNESS FOR HAZARDOUS PROCESS OR DANGEROUS OPERATION

1. Serial No.
2. I certify that I have Personally examined [Name of person examined] having serial Number (in Adult Worker Register) who is desirous of being employed in (hazardous process/dangerous operation) in factory
3. He is fit to be employed
4. He may be produced for further examination after a period of
5. He has gone undergone following tests/examinations:

| S.No. | Name of test/examination | remarks |
|---|---|---|

| | 1 | 2 |
|---|---|---|

6. Remarks of medical officer:

Name and signature of medical officer

## FORM-XL

[See rules 110 and 135]

Health Register

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |

## FORM-XLI

(See rule 100)

APPLICATION FOR THE SITE APPRAISAL COMMITTEE

1. Name and address of the applicant.
2. Site Ownership Data:
   2.1, Revenue details of the site such as Khasra No., Plot No.
   2.2. Local authority under whose jurisdiction the site is located.
   2.2 Zone (Industrial/ residential/Mix land use)
3. Site plan with clear identification of boundaries and total area proposed to be occupied and showing details nearby the proposed site

(a) Name of adjoining manufacturing units and human habits, educational and training institutions, petrol installations, storages liquefied Petroleum Gas and other hazardous substances, if any, within one kilometre from the proposed unit.

(b) Water sources (rivers, streams, canal dams, water filtration plants) in the vicinity.

(c) Nearest hospitals, Fire-stations, Civil Defense Stations and Police Station and their distances.

(d) Details of high-tension electrical transmission lines, pipe lines for oil, gas sewerage, if any, passing through the site, and

(c) Location of railway stations, railway lines, Scheduled Road, by-pass,, if any near the site.

4. Project Report.

4.1 A summary of the salient features of Project.

4.2. Maximum number of persons like be working in the factory.

4.3. Maximum amount of power and requirements and source of supply.

4.4. Details of housing colony, hospital, school and other infrastructural facilities proposed.

5. Organisation structure of the proposed manufacturing unit/factory:

6. Manufacturing Process Information:

6.1. Process flow diagrams.

6.2 Brief write up on process and technology; and

6.3 Critical Process parameters such as pressure buildup, temperature rise and run-away reaction.

7. Information of Hazardous Materials:

7.1 Raw materials, intermediates, products and bye products and their quantities (enclosed Material Safety Data Sheet in respect of each hazardous substances).

7.2 Main and intermediate storages proposed far raw material /intermodiates/products/Bye Products (maximum quantities to be stored at any time)

7.3 Transportation methods to be used for materials in flow and out flow, their quantities to be stored at any time; and

7.4 Safety measures proposed for:

a. handling of materials.
b. internal and external transportation, and
c. disposal (packing and forwarding of finished products).

8. Information of Dispersal/Disposal of wastes and pollutants;

9. Process Hazards Information:

9.1. Enclose a copy of the report on environmental impact assessment.

9.2. Enclosed a copy of the report an Risk Assessment Study: and

10. Information of proposed Safety and Occupational Health Measure;

11. Any other Information:

I certify that the information furnished above is correct to the best of my knowledge and nothing has been concealed while furnishing it.

Signature

Date

Designation

## FORM-XLII

[See rules 102, 103 and 104]

Material Safety Data Sheet

1. CHEMICAL IDENTITY

   (i) Chemical Name

   (ii) Chemical Classification

   (iii) Synonyms Trade Name

   (iv) Formula

   (v) C.A.S. No.

   (vi) U.N. No.

   1.2.

   3.4.

2. PHYSICAL AND CHEMICAL DATA:

   (i) Boiling Range/Point oC

   (ii) Physical State Appearance

   (iii) Melting Freezing Point oC

   (iv) Vapor Pressure Oduor at 35 0C mm Hg

   (v) Vapor Density (Air-I) Solubility in Water at 30 0C Others

   (vi) Specific Gravity Water-1

3. **FIRE AND EXPLOSION HAZARD DATA:**

   (i) Flammability Yes/No

   (ii) LEL %

   (iii) UEL %

   (iv) Flash Point 0C

   (v) Autoignition Temperature

   (vi) TDG

   (vii) Explosive

   (viii) Sensitivity to impact

   (ix) Explosion Sensitivity to Static Electricity

(x) Hazardous Combustion Products

(xi) Hazardous Polymerization

(xii) Combustible Liquid

(xiii) Corrosion Material

(xiv) Flammable Material Oxidizer Others Pyrophoric Material Organic Peroxide

4. **REACTIVITY DATA:**

(i) Chemical Stability

(ii) Incompatibility With other Material

(iii) Reactivity

(iv) Hazardous Reaction Products

5. **HEALTH HAZARD DATA:**

(i) Routes of Entry

(ii) Effects of Exposure/Symptoms

(iii) Emergency Treatment

(iv) ILV (ACGIH) ppm mg/m3

(v) STEL ppm mg/m3

(vi) Permissible Exposure Limit Id ppm mg/m3 Odour Threshold ppm mg/m3 50 LD

50 NFPA Hazards Signals Health Flammability Stability Special

6. **PREVENTIVE MEASURES:**

(i) Personnel Protective Equipment

(ii) Heading and Storage

(iii) Precautions

7. **EMERGENCY AND FIRST AID MEASURE:**

(i) FIRE EXTINGUISHING Media

(ii) FIRE Special Procedures

(iii) Unusual Hazards

(iv) First–Aid Measures

(v) EXPOSURE

(vi) Antidote/Dosages

(vii) Steps to be taken SPILLS

(viii) Waste Disposal Method

8. **ADDITIONAL INFORMATION OR REFERENCE:**
9. **MANUFACTURE AND SUPPLIER'S DATA:**

(i) Name of Firm

(ii) Mailing Address

(iii) Telephone/Telex Contact person

(iv) Nos. Telegraphic in Emergency

(v) Address

(vi) Local Bodies involved

(vii) Standard Packing

(viii) Trade card Detail of reference

(ix) Others

10. DISCLAIMER Information contained in this material data sheet is believed to be reliable but no representation guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application or results to be obtained from them. It is up to the manufacturer / seller to ensure that the information contained in the material safety data sheet is relevant to the product manufacture handled or sold by him as the case may be. The Government makes, no warranties expressed or implied in respect of the adequacy of this document for any particular purpose.

## FORM-XLIII

[See rule 117]

Application to appropriate authority

a. Name of occupier or manager:

b. Name and Address of factory:

c. Details of grievance:

d. Reasons of claim:

e. Details of documents attached:

Name and signature of occupier/manager

## FORM-XLIV

[See rule 139]

Penalty Register

..... (Address of office)

For the month of (Name of month with year)

| S.N o. | Name and address of person on whom penalty imposed | Name and address of establishment in relation to person on whom penalty imposed | Date and section no. of reference of other relevant penalty imposed | Offence | Amount of penalty | Date of depositi on | Whether an appeal preferred and | Signature of officer imposing penalty | Remarks |
|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

(a) Total penalty collected at the end of month:

(b) Details of transfer of amount to fund:

(i) Date:

(ii) Amount:

(iii) Bank details of transfer:

Signature and seal of office

**FORM- XLV**

**[See rule 140]**

**APPLICATION FOR COMPOSITION OF OFFENCE**

1. Name of applicant :

2. Father's / Spouse name :

3. Address of the applicant :

4. Name of establishment:

5. Particulars of the offence:..... .....

6. Section of the Code under which the offence is committed :.....

7. Maximum fine provided for the offence under the Code :.....

8. Whether prosecution against the applicant is pending or not .....

9. Whether the offence is a first offence or whether the applicant has committed any other offence prior to the offence. If yes, then, full details of such prior offence.....

10. Any other information which the applicant desires to provide.....

Applicant

(Name and signature)

**FORM- XLVI**

[See rule 140 ]

**Notice to the employer for an offence committed under the provisions of the Code for the first time for composition of offences**

**Notice No.....** **Date:**

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment.....

(Registration No.....), have committed an offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations or the Standards framed thereunder as per the details given below:-

Part-I

| | | |
|---|---|---|
| 1. | Name of the person: | |
| 2. | Name and Address of the establishment : | |
| 3. | Registration No. of the establishment: | |
| 4. | Particulars of the offence: | |
| 5. | Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed: | |
| 6. | Amount required to be paid for compounding of the offence: | |
| 7. | Name and details of account for depositing the amount specified in serial no. 6: | |

**PART –II**

In view of the above, you have an option to pay the entire amount mentioned at serial no. 6 in Part-I within fifteen days from the date of issue of this notice and return the

application duly filled in Part – III of this notice.

In case the said amount is not paid within the specified time, necessary action for institution of prosecution shall be initiated without giving any further opportunity in this regard.

**(Signature)**

**(Name and designation of Officer)**

**Date:**

**Place:**

**To:**

**.....(Employer/Establishment)**

**.....(Name and registration No.)**

**PART – III**

**[See sub-rule (2) of rule 140]**

**Application under section 114 for composition of offence**

**Ref: Notice No.....**
**Date:**

**The undersigned has deposited the entire amount as specified at serial 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.**

**1. Details of the compounding amount deposited (Copy of the electronically generated receipt to be attached):**

**2. Details of the prosecution, if any filed in respect of the violation of the above-mentioned offences:**

**3. Whether the present offence is a first offence or whether the applicant has committed any other offence prior to this offence, if so, then, full details of such offence:**

**4. Any other information which the applicant desires to provide:**

**Signature of the applicant**

**(Name and Designation)**

**Date:**

**Place:**

**To:**

**.....(Compounding Officer)**

**.....(Name of the Office)**

.....(Address)

**PART – IV**

[See sub-rule (3) of rule 140]

**Composition Certificate**

**Ref: Notice No.....** **Date:**

This is to certify that the offence under sub-section ..... of section 114 in respect of which Notice No. Dated: _____ was issued to Sh/Smt. .....

(Applicant), the employer of ..... (name and registration number of the establishment) has been compounded on upon receipt of thefull amount of Rs ..... (Rupees _____) towards compounding of the offence, to the satisfaction of the requirements of the said notice.

**(Signature)**

**Name and Designation of the Officer**

**Date:**

**Place:**

**To:**

**.....(Employer/Establishment)**

**.....(Name and registration number)**

**.....(Address)**

[

## FORM-XLVII

(See rule 139)

Proforma for Appeal before the Appellate Authority against Order of Imposing Penalty

To,

Appellate Authority

[Under Section 111(2) of the Code]

Sir,

I undersigned with following details prefer an appeal against order of ------- (details of officer imposing penalty) under section 111(2) of The Occupational Safety, Health And Working Conditions Code 2020.

1. Name and address of the establishment.
2. Name of the person preferring appeal and address details
3. Amount of penalty imposed by the officer.
4. Ground for Appeal with supporting documents

Declaration

I/We hear by declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.

Signature I of person preferring appeal

Name:

Date:

Place:

Mobile Number:

E-mail (if any):

## FORM-XLVIII

(See rule 141)

Record of Social Security Fund

| S.No. | Amount received for fund | Source of fund | Date of receipt | Details of credit to the Punjab Unorganized Workers Social Security Board |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

Sd/-
**MANVESH SINGH SIDHU, IAS,**
Secretary to Government of Punjab,
Department of Labour,

*3874/11-2026/Pb. Govt. Press, S.A.S. Nagar*