REPORT ON SIMPLIFICATION OF RETURNS UNDER LABOUR LAWS

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT
LABOUR BUREAU
CHANDIGARH/SHIMLA

COLLECTION OF LABOUR STATISTICS THROUGH STATUTORY AND VOLUNTARY RETURNS

REPORT

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PREFACE

With the advent of globalization and liberalization of reforms, a revolutionary development is seen in Industrial Sector. More and more setting up of industrial units involving wide spread use of machinery, changes in working and living environment of workers, concentration of industries in large towns have brought the workers together to maintain and improve their bargaining power and hence their employment conditions. Also, the Government of India passed several Acts to regulate conditions governing the registration of these industrial units. The Rules framed under Labour Acts impose obligation on registered industry (primary units) to submit annual statutory return in the prescribed format to the concerned authorities of their respective States/Union Territories. These State/UT Authorities in turn furnish the consolidated data in respect of the entire State/UT to the Labour Bureau. The Labour Bureau compiles and disseminates these statistics at All India level.

However, the reliability and uses of the Statistics collected under these Acts are not much beneficial to the users due to many reasons, like poor response, low quality and long time lag. Despite the fact that the rules framed under various acts impose obligations on industries to submit returns, these units resort to casual practices of submitting returns due to low penalties prescribed under these acts.

The book attempts to simplify/rationalize returns so as to facilitate concerned State/UT Authorities in consolidation of data received from primary units. Also, recommendations have been given in the relevant chapters for electronic capturing of data for quick transmission of data through Web Portal. I hope that the ideas presented in this publication would prove useful to the users.

I take this opportunity to thank the members of the Sub-Committee set up to examine the forms prescribed under different labour legislations handled by Labour Bureau and submit their suggestions for simplification/rationalization of these forms to enable the larger committee constituted by Inter-divisional Committee for considering the suggestions. The Officers and other officials of the Shimla Office also deserve Bureau's appreciation for their timely cooperation and efforts. Last but not the least, the Officers and staff of the LS Division of Labour Bureau deserve special mention for their sincere efforts put up for implementing the suggestions and bringing out the publication in quickest possible time.

Suggestions for further improvement are welcome.

Daljeet Singh
Director General

Chandigarh
15th April 2014

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Chapter 1: Simplication of Returns: An Introduction

Labour Bureau is entrusted with the task of collection, compilation and dissemination of Statistical Information on various aspects of labour based on Statutory and Voluntary returns under different acts and surveys conducted. The Acts under which statistical information on various parameters are collected are as under:

Statutory Returns

1) The Minimum Wages Act, 1948
2) The Payment of Wages Act, 1936
3) The Factories Act, 1948
4) The Plantations Labour Act, 1951
5) The Motor Transport Workers Act, 1961
6) Shops & Commercial Establishment Act
7) The Industrial Employment (Standing Orders) Act, 1946
8) The Workmen's Compensation Act, 1923
9) The Maternity Benefits Act, 1961
10) The Trade Unions Act, 1926.

Voluntary Returns

11) The Industrial Disputes Act, 1947

2. Labour Statistics as is presently collected is dated information. Despite the fact that the rules framed under various acts impose obligations on industries to submit the returns prescribed under the law, the response from the primary units under various Acts is very low and the States/UTs also take a lot of time in submitting the consolidated

returns to Labour Bureau, thus limiting the reliability and use of Labour Statistics so collected. As a result of this poor quality and unreliable frequency of data, policy makers do not find it easy to rely on them or make use of them. Though Labour Bureau has been consistently impressing upon the state authorities to take appropriate measures for improving the situation, but still no major improvement is met in frequency of data. Thus, the users find statistics collected under these acts of not of much beneficial to them.

3. To improve upon the situation, Labour Bureau is under process of simplification and consolidation of large number of existing returns into new forms so as to increase the response thereby, improving the quality of labour statistics collected under various Labour Acts.

4. In compliance to the Ministry's decision of the constitution of Inter-Divisional Committee for simplification/rationalization of returns, a committee has been reconstituted by the Director General to examine the forms prescribed under different labour legislations handled by the Labour Bureau who would study and suggest simplification/rationalization of these forms.

5. Furthermore, Labour Bureau is working on electronic capturing of data through Labour Bureau Web Portal thereby, facilitating States/UTs with electronic transmission of returns under various acts without any delay.

6. The first Meeting of the Committee was held under the chairmanship of Shri Sunil Chaudhry, Director on 1st February 2014 to strategize the task of simplification of returns handled by Labour Bureau. The major decisions taken in the meeting are as under;

- Atleast two Central Labour Acts would be taken for discussion in every meeting of the Committee.
- Both returns; the return submitted by the Primary Units to the State Labour Commissioner and the Consolidated return submitted by the office of the State Labour Commissioner to the Labour Bureau would be discussed at length.
- First the returns used under specific Labour law would be simplified and then, the communalities between the returns would be removed from the returns.
- Implementation of the decisions taken in the meeting before the next meeting is commenced.
- Special focus would be given on electronic capturing of data through returns.

7. Five such meetings have been held in Labour Bureau for the simplification of returns used under various acts wherein these performae were discussed at stretch. To begin with, returns used for collection of Statistics under 'The Minimum Wages Act, 1948' were taken up for discussion in the first meeting of the Committee. The changes recommended in the meeting is enclosed at **Annexure-I.**

8. After a lot of deliberations in the second & third meeting of the committee, Labour Bureau recommended changes in the prescribed performae used under the Factories Act, 1948, the Payment of Wages Act, 1936 and the Industrial Disputes Act, 1947. The changes as suggested in the said meetings of the Committee are placed at **Annexure-II**.

9. A fourth meeting was convened to discuss simplification of returns used in The Plantations Labour Act, 1951, The Motor Transport Workers Act, 1961, The Workmen's Compensation Act, 1923 and The Legislation relating to Workers in Shops & Commercial Establishments. The recommendations made by the members present in the meeting are enclosed at **Annexure-III**.

10. Finally, returns used under remaining acts; The Trade Unions Act, 1926, The Maternity Benefits Act, 1961 and the Industrial employment (Standing Orders) Act, 1946 came up for discussion in the fifth meeting of committee. The alterations suggested by the committee in the returns used under the acts are at **Annexure-IV**.

11. Furthermore, Committee worked on electronic capturing of data through Labour Bureau Web Portal thereby, facilitating States/UTs with online transmission of returns under various acts without any delay and recommended procedure to be adopted in implementation of e-capturing of data through webportal discussed in Chapter 13.

Recommendations of Committee

The Minimum Wages Act, 1948

1. **Form-III;** return used by Primary Units was discussed at length. The members present in the meeting believed that the information sought from industrial units is of immense utility and at the same time, very diminutive. Therefore, there was hardly any scope for rationalization of the return except that it could be redesigned in order to facilitate E-capturing of data. Accordingly, it was decided that the information under Item 2, 3 & 4 may be collected in a tabular form with a suggestion that the heading 'Adults' & 'Children' may be replaced by 'Adults' & 'Adolescents'. The information on 'Total Wages' as collected under item 5 & 6 may also be collected in a tabular form conjoined with the table.

2. The participants then were apprised that the information gathered from primary units is consolidated by the State authorities in Form-A designed for the purpose. Hence, Form-A was reviewed and following recommendations was made.

   - **Form-A: Item. III 2, Column 7 to 15;** It was suggested that the columns may be dropped, alluding Minimum Wages cannot be Gender Bias, with a suggestion to collect information on Rate of Wages (Rs.) under the heading 'Adults' and 'Adolescents' with subheadings 'Basic Wage', 'Variable Dearness Allowance' and 'Consolidated Wage';

   - **Form-A: Item. III 3;** It was decided to redesign Item III. 3 in light of the suggestions given for Form-A Item III. 2;

- **Form-A: Item. IV, Column 5;** As recommended for other items in the form, column 5 {Children} shall be replaced by {Adolescent};

- **Form-A: Item. IV, Column 7 & 8;** The forum consented on removal of these columns from the return contemplating that the information collected through these items was never tabulated in any of the publication of Labour Bureau. But later on it was believed that the information on working days and mandays worked are vital importance and therefore, it was decided to redesign Item IV, Column 7 & 8 in light of the data collected from Primary Units;

- **Form-A: Item. V & VI;** It was mulled that the information collected through these items was never tabulated in any of the publication of Labour Bureau. Nevertheless, it was recommended to replace these items into a new item wherein information on number of inspections, number of irregularities detected, number of prosecutions and the number of claims referred during the year could be collected in tabular form.

3. **Form-B**; It was apprised to the members of the committee that the form is meant to collect quarterly data from the concerned State authorities. Comprehending that the Labour Bureau is entrusted with dissemination of the annual publication on The Minimum Wages Act 1948, it was decided to drop Form B from the return.

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Recommendations of the Committee

The Factories Act, 1948

1. Both returns; the returns submitted by the Primary Units to the Chief Inspector of Factories (CIF) and the Consolidated return submitted by CIF to the Labour Bureau were examined by the forum.

2. It was apprised in the forum that the primary units furnish annual data & half yearly data in **Form-34** and **Form-35** of the return respectively. Figuring that the Labour Bureau is entrusted with dissemination of the annual publication on 'The Factories Act 1948', it was decided to drop Form 35 from the return

3. **Form-34;** return used by Primary Units was discussed at length. The members present in the meeting believed that the information sought from industrial units is precise and very specific to the requirements of Labour Bureau. Therefore, there was hardly any scope for rationalization of the return except that it could be restructured in order to facilitate E-capturing of data.

4. Accordingly, it was decided to collect information under Item 1 to 7 in a separate Block 'Identification Particulars' so as to facilitate electronic capturing of data.

5. The information through primary return may be collected in a tabular form with a suggestion that the heading 'Men', 'Women' & 'Children' may be replaced by 'Adults' & 'Adolescents'; each, with a subheading 'Male' & 'Female'.

6. The information on 'Factories carrying out dangerous operations' and 'Leave with wages' as collected under item 13 and 14 to 17 respectively may also be collected in separate blocks.

7. The subblocks 'Safety Officers', 'Ambulance Room', 'Canteen', 'Shelters or Rest Rooms & Lunch Rooms', 'Creches' & 'Welfare Officers' may be conjoined into one major Block with heading 'Health & Welfare Amenities'.

8. A separate block may be designed to collect information on Accidents covering items 24 (a), 24 (b) and 24 (c).

9. The information collected under the heading 'Suggestion Scheme' is not utilized by Labour Bureau in its annual publication and so, it was decided to drop the item from the return.

10. It was suggested to collect information under **Block IV (Accidents) of revised Form 34,** i.e. Fatal and non-Fatal accidents under the heading 'Adults' and 'Adolescents' with sub-headings 'Men' and Women';

11. **Form-A (Consolidated Return)**; It was informed in the meeting that the State Labour Authorities furnish information in the return at different levels of NIC-2008. The forum consented on supply of data across all statements of return at 5 digit level of NIC 2008 by the

concerned authorities and compilation by Labour Bureau by aggregating data at relevant NIC digit level through computer programming;

12. **Form-A Statement 1-A Col. 2**; It was mulled that the information collected through this column {Dangerous processes/operations) is not used by Labour Bureau and therefore, it was decided to drop the column from the statement.

13. **Form-A Statement V;** It was consented on redesigning statement on Fatal and Non-Fatal Accidents in factories submitting Returns into a new statement in line with the decisions taken in restructuring of Block IV (Accidents) of Form-34.

14. **Form-A Statement VIII;** The forum consented on removal of the statement from the return contemplating that the information collected through this statement was never tabulated in any of the publication of Labour Bureau;

15. **Form-A Statement XIII;** The committee members found information on 'Leave with Wages' to be of vital importance and therefore, the members agreed on the proposal of the redesign of statement in light with the data collected from Primary Units;

The Payment of Wages Act, 1948

- **Form-IV**; return used by the Primary Units was discussed at stretch. The members present in the meeting regarded the information collected through return as miniature but very useful. Therefore, it was decided to redesign the schedule in line with the restructuring done in other returns. Accordingly, it was held that the information under Item 3 (a) & 3 (b) may be

collected in a tabular form with a decision to replace headings 'Adults' & 'Children' as 'Adults' & 'Adolescents';

- **Form-A Col. 1;** It was decided to maintain the practice of collection of data as classified in Colum 1 of Form-A except that the information collected under the Act shall be at the level of 5 digit of NIC 2008;

The Industrial Disputes Act, 1947

- **Part A Column 23;** Column 23 {Affiliation to Central Organization of Employees/Employers} is recommended to be dropped from the return citing reasons that the information is not compiled by Labour Bureau.

- **Part B Column 22;** It was suggested to redesign Part-B of the schedule in line with the decisions taken in Part-A of the schedule;

- **Blocks on Closures, Retrenchments and Lay-offs;** Reorientation of blocks {'Closures', 'Retrenchments' and 'Lay-Off'} in tabular form so as to facilitate e-capturing of data.

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Recommendations of the Committee

The Plantation of Labour Act, 1951

Primary Return: prescribed to fetch calendar year data from the plantation units contains seven blocks namely, Identification Particulars; Employment Particulars; Leave with Wages; Health; Welfare Amenities; Housing; and Accidents. It was concurred by the committee that the blocks may be redesigned in line with the recommendations for 'The Factories Act, 1948'.

Consolidated Return: meant for consolidation of data received from primary units comprises of 16 blocks from Statement-I to Statement-XVI.

1. **Statement-III;** A decision was made to drop Column 12 to 14 from the Statement as the columns pertained to information on children making it compatible with the other Acts and total {Column 15 to 17} shall be dynamic;

2. **Statement IV & V;** It was decided to match the frequency of these blocks with that of Factory Act, 1948;

3. **Statement VII;** This statement will be altered by deleting Column 4, 8, 12 & 18 containing the information regarding children;

4. **Statement IX;** It was decided to drop Column 7 of this statement citing its irrelevance in the statement;

5. **Statement X & XI;** It was decided to drop column 9 to 17 of Statement X as information collected through these columns was not compiled by Labour Bureau. Similarly, Column 5 to 9 will be dropped from Statement XI citing similar reason. Also, it was believed that Statements X & XI shall be merged into one and re-designed to facilitate State Authorities;

6. **Statement XII;** It was suggested to drop Column 15 to 17 from the statement as it was informed that no information is received under these columns from the plantation units;

7. **Statement XIII;** It was recommended to redesign column 4 to 7 (Fatal/Non-Fatal/Mandays lost) in line with the suggestions given under 'The Factories Act, 1948'. It was decided to retain column 8 to 13 without any changes;

8. **Statement XIV & XV;** It was decided to reform these two Statements in one single Statement as under:

Number of Plantation Inspected	Total number of inspected staff	Rest of Statement XV

The Motor Transport Workers' Act, 1961

9. Since both returns (primary and consolidated return) resembles to the returns used under ‘The Factories Act, 1948’, it was recommended to remodel these returns in light of the decisions taken for returns under ‘The Factories Act, 1948’.

The Workmen’s Compensation Act, 1923

Consolidated Form:

10. **Statement - I** - It was proposed some structural changes {as illustrated below} in Statement - I {Statement relating to working of the Workmen's Compensation Act, 1923 consolidated Statement of Returns furnished by Employer} which was agreed upon by all the members present in the meeting.

Proposed Changes				
Industry	No. of Units supposed to submit Return	No. of Units Submitting Returns		Average No. of Workers employed {per day}
Factories			T	
			A	
			Adols.	

11. Further, it was recommended by the Committee that the data will be compiled in Statement-I under the headings ‘Total', 'Adults' & ‘Adolescents' in place of 'Total', 'Adults' & ‘Minors';

12. **Statement-IV** – After the forum was apprised about the revision of monthly wages to Rs 8000/- under the act, it was consented for a revised frequency distribution as 'Less than or equal to Rs. 1000', 'Rs. 1000 – 2000' ... so on with last range as 'Rs. 8000 and above';

Primary Form:

13. It was decided to reshape primary return keeping in view commonalities between the returns used under various acts.

Shops and Commercial Establishments Act

Consolidated Form:

14. The forum was enlightened with the fact that no primary return is been filed under the act and only the consolidated return is reported under the act on the basis of which the publication is brought out on an annual basis. So it was proposed to reshape this return to facilitate electronic capturing of data.

Recommendations of the Committee

The Maternity Benefit Act, 1961

1. It was also decided to redesign primary return in a tabular form and also to modify this Return in line with the proposed modifications in other returns for maintaining uniformity;

The Industrial Employment {Standing Orders} Act, 1946

2. **Form-A**: It was decided to use NIC 2008 in place of NIC 2004 in the return.

3. It was also decided to collect information up to 5 digit level of NIC 2008 for this Act.

The Trade Union Act, 1926

4. The Committee suggested for reformation of both the returns (primary and consolidated return) used under the act in light of the decisions taken for other returns.

Chapter 2: The Minimum Wages Act, 1948
Simplification of return & its E-capturing

A sound wage policy among the working population is primarily the objective of Minimum Wage Act, 1961 to secure their social welfare and economic justice in India and, thereby improving their standard of living conditions. It has, therefore, been the constant endeavor of the government to ensure a minimum wage to the workers in the unorganized sector and has been sought to be achieved through the fixation of minimum wages.

The Minimum Wages Act, 1948 is applicable throughout India. The coverage of the Act is that the minimum rates of wages are to be fixed under the Act in respect of any employment in a state if it employs 1000 or more than 1000 workers. But if at any time the appropriate Government want to fix and revise the minimum rates of wages in respect of the **scheduled employments** originally not included in the Schedule (Part I and Part II) appended to the Act and those added to the schedule subsequently, they can notify it. There are in all 13 employments originally included in the schedule. But taking Central Sphere, all States and Union Territories together, the minimum rates of wages have so far been fixed in about 624 scheduled employments as on 31.12.2009.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'The Minimum Wages Act, 1948' are enclosed at **Annexure-2A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-2B.**

Calender year data is collected from the primary units (i.e. industrial units) in **Form-III of the return** and the information gathered from primary units is consolidated by the State authorities in **Form-A designed** for the purpose.

Form-III being presently, used for data collection from the Primary Units is reduced to a one page return named **'FORM-I'** redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units through Form-I return, it is redesigned in a tabular form in four blocks namely;

1. Identification Particulars
2. Employment and Labour Cost
3. Deductions made during the year
4. Disbursements from the fines fund during the year.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (a), I. (b), I. (c) and I. (d) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II. Employment and Labour Cost; This block is meant to capture details like number of mandays worked during the year, number of working days in a year, average daily number of persons employed during the year, total wages paid in cash and the total cash value of the wages paid in kind. Mandays worked and the working days in a year are static variables and have to be entered by the user in the space designed for the purpose. Once the figures are entered against these variables, average number of persons employed during the year would be dynamically captured by dividing the number of mandays worked during the year with the number of working days in a year. The variables 'Total wages paid in cash' and 'Total cash value of the wages paid in kind' are static variables and would be entered by the user.

Block III. Deductions Made During the Year; The block contains information on the number of cases & the total amount of deductions made due to fines, damage or loss

and breach of contract. All these variables are static variables and have to be entered by the user in the space designed for the purpose. However, the total number of cases and the total amount of deductions made during the year can be summed up dynamically by the computer.

Block IV. Disbursements from the Fines Fund during the Year; Here Item IV. (i) (Balance of fines fund at the beginning of the year and Item IV. (ii) (Disbursement from the fines fund during the year) are static variables and have to be entered by the user in the space designed for the purpose. But, the total disbursement from the fines fund during the year and Item IV. (iii) (Balance of fines fund at the end of the year) are dynamic variables and can be algebraically calculated from the static variables.

The Consolidated Return comprises of two parts **Form A** and **Form B** meant for compilation of annual and quarterly data respectively. Since Labour Bureau brings out annual publication on 'The Minimum Wages Act, 1948', it is proposed to drop Form B from the consolidated return. Also, Form A of the return which earlier had six pages is now, reduced to a four page return taking into consideration Labour Bureau's requirement and its electronic capturing.

For electronic compilation of data in Form A of the return, it is proposed that every user (State Labour Commissioner) would be given one time log-In and Password to enter into the form. When the user logs in, particulars like 'Name of the State' and 'Report for the period' would automatically come in the space provided against the items in the form. Also, the user would be provided with a facility to update the records as and when required by the user.

Information collected under Blocks 'I. Scheduled Employment', 'II. Committees, etc' and 'III. 2. Fixation of Minimum Rates of Wages for the first time' is static and is a onetime exercise for user. The database maintained at the back-end by the server would get updated electronically.

Block III. 3 of the return is intended to capture revised rates of minimum wages for scheduled employments added under Section 26 of the Act. Therefore, Columns 1 to 12 can be classified as dynamic variables and shall appear in the block automatically for static entries against them under columns 13 to 18. Accordingly in the back-end, database maintained at server would get updated.

Data on 'Payment of Wages and Deductions there from' are collected in Block IV of the return wherein Columns 1 and 2 can be governed dynamically through database maintained by the server. Average daily number of persons employed for 'Adults', 'Adolescents' and 'Total' (Columns 4 to 6) are again, dynamic variables and can be algebraically calculated as under;

$$\text{Column 4} = \sum_{\substack{\text{Primary return for} \\ \text{Scheduled Employment} \\ \& \ (\text{Block II. Col 4}) > 0}} \left[\text{Block II. } (\text{Col. 5}) \right]$$

Above formula can be repeated to arrive at average number of persons employed for Column 5 (Adolescents) and Column 6 (Total).

Thereafter, entries on total wages against each industry/employment in Columns 11 to 13 are to be arrived dynamically by formula;

$$\text{Column 11} = \sum_{\substack{\text{Primary return for} \\ \text{Scheduled Employment} \\ \& \ (\text{Block II. Col 4}) > 0}} \left[\text{Block II. } (\text{Col. 8}) \right]$$

Above formula can be repeated to calculate values of Column 12 (Cash value of the wages paid in kind). Column 13 (Total Wages) = Column 11 + Column 12.

Also, the Entries on the number of cases and deductions made on account of fines (Columns 14, 15), damage or loss (Columns 16, 17) and breach of contract (Columns 18, 19) are to be automatically determined by computer from respective items of primary return and, their respective totals in Columns 20 and 21 can be summed up mechanically. On similar lines, Columns 22 to 24 are to be handled programmatically.

Deductions made during the year:

Column 14 = $\sum_{\text{Primary return for Scheduled Employment \& (Block II. Col 4) > 0}}$ [Block III. Item (a) (number of cases)]

Column 15 = $\sum_{\text{Primary return for Scheduled Employment \& (Block II. Col 4) > 0}}$ [Block III. Item (a) (Total amount)]

Disbursements from the fines fund during the year:

Column 22 = $\sum$ [Block IV. Item (i)]

Primary return for Scheduled Employment & (Block II. Col 4) > 0

Column 23 = $\sum$ [Block IV. Item (ii) (Total)]

Primary return for Scheduled Employment & (Block II. Col 4) > 0

Column 24 = $\sum$ [Block IV. Item (iii)]

Primary return for Scheduled Employment & (Block II. Col 4) > 0

Block V contains data on Enforcement & Claims defrayed into two parts. Part 1 of the Block gives details on the inspection machinery and Part 2 of the Block furnishes details on the number of inspections made, irregularities detected, prosecutions launched and the claims preferred. Both the parts in the block carry static information and can be entered by the user in no time.

Once all the entries are consolidated in the form, a submit button may be proposed in the form which would transmit data electronically into the database of Labour Bureau.

THE MINIMUM WAGES ACT, 1948
FORM-III
ANNUAL RETURN

Return for the year ending 31st, December, ...

(TO BE SENT TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF SUCCEEDING YEAR)

1. (a) Name of the establishment and postal address. . . . . .
   (b) Name and residential address of the owner/contractor . . . . . .
   (c) Name and residential address of the Managing Agent/Director/Partner in charge of the day-to-day affairs of the establishment owned by a Company, Body Corporate or Association
   (d) Name and residential address of the Manager/Agent, if any . . . .
2. Number of days worked during the year . . . . . .
3. *Number of mandays worked during the year—
   (i) Adults . . . . . .
   (ii) Children . . . . . .
   Total . . . . . .
4. **Average daily number of persons employed during the year—
   (i) Adults . . . . . .
   (ii) Children . . . . . .
   Total . . . . . .
5. Total wages paid in cash (Rs.). . . . . .
6. ††Total cash value of the wages paid in kind (Rs.). . . . . .
7. Deductions made during the year

	Number of cases	Total amount (Rs.)
(a) Fines		
(b) Deductions for damage or loss		
(c) Deductions for breach of contract		
Total		

8. Balance of fines fund at the beginning of the year (Rs.). . . . . .
9. Disbursement from the fines fund during the year

Purposes	Amount (Rs.)
(a)	
(b)	
(c)	
Total.	

10. Balance of fines fund in hand at the end of the year (Rs.)

Signature. . . . . .
Dated : Designation. . . . . .

*This is the aggregate number of a attendances during the year.

**Please see foot-note at page 3.

††As laid down under sub-section (4) of Section 11 of the Minimum Wages Act, 1948, the Cash Value of Wages in Kind and of concessions in respect of essential commodities at concessional rates authorised under sub-section (2) and (3) of Section 11 of the said Act shall be estimated in the prescribed manner by the appropriate Government. Accordingly it has been prescribed under Rule 20 of the Minimum Wages (Central) Rules, 1950 that the retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind and essential commodities supplied at concessional rates. However, the cash value of concession should be obtained by taking the difference between the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given at concessional rates.

THE MINIMUM WAGES ACT, 1948

Method of Scrutiny at the Primary Stage and Cross-Checks:

1. The primary unit is required to submit to the concerned Authority a copy each of all the entries made relating to a year in the Register of Deductions from Wages, in Form-III Annual Return. It is to be seen before submission that the information in respect of all the items of Form-III has been given in the Return.

2. The figure for average daily employment (item 4) for adults and children should be got verified by dividing the respective figures of mandays worked (item 3) by the number of days worked during the year (item 2).

3. The average daily earnings per worker derived by dividing the total wages (items 5 and 6) by the total number of mandays worked (item 3) should not be less than the minimum rates of wages fixed for the lowest paid worker in the scheduled employment.

4. The per capita annual earnings [as derived by dividing the figures of total wages paid (items 5 and 6) by the average daily number of persons employed (item 4) during the year should be checked with corresponding figures for the previous year. Normally, there should not be any wide fluctuations. In case there is wide divergence, the cause should be investigated. Unless there is some error in filling the return, such difference may occur in the case of number of persons employed due to the application of the Minimum Wages Act to certain other employees of the establishment or a sharp change in the number of days worked during the year by the establishment or expansion of the establishment. As regards annual earnings, it may be due to the major revision of the minimum rates of wages fixed or major shift in the employment such as inclusion of those employees whose minimum rates of wages were fixed at higher/lower level. Invariably, in all cases where there is a fall/rise over the figures for the previous year, this should be investigated and explained separately.

THE MINIMUM WAGES ACT, 1948

FORM 'A'

Proforma for the submission of Annual Report on the working of the Minimum Wages Act, 1948 (XI of 1948)

Name of the State_____

Report for the period _____

I. SCHEDULED EMPLOYMENT

1. The scheduled employments in respect of which minimum rates of wages have been fixed under the Act and the number of establishments and workers employed in each such employment as on the last day of the year.
2. The employments, if any added to the Schedule under Section 27 of the Act and number of persons employed in each such employment.
3. The exemptions and exceptions granted under Section 26 of the Act together with reasons and other details such as duration thereof.

II. COMMITTEES, ETC.

1. The composition of various Committees, Advisory Committees, etc. appointed under Section 5(1)(a) and 6 and Advisory Boards appointed under Section 7 of the Act.
2. Details regarding any enquiry undertaken by the State Government or any Committee appointed under Section 5 (1)(a).
3. The important recommendations of the Committees, Advisory Committees and Advisory Boards during the period of the report and the action taken thereon. Copies of reports should be forwarded as appendices.

III. FIXATION / REVISION OF MINIMUM RATES OF WAGES

1. The procedure adopted under Section 5 of the Act in respect of each scheduled employment in respect of which minimum rates of wages have been fixed for the first time.
2. The minimum rates of wages fixed for the first time during the period of report should be given below: -

Industry or Employment	Area Or Locality	Category Of Employment	Number Of Establishments covered	Number Of Employees	Wage Period	Rates of Wages (Rs.)								
						Men			Women			Children		
						Basic Wage	Cost of Living Allowance	Composite wage	Basic Wage	Cost of Living Allowance	Composite wage	Basic Wage	Cost of Living Allowance	Composite wage
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

3. Have the minimum rates of wages fixed under the Act been revised ? if yes. Give the following information:

Indus-try or Employ-ment	Area Or Loca-lity	Category Of Employ-ment	Number Of Estab-lish-ments covered	Number Of Employ-ees	Wage Per-iod	Old Rates of Wages (Rs.)								
						Men			Women			Children		
						Basic Wage	Cost of Living Allow ance	Comp osite wage	Basic Wage	Cost of Living Allow ance	Com posit e Wag e	Basic Wage	Cost of Living Allow ance	Comp osite Wage
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Revised Rates (Rs)								
Men			Women			Children		
Basic Wage	Cost of Living Allow-ance	Compo site wage	Basic Wage	Cost of Living Allow-ance	Compo site wage	Basic Wage	Cost of Living Allow-ance	Compo site wage
16	17	18	19	20	21	22	23	24

4. The extent to which payment of minimum rates of wages has been authorised wholly or partly in kind together with reasons there of.
5. The designation of the competent authority under Section 2(c) of the Act to compute the cost of living allowance and the cash value of the concessions in respect of supplies of essential commodities and the directions issued by the State Government appointed under Section 4(2) of the Act for such computation.

IV – PAYMENT OF WAGES AND DEDUCTIONS THEREFROM

The details of total wages paid and deductions made etc., on the basis of the returns received from the employers in
Form – III of the Minimum Wages Rules 1950, should be given below: -

Industry of Employment	Number of Establishments covered under the Act	Number of Establishments submitted the returns in Form III	Average daily Number of persons employed			Number of days worked during the year	Number of mandays worked during the year	Total Wages		
			Adults	Children	Total			Paid in cash (Rs.)	Cash value of wages paid in kind (Rs.)	Total
1	2	3	4	5	6	7	8	9	10	11

The number of cases and deductions made on account of								Disbursements from Fines Fund		Balance of Fines Fund at the end of the year
Fines		Damage or loss		Breach of contract		Total		Purpose (Rs.)	Amount (Rs.)	
A	B	A	B	A	B	A	B			
12	13	14	15	16	17	18	19	20	21	22

A - Number of cases
B – Amount of Deductions made (Rs.)

V. ENFORCEMENT

1. The details regarding the inspection machinery including Laws, Regulations Rules, etc., framed by the Central / States Government relating to the working of the inspections, the number of inspections made, the functional procedure followed and the observations of the Inspectors on the working of the Act.
2. Violations of the provisions of the Act and the Rules framed there under in respect of such scheduled employment should be given below: -

Industry or employment	Number of offences in respect of which prosecutions were pending from the previous year	Number of prosecutions launched during the year where only one offence was exclusively covered							Number of offences in respect of which prosecutions were pending at the end of the year	Convictions	
		Payment of Wages	Deductions	Hours of overtime work	Display of notices maintenance of registers and submission of return	Others (specify)	Total (Columns 3-7)	Where more than one offence was covered in one prosecution		Total number of cases in which fines were imposed	Total amount of fines (Rs.)
1	2	3	4	5	6	7	8	9	10	11	12

NOTE – While furnishing information under column 9, it is requested that its break-up according to offences may also be given within brackets under columns 3-7.

VI. CLAIMS

1. The Name(s) and Jurisdiction(s) of the Authority / Authorities appointed under Section 20.
2. The number and nature of claims and complaints made should be given below: -

Number of claims, etc., pending from previous year	Number of claims etc., preferred during the year	Number of claims etc., decided during the year	Number of claims etc., pending at the end of the year	Total amount directed by the Authorities to be paid to the employees as a result of claims made (Rs.)	Total amount of penalties imposed on the employees by the Authorities (Rs.)	The Total amount of compensation awarded by the Authorities to be paid to employees (Rs.)
1	2	3	4	5	6	7

VII. RULES, NOTIFICATIONS ETC.

1. The Rules framed under Section 30 of the Act and / or any amendment made thereto should be enclosed.
2. Copies of important notifications, etc., should be enclosed.

VIII. GENERAL

1. A critical review of the minimum rates fixed vis-a vis wage rates in the corresponding / comparable employment in the same locality.
2. An account of the problems and difficulties arising in the implementation of the Act and measures taken to overcome these difficulties.
3. Suggestions for the effective enforcement of the Act and proposals for amending the Act and / or Rules framed there under.
4. An evaluation of the effects of minimum wages under the following headings: -
   - (i) Effect on the occupations in the scheduled employment;
   - (ii) Effect on the occupations in the same industry;
   - (iii) Effect on the other occupations in other industries;
   - (iv) Inter – regional effect; and
   - (v) General evaluation.

THIS RETURN SHOULD BE SENT TO LABOUR BUREAU BY 31ST MAY OF SUCCEEDING YEAR.

FORM B

Proforma for submission of Quarterly Report on the Working of the Minimum Wages Act, 1948.

Name of the State …… Report for the period ……..

1. Fixation / Revision of Minimum rates of wages

(i) Minimum rates of wages fixed for the first time

Industry or Employment	Area or Locality	Categories of Employees	Number of Employees covered	Wage Period	Minimum rates of wages fixed for each category of employees in a particular employment (Rs).					
					Men		Women		Children	
					B.W.*	D.A	B.W.*	D.A	B.W.*	D.A
1	2	3	4	5	6	7	8	9	10	11

* - In case consolidated wage is fixed, please mention accordingly
B.W.- Basic Wage.
D.A. – Dearness Allowances.

(ii) Minimum rates of wages revised

Industry or Employment	Area or Locality	Categories of Employees	Number Employees covered	Wage Period	Minimum rates of wages fixed for each category of employees in a particular employment (Rs).													
					Old Rates						Wage Period	Revised Rates						
					Men		Women		Children			Men		Women		Children		
					B W*	D A	B W*	D A	B W*	D A		B W*	D A	B W*	D A	B W*	D A	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	

* - In case consolidated wage is fixed, please mention accordingly
B.W.- Basic Wage.
D.A. – Dearness Allowances.

II. Additions to Scheduled Employments under the Act

Sl. No	Employment	Number of establishments covered	Number of workers employed (Approx)
	2	3	4
1			
2			
3			
4			
5			
6			
7			

III. Exemptions granted under Section 26 of the Act

Sl. No.	Employment	Category or Categories of workers exempted	Duration of the exemption	Reasons and other details for the exemption granted
	2	3	4	5
1				
2				
3				
4				
5				
6				

IV. Inspections and prosecutions during the quarter.

Sl. No.	Employment	Number of Inspections	Irregularities observed		Prosecution launched	
			Their nature	Number of cases	Nature of Offences	Number of cases
1	2	3	4	5	6	7
1						
2						
3						
4						
5						
6						

V. Difficulties experienced

(i) Difficulties experienced in the enforcement of the Act.
(ii) Suggestions, if any.

VI. Rules framed

Please furnish copies of the Rules framed under Section 30 of the Act and or any amendment made thereto. Kindly attach copies of the notifications regarding fixation and revision of minimum rates of wages etc. also.

DUE DATE FOR THE REPORT OF QUARTERLY RETURN (FORM 'B') IN LABOUR BUREAU IS ONE MONTH. AFTER THE QUARTER TO WHICH IT RELATES.THIS SHOULD BE ADHERED TO.

Scrutiny of the Primary Returns at the Secondary Stage and General Consistency

1. In order to draw valid conclusions from the data it is essential that the data collected should be as accurate as possible. All errors are to be avoided at every stage of compilation. i.e., at the primary level or later. Therefore it is of utmost importance that the returns received from the Primary Units should be scrutinized carefully before any consolidation work is taken up.
2. Since the primary returns are being submitted to the State Authorities, they should also scrutinize these returns. Besides, it may also be seen that the average earnings of a workers in a unit should, generally, be compable with those in another unit in the same employment. If wide variations are noted, reasons for the same should be found out before their acceptance.
3. If any discrepancy is noticed while scrutinizing the primary returns on the above lines, clarification should be obtained from the reporting establishments, before the work of consolidation is taken up at the State level.

Cross-Check of the Consolidated Return (i.e., The table in Section IV of From 'A' and General Consistency)

1. The following checks for the figures furnished in columns 6,7 and 8 of table in Section IV of Form 'A' should be applied for each employment separately:-

    (i) Whenever there is only one establishment submitting return, the number of mandays worked (column 8) should be equal to the product of the number of days worked (column 7) and the average daily employment (column 6) except for the error due to approximation.

    (ii) If the number of units submitting returns is more than one and not much variation is expected in the number of days worked from establishment to establishment (which will be true in the case of perennial industries), the number of mandays worked (column 8) multiplied by the number of units submitting returns (column 3) should be of the same order as that of the number of days worked (column 7) multiplied by the average daily number of persons employed (column 6).

2. It should also be checked that the average number of days worked by the establishments in any industry or employment, as obtained by dividing the total number of days worked (column 7) by the number of eatablishments submitting returns (column 3) in the industry or employment and also by dividing the total number of mandays worked (column 8) by the figure of total figure of total average daily employment (column 6) does not exceed the number of days in the year 365 or 366 in a leap year.
3. The per capita daily earnings, as obtained by dividing the total wages (column 11) by the total number of mandays' worked (column 8) for each employment or industry should not be, in any case, less than the minimum rates of wages fixed for the lowest paid worker in that particular industry or employment.
4. Similarly, the per capita annual earnings, as obtained by dividing the total wages (column 11) by the total average daily employment (column 6) for each employment or industry should not be, in any case, less than the estimated annual earnings which could be calculated on the basis of total number of working days in the year and the minimum rates of wages fixed for the lowest paid worker in industry or employment.
5. The per capita earnings for each employment or industry should be compared with the corresponding figure for the previous year. In case any wide divergence is noticed, the plausible reasons for the same should, at first, be investigated.
6. Information regarding the number of establishments covered under the Act given under the heading 'Scheduled Employment in Section I' of Form 'A' should tally with the figures given in column 2 of the Table in Section IV of Form 'A' under the heading 'Payment of Wages and Deductions There from'.

Scrutiny of the Proformae 'A' and 'B' before despatching

1. Before dispatching Proformae 'A' and 'B' to the Labour Bureau, the State Authorities should see that information in respect of all the items has been given.
2. It should be verified that the amount given in column 12 of the Table in Section V(2) of Form 'A' relates to all the cases given in column 11 of the same Table.
3. Number of claims, etc., pending form previous year given in column 1 of the Table in Section VI (2) of Form 'A' should be the same as was given in column 4 of the same Table of the previous year's report.
4. The total of columns 1 and 2 of the Table in Section VI(2) of Form 'A' should be equal to the total of columns 3 and 4 of the same Table.
5. Information furnished in the Quarterly Reports (Form B) should tally with that to be given in the Annual Report (Form A). For example, such information may be relating to fixation and revision of minimum rates of wages, employments added, exemptions or exceptions granted, inspections made, prosecutions launched, etc. In case information does not tally, the reasons therefore should be furnished in the Annual Report to avoid further references.
6. It should be ensured that all the necessary enclosures have been attached with the Annual Report.

These enclosures are: -

(i) Copies of the Notifications issued during the year in respect of the following: -

(a) Exemptions and exceptions granted under Section 26 of the Act.
(b) Employments added to the Schedule under Section 27 of the Act.
(c) Committees, Sub – Committees, Advisory Boards, etc., appointed under Section 5(1) (a), 6 and 7 of the Act.
(d) Fixation / Revision of minimum rates of wages.
(e) Competent Authority appointed under Section 2(c) of the Act.
(f) Inspectors appointed under Section 19(1) of the Act.
(g) Amendments made to the Act; and
(h) Claims Authority appointed under Section 20 (1) of the Act.

(ii) Copies of the Reports of Committees, Sub-Committees, Advisory Boards, etc. submitted to the Government together with a statement showing action taken by the Government on the various recommendations.
(iii) Details regarding the enquiries conducted by the Committees, Sub-Committees, etc., and
(iv) A copy of the Rules framed under the Act, as amended upto the end of the period to which the Report relates.

THE MINIMUM WAGES ACT, 1948
FORM-I
ANNUAL RETURN

ANNEXURE-2B

Return for the year ending 31st, December, ...

(TO BE SENT TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF SUCCEEDING YEAR)

I. IDENTIFICATION PARTICULARS

(a) Name of the establishment and postal address. . . . . .
(b) Name and residential address of the owner/contractor . . . . . .
(c) Name and residential address of the Managing Agent/Director/Partner in charge of the day-to-day affairs of the establishment owned by a Company, Body Corporate or Association. . . . . .
(d) Name and residential address of the Manager/Agent, if any. . . . . .

II. EMPLOYMENT AND LABOUR COST

Number of Mandays worked during the year			*Number of days worked during the year	**Average daily number of persons employed during the year			Total Wages	
Adults	Adolescents	Total		Adults	Adolescents	Total	Paid in Cash (Rs.)	Total Cash value of the wages paid in kind (Rs.)

III. DEDUCTIONS MADE DURING THE YEAR

	Number of cases	Total amount (Rs.)
(a) Fines		
(b) Damage or loss		
(c) Breach of contract		
Total		

IV. DISBURSEMENTS FROM THE FINES FUND DURING THE YEAR

(i). Balance of fines fund at the beginning of the year (Rs.). . . . . .
(ii). Disbursement from the fines fund during the year

Purposes	Amount (Rs.)
(a)	
(b)	
(c)	
Total	

(iii). Balance of fines fund in hand at the end of the year (Rs.)

Signature. . . . . .
Dated : Designation. . . . . .

*This is the aggregate number of a attendances during the year.

††As laid down under sub-section (4) of Section 11 of the Minimum Wages Act, 1948, the Cash Value of Wages in Kind and of concessions in respect of essential commodities at concessional rates authorised under sub-section (2) and (3) of Section 11 of the said Act shall be estimated in the prescribed manner by the appropriate Government. Accordingly it has been prescribed under Rule 20 of the Minimum Wages (Central) Rules, 1950 that the retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind and essential commodities supplied at concessional rates. However, the cash value of concession should be obtained by taking the difference between the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given at concessional rates.

Method of Scrutiny at the Primary Stage and Cross-Checks:

1. The primary unit is required to submit to the concerned Authority a copy each of all the entries made relating to a year in the Register of Deductions from Wages, in Form-I Annual Return. It is to be seen before submission that the information in respect of all the items of Form-I has been given in the Return.

2. **The figure for average daily employment (item 4) for adults and adolescent should be got verified by dividing the respective figures of mandays worked (item 3) with the number of days worked during the year (item 2).

3. The average daily earnings per worker derived by dividing the total wages (items 5 and 6) by the total number of mandays worked (item 3) should not be less than the minimum rates of wages fixed for the lowest paid worker in the scheduled employment.

4. The per capita annual earnings [as derived by dividing the figures of total wages paid (items 5 and 6) by the average daily number of persons employed (item 4) during the year should be checked with corresponding figures for the previous year. Normally, there should not be any wide fluctuations. In case there is wide divergence, the cause should be investigated. Unless there is some error in filling the return, such difference may occur in the case of number of persons employed due to the application of the Minimum Wages Act to certain other employees of the establishment or a sharp change in the number of days worked during the year by the establishment or expansion of the establishment. As regards annual earnings, it may be due to the major revision of the minimum rates of wages fixed or major shift in the employment such as inclusion of those employees whose minimum rates of wages were fixed at higher/lower level. Invariably, in all cases where there is a fall/rise over the figures for the previous year, this should be investigated and explained separately.

THE MINIMUM WAGES ACT, 1948

FORM 'A'

Proforma for the submission of Annual Report on the working of the Minimum Wages Act, 1948 (XI of 1948)

Name of the State_____

Report for the period _____

I. SCHEDULED EMPLOYMENT

1. The scheduled employments in respect of which minimum rates of wages have been fixed under the Act and the number of establishments and workers employed in each such employment as on the last day of the year.
2. The employments, if any added to the Schedule under Section 27 of the Act and number of persons employed in each such employment.
3. The exemptions and exceptions granted under Section 26 of the Act together with reasons and other details such as duration thereof.

II. COMMITTEES, ETC.

1. The composition of various Committees, Advisory Committees, etc. appointed under Section 5(1)(a) and 6 and Advisory Boards appointed under Section 7 of the Act.
2. Details regarding any enquiry undertaken by the State Government or any Committee appointed under Section 5 (1)(a).
3. The important recommendations of the Committees, Advisory Committees and Advisory Boards during the period of the report and the action taken thereon. Copies of reports should be forwarded as appendices.

III. FIXATION / REVISION OF MINIMUM RATES OF WAGES

1. The procedure adopted under Section 5 of the Act in respect of each scheduled employment in respect of which minimum rates of wages have been fixed for the first time.
2. The minimum rates of wages fixed for the first time during the period of report should be given below: -

Industry or Employment	Area Or Locality	Category Of Employment	Number Of Establishments covered	Number Of Employees	Wage Period	Rates of Wages (Rs.)					
						Adults			Adolescents		
						Basic Wage	Variable Dearness Allowance	Consolidated Wage	Basic Wage	Variable Dearness Allowance	Consolidated Wage
1	2	3	4	5	6	7	8	9	10	11	12

3. Have the minimum rates of wages fixed under the Act been revised ? if yes. Give the following information:

Industry or Employment	Area Or Locality	Category Of Employment	Number Of Establishments covered	Number Of Employees	Wage Period	Old Rates of Wages (Rs.)						Revised Rates (Rs.)					
						Adults			Adolescents			Adults			Adolescents		
						b.w	V.D.A	C.W	B.W	V.D.A	C.W	b.w	V.D.A	CW	B.W	V.D.A	C.W
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

4. The extent to which payment of minimum rates of wages has been authorised wholly or partly in kind together with reasons there of.
5. The designation of the competent authority under Section 2(c) of the Act to compute the cost of living allowance and the cash value of the concessions in respect of supplies of essential commodities and the directions issued by the State Government appointed under Section 4(2) of the Act for such computation.

IV – PAYMENT OF WAGES AND DEDUCTIONS THEREFROM

The details of total wages paid and deductions made etc., on the basis of the returns received from the employers in Form – I of the Minimum Wages Rules 1950, should be given below: -

Industry or Employment	Number of Establishments covered under the Act	Number of Establishments submitted the returns in Form III	Average daily Number of persons employed			Number of days worked during the year	Number of mandays worked during the year			Total Wages		
			Adults	Adolescents	Total		Adults	Adolescents	Total	Paid in cash (Rs.)	Cash value of wages paid in kind (Rs.)	Total
1	2	3	4	5	6	7	8	9	10	11	12	13

The number of cases and deductions made on account of								Disbursements from Fines Fund		Balance of Fines Fund at the end of the year
Fines		Damage or loss		Breach of contract		Total		Purpose (Rs.)	Amount (Rs.)	
A	B	A	B	A	B	A	B			
14	15	16	17	18	19	20	21	22	23	24

A - Number of cases
B – Amount of Deductions made (Rs.)

V. ENFORCEMENT & CLAIMS

1. The details regarding the inspection machinery including Laws, Regulations Rules, etc., framed by the Central / States Government relating to the working of the inspections, the number of inspections made, the functional procedure followed and the observations of the Inspectors on the working of the Act.
2. The Name(s) and Jurisdiction(s) of the Authority / Authorities appointed under Section 20.

Central Government/ State/ Union Territories	Number of Inspections made during the year	Number of Irregularities detected during the year	Number of Prosecutions Launched during the year	Number of Claims preferred during the year
1	2	3	4	5

VI. RULES, NOTIFICATIONS ETC.

1. The Rules framed under Section 30 of the Act and / or any amendment made thereto should be enclosed.
2. Copies of important notifications, etc., should be enclosed.

VII. GENERAL

1. A critical review of the minimum rates fixed vis-a vis wage rates in the corresponding / comparable employment in the same locality.
2. An account of the problems and difficulties arising in the implementation of the Act and measures taken to overcome these difficulties.
3. Suggestions for the effective enforcement of the Act and proposals for amending the Act and / or Rules framed there under.
4. An evaluation of the effects of minimum wages under the following headings: -

(i) Effect on the occupations in the scheduled employment;
(ii) Effect on the occupations in the same industry;
(iii) Effect on the other occupations in other industries;
(iv) Inter – regional effect; and
(v) General evaluation.

THIS RETURN SHOULD BE SENT TO LABOUR BUREAU BY 31ST MAY OF SUCCEEDING YEAR.

Scrutiny of the Primary Returns at the Secondary Stage and General Consistency

1. In order to draw valid conclusions from the data it is essential that the data collected should be as accurate as possible. All errors are to be avoided at every stage of compilation. i.e., at the primary level or later. Therefore it is of utmost importance that the returns received from the Primary Units should be scrutinized carefully before any consolidation work is taken up.
2. Since the primary returns are being submitted to the State Authorities, they should also scrutinize these returns. Besides, it may also be seen that the average earnings of a workers in a unit should, generally, be compable with those in another unit in the same employment. If wide variations are noted, reasons for the same should be found out before their acceptance.
3. If any discrepancy is noticed while scrutinizing the primary returns on the above lines, clarification should be obtained from the reporting establishments, before the work of consolidation is taken up at the State level.

Cross-Check of the Consolidated Return (i.e., The table in Section IV of Form 'A' and General Consistency)

1. The following checks for the figures furnished in columns 6,7 and 8 of table in Section IV of Form 'A' should be applied for each employment separately:-

   (i) Whenever there is only one establishment submitting return, the number of mandays worked (column 8) should be equal to the product of the number of days worked (column 7) and the average daily employment (column 6) except for the error due to approximation.
   (ii) If the number of units submitting returns is more than one and not much variation is expected in the number of days worked from establishment to establishment (which will be true in the case of perennial industries), the number of mandays worked (column 8) multiplied by the number of units submitting returns (column 3) should be of the same order as that of the number of days worked (column 7) multiplied by the average daily number of persons employed (column 6).

2. It should also be checked that the average number of days worked by the establishments in any industry or employment, as obtained by dividing the total number of days worked (column 7) by the number of eatablishments submitting returns (column 3) in the industry or employment and also by dividing the total number of mandays worked (column 11) by the figure of total figure of total average daily employment (column 6) does not exceed the number of days in the year 365 or 366 in a leap year.
3. The per capita daily earnings, as obtained by dividing the total wages (column 13) by the total number of mandays' worked (column11) for each employment or industry should not be, in any case, less than the minimum rates of wages fixed for the lowest paid worker in that particular industry or employment.
4. Similarly, the per capita annual earnings, as obtained by dividing the total wages (column 13) by the total average daily employment (column 6) for each employment or industry should not be, in any case, less than the estimated annual earnings which could be calculated on the basis of total number of working days in the year and the minimum rates of wages fixed for the lowest paid worker in industry or employment.
5. The per capita earnings for each employment or industry should be compared with the corresponding figure for the previous year. In case any wide divergence is noticed, the plausible reasons for the same should, at first, be investigated.
6. Information regarding the number of establishments covered under the Act given under the heading 'Scheduled Employment in Section I' of Form 'A' should tally with the figures given in column 2 of the Table in Section IV of Form 'A' under the heading 'Payment of Wages and Deductions There from'.
7. Before dispatching Proformae 'A' to the Labour Bureau, the State Authorities should see that information in respect of all the items has been given.
8. It should be ensured that all the necessary enclosures have been attached with the Annual Report.

These enclosures are: -

(i) Copies of the Notifications issued during the year in respect of the following: -

   (a) Exemptions and exceptions granted under Section 26 of the Act.
   (b) Employments added to the Schedule under Section 27 of the Act.
   (c) Committees, Sub – Committees, Advisory Boards, etc., appointed under Section 5(1) (a), 6 and 7 of the Act.
   (d) Fixation / Revision of minimum rates of wages.
   (e) Competent Authority appointed under Section 2(c) of the Act.
   (f) Inspectors appointed under Section 19(1) of the Act.
   (g) Amendments made to the Act; and
   (h) Claims Authority appointed under Section 20 (1) of the Act.

(ii) Copies of the Reports of Committees, Sub-Committees, Advisory Boards, etc. submitted to the Government together with a statement showing action taken by the Government on the various recommendations.
(iii) Details regarding the enquiries conducted by the Committees, Sub-Committees, etc., and
(iv) A copy of the Rules framed under the Act, as amended upto the end of the period to which the Report relates.

Chapter 3: The Factories Act, 1948
Simplification of return & its E-capturing

To ensure adequate safety measures for promotion of health & welfare of workers and prevention of haphazard growth of factories in country, the Factories Act, 1948 came into force w.e.f 01.04.1949.

The Factories Act, 1948 is applicable to the whole of India. The scope & coverage of the act is confined to 2m(i) {Factories using power and employing 10 or more workers} and 2m(ii) {Factories not using power and employing 20 or more workers} of the act as also Section 85 {Factories notified under section 85 of the Factories Act, in the official gazette of States/U.T's and employing less than 10 workers using power and employing less than 20 workers without using power} of the act.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'The Factories Act, 1948' are enclosed at **Annexure-3A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-3B.**

Calender year data is collected from the primary units (i.e. industrial units) in **Form-34 of the return** and the information gathered from primary units is consolidated by the State authorities in **Form-A designed** for the purpose.

Form-34 being presently, used for data collection from the Primary Units is reduced to a one page return redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units through Form-34 return, it is redesigned in a tabular form in Six blocks namely;

1. Identification Particulars.

2. Employment Particulars.
3. Employment details in factories carrying dangerous operations.
4. Leave with Wages.
5. Health & Welfare Amenities.
6. Accidents.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (1) to I. (7) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II. Employment Particulars; This block is meant to capture details like number of working days in a year, number of mandays worked during the year, average daily number of workers employed in the factory during the year, total number of manhours worked including overtime and the average number of hours worked per week. The Variables 'Mandays worked', 'Working days in a year' and 'Total number of Man-Hours worked' are static variables and have to be entered by the user in the space designed for the purpose. Once the figures are entered against these variables, value for 'Average number of persons employed during the year' would be dynamically captured by dividing the number of mandays worked during the year with the number of working days in a year. Again, the variable 'Average number of hours worked per week' is a dynamic variable and would be calculated as total number of manhours worked including overtime divided by the product of the average daily number of workers worked in the factory during the year and 52.

Block III. Employment details in factories carrying dangerous operations; The block contains information on the average number of persons employed daily in each of the dangerous operations carried out by factory. The block is defrayed into two columns with column 1 containing name of the dangerous operation carried by the

factory and column 2 giving the average number of persons employed daily against each of the dangerous operations in column 1. The two columns are static columns and have to be entered by the user in the space designed for the purpose.

Block IV, V & VI; Here all the items of the blocks namely Block IV (Leave with Wages), Block V (Health & Welfare Amenities) and Block VI (Accidents) are static variables and have to be entered by the user in the space designed for the purpose.

The Consolidated Return comprises of two parts **Form A** and **Form B** (comprising of Statements I, I-A and II of Form A) meant for compilation of annual and half yearly data respectively. Since Labour Bureau brings out annual publication on 'The Factories Act, 1948', it is proposed to drop Form B from the consolidated return. Also, Form A of the return which earlier had Fourteen pages is now, condensed to a Seven page return taking into consideration Labour Bureau's requirement and its electronic capturing.

For electronic compilation of data in Form A of the return, it is proposed that every user (State Labour Commissioner) would be given one time log-In and Password to enter into the form. When the user logs in, particulars like 'Name of the State' and 'Report for the year ending' would automatically come in the space provided against the items in the form. Also, the user would be provided with a facility to update the records as and when required by the user.

Statement I; of the return is intended to capture information on (a) the total number of factories, (b) the total average daily employment, (c) the number of factories submitting returns, (d) the average daily employment in factories submitting returns, (e) the total number of factories not submitting returns, and (f) the average daily employment in factories not submitting returns defrayed across four categories namely, factories as defined under Section 2m(i), factories as defined under Section 2m(ii), factories as notified under Section 85 and the grand total. The block has eleven columns of which column 1 is self explanatory, columns 3, 4 are static fields and the remaining eight columns are dynamic that can be worked out electronically as under:

- Column 2 (number of factories on register at the beginning of the year) is column 5 of the previous year and can dynamically appear in the space provided against four categories as mentioned above.
- Column 3 (number of factories newly licensed & registered during the year) & Column 4 (number of factories removed from the register during the year) are static fields and have to be entered by user.
- Column 5 (number of factories on register at the end of the year) can be calculated as **column 5 = column 2 + column 3 – column 4**
- Column 6 (number of working factories) is a static variable and would be feeded by user.
- Column 7 (number of factories submitting returns) can be dynamically captured by keeping a track of the number of submission of returns from primary units.
- Column 8 (average daily number of workers employed in the factories submitting returns) can be calculated by formula as

$$\text{Column 8} = \sum_{\substack{\text{Primary return for} \\ \text{a particular Sector, NIC 5-digit}}} \left[\text{Block II.} \left(\text{Col. 6, Col. 7, Col. 8, Col. 9} \right) \right]$$

- Column 9 = Column 6 – Column 7
- Column 10 is a static field and would be entered by user.
- Column 11 = Column 8 + Column 10

Statement I-A; of the return is aimed for information on (a) the number of working factories carrying out dangerous operations, (b) the total average daily employment and (c) the average daily employment in dangerous operations. The entire block is dynamic and can be worked out on the basis of information furnished by the primary units.

Column 2 would be dynamically arrived by formula;

$$\text{Column 2} = \sum_{\substack{\text{Primary return wherein Positive entries in Block III}}} \left[(\text{Block II. Col 1}) > 0 \right]$$

Column 3 would again be attempted dynamically as;

$$\text{Column 3} = \sum_{\substack{\text{Primary return wherein Positive entries in Block III}}} \left[\text{Block II.} (\text{Col 6, Col 7, Col 8, Col 9}) \right]$$

Column 4 can formulated as;

$$\text{Column 3} = \sum_{\substack{\text{Primary return wherein Positive entries in Block III}}} \left[\sum_{\substack{\text{Dangerous processes}}} \{\text{Blk III. Col 2}\} \right]$$

Statement II; Data on the number of working factories and average daily employment in these working factories are consolidated in Statement II of the return. The information is categorized as sector-wise industrial units and at NIC five digit level. The information is very useful in assessing the actual number of working factories in India and employment in public sector vis-à-vis private sector. The block has ten columns of

which column 1 (Industry at 5 digit level of NIC 2008), Column 2 (Sector) and Column 3 (total number of working factories) are static fields and shall be entered by the concerned state authorities. The remaining columns can be governed dynamically as under;

Column 4 (number of factories submitting returns) can be calculated as

$$\text{Column 4} = \sum_{\text{Primary return for particular Sector, NIC 5-digit level}} \left[(\text{Block II. Col 1}) > 0 \right]$$

Column 5 to 8 gives information on the number of manhours worked in factory inclusive of overtime and can be arrived from primary return using formula;

$$\text{Column 5 (Adult-Men)} = \sum_{\text{Primary return for a particular Sector, NIC 5-digit}} \left[\text{Block II. } (\text{Col. 10}) \right]$$

Similarly, figures of manhours worked in factory for adult-women; adolescent-men and adolescent-women (Columns 6, 7 & 8 of Statement II) can be worked out by computer from corresponding columns 11, 12 & 13 of Block II of the primary return.

Columns 9 to 13 of Statement II of the consolidated return are data on the number of mandays worked in factory and average daily employment in factory categorized under heading ‘Adult’ & ‘Adolescents’; each with subheadings ‘Men’ and ‘Women’ and can be attempted by formula as given for Column 5.

Column 14 can be dynamically arrived by using the formula;

Column 14=Column 3 – Column 4

Column 15 is a static field and is to be entered by user whereas Column 16 is the total average number of workers employed in factories submitting returns and not submitting returns which is to be dynamically calculated as

$$\text{Column 16} = \sum_{\substack{\text{Primary return for} \\ \text{a particular Sector, NIC 5 digit}}} \left[\text{Statement II. } (\text{Col 10}+\text{Col 11}+\text{Col 12}+\text{Col 13}+\text{Col 15}) \right]$$

Statement III; of the return is categorical representation of working factories according to its working strength and can be dynamically tried by formula;

$$\text{Column 2} = \sum_{\text{Primary return}} \left[(\text{Block II. Col 6}+\text{Col 7}+\text{Col 8}+\text{Col 9}) < 10 \ \& \ (\text{Block II. Col 1}) > 0 \right]$$

$$\text{Column 3} = \sum \left[\text{Block II. } (\text{Col 6, Col 7, Col 8, Col 9}) \right]$$

$$(\text{Block II. Col 6}+\text{Col 7}+\text{Col 8}+\text{Col 9}) < 10$$

$$\& \ (\text{Block II. Col 1}) > 0$$

The remaining columns of the statement can be worked out on similar lines using above formula.

Statement IV; of the return is categorical representation of working factories according to number of days worked and can be dynamically tried by formula;

$$\text{Column 2} = \sum_{\text{Primary return}} \left[(\text{Block II. Col 1}) <= 60 \ \& \ (\text{Block II. Col 1}) > 0 \right]$$

Column 3 = $\sum$ [Block II. (Col 6, Col 7, Col 8, Col 9)]

(Block II. Col 1) <= 60

& (Block II. Col 1) > 0

The remaining columns of the statement can be worked out on similar lines using above formula.

Statement V; of the return can be derived automatically from block VI of the primary return as under;

Fatal Accidents

Column 2 (Adult-Men) = $\sum$ [(Block VI. Col 1)]

Primary return

Column 2 (Adult-Women) = $\sum$ [(Block VI. Col 2)]

Primary return

Column 2 (Adolescents-Men) = $\sum$ [(Block VI. Col 3)]

Primary return

Column 2 (Adolescents-Women) = $\sum$ [(Block VI. Col 4)]

Primary return

Non-Fatal Accidents

$$\text{Column 3 (Adult-Men)} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 5}) \right]$$

$$\text{Column 3 (Adult-Women)} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 6}) \right]$$

$$\text{Column 3 (Adolescents-Men)} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 7}) \right]$$

$$\text{Column 3 (Adolescents-Women)} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 8}) \right]$$

The remaining columns 4, 5, 6 & 7 can be worked out as;

$$\text{Column 4} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 9}) \right]$$

$$\text{Column 5} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 10}) \right]$$

$$\text{Column 6} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 11}) \right]$$

$$\text{Column 7} = \sum_{\text{Primary return}} \left[(\text{Block VI. Col 12}) \right]$$

Statement VI; Information collected under Statement VI 'Accidents analysed by Causes' is static and is an exercise for user. The database maintained at the back-end by the server would get updated electronically.

Statement VII; is purported to capture factories submitting returns and their employment details distributed across average number of hours worked per week. Columns 2 & 3 of the Statement are proposed to be calculated by using formula given below:

Adult Men:

Column 2 = $\sum [(\text{Primary Returns})]$

$(\text{Block II. Col 14}) <= 42$

$\& (\text{Block II. Col 14}) > 0$

Column 3 = $\sum [\text{Block II. } (\text{Col 6})]$

$(\text{Block II. Col 14}) <= 42$

$\& (\text{Block II. Col 14}) > 0$

Similarly, Columns 4 to 11 can be worked out using above criterion.

Similar treatment can be given to remaining columns of the statement to arrive figures of factories submitting returns and their average daily employment for adult women.

Statements VIII & IX; contains data on the number of inspections carried out in factories and the convictions made. Both the parts in the block carry static information and can be entered by the user in no time.

Data on 'Health & Welfare Amenities' are contained in **Statement X** of the return wherein Columns 4, 6, 8, 10, 11, 12, 14, 16, 18 and 19 can be governed dynamically through database maintained by the server. However, remaining columns are static variables to be handled by the user.

Information collected under **Statement XI** (Leave with Wages) of the return are utilized by Labour Bureau that can be governed dynamically through database maintained by the server. The total number of persons employed during the year for 'Men' and 'Women' (Columns 2 to 3) are dynamic variables and can be algebraically calculated by summing entries in Block IV Columns 1 & 2 respectively over primary returns. Similar treatment can be given to other columns of the statement.

Proforma for inspectorate staff; contains data on the inspection machinery which carry static information and can be entered by the user in no time.

Once all the entries are consolidated in the form, a submit button may be proposed in the form which would transmit data electronically into the database of Labour Bureau.

THE FACTORIES ACT, 1948

FORM 34 (REVISED)

Prescribed under Rule 125

ANNUAL RETURN

For the year ending 31st December, ...

1. Registration Number of Factory
2. Name of Factory
3. Name of Occupier
4. Name of the Manager
5. District
6. Full postal address of Factory
7. Nature of Industry

Number of workers and particulars of employment

8. Number of days worked in the year
9. Number of mandays worked during the year
   (*a*) Men
   (*b*) Women
   (*c*) Children
10. Average number of workers employed daily (see explanatory note)
    (a) Adults — (*i*) Men; (*ii*) Women
    (*b*) Adolescents — (*i*) Male; (*ii*) Female
    (*c*) Children — (*i*) Boys; (*ii*) Girls
11. Total number of man-hours worked including over-time
    (*a*) Men
    (*b*) Women
    (*c*) Children
12. Average number of hours worked per week (See explanatory note)
    (*a*) Men
    (*b*) Women
    (*c*) Children
13. (*a*) Does the factory carry out any process or operation declared as dangerous under Section 87 ? (See Rule 120)
    (*b*) If so, give the following information

Name of the dangerous processes or operations carried on	Average number of persons employed daily in each of the processes or operations given in column 1
1	2
(*i*)	
(*ii*)	
(*iii*) etc.	

Leave with Wages

14. Total number of workers employed during the year
    (*a*) Men
    (*b*) Women
    (*c*) Children

15. Number of workers who were entitled to annual leave with wages during the year
    (*a*) Men . . . . . .
    (*b*) Women . . . . . .
    (*c*) Children . . . . . .

16. Number of workers who were granted leave during the year .
    (*a*) Men . . . . . .
    (*b*) Women . . . . . .
    (*c*) Children . . . . . .

17. (*a*) Number of workers who were discharged, or dismissed from the service or quit employment, or were superannuated, or who died while in service during the year . . . .
    (*b*) Number of such workers in respect of whom wages in lieu of leave were paid . . . . . .

Safety Officers

18. (*a*) Number of Safety Officers required to be appointed as per Notification under Section 40-B . . . . . .
    (*b*) Number of Safety Officers appointed . . . . .

Ambulance Room

19. Is there an Ambulance Room provided in the factory as required under Section 45 ?

Canteen

20. (*a*) Is there a Canteen provided in the factory as required under Section 46 . . . . . .
    (*b*) Is the Canteen provided managed/run
    (*i*) Departmentally, or . . . . . .
    (*ii*) Through a contractor ? . . . . . .

Shelters or Rest Rooms and Lunch Rooms

21. (*a*) Are there adequate and suitable Shelters or Rest Rooms provided in the factory as required under Section 47 ?
    (*b*) Are there adequate and suitable Lunch Rooms provided in the factory as required under Section 47 . . . .

Creches

22. Is there a Creche provided in the factory as required under Section 48* . . . . . .

Welfare Officers

23. (*a*) Number of Welfare Officers to be appointed as required under Section 49 . . . . . .
    (*b*) Number of Welfare Officers appointed . . . .

Accidents

24. (*a*) Total number of accidents (See explanatory note)
    (*i*) Fatal . . . . . .
    (*ii*) Non-Fatal . . . . . .

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*The term "ordinarily employed" as used in Section 48 of the Factories Act, 1948 would mean "total number of persons employed in all shifts. This should be over 50% of the number of Working days in the establishment."

(*b*) Accidents in which workers returned to work during the year to which this return relates :

(*i*) Accidents (workers injured) occurring during the year in which injured workers returned to work during the same year .

(*aa*) Number of accidents

(*bb*) Mandays lost due to accidents

(*ii*) Accidents (workers injured) occurring in the previous year in which injured workers returned to work during the year to which this return relates

(*aa*) Number of accidents

(*bb*) Mandays lost due to accidents

(*c*) Accidents (workers injured) occurring during the year in which injured workers did not return to work during the year to which this return relates

(*i*) Number of accidents

(*ii*) Mandays lost due to accidents

Suggestion Scheme

25. (*a*) Is a Suggestion Scheme in operation in the factory

(*b*) If so, the number of suggestions

(*i*) Received during the year

(*ii*) Accepted during the year

(*c*) Amount awarded in cash prizes during the year

(*i*) Total amount awarded

(*ii*) Value of the maximum cash prize awarded

(*iii*) Value of the minimum cash prize awarded

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Signature of the Manager

Date :

THIS RETURN SHOULD BE SENT TO THE PRESCRIBED STATE AUTHORITY BY 31ST JANUARY OF THE SUCCEEDING YEAR

Explanatory Notes :

1. The average number of workers employed daily should be calculated by dividing the aggregate number of attendances on working days (that is, mandays worked) by the number of working days in the year. In reckoning attendances, attendance by temporary as well as permanent employed should be counted, and all employees (including apprentices) should be included, whether they are employed directly or under contractors. Attendance on separate shifts (*e.g.* night and day shifts) should be counted separately. Days on which the factory was closed for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days. However, if more than 50% of workers employed (on the previous day) attend to repair maintenance or other such work on closed days, such days should be treated as working days. Partial attendance for less than half a shift on a working day should be ignored, while attendance for half a shift or more on such day should be treated as full attendance.
2. For seasonal factories, the average number of workers employed during the working season and the off-season should be given separately. Similarly the number of days worked and average number of man hours worked per week during the working and off season should be given separately.
3. The average number of hours worked per week means the total actual hours worked by all workers during the year excluding the rest intervals but including overtime work divided by the product of average number of workers employed daily in the factory during the year and 52. In case the factory has not worked for the whole year, the number of weeks during which the factory worked should be used in place of the figure 52.
4. Every person killed or injured should be treated as one separate accident. If in one occurrence, six persons were injured or killed it should be counted as six accidents.
5. In item 24 (a) , the number of accidents which took place during the year should be given. In case of non-fatal accident only those accidents which prevented workers from working from 48 hours or more, immediately following the accident should be indicated.
6. In item 8, the information may be furnished as the number of days the factory worked during the year.

THE FACTORIES ACT, 1948

FORM NO. 35

HALF YEARLY RETURN

(Period ending 30th June,.....)

Name of Factory . . . . . .

Name of Occupier . . . . . .

Name of Manager . . . . . .

1. District . . . . . .
2. Postal Address . . . . . .
3. Nature of Industry . . . . . .
4. Number of days worked during the half year ending 30th June, 19..
5. Number of mandays worked during the half year ending 30th June, 19.... . . . . .

Adults

Men . . . . . .

Women . . . . . .

Adolescents . .

Male . . . . . .

Female . . . . . .

Children

Boys . . . . . .

Girls . . . . . .

6. *Average number of workers employed daily

Adults

Men . . . . . .

Women . . . . . .

Adolescents

Male . . . . . .

Female . . . . . .

Children . . .

Boys . . . . . .

Girls . . . . . .

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Signature of Occupier

Date :

Signature of Manager

Date :

THIS RETURN SHOULD BE SENT TO THE PRESCRIBED STATE AUTHORITY BY 15TH JULY OF THE CURRENT YEAR

*Please see footnote at page 3.

Partial attendance for less than half a shift of working day should be neglected and attendance for half a shift or more should be treated as full attendance.

THE FACTORIES ACT, 1948

CHECKS FOR ANNUAL RETURNS SUBMITTED BY FACTORIES/STATES

I. ANNUAL RETURN SUBMITTED BY FACTORIES TO STATE AUTHORITIES

1. Ensure that the information furnished is as accurate as possible.
2. Information supplied in each return is complete in every respect.
3. Check the list of establishments covered and ensure that rerutns have been received from all registered factories.
4. Ensure that the number of days worked is $\leq$ 365 (366 in leap year.) It should be exactly 365 or 366 days in case of factories which work for all the days of the year but generally it should be less due to various holidays observed.
5. Please ensure that number of mandays worked has been reported separately from men, women and children. It should be checked as : *Number of mandays worked = Number of Days worked* $\times$ *Average Daily Employment.*
6. Ensure that correct method has been followed in calculating the Average Daily Employment and sex-wise figures have been furnished separately for Adults, Adolescents and Children (i.e. Number of Mandays Worked $\div$ Number of Days Worked).
7. Figures of Average Daily Employment should also be checked with the figures reported in the Directory of Industrial Establishments.
8. Ensure that total number of manhours worked reported separately for men, women and children is the aggregate number of actual manhours worked in all the shifts on all the working days in the factory including overtime hours but excluding rest intervals.
9. *The Average number of hours worked per week* reported separately for men, women and dhildren should be correctly worked out, i.e., total actual hours worked by all workers during the year $\div$ [Average number of workers employed daily in the factory during the year $\times$ Number of weeks worked by the factory during the year.]
10. If it has been stated that the factory is covered under Section 87, the fact may be checked from the administrative records of the Chief Inspector of Factories.
11. Please ensure that all persons, who have been on roll even for a single day during the year, have been taken into account and reported against item 14 of F. No. 34—i.e., Leave with Wages. A particular person is to be counted once only.
12. For 'Safety Officers', 'Ambulance rooms,' 'Canteens', 'Shelters or Rest rooms and Lunch rooms', 'Creches' and 'Welfare Officers', if nil information has been furnished please ensure its conformity with the provisions of the Act.
13. Every person killed or injured in an occurrence should be treated as one separate accident, e.g., if in one occurrence 10 persons are injured or killed, it should be counted as 10 accidents.
14. Please ensure that figures furnished against item 24 (*a*) in F. No. 34 relate to such Non-fatal injuries only in which the workers affected were prevented from working for a period of 48 hours or more immediately following the accidents.
15. The figures of mandays lost due to accidents should be double or more than double the number of persons who returned to work. This is because only such injuries are to be reported in which the person injured was prevented from working for a period of 48 hours or more.
16. Please check that figures of Mandays lost reported against item 24 (*b*) (*ii*) are inclusive of figures of mandays lost during previous year as well as current year.
17. Please ensure that the non-fatal accidents reported against item 24 (a) (*ii*) are accounted for against item 24(b) (*i*) (*aa*) and 24 (*c*) (*i*) in Form No. 34.
18. The information relating to accidents reported in Annual Return (F. No. 34) should also be checked with the Notices of Accidents.
19. Please get all discrepancies clarified before the consolidating work is taken up at the Headquarters.
20. Please ensure that details about Suggestion Scheme have been furnished correctly.
21. If visiting a factory and examining the Return on spot please also check all registers and records prescribed under the State Rules are maintained properly.

THE FACTORIES ACT, 1948

STATEMENT - 1 (REVISED)

Number of registered factories and workers employed

State..... For the year ending.....

Category of Factories	Number of factories on register at the beginning of the period	Number of factories newly licensed & registered during the period	Number of factories removed from the register during the period	Number of factories on the register at the end of the period	Number of working factories	Number of factories submitting returns	Average daily number of workers employed in the factories submitting returns	Number of factories not submitting returns	Estimated average daily employme-nt in factories not submitting returns	Total average daily number of workers employed in factories submitting returns and not submitting returns(Total of columns 8 & 10)
1	2	3	4	5	6	7	8	9	10	11
Factories as defined under Section 2m(i)										
Factories as defined under Section 2m(ii)										
Factories as notified under Section 85.										
GRAND TOTAL										

STATEMENT 1-A (REVISED)

Factories carrying on processes or operations declared dangerous under Section 87 and workers employed in such operations

State..... For the year ending.....

Industry Division of Industries*	Dangerous processes/ operations	Number of working factories	Average daily number of workers employed in the entire factory	Average daily number of workers employed in dangerous processes of operations
1	2	3	4	5

*As per National Industrial Classification, 2004. Give Code Number (2 digit) and Name of Division of Industry.

STATEMENT – XII concld.

SAFETY OFFICERS, AMBULANCE ROOMS, CANTEENS, SHELTERS, REST ROOMS, CRÈCHES AND WELFARE OFFICERS

State..... For the year ending.....

Industry	Canteens		Shelters, Rest Rooms and Lunch rooms		Crèches		Welfare Officers			
	Number of factories in which canteens are run by the occupiers	Number of factories in which canteens are run by contractors	Number of factories where in more than 150 workers are ordinarily employed **	Number of factories which have provided shelters or rest rooms & lunch rooms as required under Section 47	Number of factories where in more than 30 women workers are ordinarily employed **	Number of factories which have provided crèches as required under Section 48	Number of factories where in 500 or more workers are ordinarily employed**	Number of Welfare officers required to be appointed	Number of factories which have provided welfare Officers as required under Section 49	Number of Welfare officers appointed
1	11	12	13	14	15	16	17	18	19	20
Division of Industries *										
Total										

* As per National Industrial Classification, 2004. Give Code Number (2 digit) and the Name of Division of Industry.

** The term "ordinarily employed" as used in Section 48 of the Factories Act, 1948 would mean "Total number of persons employed in all shifts. This should be over 50% of the number of working days in the establishment."

STATEMENT XIII (REVISED)

LEAVE WITH WAGES

For the year ending.....

Name of State/Union Territory	Total number of persons employed during the calendar year *				Number of persons who were entitled to annual leave with wages during the calendar year				Number of persons granted leave during the year				Number of workers who were discharged or dismissed from the service, quit employment or were superannuated, or who died while in service during the year	Number of such workers in respect of whom wages in lieu of leave were paid
	M	W	C	T	M	W	C	T	M	W	C	T		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

M – Men. W – Women. C – Children. T – Total

* Maximum Number Employed on any day of the year irrespective of the fact whether any person left or was discharged or dismissed from service during the year.

PROFORMA

INSPECTORATE STAFF UNDER THE FACTORIES ACT, 1948 FOR THE YEAR .....

Category of Inspectors	Sanctioned Strength	Working Strength
1	2	3
1. Chief Inspector of Factories		
2. Deputy Chief Inspector of Factories		
3. Regional Inspector of Factories		
4. Medical Inspector of Factories		
5. Inspector of Factories		
6. Inspectors of Factories		
7. Other Field Inspection Staff		
Total		

NOTE: - THE CONSOLIDATED RETURNS (STATEMENTS I TO XIII) AND THE ANNUAL REPORT GIVING THE POSITION OF THE INSPECTORATE STAFF IN THE PERFORMA HEALTH AND SAFETY MEASURES, HOUSING OF FACTORY WORKERS, ETC., SHOULD BE SUBMITTED COMPLETE IN ALL RESPECT BEFORE 25TH AUGUST OF SUCCEEDING YEAR. THE HALF-YEARLY RETURNS (STATEMENT I AND II) FOR THE FIRST HALF OF THE YEAR SHOULD ALSO REACH THE LABOUR BUREAU BY 30TH SEPTEMBER OF CURRENT YEAR.

II. CHECKS FOR ANNUAL RETURNS SUBMITTED BY STATES UNION TERRITORIES TO LABOUR BUREAU

CONSOLIDATED STATEMENTS

STATEMENT-I

1. It should be ensured that only Section-wise information is furnished in Statement-I.
2. Column 2=Columns 5 of the previous year's statement.
3. Column 5=Column+-Column3—Column4=Column 8 of Statement X (other factories).
4. Column 6=Column 2 of Statement II.
5. Column 7=Column 3 of Statement II.
6. Column 8=Column 9 of Statement II.
7. Column 9=Column 16 of Statement II.
8. Column 10*=Column 17* of Statement II.

***Estimation should be based in order of preference on:-**

(a) Recent factory inspection or (b) Previous year's employment data or (c) Employment figures reported in the application for registration, renewal of licence, etc.

9. Column 11=Column 8+Column 10=Column 18 of Statement II.
10. Please ensure that the Grand Total of each column is correct.
11. It should be ensure that information has been given in respect of each category of factory specified in Column I.
12. If information is NIL in respect of any Section, the fact should be mentioned.
13. It may also please be ensured that no column has been left blank.

STATEMENT-I-A

14. Please check that information in this statement is furnished ONLY BY DIVISION OF INDUSTRIES at two digit level combining all sectors and all sections.
15. Please ensure that the factory or even part of factory covered under Section 87 is to be reported and each process/operation has been reported separately in respect of each Division of industry.
16. Please check the coverage of such factories from the administrative records of the Chief Inspector of Factories and ensure that all are reported.
17. Also ensure that correct vertical totals of each column (i.e. 3,4 and 5) combining the figures of Division of Industries are given.
18. Please ensure that all factories reported in this Statement are also reported in Statement-I since information in Statement-I is required for all factories.

STATEMENT – II

19. It may please be ensured that information in this Statement has been furnished Sector-wise (separately for Public and Private Sector) combining all Sections for each of the classification given in Column 1.
20. Please ensure that totals are given as asked for in the Statement and are correct.
21. See that in Column 1, Industry Code Number for each Sub Class, Group, Division and Section of Industries is given correctly in the same order as given in the National Industrial Classification, 2004 and Code Number given confirms to the correct industry.
22. Column 2 = Column 3 + Column 16 = Column 6 of Statement-I.
23. Please check and ensure that break up of man-hours worked is given separately for men, women and children in Column 4, 5 and 6.
24. Column 3 = Column 7 of Statement –I.
25. Column 3=Column 18 of Statement-III=Column 14 of Statement-IV.
26. Column 3>Column 10 of Statement-IX.
27. Column 7=Column 4+5+6.
28. Column 8=Column 9<365/366 or Column 8< [(365/366) X Column 9 (i.e., Column 8 should not be more than the product of the number of days in the year and the average daily employment)].
29. Please check and ensure that no column is left blank.
30. Please also ensure that break-up of Average Daily Employment is given by age (adults, adolescents, children and sex (male and female) in columns 10 to 15.
31. Column 9=Column 8 of Statement –I.
32. Column 9=Columns 10=11+12+13+14+15 for each class of Industries.
33. Column 9=Column 19 of Statement-III=Column 15 of Statement-IV.
34. Column 10=Column 11 of Statement-IX.
35. Column 11=Column 21 of Statement-IX.
36. Column 16=Column 9 of Statement-I.
37. Column 17=Column 10 of Statement-I.
38. Column 18=Column 9+Column 17.
39. Column 18=Column 11 of Statement-I.

41. Check the Sector-wise Totals :(a) Total of Classes of Industries should provide Group Total ;
42. Group Totals should provide total of Division.
43. Division totals should provide total for Section and
44. Section Totals should provide total for All Industries in the Sector.
45. Check the 'Grand Total' combining the figures of both the Sectors.
46. ENSURE THAT INFORMATION IN STATEMENTS III, IV, V, VI, VII, VIII, IX AND XII HAS BEEN FURNISHED IN RESPECT OF DIVISION OF INDUSTRIES ONLY COMBINING THE FIGURES OF ALL SECTORS AND SECTIONS. CHECK THE CORRECTNESS OF INDUSTRY AND CODE NUMBERS ALSO FROM N.I.C. 2004.

STATEMENT –III

47. B÷A under each classification should be within the range given in the group.
48. Check the total of each Column.
49. Column 18=Columns 2+4+6+8+10+12+14+16=Column 3 of Statement-II=Column 14 of Statement IV.
50. Column 19=Columns 3+5+7+9+11+13+15+17=Column 9 of Statement-II=Column 15 of Statement IV.
51. Ensure that no Column is left blank and vertical totals given.

STATEMENT-IV

52. Column 14=Columns 2+4+6+8+10+12=Column 3 of Statement-II=Column 18 of Statement-III.
53. Column 15=Columns 3+5+7+9+11+13=Column 9 of Statement-II=Column 19 of Statement-III.
54. Check the vertical total of each Column carefully.

STATEMENT-V

55. This Statement should be base on Annual Returns only.
56. Column 2 of Statement-V<Column 64 of Statement-VI=Column 14 of Statement-VII.
57. Column 3 of Statement-V<Column 65 of Statement-VI=Column 15 of Statement-VII.
58. Column 3>Column 4.
59. Column 3—Column 4 of previous year's return=Column 6 of the current year return.
60. Column 5÷Column 4>2.
61. Check the Column-wise total.

STATEMENT-VI.

62. This Statement should be prepared on the basis of Notices of Accidents.
63. Columns 2+4+6+8+10+12 . . (all even Nos.)=Column 64=Column 14 of Statement-VII>Column 2 of Statement-V.
64. Column 3+5+7+9+ . . (All odd Nos.)=Column 65=Column 15 of Statement-VII>Column 3 of Statement V.
65. Check the Column wise vertical total.

STATEMENT-VII

66. This Statement too should be prepared on the basis of Notices of Accidents.
67. Column 14=Columns 2+4+6+8+10+12=Column 64 of Statement—VI>Column 2 of Statement-V.
68. Column 15=Columns 3+5+7+9+11+13=Columns 65 of Statement-VI>Column 3 of Statement-V.
69. Check Column wise vertical total.

STATEMENT-VIII

70. Column 24=Summation of figures furnished in Column 2 to Column 23 in respect of each Division of Industries i.e. Column 24∑Columns 2 to 23.
71. Check the Column wise vertical total also.

STATEMENT-IX

72. Column 10=Columns 2+4+6+8<Column 3 of Statement-II.
73. Column 11=Columns 3+5+7+9=Column 10 of Statement-II*.
74. Column 20=Columns 12+14+16+18.
75. Column 21=Columns 13+15+17+19=Column 11 of Statement-I+*.
(*This will ensure that information has been furnished for ADULTS ONLY)
76. Check the Column wise vertical totals.

STATEMENT-X

73. Column 6=Columns 2+3+4+5.
74. Column 8=Column 6+Column 7=Column 5 of Statement-I in respect of other factories.
75. Ensure that Defence Factories have been reported in this Statement only and in no other Statement. Hence, no cross checks necessary for Defence Factories.

PLEASE MARK THIS RETURN AS SECRET

76. Check the vertical totals.

STATEMENT-XI

77. It should be checked that every offence reported under a particular section has been counted as one irrespective of number of persons involved.
78. Column 9=Columns 2+3+4+5+6+7+8.
79. Columns 10<Column 9.
80. **ENSURE THAT ONLY TOTAL FIGURES FOR WHOLE STATE/UNION TERRITORY ARE FURNISHED IN EACH COLUMN.**

STATEMENT-XII

81. Check the vertical totals.
82. Figures under Column 5<Column 2+Column 3.
83. Column 8<Column 7.
84. Column 10< Column 9.
85. Column 11+Column 12=Column 10. (If the number is more, the reason may be given).
86. Column 14<Column 13.
87. Column 16< Column 15.
88. Column 19<Column 17.

STATEMENT-XIII

89. Column 5=Column 2+Column 3+Column 4.
90. Column 9=Column 6+Column 7+Column 8.
91. Column 13=Column 10+Column 11+Column 12.
92. Column 15<Column 14.
93. Ensure that only total figures under each Column have been reported for entire State/Union Territory.

STATEMENT II (REVISED)

NUMBER OF WORKING FACTORIES AND EMPLOYMENT IN WORKING FACTORIES

State..... For the year ending.....

Industry*	Total number of working factories	Factories submitting returns												
		Total number of working factories submitting returns	Total hours of number worked overtime of man inclusive hours				Total number of man-days worked during the year	Average daily number of workers employed						
								Total	Adults		Adoles-ents		Chil-dren	
									Men	Wo-men	Males	Fem-ales	Boys	Girls
			Men	Women	Children	Total								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
GOVERNMENT & LOCAL FUND (PUBLIC SECTOR)**														
0) Section of Industry (one digit)														
00) Division of Industries (two digit)														
000) Group of Industries(three digit)														
00000) Class of Industries under each Division of Industries (five digit)														
Total –All Industries (combining all Sections of Industries) Government and Local Fund Factories														

*As per National Industries Classification, 2004. Give Code Number and Name of Industry

**Coverage of 'Public and Private "Sectors".

I. Government and Local Fund Factories (Public Sector)
Establishment in Public Sector means an establishment owned, controlled or managed by
(i) The Government or the Department of the Government;
(ii) A Government Company as defined in Section 617 of the Companies Act, 1956 ;
(iii) A Corporation (including Co-operative Society) established by or under a Central, Provincial or State Act, which is owned controlled or managed by Government; and
(iv) A Local Authority.

II. Other Factories (Private Sector)
Establishment in Private Sector means an establishment, which is not an establishment in Public Sector

STATEMENT - II (REVISED) – concld.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Factories not submitting returns: Number of working factories (16)	Factories not submitting returns: Estimated average daily Number of workers employed in such factories (17)	Average daily number of workers employed in factories submitting returns & not submitting returns (Total of columns 9 and 17) (18)
GOVERNMENT AND LOCAL FUND FACTORIES PUBLIC SECTOR																	
(0)Section of Industries (one digit)																	
(00)Division of Industries (two digit)																	
(000)Group of Industries (three digit)																	
(00000)Class of Industries under each division of Industries (five digit)																	
Total – All Industries (combining all Sections of Industries Government and Local Fund Factories.																	
OTHER FACTORIES (PRIVATE SECTOR)																	
As for Government & Local Fund Factories																	
Total – All Industries (combining all Sections of Industries) Other Factories.																	
GRAND TOTAL-All Industries (combining all Sections, Public + Private)																	

STATEMENT – III

DISTRIBUTION OF WORKING FACTORIES SUBMITTING RETURNS ACCORDING TO AVERAGE DAILY STRENGTH

State..... For the year ending .....

Industry	Less than 10 workers		10 or more but less than 20 workers		20 or more but less than 50 workers		50 or more but less than 100 workers		100 or more but less than 500 workers		500 or more but less than 1000 workers		1000 or more but less than 5000 workers		5000 or more but less than 10000 workers		10000 and above	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Division of Industries																		
Total																		

STATEMENT- IV

DISTRIBUTION OF WORKING FACTORIES SUBMITTING RETURNS ACCORDING TO NUMBER OF DAYS WORKED

State ..... For the year ending.....

Industry	60 days or less		More than 60 but not more than 120 days		More than 120 but not more than 180 days		More than 180 but not more than 240 days		More than 240 but not more than 300 days		More than 300 days		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Division of Industries*														
Total														

A - Number of Factories.
B – Average daily number of workers employed
* Give Code Number (2 digit) and Name of Division of Industry following the National Industrial Classification, 2004

STATEMENT – V

FATAL AND NON-FATAL ACCIDENTS IN FACTORIES SUBMITTING RETURNS

State: -..... For the year ending .....

Industry	Number of fatal accidents	Number of non-fatal accidents	Accidents in which the workers returned to work during the current year			
			Occurring during the current year		Occurring during the previous year	
			Number	Mandays lost	Number	Mondays lost
1	2	3	4	5	6	7
Division of Industries*						
Total						

* Give Code Number (2 digit) and Name of Division of Industry following the National Industrial Classification, 2004.

STATEMENT - VI

ACCIDENTS ANALYSED BY CAUSES

ANNEXURE-3A

State ..... For the year ending .....

Industry	Prime movers, steam, gas and other engines, electric motors(not electric shocks)		Machinery moved by mechanical power																					
			Transmission Machinery				Lifting machinery		Machine tools for metal working				Wood working machinery								Rollers of Calandars mixers, etc not for metal or wood working ("nip") accidents		Others	
			Shifting		Belts, ropes, Pulley's and gearing				Power presses(others than punches)		Others		Circular saws (all types)		Planing machines		Vertical Spindle Moulding Machines		Others					
	101		102		103		104		105		106		107		108		109		110		111		112	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Division of Industries*																								
Total																								

STATEMENT – VI contd.

ACCIDENTS ANALYSED BY CAUSES

State ..... For the year ending .....

Industry	Transport (whether moved by power or not)																		Others			
	Railway				Other Vehicles (excluding hand trucks, boggies etc.)				Electricity		Explosions		Fires		Gassing		Molten Metal, other hot or corrosive substances		Machinery not moved by mechanical power			
	Power Shunted		Manually Shunted		Driven by power		Manually handled												Lifting Machinery		Others	
	113		114		115		116		117		118		119		120		121		122		123	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47
Division of Industries*																						
Total																						

STATEMENT – VI concld.

ACCIDENTS ANALYSED BY CAUSES

State ..... For the year ending .....

Industry	Use of hand tools		Others												Others		Total of all injuries	
			Struck by falling body		Persons Falling						Stepping on or striking against the object		Handing goods or articles					
					Falling from height		falling on the flat		Falling into pits excavations etc.									
	124		125		126		127		128		129		130		131		132	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65
Division of Industries*																		
Total																		

STATEMENT - VII

ACCIDENTS ANALYSED BY AGE AND SEX

State ..... For the year ending .....

Industry	Number of Accidents												Total	
	Adults				Adolescents				Children					
	Men		Women		Males		Females		Boys		Girls			
	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Division of Industries*														
Total														

* Give Code Number (2 digit) and Name of Division of industry following the National Industrial Classification, 2004.

A – Fatal Accidents.

B – Non-fatal Accidents.

STATEMENT – VIII (REVISED)

ANNEXURE-3A

NUMBER OF CASES OF POISONING AND DISEASES NOTIFIED UNDER SECTION 89

State ..... For the year ending .....

Industry	Lead Poison-ing	Lead Tetraethyl Poisoning	Phosphorus Poisoning	Mercury Poisoning	Manganese Poisoning	Arsenic Poisoning	Poisoning by nitrous Fumes	Carbon Bisulphide Poisoning	Benzene Poisoning	Chrome Ulceration	Anth-rax	Sili-cosis
1	2	3	4	5	6	7	8	9	10	11	12	13
Division of Industries*												
Total												

STATEMENT – VIII (concld.)

NUMBER OF CASES OF POISONING AND DISEASES NOTIFIED UNDER SECTION 89

State ..... For the year ending .....

Industry	Poisoning by halogens or their derivatives	Pathologic manifests-tion due to radioactive substances or 'X' Rays	Primary Epithelio-matous cancer of the skin	Toxic anaemia	Toxic Jaundice	Oil Cancer or Dermatitis	Byssio-nosis	Occupational or contact Dermatitis	Noise Induced hearing loss	Asbesto-sis	Total
1	14	15	16	17	18	19	20	21	22	23	24
Division of Industry*											
Total											

* As per National Industrial Classification, 2004. Give Code Number (2 digit) and the Name of Division of Industries.

STATEMENT - IX

DISTRIBUTION OF FACTORIES SUBMITTING RETURNS AND THEIR EMPLOYMENT ACCORDING TO * AVERAGE NUMBER OF HOURS WORKED PER WEEK

State..... For the year ending.....

Industry	For Adult Men										For Adult Women									
	Up to 42 hours		Above 42 up to 45 hours		Above 45 up to 48 hours		Above 48 hours		Total		Up to 42 hours		Above 42 up to 45 hours		Above 45 up to 48 hours		Above 48 Hours		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Division of Industries**																				
Total																				

A – Number of Factories submitting returns

B – Average daily employment

* Average number of hours worked per week means that total actual hours worked by all workers excluding the rest intervals but including overtime work divided by the product of average daily number of workers employed and 52 . In case the Factory has not worked for the whole year, the number of weeks during which the Factory worked should be used in the place of figure 52.

** As per National Industrial Classification 2004. Give Code Number (2 digit) and the Name of Division of Industry.

STATEMENT – X

INSPECTIONS

State..... For the year ending .....

Category of Factories	Number of Factories inspected during the year				Total	Not inspected	Grand Total
	Once	Twice	Thrice	More than three times			
1	2	3	4	5	6	7	8
Other Factories (excluding Defence Factories)							
Defence Factories							
Total							

STATEMENT – XI

ANNEXURE-3A

CONVICTIONS

State:.....

For the year ending.....

Name of State/Union Territory	Number of convictions obtained during the year for offences relating to								Total number of Factories against which convictions were obtained
	Employment and hours of work			Notices' Registers & Returns	Safety	Health and Sanitation (including Welfare)	Others	Total of Columns 2 to 8	
	General	Women	Children and Adolescents						
1	2	3	4	5	6	7	8	9	10

STATEMENT - XII (REVISED)

SAFETY OFFICERS, AMBULANCE ROOMS, CANTEENS, SHELTERS, REST ROOMS, CRÈCHES AND WELFARE OFFICERS

State.....

For the year ending.....

Industry	Safety Officers					Ambulance		Canteens	
	Number of factories wherein one thousand or more workers are ordinarily employed**& notified for appointment of safety officers	Number of other factories notified for appointment of Safety Officers	Number of Safety Officers required to be appointed	Number of factories which have appointed Safety Officers as required under Section 40-B	Number of Safety Officers appointed	Number of factories wherein more than 500 workers are ordinarily employed **	Number of factories which have provided ambulance room as required under section 45	Number of factories required to provide canteens as per notification under Section 46	Number of factories which have provided canteens as required under Section 46
1	2	3	4	5	6	7	8	9	10
Division of Industries *									

THE FACTORIES ACT, 1948
ANNUAL RETURN

.I. IDENTIFICATION PARTICULARS

1. Registration Number of Factory . . . .
2. Name of Factory . . . . . .
3. Name of Occupier . . . . . .
4. Name of the Manager . . . . . .
5. District . . . . . .
6. Full postal address of Factory . . . .
7. Nature of Industry . . . . . .

II. EMPLOYMENT PARTICULARS

No of days worked in the year	No. Of Mandays worked during the year				Avg Daily No. Of Workers employed				Total Number of Man-Hours Worked including over-time				Avg No.of hours worked per week			
	Adult		Adolescent		Adult		Adolescent		Adult		Adolescent		Adult		Adolescent	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

III. EMPLOYMENT DETAILS IN FACTORIES CARRYING DANGEROUS OPERATIONS

Name of dangerous processes or operations carried on	Average Number of Persons employed daily in each of the processes or operations given in Column (1)
(1)	(2)
a)	
b)	
c) etc.	

IV. LEAVE WITH WAGES

Total number of workers employed during the year		Number of workers who were entitled to annual leave with wages during the year		Number of workers who were granted leave during the year		Number of workers who were discharged, or dismissed from the service or quit employment, or were superannuated, or who died while in service during the year	Number of such workers in respect of whom wages in lieu of leave were paid
Men	Women	Men	Women	Men	Women		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

V. HEALTH & WELFARE AMENITIES

Safety Officers		Ambulance Room	Canteen			Shelters or Rest Rooms and Lunch Rooms	Creches	Welfare Officers	
Number of Safety Officers required to be appointed	Number of Safety Officers appointed	Is there an Ambulance Room provided in the factory?	Is there a Canteen provided in the factory?	Is the Canteen provided managed/run		Are there adequate and suitable Shelters or Rest Rooms and Lunch Rooms provided in the factory?	Is there a Creche provided in the factory*	Number of Welfare Officers to be appointed	Number of Welfare Officers appointed
				Departmentally	Through a contractor				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

VI. ACCIDENTS

Total number of accidents								Accidents in which workers returned to work during the current year				Accidents in which workers did not return to work during the current year	
Fatal				Non Fatal				Accidents occurring during the current year		Accidents occurring in the previous year			
Adult		Adolescent		Adult		Adolescent		Number	Mandays lost	Number	Mandays lost	Number	Mandays lost
Men	Women	Men	Women	Men	Women	Men	Women						
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Signature of the Manager
Date :

Explanatory Notes :

1. The average number of workers employed daily should be calculated by dividing the aggregate number of attendances on working days (that is, mandays worked) by the number of working days in the year. In reckoning attendances, attendance by temporary as well as permanent employed should be counted, and all employees (including apprentices) should be included, whether they are employed directly or under contractors. Attendance on separate shifts (e.g. night and day shifts) should be counted separately. Days on which the factory was closed for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days. However, if more than 50% of workers employed (on the previous day) attend to repair maintenance or other such work on closed days, such days should be treated as working days. Partial attendance for less than half a shift on a working day should be ignored, while attendance for half a shift or more on such day should be treated as full attendance.
2. For seasonal factories, the average number of workers employed during the working season and the off-season should be given separately. Similarly the number of days worked and average number of man hours worked per week during the working and off season should be given separately.
3. The average number of hours worked per week means the total actual hours worked by all workers during the year excluding the rest intervals but including overtime work divided by the product of average number of workers employed daily in the factory during the year and 52. In case the factory has not worked for the whole year, the number of weeks during which the factory worked should be used in place of the figure 52.
4. Every person killed or injured should be treated as one separate accident. If in one occurrence, six persons were injured or killed it should be counted as six accidents.
5. In Block VI. (1), the number of accidents which took place during the year should be given. In case of non-fatal accident only those accidents which prevented workers from working from 48 hours or more, immediately following the accident should be indicated.
6. In Block II. (1), the information may be furnished as the number of days the factory worked during the year.

CHECKS FOR ANNUAL RETURNS SUBMITTED BY FACTORIES/STATES

1. Ensure that the information furnished is as accurate as possible.
2. Information supplied in each return is complete in every respect.
3. Check the list of establishments covered and ensure that returns have been received from all registered factories.
4. Ensure that the number of days worked is ≤ 365 (366 in leap year). It should be exactly 365 or 366 days in case of factories which work for all the days of the year but generally it should be less due to various holidays observed.
5. Please ensure that number of mandays worked has been reported separately from men and women. It should be checked as : Number of mandays worked = Number of Days worked X Average Daily Employment.
6. Ensure that correct method has been followed in calculating the Average Daily Employment and sex-wise figures have been furnished separately for Adults and Adolescents (i.e. Number of Mandays Worked ÷ Number of Days Worked).
7. Figures of Average Daily Employment should also be checked with the figures reported in the Directory of Industrial Establishments.
8. Ensure that total number of man-hours worked reported separately for men and women is the aggregate number of actual man-hours worked in all the shifts on all the working days in the factory including overtime hours but excluding rest intervals.
9. The Average number of hours worked per week reported separately for men and women should be correctly worked out, i.e., total actual hours worked by all workers during the year ÷ [Average number of workers employed daily in the factory during the year X Number of weeks worked by the factory during the year.]
10. If it has been stated that the factory is covered under Section 87, the fact may be checked from the administrative records of the Chief Inspector of Factories.
11. Please ensure that all persons, who have been on roll even for a single day during the year, have been taken into account and reported against Block IV. (1) & (2) of F. No. 34. A particular person is to be counted once only.
12. For 'Safety Officers', 'Ambulance rooms,' 'Canteens', 'Shelters or Rest rooms and Lunch rooms', 'Creches' and 'Welfare Officers', if nil information has been furnished please ensure its conformity with the provisions of the Act.
13. Every person killed or injured in an occurrence should be treated as one separate accident, e.g., if in one occurrence 10 persons are injured or killed, it should be counted as 10 accidents.
14. Please ensure that figures furnished against item VI (2) in F. No. 34 relate to such Non-fatal injuries only in which the workers affected were prevented from working for a period of 48 hours or more immediately following the accidents.
15. The figures of mandays lost due to accidents should be double or more than double the number of persons who returned to work. This is because only such injuries are to be reported in which the person injured was prevented from working for a period of 48 hours or more.
16. Please check that figures of Mandays lost reported against item VI (6) are inclusive of figures of mandays lost during previous year as well as current year.
17. Please ensure that the non-fatal accidents reported against item VI (2) are accounted for against item VI (3) and VI (7) in Form No. 34.
18. The information relating to accidents reported in Annual Return (F. No. 34) should also be checked with the Notices of Accidents.
19. Please get all discrepancies clarified before the consolidating work is taken up at the Headquarters.
20. If visiting a factory and examining the Return on spot please also check all registers and records prescribed under the State Rules are maintained properly.

THE FACTORIES ACT, 1948

STATEMENT 1
Number of registered factories and workers employed

State..... For the year ending.....

Category of Factories	Number of factories on register at the beginning of the period	Number of factories newly licensed & registered during the period	Number of factories removed from the register during the period	Number of factories on the register at the end of the period	Number of working factories	Number of factories submitting returns	Average daily number of workers employed in the factories submitting returns	Number of factories not submitting returns	Estimated average daily employment in factories not submitting returns	Total Avg. daily number of workers employed in factories submitting returns and not submitting returns (Total of cols 8 & 10)
1	2	3	4	5	6	7	8	9	10	11
Factories as defined under Section 2m(i) Factories as defined under Section 2m(ii) Factories as notified under Section 85.										
GRAND TOTAL										

STATEMENT 1-A
Factories carrying on processes or operations declared dangerous under Section 87 and workers employed in such operations

Industry (NIC 5 digit level) *	Number of Working factories	Average daily number of workers employed in the entire factory	Average daily number of workers employed in dangerous processes of operations
1	2	3	4

*As per National Industrial Classification, 2008. Give Code Number (5 digit) and Description of Industry.

STATEMENT II
Number of working factories and employment in working factories

Industry*	Sector (Public or Private)	Total number of working factories	Factories submitting returns										Factories not submitting returns		Average daily number of workers employed in factories submitting returns & not submitting returns (Total of columns 10 to 13 and 15)
			Total number of working factories submitting returns	Number of man hours worked inclusive of overtime hours				Total number of man-days worked during the year	Average daily number of workers employed				Number of Working Factories	Estimated average daily Number of workers employed in such factories	
				Adults		Adolescents			Adults		Adolescents				
				Men	Women	Men	Women		Men	Women	Men	Women			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
00000) Class of Industries under each Division of Industries (five digit)															
Total –All Industries															

*As per National Industries Classification 2008. Gove Code Number and Name of Industry

I. Government and Local Fund Factories (Public Sector)
Establishment in Public Sector means an establishment owned, controlled or managed by
(i) The Government or the Department of the Government;
(ii) A Government Company as defined in Section 617 of the Companies Act, 1956 ;
(iii) A Corporation (including Co-operative Society) established by or under a Central, Provincial or State Act, which is owned controlled or managed by Government ; and
(iv) A Local Authority.

II. Other Factories (Private Sector)
Establishment in Private Sector means an establishment which is not an establishment in Public Sector.

STATEMENT III
Distribution of working factories submitting returns according to working strength

Industry	Less than 10 workers		10 or more but less than 20 workers		20 or more but less than 50 workers		50 or more but less than 100 workers		100 or more but less than 500 workers		500 or more but less than 1000 workers		1000 or more but less than 5000 workers		5000 or more workers		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Division of Industries																		
Total																		

STATEMENT IV
Distribution of working factories submitting returns according to number of days worked

Industry	60 days or less		More than 60 but not more than 120 days		More than 120 but not more than 180 days		More than 180 but not more than 240 days		More than 240 but not more than 300 days		More than 300 days		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Class of Industries*														
Total														

A - Number of Factories.
B – Average daily number of workers employed.
* Give Code Number (5 digit) and Name of Class of Industry following the National Industrial Classification, 2008

STATEMENT – V
Fatal and Non-fatal Accidents in Factories submitting returns

Industry	Number of fatal accidents				Number of non-fatal accidents				Accidents in which the workers returned to work during the current year			
	Adults		Adolescents		Adults		Adolescents		Occurring during the current year		Occurring during the previous year	
	Men	Women	Men	Women	Men	Women	Men	Women	Number	Mandays lost	Number	Mandays lost
1	2				3				4	5	6	7
Class of Industries*												
Total												

* Give Code Number (5 digit) and Name of Class of Industry following the National Industrial Classification, 2008.

STATEMENT-VI
Accidents analysed by Causes

Industry	Prime movers, steam, gas and other engines, electric motors(not electric shocks)		Machinery moved by mechanical power																					
			Transmission Machinery				Lifting machinery		Machine tools for metal working				Wood working machinery								Rollers of Calandars mixers, etc not for metal or wood working ("nip") accidents		Others	
			Shifting		Belts, ropes, Pulley's and gearing				Power presses (other than punches)		Others		Circular saws (all types)		Plaining machines		Vertical Spindle Moulding Machines		Others			
	101		102		103		104		105		106		107		108		109		110		111		112	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Division of Industries *																								
Total																								

STATEMENT – VI contd.

Industry	Transport (whether moved by power or not)								Others															
	Railway				Other Vehicles (excluding hand trucks, boggies etc.)				Electricity		Explosions		Fires		Gassing		Molten Metal, other hot or corrosive sub-stances		Machinery not moved by mechanical power					
	Power Shunted		Manually Shunted		Driven by power		Manually handled												Lifting Machinery		Others			
	113		114		115		116		117		118		119		120		121		122		123			
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B						
1	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47		
Division of Industries*																								
Total																								

STATEMENT –VI concld

Industry	Use of hand tools		Others												Others		Total of all injuries	
			Struck by falling body		Persons Falling						Stepping on or striking against the object		Handing goods or articles					
					Falling from height		falling on the flat		Falling into pits excavations etc.									
	124		125		126		127		128		129		130		131		132	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65
Division of Industries*																		
Total																		

STATEMENT – VII
Distribution of Factories submitting returns and their employment according to * Average Number of Hours Worked per week

Industry	For Adult Men										For Adult Women									
	Up to 42 hours		Above 42 up to 45 hours		Above 45 up to 48 hours		Above 48 hours		Total		Up to 42 hours		Above 42 up to 45 hours		Above 45 up to 48 hours		Above 48 Hours		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Class of Industries**																				
Total																				

A – Number of Factories submitting returns
B – Average daily employment
* Average number of hours worked per week means that total actual hours worked by all workers excluding the rest intervals but including overtime work divided by the product of average daily number of workers employed and 52. In case the Factory has not worked for the whole year, the number of weeks during which the Factory worked should be used in the place of figure 52.
** As per National Industrial Classification 2008. Give Code Number (5 digit) and the Name of Class of Industry.

STATEMENT – VIII
Inspections

Category of Factories	Number of Factories inspected during the year				Total	Not inspected	Grand Total
	Once	Twice	Thrice	More than three times			
1	2	3	4	5	6	7	8
Other Factories (excluding Defence Factories) Defence Factories							
Total							

STATEMENT – IX
Convictions

Name of State/Union Territory	Number of convictions obtained during the year for offences relating to								Total number of Factories against which convictions were obtained
	Employment and hours of work			Notices' Registers & Returns	Safety	Health and Sanitation (including Welfare)	Others	Total of Columns 2 to 8	
	General	Women	Adolescents and Children						
1	2	3	4	5	6	7	8	9	10

STATEMENT X
Safety Officers, Ambulance Rooms, Canteens, Shelters, Rest Rooms, Crèches and Welfare Officers

Industry	Safety Officers					Ambulance		Canteens	
	Number of factories wherein one thousand or more workers are ordinarily employed**& notified for appointment of safety officers	Number of other factories notified for appointment of Safety Officers	Number of Safety Officers required to be appointed	Number of factories which have appointed Safety Officers as required under Section 40-B	Number of Safety Officers appointed	Number of factories wherein more than 500 workers are ordinarily employed **	Number of factories which have provided ambulance room as required under section 45	Number of factories required to provide canteens as per notification under Section 46	Number of factories which have provided canteens as required under Section 46
1	2	3	4	5	6	7	8	9	10
Class of Industries *									

STATEMENT – X – concld.

Industry	Canteens		Shelters, Rest Rooms and Lunch rooms		Crèches		Welfare Officers			
	Number of factories in which canteens are run by the occupiers	Number of factories in which canteens are run by contractors	Number of factories where in more than 150 workers are ordinarily employed **	Number of factories which have provided shelters or rest rooms & lunch rooms as required under Section 47	Number of factories where in more than 30 women workers are ordinarily employed **	Number of factories which have provided crèches as required under Section 48	Number of factories where in 500 or more workers are ordinarily employed**	Number of Welfare officers required to be appointed	Number of factories which have provided welfare Officers as required under Section 49	Number of Welfare officers appointed
1	11	12	13	14	15	16	17	18	19	20
Class of Industries *										
Total										

* As per National Industrial Classification, 2008. Give Code Number (5 digit) and the Name of Class of Industry.

**The term "ordinarily employed" as used in Section 48 of the Factories Act, 1948 would mean "Total number of persons employed in all shifts. This should be over 50% of the number of working days in the establishment."

STATEMENT XI
Leave with Wages

Name of State/Union Territory	Total number of persons employed during the calendar year *		Number of persons who were entitled to annual leave with wages during the calendar year		Number of persons granted leave during the year		Number of workers who were discharged or dismissed from the service, quit employment or were superannuated, or who died while in service during the year	Number of such workers in respect of whom wages in lieu of leave were paid
	M	W	M	W	M	W		
1	2	3	4	5	6	7	8	9

M – Men. W – Women

- Maximum Number Employed on any day of the year irrespective of the fact whether any person left or was discharged or dismissed from service during the year .

PROFORMA
INSPECTORATE STAFF

Category of Inspectors	Sanctioned Strength	Working Strength
1	2	3
1. Chief Inspector of Factories 2. Deputy Chief Inspector of Factories 3. Regional Inspector of Factories 4. Medical Inspector of Factories 5. Inspector of Factories 6. Other Field Inspection Staff		
Total		

NOTE:- The consolidated returns (Statements I to XIII) and the Annual Report giving the position of the Inspectorate Staff in the Performa health and safety measures, housing of factory workers, etc., should be submitted complete in all respect before 25th August of succeeding year . The Half-Yearly returns (Statement I to II) for the first half of the year should also reach the Labour Bureau by 30th September of Current year.

Chapter 4: The Payment of Wages Act, 1936
Simplification of return & its E-capturing

The Payment of Wages Act, 1936 is beneficial legislation to regulate the payment of wages to certain classes of persons employed in industries. The main purpose of the Act is to ensure regular and prompt payment of wages and to prevent the exploitation of wage earners by prohibiting arbitrary fines and deductions from his wages. It provides for responsibility of employers of payment of wages, fixation of wage period, time and mode of payment, deduction which may be made and other connected matters.

The Payment of Wages Act is applicable throughout India. It applies to persons employed in any factory, employed by Railway Administration and persons employed in other any industrial establishment specified in subclause (a) to (g) of clause (ii) of Section 2 which inter-alia includes tramway services, motor transport services, air transport services, docks, wharfs & jetty, mines, quarry or oilfields, plantations, workshops carrying out manufacturing processes, construction establishments, water supply establishments and electricity distribution & generation services. At present, the scope of the act is extended to cover persons earning less than Rs 10000 per month w.e.f 08.08.2007.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'The Payment of Wages Act, 1936' are enclosed at **Annexure-4A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-4B.**

Calender year data is collected from the primary units (i.e. industrial units) in **Form-IV of the return** and the information gathered from primary units is consolidated by the State authorities in **Form-A designed** for the purpose.

Form-IV being presently, used for data collection from the Primary Units is redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units through Form-IV return, it is redesigned in a tabular form in four blocks namely;

1. Identification Particulars
2. Employment and Labour Cost
3. Deductions made during the year
4. Disbursements from the fines fund during the year.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (a) and I. (b) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II. Employment and Labour Cost; This block is meant to capture details like number of mandays worked during the year, number of working days in a year, average daily number of persons employed during the year and total wages paid including deductions. Mandays worked and the working days in a year are static variables and have to be entered by the user in the space designed for the purpose. Once the figures are entered against these variables, average number of persons employed during the year would be dynamically captured by dividing the number of mandays worked during the year with the number of working days in a year. The variables 'Basic Wage', 'Dearness & other allowances' and 'Arrears of pay' are static variables and would be entered by the user. Information on gross wages including deductions defrayed as amount paid due to profit sharing bonus and money value of concession is sought below the table that can be furnished by user.

Block III. Deductions Made During the Year; The block contains information on the number of cases & the total amount of deductions made due to fines, damage or loss and breach of contract. All these variables are static variables and have to be entered by the user in the space designed for the purpose. However, the total number of cases and the total amount of deductions made during the year can be summed up dynamically by the computer.

Block IV. Disbursements from the Fines Fund during the Year; Here Item IV. (i) (Balance of fines fund at the beginning of the year and Item IV. (ii) (Disbursement from the fines fund during the year) are static variables and have to be entered by the user in the space designed for the purpose. But, the total disbursement from the fines fund during the year and Item IV. (iii) (Balance of fines fund at the end of the year) are dynamic variables and can be algebraically calculated from the static variables.

The Consolidated Form A comprises of three blocks namely, employment details, payment of wages details and deductions made during the year.

For electronic compilation of data in Form A of the return, it is proposed that every user (State Labour Commissioner) would be given one time log-In and Password to enter into the form. When the user logs in, particulars like 'Name of the State' and 'Report for the period' would automatically come in the space provided against the items in the form. Also, the user would be provided with a facility to update the records as and when required by the user.

Block I; of the return is purported to capture employment details for industries classified at NIC 5 digit level. Column 2 (number of factories covered under the act) is a statis column and can be entered by concerned authorities. But Column 3 is information on the number of factories submitting returns and can be depicted from the response of the primary units as under:

$$\text{Column 3} = \sum_{\text{Primary return}} \left[\text{Block I.} \left(\text{Col. 7} \right) > 0 \right]$$

Data on average daily number of persons employed, number of working days and number of mandays worked during the year are again, dynamic variables and can be algebraically calculated as given below:

Average Daily number of Persons employed

$$\text{Column 4} = \sum_{\substack{\text{Primary return} \\ \& (\text{Block II. Col 4}) > 0}} \left[\text{Block II.} (\text{Col. 5}) \right]$$

Above formula can be extended to other categories of staff.

Number of Working Days

$$\text{Column 7} = \sum_{\substack{\text{Primary return} \\ \& (\text{Block II. Col 4}) > 0}} \left[\text{Block II.} (\text{Col. 4}) \right]$$

Number of Mandays worked during the year

$$\text{Column 8} = \sum_{\substack{\text{Primary return} \\ \& (\text{Block II. Col 4}) > 0}} \left[\text{Block II.} (\text{Col. 1}) \right]$$

Above formula can be extended to other categories of staff.

Data on 'Payment of Wages details' are collected in **Block II** of the return wherein Columns 1 can be governed dynamically through database maintained by the server.

Thereafter, entries on wages against each industry in Columns 11 to 17 are to be derived dynamically by formula;

Column 11 = $\sum$ [Block II. (Item. 1)]

Primary return for

industry & (Block II. Col 4) > 0

Column 12 = $\sum$ [Block II. (Item. 2)]

Primary return for

industry & (Block II. Col 4) > 0

Column 13 = $\sum$ [Block II. (Item. 3)]

Primary return for

industry & (Block II. Col 4) > 0

Column 14 = $\sum$ [Block II. (Col. 11)]

Primary return for

industry & (Block II. Col 4) > 0

Above formula can be extended to work out figures of basic wage, dearness allowance and arrears.

Block III: is meant for consolidation of data on deductions during the year from the primary returns submitted to the authority. The entries on the number of cases and deductions made on account of fines (Columns 2, 3), damage or loss (Columns 4, 5),

breach of contract (Columns 6, 7) and the total deductions made (Columns 8,9) are to be automatically determined by computer from respective items of primary return.

Deductions made during the year:

Column 2 = $\sum$ [Block III. Item (a) (number of cases)]

Primary return for

industry & (Block II. Col 4) > 0

Column 3 = $\sum$ [Block III. Item (a) (Total amount)]

Primary return for

industry & (Block II. Col 4) > 0

Above formula can be extended to work out figures of remaining columns by making suitable changes in above formula.

Once all the entries are consolidated in the form, a submit button may be proposed in the form which would transmit data electronically into the database of Labour Bureau.

THE PAYMENT OF WAGES ACT, 1936

FORM IV—ANNUAL RETURNS

WAGES AND DEDUCTIONS FROM WAGES

Return for the year ending 31st December,.....

1. (a) Name of the Factory or Establishment and postal address.....

   (b) Industry .....

2. Number of days worked during the year.....

3. (a) Number* of mandays worked during the year.....

	Persons earning less than Rs. 1,600 per month
Adults	
Children	
Total	

**(b) Average daily number of persons employed during the year

	Persons earning less than Rs. 1,600 per month
Adults	
Children	
Total	

(c) Gross amount paid as remuneration to persons getting less than Rs. 1,600 per month including deductions under Section 7 (2) .....of which the amount due to profit sharing bonus is.....and that due to money value of conncessions*** is .....

4. Total wages paid including deductions under Section 7(2) on the following accounts.

	Persons earningless than Rs. 1,600 per month
(a) Basic wage including overtime wages and non-profit sharing bonus.	
(b) Dearness and other allowances in cash.	
(c) Arrears of pay in respect of previous year paid during the year.	
Total	

5. Deductions—Number of cases and amount realised

	Persons earning less than Rs. 1,600 per month	
	Number of cases	Amount realised (Rs).
(a) Fines ..		
(b) Deductions for damage or loss ..		
(c) Deduction for breach of contract ..		
Total		

6. Fines Fund

(i) Balance of fines fund in hand at the beginning of the year Rs.....

(ii) Disbursement from fines fund:—

	Purpose	Amount (Rs.)
(a)		
(b)		
(c)		
(d)		
	Total	

(iii) Balance of fines fund in hand at the end of the year Rs. .....

Signature .....

Dated ..... Designation .....

*This is the aggregate number of attendances during the year.

**Please see foot-note at page 3.

***The money value of concessions should be obtained by taking the difference of the price paid by the employe and the actual price paid by the employees for supplies of essential commodities given free or at concessiona rates.

NOTE—THIS RETURN SHOULD BE SENT TO THE PRESCRIBED AUTHORITY BY 15TH FEBRUARY OF SUCCEEDING YEAR.

THE PAYMENT OF WAGES ACT, 1936

Methods of Scrutiny at the Primary Stage and Cross-Checks, etc.

1. The primary unit is required to submit information in Form-IV annually to the appropriate Government. Before submission, it is to be seen that the information in respect of all the items in Form-IV has been given in the return.

2. The figures of average daily employment for adults and children should be got verified by dividing the respective figures of mandays worked by the number of days worked during the year.

3. The total wages when divided by the figure of average daily employment give the per capita annual earnings. It should be checked that the per capita annual earnings, 'as obtained by dividing the figure of total wages furnished in item 4 of Form-IV, excluding figure of arrears of pay, by the corresponding figure of average daily number of persons employed' is less than Rs. 19 200. The figures of per capita earnings should also not be too low taking into account the number of days worked by the factory/establishment. This is very important check and should always be kept in view.

4. It should be seen that total of basic wages, dearness allowance and arrears of pay is equal to the figure of total wages paid.

5. Total of profit-sharing bonus, money value of concessions and total wages paid, should be equal to gross amount paid as remuneration.

6. The per capita annual earnings, as obtained by dividing the total gross wages amount paid minus arrears divided by the figure of average daily employment, should be compared with the corresponding figure for the previous year. Normally, there should not be wide fluctuations. In case, there is a wide divergence the cause should be investigated and invariably reported in the form of footnotes, etc. Unless there is some error in reporting, such a difference may occur due to a sharp change in the number of days worked during the year by the factory or due to major revisions in the rates of wages or due to major shift in the employment pattern such as employment of much larger proportion of employees on higher/lower rates of wages.

THE PAYMENT OF WAGES ACT, 1936

State_____

Form 'A'

Statement on working of the Payment of Wages Act, 1936 for the year_____ in respect of persons earning less than Rs.10, 000/- per month with effect from 8.8.2007+.

Industry $	Total number of factories or establishments		Total number of days worked by all the units in Column 3	Total number of mandays worked by all the units in Column 3			Average daily employment		
	Covered by the Payment of Wages	Submitting returns		Adults	Children	Total	Adults	Children	Total
1	2	3	4	5	6	7	8	9	10
Section 2m(i) and 2m (ii) Government and Local Fund Factories (Public Sector)* *									
Section of Industries (one digit)									
Division of Industries (two digit)									
Group of Industries under each (three digit)									
Division of Industries									
Class of Industries under each									
Group of Industries (four digit)									
Total Group of Industries									

Gross Wages including deductions (i.e.Cols. 12+13+14) (Rs.)	Bonus* (Rs.)	Money value of Concessions (Rs.)	Total Wages including deductions i.e.Cols 15+16+17 (Rs.)	Basic @ Wages (Rs.)	Cash allowances including dearness (Rs.)	Arrears (Rs.)	Remarks
11	12	13	14	15	16	17	18

$ As per National Industrial Classification 2004

\+ The ceiling was enhanced from Rs 1600/- per month to

1. Rs 6,500/-p.m. from 9.11.2005 vide Notification No.1173 dated 8.11.2005
2. Rs.10, 000/-per month from 8.8.2007 vide Notification No.978 dated 8.8.2007

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Total- All industries (combining all sections of Industries) Government and Local Fund Factories(Public Sector) under section 2m (i) and 2 m (ii)																	
Other Factories (Private Sector)* * Section of Industries Division of Industries																	
Group of Industries under each Division of Industries																	
Class of Industries under each Group of Industries																	
Total- Group of Industries																	
Total- Division of Industries																	
Total- Section of Industries																	
Total- All Industries (combining all Sections of Industries) Other Factories (Private Sector) under Section 2m (i) and 2m (ii)																	
Total- All industries under Section 2m (i) and 2m (ii) combining all industries of Government and local Fund and other Factories)																	
Section 85																	
As in Section 2m(i) and 2m(ii)																	
Grand Total- All industries (combining the total of Section 2m (i) 2m (ii) and 85																	

* - Bonus paid under the Bonus Act should also be included in Column 12.

@ - Retrenchment compensation should be reported in columns 15 and 16 (compensation paid as basic wages in column 15 and dearness allowance in column (16).

** Coverage of 'Public and Private' Sectors.

I. Government and Local Fund Factories (Public Sector)
Establishment in Public Sector means an establishment owned, controlled or managed by;

(i) The Government or the Department of the Government;

(ii) A Government Company as defined in Section 617 of the Companies Act, 1956;

(iii) A corporation (including Co-operative Society) established by or under a Central, Provincial Or State Act, which is owned, controlled or managed by Government; and

(iv) A Local Authority.

II Other Factories (Private Sector)
Establishment in Private Sector means an establishment, which is not an establishment in Public Sector.

THE PAYMENT OF WAGES ACT, 1936

State_____

FORM 'B'

Statement on working of Payment of Wages Act, 1936 for the year_____ in respect of persons earning less than Rs.10,000 per month with effect from 8.8.2007

Industry$	Fines		Deductions for damage or loss		Deductions for breach of contracts	
	Number of cases	Amount (Rs.)	Number of cases	Amounts (Rs.)	Number of cases	Amount (Rs.)
1	2	3	4	5	6	7

$ As in FORM 'A'

Scrutiny at the Secondary Stage and General Consistency

The returns received from the primary units should be scrutinized very carefully. In case any discrepancy is noticed clarification should be obtained from the reporting factory/establishment before the work of consolidation is taken up at the State level. Care should be taken to avoid errors at every state of compilation.

Cross-Check of the Consolidated Returns and General Consistency

Before sending the consolidated Statement in Form A to the Labour Bureau, the following points should be checked up that

1. The figures for the class of Industries for each column should add up to those for the corresponding Group of Industries. The figures for Groups should add up to those corresponding to Division of Industries. Similarly the figures for Division of Industries should add up to those for the corresponding Section of Industries,and the figures for the Section should add up to "All Industries Totals". The Code Numbers of Class of Industries' Group of Industries, Divisions of Industries and Section of Industries should also be checked with the standard list (List of National Industrial Classification, 2004).

2. For each class of Industries, figures in column 14 (total wages) should be equal to the sum of the figures in columns 15,16 and 17 (Basic wages, cash allowances and arrears). Further, figures in column 11 (gross wages) should be equal to the sum of the figures in columns 12, 13 and 14 (bonus, money value of concession and total wages).

3. The following checks of consistency in the figures furnished in columns 4 (total number of days worked by reporting units). 7 (total number of mandays worked) and 10 (total) should be applied for each class of Industries, Group total, Division total, Section and the Grand total-

(i) Whenever there is only one establishment submitting returns, the average daily employment should be equal to the figure obtained by dividing the total number of mandays worked by the total number of days worked by the establishment during the year (In other words, the number of mandays worked should be equal to the product of the number of days worked by the establishment and the average daily employment).

(ii) If the number of units submitting returns is more than one and not much variation is expected in the number of days worked from establishment to establishment (which will be true in the case of perennial industries), the product of mandays worked and the number of units submitting returns should be of the same order as the product of the number of days worked and the average daily number of persons employed.

(iii) It should also be checked that the average number of days worked by all the factories/establishments in any industry (as obtained by dividing the total number of days worked by the number of factories/establishments in the industry and also by dividing the total number of mandays worked by the figure of total average daily employment) do not exceed the number of days in the year (i.e.365 or 366 in a leap year).

4. It should be checked that the per capita annual earnings (as obtained by dividing the total wages minus arrears paid by the total average daily employment for each class of Industries) should be less than Rs.19200. The per capita annual earnings obtained in this manner should not be too low, taking into account the average number of days worked by the factories/establishments in the industry.

5. In the same manner, the per capita daily earnings should be checked by dividing the total wages minus arrears paid, by the total mandays worked for each class of Industries. It should be seen that the per capita daily earnings thus obtained are not too low.

6. The per capita annual earnings and per capita daily earnings, thus worked out for each class of Industries should then be compared with the corresponding figures for the previous year. In case any wide divergence is noticed, the plausible reasons for the same should, at first, be investigated and reported to the Labour Bureau.

7. It is recognized that in some exceptional cases figures which do not satisfy the tests suggested in paragraphs 3 to 5 above may, on examination, be found to be correct (e.g., payment of leave wages may push the per capita annual earnings on rare occasions beyond the margin of the wage-group to which such earnings relate). But since such cases are only exceptional, whenever any figure fails to satisfy the tests enumerated in the paragraphs mentioned above, it should be re-examined. If on such re-examination, the figures are found to be correct, suitable remarks along with the factors responsible should be made against the figures indicating that the figures have been verified and found to be correct.

8. After scrutiny and checking, the consolidated Returns (i.e. FORMS 'A' and 'B') should be sent to the Labour Bureau along with a copy of Administrative Report by 25th August of the succeeding year.

THE PAYMENT OF WAGES ACT, 1948
ANNUAL RETURN

I. IDENTIFICATION PARTICULARS

(a) Name of the establishment and postal address. . . . . .
(b) Industry . . . . . .

II. EMPLOYMENT AND LABOUR COST

Number of Mandays worked during the year			*Number of days worked during the year	**Average daily number of persons employed during the year			Total Wages paid including deductions under Section 7(2)			
Adults	Adolescents	Total		Adults	Adolescents	Total	Basic Wage	Dearness & other Allowance in cash	Arrears of pay paid during the year	Total

Gross Amount paid as remuneration including deductions under Section 7(2) .....of which amount due to profit sharing Bonus is ..... and amount due to money value of concessions is .....

III. DEDUCTIONS MADE DURING THE YEAR

	Number of cases	Total amount (Rs.)
(a) Fines		
(b) Damage or loss		
(c) Breach of contract		
Total		

IV. DISBURSEMENTS FROM THE FINES FUND DURING THE YEAR

(i). Balance of fines fund at the beginning of the year (Rs.). . . . . .
(ii). Disbursement from the fines fund during the year

Purposes	Amount (Rs.)
(a)	
(b)	
(c)	
Total	

(iii). Balance of fines fund in hand at the end of the year (Rs.)

Signature. . . . . .
Dated : Designation. . . . . .

(TO BE SENT TO THE PRESCRIBED AUTHORITY BY 15th FEBRUARY OF SUCCEEDING YEAR)

Method of Scrutiny at the Primary Stage and Cross-Checks:

1. The primary unit is required to submit to the concerned Authority a copy each of all the entries made relating to a year in the Register of Deductions from Wages, in Form-IV Annual Return. It is to be seen before submission that the information in respect of all the items of Form-IV has been given in the Return.
2. **The figure for average daily employment (item 4) for adults and adolescent should be got verified by dividing the respective figures of mandays worked (item 3) with the number of days worked during the year (item 2).
3. The total wages when divided by the figure of average daily employment gives the per capita annual earnings. It should be checked that the per capita annual earnings as obtained by dividing the figure of total wages, excluding figure of arrears of pay, by the corresponding figures of average daily employment is less than Rs. 19200. The figure of per capita earnings should also not be too low taking into account the number of days worked by the factory/establishment. This is very important check and should always be kept in view.
4. It should be seen that total of basic wages, dearness allowance and arrears of pay is equal to the figure of total wages paid. Total of profit sharing bonus, money value of concessions and total wages paid, should be equal to gross amount paid as remuneration.
5. The per capita annual earnings [as derived by dividing the figures of total wages paid (items 5 and 6) by the average daily number of persons employed (item 4) during the year should be checked with corresponding figures for the previous year. Normally, there should not be any wide fluctuations. In case there is wide divergence, the cause should be investigated. Unless there is some error in filling the return, such difference may occur in the case of number of persons employed due to the application of the Minimum Wages Act to certain other employees of the establishment or a sharp change in the number of days worked during the year by the establishment or expansion of the establishment. As regards annual earnings, it may be due to the major revision of the minimum rates of wages fixed or major shift in the employment such as inclusion of those employees whose minimum rates of wages were fixed at higher/lower level. Invariably, in all cases where there is a fall/rise over the figures for the previous year, this should be investigated and explained separately.

THE PAYMENT OF WAGES ACT, 1948

Proforma for the submission of Annual Report on the working of the Payment of Wages Act, 1936 in respect of persons earning less than Rs 10000/- per month with effect from 08.08.2007

Name of the State_____

Report for the period _____

I. EMPLOYMENT DETAILS

Industry	Number of Factories or Establishments		Average daily Number of persons employed			Number of days worked during the year	Number of mandays worked during the year		
	Covered under the Act	Submitting returns	Adults	Adolescents	Total		Adults	Adolescents	Total
1	2	3	4	5	6	7	8	9	10

II. PAYMENT OF WAGES DETAILS

Industry	Gross Wages including deductions (cols 12+13+14)	Bonus	Money value of Concessions	Total Wages including deductions (Cols 15+16+17)	Basic Wages	Cash allowance including dearness	Arrears	Remarks
1	11	12	13	14	15	16	17	18

III. DEDUCTIONS MADE DURING THE YEAR

Industry	Fines		Deductions for damage or loss		Deductions for breach of contract		Total	
	Number of Cases	Amount (Rs)	Number of Cases	Amount (Rs)	Number of Cases	Amount (Rs)	Number of Cases	Amount (Rs)
1	2	3	4	5	6	7	8	9

Scrutiny at the Secondary Stage and General Consistency

The returns received from the primary units should be scrutinized very carefully. In case any discrepancys noticed clarification should be obtained from the reporting factory / establishment before the work of consolidation taken up at the State level. Care should be taken to avoid errors at every stage of compilation.

Cross – Check of the Consolidated Return and General consistency

Before sending the consolidated Statement in Form A to the Labour Bureau, the following points should be checked up that

1. For each Class of Industries, figures in column 14 (total wages) should be equal to the sum of the figures in column 15,16 and 17 (Basic wages, cash allowances and arrears). Further, figures in column 11 (gross wages) should be equal to the sum of the figures in column 12, 13 and 14 (bonus, money value of concession and total wages).
2. The following checks of consistency in the figures furnished in columns 4 (total number of days worked by reporting units). 7 (total number of mandays worked) and 10 (total) should be applied for each class of Industries and the Grand total –

   (i) Whenever there is only one establishment submitting returns, the average daily employment should be equal to the figure obtained by dividing the total number of mandays worked by the total number of days worked by the establishment during the year (In other words, the number of mandays worked should be equal to the product of the number of days worked by the establishment and the average daily employment).

   (ii) If the number of units submitting returns is more than one and not much variation is expected in the number of days worked from establishment to establishment (

which will be true in the case of perennial industries), the product of mandays worked and the number of units submitting returns should be of the same order as the product of the number of days worked and the average daily number of persons employed.

(iii) It should also be checked that the average number of days worked by all the factories / establishments in any industry (as obtained by dividing the total number of days worked by the number of factories / establishments in the industry and also by dividing the total number of mandays worked by the figure of total average daily employment) do not exceed the number of days in the year (i.e. 365 or 366 in a leap year).

3. It should be checked that the per capita annual earnings (as obtained by dividing the total wages minus arrears paid by the total average daily employment for each class of Industries) should be less than Rs. 2,16,000. The per capita annual earnings obtained in this manner should not be too low, taking into account the average number of days worked by the factories / establishments in the industry.
4. In the same manner, the per capita daily earnings should be checked by dividing the total wages minus arrears paid, by the total mandays worked for each class of Industries. It should be seen that the per capita daily earnings thus obtained are not too low.
5. The per capita annual earnings and per capita daily earnings, thus, worked out of each class of Industries should then be compared with the corresponding figures for the previous year. In case any wide divergence is noticed, the plausible reasons for the same should, at first, be investigated and reported to the Labour Bureau.
6. It is recognized that in some exceptional cases figures which do not satisfy the tests suggested in paragraphs 3 to 5 above may, on examination, be found to be correct (e.g., payment of leave wages may push the per capita annual earnings on rare occasions beyond the margin of the wage-group to which such earnings relate). But since such cases are only exceptional, whenever any figure fails to satisfy the tests enumerated in the paragraphs mentioned above, it should be re-examined. If on such re-examination, the figures are found to be correct, suitable remarks along with the factors responsible should be made against the figures indicating that the figures have been verified and found to be correct.
7. After scrutiny and checking, the consolidated Return should be sent to the Labour Bureau along with a copy of administrative Report by 25th August of the succeeding year.

Chapter 5: The Plantations Labour Act, 1951
Simplification of return & its E-capturing

The Plantations Labour Act was enacted in 1951 to provide for the welfare of plantation labour by regulating the conditions of work in plantations. The Act covers the entire country except the State of Jammu & Kashmir. It applies to all Tea, Coffee, Rubber, Cinchona, Cocoa, Oil Palm and Cardamom plantations, which admeasures five hectares or more and in which fifteen or more persons are employed or were employed on any day of the preceding twelve months. The Act also covers workers employed in offices, hospitals, dispensaries, schools / balwadis and crèches, etc., in the plantations but it does not apply to those factory premises to which the provisions of the Factories Act, 1948 apply.

The State Governments are, however, empowered to extend all or any of the provisions of the Act to any plantation notwithstanding that it admeasures less than five hectares or the number of persons employed therein is less than fifteen provided that no such declaration shall be made in respect of such land which admeasured less than five hectares or in which less than 15 persons were employed, immediately before the commencement of this Act.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'The Plantations Labour Act, 1951' are enclosed at **Annexure-5A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-5B.**

Calendar year data is collected from the primary units in **prescribed annual return** and the information gathered from primary units is consolidated by the State authorities in **Statements I to Statement XVI designed** for the purpose.

The prescribed annual return, used for data collection from the Primary Units is redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units, it is redesigned in a tabular form in Seven blocks namely;

1. Identification Particulars.
2. Employment Particulars.
3. Leave with Wages.
4. Health
5. Welfare Amenities.
6. Housing
7. Accidents.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (1) to I. (6) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II. Employment Particulars; This block is meant to capture details like number of working days in a year, number of mandays worked during the year, average daily number of workers employed in the Plantation Unit during the year, total number of manhours worked including overtime and the average number of hours worked per week. The Variables 'Mandays worked',

'Working days in a year' and 'Total number of Man-Hours worked' are static variables and have to be entered by the user in the space designed for the purpose. Once the figures are entered against these variables, value for 'Average number of persons employed during the year' would be dynamically captured by dividing the number of mandays worked during the year with the number of working days in a year. Again, the variable 'Average number of hours worked per week' is a dynamic variable and would be calculated as total number of manhours worked including overtime divided by the product of the average daily number of workers worked in the Plantation Unit during the year and 52.

Block III ,IV,V,VI & VII; Here all the items of the blocks are static variables and have to be entered by the user in the space designed for the purpose.

The Consolidated Return comprises of Statemnts I to Statemnet XVI meant for compilation of annual data.

Changes proposed and agreed by the committee

Statement-III - In this Statement, it was decided to drop Column 12 to 14 pertaining to information regarding Children to make it compatible with the other Acts .

Statement IV & V - It was decided to match the frequency of these blocks with that of Factory Act, 1948

Statement VII - This statement will be modified by deleting Column 4, 8, 12 & 18 containing the information regarding children;

Statement IX - It was decided to drop/delete Column 7 of this statement as not much information is being received under this column.

Statement X & XI - It was decided to drop column 9 to 17 of Statement X as this information is not being used anywhere. Similarly, Column 5 to 9 of Statement XI will be dropped and these two Statements will be merged and re-designed in line with the Factory Act, 1948;

Statement XII - It was decided to drop column 15 to 17, as no information is being received under these columns.

Statement XIII - It was proposed to drop this block which was not agreed upon by the members. After much deliberation, it was decided to re-designed column 4 to 7 on Fatal/Non-fatal/Mandays lost and in line with the suggestions for Factory Act, 1948, it was decided to retain column 8 to 13 without any changes;

Statement XIX & XV - It was decided to redesigned these two blocks and merged into one single block as per the following design

Number of Plantation Inspected	Total number of inspected staff	Statement XV

Dependent and Independent Variable/Columns

STATEMENT-I

Column 2= Column 5 of previous year.

Column 5 = Columns 2+3+4.

STATEMENT-II

Column 10 = Column 7 of Statement – I against each type of plantation.

STATEMENT-III

Column 2= Column 6 of Statement-I.

Column 3= Column 7 of Statement-I.

STATEMENT-IV

Column 18 = Columns 2+4+6+8+10+12+14+16.

Column 19 = Columns 3+5+7+9+11+13+15+17.

STATEMENT-V

Column 14 = Columns 2+4+6+8+10+12

Column 15 = Columns 3+5+7+9+11+13

STATEMENT-VI

Column 11= Column 6 of Statement-III

Column 21 =Column7 of Statement-III

STATEMENT-VIII

Column 8 <= Column 7

STATEMENT-XIV

Column 8 = Column 5 of Statement-I against each type plantations

STATEMENT-XV

Column 3 = Column 8 of last year's returns.

THE PLANTATIONS LABOUR ACT, 1951

ANNUAL RETURN

FOR THE YEAR ENDING 31st DECEMBER…….

(THIS RETURN SHOULD BE SENT TO THE PRESCRIBED STATE AUTHORITY BY 31ST JANUARY OF THE SUCCEEDING YEAR.)

Registration Number of the Plantation:
Name of the Manager:

1. District:
2. Full Postal Address of the Plantation :
3. Name of the Plantation :
4. Area (Hectares):
5. Number of days worked in the year :
6. Number of mandays worked during the year :
   Men
   Women
   Children
7. *Average number of workers employed daily :
   @ Adults
   Men :
   Women :
   +Adolescents
   Male :
   Female :
   ** Children
   Boys :
   Girls :
8. Total number of manhours worked including overtime, excluding rest intervals :
   (a) Adults
      (i) Men :
      (ii) Women :
   (b) Adolescents
      (i) Male :
      (ii) Female :
   (c) Children :
      (i) Boys :
      (ii) Girls :

   Total _____

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*Please see footnote at page-3.

@Adult means a person who has completed his 18th year of age.

+ Adolescent means a person who has complete his 15th year of age, but has not completed his 18th year.

**Child means a person who has completed his twelfth year of age, but has not completed 15th year of age.

9. Average number of hours worked per week –
   (i) Men :
   (ii) Women :
   (iii) Children :

LEAVE WITH WAGES

9. Total number of persons employed during the year –
   (i) Men :
   (ii)Women :
   (iii) Children :
10. Number of workers who were entitled to annual leave with wages during the year:
   (i) Men :
   (ii) Women :
   (iii) Children :
11. Number of workers who were granted leave during the year -
   (i) Men :
   (ii) Women :
   (iii) Children :
12. Number of workers whose services were terminated during the year:
13. Number of workers whose services were terminated and were paid wages in lieu of leave:
14. Number of workers to whom leave granted amounted to 30 days:
   (i) Men :
   (ii) Women :
   (iii) Children :

MATERNITY BENEFTS

15. Total number of women workers employed during the year:
16. Number of women workers who worked for period not less than 150 days during the year:
17. Number of women workers who claimed maternity benefit during the year:
18. Number of claims accepted and paid either fully or partially –
   (i)Total:
   (ii)From current year claims:
19. Total amount of maternity benefits paid (in Rs.):

SICKNESS BENEFITS

20. Number of workers who applied for sickness benefits:
21. Number of workers who received the benefits:
22. Amount paid (in Rs.) :
23. Number of cases in which the claims were rejected –

(Specify reasons for rejection)

(i)
(ii)
(iii)
(iv)
(v)

CRECHES

24. Is there a Crèche provided in the Plantation as required under Section 12:
25. Number of Crèches provided :

26. Average daily attendance of children at the Crèche –
   (i) 2 years and below :
   (ii) Above 2 years :

27. Whether the following facilities provided in the Crèches (Yes/No) –
    (i) Milk :
    (ii) Food :
    (iii) Clothes :
    (iv) Toys :
    (v) Medical aid :
    (vi) Others :
    (vii) Doctors/Nurses (Number) :
    (viii) Ayahs and Attendants (Number) :
    (ix) Sweepers (Number) :

CANTEENS

28. Is there a Canteen provided in the Plantation as required under Section 11 :
29. Number of Canteens provided……..and serving
    (i) Cooked food and refreshments, tea, etc. :
    (ii) Cooked food only :
    (iii) Refreshment and tea only :
    (iv) Tea only :
30. Is the Canteen run and managed departmentally or through contractors :
31. Please state if a common Canteen is being shared with some other Plantation :

HOUSING FACILITIES

32. Number of workers eligible for housing accommodation :
33. Number of workers already provided with accommodation :
34. Number of workers remaining to be provided with accommodation :
35. Shortage of houses (number) :
36. Details of housing accommodation sanctioned for construction :
37. Details of housing accommodation under construction :
38. Details regarding monetary assistance provided by the Central Government under subsidised housing scheme :
39. Details regarding monetary assistance provided by other agencies (specify) :

ACCIDENTS DUE TO HOUSE COLLAPSE

40. Number of houses collapsed :
41. Number of persons injured :
42. Number of deaths, if any :
43. Compensation paid (in Rs.)
    (i) Due to injuries:
    (ii)Due to deaths :

ACCIDENTS

44. (a) Total number of accidents (workers injured)
    Fatal :
    Non-Fatal :
    (b) Accidents in which workers returned to work during the year to which this return relates :
    (i) Accidents (workers injured) occurring during the year in which workers returned to work during the same year
    Number :
    Mandays Lost :

(ii) Accidents (workers injured) occurring in the previous year in which workers returned to work during the year which this return relates: -

Number :
Mandays Lost :

(c) Accidents in which the workers did not return to work during the year to which this return relates -
Number :
Mandays Lost during the year :

(d) Causes of accidents
(i) Machinery moved by mechanical power :
(ii) Transport :
(iii) Others (specify):

Certified that the information furnished above is to the best of my knowledge and belief is correct.

Dated : Signature of Manager

NOTE :- For filling-in this return, please see the Explanatory Notes.

(EXPLANATORY NOTES)

Item No. 5 – Number of days worked in the year: - The total number of days worked during the year by the particular Plantation is to be given against this item. Even if the plantation has worked for a single day during the year, it is to be reported. Separate information in respect of all the items may be furnished for working and the off season.

Item No. 6 - Number of mandays worked during the year: - This is the aggregate number of attendances on all the working days during the year.

Item No. 7 – Average number of workers employed daily :- This is to be calculated by dividing the number of mandays worked (aggregate number of attendances on all working days) by the number of days worked by plantation during the year.

Item No. 8 - Total number of manhours worked during the year: - This is the actual hours worked by all workers in the plantation during the year including over time but excluding hours of rest.

Item No. 9 – Average number of hours worked per week: - The average number of hours worked per week per worker is to be obtained by dividing the actual hours of work by all workers during the year (including over-time but excluding rest interval) by the product of average number of persons employed daily in the year and number of weeks for which plantation worked during the year.

Item No.10 – Total number of persons employed during the year: All persons who have been on roll even for a single day during the year should be taken into account. If a worker has worked intermittently he should be counted once only.

Leave with wages: - Section 30 of the Plantations Labour Act lays down provisions concerning leave with wages. The various details regarding such leave are to be furnished against Items 11 to 15.

Maternity/Sickness Benefits: - As laid down in Section 32 of the Plantations Labour Act, Sickness/Maternity benefits are to be provided to the workers/women workers and details regarding such benefits should be mentioned as required against item 16 to 24.

Crèches, Canteen and Housing Facilities: - Section 11-12 and 15 have laid down the provisions concerning Canteen, Crèches and Housing Facilities. Details regarding Canteens maintained, Crèches provided and Housing Facilities made available may be furnished against items 25 to 40.

Accidents due to house collapse: - Section 16A of the Act lays down the provision regarding liability of employer in respect of accidents resulting from collapse of houses provided. Details about number of houses collapsed, number of persons injured, number of deaths, if any, and compensation paid due to injuries as well as deaths may please be furnished separately against items 41, 42, 43 and 44 respectively.

Accidents: - As laid down under Section 32A, where in any plantation, accident occurs which causes death or which causes any bodily injury to a worker by reason of which the worker injured is prevented from working for a period of 48 hours or more immediately following the accident, or which is of such nature as may be prescribed in this behalf, the employer shall send notice thereof to such Authorities, in such form, and within such time, as may be prescribed. The details about such accidents (workers injured) are to be furnished for fatal and/or no-fatal accidents against items 45(a), 45(b), 45(c) and 45(d) of the Annual Return.

Before the consolidation work is taken up, it should be ensured that the return/information has been received from all the Plantations/Estates covered under the Act. It is essential that the data collected under this act are as accurate as possible. As such, it is of utmost importance that returns received from the primary units should be scrutinized very carefully before any consolidation work is taken up.

THE PLANTATIONS LABOUR ACT, 1951

STATEMENT- I

State/Union Territory:……
Year ……..

Details of Plantations/Estates covered under the Act and Number of workers employed therein

Category of Plantations	Number of Plantations/Estates on Register in the beginning of the year	Number of Plantations/Estates newly registered during the year	Number of Plantations/Estates on removed from the register during the year	Number of Plantation/Estates on register at the end of the year	Number of Plantations working
1	2	3	4	5	6
Tea					
Coffee					
Rubber					
Cardamom					
Cinchona					
Cocoa					
Oil Palm					
Others (specify)					
Total					

STATEMENT-I – concld.

Category of Plantations	Number of Plantations/Estates submitting returns	Average daily employment in Plantations/Estates submitting returns	Number of Plantations/Estates not submitting returns	Estimated average daily employment in Plantations/Estates not submitting returns	Total estimated average daily number of workers employed in plantations/estates submitting and non-submitting returns(Total of columns 8 and 10)
1	7	8	9	10	11
Tea					
Coffee					
Rubber					
Cardamom					
Cinchona					
Cocoa					
Oil Palm					
Others (specify)					
Total					

STATEMENT-II

State/Union Territory :……..
Year :……

Number of Plantation/Estates submitting returns according to size

Category of Plantations	Number of Plantations/Estates by Area (in Hectares)				
	Below 5	5-9	10-24	25-49	50-99
1	2	3	4	5	6
Tea					
Coffee					
Rubber					
Cardamom					
Cinchona					
Cocoa					
Oil Palm					
Others (specify)					
Total					

STATEMENT-II – concld.

Category of Plantations	Number of Plantations/Estates by Area (in Hectares)			
	100-199	200-499	500 and above	Total
1	7	8	9	10
Tea				
Coffee				
Rubber				
Cardamom				
Cinchona				
Cocoa				
Oil Palm				
Others (specify)				
Total				

STATEMENT - III

State/Union Territory :……
Year : ……

Sex-wise details of the average daily employment* (adults, adolescents and children) employed in the Plantations submitting returns

Category of Plantations	Total number of working Plantations	Number of Plantations submitting returns	Total number of man-days** worked during the year	Number of days worked
1	2	3	4	5
Tea				
Coffee				
Rubber				
Cardamom				
Cinchona				
Cocoa				
Oil Palm				
Others (specify)				
Total				

STATEMENT-III – contd.

Category of Plantations	Average daily number of workers employed					
	Adults			Adolescents		
	Men	Women	Total (Cols. 6+7)	Males	Females	Total (Cols. 9+10)
1	6	7	8	9	10	11
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

STATEMENT-III – concld.

Category of Plantations	Average daily number of workers employed					
	Children			Total		
	Boys	Girls	Total (Cols. 12+13)	Man i.e.(cols. 6+9+12)	Women i.e.(cols. 7+10+13)	Total (Cols. 15+16))
1	12	13	14	15	16	17
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

* Average daily employment is obtained by dividing the aggregate number of attendances on working days by the number of working days in a year.

** Total number of mandays worked is the same as the aggregate number of attendances on all the working days of the Plantations during the year.

Adult - Adult means a person who has completed his eighteenth year of age [Section 2(b)].
Adolescent - Adolescent means a person who has completed his fifteenth year of age, but has not completed his eighteenth year of age [Section 2(a)].

Child - Child means a person who has completed his twelfth year of age but has not completed his fifteenth year of age [Section 24 and Section 2{c}].

STATEMENT-IV

State/Union Territory: ……
Year: ……

Distribution of working plantations submitting returns according to the working strength

Category of Plantations	Less than 15 workers		15 or more but less than 30 workers		30 or more but less than 50 workers		50or more but less than 100 workers	
	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

STATEMENT-IV – concld.

Category of Plantations	100 or more but less than 500 workers		500 or more but less than 1,000 workers		1,000 or more but less than 5,000 workers		5,000 or more workers		Total	
	A	B	A	B	A	B	A	B	A	B
1	10	11	12	13	14	15	16	17	18	19
Tea										
Coffee										
Rubber										
Cardamom										
Cinchona										
Cocoa										
Oil Palm										
Others (specify)										
Total										

A-Number of Plantations
B-Average daily number of workers

STATEMENT-V

State/Union Territory: ……
Year: ……

Distribution of working Plantations submitting returns according to the number of days worked

Category of Plantations	Less than 60 days		60 or more but less than 120 days		120 or more but less than 180 days		180 or more but less than 240 days	
	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

STATEMENT - V concld.

Category of Plantations	240 or more but less than 300 days		300 or more days		Total	
	A	B	A	B	A	B
1	10	11	12	13	14	15
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

A-Number of Plantations.
B-Average daily number of workers.

STATEMENT-VI

State/Union Territory: ……
Year: …….

Number of Plantations submitting returns and their employment according to average number of hours worked per week* for adult workers

Category of Plantations	For Men									
	Upto 42 hours		Above 42 & upto 45 hours		Above 45 & up to 48 hours		Above 48 hours		Total	
	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11
Tea										
Coffee										
Rubber										
Cardamom										
Cinchona										
Cocoa										
Oil Palm										
Others (specify)										
Total										

STATEMENT-VI – concld.

Category of Plantations	For Women									
	Upto 42 hours		Above 42 & upto 45 hours		Above 45 & up to 48 hours		Above 48 hours		Total	
	A	B	A	B	A	B	A	B	A	B
1	12	13	14	15	16	17	18	19	20	21
Tea										
Coffee										
Rubber										
Cardamom										
Cinchona										
Cocoa										
Oil Palm										
Others (specify)										
Total										

A-Number of Plantations.
B-Average daily number of workers.

*Average number of hours worked per week during the year = $\frac{\text{Actual total hours worked by all workers (including overtime but excluding rest interval) during the year}}{\text{Average daily employment} \times \text{The number of weeks for which plantation Worked during the year}}$

STATEMENT-VII

State/Union Territory: ……

Year: …….

Leave with Wages in respect of Plantations submitting returns

Category of Plantations	Total number of persons employed during the year				Number of persons who were entitled to leave with wages during the calendar year				Number of persons granted leave during the year			
	M	W	C	T	M	W	C	T	M	W	C	T
1	2	3	4	5	6	7	8	9	10	11	12	13
Tea												
Coffee												
Rubber												
Cardamom												
Cinchona												
Cocoa												
Oil Palm												
Others (specify)												
Total												

STATEMENT - VII (concld.)

Category of Plantations	Number of workers whose services were terminated during the year	Number of workers whose services were terminated and were paid wages in lieu of leave	Number of workers to whom leave granted amounted to 30 days			
			M	W	C	T
1	14	15	16	17	18	19
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

M - Men.
W - Women.
C - Children.
T - Total.

STATEMENT-VIII

State/Union Territory: ……

Year: …….

Maternity Benefits paid in Plantations

Category of Plantations	Number of Plantations covered by the Maternity Benefits Act	Number of Plantations submitting returns	Total number of women workers employed in Plantations submitting returns during the year	Number of women workers who worked for period not less than 150 days during the year	Number of women workers who claimed maternity benefit during the year	Number of claims accepted and paid either fully or partially		Total amount of maternity benefits paid (in Rs.)
						Total	From current year claims	
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

STATEMENT-IX

State/Union Territory: ……
Year: …….

Sickness Benefits and the amount paid therefor in Plantations submitting returns

Category of Plantations	Number of Plantations	Total Number of workers employed in Plantations	Number of persons who applied for sickness benefits	Number of workers who received the benefits	Amount paid (Rs.)	Number of cases in which the claims were rejected and the reasons thereof
1	2	3	4	5	6	7
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

STATEMENT-X

State/Union Territory: ……
Year: …….

Creches maintained by the Plantations submitting returns

Category of Plantations	Number of Estates/ Plantations covered under the Act	Number of Estates/ Plantations submitting returns	Number of Estates/ Plantations employ-ing 50 or more women workers	Number of Estates/ Plantations maintaining Creches	Number of Creaches	Average daily attendance in Creches	
						2 years and below	Above 2 years
1	2	3	4	5	6	7	8
Tea							
Coffee							
Rubber							
Cardamom							
Cinchona							
Cocoa							
Oil Palm							
Others (specify)							
Total							

STATEMENT-X – concld.

Category of Plantations	Number of Estates which provided the following facilities in Crèches						Number of		
	Milk	Food	Clothes	Toys	Medical aid	Others	Doctors/Nurses	Ayahs and attendants	Sweepers
1	9	10	11	12	13	14	15	16	17
Tea									
Coffee									
Rubber									
Cardamom									
Cinchona									
Cocoa									
Oil Palm									
Others (specify)									
Total									

STATEMENT - XI

State/Union Territory: ……

Year: …….

Canteen Facilities

Category of Plantations	Number of Plantations/Estates covered under the Act	Number of Plantations employing 150 or more workmen	Number of Plantations * having canteens	Number of canteen serving				Remarks
				Cooked food and refreshment, tea, etc.	Cook-ed food only	Refresh-ment and tea	Tea only	
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

*Submitting returns.

STATEMENT - XII

State/Union Territory: ……

Year: …….

Housing Facilities

Category of Plantations	Number of Plantations on Register	Number of workers employ-ed	Number of workers eligible for housing accommo-dation	Number of workers already provided with accommod ation	Number of workers remaining to be provided with accommod ation	Shortage of houses (Number)	*Details of housing accommo-dation sanctioned	*Details of housing accommo-dation under construction
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

STATEMENT-XII – concld.

Category of Plantations	*Details regarding monetary assistance provided by the Central Government under Subsidised Housing Scheme	*Details regarding monetary assistance provided by other agencies (Specify)	Accidents due to house collapses					Remarks
			Number of houses collapsed	Number of persons injured	Number of deaths, if any	Compensation Paid(In Rs.)		
						A	B	
1	10	11	12	13	14	15	16	17
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

* In case the space here is not enough, all the details may be mentioned on a separate sheet.

A - Compensation Paid due to injuries.

B - Compensation paid due to deaths.

STATEMENT-XIII

State/Union Territory: ……

Year: …….

Number of Accidents and Analysis by Causes

Category of Plantations	Number of fatal accidents	Number of non- fatal accidents	Accidents in which workers returned to work during the year			
			Occurring during the current year		Occurring during the previous year	
			Number	Mandays lost	Number	Mandays lost
1	2	3	4	5	6	7
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

STATEMENT-XIII – concld.

Category of Plantations	Causes of Accidents					
	Machinery moved by mechanical power		Transport		Others (specify)	
	A	B	A	B	A	B
1	8	9	10	11	12	13
Tea						
Coffee						
Rubber						
Cardamom						
Cinchona						
Cocoa						
Oil Palm						
Others (specify)						
Total						

A-Number of fatal accidents
B-Number of non-fatal accidents

STATEMENT-XIV

State/Union Territory :……

Year : …….

Inspections

Category of Plantations	Number of Plantations						
	Inspected during the year					Not Inspected	Grand Total Cols.6+7
	Once	Twice	Thrice	More than three times	Total (Cols.2+ 3+4+5)		
1	2	3	4	5	6	7	8
Tea							
Coffee							
Rubber							
Cardamom							
Cinchona							
Cocoa							
Oil Palm							
Others (specify)							
Total							

STATEMENT-XIV – concld.

State/Union Territory :……

Year : …….

Inspections

Category of Plantations	Number of Inspecting Staff				
	Chief Inspector	Inspector	Additional Inspector	Others (specify)	Total (Cols.9+10+11+12)
1	9	10	11	12	13
Tea					
Coffee					
Rubber					
Cardamom					
Cinchona					
Cocoa					
Oil Palm					
Others (specify)					
Total					

STATEMENT - XV

State/Union Territory: …… Year: …….

Prosecutions

Category of Plantations	Number of Plantations on Register	Prosecutions						
		Number of cases pending at the commencement of the year	Number of fresh cases filed during the year	Number of cases in which convictions were obtained	Number of cases acquitted	Number of cases withdrawn	Number of cases pending at the end of the year	Total amount realized towards fine (Rs.).
1	2	3	4	5	6	7	8	9
Tea								
Coffee								
Rubber								
Cardamom								
Cinchona								
Cocoa								
Oil Palm								
Others (specify)								
Total								

STATEMENT-XVI

State/Union Territory :…… Year : …….

Convictions

Category of Plantations	Number of convictions obtained during the year for offences relating to								Total number of Plantat-ions against which convictions were obtained
	Employment and Hours of work			Notices, Registers and Ret-urns	Health and Sani-tation	Welfare	Others (specify)	Total of Columns 2 to 8	
	General	Women	Children and Adol escents						
1	2	3	4	5	6	7	8	9	10
Tea									
Coffee									
Rubber									
Cardamom									
Cinchona									
Cocoa									
Oil Palm									
Others (specify)									
Total									

PLANTATIONS LABOUR ACT, 1951

INSTRUCTIONS/CHECKS FOR ANNUAL RETURNS SUBMITTED BY STATES

STATEMENT-I

Columns 2 to 6,9 and 10 of the Statement are to be filled by the State Governments / Union Territories on the basis of their administration records.

Column 2. : It should be equal to Column 5 of the same Statement relating to the previous year.

Column 5 should be equal to Columns 2+3+4.

Column 10. While estimating the figure of average daily employment in respect of Plantations not submitting returns, the following criteria in the order of their preference, are to be followed:-

(a) Recent Inspection Report;

(b) Previous year's employment figure;

(c) Employment figure reported in the application for registration or grant or renewal of licence. Columns 7, 8 and 11 are self explanatory.

STATEMENT-II

Information in this Statement is to be compiled according to the size (area in hectares) of the plantations submitting returns. In this Statement frequency distribution of the plantations/ estates according to size (area in hectares) is to be given against each type of plantations mentioned in Column 1. The columns are self explanatory, however, Column 10 must be equal to Column 7 of Statement – I against each type of plantation.

STATEMENT-III

Column 2: It should be equal to Column 6 of Statement-I.

Column 3: It should be equal to Column 7 of Statement-I.

Column 4: Explained at the end of the bottom of Statement. Rest of the Columns need no explanation.

STATEMENT-IV

Information in this Statement is to be compiled according to the working strength of the working plantations submitting returns.

Columns 2 to 15 are self explanatory. A and B have been explained at the bottom of the Statement.

Column 18 is equal to Columns 2+4+6+8+10+12+14+16.

Column 19 is equal to Columns 3+5+7+9+11+13+15+17.

STATEMENT-V

This Statement is intended to record the frequency distribution of working plantations submitting returns according to the number of days worked during the year in respect of each type of plantation mentioned in Column 1.

Column 14 is equal to Columns 2+4+6+8+10+12

Column 15 is equal to Columns 3+5+7+9+11+13

STATEMENT-VI

This Statement is to indicate the frequency distribution of working plantations submitting returns in each type of plantation according to average hours worked per week by adult workers only. Classification done in this statement is on the basis of average weekly hours i.e., up to 42 hours, above 42 and up to 45 hours, above 45 hours, and up to 48 hours and above 48 hours. The information is required separately for adult men and adult women only. Accordingly, the employment of men and women reported under Columns 11 and 21 should be equal to Columns 6 and 7 respectively of Statement-III.

STATEMENT-VII.

In this Statement details about leave with wages entitled, given to workers employed in plantations are to be furnished.

Columns 2 to 4 should show the number of persons (men/women/children) who were employed on any day of the year. Irrespective of the fact whether any person left or was discharged or dismissed from service during the year. Rest of the columns are self explanatory. For the purpose of this Statement the term children includes adolescent also.

STATEMENT-VIII

This Statement is intended for collecting the information about maternity benefit enjoyed by the women worker during the year.

Column 7: In this column data are furnished in respect of all the claims accepted and paid during the year to which the return relates irrespective of the fact whether the claim related to the current year or earlier year(s) also.

Column 8: In this column information is to be furnished in respect of those claims only whioch related to the year for which this Statement is prepared. It means Column 8 will either be equal or less than Column 7. As in Column 7 cases pertaining to previous year(s) might have been accepted and paid during the year. Rest of the columns need no explanation.

STATEMENT-IX

This Statement is intended to collect the details of sickness benefit available under the Act. The columns are self explanatory.

STATEMENT-X

Section 12 of the Plantations Labour Act enjoins upon the employer to provide crèches for the use of children of women workers who are below the age of 6 years wherein 50 or more women workers are employed or were employed on any day of the preceding 12 months. The details in respect of creches provided and their utilization are required to be furnished in this statement against each category of plantations mentioned in column1. All the columns are self explanatory and the information can be culled out from the returns submitted by the plantations.

STATEMENT-XI

It is statutory obligation on the employers to provide and maintain one or more canteens for the use of the workers ordinarily employing 150 or more workers. The details about the canteens provided and items served therein are to be furnished in this Statement. All the columns are self explanatory and the information can be culled out from the primary returns.

STATEMENT-XII

All the columns are self explanatory and the information can be culled out from the primary returns.

STATEMENT-XIII

This Statement is meant to record the accidents and their causes. The columns are self explanatory and the information can be culled out from the primary returns. However, it must be ensured that information in Columns 4 and 5 relate to those workers only who returned to work during the same year in which the accident occurred and the figure in Column 5 should at least be double or more than double the figure reported in Column

4 as only these accidents were taken into account in which the workers affected are prevented from working for 48 hours of more immediately following the accidents. The unit of accident is number of persons affected and not the number of occurrences. For example if in one accident 10 workers are affected the number of accident will be taken as 10 and not just one. Columns 6 and 7 should relate to those cases which occurred in the previous year(s) but the affected workers returned during the year for which this Statement relates. The mandays lost to be reported in column 7 should be the total of mandays lost in the previous year as well as in the year to which this Statement relates.

STATEMENT-XIV

This Statement is ment to collect information about inspections and inspecting staff. The information for this Statement should be compiled from administrative e records of the Chief Inspector of Plantations. It may be ensured that figures given in Column 8 are equal to the figures reported in Column 5 of Statement-I against each type plantations reported in Column I.

STATEMENT-XV

Information in this Statement should be compiled from the administrative records of the Chief Inspector of Plantations. Column 3 of this Statement should be equal to Column 8 of last year's returns. In Column 9 amount realised as fine should relate to cases reported in Column 5.

STATEMENT-XVI

Information can be compiled from the administrative records of the Chief Inspector of Plantations.

All the columns are self explanatory.

ALONG WITH THESE STATEMENTS, AN ANNUAL REPORT ON THE WORKING OF THE PLANTATIONS LABOUR ACT HIGHLIGHTING THE SALIENT FEATURES OF THE ACT SHOULD BE SENT TO THE LABOUR BUREAU BY 31ST AUGUST OF THE FOLLOWING YEAR. THE ANNUAL REPORT ALONGWITH OTHERS SHOULD CONTAIN FULL DETAILS OF VARIOUS FACILITIES/AMENITIES PROVIDED TO WORKERS SUCH AS (I) MEDICAL FACILITY (II) EDUCATION (III) RECREATION (IV) ARRANGEMENT FOR DRINKING WATER (V) CONSERVANCY (VI) PROTECTIVE CLOTHING, ETC.

Annexure-5B

The Plantations Labour Act, 1951
Annual Returns

For The Year Ending on 31st Dec.....

Block I- Identification Particulars	
1.Registration Number of the Plantation: 2.Name of the Manager: 3. District: 4. Full Postal Address of the Plantation : 5. Name of the Plantation : 6. Area (Hectares):	....

Block II - EMPLOYMENT PARTICULARS																
Number of days worked in the year	No of Mandays Worked During The Year				Average Daily No of Workers Employed				Total number of manhours worked including overtime, excluding rest intervals				Average number of hours worked per week			
	Adult		Adolescent		Adult		Adolescent		Adult		Adolescent		Adult		Adolescent	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

Block III -LEAVE WITH WAGES									
Total number of persons employed during the year		Number of workers who were entitled to annual leave with wages during the year:		Number of workers who were granted leave during the year		Number of workers to whom leave granted amounted to 30 days		Number of workers whose services were terminated during the year	Number of workers whose services were terminated and were paid wages in lieu of leave
Men	Women	Men	Women	Men	Women	Men	Women		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Block IV - Health									
Maternity Benefits						**SICKNESS BENEFITS**			
Total number of women workers employed during the year	Number of women workers who worked for period not less than 150 days during the year	Number of women workers who claimed maternity benefit during the year	Number of claims accepted and paid either fully or partially		Total amount of maternity benefits paid (in Rs.)	Number of workers who applied for sickness benefits	Number of workers who received the benefits	Amount paid (in Rs.)	Number of cases in which the claims were rejected (Specify reasons for rejection)
			Total	From current year claims					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Block V - Welfare Amenities											
CRECHES						**CANTEEN**					
Is there a Crèche provided in the Plantation as required under Section 12	Number of Crèches provided	Average daily attendance of children at the Crèche		Whether the following facilities provided in the Crèches (Yes/No)		Is there a Canteen provided in the Plantation as required under Section 11	Number of Canteens provided……..and serving				Is the Canteen run and managed departmentally or through contractors	Please state if a common Canteen is being shared with some other Plantation
		2 years and below	Above 2 years				Cooked food and refreshments, tea, etc	Cooked food only	Refreshment and tea only	Tea only		
(1)	(2)	(3)	(4)	(5)		(6)	(7)	(8)	(9)	(10)	(11)	(12)
				Milk :								
				Food :								
				Clothes :								
				Toys :								
				Medical aid								
				Others :								
				Doctors/Nurses (No)								
				Ayahs and Attendants (No.)								
				Sweepers (No.) :								

Block VI -Housing
1. Number of workers eligible for housing accommodation : 2. Number of workers already provided with accommodation : 3. Number of workers remaining to be provided with accommodation : 4. Shortage of houses (number) : 5. Details of housing accommodation sanctioned for construction : 6. Details of housing accommodation under construction : 7. Details regarding monetary assistance provided by the Central Government under subsidised housing scheme : 8. Details regarding monetary assistance provided by other agencies (specify) :

Block VII - Accidents

ACCIDENTS DUE TO HOUSE COLLAPSE					**ACCIDENTS**											
Number of houses collapsed	Number of persons injured	Number of deaths, if any	Compensation paid (in Rs.)		Total number of accidents (workers injured)		Accidents in which workers returned to work during the year to which this return relates	Accidents (workers injured) occurring during the year in which workers returned to work during the same year		Accidents (workers injured) occurring in the previous year in which workers returned to work during the year which this return relates		Accidents in which the workers did not return to work during the year to which this return relates		Causes of accidents		
			Due to injuries	Due to deaths	Fatal	Non Fatal		Number	Mandays Lost	Number	Mandays Lost	Number	Mandays Lost	Machinery moved by mechanical power	Transport	Others (specify)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

Dated

Signature of the Manager

Chapter 6: The Motor Transport Workers Act, 1961
Simplification of return & its E-capturing

The Motor Transport Workers' Act, 1961 which came into force in 1962 March, is intended to take care of the welfare of the motor transport workers and to regulate the conditions of their work. It applies to every motor transport undertaking employing five or more workers in all the States / Union Territories in the country. The State Governments are, however, empowered to apply all or any of the provisions of this Act to any motor transport undertaking employing less than five workers. In Delhi, the Motor Transport Undertakings are covered under the Shops and Commercial Establishments Act.

The main provisions of the Act, inter-alia, relate to (i) welfare and health; (ii) hours of work; (iii) employment of young persons; and (iv) wages, over-time payment and leave.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'Motor Transport Workers' Act, 1961' are enclosed at **Annexure-6A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-6B.**

Calendar year data is collected from the primary units in **prescribed annual return** and the information gathered from primary units is consolidated by the State authorities in **Statements I to Statement IX designed** for the purpose.

prescribed annual return, used for data collection from the Primary Units is redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units, it is redesigned in a tabular form in four blocks namely;

1. Identification Particulars.
2. Employment Particulars.
3. Leave with Wages.
4. Health & Welfare Amenities.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (1) to I. (2) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II. Employment Particulars; This block is meant to capture details like Number of days worked in the year, No of Mandays Worked During The Year, average daily number of workers employed during the year, Normal hours worked per day and What rest intervals were given number of days worked during the year . The Variables 'Mandays worked' and 'Working days in a year' are static variables and have to be entered by the user in the space designed for the purpose. Once the figures are entered against these variables, value for 'Average number of persons employed during the year' would be dynamically captured by dividing the number of mandays worked during the year with the number of working days in a year.

Block III & IV; Here all the items of the blocks are static variables and have to be entered by the user in the space designed for the purpose.

The Consolidated Return comprises of Statements I to Statement IX meant for compilation of annual data.

Changes proposed and agreed by the committee

No Changes Made

Dependent and Independent Variable/Columns

UNDER THE MOTOR TRANSPORT WORKERS ACT, 1961

STATEMENT-I

(i) Column 1=Column 4 of previous year's Statement.
(ii) Column 4=Columns 1+2-Column3.
(iii) Column 5=Columns 6+8.

STATEMENT-II

(i) Column1=Column 5 of Statement-I.
(ii) Column 2 =Column 6 of Statement-I.
(iii) Column 5=Column 7 of Statement-I.

STATEMENT-III

(i) Vertical Total of Column2=Column 6 of Statement-I.
(ii) Vertical Total of Column3=Column 7 of Statement-I.

STATEMENT-IV

(i) Columns 2+4+6=Column 6 of Statement-I.
(ii) Columns 3+5+7=Column 7 of Statement-I.
(iii) Columns 8+10+12=Column 6 of Statement-I.
(iv) Columns 9+11+13=Column 7 of Statement-I.

STATEMENT-VII

Column 1=Column 8=Column 4 of Statement-1.

STATEMENT-VIII

(i) Column1=Column 6 of previous year's Statement.
(ii) Column 6=Columns1+2-(Columns3+4+5).

STATEMENT-IX

Column 9-Column 3 of Statement-VIII.

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THE MOTOR TRANSPORT WORKERS ACT, 1961

FORM X

ANNUAL RETURN

Year ending 31st Dec.,……..

1.	Name of the Motor Transport Undertaking	
2.	Postal Address	
3.	(a) Number of days worked in the year	
	(b) Number of mandays worked during the year	Adults Adolescents
	*(c) Average number of workers employed daily	Adults Adolescents
4.	Normal hours worked per day	Adults Adolescents
5.	What rest intervals were given	Adults Adolescents
6.	Leave with wages	
	(i) Number of workers who are entitled to annual leave with wages during the calendar year to which this return related;	Adults Adolescents
	(ii) Number of workers who were granted leave during the year	Adults Adolescents
	(iii) Number of workers discharged or dismissed from service during the year	Adults Adolescents
	(iv) Number of workers discharged workers paid wages in lieu of leave	Adults Adolescents
	(v) Total amount of wages paid in lieu of leave	Adults Adolescents
7.	Canteens	(Number of canteens and situations)
8.	Medical Facilities	
	(i) Number of Dispensaries and situations	
	(ii) Number of Doctors	
	(iii) Number of Nurses	
9.	Rest Rooms	
	(a) Number Rest Rooms	
	(b) Details of accommodation, furniture and other equipments provided	
	(c) Approximate average daily attendance of workers	

Date: Signature of Employer

Please see foot note at page 3.

NOTE-THIS RETURN SHOULD REACH THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF THE SUCCEEDING YEAR.

THE MOTOR TRANSPORT WORKERS ACT, 1961

STATEMENT - I

NUMBER OF REGISTERED MOTOR TRANSPORT UNDERTAKINGS AND WORKERS EMPLOYED.

Name of the State: ……..

For the year ending 31st December,……

Number of Undertakings				
On Register at the beginning of the year	Newly Registered during the year	Removed from the Registered during the year	On Register at the end of the year	Total number of Working Undertakings
1	2	3	4	5

STATEMENT - I concld.

Number of Under takings				
Number of Undertakings submitting returns	Average daily employment in Undertakings submitting returns	Number of Under takings not submitting returns	Estimated average daily employment in under takings not submitting returns	Total estimated average daily employment in Undertakings submitting returns and not submitting returns (i.e. columns 7+9)
6	7	8	9	10

STATEMENT - II

NUMBER OF REGISTERED MOTOR TRANSPORT UNDERTAKINGS AND WORKERS EMPLOYED BY AGE

Name of the State : ……

For the year ending 31st December: ……

Total number of Working Transport Undertakings at the end of the year	Total Number of Motor Transport Undertakings submitting returns during the year	Average daily number of workers employed in Undertakings submitting returns		
		Adults	Adolescents	Total (Columns 3+4)
1	2	3	4	5

STATEMENT - III

DISTRIBUTION OF REGISTERED MOTOR TRANSPORT UNDERTAKINGS SUBMITTING RETURNS BY EMPLOYMENT STRENGTH

Name of the State: .....

For the year ending 31st December: .....

Employment Group	Number of Motor Transport Undertakings submitting returns	Average daily number of workers employed
1	2	3
1. 0 - 9		
2. 10 - 19		
3. 20 - 49		
4. 50 - 99		
5. 100 - 249		
6. 250 - 499		
7. 500 - 999		
8. 1000 - 4999		
9. 5000 - above		
Total		

STATEMENT - IV

Number of Registered Motor Transport Under takings submitting returns and employment therein according to Normal Daily Hours of Work

Name of the State: .....

For the year ending 31st December: .....

Category of Workers	Normal daily hours of work					
	Less than eight hours		Eight hours		More than eight hours	
	A	B	A	B	A	B
1	2	3	4	5	6	7
Adults						
Adolescents						

STATEMENT - IV (concld.)

Category of Workers	Rest interval					
	Less than half an hours		Half an hour to one hour		More than one hour	
	A	B	A	B	A	B
1	8	9	10	11	12	13
Adults						
Adolescents						

A - Number of Motor Transport Undertakings.
B - Average daily Number of workers employed.

STATEMENT - V

LEAVE WITH WAGES AND COMPENSATORY HOLIDAYS GRANTED BY THE REGISTERED MOTOR TRANSPORT UNDERTAKINGS SUBMITTING RETURNS

Name of the State: .....

For the year ending 31st December: .....

Category of Workers	Total number of workers* employed during the year	Number of workers who were entitled to Annual Leave with wages during the calendar year	Number of workers who were granted leave during the year	Number of workers who were discharged or dismissed from service during the year	Number of discharged or dismissed workers who were paid wages in lieu of leave	Total amount paid as wages in lieu of leave to such workers (Rs.)
1	2	3	4	5	6	7
Adults						
Adolescents						
Total						

* A particular worker is to be counted once only.

STATEMENT - VI

CANTEENS, REST ROOMS AND MEDICAL FACILITIES

Name of the State: ..... For the year ending 31st December: .....

Canteens			Rest Rooms		
Number of Units required to provide Canteens under Section 8	Number of Units providing Canteens	Number of Canteens provided	Number of Units required to provide Rest Rooms under Section 9	Number of Units providing Rest Rooms	Number of Rest Rooms provided
1	2	3	4	5	6

STATEMENT - VI – concld.

Medical Facilities				
Number of Units required to provide Medical Facilities under Section 11	Number of Units providing Medical Facilities	Faclities provided		
		Number of Dispensaries provided	Number of Doctors provided	Number of Nurses, Compounders, etc., provided
7	8	9	10	11

STATEMENT - VII

INSPECTIONS

Name of the State : ..... For the year ending 31st December.....

Number of Registered Motor Transport Undertakings							
On Register	Inspected during the year					Not Inspected	Grand Total (Cols. 6+7)
	Once	Twice	Thrice	More than three times	Total (Cols. 2+3+4+5)		
1	2	3	4	5	6	7	8

STATEMENT - VII (concld.)

Name of the State : ..... For the year ending 31st December.....

On Register	Number of Inspecting Staff				
	Chief Inspector	Inspector	Additional Inspector	Others (specify)	Total (Cols. 9+10+11+12)
1	9	10	11	12	13

STATEMENT - VIII

PROSECUTIONS

Name of the State: ..... For the year ending 31st December: .....

Number of cases pending at the commencement of the year	Number of fresh cases filed during the year	Number of cases convicted	Number of cases acquitted	Number of cases withdrawn	Number of cases pending at the end of the year	Total amount realised towards fine (Rs.)
1	2	3	4	5	6	7

STATEMENT - IX

CONVICTIONS

Name of the State : ..... For the year ending 31st December :.....

Number of Convictions obtained during the year for offences relating to								Total number of Motor Transport Undert-takings against which convic-tions were obtained
Employment & Hours of Work			Notices, Registers and Returns	Welfare	Health and sanitation	Others (specify)	Total of columns 1 to 7	
General	Women	Children and Adole-scents						
1	2	3	4	5	6	7	8	9

CHEKS FOR ANNUAL RETURNS RECEIVED UNDER THE MOTOR TRANSPORT WORKERS ACT, 1961
STATEMENT-I

(i) Column 1=Column 4 of previous year's Statement.
(ii) Column 4=Columns 1+2-Column3.
(iii) Column 5=Columns 6+8.

STATEMENT-II
(i) Column1=Column 5 of Statement-I.
(ii) Column 2 =Column 6 of Statement-I.
(iii) Column 5=Column 7 of Statement-I.

STATEMENT-III
(i) Vertical Total of Column2=Column 6 of Statement-I.
(ii) Vertical Total of Column3=Column 7 of Statement-I.

STATEMENT-IV
(i) Columns 2+4+6=Column 6 of Statement-I.
(ii) Columns 3+5+7=Column 7 of Statement-I.
(iii) Columns 8+10+12=Column 6 of Statement-I.
(iv) Columns 9+11+13=Column 7 of Statement-I.

STATEMENT-V
Self-explanatory.
STATEMENT-VI
Self-explanatory.
STATEMENT-VII
Column 1=Column 8=Column 4 of Statement-1.

STATEMENT-VIII

(i) Column1=Column 6 of previous year's Statement.
(ii) Column 6=Columns1+2-(Columns3+4+5).
(iii) In Column 7 the amount of fine realized in respect of cases shown in Column 3 should be given.

STATEMENT-IX
(i) Column9<Column 8.
(ii) Column 9-Column 3 of Statement-VIII.

THE ANNUAL ADMINISTRATIVE REPORT ALONG WITH NINE STATEMENTS SHOULD REACH LABOUR BUREAU BY FIRST OCTOBER OF THE FOLLOWING YEAR.

Annexure-6B

THE MOTOR TRANSPORT WORKERS ACT, 1961
FORM X
ANNUAL RETURN

Year ending 31st Dec.,……..

Block I- Identification Particulars	
1. Name of the Motor Transport Undertaking 2. Postal Address	....

Block II - EMPLOYMENT PARTICULARS								
Number of days worked in the year	No of Mandays Worked During The Year		Average Daily No of Workers Employed		Normal hours worked per day		What rest intervals were given	
	Adult	Adolescent	Adult	Adolescent	Adult	Adolescent	Adult	Adolescent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Block III -LEAVE WITH WAGES									
Number of workers who are entitled to annual leave with wages during the calendar year to which this return related		Number of workers who were granted leave during the year		Number of workers discharged or dismissed from service during the year		Number of workers discharged workers paid wages in lieu of leave		Total amount of wages paid in lieu of leave	Number of workers whose services were terminated and were paid wages in lieu of leave
Adult	Adolescents	Adult	Adolescents	Adult	Adolescents	Adult	Adolescents		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Block IV - Health & Welfare Amenities						
Canteens	**Medical Facilities**			**Rest Rooms**		
Number of canteens and situations	Number of Dispensaries and situations	Number of Doctors	Number of Nurses	Number Rest Rooms	Details of accommodation, furniture and other equipments provided	Approximate average daily attendance of workers
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date: **Signature of Employer**

Chapter 7: Shops & Commercial Establishment Act
Simplification of return & its E-capturing

The conditions of employment of the persons working in Shops and Commercial Establishments in the country are being largely governed by the Acts passed by the respective State Governments and the rules framed there under. In addition, there is also a Central Act, viz., the Weekly Holidays Act, 1942 which facilitates grant of weekly holidays for the employees covered under the respective State Acts. Labour Bureau brings out the report on the working of the Legislation Governing Conditions of Employment in Shops, Commercial Establishments, Theatres Hotels and Restaurants every year on the basis of the annual Returns and the reports submitted by the State Governments/Union Territory Administrations to it. No primary return is been filed under the act. **No changes were proposed, which was agreed upon by the Committee.**

Calendar year data is consolidated by the State authorities in **Statements I to Statement III designed** for the purpose.

Dependent and Independent Variable/Columns

STATEMENT-I

(i) Column 8=Columns 2+4+6.
(ii) Column 9=Columns 3+5+7.

STATEMENT-III

(i) Column 4=Columns 2+3
(ii) Column 4=Column 2 of Statement-I.
(iii) Column 6=Column 3 of Statement-I.

LEGISLATION RELATING TO WORKERS IN SHOPS AND COMMERCIAL ESTABLISHMENTS

STATEMENT - I

NUMBER OF SHOPS, COMMERCIAL ESTABLISHMENTS, CINEMAS, THEATRES, HOTELS, RESTAURANTS AND OTHER PLACES OF PUBLIC AMUSEMENTS, ETC. COVERED BY THE LEGISLATION AND EMPLOYMENT THEREIN AS ON 31ST DECEMBER OF THE YEAR.....

State/Union Territory	Shops		Commercial Establishments	
	Number*	Number of persons employed**	Number	Number of persons employed
1	2	3	4	5

STATEMENT - I – concld.

State/Union Territory	Cinemas, Theaters Hotels and Restaurants		Total Establishments	
	Number	Number of persons employed	Number	Number of persons employed
1	6	7	8	9

* The total number of establishments covered as on 31st December should be given.
** The number should be given as on 31st December of each year.

STATEMENT - II

NUMBER OF INSPECTIONS MADE, PROSECUTIONS LAUNCHED, CASES DISPOSED OF BY THE COURTS AND AMOUNT OF FINES REALISED DURING THE CALENDAR YEAR.....

State/Union Territory	Number of Inspections made	Number of Prosecutions launched	Number of cases disposed of by the court	Amount realised as fines (Rs.)
1	2	3	4	5

STATEMENT - III

OWNERSHIP OF SHOPS AND EMPLOYMENT THEREIN AS ON 31ST DECEMBER OF THE YEAR.....

State/Union Territory	Number of Shops			Number of owners of shops (for all shops reported in column 4)	Number of persons employed
	Independently run by owners (i.e. without the help of any employee)	Others	Total		
1	2	3	4	5	6

Note: -For shops owned by partner each partners should be counted as a separate owner. A Co-operative Store and the like should be treated as a shop without owner.

CHECKS FOR ANNUAL RETURNS RECEIVED UNDER THE SHOPS AND COMMERCIAL ESTABLISHMENTS ACT AND WEEKLY HOLIDAYS ACT,1942

STATEMENT-I

(i) Column 8=Columns 2+4+6.
(ii) Column 9=Columns 3+5+7.

STATEMENT-II

Self Explanatory

STATEMENT-III

In this statement information is to be furnished in respect of shops only.

(i) Column 4=Columns 2+3
(ii) Column 4=Column 2 of Statement-I.
(iii) Column 6=Column 3 of Statement-I.

IT MAY PLEASE BE ENSURED THAT THE ANNUAL ADMINISTRATIVE, REPORT ON THE WORKING OF THE ACT ALONG WITH THRTEE STATEMENTS SHOULD REACH LABOUR BUREAU BY 31ST MARCH OF THE FOLLOWING YEAR.

Chapter 8: The Industrial Employment (Standing Orders) Act, 1946
Simplification of return & its E-capturing

The Industrial Employment (Standing Orders) Act, 1946 came into force on April 23, 1946 and extends to the whole of India. Though the Act applies to every industrial units/undertaking/establishments wherein 100 or more workers were employed on any day of the preceding 12 months, it empowers the appropriate Governments to extend the provisions of this Act to establishments employing less than 100 workers after giving not less than two months' notice, of its intention to do so, in the official gazette. The Act, however, does not apply to workmen who are governed by the Fundamental and Supplementary Rules, Civil Service Temporary Service Regulations, Civilians in Defence Services (Classification, Control and Appeal) Rules or the Indian Railways Establishments Code or any other rules or regulations that may be notified in this behalf by the appropriate Government.

The main objectives of the Act, besides maintaining harmonious relationship between the employers and the employees, are to regulate the conditions of recruitment, discharge, disciplinary action, leave, holidays, etc. of the workers employed in industrial units/undertaking/establishments.

Calendar year data is consolidated by the State authorities in **Form A and Form B designed** for the purpose.

The Consolidated Return comprises of Form A and Form B meant for compilation of annual data.

Changes proposed and agreed by the committee

No Changes Made

Dependent and Independent Variable/Columns

FORM-A

(i) Column 9=Columns 6+7-8.
(ii) Column 13=Columns 10+11-12
(iii)Columns 4+8=Columns 14+16.
(iv) Column 4=Columns 14+16 of previous year's statement.
(v) Column 5=Columns 15+17 of previous year's statement.
(vi) Column 6=Column 9 of previous year's statement.
(vii) Column 10=Column 13 of previous year's statement.

FORM-B

(i) Column 1=Column 4 of previous year's statement.
(ii) Column 5=Column 8 of previous year's statement.
(iii) Column 4=Columns 1+2-3.
(iv) Column 8=Columns 5+6-7.

THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

ANNUAL RETURN ON THE WORKING OF THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

FORM 'A'

For the Year ending……..……

State……..

	Number of			
Industry	Establishments* coming within the purview of the Act	Employees** in Establishments in column 2	Establishments having certified Standing Orders in respect of all or a group of employees at the beginning of the year	
			Number of Establishments	Number of Employees covered
1	2	3	4	5
Divisions of Industries @				
Total				

FORM `A' – contd.

Number of applications for certification								
Industry	In respect of establishments which had no certified Standing Orders either for all or any group of employees Industry				In respect of establishments which have certified Standing Orders in respect of any Group of employees and which applied for certification of Standing Orders in respect of other group of employees			
	Pending at the commencement of the year	Received during the year	Disposed of during the year	Pending at the end of the year	Pending at the commencement of the year	Received during the year	Disposed of during the year	Pending at the end of the year
1	6	7	8	9	10	11	12	13
Divisions of Industries								
Total								

FORM `A' – concld.

Industry	Number of establishments having certified Standing Orders in respect of all employees at the end of the year		Number of establishments* having certified Standing Orders in respect of only a group of employees at the end of the year		Remarks
	Number of establishments	Number of employees covered	Number of establishments	Number of employees covered	
1	14	15	16	17	18
Divisions of Industries					
Total					

* Establishments as defined under Section 2(e) of the Act.

** Employees as defined under Section 20(i) of the Act.

@ Give Code Number (two digit) and Name of Industry following the National Industrial Classification, 2004.

FORM `B'

For the year ending……..

State……..

Number of applications for modification of Standing Orders			
Pending at the commencement of the year	Received during the year	Disposed of during the year	Pending at the end of the year
1	2	3	4

FORM `B'- Concld.

NUMBER OF APPEALS

Pending at the commencement of the year	Field during the year	Disposed of during the year	Pending at the end of the year
5	6	7	8

THE ANNUAL RETURNS ADMINISTRATIVE REPORT AND FORMS `A' AND `B', SHOULD REACH LABOUR BUREAU BY 15TH FEBRUARY OF THE FOLLOWING YEAR.

CHECKS FOR ANNUAL RETURNS RECEIVED UNDER THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

FORM-A

(i) Total of columns 14 and 16 should not exceed the number of establishments coming within the purview of the Act (i.e. column 2).
(ii) Similarly total of column s 15 and 17 should not exceed the number of employees in establishments coming within the purview of the Act i.e., column 3).
(iii) Column 9=Columns 6+7-8.
(iv) Column 13=Columns 10+11-12
(v) Columns 4+8=Columns 14+16.
(vi) Column 4=Columns 14+16 of previous year's statement.
(vii) Column 5=Columns 15+17 of previous year's statement.
(viii) Column 6=Column 9 of previous year's statement.
(ix) Column 10=Column 13 of previous year's statement.

FORM-B

(i) Column 1=Column 4 of previous year's statement.
(ii) Column 5=Column 8 of previous year's statement.
(iii) Column 4=Columns 1+2-3.
(iv) Column 8=Columns 5+6-7.

Chapter 9: The Workmen's Compensation Act, 1923
Simplification of return & its E-capturing

The Workmen's Compensation Act, 1923 (Employees' Compensation Act w.e.f. 31-5-2010), which aims at providing financial protection to the employee's and/or their dependents in case of accidents arising out of and in the course of employment and causing either death or disablement of employee's, came into force on 1st July, 1924. Besides, the Act has a provision of paying compensation to the employee's for some occupational diseases contracted by them during the course of their employment.

Labour Bureau has been bringing out reviews/reports on the working of the Act based on the returns received from State Governments /Union Territories every year.

The returns used under 'The Workmen's Compensation Act, 1923 are enclosed at **Annexure-9A**. After implementing changes in the returns as suggested by the committee, the simplified new forms have been prepared and annexed at **Annexure-9B.**

The prescribed annual return, used for data collection from the Primary Units is redesigned in such a way that the return would electronically capture data for some of the dynamic fields.

For Electronic capturing of data from Primary Units, it is redesigned in a tabular form in two blocks namely;

1. Identification Particulars.
2. Accidents & Occupational Diseases.

Block I. Identification Particulars; It is proposed that every user (Primary unit) would be given one time log-In and Password to enter into the form. When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Block I of the form under the subheads I. (1) to I. (6) in the

space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server.

Block II; Here all the items of the blocks are static variables and have to be entered by the user in the space designed for the purpose.

Calendar year data is collected from the primary units in **prescribed annual return** and the information gathered from primary units is consolidated by the State authorities in **Statements I to Statements VI designed** for the purpose.

The Consolidated Return comprises of Statements I to VI meant for compilation of annual data.

Changes proposed and agreed by the committee

Statement - I - Structural Changes as propsed below in Statement - I was agreed upon by all the members present in the meeting. Further, it was decided by the Committee that the data will be compiled in Statement-I under the headings 'Total', 'Adults' & 'Adolescents' in place of 'Total', 'Adults' & Minors';

Industry	Number of Units supposed to submit returns	Number of Units submitting returns	Average Number of workers employed per day		Accidents					
					Number of cases of injury in respect of which ……			*Amount of compensation paid (Rs)*		
					D…..	*P…..*	*T….*	*D….*	*P…*	*T…*
Factories Plantation Total			Total							
			Adult							
			Adols							

Statement-IV – It was proposed and further agreed by the commette for a revised frequency distribution as 'Less than or equal to Rs. 1000', 'Rs. 1000 – 2000' ... so on with last range as 'Rs. 8000 and above'.

Dependent and Independent Variable/Columns

STATEMENT-II

(i) Column2=Column 19 of previous year's Annexure in respect of each classification shown in Column 1.
(ii) Column 10=Column 6+7+8+9.
(iii) Column 13=Columns 11+12.
(iv) Column 17=Columns 14+15+16.
(v) Column 18=Column 5+10+13+17.
(vi) Column 19=Column 2+3+4-Column 18.

STATEMENT-III

(i) Column 2=Column 9 of the previous year's Statement.
(ii) Column 8=Columns 4+5+6+7.
(iii) Column 9=Columns 2+3-Column 8.

STATEMENT-IV

(i) Column 8=Columns 2+4+6.
(ii) Column 9=Columns 3+5+7.

STATEMENT-V

(i) Column 1=Column 8 of the previous year's Statement.
(ii) Column 3=Columns 1+2.
(iii) Column 6=Columns 4+5.
(iv) Column 8=Column 3-6-7.

STATEMENT-VI

(i) Column 1=Column 4 of previous year's Statement.
(ii) Column 4=Column 1+Column 2-Column 3.

THE WORKMEN'S COMPENSATION ACT, 1923
SCHEDULE

Returns relating to period from _____to 31st December

(**TO BE SUBMITTED TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF THE FOLLOWING YEAR)**

(To be omitted in case of railways)

State …….
District ……....
Town or Village ……..
Post Office ……..
Name of establishment (1)……..
Nature of work (2) ……..

Average number employed per day (3) Adults ……
Minors.……

Accidents			Amount of compensation (5) paid (Rs.)		
Number of cases of injuries (4) in respect of which final compensation has been paid during the year			Death	Permanent disablement	Temporary disablement
Death	Permanent disablement	Temporary disablement (6)			
1	2	3	4	5	6
Adults					
Minors					

Nature of disease (9)	Occupational diseases (8)					
	Number of cases of diseases (4) in respect of which final compensation has been paid during the year			Amount of compensation (5) paid (Rs.)		
	Death	Permanent Disablement	Temporary disablement (6)	Death	Permanent Disablement	Temporary disablement
7	8	9	10	11	12	13
Adults						
Minors						

Dated …… 20

Signed ……
Designation ……..

1. In case where more establishments than one are owned by the same employer, a separate return should be furnished for each establishment. When in any establishment, the workmen employed fall in two or more of the distinct categories to which return relates {e.g. in the case of a Tea Estate categories A & B (V)}, a separate sheet should be used for the statistics of each category.
2. Enter the class of establishment according to the process or products, e.g.. Cotton Weaving and Spinning Factory, Coal mines.
3. Include all employees whether permanent or temporary who would, in the case of accidents, eligible, for compensation under the Act and for whom a return is required to be furnished, numbers employed should be shown, even if there are no payments of compensation to report.
4. Include only those cases in which the final payment of compensation was made during the year. A deposit with the Commissioner for Workmen's Compensation should be treated as a payment by the employer.
5. Include all compensation paid in respect of the cases mentioned in footnote 4, whether such compensation was paid during the year or previous to its commencement. Exclude all payment in case in which the final payment had not been made by the end of the year to which the return relates.
6. Only such disablements which last for more than three days should be shown (Section 4 (I) D of the Act).
7. When the benefit actually allowed (e.g., hospital leave on full pay) is in excess of the compensation admissible under the Act, only the amount of the compensation so admissible should be entered in the return.
8. Anthrax, lead poisoning, phosphorus poisoning, mercury poisoning, benzene poisoning, chrome and compressed air illness only*.
9. Enter separately each of the diseases specified in footnote 8 which resulted in cases in respect of which compensation was paid.

*The list of Occupational Diseases has been revised and enlarged vide Amending Act, 1984 (22 of 1984). As such, the Schedule III appended to the Act may also please be seen for other diseases.

SCHEDULE III
(See Section 3)
LIST OF OCCUPATIONAL DISEASES

Sl. No.	Occupation diseases	Employment
1	**2**	**3**
	PART 'A'	
1.	Infectious parasitic diseases contracted in an occupation where there is a particular risk of contamination	(a) All work involving exposure to health or laboratory work' (b) All work involving exposure to veterinary work; (c) Work relating to handling animals, animal carcasses, part of such carcasses, or merchandise which may have been contaminated by animals or animal carcasses; (d) Other work carrying a particular risk of contamination.
2.	Diseases caused by work in compressed air	All work involving exposure to the risk concerned
3.	Diseases caused by lead or its toxic compounds	All work involving exposure to the risk concerned
4.	Poisoning by nitrous fumes	All work involving exposure to the risk concerned
5.	Poisoning by organic phosphorus compounds	All work involving exposure to the risk concerned
	PART 'B'	
1.	Diseases caused by phosphorus or its toxic compounds	All work involving exposure to the risk concerned
2.	Diseases caused by mercury or its toxic compounds	All work involving exposure to the risk concerned
3.	Diseases caused by benzene or its toxic homologue	All work involving exposure to the risk concerned
4.	Diseases caused by nitre and amine toxic derivatines penzene or its homologues	All work involving exposure to the risk concerned
5.	Diseases caused by chromium or its toxic compounds	All work involving exposure to the risk concerned
6.	Disease caused by arsenic or its toxic compounds	All work involving exposure to the risk concerned
7.	Diseases caused by radioactive substances and 2onizing radiation	All work involving exposure to the action of radioactive substances or ionizing radiations
8.	Primary epithalimoatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracane, or the compounds products or residues of these substances.	All work involving exposure to the risk concerned
9.	Diseases caused by the toxic halogen derivatives of hydrocarbons (of the allopathic and aromatic series)	All work involving exposure to the risk concerned
10.	Diseases caused by carbon disulphide	All work involving exposure to the risk concerned
11.	Occupational contract due to the infraradiations	All work involving exposure to the risk concerned
12.	Diseases caused by manganese or its toxic compounds	All work involving exposure to the risk concerned
13.	Skin diseases caused by physical, chemical or biological agents not included in other items	All work involving exposure to the risk concerned
14.	Hearing impairment caused by noise	All work involving exposure to the risk concerned

Sl. No.	Occupation diseases	Employment
1	2	3
15.	Poisoning by dinitrophenol or a homologue or by substituted dinitrophenol or by the salts of such substances	All work involving exposure to the risk concerned
16.	Diseases caused by beryllium or its toxic compounds	All work involving exposure to the risk concerned
17.	Diseases caused by cadmium or its toxic compounds	All work involving exposure to the risk concerned
18.	Occupational asthma caused by recognized sensitizing agents inherent to the work process	All work involving exposure to the risk concerned
19.	Disease caused by fluorine or its toxic compounds	All work involving exposure to the risk concerned
20.	Diseases caused by nitroglycerine or other nitroacid esters	All work involving exposure to the risk concerned
21.	Diseases caused by alcohols and ketones	All work involving exposure to the risk concerned
22.	Diseases caused by asphyxiants; carbon monoxide, and its toxic derivatives, hydrogen sulfide	All work involving exposure to the risk concerned
23.	Lung cancer and mesotheliemas caused by asbestos	All work involving exposure to the risk concerned
24.	Primary neoplasm of the opithelial lining of the urinary bladder or the kidney or the ureter	All work involving exposure to the risk concerned
	PART 'C'	
1.	Phenmeconioses caused by sclarogenic mineral dust (silicosis anthraeosilicosis, asbestosis) and silico-tuber-culosis provided that silicosis is an essential factor in causing the resultant incapacity or death	All work involving exposure to the risk concerned
2.	Bagassosis	All work involving exposure to the risk concerned
3.	Bronchopulmonary diseases caused by cotton flax hemp and sisal dust (Byssimosis).	All work involving exposure to the risk concerned
4.	Extrinsic allergic alveelitis caused by the inhalation of organic dust	All work involving exposure to the risk concerned
5.	Bronchopulmonary diseases caused by hard metals	All work involving exposure to the risk concerned

CHECKS FOR ANNUAL RETURNS RECEIVED UNDER

THE WORKMEN'S COMPENSATION ACT, 1923

(i) In order to draw valid conclusions, it is essential that the data collected under this Act should be accurate. All errors are to be avoided at every stage of compilation, i.e., at the primary level or later on. The accuracy of the data collected from different employers is most important. Whatever refined methodology may be adopted for the processing and analysis of the data collected, quality of the primary data cannot be improved at a later stage. As such, it is or utmost importance that the annual returns received from employers should be scrutinised very carefully before any consolidation work is taken up.

(ii) On the receipt of the annual return, first of all, it should be ensured that the required information has been supplied and separate details have been furnished for adults and minors.

(iii) A check is necessary to see whether in cases where more than one establishment are owned by the same employer, separate returns have been furnished in respect of each establishment. Even in one establishment, if the workmen employed fall in two or more of the distinct categories to which the return relates {e.g. in case of Tea Estate, categories A and B (v)}, it should be ensured that a separate sheet has been used for statistics in respect of each category.

(iv) Against the column 'nature of work' the class of establishment is to be entered according to the process of manufacture or products manufactured (e.g. Cotton Weaving and Spinning Factory, Coal Mines, etc). This should be checked.

(v) Separate figures are to be given for adults and minors in respect of the average number of workers employed per day. Even if there are no payments of compensation to report, it should be verified that information regarding the 'average number of workers employed per day' has been supplied.

(vi) In respect of the number of cases of 'injuries' and 'diseases' (separately for death permanent disablement and temporary disablement), only those cases in which the final payment of compensation was made during the year are to be reported, A deposit with the Commissioner for Worker's Compensation is to be treated as a payment by the employer. These facts can be checked with the records of the Commissioner for Workmen's Compensation.

(vii) The amount of compensation paid should be only in respect of those cases mentioned in columns 'number of cases of injuries' and 'number of cases of diseases'. This should relate only to those in respect of which final payment of compensation was made during the year. Where the benefit actually allowed (e.g. hospital leave on full pay) is in excess of the compensation admissible under the Act, only the amount of compensation so admissible and paid for should be entered in the return.

(viii) In respect of temporary disablement, all disablements for a period exceeding 3 days should be shown in the return.

(ix) It should be ensure that in column 'nature of disease' each of the diseases specified in the foot note (8) of the return which resulted in cases in respect of which compensation was paid has been entered separately.

(x) In case any discrepancy is noticed while scrutinizing the annual return on the above lines, clarification should be obtained from the reporting employers before the consolidation work is taken up.

(xi) The prescribed authority should keep a complete list of employers covered by the 'Notification' issued under Section 16 of the Act. Before the consolidation work of the annual return is taken up, the Authority should see that returns have been received from all the employers.

THE WORKMEN'S COMPENSATION ACT, 1923

STATEMENT - I

STATEMENT RELATING TO WORKING OF THE WORKMEN'S COMPENSATION ACT, 1923 CONSOLIDATED STATEMENT OF RETURNS FURNISHED BY EMPLOYER

State: …….. Year: ……..

Industry		Number of units supposed to submit returns	Number of Units submit-ing returns	Average number of workers employed per day	Accidents					
					Number of cases of injuries in respect of which final compensation has been paid during the year			Amount of compensation paid (Rs,)		
					Death	Permanent disablement	Temporary disablement	Death	Permanent disablement	Temporay disable-ment
1		2	3	4	5	6	7	8	9	10
Factories	T									
	A									
	M									
Plantations	T									
	A									
	M									
Mines	T									
	A									
	M									
Docks & Ports	T									
	A									
	M									
Tramways	T									
	A									
	M									
Building and Construc-tions	T									
	A									
	M									
Munici-palities	T									
	A									
	M									
Miscell-aneous	T									
	A									
	M									
Total	T									
	A									
	M									

STATEMENT - I – concld.

Industry		Nature of diseases	Occupational diseases						
			Number of cases of diseases in respect of which final compensation has been paid during the year			Amount of compensation paid (Rs.)			Remarks
			Death	Permanent disablement	Temporary disablement	Death	Permanent disablement	Temporary disable-ment	
1		11	12	13	14	15	16	17	18
Factories	T								
	A								
	M								
Plantations	T								
	A								
	M								
Mines	T								
	A								
	M								
Docks & Ports	T								
	A								
	M								
Tramways	T								
	A								
	M								
Building and Construct-ions	T								
	A								
	M								
Municipalities	T								
	A								
	M								
Miscellaneous	T								
	A								
	M								
Total	T								
	A								
	M								

A - Adults
M - Minors
T - Total

STATEMENT - II

FORM - A

Proceedings before the commissioner for Workmen's Compensation……..
State……..

For the year ending……

Return of cases filed

1. Application for the registration of agreement should not be entered in this statement.

2. A separate case should be entered for proceedings under Section 8 or Section 10 in respect of each person killed or injured as the case may be.

Cases of	Pending at commencement	Filed during the year	Received for disposal from other commissioners	Transferred to other commissioner for disposal
1	2	3	4	5
Award of Compensation (Under Section 10)				
Fatal accidents				
Permanent disablement				
Temporary disablement				
Total				
Commutation (Under Section 7)				
Review (Under Section 6)				
Recovery of compensation (Under Section 31)				
Proceedings other than those mentioned above and not included below under 'Deposits' under Section 8				
Total				
Deposits under Section 8 (i) Fatal accidents [Sub-section (1)]				
(ii) Disablement of women and persons Under legal disability [Sub-section (1)]				
(iii) Others [Sub-section (2)]				
Total				

FORM -A contd.

Cases of	Cases disposed of without notice to the other party					Cases disposed of after notice to the other party		
	With-drawn	Dismissed for non-appeara-ance	Summari-ly dismiss-ed under Rule(24)	Dismissed under Rule(25)	Total	Not contested		
						Admitted by opposite party	Allowed exparte	Total
1	6	7	8	9	10	11	12	13
Award of Compensation (Under Section 10)								
Fatal accidents								
Permanent disablement								
Temporary disablement								
Total								
Commutation (Under Section 7)								
Review (Under Section 6)								
Recovery of compensation (Under Section 31)								
Proceedings other than those mentioned above and not included below under 'Deposits' under Section 8								
Total								
Deposits under Section 8 (i) Fatal accidents [Sub-section (1)]								
(ii) Disablement of women and persons Under legal disability [Sub-section (1)]								
(iii) Others [Sub-section (2)]								
Total								

Award of Compensation
Deposits under Section 8

Number of cases of disbursement to dependants or Workmen as the case may be

Number of cases of refund to Employers

FORM -A contd.

Cases of	Cases disposed of after notice to the other party contested				Total disposed	Pending conclusion	Court fees paid (Rs.)
	Allowed	Allowed in part	Dismissed	Total			
1	14	15	16	17	18	19	20
Award of Compensation (Under Section 10)							
Fatal accidents							
Permanent disablement							
Temporary disablement							
Total							
Commutation (Under Section 7)							
Review (Under Section 6)							
Recovery of compensation (Under Section 31)							
Proceedings other than those mentioned above and not included below under 'Deposits' under Section 8							
Total							
Deposits under Section 8 (i) Fatal accidents [Sub-section (1)]							
(ii) Disablement of women and persons Under legal disability [Sub-section (1)]							
(iii) Others [Sub-section (2)]							
Total							

Deposits under Section 8 Number of cases of refund to employers

STATEMENT-III

FORM B

State……..

Registration of agreements by the Commissioner for Workmen's Compensation…… the period ending……..…

Application for registration of agreements relating to	Pending commencement	Filed during the year	Registered as filed	Registered after modification	Not registered on account of		Total disposed	Pending conclusion
					Inadequacy	Other causes		
1	2	3	4	5	6	7	8	9
Payment of compensatic for permanent disablement								
Payment of compensatic for temporary disablement								
Commutation of half monthly payment								
Total								

STATEMENT-IV

FORM C

Proceedings before the Commissioner for Workmen's Compensation in …….State for the period ending……

Number of adults in each wage-group to whom or in respect of whose death/disablement compensation was awarded or disbursed.
(All cases of Review and Commutation and cases relating to minor workmen should be excluded).

Monthly wages of the workmen injured		Number of workmen							
		For temporary disablement		For permanent Disablement		For fatal accid-ents		Total	
		Men	Women	Men	Women	Men	Women	Men	Women
1		2	3	4	5	6	7	8	9
More than Rs.	But not More than Rs.								
0	100								
100	200								
200	300								
300	500								
500	700								
700	900								
900	1200								
1200	1500								
1500	1800								
1800	2100								
2100	2400								
2400	2800								
2800	3200								
3200	3600								
3600	4000								
Total									

STATEMENT - V

(I) Information regarding Amount of Deposits (Rs.) and Disbursement (Rs.) during……...

Opening balance at the commence-ment of the year	Amount deposited during the year	Total (cols. 1 and 2)	Amount disbursed		Total (cols. 4 & 5)	Amount refunded to the employer	Closing balance	Whether the amount of compensation awarded by the Workmen's Compensation Commissioner has been paid or not
			Depend-ants	Workmen				
1	2	3	4	5	6	7	8	9

STATEMENT – VI

(II) Information in respect of Appeals for the year……

Pending at the commencement of the year	Filed during The year	Disposed of during the year	Pending at the end of the year	Remarks
1	2	3	4	5

CHECKS FOR ANNUAL RETURNS RECEIVED UNDER THE WORKMEN'S COMPENSATION ACT, 1923

STATEMENT-I

The name of the occupational diseases in respect of which compensation was paid in a particular Industry/Mine should be reported under column 9.

STATEMENT-II

(i) Column2=Column 19 of previous year's Annexure in respect of each classification shown in Column 1.
(ii) Column 10=Column 6+7+8+9.
(iii) Column 13=Columns 11+12.
(iv) Column 17=Columns 14+15+16.
(v) Column 18=Column 5+10+13+17.
(vi) Against the classification Deposits under Section 8' under columns 6 to 10 and columns 11 to 17 headings have been changed and given as 'Number of cases of disbursement to dependants or workmen as the case may be and Number of cases of refund given to employers' respectively. As such here column 18=column 5+sum of figures under these two heads mentioned above.
(vii) Column 19=Column 2+3+4-Column 18.
(viii) The amount of "Court Fee Paid" reported in column 20 should be in respect of cases filed during the year.

STATEMENT-III

(i) Column 2=Column 9 of the previous year's Statement.
(ii) Column 8=Columns 4+5+6+7.
(iii) Column 9=Columns 2+3-Column 8.

STATEMENT-IV

(i) This statement is in respect of 'Adult Worker' only.
(ii) Column 8=Columns 2+4+6.
(iii) Column 9=Columns 3+5+7.
(iv) It may be checked that Cases of 'Review', 'Commutation' and 'Cases of Minor Workmen' have been included in this Statement.

STATEMENT-V

(i) It may please be ensured that only total amount is reported in this Statement.
(ii) Column 1=Column 8 of the previous year's Statement.
(iii) Column 3=Columns 1+2.
(iv) Column 6=Columns 4+5.
(v) Column 8=Column 3-6-7.

STATEMENT-VI

(i) It should be ensured that information has been furnished in respect of 'Total Number of Appeals' for all the cases.
(ii) Column 1=Column 4 of previous year's Statement.
(iii) Column 4=Column 1+Column 2-Column 3.

THE ANNUAL ADMINISTRATIVE REPORT ON THE WORKING OF THE ACT AND THE SIX STATEMENTS SHOULD REACH LABOUR BUREAU BY 30TH APRIL OF THE SUCCEEDING YEAR.

ANNEXURE-9B

THE WORKMEN'S COMPENSATION ACT, 1923
SCHEDULE

Returns relating to period from _____to 31st December

(**TO BE SUBMITTED TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF THE FOLLOWING YEAR)**

(To be omitted in case of railways)

Block I- Identification Particulars	
1. State	.....
2. District	.....
3. Town or Village	.....
4. Post Office	.....
5. Name of establishment (1)	.....
6. Nature of work (2)	.....

Block-II Accidents & Occupational Diseases							
Average number employed per day (3)		Accidents			Amount of compensation (5) paid (Rs.)		
		Number of cases of injuries (4) in respect of which final compensation has been paid during the year			Death	Permanent disablement	Temporary disablement
		Death	Permanent disablement	Temporary disablement (6)			
1		2	3	4	5	6	7
Adults							
Minors							

Nature of disease (9)		Occupational diseases (8)					
		Number of cases of diseases (4) in respect of which final compensation has been paid during the year			Amount of compensation (5) paid (Rs.)		
		Death	Permanent Disablement	Temporary disablement (6)	Death	Permanent Disablement	Temporary disablement
8		9	10	11	12	13	14
Adults							
Minors							

Dated ……

Signed ……

Designation ……..

Chapter 10: The Maternity Benefit Act, 1961
Simplification of return & its E-capturing

The Maternity Benefit Act, 1961 extends to the whole of the Indian Union and applies to every factory, mine, plantation and circus industry including any such establishments belonging to government but excluding all the establishments covered under the provisions of the Employees State Insurance Act, 1948. The State Governments are, however, empowered to extend the provisions of the Act to any other establishment subject to the prior approval of the Central Government. The Act also applies to Shops and Commercial Establishments in which 10 or more persons are employed or were employed on any day of the preceding 12 months, and establishments wherein persons are employed for the exhibition of equestrian, acrobatic and other performances. Every woman entitled to the payment of maternity benefit under the Act shall, notwithstanding the application of the Employees State Insurance Act, 1948 to the factory or other establishments in which she is employed, continue to be so entitled until she becomes qualified to claim maternity benefit under Section 50 of the Act. There is no wage limit for coverage under the Maternity Benefit Act provided a woman is not covered under the Employees State Insurance Act, 1948.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'Maternity Benefit Act, 1961' are enclosed at **Annexure-10A**.

No changes made in primary return.

Calendar year data is collected from the primary units in **prescribed annual return** and the information gathered from primary units is consolidated by the State authorities in **Statements I & II designed** for the purpose.

The Consolidated Return comprises of Statements I &II meant for compilation of annual data.

Changes proposed and agreed by the committee: No Changes Made

MATERNITY BENEFIT ACT, 1961

FORM L
(See Rule 16)

Annual Return for the year ending the 31st December……

1. Name of the establishment
2. Address of the establishment, P.O., District
3. Date of opening of the establishment
4. Date of closing, if closed
5. Postal address of the establishment
6. Names of Employers, Postal address of Employer
7. Name of Managing Agent, if any, postal address of Managing agent
8. Nature of Agent or Representative of Employer, Postal address of Representative of Employer
9. Name of Manager, Postal address of Manager
10. (a) Name of Medical Officer, if any attached to the establishment
    (b) Qualification of Medical Officer attached to the establishment
    (c) Is he resident at the establishment ?
    (d) If a part-time employee, how often does he pay visit to the establishment?
11. (a) Is there any hospital attached to the establishment ?
    (b) If so, how many beds are provided for women employees?
    (c)Is there a Lady Doctor?
    (d) If so, what are her qualifications?
    (e) Is there a qualified Midwife?
    (f) Has any Crèche been provided?

FORM M
(See Rule 16)

Employment, Dismissal, Payment of Bonus, etc for Women for the year ending on 31st December ……

1. Establishment
2. Aggregate number of women permanently or temporarily employed during the year
3. Number of women who worked for a period of not less than eighty days in the Twelve months immediately preceding the date of delivery
4. Number of women who gave notice under Section 6
5. Number of women who were granted permission to be absent on receipt of Notice of confinement
6. Number of claims for maternity benefit paid
7. Number of claims for maternity benefit rejected
8. Number of cases where pre-natal confinement and postnatal care was Provided by the management free of charge (Section 8)
9. Number of claims for medical bonus paid (Section 8)
10. Number of claims for medical bonus rejected
11. Number of cases in which leave for miscarriage was granted
12. Number of cases in which leave for miscarriage as applied for but rejected
13. Number of cases in which additional leave for illness under Section 10 was granted
14. Number of cases in which additional leave for illness under Section 10 Was applied for but rejected

FORM M – Concld.

15. Number of women who died :-
    (a) Before delivery
    (b) After delivery
16. Number of cases in which payment was made to persons other than the women concerned
17. Number of women discharged or dismissed while working

18. Number of women deprived of maternity benefit and / or medical bonus under Proviso to sub-section (2) of Section 12
19. Number of cases in which payment was made on the order of the Competent Authority or Inspector
20. Remarks

21. Full particulars of each case and reasons for the action taken under serials 7, 10, 12, 14, 17 and 18 should be given in the Appendix below.

FORM N
(See Rule 16)

Details of payment made during the year ending 31st December …….
Establishment

Name of person to whom paid*	Amount paid* (Rs.)
1. Date of Payment	
2. Woman employee	
3. Nominee of the woman	
4. Legal representative of the women	
5. Amount for the period preceding date of expected delivery	
6. Amount for the subsequent period	
7. Under Section 8	
8. Under Section 9	
9. Under Section 10	
10. Number of women workers who absconded after receiving the first installment	
11. Cases where claims were contested in a Court of Law	
12. Result of such cases	
13. Remarks	

---

* Separate details are to be furnished for each case against item 1 to 9

FORM 'L', 'M' AND 'N' SHOULD REACH THE PRESCRIBED AUTHORITY BY 21ST JANUARY OF SUCCEEDING YEAR

THE MATERNITY BENEFIT ACT, 1961

STATEMENT - I

State: .....

Year.....

Category of establishments covered by the Maternity Benefit Act	Number of establishments covered by the Maternity Benefit Act	Number of establishments submitting returns	Aggregate number of women employed in the establishment submitting return	Number of women who claimed maternity benefit during the year	Number of claims accepted & paid either fully or partially	
					Total	From current year claims
1	2	3	4	5	6	7
Factories						
Mines						
Plantations						
Other (specify)						
Total						

STATEMENT-I – concld.

Category of establishments covered by the Maternity Benefit Act	Number of cases in which bonuses were paid	Total amount of maternity benefits (including bonuses paid) (Rs.)	Amount of bonuses (included in columns 9) (Rs.)	Number of cases in which women enjoyed full maternity leave prior to confinement
1	8	9	10	11
Factories				
Mines				
Plantations				
Other (specify)				
Total				

STATEMENT-II

Category of establishments covered under the Act	Number of complaints received	Number of complaints investigated	Number of cases in which breaches of law were observed	Number of prose-cutions launched	Number of convict-ions obtained	Amount of fines levied (Rs.)	Remarks
1	2	3	4	5	6	7	8
Factories							
Mines							
Plantations							
Other (specify)							
Total							

THESE TWO STATEMENTS ALONGWITH ANNUAL ADMINISTRATIVE REPORT SHOULD REACH LABOUR BUREAU BY 30TH APRIL OF SUCCEEDING YEAR

CHECKS FOR ANNUAL RETURNS RECEIVED UNDER MATERNITY BENEFIT ACT, 1961.

STATEMENT-I

(i) Column 3 should be less than or equal to column 2.
(ii) Column 7 should be less than or equal to column 6.

STATEMENT-II

Self explanatory

Chapter 10: The Industrial Disputes Act, 1947
Simplification of return & its E-capturing

Labour Bureau has been bringing out Statistics on "Industrial Disputes, Closures, Retrenchments and Lay-offs in India" based on the voluntary returns received every month from the Labour Departments of the States and Union Territories and the Regional Labour Commissioners (Central). The industrial disputes, which resulted in temporary stoppage of work either by the employees of an establishment to express a grievance or to enforce a demand known as 'strikes' or by an employer (or a group of employers) who withhold work from the employees in an establishment known as 'Lockout', in connection with matters relating to employment or non-employment or terms and conditions of employment take place as and when there is lack of mutual understanding, difference of opinion and failure to settle the disputes between the managements and the workers / labour trade unions. As the managements and workers both strive to rationalize their gains and losses in economic activities the conflicts are bound to occur.

The Departments of Labour in the States/Union Territories and Regional Labour Commissioners (Central) are responsible for collecting the basic information in respect of the work stoppages from the affected Primary Units in the State and Central Spheres respectively whenever such occurrence of a work-stoppage becomes known either directly or from the supplementary sources like police records etc. as per the practice in vogue in different States / areas. They collect the required information in standard formats laid down for the purpose from the units under their on a voluntary basis and furnished the same in consolidated monthly returns to the Labour Bureau on or before 25th of the each succeeding month.

The statistics on industrial disputes brought out by the Labour Bureau includes information in respect of those temporary work-stoppages only which include (a) strikes, (b) lockouts, and (c) gheraos followed by lockouts and involving 10 or more workers, whether directly and/or indirectly as work-stoppages which involve less than 10 workers are not included / accounted for. Similarly, political strikes, sympathetic

demonstrations etc., are also not included, as they are not connected with any specific dispute, grievance or demand of the workers and are beyond the competence of their employers to redress.

Labour Bureau brings out annual publication on the basis of statistics collected under the act. The returns used under 'Industrial Disputes Act, 1947 are enclosed at Annexure-11A.

Calendar year data is collected from the primary units in prescribed annual return and the information gathered from primary units is consolidated by the State authorities in Part A, Part B and proforma on Closures , Retrenchment & Lay-Offs designed for the purpose.

The Consolidated Return comprises of Part A, Part B and proforma on Closures , Retrenchment & Lay-Offs designed meant for compilation of annual data.

1. It was decided to drop column 23 in Part A and Column 22 in Part B {Affiliation to Central Organization of Employees/Employers} as the information is not compiled by Labour Bureau.

2. It was decided to reorient the forms on Closure, Retrenchment and lay-Offs into on Common form. Annexure-11b.

31

INDUSTRIAL DISPUTES

CONFIDENTIAL

MONTHLY REPORT ON UNREST* DUE TO INDUSTRIAL DISPUTES IN INDUSTRIAL ESTABLISHMENTS

Name of State / Union Territory _____ for the Month of _____

PART A – FOR WORK-STOPPAGES DUE TO INDUSTRIAL DISPUTES – INCLUDING CASES OF GO-SLOW AND GHERAO

Sl. No.	Identification No. of Establishment	Industry Code & Name of Industry (as per NIC-2008) at five digit level	Name of the concerned & locality with Sector of ownership i.e. Public/.Private/co-operative/Joint	Nature of unrest (give unrest code)	Cause of unrest (give cause code)	Unrest was due to non-implementation of (give reasons code)	Date when unrest		Duration till the close of the month	Number of workers normally employed	Maximum no. of workers affected	
							Began	Ended			Directly	Indirectly
1	2	3	4	5	6	7	8	9	10	11	12	13

Mandays lost		Wages lost (Rs.)		Value of Production loss (Rs..)		Result (give code)	Was there any intervention by the officers of SIRM/CIRM	Method of Termination (give code)	Affiliation to Central Organisation of Employees/Employers (give code)	Remarks
During the month	Till the close of the month	During the month	Till the close of the month	During the month	Till the close of the month					
14	15	16	17	18	19	20	21	22	23	24

*=Unrest means any unrest including strikes, lockouts, go-slow, gheraos etc.

I 'Government and local Fund Factories' (Public)

"Establishment in Public Sector" means an establishment owned, controlled or managed by

(i)The Government or the Department of the Government;

(ii) A Government Company as defined in Section 617 of Companies Act, 1956.

(iii) A corporation (including co-operative society) established by or under Central, Provincial or State Act, which is owned, controlled or managed by the Government; and

(iv) Other Factories (Private Sector)

Establishment in private sector means an establishment which is not an establishment in Public Sector

(N.B.)—Worker (workman), strike, lockout, industry, industrial establishment, and industrial disputes as defined in the I.D. Act.

NOTE: THIS RETURN SHOULD REACH THE PRESCRIBED PRESCIRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH.

CONFIDENTIAL

MONTHLY REPORT ON UNREST* DUE TO REASONS OTHER THAN INDUSTRIAL DISPUTES IN INDUSTRIAL ESTABLISHMENTS

Name of State / Union Territory _____ for the Month of _____

PART B–– FOR WORK-STOPPAGES DUE TO REASONS OTHER THAN INDUSTRIAL DISPUTES**

Sl. No.	Identification No. of Establishment	Industry Code & Name of Industry (as per NIC-2008) at five digit level	Name of the concerned & locality with Sector of ownership i.e. Public/.Private/co-operative/Joint	Nature of unrest (give unrest code)	Cause of unrest (give cause code)	Date when unrest		Duration till the close of the month	Number of workers normally employed	Maximum no. of workers affected	
						Began	Ended			Directly	Indirectly
1	2	3	4	5	6	7	8	9	10	11	12

Mandays lost		Wages lost (Rs.)		Value of Production loss (Rs..)		Result (give code)	Was there any intervention by the officers of SIRM/CIRM	Method of Termination (give code)	Affiliation to Central Organisation of Employees/Employers (give code)	Remarks
During the month	Till the close of the month	During the month	Till the close of the month	During the month	Till the close of the month					
13	14	15	16	17	18	19	20	21	222	23

*= Unrest means any unrest including strikes, lockouts, goslow, gheraos etc.

**= Work stoppages which are not connected with industrial disputes e.g. political/sympathetic strikes and lockouts due to reasons other than industrial disputes, viz., financial stringency, strategic considerations, breakdown of machinery, shortage of material etc.

NOTE: THIS RETURN SHOULD REACH THE PRESCRIBED PRESCIRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH.

GUIDELINES FOR MONTHLY REPORT ON UNREST DUE TO INDUSTRIAL DISPUTES AND DUE TO REASONS OTHER THAN INDUSTRIAL DISPUTES IN INDUSTRIAL ESTABLISHMENTS

1. The Statement should be prepared in two parts in respect of only those work stoppages in which the number of workers involved is TEN OR MORE. It should cover all the sections of economy. In part A, only those cases which are due to industrial disputes relating to demands connected with employment or non-employment or terms of employment or condition of labour as affecting employee of the establishment are to be shown.

2. In Part B such cases as are not connected with industrial disputes are to be reported e.g. Political/Sympathetic Strikes/Lockouts as well as Lockouts due to reasons other than industrial disputes, viz., financial stringency, break down of machinery, shortage of raw material / electricity / power / coal, etc.

3. The unrest not reported in earlier monthly statements should be reported at the end of Part A or Part B as applicable.

4. In case the unrest is a Gherao or a Go-slow, separate report is to be furnished using the appropriate prescribed proforma, i.e., in either Part A or Part B depending upon the cause.

5. In case the cause of unrest (Strike/Lockout) is Gherao or Go-slow, it may be furnished in regular monthly returns for strike or lockout by stating the reasons in the appropriate column.

COLUMN(S) NUMBER

PART-A	PART-B	
1	1	Each case is to be accounted for giving a running serial number.
2	2	A permanent identification number should be assigned to each industrial establishment which may be reported in this column. It should be the same as reported to the Ministry of Labour & Employment, New Delhi in respect of establishments employing 100 or more workers. For this purpose a register may be maintained. A unique identification number thus pre-allotted may be used for all references i.e. if an establishment is closed at any time, its permanent identification number should not be allotted to any other establishment
3	3	The 'Industry Code' is to be given at 5-digit level of the National Industrial Classification – 2008 w.e.f. January,2010.
4	4	The name of the concern with complete address is to be given indicating whether it belongs to Public Sector, Private Sector, Joint Sector or Co-operative Sector by giving the symbols PUB, PVT, Jt and Co-op. respectively.
5	5	'Strike' may be indicated 'S' and 'Lockout' by 'L'. If a strike is followed by lockout at a latter stage, this fact should be indicated in the Remarks column indicating the date of the lockout. In such cases, 'S/L' may be written in column-5 and under subsequent columns information should be given separately for the period of 'Strike' ad 'Lockout'. If the information relating to Industry, Sector of Ownership, Nature of Work Stoppage, Dates of Starting and Ending, Result, Method of Settlement and Affiliation to Central Workers'/ Employers' Organization is identical in respect of work stoppages which take place in a number of units on the same issue/ demands/ grievances within the same State/Union Territory, then this case is to be taken as a SINGLE DISPUTE and the information should be furnished in a consolidated manner as if it is for a single dispute. In case of 'Go Slow' or 'Gherao', please specify.
6	6	Cause of unrest is to be reported as per the following codes along with the description :

Code	Part A	Code	Part B
1	Wages & Allowances	1	Financial Stringency
2	Personnel (Promotion, Transfer, Dismissal, Recruitment, Recruitment Policy)	2	Break-down of Machinery
3	Retrenchment	3	Shortage of Raw Material
4	Lay-off	4	Shortage of Power
5	Indiscipline	5	Lack of demand / Accumulation of Stock
6	Violence	6	Others not related to Industrial Disputes (to be specified)
7	Leave & Hours of Work / Shift Working	7	Causes not Known
8	Bonus		
9	Inter/Intra Union Rivalry		
10	Gherao		
11	Work-stoppage may be in connection with Labour Enactments, Labour Awards & Labour Agreements or due to their non-implementation		
12	Charter of Demands (a copy of demands is to be furnished to the Bureau)		
13	Work Norms / Loads		
14	Shortage of Work / Surplus Labour		
15	Demand for Betterment of Amenities		
16	Suspension/Change of Manufacturing Process		
17	Regarding Standing Orders/Rules/Service Condition/ Safety Measures		
18	Govt. Economic Policy		
19	Others related to Industrial Disputes (matter in dispute to be specified)		
20	Not Known		

7	-	Work stoppage may be due to non-implementation of :

Reasons	Code
Labour Enactment	(x)
Labour Award	(y)
Labour Agreements	(z)

Under this column the appropriate code is to be reported

8	7	The actual date when the work stoppage began is to b e given.
9	8	The last date when the work stoppage was current during the month is to be reported under this column. A work stoppage should be taken as terminated when the establishment has resumed its normal activity having filled up all or a sufficient number of vacancies caused by a work stoppage either by restoring the workers involved or by employing new hands. In case the work stoppage remained in progress during the next month also, the word 'continued' may be written.
10	9	(a) Only potential working days should be taken into account here. Thus, weekly offs and other scheduled holidays when the whole of the establishments would have remained closed even if a work stoppage had not taken place should not be counted in the duration. However, in case of continuous process factories, which work on all the days during the year, all the days would be reported. (b) Duration of less then a day should be specifically stated so. (c) If the work stoppage is continuing from earlier month(s) and if the work stoppage is terminated during the month under report, the figure to be given in this column is the duration of the work stoppage since its commencement and up to the day of termination in the current month under report.

11	10	This number should be taken as the number of workers employed on the last regular working day of the month proceeding the one in which the work stoppage took place and should include permanent, casual, temporary workers also but should exclude any worker employed on special item of work not normally carried on by the employers.
12 & 13	11 & 12	The number 'affected directly' should be taken as the number of workers who are involved in the work stoppage. Other workers rendered idle due to the occurrence of the work stoppage should be taken as the number of workers 'affected indirectly'. The 'maximum number' means the maximum number of workers affected on any day during the course of the work stoppage.
14 & 15	13 & 14	Man-days lost are obtained by adding actual vacancies caused by the work stoppage in each department in each shift. Here workers affected both directly and indirectly should be taken into account.
16 & 17	15 & 16	Figures in these two columns should be reported with the help of ACTUAL WAGE RECORDS. If there is need for estimation, it should be worked out by multiplying the number of man-days lost with the average wage per man-days including all cash allowances.
18 & 19	17 & 18	Actual value (in Rupees) of production loss is to be reported. This may **be estimated in terms of money by taking the average net value of normal** production of the establishment per manday (from the average figures of **THREE WAGE PERIODS**) and multiplying it by the total number of mandays lost.
20	19	**It should be based on the extent to which workers demands are met and should be shown under the following heads :** (i) Successful (ii) Partially successful (iii) Un-successful (iv) Indefinite (i.e. work resumed pending negotiations or matter under dispute referred to an Industrial Tribunal)
21	20	'Yes' or 'No' to be reported; 'Yes' when intervened by officers of the Industrial Relations Machinery for a settlement and 'No' when it is not so. The name of machinery, viz., SIRM or CIRM in brackets should also to be indicated giving the designation of such Officer, who intervened.
22	21	Details need to be furnished by using the following Codes: **Code No.** — **Details** '1' — When work is resumed un-conditionally, affected workers having returned to work '2' — When the work is resumed by replacement of workers affected '3' — Terminated through direct negotiations between the two parties including the medium of Workers or Joint Committee. '4' — (a) By mediation (b) By conciliation (c) By arbitration — In the case of termination through the medium of third party indicate agency as well viz. Industrial Tribunal, Industrial Court, Labour Court, etc.
23	22	Under this column the name of the All-India Central Organization of Employees/ Employers viz. AITUC, BMS, UTUC, CITU, HMS, INTUC, NFITU, NLO, TUCC, UTUC (LS), EFI, AIMO, AIOE, CIE, SCPE is to be reported.
24	23	Remarks, if any may be given

NOTE: THIS RETURN SHOULD REACH THE PRESCRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH.

Proforma for Industrial Disputes

CONFIDENTIAL

Monthly Report on unrest* due to Industrial Disputes in Industrial Establishments

Name of State/ Union Territory---------- for the month of ----------

PART A - FOR WORK –STOPPAGES DUE TO INDUSTRIAL DISPUTES-INCLUDING CASES OF GO SLOW AND GHERAO.

Sr. No.	Identification No. of Establishment	Industry code and name of Industry (as per NIC-2004 at Five digit level)	Name of the concern locality (with sector@ of ownership)	Nature of unrest	Cause of unrest	Unrest was due to non-implementation of	Date when		Duration till the close of the Month
							Began	Ended	
1	2	3	4	5	6	7	8	9	10

No of workers normally employed	Maxi. No of workers affected		Mandays Lost		Wages Lost (Rs.)		Value of Production loss		Result	Was there any intervention by the officers of SIRM/CIRM
	Directly	Indirectly	During the month	Till the close of the month	During the month	Till the close of the month	During the month	Till the close of the month		
11	12	13	14	15	16	17	18	19	20	21

Method of Termination	Affiliation to Central organization of Employees/Employers	Remarks
22	23	24

@ Please see footnotes as given under (**) Factories Act, 1948 at page - 2.

- Unrest means any unrest including strikes, lockouts, go-slow, gherao etc.
- Worker (workmen), strike, lockout, industry, industrial establishment, and industrial disputes as defined in the Industrial Disputes Act, 1947.

THESE RETURNS SHOULD REACH THE PRESCRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH AND IN LABOUR BUREAU, SHIMLA, BY THE 25TH OF THE SUCCEEDING MONTH EVEN IF THE INFORMATION IS NIL.

Monthly Report on unrest* due to REASONS OTHER THAN Industrial Disputes in Industrial Establishments

Name of State/ Union Territory---------- for the month of ----------

Part B - FOR WORK – STOPPAGES DUE TO *REASONS OTHER THAN* INDUSTRIAL DISPUTES.**

Sr. No.	Identification no. Of establishment	Industry code and name of industry (as per nic-2004 at five digit level)	Name of the concern locality (with sector@ of ownership)	Nature of Unrest	Cause of unrest	Date when		Duration till the close of the month
						Began	Ended	
1	2	3	4	5	6	7	8	9

No of workers normally employed	No of workers affected		Mandays Lost		Wages Lost (Rs.)		Value of Production loss		Result	Was there any intervention by the officers of SIRM/CIRM
	Directly	Indirectly	During the month	Till the close of the month	During the month	Till the close of the month	During the month	Till the close of the month		
10	11	12	13	14	15	16	17	18	19	20

Method of Termination	Affiliation to Central organization of Employees/Employers	Remarks
21	22	23

@ Please see footnotes as given under (**) Factories Act, 1948 at page - 2.

- Unrest means any unrest including strikes, lockouts, go-slow gherao etc. Work stoppages which are not connected with industrial dispute, e, g, political/sympathetic strikes and lockouts due to reasons other than industrial disputes, viz. financial stringency, strategic consideration, breakdown of machinery, shortage of raw material, etc.

N.B. Worker (workmen), strike lockout, industry, industrial establishment, and industrial disputes as defined in the Industrial Disputes Act, 1947.

EXPLANATORY NOTE FOR MONTHLY REPORT ON UNREST DUE TO INDUSTRIAL DISPUTES AND DUE TO REASONS OTHER THAN INDUSTRIAL DISPUTES IN INDUSTRIAL ESTABLISHMENTS.

1. The statement should be prepared in two parts in respect of only those work-stoppages in which the number of workers involved is TEN OR MORE. It should cover all the sectors of the economy. In Part A only those cases which are due to industrial disputes relating to demands connected with employment or non-employment or terms of employment or conditions of labour as affected employees of the establishment are to be shown.
2. In Part-B such cases as are not connected with industrial disputes are to be reported e.g. political/sympathetic strikes /lockouts and lockouts due to reasons other than industrial disputes, viz. financial stringency, strategic consideration, breakdown of machinery, shortage of raw material, shortage of power, coal or electricity etc.
3. The unrest not reported in earlier monthly statements should be reported at the end of the Part-A or Part-B as applicable.
4. In case the unrest is a gherao, or go-slow, separate report is to be furnished using the appropriate prescribed proforma, i.e. in either Part-A or Part-B depending upon the cause.
5. In case the cause of the unrest (strikes/lockouts) is gherao or go-slow, it may be furnished in regular monthly returns as a case of strike or lockout by stating the reason in the appropriate column.

Column(s) Numbers Part-A or Part-B

INSTRUCTIONS FOR FILLING THE PROFORMA.

Column No. Part A	Column No. Part B	
1	1	Each case is to be accounted for giving a running serial number
2	2	A permanent identification number should be assigned to each industrial establishment which may be reported in this column. It should be the same as reported to the Ministry of Labour, New Delhi in respect of establishments employing 100 or more workers. A unique identification number pre allotted may be used for all references i.e. if an establishment is closed at any time, its permanent identification number should not be allotted to any other establishment.
3	3	The 'Industry Code' is to be given at 4-digit level of the National Industrial Classification 2004.
4	4	The name of the concern with complete address is to be given indicating whether it belongs to Public Sector, Private Sector, Joint Sector or Cooperative Sector (by symbols 'PUB' for Public Sector unit, PVT. For Private Sector unit, 'Co-op' for Cooperative Sector unit and 'JT' for Joint Sector unit.
5	5	'Strike' may be indicated by 'S". If a 'strike' is followed by 'lockout' at a latter state, this fact should be indicated in the remarks column indicating the date of 'Lockout'. In such cases "S"/"L" may be written in column 5 and under subsequent columns information should be given separately for the period of 'strike' and 'Lockout' If the information relating to industry sector of ownership, nature of work-stoppages date of starting and ending, result, method of settlement and affiliation to Central Workers/Employers organization is identical in respect of the work-stoppages which take place in a number of units on the same issue/demand/grievance, within the same state/ Union Territory, it is to be taken as a SINGLE DISPUTE and information furnished in a consolidated manner as if, it is for single dispute. In case of 'Go Slow' or 'Gheraos', please specify.
6	6	Cause of unrest is to be reported as per the following codes along with the description:

Code	Part-A	Code	Part-B
1	Wages and Allowances	1	Financial Stringency
2	Personnel(Promotion, Transfer, Dismissal, recruitment, Recruitment policy etc.	2	Breakdown of Machinery
3	Retrenchments	3	Shortage of Raw Materials
4	Lay-Offs	4	Shortage of Power

5	Indiscipline	5	Lack of demand/ Accumulation of Stock
6	Violence	6	Others not related to industrial dispute (to be specified) and
7	Leave, hours of work/shift working	7	Causes not known
8	Bonus		
9	Inter/Intra Union Rivalry		
10	Gheraos		
11	Work stoppage may be due to non implementation of or in connection with Labour Act, awards and agreements		
12	Charter of demands 9a copy of the charter of demand may be furnished to the Bureau in such cases)		
13	Work norms/Loads		
14	Shortage of work surplus Labour		
15	Demand for betterment of amenities		
16	Suspension/Change of manufacturing Process		
17	Regarding standing orders/rules/ service conditions/safety measures		
18	Other (Specify) related to industrial dispute (matter of dispute to be specified in such cases) and		
19	Causes not known		
20	Changes in government economic policy.		

Note: Where there are a large number of matters under dispute, the immediate one leading to the dispute should be mentioned. If there are a number of such immediate causes, the most important among them should be given first followed by others in order of importance. Additional causes coming up in the course of a dispute should be given in the remarks column. (Simply writing 'charter of Demand' will not make the cause clear. In such cases, the copy of charter of demands should be furnished.

7		Work stoppages may be due to non-implementation of 1. Labour Enactment code (x) 2. Labour Awards code(y) 3. Labour Agreements code(z) Under this column also Code x, y, or z is to be reported.
8	7	The actual date when the work-stoppage began, is to be given.
9	8	The last date when the work-stoppage was current during the month is to be reported under this column. A stoppage should be taken as terminated when the establishment has resumed its normal activity having filled up all or a sufficient number of vacancies caused by a work-stoppage either by restoring the workers involved or by employing new hands. In case the work-stoppage remained in progress during the next also the word 'continued' may be written.
10	9	(a) Only potential working days should be taken into account here. Thus, weekly offs and other scheduled holidays, when whole of the establishment would have remained closed, even if a work-stoppage had not taken place, should not be counted in the duration. However, in respect of continuous process factories which worker on all the days during the year, all the days would be reported. (b) Duration of less than a day should be specifically stated so.

		(c) If the work stoppage is continuous from earlier months and if the work stoppage is terminated during the month under report, the figure to be given in this column is the duration of the work-stoppage since its commencement to day of termination in the current month under report.
11	10	This number should be taken as the number of workers employed on the last regular working day of the month proceeding the one in which the work-stoppage took place and should include permanent, casual temporary workers also but should exclude any worker employed on special item of work not normally carried on by the employers.
12 & 13	11 & 12	The number 'affected directly' should be taken as the number of workers who are involved in the work stoppage. Other workers rendered idle due to the occurrence of the work stoppage should be taken as the number of workers **"affected indirectly".** The maximum number means the maximum number of workers affected on any day during the course of the work stoppage.
14 & 15	13 & 14	Mandays lost are obtained by adding actual vacancies caused by the work stoppage in each department in each shift. Here workers affected both directly and indirectly should be taken into account.
16 & 17	15 & 16	Figures in these two columns should be reported with the help of ACTUAL WAGE RECORDS .If there is need for estimation, it should be worked out by multiplying the number of mandays lost with the average wage per mandays including all cash allowances.
18 & 19	17 & 18	Actual value (in Rupees) of production loss is to be reported. This may be estimated in terms of money by taking the average net value of normal production of the establishment per mandays(from the average figure of THRE WAGE PERIODS and multiply it by the total number of mandays lost.
20	19	It should be based on the extend to which workers demands are met and should be shown under the following heads (i) successful, (ii) Partial successful, (iii) unsuccessful, (iv) indefinite(i.e work resumed pending negotiations or matter under dispute referred to an industrial tribunal)
21	20	'Yes' or 'NO' TO BE REPORTED. 'Yes' when intervened by the officers of the Industrial Relations Machinery for a settlement and 'No' when it is not so. The names of the Machinery viz. SIRM or CIRM in brackets need also to be indicated by giving the designation of such officer who intervened.
22	21	Details need to be furnished by using the following codes: Code No. Details. '1' When work resumed un-conditionally, affected workers having returned to work. '2' When the work resumed by replacement of workers affected. '3' Terminated through direct negotiations between the two parties including the medium of works or Joint Committees. '4' (a) By mediation (b) Conciliation (c) By arbitration — In the case of termination through the medium of thi party indicating agency as well viz. Industrial Tribun Industrial Court, Labour Court etc.
23	22	Under this column the name of the All India Central Organisation of Employees/employers viz. AITUC, BMS, UTUC, CITU, HMS, INTUC, NFITU, NLO, TUCC, UTUC, (LS) EFI, AIMO, AIOE, CIE, SCPE ETC. IS TO BE GIVEN.

NOTE: THIS RETURN SHOULD REACH THE PRESCRIBED AUTHORITY IN THE STATE BY 7TH OF THE SUCCEEDING MONTH AND IN LABOUR BUREAU SHIMLA BY 25TH OF THE SUCCEEDING MONTH, EVEN IF THE INFORMATION IS NIL.

CLOSURES*

PROFORMA FOR MONTHLY COLLECTION OF STATISTICS ON CLOSURES

Name of the state /Union Territory/Authority----------For the month of----------

Sr. No.	Industry Code along with its description(as per NIC-2004 at five digit level)	Name of the Establishment with full postal address and sector@ i.e. Public/private/joint/cooperative.	No. of workers employed in the establishments on the day prior to closure	Total no. of workers affected by closures	Reasons for closure**	Date of closure	Remarks if any.
1	2	3	4	5	6	7	8

*= Closure as defined under the I.D. Act including closures not requiring notice but excluding the off-season Closures.
**= Reasons: give the following code(s). In case of code 18 please specify the reason/details.
@ Please see footnotes as given under (**) Factories Act, 1948 at page - 2.

REASON FOR CLOSURES AND CODES

REASON	CODE	REASON	CODE
Wages, Allowances and Bonus	1	Due to problem of pollution	13
Transfer, Promotion, Dismissals etc.	2	Completion of Project/Termination of contract	14
Indiscipline	3	Land problem	15
Violence	4	Increase in production cost	16
Financial stringency	5	Change in government policy	17
Shortage of raw materials	6	Other causes, please specify	18
Shortage of power	7	Cause not known	19
Break down of machinery	8	Change in Government Economic Policies	20
Lack of demand/accumulation of stocks	9		
Shifting of premises/opening of new unit	10		
Due to arbitrary action of the management	11		
Workers problem/demand for better amenities	12		

THESE RETURNS SHOULD REACH THE PRESCRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH AND IN LABOUR BUREAU, SHIMLA, BY THE 25TH OF THE SUCCEEDING MONTH EVEN IF THE INFORMATION IS NIL.

RETRENCHMENT*

PROFORMA FOR MONTHLY COLLECTION OF STATISTICS ON RETRENCHMENT (IN ALL SECTORS OF ECONOMY)

Name of the state /Union Territory/Authority----------For the month of----------

No.	Industry Code along with its description(as per NIC-2004 at five digit level	Name of the Establishment with full postal address and sector@ i.e. Public/private/ joint/cooperative	No. of workers employed in the establishments on the day prior to retrenchment*	Total no. of workers employed in the categories to be retrenched on the day prior to the retrenchment.	Total number of workmen retrenched (category wise)	Date of retrench-ment	Causes of retren-chment	Rem-arks
1	2	3	4	5	6	7	8	9

*=Retrenchment as defined under the Industrial Disputes Act, 1947
@ Please see footnotes as given under (**) Factories Act, 1948 at page-2.

THESE RETURNS SHOULD REACH THE PRESCRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH AND IN LABOUR BUREAU, SHIMLA, BY THE 25TH OF THE SUCCEEDING MONTH EVEN IF THE INFORMATION IS NIL.

LAY-OFFS*

PROFORMA FOR MONTHLY COLLECTION OF STATISTICS ON LAY-OFFS (IN ALL SECTORS OF ECONOMY)

Name of the state /Union Territory/Authority----------For the month of----------

Sr. No.	Industry Code along with its description(as per NIC-2004 at five digit level	Name of the Establishment with full postal address and sector@ i.e. Public/private/ joint/cooperative	No Total o. of workers employed in the establishments on the last regular working of the month prior to lay-offs took place.	Total (maximum) no. of workers laid offs	Name of category of workers laid off and the no of workers laid off in each category	Duration of lay-offs(dates)		Reasons for lay-offs	Total no. of mandays lost		Remarks
						Began	Ended		During the month	Till the close of the month	
1	2	3	4	5	6	7	8	9	10	11	12

* = Lay- Offs as defined under the Industrial Disputes Act,1947
@ Please see footnotes as given under (**) Factories Act, 1948 at page - 2.

THESE RETURNS SHOULD REACH THE PRESCRIBED AUTHORITY BY THE 7TH OF THE SUCCEEDING MONTH AND IN LABOUR BUREAU, SHIMLA, BY THE 25TH OF THE SUCCEEDING MONTH EVEN IF THE INFORMATION IS NIL.

Explanation: - Every workmen whose name is borne on the muster roll of the industrial establishment and who presents himself for work at the establishment at the time appointed for the purpose during normal working hours of any day and is not given employment by the employer within two hours of his so presenting himself shall be deemed to have been laid off for that day within the meaning of this clause.

Provided that if the workman, instead of being given employment at the commencement of any shift for any day is asked to present himself for the purpose during the second half of the shift for the day and is given employment then, he shall be deemed to have been laid off only for one half of that day. –

Provided further that if he is not given any such employment, even after so presenting himself, he shall not be deemed to have been laid off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day.

NOTE: - This return should reach the Prescribed Authority by 7th of the succeeding month.

INSTRUCTIONS

1. Under Column 5 give the total number of workers laid off. This should be assured at by taking maximum number of workers laid off for all categories on any day during the month. The total number of workmen laid off in a particular unit should not exceed the total given in column 4.

2. In Column 10 give the total number of mandays lost due to lay off during the month. Mandays lost are obtained by adding up the actual mandays lost during the month on potential working days (i.e. excluding weekly holidays and other offs) For calculating the mandays lost follow the method used for calculating mandays lost for unrest. In column 11, give cumulative total of the mandays lost during the entire period of lay off. In case of continuing lay off it will be the cumulative total of mandays lost from the date of commencement till the close of the month.

3. The information in respect of lay off should be given separately for (a) New cases (i.e., the cases of lay off which started during the month for which the returns relates) and (b) Old cases (i.e., the cases of lay off which started in the previous month and continued during the whole of the current month or a part of the current month).
4. If a case of lay off could not be reported in the return of the month in which it took place and reported in later month, month-wise break up of mandays lost and workers affected should invariably be furnished.

DEFINITIONS:

- The following terms are defined as per the Industrial Disputes Act, 1947:
  - Work stoppage
  - Industry
  - Industrial Dispute
  - Strike
  - Lockout
  - Closures
  - Retrenchment
  - Lay-Off
  - Workman

WORK STOPPAGE

- Work stoppage means a temporary stoppage of normal activity in a unit as a result of which the persons employed in the unit are forced to remain away from their usual duties. Such a work stoppage may be either due to industrial dispute or for reasons other than industrial dispute, viz., financial stringency, strategic considerations, breakdown of machinery, natural calamities, accumulation of stocks, lack of demand, shortage of raw materials or electricity or power or coal, legal dispute about the title of factory or establishment, etc.

INDUSTRY

- Section 2(j) of the Industrial Disputes Act, 1947 defines industry as: Industry means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen

INDUSTRIAL DISPUTE

- Industrial Dispute is defined under the Act as:
- (i) as a dispute or difference between (a) employers and employers, or (b) employers and workmen, or © workmen and workmen;
- (ii) the dispute or difference should be connected with the (a) employment or non-employment, or (b) terms of employment or conditions of labour of any person;
- (iii) the dispute may be in relation to any workman or workmen or any other person in whom they are interested as a body.

STRIKE

- Section 2(q) of the Industrial Disputes Act, 1947 defines the Strike as:
- Cessation of work by a body of persons employed in any industry acting in combination; or
- A concerted refusal of any number of persons who are or have been employed in any industry to continue to work or to accept employment; or
- A refusal under a common understanding of any number of persons who are or have been employed in any industry to continue to work or to accept employment.

LOCKOUT

- Lockout as defined in section 2(i) of the said Act means closing of a place of employment, or the suspension of work, or refusal by an employer to continue to employ any number of persons employed by him.
- Strike is a weapon in the hands of the labour to force the employer to accept their demands. Similarly lockout is a weapon in the hands of the employer to coerce the labour to come down in their demands relating to the conditions of employment.

CLOSURES

- Section 2 (cc) of the Industrial Disputes Act, 1947 defines the Closure as “the permanent closing down of a place of employment or part thereof and is taken as one, which may have occurred due to industrial dispute, or also because of reasons other than industrial dispute such as financial stringency, shortage of coal/power, inter/intra union rivalries, accumulation of stock, breakdown of machinery, shortage of raw material indiscipline, violence etc.”

RETRENCHMENT

- Section 2(oo) of the said Act defines the retrenchment as: the termination by the employer of the services of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include
- Voluntary retirement of the workman;
- Retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman contains a stipulation in that behalf; or,
- Termination of the service of the workman as a result of the non renewal of the contract of employment between the employer and the workman;
- Termination of the service of a workman on the ground of continued ill health.

LAY-OFF

- Lay-Off, as defined under Section 2(kkk) of the Industrial Disputes Act, 1947, mean the failure, or refusal or inability of an employer on account of shortage of coal, or raw materials or the accumulation of stock, the break down of machinery, natural calamity or for any other connected reason, to give employment to a workman whose name is on the muster rolls of his establishment and who has not been retrenched.

WORKMAN

- The Section 2(s) of the Act defines 'Workman' as follows:
- "Workman means any person (including an apprentice) employed in any industry to do any skilled or unskilled, manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied, and for the purpose of any proceedings under this Act in relation to and industrial dispute, includes any such person who has been dismissed, discharged, or retrenched, in connection with, or as a consequence of that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person":
- Any person governed by Army, Air Force or Navy Acts;
- Any person employed in police or prison;
- Any person employed in a managerial or administrative capacity; and
- If employee is working in a supervisory capacity, he must not be working in a managerial capacity and must also be not drawing wages exceeding rupees five hundred.

Annexure-11b

CLOSURES/RETRENCHMENT/LAY-OFFS

MONTHLY REPORT ON STATISTICS ON CLOSURES/RETRENCHMENT/LAY-OFFS IN ALL SECTORS OF ECONOMY

Name of State / Union Territory / Authority ……..for the month of ……

Sl. No.	Industry code alongwith its description (as per NIC-2008 at five digit level)	Name of the establishment with full postal address mentioning sector of ownership (i.e., Public, Private, Co-operative or Joint)	Total number of workmen in the establishment as on the last regular working day of the month preceding the one in which Closure/Retrenchment/LAY-OFFS took place	Total No. of workers [Affected by the Closure/ Retrenched/ Maximum Worker) laid-off]	Reasons for (Closure/ Retrenched/ LAY-OFFS)	Date of Closure/ Retrenchment	In Case of Lay-Offs				Remarks
							Duration of Lay-Offs (Dates)		Total number of man-days lost		
							Begin	Ended	During the Month	Till the close of the month	
1	2	3	4	5	6	7	8	10	11	12	13
Closure											
Retrenchment											
LAY-OFFS											

Chapter 10: The Trade Union Act, 1926
Simplification of return & its E-capturing

Trade Unions have grown due to rapid economic development and development in particular. The setting up of industrial units involving wide spread use of machinery, changes in working and living conditions of workers, concentration of industries in large towns have brought the workers together to maintain and improve their bargaining power and hence, their employment conditions.

The Government of India passed the 'Trade Unions Act, 1926'to regulate conditions governing the registration of Trade Unions, obligations imposed on a registered Trade Union and right and liabilities thereof.

The Rules Framed under the "Trade Unions Act,1926 impose obligation on the registered Trade Unions (Workers & Employers) to submit annual statutory return in the prescribed format to the Registrar of their respective States/ Union Territories. These State/U.T. Authorities in turn furnish the consolidated data in respect of the entire State/U.T. to the Labour Bureau. The Labour Bureau compiles and disseminates these statistics at All India level.

The coverage of the Act is confined to (a) only persons engaged in Trade or Business (which includes an Industry) can form a trade union or become members of the trade union. As such persons employed in Raj Bhawan for domestic and other duties cannot form a trade union. Likewise, the government servants engaged in the task of sovereign and legal functions are not entitled to the registration of a trade union; (b) The Trade Unions Act 1926 applies to the whole of Indian Union; and (c) Any person who has attained the age of 15 years may become the member of a registered trade union.

Labour Bureau brings out biennial publication on the basis of statistics collected under the act. The returns used under 'The Trade Unions Act, 1926' are enclosed at **Annexure-12A**. The Committee set up for the purpose of simplification of returns believed that the information sought under the return are adequate and is used in the

publications of labour Bureau in totality. Therefore, No changes have been suggested in the returns used under the act.

Calender year data is collected from the primary units (i.e. Trade Union/Federation of Trade Unions) in **Part-A and Part-B of the prescribed annual return** and the information collected from primary units is consolidated by the State authorities in the **annual return (containing Part-A to Part-E) designed** for the purpose.

Electronic capturing of data in Primary Return

Part A; When the user logs in, his particulars as available in the official records of the State Labour Authorities would automatically come in Part A of the form under the subheads A. (1) to A. (11) in the space provided against the items in the block. Also, the user would be provided with a facility to update the records present in the block which will automatically update the database maintained by the server. The remaining items in the block can be classified as dynamic or static as under

Item No	Item Description	Classification
12	No. of members on books at the beginning of the year	Dynamic (Item 15 of previous years Return)
13	No. of members admitted during the year	Static
14	No. of members who left during the year	Static
15	No. of members on books at the end of the year	Dynamic (Item 12 + Item 13 – Item 14)
15. a	Male	Static
15. b	Female	Static
15. c	Total	Dynamic (Item 15)
16	No. of members contributing to Political Fund	Static
17	No. of members who paid their subscription for the whole year	Static

Part B. General Fund/Account; this block is meant to capture Income & Expenditure Details of the General Account of the Trade Union. Here the variable 'Balance at the beginning of the year' is a dynamic variable and will be equal to the previous year's balance at the end of the year. Rest of the variables in both the sections, i.e. Income and Expenditure would be Static Variables to be entered by the data entry operator. However, it has to be dynamically ensured that the totals of both the sections are equal.

Part B. Political Fund/Account; this block purports to capture Income & Expenditure Details of the Political Account of the Trade Union. Here the variable 'Balance at the beginning of the year' is a dynamic variable and will be equal to the previous year's balance at the end of the year. Rest of the variables in both the sections, i.e. Income and Expenditure would be Static Variables to be entered by the data entry operator. However, it has to be dynamically ensured that the totals of both the sections are equal.

Part B. Liabilities and Assets; this block contains information on Liabilities and Assets of the Trade Union. All the variables in both the sections, i.e. Liabilities and Assets are Static Variables to be entered by the data entry operator. But the Total Liabilities should dynamically match with the Total Assets of the Trade Union furnishing the return. Also, the item, "Cost Price of Securities" in Assets section would be equal to the total cost price of securities arrived dynamically from the Block "List of Securities".

Part B. List of Securities; this block gives details of the securities in hold of the Trade Union. All the variables in the section are Static Variables to be entered by the data entry operator.

Similar treatment should be given to the return furnished by the Federation of Trade Unions as primary return resembles Part A & B as discussed above.

Electronic capturing of data in Consolidated Return

It is proposed that every user (State Labour Commissioner) would be given one time log-In and Password to enter into the form. When the user logs in, particulars like 'Name of the State' and 'Report for the period' would automatically come in the space provided against the items in the form. Also, the user would be provided with a facility to update the records as and when required by the user.

Return A & B; of the return is purported to capture Members/Unions details, General Fund and Provident fund aggregates for industries classified at NIC 5 digit level. Column 1 (Total Number of Unions/Federations on Register) is a static column and can be entered by concerned authorities. But Column 3 is information on the number of Unions/Federations submitting returns and can be depicted from the response of the primary units as under:

$$\text{Column 3} = \sum_{\text{Primary return}} \left[\text{Part A. form} \right]$$

Data on Number of Members/Unions, General Fund and Provident Fund during the year are again, dynamic variables and can be algebraically calculated as given below:

Number of Members/Unions at the beginning of the year

$$\text{Column 4} = \sum_{\text{Primary return}} \left[\text{Part A.} \left(\text{Item. 12} \right) \right]$$

Number of Members/Unions Joined during the year

$$\text{Column 5} = \sum_{\text{Primary return}} \left[\text{Part A.} \left(\text{Item. 13} \right) \right]$$

Number of Members/Unions Left during the year

$$\text{Column 6} = \sum_{\text{Primary return}} \left[\text{Part A.} \left(\text{Item. 14} \right) \right]$$

Number of Members/Unions at the end of the year

$$\text{Column 7 (Male)} = \sum_{\text{Primary return}} \left[\text{Part A.} \left(\text{Item. 15 [Male]} \right) \right]$$

Above formula can be extended to other categories of staff.

General Fund

$$\text{Column 10} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Income Section [Opening balance]} \right) \right]$$

$$\text{Column 11} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Subs + Don + Sale +Int + other Inc]} \right) \right]$$

$$\text{Col 12} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Exp Sec [Sal + TA + Fee +Cost + Rent + Exp (Sec 15 (i) + other Exp]} \right) \right]$$

$$\text{Column 13} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Expenditure Section [Closing balance]} \right) \right]$$

Similar Formulae can be drafted for Political Fund aggregates required under

Column 14 to Column 17.

Data on 'Income by Sources' is collected in **Return C** of the form. The entire block on income in Columns 2 to 7 is to be derived dynamically by formula;

$$\text{Column 2} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Contribution from members]} \right) \right]$$

$$\text{Column 3} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Donations]} \right) \right]$$

$$\text{Column 4} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Sale of Periodicals, books, etc]} \right) \right]$$

$$\text{Column 5} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Interests on Investments]} \right) \right]$$

$$\text{Column 6} = \sum_{\text{Primary return}} \left[\text{Part B.} \left(\text{Inc Section [Income from Misc Sources]} \right) \right]$$

$$\text{Column 7} = \text{Column 2} + \text{Column 3} + \text{Column 4} + \text{Column 5} + \text{Column 6}$$

Provision for remarks, if any, is made in Column 8 of the return.

Similarly, Entire return D (Distribution of Expenditure) can be dynamically arrived from expenditure section (Part B) of the primary return. Analogous to formulae framed under return C of the form, information in Return-E (Lialibilities and Assets) can be derived dynamically from the statement of liabilities & assets of the primary return.

Trade Unions Section: is meant for consolidation of data on the number of Unions on register and the number of unions submitting returns during the year to the authority. Also frequency distribution of membership separately for males and females are sought under the section. The information as required by Labour Bureau under this section can be dynamically arrived from relevant portions (Part A) of the primary return.

Once all the entries are consolidated in the form, a submit button may be proposed in the form which would transmit data electronically into the database of Labour Bureau.

THE TRADE UNIONS ACT, 1926

FORM FOR TRADE UNIONS

Annual Returns prescribed under Section 28 of the Trade Unions Act, 1926,
for the year ending 31st December,....

(**TO BE SUBMITTED TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF THE SUCCEEDING YEAR)**

PART—A

1. Name of the Union.
2. Address of the Union.
3. Registered Head Office.
4. Number and date of certificate of registration.
5. *Classification of Industry to be shown as per National Industrial Classification, 1987, (up to 4 digit level)
6. *Classification of Sector [Please state to which of the following three categories, the union belongs :
   (a) Public Sector-Central Sphere ;
   (b) Public Sector-State Sphere ;
   (c) Private Sector.
7. Name of the All-India Body/Federation to which affiliated.
8. Affiliation number.
9. Affiliation fee paid during the year (Rs.).
10. Number and date of receipt for payment of affiliation fee.
11. Membership fee per month (Rs.).
12. Number of members on books at the beginning of the year.
13. Number of members admitted during the year.
14. Number of members who left during the year.
15. Number of members on books at the end of the year; (i.e., on 31st December, 20 . . . . . .) :-

Male	Female	Total

16. Number of members contributing to political fund.
17. Number of members who paid their subscription for the whole year.
18. A copy of the Rules of the Trade Union corrected upto the date of despatch of this return is appended.
19. Part-B of the return overleaf has been duly completed.

Dated the :..... Secretary

*If the union falls under more than one category, the membership claimed in each category may be shown separately.

PART—B
General Fund/Account

Income	Rs.P.	Expenditure	Rs.P.
Balance at the beginning of the year		Salaries and allowances of Office bearers	
Subscription from members (including unpaid subscriptions due for the year.)		Travelling allowance, salaries, allowances and expenses of establishment	
(a) Subscription received		Auditor's fee	
(b) Subscription in arrears for three months or less		Legal expenses	
(c) Subscriptions in arrears for more than three months		Expenses in conducting Trade disputes	
		Compensation paid to members for loss arising out of trade disputes	
		Funeral, old age, sickness, unemployment benefits, etc	
		Educational, social and religious benefits	
Donations		Cost of publishing periodicals	
Sale of periodicals, books, Rules, etc.		Rent, rates and taxes	
		Stationery, printing & postage	
Interest on investments		Expenses incurred under Section 15 (i) of the Trade Unions Act, 1926 (to be specified)	
Income from miscellaneous sources*(to be specified)		Other expenses**(to be specified)	
		Balance at the end of the year	
		(a) Cash in hand	
		(b) Cash in Bank	
		(c) Others (specify***)	
Total:-		Total:-	

POLITICAL FUND ACCOUNT

Income	Rs.P.	Expenditure	Rs.P.
Balance at the beginning of the year		Payments made on objects specified in Section 16(2) of the Trade Unions Act, 1926 (to be specified)	
Contributions from members@ Per member		Expenses of management (to be specified)	
		Balance at the end of the year	
		(a) Cash in hand	
		(b) Cash in Bank	
		(c) Others (specify)	
Total :-		Total :-	

Treasurer

Loan will be reported under this heading indicating the amount of loan distinctly—being recovery of loan/loan taken *from other sources

**Repayment of loan will be reported under "Other Expenses" indicating the amount as "Repayment of loan"

***For example: "Subscription in arrears" etc.

PART—B—contd.

STATEMENT OF LIABILITIES AND ASSETS ON THE 31ST DAY OF DECEMBER, 20 . . . . .

Liabilities	Rs. P.	Assets	Rs. P.
Amount (Balance) of General Fund	. . . . .	Cash—	
		In hands of Treasurer	. .
Amount (Balance) of Political Fund	. . . . .	In hands of	. .
		In the Bank	. .
Loans from—		Securities as per list below (Cost price)	. .
		Unpaid subscription due for—	. .
		(a) the year	. .
		(b) the previous year	. .
Debts due to*—		Loans to—	. .
		(a) Office bearers	. .
		(b) Members	. .
		(c) Others	. .
Other liabilities (To be specified)		Immovable property	. .
		Goods and furniture	. .
		Other assets (to be specified)	. .
Total liabilities :-		Total assets :-	

*Specific purpose may be mentioned, e.g. things purchased on credit etc.

LIST OF SECURITIES

Particulars	Face value (Rs.)	Cost price (Rs.)	Market price on date on which accounts have been made up (Rs.)	In hands of

Treasurer

AUDITOR'S REPORT

We have audited the foregoing 'General Fund Account' and the 'Political Fund Account' of the.....(Name of the Trade Union) for the year ending.....and also the Statement of Liabilities and Assets and the List of Securities of said Trade Union as on.....and report that :-

(i) We have obtained all the information and explanations and have had access to all the books and accounts of the Trade Union which were necessary for the purposes of our audit :

(ii) The Trade Union has properly maintained its Membership Register and its books of accounts as required by law.

(iii) (Subject to whatever remarks or qualifications the auditor wants to make). In our opinion and to the best of our information and according to the explanation given to us, the foregoing accounts, statement and list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

NOTE : If the state of the account is such that Auditor is unable to express the opinion on the 'True and Correct' aspect of the accounts, statement and list, he should state his reasons therefor.

Chartered Accountant

PART—B—concld.

The following changes of Office-Bearers have been made during the year :--

Office-Bearers Relinquishing Office

Name	Office	Date of relinquishing Office

Office-Bearers Appointed

Name	Date of Birth	Private Address	Personal Occupational	Title or position held in union	Date on which appointment to col. 5 was taken up	Other Offices held in addition to membership of executive with date
1	2	3	4	5	6	7

Elections

Date of last election of the Office-Bearers	Date of next election of the Office-Bearers

Secretary

FORM FOR FEDERATION OF TRADE UNIONS
(TO BE SUBMITTED TO THE PRESCRIBED AUTHORITY BY FIRST FEBRUARY OF THE SUCCEEDING YEAR)

Annual returns prescribed under section 28 of the Trade Unions Act, 1926 for the year ending 31st December.....

PART 'A'

1. Name of the Federation.

2. Address of the Federation.

3. Registered Head Office.

4. Number and date of certificate of registration.

*5. Classification of industry (to be shown as per National Industrial Classification, 1987 (up to 4 digit level.)

*6. Classification of sector [Please state to which of the following three categories, the Federation belongs :--
(a) Public Sector—Central Sphere;
(b) Public Sector—State Sphere;
(c) Private Sector]

7. Name of the All-India Body to which affiliated.

8. Affiliation Number.

9. Affiliation fee paid to the All-India Body to which affiliated during the year (Rs.).

10. Date of Payment of affiliation-fee to the All-India Body.

11. Membership fee charged from affiliated unions by the Federation during the year (Rs.).

12. Number of affiliated unions at the beginning of the year and their Membership.

13. Number of unions joined during the year and their membership

14. Number of unions disaffiliated during the year and their membership.

15. Number of affiliated unions at the end of the year and their membership.

16. Number of members contributing to Political Fund.

17. Number of unions which paid their affiliation fee for the whole year.

18. A copy of the Rules of the Federation corrected up to the date of despatch of this return is appended.

19. Part 'B' of the return overleaf has been duly completed.

Dated . . . . . Secretary

*If the Federation falls under more than one category the membership in each category may be shown separately.

PART 'B'

GENERAL FUND ACCOUNT

Income	Rs. P.	Expenditure	Rs. P.
Balance at the beginning of the year		Salaries, Allowances and expenses of Office bearers	
Subscriptions from member (including unpaid subscriptions due for the year):--		Travelling allowances, salaries, allowances and expenses of establishment	
		Auditor's fee	
(a) Subscriptions received		Legal expenses	
		Expenses in conducting trade disputes	
(b) Subscriptions in arrears for three months or less		Compensation paid to members for loss arising out of trade disputes	
(c) Subscriptions in arrears for more than three months		Funeral, old age, sickness, unemployment benefits, etc.	
		Educational, social and religious benefits	
Donations		Cost of publishing periodicals	
Sale of periodicals, books, Rules, etc.		Rent, rates and taxes	
		Stationery, printing and postage.	
Interest on investment		Expenses incurred under Section 15(i) of the Trade Unions Act, 1926 (to be specified).	
Income from miscellaneous sources*(to be specified)		Other expense **(to be specified)	
		Balance at the end of the year	
		(a) Cash in hand . .	
		(b) Cash in Bank . .	
		(c) Others (specify***) . .	
Total :--		Total :--	

*Loan will be reported under this heading indicating the amount of loan distinctly—being recovery of loan/loan taken from other sources.
**Repayment of loan will be reported under "Other Expenses" indicating the amount as "Repayment of Loan".
***For example "Subscription in arrears" etc.

POLITICAL FUND ACCOUNT

Income	Rs. P.	Expenditure	Rs. P.
Balance at the beginning of the year		Payments made on objects specified in Section 16 (2) of the Trade Unions Act, 1926(to be specified)	
Contributions from members@ per member :--		Expenses of management (to be specified)	
		Balance at the end of the year	
		(a) Cash in hand . .	
		(b) Cash in Bank . .	
		(c) Others (specify) . .	
Total :--		Total :--	

PART- B—contd.

STATEMENT OF LIABILITIES AND ASSETS ON THE 31ST DAY OF DECEMBER, 20.....

Liabilities	Rs. P.	Assets	Rs. P.
Amount (Balance) of General Fund		Cash	
Amount (Balance) of Political Fund		In hands of Treasurer	
		In hands of Secretary	
		In hands of	
		In the Bank	
		In the Bank	
Loans from		Securities as per list below (Cost price)	
		Unpaid subscription due for	
		(a) the year	
		(b) previous year	
Debts due to		Loans to	
		(a) Office bearers	
		(b) Members	
		(c) Others	
Other liabilities		Immovable property	
(to be specified)		Goods and furniture	
		Other assets (to be specified)	
Total liabilities :-		Total assets :-	

LIST OF SECURITIES

Particulars	Face Value (Rs.)	Cost Price (Rs.)	Market price on date on which accounts have been made up (Rs.)	In hands of

Treasurer

AUDITOR'S REPORT

We have audited the foregoing "General Fund Account" and the 'Political Fund Account' of the. . . . (Name of the Federation of Trade Unions) for the year ending. . . . . and also the Statement of Liabilities and Assets and the List of Securities for the said Federation as on. . . . . .and report that :--

(i) We have obtained all the information and explanations and have had access to all the books and account of Federation which were necessary for the purposes of our audit;

(ii) The Federation has properly maintained its membership register and its book of accounts as required by law;

(iii) (Subject to whatever remarks or qualifications the auditor wants to make). In our opinion and to the best of our information and according to the explanation given to us, the foregoing accounts, statement and list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Federation.

NOTE :-- If the state of the account is such that Auditor is unable to express the opinion on the 'True and Correct' aspect of the accounts, statement and list, he should state his reasons therefor.

Chartered Accountant

PART- B—concld.

The following changes of Office-Bearers have been made during the year :--

Office-Bearers Relinquishing Office

Name	Office	Date of relinquishing Office

Office-Bearers Appointed

Name	Date of Birth	Private Address	Personal Occupational	Title or position held in Federation	Date on which appointment in column 5 was taken up	Other Offices held in addition to membership of executive with date
1	2	3	4	5	6	7

Elections

Date of last election of the Office-Bearers	Date of next election of the Office-Bearers

Secretary

THE TRADE UNIONS ACT, 1926
CHECKS FOR ANNUAL RETURNS OF TRADE UNIONS/FEDERATIONS OF TRADE UNIONS

PART—A

1. Returns should be scrutinised carefully.

2. Ensure that required information is given and the return is complete in every respect.

3. Ensure that correct classification of industry up to four digit level of National Industrial Classification, 1987 is done against item 5. If more than one industry is involved ensure that the membership is given separately under each industry group.

4. Check that correct classification of Sector/Spheres against item 6 (i.e. Public Sector-Central Sphere/State Sphere; Private Sector) has been given.

5. The monthly membership fee reported against item 11 should be the same as provided in the Rules of particular Trade Union/Federation of Trade Unions for the period under report (i.e., this should be checked with the copy of the Rules for the period under report).

6. Item 12=Item 15 of previous years Return.

7. Item 15 (Total figures)=Item 12+Item 13**-**Item 14.

8. Ensure that against item 15, sex-wise information is furnished in respect of Trade Unions. Also check its consistency with the figures of the previous year.

9. Ensure that corrected and up-to-date copy of Rules is enclosed.

PART—B
GENERAL FUND AND POLITICAL FUND

10. The balance shown at the beginning of the year should be the same as shown at the end of the previous year's statement.

11. Total of 'Income column' and total of 'expenditure column' should tally with each other.

LIABILITIES AND ASSETS

12. See that total liabilities and total assets tally with each other.

13. Ensure that amount shown against securities is the total cost price of all the securities mentioned in the list of securities.

AUDITOR'S REPORT

14. It should be ensured that the Auditor's Report has been given in each return duly signed by the qualified auditor approved by the Registrar of the Trade Unions.

15. Check that all details regarding office bearers/elections as asked for in the Return have been furnished.

GENERAL

16. Get all discrepancies/errors clarified before consolidation work is take up.

17. To improve the degree of response, ensure that returns have been received from all Unions. Check with the list of Unions kept by the Registrar of Trade unions.

THE TRADE UNIONS ACT, 1926
Statistics of Trade Unions registered under Trade Unions Act, 1926
RETURN-A
REGISTERED TRADE UNIONS

State :
Year :

Industries as per NIC-2004 up to 5 digit level		Total number of Unions on Register	Number of Unions submitting returns	Number of Members						General Fund (Rs.)				Political Fund (Rs.)			
				At the beginning of the year	Joined during the year	Left during the year	At the end of the year			Opening Balance	Income	Expenditure	Closing Balance	Opening Balance	Income	Expenditure	Closing Balance
							Male	Female	Total								
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
(A)	Central Unions (Unions whose objects are not confined to one State) (i) Unions in Private Sector @ (Industry – wise)*																
Total of Central Unions in Private Sector																	
(ii)	Unions in Public Sector @ (a) Unions in Central Sphere (Industry-wise)*																
	Total of Central Unions in Central Sphere																
(b)	Unions in State Sphere (Industry-wise)																
	Total of Central Unions in State Sphere																
	Total Central Unions instate Sphere																
	Total Central Unions in Public Sector@																
	Total of Central Unions in all Sectors																
(B)	State Unions (Unions whose objects are confined to the State																
(i)	Unions in Private Sector @ (Industry-wise)*																
	Total of State Unions in Private Sector @																
(ii)	Unions in Public Sector @																
(a)	Unions in Central Sphere (Industry-wise)*																
Total of State Unions in Central Sphere																	
(b)	Unions in State Sphere (Industry-wise)*																
	Total of State Unions in State Sphere																
	Total of State Unions in Public Sector @																
	Total of State Unions in all Sectors																
	GRAND TOTAL ALL UNIONS ALL SECTORS																

* Industry-wise break-up should be as Section of Industries (one digit level) Division of Industries (two digit level)/Group of Industries (three digit level)/Class of Industries (four digit level)/subclass of Industries (five digit level) Total of All Classes of Industries in a 'Group of Industries/Total of all Group' of Industries in a Division of Industries""/Total of all Division of industries in a 'Section of Industries'/Total of all Sub Section Industries to give 'all Industries ' figures.

@ Please see foot note at page 2.

N.B. – Please furnish information in respect of Workmen's Unions and Employers Unions separately.

RETURN 'B'

STATISTICS RELATING TO REGISTERED FEDERATIONS

State :
Year :

Industry As per NIC-2004 Up to 5 digit level	Number of Federations on register	Number of Federations submitting returns	Number of Unions				General Funds (Rs.)				Political Funds (Rs.)			
			At the beginning of the year	Affiliated during the year	Disaffiliated during the year	At the end of the year	Opening Balance	Income	Expenditure	Closing Balance	Opening Balance	Income	Expenditure	Closing Balance
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Same as in Column 1 of Return 'A'														

N.B.: - Please furnish information in respect of Workmen's Federations and Employers' Federations separately.

RETURN 'C'

ANALYSIS OF INCOME (RS.) BY SOURCES

State :
Year :

Industries As per NIC-2004 Up to 5 digit level	Contributions from members	Donations	Sale of periodicals, books, rules etc.	Interest on Investment	Income from miscellaneous sources	Total Income	Remarks
1	2	3	4	5	6	7	8
Same as in Column 1 of Return 'A'							

N.B.: - Please furnish information in respect of the Workmen's Unions and the Employers' Unions separately.

RETURN 'D'

DISTRIBUTION OF EXPENDITURE (Rs.)

State :
Year :

Industries as per 'NIC-2004' Up to 5 digit level	Salaries, allowances & expenses of Office bearers	Expenses of establishment *	Auditor's fee	Legal expenses	Expenses in conducting trade disputes	Compensation paid to members for loss arising out of trade disputes	Educational social & religious benefits	Funeral , old age, sickness unemployment benefits etc.	Cost of publishing periodicals	Other expenses #	Total expenses	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13
Same as in Column 1 of Return 'A'												

* This should include salaries, allowances and expenses of establishments, rents, taxes, stationery, printing and postage and exclude information in respect of expenditure on Office bearers.

Major items of expenditure should be specified (in column Headings).

N.B. Please furnish information in respect of Workmen's Unions and the Employers' Unions separately.

RETURN 'E'

ANALYSIS OF LIABILITIES (Rs.) AND ASSETS (Rs.)

State :
Year :

Number of Unions accounted for	Liabilities					Assets										
										Loans to						
	General Funds	Political Funds	Loan	Other Liabilities*	Total Liabilities	Cash **	Securities @	Unpaid subscriptions for the current year	Unpaid subscriptions due for the previous year	Office bearers	Members	Others	Immovable properly	Goods and furniture #	Miscellaneous $	Total Assets
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

* This should include all debts and other liabilities.

** This should include bank balance also.

@ This should be shown at cost price.

Fixtures should also be included.

$ This should include interest due but not received and other assets.

N.B.: Please furnish information in respect of the 'Workmen's Unions and the Employer' Unions separately.

TRADE UNIONS

Preparation of Annual Report on the working of the Act for the calendar year ……

1. An Annual Report on the working of the Act is also to be furnished in respect of the whole State/Union Territory along with the consolidated returns by the Registrar of Trade Unions.

2. It is suggested that information, at least, on the following points should be included in the report along with other points, if any, separately for Workmen's and Employers' trade unions/Federations of trade unions by Central Unions and State Unions. (Even these two categories of Unions, i.e. Central and State, are required to be split up according to Public Sector-Central Sphere/State Sphere and Private Sector). .

(i) Number of Unions on Register as on 31st December of the year and number of Unions submitting returns during the year. This information is to be given under the following heads separately for Workmen's and Employers' trade unions/federations of trade unions.

Classification of Unions				Number of Unions on Register as on 31st December*	Number of Unions submitting returns during the year@
1				2	3
A	Central Unions				
	(i)	Unions of Private Sector			
	(ii)	Unions of Public Sector			
		(a)	Central Sphere		
		(b)	State Sphere		
			Total Central Unions in Public Sector		
			Total Central Unions in all Sectors		

1				2	3
B	State Unions				
	(i)	Unions of Private Sector			
	(ii)	Unions of Public Sector			
		(a)	Central Sphere		
		(b)	State Sphere		
			Total State Unions in Public Sector		
			Total State Unions in all Sectors		

(ii) Details of registrations and cancellations during the year by major industrial classifications.

* The total number of Unions is to be given against each classification from the administrative records of the Registrar of Trade Unions.

@ The total number of Unions submitting returns during the year is to be given against each classification. The figures should tally with the number of Unions reported in Returns ('A' and 'B').

(iii) Membership separately for males and females and frequency distribution under the following heads: -

Class Interval		Total Membership		
	Number of Unions	Male	Female	Total
Below 50				
50-90				
100-299				
300-499				
500-999				
1000-1999				
2000-4999				
5000-9999				
10000-19999				
20000 and above				

(iv) Financial position : (a) Analysis of Income, (b) Analysis of Expenditure

(v) Assets and Liabilities

(vi) Audit

(vii) Important activities of trade unions/federations of trade unions.

(viii) Growth of trade unions, rivalries between trade unions and steps to promote healthy trade unionisms.

(ix) Contribution to Political Fund or any other Special Fund.

Maintenance of proper Registers/Records, etc., by the Registrar of Trade Unions

1. Under Section 8 of the Act, the Registrar of Trade Unions, on being satisfied that the applicant trade union has compiled with all the requirements of this Act, in regard to registration, shall register the trade unions by entering in a Register, to be maintained in such form as may be prescribed, the particulars relating to the trade union contained in the statement accompanying the application for registration. Accordingly, the Registrar of Trade Union is required to maintain a "Register of Trade Unions" in the form prescribed in the respective State Regulations made under the Act.

2. The Registrar of Trade Unions should also maintain registers and records specially in respect of each 'Return' required by the Labour Bureau. Separate registers may be maintained in respect of Employees' and Employers' and Workmen's trade unions/federation of Trade Unions by Central/State Unions Private/Public (Central/State Spheres) Sectors and Industry-wise (Section, Division, Group, Class of Industries) and sub class of Industries. Such registers will facilitate the preparation of consolidated returns.

Despatch of consolidated returns and annual report in time:

The due date for the receipt of the Annual Reports on the working of the Act along with the five consolidated return (i.e. Returns 'A', 'B', 'C','D' and 'E') in the Labour Bureau is 30th September of the succeeding year.

It is utmost importance that the Annual Reports and consolidated returns are furnished in time to avoid delays in the presentation of results at all-India level.

CHECKS FOR ANNUAL RETURNS OF TRADE UNIONS / FEDERATIONS OF TRADE UNIONS

TRADE UNIONS

STATE RETURNS

1. Ensure that separate returns are there for 'Workmen's and Employers' Unions.
2. Ensure that information is furnished in respect of each classification shown in column 1 of Return 'A' for the Returns A,B, C and D.
3. If the information is 'NIL' in respect of any of the classification ensure that the fact is mentioned in each return A and B.
4. Ensure that in columns 2 and 3 of Returns A and B the number of Unions/Federations on register and the number of Unions/Federations submitting returns respectively are furnished in respect of each class of Industry.

RETURN - A

5. Column 4 = Column 9 of previous year Return If the same unions are reported for the two years.
6. Column 10= Column 13 of previous year Return if the same Unions are reported for the two years.
7. Column 14= Column 17 of previous year Return if the same Unions are reported for the two years.
8. Column 9= Column 4+Column5-Column6=Columns 7+8
9. Columns 10+11=Columns 12+13
10. Column 14+15= Column 16+17
11. Check totals i.e.,

    (a) Add up the figures of Classes to give Group Total.
    (b) Add up Groups figures to give Division Total.
    (c) Add up Divisions to give Section Total.
    (d) Add up Section figures to give All Industries Total.
    (e) Ensure that separate totals of 'All Industries' are there for (i) Public Sector and (ii) Private Sector.
    (f) Under Public Sector ensure that Separate 'All Industries' totals are given separately for (i) Central Sphere and (ii) State Sphere.
    (g) Ensure that totals of 'Private Sector' and 'Public Sector' have been done separately under Central Unions as State Unions are classified in Columns 1.

    (h) Ensure that Grand Total combining the figures of (A) Central Unions and (B) State Unions is invariably given.

RETURNS – B FEDERATION OF TRADE UNIONS

1. Return 'B' is exactly the same as Return 'A' but here in this return information is to be given in respect of Federations of Trade Unions.
2. Ensure that separate returns are prepared for Registered Workmen's Federations and Employers' Federations.
3. Ensure that in Columns 4 to 7 information in respect of number of Unions affiliated are given and not the membership as in Return 'A'.
4. Column4=Column7 of the previous year return if same Federations of Trade Unions report for the two years.
5. Column 8=Column 11 of the previous year return if same Federations of Trade Unions report for the two years.
6. Column 12= Column 15 of the previous year return if same Federations of Trade Unions report for the two years.
7. Column 7 + Columns 4+5+6
8. Columns 8+9 = Columns 10+11
9. Columns 12+13 = Columns 14+15
10. Check the totals as explained for Return 'A'

RETURN – C and D (FOR GENERAL FUND ACCOUNT ONLY)

1. Ensure that in Returns C and D information has been given in respect of each class of Industry as reported in Return 'A'.
2. Ensure that separate returns have been prepared for Workmen's Unions/Federations and Employers' Unions Federations.
3. Ensure that information is furnished in respect of General Fund Account only.

RETURN -C

4. (a) Column 7 of Return 'C' of Trade Unions =Columns 2+3+4+5+6 = Columns 11 of Return 'A'.
   (b) Column 7 of Return 'C' of Federation of Trade Unions = Column2+3+4+5+6 = Column 9 of Return 'B'
5. Check the totals as explained for Return 'A'.

RETURN – D

6. Column 12 = Columns 2+3+4+5+6+7+8+9+10+11

   (a) Column 12 of Return 'D' of Trade Unions = Column 12 of Return 'A'
   (b) Column 12 of Return 'D' of Federations of Trade Unions = Column 10 of Return 'B'
7. Check Totals as explained for return 'A'

RETURN – E

1. Ensure that only Total Figures for All Industries are reported under each Column.
2. Ensure that separate information is furnished in respect of Workmen's Unions. Federations of Workmen's Unions and Employers Unions/ Federations of Employers' Unions.
3. Column 6 = Column 2+3+4+5 = Columns 7+8+9+10+11+12+13+14+15+16 = Column 17.
4. Column 1 = Column 3 of Return 'A' or 'B' as the case may be for W.T.U./W.F.T.U. or E.T.U/E.F.T.U

W.T.U. = Workmen's Trade Unions.
W.F.T.U. = Workmen's Federation of Trade Unions
E.T.U. = Employer's Trade Unions
E.F.T.U. = Employers' Federations of Trade Unions.

THE ANNUAL ADMINISTRATIVE REPORT ON THE WORKING OF THE ACT ALONGWITH THE FIVE CONSOLIDATED RETURNS 'A', 'B', 'C', 'D' AND 'E' SHOULD BE SUBMITTED TO THE LABOUR BUREAU BY 30TH SEPTEMEBER OF THE SUCCEEDING YEAR.

Chapter 13: Dynamic handling of Returns

There are eleven Labour acts under which data is collected from primary units. Labour Bureau compiles statistics based on annual data received from appropriate State/UT authorities. The returns used under these acts have been examined and simplified by the committee to the extent possible as discussed in previous chapters. This chapter deals with the functionalities involved in electronic capturing of data through Labour Bureau Web Portal.

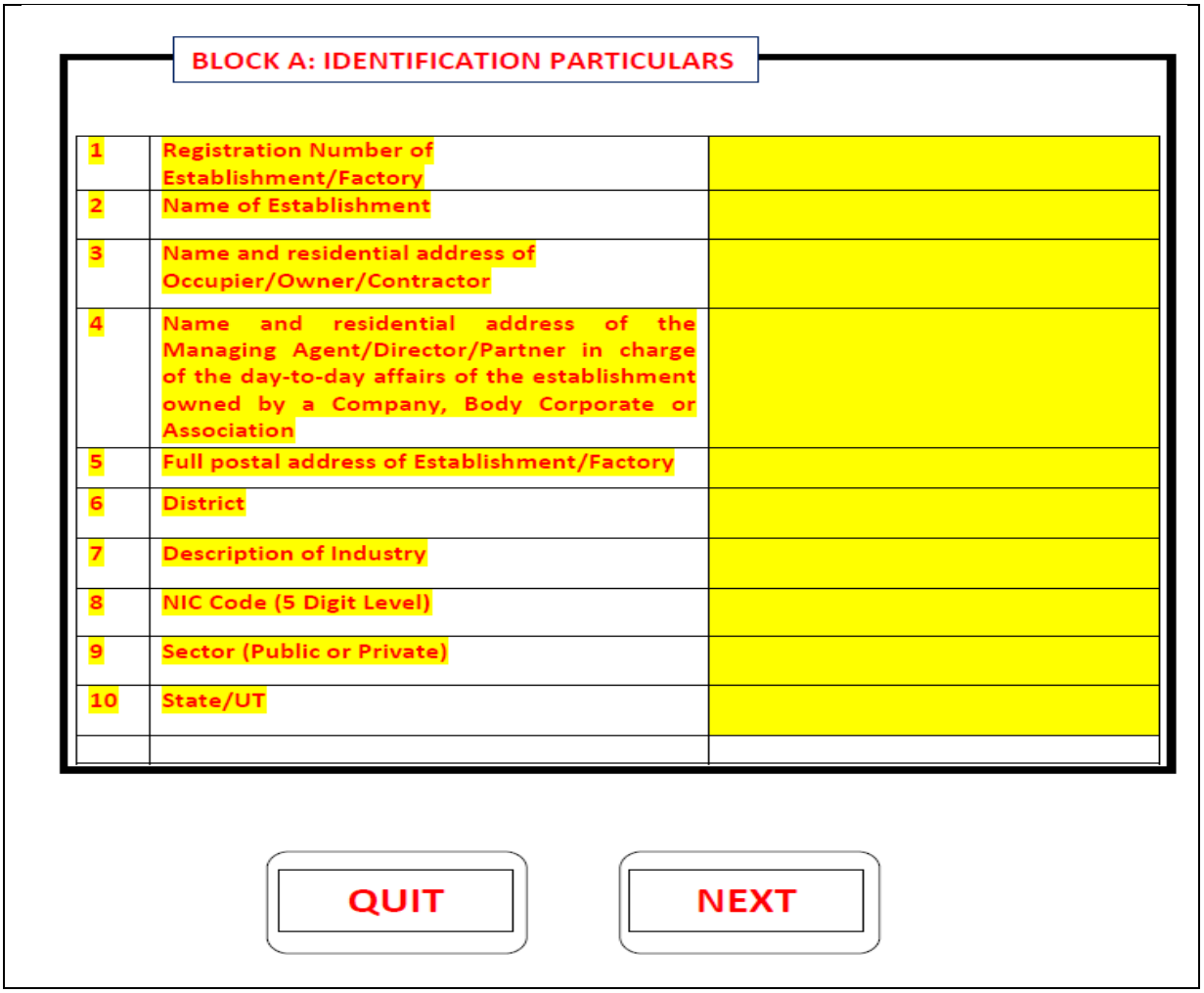
Primary data is collected from different industrial units falling under the jurisdiction of the enforcement agency. The data then is consolidated by respective authorities and thereafter, the consolidated data is transmitted to Labour Bureau for its compilation and dissemination.

Industrial units would be provided with a facility of one-time log-In and password to access primary return required to be furnished at his end.

The user can edit his personal information at his will and requirement.

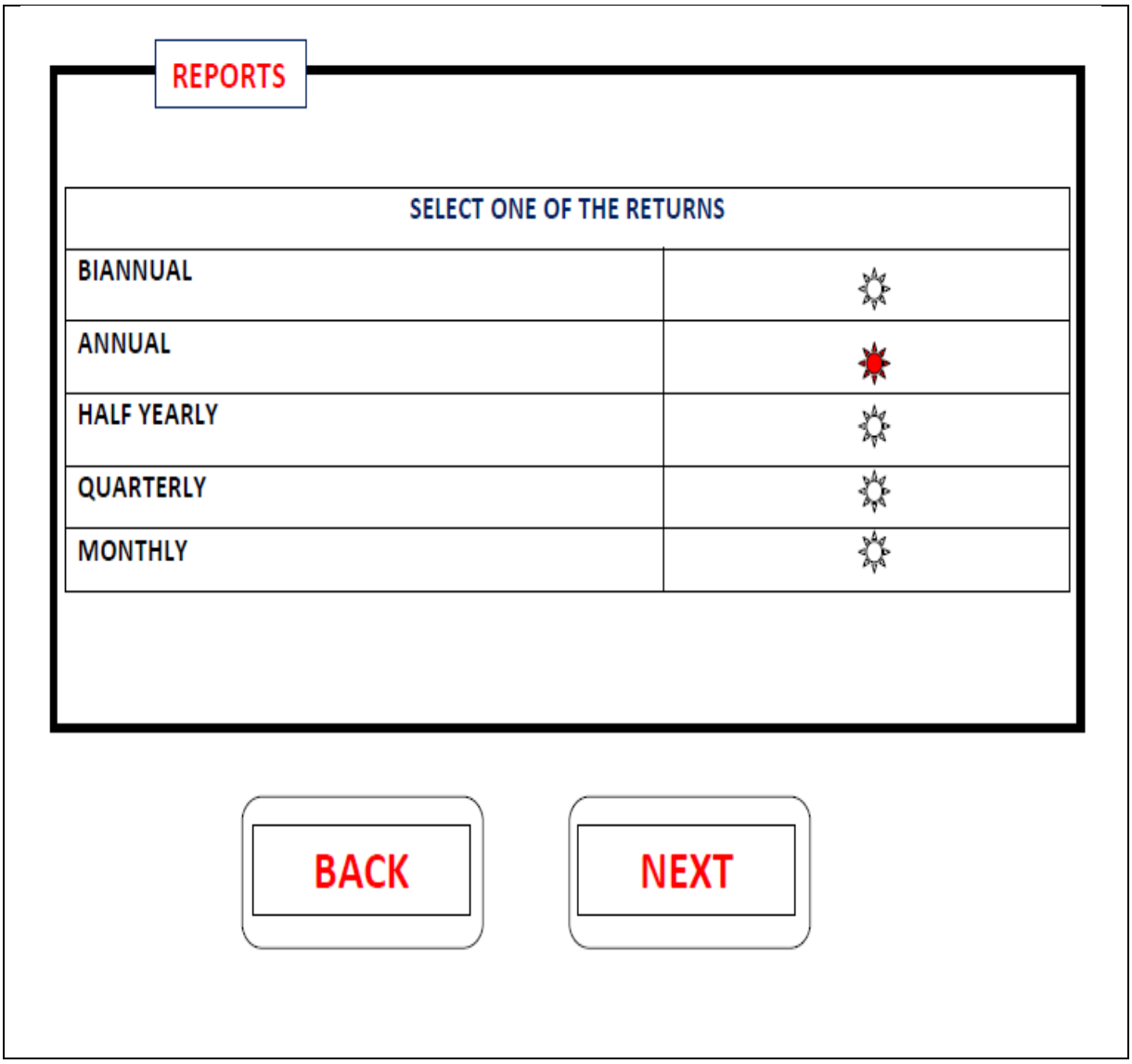
By doing so, it can be ensured that the user files return within the stipulated time i.e. 31st January of every succeeding year failing which, necessary course of action can be initiated by the concerned authority.

Once the user logs-in, his personal details would appear on new interface form. The form (Block A) would contain personal details of the industrial unit furnishing the data. The information available in the official records would automatically appear in the spaces provided against the relevant items. Users would be prompted to update the information if any, which occurs during the reporting period.



As shown above, Block A contains identification of particulars derived from all the returns used under the acts. The available data with the office would appear against items 1 to 10 in spaces provided in the form. Once the items are updated by the user, the database would automatically get revised at the back-end of the server.

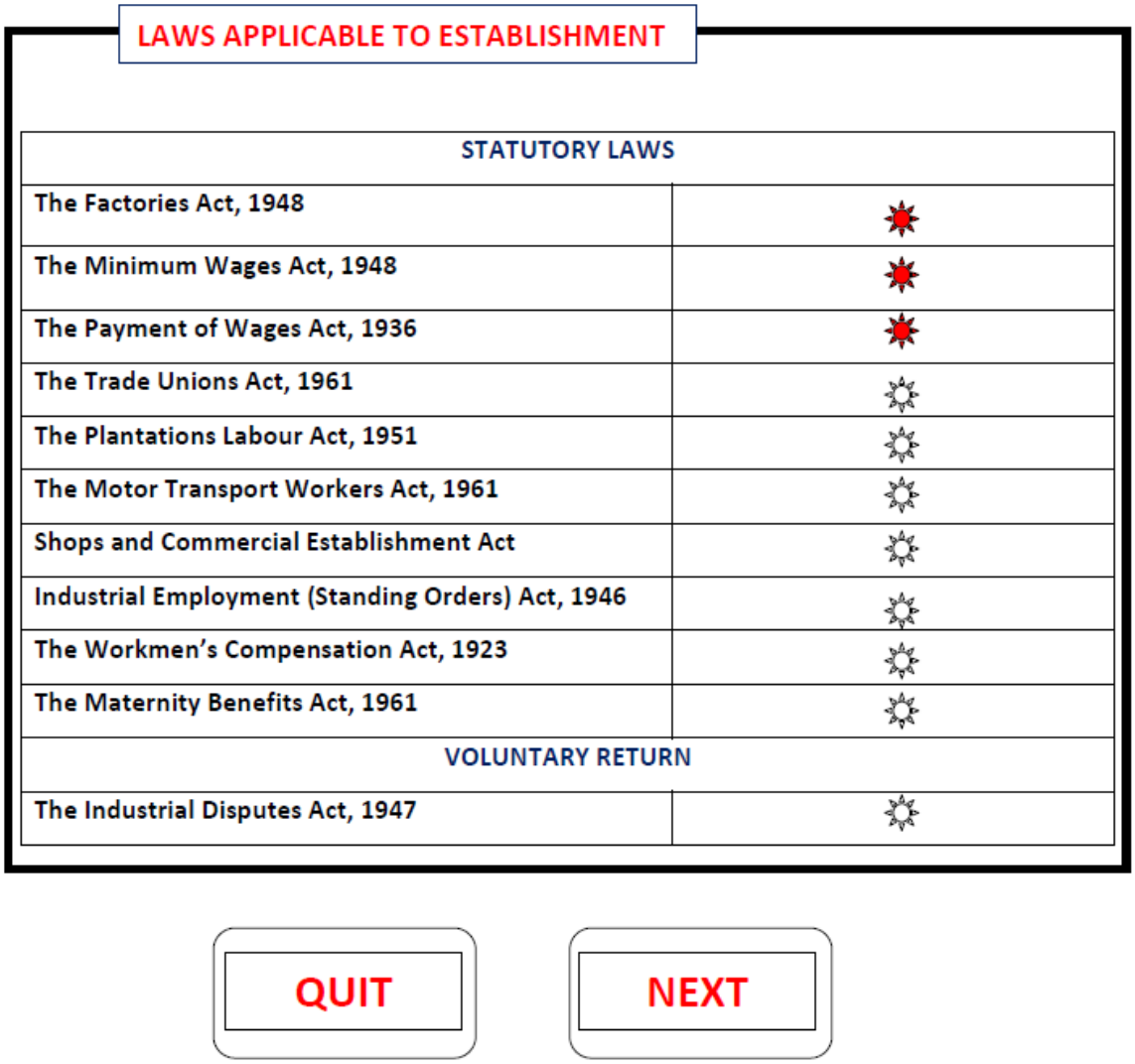
On click of <NEXT> button provided in the form, user would enter to a new form as below.



The interface would prompt for the report to be accessed by the user. Though Labour Bureau is entrusted with the task of bringing out annual publications on labour statistics, author proposes for a facility of selection of reports to cater to the needs of the Ministry.

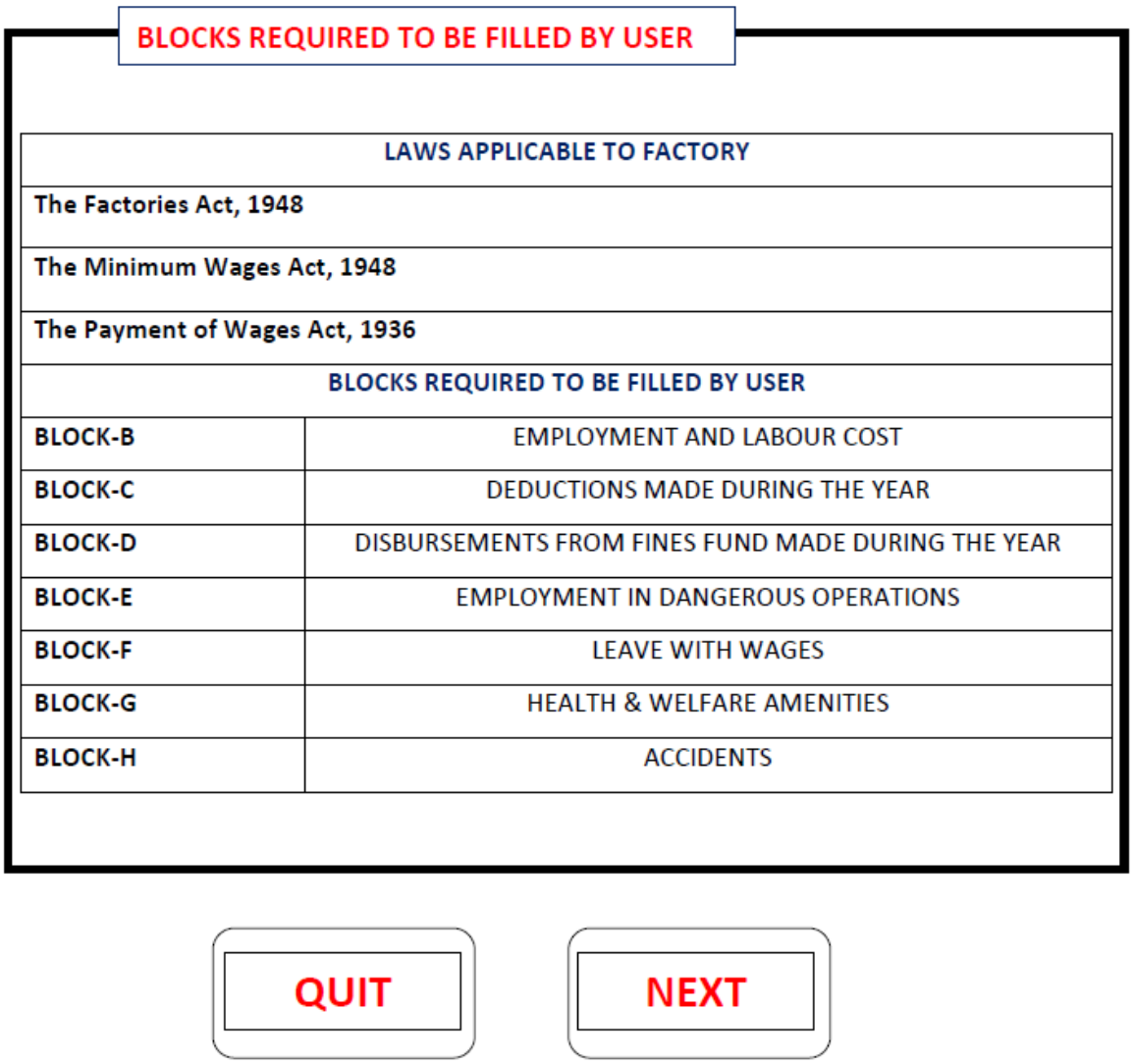
Since Labour Bureau's mandate is on annual publications, exercise is confined to simplification of returns at the level of data on annual basis.

On selection of annual reports as per the facility provided in the “REPORTS” form, user advances on to the next form named ‘LAWS APPLICABLE TO ESDTABLISHMENT’.

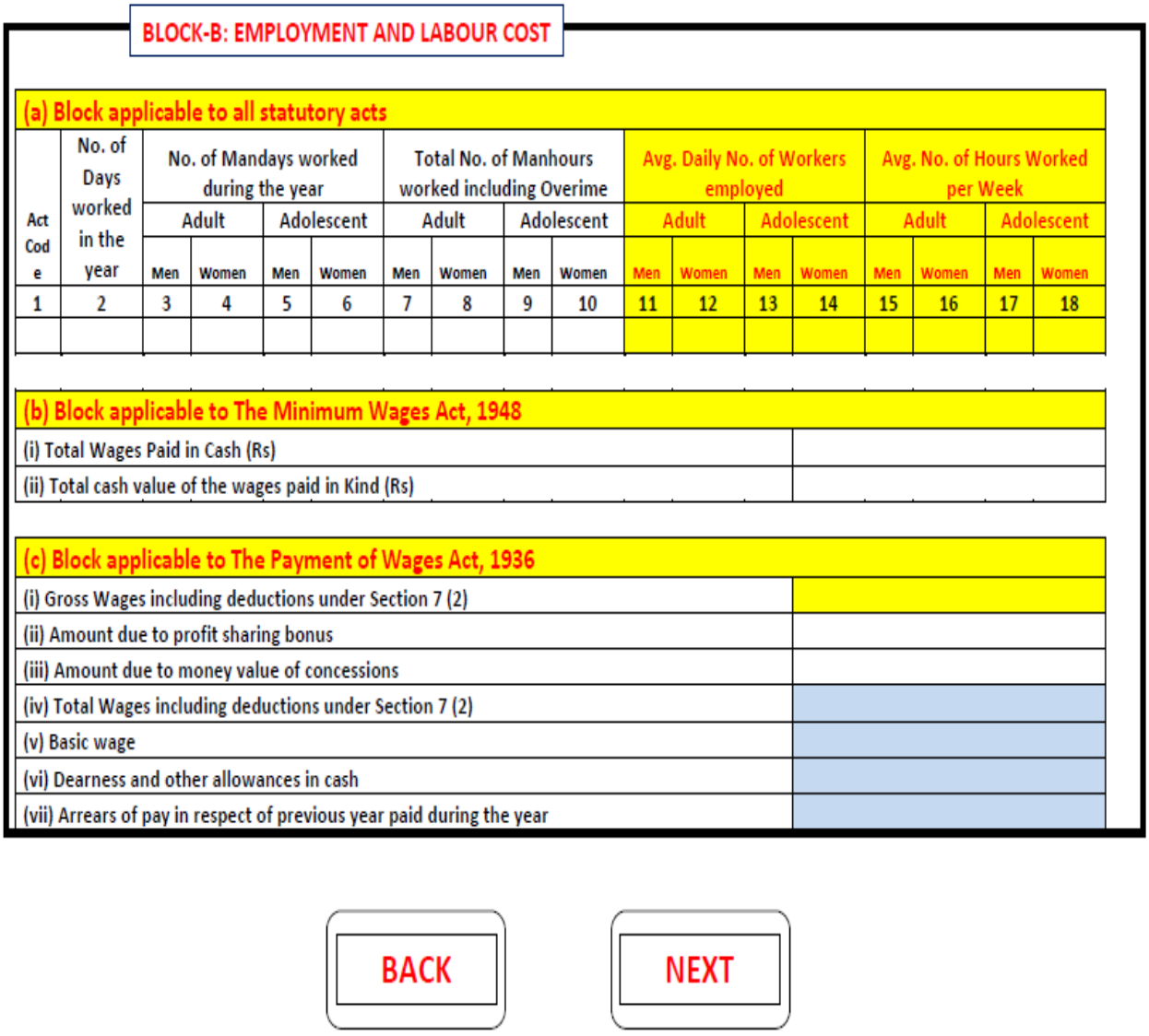


Here the data entry operator would select the laws applicable to his/her industry. Accordingly, the computer would decide the number of blocks expected to be filled by the user. Suppose user tick-marks The Factories Act, 1948, The Minimum Wages Act, 1948 and The Payment of Wages Act, 1936. Then all the blocks related to these acts would conjoin in subsequent forms for supply of data from user.

The user would be given a message as below notifying him that information required to be filled by him is as under:



On selection of “NEXT” button on the form, user advances on to the next form named ‘Block B’.



BLOCK-B: EMPLOYMENT AND LABOUR COST

(a) Block applicable to all statutory acts

Act Code	No. of Days worked in the year	No. of Mandays worked during the year				Total No. of Manhours worked including Overime				Avg. Daily No. of Workers employed				Avg. No. of Hours Worked per Week			
		Adult		Adolescent		Adult		Adolescent		Adult		Adolescent		Adult		Adolescent	
		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

(b) Block applicable to The Minimum Wages Act, 1948

(i) Total Wages Paid in Cash (Rs)	
(ii) Total cash value of the wages paid in Kind (Rs)	

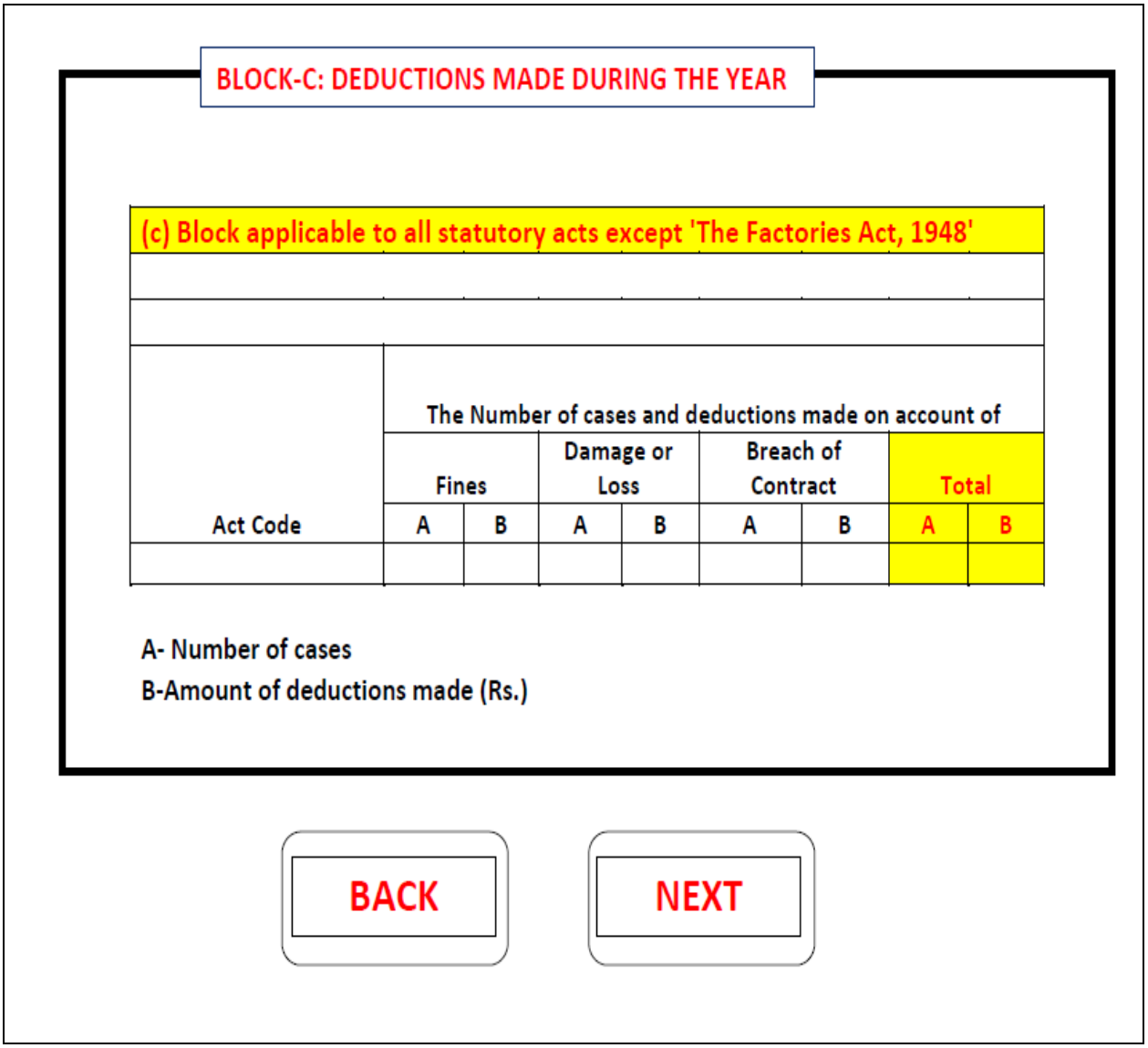
(c) Block applicable to The Payment of Wages Act, 1936

(i) Gross Wages including deductions under Section 7 (2)	
(ii) Amount due to profit sharing bonus	
(iii) Amount due to money value of concessions	
(iv) Total Wages including deductions under Section 7 (2)	
(v) Basic wage	
(vi) Dearness and other allowances in cash	
(vii) Arrears of pay in respect of previous year paid during the year	

BACK NEXT

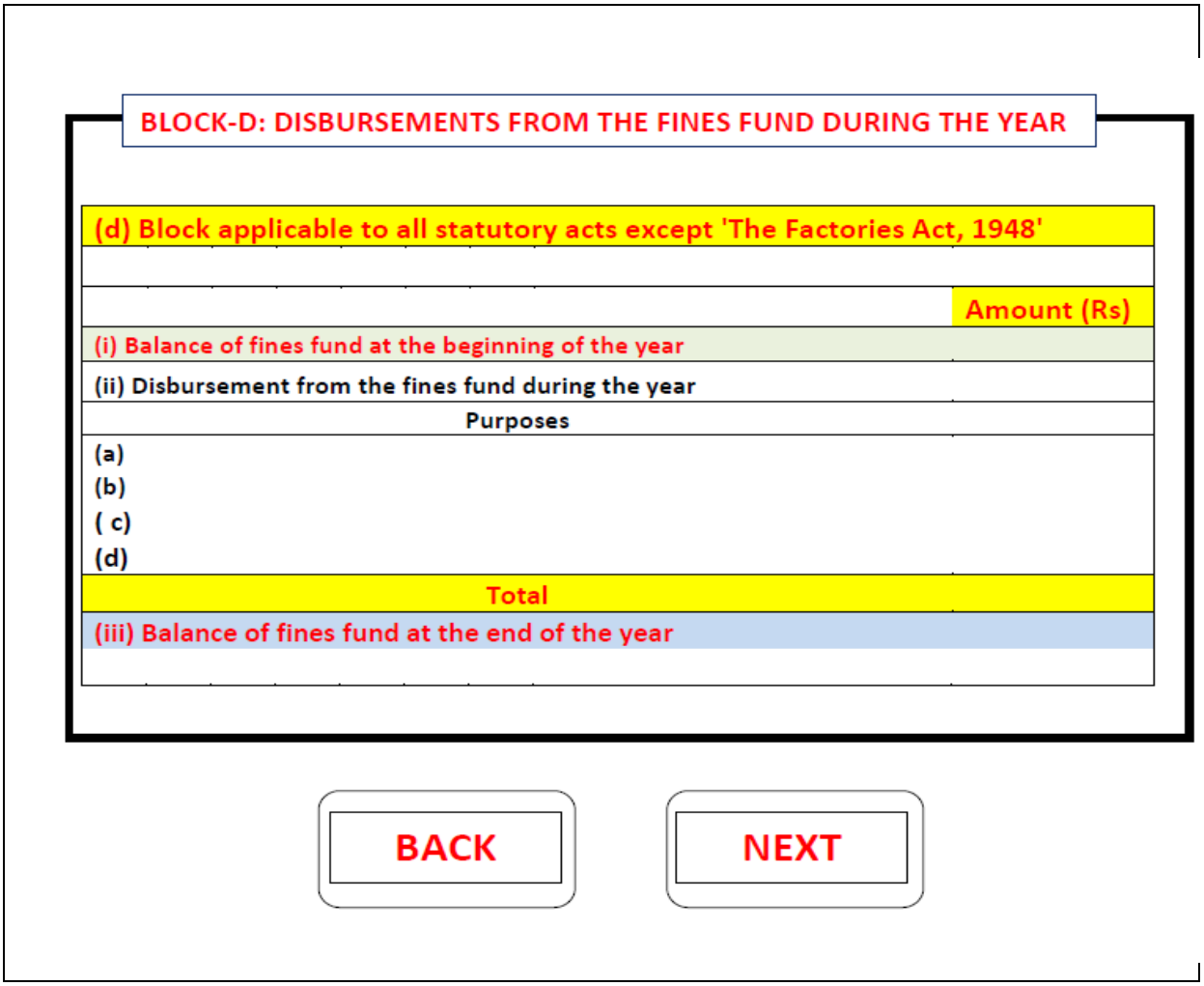
Block B contains information on employment and labour cost. The block is defrayed into three parts; (a) information applicable to all the acts under study, (b) information on wages pertaining to ‘The Minimum Wages Act, 1948’ and (c) information relating to wages concerning ‘The Payment of Wages Act, 1936’. The highlighted areas in the blocks are dynamic variables to be computed explained in earlier chapters.

On click of <NEXT> button of Block-B form, user progresses to next Block-C which comprises of information on deductions made during the reporting year. The block is applicable to all statutory laws except the Factories Act, 1948 and accordingly, suitable remarks are made on the form.



As explained in respective chapters, variables 'number of cases' and 'amount of deductions made' under each of the headings 'Fines', 'Damage or Loss' and 'Breach of Contract' are static variables and can be entered by user in no time. However, the totals of the entries made under the headings can be handled electronically.

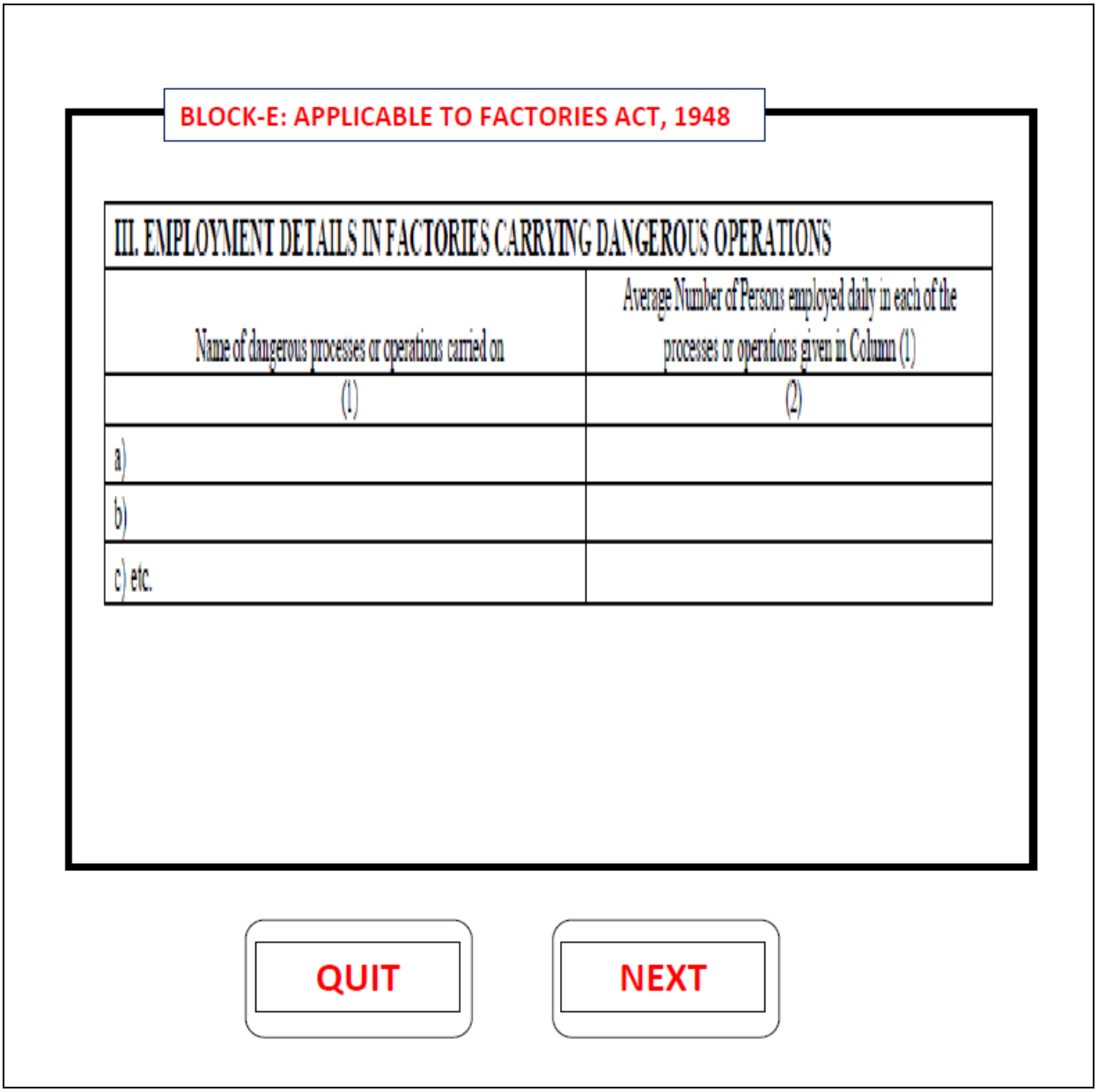
Advancing onto the next form, user enters a new interface “Block-D”. Block D gives information on the disbursements from the fines fund made during the year. It is applicable to acts other than the Factories Act, 1948 and therefore, suitable remarks are embarked in the block facilitating the user to enter correct data pertaining to the law.



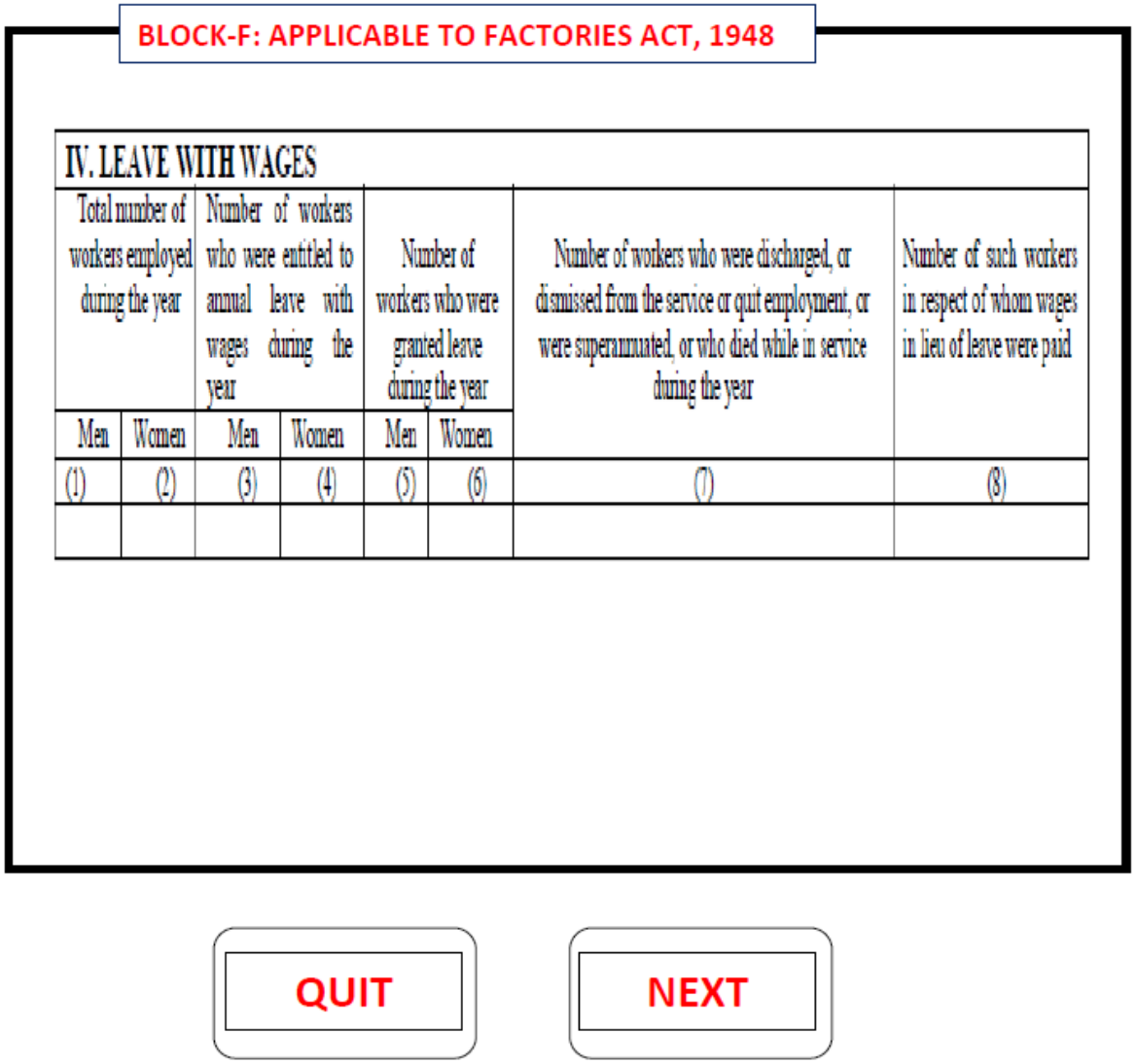
As can be ascertained from the highlighted portion, variable ‘Balance of fines fund at the beginning of the year’ is a dynamic variable and would appear mechanically in the space against the item. It is well known that balance of fines fund at the end of the previous year is the balance of fines fund at the beginning of the reporting year and accordingly, database would take care of the entry in the item. Then, entries under items (ii) a, (ii) b, (ii) c & (ii) d are static entries and would be entered by data entry operator. Once the entries are made against these items, total of these items can be summed up by

computer. Finally, the value for Item (iii) (balance of fines fund at the end of the year) would be Item (i) (balance of fines fund at the beginning of the year) minus Item (ii) (total disbursements from the fines fund during the year).

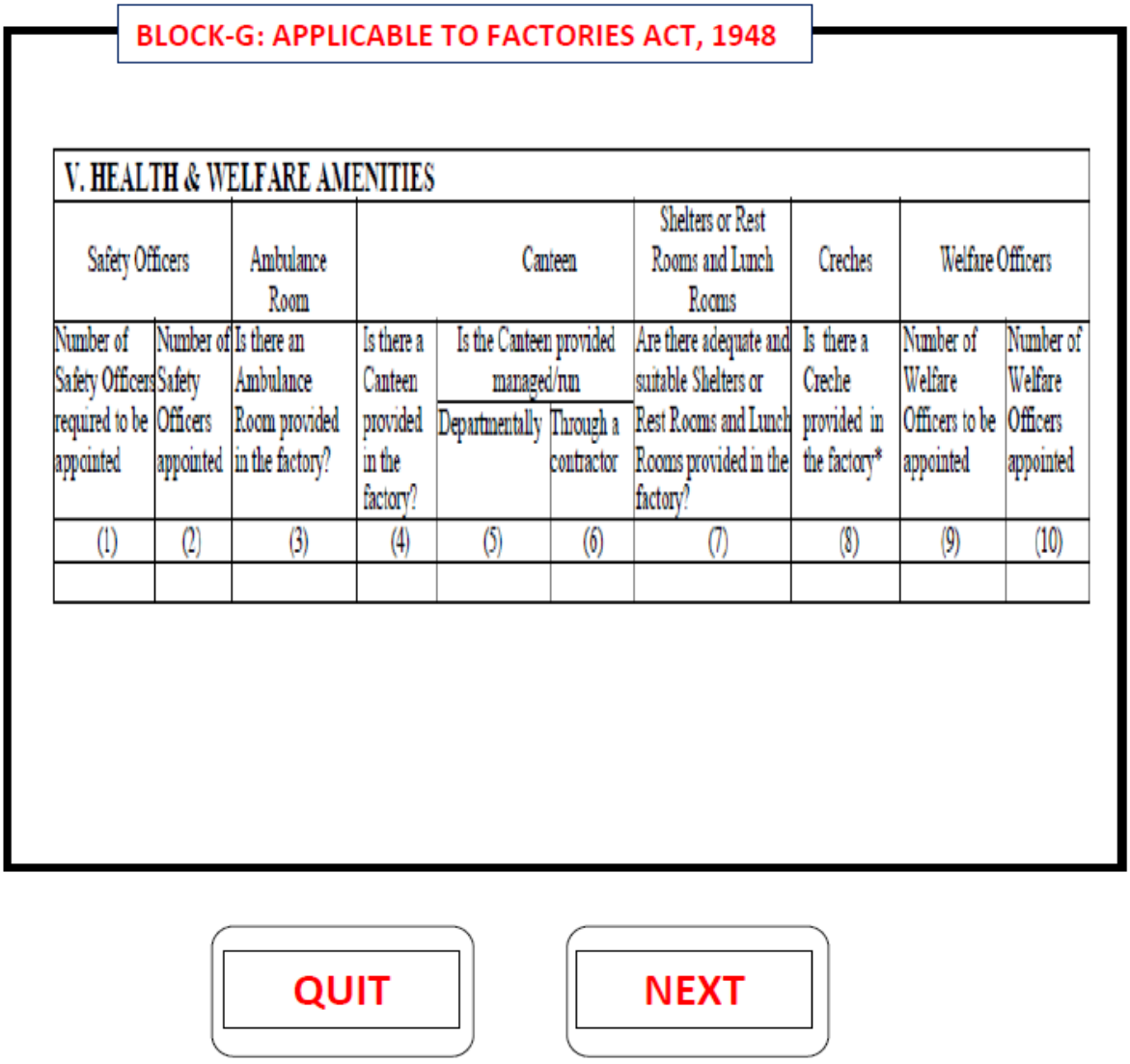
On subsequent advancement to next block 'BLOCK-E', information relates to the Factories Act 1948. The subblock; Block III (Employment details in factories carrying out dangerous operations) carries static information and would require data entry from the user.



Information in Subblock; Block IV (Leave with Wages) contained in 'BLOCK-F' of the form again, is applicable to 'The Factories Act, 1948' only and requires static entry from the data entry operator.



On cruising on to the next block 'BLOCK-G', the subblock; Block V (Health & Welfare amenities) carry static information and would require data entry from the user.



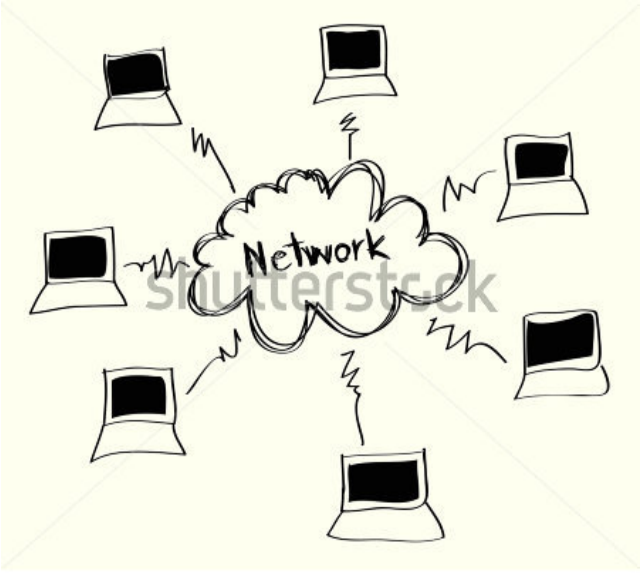
BLOCK-H: APPLICABLE TO FACTORIES ACT, 1948

VI. ACCIDENTS

Total number of accidents								Accidents in which workers returned to work during the current year				Accidents in which workers did not return to work during the current year	
Fatal				Non Fatal				Accidents occurring during the current year		Accidents occurring in the previous year			
Adult		Adolescent		Adult		Adolescent		Number	Mandays lost	Number	Mandays lost	Number	Mandays lost
Men	Women	Men	Women	Men	Women	Men	Women						
1	2	3	4	5	6	7	8	9	10	11	12	13	14

QUIT NEXT

Finally, on advancement to the last block 'BLOCK-H', information relates to the subblock; Block VI (Accidents). The Block again, carries static information and would require data entry from the user. Once the data is entered in relevant blocks, database for the Factories Act would get piled up after thorough validation checks elucidated in previous chapters.

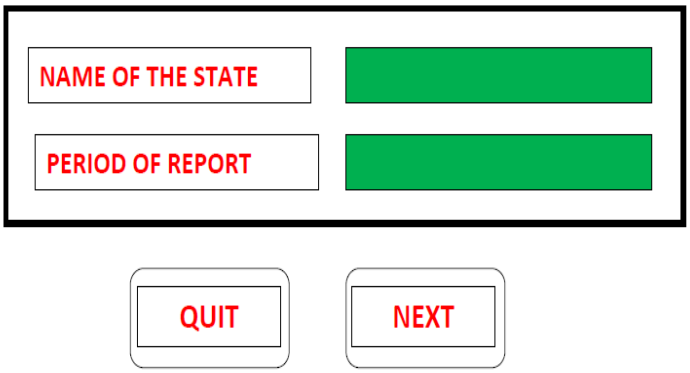


When the user click the <SUBMIT> button provided in the end of the form, he would be alerted for final review of the data proposed to be submitted by him. On final admittance of the information intended to be sent to the concerned authority, the data would electronically be transmitted to the server maintained at the State Labour commissioner and would update database accordingly.

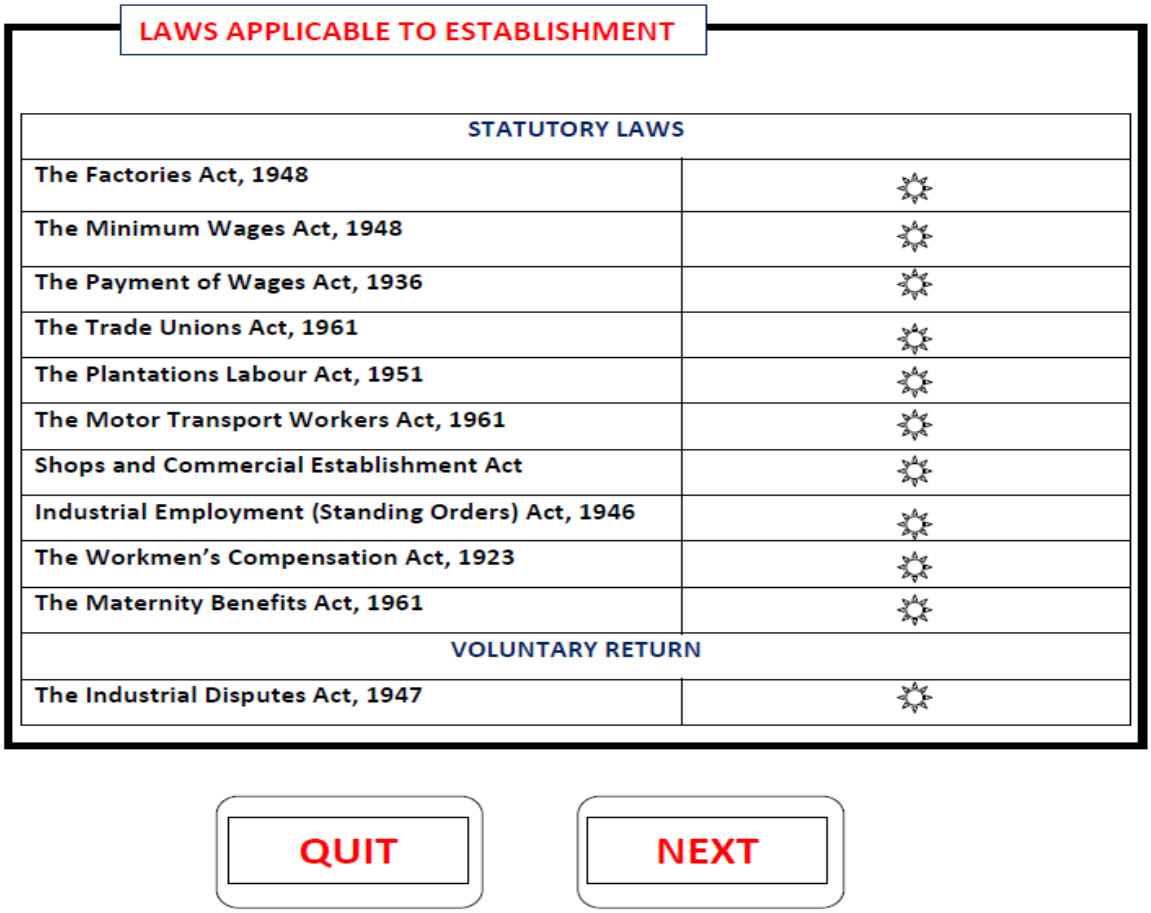
The State Labour Authority would also, be provided with a facility of one-time log-In and password to access consolidated form required to be furnished at his end.

It can be made mandatory that the appropriate authority consolidates data within the stipulated time i.e. 31st March of every succeeding year and then, forwards it electronically to Labour Bureau for consideration and use.

After logging into the consolidated form, it is proposed that a page would appear on screen asking for the some particulars as given below.



The operator would enter the state and the period of report as prompted by the computer. On inserting the relevant information, computer would switch over to next page through <NEXT> button.



On entering into the page, computer would request for the consolidated return desired to be filed by the operator. On appropriate selection of radio button, computer would

advance to the relevant section of the form under which available data could be fed by concerned authority. The electronic form under the Act under question can be designed in line with the proposals given in related chapters.

The data can be validated by the formulae recommended in relevant sections and once, the correct dat is ensured, the data entry operator would transmit the data by pressing <SUBMIT> button designed for the purpose.

File No 115/1/2013-C&E
Government of India
Ministry of Labour & Employment
Labour Bureau
(C&E Section)
*****

Chandigarh – 160 017.
Dated the January 30, 2014

NOTE

Subject: Constitution of a group of Labour Bureau officers on simplification/rationalization of forms prescribed under different Labour Legislations-----regarding

In supersession of earlier Note of even number dated 09.01.2014 and in compliance of the decision taken in the inter-Divisional Committee meeting held on 3rd January 2014 under the chairmanship of Labour & Employment Adviser, it has been decided to re-constitute a committee of following officers:-

Sh Sunil Chaudhry, Director	Chairman
Sh H S Raghav, Jt Director	Member
Sh Kailash G Sharma, Jt Director	Convener
Dr Amarjit Tanda, EDP Mgr	Member
Sh Vinod Talashi, Dy Director	Member
Sh Virender Chauhan, Astt Director	Member

The committee is mandated to examine the forms prescribed under different labour legislations handled by Labour Bureau and submit their suggestions for simplification/rationalization of these forms to enable the larger committee constituted by Inter-divisional Committee with Director General, Labour Bureau as Convener for considering the suggestions.

This issues with the approval of Director General.

(G. C. Saini)
Director

0177-

Copy for information and necessary action to

1. Shri Sunil Chaudhry, Director
2. Shri Kailash G Sharma, Joint Director
3. Sh H S Raghav, Joint Director
4. Dr Amarjit Tanda, EDP Mgr
5. Sh Vinod Ji Talashi, Deputy Director
6. Sh Virender Chauhan, Astt Director

ANNEXURE-14

LIST OF OFFICERS AND OFFICIALS ASSOCIATED WITH THE REPORT

Shri Kailash G Sharma
Joint Director

Shri Himmat Singh Raghav
Joint Director

Shri Virender Chauhan
Assistant Director

LS SECTION

Shri Anil Sharma	**Sr Statistical Officer**
Shri Alam Ansari	**Investigator Grade-I**
Ku. Deepshikha	**Investigator Grade-II**
Sh. Suneet Saxena	**Investigator Grade-II**

PRINTING UNIT

Shri Rajeev Kumar	**Personal Assistant**
Shri Chhaju Ram	**Multi Tasking Staff**
Shri Sohan Lal	**Multi Tasking Staff**
Shri Parkash Chand	**Multi Tasking Staff**

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