

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT
DEPARTMENT

Notification

Srinagar, the 21st August, 2018.

SRO-356.—In exercise of the powers conferred by section 40 and section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 (Central Act No. 27 of 1996) ; section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No. 37) ; section 32 of the Employees' Compensation Act, 1923 (Central Act No. VIII of 1923) ; section 53 of the J&K Shops and Establishments Act, 1966 (State Act No. XXXIX of 1966) ; sections 41, 50, 64, 83 and 112 of the Factories Act, 1948

(Central Act No. 63 of 1948) ; Section 38 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) ; sub-section (1) of section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act No. 30 of 1979) ; section 12 of the J&K Industrial Establishment (National and Festival) Holidays Act, 1974 (State Act No. XIII of 1974) ; section 28 of the Maternity Benefit Act, 1961 (Central Act No. LIII of 1961) ; section 30 of the Minimum Wages Act, 1948 (Central Act No. XI of 1948) ; section 40 of the Motor Transport Workers Act, 1961 (Central Act No. 27 of 1961) ; section 38 of the Payment of Bonus Act, 1965 (Central Act No. 21 of 1965) ; sub-section (1) of section 15 of the Payment of Gratuity Act, 1972 (Central Act No. 39 of 1972) ; and 26 of the Payment of Wages Act, 1936 (Central Act No. 4 of 1936), the Government of Jammu and Kashmir hereby intends to make following amendments, namely :—

1. The returns to be filed by unit holders/owners/employers/occupiers, wherever, required under the rules framed in pursuance to aforesaid Acts, shall be substituted by the Single Combined, Consolidated Annual Return Form, forming Annexure “A” to this notification.
2. Consequent upon this, the rules and related forms forming Annexure “B” to this notification shall stand omitted from the respective rules.

Now, it is hereby notified that any person(s) who desire(s) to object to the aforementioned amendments, may submit his/her objections/suggestions, in writing for consideration to the Principal Secretary to the Government, Labour and Employment Department within a period of 30 days from the date of issuance of this notification.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAILENDRA KUMAR, IAS,
Principal Secretary to the Government.

Annexure "A" to SRO Notification No. 356 dated 21st August, 2018

Single Combined Consolidated Annual Return under All Labour Acts for the year ending 31st March, _____

A. Employer/Occupier/Owner Details :

1. Name : _____
2. Father/Husband Name : _____
3. Designation: Proprietor/Managing Partner/Managing Director/Executive Director/Director/Vice-President/CEO
4. Address :
Village/Mohalla : _____ Tehsil : _____
District : _____ PIN Code : _____
Mobile No. : _____ Email Id : _____

B. Establishment Details :

1. Name : _____
2. Classification of Establishments : Proprietor Firm/Partnership Firm/Private Ltd. Company/Public Sector Undertaking/Govt. Department/Local Body
3. Date of Commencement of Business/Work/Service : _____

4. Establishment Category : Shop/Establishment/Commercial establishment/Motor Transport Undertaking/
Factory/Contract Labour (Principal Employer) Establishment/Inter-State migrant
workmen (Principal Employer) Establishment/Contract Establishment (Contractor
Establishment)/Others
5. Registration/License No. (LIN) : _____
6. TAN/PAN (Income Tax) : _____
7. GST No. : _____
8. EPFO No. : _____
9. ESIC No. : _____
10. Address Details :
Door/Building No. : _____ Locality/Street : _____
Village/Ward/Mohalla : _____ Tehsil : _____
District : _____ PIN Code : _____
Mobile No. : _____ Email Id : _____

C. Workers and Wages Details : 1.

1	2			3	4	5			6			7			8	9	10					11		
Category	No. of workers			Rates of wages	No. of Man days	Wages paid			Overtime hours			Overtime wages paid			Bonus paid	Advances paid	Deductions					Total wages paid column (5+7+8+9)-10		
	M	F	T			M	F	T	M	F	T	M	F	T			EPF	ESIC	Fine/ Damage/ Loss	Breach of contract	Others	M	F	T
Highly Skilled																								
Skilled																								
Un-Skilled																								
Adm./ Ministerial																								

2. No. of workers allowed to work overtime in the year : _____
3. No. of Workers Covered under EPF : _____
4. No. of Workers Covered under ESIC : _____
5. Whether muster roll, wages register etc. maintained : Yes/No
6. Whether appointment letters/Identity Cards issued : Yes/No

D. Details of Weekly off and other holidays :

1. No. of (National, Festival and other holidays) allowed : _____
2. No. of workers worked on holidays with amount of extra wages : _____
3. No. of Compensatory holidays allowed : _____

E. Leave Eligibility Details :

1. No. of Earned Leaves Allowed (P. A.) : _____
2. No. of Sick Leaves allowed (P. A.) : _____
3. No. of workers paid wages in lieu of Earned Leave with amount paid : _____
4. No. of Casual Leaves Allowed (P. A.) : _____

F. Details of payment of Gratuity :

1	2	3	4		
Total No. of workers	No. of workers who have completed 5 or more years of continuous service	No. of workers retired/ resigned/retrenched/ dismissed/died etc. out of column 2	Amount of gratuity paid		
			Insurance	Employer	Total

G. Details of payment of Bonus :

1	2	3	4
Total No. of workers	No. of workers eligible for bonus	No. of workers paid out of column 2	Total Amount of bonus paid

H. Details of Employees Compensation :

1	2	3		4	5		6	7		
Total No. of workers	No. of accidents	Type of Accident		No. of deaths	No. of Injuries		No. of Man days lost	Amount of Compensation paid		
		Fatal	Non-fatal		Complete	Partial		Insurance	Employer	Total

I. Details of payment of Maternity Benefit :

1. No. of women worker eligible for Maternity benefit _____

2. Amount of Maternity Benefit paid _____ (if yes fill in the below table)

1	2	3	4	5
Item	No. of claims received	No. of claims rejected	No. of leaves allowed/sanctioned	Maternity benefit paid
Confinement/ Hospitalization				
Miscarriage				
Illness				
Medical bonus				
Maternity related deaths				

J. Details of Welfare measures :

1. Whether Welfare fund constituted : Yes/No (If yes fill the following details)

a. No. of workers covered : _____

b. Total contribution : _____

c. Total distributed : _____

2. Whether following welfare measures provided :—

- a. Canteen : Yes/No
- b. Creche : Yes/No
- c. Shelters, restrooms, lunch room, etc. : Yes/No
- d. Transport facilities : Yes/No
- e. Medical/first aid facilities : Yes/No
- f. Washrooms/Latrines, etc. : Yes/No
- g. Any other welfare measure available : Yes/No

K. Details of Settlements/Strikes/Lock-outs/Lay-Offs, etc. :

- 1. Whether any Settlement/Strike/Lock-out etc. Occurred : Yes/No
- 2. Whether Workers Committee Constituted : Yes/No (If yes fill the following details)

1	2	3	4
Date of constitution of Workers Committee	No. of representatives of workmen	No. of representatives of employer	No. of meeting conducted with dates

L. Details of contractors under Contract Labour Act/Inter-State Migrant Workmen Act :

1. Contract Labour (R&A) Act/Inter-State Migrant Workmen (RE&CS) Act

1	2	3	4	5			6			7			8		9
S. No.	Contracted establishment name with address and Licence No.	Name of the contractor with complete residential and present address, and Licence No.	Details/Nature of contract work	No. of contract/migrant workers			No. of days worked			Total wages paid including overtime and allowances			Duration of contract		Remarks/action/ any other important information
				M	F	T	M	F	T	M	F	T	From	To	

M. Details of Building or other Construction Work :

1. Type of Establishment : Public/Private
2. Nature of Construction Work : Construction/Alteration/Repairs/Demolition/Maintenance
3. Category : _____
4. Details of nature of other Business : _____
5. Date of Commencement of Construction : _____
6. Probable Date of Completion : _____
7. Estimated Cost of Construction : _____

8. Constructed Area (Plinth Area in Sq. Mtrs) : _____
9. Basis for Estimation : As per market rate/work order/Project Report
10. Plan Approval Number : _____
11. Date of approval of Plan : _____
12. Total Male Workers : _____ Total Female Workers : _____ Total Workers : _____

N. Safety measures :

1. Does the factory carryout any process or operation declared as dangerous under 87 of the Factories Act, 1948 ? If yes fill in the below table :—

S. No.	Name of the dangerous operation/process	Average No. of persons employed daily

2. Whether hazards/dangers related to employment explained to the workers ? Yes/No
3. Whether training regarding disaster management, escape, evacuation provided to workers ? Yes/No
4. Whether dos and donts' displaced at prominent places ? Yes/No
5. Whether local residents in the vicinity are aware of the hazards/dangers associated with the unit ? Yes/No
6. Whether safety kits provided ? Yes/No
7. Whether health and safety policy published ? Yes/No

8. Whether Medical Officer/Safety Officer appointed/available ? Yes/No (If yes give No.)
9. Whether Ambulance available ? Yes/No
10. Any other welfare measure(s) available, please mention

DECLARATION

I/we hereby declare that I/we have complied with all relevant provisions of the Labour Acts applicable to the establishment/unit. In case, the information furnished above is found to be false, misrepresented or suppressed, I/we shall be liable for prosecution as per law, besides cancellation of the registration/license granted.

Signature of the Employer/Occupier/Owner.

Annexure "B" to SRO Notification No. 356 dated 21-8-2018

- (1) Rule 242 of Jammu and Kashmir Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Rules, 1998.
- (2) Rule 82 of the Jammu and Kashmir Contract Labour (Regulation and Abolition) Rules, 1972.
- (3) Rule 107 of the Jammu and Kashmir Factories Rules, 1972.
- (4) Rule 56-A of the Jammu and Kashmir Industrial Disputes Rules, 1972.
- (5) Rule 56 of the Jammu and Kashmir Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1984.
- (6) Rule 9 of the Jammu and Kashmir Maternity Benefit Rules, 1974.
- (7) Sub-rule (5) to the Rules 21 of the Jammu and Kashmir Minimum Wages Rules, 1972.
- (8) Rule 39 of the Jammu and Kashmir Motor Transport Workers Rules, 1972.
- (9) Rule 25 of the Jammu and Kashmir Payment of Wages Rules, 1972.