

GOVERNMENT OF PUDUCHERRY

ABSTRACT

Department of Labour – Puducherry Occupational Safety, Health and Working Conditions Rules, 2026– Preliminary Notification – Order - Issued.

LABOUR DEPARTMENT

G.O.Ms.No. 09 / AIL / Lab / G / 2026

Puducherry, dated 24 AUG 2026

READ: This Department's I.D. Note No.

dated

ORDER

The following Notification shall be published in the next issue of the Official Gazette of the Government of Puducherry: -

NOTIFICATION

Whereas, consequent to the enactment of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020), the draft Puducherry Occupational Safety, Health and Working Conditions Rules, 2022 was published in the Gazette of Puducherry vide G.O. Ms. No. 09/AIL/Lab./G/2022, dated 2nd August 2022(Preliminary Notification) inviting objections and suggestions as required under sections 133 and 135 of the said Code. However, the Final Notification has not been published.

AND WHEREAS, vide Notification number S.O. 5321 (E), dated 21st November, 2025, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii), all the provisions of the said Code have been brought into force.

NOW THEREFORE, the following draft rules namely, Puducherry Occupational Safety, Health and Working Conditions Rules, 2026, which the Government of Puducherry proposes to make in exercise of powers conferred under sections 133 and 135 of the Code read with section 24 of the General Clauses Act, 1897 (Central Act 10 of 1897) and in supersession of the,—

1. The Puducherry Factories Rules, 1964;
2. The Contract Labour (Regulation and Abolition) Puducherry Rules, 1972;
3. The Puducherry Motor Transport Employees Rules, 1972;
4. The Puducherry Building and Other Construction Employees (Regulation of Employment and Condition of Services) Rules, 2002;
5. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Puducherry Rules, 2013; and
6. Draft Puducherry Occupational Safety, Health and Working Conditions Rules, 2022,

except in respect of things done or omitted to be done before such supersession, are hereby notified as required by sub-section (1) of section 133 and sub-section (1) of section 135, for information of all persons likely to be affected thereby, and notice is hereby given that the said draft Notification will be taken into consideration after the expiry of a period of 45 days from the date on which the copies of the Official Gazette in which this Notification is published are made available to the public;

Objections and suggestions if any, may be addressed to the Secretary to Government (Labour), Labour Department, Government of Puducherry, or by e-mail

to - secylab@py.gov.in. The objections and suggestions shall be submitted in the following proforma in the table:- (i) specifying the name and address of the persons and organizations; (ii) specifying the objections on the proposed draft rule; (iii) specifying the reasons/ justifications; and (iv) suggestions on the so objected rules.

Objections and suggestions, which may be received from any person or organization with respect to the said draft Notification before expiry of a period of 45 days specified above, will be considered by the Government of Puducherry.

DRAFT RULES

CHAPTER-I

Preliminary

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

(2) They extend to whole of the Union Territory of Puducherry;

(3) They shall come into force on the date of their publication in the Official Gazette of the Government of Puducherry.

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

(a)“Appellate Authority” means an authority prescribed by the Government of Puducherry under the Code, as the case may be;

(b)“Appellate Officer” means the Officer as notified by the Government of Puducherry under section 4 of the Code;

(c)“Authority” means an authority designated by the Government of Puducherry under the Code as the case may be;

- (d) "Calendar year" means the period of twelve months beginning with the first day of January in any year;
- (e) "Central rules" means the Occupational Safety, Health and Working Conditions (Central) Rules, 2026;
- (f) "Code" means the Occupational Safety, Health and Working Conditions Code, 2020;
- (g) "Compounding Officer" means an Officer notified by the Government of Puducherry under section 114;
- (h) "District Magistrate" includes the Sub – Divisional Magistrate or any other Officer appointed by the Government of Puducherry in relation to that matter;
- (i) "electronically" means any information submitted by digital mode or uploading on the designated portal or digital payment in any mode for the purpose of the Code;
- (j) "Enquiry Officer" means an Officer appointed by the Government of Puducherry for holding enquiry under section 111;
- (k) "factory medical officer"(FMO) means a qualified medical practitioner appointed by the employer for the purposes of the code.
- (l) "FORM" means a form appended to these rules;
- (m) "Government" means Administrator of the Union Territory of Puducherry appointed by the President of India under Article 239 of the Constitution of India.

- (n) 'Manager' means the person responsible to the occupier for the working of the factory for the purpose of the Code;
- (o) "National standards" means standards as approved by Bureau of Indian Standards and in the absence of such standards of Bureau of Indian Standards, the standards approved by the Central Government for the specific purpose;
- (p) "Negotiating Union or Negotiating Council" means Negotiating Union or Negotiating Council referred to in section 14 of the Industrial Relations Code, 2020;
- (q) "Port" includes all ports other than the major port in the Union Territory of Puducherry defined in the clause (8) of section 3 of the Indian Ports Act, 1908;
- (r) "Registering Officer" means the Registering Officer appointed under section 3 of the Code by the Government of Puducherry for the purposes of these rules;
- (s) "Schedule" means a Schedule appended to these rules;
- (t) "Section" means the section of the Code;
- (u) "Social Security Fund" means Social Security Fund established under the Code on Social Security, 2020 and the Puducherry Code on Social Security Rules, 2026 ;
- (v) "State Advisory Board" means the Puducherry Occupational, Safety and Health Advisory Board constituted under section 17 of the Code;

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

3. Sources of Income for the purposes of the explanation to clause (x) of sub-section (1) of section 2.- A member of the family having income up to rupees fourteen thousand per month from all sources, or, any other income as may be specified through Notification by the Government of Puducherry, shall be included as dependent for the purpose of these rules.

4. Substance or quantity of substance under clause (zb) of sub-section (1) of section 2.- For the purpose of this clause, “hazardous substance” means any substance or such quantity of substance as may be specified by the Government of Puducherry by way of Notification.

CHAPTER II

Registration

5. The manner of submitting application under sub-section (2) of section 3 and the form of such application and the particulars to be contained therein and the fees to be accompanied therewith.- (1) An employer seeking registration for an establishment shall apply electronically in **FORM-I** containing the particulars of the establishment, accompanied by documents relating to registration of the establishment, proof of identity and address on the ‘Shram Suvidha Portal’ or ‘Portal’ as may be designated by the Government of Puducherry by giving details about the establishment.

(2) Where an application under sub-rule (1) is complete in all respects, the certificate of registration shall be issued in the Form as prescribed by the Central Government under section 3 of the Code, electronically forthwith, but in any case not later than seven days from the date of submission of complete application:

Provided that if the certificate of registration is not issued within the period specified, the establishment shall be deemed to have been registered and the certificate of registration shall be auto-generated in Form as prescribed by the Central Government under section 3 of the Code

(3) The late fee for registration after expiry of sixty days from the date of Notification of these rules, shall be specified through general or special order by the Government of Puducherry issued from time to time.

(4) The certificate of registration shall be non-transferable and shall be displayed at conspicuous places within the premises of the establishment.

(5) Where an employer fails to comply with the requirements of sub-rule (1), the Registering Officer under the Code may, by order, direct such employer to comply with such requirements within the time specified in such order.

(6) An employer of an establishment already registered under any other Central Labour Laws for the time being in force, shall within six months from the date on which rules come into force, update the registration particulars in **FORM-I** :

Provided that no such cancellation shall be made unless the establishment has been given an opportunity to show cause, within a period of thirty days, either electronically or by speed post, as to why the certificate of registration should not be cancelled.

(7) The employer shall quote the registration number on all documents prepared or completed by the employer in connection with the rules or the schemes, made thereunder and in all correspondence with the office concerned.

(8) Any change in the particulars furnished in **FORM-I** shall be updated on the portal by the employer within thirty days of such change and where the application for amendment is completed in all respects, the amended certificate of registration shall be issued electronically in the Form as prescribed by the Central Government under section 3 of the Code not later than seven days from the date of submission of complete application, failing which amended certificate of registration shall be auto generated.

(9) The registering officer shall maintain in **FORM-II** showing the particulars of establishment in relation to which certificates of registration have been issued.

(10) The employer shall within thirty days of the closing of the establishment, intimate to the Registering Officer having jurisdiction in the area where the establishment is situated intimating the actual date of closing of establishment in **FORM-III** along with certificate of payment of all dues and statutory returns to the workers employed in such establishments and such information shall be auto-shared

to Employees' Provident Fund Organisation and Employees' State Insurance Corporation.

(11) On receipt of **FORM - III** completed in all respects, the Registering Officer shall cancel the certificate of registration of establishment and issue cancellation of Certificate of Registration of establishment in **FORM IIIA** electronically within sixty days from the receipt of **FORM-III**. If Registering Officer fails to cancel the registration certificate of the establishment within sixty days then the cancellation of Registration Certificate of establishment shall be auto generated in the **FORM IIIA**

6. Appeal under section 4.- (1) The employer aggrieved by the order of Registering Officer, may appeal against such order before the Appellate Officer appointed by the Government of Puducherry for such purpose within thirty days from the date of receipt by him of such order, electronically or speed post .

(2) Where the memorandum of appeal is in order, the Appellate Officer shall admit the appeal, acknowledge it and intimate admission of such appeal, and shall register the appeal in electronic form to be kept for the purpose as specified by the Government of Puducherry by general or special order.

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

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

(5) If on the date fixed for hearing, the appellant does not appear, the Appellate Officer may dismiss the appeal for default of appearance of the appellant by sending the copy of the order to the Appellant electronically or speed post.

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

(7) The order of the Appellate Officer under sub-rule (6) shall be communicated electronically or speed post to the Appellant and copy thereof shall be sent to the Registering Officer against whose order, the appeal has been preferred and shall be disposed of within a period of thirty days from the date of receipt of appeal.

7.The form and manner of sending the notice and authority to whom the notice shall be sent and the manner of intimating the authority under sub-section (1) of section 5.- Every employer of an establishment being factory or mine or relating to

contract labour or building or other construction work shall within thirty days of the commencement or cessation of operation, submit to the registering officer notice of commencement and cessation of operation in **Form-IV**, electronically or otherwise and the notice of cessation of operation shall be enclosed with a certificate that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

CHAPTER III

Duties of Employer and Employee

8. Annual health examination or test free of costs of such employees, age of employees or class of employees or establishment or class of establishments under clause (c) of sub-section (1) of section 6.— Every employer of establishment or class of establishments, shall arrange to conduct free of cost medical examination annually for every employee, who has completed 40 years of age. The medical examination shall be conducted by a qualified medical practitioner and a certificate shall be provided in **FORM-V** to both employer and employee :

Provided that an employer may avail the facility for medical examination of the employee (s) under relevant rule, under the Code on Social Security, 2020 through Employees' State Insurance Corporation (ESIC) :

Provided further that the employees employed in a 'hazardous process' and 'dangerous operations' shall be medically examined in the manner as may be prescribed by the Central Government in the standards framed under section 18 of the Code in respect of factories.

9. The information to be included in the letter of appointment and the form of such letter to be issued under clause (f) of sub-section (1) of section 6.—No employee shall be employed in any establishment unless he has been issued a letter of appointment in **Form – VI** and where, an employee who has not been issued an appointment letter containing the required particulars, shall be issued an appointment letter within three months of coming into force of this rule.

10. Notice of accidents and dangerous occurrences to such authority and the time within which the notice shall be sent under sub-section (1) of section 10 and section 11.—(1) Where at any place in an establishment, which is a factory, dock work, building or other construction work spot or a motor transport undertaking, an accident occurs which results to death of any person, the employer or occupier or manager of the establishment shall forthwith send a notice thereof in **Form-VII** electronically or otherwise and inform by telephone to the Inspector-cum-Facilitator, Chief Inspector-cum-Facilitator, District Magistrate and the officer-in-charge of the nearest police station; and the family members/kin of the injured or deceased person.

(2) Where at any place in an establishment which is factory, building and other construction work, dock work or motor transport undertaking, an accident occurs which results in bodily injury by reason of which the person injured is prevented from working for a period of forty eight hours or more immediately following the accident, the employer or occupier or manager of the establishment shall forthwith send a notice in **Form-VII** within twelve hours after the completion of forty eight hours, electronically or otherwise to the Inspector-cum-Facilitator.

(3) Where in an establishment there is any dangerous occurrence as specified in the Schedule below, whether causing any bodily injury or disability or not, a notice in **Form-VII** shall within twelve hours be sent to;-

- (a) the Inspector-cum-Facilitator;
- (b) District Magistrate;
- (c) the Chief Inspector-cum-Facilitator :

Provided that, if in the case of an accident or dangerous occurrence, death occurs to any person injured by such accident or dangerous occurrence after the notices and reports referred to in the foregoing sub-rules have been sent, the employer of the establishment shall forthwith send a notice thereof by telephone and electronically or otherwise to the authorities and persons mentioned in sub-rules (1) and (2) supra and also have this information confirmed in writing within 12 hours of the death:

Provided further that, if the period of disability from working for 48 hours or more referred to in sub-rule (2) does not occur immediately following the accident, or the dangerous occurrence, but later on occurs in more than one spell, the report there of shall be sent to the Inspector-cum-Facilitator in **Form VII** within 24 hours following the hours when the actual total period of disability from working, resulting from the accident or the dangerous occurrence, becomes 48 hours.

SCHEDULE

The following shall be construed as classes of dangerous occurrences, whether or not attended by personal injury or disablement, namely:-

- (i) Bursting of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;
- (ii) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane;
- (iii) Explosion, explosion due to explosives, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal, or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;
- (iv) Explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas or gases;
- (v) Collapse or failure of lifting appliances or hoist or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears, overturning of cranes used in building or other construction work, falling of objects from height;
- (vi) Collapse of any wall, subsidence of floor, gallery, roof bridge, tunnel, chimney, wall, building or subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork, contact work, excavation and collapse of transmission;

- (vii) Spillage or leakage of hazardous substances and damage to their container;
- (viii) Collapse, capsizing, toppling or collision of transport equipment within the establishment;
- (ix) Fall from altitude of any excavation, loading or transport machinery;
- (x) A breakage, fracture or failure of an essential part of any machinery or apparatus whereby the safety of persons may be endangered;
- (xi) Failure of dump or side in open cast working; a blowout;
- (xii) A failure of any structure or installation whereby the safety of persons may be endangered; or
- (xiii) A major uncontrolled emission of petroleum or chemical spillage.
- (xiv) Spark generated due to electrical flash-over causing burn injury to any person; or
- (xv) any other dangerous occurrence specified through general or special order by the Government of Puducherry from time to time.

11. Notice of diseases and the time within which the notice shall be sent to such authority under sub-sections (1) and (2) of section 12.—(1) Where in any establishment, if a worker contracts any disease specified in the Third Schedule to the Code, the employer/occupier or manager of the establishment shall send a notice forthwith either electronically or by speed post, to the Inspector-cum Facilitator or Chief Inspector-cum-Facilitator in the following format namely:-

NOTICE OF DISEASE

- (1) Name and address the Employer or Occupier or Manager

- (2) Name & address of establishment:
- (3) Nature of establishment:
- (4) Details of Patient—
 - (a) Name of Patient:
 - (b) Worker ID number of Patient:
 - (c) Address of Patient:
 - (d) Precise occupation of Patient:
- (5) Nature of disease from which patient is suffering:
- (6) Date of Detection of Disease:
- (7) Details of Medical Practitioner:
- (8) Has the case been reported to the Medical Officer.

Date :

Signature of Employer/Occupier/Manager.

(2) Whenever a qualified medical practitioner attends on a person who is or has been employed in an establishment and who is or is believed by the qualified medical practitioner to be suffering from any disease specified in the Third Schedule to the Code , the qualified medical practitioner shall without delay send a report in writing to the office of the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator stating,—

- (i) the name and full postal address of the patient;
 - (ii) the disease from which he believes that the patient is being suffering;
- and

- (iii) the name and address of the establishment in which the patient is or was last employed.

12. The Manner of making report by employee under clause(d) and other duties to be performed by employees under clause (g) of section 13.— Whenever any employee becomes aware of an unsafe or unhealthy condition in the establishment, such employee shall report to the health and safety representative or safety officer or manager, as soon as practicable, electronically or in writing or inform by telephone and such representative or officer or manager, as the case may be, shall there upon report the matter to the employer immediately through electronically or by Speed post.

13. Rights of employee under sub-section (3) of section 14.— On receipt of information from the employee relating to the existence of an imminent danger to their safety and health, the employer shall take immediate remedial action in this regard. The employer, whether satisfied or not, shall send a report forthwith of such actions taken, to the Inspector-cum-Facilitator electronically or by speed post.

CHAPTER IV

Occupational Safety and Health

14. The constitution, procedure and other matters relating to State Occupational Safety and Health Advisory Board under sub-section (2) of section 17.—

- (1) The Government of Puducherry may constitute a Board to be called, 'Puducherry Occupational, Safety and Health Advisory Board' to advise

the Government on such matters arising out of the administration of this Code as may be referred to it by the Government.

- (2) The Constitution of 'Puducherry Occupational, Safety and Health Advisory Board.—

The Board shall consist of,-

- | | | |
|--|-----|-----------------------------------|
| (a) Secretary to Government (Labour), Puducherry | . . | <i>Chairperson</i> |
| (b) Chairman, Puducherry Pollution Control Board | | |
| or his nominee . | | <i>Member (ex officio)</i> |
| (c) Chief-Inspector-cum-Facilitator, Puducherry, . | | <i>Member-Secretary</i> |
| (d) Regional Director, ESIC or his nominee | -- | <i>Member</i> |
| (e) Director, Health and Family Welfare Services, | | |
| Puducherry or his nominee . . | -- | <i>Member</i> |
| (f) Two Representatives of Employers | . . | <i>Members</i> |
| (g) Two Representatives of Employees | . . | <i>Members</i> |

- (3) The Board may meet as often as necessary to discharge the functions as specified in section 17 of the Code.

- (4) **Tenure of Board.**-The tenure of Board members as referred in clause (f), (g) of the above sub rule (2) shall be three years.

Nomination of said members and discharge of their functions shall be defined by the Government of Puducherry at the time of nomination

- (5) **Resignation.**-

(a) A member of the Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Chairperson of the Board.

(b) The seat of such a member shall fall vacant from the date on which his resignation is accepted by the Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the Government which is earlier.

(6) Cessation of membership.-

If any member of the Board, not being an ex-officio member, fails to attend three consecutive meetings of the Board, without obtaining the leave sanctioned by the Chairperson of such Board for such absence, he shall cease to be a member of Board:

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

(7) Disqualification for membership.-

A person shall be disqualified for being a member of the Board-

(a) if he is of unsound mind and stands so declared by a competent authority:

(b) if he is an un-discharged insolvent; or

(c) if he has been convicted for an offence, having a penalty of imprisonment of three months or more.

(8) Removal from membership.-

The Government may remove any member of the Board, if in its opinion such member has ceased to represent the interest which he purports to represent on such Board:

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

(9) Manner of Filling Vacancies.-

When a vacancy occurs or is likely to occur in the membership of the Board, the Chairperson of Puducherry Occupational, Safety and Health Advisory Board shall submit a report to the Government and on receipt of such report, the Government shall take steps to fill the vacancy by making an appointment from amongst the category of persons to which the person vacating membership belonged and the person so appointed shall hold office for the remainder of the term of office of the member in whose place he is appointed.

(10) Notice of Meeting and List of Business.-

Ordinarily, two weeks' notice shall be given to the members of the Board of a proposed meeting:

Provided that, two weeks' notice shall not be necessary where, in the opinion of Chairperson of Puducherry Occupational, Safety and Health Advisory Board, business of an emergent nature has to be transacted.

No business except which is included in the list of business for a meeting of such Board shall be considered at such meeting without the permission of the Chairperson of the Puducherry Occupational, Safety and Health Advisory Board.

(11) Disposal of Business.-

- (a) Every matter which the Board is required to be taken into consideration shall be considered at a meeting of the Board, or if the Chairperson of Puducherry Occupational, Safety and Health Advisory Board so directs, by sending the necessary papers to every member for opinion and the matter shall be disposed of in accordance with the decision of the majority:

Provided that where there is no opinion of majority on a matter and the members of the Board are equally divided, the Chairperson of the Puducherry Occupational, Safety and Health Advisory Board shall have a second or a casting vote.

- (b) No act or proceedings of the Board shall be invalid merely for reasons of any vacancy in or any defect in constitution of the Puducherry Occupational, Safety and Health Advisory Board.

(12) Travelling Allowance for members:-

- (a) The travelling allowance of an official member shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.

(13) Allowances payable to Non-official members.-

Every non-official member shall be paid travelling allowance and daily allowance for attending meetings of the Board and its sub-committees at rates admissible to Class I Officers of the Government of Puducherry.

(14) Meeting of the Board and Quorum.-

- (a) The Board shall meet once in a six month or may meet as often as necessary:

Provided that the Chairperson shall, within fifteen days of the receipt of a requisition in writing from not less than one third of the members of the Board, call a special meeting thereof.

- (b) No business shall be transacted at any meeting unless at least 1/3 members are present:

Provided that if at any meeting less than 1/3 members are present the Chairperson may adjourn the meeting to another date informing members present and giving notice to the other members that he proposes to dispose of the business at the adjourned meeting whether there is a prescribed quorum or not, and it shall thereupon be lawful for him to

dispose of the business at the adjourned meeting irrespective of the member or members attending:

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

(15) Chairperson to preside at meetings.-

The Chairperson shall preside over all meetings of the Board, and if the Chairperson is, for any reason, unable to attend a meeting of the Board, any member nominated by the Chairperson in this behalf, and in the absence of such nomination, any other member elected by the members present from amongst themselves at the meeting, shall preside at the meeting.

(16) Minutes of meetings.-

The proceedings of each meeting of the Board shall be recorded and circulated to all members after approval by the Chairperson as soon after the meeting as possible, subject to confirmation in the next meeting of the Board. After such confirmation, they shall be recorded in a Minute Book, which shall be kept for permanent record.

(17) Appointment of Officers and Other Staff.-

- (a) The Government of Puducherry may appoint Gazetted Officers of the Government and such other Staff being in the service of the Government, as it may think necessary to enable Puducherry Occupational, Safety and Health Advisory Board to carry out its functions and duties.
- (b) The remuneration payable to such Officers and Staff shall be such as may be decided by the Government of Puducherry from time to time.
- (c) The Officers and Staff appointed thereunder shall assist the Chairperson of Puducherry Occupational, Safety and Health Advisory Board in convening meetings of the Board.
- (d) The Officers and Staff appointed there under may attend the meetings of the Board but shall not be entitled to vote at such meetings.
- (e) The Officers and Staff appointed there under shall keep a record of the minutes of the meetings of the Board.
- (f) The Officers and Staff appointed there under shall take necessary measures to carry out the decisions taken at the meetings of Puducherry Occupational, Safety and Health Advisory Board.

15. Technical committees or Advisory committees under sub section (3) of section 17.—

I. Constitution of the Technical Committee.-

- (i) The Government of Puducherry may constitute as many technical committees or advisory committees consisting of such number of members having such qualifications as may be prescribed by the Government, to assist the Government or State Advisory Board in discharge of their functions relating to the area falling within their respective jurisdictions.
- (ii) The Technical Committees may be multi-members committee, and consist of members from Government, public, autonomous or private institutions/Industries.
- (iii) The members of the committee shall have Bachelor's degree in Engineering with Diploma/Post-graduate Diploma in Industrial Safety or Master's Degree in (Physics/Chemistry)/ MBBS with Associate Fellow of Industrial Health (AFIH), with an experience of not less than 20 years in the relevant field/industry
- (iv) The Chairperson of the Technical Committee may be the ex-officio member as nominated by the Government.
- (v) The Technical Committee may constitute sub-committees to meet the specific requirements.

- (vi) The Technical Committee shall follow such rules and procedure including its transaction of business as may be issued by the order of the Government or State Advisory Board from time to time.
- (vii) Travelling Allowance / Dearness allowance for Non-Official Members of the Technical Committee shall be as per the instructions issued by the Finance Department, Puducherry from time to time.

II. Functions of Technical Committees.-

- (i) The Technical Committees shall propose to frame, formulate and review standards, rules and regulations on Occupational Safety, Health and Working Conditions under the Code.
- (ii) The Technical Committee shall meet regularly on need basis and not less than once in three months.

III. Resignation.-

- (i) A member of the Technical Committee, not being an ex-officio member, may resign his office by a letter in writing addressed to the Government through the Chairperson of the Technical Committee.
- (ii) A Chairperson of the Technical Committee may resign his office by a letter in writing addressed to the Government through Secretary to Government(Labour), Puducherry.
- (iii) The seat of such a member or Chairperson as the case may be shall fall vacant from the date on which his resignation is accepted by the

Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the Government whichever is earlier.

IV. Cessation of membership.-

If any member of the Technical Committee, not being an ex-officio member, fails to attend two consecutive meetings of such Committee, without obtaining the permission of the Chairperson of such Committee for such absence, he shall cease to be a member of such Committee:

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

V. Disqualification for membership.-

A person shall be disqualified for being a member of the Technical Committee —

- (a) if he is of unsound mind and stands so declared by a Competent Court;
- (b) if he is an undischarged insolvent; or
- (c) if he has been convicted for an offence of having a penalty of imprisonment of three months or more.

VI. Removal from membership.- The Government may remove any member or Chairperson of the Technical Committee, if in its opinion such member has

ceased to represent the interest which he purports to represent on such Committee:

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making a representation against the proposed action under this rule.

16. Safety Committee and Safety Officers under section 22 of the Code .-

(1) Safety Committee:

(i) In following class of factories or establishments:

(a) major accident hazard factories irrespective of workers ordinarily employed,

(b) a factory carrying on “hazardous process” or operations declared to be “dangerous operations” under section 82 of the Code wherein fifty workers or more are ordinarily employed,

(c) any other factory or establishment wherein two hundred fifty or more workers are ordinarily employed,

shall constitute a safety committee consisting of representatives of employers and workers:

Provided that factories declared under section 81 of the Code situated in a particular area and carrying out “hazardous process” or “dangerous operations” of similar nature, shall have a common Safety Committee for them with the prior approval of Chief Inspector-cum-Facilitator for the purpose this rule. The area of

common safety committee shall be decided by Chief Inspector-cum-Facilitator. The Chief Inspector-cum-Facilitator shall facilitate formation of such safety committee.

(ii) The tenure of the safety committee shall be for three years for factories and the tenure of the safety committee for other establishment shall be for three years or duration of construction site of building or other construction work. The safety committee shall meet at least once in every month.

(iii) The representative of the workers shall be chosen by the registered trade Union. In case where there is no registered trade union the members may be chosen by the workers of the factory/ establishment:

Provided that there shall be adequate representation of the women workers in the committee.

(iv) The Safety Committee shall be adequately and suitably informed of–

- (a) potential safety and health hazards to which the workers may be exposed at workplace; and
- (b) data on accidents as well as data resulting from surveillance of the working environment and of the health of employees at such establishments or factories.

(v) The employer shall, within fifteen days from the date of receipt of the recommendations of the Safety Committee take action to implement such recommendations.

(2) Composition of Safety Committee.-

(i) The representatives of the management on Safety Committee, shall consist of,-

- (a) An Occupier or a Manager, or a Chief Executive Officer or a responsible person, who by his position in the organisation can contribute effectively to the functioning of the Committee, shall be the Chairman;
 - (b) A Safety Officer and Factory Medical Officer of the Factory/establishments wherever available and the Safety Officer in such a case shall be the Secretary of the Committee; and
 - (c) One representative each from the production, maintenance, human resource and purchase Departments.
- (ii) The Safety Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed twenty;
- the representatives of the employer in the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials directly or associated with the working of the establishment, preferably the heads of major Departments of the establishment;
- (iii) The representative of the workers in the Safety Committee shall be chosen in the following manner, namely:-
- (a) where there is a sole negotiating union under sub-section (2) or sub-section (3) or a negotiating council under sub-section(4) of section 14 of the Industrial Relations Code,2020 (35 of 2020) , as

the case may be, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Unions;

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

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

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

Provided also that in case there is no recognized negotiating union or negotiating council and where any dispute arises regarding choosing of the worker's representative to the Safety Committee, the matter may be referred to the Labour

Commissioner, Puducherry who shall after hearing the Parties decide the matter, and his decision thereon shall be final.

(c) the tenure of the members of the Safety Committee shall be three years.

(iv) The minutes of the meeting of the Safety Committee shall be recorded and produced to the Inspector-cum-Facilitator on demand. Minimum 1/3 of the members of the committee shall form the 'Quorum' for the meetings.

(3) Duties of the Safety Committee shall include,-

- (i) assisting and co-operating with the management in achieving the aims and objectives outlined in the 'Safety and Health Policy' of the establishment;
- (ii) dealing with all matters concerning health, safety and environment and to arrive at practical solutions to problems encountered;
- (iii) creating safety awareness amongst all workers;
- (iv) Undertaking educational, training and promotional activities;
- (v) discussing reports on safety, environmental and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the recommendations made in the reports;
- (vi) Looking into the matters likely to cause danger to the safety and health of the workers and suggest corrective measures; and

(vii) Reviewing the implementation of the recommendations made by it.

(4) The functions of the Committee shall be, –

- (i) to discuss remedial measures against the unsafe conditions and practices in the establishment as pointed out in the reports of worker's representative brought to the notice of the Committee and make appropriate recommendations;
- (ii) to discuss the report of inquiry into accident, dangerous occurrences etc. and make appropriate recommendation;
- (iii) to formulate and implement appropriate Safety Campaigns based on the analysis of accidents and dangerous occurrences;
- (iv) to serve as a Forum for communication on Safety and Occupational Health matters;
- (v) to discuss the Standard Operating Procedures(SOP) prepared for different plant, equipment, installations and methods at factories/establishment and make appropriate recommendations;
- (vi) stimulating interest of employer and workers in safety by organizing safety weeks, safety competition, talks and film shows on safety, preparing posters or taking similar other measures as and when required or as necessary;
- (vii) to inspect the potentially hazardous areas of the factory to pre-empt any danger to human life and safety.

(5) Safety Officer for factory, Dock work and Building or Other Construction

Works.- (i) In every establishment of factory or dock work wherein 500 or more

workers, building and other construction works wherein 250 or more workers and factories involving any hazardous process as per clause (zb) of section 2 or any operation declared to be dangerous under section 82 wherein 250 or more workers, are ordinarily employed, the employer shall employ Safety Officer as per the scale mentioned below;-

(A) For Factories (Non-Hazardous)

Sl.No.	Employees threshold	Number of Safety officers
1.	500 to 1000 workers	One safety officer
2.	1001 and above	One Safety Officer for every 1000 workers

(B) For factories carrying on Hazardous process

Sl.No.	Employees threshold	Number of Safety officers
1.	250 to 500 workers	One safety officer
2.	501 and above	One Safety Officer for every 500 workers

(C) For Building or other construction work

Sl.No.	Employees threshold	Number of Safety officers
1.	250 to 500 workers	One safety officer
2.	501 and above	One Safety Officer for every 500 workers

(ii) A person shall not be eligible for appointment as a safety officer relating to factory or dock work or building or other construction works unless possesses –

- (i) a recognised Degree in any branch of Engineering or Technology and has had practical experience of working in a supervisory capacity for a period of not less than two years; or

(ii) a recognised Degree in Physics or Chemistry and has had practical experience in a supervisory capacity for a period of not less than five years; or

(iii) a recognised Diploma in any branch of Engineering or Technology and has had practical experience in a supervisory capacity for a period of not less than five years;

(iv) possesses a Degree or Diploma in Industrial Safety recognised by the Central Government or the Government of Puducherry ; or Post-graduate Diploma in Industrial Safety from Central Labour Institute or Regional Labour Institutes under Directorate General of Occupational Safety and Health.

(iii) Notwithstanding anything contained in sub-rules (i) and (ii), any person who –

(1) possesses a recognised Degree or Diploma in Engineering or Technology and has had experience of not less than five years in a Department of the Central Government or the Government of Puducherry which deals with the administration of legislations pertaining to the factories or building or other construction works or dock works;

(b) possesses a recognised Degree or Diploma in Engineering or Technology and has had experience of not less than five years in training, education, consultancy, or research in the field of accident prevention in Industry or in any Institution; shall be eligible for appointment as a Safety Officer.

(6) Duties of Safety Officers in case of dock work and building or other construction works.-The duties of a Safety Officer shall be to advise and assist in the fulfilment of statutory obligations, concerning prevention of personal injuries and maintenance of a safe working environment and shall include the following, namely:-

- (i) advising the concerned Departments in planning and organising measures necessary for the effective control of personal injuries;
- (ii) advising on safety aspects in all job studies and to carry out detailed job safety studies of selected jobs;
- (iii) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;
- (iv) to provide advice on matters related to carrying out safety inspections;
- (v) to carry out plant safety inspections observe the physical conditions of work and the work practices and procedures followed by workers and to render advice on measures to be adopted for removing the unsafe physical conditions and preventing unsafe actions by workers;
- (vi) to render advice on matters related to reporting and investigation of accidents, dangerous occurrences and diseases;
- (vii) to investigate selected accidents and dangerous occurrences ;
- (viii) to investigate the cases of notifiable diseases listed in the Third Schedule to the Code;

- (ix) to organise in association with the concerned Departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the workers in establishing and maintaining safe conditions of work and procedures;
- (x) to design and conduct either independently or in collaboration with the training Department, suitable training and educational programme for the prevention of personal injuries; and
- (xi) the Safety Officer shall maintain in a bound paged book or in retrievable and non-editable electronic form a detailed record of the work performed by the Safety Officer.

CHAPTER V

Hours of Work and Annual Leave with Wages

17. Weekly Holiday and Compensatory Holidays under sub-section (2) of section

26.— (1) The employer shall post a notice at conspicuous places of workplace of every establishment, showing the weekly holiday including digital means like electronic notice boards. Where the weekly holiday is not the same day for all persons employed in the establishment, the notice shall show the holiday allowed to each relay or set of persons or individual in Hindi or English and in local language.

(2) Except in the case of worker engaged in any work which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be

allowed shall be so spaced that not more than two compensatory holidays are given in one week.

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

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

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

18. The total number of hours of overtime under second proviso of section 27 of the Code .— (1) Where in an establishment, -

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

(b) a worker, other than daily wager, for more than forty-eight hours in any week, as the case may be

such worker shall in respect of such overtime work be entitled to wages at the rate of twice the rate of their ordinary rate of wages and shall be paid for such overtime at the end of each wage period.

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

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

(4) The spread over for the workers shall exceed twelve hours in any one day under the following works and circumstances in respect of factories, dock work and building and other construction works , namely: —

- (i) urgent repairs;
- (ii) work in the nature of preparatory or complimentary work;
- (iii) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest;
- (iv) work which for technical reasons must be carried on continuously;
- (v) engaged in making or supplying articles of prime necessity which must be made or supplied every day;
- (vi) engaged in a process which cannot be carried on except during fixed seasons;
- (vii) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;
- (viii) engaged in engine rooms or boiler houses or in attending to power plant or transmission machinery;
- (ix) engaged in process on account of the break-down of machinery;

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

(xi) exceptional press of work; and

(xii) engaged in any work, which is notified by the Central Government/Government of Puducherry in the Official Gazette as a work of National importance:

Provided that no worker shall be allowed to work overtime exceeding one hundred forty-four hours in any quarter of a year:

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

19. Restriction on double employment in a factory under section 30. —

(1) The Inspector-cum-Facilitator may allow the employment of adult workers in more than one factory on the same day subject to the following circumstances –

- (i) such adult worker has not worked more than forty-eight hours in a week and is allowed weekly holidays as per section 26;
- (ii) a note under the initials of the Inspector-cum-Facilitator shall be made in the remarks column of a Register of such workers permitted to work in more than one factory.

(2) The Government of Puducherry may by general or special order exempt any establishment or any person on double employment under section 30, in exceptional cases as deem proper, assigning full justification of such order.

20. The form of notice, manner of display of such notice and the manner in which such notice shall be sent to the Inspector-cum-Facilitator under sub-section (2) of section 31.— The notice referred to in sub-section (2) of section 31 shall be displayed at conspicuous places on a notice board or electronic board and maintained in **Form-VIII** and copy of such notice shall be sent to Inspector-cum-Facilitator electronically or speed post.

CHAPTER VI

Maintenance of Registers, Records and Returns

21. Maintenance and Production of reports, registers and other records under clause (a) of section 33.—

(1) Every employer of establishment shall maintain:-

- (a) the register of employees in **FORM IX**;
- (b) the register for attendance-cum-muster roll in **FORM IX A**;
- (c) the register for wages, over time and deduction in **FORM IX B**;
- (d) the registers under this rule shall be maintained electronically or otherwise;
- (e) entries in the registers shall be made in English or the language understood by a majority of persons employed;
- (f) every employer shall produce records and registers, on demand before the Inspector-cum-Facilitator or any person authorized in that behalf of the Government of Puducherry; and

- (a) all the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein. Provided that when the Original record is lost or destroyed before the expiry of five year period, free copies thereof, if available, shall be preserved for the period to be notified by the Government.

(2) Every employer shall issue wage slips, electronically or manually to the employees in **FORM IX C** on or before the date of payment of wages to the employee.

Explanation.— The **Form IX C** of these rules is same as the Form prescribed by the Government of Puducherry under sub-section (3) of section 50 of the Code on Wages (29 of 2019).

(3) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2020 and Social Security Code, 2020, the following registers and wage slips required to be maintained by the employer of the establishment under those Codes and rules made thereunder shall be deemed to be maintained by the employer under these rules, namely:-

- (a) the register of employees;
- (b) the register for attendance-cum-muster roll;
- (c) the register of wages, over time and deductions;
- (d) the wage slip.

(4) All registers and other records required to be maintained under the Code and the Rules made thereunder shall be maintained complete and up-to-date and

unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place.

22. The manner and form of displaying notices under clause (b) of section 33.—

Every employer shall cause to display at a conspicuous place of the work place of the establishment under his control, notice showing the name and address of the establishment, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrences in the establishment for the last five years, name and address of the Inspector-cum-Facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English and Tamil or in any other regional language of the region, in which the establishment is situated in the Union Territory of Puducherry as the case may be in **Form IX-D**.

23. Return, manner of filing the return and periods of filing return to Inspector-cum-Facilitator under clause (d) of section 33.—

(1) Annual Returns:-

(a) Every employer of an establishment shall send an annual return relating to such establishment in **FORM-X (Part-I)** related to category of employees, health and welfare facilities, retrenchment or layoffs, bonus, maternity benefits etc. to the Inspector-cum-Facilitator having jurisdiction so as to reach on or before the last day of February following the end of each Calendar year electronically.

(b) Where the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then he shall, within one

month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal, a further unified return in **FORM-X (Part-I)** referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

(2) **Register of accident and dangerous occurrences.** —The register of accident and dangerous occurrences required by sub-clause (v) of clause (a) of section 33 of the Code shall be maintained in **Form-XI**.

(3) **Register of leave with wages under sub-clause (v) of clause (a) of section 33.**—

(i) The employer of every establishment shall maintain in respect of every worker thereof a record of leave with wages electronically or manually in **Form-XII**;

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

(4) **Other Provisions related to Registers, Records and Returns.-**

(1) The registers and other records relating to an establishment and required to be maintained under the Code or these rules, shall be maintained legibly in English or in the local language understood by the majority of the workers employed.

(2) An employer shall produce all types of Records and prescribed registers under these rules, electronically or by registered post or speed post or manually, on demand before the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator or any person authorized in that behalf of the Government of Puducherry.

(3) In case, where during a wage period, no deduction has been made from the wage of a worker or no fine has been imposed on such worker or no overtime work has been performed by such worker or no payment has been made for overtime work to such worker, a "NIL" entry shall be made against such wage period at the appropriate place in the register maintained in **Form IX-B**

CHAPTER VII

Inspector-cum-Facilitator and other Authority

24. The manner of taking samples of any article or substance found in any premises and air of atmosphere under clause (x) of sub-section (1) of section 35.—(1)An Inspector-cum-Facilitator at any time during normal working hours shall take samples or substances in an establishment as per the inspection Scheme mandated under designated portal of the Labour Department after informing the employer/occupier/manager of the establishment, taken in the manner herein after providing a sufficient sample of any substance used or intended to be used in the establishment, such use being—

(a) in the belief of the Inspector-cum-Facilitator in contravention of any of the provisions of this Code or the rules made there under; or

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

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

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

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

- (i) forthwith give one portion of the sample to the employer or employer representative under sub-rule (1);
- (ii) forthwith send the second portion to a Government Laboratory or to a Laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories for analysis and report thereon; and
- (iii) retain the third portion for production to the Court before which proceedings, if any, are instituted in respect of the substance.

(5) Any document purporting to be a report under the hand of any Government Analyst or to a Laboratory accredited by National Accreditation Board for Testing

and Calibration Laboratories upon any substance submitted for analysis and report under this rule, may be used as evidence in any proceeding instituted in respect of the substance.

25. Power and duties to be performed by the Inspector-cum-Facilitator under clause (xiv) of sub-section (1) of section 35.—

(1) If it appears to the Inspector-cum-Facilitator that any building or part of a building or any part of the ways, machinery or plant in a factory/establishment is in such a condition that it is dangerous to human life or safety or health, he may serve on the employer/occupier/manager of the establishment/factory an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector-cum-Facilitator that the use of any building or part of a building or any part of the ways, machinery or plant in a factory/establishment involves imminent danger to human life or safety or health, the Inspector-cum-Facilitator may serve on the occupier of the factory or employer of the establishment an order in writing prohibiting its use until it has been properly repaired or altered.

(3) Information required by the Inspector-cum-Facilitator.- The occupier, owner or manager of a factory/establishment shall furnish any information that an Inspector-cum-Facilitator may require for the purpose of satisfying himself whether any provision of the Code has been complied with or whether any order of an Inspector-cum-Facilitator has been duly carried out. Any demand by an Inspector-

cum- Facilitator for any such information if made during the course of inspection, shall be complied forthwith if the information is available in the factory or, if made in writing shall be complied with within seven days of receipt thereof.

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

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

26 The specialized qualification and experience, duties and responsibilities of experts to be empanelled under section 37.—

(1) Third Party Auditor.- The Government of Puducherry shall, by notification, formulate a Scheme to empanel experts possessing qualifications and experience as prescribed under sub-rule (2) below for the purpose of such start-up establishment or class of establishments, as may be specified in the notification.

(2) Academic Qualification and Experience:-

- (i) A degree in the branch of Chemical, Mechanical, Electrical or Production Engineering from recognized Institution and having ten years of experience in manufacturing, maintenance, design, project or safety Department in the supervisory or above capacity in factories; or
- (ii) A diploma in the branch of Chemical, Mechanical, Electrical, Production Engineering and diploma in industrial safety from recognized Institution and having fifteen years of experience in manufacturing, maintenance, design, project or safety Department in the supervisory or above capacity in factories; or a degree of Bachelor of Science with Physics and/or Chemistry and a diploma in Industrial Safety from recognized Institution and having fifteen years experience in manufacturing or maintenance or safety Department of any establishment in the supervisory or above capacity in factories, and one year full time Diploma in Industrial Safety recognized by the Board of Technical Education or All India Council of Technical Education or recognized University; or Central or Regional Labour Institutes.
- (iii) A degree or diploma in any branch of Engineering and having fifteen years of experience in Factory Inspectorate or Directorate of Industrial Safety and Health or fifteen years of experience in the Director General Occupational Safety and Health or Central Labour Institute or Regional Labour Institutes of Director General Occupational Safety and Health .
- (iv) Should have undergone specialized safety auditor course imparted by Regional Labour Institutes or Central Labour Institutes or any other Institute of repute recognized by the Central Government or the Government of Puducherry.

27. Competent person under clause (ℓ) of sub-section (1) of section 2 of the Code:

(1) The Chief Inspector-cum-Facilitator may recognize any person as ‘Competent Person’ for the area and for the period as specified for the purposes of carrying out tests, examination, inspections and certification, if such a person possesses the qualifications, experience and other requirements as set out in **Schedule-A**, appended to these rules :

Provided that the Chief Inspector-cum-Facilitator may relax the requirements of qualifications in respect of ‘Competent Person’ with the prior approval of the Government of Puducherry :

Provided further that the Competent Person recognised under sub-rule (1) shall not be above the age of sixty-five years and shall be physically fit for the purpose of carrying out the requisite tests, examination and inspection.

(2) The Chief Inspector-cum-Facilitator may recognise an Institution of repute, having persons possessing qualification and experience as specified in the **Schedule-A**, as ‘Competent Person’ for the purposes of carrying out tests, examination, inspections and certification and issue a Certificate of Competency in its favour in **FORM XVI**.

(3) The Chief Inspector-cum-Facilitator on receipt of an application in **Form-XIV** from a person or from an institution in **Form-XV**, as the case may be, intending to be recognized as a Competent Person for the purposes of the Code and the rules made there under, shall register such application and after satisfying himself as

regards competence and facilities available at the disposal of the applicant may recognise the applicant as a 'Competent Person'. Such application shall be disposed of either by issuing a certificate of competency in **Form-XVI** or by rejecting the same specifying reasons thereof, within a period of sixty days.

(4) The Chief Inspector-cum-Facilitator, if he has reason to believe that a Competent Person,—

- (1) has violated any condition stipulated in the certificate of competency; or
- (2) has carried out a test, examination and inspection or has acted in a manner inconsistent with the intent or the purpose of the Code or the rules made there under, or has omitted to act as required under the Code or the rules made there under; or
- (3) for any other reason to be recorded in writing, may revoke the certificate or competency after giving an opportunity of being heard to the Competent Person.

Explanation: —For the purpose of this rule, an Institution includes an Organization (including Government, autonomous, co-operative, corporate or private).

(5) The Chief Inspector-cum-Facilitator may, for reasons to be recorded in writing, direct for the recertification of any of the area as defined in **Schedule A** as the case may be which has been certified by a Competent Person outside this Union Territory.

28. The manner of providing alternative employment under sub-clause (d) of clause (A) of sub-section (1) of section 38. — The occupier of the factory may take necessary steps for providing employment to the workers affected by the order of prohibition issued by Inspector-cum-Facilitator under sub-clause (a) of clause (A) of sub-section (1) of section 38 and as far as practicable provide alternate employment to the workers so affected. Where it may not be possible for the occupier to provide such employment, he shall be responsible for making payment of salary/wages to the affected workers during the period for which the prohibition order is in operation.

29. The qualification for the appointment of medical Officer under sub-section (1) of section 42.—

(1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019 (Central Act No. 30 of 2019), enrolled on a State medical register as defined in National Medical Commission Act, 2019.

(2) The Medical Officer shall be trained in Occupational Health course including International Labour Organisation classification of chest radiograph duly recognised by the Government or the Central Government.

30. Duties of Medical Officer under sub-section (2) of section 42.—

(1) The duties of Medical Officer shall as may be prescribed by the Central Government in the standards framed under section 18 of the Code.

- (2) On receipt of a reference under clause (c) sub-section (2) of section 42, the Medical Officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the worker sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the establishment and the worker concerned after retaining a copy thereof.
- (3) The Medical Officer may seek opinion of specialists like radiologist, dentist and orthopedic surgeon as the case may be, for the purpose of determination of age.
- (4) Medical Officer shall carry out such examination and furnish such report as Government of Puducherry may direct-
- (a) for examination and certification of workers in an establishment in such dangerous occupation or processes as specified in **FIRST SCHEDULE** to the Code;
 - (b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to hazardous nature of any process carried on or hazardous condition of work;
 - (c) in respect of any establishment or class of establishment or description of establishment in which operations involve any risk of injury to the health of any person or class of persons employed therein;

- (d) to undertake occupational health survey for any or class of an establishment, where cases of illness have occurred or there is prevalence of diseases as specified in **THIRD SCHEDULE** to the Code; and
- (e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment

CHAPTER VIII

Special Provisions relating to Employment of Women

31. Conditions relating to safety, holiday and working hours or any other conditions to be observed by the employer under section 43. —The following conditions shall be met for employment of women during night or before 6.00 a.m. and beyond 7.00 p.m. in any day, namely: —

- (a) the consent of women worker shall be taken in writing;
- (b) no women shall be employed against the maternity benefit provisions laid down under the Social Security Code, 2020 (Central Act No.36 of 2020);
- (c) adequate transportation facilities shall be provided to women worker to pick-up and drop such worker at her residence;
- (d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women worker should be well-lit;
- (e) the toilet, washroom and drinking facilities should be near the workplace where such women workers are employed and suitable provisions of Closed-

Circuit Television Surveillance (CCTV) on the way to these facilities shall be provided;

- (f) provide safe, secure and healthy working conditions such that no women worker is disadvantaged in connection with her employment;
- (g) dedicated telephone numbers of the establishment along with Government of Puducherry Toll-free Helpline number for Women (1091) shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilize them, in case of any exigency or emergency;
- (h) the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Central Act No.14 of 2013), as applicable to the establishments, shall be complied with.

32. Adequate safety of employment of women in dangerous operations under section 44.- The Government of Puducherry may declare from time to time, by notification, the class of establishments and the standard for safeguarding of women employed in hazardous processes as specified in the **FIRST SCHEDULE** to the Code.

CHAPTER IX

Special Provision for Contract Labour, Inter-State Migrant Worker, Audio Visual employee etc.

CONTRACT LABOUR

33. Conditions including hours of work, fixation of wages and other essential amenities in respect of contract labour under clause (a) of sub-section (3) of section 47.—(1)The Contractor shall ensure that,—

(a) the hours of work shall conform to the rules made under section 25 of the Code;

(b) the wages shall be paid in accordance with the Code on Wages, 2020 (Central Act No.29 of 2020);

(c) if when the contract labour of the contractor is working at the premises of the principal employer, then it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, Canteen and Crèche;

(d) all other facilities and entitlements shall be provided by the Contractor;

(2)The Contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order and in the manner as mentioned under this rule 39.

(3)For the purposes of obtaining license, the Contractor as an entity or as an individual shall not be an undischarged insolvent or be convicted at any time during the last two years, of an offence which is liable for punishment for more than three months of imprisonment.

(4)In case, the Contractor fails to make payment of minimum wages to the contract labour , then the Labour Commissioner, Puducherry or the Deputy

Labour Commissioner, shall cause such payment to be made to the contract labours who have not been paid, out of the security deposit referred to in rule 35, including by invoking the Bank Guarantee.

34. The Form and manner of application and the particulars which such application shall contain regarding the number of contract labour, nature of work for which contract labour is to be employed and other particulars including the information relating to the employment of Inter-State migrant employees under sub-section (1) of section 48.—(1) Every application by a contractor for the grant of a license shall be made online electronically through designated Portal in **FORM-XVII** to the Licensing Officer under Section 119 of the Code. The Licensing Officer may issue the license to the Contractor in **FORM-XVIII** electronically immediately, if the application is complete in all respects but not later than thirty days from the date of submission of complete application, failing which, such license shall be deemed to have been issued and the license shall be auto generated.

(2) Every licence granted or renewed is subject to the following conditions, namely:—

- (i) the licence shall be non-transferable;
- (ii) the number of contract labour employed by the contractor shall not, on any day, exceed the maximum number specified in the licence;
- (iii) the fees paid for the grant or renewal of the licence shall be non-refundable;

- (iv) the rates of wages payable to the contract labours by the Contractor shall not be less than the rates fixed under the Code on Wages, 2019(No. 29 of 2019) and where the rates have been fixed by agreement, settlement or award, shall not be less than the rates so fixed.

35. The procedure for issue of licence under sub-section (2) of section 48.— (1)

Before a licence is issued under any of these rules, Bank Guarantee for an amount calculated at the rate of **Rupees one thousand** for each of the worker to be employed as contract labour, in respect of which the application for licence has been made, shall be deposited by the Contractor with the Authority for performance of the conditions of the licence and compliance with the provisions of the Code or the rules made thereunder.

(2) Wherein the issued contract license had expired, based on the request of the applicant in **FORM-XVII**, the Licensing Officer may adjust the security deposit in respect of his application for new licence to be issued in **FORM-XVIII**

(3) The fees to be paid for the grant of a license shall be as specified in the table below, namely:—

(a)	No license is required up to 49 contract labour	Nil
(b)	50 and above but not exceeding 100 contract labour	` 1000
(c)	101 and above but not exceeding 300 contract labour	` 2000
(d)	301 and above but not exceeding 500 contract labour	` 3000

(e)	501 and above but not exceeding 1000 contract labour	` 4000
(f)	1001 and above but not exceeding 5000 contract labour	` 10000
(g)	5001 and above but not exceeding 10000 contract labour	` 20000
(h)	10001 and above but not exceeding 20000 contract labour	` 30000
(i)	exceeding 20001 contract labour	` 40000

36. Manner of applying for the renewal of licence and the manner of renewal of licence under sub-section (3) of section 48.—(1) Every Contractor shall apply electronically on the designated Portal to the licensing authority for renewal of the licence in **FORM-XVII**.

(2) Every such application shall be submitted on the portal referred to in sub-rule (1) at least 30 days prior to expiry of license period but not before 90 days of such expiry of license.

(3) The security deposit and the fee chargeable for renewal of the licence shall be the same as for the grant of licence under rule 35:

Provided that if the application for renewal is not received within the time specified in sub-rule (2) or after expiry of licence an additional fee of twenty-five per cent, shall be payable for such renewal.

(4) It shall be the responsibility of the authority concerned to renew licence in **FORM-XVIII** within seven days electronically, failing which the licence shall be deemed to be issued and auto generated and responsibility of such failure shall be on such authority.

37. Refund of security deposit. -

- (i) On expiry of the period of licence, the Contractor may, if he does not intend to have his licence renewed further, make an application electronically or otherwise to the licensing authority for the refund of the security deposit, deposited by him (in form of Bank Guarantee) along with copy of licence and notice of completion of work and Bank details in which amount is required to be refunded.
- (ii) If the Licensing authority is satisfied that there is no breach of the conditions of licence or there is no order for the forfeiture of security deposit or any portion thereof, he shall direct the refund of the security deposit to the applicant.
- (iii) If there is any order directing the forfeiture of any portion of Contractor's security deposit, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the Contractor.
- (iv) Any application for refund shall, as far as possible, be disposed of within thirty days of the receipt of the application.

38. Responsibility of the Contractor under sub-section (4) of section 48.—(1) The rates of wages payable to the workers by the Contractor shall not be less than the

rates prescribed under the Code on Wages, 2019 (Central Act No.29 of 2019) and where the rates have been fixed by agreement, settlement or award, not less than the rates fixed by such agreement, settlement or award, as the case may be.

(2) In case where the worker employed by the Contractor performs the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workers of the Contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of work. In case of any dispute whether the work is of similar kind, the matter be referred to the Deputy Labour Commissioner, Puducherry whose decision thereon shall be final.

(3) In Other cases, the wage rates, holidays, hours of work and conditions of service of the employees of the Contractor shall be such as specified under the Code and rules made thereunder.

(4) All contract labour shall be made member of Employees Provident Fund Organisation and Employees State Insurance Corporation subject to applicability as under respective provisions of the Code on Social Security, 2020 (Central Act No.36 of 2020).

(5) The Contractor shall notify any change in the number of workers or conditions of work to the Licensing Authority, on the designated portal.

39. The manner of intimation of contract work order and time limit for such intimation under sub-section (1) of section 50.—(1) Every Contractor shall within

fifteen days of the receipt of a contract work order, intimate about the contract work order containing the details such as the name of the principal employer, address of the premises where work is being undertaken, date of commencement of the contract work, the number of contract labour employed under that work order, duration of work orders through the designated portal.

(2) The details of work order under sub-rule (1) shall be sent by the Contractor or his authorized representative.

(3) The intimation under sub-rule(1) shall be sent electronically on the designated Portal. ▸

40. The manner of suspending/ revoking of or cancelling of the licence under sub-section (2) of section 50 and section 51.—(1) If the Licensing Authority is satisfied that the licence has been obtained by misrepresentation or suppression of any material fact or if the Contractor has failed to comply with the conditions subject to which licence was granted or the Contractor has contravened any provision of Part-I, Chapter-XI of the Code or rules made thereunder, the Licensing Authority shall issue a Show Cause Notice of 15 days to the Contractor electronically or otherwise. On receipt of the reply, if any, from the Contractor within 15 days of the receipt of the notice, the Licensing Authority shall examine the same and in case the Licensing Authority is of the opinion that the continuation of contract business by the Contractor is going to lead to grave harm to the contract workers, the Authority may pass a Speaking Order recording the reasons for revocation or suspension or otherwise and communicate to the Contractor electronically or otherwise. A copy of

the Order shall be endorsed to the Labour Commissioner and concerned Inspector-cum-Facilitator having jurisdiction.

(2) If the Contractor has complied with the said provisions of the Code and rules made thereunder within the stipulated time period, the Licensing Authority shall revoke the suspension by giving a Speaking Order or else the suspension may be continued.

(3) If the Contractor fails to comply with the Order in sub-rule (1), the Licensing Authority may forthwith pass an order of revocation of licence, recording the reasons thereof and communicate to the Contractor electronically or by speed post or otherwise. The copy of the Order shall be endorsed electronically or otherwise to the Labour Commissioner and the Inspector-cum-Facilitator having jurisdiction.

41 Amendment of Licence.- (1) The Contractor seeking amendment in licence shall apply electronically in **FORM-XVII** on designated Portal by giving details about the amendment and uploading documents related to license issued, proof of Identity and address of the employer as specified in the said Form.

(2) The Form shall be signed digitally or in any other manner as may be required on the portal.

(3) The applicant shall be responsible for veracity of all information submitted in the application.

(4) The fees to be paid for the amendment of Licence as specified in sub rule (3) of Rule 35.

(5) The amended licence shall be issued in **FORM-XVIII** electronically immediately, if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such licence shall be deemed to have been amended and the amended licence shall be auto generated.

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

42. Appeal. – (1) The Appellate Authority under sub-section (1) of section 52 of the Code shall be notified by the Government, issued from time to time.

(2) The Form and the Fees for this purpose will be specified by general or special order by Government of Puducherry issued from time to time.

43. Responsibility for payment of wages under sub-section (1) of section 55.—

(1) The Contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month.

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

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

(4) The wages shall be disbursed through Bank Transfer or electronically:

Provided that where it is not practicable to disburse wages through Bank Transfer or electronically, the wages shall be disbursed in current coins or currency.

(5) The Wages of contract labours shall be paid without any deductions of any kind, except those specified by the Government of Puducherry by general or special order in this behalf or permissible under the Code on Wages, 2019 (29 of 2019), by the Contractors to the contract labour.

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

(7) Every Contractor shall send half-yearly return in **FORM-XIX** so as to reach the Deputy Labour Commissioner, Puducherry concerned not later than 30 days from the close of the half year, electronically, that is to say January to June, July to December.

(8) In case Contractor fails to make payment of wages to the contract labour within seven days of completion of wage period, then the principal employer shall take necessary action and make payment of wages in full or the unpaid balance dues, as the case may be, to the concerned contract labour employed by the Contractor within 15 days and recover the amount so paid from the Contractor either by deduction from any amount payable to the Contractor under any contract or as debt payable by the Contractor or from the Security Deposit lying with the Principal Employer.

(9) Every principal employer of an establishment shall submit annual return in **FORM-X (PART-II)** so as to reach the licensing authority and Deputy Labour

Commissioner, Puducherry on or before the last day of February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result.

44. The mode of payment of wages under proviso to sub-section (2) of section 55.—Every Contractor to whom this Code applies shall make the disbursement of wages through Bank Transfer or electronic mode and inform the principal employer electronically or otherwise the amount so paid by such mode :

Provided that where it is not practicable to disburse payment in the mode specified in this rule then the payment shall be made in the mode other than electronic mode as prescribed under relevant provisions of Code on Wages, 2019 (Central Act No.29 of 2019).

45. The manner of payment of wages from security deposit under sub-section (4) of section 55.—

(1) If the Contractor or Principal Employer does not pay the wages to the contract labour employed by him, the Labour Commissioner, Puducherry or his representative or the Competent Officer as may be notified by the Government shall conduct or cause to conduct, an inquiry and after giving an opportunity to be heard to the Contractor, shall pass an order to make payment, if any, of such wages from the amount deposited by the Contractor as security deposit.

(2) The Contractor shall re-furnish the security deposit within a period of 15 days or else his license will be liable to be suspended.

46. The form of issuing experience certificate under section 56.—Every Contractor concerned, shall issue on demand, experience certificate in **FORM-XX** to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

47. The form and manner of making application under clause (b) of sub-section (2) of section 57.—If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application, to the Secretary to Government (Labour), Puducherry giving reasons along with supporting documents :

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

48. Period of making report and the period of deciding the question under clause (c) of sub-section (2) of section 57.—The Secretary to Government (Labour), Government of Puducherry may refer any such question *suo motto* or refer the application to the designated authority notified by Government of Puducherry for making such inquiry as it deems fit, the designated authority shall report to the Secretary to Government (Labour), Puducherry within thirty days for taking appropriate decision under these rules and the Secretary to Government (Labour), Puducherry shall decide the matter within one month from the date of receipt of such report and communicate the said decision of the Government to the Parties through electronically or otherwise for implementation of the said Order of the Government.

INTER-STATE MIGRANT WORKER

49. Journey allowance to Inter-State migrant workers under section 61.— (1)

The employer shall pay a lump sum amount on account of fare for to and fro journey to inter-state migrant worker by train (not less than II Class Sleeper) or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home town, if he has worked for a period of not less than 180 days in the concerned establishment(s) in preceding twelve months :

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

(2) In the event of change of employer by the Inter-State migrant worker during the middle of the employment period who has not availed the journey allowance from his previous employer, then on the basis of a certificate to be given by Inter-State migrant worker, the employer where the Inter-State migrant worker is presently working and such worker has completed one hundred and eighty days in the preceding twelve months including the period spent with the previous employer, then the present employer shall pay journey allowance.

50. Manner of providing facility of toll-free helpline to the Inter-State migrant worker under section 63. — A Toll Free helpline number shall be provided by the Labour Department, Puducherry, to address queries and grievances of the Inter-State migrant workers.

51. Manner of providing for study of inter-state migrant workers under section 64. —The Government may identify the fields where studies are to be carried out to

promote safety, health and welfare of Inter-State migrant workers by an Order issued from time to time. Wherever required, the Government of Puducherry may also consult the Central Government or other State Government(s) or expert organizations involved in the safety, health and welfare of inter-state migrant workers.

AUDIO- VISUAL WORKER

52. Authority to whom a copy of the agreement shall be forwarded by the producer under sub-section (3) of section 66. — The Government may notify an officer not below the rank of Deputy Labour Commissioner as Authority for the purpose of these rules. The agreement for the audio-visual workers with the Producer shall be given in **FORM-XXI**. The agreement shall be registered with the Competent Authority as may be notified by the Government of Puducherry.

53. Procedure for reference of disputes to a Conciliation Officer or a Industrial Tribunal under clause (vii) of sub-section (4) of section 66.— The procedure for reference of dispute to the Conciliation Officer or an Industrial Tribunal shall be in conformity with the Industrial Relations Code, 2020 (Central Act No.35 of 2020) and rules framed thereunder.

CHAPTER X

Special Provisions to Factories

54. Submission of plans for approval in respect of factory or class or description of factories under sub-section (1) of section 79.—The Government or the Chief Inspector-cum-Facilitator may require for the purposes of the Code, submission of plans of any factory which has either in existence on the date of commencement of

these rules or which had not been constructed or extended since then. Such plans shall be drawn to scale showing:-

- (a) the site of the factory and immediate surrounding including adjacent buildings and other structures, roads, drains, etc.;
- (b) the plan, elevation and necessary cross-sections of the factory buildings indicating all relevant details relating to natural lighting, ventilation and means to escape in case of fire, and the position of the plant and machinery, aisles and passage ways; and
- (c) such other particulars as the Government or the Chief Inspector-cum- Facilitator, as the case may be, may require.

55. Approval and Licensing of factories under sub-section (2) of section 79.-

(1) The previous permission for the site on which the factory is to be situated and for the construction or extension thereof shall be approved by the Government or the Chief Inspector-cum-Facilitator.

(2) No addition/alteration or extension in the existing factory building shall be made unless plans in respect of such additions, alterations or extensions are approved by the Government or the Chief Inspector-cum-Facilitator.

(3) Application for approval of the plans shall be made electronically in **FORM-XXII** through the designated portal along with the following plans and documents to the Inspector-cum-Facilitator: -

- (i) Flow chart of the manufacturing process giving a brief description of the process in its various stages;

- (ii) For factories proposed to employ or employing more than 100 workers and upto 1000 workers ` 2,000/-
- (iii) For factories proposed to employ or employing more than 1000 workers ` 5,000/-

(5) Under no circumstances shall the plans be returned unapproved and the standards prescribed by the Central Government under section 18 of the Code shall be followed. If the Inspector-cum-Facilitator is satisfied that the plans and documents are in consonance with the requirements of the rules, he shall forward the plans and documents to the Chief Inspector-cum-Facilitator for approval. The Chief Inspector-cum-Facilitator after being similarly satisfied, shall approve the plans:

Provided that where the plans and documents fall short of the requirements of these rules, the Inspector- Cum-Facilitator or Chief Inspector-cum-Facilitator as the case may be shall return the documents to the applicant for modifications and corrections as suggested therein:

Provided further that the plans shall not be deemed to have been submitted till such time as they are re-submitted duly modified and amended and if such information is not furnished or revised plans are not sent by the occupier within a period of 90 days from the date of seeking such information or calling for revised plans, the application shall be deemed to have lapsed and no further action shall be

taken thereon. If the occupier of factory so desires, he may submit an application along with payment of requisite fee electronically as specified in sub-rule (4):

(6) No manufacturing process shall be carried on in any building or part of a building whether newly constructed, re-constructed or extended, or in any building which has been taken into use as a factory or part of a factory until a Certificate of Stability in respect thereof, obtained from a competent person in such form as may be prescribed by the Central Government in the standards under section 18 of the Code, has been sent by the occupier or manager of the factory to the Chief Inspector-cum-Facilitator electronically or otherwise and accepted by him.

(7) Certificate of Stability shall be signed by the Competent Person along with the tests, load calculation and analysis reports relating to stability.

(8) Neither any new plant nor machinery shall be added to any building of a factory nor brought into use after such addition until a fresh certificate of stability is obtained from a competent person in respect thereof has been sent by the occupier or manager of the factory to the Chief Inspector-cum-Facilitator electronically or otherwise and accepted by him.

(9) **Application for grant or renewal of licence:-** The employer seeking grant of a licence or its renewal thereof shall apply electronically through the designated portal by giving details about the factory as specified in the **FORM-XXIII** along with registration certificate as per section 3 of the Code. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application:

Provided that the occupier of the premises in use as a factory on the date of commencement of these rules shall submit such an application within thirty days from the commencement of these rules

(10) Licence for a factory shall be granted in **FORM-XXIV** by the Chief Inspector-cum-Facilitator or any other Officer appointed and specially empowered in this behalf by the Chief Inspector-cum-Facilitator electronically immediately, if the application is complete in all respects but not later than seven days from the date of submission of complete application, failing which such licence shall be deemed to have been issued and the licence shall be auto generated:

(11) Every application for renewal, in **FORM-XXIII** complete in all respects, shall be made on the portal of the Labour Department and shall be made not less than sixty days before the date on which the licence expires and if the application is complete in all respects, the renewal certificate shall be auto generated in **FORM-XXIV** and the same may be downloaded by the applicant from the portal:

Provided that if the application for renewal, complete in all respects, is not received within the time specified in this sub-rule, the licence shall be renewed only on payment of an additional fee of –

- (i) ten percent of the fee payable, if the application for renewal is received not less than one month before the date of expiry of the licence;
- (ii) twenty percent of the fee payable, if the application for renewal is received within a month before the expiry of the licence; and

(iii) thirty percent of the fee payable, if the application for renewal is received after the expiry of the licence.

(12) The fees for grant of licence shall be the same as for renewal of licence for one year and shall be as specified in the '**SCHEDULE-B**' appended to these rules.

(13) Every licence granted or renewed under these rules shall be valid for a period up to ten (10) years as per the request of the licensee and the fees payable for grant of or renewal of licence of a factory shall be proportionate to the annual fees multiplied by number of years for which licence is sought for and shall remain in force till the 31st December of the year upto which the licence is granted or renewed.

(14) Notice of change of Manager –The notice of change of a new manager shall be sent in **FORM-XXV**.

(15) Amendment to licence which is a Factory.–

(1) A licence granted under sub-rule (11) or renewed under sub-rule (12) may be amended by the Chief Inspector-cum-Facilitator.

(2) A licensee whose licence requires to be amended by virtue of increase in the number of persons employed or in the horse power installed or change in the name of the factory or all taken together shall submit electronically on the designated portal in the **FORM-XXIII**. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

If any change required in factory licence which relates to registration of factory, copy of registration certificate as amended as per section 3 of the Code shall be

attached with the application and such licence will issued in **FORM-XXIV**, electronically.

(3)The fee for amendment to a licence by virtue of increase/decrease in number of persons or increase/decrease in the horse power installed or change in the name of factory or all taken together shall be Rs.500/- in addition to the amount (if any) by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.

(16) Refusal of licence.-The Chief Inspector-cum-Facilitator or any other officer appointed and specially empowered in this behalf by the Chief Inspector-cum-Facilitator may refuse the renewal of licence on the ground that the applicant has been guilty of repeated contraventions of safety provisions of the Code or Rules or both or the applicant has obtained the licence by fraud or by misrepresentation:

Provided that before refusing any licence, the applicant shall be given an opportunity to show cause as to why the licence shall not be refused.

(17) Revocation of licence- The Chief Inspector-cum-Facilitator or any other Officer appointed and specially empowered in this behalf by the Chief Inspector-cum-Facilitator may, at any time before expiry of the period for which the licence has been granted or renewed, revoke the licence on any of the grounds specified in sub-rule (16) above or if: -

- (i) there is imminent danger to life and property in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in his opinion have not been taken to remove the danger; and/or;
- (ii) Employment of child employee below 14 years of age noticed:

Provided that before revoking the licence, the applicant shall be given an opportunity to show cause as to why the licence shall not be revoked.

(18)Transfer of licence. –

(1)The holder of a licence may, at any time before the expiry of the licence, apply for permission to transfer his licence to another person electronically on the Official portal of the Labour Department, Government of Puducherry in the **FORM-XXIII**. The Form shall be signed digitally or in any other manner as may be required on the portal. The applicant shall be responsible for veracity of all information submitted in the application.

(2) Such application shall be made to the Chief Inspector-cum-Facilitator electronically and the Chief Inspector-cum-Facilitator shall immediately, if the application is complete in all respects but not later than seven days from the date of submission of complete application, issue **FORM-XXIV** for transfer of license, failing which such licence shall be deemed to have been issued and the license shall be auto generated.

(3) A fee of five hundred rupees shall be charged on each such application and in case of any revised enhanced licence fee, the Transferee shall be liable to pay the

difference in license fee paid by the Transferor and the revised enhanced License fee as on the date of Transfer of licence, if any.

(4) In case of transfer of factory licence which relates to registration of establishment, copy of registration certificate as amended as per section 3 of the Code shall be attached with the application.

(19) Procedure on death or insolvency of licensee.—If a licensee dies or becomes insolvent and, the person carrying the business of such licensee shall not be liable to pay any penalty under the Code for exercising the powers granted to the licensee by the licence during such time as may reasonably be required to allow him to make an application for the amendment/transfer of the licence in his own name for the unexpired portion of the original licence.

(20) Payment of Fees.-

(1) Every application under these rules where fees is required to be paid shall be paid electronically or otherwise and credited to the Treasury in the head as may be specified by the Government of Puducherry from time to time.

(2) In case of licence application rejection, closure of factories, surrender of license as the case may be, fees paid by the applicant shall be forfeited.

(21) Initiation of Closure of Factory or part thereof.-

(a) The occupier and the Manager shall be jointly or severally responsible for sending information, to the Inspector-cum-Facilitator of Factories of any intended closure of the factory or any shift, section or department thereof,

immediately after it is decided to do so, and before the closure takes place stating:

- (i) The date of intended closure;
- (ii) The reasons for closure;
- (iii) The number of workers on the muster-roll of the factory on the day the information is sent;
- (iv) The number of workers likely to be affected by the closure; and
- (v) The probable period of closure:

Provided that in the case of any factory in respect of which Standing Orders settled or certified under the Code on Industrial Relations, 2020(No.35 of 2020), as the case may be, provide for the display on the notice boards of the factory a notice of the proposed closure of the factory or any shift, section, or department thereof such information to the Inspector-cum-Facilitator of factories shall be given on the date on which such notice is displayed:

Provided further that it shall not be necessary for the occupier or manager to send information of intended closure if the closure is rendered inevitable on account of fire, break down of machinery, stoppage of power or water supply or any other cause beyond his control or if cessation of operation has been submitted under section 5 of the code.

- (b) The occupier and the manager shall be jointly or severally responsible for sending information to the Inspector-cum-Facilitator as soon as the factory

or any shift, section or department there of, is actually closed with the following details, namely:-

Registration Number, Name of factory and full address	Class of Industry*	Date of closure*	Reasons for closure	Name of closure whether, entire or partial, if partial the shift, section of department closed	Number of workers on the muster roll of factory at the time of closure	Number of workers affected by the closure.
1	2	3	4	5	6	7

*Class of Industry whether (1)Cotton Textile, (2)Silk Textile, (3) Woollen Textile, (4)Hosiery,(5) Engineering or (6) Miscellaneous should be stated.

- (c) The occupier and the manager shall be jointly or severally responsible for sending also information to the Inspector-cum-Facilitator of factories as soon as the factory or any shift, section or department thereof is re-opened with the following details, namely:-

Registration Number, Name of factory and full address	Class of Industry*	Date of closure	Number of workers affected at the time of closure	Factory or any shift, section or department thereof opened	Number of workers on muster roll at the time Of re-opening	(i) Number of workers re-employed (ii) newly employed
1	2	3	4	5	6	7

Class of Industry whether (1)Cotton Textile(2)Silk Textile,(3) Woollen Textile, (4)Hosiery, (5) Engineering or (6)Miscellaneous should be stated.

Explanation 1.—For the purpose of this sub-rule, “closure” means the permanent closing down of a factory, or any shift, section or department there of or the total or partial suspension of work (other than work of a temporary nature) by the occupier or manager of the factory or total or

partial refusal by the occupier or manager of the factory to continue to employ persons employed by him where such refusal does not amount to the discharge, dismissal or suspension of a worker or workers by way of punishment.

Explanation 2.— This sub-rule shall not apply in the case of a closure of any section or department of a factory if such closure does not affect the total number of workers employed in the factory.

56. Common facilities and services for joint liability of owner of premises and occupiers of the factories under section 80.—(1) Where any premises, separate

buildings are leased to different occupiers for use as separate factories, the owner of the premises and the occupiers of the factories shall jointly and severally be responsible for the provisions and maintenance of common facilities and services, such as approach road, drainage, water supply, lighting and sanitation.

(2) Where any premises, independent or self-contained floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable as if he were the occupier or manager of the factory, for any contravention of the provisions of this Code, in respect of,—

- (i) latrines, urinals and washing facilities in so far as the maintenance of the common supply of water for these purposes is concerned;
- (ii) fencing of machinery and plant belonging to the owner and not specifically entrusted to the custody or use of an occupier;

- (iii) safeness of access to the floors or flats and maintenance and cleanliness of stair cases and common passages;
- (iv) precautions in cases of fire;
- (v) maintenance of hoists and lifts; and
- (vi) maintenance of any other common facilities provided in the premises.

(3) The Chief Inspector-cum-Facilitator shall have subject to the control of the Government, power to issue Orders to the owner of the premises in respect of carrying out of the provisions of sub-rules (1) and (2).

(4) The provisions of sub-rule (2) relating to the liability of the owner and occupier shall apply any premises wherein, independent rooms with common latrines, urinals and washing facilities are leased to different occupier(s) for use as separate factories:

Provided that the owner and occupier shall jointly and severally be responsible also for supplying with the requirements relating to the provision and maintenance of latrines, urinals and washing facilities.

(5) The Chief Inspector-cum-Facilitator shall have subject to the control of the Government, the power to issue Orders to the owners and occupiers of the premises referred to in respect of the carrying out the welfare provisions of section 24 of the Code.

(6) Wherein any premises, portions of a room or a shed are leased to different occupiers for use as separate factories, the owners and occupiers of the respective portion of the premises shall jointly and severally be liable for any contravention of the provisions of,—

- (i) Chapter V of the Code, except clause (iii) and (iv) of sub-section (2) of section 23;
- (ii) Chapter V of the Code, except the list of matters at Sl. Nos. (2), (3), (7), (15) & (16) in the Second Schedule of the Code:

Provided that in respect of the provisions at Sl. Nos. (1), (4), (12) listed in the Second Schedule of the Code, the owner's liability shall be only in so far as such provisions relate to things under his control:

Provided further that the occupier shall be responsible for complying with the provisions of Chapter V in respect of plant and machinery belonging to or supplied by him.

- (iii) clause (i) of sub-section (1) of section 24 of Chapter VI.

(7) The Chief Inspector-cum-Facilitator shall have, subject to the control of the Government, the power to issue Orders to the owners of the premises in respect of, carrying out the provisions of clause (vii) of sub-section(1) of section 24.

(8) In respect of clauses (iv) and (vi) of sub-section (1) of section 24, while computing for the purposes of any of the provisions of this Code, the total number of workers employed, the whole of the premises shall be deemed to be a single factory.

57. Dangerous operations under section 82.—

The operations listed in the Chapter IV of the standards prescribed by the Central Government under section 18 of the Code when carried on in any factory are declared to be dangerous manufacturing processes or operations under section 82 of the Code.

58. Site Appraisal Committee under section 83.—(1) The Government may constitute or reconstitute the Site Appraisal Committee as and when necessary, consisting of—

- (i) the Chief Inspector-cum-Facilitator who shall be its Chairman;
- (ii) a representative of the State Pollution Control Board of the Government of Puducherry;
- (iii) a representative of the Fire Service Department of the Government of Puducherry;
- (iv) a representative of the Department of Town and County Planning, Government of Puducherry;
- (v) an expert in the field of occupational health;
- (vi) a representative of the Department of Industries of the Government of Puducherry;
- (vii) a Scientist having specialised knowledge of the hazardous process which will be involved in the factory; and
- (viii) any other person as deemed fit by the Government of Puducherry.

(2) No member, unless required to do so by a Court of law, shall disclose otherwise than in connection with the purposes of the Code, at any time any information relating to manufacturing or commercial business or any working process which may come to his knowledge during his tenure as a Member on this Committee.

- (3) (i) Applications for appraisal of sites in respect of the Industries covered under clause (za) of sub-section (1) of section 2 of the Code shall be submitted to the Chairman of the Site Appraisal Committee;
- (ii) The application for site appraisal along with fifteen copies thereof shall be submitted in **Form XXVI**. The Committee may dispense with furnishing of information on any particular item in the application Form, if it considers the same to be not relevant to the application under consideration;
- (iii) Functions of the Site Appraisal Committee.—
- (a) The Chairman shall arrange to register the applications received for appraisal of site, in separate register and acknowledge the same within a period of seven days;
- (b) The Chairman shall fix up the meetings in such manner that all the applications received and registered are referred to the Committee within a period of one month from the date of their receipt;
- (c) The Committee shall adopt a procedure for its working, keeping in view the need for expeditious disposal of applications;
- (d) The Committee shall examine the applications for appraisal of a site with reference to the prohibitions and restrictions on the location of an Industry and the carrying on of processes and operations in different areas as per the provisions of rule 5 of the Environment (Protection) Rules, 1986 framed under the Environment (Protection) Act, 1986;

- (e) The Committee may call for documents, examine experts, inspect the site if necessary, and take other steps for formulating its views in regard to the suitability of the site; and
- (f) Wherever the proposed site requires clearance by the Ministry of Commerce and Industries or by the Ministry of Environment, Forests and Climate change of Government of India, the application for Site Appraisal will be considered by the Site Appraisal Committee only after such clearance had been received.

59. The manner of compulsory disclosure of information by occupier of a factory under sub-sections (1), (2), (5) and (7) of section 84.— (1) The occupier of every factory carrying on a ‘hazardous process’ shall arrange to obtain or develop information in the form of Material Safety Data Sheet (MSDS) in respect of every hazardous substance or material handled in the manufacture, transportation and storage in the factory. It shall be accessible upon request to a worker for reference—

Every such Material Safety Data Sheet shall include the following information:-

- (a) the identification mark used on the label;
- (b) hazardous ingredients of the substance;
- (c) physical and chemical characteristics of the hazardous substance;
- (d) the physical hazards of the hazardous substance, including the potential for fire, explosion and reactivity;

- (e) the health hazards of the hazardous substance, including signs and symptoms of exposure and any medical conditions which are generally recognised as being aggravated by exposure to the substance;
- (f) the primary route(s) of entry;
- (g) the permissible limits of exposure prescribed by the Government;
- (h) Any generally applicable precautions for safe handling and use of the hazardous substance, which are known, including appropriate hygienic practices, protective measures during repairs and maintenance of contaminated equipment, procedures for clean-up of spills and leaks;
- (i) Any generally applicable control measures, such as appropriate engineering controls, work practices, or use of personal protective equipment;
- (j) Emergency and first aid procedures;
- (k) The date of preparation of the Material Safety Data Sheet, or the last change to it; and
- (l) The name, address and telephone number of the manufacturer, importer, occupier or other responsible party preparing or distributing the Material Safety Data Sheet, who can provide additional information on the hazardous substance and appropriate emergency procedures, if necessary.

(2) The occupier while obtaining or developing a Material Safety Data Sheet in respect of a hazardous substance shall ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If he

becomes newly aware of any significant information regarding the hazards of a substance, or ways to protect against the hazards, this new information shall be added to the Material Safety Data Sheet as soon as practicable—

(i) An example of such Material Safety Data Sheet is given in the **SCHEDULE-C**;

(ii) Labelling: Every container of hazardous substances shall be clearly labelled or marked to identify—

(a) the contents of the container;

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

(c) the physical and health hazards; and

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

(3) Disclosure of Information to Workers. — (i) The occupier of a factory carrying on a ‘hazardous process’ shall supply to all workers the following information in relation to handling of hazardous materials or substances in the manufacture, transportation, storage and other processes—

(a) Requirements of sections 84, 85 and 89 of the Code;

(b) A list of ‘hazardous processes’ carried on in the factory;

(c) Location and availability of all Material Safety Data Sheets as per this rule;

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

- (e) Measures taken by the occupier to ensure safety and control of physical and health hazards;
 - (f) Measures taken by the workers to ensure safe handling, storage and transportation of hazardous substances;
 - (g) Personal Protective Equipment required to be used by workers employed in ‘hazardous process’ or ‘dangerous operations’;
 - (h) Meaning of various labels and markings used on the containers of hazardous substances as provided under this rule;
 - (i) Signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report;
 - (j) Measures to be taken by the workers in case of any spillage or leakage of a hazardous substance;
 - (k) Role of workers vis-à-vis the emergency plan of the factory, in particular the evacuation procedures; and
 - (l) Any other information considered necessary by the occupier to ensure safety and health of workers.
- (ii) The information required by sub-clause (i) sub-rule 3 shall be compiled and made known to workers individually through supply of booklets or leaflets and display of cautionary notices at the workplaces. The booklets, leaflets and the cautionary notices displayed in the factory shall be in the language understood by the majority of the employees and also explained to them;

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

(4) Disclosure of information to general public. —

(i) The occupier of every factory carrying on a ‘hazardous process’ shall in consultation with the District Emergency Authority designated by the Government, take appropriate steps to inform the general public who are likely to be in the area which might be affected by an accident. Such information shall include,—

- (a) Name of the factory and address where situated;
- (b) Identification, by name and position, of the person giving the information;
- (c) Confirmation that the factory has approval from the Factories Inspectorate and Pollution Control Board;
- (d) An explanation in simple terms of the hazardous process(es) carried on in the premises;
- (e) The common names of the hazardous substances used which could give rise to an accident likely to affect them, with an indication of their principal harmful characteristics;
- (f) Brief description of the measures to be taken to minimize the risk of such an accident in compliance with its legal obligations under relevant safety statutes;

- (g) Salient features of the approved disaster control measures adopted in the factory;
 - (h) Details of the factory's emergency warning system for the General Public;
 - (i) General advice on the action, members of the public should take on hearing the warning;
 - (j) Brief description of arrangements in the factory, including liaison with the emergency services, to deal with foreseeable accidents of such nature and to minimize their effects; and
 - (k) Details of where further information can be obtained.
- (ii) The occupier shall also supply any further information—
- (a) to general public as directed by the District Emergency Authority from time to time; and
 - (b) to the elected representatives of the general public on request.
- (iii) The occupier shall endeavour to enter into an agreement with the District Emergency Authority for the area, within whose jurisdiction the factory is situated, for the District Emergency Authority to take appropriate steps to inform the general public outside the factory who are likely to be affected by an accident as referred to in clause (i);
- (iv) The information prescribed in sub-rule (4) shall be in the regional language like Tamil or Malayalam or Telugu and in English.

(5) Disclosure of information to the local authority. —The occupier of every factory carrying on a ‘hazardous process’ shall furnish the following information in writing to the local authority having jurisdiction over the area in which the factory is situated:—

- (i) the information furnished to general public as prescribed in sub-rule (4); and
- (ii) a statement of the names and quantities generally stored or in process of hazardous substances included in the list of chemicals prescribed under clauses (vi) and (vii) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986.

(6) Disclosure of information to District Emergency Authority. —

- (i) The occupier of a factory carrying on a hazardous process, shall intimate the District Emergency Authority designated by the Government of Puducherry, all information having a bearing on preparation of an on-site emergency plan and a disaster control and management plan in respect of the factory;
- (ii) Without prejudice to the generality of this clause, the occupier shall furnish the District Emergency Authority the following: —
 - (a) a report on status relating to risk assessment and environmental impact assessment and the measures taken for prevention of accidents.
 - (b) compilation of Material Safety Data Sheets in respect of hazardous substances used, produced or stored in the factory;

- (c) a statement on all possible sources of accidents involving fire, explosion, release or leakage of toxic substances and the plan of the premises where such an accident may occur;
- (d) A statement on resources and facilities available for dealing with an emergency including any agreement entered into with a neighbouring factory for aid and assistance in the event of an emergency;
- (e) A map of the area showing the approaches to the factory location of emergency facilities such as hospitals, police, fire service;
- (f) The organisation of the management and the responsibility for safety indicating therein the persons responsible for onsite emergency action;
- (g) Details relating to alert system;
- (h) Information on availability of antidotes for poisoning resulting from an accident; and
- (i) Any other information as may be considered relevant by the occupier or asked for by the District Emergency Authority.

(7) Disclosure of information to the Chief Inspector-cum-Facilitator. —

- (i) The occupier of every factory carrying on ‘hazardous process’ shall furnish, in writing, to the Chief Inspector-cum-Facilitator a copy of all the information furnished to the workers, local authority, general public and the District Emergency Authority;

- (ii) A copy of compilation of Material Safety Data Sheets in respect of hazardous substances used, produced or stored in the factory shall be furnished to the Chief Inspector-cum-Facilitator, and the local Inspector-cum-Facilitator;
- (iii) The occupier shall also furnish any other information asked for by the Chief Inspector-cum-Facilitator from time to time for the purpose of the Code and Rules made there under.

(8) Emergency plan. —

- (i) The occupier of a factory carrying on a hazardous process shall prepare a draft on-site emergency plan and submit it to the Chief Inspector-cum-Facilitator. The Chief Inspector-cum-Facilitator may make such modification in the plan as necessary, in consultation with the occupier and approve the same;
- (ii) The occupier shall submit a copy of the approved plan to the District Emergency Authority;
- (iii) The occupier shall intimate the workers, the provisions of the emergency plan and hold rehearsals of the plan periodically. He shall review the plan from time to time and make necessary changes therein under intimation to the Chief Inspector-cum-Facilitator and the District Emergency Authority; and
- (iv) The Chief Inspector-cum-Facilitator may issue guidelines relating to formulation of emergency plans. He may also direct modifications of the

emergency plan in respect of any factory as may be necessary, from time to time.

(9) Disaster Control and Management Plan. —

- (i) The occupier of every factory carrying on a hazardous process shall prepare a draft disaster control and management plan in respect of his factory and submit the same to the Chief Inspector-cum-Facilitator and the District Emergency Authority;
- (ii) The District Emergency Authority on receipt of the plan shall hold consultation with the occupier, representatives of the Chief Inspector-cum-Facilitator, the State Pollution Control Board, local authority as well as police, health, fire brigade and other authorities concerned and finalise the plan;
- (iii) The District Emergency Authority shall forward a copy of the final plan to the occupier and all authorities concerned. The occupier shall intimate the workers the contents of the plan.
- (iv) The occupier in consultation with the District Emergency Authority shall arrange rehearsals of the plan at least once a year; and
- (v) The Chief Inspector-cum-Facilitator may issue guidelines for formulation of disaster control and management plans. The Chief Inspector-cum-Facilitator as well as the District Emergency Authority may after mutual consultation, also direct modifications of the disaster control and management plan in respect of a factory as may be necessary from time to time.

(10) Information on Industrial Wastes. —

- (i) The information furnished under sub-rules (3), (5), (6) & (7) of this rule shall include the quantity of the solid and liquid wastes generated per day, their characteristics and the method of treatment such as incineration of solid wastes, chemical and biological treatment of liquid wastes, and arrangements for their final disposal;
- (ii) It shall also include information on the quality and quantity of gaseous waste discharged through the stacks or other openings, and arrangements such as provision of scrubbers, cyclone separators, electro-static precipitators or similar such arrangements made for controlling pollution of the environment; and
- (iii) The occupier shall also furnish the information prescribed in clause (i) and clause (ii) of this sub-rule to the Puducherry Pollution Control Board.

(11) Review of the Information furnished to workers etc.—

- (i) The occupier shall review once in every calendar year and modify, if necessary, the information furnished under sub-rules (3) to (7) of this rule to the workers, general public, local authority, Chief Inspector-cum-Facilitator and the District Emergency Authority; and
- (ii) In the event of any change in the process or operations or methods of work or when any new substance is introduced in the process or in the event of a serious accident taking place, the information so furnished shall be reviewed and modified to the extent necessary.

(12) Confidentiality of information.—

(i) The occupier of a factory carrying on ‘hazardous process’ shall disclose all information needed for protecting safety and health of the workers and the general public in the neighbourhood—

- (a) His workers;
- (b) District Emergency Authority; and
- (c) Chief Inspector-cum-Facilitator

as required under sub-rules (3), (6) and (7) of this rule. If the occupier is of the opinion that the disclosure of details regarding the process and formulations shall adversely affect his business interests, he may make a representation to the Chief Inspector-cum-Facilitator stating the reasons for withholding such information. The Chief Inspector-cum-Facilitator shall give an opportunity to the occupier of being heard and pass an order on the representation; and

(ii) An occupier aggrieved by an order of Chief Inspector-cum-Facilitator may prefer an appeal before the Government of Puducherry within a period of 30 days. The Government shall give an opportunity to the occupier of being heard and pass an order. The order of the Government shall be final.

(13) **Health and Safety Policy.**— The occupier of every factory to which this section applies, shall prepare and submit a written statement of his policy in respect of safety

and health of workers at work containing such details as may be prescribed by Central Government in standards framed under section 18 of the Code.

60. The conditions for accessibility of the record by the employees under clause

(a) of section 85.— The occupier of every factory carrying out a ‘hazardous process’ shall make accessible to the upto date health records including the record of worker’s exposure to hazardous process or, as the case may be, the medical records of any worker for his perusal as may be prescribed by Central Government in standards framed under section 18 of the Code.

61. The qualification and experience of persons handling hazardous substance and manner of providing necessary facilities for protecting the workers under

clause (b) of section 85.— (1) All persons who are required to supervise the handling of hazardous substances shall possess the following qualifications and experience: —

- (i) A degree in Chemistry or Diploma in Chemical Engineering or Technology with 5 years’ experience; or
- (ii) A Master’s Degree in Chemistry or a Degree in Chemical Engineering or Technology with 2 years’ experience;
- (iii) The experience stipulated above shall be in process operation and maintenance in the Chemical Industry; and
- (iv) The Chief Inspector-cum-Facilitator may require such persons to undergo training in Health and Safety for supervision.

(2) The syllabus and duration of the above training and the organisations conducting the training shall be approved by the Directorate General, Occupational Safety and

Health or the Government of Puducherry in accordance with the guidelines issued by the Directorate General, Occupational Safety and Health.

62. The manner of providing for medical examination of a worker under sub-clause (ii) of clause (c) of section 85.— (1) Every worker employed in a ‘hazardous process’ shall be medically examined by the Factory Medical officer and recorded in **FORM-V**, in the following manner:—

- (i) Once before employment, to ascertain physical fitness of the person to do the particular job;
- (ii) Once in a period of 12 months, to ascertain the health status of all the workers in respect of occupational health hazards to which they are exposed and in cases where in the opinion of the Factory Medical officer it is necessary to do so at a shorter interval in respect of any workers; and
- (iii) The details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the Health Register in the **FORM-XXVII**.

(2) No person shall be employed for the first time without a certificate of fitness in **FORM-XXVIII** granted by the Factory Medical officer. If the Factory Medical officer, declares a person unfit for being employed in any process covered under sub-rule (1), such a person shall have the right to appeal to the Inspector-cum-Facilitator who shall refer the matter to the Medical Officer whose opinion shall be

final in this regard. If the Inspector-cum-Facilitator is also the Medical Officer, he may dispose of the application himself.

(3) Any findings of the Factory Medical Officer, revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the Medical Officer, who shall in turn, examine the concerned worker and communicate his findings to the occupier within 30 days. If the Medical Officer is of the opinion that the worker so examined is required to be taken away from the process for health protection, he will direct the occupier accordingly, who shall not employ the said worker in the same process. However, the worker so taken away shall be provided with alternate placement unless he is in the opinion of the Medical Officer, fully incapacitated in which case the worker affected shall be suitably rehabilitated.

(4) A Medical Officer on his own motion or on a reference from an Inspector-cum-Facilitator may conduct medical examination of worker to ascertain the suitability of his employment in a hazardous process or for ascertaining his health status. The opinion of the Medical Officer in such a case shall be final. The fee required for this medical examination shall be paid by the occupier.

(5) The worker taken away from employment in any process under sub-rule (2) may be employed again in the same process only after obtaining the Certificate of Fitness from the Medical Officer and after making entries to that effect in the Health Register.

(6) The worker required to undergo medical examination under these rules and for any medical survey conducted by or on behalf of the Central Government or the Government of Puducherry shall not refuse to undergo such medical examination.

63. The measures or standards under sub-section (1) of section 86.— The Health and safety standards in the factories shall be in accordance with standards framed by the Central Government under section 18 of the Code.

64. Issue of Guidelines. —For the purpose of compliance with the requirements under sub-sections (1), (4) and (7) of section 84 or section 85 of the Code, the Chief Inspector-cum-Facilitator may, if deemed necessary, issue guidelines from time to time to the occupiers of factories carrying on ‘hazardous process’. Such guidelines may be based on National Standards, Codes of Practice, or recommendations of International Bodies such as International Labour Organisation (ILO) and World Health Organisation (WHO).

65. The value of the maximum permissible limit of exposure of chemical and toxic substances in manufacturing process in any factory under section 88.—The maximum permissible threshold limits of chemical and toxic substances in manufacturing process prescribed by Central Government in the standards framed under section 18 of the Code.

66. The appellate authorities for appeal against the order of Inspector-cum-Facilitator of factory and the manner of appeal under section 90. – The Occupier or manager of a factory aggrieved by an order of the Inspector-cum-facilitator of factories, within 7 days from the date on which the order is communicated to him,

may make an first Appeal to the Chief Inspector-cum-Facilitator of factories who shall, after giving the appellant, an opportunity of being heard, dispose of the appeal as expeditiously as possible:

Provided that the Chief Inspector-cum-facilitator may entertain the first appeal after the expiry of the said period of 7 days if he is satisfied that the appellant was prevented by sufficient cause from filing the first appeal in time:

(2) The Occupier or manager of a factory aggrieved by the order by the Chief Inspector-cum-Facilitator may, within 7 days from the date of which the order is communicated to him, may make an second Appeal to the Government of Puducherry, it shall after giving the appellant an opportunity of being heard, dispose of the appellant as expeditiously as possible:

Provided that the Government of Puducherry may entertain the second appeal after expiry of the said period of 7 days if it is satisfied that the appellant was prevented by sufficient cause from filing the second appeal in time.

67. Persons defined to hold positions of supervision or management under clause

(a) of sub-section (1) of section 91.—(1) The following persons shall be deemed to hold positions of supervision or management: —

- (i) all persons specified in the **SCHEDULE-D**; and
- (ii) any other person who, in the opinion of the Inspector-cum-Facilitator, holds a position of supervision or management as given in **SCHEDULE-D**.

(2) Any other person, so declared as holding positions of supervision or management or holding a confidential position in the Factory and is declared so in writing, by the Chief Inspector-cum-Facilitator.

68. Exemptions under clause (b) of sub-section (1) of section 91.— Adult workers engaged in factories specified in Schedule E shall be exempted from the provisions of the sections specified in the column 4 subject to the conditions, if any, specified in column 5 of the said schedule.

CHAPTER XI

Offences and Penalties

69. Manner of holding enquiry under sub-section (1) of section 111.—

(1) When a complaint is filed before the officer notified by the Government in the Official Gazette any Gazetted Officer not below the rank of Deputy Labour Commissioner under sub-section (1) of section 111 in respect of the offences referred to in said sub-section, by an Inspector-cum-Facilitator, the officer after considering such evidences as produced by the Inspector-cum-Facilitator, is satisfied that an offence has been committed, shall issue summons to the person on the address specified in the complaint and fix a date for appearance.

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

(3) If the person to whom the summons has been issued under sub-rule (1) shall appear and produce the documents before the officer, he shall explain the offence against which the enquiry has been initiated, and

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

(b) If the person does not plead guilty, the officer shall proceed with the enquiry, issue summons to any person acquainted with facts and circumstances of the case, and appoint a specified date for next hearing.

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

(5) The officer shall after hearing the parties and considering the evidence so produced whether oral and documentary, shall decide the complaint in accordance with the provisions of the Code.

(6) The officer shall, while passing an order, record -

(a) the particulars of the complaint;

(b) the details of the parties;

(c) the nature of the offence with reference to relevant provisions of the Code;

(d) the pleadings of the parties;

(e) summary of evidence including cross-examination;

(f) findings and reasons; and

(g) penalty imposed, if any.

(7) In case, the alleged person or his representative fails to appear without any sufficient cause on two consecutive dates, the officer may proceed to hear and determine the complaint ex-parte:

Provided, in case where Inspector-cum-Facilitator fails to appear or through his representative without any sufficient cause, on the specified date, the officer may dismiss the complaint.

(8) Officer may allow for adjournment of the proceedings on receipt of application either from the Inspector-cum-Facilitator or the alleged person:

Provided that not more than three adjournments shall be allowed:

Provided further that the officer may at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(9) The officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, endorsement shall be made electronically.

(10) The parties to the issue or their authorised representative under sub-rule (2) shall be entitled to inspect any complaint or any other document filed with the officer.

(11) The officer may refuse to entertain a complaint, if he is satisfied that the complaint is incomplete and may request the Inspector-cum-Facilitator to rectify such defects within the time specified by him for such purpose:

Provided that if the officer is of the opinion that it is not possible to rectify such defects in the complaint, he may return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 111 of the code.

(13) The officer may, after giving the Inspector-cum-Facilitator an opportunity of being heard, refuse to entertain a complaint, if he is satisfied for reasons to be recorded in writing, that-

(a) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(b) the complainant fails to comply with the directions given by the officer.

70. Appeal under sub-section (3) of section 111.—

(1) Any person aggrieved by an order made by the officer may prefer an appeal, in manner, form and with applicable fee as prescribed by Government of Puducherry through general or special order, to the appellate authority to be appointed under sub-section (3) of section 111, within sixty days from the date on which the copy of the order referred under sub-rule (6) of rule 69 made by the officer is received by the aggrieved person.

(2) The appellate authority appointed under sub-section (3) of section 111, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of the appeal.

71. Manner of compounding under sub-section (1) of section 114.—

(1) The officer notified by the Government of Puducherry for the purposes of compounding of offences under sub-section (1) of section 114 shall on an application in **FORM-XXX** by an accused person desirous of making composition of a compoundable offence, before or after holding the enquiry or as the case may be, of institution of prosecution, issue electronically a compounding notice in **PART-I and PART-II of FORM-XXX** to such person for the offence for which is compoundable under sub-section (1) of section 114 of the Code.

(2) The person so noticed under sub-rule (1) may apply to the officer in **Part-III of FORM-XXX** electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The officer referred to in sub-rule (1) shall issue a composition certificate in **Part IV of FORM-XXX** within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within the time specified, the prosecution shall be instituted after one month from the last date of specified time before the Court against such person for the offences in respect of which the compounding notice was issued.

(5) For compounding of an offence, where the prosecution has already been instituted in a Court, the officer referred to in sub-rule (1) shall send a copy of such order for intimation to the concerned court for further action.

CHAPTER XII

Social Security Fund

72. Other sources of fund under sub-section (2) of section 115.—The amount received from composition of the offence as specified in sub-section (4) of section 114 and the amount of the penalty as specified in sub-section (6) of section 111 of the Code, shall be credited to the Social Security Fund established under sub-section (5) of section 141 of Social Security Code 2020 (Central Act 36 of 2020) by the Government of Puducherry.

73. The manner of administering and expending the Social Security Fund under sub-section (3) of section 115. —The fund shall be expended for Welfare of the Unorganised Workers, under the Social Security Schemes framed under section 109 of the Social Security Code 2020 and the rules made thereunder

CHAPTER XIII

Miscellaneous

74. The manner of inquiry under sub-section (2) of section 121.—(1) Wherein any workplace an accident causing death or serious bodily injury takes place or there is an occurrence of any dangerous occurrence or cases of any occupational disease as specified in the **THIRD SCHEDULE** to the Code has been reported or is suspected to have been contracted, the Government of Puducherry, as the case may be, appoint one or more persons possessing legal or special knowledge to act as assessors or competent persons in such inquiry in order to inquire into the causes of the accident or occupational disease.

(2) The competent person appointed under sub-rule (1) shall carry out the inquiry into the causes of the accident or dangerous occurrence along with identification of the hazardous condition for which he has reasonable evidence to conclude and to be recorded in writing in the inquiry report, has caused the accident or the dangerous occurrence and also identify the persons which he believes, based on his findings, to be responsible for such accident or occurrence, as the case may be,

(3) The inquiry report shall contain conclusive findings of the inquiry along with the recommendations for prevention of such accidents or dangerous occurrences of occupational diseases containing suggestions for implementation to prevent re-occurrence.

75. Persons to appear at inquiry under section 121.-

(1) The person entitled to appear at the inquiry shall be—

- (a) any competent person defined in clause (ℓ) of sub-section (1) of section 2 of the Code;
- (b) any enforcing authority concerned;
- (c) any employers' association or Trade Union of employees;
- (d) any person who was injured or suffered damage as a result of the accident, occurrence, situation, disease or other matter which is the subject of the inquiry, or his representative;
- (e) the owner of any premises in which the accident, occurrence, situation or other matter occurred or arose;

- (f) any person carrying on work giving rise to the accident, occurrence, situation or other matter which is the subject of the inquiry; and
- (g) any other person at the discretion of the appointed competent person making inquiry.

(2) The following shall represent at the inquiry, namely:—

- (a) a corporate body may be represented by its secretary or by any other officer appointed for the purpose, or by Counsel or Solicitor;
- (b) a Government Department, an employers' association or a Trade Union may be represented by a Counsel or a Solicitor;
- (c) where there are two or more persons having a similar interest in the matter under inquiry, the competent person may allow one or more persons to appear for the benefit of some or all persons so interested.

(3) The competent person appointed by the Government of Puducherry under section 121 of the Code, may, either of his own motion or on the application of any person entitled or permitted to appear, cause to be served on any person appearing to him to be likely to be able to give material evidence or to produce any document likely to be material evidence, a notice requiring that person to attend the inquiry at the time and place specified in the notice to give evidence or produce the document.

(4) A person on whom a notice is served under sub-rule (3) may apply to the competent person either at or before the inquiry to vary or set aside the

requirement, and where he does so before the inquiry, he shall give notice of his application to the person, if any, who applied for the notice under sub-rule (3) to be served.

(5) Except as otherwise provided in these rules, the procedure in connection with an inquiry shall be at the discretion of the competent person in consonant with the principles of natural justice. The Competent Person, who shall state at the commencement of the hearing the procedure which, subject to consideration of any submission by the persons appearing at the inquiry, he proposed to adopt and shall inform those persons what he proposes as regards any site inspection arising out of the hearing.

(6) If a Court of Inquiry finds that the accident was due to any carelessness or negligence on the part of the management, the Competent person may direct the recovery of the expenses of such Competent person including any expenses incurred with the previous sanction of the Competent person and any other expenses connected with the enquiry which the Court may direct as recoverable from the occupier of the factory concerned, in such manner and within such time as the Competent person may specify.

(7) The amount directed to be recovered under sub-rule (5) may, on application by the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator to the concerned authority, be recovered from the owner or employer or occupier.

(8) An Inspector-cum-Facilitator nominated in this behalf by the Government of Puducherry, shall act as the Secretary to the competent person.

(9) The inquiry or the survey, as the case may be, shall be completed and submitted to the Government of Puducherry, within a period of three months from the date of the Order through which it is constituted.

76. Any other matter required to be or may be prescribed under section 135(2)(za):-

(A) Grievance redressal mechanism for contract labour.-

(1) The contract labour may submit grievance relating to health, working conditions and wages, at the level of principal employer, who shall look into the matter and redress grievance.

(2) A Committee shall be constituted by the principal employer in whose establishment contract labour is employed and the Committee shall comprise of a Chairman, who shall be the authorised representative of the principal employer and shall have representative of the principal employer and the contractor.

(3) The Committee shall hear and dispose of the grievance of the contract labour within a period of thirty days.

(4) In the event the grievance is not redressed within thirty days, the principal employer shall forward the grievance to the concerned Inspector-cum-Facilitator electronically.

(5) The Inspector-cum-Facilitator, upon receipt of the grievance forwarded under sub-rule (4), shall inquire into the matter and take appropriate action for its disposal, and shall ensure that the grievance is resolved within a period not exceeding sixty days from the date of its receipt.

(B) Annual increment of regular worker of a contractor.-A worker who is regularly employed by the contractor for any activity and his employment is governed by mutually accepted standards of the condition of employment shall be such that he gets an annual increment of not less than 2% of his wages.

SCHEDULE- A

(Prescribed under sub-rule (2) of rule 27)

Sl. No	Area under which competency is recognized	Qualification required	Experience for the purpose	Facilities at his command
(1)	(2)	(3)	(4)	(5)
1.	Certificate of Stability for Building	Degree in Civil or Structural Engineering or equivalent	(i) A minimum of 10 years' experience in the design of construction or testing or repair of structures; (ii) Knowledge of non-destructive testing, various codes of practices that are Current and the effect of vibrations and natural forces on the stability of the building; and (iii) Ability to arrive at a reliable conclusion with regard to the safety of the structure of the building.	

(1)	(2)	(3)	(4)	(5)
2.	Precautions against Dangerous Fumes	Master's Degree in Chemistry, or a Degree in Chemical Engineering	(i) A minimum of 7 years of experience in collection and analysis of environmental samples and calibration of monitoring equipment. (ii) He shall- (a) be conversant with the hazardous properties of chemicals and their permissible limit values; (b) be conversant with the current techniques of sampling and analysis of the environmental contaminants; and (c) be able to arrive at a reliable conclusion as regards the safety in respect of entering and carrying out work in confined spaces.	Meters, instruments and devices duly calibrated and certified for carrying out the tests and certification of safety in working in confined spaces.

(1)	(2)	(3)	(4)	(5)
3.	Ventilation Systems	Degree in Mechanical or Electrical Engineering or equivalent.	(i) A minimum of 7 years of experience in the design, fabrication, installations, testing of ventilation system and systems used for extraction and collection of dusts, fumes and vapours and other ancillary equipment. (ii) He shall be conversant with relevant codes of practice and test procedures that are current in respect of ventilation and extraction system for fumes, and shall be able to arrive at a reliable conclusion with regard to effectiveness of the system.	Facilities for testing the ventilation system instruments and gauges for testing the effectiveness of the extraction systems for dusts, vapours and fumes, and any other equipment needed for determining the efficiency and adequacy of these systems. He shall have the assistance of a suitable qualified technical person who can come to a reasonable conclusion as to the adequacy of the system.

(1)	(2)	(3)	(4)	(5)
4.	Hoists and Lifts.	A Degree in Electrical or Mechanical Engineering or its equivalent.	(i) A minimum experience of 7 years in – (a) design or erection or maintenance; or (b) inspection and test procedures of lifts and hoists. (ii) He shall be- (a) conversant with relevant codes of practices and test procedures that are current; (b) conversant with other statutory requirements covering the safety of the hoists and lifts; (c) able to identify defects and arrive at a reliable conclusion with regard to the safety of hoists and lifts;	Facilities for load testing, tensile testing gauge/equipment/gadgets, for measurement and any other equipment required for determining the safe working conditions of hoists and lifts.

(1)	(2)	(3)	(4)	(5)
5.	Lifting Machinery and Lifting Tackles.	Degree in Mechanical or Electrical or Metallurgical Engineering or its equivalent	(i) A minimum experience of 7 years in,- (a) design or erection or maintenance; or (b) testing, examination, and inspection of lifting machinery, chains, ropes and lifting tackles. (ii) He shall be,- (a) conversant with the relevant codes of practices and test procedures that are current. (b) conversant with fracture mechanics and metallurgy of the material or construction; (c) conversant with heat treatment stress relieving techniques as applicable to stress bearing component and parts of lifting machinery and lifting tackles; (d) capable of identifying defects and arriving at a reliable conclusion with regard to the safety of lifting machinery, chains, ropes and lifting tackles.	Facilities for load testing, tensile testing, heat treatment equipment/gadget for measurement, gauges and such other equipment to determine the Safe working conditions of the Lifting machinery, tackles.

(1)	(2)	(3)	(4)	(5)
6.	Pressure Plant	Degree in Chemical or Electrical or Metallurgical or Mechanical Engineering or its equivalent.	(a) A minimum experience of 10 years in,- (a) design or erection or maintenance, nor (b) testing, examination and inspection, of pressure Plants. (b) He shall be- (a) conversant with the relevant codes of practices and test procedures relating to pressure vessels; (b) conversant with statutory requirements concerning the safety of unfired pressure vessels and equipment operating under pressure; (c) conversant with non-destructive testing techniques as are applicable to pressure vessels; (d) able to identify defects and arrive at a reliable conclusion with regard to the safety of pressure plants.	Facilities for carrying out hydraulic test, non-destructive test, gauges/ equipment/ gadgets for measurement and any other equipments or gauges to determine the safety in the use of pressure vessels.

SCHEDULE-B

[Prescribed under sub-rule (12) of rule 55]

Total Horse Power Installed inclusive of Mobile equipments	Maximum number of persons to be employed on any day during the year										
	9	20	50	100	250	500	1000	2000	5000	10000	Above 10000
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Fees payable in Rupees											
Nil HP	800	1600	2400	3200	7200	10800	24000	36000	66000	96000	120000
Upto 10 HP	1600	2400	3200	4800	10800	18000	48000	72000	108000	144000	180000
Above 10 HP upto 50 HP	2400	3200	4800	7200	18000	28800	72000	108000	144000	180000	216000
Above 50 HP upto 129 H.P	3200	4800	7200	12000	28800	48000	108000	144000	180000	216000	240000
Above 129 HP upto 250 HP	4800	7200	12000	19200	48000	72000	144000	180000	216000	240000	264000
Above 250 HP upto 500 HP	7200	12000	16000	25600	72000	96000	180000	216000	240000	264000	288000
Above 500 HP upto 1000 HP	12000	12800	25600	48000	96000	120000	216000	240000	264000	288000	312000
Above 1000 HP upto 2000 HP	12800	25600	48000	64000	120000	144000	240000	264000	288000	312000	336000
Above 2000 HP upto 5000 Hower Power	25600	48000	64000	80000	144000	168000	264000	288000	312000	336000	360000
Above 5000 HP upto 7500 HP	48000	64000	80000	96000	168000	192000	288000	312000	336000	360000	384000
Above 7500 HP upto 10000 HP	64000	80000	96000	112000	192000	216000	312000	336000	360000	384000	408000
Above 10000 HP	80000	96000	112000	128000	216000	240000	336000	360000	384000	408000	432000

SCHEDULE - C

[Prescribed under clause (i) of sub-rule (1) of rule 59]

MATERIAL SAFETY DATA SHEET (MSDS)

SAMPLE MODEL

Section—I: Material identification and use

Material Name/Identifier

Manufacturer's name		Supplier's name	
Street address		Street address	
City	State	City	State
Postal Code	Emergency Telephone No	Postal Code	Emergency Telephone No
Chemical name		Chemical identity	
Trade name and Synonyms		Product use	

Section-II: Hazardous Ingredients of Material

Hazardous Ingredients	Approximate Concentration %	C.A.S or UN numbers	LD 50 (Specify species and route)	LC 50 (Specify species and route)
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Section-III : Physical Data for Material

Physical State			Odour and Appearance	Odour threshold (P.P.M)	Specific gravity
Gas	Liquid	Solid			
Vapour Pressure (m.m.)	Vapour Density (Air = 1)	Evaporation Rate	Boiling Point (°C)	Freezing (°C)	
Solubility in water (20 °C)		pH	Density(g/ml.)	Coefficient of water/oil distribution	

Section-IV: Fire and Explosion Hazard of Material

Flammability

-----Yes-----No

If yes, under what conditions

Means of extinction

Special procedures

Flash point (°C) and method	Upper explosion limit (% by volume)	Lower explosion limit (% by volume)
Auto-ignition temperature (°C)	TDG flammability classification	Hazardous combustion products
Explosion Data-Sensitivity	Chemical Impact	Sensitivity to static discharge

Section-V: Reactivity Data

Chemical Stability

-----Yes-----No if no, that conditions

Incompatibility to other substances

-----Yes-----No If yes, which ones

Reactivity and under what conditions

Hazardous Decomposition Products

Material Name/Identifier

SECTION-VI: TOXICOLOGICAL PROPERTIES OF MATERIAL

Route of Entry

_____Skin contact_____Skin Absorption_____Eye Contact

_____Inhalation Acute_____Inhalation Chronic_____Ingestion

Effects of Acute Exposure to Material

Effects of Chronic Exposure to Material

Exposure Irritancy of
Limit(s) Material

Sensitization to

Carcinogenicity, Reproductive

Material Effects, Teratogenicity,
Mutagenicity

Synergistic Materials

SECTION-VII: PREVENTIVE MEASURES

Personal Protective Equipment

Gloves (specify) Respiratory (specify) Eyes (specify)

Footwear (specify) Clothing (specify) Other (specify)

Engineering Controls (e. g. ventilation, enclosed process, etc.)

Please specify

Leak and Spill Procedures

Waste Disposal

Handling Procedures and Equipment

Storage Requirements

Special Shipping Information

SECTION-VIII: FIRST AID MEASURE

First Aid Measure

Sources used

Additional information

SECTION-IX: PREPARATION DATE OF M. S. D. S.

Prepared by (Group, Department, etc.) (Phone No.) Date

Notes :—

1. CAS or UN Number – Chemical Abstract Service or United Nations (UN) Number.
2. LD 50 – Lethal Dose – 50% (LD50 – Specify species and route).
3. LC 50 – Lethal Concentration – 50% (LC50 – Specify species and route).
4. TDG Flammability – Transport of Dangerous Goods Flammability Classification by United Nations.

SCHEDULE-D

(See clause (i),(ii) of sub-rule (1) of 67)

1. Managing Director, President, CEO, Vice President or General Manager
 2. Managers
 3. Departmental Heads and Assistant Managers
 4. Engineer
 5. Supervisor or Foremen
 6. Labour or welfare Officers
 7. Security Officers
 8. Safety Officers
 9. Weaving Masters and Spinning Masters in textile mills
 10. Head Electricians
- **Persons defined to hold confidential positions.**-All timekeepers employed in a factory shall be deemed to be employed in a confidential position in the factory.
 - **List to be maintained of persons holding confidential position or position of supervision of management.**—A list showing the names and designations of all persons to whom the provisions of sub-section (1) of section 91 have been applied shall be maintained in every factory.
-

SCHEDULE-E*(see rule 68)*

Section of the code empowering the grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Remarks
(1)	(2)	(3)	(4)	(5)
91 (1)(b)	All factories	Urgent repairs	Sections 25,26 & 31	(i) No employee shall be employed for more than 15 hours on any one day, 39 hours during any three consecutive days or 66 hours during each period of seven consecutive days commencing from his first employment. (ii) Within 24 hours of the commencement of the work, notice shall be sent to the Inspector-cum-Facilitator describing the nature of the urgent repairs and the period probably required for their completion. (iii) Exemption from the provision of section 25 shall apply only in the case of male adult employees.

91(1)(b)	All factories	(a) Work in the machine shop, the smithy or foundry or in connection with the mill gearing, the electrical driving or electrical lifts or the steam or water pipes or pumps of a factory.	Section 25,26 &31	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
		(b) Work of examining or repairing any machinery or other part of plant which is necessary for carrying on the work in factory.	Section 25,26 & 31	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
		(c) Work in boiler houses and engine rooms, such as lighting fires in order to raise steam or generate gas preparatory to the commencement of regular work in the factory.	Section 25,26 & 31	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.

91(1) (b)	All factories	(a) Work performed by drivers on lighting, ventilating and humidifying apparatus; (b) Work performed by fire pumpmen.	Sections 25, 26 & 31	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
91(1) (b)	(1) Oil tank installations	Work performed by employees connected with pumping operations.	Sections 25, 26 & 31	In the absence of an employee who has failed to report for duty, a shift employee shall be allowed to whole or of a subsequent shift provided that (i) The next shift of the shift employee shall not commence before a period of 16 hours has elapsed; (ii) Within 24 hours of the commencement of the subsequent shift , notice shall be sent to the Inspector-cum-Facilitator describing the circumstances under which the employee is required to work in the subsequent shift; (iii)The exemptions will be restricted to only male adult employees; and (iv)The limits of work inclusive of overtime shall not exceed those mentioned in

				section 27.
	(2) Public hydroelectric supply factories	Operation and maintenance of prime movers and auxiliaries, transformers and switches.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(3) Public electric supply companies generating electricity from oil in internal combustion engines	Work of engine drivers and assistants, generators attendants, oilers and greasers, switch board operators and pumpmen.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(4) Electrical transforming factories	Work of operation and maintenance of the transforming plant, switches and synchronous condensers.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(5) Distilleries	Work on the extraction of sugar from various bases, fermentation of sugar juice and distillation of fermented wash.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(6) Sugar factories	Extraction of the juice from the cane, clarification, evaporation	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.

		and boiling of the juice; curing of the massecuite; and bagging.		
	(7) Chemical factories	Work on the sulphur burners, chambers, concentrators, and pumps, roasting furnaces, manufacture of hydrochloric and nitric acid, sulphates sulphides, nitrates, superphosphates and chlorides; and work on the steam service.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(8) Gas Factories	Work on refining, hydrogenation bleaching, filtering, generation of hydrogen; hydrogenating; deodorizing processes; compression of oxygen and cylinder filling; and work on the electrical power plant.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(9) Ice factories	Work on the engine and compressor drivers and assistants and oilers.	Sections 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(10) Oil mills	All work	Section 25	The limits of work inclusive of overtime shall not

				exceed those mentioned in section 27.
	(11) Flour mills	All work	Section 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(12) Glass factories	(a) Work in attending to furnace;	Section 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
		(b) All work and processes from mixing of batch to removal of the manufactured glassware from the lears.		
	(13) Paper factories	(a) All work on paper making machinery and on the generation and supply of power connected therewith;	Section 25	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
		(b) Work on choppers, digesters, kneaders, strainers and washers, beaters, paper making machines, pumping plant reelers, cutters and power plant.	Section 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.

	(14) Rubber tyre	All work on curing process	Section 25	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(15) Iron and steel	All work on steel furnaces	Section 25&26	The limits of work inclusive of overtime shall not exceed those mentioned in section 27.
	(16) All factories	Work on automatic equipment engaged in galvanizing, anodizing and enamelling	Section 25&26 and 29	(1) The limits of work inclusive of overtime shall not exceed those mentioned in section 27. (2) The exemption shall be granted only in respect of adult male employees.
91(1) (b)	Newspaper printing factories	Tele-printer service	Section 25&26	(1) The limits of work inclusive of overtime shall not exceed those mentioned in section 27. (2) The exemption shall be granted only in respect of adult male employees.
91(1) (b)	All factories	Loading and unloading of railway wagons lorries or trucks.	Section 25&26	(1) The limits of work inclusive of overtime shall not exceed those mentioned in section 27. (2) The exemption shall be granted only in respect of adult male employees.

91(1) (b)	Any factory or class or description of factories as may be notified by the Puducherry Government in the official Gazette	Work of national importance as may be notified by the Puducherry Government in mentioned in the official Gazette	Section 25&26 and 29	(1) The limit of work and inclusive of overtime shall not exceed those mentioned in section 27. (2) The exemption shall be limited to adult male employees.
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FORM-I

[See sub-rule(1), (5) & (8) of Rule 5]

Application for Registration for establishment/

Amendment to certificate of Registration/ updation of registration particulars of establishments already registered under any other Central Labour Laws

A. Establishment Details:

1. Retrieve details of Establishment through LIN/registration No.:
2. Name of the Establishment:
3. Location and Address of the Establishment:
- 3a PAN
4. Others details of the Establishment:
 - (a) Total number of employees engaged directly in the establishment:
 - (b) Total number of the contract employees engaged:
 - (c) Total number of Inter-State Migrant workers employed:
5. (a) **For factories:**

Details of the manufacturing process	Full postal address and situation of the factory along with Plan approval details	Name and address of the occupier and Manager	Maximum number of workers to be employed on any day
1.	2.	3.	4.

(b) **For building and other construction work:**

Types of construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1.	2.	3.	4.

(c) **For Motor Transport Undertaking:**

Name of Motor Transport Undertaking	Type of Transport (Freight)	Maximum number of vehicle	Maximum number of employees engaged					
			Permanent			Contract		
			Male	Female	Total	Male	Female	Total

	t/ passeng er service s)	s attache d						
1	2	3	4	5	6	7	8	9

(d) **For Audio Visual Establishments**

Name of the Audio- Visual Establishme nts:	Maximum number of audio visual employees to be employed on any day	Name and communication address of employer/ the person other than the employer who manages the establishment
1	2	3

(e) **For dock work**

Name of Dock Work / Port	Types of Dock Works	Name of the Cargo handled and stored along with quantity	Name of the chemicals handled and stored along with quantity	Name of the hazardous Chemicals handled and stored along with quantity
1	2	3	4	5

6. Ownership Type/Sector:
7. Activity as per National Industrial Classification:
8. Details of Selected NIC Code:
9. Identification of the establishment e-sign/digital sign of employer/ representative:

B. Details of Employer:

1. Name and Address of Employer/Occupier/Owner/agent/chief Executive etc:
2. Designation:
3. Father's/Husband's name of the employer:
4. Email Address, Telephone and Mobile No:

C. Manager/Agent Details:

1. Full name and Address of Manager/Agent or person responsible for supervision and control of the Establishment:
2. Address of Manager/Agent:
3. Email Address, Telephone and Mobile No.:

D. Contractor Details:

Name and Address of Contractor	Email address, PAN No. & Mobile No. of Contractor	Name of Work	Maximum No. of contract labour engaged	Date of Commencement /probable date of completion of the work
1.	2.	3.	4.	5.

E. Others Details:

Dated:

Place: Signature /E-sign /digital sign of the employer

FORM II*[See sub-rule (9) of Rule 5]***Register of Establishment**

Sl.No	Nature of work	Registration No. and Date	Name and address, location of the establishment registered	Name, Address and contact details of employer	Total number of workers and total horse power(if any)	Total number of contract workers	Remarks
1	2	3	4	5	6	7	8
(a)	Factories						
(b)	Building and other construction work						
(c)	Contract work						
(d)	Dock work						
(e)	Motor Transport Undertaking						
(f)	Audio Visual Work						
(g)	Any other work (not covered above)						

FORM-III

[(See sub-rule (10) of Rule 5)]

Application for cancellation of Registration Certificate of establishment

1. Registration No:
2. Name and Address of Establishment:-
3. Name and Designation of employer :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-

I/We here by intimate that the establishment having registration No.
dated.....is closed with effect from..... (Date).

Certificate from Employer

I/we hereby certify that the payment of all dues to the workers employed in the establishment
having registration no. ____ dated____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated____ kept free from
storage of hazardous chemicals and substances.

[Strikeout whichever if not applicable]

Signature of the Employer

Signature/ E-sign/digital sign of employer

To,

The Registering Officer
The Inspector-cum-Facilitator

Place:

Date:

FORM-III A

[(See sub-rule (11) of Rule 10)]

Certificate of cancellation of Registration Certificate of Establishment

No.

Date:

The Registration No.....dated..... of
..... (Name of the establishment), of Factory/Mine/Dock Work/ Contract
Work / Building or Other Construction Work/ Any other work (work carried on in the
establishment) is hereby cancelled with effect from under sub-section (5) of
section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

Place:

Date:

Signature/ E -Sign/DSC of Registering Officer along
with designation

FORM-IV

[See Rule 7]

Notice of Commencement / cessation of operations

1. Registration No.:
2. Name and Address of Establishment:
3. Name and Designation of employer (who has ultimate control over the affairs of the establishment):
4. Full address to which communication relating to the establishment is to be sent:
5. Nature of work of the establishment:

A. Notice of Commencement / cessation of operations

I/We hereby intimate that the operation of establishment having registration No.

..... dated.....

has commenced with effect from (Date) and

approximate duration of operation is _____ year _____ month.

OR

I/We hereby intimate that the operations of the establishment having registration No.

..... dated.....

has ceased with effect from (Date).

[Strikeout whichever is not applicable]

B. Certificate from employer in case of cessation of operation

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated _____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated _____ kept free from storage of hazardous chemicals and substances.

[Strikeout whichever is not applicable]

Signature of the Employer

To

The Registering Officer
The Inspector-cum Facilitator

FORM –V

[See Rule 8]

HEALTH EXAMINATION

PART –A (Sl.No.1-11) : To be filled by the Employee:

PHOTGRAPH

1. Name of employee.....

2. Sex.... ..

3. Age (with DOB).....

4. Company.....

5.Designation.....

5a. UAN:.....

5b. Aadhaar Number(after obtaining consent)

6. In-charge Employer / Executive Contacts.....

7. Complete personal /plant Address

8. Mobile /Phone

9.Email.....

10. Medical illness (Current) and under treatment & medication, If any-----

11. Nature of Job (furnish more details, if hazardous and work-related viz. Physical, Chemical, Biological, Ergonomic etc).....

Date:

Signature of Employee

PART-B:

12. Medical Test Carried out & Reports to be attached as Annex. Medical Officer's interpretation/
Opinion of the Tests below (To indicate only if abnormal, referring the attached Test reports) :

- a. Ht. (in cm)
- b. Wt.(in kg)
- c. Chest measurement
 - i. On inspirationcm
 - ii. On expiration in cm
- d. Waist Circumference,
- e. Body Mass Index:
- f. Vision (Ophthalmologist tests):
 - i. Visual Acuity both Right & left eyes
 - ii. Colour Vision.....
- g. Blood Pressure(mmHg).....
- h. Complete Blood Count: (Hb, TLC, DLC, Platelets).....
- i. Fasting Blood Sugar
- j. Post Prandial Blood Sugar
- k. SpO2.....
- l. Blood Urea
- m. S. Creatinine
- n. S. Bilirubin (Total + direct)
- o. SGOT
- p. SGPT.....
- q. Lipid profile (S. Cholesterol / Triglyceride / S.HDL)
- r. S. TSH
- s. X-ray Chest (PA view)
- t. ECG.....
- u. Others if any.....

13.Final Diagnosis/ Opinion / Treatment if any, advise by qualified medical practitioner
.....

14. Does the person has seizure (s) related disorders or difficulties working at height ?
If yes, explain the works to be avoided: Yes/No/ NA (Not applicable)

Date:

Signature of the qualified medical practitioner

SEAL

FORM-VI

[See Rule 9]

LETTER OF APPOINTMENT

- (i) Name of employee:
- (ii) Date of Birth:
- (iii) Father's/ Husband's name:
- (iv) Aadhaar number (after obtaining consent):
- (v) Labour Identification Number (LIN)/registration number of the establishment:
- (vi) Universal Account Number (UAN)/Insurance Number (ESIC) (if available):
- (vii) Designation:
- (viii) Category of skill:
- (ix) Date of joining:
- (x) Wages, Basic Pay and Dearness Allowance:
- (xi) Other allowance including accommodation whichever is/are applicable:
- (xii) Applicability of social security Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC) benefits:
- (xiii) Broad Nature of duties to be performed:
- (xiv) Benefits available under Chapter VI (Maternity Benefit) of the Code on Social Security, 2020 (36 of 2020) (in case of women employee):
- (xv) Any other information:

Signature

Occupier or employer or owner or agent or manager

FORM-VII

[See sub-rule (1) sub-rule (2) and sub-rule (3) of Rule 10]

NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE

E. S. I. C. Employer's Code Number:

E. S. I. C. Insurance Number of the injured person:

1. Name of employer:
2. Address of works/premises where the accident or dangerous Occurrence took place:
3. Nature of industry and LIN/ registration No. of the establishment
4. Branch or department and exact place where the accident or dangerous occurrence took place:
5. Name and address of the injured person
6.
 - (a) Sex
 - (b) Age (at the last birthday)
 - (c) Occupation of the injured person
7. Local E. S. I. C. Office to which the injured person is attached
8. Date, shift and hour of accident or dangerous occurrence
9.
 - (a) Hour at which the injured person started work on the day of accident or dangerous occurrence
 - (b) Whether wages in full or part are payable to him for the day of the accident or dangerous occurrence
10.
 - (a) Cause or nature of accident or dangerous occurrence
 - (b) If caused by machinery,—
 - (i) Give the name of machine and the part causing the accident or dangerous occurrence:
 - (ii) State whether it was moved by mechanical power at the time of accident or dangerous occurrence:
 - (c) State exactly what the injured person was doing at the time of accident or dangerous occurrence:

- (d) In your opinion, was the injured person at the time of accident or dangerous occurrence—
 - (i) acting in contravention of provisions of any law applicable to him; or
 - (ii) acting in contravention of any orders given by or on behalf of his employer; or
 - (iii) acting without instructions from his employer.
 - (e) In case reply to (d) (i), (ii) or (iii) is in the affirmative, state whether the act was done for the purpose of and in connection with the employer's trade or business
11. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether—
- (a) the injured person was travelling as a passenger to or from his place of works;
 - (b) the injured person was travelling with the express or implied permission of his employer;
 - (c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and
 - (d) the vehicle is being/not being operated in the ordinary course of public transport service:
12. In case the accident or dangerous occurrence took place while meeting emergency, state—
- (a) its nature; and
 - (b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or about the premises at which the accident or dangerous occurrence took place:
13. Describe briefly how the accident or dangerous occurrence took place:
14. Names and addresses of witnesses: (1)
- (2)
15. (a) Nature and extent of injury (e. g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.)

- (b) Location of injury (e. g. right leg, left hand, left eye, etc.)
- 16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person was disabled for more than 48 hours:
 - (b) Date and time when the injured person returned to work:
- 17. (a) Physician, dispensary or hospital from whom or which the injured person received or is receiving treatment:
 - (b) Name of dispensary/panel doctor elected by the injured person:
- 18. (a) Has the injured person died?
 - (b) If so, date of death:

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature, Name and Designation of owner/ employer /manager/agent

Date of dispatch of report:

Place:

FORM-VIII*[See Rule 20]***NOTICE OF PERIODS OF WORK**

Name of the Establishment Place District

Periods of work/Groups, Relays	Men												Women												Description of groups, Nature of work	Remarks				
	Total No. of men employed												Total No. of women employed																	
	A			B			C			D			E			F			G			H								
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3						
On working days																														
From...																														
To....																														
From.....																														
To.....																														
From....																														
To....																														
On partial working days,																														
From...																														
To....																														
From.....																														
To.....																														
Date on which this notice is first exhibited:																														
																										Signature of Employer/ Manager				
Date :																														

FORM-IX*[See clause (a) of sub-rule (1) of Rule 21]***EMPLOYEE REGISTER***(The register can also be maintained in electronically capturing, inter-alia the following details)*

Name of Establishment:		
Name of the Employer/owner:		
Labour Identification Number (LIN)/Registration Number of Establishment		
To be maintained for all employees of the establishments		
1.	Employee Code	
2.	Name	
3.	Surname	
4.	Gender	
5.	Father's/Spouse's Name	
6.	Date of Birth	
7.	Place of Birth	
8.	Nationality	
9.	Education level	
10.	Date of Joining	
11.	Designation	
12.	Category (unskilled, semi-skilled, skilled or highly skilled)	
13.	Type of employment(P/T/FT/T/B)**	
14.	Mobile Number	
15.	Universal Account Number (UAN)	
16.	PAN	
17.	PPF No./EPS/NPS	
18.	Nominee(To be filled on the basis of Nomination form)	
19.	Details of Family	
20.	Details of Posting	
21.	Scale of Pay	
22..	Promotion	
23.	ESIC Insurance No.	
24.	Aadhaar number	
25.	Bank A/c No.	
26.	Bank	
27.	Branch(IFSC)	
28.	Present address	
29.	Permanent address	
30..	Service Book No.	
31.	Date of Exit	
32.	Reason for Exit	
33.	Mark of Identification	
34.	Photo	
35.	Specimen Signature/Thumb Impression	
36.	Remarks	

** (Permanent/Temporary/Fixed Term/Trainee/Badli)

Signature of Employee

Signature of Employer

FORM-IXA*[See clause (b) of sub-rule (1) of Rule 21]***ATTENDANCE REGISTER-CUM-MUSTER ROLL***(The attendance register-cum-muster roll can also be maintained in electronically capturing, inter-alia the following details)*

For the Month of ,year 20.....																
Name of Establishment:																
Name of the Employer/owner:																
Labour Identification Number(LIN)/ Registration Number of Establishment																
1.	Serial Number															
2.	Employee Code															
3.	Name															
4.	Designation															
5.	Shift															
6.	Place of work/department/section															
7.	Date and timings of In and Out															
	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	26	27	28	29	30	31
8.	Total number of days worked															
9.	Total number of extra hours worked															
10.	In case of tour or assignments outside the work place suitable entries may be made															
11	Signature of Register keeper*															

**Note: Required in case register is maintained physically.*

FORM-IX B*[See clause (c) sub-rule (1) of Rule 21]***REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS***(The register can also be maintained in electronically capturing, inter-alia the following details)*

Name of Establishment:		
Name of the Employer/owner:		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification		
Wage Period from dd/mm/yyyy to dd/mm/yyyy		
1.	Serial Number	
2.	Employee Code Number	
3.	Name of the employee	
4.	Designation	
5	Department	
6	Duration of Payment of wages (Monthly / Fortnightly / Weekly / Piece rated)	
7	Wage Period from-to	
8	Total number of days worked during the wage period	
9	Total overtime hours worked or overtime production in case of piece workers	
	Rate of Wage	
10	a) Basic	
11	b) DA	
12	c) Other allowance	
	Amount of wages earned	
13	Basic	
14	DA	
15	Allowances	
16	Overtime	
17	Total wages earned	
	Deductions	
18	EPF	
19	ESIC	

20	Society	
21	Income Tax	
22	Insurance	
23	Advances	
24	Recovery of Fine	
25	Recovery on amount of damages/losses	
26	Total deductions	
27	Others	
28	Net Payment	
29	Date of Payment	
30	Receipt by employee/Bank Transaction ID	
31	Nature of acts and omissions for which fine imposed with date	
32	Amount of fine imposed	
33	Damage or loss caused to the employer by neglect or default of the employee	
34	Signature of Employer/Employer Representative*	

***Note: Required in case register is maintained physically**

FORM-IX C
[See sub-rule (2) of rule 21]
WAGE SLIP

Date of issue:				
Name of the establishment.....				
Address:.....			Period:.....	
1.	Name of the Employee:			
2.	Father's/Mother's/Spouse's Name:			
3.	Designation:			
4.	UAN:			
5.	Bank Account Number:			
6.	Wage period:			
7.	Rate of wages payable	a) Basic	b) D.A.	c) other allowances
8.	Total attendance/ unit of work done:			
9.	Overtime wages			
10.	Gross wages payable			
11.	Total deductions	a) PF	b) ESI	c) Others
12.	Net wages paid			
Employer/Pay-in-charge signature*				

**Note: Required in case slip is issued physically.*

FORM – IX-D

(see Rule 22)

Notice of Wages & Wage Period

1. Name & Address of the Employer:
2. Name & Permanent Address of the Establishment:
3. Nature of activity of the establishment:
4. Normal Working Hours in the Establishment:
5. Rates of Wages of Workers working in the Establishment:
6. Wage Period:
7. Date of Wages paid:
8. Date of Payment of Unpaid Wages:
9. Details of Accident and Dangerous Occurrence in the Establishment for the Last Five Years:
10. Name and Address of the Inspector-cum-Facilitator having jurisdiction:

Signature of Employer/Occupier/Owner/Manager/Authorized Person

Seal/Stamp of the Establishment

FORM-X

[See sub-rule (1) of Rule 23]

PART-I

ANNUAL RETURN

FOR THE YEAR..... ENDING 31st December

Single Integrated Return to be filed online under the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Industrial Relations, 2020, the Code on Social Security, 2020, and the Code on Wages, 2020

Instructions to fill up the Annual Return

This return is to be filled-up and furnished on or before 1st February every year.

The return has two parts i.e. Part – I to be filled-up by all establishments

The terms Establishment and Mines shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.

This return is to be filled up in case of contractor or manpower supplier who have engaged more than 50 employees

Applicable to All Establishments Part I

A. General Information:

Sl. No.	Instructions for filling the column
1. Labour Identification Number/Registration No.	EPFO, ESIC, MCA, MOLE (LIN)
2. Period of the Return From..... To.....	Period should be calendar year
3. Name of the Establishment	
4. Email ID	
5. Telephone No.	
6. Mobile number	

7.	Premises name
8.	Sub-Locality& Door No.
9.	District
10.	State
11.	PIN Code
12.	Geo Coordinates

B.	(a)	Hours of Work in a day
	(b)	Number of Shifts:
	(c)	Number of hours in a shift

C. Details of Manpower Deployed:

Detail	Directly employed				Employed through contractor				Grand Total
Skill Category	Highly Skilled	Skilled	Semi-skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-skilled	
(i) Maximum No. of employees employed in the establishment in any day during the year	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	
(ii) Average No. of employees employed in the establishment	<i>No. to be indicated</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	

during the year									
(iii) Maximum number of Migrant worker during the year (Section 59 of OSH Code)	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	
(iv) Number of fixed term employee engaged	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	<i>M/F/T</i>	

(i) Details of contractors engaged in the Establishment:

Sl.No.	Name with LIN /Registration No .of the Contractor	No. of contract Labour engaged

(ii) Details of various Health and Welfare Amenities provided:

Sl. No.	Nature of various welfare amenities provided	Statutory (Specify the statute)	Instructions for filling
1.	Whether facility of canteen provided (as per section 24 (V) of the OSH Code,2020)	Tick yes or no in the box	Applicable to all establishments wherein hundred or more workers including contract labour were ordinarily employed.
2.	Creches (as per section 67 of Social Security Code,2020 and section 24 of the OSH Code,2020)	Tick yes or no in the box and not applicable	Applicable to all establishments where fifty or more workers are employed.
3.	Ambulance Room(as per	Tick yes or no in the box and not applicable	Applicable to factories, building and other

	section 24(2) (i) of the OSH Code,2020)		construction work wherein more than five hundred workers are ordinarily employed.
4.	Safety Committee(as per section 22(1) of the OSH Code,2020)	Tick yes or no in the box and not applicable	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BoCW Employing 250 workers or more, and mines employing 100 or more workers.
5.	Safety Officer (as per section 22(2)of the OSH Code,2020)	Tick yes or no in the box and not applicable	Applicable to factories employing 500 workers or more, factory carrying on hazardous process and BoCW Employing 250 workers or more, and mines employing 100 or more workers.
6.	Qualified Medical practitioner (as per section 12(2) of the OSH Code,2020)	No.of Qualified Medical practitioner appointed	There is no specification for minimum number of qualified Medical Practitioners employed in establishment. However, this detail is required to have data on occupational health.

(iii) The Industrial Relations

Instructions for filling

1.	If the works committee has been functioning (section 3 of IR Code,2020	Yes/No and not applicable	Industrial establishment in which 100 or more workers are employed.
	(a) ate of its constitution		
2.	Whether the Grievance Redressal committee constituted (section 4 of IR Code,2020)	Yes/No and not applicable	Industrial establishment employing 20 or more workers

			are employed.
3.	Number of Registered Unions in the establishments		
4.	Whether any negotiation Union exist (section 14 of IR Code,2020)		Yes/No
5.	Whether any Negotiating Council is constituted under section 14 of Industrial Relations Code,2020		Yes/No
6.	Number of workers discharged, dismissed, retrenched or whose services were terminated during the year:		
	Discharged	Dismissed	Retrenched /Terminated or Removed
			Grand Total

7. Man-days lost during the year on account of:

Sl. No.	Reasons	Period/Date	No. of man-days lost	Loss in terms of money
	(a)			Strike
	(b)			Lockout

8. Details of retrenchment/lay-off

Sl. No.	No.of persons retrenched during the period	Details of payment paid to retrenched workers	No. of workers laid off during the period	No. of man-days lost due to lay-off	Applies on industrial establishment employing 300 or more workers

(iv) Details pertaining to maternity benefit:

No. of female workers	No. of female workers availed maternity leave	No. of female workers paid medical bonus	No. of deduction of wages, if any made from female workers.

(v) Details of payment of bonus:

Sl. No.	No. of workers covered under the bonus provision	Total amount of bonus actually paid	Date on which the bonus is paid

(vi) Details of accidents, dangerous occurrence and notifiable diseases:

Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per section 10 of the Occupational Safety, Health and Working Conditions Code, 2020	Total number of fatal accidents and names of the deceased as per section 10 of the Occupational Safety, Health and Working Conditions Code, 2020	Total number of dangerous occurrences as defined under section 11 of the Occupational Safety, Health and Working Conditions Code, 2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the Occupational Safety, Health and Working Conditions Code, 2020 along with the details of affected persons

(vii) Man-days and Production lost due to accidents /dangerous occurrences:

Sl.No.	Accident /Dangerous Occurrence	Man-days lost	Production lost
--------	--------------------------------	---------------	-----------------

--	--	--	--	--

Certified that the tables in prescribed format are duly filled in and information and/figures given in all the tables are correct to the best of my knowledge.

Place:

Dated:

Signature of Employer/Occupier/Owner/Manager with seal.

FORM-X

PART II

(See rule 43)

ANNUAL RETURN

period ending 31st December.....

(to be submitted by the principal employer on the Portal)

- 1 Name of the principal employer:
- 2 Name of the establishment:
- 3 Registration number (LIN) of the establishment:
- 4 Details of the Contractors, wages paid, etc.:

Sl. No.	Month	Name and address of the contractors	LIN of the contractor	Name of the work	Maximum number of contract worker employed	Amount paid against wage bill (if applicable) to the contractor (including EPF, ESIC, Bonus etc.)	Date of payment of wage bill (if applicable)	Amount of the wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Date of payment of wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Remarks

Date:

Signature of the principal employer

FORM–XI

[See sub-rule (2) of Rule 23]

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of injured person (if any)	Date of accident or dangerous occurrence	Date of report to Inspector – cum– Facilitator	Nature of accident or dangerous occurrence	Date of return of injured person to work	Number of days the injured person was absent from work
1.	2.	3.	4.	5.	6.

FORM-XII*[See clause (i) sub-rule (3) of Rule 23]***REGISTER FOR LEAVE WITH WAGES**

Part I-Adults

Part II-Adolescents

Establishment:

Name of worker:

Department:

Fathers/Husband's Name:

Sl. No.	Sl.No. in the register of workers	Date of entry in to service	Interruptions					Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for leave paid in	Discharged worker		Re-marks
			Sickness and Accidents	Authorized leave	Lock out or Legal strike	Involuntary Unemployment	Others					Date of discharge	Date and amount of payment made in lieu of leave due	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15

Note: Separate page shall be allotted to each worker.

FORM-XIII

[See sub-rule (4) of Rule 25]

IMPROVEMENT NOTICE

To,
Name of the Establishment
(Employer / Principal Employer / Contractor)
Address

Sub-Notice regarding contraventions observed under the OSH & WC Code, 2020, POSH & WC Rules, 2026, Regulations, Standards and Orders made thereunder, in respect of .
..... (Name of the establishment)

Sir / Madam,

(1) It is to inform that the undersigned conducted inspection of (name of the establishment), engaged in the work of (name of work) located at on (date).

(2) The particulars of the establishment inspected and the contravention (s) of the provisions of the OSH&WC Code 2020, POSH &WC Rules, 2026, Regulations, Standards, Notifications and Orders made thereunder observed during inspections are annexed herewith.

(3) You are hereby directed to rectify the contraventions / irregularities observed during inspections and submit compliance report (through speed post /electronic mode / designated portal) within 30 days from the date of issue of this notice, failing which necessary action will be initiated as per the relevant provisions of the statute without making any further correspondence in this regard.

Yours faithfully,

Encl: As above.

Inspector-cum-Facilitator.

FORM-XIV

[see sub-rule (3) of Rule 27]

APPLICATION FOR GRANT OF CERTIFICATION OF COMPETENCY TO A PERSON

1. Name
2. Date of Birth:
3. Name of organization (if not, self-employed):
4. Designation:
5. Educational Qualification (Copies of testimonials to be attached):
6. Details of professional experience(in chronological order)

Name of the Organization	Period of service	Designation	Area of responsibility
1.			
2			

7. Membership, if any, of professional bodies:
8. (i) Details of facilities (examination, testing etc.);
(ii) Arrangements of calibrating and maintaining the accuracy of these facilities):
9. Purpose for which competency certificate sought (specify the section of the Code):
10. Whether the applicant has been declared as a competent person under any other statute (if so, furnish details):
11. Any other relevant information:
10. Declaration by the applicant

I.....hereby declare that the information furnished above is true, I undertake to—

- (a) That in the event of any change in the facilities at my disposal (either addition or deletion) or my leaving the aforesaid organization, I will promptly inform the Chief Inspector-cum-Facilitator;
- (b) To maintain the facilities in good working order, calibrating periodically as per manufacturer's instructions or as per National standards; and
- (c) To fulfil and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector-cum-Facilitator from time to time.

Place:

Signature of the applicant.

Date

Declaration by the Institution (if employed)

I..... certify that Shri.....whose details are furnished above, is in our employment and nominate him on behalf of the organization for the purpose of being declared as a competent person under the Code. I also undertake that I will,—

- (a) Notify the Chief Inspector-cum-Facilitator in case the competent person leaves our employment;
- (b) Provide and maintain in good order all facilities at his disposal as mentioned above;
- (c) Notify the Chief Inspector-cum-Facilitator any change in the facilities (either addition or deletion)

Signature

Designation

Tel.No.

Official Seal

Date:

FORM-XV

[see sub-rule (3) of Rule 27]

APPLICATION FOR GRANT OF CERTIFICATION OF COMPETENCY TO AN INSTITUTION

1. Name and full address of the organization:
2. Organization's status (specify whether Government, autonomous, co-operative, corporate or private).
3. Purpose for which competency certificate sought (specify the section of the Code).
4. Whether the organization has been declared as a competent person under any other statute (if so, furnish details).
5. Particulars of persons employed and possessing qualification as experience as set out in Schedule-A.

Sl. No	Name of the Organization	Qualification	Experience	Section(s)/rule(s) under which competency sought

6. (i) Details of facilities (examination, testing etc.) ;
(ii) Arrangements of calibrating and maintaining the accuracy of these facilities).

7. Any other relevant information.

8. Declaration:

I.....hereby declare that the information furnished above are correct to the best of my knowledge. I undertake to

- (a) to maintain the facilities in good working order calibrating periodically as per manufacturer's instructions or as per National standards; and
- (b) to fulfil and abide by all conditions stipulated in the certificate of competency and instructions issued by Chief Inspector-cum-Facilitator from time to time.

Place :

Signature of the Head of the Institution or the person

Date:

authorized to sign on his behalf

FORM-XVI

[see sub-rule (2)& (3) of Rule 27]

FORM OF CERTIFICATE OF COMPETENCY ISSUED TO A PERSON OR AN INSTITUTION

I.....in exercise of the powers conferred on me under Occupational Safety Health and Working Condition's Code, 2020 and the rules made thereunder, hereby recognize_____ or Shri_____employed in_____to be competent person for the purpose of carrying tests, examinations, inspections and certification for such buildings, dangerous machinery, lifts, tackles, pressure plants, confined space, ventilation or plant and equipment as the case may be in a factory located in_____under section_____ and the rules made thereunder

This certificate is valid from_____to_____

This certificate is subject to the following conditions as stipulated there under—

1. Tests, examinations and inspections shall be carried out in accordance with the provisions of the Code and the rules made thereunder.
2. Tests, examinations and inspections shall be carried out under the direct supervision of competent person or a person authorized by institution recognized to be competent.
3. The certificate of competency shall stand cancelled if the person declared competent leaves the organization mentioned in his application.
4. The institution recognized competent person shall keep Chief Inspector-cum-Facilitator informed of the names, designations, qualifications of the persons authorized by it to carry out tests, examinations, inspections.

Station Official seal Signature of Chief Inspector-cum-Facilitator

Date:

Note:—A separate certificate should be issued under each relevant section. A person or institution may be recognized competent person for the purpose of more than one section of the code.

FORM-XVII*[see Rule 34, Rule 35, Rule 36 and Rule 41]***APPLICATION FOR LICENSE****On Line Application for License /Renewal of License /Amendment of License**

Department of Labour, Government of Puducherry

ESTABLISHMENT PROFILE:

Labour Identification Number /Licence No. Date

Acknowledgement Number:..... Date of Application:.....

I. Particulars of Establishment for which licence is required:

1. Name of Establishment:
2. Address of establishment:
 - (a) Head office address along with email Id:
 - (b) Corporate office address along with email Id:
3. Telephone Number:
4. Activity as per National Industrial Classification :(Select all applicable activities given)
5. Details of selected NIC Code:
6. Nature of work carried on in main establishment:
7. Identifier of the Establishment :(select): e-sign / digital sign

II. Details of Employer:

1. Full Name of Employer.....Designation:.....
2. Full Address of employer:
3. Email ID of employer:
4. Mobile No. of employer:

III. Particulars of the Contract Labour to be employed / is employed (If licence is required work-wise)

Locations of worksites	Name of Works	Activity as per national industrial classification	Date of commencement	Date of completion	Name of Establishments in which contract labour is/proposed to be employed	Name address, email id of the site In-charge
1	2	3	4	5	6	7

- 5 Maximum number of workmen proposed to be employed on the Establishment on any date:

6 Amount of licence Fee: INR (Transaction Id:)

7 Amount of security Deposit : INR (Transaction Id:)

IV. DETAILS OF ESTABLISHMENTS FOR WHICH COMMON LICENCE REQUIRED (IF APPLYING FOR)

Type of establishments	Name and address of establishment	(i) Nature of work carried out in the establishment (ii) Activity as per National Industrial Classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of labour employed/proposed to be employed	Maximum number of employees employed/proposed to be employed
1	2	3	4	5	6	7

V. DETAILS OF ESTABLISHMENTS FOR WHICH SINGLE LICENCE IS REQUIRED (IF APPLYING FOR)

Name of District in which the establishment are situated	Name of each work	Maximum number of labour to be/is employed	Date of commencement	Permanent establishment or probable date of completion	Maximum number of labour employed/proposed to be employed	Registration number, if obtained then details thereof
1	2	3	4	5	6	7

Signature of Contractor

(e-Sign /DSC)

Note : This is an online application summary applied on web portal of Labour Department, Puducherry.

APPLICATION FOR RENEWAL OF LICENCE

1. Licence No. Date:
2. LIN & PAN
3. Name and address of the establishment:
4. Date of expiry of previous licence:
5. Whether the licence of the employer /contractor was suspended or revoked:
6. Details of Fees paid (Enclose e-payment receipt):

Amount.....

Date of payment:

E-sign /digital of the employer /contractor

Date:

APPLICATION FOR AMENDMENT OF LICENCE:

1. Licence No. Date:
2. LIN & PAN
3. Name and address of the establishment:
4. Details for which amendment is sought:
 - (a) Maximum number of employees presently employed: (If there is increase in the maximum number of employees to be employed, then additional fees/security deposit as per law required to be deposited:
 - (b) Details of fees paid through e-payment and date on which made:
 - (c) Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required)

E-sign /digital sign of the employer /contractor Date of application.

FORM-XVIII

[see Rule 35, Rule 36 and Rule 41.]

PROFORMA OF LICENSE

Licence No. _____ Reg. No. _____ Date of Reg. _____

Licence is hereby granted to..... for the premises known as..... situated at

For use as an establishment within the limits stated hereinafter, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made thereunder:-

The _____ Issuing Authority

Sl.No	Period of issue	Valid for	Fee	Date of payment	Excess fee for late payment	Date of payment	Signature of the issuing Authority
		Maximum number of Contract labour/ workers on any one day					

AMENDMENTS

Year when amended	Maximum number of Contract labour / workers on any one day	Date of payment of amendment	Date of payment	Signature of the issuing authority

E-sign /digital sign of the designated authority

FORM XIX
(See Rule 43)
HALF YEARLY RETURN
(January to June / July to December)

(to be submitted by Contractor to be filed electronically under Rule 43)

- 1 Name and address of the contractor:
- 2 Name and address of the principal employer and LIN:
- 3 LIN of the contractor:
- 4 License number of the contractor (if applicable):
- 5 Name of the contract work with location/station:
- 6 Details of the number of Contract Workers, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Overtime	Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7 th of the month or due date as applicable Yes/No	remark
	January/July									
	February/ August									
	March/September									
	April/ October									
	May /November									
	June/December									

Date:

Signature of the contractor

FORM-XX

[see Rule 46]

EXPERIENCE CERTIFICATE OF CONTRACT EMPLOYEE

To whom so ever concerned

1. Name of contractor/employer*:
2. LIN/Registration No./PAN No. of the contractor/employer *:
3. Email Id of the contractor/employer*:
4. Mobile No. of the contractor/employer *:
5. Nature and location of work:
6. Name of Principal Employer*:
7. LIN/Registration No./PAN No. of the Principal Employer*:
8. Email Id of the Principal Employer*:
9. Mobile No. of the Principal Employer*:
10. Name of the employee*:
11. UAN/Aadhaar No.:
12. Mobile No.:
13. Serial Number in the Employee Register:
14. Registration number, date and name of the Board if the building and other construction employee is registered as a beneficiary:
15. Period of Employment:
16. Designation:

Seal and Signature of Contractor

*Please strike off whichever is not applicable

FORM-XXI

[see Rule 52]

AGREEMENT BETWEEN PRODUCER AND AUDIO-VISUAL WORKER

This agreement is made on this, the day ofmonth..... year.....between Messers.....having office at..... (herein after referred to as the“Producer” on the First part and Shri/Smt./Kum./.....Son/Daughter of Shri..... residing at.....(hereinafter referred to as the “Audio Visual worker”) on the second part. The terms.....Producer and.....audio-visual employee shall include their heirs, successors, administrators and legal representatives—

NOW, THEREFORE, this agreement is made as follows:—

1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual and this period shall not exceed consecutive months.
2. That the audio-visual workers agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by him in writing.
3. That inconsideration of the audio-visual worker services, as aforesaid, the Producer agrees to pay and the audio-visual worker agrees to receive a sum of Rs. (Rupees) payable as advance on signing of this agreement and the balance of Rs.payable in equal instalments.
4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.
5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.
6. That the audio-visual worker shall, if so required,—

(a) attend the studios, location or work-place, as the case may be, earlier than the scheduled time of the shift, for preparatory work, and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs.per hour or part thereof for such early attendance.

(b) continue to work beyond the working day, with one hour break and in that case, he/she shall be paid by the Producer extra wages at the rate of Rs..... for the work during the extended hours and refreshments, and transport facilities.

7. That the Producer shall provide transport and food or pay travelling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer's and audio-visual worker's representative organizations.
8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual employee is required to work on location outdoors.
9. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.
10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control,-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual workers' duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.
12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual workers' total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual workers' Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.
13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be option of the audio- visual worker whether or not to allow his/her name to go on the credit titles of the film.
14. That the Producer shall have the right to decide the manner of representing the audio-visual workers' personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.
15. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.
16. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is

required to work on location outdoors.

17. That the Producer shall get the audio-visual worker insured for any injury or damage to his/her person including death caused by accident arising out of or in the course of his/her employment and/or during the period of his/her assignment under this agreement.
18. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond his control—
 - (a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension therefrom; or
 - (b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.
19. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of his/her unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in his/her place.
20. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual employee of the amount due at the time of termination, calculated taking into consideration the audio-visual workers total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are provided before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual workers Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding

on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

21. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be the option of the audio-visual worker whether or not to allow his/her name to go on the credit titles of the film.
22. That the Producer shall have the right to decide the manner of representing the audio-visual workers personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.
23. That the audio-visual worker agrees that he/she shall render his/her services to the best of his/her ability in such manner as the Producer or, at his instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.
24. That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.
25. That the Producer shall not without the consent in writing of the audio-visual employee, assign or transfer the benefit of this agreement to any other person.
26. That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.
27. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses

- | | | | |
|----|---------|---------------------|----------------|
| 1. | Witness | Producer | Name & Address |
| 2. | Witness | Audio-Visual worker | Name & Address |

FORM-XXII

[see sub-rule (3) of Rule 55]

**APPLICATION FOR PERMISSION TO CONSTRUCT, EXTEND OR TAKE INTO USE
ANY BUILDING AS A FACTORY**

1 Name and Address of the Occupier

2. Name and Address of the Owner of the Building /Premises referred to in Section 80.:

3. Name and Address of the Factory

4. Purpose for which plans are submitted

State whether initial approval / additional installation / additional construction / changes in installation.

5. Particulars of previous plan approvals

Approval Number

Date of Approval

(1)

(2)

7. Total proposed capacity in Horse Power (in case of initial approval)

State the maximum quantity (in H.P.) of the proposed machinery:

8. Total installed capacity in Horse Power (in case of additional installation / changes in installation)

Approved H.P. vide Earlier Plans:

Deletions (if any):

Addition:

Total Horse Power:

9.	Maximum number of employees proposed to be employed on any one day in the factory					
		General shift	I Shift	II Shift	III Shift	Total
	Number of male employees					
	Number of female employees					
	Number of Transgender employees					
	Total number of Employees					
10.	Details of manufacturing process					

Describe the manufacturing process in brief (Attach / enclose process flow chart)

11. Amount of fee paid.....

Place:

Date:

Signature of the Occupier

Note - This application shall be accompanied by the following documents

Plans, drawn to scale, showing

- (i) the site of the factory and immediate surroundings including adjacent building and other structures, roads, drains, etc; and

- (ii) the Plan elevation and necessary cross Sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire
- (iii) The plans shall also clearly indicate the position of the plant and machinery, aisles and passage way; and
- (iv) Such other particulars as the Chief Inspector may require.)

FORM XXIII

[See sub-rule (9),(11),(15),clause(1) of sub-rule (18) of Rule 55]

APPLICATION FOR GRANT OR RENEWAL OF LICENCE/AMENDMENT OF LICENCE

- 1 Full name of the factory --
- 2 Registration Number (issued under the Code) --
- 3 (a) Full postal address and situation of the factory --
(b) Full address to which communications relating to the factory should be sent(along with email ID and phone number if any) --
- 4 Nature of manufacturing process /processes - --
(a) carried on in the factory during the last twelve months (in the case of factories already in existence), and --
(b) to be carried on in the factory during the next twelve months (in the case of all factories) --
- 5 Name and values of principal products manufactured during the last twelve months --
- 6 (i) Maximum number of workers proposed to be employed on any one day during the year --
(ii) Maximum number of workers employed on any one day during the year --
(iii) Number of workers to be ordinarily employed in the factory --
- 7 (i) Nature and total amount of power (horse power) installed --
(ii) Maximum amount of power (horse-power) proposed to be used (including existing) --
- 8 Number of calendar year(s) for which grant or renewal of licence is required (indicate The exact calendar year/years) --
- 9 Full name and residential address of the manager of the factory along with mobile number and email ID. --
- 10 Full name and residential address of the occupier along with mobile number and email ID --
- 11 Full name and address of the owner of the premises or building (including the precincts thereof) referred to in section 80 of Code --
- 12 Reference number and date of approval of the plans
- 13 **Particulars of the licence fee payment**
Grant / renewal of licence fee paid in Rupees (INR)
- 14 **Particulars of Payment (Online Payment)**
Payment Reference Number:
Date of payment:
Fees paid:

Signature of Occupier
Date

FORM NO. XXIV

[see sub-rule (10) and sub-rule (11), sub-rule (15), sub-rule(18)(2) of Rule 55]

LICENCE TO WORK A FACTORY

Serial No. Fee Rs.

Registration Number(under OSH Code,2020).....

Licence is hereby granted to valid only for the premises described below for use as a factory employing not more than persons on any one day during the year and using motive power not exceeding.....H. P. subject to the provisions of the Occupational Safety, Health and Working Conditions Code, 2020 and the Rules made thereunder.

This Licence shall remain in force till the 31st day of December,

Description of the Licensed Premises

Name of Factory

Address

.....

.....

The licensed premises shown on Plan No.dated..... was approved by
Chief Inspector-cum-Facilitator

Date

Chief Inspector-cum-Facilitator

FORM XXV
(see sub-rule(14) of Rule 55)
NOTICE OF CHANGE OF MANAGER

Name of Factory

Postal Address of Factory

(Town / Village Pin Code Number)

Registration Number

License Number

1. (a) Name of the outgoing Manager
 (b) Date of relinquishing charge of outgoing manager
2. (a) Name of the new manager
 (b) Residential address
 (c) Telephone number
3. Date of appointment of the new manager
4. Signature of the new manager

Date:

Signature of occupier:

Name (in block letters)

Telephone number

FORM-XXVI

[see sub-rule (3) (ii) of Rule 58]

APPLICATION FOR THE SITE APPRAISAL COMMITTEE

- 1. Name and address of the applicant:**
- 2. Site Ownership Data:**
 - 2.1 Revenue details of the site such as Survey No., Plot No:
 - 2.2 Whether the proposed site attracts the provisions of section 3 of Environments protection Act, 1986, if so, the nature of the restrictions; and Local authority under whose jurisdiction the site is located:
- 3. Site plan:**
 - 3.1 Site plan with clear identification of boundaries and total area proposed to be occupied and showing details nearby the proposed site,
 - (a) Name of adjoining manufacturing units and human habits, educational and training institutions, petrol installations, Storages Liquefied Petroleum Gas and other hazardous substances, if any, within one kilometre from the proposed unit;
 - (b) Water sources (rivers, streams, canals, dams, water filtration plants) in the vicinity;
 - (c) Nearest hospitals, Fire stations, civil defence stations and police station and their distances;
 - (d) Details of high-tension electrical transmission lines, pipelines for oil, gas, sewerage, if any, passing through the site; and
 - (e) Location of railway stations, railway lines, scheduled road, bye-pass, if any, near the site.
 - 3.2 Plot plan of the factory, showing entry and, exit points, roads.
- 4. Project report:**
 - 4.1 A summary of the salient features of project;
 - 4.2 Maximum number of persons like be working in the factory;
 - 4.3 Maximum amount of power and requirements and source of supply;
 - 4.4 Block diagrams of the building installations, in the proposed project; and
 - 4.5 Details of housing colony, hospital, school and other infrastructural facilities proposed.
- 5. Organisation structure of the proposed manufacturing unit/ factory:**
 - 5.1 Person responsible for protection of safety, health and environment.

5.2 Proposed health and safety policy of the proposed enterprise.

6. Manufacturing Process Information:

6.1 Process flow diagrams.

6.2 Brief write up on process and technology.

6.3 Critical Process parameters such as pressure build-up, temperature rise and run-away reaction.

6.4 Other external effects critical to the process having safety implications such as ingress of moisture or water, contact with incompatible substances sudden power failure.

6.5 High lights of the built-in-safety/pollution control devices or measures incorporated in the manufacturing technology.

7. Information of Hazardous Materials:

7.1 Raw materials, intermediates, products and bye-products and their quantities (enclosed Material Safety Data Sheet in respect of each hazardous substances).

7.2 Main and intermediate storages proposed for raw material/intermediates/products/Bye-Products (maximum quantities to be stored at any time).

7.3 Transportation methods to be used for materials in flow and out flow, their quantities to be stored at any time.

8. Safety measures proposed for:

- Handling of materials:
- Internal and external transportation:
- Disposal (packing and forwarding of finished products).

9. Information or Dispersal/Disposal of wastes and pollutants:

9.1 Major Pollutants (gas, liquids, solid) their characteristics and quantities (average and at peak loads).

9.2 Quality and quantity of solid wastes generated, methods of their treatment and disposal

9.3 Air, Water and Soil Pollution problems anticipated and the proposed measures to control the same, including treatment and disposal of effluents

10. Process Hazards Information:

10.1 Enclose a copy of the report on environmental impact assessment.

10.2 Enclose a copy of the report on Risk Assessment Study: and

10.3 Published (open or classified) reports, if any, on accident situation/ occupational health hazards or similar plants (within or outside the country).

11. Information of proposed Safety and Occupational Health Measure:

11.1 Details of fire-fighting facilities and minimum quantity of water, carbon di-oxide and other fire-fighting measures needed to meet the emergencies.

11.2 Details of in-house medical facilities proposed.

12. Information on Emergency preparedness:

12.1 On Site Emergency Plan; and

12.2 Proposed arrangements, if any, for mutual aid scheme with the group of neighbouring factories.

I certify that the information furnished above is correct to the best of my knowledge and nothing has been concealed while furnishing it

Signature:

Date:

Designation:

FORM NO.XXVII*[see sub-rule (1) Rule 62]***HEALTH REGISTER**

S .No.	Department /works	Name of employee	Sex	Age (at last birthday)	Date of employment on present work	Date of leaving or transfer to other work with reasons for discharge or transfer	Nature of job or occupation	Raw materials, products or by-products likely to be exposed to	Dates of medical examination by medical officer and results of medical examination	If declared unfit for work, state period of suspension with reasons in details	Whether certificate of unfitness or suspension issued to the workers	Re-certified fit to resume duty on	Signature of the Medical Officer with date& seal
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM XXVIII

[see sub-rule(2) of Rule 62]

CERTIFICATE OF FITNESS

Certificate number:

Date:

1. Serial Number and employee code in employee register:
2. Name of the person examined:
3. Gender:
4. Process or department in which the person is employed or to be employed:
5. Descriptive marks:
6. Whether certificate granted :

- (i) I Certify that I have personally examined.....(name) S/o.....(father's name)/W/o.....residing at.....(address) who is desirous of being employed in or employed in(department and process) of(name of the factory) and that as nearly as can be ascertained from my examination is fit / unfit for employment at the above noted factory. He is fit to be employed and may be employed on some other non- hazardous operation such as.....
- (ii) He may be produced for further examination after a period of.....

7. Whether declared unfit and ' certificate refused:

8. Reason for:
(1) refusal of certificate.....or
(2) certificate being revoked.

He is advised the following further examination.....
He is advised the following treatment.

9. Reference number of previous certificate granted or refused:

The serial number of the previous certificate is.....

L.T.I./Signature of person examined:

Signature of Medical Officer

Note.— Exact details of cause of physical disability should be clearly stated. The Counterfoil should be retained by the Medical officer and maintained in a bound book or in a file

FORM XXIX

[see sub-rule (1) of Rule 71]

**APPLICATION UNDER SUB-SECTION (1) OF SECTION 114 FOR COMPOSITION OF
OFFENCE**

To,

The authorised officer [under Section 114(1)]

1. Name of applicant.....
2. Father's/Husband's name of the applicant.....
3. Address of the applicant.....
4. Name and Address of establishment in relation to the applicant.....
5. Particulars of the offence.....
6. Section of the Code under which the offence is committed.....
7. Maximum fine provided for the offence under the Code.....
8. Whether prosecution against the applicant is pending or not.....
9. Whether the offence is first offence or the applicant had committed any other offence prior to the offence and prior offence had been committed, then, full details of the offence.....
10. Any other information which the applicant desires to provide.....

Applicant

(Name and signature)

Dated:

FORM-XXX

[See sub-rule (1),(2) & (3) Rule 71]

**NOTICE TO THE EMPLOYER FOR AN OFFENCE COMMITTED UNDER THE
PROVISIONS OF THE CODE FOR THE FIRST TIME FOR COMPOSITION OF
OFFENCES**

Notice No..... Date:

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment..... (Registration No.....), have committed an offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations or the Standards framed thereunder as per the details given below:-

PART – I

1. Name of the person:
2. Name and Address of the establishment :
3. Registration No. of the establishment:
4. Particulars of the offence:
5. Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed:
6. Amount required to be paid for compounding of the offence:
7. Name and details of account for depositing the amount specified in serial no. 6:

PART –II

In view of the above, you have an option to pay the entire amount mentioned at serial no. 6 in Part-I within fifteen days from the date of issue of this notice and return the application duly filled in Part – III of this notice.

In case the said amount is not paid within the specified time, necessary action for institution of prosecution shall be initiated without giving any further opportunity in this regard.

(Signature)

(Name and designation of Officer)

Date:

Place:

To:

.....**(Employer/Establishment)**

.....**(Name and registration number)**

.....**(Address)**

PART – III

Application under section 114 for composition of offence

Ref: Notice No..... Date:

The undersigned has deposited the entire amount as specified at serial 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.

8. Details of the compounding amount deposited (Copy of the electronically generated receipt to be attached):

9. Details of the prosecution, if any filed in respect of the violation of the above-mentioned offences:

10. Whether the present offence is a first offence or whether the applicant has committed any other offence prior to this offence, if so, then, full details of such offence:

11. Any other information which the applicant desires to provide:

Signature of the applicant
(Name and Designation)

Date:

Place:

To:

.....(Compounding Officer)

.....(Name of the Office)

.....(Address)

PART – IV
Composition Certificate

Ref: Notice No..... Date:

This is to certify that the offence under sub-section of section 114 in respect of which Notice No. Dated: _____ was issued to Sh/Smt.(Applicant), the employer of (name and registration number of the establishment) has been compounded on upon receipt of the full amount of Rs (Rupees _____) towards compounding of the offence, to the satisfaction of the requirements of the said notice.

(Signature)

Name and Designation of the Officer

Date:

Place:

To:

.....(Employer/Establishment)

.....(Name and registration number)

.....(Address)


SECRETARY TO GOVERNMENT
(LABOUR)